VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE STAFF MEETING ROOM OF THE OPERATIONS BUILDING AT PAMPLIN PARK IN DINWIDDIE COUNTY, VIRGINIA, ON THE 4TH DAY OF OCTOBER, 2002, AT 7:30 A.M.

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

Mr. Edward A. Bracey, Jr., called the continuation meeting to order at 8:06 A.M.

IN RE: RETREAT SESSION

Mrs. Wendy W. Ralph, County Administrator, introduced Mr. Art Mead, Facilitator, who is the Assistant Director of the Southwest Virginia Office, Weldon Cooper Center for Public Service of the University of Virginia.

Mr. Mead spent a brief period of time discussing the following items:

- A perspective on the relationship between a board and its administrator.
  1. Do & Don't Tips List

- Insight into the management styles of chief administrators.
  1. Continuum of Management styles
  2. You Might Be A Dictator
  3. Empowerment Mantra & True Delegation

- Leadership: Inherent to Virginia County Government is the challenge of bringing all the players together in pursuit of common goals.
  1. Traits of Leadership versus Management

- New Public-Private Partnership Law (2002 state legislation): A potential tool with new features that might offer advantages in Dinwiddie County's specific mix of needs/goals.

- Conservation Easements: The Land Trust of Virginia provides a good example of a legitimate and practical mechanism to pursue preservation within the County.

Mr. Mead remarked, "Upon one's first visit to Dinwiddie County, a striking characteristic is the agricultural setting steeped in the historic legacy of its historic homes as exemplified by Carson and numerous other parts of the jurisdiction. The county's approach to the renovation of its public buildings has certainly reinforced this charm."

IN RE: DISCUSSION ITEMS FROM THE COUNTY ADMINISTRATOR

Mr. Mead presented the following items from the County Administrator to the Board for discussion.

- **Master Planning** – Can we pursue an update to our Master Plan for county facilities/buildings? a. Jail overcrowding – the contract with Southside Regional Jail is a just a temporary measure to a growing problem. b. Social Services Building expansion – an addition and roof

replacement estimated to cost $314,300 is included in the FY2003 CIP plan. Should we add on or revisit our idea of a Human Services Building to include the Social Services building as well as the Health Department? There is additional property around the Courthouse as well as the Dinwiddie fire station. c. Administration building – Relocation of the school board office so our Planning/Building Departments will have adequate space to operate. d. Old Bank Building and adjacent parking lot – this area is our only parking for the Historic Courthouse and Dinwiddie Library. When should we make this purchase? e. Use of Historic Courthouse – we have a request from the Historical Society for two offices. Should we begin with this group as the anchor and pursue volunteers to keep the building open? Will we allow that group to make the decisions on how and what items are displayed? f. A central garage/maintenance facility has been mentioned during the past years. Are you interested in pursuing this with the School Board? Are you interested in pursuing this on your own?

- **Planning/zoning/building** – A common goal of most Board members has been to strengthen the zoning and subdivision ordinance to control/manage growth and to "raise the bar" on residential development. Another request has been to get started on the "bullets" in Chapter XI of the Comp Plan, which is the "Policies, Goals and Objectives" section. (a copy was provided). There are several projects that can be gleaned from the pages of this section, which will be itemized and passed along to the Planning Commission for a recommendation to the Board. However, the projects will take resources—financial and personnel—and staff will need to know the Board's desire on committing the resources to these projects. Another suggestion has been a Planning Academy that involves the community as well because it's going to take a strong commitment from the Board on some very unpopular decisions to move forward.
- **Industrial Development** – It is apparent that a goal of the Board is to establish an industrial park because it has been approved and we are in the planning stage now. But the next question is how aggressive do you want us to be as a County in pursuing industrial development? Then, do you want us to concentrate on major industry or pursue smaller retail business as well? How strongly do you feel about the role of tourism and to what extent are you willing to commit resources, both financial and personnel?
- **Recreation** – Other than the Eastside Community Enhancement Center, all your recreational property is controlled by the School system. Do you want to develop additional recreational areas/parks, which are County owned and controlled?
- **Education** – Mr. Mead will be providing statistics on how Dinwiddie compares to other localities on SOL's and since some of you have commented on considering a fixed % for our budget allocation to the schools, we can discuss how that might work in Dinwiddie. The issue of new schools vs. using existing buildings can and should probably wait until the school study is complete.
- **Public Safety** – Basically, what level of service do you want to provide? I think you have been both attentive and generous in meeting the building and equipment needs of the volunteer agencies. But, unfortunately, this is not enough if there are no personnel to respond to a call. It is evident that our volunteer resources are dwindling and at least one department has submitted a request for paid fire personnel. A suggestion has been to place cross-trained personnel in both fire and EMS in each station to supplement the volunteers. If the Board can decide what level of service you wish to pursue, the staff can provide a recommended plan with proposed costs.

IN RE: RESPONSE FROM BOARD MEMBERS

The Board held a discussion on each of the above items and reached a general consensus on the following:

INDUSTRIAL DEVELOPMENT

- Major emphasis should be on development of an industrial Park
- Development of retail businesses (hotel/restaurant) – major interchanges
- Tourism – lower priority at this time – work with historical society to establish a community based study

PLANNING/ZONING/BUILDING

- Zoning and land use regulations need to be strengthened
- Desire to improve quality of housing
- Board should give Planning Commission direction
- A planning academy with citizen involvement was suggested – e.g. 1 day per week for 2 months
- Quality of Life is important to industrial development

RECREATION

- Additional fields/recreation area should be developed near new and/or renovated schools

MASTER PLANNING

- Pursue getting a price on updating County's Master Plan
- Jail population – pursue other options with Southside Regional Jail
- Social Services Building expansion – include in Master Plan update
- Central maintenance/garage facility – agreeable to pursue discussion with School Board
- Administration Building office space – review after School study is complete
- Bank building and adjacent parking – pursue purchase

EDUCATION

- Consider percentage allocation to schools early on in budget process

PUBLIC SAFETY

- Concern about adding onto Namozine VFD when it may not be in the best location to serve the area of growth
- The level of services is difficult to define at this time – There is a commitment to providing another EMS unit; however, the need for paid fire personnel is still uncertain

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye", the meeting adjourned at 3:46 P.M.

Edward A. Bracey, Jr., Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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 OCTOBER, 2002, AT 2:00 P.M.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
	ROBERT L. BOWMAN, IV, VICE-CHAIR (Arrived late)	ELECTION DISTRICT #3
	HARRISON A. MOODY	ELECTION DISTRICT #1
	DONALD L. HARAWAY (Arrived late)	ELECTION DISTRICT #2
	AUBREY S. CLAY,	ELECTION DISTRICT #5
OTHER:	JACK CATLETT	COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., 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: AMENDMENTS TO THE AGENDA

Mrs. Wendy Weber Ralph, County Administrator, stated there is a need to add under Closed Session: Personnel – Constitutional Officers Employees and to add Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia – Waste Management Contract. Also, Dr. Morris from the School Board has requested to be allowed to speak first under Constitutional Officers and Department Heads.

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

IN RE: MINUTES

Mr. Moody stated a correction is needed in the Minutes for the October 2, 2002 Continuation meeting. The sentence, (It was the consensus of the Board members to go ahead with the Revenue Recovery public hearing on October 30, 2002 at 7:30 P.M. However,) is repeated and needs to be deleted.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the October 2, 2002 Continuation Meeting and the October 2, 2002 Regular Meeting are hereby approved in their entirety, with the above stated correction for the October 2, 2002 Continuation Meeting.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1032502 through 1032680 (void check(s) numbered 1032430, 1032437, 1032501, 1032502, and 1032294) for:

Accounts Payable FY 2002- 2003:

(101) General Fund	$ 381,832.73

(103) Jail Commission	$	71.94
(104) Marketing Fund	$	.00
(209) Litter Control	$	210.00
(222) E911 Fund	$	2,386.78
(223) Self Insurance Fund	$	.00
(225) Courthouse Maintenance	$	.00
(226) Law Library	$	119.73
(228) Fire Programs & EMS	$	225.30
(229) Forfeited Asset Sharing	$	.00
(304) CDBG Grant Fund	$	81.85
(305) Capital Projects Fund	$	15,719.31
(401) County Debt Service	$	84,753.23
TOTAL	**$**	**485,400.87**

IN RE: CITIZEN COMMENTS

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

The following citizens came forward to address the Board:

1. Mrs. Geri Barefoot – 7411 Frontage Road, Petersburg, Virginia – She stated this question was directly for Mr. Moody dealing with sewer sludge. She cited an article from Cornell University, which reported 328 people from 15 states who say they have gotten sick from the exposure of sludge that had been used on farmlands for fertilizer. Ms. Barefoot requested that the Board back SB 618, which deals with protecting citizens against the practice of using sewer sludge on farmlands in the county.

2. Mrs. Anne Scarborough – Thanked Mr. Steve Beville, Animal Control Officer, for his quick response in removing an animal from her garage. She requested that the Sheriff be allowed to erect the directional sign for his office on U.S. Route 1 for the safety and benefit of persons who do not know where it is located. Mrs. Scarborough informed the Board that according to an article in the newspaper individual's social security numbers are going to be posted on a web site. She commented that they might want to include something in the legislative package to our legislators that this not be allowed.

Mr. Bracey requested that someone from the Administration staff to sit down and explain the sign situation to Mrs. Scarborough. Mr. Bowman commented he felt it would be wise to allow the Sheriff to put the sign up. He stated uniform signs are going to be made by the county but until that is done he didn't want to jeopardize a life. Mr. Bowman stated he would like to make a motion to that effect. Mr. Bracey stated this was not the time for this discussion. Mr. Bowman yielded the floor.

IN RE: SUPERINTENDENT OF SCHOOLS - REPORT

Dr. Roger Morris, Assistant Superintendent of Schools, stated he had nothing other than the memo addressing the anticipated timeline for closure of the Dinwiddie High School, Middle School, Midway Elementary and Dinwiddie Elementary School renovation projects.

The County Administrator distributed a memo from Dr. Wise listing the items, which were value engineered out; but for which there was not enough money to complete all of them. She pointed out that this information is being provided in case a question arises later as to why something was not done that was value engineered out.

IN RE: VDOT – REPORT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, came forward and presented the following update:

1. Six-year Plan Update – November 6, 2002 a work session is planned with the Board. Hopefully it will result in a public hearing for the updated plan on December 4, 2002.

2. Turn Lane request – for the Eastside Community Enhancement Center and the Dinwiddie Fire Station to install permanent turn lanes; that work should be completed late spring or early summer of 2003.

3. Pavement deterioration on Route 1 – VDOT will make this a priority to repair.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

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

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and stated his report was in their packets for the month of September 2002.

IN RE: TREASURER'S REQUEST FOR APPROVAL FOR FY 2003 DOG AND VEHICLE LICENSING AGENTS

Mr. William E. Jones commented as you may know, George Williams who has served the county as a dog licensing agent for roughly 20 years or longer is going out of business.

I have received a letter from the owners of Church Road Market expressing an interest in being a dog-licensing agent. Geographically it is in a better location, which is just west of the present location. He recommended approval of them as an agent and the surety bond be set at $5,000.

In addition, he requested that the following agents be approved for the 2003 dog and vehicle licensing period:

VEHICLE AGENTS: Namozine Fire and Rescue
Wallace and Sons Grocery
Reams Ruritan
Wilson-Hebron-Ford Ruritan

DOG AGENTS: Chesdin Animal Hospital
Animal control
Wallace and Sons Grocery
Mike Barnes (to serve Old Hickory area)
Reams Ruritan

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Bowman, 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 add Church Road Market as a dog licensing agent with a surety bond of $5,000; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that approval is granted for the Treasurer's Office to use the above listed agents for the sale of vehicle and dog licenses.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, was not present because his Mother passed away.

IN RE: SHERIFF'S DEPARTMENT – REPORT

Mr. Donald Adams, Investigator, came forward and presented the report for the month of September 2002 for the Sheriff's Department. He reported that the Sheriff is working on the speeders in Virginia Hills Subdivision.

IN RE: AUTHORIZATION FOR SHERIFF'S DEPARTMENT TO REPLACE VACANT COUNTY JAILOR POSITION – MR. EDWARD R. GILL, JR.

Mr. Donald Adams stated the Sheriff is also seeking the approval of the Board to replace a vacant county position in the jail.

The County Administrator commented that the list of persons tested was included in your packets. Edward R. Gill, Jr., is the Sheriff's recommendation for the vacant position.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Sheriff's Department is authorized to hire Edward R. Gill, Jr., to fill the vacant County Jailor position with an annual salary of $23,329.

IN RE: SHERIFF'S DEPARTMENT – REPORT CONT'

The County Administrator informed the Board that there were two letters from citizens included in their packets. One letter was requesting that radar be set up to address the speeding in Virginia Hills Subdivision. The second letter deals with dogs barking which comes under the noise ordinance. The Animal Control Office has been involved in this and they have gone as far as they can legally. She stated it was her understanding that the Sheriff's Department was working on this case also. Mrs. Ralph gave Mr. Adams a copy of the letters for the Sheriff's Office.

Mr. Bracey stated he has been concerned for several years about the speeding in the school zone areas especially on Courthouse Road, Boisseau Road and Turkey Egg Road. Someone is going to get killed if something is not done. He said the Sheriff promised he would take care of the situation but he hasn't yet. Mr. Bracey also commented he didn't feel that the inmate names should be included in the jail report.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of September 2002.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steve Beville, Animal Control Officer, came forward and presented his monthly update for September 2002.

The County Administrator requested that the recognition for Mrs. Mary Ellison be postponed until she can be available.

Mrs. Ralph asked Mr. Beville to briefly comment on the process followed in reference to vicious dogs, which relates to the article in the newspaper concerning the dog bite incident.

Mr. Beville commented when they respond to a vicious dog call they have to abide by the State and County Code. For example, if the dog does not show any aggressive behavior when we answer the call it is difficult to say it is vicious. If the dog barks when a neighbor comes into the yard or a child in the next yard comes near it that is not a vicious dog. If a dog chases someone or tries to bite him or her and the owner doesn't do anything about the situation then the Commonwealth Attorney suggested that the person with the complaint regarding the dog's actions send a letter to the owner. Our department will also issue a letter to the owner. If that does not alleviate the problem the person with the complaint may have the Magistrates issue a warrant against the owner of the dog. The State and County Code is almost identical. Mr. Bracey interrupted and asked Mr. Beville to please give the Magistrates a copy of the State and County Code due to an incident, which happened to him. He felt the Magistrates have not been consistent in administering these policies.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came forward and stated they had his monthly update for September 2002 for the planning department.

IN RE: AUTHORIZATION FOR THE CHIEF OF ADMINISTRATIVE SERVICES TO SIGN THE DISBURSEMENT REQUESTS FOR THE VIRGINIA TOBACCO INDEMNIFICATION GRANT

Mr. William C. Scheid stated the county received a Tobacco Grant for the development of an industrial park site by the spring of 2002. One of the requirements in the Agreement Letter is that the Board officially designates a person that is authorized to make disbursement requests.

The County Administrator recommended that the Chief of Administrative Services, Mrs. Glenice Townsend, be authorized to sign off on the disbursement requests. This would give us a good spread of authority here and be a way to have a review by another officer of the county.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Chief of Administrative Services is authorized to make disbursement requests under the Tobacco Indemnification Fund Grant.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his September 2002 monthly report. He commented he inadvertently left two homes in Mr. Bowman's district off the Building Permit Activity report. The total should be 31 for the year, not 29.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER – TRAVEL REQUEST

Mr. David S. Thompson requested authorization to attend the VAGIS Conference October 27 – 29, 2002 at Roanoke, Virginia at a cost not to exceed $387.

Upon motion of Mr. Moody, seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Moody, Mr. Bowman, Mr. Bracey voting "Aye", authorization for Mr. David Thompson to attend the VAGIS Conference October 27 – 29, 2002 at Roanoke, Virginia at a cost not to exceed $387 is approved.

IN RE: CODE COMPLIANCE OFFICER

Mr. David S. Thompson also presented the Code Compliance Officer's report for September 2002.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen, Director, Social Services Department, came forward and stated she had nothing important to report.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, came forward and presented his September 2002 monthly report. He added the flea market for the Dinwiddie Diamonds was very successful. They had 73 vendors and raised a little over $1,200.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward and presented his report for September 2002.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his report for September 2002. He also reported that the brake work that was done on the Ford VFD fire truck was covered under Pierces' twelve-month warranty and they are going to refund $919 to the county.

Mr. Jolly commented that he had provided the additional information the Board requested on revenue recovery in their packets and he would like to get their feed back before the public hearing. Mr. Haraway pointed out that the report indicated that there were fewer calls between midnight and 6:00 A.M. and that is what he anticipated.

Mr. Bowman asked Mr. Jolly to find out how many calls Namozine made yearly to Central State Hospital. Mr. Jolly replied he would.

IN RE: COMMUNICATIONS SUPERVISOR – REPORT

Ms. Denise Absher, Communications Supervisor, came forward to present an update for September 2002.

IN RE: AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS FOR COMPUTER AIDED DISPATCH SYSTEM – E-911 COMMUNICATIONS CENTER

Ms. Denise Absher requested authorization to issue a request for proposals for a Computer Aided Dispatch System (CAD). She stated she would like to have the RFP completed and reviewed by the County Administrator and legal counsel by the end of the month. The consultant for the State Wireless Board will assist us in writing the CAD RFP for the county.

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

granted to the Communications Supervisor to issue an RFP for a Computer Aided Dispatch System (CAD) for the Communications Center.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Jack Catlett, County Attorney, stated he had nothing to report.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and stated he provided his monthly update for September 2002 in the Board packages.

IN RE: NORTHSIDE ROOF – BID TO REPAIR NORTH WING & CAFETERIA

Mr. Donald Faison stated the bid he presented to the Board last month for the roof at Northside from Wall Sheet Metal, was $14,000. The projected study from the Consultant for the School Board will not be completed until December 2002. We have had three rains since then and water is going into the building. In order to preserve the building for future use he recommended proceeding with the work.

The County Administrator commented, we thought the study would be completed sometime this month. However, the School Superintendent does not expect it until probably the first of December. Northside's use was included in the study and that is why action was postponed.

Mr. Bracey commented that he didn't feel it would hurt to wait 20 or 30 more days to make a decision to spend that much money to repair the roof, when there is a possibility that a new roof will be needed.

Mr. Faison stated he is concerned because we are going into the winter season and there is a possibility of major damage to the building if we don't at least repair the roof.

Mrs. Ralph explained if the Board wants to put the full roof on the building it would have to be put back into the CIP. The full roof was removed and there is only $20,000 in the CIP for repairs to the roof this year. So priorities would have to be reworked if that was what they wanted to do.

Discussion continued and Mr. Bracey suggested that action be postponed until more information could be obtained so that the Board can make a good sound decision.

IN RE: CRATER JUVENILE DETENTION HOME SERVICE AGREEMENT

The County Administrator stated she had included in their Board packets the new service agreement and tried to outline the major changes. Mrs. Ralph pointed out some of the proposed changes to the service agreement to include the following:

1. The budget shall continue to be allocated on a combination of population and usage (50% population and 50% usage).
2. The population estimates will be updated every 3 years using estimates provided by the Weldon Cooper Center.
3. The bed allocation is based on the same formula and shall also be adjusted every three years (using the third year population and the average usage over the last 3 years). Dinwiddie County is allocated 4 bed spaces. Any usage above the locality's allocated number of beds and above the capacity of the Center

is billed directly to the using member. **Prior to this year, all members were sharing in external costs.**

4. Withdrawal from the Commission – No withdrawal is allowed as long as debt is outstanding. This agreement provides for debt to be incurred up to $1 million without returning to the Commission Boards and Councils for approval. To meet the recent compliance issues from the Board of Juvenile Justice, the Commission is securing a capital improvements loan in the amount of $500,000. The major items include a modular classroom, generator, sprinkler system, and other fire and safety improvements.

Mrs. Ralph stated the most beneficial amendment to us and to other localities that do not have a large bed usage is that, now, that member jurisdiction is responsible for their own external detention costs. Whenever a jurisdiction exceeds their allocated number of beds in the center and they have to send juveniles to other locations; then they are responsible for those costs. Up to this point all the localities had to share in those costs so that is a significant and beneficial change for us. There was also a correction in our allocated number of bed spaces. It is 4 instead of 5, which will decrease our cost.

The County Attorney has reviewed the agreement. There were a couple of minor changes recommended by counsel but there is no big significant change to the agreement itself. Those changes will be made to the agreement before it is signed. Mrs. Ralph recommended approval of the amended agreement as presented.

Mr. Andrew F. Brown, Jr., Executive Director of the Crater Youth Care Commission came forward commenting Petersburg City Council and Hopewell City Council have endorsed the agreement. He appealed to the Board to endorse the agreement also. The purpose of the agreement is to formalize the operational agreement in the event that we need to borrow funds for capital improvement projects. The Department of Juvenile Justice in view of the significant overcrowding placed the facility on probation. However, a capital improvement program has been developed and the Department of Juvenile Justice has removed the probationary status.

The County Administrator complimented Mr. Brown and his staff on what they did to bring the facility out of that probationary period. Continuing, she stated the capital improvements as Mr. Brown described are a necessary part of that and we have to go forward with them.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator was authorized to sign the Crater Juvenile Detention Home Service Agreement with the two amendments recommended by the County Attorney.

IN RE: APPOINTMENT OF ASSISTANT COUNTY ADMINISTRATOR – MR. KEVIN MASSENGILL

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Kevin Massengill be appointed to the position of Assistant County Administrator at Grade 20, Step A, at a salary of $53,860, effective November 4, 2002.

IN RE: AUTHORIZATION TO SIGN LETTER OF AGREEMENT FOR COUNTY WEB SITE

Ms. Cathy Carwile, Information Technology Manager, stated at this point the web site is almost completed.

I am pleased to advise you that work on the Dinwiddie County Web-Site is almost complete. Constitutional Officers and Department Heads have been provided with a copy of the proposed design for their department and have been encouraged to offer suggestions and to provide additional information they would like to see incorporated into the site. The site will continue to be a "work in progress" as we identify additional information and resources that may be of benefit to our community.

The current design is intended to provide information such as:

- services provided by the various governmental agencies in the county
- meeting dates, agendas, and minutes
- public notices and employment opportunities
- forms - building permit applications and site plans, employment applications, etc.
- recreational opportunities
- boards and commissions serving the county
- economic development
- links to area, state and federal agencies

The Virginia Department of Information Technology, our current provider of Internet access and e-mail, can provide the web hosting services necessary to launch the site. Based on our current needs, they can provide "Basic Web Hosting Services" at no cost. DIT does, however, reserve the right to charge for services in the future based upon additional services required as our website evolves or as they make changes to their pricing structure.

To proceed with the project, I request your authorization to sign a Letter of Agreement (copy attached) with the Virginia Department of Information Technology. Upon your approval, I will begin implementing final changes, complete the testing and anticipate having the site live on the web by mid November.

If you would like to review the content of the site I can arrange a demonstration or provide it in print or on compact disk.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Information Technology Manager is authorized to proceed with the web site development and sign the Letter of Agreement with the Virginia Department of Technology as presented.

IN RE: AUTHORIZATION TO ADVERTISE PUBLIC HEARING TO PERMIT AN EXCEPTION TO HUNTING WITH RIFLES

Mrs. Ralph stated she was contacted by an individual who is handicapped that wants to participate in the black powder-hunting season. By our Code, the only way he can hunt is in a stand above the ground and that is impossible for him to do. He contacted the game warden and wanted to know if there is anyway that the County could accommodate him under the American Disabilities Act. The County Attorney, after researching, is recommending we make a special exception to the ordinance for those individuals who possess the special permit for hunting under Section 29.1-521.3 under the Code of Virginia. It will take 60 days to hold a public hearing for the amendment to the County Code and by that time the hunting season will be over. She stated the gentleman does

possess this permit, which requires a medical doctor's written statement verifying his disability. Mrs. Ralph stated she would ask the Game Warden to make a special exception for this individual until we can adopt the amendment. She requested authorization to advertise the following ordinance for public hearing.

AN ORDINANCE TO AMEND SECTION 15-3 OF THE CODE OF THE COUNTY OF DINWIDDIE, VIRGINIA TO PERMIT AN EXCEPTION FOR THE PHYSICALLY DISABLED TO HUNTING WITH RIFLES

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of the County of Dinwiddie, that Section 15-3 of the Code of the County of Dinwiddie, Virginia be amended and reenacted to read as follows:

Sec. 15-3. Hunting with certain rifles prohibited; exceptions.

It shall be unlawful and a class 3 misdemeanor for any person to hunt with a rifle of a caliber larger than .22 in the county, except in the hunting of groundhogs (woodchucks) between March 1 and August 31; however, this section shall not apply and does specifically exempt from the above provisions the hunting of game species with a muzzle-loading rifle during the prescribed open seasons for the hunting of game species as established by the Commission of Game and Inland Fisheries; provided, however, **unless such person holds a valid permit issued under § 29-521.3 of the Code of Virginia** that the use of such muzzle-loading rifle in the hunting of deer may only be from a stand located at least ten (10) feet in elevation above the ground; and "accelerator" cartridges is strictly prohibited from use in conjunction with said muzzle-loading weapons.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Administrative Staff to proceed with the advertising of a Public Hearing for the Ordinance to permit an exception for the physically disabled to hunt with rifles.

Mr. Bowman requested that the County Attorney investigate the possibility of adding a hunting class requirement to the County Code before a person is allowed this special exception. He went on to describe instances where people shoot near homes and he is concerned about whether they are properly trained. The Board agreed to go on with this public hearing and look into Mr. Bowman's concerns for future consideration.

IN RE: BRAC COMMISSION – REQUEST FOR FUNDING

The County Administrator stated a letter from the BRAC Committee was enclosed in your packets requesting a portion of the funding we have been discussing for the consultant for the BRAC review. This is part of the money the County would be budgeting for next year. Senator Randy Forbes is working on the legislative side to protect our interests and the committee feels they need to move forward with the consultant immediately. The BRAC Committee is requesting $11,000 and it will be part of the $22,266.50 they would have asked for in next years budget. The request today is to allocate $11,000 towards the consultant for the BRAC review. Mr. Haraway commented on the contribution that Fort Lee makes to the community.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia allocated $11,000 from the undesignated fund balance for the consultant for the BRAC review.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Enclosed in your packets was a list of the items we discussed at the Board retreat. She requested that they review the list and let her know if there were any changes needed.
2. This meeting will be continued until Wednesday, October 30, 2002 at 7:30 P.M. for the public hearing on Revenue Recovery.

IN RE: AUTHORIZATION FOR SHERIFF TO ERECT A TEMPORARY DIRECTIONAL SIGN

Mr. Bowman commented he would like to address the Sheriff's sign issue, if this is the proper time. People in distress don't have time to stop and ask for directions. He stated he would like to see the sign put up temporarily until a permanent uniform sign can be installed. He commented he would make a motion to that effect. Mr. Bracey stated he felt the sign was a political issue and Administration is looking into having uniform signs made. Mr. Haraway said he would not be opposed if the Sheriff removed his name from the sign. Mr. Clay stated the only objection he had was that the sign had the Sheriff's name on it also.

Mr. Bowman amended his motion to allow the Sheriff to install the temporary directional sign if the Sheriff's name is removed from the sign.

The motion was seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye", Mr. Bracey voting "Nay", the Sheriff was authorized to erect the directional sign temporarily if his name is removed before it is installed.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay — He stated he is concerned about spending $14,000 and waiting 2 or 3 weeks to put the roof on Northside. Mr. Bracey commented he felt the money would be wasted if the roof is put on and the building is not used or if it is used and a new roof is installed. Mr. Clay agreed.

Mr. Moody — No Comments

Mr. Bracey — He complimented Mr. Art Mead the facilitator for the Board retreat. Mr. Meade did a great job and so did the staff. It was the best one he has attended.

He stated the Jail report reflects a rise in the population again. He requested Staff to check and make sure that State inmates are being processed out as soon as possible.

Is there an organization in the County that deals or works with "Children at Risk"? Mrs. Peggy McElveen responded that the *Comprehensive Services Act* requires each County to have a County Policies and Planning Team that consist of 5 mandatory agencies and some others too. The Line Staff review cases and then it is brought to the management team for approval if funding is needed. If someone wants to make a referral they can contact me at the Social Services Department. Mr. Bracey commented he was at a meeting and the subject was brought up and he was not aware of the organization.

Mrs. Ann Scarborough thanked the Board for having their retreat here in the County rather than going out of the County to another location.

IN RE: CLOSED SESSION

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

Personnel Matters - §2.2-3711 A. 1 of the Code of Virginia
- Building Inspection; and Constitutional Officers Personnel

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

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 3:55 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 4:32 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel – Building Inspection; and Constitutional Officers Personnel § 2.2-3711 A.7, Consultation with Legal Counsel - Waste Management Contract

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

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

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

IN RE: AUTHORIZATION TO ADVERTISE ASSISTANT BUILDING INSPECTOR POSITION AND HIRE PART–TIME HELP

Upon motion of Mr. Clay, seconded by Mr. Haraway, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye", authorization is granted for Administration to advertise the position of Assistant Building Inspector and hire a part-time person until the position can be filled.

IN RE: PRIVATIZATION OF WASTE MANAGEMENT OPERATION

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administration is authorized to seek proposals to investigate the cost-efficiency of privatization of the waste management operation.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter from "Justice for Megan" Director – Informing VDOT, Sheriff, and the Administration Office of a public march on October 19, 2002
2. Virginia's Gateway Region – Report for August and September

3. Appomattox Regional Library System – Monthly report

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 4:55 P.M. to be continued until 7:30 P.M. on Wednesday, October 30, 2002 for the Revenue Recovery Public Hearing.

Edward A. Bracey, Jr.
Chairman

Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PUBLIC SAFETY BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 30TH DAY OF OCTOBER, 2002, AT 4:00 P.M.

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

Mr. Edward A. Bracey, Jr., called the continuation meeting to order at 7:34 P.M.

IN RE: PUBLIC HEARING – A-02-11 – REVENUE RECOVERY

This being the time and place as advertised in the Dinwiddie Monitor on October 16, 2002 and October 23, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comments regarding the imposition of fees for the delivery of emergency medical services and transportation to hospitals.

The County Administrator stated we held one public hearing already and many work sessions to supply information and answers to the questions that were brought forth from the Board and concerned citizens. Mr. David Jolly, Director of Public Safety, is going to give a power point presentation and answer any further questions or concerns anyone might have. Mrs. Ralph pointed out that no action could be taken tonight because there are fees involved.

Mr. David Jolly, Director of Public Safety, came forward and gave the following Revenue Recovery power point presentation:

EMS Calls by Day of Week

January thru June 2002

Day of Week	January-02	February-02	March-02	April-02	May-02	June-02	Total	%
Monday	30	40	25	32	37	27	**191**	**13.83%**
Tuesday	33	36	29	23	38	28	**187**	**13.54%**
Wednesday	23	37	23	49	46	27	**205**	**14.84%**
Thursday	40	29	27	31	37	24	**188**	**13.61%**
Friday	26	33	45	33	46	31	**214**	**15.50%**
Saturday	32	28	44	29	29	41	**203**	**14.70%**
Sunday	35	35	31	30	34	28	**193**	**13.98%**
Total for Month	**219**	**238**	**224**	**227**	**267**	**206**	**1381**	

Day Calls	139	153	136	124	158	119	**829**	**60.03%**
Night Calls	80	85	88	103	109	87	**552**	**39.97%**

EMS Calls by Hour of Day

January thru June 2002

Time of Day	January	February	March	April	May	June	Total Calls	% of Total Calls
2400-0059	7	6	6	11	7	4	**41**	**2.97%**
0100-0159	4	5	10	4	8	2	**33**	**2.39%**
0200-0259	5	6	3	6	8	5	**33**	**2.39%**
0300-0359	3	3	3	4	7	6	**26**	**1.88%**
0400-0459*	0	3	5	3	10	3	**24**	**1.74%**
0500-0559	6	7	5	7	6	4	**35**	**2.53%**
0600-0659	7	3	10	4	7	8	**39**	**2.82%**
0700-0759	9	9	12	9	7	8	**54**	**3.91%**
0800-0859	13	7	14	17	11	9	**71**	**5.14%**
0900-0959	13	9	7	14	14	14	**71**	**5.14%**
1000-1059	16	14	15	9	13	10	**77**	**5.58%**
1100-1159	10	19	8	6	12	10	**65**	**4.71%**
1200-1259	7	21	13	12	19	8	**80**	**5.79%**
1300-1359	13	6	12	7	13	11	**62**	**4.49%**
1400-1459	14	13	15	13	15	7	**77**	**5.58%**
1500-1559	15	22	6	11	14	11	**79**	**5.72%**
1600-1659	11	12	13	10	14	8	**68**	**4.92%**
1700-1759**	11	18	11	12	19	15	**86**	**6.23%**
1800-1859	10	17	9	10	12	9	**67**	**4.85%**
1900-1959	5	7	10	13	12	14	**61**	**4.42%**
2000-2059	7	8	11	14	14	13	**67**	**4.85%**
2100-2159	10	10	13	17	9	6	**65**	**4.71%**
2200-2259	16	2	9	9	8	11	**55**	**3.98%**
2300-2359	7	11	4	5	8	10	**45**	**3.26%**

Total for Month	**219**	**238**	**224**	**227**	**267**	**206**	**1381**

Highest Hour**

Lowest Hour*

Breakdown of EMS Calls by Postal Districts

January thru June 2002

	January	February	March	April	May	June	
Blackstone	7	4	1	2	5	2	21
Carson	6	5	3	3	6	1	24
Church Road	9	14	5	10	8	3	49
Dewitt	8	5	5	12	11	12	53
Dinwiddie	32	48	25	35	46	33	219
Ford	7	4	2	6	7	7	33
McKenney	24	15	10	25	35	15	124
Petersburg	102	88	73	109	118	105	595
Prince George	0	1	1	1	1	0	4
Rawlings	0	0	1	0	0	0	1
Stony Creek	0	4	2	11	5	5	27
Sutherland	15	13	14	9	17	16	84
Wilsons	1	4	1	3	3	4	16

Location where Ambulance Responded from

Location call answered from	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	Total	%
Dinwiddie	144	167	147	161	175	131	925	66.98%
Ford *	0	0	0	5	0	0	5	0.36%
McKenney	11	5	3	3	5	3	30	2.17%
Namozine	49	58	67	48	73	64	359	26.00%
Dinwiddie Rescue	15	8	7	10	14	8	62	4.49%

* Ford does not currently have an ambulance housed in their building

Revenue Recovery Key Points

- All billing for an ambulance transport will go to an individual's insurance company
- If an individual does not have insurance and/or the insurance company determines that the transport was not medically necessary, a bill will be sent to the individual.

Ability to Pay

DINWIDDIE FIRE & EMS REVENUE RECOVERY

ABILITY TO PAY SCALE

ANNUAL HOUSEHOLD GROSS INCOME / FAMILY SIZE

DISC	Consumer Amount	Consumer Pymt. %	1	2	3	4	5	6 (Over)
	Enter the Amount Owed							
0%	$0.00	100%	25,500	34,200	42,900	51,600	60,300	69,000
5%	$0.00	95%	24,500	32,900	41,300	49,700	58,000	66,400
10%	$0.00	90%	23,600	31,600	39,700	47,700	55,800	63,800
15%	$0.00	85%	22,600	30,300	38,000	45,800	53,500	61,200
20%	$0.00	80%	21,700	29,000	36,400	43,800	51,200	58,600
25%	$0.00	75%	20,700	27,800	34,800	41,900	48,900	56,000
30%	$0.00	70%	19,700	26,500	33,200	39,900	46,700	53,400
35%	$0.00	65%	18,800	25,200	31,600	38,000	44,400	50,800
40%	$0.00	60%	17,800	23,900	30,000	36,000	42,100	48,200
45%	$0.00	55%	16,900	22,600	28,300	34,100	39,800	45,600
50%	$0.00	50%	15,900	21,300	26,700	32,200	37,600	43,000

55%	$0.00	45%	14,900	20,000	25,100	30,200	35,300	40,400
60%	$0.00	40%	14,000	18,700	23,500	28,300	33,000	37,800
65%	$0.00	35%	13,000	17,400	21,900	26,300	30,800	35,200
70%	$0.00	30%	12,000	16,200	20,300	24,400	28,500	32,600
75%	$0.00	25%	11,100	14,900	18,600	22,400	26,200	30,000
80%	$0.00	20%	10,100	13,600	17,000	20,500	23,900	27,400
85%	$0.00	15%	9,200	12,300	15,400	18,500	21,700	24,800
90%	$0.00	10%	8,200	11,000	13,800	16,600	19,400	22,200
95%	$0.00	5%	7,200	9,700	12,200	14,600	17,100	19,600
99%	$0.00	1%	6,280	8,420	10,560	12,700	14,840	16,980

If a person is unable to pay the fee:

- Should contact billing company who will investigate the purpose of the bill to see that it has been filed properly,
- After review, if needed, will have the individual submit the information on the questionnaire and apply the sliding scale, if applicable.
- Will work with individual in setting up a payment plan.

Subscription Plan

- Plan will cost $59 per year. The year will be from January to December.
- Will cover everyone in the household.
- Will cover all bills that are not covered by third party insurance.

Proposed Ordinance

Mr. Jolly stated lastly, is the proposed ordinance. After speaking with several different groups and jurisdictions we are proposing one fee for transport, $385.00, instead of the original submittal of two fees. We believe this will simplify the process and make it better understood by both the citizens as well as providers.

AN ORDINANCE AMENDING THE CODE OF DINWIDDIE COUNTY TO IMPOSE A FEE FOR EMERGENCY MEDICAL SERVICES AND TO AUTHORIZE FOR THE COLLECTION OF SUCH FEES

WHEREAS, the Board of Supervisors has appropriated tax revenues for the provision of Emergency Medical Services to the residents of Dinwiddie County;

AND WHEREAS, many of such residents have health plans or insurance that covers the cost of such services;

AND WHEREAS, the Board of Supervisors believes that the revenue recovery of the cost of such emergency medical services is in the best interests of all taxpayers of the County.

BE IT ORDAINED, by the Board of Supervisors under the authority granted to it under §32.1-111.14 of the Code of Virginia that as of _____, 2003, the following fees will be imposed for emergency medical services:

Basic and Advanced Life Support	**$385.00**
EMS Transport	**$ 7.50 per mile from**
patient pick-up to hospital	
Annual Subscription Fee	**$ 59.00**

AND BE IT FURTHER ORDAINED, that the County Administrator is authorized to enter into a contract with Diversified Ambulance Billing, Inc. for the billing of such fees on behalf of the County.

These surrounding Cities and Counties have or are in the process of implementing Revenue Recovery.

- Colonial Heights
- Chesterfield County
- Southside Rescue – South Hill
- Petersburg
- Nottoway (Currently being implemented)

Mr. Jolly asked the Board members or citizens if they had any additional questions.

Mr. Bracey opened the public hearing.

The following citizens spoke in support of Revenue Recovery:

1. Robert Belcher, 26516 Flank Road, Petersburg, Virginia
2. Bill Van Gills, 16810 Wilkinson Road, Dinwiddie, Virginia
3. Danny Jarrell, 10084 Amber Drive, Virginia
4. Jennifer Reese, 20321 White Oak Road, Sutherland, Virginia

The following citizens spoke in opposition to the Revenue Recovery:

1. Sheri Roberts, 17314 Old Cryors Road, McKenney, Virginia
2. Junious W. Tucker, 20417 Depot Road, McKenney, Virginia

Mr. William Brown, 26016 Troublefield Road, stated a member of his church wants to know if he pays the $59 subscription fee would that child who does not live in his house but he pays child support and carries them on his insurance policy be covered? Mr. Jolly replied he honestly did not know. But he did feel the subscription fee would cover only the household or address where the person lives. Mr. Jolly stated he would ask the subscription company and let him know.

Mrs. Anne Scarborough, Boydton Plank Road, Dinwiddie, Virginia stated she felt $7.50 per mile for transporting the patient to the hospital was too high, especially for the southern and western portions of the county. She commented that the Board should reduce the mileage cost to the citizens. Are we going to be hiring personnel with ALS training or will we have to pay to train them? Mr. Jolly stated the county has: 8 Full-time providers, 5 Paramedics 3 Cardiac Technicians; 18 Part-time providers, 5 Paramedics, 6 Cardiac Technicians, and 7 Basic EMT's for a total of 26 providers. The full-time units always have an ALS provider.

Mr. Bracey closed the public hearing.

He asked the Board if they had any comments or questions.

Mr. Moody commented he felt the $7.50 per mile for transport was rather high too. Mr. Jolly stated we derived that amount from the billing company. That is what Medicaid pays for transporting patients. He asked if the County or the

Billing Company would send out the Subscription information to the citizens? Mr. Jolly stated the County would send that information out. Mr. Moody asked if the $59 subscription fee would cover the $7.50 mileage fee? Mr. Jolly replied yes.

Mr. Haraway stated under paragraph 3 of the Revenue Recovery Recap that he received stated: "Since a person will now be paying for the service, will they be able to request the specific hospital or doctor to be transported to? One of the responses was, if we have more than one ambulance in service and the provider feels like they can manage transporting the patient to the patient's requested hospital, then we will transport them to that facility. Mr. Haraway commented he felt our purpose should be to keep the ambulances in service in Dinwiddie County. Private companies can be hired to transport patients to other facilities. Mr. Jolly interjected the rest of the paragraph also addressed that issue which was the policy will remain the same, which is to take the patient to the nearest medical facility. The purpose is to keep the ambulances in service in Dinwiddie County. The insurance company is going to evaluate if that transport was medically necessary to a hospital other than the closest hospital.

Mr. Clay stated he felt the patients should be taken to the nearest hospital.

Mr. Bracey pointed out that there are a lot of people in the Bolster Store area who use the hospital in Emporia, which is closer to them than Southside Regional. Would they be taken to Emporia or Southside Regional? Mr. Jolly replied the south side of Route 40 is the cut-off point for the determination now.

Mr. Bracey remarked Revenue Recovery would be on the agenda for the meeting November 6, 2002 for action to be taken.

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 8:31 P.M. to be continued to Wednesday, November 6, 2002, at 5:30 P.M. in the Multi-purpose Room for a closed session for acquisition of property, and at 6:30 P.M. there will be a work session with VDOT to discuss the six-year plan in the Board Meeting Room.

_____
Edward A. Bracey, Jr., Chairman

ATTEST:_____
Wendy Weber Ralph
County Administrator

/abr

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 6TH DAY OF NOVEMBER, 2002, AT 5:30 P.M.

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

Mr. Edward A. Bracey, Jr., called the regular meeting to order at 6:03 P.M.

IN RE: CLOSED SESSION

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

Real Property - §2.2-3711 A. 3 – Acquisition of Real Property

Mr. Clay seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 5:50 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 6:25 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.3 Acquisition of Real Property

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

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

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

IN RE: VDOT – SECONDARY ROADS SIX YEAR PLAN WORK SESSION

Mr. Richard Caywood, Resident Engineer Virginia Department of Transportation, came forward and stated VDOT is in the process of preparing the annual update of Dinwiddie County's Secondary Roads Six Year Plan and Annual Secondary Construction Budget for the FY 2003-2004 – 2008-2009 planning period. He supplied copies of the approved plans from the last cycle. "This included the 02/03 – 07/08 plan that was approved by the Board in November of 2001 and the revised plan that was presented to the Board in June 2002. The revised plan reflected the changes due to budget shortfalls in the Secondary Construction Program."

Mr. Caywood submitted a draft Annual Budget and Six Year Plan for discussion with the Board. He commented that the draft plan details the projected funding for the listed priorities in the plan. VDOT is proposing to add

Shady Lane back into the plan to utilize some unpaved road funds. Shady Lane is a potential candidate for the rural rustic program. Mr. Caywood commented he would like to have the County Planner ride it with him. Tranquility Road would also be a good one for the program. The rest of the unpaved funds are dedicated to a separate line item in the plan entitled "Unpaved Projects to be Identified". This approach allows the unpaved funds to be captured in the plan, without committing them to specific projects at this time. It also enables us to explore the possibility of using the pave in place program or the rural rustic program on certain projects to avoid costly estimates in the plan." VDOT has done a couple of pave in place projects in the County. Blue Tartane, Rt. 615, is finished and it cost about one-half versus doing a full-blown construction job. The Ridley Road project is in process now at a cost of about one third of the projected costs.

Mr. Caywood explained that the Rural Rustic Project is simply another means to improve a dirt road between the existing ditches. Drainage improvements would be very minor, if at all. Side slopes would not be changed, and essentially no vegetation would be disturbed. For these reasons, the environmental approval process should be significantly shortened.

Mr. Caywood reviewed the Secondary Roads Six Year Plan with the Board. At the conclusion of his presentation he asked the Board if they had any questions or comments.

Mr. Bowman stated he was no expert in road engineering and planning and he needed some professional guidance. He asked if road counts are a determining factor. For example, Courthouse Road has a traffic count of 415 compared to 1,160 on Halifax Road. However, Courthouse Road is in front of Halifax Road on the plan. He asked Mr. Caywood his opinion on how we should select the roads that are placed in the priority plan and what part of the county should we be spending the funds for the roads? Mr. Caywood replied the Board is given a great deal of latitude in deciding which roads are placed on the plan. Mr. Caywood replied from an engineering perspective we look at traffic count, accident rate, and growth patterns and those would be what I would use to base my recommendations for new projects to be placed on the plan. However, it is not my place or the departments to question the priorities, which have been previously established by the Board.

Mr. Bowman stated there is no money being spent on roads in the growth area in the county. We are spending the money in the other section, which is hard to explain to citizens. Mr. Caywood said he could provide traffic counts, accident data, and other information but again ultimately VDOT looks to the Board for that direction.

Mr. Bowman asked what the Board would have to do to recommend dual lanes on U.S. Route 1. Mr. Caywood replied normally on two-lane roads the volume would have to reach 10,000 before it can be considered. Route 1 has already reached that point now. However, the funding horizon for State funded projects is very bleak now.

Mr. Moody stated the only thing he is concerned about is the old road plan. We don't want to forget the priority order of the roads. He expressed his concern that once the new plan is adopted, that the other priority list might be forgotten. Mr. Caywood responded he would supply that list to the Board.

Mr. Haraway commented, like Mr. Bowman, I do not have the expertise to prioritize the projects. He felt it would be interesting if an independent party would go in and evaluate the different roads and give us what they think the priorities should be.

Mr. Clay stated the experts are going to recommend the roads near Petersburg and we don't want to ride in mud in the southern and western end of

the county while the northern end has super highways. He said he felt the way it has been done is the fair way to do it.

Mr. Haraway asked why he felt the northern end of the county would be fixed and not the southern end? Mr. Clay replied because you have more traffic.

Mr. Bracey commented he would hate to see the people on Coleman Lake Road be dropped out of the plan. He said he felt Courthouse Road could have waited, but it was in the plan before Halifax Road. Mr. Caywood reiterated that the Board has always set the priority.

Mr. Bowman commented on Route 1 you say that is a State funded road. Mr. Caywood replied that is a primary route and it is funded from a different pot of money, which is empty now. Mr. Bowman asked if the Board needed to do anything to get Route 1 on the list? Mr. Caywood responded the prospects for getting anything on the list is very bleak for the next 5 to 10 years because of the funding situation and the cost of the projects in the plan. He said he makes the recommendations internally but he always encourages the County to attend and participate in the allocation hearings.

Mr. Bowman stated the County is going to continue to grow in the northern end and the roads are going to be a big issue.

The public hearing is scheduled for December 4, 2002 at 7:30 P.M.

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 7:23 P.M.

Edward A. Bracey, Jr., Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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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 6TH DAY OF NOVEMBER, 2002, AT 7:30 P.M.

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

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

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

IN RE: AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the October 30, 2002 Continuation Meeting and the October 16, 2002 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1032681 through 1032904 (void check(s) numbered 1022087,1022348, 1026266,1026320, 1026918, 1032465, 1032479, 1032682, 1031611, 1032764, 1032766 and 1032893) for:

Accounts Payable:
FY 02-03

(101) General Fund	$ 179,735.40
(103) Jail Commission	$ 10.00
(104) Marketing Fund	$ .00
(209) Litter Control	$ .00
(222) E911 Fund	$ 931.75
(223) Self Insurance Fund	$ .00
(225) Courthouse Maintenance	$ .00
(226) Law Library	$ .00
(228) Fire Programs & EMS	$ 1,592.00
(229) Forfeited Asset Sharing	$ 359.66
(304) CDBG Grant Fund	$ 158.90
(305) Capital Projects Fund	$ 573.80
(401) County Debt Service	$ .00

TOTAL	**$ 183,361.79**

PAYROLL 10/31/02

(101) General Fund	$ 403,310.50
(222) E911 Fund	$ 3,420.91
(304) CDBG Fund	$ 3,753.42
TOTAL	**$ 410,484.83**

IN RE: RESOLUTION – HONORING DEPUTY TIMOTHY W. MARTIN

The County Administrator presented the following Resolution to the family of Deputy Timothy W. Martin.

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

RECOGNIZING THE LATE OFFICER TIMOTHY WAYNE MARTIN AS A "FRIEND OF DINWIDDIE COUNTY"

WHEREAS, the late Dinwiddie County Deputy Timothy W. Martin joined the Sheriff's Office in 1994; and

WHEREAS, Deputy Martin served the residents of Dinwiddie County as a correctional officer; and later had the distinction of being promoted to serve as a road deputy; and

WHEREAS, Deputy Martin was a very caring person who often went beyond the call of duty. He was devoted to his job and was proud to serve his community; and

WHEREAS, Deputy Martin was killed in a tragic motor vehicle accident on October 17, 2002, on-duty while responding to a domestic violence call; and

WHEREAS, Deputy Martin was a devoted father who was very proud of his family, lived and gave his life on behalf of the people of Dinwiddie County;

NOW, THEREFORE BE IT RESOLVED, that the Dinwiddie County Board of Supervisors recognizes the late Deputy Timothy W. Martin as a "Friend of Dinwiddie County," and notes that the impact that he had on those around him will be felt for the remainder of their lives. His absolute devotion to his duties, his responsibility to his family, community and the Sheriff's Office will serve to guide those who knew him in the search for true humanity and the quality of life that eludes so many.

IN RE: CITIZEN COMMENTS

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

1. Mr. Michael Bratschi – Cutbank Road, McKenney, Virginia, came forward stating the Resolution for the Martin family was a nice gesture. He admonished the Board to make certain that the Administrative Staff assist the Sheriff's Department with the paper work to assure that Mr. Martin's son received the benefits he is entitled to. He asked if the Assistant County Administrator position was advertised in the paper? The County Administrator replied yes.

IN RE: STATEMENT PRIOR TO PUBLIC HEARING

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 case(s)."

IN RE: PUBLIC HEARING – C-02-7 – VIRGINIA MOTORSPORTS PARK - REQUEST TO AMEND A PREVIOUSLY ISSUED CONDITIONAL USE PERMIT TO EXTEND HOURS FOR MOTORCROSS RACING

This being the time and place as advertised in the Dinwiddie Monitor on October 23, 2002 and October 30, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comments regarding a request by Virginia Motorsports Park to amend a previously issued conditional use permit to extend their hours for motorcross racing.

Mr. William C. Scheid, Planning Director, came forward and read the following excerpt.

Planning Summary Report

File: C-02-7
Applicant: Virginia Motorsports Park
Address: 8018 Boydton Plank Road, Petersburg, VA 23803

The applicant is seeking an extension of operating hours for motocross racing located toward the rear of their property. The request is as follows:

The motocross hours of operation will be from 7:30 AM until 11:00 PM on Friday, Saturday, Sunday and Holidays with testing hours on Monday through Thursday from 8:00 AM until 6:00 PM.

An explanation for the request was submitted by Paul Coleman and is included in your material. It is noted that there is a slight variation between the paragraph #1 narrative of the application and the explanation letter regarding the hours of testing. The application requests 9:00 AM to 5:00 PM and the amendment letter seeks 8:00 AM to 6:00 PM.

The Planning Commission and the Board of Supervisors have reviewed several conditional use permits submitted by Virginia Motorsports Park since 1992. The cases are: C-92-2; C-94-4; C-94-9; C-97-1; C-97-5; and C-00-4. The most recent case addressed, primarily, the extended hours of operation for **drag racing**. The Planning Commission and the Board of Supervisors approved the following:

1. Drag racing on Thursday through Saturday and Statutory Holidays (except Sundays) from 8:00 AM until 11:00 PM. If an "Act of God" prevents an event from being completed, the next available day is permitted as a race day;
2. Drag racing on Sunday remains unchanged from previously issued use permits; and
3. Test and tune activities are permitted Monday through Friday from 9:00 AM until 5:00 PM.

Regular racing hours for Sunday are from 12:00 noon to 6:30 PM. If racing occurs on Sunday during a special event weekend, the hours of racing are from 10:00 AM through 11:00 PM.

The Planning Commission heard this case at their October 9, 2002 public meeting. Several citizens appeared at this meeting with some supporting the application and others opposing the application. Upon conclusion of the public hearing the Planning Commission voted to recommend approval of the request to the Board with the testing hours on Monday through Thursday being from 9:00 am to 5:00 pm. The applicant agreed to this change. The vote of the Commission was as follows: 3 in favor, 1 opposed and 1 abstaining (Mr. Moody was advised by the Commonwealth Attorney that a conflict of interest may be involved and he should abstain from voting). Two Commissioners (Mr. Wood and Mr. Perkinson) were absent.

Mr. Bracey opened the public hearing.

The following citizens spoke in opposition to extending the hours of Motorcross racing:

1. Thomas Kent Russell – 7209 Crystal Lane, Petersburg, Virginia
2. Russell Fail – 25801, Petersburg, Virginia
3. Rufus Killingsworth – 5907 Beville Drive, Sutherland, Virginia
4. Betty Ragsdale – 8511 Boydton Plank Road, Petersburg, Virginia
5. Robert Ragsdale - 8511 Boydton Plank Road, Petersburg, Virginia

The following citizens spoke in support of extending the hours of Motorcross racing:

1. Patsy Mears - 7203 Jack Drive, Petersburg, Virginia
2. Bryan C. Pierce – General Manager of Virginia Motorsports Park
3. Phil Dean
4. Darrell Whirley – 23707 Addison Street
5. Calvin Adkins
6. David Buyalos – 21475 Butterwood Road, Petersburg, Virginia
7. Curtis Wheeler – 7306 Spring Farm Drive, Petersburg, Virginia

Mr. Bracey closed the public hearing.

Mr. Paul Coleman the applicant came forward stating the reason for the request is that it takes between 10 and 11 hours to complete a race.

The MX track is not lighted and without daylight savings time we cannot complete a race during the spring and fall when it is too dark to race after 5:00 P.M. Therefore we need a 7:30 A.M. starting time to complete a race.

We plan to build a track in a two hundred by four hundred foot area (a little less than two acres) called a Super Cross track. This track will be lighted and will run on Saturday nights. This is the reason for an 11:00 P.M. finish. The same motorcycles that run on the 20-acre track run on the Super Cross Track.

The fact that the drag strip is noisy has never been denied. The Motorcross track accommodates engines that are 25 horsepower as opposed to 6,000 horsepower and the engines are muffled and generate less noise. The motorcycles do not produce the type of noise the drag strip cars produce.

Mr. Bracey stated this public hearing is about the MX track not about the drag racing.

Mr. Bowman asked Mr. Scheid if he had been to the track with a meter to test the noise level at the track. Mr. Scheid stated he did not go out to the track

with his decibel meter. It was Mr. Coleman's decibel meter. But he did attend two events on two different weekends; and he rode the track with Mr. Coleman and the decibel level was not offensive to him. Continuing he commented, what may not be offensive to one person may be offensive to someone else. Mr. Coleman commented on the A scale the decibel level was 65-67 which is about the ambient sound level in this room. The testing was done near Mr. Ragsdale's property, at the end of the track near Spring Farm Road, and at the ticket gate.

Mr. Bowman stated he went to the track on two different race days. The first time he stopped at the entrance of the track on Route 1, to see what the noise level was. He got out of the truck and listened but he did not hear any noise. A couple of weekends ago he said he went back to the track when they were running, he stopped at the entrance and he could not hear any noise. He drove back to the MX track while they were racing and he still did not hear any noise.

Mr. Moody stated he was abstaining, and he had no comment.

Mr. Clay commented he has not heard any one complain tonight about the noise on the MX track. The complaints tonight have been about the drag races. He said Mr. Coleman has invited him 2 or 3 times to the races but he has not been able to attend. But he felt the Board should do something about the drag racing noise.

Mr. Haraway commented the Board is voting tonight for both the MX track and the Stadium Cross Track. At this time he felt they were getting into some unknown territory because we don't know what the noise factor will be for the stadium. He said he could understand both sides here. The racetrack owners have made an investment here and are entitled to a return. Sundays are a big day for racing. On the other hand, he could certainly understand the church group that is here today. He stated there is a Bible verse in the Old Testament, "*The Lord is in His holy Temple, let all the earth keep silent before Him*"; he learned that verse when he was a kid and he still remembers it. We are talking about 52 weeks out of a year that the race track will be able to start on Sunday morning at 7:30 A.M. Continuing he commented he would not want anything to bother him 52 weeks a year, I could put up with it a few Sundays but not every one. He stated tonight he hoped the Board would think about the racetrack owners and the people that are here. Maybe we could have a compromise and let the track owner start at 7:30 A.M. 12 Sundays a year so these people will not be bothered every weekend. He said the Board should respect the citizens close to the track and a compromise here tonight could serve both parties.

Mr. Bracey asked Mr. Coleman how many weekends the motorcross events are held? Mr. Coleman replied next year we plan to race 30 weekends. Mr. Bracey commented he had no real comments. Mr. Bracey stated the Planning Commission recommended approval and upon this recommendation he called for a motion.

Mr. Bowman stated 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, I move that conditional use permit C-02-7 be approved as amended by the Planning Commission.

The motion was seconded by Mr. Clay, Mr. Clay, Mr. Bowman, Mr. Bracey voting "Aye", Mr.Haraway voting "Nay", Mr. Moody "Abstaining",

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of the County of Dinwiddie, Virginia, that conditional use permit C-02-7 is approved to allow the motocross hours of operation from 7:30 AM until 11:00 PM on Friday, Saturday, Sunday and Holidays with testing hours on Monday through Thursday from 8:00 AM until 6:00 PM.

IN RE: PUBLIC HEARING – REGARDING PROPOSED USE OF FY 2002 LOCAL LAW ENFORCEMENT BLOCK GRANTS PROGRAM FUNDING

This being the time and place as advertised in the Dinwiddie Monitor on October 23, 2002 and October 30, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comments regarding the proposed use of FY 2002 Local Law Enforcement Block Grants Program funding.

Mrs. Wendy Ralph, County Administrator, commented the Sheriff is requesting authorization to accept grant funding in the amount of $10,167 for a Local Law Enforcement Block Grant. The local match is $1,130, which will have to come from the Sheriff's budget. The requirements of the grant called for a committee to be appointed which was done.

Investigator Mitchell Harris explained that the request is to fund a new computer network server. He stated the committee met prior to the Board meeting tonight and the committee agreed that the funds should be used to purchase the network server also. The server will hold the data from all of the departments in the Sheriff's Department.

Mr. Bracey opened the public hearing. No one spoke in support or in opposition to the Local Law Enforcement Block Grant. Mr. Bracey closed the public hearing.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes the Sheriff's Department to accept grant funding in the amount of $10,167 for a Local Law Enforcement Block Grant with a local match of $1,130, which will come from the Sheriff's budget to be used for the purchase of a network server.

IN RE: PUBLIC HEARING – A-02-10 – AMENDMENT TO IMPOSE FEES TO COVER THE COSTS IN COLLECTION OF DELINQUENT TAXES

This being the time and place as advertised in the Dinwiddie Monitor on October 23, 2002 and October 30, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comments on and to propose an amendment to impose fees to cover the administrative costs in collection of delinquent taxes.

The County Administrator stated Mr. William E. Jones, Treasurer, requested this ordinance amendment to impose a fee to cover the administrative costs associated with the collection of delinquent taxes and other charges, including reasonable attorney's fees and collection agency fees.

Mr. Bracey opened the public hearing. No one spoke in support or in opposition to the amendment.

No action was taken since this is a fee. Action will be taken at the November 20, 2002 meeting.

IN RE: ADOPTION – A-02-11 - REVENUE RECOVERY

The County Administrator commented the public hearing was held on October 30, 2002 but no action could be taken because fees are involved; therefore, this is an action item for tonight. A question was raised at the public hearing regarding Grandparents and their grand children visiting along with the concerns of divorced parents, and children who don't reside with them all the

time but visit on a regular basis. The billing company representative recommends any one having some legal obligation such as joint custody, would want to include these children in the subscription plan when it is established because they are responsible for them. Grandchildren aren't as much of an issue; if they are with you at your home on a regular basis then you would want to include them on the subscription plan.

The other question involved the $7.50 cost per mile fee. Again what we found out was that the ambulance charge is a standard set by Medicare for us to follow. In the majority of the cases the insurance companies pay 80% of that charge. While the Board can certainly reduce the charge it is not the recommendation of those people who are involved in the business. The rates may be raised in the future by Medicare and the county would not want to lose out on the money we might be able to collect. Any fees not covered by private insurance would be covered by the subscription plan.

Mr. David Jolly, Public Safety Director, explained the subscription plan. The cost is $59 per calendar year January 1 – December 31, 2003. Open enrollment will begin December 1, 2002 through January 31, 2003. If a citizen wishes to pay for the subscription plan anytime during the year they will be allowed to. However, the cost will be $59 even if there is only one month left in the calendar year.

The County Administrator stated the effective date for the Revenue Recovery Ordinance will be February 1, 2003.

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the following ordinance is adopted:

AN ORDINANCE AMENDING THE CODE OF DINWIDDIE COUNTY TO IMPOSE A FEE FOR EMERGENCY MEDICAL SERVICES AND TO AUTHORIZE FOR THE COLLECTION OF SUCH FEES

WHEREAS, the Board of Supervisors has appropriated tax revenues for the provision of Emergency Medical Services to the residents of Dinwiddie County;

AND WHEREAS, many of such residents have health plans or insurance that covers the cost of such services;

AND WHEREAS, the Board of Supervisors believes that the revenue recovery of the cost of such emergency medical services is in the best interests of all taxpayers of the County.

BE IT ORDAINED, by the Board of Supervisors under the authority granted to it under §32.1-111.14 of the Code of Virginia that as of February 1, 2003, the following fees will be imposed for emergency medical services:

Basic and Advanced Life Support	**$385.00**
EMS Transport	**$ 7.50 per mile from**
patient pick-up to hospital	
Annual Subscription Fee	**$ 59.00**

AND BE IT FURTHER ORDAINED, that the County Administrator is authorized to enter into a contract with Diversified Ambulance Billing, Inc. for the billing of such fees on behalf of the County.

Mr. Bracey admonished everyone to pay the subscription fee and to encourage everyone else they knew to join it also. He commented there are some individuals who do not have the ability to pay the fee but a lot of churches in the County might be willing to help them.

IN RE: REQUEST AUTHORIZATION TO CONSTRUCT METAL BUILDING - DVFD

The County Administrator stated the Dinwiddie VFD is requesting authorization to construct a metal building to be utilized for storing supplies and have an overhang to hold their stews for fund raising. They plan to fund the project themselves and are seeking your approval.

Mr. Donald Faison, Buildings and Grounds Director, stated he recommended option #1, which would be to attach the metal building to the DVFD building. This would be the most economical way to go for the volunteers. The metal and brick will match the existing building.

The Board members all agreed that the metal building must match the existing building. Mr. Bowman asked if an additional sewer line would be added. Mr. Faison replied no.

Mr. Bracey directed Mr. Faison to oversee the project.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Dinwiddie Volunteer Fire Department is authorized to construct a metal building as recommended in option 1 to be utilized for storing supplies and have an overhang to hold their stews for fund raising. The Dinwiddie VFD will fund the project and the plans will be brought back to the Board for approval.

IN RE: SIGNAGE FOR COUNTY BUILDINGS

The County Administrator stated after your directive to look into standardizing signage for all County buildings, staff met with Mr. Frank DeStefano to see what assistance he could provide. Enclosed in your packets is his proposal. This would get us to the point that you could review a proposed plan and design. The cost is $3,330. Mrs. Ralph commented she could not attest whether this figure was too high or too low for these services.

Mr. Bowman and Mr. Haraway felt the price was too high. Mr. Haraway stated the proposals could include the design in the RFP. Mr. Bracey stated the key is where to place the signs. Several of the Board members suggested calling other localities to see what they did. It was recommended that everyone will bring recommendations back for review.

IN RE: CONTRIBUTION – HIGH GROWTH COALITION

The County Administrator commented the High Growth Coalition is again seeking contributions from localities for their lobbying efforts. She recommended making the same contribution that the County did last year, which is $500.

Mr. Moody stated he would be attending a Coalition meeting at the VACo Conference and if anyone had any issues they would like to be discussed let him know.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the request for the contribution to the High Growth Coalition is hereby approved in the amount of $500.

IN RE: SHERIFF'S DEPARTMENT – AUTHORIZATION TO PURCHASE SIX POLICE CARS

The County Administrator stated a letter from the Sheriff is enclosed in your packets requesting authorization to proceed with ordering the six police cars which were approved in the budget off the state contract. The cost for the six cars is $125,070, which is under the budget price of $126,000.

Sheehy Ford was awarded the State contract at a cost of $20,495 per vehicle. This bid is applicable to any vehicle ordered prior to March 15, 2003. The Sheriff is requesting authorization to purchase the six Ford Crown Victoria police vehicles from State Contract 0000001436 from Sheehy Ford, 10601 Midlothian Turnpike, Richmond, Virginia, 23235 at a total price of $125,070.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Sheriff's Department is authorized to purchase the six Ford Crown Victoria police vehicles from State Contract 0000001436 from Sheehy Ford, 10601 Midlothian Turnpike, Richmond, Virginia, 23235 at a total price of $125,070.

IN RE: REQUEST FROM THE COMMISSIONER OF THE REVENUE TO PURCHASE A PC AND PRINTER

The County Administrator stated a letter was enclosed in your packets from the Commissioner of the Revenue requesting authorization to purchase a PC and printer for $2,424.99 for her office. The carpet in the Commissioner's office was defective and is going to be replaced under warranty. The partitions around the workstations will not match the new carpet. Rather than replacing the partitions the Commissioner is requesting to use the credit to purchase the PC and printer.

Following a lengthy discussion the Board postponed action and requested that the Commissioner of the Revenue attend the next Board meeting on the 20th of November to discuss the matter.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The latest information we have on the State budget cuts was enclosed in your packets.
2. Mrs. Ralph informed the Board that interviews for the Building Inspector's position will be held from 9:00 A.M. – 12:00 Noon Thursday, November 14 if any of you would like to come and participate.

IN RE: GIS RESOLUTION – TO ISSUE A RFP FOR THE DESIGN AND IMPLEMENTATION OF A COUNTY-WIDE GIS SYSTEM

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, Mr. Moody, voting "Aye", the following resolution was adopted.

RESOLUTION
Authorizing the County Administrator
to Issue a Request for Proposals for
the Design and Implementation of a County-wide GIS System

Whereas, the County has attempted to obtain bids for the Design and Implementation of a County-wide GIS System through competitive sealed bidding; and

Whereas, the questions and/or responses about the Invitation to Bid were such that the County was unable to procure the type of services required because of the many variables that could not be set forth in the Invitation to Bid.

Now Therefore Be it resolved, by the Board of Supervisors of Dinwiddie County, Virginia that based on the best efforts of staff to comply with the Virginia Public Procurement Act it was determined that competitive sealed bidding is not practicable or fiscally advantageous to the public for the following reasons: the evaluation of services required entails the assessment of multiple approaches to the project scope and design; the evaluation of offerors must be based on various subjective factors, including a demonstrated understanding of the project, experience and qualifications, schedule and quality of work, and to provide the ability to negotiate specific contractual terms as to time of delivery of services and the services required of the county to support the successful contractor in the execution of the project.

And be it further resolved, by the Board of Supervisors of Dinwiddie County that the County Administrator is authorized to procure the services required to design and implement a GIS system through competitive negotiations as set forth in section 2.2-4301 of the Code of Virginia.

IN RE: PROCLAMATION – NATIONAL HOSPICE MONTH

Hospice Care in America – Comfort and Compassion When It's Needed Most
November 2002

PROCLAMATION

WHEREAS, 2002 marks the 20th anniversary of the establishment of the Medicare Hospice Benefit, which has enabled more than 4 million American patients and families to receive hospice's comprehensive services at little or no cost;

WHEREAS, each year approximately 775,000 terminally ill patients and families rely on end-of-life care provided by approximately 3,200 hospice locations in communities throughout the United States;

WHEREAS, hospice care allows patients and families to receive professional medical services, pain and symptom control, and emotional and spiritual support, without hospitalization;

WHEREAS, hospice creates a compassionate atmosphere, where patients are able to die with dignity, wherever they call home, surrounded and supported by loved ones, familiar friends, and committed caregivers;

WHEREAS, professional and compassionate hospice staff and volunteers--- including physicians, nurses, social workers, therapists, and clergy --- provide comprehensive care and attend to the particular needs and wishes of each patient, and family members and friends also receive counseling and bereavement care that help them cope with the loss of their loved one;

WHEREAS, providing high-quality hospice care reaffirms our belief in the essential dignity of every person, regardless of age, health, or social status, and that every stage of human life deserves to be treated with the utmost respect and care;

WHEREAS, National Hospice Month recognizes those who serve in our nation's hospices, often as caregivers in the patients' homes, and caring for

patients at the end of life can be emotionally painful, physically exhausting, and financially difficult;

WHEREAS, this observance is an opportunity to encourage, honor, and support the professionals, volunteers, and family caregivers who take on the challenge of caring for patients at the end of life;

NOW, THEREFORE BE IT RESOLVED, that the Dinwiddie County Board of Supervisors does hereby proclaim November, 2002 as

NATIONAL HOSPICE MONTH

and encourages citizens to increase their awareness of the importance and availability of hospice services and to observe this month with appropriate activities and programs.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the above proclamation was adopted.

IN RE: FOLLOW-UP REPORT - DROUGHT EFFECTED COUNTIES AND AUTHORIZATION TO SIGN LIVESTOCK COMPENSATION PROGRAM LETTER

The County Administrator stated Mr. Bowman requested that she find out what happened to counties that sent their resolutions to Governor Warner's Office for drought disaster relief by the September 19th cut off date that were not included in the program. We adopted our resolution on August 21st but because of the Federal Governments arbitrary date we didn't meet their deadline. Also, the livestock farmers are not eligible for the Livestock Compensation Program and stand to lose millions as a result of the drought. She commented she asked the Assistant County Administrator, Kevin Massengill, to research what the process was after the State received it and what happened.

Mr. Massengill stated the request was received at the Governor's Office on August 22 by e-mail and regular mail. The Governor's Office immediately sent confirmation of receipt back to the County and forwarded the resolution to the Virginia State Commissioner of Agriculture's Office. This process took about 2 or 3 weeks. Unfortunately, September 19th rolled around and the Secretary of Agriculture, Ann Veneman, set the due date of September 19th for all applications to be in Washington, D.C. The Governor did not get his assessment report back until October 2nd. He then sent a letter to Ms. Veneman explaining that he recognized he was sending in the applications late. However, he did request that the fifteen Counties, including Dinwiddie County, be included in the disaster relief program.

The County Administrator commented she also received a letter from Mr. Edward Titmus of Whippernock Farm requesting that the Board join in the coalition headed up by Fauquier County Agricultural Department for those counties that were not eligible for the Livestock Compensation Program even though the paperwork was in the State office on September 19, 2002, the date the Secretary of Agriculture stated all applications had to be in Washington, D.C. Mrs. Ralph strongly encouraged the Board to authorize the Chairman to sign the letter of endorsement for inclusion of the disaster assistance by the Federal Government.

Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Chairman is authorized to sign the letter to the Honorable Ann M. Veneman to alter the criteria to include the Virginia counties that demonstrated drought disaster relief needs for equitable and fair delivery of disaster assistance to our farms based on need.

IN RE: COUNTY ADMINISTRATOR COMMENTS CONT'

1. The County Administrator stated she received a letter from a concerned resident regarding speeding in Virginia Hills Subdivision. She requested that the Sheriff bring us up to date on the issue. Sheriff Shands stated the lady contacted him and he went to the subdivision on election day. It was raining but he did not observe anyone speeding that day. Deputies have set up radar but the average speed was 27 miles per hour in a 25 mile per hour speed limit. He stated he would contact her.
2. Mr. Bracey asked Sheriff Shands if he had set up radar in the High School area on Boisseau Road, Turkey Egg Road and Courthouse Road. It is by grace no one has been hurt or killed. Sheriff Shands replied yes. Mr. Moody questioned if any tickets have been written. The Sheriff responded yes. Mr. Moody commented the word would get around sooner or later if citations continue to be issued to violators. Sheriff Shands reported the speed board is in but it has not been set up yet.
3. The County Administrator requested guidance from the Board about providing information to the public regarding the quarry application. She stated our goal is to provide as much information to the public who would like to have it as possible. The Board will receive your packets tonight but they are very voluminous and similar to the comp plan these have a lot of color graphs and studies. If duplicated it would be quite expensive. Mr. William G. Scheid, Planning Director, stated a color package would cost $80 to $85 per copy. A black and white copy would not work because of the maps. Mr. Scheid commented he would like to place one copy in the library and keep 4 or 5 copies for citizens who might want to check the loaners out for 3 or 4 days in the Planning Office. He suggested that a deposit of $25 be retained until the loaner is returned. Mr. Bracey commented that the deposit should be returned to the citizens when the copy is returned. The Board agreed.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay — He stated Mr. Brian L. Gibbs, Virginia Youth Awareness Coordinator, wrote a letter of commendation for Mr. David Jolly, Public Safety Director, who spoke to a group of high school students hosted by the Virginia Moose Association. Mr. Gibbs wrote that Mr. Jolly had magnificent rapport with the young people and kept their interest. His presentation was extremely professional, well received, and beneficial to them. Mr. Jolly is a credit to the County of Dinwiddie and Public Safety officials everywhere. Mr. Clay commented he wanted to give credit when it was due and he appreciated Mr. Jolly making Dinwiddie look good.

Mr. Haraway — He commented he just read the letter with interest from Bruce W. Haynes, Executive Secretary, with the State Compensation Board. He stated he didn't know Mr. Haynes but he certainly qualifies to talk out of both sides of his mouth. On the 2nd page the first paragraph of his memo states, "It is important to understand that the Compensation Board is not "cutting the Constitutional Officers' budgets". While this may seem to some as a distinction without a difference, only the Board of Supervisors or City Council may reduce the funding they approved for the Constitutional Officers. Mr. Haraway said but on October 24th the

Compensation Board will reduce the total reimbursement for Constitutional Officers' salaries and expenses.

Mr. Moody — He pointed out as your VACo Board of Directors member for district 4 if there is anything you would like to be brought up at the annual meeting at the Homestead let him know. He stated he did have a copy of the agenda if anyone would like to see it.

Mr. Bowman — 1. He stated he had spoken with the County Administrator about a month ago requesting that a committee be formed to move forward with the recommendations of the Planning Commission for the comprehensive land use plan especially with the agricultural zoning. Mrs. Ralph replied she discussed the uses in A-2 with Mr. Scheid. Mr. Scheid wants to get started with the uses and discuss them with the Planning Commission next Wednesday night. At the retreat, we talked about the items listed in the back of the comprehensive plan and asked for guidance from the Board as to where you want the Planning Commission to start. Mr. Bowman stated just start with one item at a time. He felt A-2 would be the most appropriate place to start. Mr. Bowman commented that it had been recommended by Jay Langston at ABIDCO and at the Economic Development meeting held in Richmond. He asked if there was a timeframe for forming the committee. Mrs. Ralph responded we would know more after the Planning Commission meets Wednesday the 13th. Mr. Bracey asked who would serve on the committees? Mrs. Ralph stated to begin with the Planning Commission members. Mr. Moody commented isn't there a list in the packet? Mrs. Ralph stated it was in the retreat packet. Mr. Moody asked; didn't we discuss this at the retreat? She replied yes, but the list was so long we needed some direction from the Board as to which items you want to concentrate on. The process is still to go through the Planning Commission and then back to the Board. The Board needs to sit down and discuss these items so that we can give the Planning Commission some direction stated Mr. Moody. He commented he understands that Mr. Bowman wants to roll along and he does too; but you can't form but so many subcommittees with a seven member Planning Commission and still have an active family life. Mr. Scheid suggested that the Board members make a list of 5 issues which you feel are the most important in priority order. The lists then can be compared to see if there are maybe one or more issues you might agree on. Mrs. Ralph commented the Board does need to give some direction to the Planning Commission. Mr. Bracey cautioned the Board not to try to move too fast on these issues. Mr. Bowman stated he didn't believe in wasting money or destroying the county. The County Administrator stated she would provide copies to the Board of the list of goals and objectives to be prioritized.

2. Mr. Bowman stated he received a call from a citizen regarding the public hearing notice for the Revenue Recovery Ordinance. The citizen stated he did not see a notice in the Progress Index. Was it advertised? Mrs. Russell, Clerk to the Board, replied it was advertised in the Monitor not the Progress Index. Mr. Bowman interrupted stating the citizen was upset because he felt on an issue as important as this one was, it should certainly be advertise in the Progress Index. The citizen has the opinion that the

Progress is the major newspaper circulated in the county and by not advertising the notice in it the citizen feels that the county is skirting around the issue. The County Administrator pointed out that the Monitor was approved as a newspaper of general circulation for legal ads in the County.

3. Mr. Bowman commented that some citizens had called him again about the dump trucks on Route 226. Mr. Haraway stated the Crater Planning Commission sent out a survey letter from VDOT about the trucks. Mrs. Ralph asked Mr. Bowman if the calls were for speeding on Rt. 226. Mr. Bowman stated they are calling about the noise. Mr. Bracey asked Mr. Bowman if VDOT decided not to allow trucks on Rt. 226 tomorrow what his solution would be for those people to make a living? Mr. Bowman stated the survey that VDOT did suggested using Route 460, I-85 and U.S. Route 1 rather than Rt. 226. Mrs. Ralph stated the topic was discussed when we met with our representative on the Transportation Board and the turn at the stop light at Route 460 is really tough and there isn't much that they can do about it. Mr. Haraway commented he felt it was a different classification of drivers of the gravel trucks compared to the Walmart Distribution Center truck drivers. The behavior of the Walmart driver is a lot more professional and the gravel truck driver acts like they are going to a race. Mr. Bracey stated gravel truck drivers get paid by the load so the more hauls they make the more money they make. Mrs. Ralph said they are independent drivers also. Mr. Bowman asked that we look into what it would take to introduce legislation to have truck traffic restricted on Rt. 226.

4. Mr. Bowman asked if the tax bills sent out for mining by the Commissioner of the Revenue was it for one year or five years. Mrs. Ralph replied it could have been for up to four years. Mr. Bowman asked what the big secret that the Board cannot know the details and plan for the county's budget? Mr. Bracey and Mrs. Ralph stated she informed them that the State Code prohibited it because it is private. Mr. Bowman requested that the County Attorney research this and report back to the Board.

5. Mr. Bowman stated he would like to see the Board write a letter of appreciation to the State Police for all the time and effort they put in during the sniper incident.

IN RE: CLOSED SESSION

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

Personnel Matters - ***§2.2-3711 A. 1*** – *Discussion of the Performance of an Officer; Buildings and Grounds*
Acquisition of Real Property - ***§2.2-3711 A. 3***
Consultation with Legal Counsel - ***§2.2-3711 A. 7*** – *Possible default of Contractor*

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 9:58 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 11:07 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel – Discussion of the Performance of an Officer; Buildings and Grounds; § 2.2-3711 A.3 Acquisition of Real Property; § 2.2-3711 A.7 Consultation with Legal Counsel - Possible default of Contractor

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

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

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

IN RE: SALES CONTRACT FOR BANK BUILDING PROPERTY

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Moody, Mr. Bowman, Mr. Bracey, voting "Aye", the County Attorney is authorized to prepare a sales contract for the purchase of the property adjacent to the historic courthouse at the assessed value.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Newspaper article *Boydton Looks to Tourism.*
2. Letter from VDOT – regarding the reorganization of the Central Office in Richmond.
3. Letter from VDOT – bridge repairs on I-85 North over Route 603 has been incorporated into paving schedule as part of 2003 paving contract.
4. Letter of commendation from Brain L. Gibbs, Virginia Youth Awareness Coordinator, for David M. Jolly, Director of Public Safety.

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 11:11 P.M.

Edward A. Bracey, Jr., Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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 NOVEMBER, 2002, AT 2:00 P.M.

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

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 2:04 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Wendy Weber Ralph, County Administrator, stated there is a need to add under Closed Session: Personnel – Appointments and add Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia – Litigation – Zoning Issues.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the November 6, 2002 Continuation Meeting and the November 6, 2002 Regular Meeting are hereby approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1032906 through 1033045 (void check(s) numbered 1032905) for:

Accounts Payable FY 2002- 2003:

(101) General Fund	$ 185,080.48
(103) Jail Commission	$ 147.27
(104) Marketing Fund	$ .00
(209) Litter Control	$ .00
(222) E911 Fund	$ 1,786.47
(223) Self Insurance Fund	$ .00
(225) Courthouse Maintenance	$ .00
(226) Law Library	$ .00
(228) Fire Programs & EMS	$ .00
(229) Forfeited Asset Sharing	$ .00

(304) CDBG Grant Fund	$ 87.75
(305) Capital Projects Fund	$ 1,112.22
(401) County Debt Service	$ 85,488.34
TOTAL	**$ 273,702.53**

IN RE: CITIZEN COMMENTS

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

The following citizens came forward to address the Board:

1. Mr. Michael Bratschi – 23500 Cutbank Road, McKenney, Virginia – stated he felt the citizens who commented about the noise at the Virginia Motorsports Park were trying to impress on the Board if VMP are not complying with the requirements for drag racing; what would make you think they are going to comply to the motorcross conditions? He requested a written reason why Mr. Moody abstained from voting on the Virginia Motorcross conditional use permit on November 6, 2002.

2. Mrs. Anne Scarborough – Boydton Plank Road, Dinwiddie, Virginia – came forward with the following comments and requests:

   a. Why have you refused to honor my request to vote on the room service issue?
   b. Will you vote, yes or no, that tax dollars may be used for room service for Board of Supervisors and County employees? This same written question was presented to Mrs. Russell earlier in the year.
   c. I would like all the documents mailed to Dinwiddie County concerning the Homestead meeting. Make sure, please, all possible room rates are included. I would also like all bills for meals, travel, registration, etc...

IN RE: PRESENTATION OF AUDIT – ROBINSON, FARMER AND COX

Mr. Paul Lee from Robinson, Farmer, Cox & Associates came forward to present the results of the FY2002 audit. A copy of the audit was enclosed in the Board's packet.

The County finished the year up in a good financial position. The general fund undesignated balance was around $10 Million dollars so you are well funded there to do the day-to-day operations of the county. The tax rates still remain strong.

Mr. Lee pointed out to the Board that $100,000 was budgeted for Mobile Home Titling Tax but nothing has been received. It is just a matter of the Commissioner of the Revenue applying for it and keeping up with it. Most localities receive it on a quarterly basis.

It was also noted that the first half of the 2002 tax levy due June 5, 2002 did not include an assessment for Public Service Corporations. Mr. Lee continued that the assessment book from the State Corporation Commission is generally not available when said bills are processed, but most localities estimate the amount due based on the prior year and make up any difference with the second half billing. The auditors recommended that Public Service Corporation taxes be billed in installments as the County does the Real Estate and Personal Property.

He commented that the County is currently working on compiling fixed assets for inclusion in the County's audit report. Since Governmental Accounting Standards Board's Statement Number 34, *Basic Financial Statements and Management's Discussion and Analysis for State and Local Governments* will be effective for Dinwiddie County as of June 30, 2003, and same will require fixed asset accounting. Therefore, the fixed asset compilation will need to be completed by the end of the current fiscal year. At the present time, information has been gathered for the General Fund, but not the School Fund. The auditors recommended that a target date be established early in calendar year 2003 for completion of the School Fund portion of this project. Before the end of this fiscal year we will take the balance sheet and recast it into a GASB 34 format so that next year everything will be on the same basis. There will be a lot of changes in the format of the audit next year.

Mr. Haraway commented this was a very detailed report and he particularly enjoyed the schedules at the end that showed the ten-year comparisons. Is it company policy when a management comment is made for one year and hasn't improved, do you continue it; or, do you just forget it? Mr. Lee stated we try to address them year to year if we can. These are accounting principles, which need to be followed up on. If it is not corrected you will see it the next year again.

Mr. Haraway asked, what the general rule of thumb is as to the percentage of variance when it comes to the total general property tax when you compare the actual amount with the budget amount? Mr. Lee asked as far as an overage or underage? Mr. Haraway stated the reason he is asking is because our amount is 21.6% difference. Mr. Lee stated most localities are conservative in their estimates of the general property tax; 10% is probably the area you would be looking at. Over 10% would be material. Continuing Mr. Lee commented you don't get as concerned with being over as much as you would be with being under. Mr. Haraway stated he was concerned that the County may approve a tax increase that is not necessary if this continued. Mr. Lee stated he addressed this a year ago in the management letter. You were over a larger extent maybe even double this amount. The County Administrator commented it was pointed out in the management letter last year.

IN RE: VDOT – REPORT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, came forward and presented the following update:

1. The high-speed rail Tier I Environmental Impact Study has been approved by the Federal Railroad and the Federal Highway Administration. Virginia and North Carolina can now move forward with the Tier II Study. This is a more intensive study and funding is in the process of being approved for Tier II. The "S" line which is the old CSX Line is due to be studied in this area. The areas of highest priority are the lengths between Richmond – Petersburg and northern Virginia and the Dinwiddie area.
2. Six-year Plan public hearing scheduled for December 4, 2002 Board Meeting.

Mr. Moody commented he had spoken with a supervisor from another County at the VACo Convention and there are a lot of guardrail projects going on in the state. He asked Mr. Caywood why VDOT was replacing guardrail when we are in such budget constraints. Mr. Moody asked if it was a safety issue? Mr. Caywood replied he had not noticed any guardrail replacements but he would check on it. Mr. Caywood stated sometimes when roads are repaved the guardrail has to be replaced to meet height requirements. Mr. Moody said a lot of the work he saw was on Route 460. Mr. Caywood stated there have been some recent changes in the Federal Government regulations for substandard

guardrail. VDOT has less flexibility on the replacement of guardrail now because of the regulations.

Mr. Bowman asked Mr. Caywood to bring the Board up to date on the Route 460 Corridor Study meeting held last Friday. Mr. Caywood commented he did not attend the meeting but he would get the information and report back to the Board. Mr. Bowman said Mr. Sam Hayes attended the meeting and Route 226 to Petersburg was dropped from the project and because of the budget constraints he felt would not be considered for the next 20 years.

Mr. Bracey requested that VDOT check the ditch on Hunnicut Road at the railroad crossing bed.

The County Administrator stated a citizen had reported that the culvert located on the left hand side at the beaver dam between the pond and the dam on Boydton Plank Road behind Robert Stout's house needs to be cleaned out. Mr. Robert Belcher reported the culvert on Squirrel Level Road behind Chaparral Steel needs to be cleaned also.

IN RE: VDOT ACCEPTANCE OF ROADS LOCATED IN DUCK CREEK SUBDIVISION - SECTIONS 1, 2 AND 3 - GREEN HEAD COURT – GREENHEAD DRIVE – WOODY COURT INTO SECONDARY SYSTEM

Mr. William C. Scheid, Director of Planning, came forward and stated Mr. Ronald Gordon has requested that the roads contained in Duck Creek Subdivision, Sections 1, 2 and 3 be accepted into the secondary system for state highways. The planning staff and VDOT staff held a joint inspection on October 9th and it was determined that all required improvements were made and the roads qualify for acceptance into the state system. The road is located off Vaughan Road.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following resolution for Duck Creek Subdivision (Green Head Court, Greenhead Drive and Woody Court) 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 June 26, 1999 in plat book 16 pages 367, 378, and 379 in the Clerks Office of the Circuit Court 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,

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: ABANDONMENT OF A PORTION OF BROWNWALL ROAD

Mr. William C. Scheid, Director of Planning, stated during the winter of 1996, East Coast was in the process of developing their property located at the intersection of Route 460 and Route 1. As part of the project, a portion of Brownwall Road was to be abandoned. Procedures were followed in order to vacate this portion of roadway to include a public hearing held by the Board of Supervisors on December 4, 1996. The Board deferred action until January 2, 1997 since additional information was requested of the applicant's agent. Action was not taken at the January meeting. According to State Code the Board had to vote within 4 months of the meeting. Recently, it was discovered that Board action was not taken and is now being requested that the Board pass a resolution abandoning 409' of Brownwall Road as measured from Route 460 to the existing Brownwall Road. VDOT is in support of this resolution. Mr. Scheid requested authorization to hold a public hearing to pass the resolution to abandon a portion of Brownwall Road.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the planning department is authorized to advertise a public hearing for the abandonment of a 409' section of Brownwall Road.

IN RE: COMMISSIONER OF THE REVENUE – REQUEST TO PURCHASE PC AND PRINTER

Mrs. Deborah M. Marston, Commissioner of the Revenue, was present to answer any questions the Board had regarding the purchase of the PC for her department.

The County Administrator stated at the November 6, 2002 Board meeting a letter was enclosed in your packets from the Commissioner of the Revenue requesting authorization to purchase a PC and printer for $2,424.99 for her office. The carpet in the Commissioner's office was defective and is going to be replaced under warranty. The partitions around the workstations will not match the new carpet. Rather than replacing the partitions the Commissioner had requested authorization to use the credit to purchase the PC and printer. The Board members had some questions regarding the Commissioner's request and asked her to be present today to answer those questions. You also wanted the Information Technology person to take a look at the request and make a recommendation to you. Ms. Cathy Carwile is present to address those issues.

Ms. Carwile stated recently the state notified the county that a hardware change will be made for debt set off and the Commissioner has 3 PC's in her office that will not meet the requirements for the hardware change. The funds from the credit of the partitions will cover the cost of 1 of the PC's. She recommended allowing the Commissioner of the Revenue to use the credit for the purchase of this PC and it would alleviate having to include it in the budget for FY 2004.

Mr. Bowman asked if the change in the system would allow citizens to check real estate assessments on line? Ms. Carwile responded no.

Mr. Haraway stated he felt we should purchase the PC; but he read a lot of articles and partitions increase productivity in personnel. Continuing he

commented he did not want productivity to decrease in the Commissioner's Office.

The Commissioner of Revenue responded that the reason she had the partitions was due to privacy issues. That is no longer an issue because of the reconfiguration of the office space. Additionally, the partitions have been stored and should she need them again they could still be used even though the color scheme does not match the carpet.

Mr. Bracey commented he felt the partitions should be put back in the office because of the privacy issue.

The County Administrator stated the partitions could be used if needed in the future even though it would not be color coordinated. She recommended that the Commissioner of the Revenue be allowed to use the credit to purchase the PC.

Mr. Moody asked if the credit would cover the cost of the PC? Mrs. Ralph stated if the credit was not enough the remaining balance would have to come out of the Commissioners' budget. She requested authorization to allow the Commissioner to purchase the PC with the credit for the partitions.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes the Commissioner of the Revenue to use the credit from the partitions to purchase one PC; if any additional funding is needed, the balance would come from the Commissioner's budget.

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and stated his report was in their packets for the month of September 2002.

IN RE: ADOPTION – A-02-10 – TO IMPOSE A FEE TO COVER ADMINISTRATIVE COSTS FOR COLLECTION OF DELINQUENT TAXES

The County Administrator stated the public hearing was held at the last Board meeting and this is an action item only.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the following ordinance amendment is adopted.

AN ORDINANCE AMENDING THE CODE OF DINWIDDIE COUNTY TO IMPOSE A FEE TO COVER THE ADMINISTRATIVE COSTS AND REASONABLE ATTORNEY'S OR COLLECTION AGENCY'S FEES UPON EACH PERSON CHARGEABLE WITH DELINQUENT TAXES OR OTHER CHARGES.

WHEREAS, §58.1-3958 of the Code of Virginia authorizes the Board of Supervisors to impose a fee to cover administrative costs associated with the collection of delinquent taxes and other charges, including reasonable attorney's fees and collection agency fees;

AND WHEREAS, the Board of Supervisors believes that the recovery of the costs so incurred is in the best interests of all taxpayers of the County.

BE IT ORDAINED, by the Board of Supervisors under the authority granted to it under §58.1-3958 of the *Code of Virginia* as follows:

If a person fails to timely pay taxes due the county, such person shall be subject to and liable for administrative costs of $20.00 for taxes collected by the county subsequent to the filing of a warrant or other appropriate legal document but prior to judgment, and such person shall be subject to and liable for administrative costs of $25.00 for taxes collected by the county subsequent to judgment. The administrative costs imposed by this section shall be in addition to all applicable penalties and interest. Such person shall also be liable for reasonable attorney's or collection agency's fees equal to 20 percent of the taxes or other charges so collected.

If the collection activity is to collect on a nuisance abatement lien, the fee for administrative costs shall be $150.00 or 25 percent of the costs, whichever is less; however, in no event shall the fee be less than $25.00.

No tax assessment or tax bill shall be deemed delinquent and subject to the collection procedures prescribed herein during the pendency of any administrative appeal under § 58.1-3980 [Code of Virginia], so long as the appeal is filed within 90 days of the date of the assessment, and for thirty days after the date of the final determination of the appeal, provided that nothing in this paragraph shall be construed to preclude the assessment or refund, following the final determination of such appeal, of such interest as otherwise may be provided by general law as to that portion of a tax bill which has remained unpaid or was overpaid during the pendency of such appeal and is determined in such appeal to be properly due and owing.

This Ordinance becomes effective upon adoption thereof.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, was not present.

IN RE: SHERIFF'S DEPARTMENT – REPORT

There was no report for the Jail for the month of October 2002.

IN RE: SHERIFF'S DEPARTMENT – AUTHORIZATION TO PURCHASE VAN

Mr. Mitchell Harris came before the Board requesting authorization to purchase a used van for the jail. The engine in the 1993 Ford Aerostar blew up and a replacement van is needed to transport inmates.

The vehicle Deputy Martin was operating when he had his fatal accident was a total loss and the insurance company issued the county a check for that vehicle in the amount of $10,400.

The Sheriff is requesting authorization to purchase a 1996 Dodge, 15 passenger, white van. The purchase price and transfer of equipment will not exceed the amount the county received from the insurance company. The cost of the used van is $7,600 plus $675 for the changeover of the equipment, which totals $8,275.

The Board was concerned about the possibility of having to replace the car that was wrecked. The County Administrator stated the vehicle was probably scheduled to be replaced due to its mileage with one of the six vehicles on order now. Mr. Bracey, Mr. Moody and Mr. Clay voiced their concern regarding the mileage on the used van.

Upon motion of Mr. Moody, seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Moody, Mr. Bowman, Mr. Bracey voting "Aye", authorization for the Sheriff's Department to purchase a 1996 Dodge, 15 passenger, white van, from Heritage Chevrolet, at a cost not to exceed $10,400 was approved.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward presenting his report for the month of October 2002.

IN RE: ANIMAL WARDEN – REPORT

Mrs. Mary Ellison, Animal Control Officer, came forward and presented her monthly report for October 2002.

IN RE: LIVESTOCK CLAIM – DAVID BRADFORD

Ms. Mary Ellison stated she investigated the claim of Mr. David Bradford on October 18, 2002 at 18810 Turkey Egg Road, Dinwiddie, Virginia and found 3 brush goats had been killed. A dog dug under the fence and entered the goat lot and killed the goats. Mrs. Ellis recommended payment of $90 for the claim for the goats for Mr. Bradford.

Upon motion of Mr. Clay, seconded by Mr. Bowman, Mr. Moody Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye", the payment of $90 for the livestock claim for Mr. Bradford is approved.

IN RE: ANIMAL CONTROL OFFICER – MRS. MARY ELLISON – NAMED GUARDIAN ANGEL AND INDUCTED INTO SAVE OUR SHELTERS' VIRGINIA ANIMAL WELFARE HALL OF FAME

The County Administrator stated Mrs. Ellison was recently named a Guardian Angel and inducted into Save Our Shelters' Virginia Animal Welfare Hall of Fame at the fifth annual Ball du Paws, held at the Capital Club in Richmond. Mrs. Ralph commended Mrs. Ellison for this outstanding accomplishment. She stated that Guardian Angel Awards are presented by Save Our Shelters' for outstanding contributions to animal welfare in Virginia.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came forward and stated they had his monthly update for October 2002 for the planning department.

IN RE: CORRIDOR STUDY – LANDMARK DESIGN GROUP

Mr. Scheid stated Mr. Bill Turner and Ms. Vaughn Rinner with Landmark Design Group are present today to discuss the proposed corridor study issues with you. The Board contracted with Landmark Design Group on January 11, 2001 to review and update the County's Comprehensive Land Use Plan. As part of their proposal, a cost was submitted to conduct a separate study for the U. S. Route 1 Corridor. The Board indicated that they wished to expand the corridor study area and require additional detail to various sections of the study area. With this in mind, Landmark Design Group submitted a revised cost and work element for the various corridor study sections. Mr. Scheid stated that the Board was not bound to contract with Landmark for the corridor study but they could do so if they believe their proposal is sound and in the best interest of the County.

Mr. Bill Turner introduced Ms. Vaughn Rinner, Landscape Architect/Director of Planning, Landmark Design Group. He stated he and Ms. Rinner have worked together for many years and she handles the projects that deal with corridor studies. He informed the Board that he has started his own

business, but he will continue to work with Landmark Design Group as a Consultant on the Corridor Study project.

Ms. Rinner gave a brief overview of her qualifications and the work she performs for the Corridor Studies for Landmark. She commented if the Board wishes to move forward with the corridor study she felt it would be advantageous to meet with each of them individually to discuss their concerns and aspirations.

Landmark proposes the following for the Corridor Studies:

PROJECT ELEMENT 1 ~
U.S. Route 1 - Corridor Study - Phase I
County of Dinwiddie, Virginia

Study area will encompass, (1) U.S. Route 1 from Corporate Limits of the City of Petersburg to Dinwiddie Courthouse

PROJECT ELEMENT 2 ~
U.S. Route 1 - Corridor Study - Phase 2
County of Dinwiddie, Virginia

Study area will encompass U.S. Route 1 from Dinwiddie Courthouse to the Brunswick County Line

PROJECT ELEMENT 3 ~
U.S. Route 460 Corridor Planning Study
County of Dinwiddie, Virginia

Study area will encompass U.S. Route 460 from the U.S. Route 460 / U.S. Route 1 intersection to the U.S. Route 460 / State Route 755/756 (Tranquility Road) intersection

For all of the above listed projects our Team will:

- Review and evaluate current plans and studies with respect to the corridor (including but not limited to Service Authority initiatives, IDA initiatives, the County's Comprehensive Plan, the County's Capital Improvement Plan, Petersburg's Comprehensive Plan, and Virginia Department of Transportation plans).
- Prepare detailed mapping to include selected property lines, existing land use, zoning, future land use, floodplains, soils, and potential rezonings.
- Attend at least six Steering Committee meetings.
- Conduct three public charettes in the corridor planning area to solicit input from property owners and citizens concerning existing and possible future developments.
- Evaluate commercial, industrial, and residential use potentials within the corridor planning area.
- Recommend landscape architectural standards including concept exhibits for use in the corridor planning area.
- Recommend potential overlay district criteria.
- Recommend potential rezoning(s) of properties within the corridor planning area.

- Recommend strategies to protect against premature development.
- Prepare written study report and present same at a public meeting.
- Provide camera ready and electronic copy of study document and exhibits and twenty-five (25) copies of adopted study document.

The County Administrator stated if the Board wishes to move forward with the project she felt it would be wise for them to meet with representatives from Landmark to discuss their particular interest for the study. The Board indicated they would like to meet as a group.

Upon Motion of Mr. Bowman, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the Board instructed the County Administrator to set up a meeting with Landmark Design Group to go over the revised cost and work elements for the various corridor study sections.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his October 2002 monthly report. He also reported that the RFP for GIS was advertised in the Richmond Times Dispatch on November 17, 2002 and he has received a lot of requests for the proposal. He thanked the Board for allowing him to attend the VAGIS conference in Roanoke. Mr. Thompson commented J.K. Timmons used the School Boards study of Dinwiddie County as their model at the conference in a presentation.

IN RE: CODE COMPLIANCE OFFICER

Mr. David S. Thompson also presented the Code Compliance Officer's report for October 2002.

IN RE: RECESS

The Chairman declared a recess at 3:31 P.M. The Board reconvened at 3:36 P.M.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen, Director, Social Services Department, came forward and presented her annual report for the Social Services Department. She reported that she was very proud of their following accomplishments:

1. Zero errors in Food Stamp Quality Control reviews for 3 consecutive years.
3. Received award for payment accuracy in Food Stamps in 2001 and 2002.
4. Implemented the Differential response Systems in Child Protective Services Program.
5. Installed high density filing system, converting all closed files to this system.
6. Implemented Electronic Benefit Transfer (EBT) of Food Stamp Program.

Mrs. McElveen pointed out there were some changes in the Organizational Chart due to the resignation of Mr. Linwood Fitzgerald, Sr. Mr. Aubrey Clay is now the Chairman and Mrs. Lynda Cunningham is the Vice Chair. She told Mr. Haraway he now has a vacancy on the Social Services Board.

Mrs. McElveen continued her report covering the Benefit Programs, which deals with Food Stamps, TANF and Medicaid. Services Programs, deal with Foster Care, Adult Services, Day Care, Child Welfare, and Emergency Needs

- Recommend strategies to protect against premature development.
- Prepare written study report and present same at a public meeting.
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The County Administrator stated if the Board wishes to move forward with the project she felt it would be wise for them to meet with representatives from Landmark to discuss their particular interest for the study. The Board indicated they would like to meet as a group.

Upon Motion of Mr. Bowman, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the Board instructed the County Administrator to set up a meeting with Landmark Design Group to go over the revised cost and work elements for the various corridor study sections.

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Services. Mrs. McElveen stated there is a significant increase every year for Medicaid due to increases in adult care.

The County Administrator asked Mrs. McElveen if the state budget cuts have affected her department? Mrs. McElveen responded that the budget cuts thus far have been in administration. Due to the local budget she felt they would be able to manage depending on what the State cuts in December would be.

Mrs. McElveen thanked the Board for their local funding for the Social Services Budget.

The County Administrator thanked Mrs. McElveen for the help she provided in guiding her through the Greenhouse situation.

IN RE: AUTHORIZATION TO PARTICIPATE IN DRY WELL REPLACEMENT PROGRAM

The County Administrator stated there was an article in the paper about the Dry Well Replacement Program (DWRP), which was mandated by Governor Warner on November 7, 2002. Ms. Cheryl Stewart is here to explain the details of the program.

Ms. Stewart stated the DWRP is a new, temporary set-aside program in which $2.5 million has been reserved to provide financial assistance to low-and moderate-income households who have experienced a complete loss of water at their private water source as a result of drought conditions in 2002. She commented Dinwiddie County can not implement the program but there is a roamer program available which will take responsibility for the administrative requirements of the program for the $750 per well administrative fee.

DHCD will provide up to $5,000 per participant for the drilling of each well that meet the requirements of the program. However, this is not a free program; this is a loan that is amortized over a 10-year period with a 0% interest rate. Pay back of the loan is predicated on the client's ability-to-pay. In order to participate in the program we must submit a letter of interest to the Virginia Department of Housing and Community Development.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Staff to submit a letter of interest to the Virginia Department of Housing and Community Development to participate in the Dry Well Replacement Program.

IN RE: SUPERINTENDENT OF SCHOOLS - REPORT

Dr. Roger Morris, Assistant Superintendent of Schools, stated he had nothing other than to thank the Director of Public Safety, Ms. Denise Absher, and the County Administrator for their help during the sniper incident and the closing of the schools.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, came forward and presented his October 2002 monthly report. He commented he was happy to inform the Board that the Honorable John H. Hager will be Grand Marshall for the Christmas Parade this year. Mr. Smith reported that the Senior Health Fair went well. He stated the mature adults will hold their luncheon on December 5th and he invited all the mature adults to attend.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward and presented his report for October 2002.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his report for October 2002.

Mr. Jolly distributed copies of the proposed subscription enrollment form brochure for the revenue recovery program. He stated he wanted the Board to have a copy of the brochure in case they wanted to make any changes. We need to get the brochures to the printer in order to meet the timeline.

In order to get the brochures out by December 15, 2002 the Commissioner of the Revenue will have to provide a list of the property owners and businesses in the County. Mr. Bracey asked if the list would be updated on a regular basis. Mr. Jolly replied he would be getting the most accurate list available as of December 2, 2002. This will include personal property, real estate and businesses in the County. As new addresses are assigned we will be updating our files. The County Administrator stated a newspaper advertisement would be done also. The brochures will be left in as many places as we can. Mr. Jolly stated there is no one list with every physical address in the County. Even the 911 databases, which we have, do not list every physical structure; because if you don't have a phone it is not there. If we don't receive the list by December 2, 2002 we will not meet the December 15th deadline. The Commissioner of the Revenue is aware of the deadline.

The County Administrator stated staff would like to have the timeline as it stands today approved by the Board. This includes the hiring of the people for the ambulance as well.

Mr. Haraway stated on the front of the brochure the line *"Ambulance Aid" is a subscription plan that helps pay for the rising cost of pre-hospital care and transportation."* Inside of the brochure it is not mentioned again. He questioned why the term *pre-hospital care* was used? Mr. Haraway requested that legal counsel take a look at this term and advise the Board. Mr. Bracey suggested that *pre-hospital care* be removed from the brochure also. The County Administrator commented it might indicate that we are susceptible to a certain standard. Mr. Jolly replied he would remove it from the brochure.

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the following timeline was approved:

Date	Action/Task
November 20, 2002	Brochure presented to Board for approval
November 22, 2002	Package sent to printers for printing
November 29, 2002	Printing complete
December 1, 2002	Advertise for Full-time providers for the second crew
December 2, 2002	Address list ready for printing of labels
December 5, 2002	Stuffing of envelopes to begin
December 15, 2002	Package mailed from Post Office
December 15 – January 31, 2003	Subscription Program open enrollment
January 7, 2003	Interview for providers
February 1, 2003	Program Implemented

February 5, 2003	Make recommendation to Board about providers
March 1, 2003	New providers start work, start precepting
April 1, 2003	Second 24 hour crew in service

IN RE: PUBLIC SAFETY OFFICER – REPORT CONT'

Mr. Jolly informed the Board that we have been advised that effective January 1, 2003, the Petersburg Fire Department will stop staffing their ambulance. This will have significant impacts on Dinwiddie as it relates to mutual aid assistance within the County. Petersburg Fire was the biggest provider of mutual aid services. This will revert the mutual aid responsibility to the Southside Emergency Crew who is already experiencing difficulty in answering the calls within the city. He stated there is a meeting scheduled for tomorrow afternoon and he would keep the Board informed of the situation.

IN RE: AUTHORIZATION TO TITLE AND INSURE SUPPORT VEHICLE FOR OLD HICKORY VOLUNTER FIRE DEPARTMENT

Mr. Jolly stated Old Hickory VFC has been looking into replacing their support vehicle, which is a1979 van. That vehicle has become a maintenance nightmare and it is not dependable. Old Hickory VFD looked at it internally and also looked at the Capital Improvement Plan and through that discussion have gone through a bidding process internally to replace the 1979 van at the departments expense with an F-250 Ford pickup truck. This vehicle is a crew cab, which will better serve their needs. They have the option to add emergency equipment in the back of the truck. Old Hickory is requesting that the County title and insure the vehicle. They did work through the Apparatus Committee and the Fire/Rescue Association and have agreed to stripe and letter the vehicle per the County's standard requirements.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia accepts title and agrees to insure the 2003, F-250 Ford pickup truck to be used as a support vehicle by the Old Hickory VFD.

IN RE: AUTHORIZATION TO NEGOTIATE PURCHASE OF FORD RESPONDER UNIT WITH SINGER & ASSOCIATES

Mr. Jolly stated he received 4 bids for the replacement of the First Responder Unit for Ford. He went over the details of the bids received from the vendors. He commented the apparatus committee reviewed the bids and based on those bids he requested authorization to negotiate a contract with Singer Associates for the purchase of the vehicle not to exceed the bid amount of $136,130.

Vendor	Bid Bond	Certificate of Insurance	Bid Price	Clarifications or Exceptions

Emergency Vehicles, Inc,	Yes	Yes	$122,177.00	Bidder took 20 exceptions or clarifications to the bid. Some of the clarifications would improve the vehicle however; they proposed a 10-foot body instead of the 11-foot as specified. This reduces the vehicle by 1/10 or 48 cubic feet, which will not allow for the amount of storage necessary. This vendor also will only allow a 1-year warranty instead of the 10-year as advertised.
4 Guys Inc.	Yes	Yes	$144,990.00	Bidder took 29 exceptions or clarifications. 13 of them exceed the bided specifications.
M & W Fire Apparatus	No	Yes	$129,996.00	Did not return original bid documents as required. Bidder supplied a letter stating they did not supply the Counties specifications because there would be "literally hundreds of exceptions and clarifications taken."
Pierce Manufacturing, Inc.	Yes	Yes	$136,130.00	None taken

Mr. Haraway asked when was the last time that the County purchased a fire engine from a company other than Singer? Mr. Jolly replied it was the tanker purchased for Old Hickory in 1997. Mr. Haraway commented that has been 5 years and it always comes down to specifications. Something is wrong with the specifications when you go 5 years and you can only purchase from one company. Under normal circumstances when you bid over a 5-year period there would at least be once or twice when some other company would have the lowest bid. Mr. Jolly replied the only answer he could give is that Pierce and Singer specifically has a sales team that is willing to work with agencies and jurisdictions to design a vehicle around the specifications, not necessarily what they want to bid on. Every vendor you see on that list was contacted early on in the game and asked to submit their thoughts and concerns and recommendations to us to look at and the only one that stepped up to bat on a regular basis was a Pierce representative. Mr. Jolly stated he asked surrounding localities that have purchased vehicles in the past 3 to 4 years who they dealt with; and they purchased from Pierce based on them working with their team. Mr. Jolly commented he would do anything the Board asked him to do to get another vendor in here.

Mr. Bracey asked do we have anything else on order at this time? Mr. Jolly responded no. Before anything else is bid the County needs to deal with the specs, commented Mr. Bracey.

Mr. Moody asked did we order any bells and whistles this time that Pierce has exclusively? Mr. Jolly stated we took the battery names out, window names out; the only brand names left in was the Ford chassis and any vendor can supply one and the roll up door for the compartments. The County Administrator pointed out $140,000 was included in the CIP for the purchase of the vehicle.

Mr. Bowman asked if all of the companies that bid use the Ford chassis? Mr. Jolly replied yes.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Staff to negotiate with Singer & Associates for the purchase of the First Responder Unit for the Ford Volunteer Department.

Mr. Haraway stated he was not opposed to the purchase of the First Responder Unit but he was opposed to the way the specifications were written because he felt something is wrong when you go five years and the same vendor is chosen each time.

Mr. Bowman suggested that the next time a pre-bid meeting is held maybe a couple of Supervisors could attend. Mr. Jolly responded he felt that was a good idea.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Jack Catlett, County Attorney, stated he had nothing to report.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and stated he provided his monthly update for October 2002 in their packages. Mr. Faison provided the Board with a picture of the sign that is in front of the DVFD Station. He stated he felt it is an attractive sign that would fit in nicely. It could be used for location purposes and to display announcements for the County. The cost would be around $4,000. Mr. Bowman stated we just approved Landmark Design for the corridor studies tonight and he felt they could provide the County with some good ideas for the signage. The Board members agreed to ask Landmark Design for a proposal.

IN RE: AUTHORIZATION TO ENTER INTO NEGOTIATION WITH CARTER MACHINERY CO., INC. FOR THREE EMERGENCY GENERATORS

Mr. Donald Faison stated a mandatory pre-bid was held on October 22, 2002 for the three emergency generators to six contractors. Three bidders were present for the meeting. We received the following bids for the generators:

Carter Machinery Co., Inc.

50 KW (Sheriff's Office)	$13,314.00 - Propane
100 KW (Old Hickory)	$19,483.00 – Diesel
125 kW (Jail)	$22,864.00 – Diesel
Combined bid	$55,661.00

Delivery Time 10 – 14 Weeks or 50 – 70 days after submittal approval.

Fidelity Engineering Corporation

50 KW (Sheriff's Office)	$13,048.00 - Propane
100 KW (Old Hickory)	$22,342.00 – Propane
125 kW (Jail)	$22,944.00 – Diesel
Combined bid	$58,334.00

Delivery Time Not Given

Cummins Atlantic, Inc.

50 KW (Sheriff's Office)	$15,960.00 - Propane
100 KW (Old Hickory)	$20,703.00 – Propane
125 kW (Jail)	$33,950.00 – Diesel
Combined bid	$70,640.00

Delivery Time 40 – 45 days after submittal approval.

Mr. Faison requested authorization to enter into negotiation with Carter Machinery to see if the County can purchase all three generators from them and obtain a propane generator for Old Hickory. He stated he would come back for the Board's approval after he met with Carter Machinery.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Buildings and Grounds Director was authorized to enter into negotiations with Carter Machinery Co., Inc, for the purchase of the three generators as presented.

IN RE: AUTHORIZATION TO REPAIR NORTHSIDE ROOF

The County Administrator stated she didn't want to cause a lot of discussion but we have a lot of concern about the Northside roof again. It appears now that you will not be getting the report from the School Board until December 4th and even if you decided that you wanted to put an "A" roof on the building; it would take up to 120 days to move forward with the project. For $14,000 you might be able to preserve the building. Do you want to wait or would you want to reconsider and winterize the building?

Mr. Faison stated he checked with the roofing contractor about putting the ½" recover board and we would be picking up additional insulation in those two areas. That would help with the thermal conductivity between the attic space and the living space in those 2 areas.

Mr. Bracey commented he was the hold up on the project and because of information he has gathered he was at this point willing to agree to spend the $14,000 for the roof repairs. The County Administrator stated this way the Board would not be pushed into making a decision on what the building would be used for, whether it would be for a school or anything else. Mr. Faison stated it was still his recommendation to spend the $14,000 to save the building.

Mr. Bracey called for a motion.

Mr. Haraway asked how long the roof would last? Mr. Faison replied the roof has a 10-year guarantee on that area only. There was a lengthy discussion regarding the condition of the rest of the roof, the square footage involved and the need to preserve the walls and floors of the building. Mr. Moody commented with all of the water we have had lately there is going to be a lot of damage done if we don't put a roof on the building. He said he felt it would be money well spent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the Buildings and Grounds Director is hereby authorized to proceed with the repairs to the roof at Northside not to exceed $14,000.

IN RE: REGISTRAR – REPORT

Mrs. Linda Brandon, Registrar, came forward and presented a report on the recent election. She commented things went pretty smoothly for the election. There was a 24.9% turnout for the County, which was not bad. The last election for the Governor the turnout was 48.9%. Three precincts had a 32% turnout; District 3 – Reams, District 4 - Cherry Hill, District 5 – Old Hickory Hunt Club topped 32%. Mr. Bracey thanked the Registrar for her report. Mr. Moody asked if there was any confusion on moving to the new districts? Mrs. Brandon responded certainly. We didn't experience as many as we thought we would; but there definitely were some confused voters. Here at the Pamplin Building the Chief Officer redirected about 160 voters. Many of the voters did not send in address changes or they threw out their new cards. If you will recall we had the Congressional redistricting followed by the redistricting and the voters got 2 cards in less than 6 months and it was a little confusing.

Mr. Bowman stated he got a couple of calls and suggested at the next election maybe signs could be posted on U.S. Route 1 to direct voters over to St. John's. The Registrar commented she had spoken with the State Office about the signs. It would be up to the County; the State has no problem with posting the signs. Just keep in mind, it would have to be done for all of the precincts in both directions.

IN RE: RESOLUTION – OPPOSING CLOSURE OF RICHARD BLAND COLLEGE

The County Administrator stated there was an article in the paper that Richard Bland College was removed from the closure list. However, she felt it would be wise to go on record opposing the closure of the College. She recommended adopting the following resolution and sending it to our legislators.

Upon Motion of Mr. Haraway, Seconded by Mr. Bowman, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the following resolution was adopted:

RESOLUTION OPPOSING THE CLOSURE OF RICHARD BLAND COLLEGE

WHEREAS, the Governor appointed members to a commission, chaired by the Honorable L. Douglas Wilder ("Wilder Commission") to examine and offer ways to same the Commonwealth much needed money; and

WHEREAS, it has been reported that the Wilder Commission has proposed the closure of Richard Bland College as one of its proposals to save millions of dollars in FY 2004; and

WHEREAS, since 1960 Richard Bland College of the College of William and Mary ("RBC") has been an integral part of many families in Dinwiddie County and the Tri-Cities area, by offering at a low cost traditional curriculum in the liberal arts and sciences leading to the associate degree: and

WHEREAS, each year over fifty percent of RBC students transfer into the four-year college system, of which RBC has guaranteed admissions agreements with 11 colleges and universities, and the College of William and Mary guarantees acceptance to RBC students graduating with a 3.0 G.P.A.; and

WHEREAS, through alliances with nursing and education, RBC (i) offers programs in nursing and radiation services at a time when similar programs are being cut in other higher institutions; (ii) collaborates with Longwood University on an education program to meet the needs of students desiring to become educators; and (iii) rents space to Averett College offering adult evening education courses leading to the bachelor's degree in business and the MBA; and

WHEREAS, high school students likewise benefit through the dual enrollment program offered by RBC, allowing students the opportunity to earn college credits before beginning undergraduate studies; and

WHEREAS, not only does RBC offer educational benefits but also it provides a positive economic impact by generating additional revenue and jobs, and according to a 1999 study done by the Virginia Employment Commission, there was a total economic impact of approximately $16 Million and 196 jobs on the local economy;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia:

1. That, while it recognizes that the Commonwealth has a deficit and cuts must be made, the Board strongly opposes any plans to close Richard Bland College.

2. That attested copies of this resolution shall be forwarded to the Governor of the Commonwealth, to the representatives of the residents of the Dinwiddie County in the Virginia General Assembly, and to the Streamlining Team Chair of the Wilder Commission.

3. This resolution shall be in full force and effect upon its passage.

IN RE: AUTHORIZATION TO ALLOW EMERGENCY WATER RESTRICTION ORDINANCE TO LAPSE

The County Administrator stated surrounding localities have been under ordinances and Dinwiddie County has been under an emergency water restriction ordinance which lapses in 60 days. Since the Governor has relaxed some of the restrictions, other localities have followed suit. Therefore, rather than having to go through adopting a standard ordinance, which you would have to go through an amendment to change, she recommended allowing the emergency ordinance to lapse on December 2, 2002. If it becomes necessary in the future the County can adopt a permanent ordinance at a later time. The Water Authority is allowing their restrictions to lapse at the same time.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, authorization to allow the emergency water restriction ordinance to lapse on December 2, 2002 was granted.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Mrs. Ralph distributed copies of the 2003 Legislative Issues draft for Dinwiddie County. She requested that the Board let her know if they would like to add or change any of the items. She stated we could officially adopt them on December 4, 2004. She pointed out to Mr. Bowman that we are still working on the Rt. 226 issue and it can still be included. There was a movement by the VACO Association that the localities would not be stepping forward to pick up the State budget cuts. It was a unanimous decision by the Association of Counties at their meeting. Attached is an individual ordinance that had already been adopted by Isle of Wight County. If that is something that you would like to adopt as well it could be included in the legislative package. The County Administrator distributed a copy of the letter she sent to the Constitutional Officers requesting that they provide her with their recommendations as to how they will handle the reductions the Governor made to their individual FY03 budgets. She requested that the Board advise her if they have any different views. Mr. Bracey requested that the manufactured home issue number 15 be highlighted on the list.

IN RE: BOARD MEMBER COMMENTS

Mr. Haraway — He commented with the second semester of college starting in January it would be nice to have the educational program in place so the employees could begin in January. The County Administrator asked if it was the desire of the Board to proceed with the program Mr. Haraway was kind enough to provide or did the Board want to look at some other programs. Mr. Bracey interjected it was an oversight on his part. There are other programs available that are not by the

semester, which will send professors to the locality. Employees who have a lot of experience will be given credit for that experience and it won't take them long to get a degree. It is not as costly to the County either. Mr. Haraway stated he does not object to that but there are employees who are pursuing a degree say from VCU and Virginia State University and he would like to see them continue that program. The County Administrator commented she would like to know if the Board would like her to check with other localities to see what programs they offered. Mr. Haraway stated any program is good as long as we move forward so the employees can take advantage of it starting in January.

IN RE: REQUEST TO REMOVE "MINING" FROM THE COUNTY'S A-2 ZONING ORDINANCE

Mr. Bowman stated he would like to see the Board move forward with the recommendations the Planning Commission made with the Comprehensive Land Use Plan. He commented he would certainly like to see the agriculture zoning looked at, particularly to have mining in the A-2 zoning taken out of the County zoning. Then the Board could start working on the issues one at a time. Mr. Bracey commented the Planning Department is going to be meeting tomorrow to discuss all of the issues. Mr. Scheid stated what the Planning Commission is going to do is to prioritize the 9 pages that have bullets on them. We will be going over the pages one by one and the Planning Commission will hopefully come up with the top 3 – 5 they want to work on. Mr. Bowman restated he would particularly like mining taken out of the A-2 classification to give the citizens more say so in the development of this County; where these mining companies would have to go through a re-zoning hearing and the Board will have some control rather than just having to put conditions on them. He asked the Board how they felt about his request. Mr. Clay stated he didn't see any difference between a re-zoning than putting conditions on them. A public hearing has to be held either way. Mr. Bowman stated actually the citizens could say no; we don't want this in our neighborhood. Where right now the conditional use permit is a permitted use and the only thing the Board can do is put some restrictions on the permit. Mr. Bracey commented conditions are the key. Mr. Haraway asked are we going to take this to the Planning Commission to ask for their recommendations? Mr. Bracey stated they are going to be looking at all of the issues. Mr. Haraway commented then we would be getting a recommendation from the Planning Commission about Mr. Bowman's request. Mr. Scheid responded I don't know if the Planning Commission will be dealing with just agricultural. If you will recall, there are 9 pages of suggestions. This is going to take a great deal of time due to the depth of the issues. However, it will be done systematically according to the subsection chosen. Mr. Moody stated the Planning Commission got the bullets and they are supposed to be getting them back to Mr. Scheid. It was his understanding though that the Board was supposed to look at the bullets also and prioritize them. Then get together with the Planning Commission to try to agree on these issues. Mr. Bowman commented his biggest concern was in the 1996 CLUP there was a bullet to limit the uses in the A-2 zoning but nothing has been done about it in the last 5 years. Now we are in a desperate situation where we need something done on this one specific issue "mining". It is creating a lot of problems in the County because we allow mining with a conditional use permit. He stated he felt it should only be allowed in heavy industrial zoning. That way it will give the citizens a chance to have more input and some say in how the County is going to develop.

Mr. Bowman made the motion to have this one item sent to the Planning Commission to have "mining" removed from A-2. Mr. Clay stated he didn't think the Board could do that now because the County could be facing a lawsuit. Mr. Bowman stated he disagreed; he felt the Board had a right and an obligation to protect the County and represent its citizens. Continuing there was a lengthy discussion between the Board members regarding the issue.

Mr. Haraway seconded Mr. Bowman's motion. He requested that the County Attorney give his legal opinion about whether or not he thinks the County would have a legal problem if this motion is passed tonight. The County Attorney stated the motion you have on the table, as he understands it, is to refer the issue to the Planning Commission to study the issue and make a recommendation. Which is what you have to do before you could actually amend the zoning ordinance in any event. The matter of passing this motion and sending it to the Planning Commission for approval; no, that is a perfectly appropriate way to deal with the issue. Now when it comes back up and the Commission makes their recommendation and you look at your recommendation; he stated he had no opinion based upon the issues that are out there right now, whether or not you are subjecting yourselves to a law suit ultimately. This motion particularly, the way to do it is for the Board to vote as to whether or not it will be sent to the Planning Commission for a study. You can't amend the zoning ordinance without it going to the Planning Commission first. Once they make their recommendations and then it comes back to the Board for its vote. At that point in time depending on whatever legal issues are pending at that time or vested interest there might be, the County Attorney stated he did not have an opinion right now but he would like to have time for the firm review those issues.

The Board members expressed their opinions regarding the legal issues and the time involved in resolving them. Mr. Bowman stated he would like to see the same dedication and importance put on this request that was put on Mr. Bracey's request when the code was changed for the lay-down-yard. Mr. Bracey stated this is entirely different. It will take time. Mr. Clay stated he was not opposed to sending the request to the Planning Commission, but he did have a problem trying to change it now that the request from the Quarry has been submitted. Mr. Bracey stated we are asking for a problem if we ask the Planning Commission to change it now to ward off an issue. He stated he would not be a part of trying to change anything in the middle of the stream; you can't do business like that.

Mr. Moody stated the only way he could vote on the motion was to amend it to look at all the agriculture uses as one of our priorities and put mining in there to make sure it is looked at. He stated he didn't think it would be wise to single issues out at this time.

Mr. Bowman stated he was not willing to amend his motion; it stands for itself as it did a year and a half ago, to protect the citizens and give them a say so in how the County is going to be developed.

Mr. Bracey called for the roll.

Mr. Clay, Mr. Moody, Mr. Bracey, voting "Nay", Mr. Haraway, Mr. Bowman, voting "Aye", the motion did not carry.

IN RE: CLOSED SESSION

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

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

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

Real Property - §2.2-3711 A. 3 of the Code of Virginia – Acquisition of Property

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 5:17 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:30 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel – Building Inspections; Appointments; Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia – Litigation – Zoning Issues § 2.2-3711 A.3 Real Property - Acquisition of Property

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

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

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

IN RE: AUTHORIZATION TO NEGOTIATE CONTRACT WITH CHARLES TOWNES & ASSOCIATES – SELECTION OF AN INDUSTRIAL SITE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County Administrator is authorized to negotiate and execute a contract within the funds provided under the Tobacco Commission grant program with Charles Townes & Associates to provide engineering services to prioritize and make a recommendation on a site(s) to develop an industrial park.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter from Virginia Department of Health – Informing the County of a temporary permit request from Synagro – WWT, Inc., to store stabilized sewage sludge in the County.
2. Holiday schedule from Governor Warner's Office.
3. Appomattox Regional Library System – Monthly report

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 7:31 P.M.

Edward A. Bracey, Jr.
Chairman

Wendy Weber Ralph
County Administrator

/abr

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 DECEMBER, 2002, AT 7:30 P.M.

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

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

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

IN RE: AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

IN RE: MINUTES

The Clerk to the Board stated the minutes for the November 20, 2002 meeting would be ready for the December 18, 2002 meeting.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1033047 through 1033130 (void check(s) numbered 1033046, 1032768 and 1032871) for:

Accounts Payable:
FY 02-03

(101) General Fund	$ 135,404.77
(103) Jail Commission	$ 162.00
(104) Marketing Fund	$ .00
(209) Litter Control	$ .00
(222) E911 Fund	$ 1,311.82
(223) Self Insurance Fund	$ .00
(225) Courthouse Maintenance	$ .00
(226) Law Library	$ .00
(228) Fire Programs & EMS	$ 6,058.50
(229) Forfeited Asset Sharing	$ 387.05
(304) CDBG Grant Fund	$ .00
(305) Capital Projects Fund	$ 744.91
(401) County Debt Service	$ .00
TOTAL	**$ 144,069.05**

PAYROLL 11/30/02

(101) General Fund	$ 400,736.91
(222) E911 Fund	$ 3,420.91
(304) CDBG Fund	$ 5,618.45

TOTAL **$ 409,776.27**

IN RE: CITIZEN COMMENTS

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

Mr. Michael Bratschi, 23500 Cutbank Road, McKenney, Virginia – came forward and thanked Mr. Moody for his quick response on why he abstained from voting on the Virginia Motorcross conditional use permit on November 6, 2002. Mr. Bratschi requested that the Board consider changing their meeting days from Wednesdays to another day of the week and change the second meeting to an evening time instead of 2:00 P.M. He also requested that the Board member in that district consider presenting a Proclamation to the family of Megan Walker.

IN RE: PUBLIC HEARINGS – DECISION TO CONTINUE

The County Administrator stated due to the weather there was the possibility that some people who wanted to attend the meeting weren't able to be here to speak on the issues for the public hearings. Therefore, if the Board wished there were 3 options available:

1. Hold the 2 public hearings and take action.
2. Hold the 2 public hearings and postpone action until the December 18, 2002 meeting.
3. Hold the 2 public hearings and continue them to the December 18, 2002 meeting.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia will open and hold the 2 public hearings tonight and continue them to the December 18, 2002 meeting.

IN RE: PUBLIC HEARING – VDOT SECONDARY ROAD SIX YEAR CONSTRUCTION PLAN 2003-2009 AND COUNTY'S ANNUAL SECONDARY ROAD CONSTRUCTION BUDGET 2003-2004

This being the time and place as advertised in the Dinwiddie Monitor on November 20, 2002 and November 27, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comments regarding VDOT'S secondary road six year construction plan 2003-2009 and the County's annual secondary road construction budget 2003-2004.

Mr. Richard Caywood, 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.

Mr. Bracey opened the Public Hearing. There was no one present who wished to speak.

Mr. Bracey asked why Coleman Lake, which is one of the oldest roads in the County, got dropped from the six-year plan. Mr. Caywood replied it was due to the drastic cuts in the budget.

Mr. Moody questioned the funding for the bridge repairs on Courthouse Road. Mr. Caywood stated the bridge is in such a detrimental condition it would have to be completely redone with funding for road construction. Mr. Bowman

asked if the repairs could be done using the emergency maintenance funds? Mr. Caywood replied the bridge had to be completely reworked so it would not be considered an emergency item. However, he did report the bridge, which crosses the Appomattox River from Dinwiddie County to Chesterfield County, is in need of some facial pavement repairs and the emergency maintenance funds could be used for those repairs.

By action tonight the Public Hearing was continued to December 18, 2002 at 2:00 P.M.

IN RE: STATEMENT PRIOR TO PUBLIC HEARING

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 case(s)."

IN RE: PUBLIC HEARING – C-02-6 – HARVEY T. BAXTER, III

This being the time and place as advertised in the Dinwiddie Monitor on November 20, 2002 and November 27, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comments regarding a request by Mr. Harvey T. Baxter, III, who is seeking a conditional use permit to build a self-storage warehouse on the rear portion of his property located at the intersection of Cox Road and Addison Street.

Mr. William C. Scheid, Planning Director, came forward and read the following excerpt.

Planning Summary Report

File # C-02-6
Applicant Harvey T. Baxter, III
Location 23522 Cox Road, Petersburg, VA

The applicant, Mr. Harvey T. Baxter, III, is seeking a conditional use permit to build a self-storage warehouse on the rear portion of his property located at the intersection of Cox Road and Addison Street. Gentry Well Works, which is owned by Mr. Baxter, is located along the Cox Road frontage. In order to access the rear portion of the property, Mr. Baxter is proposing to use Addison Street. The property is zoned business, general B-2 which allows several types of business ventures. In order to establish the storage warehouse, a conditional use permit is required. The Chairman and staff introduced the case at the October 9th meeting after which the meeting was opened to public comments. There were several citizens in attendance that spoke on this request. Generally, the concerns raised were: traffic; drainage; child safety; neighborhood security; property values; clientele using the storage facilities and road access from Cox Road. A discussion among those present resulted in the Planning Commission continuing this case to their November 13th public meeting. In the interim, a committee was formed to see if there is a workable solution to this matter. The committee members are: Mr. Lee; Mr. McCray; Mr. Baxter; Mr. Sykes and Mr.

Whirley. The committee met on October 23rd at 5:00 P.M. After a lengthy discussion, conditions were developed that addressed several of the concerns previously noted but it was noted by Mr. Whirley that the citizens were not in support of Mr. Baxter's request primarily due to the road access issue. After Mr. Lee presented the suggested conditions to the Planning Commission, they discussed them and amended them as follows:

1. Development of the storage warehouse facility shall be in accordance with the schematic prepared for Ted Baxter by Jeff Robinson and Associates, Consulting Engineer, dated July 7, 2002;
2. The proposed entrance to the storage warehouse from Addison Street shall be shifted approximately fifty (50) feet south of the existing proposal (moved closer to Route 226, Cox Road);
3. A natural buffer area of thirty (30) feet in width adjacent to Addison Street shall be maintained as well as the pond shall remain but may be modified;
4. Security fencing shall be erected around the storage warehouse area with the fencing adjacent to Addison Street located behind the required buffer area;
5. Entrance to the storage facility shall be limited from 7:00 a.m. to 7:00 p.m.;
6. Security personnel shall be located in close proximity to the storage warehouse;
7. A storm water management plan shall be developed for this site to contain any drainage associated with this development;
8. Entrance to this property must be approved by the Virginia Department of Transportation; and
9. A "No Left Turn" sign shall be erected by the applicant at the intersection of the entrance road with Addison Street.

After discussion among Planning Commissioners, the case was recommended for approval (5-0-1, Mr. Titmus abstaining) with conditions to the Board of Supervisors.

Mr. Bracey stated this is a Public Hearing and asked if any citizens wished to speak for or against C-02-6.

The following citizens spoke in opposition of C-02-6:

1. Darrel Whirley – 23707 Addison Street, Petersburg, Virginia.
2. Bennie Owens – 23611 Addison Street, Petersburg, Virginia.
3. Rudy Bartol – 23604 Addison Street, Petersburg, Virginia.
4. Ann Gentry Owens - 23611 Addison Street, Petersburg, Virginia.
5. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia.

The following citizen spoke in support of C-02-6:

1. Edward Williams – 23515 Cox Road, Petersburg, Virginia.

Mr. Ted Baxter, the applicant, came forward and stated he had looked at trying to do a right-of-way for the entrance road from Rt. 226 to the back of the property. There is not enough room on the left side of the building and there are 2 houses on the opposite side of the building. He commented that the property is zoned B-2 and there are many other businesses he could put on the property but he chose the warehouse because it would have less impact on the neighborhood.

By action taken tonight, Mr. Bracey stated the public hearing is continued to December 18, 2002 at 2:00 P.M.

IN RE: 2003 LEGISLATIVE ISSUES FOR DINWIDDIE COUNTY

Mrs. Ralph stated she provided a list of Legislative issues in their board packets. She asked if there were any additions or changes they would like to make to the list.

Mr. Haraway commented he knew that Richard Bland College has been removed from the closure list but now they want to make it a part of the Community College System and not a part of William and Mary College. As it stands now, if a student at RBC maintains a "B" average he is guaranteed admission to the College of William and Mary. He stated RBC should not be combined with the Community College System and he would like to add this request to the list.

Mr. Moody stated he would like the preamble that VACo adopted at their annual meeting added to the list.

Mr. Bowman stated number 22 on the list he was not opposed to the State leveling fees for out-of-state disposal of waste in local landfills. The County Administrator stated this issue came about because the state was trying to charge a fee for disposal of all trash in local landfills, which would cost the county a large sum of money. We were told you could not charge for out of state trash only. However, she agreed that it would be a great idea.

Mrs. Ralph asked for authorization to send the package on to our representatives. She asked Mr. Bowman if he was in agreement with the memo concerning Route 226. Mr. Bowman stated he was.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following referenced legislative package is hereby approved.

Year 2003 Legislative Issues for Dinwiddie County

The following information represents significant issues identified by the Dinwiddie County Board of Supervisors over the past year. The Dinwiddie Board of Supervisors respectfully requests any assistance you may provide on the following items:

1. Dinwiddie County and the Richmond District of VDOT do not receive a proportionate share of the six-year improvement plan for secondary roads or the unpaved road allocation. The County opposes any proposal to increase the share paid by counties for construction of Secondary Roads unless the General Assembly provides additional sources of local funding. The County also opposes any change in statute that increases the present minimum daily vehicle count of 50 for paving unpaved roads.

2. The County supports the continued funding by the state for school infrastructure needs, as well as any initiative to assist localities in the funding of school construction and school renovation projects.

3. Dinwiddie County supports any legislation that will establish the right of the County to require impact fees and other local options to be able to manage the consequences of population growth.

4. Dinwiddie County supports a reduction in the ratio of state funded deputies to population from 1 deputy per 1,500 population to 1 deputy per 1,200 population in Counties with a population of less than 35,000.

5. Dinwiddie County supports the concept of the Commonwealth reimbursing

localities for providing assistance with completing and mailing state income tax forms.

6. Dinwiddie County opposes the closure and the proposed combination with the Community College System of Richard Bland College.

7. Dinwiddie County supports the current definition of "mandated services" under the comprehensive Services Act. If the definition is expanded, the County requests the Commonwealth cover 100% of the cost of services which were formerly "non-mandated."

8. Dinwiddie County supports the concept of any assistance from the Department of Mental Health, Retardation and Substance Abuse for the implementation of CSA Services.

9. Dinwiddie County opposes any increase in the local match for the Comprehensive Services Act.

10. Dinwiddie County opposes any attempt to restrict or eliminate local sources of taxation unless local governments are guaranteed the opportunity to replace lost revenue sources with comparable, equivalent, independent sources of revenue to allow localities to fulfill their public service obligations.

11. Dinwiddie County opposes any change in the County's authority to impose the E-911 Tax and any state effort to lower the $3 per month cap on the tax.

12. Dinwiddie County requests funding support/reimbursement for EMS/Fire Service and other public safety services provided to State Agencies/Facilities located within the County.

13. Dinwiddie County opposes any unfunded mandates from the Commonwealth or the Federal government. This item is more specifically in reference to any mandates required of the local school divisions. With the current State budgetary shortfall, the State should waive the accompanying mandates.

14. Dinwiddie County requests additional funding support for localities for the centerline striping of secondary roads. It is the County's position that the addition of centerline markings will enhance traffic safety on many narrow secondary routes.

15. Dinwiddie County opposes any further dilution of the zoning and land use authority of local governments, specifically any attempts to mandate the by-right location of manufactured housing in all single-family residential zoning classifications.

16. Dinwiddie County supports amendments to Sec. 56-484.16 of the Code of Virginia to extend the deadline for wireless E-911 implementation for localities operating a wireline E-911 system as of July 1, 2000, from July 1, 2002 to July 1, 2003 and for wireless E-911 implementation for all other localities.

17. Dinwiddie County supports greater flexibility and additional funding to ensure success of the pave-in-place program and rural rustic road program and requests that VDOT work cooperatively with local governments to ensure the success of this program.

18. The General Assembly should require the Virginia Department of Corrections to remove "state-responsible" inmates from local and regional

jails in a timely manner and should seek ways to reduce the escalating burden of inmate medical care on such jails.

19. Dinwiddie County supports legislation that would require the Virginia Department of Transportation to maintain and make all repairs to drainage easements both on and off highway right-of-way for any permanent drainage easement acquired by the Department in connection with or as a precondition to the construction or reconstruction of any highway until such time as each easement shall have been terminated.

20. In Juvenile Corrections, Dinwiddie County opposes shifting responsibilities to localities thru policies that increase usage of local detention centers for juveniles that would have previously been taken into State facilities while at the same time reducing State funding to local juvenile programs.

21. Dinwiddie County opposes any change in the present formula for distribution of State funds to Juvenile Detention facilities.

22. Dinwiddie County opposes the addition of any new fees at the State level for the disposal of waste in local landfills unless the fees could be placed on out-of-state trash only.

23. "Local governments can no longer accommodate the state's unwillingness to fund state mandated programs and the reduction of state revenues to localities. State mandates and program requirements have forced localities to increase real estate taxes and undertake additional debt burdens, thereby creating undue financial burdens for all citizens. These burdens fall especially hard on senior citizens, single parents, farmers and those with limited incomes."

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Weather permitting, a photo session has been arranged for Thursday, December 5, 2002 at 2:00 P.M. at the Virginia Motorsports Park to announce the Ducks Unlimited Outdoors Festival, which will be held at the Park next year. All the Board members are invited to attend the session.

IN RE: AUTHORIZATION TO HIRE – GENE JONES - BUILDING INSPECTOR

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Gene Jones is appointed to the position of Building Inspector in the Building Inspection Department at a salary of $35,454 (Grade 12 Step I) effective November 26, 2002.

IN RE: WEB SITE REPORT – CATHY CARWILE

Ms. Cathy Carwile came forward stating she was happy to report that the County's web site was launched as of 2:30 P.M. today. It is up and running and if there are any changes you would like made to please let her know. The web address is **www.dinwiddieva.us**. She told the Board she had their e-mail address and would get with them as to how they would like their e-mail sent to them. The Board and County Administrator stated they were very proud of her accomplishment.

IN RE: COUNTY ADMINISTRATOR COMMENTS – CONT'

2. The consultant for the Communications System would like to review the RFP with the Board before sending it out. Because of the complexity of the system and how it will in turn affect the cost, the County Administrator stated she felt it is imperative that the Board members have a thorough understanding of what is involved. She asked if they could come in at 12:00 P.M. on December 18th. The Board agreed.

3. The workshop for the Corridor Study has been set for January 15, 2003 at 11:00 A.M.

4. There will be an overview of the new EMS regulations, which will affect the county, held on Monday, December 9, 2002 at 7:00 P.M. in the Board meeting room.

5. The County Administrator distributed copies of an article by the *Washington Post* about larger counties flocking to join the Virginia High Growth Coalition because it has the potential to be very viable and influential when the General Assembly convenes in January. Mr. Moody stated the coalition is getting some good press coverage and he hopes the legislators will listen.

6. Mrs. Ralph commented her report on the VACo conference was included in their packets.

IN RE: BOARD MEMBER COMMENTS

Mr. Haraway — He asked if the Central Virginia Health Planning Agency, Inc. was requesting another nomination to represent Planning District 19 since Ms. Everett was unable to serve at this time. Mrs. Ralph replied yes. He asked if there was a deadline. No deadline was given.

IN RE: ACCEPTANCE OF RESIGNATION – MR. LINWOOD FITZGERALD – SOCIAL SERVICES BOARD

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia accepts the resignation of Mr. Linwood Fitzgerald effective October 22, 2002 from the Social Services Board.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter sent to Crater Planning from the Governor regarding closure of Fort Lee and Defense Supply Center.
2. Letter from Diane Howerton, Branch Center Director, Crater Small Business Development Center regarding Governor Warner's budget cuts and the impact it has had on SBDC.
3. Letter from Central Virginia Health Planning Agency, Inc. requesting a Consumer nomination to represent Planning District 19.
4. Appomattox Regional Library System – report.

IN RE: AUTHORIZATION TO CARRY OVER ACCUMULATED ANNUAL LEAVE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that key staff who have been unable to take their vacation time due to workload and vacancies in staffing are authorized to carry over their accumulated annual leave until 2003.

IN RE: ADJOURNMENT

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

9:26 P.M. to be continued until 8:00 A.M. on Monday, December 16, 2002 in the Multi-purpose Room of the Administration Building, for a work session with the School Board and the BCWH consultant to review the draft school facilities study.

Edward A. Bracey, Jr., Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE PUBLIC SAFETY BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 18TH DAY OF DECEMBER, 2002, AT 12:00 NOON.

PRESENT:	EDWARD A. BRACEY, JR., CHAIRMAN	ELECTION DISTRICT #4
(absent)	ROBERT L. BOWMAN, IV, VICE-CHAIR	ELECTION DISTRICT #3
	HARRISON A. MOODY	ELECTION DISTRICT #1
	DONALD L. HARAWAY	ELECTION DISTRICT #2
	AUBREY S. CLAY,	ELECTION DISTRICT #5
OTHER:	PHYLLIS KATZ (arrived at 1:04 p.m.)	COUNTY ATTORNEY

Mr. Edward A. Bracey, Jr., called the continuation meeting to order 12:00 noon.

IN RE: REVIEW OF THE COMMUNICATIONS SYSTEM RFP

The County Administrator stated representatives from Kimball & Associates are present today to review the Communications System RFP and answer any questions anyone might have. Due to the complexity of the system and the potential cost, she said she felt it would be advantageous to have the representatives explain to the Board what would be included in the RFP.

Ms. Denise Absher, Communications Manager, introduced Mr. Curt Andrich, Project Manager, and Donald Harris, Radio Engineer, with Kimball & Associates.

Mr. Andrich and Mr. Harris presented the following information to the Board:

County's Current Communications System

Mix of VHF and UHF equipment
Equipment is dated
Poor coverage – maps included
Duplication of efforts between Public Safety and Sheriff's Office

County's Coverage requirements for a new system

95% of the county, with coverage 95% of the time for in house portable coverage

Designated "special" areas – where a higher level of coverage is needed, map indicating county's special area

Ways to increase coverage

Higher transmit power – limited by FCC
Taller towers – may not be politically acceptable
Correct tower location – may not be politically acceptable
Increase number of sites – will increase costs

What are the County's Options?

Option 1 – Five site simulcast VHF system

Pros:

Available space on existing towers
Possible re-use of some existing equipment

Cons:

Need to construct new tower at Namozine
May not meet County's coverage specification

Budgetary cost

$250K to $300K per site including:

Repeaters
Antenna System
RF distribution
Shelter
UPS
Generator

$200K for 200' self-supporting tower at Namozine

Total Budgetary cost for radio infrastructure:

$1.5M to $1.7M

Option 2 – Three site simulcast VHF system

Pros:

Dominance of one site, for system failure mode
Potential revenue from tower space rental
Less infrastructure equipment
Less site carrier line leases

Cons:

Initial cost
Environmental impact
Construction time frame
May not meet coverage specification

Option 2 – Three site simulcast VHF system

Budgetary cost

$250K to $300K per site including:

Repeaters
Antenna System
RF distribution
Shelter
UPS
Generator

$500K for 400' self-supporting tower at Courthouse
$200K for 200' self-supporting tower at Namozine

Total Budgetary cost for radio infrastructure:

$1.5M to $1.6M

Financial Options:

Purchase out right
Lease to buy
Fee for Service

Summary:

Old radio systems are obsolete, inadequate for daily operations
A major incident would overwhelm current systems
There are two viable options
All communications operations should be consolidated for efficiency

This is a decision that cannot be postponed

The County Administrator requested authorization to proceed with the RFP for the Communications System.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes Kimball & Associates to develop the procurement documents for the RFP for the Communications System according to the *Procurement Act* to be reviewed by the County Attorney.

IN RE: MEETING MOVED TO THE PAMPLIN ADMINISTRATION BUILDING BOARD MEETING ROOM

The Chairman moved the meeting to the Board Meeting Room in the Pamplin Administration Building for the continuation of the 2 Public Hearings.

IN RE: PUBLIC HEARING – VDOT SECONDARY ROAD SIX YEAR CONSTRUCTION PLAN 2003-2009 AND COUNTY'S ANNUAL SECONDARY ROAD CONSTRUCTION BUDGET 2003-2004

The County Administrator stated this is a continuation of the public hearing for VDOT's Secondary Road 6 Year Construction Plan for FY 2003 - 2009 for the County. At the December 4th meeting the Board voted to continue the hearing due to inclement weather.

Mr. Richard Caywood, 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 commented he did not have anything new to add.

Mr. Bracey opened the public hearing. No one signed up to speak for or in opposition to the proposed Six-Year Plan. Mr. Bracey closed the public hearing.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that they officially adopt the FY 2003-2009 Secondary Road Six-Year Construction Plan for Dinwiddie County as presented this date.

IN RE: ADOPTION OF – COUNTY'S ANNUAL SECONDARY ROAD CONSTRUCTION BUDGET 2003-2004

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that VDOT's FY 2003-2004 fiscal budget for the Secondary Systems Construction Program for Dinwiddie County as presented, is adopted.

IN RE: VDOT RESOLUTION DESIGNATING SHADY LANE - RURAL RUSTIC ROAD

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye" the following resolution was adopted:

The Board of Supervisors of Dinwiddie County, in its regular meeting on the 18th day of December 2002, adopted the following:

RESOLUTION

WHEREAS, during the 2002 session of the General Assembly, legislation was passed to revise §33.1-70.1 of the code of Virginia, to allow for the improvement and hard surfacing of certain roads deemed to qualify for and be designated a **Rural Rustic Road**; and

WHEREAS, VDOT has expressed a willingness to adopt this concept on a pilot basis until the program is fully implemented to assist in developing and defining the guidelines to be used for the program; and be evaluated by VDOT with regard to safety, resident concerns, and environmental issues; and.

WHEREAS, such roads must be located in a low-density development area, and have no more than 500 vehicles per day; and

WHEREAS, this Board is unaware of any pending development that will affect the existing traffic on the road; and

WHEREAS, the citizens that utilize this road have indicated their support of this road being paved with minimal improvements; and

WHEREAS, a road that traverses an area known for its scenic vistas or a historic and relaxed ambiance is one that should be considered for designation as a Rural Rustic Road; and

WHEREAS, this Board believes Route 670, Shady Lane should be designated a Rural Rustic Road, From: Rt. 666
To: 1.8 MI N Rt. 666 owing to its qualifying characteristics; and

WHEREAS, the road aforesaid is in this Board's six-year plan for improvements to its secondary system of state highways:

NOW, THEREFORE, BE IT RESOLVED, this Board hereby designates and requests VDOT's Resident Engineer to concur in the aforesaid road as a Rural Rustic Road.

BE IT FURTHER RESOLVED, this Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right of way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, this Board pledges to discourage more development on this road.

BE IT FURTHER RESOLVED, that a certified copy of this resolution is forwarded to the Resident Engineer for the Virginia Department of Transportation.

Recorded Vote
Moved By: _____
Seconded By: _____
Yeas: _____
Nays: _____

A Copy Teste:

Signed _____
Printed Name _____
Title _____

IN RE: STATEMENT PRIOR TO PUBLIC HEARING

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 case(s)."

IN RE: PUBLIC HEARING – C-02-6 – HARVEY T. BAXTER, III

Mr. William C. Scheid, Planning Director, came forward stating this case was continued and he would not read the excerpt because it was read at the December 4th meeting. Instead he explained the definition of a 'Subdivision" and whether or not "Gentry Subdivision" was actually a Subdivision as the Board requested at their December 4th meeting.

The Planning Summary Report is as follows:

Planning Summary Report

File # C-02-6
Applicant Harvey T. Baxter, III
Location 23522 Cox Road, Petersburg, VA

The applicant, Mr. Harvey T. Baxter, III, is seeking a conditional use permit to build a self-storage warehouse on the rear portion of his property located at the intersection of Cox Road and Addison Street. Gentry Well Works, which is owned by Mr. Baxter, is located along the Cox Road frontage. In order to access the rear portion of the property, Mr. Baxter is proposing to use Addison Street. The property is zoned business, general B-2 which allows several types of business ventures. In order to establish the storage warehouse, a conditional use permit is required. The Chairman and staff introduced the case at the October 9th meeting after which the meeting was opened to public comments. There were several citizens in attendance that spoke on this request. Generally, the concerns raised were: traffic; drainage; child safety; neighborhood security; property values; clientele using the storage facilities and road access from Cox Road. A discussion among those present resulted in the Planning Commission continuing this case to their November 13th public meeting. In the interim, a committee was formed to see if there is a workable solution to this matter. The committee members are: Mr. Lee; Mr. McCray; Mr. Baxter; Mr. Sykes and Mr. Whirley. The committee met on October 23rd at 5:00 P.M. After a lengthy discussion, conditions were developed that addressed several of the concerns previously noted but it was noted by Mr. Whirley that the citizens were not in support of Mr. Baxter's request primarily due to the road access issue. After Mr. Lee presented the suggested conditions to the Planning Commission, they discussed them and amended them as follows:

1. Development of the storage warehouse facility shall be in accordance with the schematic prepared for Ted Baxter by Jeff Robinson and Associates, Consulting Engineer, dated July 7, 2002;
2. The proposed entrance to the storage warehouse from Addison Street shall be shifted approximately fifty (50) feet south of the existing proposal (moved closer to Route 226, Cox Road);

Mr. Clay commented he visited the site and he personally couldn't see anything wrong with having the storage warehouse. He commented he felt it would be a lot better than having a garage in the community.

Mr. Haraway pointed out that this property is in his district. Everyone would rather for it to stay the way it is now but the property is zoned for business and has been for at least 30 years. He commented he visited another warehouse site and there was very little traffic in and out of that site. Mr. Baxter is going to do something with the land and he felt the storage shed would be the best choice for the community. Continuing he stated as far as the no left turn sign was concerned; this is private property and there is not going to be anyone to police the area and he could see no reason for that condition. He stated he was prepared to make the motion to approve the request.

Mr. Bracey said he visited the site and his only concern was that the entrance to the business. He commented he would like to see it come off Cox Road rather than Addison Street.

Mr. Caywood stated he reviewed the site and he didn't feel there would be that much of an increase in traffic to be any concerns. He did point out that Saturdays would probably have the highest volume of traffic. He stated that the only requirement from VDOT is the construction permit, which requires Mr. Baxter to put Addison Street back to its original condition and he has agreed to it.

Mr. Haraway stated 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, I move that conditional use permit C-02-7 be approved with the conditions recommended by the Planning Commission and amended by the Board of Supervisors such that condition #10 be added as follows:

10. No tractor-trailers shall be permitted on the self-storage warehouse property.

The motion was seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye",

BE IT ORDAINED BY THE BOARD OF SUPERVISORS of the County of Dinwiddie, Virginia, that conditional use permit C-02-6 is approved with conditions to allow the self storage warehouse on a portion of tax map/parcel 21F(1)11.

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", the meeting adjourned at 7:15 P.M.

Edward A. Bracey, Jr., Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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 DECEMBER, 2002, AT 2:00 P.M.

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

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

Mr. Edward A. Bracey, Jr., Chairman, called the regular meeting to order at 2:49 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Wendy Weber Ralph, County Administrator, stated there is a need to add under Closed Session: Personnel – Appointments and add Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia – Meeting Schedule;

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the November 20, 2002 Regular Meeting and the December 4, 2002 Regular Meeting are hereby approved.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1033297 through 1033451 (void check(s) numbered 1033296) for:

Accounts Payable FY 2002- 2003:

(101) General Fund	$ 334,096.49
(103) Jail Commission	$ 203.26
(104) Marketing Fund	$ .00
(209) Litter Control	$ .00
(222) E911 Fund	$ 11,463.72
(223) Self Insurance Fund	$ .00
(225) Courthouse Maintenance	$ .00
(226) Law Library	$ .00
(228) Fire Programs & EMS	$ 9.05
(229) Forfeited Asset Sharing	$ .00
(304) CDBG Grant Fund	$ 689.40

(305) Capital Projects Fund	$ 4,217.00
(401) County Debt Service	$ 86,826.60
TOTAL	**$ 437,507.52**

IN RE: SCHOOL BOARD REQUISITION # 3 – 1998A (70-02-200-7019743)

The County Administrator stated she received the following invoices from Dr. Leland Wise, Jr., Superintendent of Schools for Payment Requisition #3 - 1998A Bond Issue (70-02-200-7019743):

RF Anderson and Sons	Dinwiddie Elem. and Midway Elem. School	$18,801.00
Fiber Plus	Midway Elem. School	$10,024.27
Fiber Plus	Midway Elem. School	$5,786.07
Fiber Plus	Dinwiddie Elem. School	$8,272.00
Fiber Plus	Dinwiddie High School	$7,953.40
Network Technologies	Dinwiddie High School	$12,000.00
Total		$62,836.74

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

Dr. Morris stated these invoices are for security and computer wiring at Dinwiddie and Midway Elementary. This does complete the Midway Elementary School project. Mr. Bracey commented that he was assuming that all of this was taken out of the original project. Dr. Morris replied as best as he could find it was value engineered out.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number #3 -1998A (70-02-200-7019743) in the amount of $62,836.74 be approved and funds appropriated for CIP expenses from the School Project Account.

IN RE: SCHOOL BOARD REQUISITION # 4 – 1999B (70-02-200-7033387)

Mrs. Ralph stated she received the following invoices from Dr. Leland Wise, Jr., Superintendent of Schools for Payment Requisition #4-1999B (70-02-200-7033387):

School Specialty	Furnishings	Dinwiddie Elementary School	$1654.04
School Specialty	Furnishings	Dinwiddie Elementary School	$3126.36
School Specialty	Furnishings	Dinwiddie Elementary School	$2031.64
School Specialty	Furnishings	Dinwiddie Elementary School	$1007.00
School Specialty	Furnishings	Dinwiddie Elementary School	$214.40
School Specialty	Furnishings	Dinwiddie Elementary School	$532.52
School Specialty	Furnishings	Dinwiddie Elementary School	$476.80
Reed-Smith	Attorney	Dinwiddie Elementary	$2917.69

Whitescarver, Hurd, and Obenchain	HVAC Consultation	School Dinwiddie Elementary School	$1740.00
Total			**$13,700.45**

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

Mr. Bracey stated he assumed the work has been done and questioned why an attorney was needed?

Dr. Morris responded that the School Board was in the process of negotiating with Southwood Builders and BJU and that's why the attorney was hired. He explained that there was some discrepancy in the HVAC information and this was probably the best money that they have spent. He said they are almost there with the Dinwiddie Elementary Project. Mr. Bracey asked legal counsel if the attorney and consultant fees were permissible to be paid from the bond issue funds? The County Attorney replied she did not know. The County Administrator responded that the bond counsel would review the invoices before they are forwarded to Sun Trust for payment.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition #4 -1999B (70-02-200-7033387) in the amount of $13,700.45 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Project Account.

IN RE: SCHOOL BOARD REQUISITION # 4 – 1998A (70-02-200-7019743)

The County Administrator stated she received the following invoices from Dr. Leland Wise, Jr., Superintendent of Schools for Payment Requisition #4 - 1998A (70-02-200-7019743):

Swartz Restaurant Supply	Furnishings/Construction	Dinwiddie County High School	$25,226.00
Sports Graphics	Furnishings/Construction	Dinwiddie County High School	$2,695.00
BCWH	Architect	Dinwiddie Elementary School	$3,261.75
Reed Smith	Legal	Dinwiddie Elementary School	$2,989.85
American Coating	Construction	Dinwiddie County High School	12,567.00
BCWH	Architect	Dinwiddie Elem. School	710.79
Whitecarver, Hurd, and Obenchain	Architect	Dinwiddie Elem. School	2752.50
Total			**$50,202.89**

The attached invoices for these expenditures have been reviewed and approved. The invoice from BCWH is a partial payment, with the balance being paid from

1999B bonds. With this request, the Dinwiddie County High School project is complete.

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent. Mr. Bowman asked if the attorney and consultant issues were related? Dr. Morris replied it is the same issue. Mr. Bowman commented he thought that is why you paid the architect to make sure everything met specifications. Dr. Morris responded in this particular case it is legal to use attorneys to negotiate any variances or disagreement you might have. Mr. Bowman stated he thought that is why a bond is posted to make sure the requirements are met in the contract. Dr. Morris stated they had to negotiate a settlement with the architect as well. The School Board had a problem with their services also. There were disagreements with the architectural services and the construction services and that is why we had to have an attorney for negotiations. Mr. Bowman stated he was not aware that there were any problems. Dr. Morris commented the problem was just trying to close the project. Mr. Bowman requested a letter explaining the situation. Dr. Morris stated he would provide an update on the project. Mr. Bracey stated there should have been a clerk of the works to oversee and accept the projects. Dr. Morris stated the work has not been accepted. The only person who has accepted the building was the contractor. He said it was finished and the School Board is disputing that. Mr. Bowman asked if the contractors bond is still being held. Dr. Morris replied the contractor's final payment is being held. Mr. Bowman said then all of these fees would be withheld from the final draw. Dr. Morris stated yes and his time would be included in the settlement. With this request, the Dinwiddie County High School project will be completed. Mr. Bracey asked if an accounting would be available for the projects. Dr. Morris stated that would take some time to figure out. Mr. Bracey stated he knew this was a touchy situation and he was going to let it go but sometime in the future we need to have some discussions about the situation.

Mr. Haraway commented Mr. Bracey has a good point. Dinwiddie Elementary School has not been finalized and we don't know what the costs are going to be; but we are approving fees to come out of the balance we are not supposed to spend. How are we going to know what the balance is going to be if it is tied up with attorneys? Dr. Morris stated he knows what is in that bond balance. Mr. Bracey questioned if he knew the balance for each bond by school project. Dr. Morris reiterated he has a running balance of what is in each bond issue. Mr. Haraway asked if the balance was sufficient to cover all of the outstanding costs? The County Administrator asked if the balance would cover the maximum owed. Dr. Morris stated we have enough in the bond to cover the maximum that we owe and a little more. Mr. Moody asked if that would cover the invoices owed for the studies? Dr. Morris replied yes. Mr. Bracey stated, we will not see another invoice for these three projects. Is that correct? Dr. Morris stated that is correct.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number #4 -1998A (70-02-200-7019743) in the amount of $50,202.89 be approved and funds appropriated for CIP expenses from the School Project Account.

IN RE: SCHOOL BOARD REQUISITION # 5 – 1999B (70-02-200-7033387)

Mrs. Ralph stated she received the following invoices from Dr. Leland Wise, Jr., Superintendent of Schools for Payment Requisition #5-1999B (70-02-200-7033387):

BCWH	Architect	Dinwiddie Elementary	$88,838.25

Total			**$88,838.25**

The attached invoices for these expenditures have been reviewed and approved. Please note that this invoice will need to be paid with this request and a future request from the 1998A Construction Bond. Also note that this request should close out the 1999B bond.

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent. Dr. Morris stated this is for the Phase II Study. Mr. Moody asked if this is the final payment? Dr. Morris replied they have not completed all of the work so there will be a final payment.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition #5 -1999B (70-02-200-7033387) in the amount of $88,838.25 be approved and funds appropriated for CIP expenses from the Dinwiddie Elementary School Project Account.

IN RE: SCHOOL BOARD REQUISITION # 5 – 1998A (70-02-200-7019743)

The County Administrator stated she received the following invoices from Dr. Leland Wise, Jr., Superintendent of Schools for Payment Requisition #5 - 1998A (70-02-200-7019743):

Simplex	Construction	Dinwiddie Middle School	$19,977.00
Fiber Plus	Construction	Dinwiddie Middle School	$15,123.45
Pence and Company	Construction	Dinwiddie Middle School	$10,965.00
Reed-Smith	Attorney	Dinwiddie Elementary School	$2,260.35
Fiber Plus	Construction	Dinwiddie Elementary School	$4,930.97
Total			**$53,256.77**

The attached invoices for these expenditures have been reviewed and approved. With this request, the Dinwiddie Middle School project is complete.

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number #5 -1998A (70-02-200-7019743) in the amount of $53,256.77 be approved and funds appropriated for CIP expenses from the School Project Account.

IN RE: SCHOOL BOARD REQUISITION # 6 – 1998A (70-02-200-7019743)

The County Administrator stated she received the following invoices from Dr. Leland Wise, Jr., Superintendent of Schools for Payment Requisition #6 - 1998A (70-02-200-7019743):

Ballou, Justice, Upton Architects	Architect	Dinwiddie Elementary School	$33,048.00
Total			**$33,048.00**

The attached invoice for this expenditure has been reviewed and approved. For this invoice, the Assistant Superintendent requested that it be paid to *Ballou, Upton, Justice Architects* by December 31, 2002.

Mrs. Ralph stated this invoice has been reviewed and approved by the Superintendent. However, as you can see from the invoice this is not the complete payment to them. Dr. Morris stated it is what the attorney negotiated with them. Mr. Haraway commented that is why the invoice was submitted to the attorney rather than the Dinwiddie County School Board. Dr. Morris stated this is the negotiated amount but we still owe them $10,000.

Mr. Haraway stated we moved into that building a year and a half ago and we are just now paying the architect.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number #6 -1998A (70-02-200-7019743) in the amount of $33,048.00 be approved and funds appropriated for CIP expenses from the School Project Account.

Mr. Bracey commented we are withholding $10,000 and you feel that is sufficient to complete the project. Dr. Morris stated yes and it is worth it to have the architect finish the project. It would be a lot more expensive to hire contractors. The County Administrator stated it is part of the legal settlement. That's right commented Dr. Morris; they will do the work.

Mr. Haraway stated he realized that a lot has taken place but he felt it was a shame that this company has been doing work for the County for at least 10 years and then you have to end up with attorneys to settle. He commented he felt something is really wrong when somebody has worked that long for you and it ends up like this. Mr. Bracey agreed and stated that we are going to go on and we will get it straight. He commented he would hate to pick up on projects like this when so many people have been involved and try to figure them out.

IN RE: AUTHORIZATION TO ACCEPT FUNDS FROM VDOT FOR REIMBURSEMENT FOR CONSTRUCTION COSTS ON THE NEW ACCESS ROAD TO THE DINWIDDIE COUNTY AIRPORT

The County Administrator stated Mr. David Ploeger has requested that the County accept funds from VDOT in the amount of $69,573.56 as reimbursement for construction costs on the new access road to the Dinwiddie County Airport. She also requested that these funds be forwarded to the Dinwiddie Airport and Industrial Authority to be used for contractor and engineer's pay requests.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby accepts the check from VDOT in the amount of $69,573.56; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes the issuance of a check to the Dinwiddie Airport and

Industrial Authority in the amount of $69,573.56 to be used for contractor and engineer's pay requests.

IN RE: CITIZEN COMMENTS

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

The following citizens came forward to address the Board:

1. Rev. Robert L. Rowland, III – 18404 Bonneville Lane, Dinwiddie, Virginia – came before the Board requesting that they consider changing their meeting days from Wednesdays to another day of the week to enable persons who attend church an opportunity to be involved in the County politically.

2. Mr. Michael Bratschi, 23500 Cutbank Road, McKenney, Virginia – came forward stating he supported the request from Rev. Rowland regarding the Board changing their meeting days from Wednesdays to another day of the week. Continuing, he asked that the second meeting be changed to an evening time instead of 2:00 P.M. He stated at the last meeting he requested that the Board member in that district consider presenting a Proclamation to the family of Megan Walker. Mr. Bracey commented he has been on the Board for a number of years and he didn't recall ever presenting a Proclamation to any family member for an incident of this nature. The Board would be placed in a difficult position if they started this practice. Mr. Bratschi also asked if the Board was interested in a referendum for a police department in the County. He requested a response in writing.

3. Mrs. Anne Scarborough – came forward stating she was not opposed to changing the days of the meetings just don't change the times of the meetings. She commented that it should be a matter of priority for them to attend functions in the County instead of changing the meeting times to attending functions out of the county.

IN RE: RECESS

The Chairman called for a recess at 3:33 P.M. The meeting reconvened at 4:53 P.M.

IN RE: VDOT – REPORT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, came forward and stated he had no updates or report today.

1. Mr. Bracey asked if he had had an opportunity to check on Hunnicut Road at the two "S" curves? There is a terrible dip in the road and someone is going to get hurt there. Mr. Caywood replied no but he would check it.

2. Mr. Bracey requested him to check with Petersburg to see when the repairs would be done on the road at the Petersburg/Dinwiddie line, near the State Police Office.

3. Mr. Bowman stated on U.S. Route 1 it was reported that 10,000 vehicles a day was the "magic" number for VDOT to change it from two-lanes to four lanes. Mr. Caywood replied typically that is the threshold used for maximum capacity but turn lanes do help add to the

capacity. Mr. Bowman said he also heard 7,000 vehicle per day was the determining number used but somewhere in that area you think. Mr. Caywood stated it depends on the configuration, somewhere in that area but again the turn lanes were used as a determining factor. He stated he didn't know if it was a certain number you could point to but somewhere in that range.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

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

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and stated he mailed them his report for November 2002. He commented he would answer any questions they might have. He wished them a Merry Christmas and a Happy New Year.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, stated he had nothing to report but would entertain any questions they might have. He wished them a Merry Christmas and a Happy New Year.

IN RE: PRESENTATION OF CERTIFICATE OF 100% COMPLIANCE – JAIL

The County Administrator stated the County received a letter from the Department of Correction regarding the Jail being in compliance with the standards for jails. The facility has been approved for unconditional certification based upon excellent performance level of 100% compliance. The Sheriff's Department was presented with a Certificate of Compliance for their achievement. The Regional Compliance Officer wanted to make the presentation at the December 4th meeting but was unable to attend due to the weather. Sheriff Shands thanked the Board for funding the project and presented the Certificate to Sergeant Maitland and the Jail Staff. He invited the Board to visit the facility. Sergeant Maitland thanked the Board, Mrs. Ralph and Mr. Faison for their help.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward and presented his report for the month of November 2002. He wished everyone a Merry Christmas and a Happy New Year.

IN RE: ANIMAL WARDEN – REPORT

Mr. Steve Beville, Animal Control Officer, was not present due to a call. The County Administrator commented if there were any questions she would get them to Mr. Beville. Mr. Bracey commented the report looked very nice.

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. William C. Scheid, Director of Planning, came forward and stated they had his monthly update for November 2002 for the planning department.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his November 2002 monthly report.

IN RE: CODE COMPLIANCE OFFICER

Mr. David S. Thompson also presented the Code Compliance Officer's report for November 2002.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen, Director, Social Services Department, came forward stating she would like to give a report on the Christmas Sharing Foundation. The citizens and businesses have been very responsive this year especially the businesses. Over $14,000 has come in to support the program this year, which is about $4,500 more than last year. Approximately 800 people have been served by this program that are unemployed or below the poverty level and have children, as well as, the elderly in our community who have no other way of getting any assistance for Christmas. She thanked everyone who had a part in the program.

IN RE: SUPPLEMENTAL APPROPRIATION TO THE FY2003 SCHOOL BUDGET

Dr. Morris, Assistant Superintendent of Schools, stated this is a supplemental appropriations request by the Dinwiddie County School Board. The School Board voted at its November 5, 2002 meeting to request of the Dinwiddie County Board of Supervisors supplemental appropriations to the FY2003 school budget. Most of these funds are needed to account for the federal monies received for the No Child Left Behind Act of 2001. This amount is $381,496.00.

Also, due to the increase in enrollment, the School Board is requesting that the Board of Supervisors provide an additional supplemental appropriation of $144,072.00. This money is state basic aid money and is due to the increased enrollment of students. Therefore, the total supplemental appropriation requested is $525,568.00. None of this supplemental appropriation requires local funds.

Since we are categorically funded by the Board of Supervisors, the supplemental appropriation is proposed to be distributed in the following manner:

Category	Original Total Appropriation (FY2003 School Budget)	Additional Requested Appropriation	Proposed New Total Appropriation (FY2003 School Budget)
Instruction	$22,816,035.00	$453,532.00	$23,269,567.00
Pupil Transportation	$ 1,935,271.00	$ 72,036.00	$2,007,307.00
TOTAL		$525,568.00	

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Supplemental Appropriations to the FY2003 school budget in the following amounts is hereby approved:

$453,532.00	Instructional category
$ 72,036.00	Pupil Transportation category

Both of these Supplemental Appropriations are state funds and will require no additional local funds.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, came forward and presented his November 2002 update. He thanked the Board for their participation in the Holiday Parade. Mr. Clay asked how many people attended the parade. Mr. Smith stated there were approximately 1,500 to 1,800. He stated the senior luncheon had to be postponed and will be held tomorrow at 11:00 A.M. at Eastside. He invited the Board to attend.

Mr. Bracey asked if the Youth Wrestling Program was a feeder for the schools or if it was just something for the kids to do? Mr. Smith stated it was something for the kids to do. It is held at Midway Elementary School and Mr. Craig Lewis is the instructor. Mr. Moody questioned why he did not have the program at Eastside. Mr. Smith replied it is because the high school wrestling team practice at Midway and we use the wrestling mats. Sometimes the rentals at Eastside conflict with the youth wrestling and it is easier to hold the program at Midway. Mr. Bracey commented he felt the program should be held at Eastside not Midway.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward and presented his report for September 2002.

IN RE: WASTE MANANGEMENT DEPARTMENT - AUTHORIZATION TO PURCHASE ¾ TON PICKUP TRUCK

Mr. King stated he received the following bids for the ¾ ton 4X2 diesel pickup truck:

VENDOR	PRICE	ENGINE HEATER	LIMITED SLIP REAR	NOTES
Heritage Chevrolet	$26,907	yes	yes	
Owen Ford	$21,252	yes	+300	
Whitten Bros Dodge	$24,171			formerly Triangle
Bill Smith Ford	$20,800	yes	+300	
Petersburg Ford	$21,398	yes		
Sheehy Ford	$20,833	yes	+300	tires below spec
State Contract	$23,654		yes	Capital GMC

Mr. King stated Bill Smith Ford is the low bidder and requested authorization to enter into a contract to purchase the 2003 Ford ¾ ton 4X2 diesel pickup truck from them. He also stated he would like to add the limited slip rear option to the contract if they did not object.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Waste Management Director was authorized to purchase the 2003 Ford ¾ ton 4X2 diesel pickup truck with the limited slip rear from Bill Smith Ford at a price not to exceed $21,100.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his report for November 2002. He also reported that the subscription program information would not be mailed until the first of the year. However, this should not effect the implementation date of February 1, 2003.

IN RE: COMMUNICATIONS SUPERVISOR – REPORT

Ms. Denise Absher, Communications Supervisor, came forward and presented an update for November 2002.

IN RE: COUNTY ATTORNEY – REPORT

Ms. Phyllis Katz, County Attorney, stated she had nothing to report. She wished everyone a Happy Holiday Season and stated she was looking forward to working with the Board, County Administrator and Staff again this year.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and stated he provided his monthly update for November 2002 in the Board packages.

IN RE: AUTHORIZATION TO PURCHASE THREE GENERATORS – SHERIFF'S OFFICE, JAIL & OLD HICKORY VFD

Mr. Donald Faison stated had completed negotiations with Carter Machinery Co., Inc. and would like authorization to enter into a contract with them to furnish the 50 KW (bid 55 KW) and the 125 KW generators and transfer switches to be used at the Sheriff's Office and Jail.

Carter Machinery Co., Inc.	
55 KW (Sheriff's Office)	$13,314.00 - Propane
125 kW (Jail)	$22,864.00 – Diesel
Combined bid	$36,178.00

Due to informalities in the bidding process we also sent out 4 invitations to suppliers to re-bid the 100 KW Generator for Old Hickory Fire Department. We received the two bids listed below:

Cummins Atlantic Corp.	$20,178.00 - Propane
Fidelity Engineering	$22,028.00 – Propane

Mr. Faison requested authorization to enter into contracts with Cummins Atlantic Corporation for the 100 KW Generator for Old Hickory and with Carter Machinery Co., Inc. for the 55 KW Generator and the 125 KW Generator for the Sheriff's Office and Jail.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Buildings and Grounds Director is authorized to enter into a contract with Cummins Atlantic Corporation for the 100 KW Generator for Old Hickory Fire Department in the amount of $20,178; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Buildings and Grounds Director is authorized to enter into a contract Carter Machinery Inc., for the 55 KW and the 125 KW generators and transfer switches to be used at the Sheriff's Office and Jail in the amount of $36,178.00.

IN RE: AUTHORIZATION FOR ASSISTANT COUNTY ADMINISTRATOR TO ACT ON BEHALF OF THE BOARD

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

BE IT RESOLVED, by this Board that the Assistant County Administrator is authorized to perform all official duties in the name of the Board and on behalf of the Board whenever the County Administrator is unavailable or unable to perform these duties, when such authority is delegated to the Assistant County Administrator, or in cases of emergency.

IN RE: AMENDMENTS TO THE FY03 BUDGET

The County Administrator stated the amendments to the FY 03 budget mainly deal with the changes you approved at budget time dealing with the Library and OYCS and the changes in the School Board budget due to changes in state and federal funds. The transfer they are requesting to be changed from debt service to instruction will not become a part of the base.

General Fund

1. Increase the Appomattox Regional Library contribution by $5,976
2. Increase the transfer from the General Fund to VJCCCA by $20,000
3. Decrease the transfer from the General Fund to OYCS by $20,000
4. Decrease the transfer from the General Fund to the School Debt Service Fund by $126,328
5. Increase the transfer from the General Fund to the School Fund (Instruction) by $126,328

Designations from Undesignated Fund Balance

1. $9380 – Preservation Grant
2. $4,200,000 – Economic Development
3. $323,392 – FY01 CIP - $148,392 – GIS; $175,000 – Dinwiddie Elementary Generator
4. $968,000 – FY02 CIP

School Fund – Changes from County Budget

1. Head Start – No Change
2. Instruction - $713,708 Increase
3. Administration - $29,634 Decrease
4. Transportation - $44,081 Decrease
5. Maintenance - $70,524 Decrease
6. Textbook - $235,703 Decrease
7. Cafeteria – No Change
8. OYCS - $56,849 Decrease
9. Capital Projects – No Change
10. Debt Service – No Change
11. Transfers from School Fund –
    a. Textbook - $1,147 Decrease
    b. OYCS - $26,550 Decrease
    c. Debt Service - $126,328 Increase

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the amendments, as outlined above, to the FY 2002 – 2003 Budget are approved as presented.

IN RE: APPROPRIATIONS RESOLUTION

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the following appropriations resolution was adopted:

WHEREAS, the final 2002-2003 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 General Fund budget in the amount of $25,423,009 will be appropriated on a monthly basis, beginning July 1, 2002 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, 2002:

Law Library - $6,500; Fire Programs/EMS Fund - $43,000; Virginia Public Assistance Fund - $2,570,187; CSA Fund $785,812; E911 Fund - $440,919; Courthouse Maintenance Fees - $0.00; Forfeited Asset Fund - $6,000; OYCS Fund (Tobacco Commission) - $28,862; Meals Tax Fund - $400,000; VJCCCA - $47,230; Jail Phone Commission - $3864; County Debt Service - $2,019,601; Head Start Fund - $160,642; School Cafeteria Fund - $1,314,374; School Capital Projects Fund - $100,000; School Textbook Fund - $100,000; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the CDBG Fund and IPR Fund, as State funds become available, be appropriated on a monthly basis as claims 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, and transferred on a monthly basis beginning July 1, 2002:

Instruction	$22,555,393
Administration, Attendance & Health	1,239,580
Pupil Transportation	1,935,271
Operation & Maintenance	3,409,671
Facilities	9,200
School Debt Service	2,785,454

(includes $400,000 transfer from Meals Tax); and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following reappropriations to the FY03 budget from the FY02 undesignated fund balance be approved effective July 1, 2002: $9,380 Preservation Grant; $864,242 present balance in the Capital Projects Fund; $323,392 from the FY01 CIP to be transferred to the Capital Projects Fund; and $968,000 from the FY02 CIP to be transferred to the Capital Projects Fund; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that all funding for fiscal year 2002-03 is subject to further action by the Board as dictated by availability of State funds.

IN RE: RESOLUTION AUTHORIZING AMENDMENT OF THE SERVICE AGREEMENT WITH SCWA

The County Administrator stated the South Central Wastewater Authority reorganized the reduction of interest rates several months ago and requested the Department of Environmental Quality reduce the interest rate of the construction debt. DEQ has agreed to lower the bond interest rate. Therefore, in order to

reduce the interest rates, the Authority and each political jurisdiction that was a party to the agreement must agree to the revision of the debt schedule.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to execute the amendment to the service agreement between the South Central Wastewater Authority and the County of Dinwiddie.

IN RE: ADOPTION OF BUDGET CALENDAR - FY 03-04

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye" the following budget calendar is adopted:

2003-04 Budget Calendar

November 20th	Budget materials distributed to Agencies/Depts.
January 2nd	Agencies/Departments submit Budget requests
January 13th	2003 value estimates submitted by the Commissioner of the Revenue
Week of February 3rd	Proposed Budget submitted to the Board of Supervisors
Months of February/March	Board of Supervisors Budget Work Sessions
April 2nd	Budget Public Hearing
April 16th	Adoption of Budget

IN RE: BOARD MEMBER COMMENTS

Mr. Haraway	He stated he did not have a problem with having the Board meetings on Tuesday instead of Wednesday. We could try it for a year and see how it works.
Mr. Clay	He stated he would not be opposed to meeting on Tuesday either.
Mr. Moody	He stated he would have a conflict on Tuesday but Monday would be ok.
Mr. Bracey	He stated he had mixed emotions about changing the meetings to another day. As long as he could remember the meetings have been held on Wednesday. So why change them to Tuesday? He commented he felt all the meetings should be held at 7:30 P.M.

IN RE: CLOSED SESSION

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

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

Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia – Meeting Schedule; Clarification of Tax/Assessment; Conditional Use Application

Mr. Clay seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 5:03 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:03 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel – Appointments; § 2.2-3711 A.7, Consultation with Legal Counsel - Meeting Schedule; Clarification of Tax/Assessment; Conditional Use Application

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

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

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

IN RE: AUTHORIZATION TO RETAIN SERVICES OF TECHNICAL FIRM – CONDITIONAL USE PERMIT

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Moody, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye", authorization is granted for the Planning Department to retain the services of a technical firm to assist the Planning Commission and Board of Supervisors on a conditional use permit.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter pf appreciation from the Chesterfield County Police Department – regarding the sniper investigation.

2. Memo to Deborah M. Marston, Commissioner of Revenue from the County Administrator – requesting timely and accurate revenue projections for the FY 04 Budget.

3. Letter from Mr. Bracey to the FBI, Chesterfield Police Dept., Virginia State Police, Ashland Police Dept., Petersburg Police Dept., Henrico Police Dept., Hopewell Police Dept., Richmond Police Dept., and the Dinwiddie County Sheriff's Dept., thanking them for their work with the recent sniper investigation.

4. Virginia Gateway Region – Monthly report.

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 7:13.

Edward A. Bracey, Jr.
Chairman

Wendy Weber Ralph
County Administrator

/abr

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 JANUARY, 2003, AT 7:30 P.M.

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

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

Mrs. Wendy Ralph, County Administrator, called the regular meeting to order at 7:30 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. Moody, Seconded by Mr. Clay, Mr. Haraway, Mr. Bracey, Mr. Bowman, Mr. Moody, Mr. Clay voting "Aye", the Chairman and Vice-Chairman for the Board of Supervisors will serve a one (1) year term of office.

IN RE: ELECTION OF CHAIRMAN - 2003

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Clay, Mr. Haraway, Mr. Moody, voting "Aye", Mr. Bowman, Mr. Bracey, "Abstaining", Mr. Bowman was elected Chair for the Board of Supervisors for the year of 2003 or until his duly elected successor assumes office.

IN RE: ELECTION OF VICE-CHAIRMAN - 2003

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Clay, Mr. Moody, Mr. Bracey, Mr. Bowman, voting "Aye", Mr. Haraway "Abstaining", Mr. Haraway was elected Vice-Chair for the Board of Supervisors for the year of 2003 or until his duly elected successor assumes office.

IN RE: SCHEDULE OF MEETINGS AND DATES FOR 2003

Mrs. Ralph stated a proposed meeting schedule for 2003 on Tuesday had been included in the Board's packet for their review and consideration. She distributed copies for a proposed meeting schedule for 2003 on Wednesday

MONTH	*FIRST TUESDAY 7:30 P.M.*		*THIRD TUESDAY 2:00 P.M.*	
JANUARY		**2ND**		**21ST**
FEBRUARY		**4TH**		**18TH**
MARCH		**4TH**		**18TH**
APRIL		**1ST**		**15TH**
MAY		**6TH**		**20TH**

JUNE		3RD		17TH
JULY		1ST		15TH
AUGUST		5TH		19TH
SEPTEMBER		2ND		16TH
OCTOBER		7TH		21ST
NOVEMBER		4TH		18TH
DECEMBER		2ND		16TH

THE 8TH DAY FOLLOWING THE REGULAR SCHEDULED MEETINGS TO BE USED AS A MAKEUP DATE IF THE REGULAR SCHEDULED 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

Mr. Haraway made a motion to hold the Board meetings on the 1st Tuesday at 7:30 P.M. and the 3rd Tuesday at 2:00 P.M. Mr. Clay seconded the motion.

Mr. Bracey asked, what reason do we have for changing the meetings from Wednesday to Tuesday? Mr. Bracey stated if someone could give him a reason he felt he would be more comfortable making the change. Mr. Haraway stated one of the reasons is because the Baptist Churches in the County have their mid-week prayer services on Wednesday nights and a pastor has requested that we change the meeting to another day. The County Administrator commented that there are other activities that take place on Wednesday night with other groups also. This would provide an opportunity for those persons to come to the Board meetings too. Mr. Moody commented that he felt it would increase citizen attendance at the meetings. Mr. Bracey requested that the motion be amended to state this change would be for one year only.

Mr. Haraway amended his motion to include the change from Wednesday to Tuesday for a trial period of one year to give more people an opportunity to attend the meetings; Mr. Clay agreed.

Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," Mr. Bracey "Abstaining,"

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 2003 with the 8th day following the regular scheduled meetings to be used as a makeup date if the regular meeting is to be continued because the Chair or Vice-Chair find that weather or other conditions are hazardous for the Board members to attend:

THE FIRST MEETING OF EACH MONTH, HELD ON THE FIRST TUESDAY, WILL BE AT 7:30 P.M.

THE SECOND MEETING OF EACH MONTH, HELD ON THE THIRD TUESDAY, WILL BE AT 2:00 P.M.

THE MEETING SCHEDULE IS FOR A TRIAL PERIOD OF ONE YEAR.

ALL REGULAR AND MAKEUP MEETINGS WILL BE HELD IN THE PAMPLIN ADMINISTRATION BUILDING, BOARD MEETING ROOM, 14016 BOYDTON PLANK ROAD, DINWIDDIE, VIRGINIA 23841.

IN RE: MEETING STRUCTURE

The County Administrator commented that the Board had discussed trying to streamline the structure of the meetings. One suggestion was to try the consent agenda.

The consent agenda will contain items for action that are routine in nature and should not require additional discussion. Items on the consent agenda will be approved with one motion at the beginning of the meeting. If a Board member needs to discuss an item in the consent agenda before action is taken, that item will be pulled and placed on the regular agenda for discussion.

The second suggestion was that the Department Heads will continue to submit monthly reports to the Division Chiefs and the County Administrator for review. On a quarterly basis, at the second meeting of the month, the Department Head Reports will be included for the Board. However, they will **not** be in attendance unless the Board member lets Administration know they have an issue that would require the Department Heads to be at the meeting. It is very important that Administration be notified ahead of time if the Board has questions on an item or report so that staff can be sure they have the information at hand to answer those questions.

Board Member Comments

1. Any items brought up under Board member comments will be discussed and considered a first reading on that item.

2. If information on the topic has been provided to Administration and included in the Board packets that are sent out prior to the meeting, action could be taken by the Board.

3. If information has not been included, then the item can be discussed but will be placed on the next agenda for action.

Mr. Haraway asked what happened to cause this request? The County Administrator replied that sometimes items are brought up without prior knowledge or information and the Board is asked to vote on the item during Board Member Comments. We try not to do that with the regular agenda, to bring something to you that you haven't had previous information about. This is just a reiteration of that policy. Mr. Haraway asked if there would be a way to have an exception to the policy if something were to come up that they needed to vote on. Mrs. Ralph commented it would be up to the Board if they felt it was an emergency and they needed to take action. The County Administrator stated this is just an opportunity to try to get as much information to you ahead of time so you can make informed decisions.

Mr. Bracey stated he would like to have a workshop to explain the consent agenda. The County Administrator stated she would set one up for them.

The Board postponed action on this item until the next meeting.

MR. BOWMAN ASSUMED THE CHAIR.

IN RE: ACCEPTANCE BY CHAIR

Mr. Bowman thanked the Board for their confidence.

IN RE: AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the December 16, 2002 Continuation Meeting and the December 18, 2002 Continuation Meeting are approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 10334533 through 1033680 (void check(s) numbered 1033452, and 1033523 through 1033550)

Accounts Payable:

(101) General Fund	$ 172,624.53
(103) Jail Commission	$ .00
(104) Marketing Fund	$ .00
(222) E911 Fund	$ 17,785.34
(223) Self Insurance Fund	$ .00
(225) Courthouse Maintenance	$ .00
(226) Law Library	$ .00
(228) Fire Programs & EMS	$ .00
(229) Forfeited Asset Sharing	$ 408.47
(304) CDBG Grant Fund	$ .00
(305) Capital Projects Fund	$ .00
(401)County Debt Service	$ .00
TOTAL	**$ 192,015.56**

PAYROLL 12/20/02

(101) General Fund	$ 401,863.08
(222) E911 Fund	$ 3,420.91
(304) CDBG Fund	$ 3,939.11
TOTAL	**$ 409,223.10**

IN RE: CITIZEN COMMENTS

Mr. Bowman asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting. No one came forward to address the Board.

IN RE: STATEMENT PRIOR TO PUBLIC HEARING

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 case(s)."

IN RE: PUBLIC HEARING – P-02-4 – NICK W. STAMOS

This being the time and place as advertised in the Progress Index on December 17, 2002 and December 24, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on a request from Mr. Nick W. Stamos to rezone a 65-acre parcel of land from Agricultural, general A-2, to Residential, RR-1.

Mr. Scheid read excerpts from the following Summary Staff Report:

Planning Summary Report

File: **P-02-4**

Applicant: **Nick W. Stamos**

The applicant, Mr. Nick W. Stamos, is seeking to rezone a 65-acre parcel of land from Agricultural, general A-2 to Residential, rural RR-1. The property is located on the East side of Claiborne Road (Rt. 631) near its intersection with Route 460 in the Sutherland area. The tax map/parcel numbers are 19-99 and 19-99B. The current zoning requires a minimum of 3 acres per homesite and limits the number of times the parcel may be subdivided. The rural residential zoning requires a minimum of 2 acres per homesite. The comprehensive land use plan designates this area as an urban planning area. The planning staff introduced the case and noted that the applicant offered several proffers if the rezoning application was approved. During the public hearing portion of the meeting, several citizens spoke noting concerns they had with the request. After hearing the citizen comments, the Chairman closed the public comment portion of the public hearing. In view of the citizen comments and the applicants' willingness to meet with the citizens regarding their concerns, a committee was appointed and the case continued to December 11th. The committee met on December 2nd at 3:30 p.m. at McCray Electric Company on Route 460. Several matters involving buffers, size of homes, lot size, traffic and wells were discussed. Upon conclusion of the meeting, the applicant agreed to revise the proffers offered as part of the rezoning process. The revised proffers were introduced at the December 11th meeting. A brief discussion among the Commissioners followed. Upon conclusion of the discussions, the Planning Commission voted 3-2 with 1 abstaining to recommend **approval with proffers** to the Board of Supervisors (see extract of draft minutes from December 11th and November 13th Planning Commission meeting).

The proffers are attached to this report and by reference made a part thereof.

Since this is a zoning matter, the standard statement regarding your action must be read. In order to assist you in this matter, the statement was included in your information.

Mr. Bowman opened the public hearing. The following citizens came forward to address the Board in opposition to the rezoning request.

1. John Isom - 19917 Cox Road, Sutherland, Virginia 23803.

2. Ray Heller – 20009 Cox Road, Sutherland, Virginia 23803.

3. Victoria Heller - 20009 Cox Road, Sutherland, Virginia 23803.

4. Ray Witt – 20013 Cox Road, Sutherland, Virginia 23803.

5. Hutty Titmus – 18810 Cox Road, Sutherland, Virginia 23803.

6. Anne Scarborough – Boydton Plank Road, Dinwiddie, Virginia 23841.

The following citizens came forward to address the Board in support of the rezoning request.

1. William Leonard – 4108 Leonard Lane, Sutherland, Virginia 23803.

Mr. Bowman closed the public hearing.

The Applicant, Mr. Nick Stamos, 18410 Sycamore Drive, Dinwiddie, Virginia 23841, stated he and his partner, Mr. Kenneth Thompson, had done more than their duty on this rezoning request with the proffers they have offered. He commented that it was not their intent to upset the neighbors. He said he had every intention of making this into a top-notch subdivision and build good quality homes no matter what the square footage is.

Mr. Kenneth Thompson, 10101 Southampton Drive, Disputanta, Virginia, addressed the issues regarding the size of the homes. He stated the square footage of the homes were in line with the demands for housing. Not everyone needs or wants larger homes. Older couples that don't have children or have children in college don't want larger homes to pay taxes on or to maintain.

Mr. Ronald Gordon, 14100 Boydton Plank Road, came forward to speak stating that he was a surveyor working on this project with Mr. Stamos and Mr. Thompson. He pointed out that he had an opportunity to have a conversation with Roger Morris, who works for the school system. It was determined that this subdivision would not greatly impact the schools in the area due to the spread of school aged children. He stated that he had talked with Sheriff Shands and the Sheriff's Department already patrols this area, so there would not be any additional demand on them. Mr. Gordon added that he had spoken to David Jolly, Director of Emergency Services, and found that there would not be any additional problems for providing emergency services to this subdivision.

A lengthy discussion continued between the Applicants, Board members and Mr. Scheid regarding the affect of additional wells on the water table, minimum buffer requirements, square footage of the homes, traffic on Claiborne Road, set aside lot or areas for recreation, and the cutting of trees on the lots.

Mr. Bracey voiced his concerns about the increase in students in the schools, the buffer zone and the traffic on Claiborne Road. Mr. Gordon stated VDOT would be involved in the development of the roads for the subdivision and they will make certain they are safe.

Mr. Moody stated the last subdivision that was approved by the Board had a 1,550 square feet minimum requirement for the homes and its located west of this parcel off of Route 460. The requirements should be the same for this subdivision.

Mr. Haraway commented that he felt the County had adequate housing in the 1,400 square foot range. There is a market for larger houses in the County. The last subdivision approved by the Board had a minimum requirement of 1,500

square feet for ranchers and 1,750 square feet for one and one-half story and two story homes. The Board needs to be consistent with what it has approved before.

Upon motion of Mr. Moody, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," rezoning request P-02-4 was tabled.

Mr. Haraway stated he did not think it would be fair to these gentlemen to have them come back and not let them know what to offer. Mr. Bracey stated he would like to see a larger buffer zone.

IN RE: PUBLIC HEARING – RESOLUTION TO ABANDON A PORTION OF BROWNWALL ROAD

This being the time and place as advertised in the Progress Index on November 29, 2002 and December 6, 2002, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment regarding the abandonment of 409' of Brownwall Road as measured from Route 460 to the existing Brownwall Road.

Mr. Scheid read excerpts from the following Summary Report:

At the November 20th meeting, the Board consented to hold a public hearing on January 2, 2003 involving the abandonment of a portion of Brownwall Road. A brief history on this request is offered. During the winter of 1996, East Coast was in the process of developing their property located at the intersection of Route 460 and Route 1. As part of the project, a portion of Brownwall Road was to be abandoned. Procedures were followed in order to vacate this portion of roadway to include a public hearing held by the Board of Supervisors on December 4, 1996. No one appeared in opposition to the request. The Board deferred action until January 2, 1997 since additional information was requested of the applicant's agent. Action was not taken at the January meeting since the additional information was not submitted. Recently, it was discovered that Board action was never taken and the Clovelly Corporation now requests action. They own the property upon which East Coast and the Huddle House are located as well as the truck parking area and some vacant land. A resolution to abandon 409' of Brownwall Road as measured from Route 460 to the existing Brownwall Road is sought. VDOT is in support of this resolution as stated in their letter dated December 17, 2002 signed by Kenneth M. Smith, Transportation Engineering Program Supervisor. A sample resolution and other information on this matter are attached for your reference.

Mr. Bowman opened the Public Hearing. There being no citizen wishing to speak Mr. Bowman closed the Public Hearing.

Upon motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the following resolution to abandon 409' of Brownwall Road as measured from Route 460 to the existing Brownwall Road was adopted.

WHEREAS, a public notice was posted as prescribed under §33.1-151, Code of Virginia, announcing a public hearing to receive comments concerning abandoning the section of road described below from the secondary system of state highways, and

WHEREAS, the Commissioner of the Virginia Department of Transportation was provided the prescribed notice of this Board's intent to abandon the subject section of road, and

WHEREAS, after considering all evidence available, this Board is satisfied that no public necessity exists for the continuance of the section of Secondary

Route 671 from Route 460 to a point 409 feet a distance of .077 miles, and hereby deems that section of road is no longer necessary as a part of the Secondary System of State Highways.

NOW, THEREFORE, BE IT RESOLVED, this Board abandons the above described section of road and removes it from the secondary system of state highways, pursuant to §33.1-151, Code of Virginia.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

IN RE: APPOINTMENTS - DINWIDDIE COUNTY PLANNING COMMISSION

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Edward Hudson Titmus, III and Mr. Gilbert Wood are hereby reappointed to serve on the Dinwiddie County Planning Commission for a term ending December 31, 2006.

IN RE: RESIGNATION OF MR. ROBERT HARRISON – APPOMATTOX RIVER WATER AUTHORITY & ALTERNATE REPRESENTATIVE FOR SOUTH CENTRAL WATER AUTHORITY

The County Administrator stated Mr. Rob Harrison has retired from the Dinwiddie County Water Authority effective December 31, 2002. Due to the fact that he is the appointed representative on the Appomattox River Authority and the alternate representative on the SCWA the County needs someone to replace him. She recommended appointing Mr. Chris Wyatt the current Executive Director of the Dinwiddie County Water Authority to the two boards. Mr. Bracey commented he would like to meet him before an appointment is made. Mrs. Ralph stated she would have him fill out an appointment application and introduce him to the Board.

IN RE: CRATER REGIONAL PARTNERSHIP'S AGREEMENT WITH COUNTY TO SUPPORT APPLICATION FOR "SKILLS STREAMS FOR SUCCESS" FUNDING FROM THE TOBACCO COMMISSION FOR 2003

The County Administrator stated a letter of agreement was enclosed in their packets from the Crater Regional Partnership asking for the County's support in their application to the State for Economic Development Funding from the Tobacco Commission for 2003 to continue the "Skills Streams for Success" Program. This is the third year of the program and the request is for the County to continue its support through our Tobacco Commission funds at 6%, which equals $64,390 of our available allocation. Greensville and Sussex will be participating also as they have in the past. This is a beneficial program and she requested authorization to forward the letter.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator was authorized to sign the letter of agreement with Crater Regional Partnership to support their application to the State to participate in the support for Economic Development Funding from the Tobacco Commission in the amount of $64,390 for 2003 to continue the "Skills Streams for Success" Program.

IN RE: COUNTY ADMINISTRATOR COMMENTS

The County Administrator commented she included copies of the proposed reductions in the State budget under the information tab in their packets. She also distributed copies of the proposed amendments to the Conflict of Interest Act for the Board's review.

Mr. Bracey questioned if anything had been introduced in the General Assembly regarding nepotism? The County Attorney explained that the Conflict of Interest Act prohibits a local government employee from having a personal interest ($10,000 or more) in a contract with the governmental agency that employs him other than his own contract of employment. Nepotism is the employment of a Board of Supervisors member or anyone in the immediate family of a Board member or the County Administrator, which is prohibited. Ms. Katz stated she would provide that information to them.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman commented he was confused about conditional use permits and it was just made clear to the Board how it works. He felt it would be advantageous to have the County Attorney explain the legal aspects of it to the Planning Commissioners so they would be up to speed with it before the next planning commission meeting. Mr. Bowman stated someone from the High Speed Rail should be contacted to see if they could be at the meeting also. Mr. Scheid said he would contact them. Mrs. Katz stated she would brief the Planning Commission members about conditional use permits if that was the desire of the Board. Mr. Clay and Mr. Haraway felt it would be advantageous. Mr. Bowman commented the Board does have the authority to turn down a conditional use permit and he felt the Planning Commissioners needed to have that information also. It was pointed out that the Planning Commissioners were hearing a rezoning request from Tidewater on Wednesday, January 8; it is not a conditional use permit. Mr. Bowman stated he is not concerned about the rezoning request but he wants to make sure the Planning Commissioners have the information before they hear the conditional use permit case.

IN RE: CLOSED SESSION

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

> **Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia** – Sales Contract

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 9:22 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:03 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.7, of the Code of Virginia - Sales Contract

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

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

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

IN RE: PURCHASE OF 14200 SYCAMORE DRIVE - BANK BUILDING PROPERTY

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

BE IT RESOLVED that the Board of Supervisors hereby finds that the purchase of the property located at 14200 Sycamore Drive in Dinwiddie County, Virginia (tax map number 57A-3-12) (the property) is in the best interests of the County and authorizes the purchase of the property at a purchase price of $107,800, the execution of the purchase contract for the same prepared by the County Attorney and presented to the Board at the meeting wherein this approval was adopted (the "contract"), the performance of such contract and the payment of closing costs in connection with such purchase in an amount of up to $10,000. The Board further authorizes and directs the County Administrator and Chairman of the Board of Supervisors, either of whom may act, to execute and deliver the contract for the purchase of the property, a settlement statement and all other documents that either of them may deem necessary or advisable in their sole discretion to consummate the transaction described in the contract, and the payment of the purchase price and closing costs."

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. *Amendments to the 2002-2004 Biennal Budget* - article from the Governor's Office.
2. *Overview of Budget Actions for the2002-2004 Biennium* article.
3. *The Economic Forecast* article.
4. Governor's Address to the Joint Money Committees, December 20, 2002.

RE: ADJOURNMENT

Upon motion of Mr. Moody, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the meeting adjourned at 10:01 P.M. to be continued until 11:00 A.M. on Tuesday, January 21, 2003 to meet with representatives of Landmark Design to discuss the corridor study in the Multi-purpose Room of the Pamplin Administration Building.

Robert L. Bowman, IV, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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 21st DAY OF JANUARY, 2003, AT 11:00 A.M.

PRESENT:	ROBERT L. BOWMAN IV - CHAIR	ELECTION DISTRICT #3
Arrived 11:14	DONALD L. HARAWAY – VICE CHAIR	ELECTION DISTRICT #2
	HARRISON A. MOODY	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.,	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5
OTHER:	BEN EMERSON	COUNTY ATTORNEY

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

Mr. Robert Bowman, IV, Chairman, called the regular meeting to order at 11:08 A.M.

IN RE: REVIEW OF NEW EMS REGULATIONS

Mr. David Jolly, Director of Public Safety, stated the brochures for the Subscription Program for Revenue Recovery have been sent out and several meetings have been held in the County to explain the program.

Continuing he commented a new set of EMS regulations will be in effect as of Wednesday, January 15, 2003. He reviewed the following with the Board:

I. EMS Regulations

a. Development and approval of an agreement between each licensed agency and the Board of Supervisors

b. Emergency response areas within the County

c. Development of response times to EMS calls

1. From dispatch time to responding
2. From responding time to on location

d. Mutual Aid agreements with other agencies and jurisdictions

e. Responsibility for volunteer departments

A lengthy discussion was held between the Board members, Mr. Jolly, and the County Administrator regarding the license requirements of the State; how the EMS Service Districts were determined and which agency would respond. The Board concurred with the response area as presented. The County Administrator stated if the Board did not object, Staff would meet with DVRS to review the response areas and work out an agreement so they can benefit from the subscription fees as well.

Mr. Jolly stated the new State regulations require that mobilization time be met 90% of the time. He felt the agencies could mobilize in 4 minutes and have a unit on the scene within 20 minutes. Mr. Clay stated he felt the response time should be 30 minutes. The Board agreed on 4 minutes to mobilize and 26 minutes to be on scene.

The Public Safety Director was authorized to prepare a resolution for the Board's consideration, which would meet the State requirements under the new

EMS regulations. He will also provide a recommendation on where the second EMS unit will be placed.

IN RE: LUNCH RECESS

The Board recessed for lunch at 12:31 P.M. and reconvened at 1:02 P.M.

IN RE: MEETING STRUCTURE

The County Administrator commented at the last meeting the Board postponed taking action on the meeting structure to obtain more information.

She stated the consent agenda will contain items for action that are routine in nature and should not require additional discussion. Items on the consent agenda will be approved with one motion at the beginning of the meeting. If a Board member needs to discuss an item in the consent agenda before action is taken, that item will be pulled and placed on the regular agenda for discussion.

Mrs. Alma Russell, Clerk to the Board stated the consent agenda contains items you handle on a regular or occasional basis such as:

Claims
Minutes
Resolutions (no presentation)
Proclamations
Purchases under an amount determined by you
Acceptances of Roads into the Secondary System

All of the consent agenda items will be included in your packets. If you have any questions about any of these items, call the office. If you still have issues that you would like to discuss, ask for that item(s) to be removed before a motion is made to accept the consent agenda items.

Many jurisdictions do not require anything that is approved in the budget to come before the Board again for action. Such as: travel requests (the Department Heads approve those); small contracts under an amount predetermined by the Board. This is an area, which the Board may wish to allow the Division Chiefs to have some discretion.

The purpose of the consent agenda is to free up your time for more important issues. As you well know, it takes several minutes for each motion and roll call.

The County Administrator stated the second suggestion was that the Department Heads will continue to submit monthly reports to the Division Chiefs and the County Administrator for review. On a quarterly basis, at the second meeting of the month, the Department Head Reports will be included for the Board. However, they will **not** be in attendance unless the Board member lets Administration know they have an issue that would require the Department Heads to be at the meeting. It is very important that Administration be notified ahead of time if the Board has questions on an item or report so that staff can be sure they have the information at hand to answer those questions.

Mr. Bowman voiced his concern about the Department Heads not attending the meetings to present their reports. He commented the citizens would not hear the reports or be able to comment about them. The County Administrator replied the reports will still be presented quarterly and the information will be included in the public copy of the Board meeting as it always has.

BOARD MEMBER COMMENT POLICY

1. Any items brought up under Board member comments will be discussed and considered a first reading on that item.

2. If information on the topic has been provided to Administration and included in the Board packets that are sent out prior to the meeting, action could be taken by the Board.

3. If information has not been included, then the item can be discussed but will be placed on the next agenda for action.

Mr. Haraway stated he was not in favor of putting restrictions on the Board as far as being able to take action on items that are not included in the Board packets.

Mr. Clay agreed.

Mr. Moody said there have been things presented to them and he did not like to be blind sighted. He commented as a group it didn't make them look professional, but if you wanted to you could vote no.

Mr. Haraway stated if something like that came up the Board could say, I would like to do some more research on this and let's postpone it until the next meeting.

Mr. Bracey stated are you going to be willing for me to say let's postpone this? Or will you demand that we vote on it? He stated he felt the information should be provided in advance of the meetings. Several times issues have come up and the Board has been pressured into voting on them and personally he did not agree with it.

Mr. Haraway commented several months ago a lady called him wanting a resolution recognizing Hospice month; if this policy had been in effect we couldn't have done that. He said he called the County Administrator and the resolution was presented at the meeting but the agenda was already out and this is going to happen again.

Mr. Clay commented that a resolution does not need to be researched and the Board intends to vote on it anyway. He said he might have a resolution the same day and because he did not call ahead of time the Board wouldn't be allowed to vote on it. He said things like that he couldn't see anything wrong with it.

Mr. Haraway stated the Board needed to vote on the items separately because the consent agenda and the Board member comment policy are different.

Mr. Bracey stated he did not have a problem with it as long as the Board members realize just because I bring it up that doesn't mean it is going to be passed.

IN RE: ADOPTION OF THE CONSENT AGENDA

Upon motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the Board adopted the consent agenda and approval was granted for the Department Heads to submit their monthly reports to the Division Chiefs and the County Administrator for review. On a quarterly basis, at the second meeting of the month, the Department Head Reports will be included in the Board packets. They will **not** attend meetings unless the Board requests them to in advance.

IN RE: TUITION ASSISTANCE DISCUSSION

The County Administrator explained that Mrs. Barbara McKitrick, Human Resource Assistant, and Mr. Kevin Massengill, Assistant County Administrator, provided the research for this program.

Mrs. McKitrick stated she contacted several jurisdictions in the surrounding area to see what was offered to their employees. However, there were a lot of variances in the policies for each jurisdiction. She presented the following information for discussion to the Board.

TUITION ASSISTANCE PROGRAM

Qualifications:	Skills closely related to job performance/promotion (only at a regulated college/university – excluding correspondence courses)
Eligible Employees:	* Full Time (permanent part time at least 20 hours per week) * Past probationary period * Employees receiving aid through another source i.e. VA benefits) are not eligible for tuition assistance
Maximum Courses per fiscal year	* 3 credit hours – 18 credit hours (1 course – 6 courses)
Apply for Tuition Assistance	Within 30 days prior to registration of classes Classes must be approved by the board Approval or rejection of application will be made in writing
Refunds Issued	After satisfactory completion of course(s) with a passing grade of (C) in undergraduate work or (B) in graduate work. Must apply for refund within 90 days of completion. Receipt, canceled check, or credit card receipt along with grades are required for refund.
County Assistance	Tuition only – fees, books excluded Tuition and related fees Tuition, books, and related fees (tuition assistance does not cover laboratory fees, extra materials need in course work, meals, travel expenses, etc.)
Reimbursement Amounts	* 80% of total tuition * (2/3) or $85.00 per credit hour * 1500 for under / 1800 for grad per fiscal year * $103 per under course / $127 per grad course * 1200 per full time / 600 per part time * $650 per full time / 325 per part time * Max of $400 per course * Max of $5250 per employee
Employee Commitment	from 6 months to 1-2 years after completion of course or to County must reimburse the county the tuition refund with a check or through the employee's final paycheck
Course Schedule	courses will be scheduled outside of work hours unless otherwise approved by department heads through annual leave or compensatory time.

Funds Availability funds will be available on a budget basis.

Mr. Haraway stated he felt any employee working toward a degree should be eligible for tuition assistance. He said they should be allowed to take classes that relate to the job they are performing even if they are not working towards a degree.

Mr. Bracey commented he would not favor assisting an employee who just wants to take classes unrelated to the job they perform.

Following a discussion about how much money should be paid, how many classes could be taken, and who would be entitled to take classes; the Board generally agreed with the recommended policy. Action was postponed until budget time.

IN RE: ADJOURNMENT

Upon motion of Mr. Moody, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the meeting adjourned at 1:52 P.M.

Robert Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 2:00 P.M.

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

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

Mr. Robert Bowman, IV, Chairman, called the regular 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 Mr. Haraway, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye,"

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the December 18, 2002 Regular Meeting and the January 2, 2003 Regular Meeting are hereby approved.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1033843 through 1034033 (void check(s) numbered 1032980, 1033551 through 1033554 and 1033687) for:

Accounts Payable FY 2002- 2003:

(101) General Fund	$ 164,806.34
(103) Jail Commission	$ 7.50
(104) Marketing Fund	$ .00
(209) Litter Control	$ .00
(222) E911 Fund	$ 14,757.80
(223) Self Insurance Fund	$ .00
(225) Courthouse Maintenance	$ .00
(226) Law Library	$ .00
(228) Fire Programs & EMS	$ .00
(229) Forfeited Asset Sharing	$ .00
(304) CDBG Grant Fund	$ .00
(305) Capital Projects Fund	$ 4,085.80
(401) County Debt Service	$ 716,581.36
TOTAL	**$1,165,742.64**

IN RE: SCHOOL BOARD REQUISITION # 7 – 1998A (70-02-200-7019743)

The County Administrator stated she received the following invoices from Dr. Leland Wise, Jr., Superintendent of Schools for Payment Requisition #7 - 1998A Bond Issue (70-02-200-7019743):

Whitescarver, Hurd, and Obenchain BCWH	Architect and Engineering Services Architect	Dinwiddie Elementary School	$805.00
		Facility Study – Phase II (Reimbursement of expenses)	$1,736.25
Total			**$2,541.25**

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

Mr. Moody made the motion to approve the requisition, Mr. Clay seconded the motion.

Mr. Haraway stated he noticed that BCWH added 1.15% to their invoice for out of pocket expenses. It is unusual for a consultant to charge anything extra for these fees. He asked if it was a part of the contract. Dr. Morris replied he did not know but he would find out. Dr. Morris stated it would be ok to postpone paying the invoice for BCWH until he could research that issue. He requested that the other invoice to Whitescraver, Hurd, and Obenchain for $805.00 be paid.

Mr. Moody and Mr. Clay agreed to amend the motion to postpone action on the invoice for BCWH.

Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye,"

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number #7 -1998A (70-02-200-7019743) in the amount of $805.00 was approved and funds appropriated for CIP expenses from the School Project Account. Action on the invoice for BCWH in the amount of $1,736.25 was postponed.

IN RE: CITIZEN COMMENTS

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

The following citizen(s) came forward to address the Board:

1. Geri Barefoot, 7411 Frontage Road, Petersburg, Virginia – She asked the Board if they stand behind what they sign? On July 18, 2001, you as a Board, agreed to support the preservation of National Battlefields in Dinwiddie County. Also, the Board authorized the Chairman, Mr. Moody, to sign a letter regarding the intent of the County for the preservation of national battlefields. She stated she had a copy of a letter from the National Park Service, dated September 6, 2001, addressed to the County, which states the Petersburg National Battlefield is strongly opposed to a quarry being sighted on these lands. I also have a map, which is the same map they gave to you. I would like to know if you are going to stand behind your word. You also passed it in your Comprehensive Land Plan, you said, the Nationally significant Civil War Battlefields in the County should be recognized as a majority of cultural resources. You wrote you would support and protect these lands. Mrs. Barefoot stated she would like a letter to let her know if the County is going to protect these lands. She commented that the State has adopted legislation where they are going to authorize a bill to allow counties $10 million dollars a year to protect endangered battlefields. Are we going to capitalize on this or are we going to let it go?

IN RE: VDOT – REPORT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, came forward and stated he had no updates or report today.

1. The Signal Replacement on Route 1 and Route 226 is scheduled within the next 90 days, weather permitting.

2. Boydton Plank Road drainage structure update: This location is the maintenance responsibility of the City of Petersburg. Mr. Caywood reported he spoke with Mr. Ron Reekes of the Public Works Department and the pipe is part of a construction project that is scheduled to be advertised in the fall of 2004. The City received bids on an in-kind replacement of the pipe this past summer. Due to the budget/cost issues the City did not elect to award the contract. The City is continuing to monitor the situation and make repairs. He stated he would keep the Board updated as the situation evolves.

3. Hunnicut Road (Route 605): He reviewed the curves over the old RR tracks and discussed the situation with Mr. Bracey. VDOT plans to upgrade the shoulder with plant mix with a motor-grader when the weather is suitable. A more extensive re-working of the curves would require a project. He stated he would have the traffic Engineering Section review the area for any additional warning signs in addition to the ones that are presently in place.

4. The Pre-Allocation Hearings for the Primary, Urban, and Interstate programs are tentatively set for April 4 at 11:00 A.M. The location has not been determined at this time. He stated it is very important that the County have representation at these hearings.

Mr. Bracey asked if there was another road that the businesses were supposed to use for access to I-85 instead of using Boydton Plank Road? Mr. Caywood replied he did not know if there was another route. The County Administrator reported that in a meeting last week with representatives from Chaparral Steel they didn't know but would ckeck to see if trucks were using another route as an access road.

Mr. Bowman stated he understood that the manager of the Holiday Inn Express had contacted VDOT regarding signage on I-85. Mr. Joseph Thomas the manager was told that they could not put a sign at Exit 61; it would have to be placed at Exit 63-A. If the sign is placed at 63-A you would have to backtrack to get to the hotel. Mr. Caywood responded that he did not know if anyone had contacted VDOT but he would contact Mr. Thomas.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

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

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward stating his report for December 2002 was in their packets.

IN RE: TREASURER – APPROVAL TO OPEN ACCOUNT FOR REVENUE RECOVERY

Mr. William E. Jones stated Diversified Ambulance Billing (DAB) of Virginia Beach would be handling the billing and payment process for Revenue Recovery. In order to facilitate the deposit of payments for Dinwiddie County, it

has been decided to open an account in the Virginia Beach area. Sun Trust Bank-Pembroke is currently used by DAB. He requested authorization to open an account in the County's name at Sun Trust Bank-Pembroke. DAB will make these deposits on the County's behalf. DAB will furnish the information to me for our posting and a monthly report for reconciliation.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Treasurer was authorized to open an account in the County's name at Sun Trust Bank-Pembroke for Diversified Ambulance Billing to deposit funds for Revenue Recovery.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, stated he had nothing to report but would answer any questions they might have.

Mr. Bracey asked Mr. Rainey if there was a person to contact in case someone was trying to scam you. Mr. Rainey stated he would find out and let him know.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward and presented his report for the month of December 2002 and his 2002 yearly value and occupancy report. The total yearly value for homes for 2002 was - $35,449,889. The permit fees collected for 2002 was - $162,246.17. The yearly value of the certificate of occupancies for 2002 was – $19,775,998.

IN RE: ANIMAL WARDEN – REPORT

Mrs. Mary Ellison, Animal Control Officer, came forward and presented her report for the month of December 2002 and the yearly report for 2002.

DOGS		CATS		MISC.	
Picked up	763	Picked up	93	Picked up	23
Turned in	508	Turned in	508	Turned in	5
Returned	132	Returned	5		
Adopted	95	Adopted	55		
S.O.S.	129	S.O.S.	5		
TOTAL	**1,271**		**431**		**28**

Livestock Claims	2
Bites	48
Total Cases worked	3,361

REVENUE REPORT

Adoption fees	$1,225.00
Warden fees	$2,390.00
Donations	$ 315.53
Total	$3,930.53

IN RE: DIRECTOR OF PLANNING – REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and stated Mr. William C. Scheid, Director of Planning, was ill and unable

to attend the meeting. However, if they had any questions regarding his monthly report he would contact Mr. Scheid for them.

The County Administrator informed the Board that the Planning Commission meeting is scheduled to be held at the Eastside Community Enhancement Center, February 12, 2003 at 7:30 P.M. During this meeting the Planning Staff plans to introduce the conditional use permit, C-02-8, for Tidewater Quarries Incorporated. At this meeting there will not be an actual comment period because Staff will be setting dates with the consultant that the County is hiring so that we can have work sessions for the month of February. At that time the Planning Commission, Board of Supervisors and the public can hear all of the consultants and the presentations. The actual public hearing for public comment has been set for March 12, 2003 for the conditional use permit for the quarry.

Mr. Bowman commented the next Board meeting is going to be at the Dinwiddie Elementary School. The County Administrator stated that is correct. The planning Commission meeting for the quarry rezoning had to be moved to the elementary school due to the number attending. The rezoning application for Tidewater Quarries Inc, is scheduled for the next Board meeting on February 4, 2003 at 7:30 P.M. Staff has advertised it to be held in the Auditorium at the Dinwiddie County Elementary School so you won't have be inconvenienced to move during the meeting. It was pointed out that two other public hearings were scheduled for that meeting also.

Mr. Moody requested that the Board be provided with a list of some of the possible items on the proffers for the rezoning application, P-02-4, for Nick Stamos prior to the public hearing so they would be abreast of the situation. Mr. Thompson stated he would.

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his December 2002 monthly report and his yearly report for 2002.

2002 Year-End Building Permit Activity By District

District	Total	Percentage of New Homes
1	28	10.9%
2	69	26.7%
3	42	16.3%
4	60	23.3%
5	59	22.9%
Total	**259**	

IN RE: CODE COMPLIANCE OFFICER

Mr. Phillip Harris came forward and presented his December 2002 monthly update and his year-end report.

The County Administrator pointed out that inoperable vehicles is at the top of the list in the majority of the districts and a bill has been introduced to take away some of the County's powers in regulating that. She stated Staff would stay on top of that legislation.

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen, Director, Social Services Department, came forward and stated she had nothing to report.

IN RE: REFINANCE OF SCHOOL EQUIPMENT LEASE -- AGREEMENT WITH SUNTRUST BANK

Dr. Roger Morris, Assistant Administrative Superintendent, stated at the urging of the County Administrator we have been investigating all outstanding debt service to see if we can take advantage of the cheaper loan rates. One that stood out in his mind was the lease agreement the School Board has for the purchase of energy equipment 7 or 8 year ago with Johnson Controls. Dinwiddie County School Board voted at its January 12, 2003 meeting to request the Board of Supervisors to approve the refinance of its equipment lease agreement with Suntrust Bank. Currently the School Board pays this agreement at a loan rate of 5.75%. This new agreement will reduce the loan rate to 2.65%, thus saving the school board approximately $6,000.00 per year over the next three years, which is the remaining life of the loan.

Mr. Bracey questioned whether there had been any savings for the School Board with all of the costs involved? The County Administrator responded that this was a lease that the School Board did for energy management. The energy saved was supposed to equal or surpass the cost involved. She stated Davenport recommended that they look at refinancing this lease. There will be some legal fees involved because bond counsel has to review the document. Mr. Bracey asked if it worked out the way they hoped it would? Dr. Morris replied he didn't know but he would find out and let him know.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board is authorized to refinance its equipment lease agreement with Suntrust Bank at a loan rate of 2.65%, pending Bond Counsel review.

IN RE: SUPPLEMENTAL APPROPRIATION TO THE FY2003 SCHOOL BUDGET

Dr. Morris commented the Dinwiddie County School Board voted at its January 12, 2003 meeting to request that the Dinwiddie County Board of Supervisors provide an additional supplemental appropriation to the FY2003 school budget, due to the increase in enrollment. This money is state basic aid money and is due to the increased enrollment of students. Therefore, the total supplemental appropriation requested is $110,535.00. None of this supplemental appropriation requires local funds.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Supplemental Appropriation to the FY2003 School budget in the amount of $110,535.00 is hereby approved. No local funds are required.

IN RE: RE-APPROPRIATION TO THE FY2003 SCHOOL BUDGET

Dr. Morris stated the School Board is also requesting a re-appropriation from the FY2002 budget. Any school funds that have an ending balance are historically re-appropriated to the next fiscal year's budget. In FY2002, which ended June 30, 2002, the Dinwiddie County School Board had the following fund balances:

Head Start (203) = $79,772.92
School Fund (220) = $40,168.99
Cafeteria (240) = $30,383.41
Textbooks (270) = $125,300.70
School Capital (302) = $26,423.87
TOTAL FUNDS BALANCE = $302,049.89

The Dinwiddie County School Board is therefore requesting that these amounts be reappropriated to the FY2003 budget in the funds originally designated. The school fund ending balance, if approved for re-appropriation, would be used to purchase vehicles for transportation of special education students, as required by law.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the re-appropriation from the FY2002 budget to the FY2003 school budget in the amount of $302,049.89 listed above is hereby approved. The School Fund balance is to be used to purchase vehicles for transportation of special education students, as required by law.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, came forward and presented his December 2002 update.

The County Administrator asked for a report on the brochure *The Battlefield Connection,* which was included in the Board packets. Mr. Smith stated for over 3 years, the Recreation Department, in conjunction with the Virginia Trails Association and the National Park Service's Rivers & Trails Program have been working off the American Battlefield grant and this brochure is the result of that process. The map included in the Brochure was also included in the Comprehensive Land Use Plan. Mr. Smith commented it should give us some leverage with developers in the future. The County Administrator asked if this would close out the grant. Mr. Smith stated he had a meeting tomorrow with the Virginia Trails Association and hopefully after one more meeting with the general public they should be able to close out the grant.

IN RE: WASTE MANAGEMENT – REPORT

Mr. Dennis King, Director of Waste Management came forward stating he provided his report for December 2002 in their packets. He also reported that his department is doing the annual survey of all the businesses that recycle in the County. It has to be reported to the State by March.

IN RE: AUTHORIZATION FOR DIRECTOR OF WASTE MANAGEMENT TO ATTEND RE-CERTIFICATION CLASS AT JOHN TYLER COMMUNITY COLLEGE

Mr. King stated his license to operate the landfill expires this year. A continuing education class for re-certification is being offered in March at John Tyler Community College, which will be a lot more convenient for me. There is essentially only one company that offers this class. He requested authorization to attend the re-certification class at a cost of $500.

Upon Motion of Mr. Bracey, Seconded by Mr. Moody, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", authorization for the Director of Waste Management to attend the landfill re-certification class at John Tyler Community College at a cost of $500 was approved.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his report for December 2002.

IN RE: DIRECTOR OF PUBLIC SAFETY TRAVEL REQUEST

Mr. Jolly requested authorization to attend the annual Mid-Atlantic Fire Chief Conference at Virginia Beach, Virginia, February 19 – 23, 2003, at a cost of $615. He stated this conference is to meet the requirements to keep his certificates and certifications current.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorized the Director of Public Safety to attend the annual Mid-Atlantic Fire Chief Conference at Virginia Beach, Virginia, February 19 – 23, 2003, at a cost of $615.

IN RE: AUTHORIZATION TO ENTER INTO CONTRACT WITH SINGER & ASSOCIATES - FIRST RESPONDER UNIT FOR FORD VFD

Mr. Jolly stated we have negotiated the purchase of the replacement vehicle with Singer & Associates for Ford VFD. The original bid was $136,130. After negotiations the contract amount would be $131,100. He requested authorization to enter into a contract with Singer & Associates for the purchase of a replacement unit for the Ford VFD.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorized the Director of Public Safety to enter into a contract with Singer & Associates, at an amount not to exceed $131,100, for the purchase of the first responder unit for the Ford VFD.

IN RE: COUNTY ATTORNEY – REPORT

Mr. Ben Emerson, County Attorney, stated he had nothing to report.

IN RE: BUILDINGS AND GROUNDS - REPORT

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and stated he provided his monthly update for December 2002 in their packets.

IN RE: APPOINTMENT – SOUTH CENTRAL WASTEWATER AUTHORITY & APPOMATTOX RIVER WATER AUTHORITY

The County Administrator introduced Mr. Christopher J. Wyatt, Executive Director of the Dinwiddie County Water Authority to the Board. At the last meeting there were some Board members that wanted to meet Mr. Wyatt before appointing him to the SCWA and the Appomattox River Water Authority. He is present today to answer any questions you might have.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Christopher J. Wyatt is hereby appointed to serve on the

Appomattox River Water Authority to fill the unexpired term of Mr. Robert Harrison for a term ending November 30, 2004.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Christopher J. Wyatt is hereby appointed to serve as the alternate on the South Central Wastewater Authority to fill the unexpired term of Mr. Robert Harrison.

IN RE: COUNTY ADMINISTRATOR COMMENTS

The County Administrator informed the Board that Staff is working on three items that we could not have ready for this meeting:

1. Proposals for locating the manned sites in the County.
2. Selection of a firm to assist with the documentation necessary to institute "cash proffers".
3. Selection of a firm to update the County's master plan.

Staff is hoping to have these items ready for a recommendation to the Board at the February 4 or 18th, 2003 meeting.

IN RE: AUTHORIZATION TO HOLD THE BOARD OF SUPERVISORS FEBRUARY 4, 2003 MEETING AT THE DINWIDDIE COUNTY ELEMENTARY SCHOOL

The County Administrator stated as we discussed earlier, it is recommended that the meeting for the quarry rezoning be held at Dinwiddie Elementary rather than inconvenience the Board by having to move during the meeting. It is required by law to have action by the Board to move the meeting for February 4, 2003 to the Auditorium at the Dinwiddie County Elementary School.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the Board will hold its February 4, 2003 in the Auditorium at the Dinwiddie County Elementary School.

IN RE: COUNTY ADMINISTRATOR COMMENTS CONT'

The County Administrator made the following comments:

1. Staff was asked to run an ad for the change in our meeting dates to Tuesdays; a sample was included in your packets.
2. In order to comply with the time frame required for our legal ads for public hearings, Staff will have to use the Progress-Index. Unfortunately, the Progress-Index is considerably more expensive. However, we are urging the citizens to check in the Progress for those ads. We will also run the legal ads in the Monitor one time for citizens who may not get the Progress-Index.
3. She asked the Board to check their calendars for some dates to meet in February for budget workshops as well as to continue the review of the proposed school recommendations. Unless you have some dates in mind at this time.

IN RE: BOARD MEMBER COMMENTS

Mr. Bracey — He stated he was very upset about the letter from NWB USA, Inc. stating the company is announcing today it plans to relocate its wiper blade assembly operations to existing facilities in Japan and Malaysia. The closure will affect approximately 140 full-time employees. NWB is committed to helping their employees during this transaction. The

company anticipates operation at the Petersburg facility to conclude by March 22, 2003.

Mr. Moody — He stated we have had our division heads for about six months and he would like to get a report on how well it is working. The County Administrator commented we only have two division heads at this time and she would be glad to let them know how it is going. Mr. Moody said the State is pressing for more technology. Reports and forms that were mailed to us in the past now have to be pulled from the web site and downloaded on the computer. He stated the reports could be e-mailed to the Board so the County can save money for paper and time.

Mr. Bowman — He requested that Staff check into the grants for the preservation of Battlefields for the County.

IN RE: CLOSED SESSION

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

Acquisition of Property - §2.2-3711 A. 3 of the Code of Virginia

Prospective Industry - §2.2-3711 A. 5 of the Code of Virginia

Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia – Contract Negotiation – Consultant Services; Tax Information; Conditional Use Permit

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 3:17 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 4:41 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under §2.2-3711 A. 3 - Acquisition of Property; §2.2-3711 A. 5 - Prospective Industry; §2.2-3711 A. 7 - Contract Negotiation – Consultant Services; Tax Information; Conditional Use Permit

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

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

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

IN RE: AUTHORIZATION TO NEGOTIATE CONTRACT WITH BURGESS & NIPLE

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye", authorization is granted for Administration to negotiate a contract with Burgess and Niple for consultation services for the quarry application.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter from Adelphia regarding update of services.
2. Article – *Education and human services: Putting the squeeze on municipalities.*

IN RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 4:42 P.M.

Robert Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 7:30 P.M.

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

==========

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

Mr. Robert L. Bowman, Chair, called the regular meeting to order at 7:30 P.M. A moment of silence was held in memory of the Astronauts who lost their lives as a result of the tragedy of the Space Shuttle Columbia and the State Trooper; followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Wendy Ralph, County Administrator, stated there was a need to add under Closed Session for: (1) Personnel – Waste Management (2) Legal Counsel – Conditional Use Permit and Litigation – Virginia Bio Fuels.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the January 21, 2003 Continuation Meeting and the January 21, 2003 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1033843 through 1034038 (void check(s) numbered 1032986, 1033144, 1033173, 1033706, 1033811, 1033844, 1033861,1033926, and 1033962)

Accounts Payable:

(101) General Fund	$ 164,817.76
(103) Jail Commission	$ 7.50
(104) Marketing Fund	$ .00
(222) E911 Fund	$ 14,757.80
(223) Self Insurance Fund	$ .00
(225) Courthouse Maintenance	$ .00
(226) Law Library	$ .00
(228) Fire Programs & EMS	$ .00
(229) Forfeited Asset Sharing	$ 412.35

(304) CDBG Grant Fund	$ .00
(305) Capital Projects Fund	$ 4,085.80
(401) County Debt Service	$ .00
TOTAL	**$ 183,806.34**

PAYROLL 01/31/03

(101) General Fund	$ 417,647.33
(222) E911 Fund	$ 3,420.91
(304) CDBG Fund	$ 4,714.19
TOTAL	**$ 425,782.43**

IN RE: CITIZEN COMMENTS

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

1. Eva Bratschi – 23500 Cutbank Road, McKenney, Virginia – She thanked the Board for changing the meeting days to Tuesdays. Mrs. Bratschi stated she was completing her Bachelor of Arts degree in Political Science and she chose to do her thesis on the topic of Dinwiddie Government and Citizen Access to its Local Government. She gave the Clerk questionnaires for the Board members to fill out to help her complete her thesis.

2. Robert Rowland – 18404 Bonneville Lane, Dinwiddie, Virginia – stated he and his congregation would like to thank the Board also for changing their meetings to Tuesday. Continuing he said they wanted to be involved as much as possible in the political issues in the County.

3. Bruce Kristaf – 25119 Smith Grove Road, Petersburg, Virginia – representing the group, Citizens for a Better Dinwiddie, stated they were concerned that Tidewater Quarries Inc., has misrepresented the true impact of the proposed quarry to the public. This project will have a significant short term and long-term impact on our County. He commented it is important that the Board understand the true social and economical ramifications it will have on the citizens of the County. The group requested that the Board of Supervisors engage the services of an independent firm before ruling on the proposed quarry. He also requested that the study be made public so the citizens could better understand what impact the quarry would have on the County.

4. George Whitman – 13010 Old Stage Road, Petersburg, Virginia – requested that the Board appoint a committee made up of citizens from each district to prepare a Transportation Plan for the County. He stated this could be an important tool for the present and future growth of the County. The need for the Plan is outlined in the Comprehensive Master Plan. The purpose of the plan is to provide for future needs without having to relocate the roads in some sections of the County. Mr. Whitman recommended that the committee be comprised of retired and active engineers, ones that are familiar with road construction, to act as a defacto Engineering Section for the County.

IN RE: UPDATE OF DEBT CAPACITY ANALYSIS – SCHOOL PROJECTS

The County Administrator commented a few weeks ago the Board of Supervisors met with the School Board and their consultants, BCWH, to receive the results of the School facilities study. At that time the consultants and School

Board brought forth their recommendations to the Board. As a result of that meeting, one of the items that the Board was particularly concerned about was, what kind of impact it would have financially on the County and its citizens. The County asked its financial advisors, Davenport & Company, to look at all the options and recommendations of the School Board and update the County's Debt Capacity Analysis. She stated Mr. David Rose with Davenport & Company is here tonight to make the presentation.

Mr. David Rose presented the following Debt Capacity Analysis update:

Debt Capacity Analysis
Prepared for

Dinwiddie County, Virginia

February 4, 2003

Davenport & Company LLC

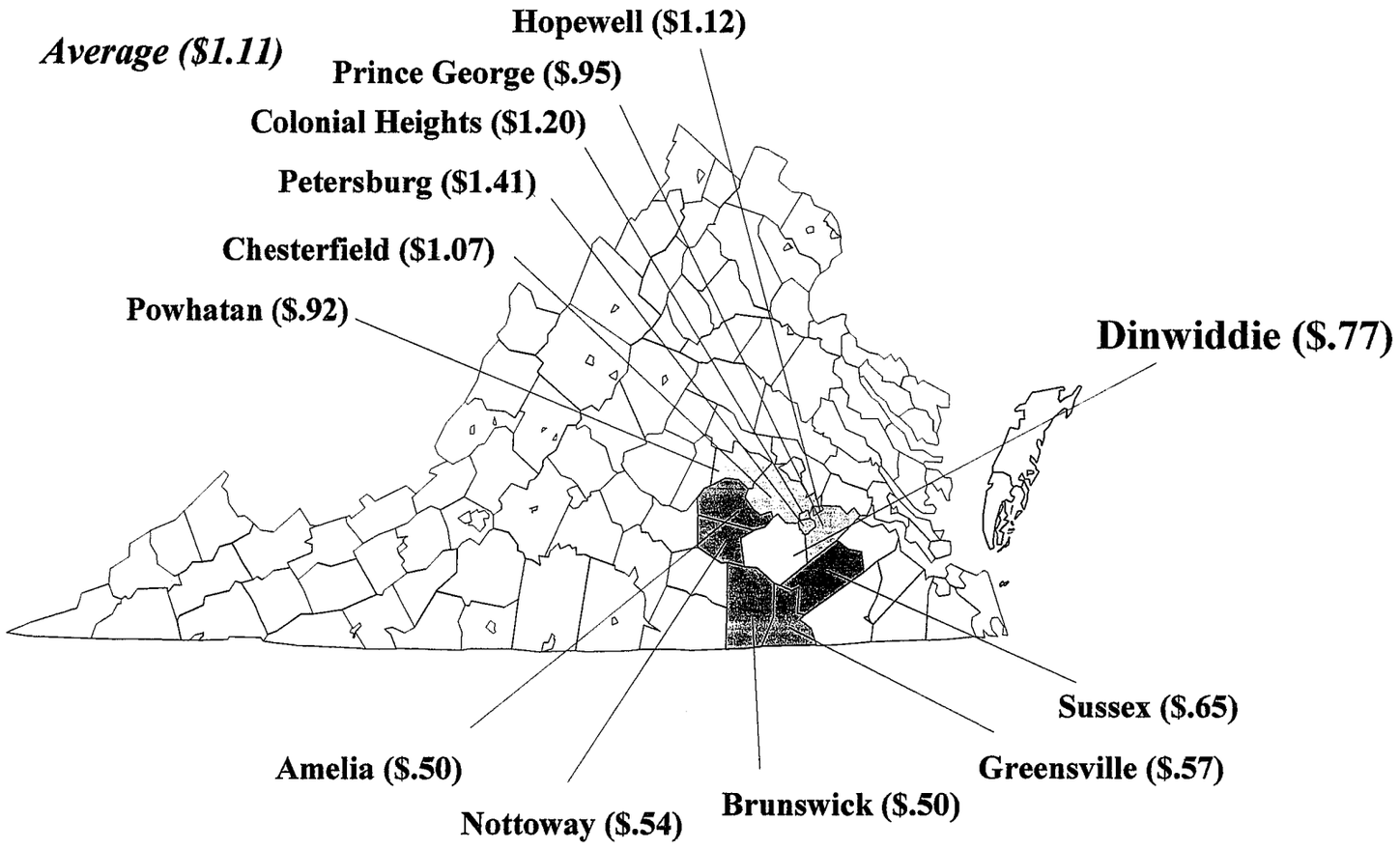
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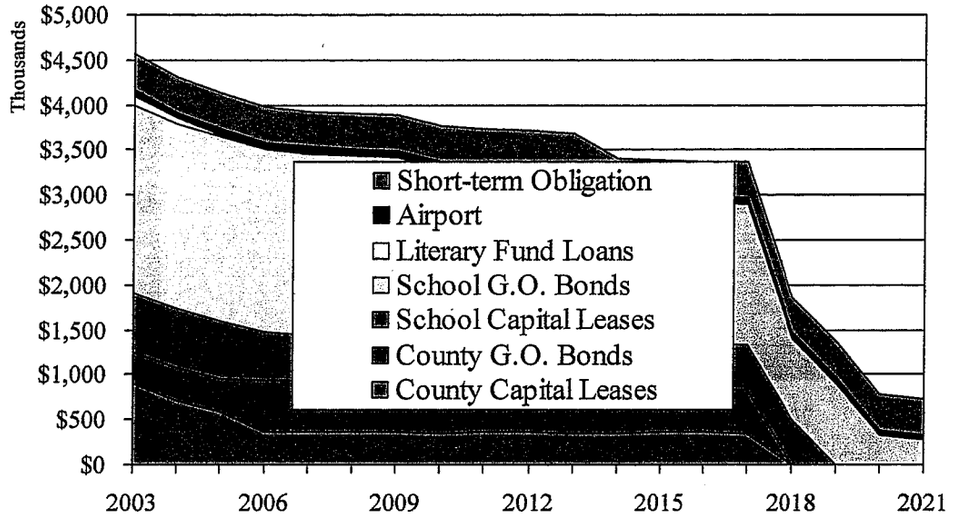
A **Proposed School Projects and Financial Impact**

B **Proposed County Projects and Financial Impact**

TAX RATE COMPARISON



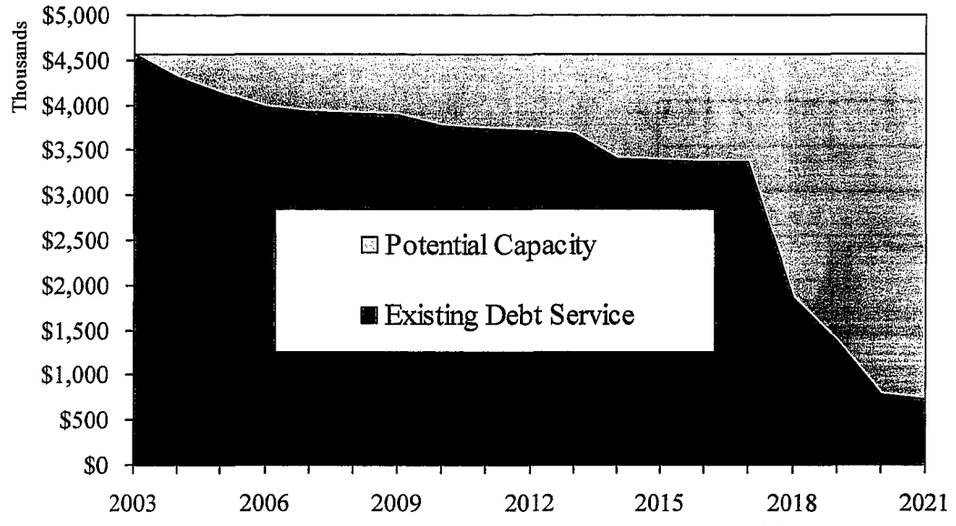
EXISTING DEBT SERVICE



Existing Debt Service is Based on All Outstanding Primary Government and Component Unit School Board Obligations as of June 30, 2001.

BOOK 16 PAGE 59c FEBRUARY 4, 2003

POTENTIAL DEBT CAPACITY – Decline in Debt Service



Potential Debt Capacity is Based on Debt Service Budget for FY 2003.

Fiscal Year	Total	Cumulative Decline	Resulting Debt Capacity
2003	4,051,283	N/A	N/A
2004	3,814,218	237,065	5,926,625
2005	3,669,599	381,684	9,542,100
2006	3,520,902	530,381	13,259,525
2007	3,474,271	577,012	14,425,300
2008	3,450,347	600,936	15,023,400
2009	3,433,275	618,008	15,450,200
2010	3,301,080	750,203	18,755,075

Decline in Debt Service Produces an Estimated Borrowing Capacity Assuming 25 Year Amortization at 5.5%.

KEY GLOBAL PROJECT ASSUMPTIONS

- **Maximize the Use of Literary Loan Funding.**
- **Utilize 3-year Interim Financing due to State Budget Constraints.**
- **Shift all BCWH Project Start Date Assumptions Forward by 12 Months.**

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KEY FINANCING ASSUMPTIONS

- **All Financings are Assumed to be Non-Bank Qualified Except 2003 Financings.**

- **$20 Million in Literary Loans are Utilized for School Projects – Maximum Available Capacity.**
  - **3-year Interim Financing @ 3.5%**
  - **2% Literary Loan Rate.**

- **Remaining School Projects Utilize Insured Lease Revenue Transactions.**
  - **5.50% Interest Rate.**
  - **25 Year Amortization.**

- **No Strategic Structuring of Any Financing.**

VALUE AND GROWTH OF 1 PENNY

Fiscal Year	Real Estate Assessed Value	Annual Growth
1992	426,864,447	
1993	579,694,444	35.80%
1994	605,404,766	4.44%
1995	629,312,055	3.95%
1996	662,264,562	5.24%
1997	724,744,459	9.43%
1998	867,209,870	19.66%
1999	910,281,517	4.97%
2000	991,684,357	8.94%
2001	1,103,351,570	11.26%
2002	1,136,452,117	3.00%
2003	1,170,545,681	3.00%
2004	1,205,662,051	3.00%
2005	1,241,831,913	3.00%
2006	1,279,086,870	3.00%
2007	1,317,459,476	3.00%

Fiscal Year	Value of $0.01 (Growth Rate of 3%)	Cumulative Increase in Value of $0.01		**Incremental Revenues Available from Growth in $0.01**
2003	$100,000	N/A		**N/A**
2004	103,000	$3,000		**$231,000**
2005	106,090	6,090	Multiply	**468,930**
2006	109,273	9,273	by	**713,998**
2007	112,551	12,551	Tax Rate	**966,418**
2008	115,927	15,927	$0.77	**1,226,410**
2009	119,405	19,405		**1,494,203**
2010	122,987	22,987		**1,770,029**

Assumes Real Estate Assessed Value Growth Rate = 3.00%

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TAX IMPACT ANALYSIS – Key Assumptions

- **Existing Debt Service has been Updated and Verified.**
- **Capital Reserve Fund Interest Earnings Assume Current Market Conditions ($6.2 Million/2.5% Annual Rate of Return).**
- **State Appropriations have been Reduced to $0.**
- **Annual Lottery Monies of $300,000.**
- **Meals and Gate Revenues are Held Constant at $400,000.**
- **Value of 1 Penny on the Real Estate Tax Rate is Approximately $100,000 (FY 2003).**

OPTION 1 – SCHOOL PROJECTS

➢ Timing of Funding Requirements:

Option 1

	Calendar Year						Financing	Lit. Loans
	2004	2005	2006	2007	2008	**Total**	Date	$Millions
New Construction								
1. New Rohoic Elementary School	14,681,000					**14,681,000**	Jan-04	7.5
2. New High School	38,690,000					**38,690,000**	Jan-04	7.5
Subtotal New Construction	53,371,000	0	0	0	0	**53,371,000**		15.0
Renovation								
3. Middle School - H.S. Renovation		19,280,000				**19,280,000**	Jul-05	5.0
4. Central School Board Facility				2,542,000		**2,542,000**	Jul-07	
5. Midway Additions/Renovation					2,484,000	**2,484,000**	Jul-08	
6. Southside Additions/Renovation					5,882,000	**5,882,000**	Jul-08	
7. Sunnyside Additions/Renovation					4,409,000	**4,409,000**	Jul-08	
Subtotal Renovation	0	19,280,000	0	2,542,000	12,775,000	**34,597,000**		5.0
Grand Total	53,371,000	19,280,000	0	2,542,000	12,775,000	**87,968,000**		20.0

➢ Estimated Literary Loan Eligibility = $20 Million.

➢ Total School Project Costs = $87.9 Million.

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TAX IMPACT ANALYSIS – Option 1

➢ Total School Project Costs = $87.9 Million.

A	B	C	D	E	F	G	H	I	J	K	L
	Net General Fund Amount 3,704,415		TOTAL REQUIREMENT	LESS	LESS	LESS	LESS	LESS	LESS	EQUALS	
	Annual Net Debt Service Payments					***¼ of Growth Allocated to Debt Service***					
Fiscal Year	Existing Debt Service	Estimated New Debt Service	Existing and Proposed Debt Service	Capital Reserve Fund Earnings (1)	Capital Reserve Fund Principal Withdrawals	Incremental Growth	Additional Debt Service Budget	Lottery Funds	Meals and Gate Revenues	Adjusted Debt Service Burden	Estimated Incremental Tax Effect (2)
2003	4,559,415	0	4,559,415	155,000	NA	NA	NA	300,000	400,000	3,704,415	NA
2004	4,306,099	0	4,306,099	155,000	0	57,750	300,000	300,000	400,000	3,093,349	--
2005	4,124,599	2,724,710	6,849,309	155,000	0	117,233	200,000	300,000	400,000	5,677,077	**$0.19**
2006	3,976,475	4,581,343	8,557,818	155,000	0	178,499	200,000	300,000	400,000	7,324,318	**$0.15**
2007	3,929,845	4,993,968	8,923,813	155,000	0	241,604	200,000	300,000	400,000	7,627,208	**$0.03**
2008	3,905,931	5,876,302	9,782,233	155,000	0	306,603	0	300,000	400,000	8,620,631	**$0.09**
2009	3,888,839	6,847,830	10,736,669	155,000	0	373,551	0	300,000	400,000	9,508,118	**$0.07**
2010	3,762,784	7,184,227	10,947,011	155,000	0	442,507	0	300,000	400,000	9,649,504	**$0.01**
2011	3,726,813	7,152,977	10,879,790	155,000	0	513,532	0	300,000	400,000	9,511,257	--
											$0.54

Notes:

(1) Based upon Capital Reserve Fund balance of $6.2 million invested @ 2.5%.

(2) Additional dollars needed divided by value of 1¢ in that fiscal year.

OPTION 2 – SCHOOL PROJECTS

➢ Timing of Funding Requirements:

Option 2

	Calendar Year						Financing	Lit. Loans
	2004	2005	2006	2007	2008	**Total**	Date	$Millions
New Construction								
1. New Rohoic Elementary School	14,681,000					**14,681,000**	Jan-04	7.5
2. New Middle School	16,016,000					**16,016,000**	Jan-04	7.5
Subtotal New Construction	30,697,000	0	0	0	0	**30,697,000**		15.0
Renovation								
3. High School - Additions/Renov.	26,910,000					**26,910,000**	Jan-04	5.0
4. Existing Northside Elem.	2,984,000					**2,984,000**	Jan-04	
5. Middle School - Additions/Renov.		5,959,001				**5,959,001**	Jan-05	
6. Existing Rohoic School		3,269,000				**3,269,000**	Jul-05	
7. Midway Additions/Renovation					2,484,000	**2,484,000**	Jul-08	
8. Southside Additions/Renovation					5,882,000	**5,882,000**	Jul-08	
9. Sunnyside Additions/Renovation					4,409,000	**4,409,000**	Jul-08	
Subtotal Renovation	29,894,000	9,228,001	0	0	12,775,000	**51,897,001**		5.0
Grand Total	60,591,000	9,228,001	0	0	12,775,000	**82,594,001**		20.0

➢ Estimated Literary Loan Eligibility = $20 Million.

➢ Total School Project Costs = $82.6 Million.

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TAX IMPACT ANALYSIS – Option 2

➢ Total School Project Costs = $82.6 Million.

A	B	C	D	E	F	G	H	I	J	K	L
			TOTAL								
	Net General Fund Amount 3,704,415		REQUIREMENT	LESS	LESS	LESS	LESS	LESS	LESS	EQUALS	
	Annual Net Debt Service Payments					***¼ of Growth Allocated to***					
		Estimated	Existing and	Capital Reserve Fund		***Debt Service***	Additional		Meals	Adjusted	Estimated
Fiscal Year	Existing Debt Service	New Debt Service	Proposed Debt Service	Earnings (1)	Principal Withdrawals	Incremental Growth	Debt Service Budget	Lottery Funds	and Gate Revenues	Debt Service Burden	Incremental Tax Effect (2)
2003	4,559,415	0	4,559,415	155,000	NA	NA	NA	300,000	400,000	3,704,415	NA
2004	4,306,099	0	4,306,099	155,000	0	57,750	300,000	300,000	400,000	3,093,349	--
2005	4,124,599	3,027,063	7,151,662	155,000	0	117,233	200,000	300,000	400,000	5,979,429	**$0.21**
2006	3,976,475	4,524,438	8,500,913	155,000	0	178,499	200,000	300,000	400,000	7,267,414	**$0.12**
2007	3,929,845	4,763,182	8,693,027	155,000	0	241,604	200,000	300,000	400,000	7,396,422	**$0.01**
2008	3,905,931	5,770,482	9,676,413	155,000	0	306,603	0	300,000	400,000	8,514,810	**$0.10**
2009	3,888,839	6,397,718	10,286,557	155,000	0	373,551	0	300,000	400,000	9,058,007	**$0.05**
2010	3,762,784	6,735,991	10,498,775	155,000	0	442,507	0	300,000	400,000	9,201,267	**$0.01**
2011	3,726,813	6,701,891	10,428,704	155,000	0	513,532	0	300,000	400,000	9,060,171	--
											$0.50

Notes:

(1) Based upon Capital Reserve Fund balance of $6.2 million invested @ 2.5%.

(2) Additional dollars needed divided by value of 1¢ in that fiscal year.

OPTION 3 – SCHOOL PROJECTS

➢ Timing of Funding Requirements:

Option 3

	Project Start Date						Financing	Lit. Loans
	2004	2005	2006	2007	2008	**Total**	Date	$Millions
New Construction								
1. New Rohoic Elementary School	14,681,000					**14,681,000**	Jan-04	7.5
2. New Middle School	29,753,000					**29,753,000**	Jan-04	7.5
Subtotal New Construction	44,434,000	0	0	0	0	**44,434,000**		15.0
Renovation								
3. High School - Additions/Renov.	26,910,000					**26,910,000**	Jan-04	5.0
4. Central School Board Facility		2,542,000				**2,542,000**	Jul-05	
5. Midway Additions/Renovation					2,484,000	**2,484,000**	Jul-08	
6. Southside Additions/Renovation					5,882,000	**5,882,000**	Jul-08	
7. Sunnyside Additions/Renovation					4,409,000	**4,409,000**	Jul-08	
Subtotal Renovation	26,910,000	2,542,000	0	0	12,775,000	**42,227,000**		5.0
Grand Total	71,344,000	2,542,000	0	0	12,775,000	**86,661,000**		20.0

➢ Estimated Literary Loan Eligibility = $20 Million.

➢ Total School Project Costs = $86.6 Million.

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TAX IMPACT ANALYSIS – Option 3

➢ Total School Project Costs = $86.6 Million.

A	B	C	D	E	F	G	H	I	J	K	L
	Net General Fund Amount 3,704,415		TOTAL REQUIREMENT	LESS	LESS	LESS	LESS	LESS	LESS	EQUALS	
	Annual Net Debt Service Payments					*¼ of Growth Allocated to Debt Service*					
Fiscal Year	Existing Debt Service	Estimated New Debt Service	Existing and Proposed Debt Service	Capital Reserve Fund Earnings (1)	Capital Reserve Fund Principal Withdrawals	Incremental Growth	Additional Debt Service Budget	Lottery Funds	Meals and Gate Revenues	Adjusted Debt Service Burden	Estimated Incremental Tax Effect (2)
2003	4,559,415	0	4,559,415	155,000	NA	NA	NA	300,000	400,000	3,704,415	NA
2004	4,306,099	0	4,306,099	155,000	0	57,750	300,000	300,000	400,000	3,093,349	--
2005	4,124,599	3,643,500	7,768,099	155,000	0	117,233	200,000	300,000	400,000	6,595,867	**$0.27**
2006	3,976,475	5,020,936	8,997,411	155,000	0	178,499	200,000	300,000	400,000	7,763,912	**$0.11**
2007	3,929,845	5,092,627	9,022,472	155,000	0	241,604	200,000	300,000	400,000	7,725,867	--
2008	3,905,931	6,099,427	10,005,358	155,000	0	306,603	0	300,000	400,000	8,843,755	**$0.09**
2009	3,888,839	6,735,888	10,624,727	155,000	0	373,551	0	300,000	400,000	9,396,177	**$0.05**
2010	3,762,784	7,067,561	10,830,345	155,000	0	442,507	0	300,000	400,000	9,532,837	**$0.01**
2011	3,726,813	7,031,861	10,758,674	155,000	0	513,532	0	300,000	400,000	9,390,141	--
											$0.53

Notes:

(1) Based upon Capital Reserve Fund balance of $6.2 million invested @ 2.5%.

(2) Additional dollars needed divided by value of 1¢ in that fiscal year.

OPTION 4 – SCHOOL PROJECTS

➢ Timing of Funding Requirements:

Option 4

	Project Start Date						Financing	Lit. Loans
	2004	2005	2006	2007	2008	**Total**	Date	$Millions
New Construction								
1. New Rohoic Elementary School	14,681,000					**14,681,000**	Jan-04	7.5
Subtotal New Construction	14,681,000	0	0	0	0	**14,681,000**		7.5
Renovation								
3. Middle School - Additions/Renov.	20,920,000					**20,920,000**	Jan-04	7.5
4. High School - Additions/Renov.	26,910,001					**26,910,001**	Jan-04	5.0
5. Existing Northside Elementary	2,984,000					**2,984,000**	Jan-04	
6. Existing Rohoic School		3,269,000				**3,269,000**	Jul-05	
7. Midway Additions/Renovation					2,484,000	**2,484,000**	Jul-08	
8. Southside Additions/Renovation					5,882,000	**5,882,000**	Jul-08	
9. Sunnyside Additions/Renovation					4,409,000	**4,409,000**	Jul-08	
Subtotal Renovation	50,814,001	3,269,000	0	0	12,775,000	**66,858,001**		12.5
Grand Total	65,495,001	3,269,000	0	0	12,775,000	**81,539,001**		20.0

➢ Estimated Literary Loan Eligibility = $20 Million.

➢ Total School Project Costs = $81.5 Million.

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TAX IMPACT ANALYSIS – Option 4

➢ Total School Project Costs = $81.5 Million.

A	B	C	D	E	F	G	H	I	J	K	L
			TOTAL								
	Net General Fund Amount 3,704,415		REQUIREMENT	LESS	LESS	LESS	LESS	LESS	LESS	EQUALS	
	Annual Net Debt Service Payments					***¼ of Growth Allocated to***					
Fiscal Year	Existing Debt Service	Estimated New Debt Service	Existing and Proposed Debt Service	Capital Reserve Fund Earnings (1)	Capital Reserve Fund Principal Withdrawals	***Debt Service*** Incremental Growth	Additional Debt Service Budget	Lottery Funds	Meals and Gate Revenues	Adjusted Debt Service Burden	Estimated Incremental Tax Effect (2)
2003	4,559,415	0	4,559,415	155,000	NA	NA	NA	300,000	400,000	3,704,415	NA
2004	4,306,099	0	4,306,099	155,000	0	57,750	300,000	300,000	400,000	3,093,349	- -
2005	4,124,599	3,307,955	7,432,554	155,000	0	117,233	200,000	300,000	400,000	6,260,322	**$0.24**
2006	3,976,475	4,584,848	8,561,323	155,000	0	178,499	200,000	300,000	400,000	7,327,823	**$0.10**
2007	3,929,845	4,673,709	8,603,554	155,000	0	241,604	200,000	300,000	400,000	7,306,950	- -
2008	3,905,931	5,682,109	9,588,040	155,000	0	306,603	0	300,000	400,000	8,426,438	**$0.09**
2009	3,888,839	6,310,446	10,199,285	155,000	0	373,551	0	300,000	400,000	8,970,734	**$0.05**
2010	3,762,784	6,649,818	10,412,602	155,000	0	442,507	0	300,000	400,000	9,115,095	**$0.01**
2011	3,726,813	6,616,818	10,343,631	155,000	0	513,532	0	300,000	400,000	8,975,099	- -
											$0.49

Notes:

(1) Based upon Capital Reserve Fund balance of $6.2 million invested @ 2.5%.

(2) Additional dollars needed divided by value of 1¢ in that fiscal year.

OPTION 5 – SCHOOL PROJECTS

➢ Timing of Funding Requirements:

Option 5

	Project Start Date						Financing	Lit. Loans
	2004	2005	2006	2007	2008	**Total**	Date	$Millions
New Construction								
1. New Rohoic Elementary School	14,681,000					**14,681,000**	Jan-04	7.5
2. New Middle School	29,753,000					**29,753,000**	Jan-04	7.5
3. New High School	38,690,000					**38,690,000**	Jan-04	5.0
Subtotal New Construction	83,124,000	0	0	0	0	**83,124,000**		20.0
Renovation								
4. Central School Board Facility		2,542,000				**2,542,000**	Jul-05	
5. Midway Additions/Renovation					2,484,000	**2,484,000**	Jul-08	
6. Southside Additions/Renovation					5,882,000	**5,882,000**	Jul-08	
7. Sunnyside Additions/Renovation					4,409,000	**4,409,000**	Jul-08	
Subtotal Renovation	0	2,542,000	0	0	12,775,000	**15,317,000**		0.0
Grand Total	83,124,000	2,542,000	0	0	12,775,000	**98,441,000**		20.0

➢ Estimated Literary Loan Eligibility = $20 Million.

➢ Total School Project Costs = $98.4 Million.

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TAX IMPACT ANALYSIS – Option 5

➢ Total School Project Costs = $98.4 Million.

A	B	C	D	E	F	G	H	I	J	K	L
			TOTAL								
	Net General Fund Amount 3,704,415		REQUIREMENT	LESS	LESS	LESS	LESS	LESS	LESS	EQUALS	
	Annual Net Debt Service Payments					***¼ of Growth Allocated to Debt Service***					
		Estimated	Existing and	Capital Reserve Fund			Additional		Meals	Adjusted	Estimated
Fiscal Year	Existing Debt Service	New Debt Service	Proposed Debt Service	Earnings (1)	Principal Withdrawals	Incremental Growth	Debt Service Budget	Lottery Funds	and Gate Revenues	Debt Service Burden	Incremental Tax Effect (2)
2003	4,559,415	0	4,559,415	155,000	NA	NA	NA	300,000	400,000	3,704,415	NA
2004	4,306,099	0	4,306,099	155,000	0	57,750	300,000	300,000	400,000	3,093,349	--
2005	4,124,599	4,318,643	8,443,242	155,000	0	117,233	200,000	300,000	400,000	7,271,009	**$0.34**
2006	3,976,475	5,983,397	9,959,872	155,000	0	178,499	200,000	300,000	400,000	8,726,372	**$0.13**
2007	3,929,845	6,055,788	9,985,633	155,000	0	241,604	200,000	300,000	400,000	8,689,028	--
2008	3,905,931	7,062,463	10,968,394	155,000	0	306,603	0	300,000	400,000	9,806,791	**$0.09**
2009	3,888,839	7,697,974	11,586,813	155,000	0	373,551	0	300,000	400,000	10,358,262	**$0.05**
2010	3,762,784	8,027,871	11,790,655	155,000	0	442,507	0	300,000	400,000	10,493,148	**$0.01**
2011	3,726,813	7,989,571	11,716,384	155,000	0	513,532	0	300,000	400,000	10,347,852	--
											$0.62

Notes:

(1) Based upon Capital Reserve Fund balance of $6.2 million invested @ 2.5%.

(2) Additional dollars needed divided by value of 1¢ in that fiscal year.

KEY ASSUMPTIONS – County Projects

- **All Financings are Assumed to be Non-Bank Qualified Except 2003 Financings.**
  - **Communications Center – 7 Years @ 3.30%**

- **Remaining County Projects Utilize Insured Lease Revenue Transactions.**
  - **5.50% Interest Rate.**
  - **25 Year Amortization.**

- **No Strategic Structuring of Any Financing.**

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PROPOSED COUNTY PROJECTS

➢ Timing of Funding Requirements (for Planning Purposes Only):

Projects Subject to Change

	Project Start Date						Financing
	2003	2004	2005	2006	2007	**Total**	Date
Bond Funded Projects							
Communications Center Relocation	4,000,000					**4,000,000**	Jun-03
New Fire Station		2,310,000				**2,310,000**	Jun-04
Eastside Recreational Complex				331,800		**331,800**	Jun-06
Eastside L.I.F.E. Enhancement Center				600,250	600,250	**1,200,500**	Jun-06
Subtotal	4,000,000	2,310,000	0	932,050	600,250	**7,842,300**	
Other Cash Funded Projects	806,103	812,144	801,115	799,115	803,000	**4,021,477**	NA
Total	4,806,103	3,122,144	801,115	1,731,165	1,403,250	**11,863,777**	

➢ Total Financed Project Costs = $7.8 Million.

- **Communications Center – Bank-Qualified; Financed Over 7 Years.**
- **Eastside/Fire Station – Bank Placement (10-Year Rate, 25-Year Amortization).**

➢ Other Cash Funded Projects Will Approximate $1 Million per Year.

TAX IMPACT ANALYSIS – Proposed County Projects

- **Total Borrowing = $8.2 Million.**
- **Equivalent Tax Impact After School Projects.**

Case 1
Assumes Available Capacity is Used for School Projects.

Fiscal Year	Estimated New Debt Service	Estimated Incremental Tax Effect (2)	Value of 1¢
2003	0		100,000
2004	645,205	$0.06	103,000
2005	785,179	$0.01	106,090
2006	785,179	--	109,273
2007	878,731	$0.01	112,551
2008	878,731	--	115,927
2009	878,731	--	119,405
2010	878,731	--	122,987
2011	878,731	--	126,677
		$0.08	

Case 2
Assumes Available Capacity is Used for County Projects.

Fiscal Year	Estimated Incremental Tax Effect (2)
2003	
2004	--
2005	--
2006	--
2007	--
2008	--
2009	--
2010	--
2011	--
	$0.00

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SUMMARY OF ANALYSIS

Fiscal Year	School Projects					Case 1 County Projects	Case 2 County Projects
	Option 1	Option 2	Option 3	Option 4	Option 5		
2003	--	--	--	--	--	--	--
2004	--	--	--	--	--	$0.06	--
2005	$0.19	$0.21	$0.27	$0.24	$0.34	$0.01	--
2006	$0.15	$0.12	$0.11	$0.10	$0.13	--	--
2007	$0.03	$0.01	--	--	--	$0.01	--
2008	$0.09	$0.10	$0.09	$0.09	$0.09	--	--
2009	$0.07	$0.05	$0.05	$0.05	$0.05	--	--
2010	$0.01	$0.01	$0.01	$0.01	$0.01	--	--
2011	--	--	--	--	--	--	--
	$0.54	$0.50	$0.53	$0.49	$0.62	$0.08	$0.00

The County Administrator commented that this year is a reassessment year starting July 1 if the Board remains with a 4-year cycle. It is an 18-month process with an effective date of January 1, 2005.

At the conclusion of the presentation Mr. Jimmy Maitland, School Board member, asked Mr. Rose why a 3% growth was used instead of the real growth rate of 6%. Mr. Maitland stated that none of the years showed less than a 4% growth. Mr. Rose stated the figure was chosen because we don't want to end up looking like the State. However, they didn't feel strongly one-way or the other about the figure, it could be changed. He commented they decided to take a look from their perspective; sort of a rock bottom worst-case, and go from there. Because we know what is happening with the economy and how slow things are, we felt starting at 3% was a good way to start at the bottom and anything we do is going to look better. Mr. Maitland stated we are getting approximately 100 additional students a year, so there is some growth coming from somewhere. Mr. Rose replied if it is the decision of the Board to start at 6% then we certainly can do that. If they say, let's use half the growth of the debt service we can do that as well.

Mr. Maitland stated the School Board did another option, which was option 6. What happened to it? Mr. Rose replied it was such a small amount of dollars they did not look at it. The County Administrator stated if you recall, Option 6 was not included in your bound study; so they did not get a copy of it. However, a summary was provided to the Board later. But it really would have been hard for Davenport to include it in the analysis, other than the trailers. A lot of it was operational costs for which an explanation was not provided; and that is one of the things the Board asked for some more information on. But, with more information it certainly can be worked into the financing plan. Following a lengthy discussion about Option 6, between the School Board members, County Administrator and Mr. Rose; the County Administrator explained to the citizens that Option 6 was what the School Board called a "do nothing approach" which would cost around $80 some million dollars. There were some expenses that the School Board will have to pay, such as maintenance costs, renovations and modular units, but it was things that would be hard to structure into a financing plan. She stated that was the reason she did not immediately send it on to Davenport. That option, in fairness to the School Board was in what they presented and it was just as expensive as the construction items that you see. It was not intentional to leave option 6 out but it would have been hard to show in a structured financing plan.

The County Administrator stated the Board has requested some more information from the School Board and has held a subsequent meeting with School Staff and they are preparing additional information for us. The Board will continue to analyze this information as the members continue to work through these options with the School Board and a final option is chosen. We will then go back to the financial advisors and ask them to help us structure a cost effective method for financing.

IN RE: RESOLUTION - RFP FOR RADIO SYSTEM FOR COMMUNICATIONS CENTER

Upon motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the following resolution was adopted:

The County of Dinwiddie has determined that sealed bidding for the Public Safety Radio Project is not practicable or fiscally advantageous. This determination was made based on the following:

The County has listed radio coverage as its most critical requirement for the new radio system. The County has listed the level of coverage they require as 95% indoor portable radio coverage. To attain and guarantee this level of coverage, it is felt that vendors will propose to install a substantial number of transmitter sites, which will drive the cost of the system higher than originally anticipated. In an IFB scenario, the County will have to either accept the low bid, which may be considerably higher than anticipated, or reject the bids and start over. In an RFP scenario, the County would have the ability to look at the proposed coverage and cost, select the highest rated proposer then negotiate the actual coverage levels needed in specific areas with the highest rated proposer. These negotiations will allow the County to tailor the proposed system to a level of coverage that the County can afford to have, giving the County more value in the new system.

IN RE: AUTHORIZATION FOR COUNTY ADMINISTRATOR TO SERVE ON THE VACo STEERING COMMITTEE

The County Administrator commented she received an invitation from VACo to serve as a member of the Administration of Government Committee. This committee addresses such issues as law enforcement, corrections, fire and emergency services, which have a considerable impact on the County. The committee meets 2 to 4 times during the year, one of which is always at the annual meeting in November. She requested authorization to serve on the VACo Steering Committee.

Upon motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the County Administrator was authorized to serve on the Administration Government Committee of the Virginia Association of Counties.

IN RE: COUNTY ADMINISTRATOR COMMENTS

The County Administrator commented the Board was scheduled to come in early for the continuation meeting February 18, 2003 to meet with the consultants for the Corridor Study work session. However, one of the consultants involved in the study has some health problems and they asked if we would postpone the meeting until March 18, 2003. The Board agreed.

IN RE: BOARD MEMBER COMMENTS

Mr. Bracey — He thanked the School Board and Citizens for coming to hear the presentation for the debt capacity analysis and the impact the projects would have on the tax rates in the County. Mr. Bracey also stated he hoped the Chairman would announce that anyone who did not have the opportunity to sign up for citizen comments at the beginning of the meetings could come forward and speak if they wanted to, before the comment period is closed. Mr. Bowman stated he would. He asked if anyone who did not sign up would like to make any comments to please come forward and state their name and address for the records.

Mr. Robert Belcher – 27516 Flank Road – He invited everyone to attend the Dinwiddie Diamonds Valentine's Day dance at 7:00 P.M. at the Eastside Community Enhancement Center. He said no alcohol is permitted but we are going to have a good time.

Mr. Moody — He commented in the General Assembly today the Manufactured Housing Bill died.

Mr. Bowman — He stated Mr. George Whitman made an excellent proposal on the road study. He commented he would like to see other groups come forth and volunteer their time. He said he would like to see the Board take some action on Mr. Whitman's request at a future meeting. He asked if the Board would consider this a first reading and have it placed on the agenda at the next meeting. Mr. Bracey stated he felt this should go the Planning Department and it should be referred to that department for their consideration before the Board dealt with it. Mr. Bracey commented since he received this information he learned that the State is doing some of this work now. Mr. Bowman stated he thought that was a good point and the Board certainly needed time to think about where to steer this committee; but when we have volunteers willing to give their time we should encourage them.

IN RE: PRIMARY DISASTER AREA DECLARATION

The County Administrator informed the Board that we received notice from Congressman Forbes' office today that Dinwiddie County has been declared a primary disaster area. She said he strongly feels as legislation moves through Congress, on additional funding and on the livestock program, that our farmers should become eligible as long as they don't run out of money. Mr. Bowman commented the way he understands it, if a farmer had a 35% loss he qualifies. So that should take care of most of the farmers.

The County Administrator distributed a letter from the Game and Inland Fisheries requesting Board input for changes they might have for new hunting laws. Mrs. Ralph commented if they had any comments they should get them back to her because there is such a short turn around time for comments.

IN RE: CLOSED SESSION

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

Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia – Contract Negotiations – Waste Management; Litigation – Virginia Bio Fuels
Acquisition of Property - §2.2-3711 A. 3
Prospective Industry- §2.2-3711 A.5
Personnel - §2.2-3711 A.1 – Appointments; Waste Management

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 9:22 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 11:03 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.7, of the Code of Virginia - Contract Negotiations – Waste Management; Litigation – Virginia Bio Fuels; Acquisition of Property - §2.2-3711 A. 3; Prospective

Industry- §2.2-3711 A.5; Personnel - §2.2-3711 A.1 – Appointments; Waste Management

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

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

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

IN RE: APPOINTMENT - DINWIDDIE COUNTY BOARD OF ZONING APPEALS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Charles R. Horne is hereby approved, to be recommended to the Circuit Court Judge to be appointed to serve on the Dinwiddie County Board of Zoning Appeals for a term ending December 31, 2007.

IN RE: APPOINTMENT - DINWIDDIE COUNTY SOCIAL SERVICES BOARD

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. Patsy Cansler is hereby appointed to fill the unexpired term of Mr. Linwood Fitzgerald ending June 30, 2004 on the Dinwiddie County Social Services Board.

IN RE: AUTHORIZATION TO ISSUE A MANUAL CHECK TO MR. WILBUR HICKS - EMPLOYEE - DEPARTMENT OF WASTE MANAGEMENT

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes the issuance of a manual payroll check to Mr. Wilbur Hicks in the amount of $255.34 for work performed in January 2003.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Response letter to Geri Barefoot for Citizen Comment questions regarding the preservation of the Battlefields in Dinwiddie County.

RE: ADJOURNMENT

Upon motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the meeting adjourned

at 11:21 P.M. to be continued until 11:00 A.M. on Tuesday, February 18, 2003 for a budget work session in the Multi-purpose Room of the Pamplin Administration Building.

Robert Bowman, IV, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 2:00 P.M.

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

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IN RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the continuation meeting adjourned at 2:02 P.M.

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

Mr. Robert Bowman, IV, Chairman, called the regular meeting to order at 2:03 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the February 4, 2003 Regular Meeting are hereby approved.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1034040 through 1034170 (void check(s) numbered 1034034 through 1034036 and 1034039) for:

Accounts Payable FY 2002- 2003:

(101) General Fund	$ 124,029.97
(103) Jail Commission	$ 20.99
(104) Marketing Fund	$ .00
(209) Litter Control	$ .00
(222) E911 Fund	$ 1,895.39
(223) Self Insurance Fund	$ .00
(225) Courthouse Maintenance	$ .00
(226) Law Library	$ .00
(228) Fire Programs & EMS	$ 4,296.08
(229) Forfeited Asset Sharing	$ .00
(304) CDBG Grant Fund	$ 137.55
(305) Capital Projects Fund	$ 37,964.83
(401) County Debt Service	$ 23,733.36
TOTAL	**$ 192,078.63**

IN RE: TRAVEL REQUEST – COMMUNICATIONS MANAGER

The Communications Manager requested authorization to attend the Virginia APCO Spring Conference at Virginia Beach, Virginia, April 30 – May 2, 2003, at a cost of $375.26.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorized the Communications Manager to attend the Virginia APCO Spring Conference at Virginia Beach, Virginia, April 30 – May 2, 2003, at a cost of $375.26.

IN RE: TRAVEL REQUEST – ZONING ADMINISTRATOR/CODE COMPLIANCE OFFICER

The Zoning Administrator and Code Compliance Officer requested authorization to attend the Spring Board of Zoning Training Conference at Leesburg, Virginia, March 13 – 14, 2003, at a cost of $478.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorized the Zoning Administrator and Code Compliance Officer to attend the Spring Board of Zoning Training Conference at Leesburg, Virginia, March 13 – 14, 2003, at a cost of $478.

IN RE: CITIZEN COMMENTS

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

The following citizen(s) came forward to address the Board:

1. Dr. Michael O. Royster, Health Director, came before the Board to introduce himself. He commented he is the new Health Director for the District and if the Board had any problems he would be happy to assist them in any way he could. He also stated he was open to any suggestions they might have to improve the services the Health Department offers. Dr. Royster provided the Board with copies of the *Health Profile for Dinwiddie County, Virginia 1996-2000*. The Chairman thanked Dr. Royster for coming and stated the Board looked forward to working with him.

2. Michael Bratschi – 23500 Cutbank Road, McKenney, Virginia – stated his wife had submitted a questionnaire to help her complete her thesis to them at the last Board meeting. He stated Mr. Moody sent his back but she had not received the questionnaire from the other Board members. Mr. Bratschi also stated his daughter who attends the Dinwiddie Middle School told him the, *In God We Trust,* posters which were approved by the General Assembly to be displayed in the classrooms at the schools were not on display. He requested the Board to look into why they are not being displayed in the schools. Mr. Bratschi submitted a FOIA request from Eva Bratschi regarding the distribution and administration of DEQ grants for the last three years. He also questioned the Board why the citizens of the County are held to a 3-minute time limit when the total time allowed for citizen comments was 30 minutes. People from outside the County aren't

limited to 3-minutes, but we the citizens are. He said everyone should get the same respect from the Board, especially the citizens.

3. Geri Barefoot, 7411 Frontage Road, Petersburg, Virginia – stated she requested a letter from the Board regarding whether or not they were going to stand behind what they sign? She said she did receive a letter from the County Administrator but it did not answer her question. On July 18, 2001, you as a Board, agreed to support the preservation of National Battlefields in Dinwiddie County. Also, the Board authorized the Chairman, Mr. Moody, to sign a letter regarding the intent of the County for the preservation of national battlefields. She stated she had a copy of a letter from the National Park Service, dated September 6, 2001, addressed to the County, which states the Petersburg National Battlefield is strongly opposed to a quarry being sighted on these lands. She said she would like to know if the Board is going to stand behind its word. You also passed it in your Comprehensive Land Plan, you said, the Nationally significant Civil War Battlefields in the County should be recognized as a majority of cultural resources. You wrote you would support and protect these lands. Mrs. Barefoot stated she would like a letter from the Board to let her know if the County is going to protect these lands.

IN RE: VDOT – REPORT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, came forward and stated he had no updates or report today.

1. He reported that VDOT had been busy with the removal of the ice/sleet/snow. He said VDOT had distributed 10,000 tons of sand/salt on the highways as a result of this storm.

2. The aerial survey work for the High Speed Rail work will start within the month. A big X will be placed on the ground so they will be able to locate the area from the sky. If any of you get a call about these markings you will know what is going to take place.

IN RE: SHERIFF'S DEPARTMENT -- AUTHORIZATION TO PURCHASE INMATE TRANSPORT INSERT FOR JAIL VAN

Sheriff Samuel Shands stated he would like to have authorization to purchase a prisoner transport insert for the 1996 Dodge jail van. The insert is designed to securely accommodate eleven inmates. This would allow the separation of female and male inmates as well as juvenile offenders, which would reduce both personnel and time required to move inmates from the jail to the courthouse to one trip. The County Administrator stated if a new vehicle is purchased in the future the insert could be transferred. She stated the Sheriff is requesting authorization to purchase the prisoner transport insert for the jail van from Bob Barker Co., Inc., the low bidder in the amount of $7,200. Funding for the insert would be taken from the processing fees charged for fingerprinting individuals for concealed weapon permits.

The following vendors submitted bids for the insert:

Bob Barker Co., Inc.	$ 7,200
Mavron, Inc.	$ 8,905
Sirchie	$15,000

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorized the Sheriff's Department to purchase the prisoner transport insert for the jail van from Bob Barker Co., Inc., the low bidder in the amount of $7,200. Funding for the insert would be taken from the processing fees charged for fingerprinting individuals for concealed weapon permits.

IN RE: COMMONWEALTH ATTORNEY REPORT

Mr. Robert Hill, Assistant Commonwealth Attorney, came forward and stated Mr. Rainey was in court and unable to attend the meeting, but he would entertain questions from the Board.

Mr. Bracey asked Mr. Hill if he could get information on how magistrates are selected and placed in Dinwiddie County. Mr. Hill stated he didn't know but he would find out and get the information to him.

IN RE: SCHOOL BOARD REQUISITION # 8 – 1998A (70-02-200-7019743)

The County Administrator stated she received the following invoices from Dr. Leland Wise, Jr., Superintendent of Schools for Payment Requisition #8 - 1998A Bond Issue (70-02-200-7019743):

Whitescarver, Hurd, and Obenchain	Architect and Engineering Services	Dinwiddie Elementary School	$1160.00
Reed-Smith	Legal	Dinwiddie Elementary School	$1957.05
Reed-Smith	Legal	Dinwiddie Elementary School	$105.05
Total			**$3,222.10**

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent. Mr. Bracey made a motion to postpone payment of the requisition until the Superintendent could be present to answer his concerns. Mr. Moody seconded the motion, but noted the invoice is 91 – 120 days overdue and he felt the company should be paid. Mr. Bracey agreed. He suggested that the County Administrator review the invoice with the Superintendent and then he felt the invoice should be paid.

Mr. Bracey amended his motion to allow the County Administrator to release payment to the vendor after meeting with the Superintendent. Mr. Moody agreed. Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye,"

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number #8 -1998A (70-02-200-7019743) in the amount of $3,222.10.00 was approved and funds appropriated for CIP expenses from the School Project Account; with the condition that the County Administrator review the invoice with the Superintendent before payment is made to the vendors.

IN RE: AUTHORIZATION FOR PUBLIC SAFETY TO APPLY FOR DEPARTMENT OF JUSTICE NATIONAL DOMESTIC PREPAREDNESS GRANT

Mr. David Jolly, Director of Public Safety, requested authorization to apply for a grant from the Department of Justice that is offered to each locality through the Department of Emergency Management. These funds are to assist each locality with their efforts to better prepare for response to domestic terrorism. The grant would provide $36,101.05 and requires no local matching funds. The grant

funding is divided into four grant years, 1999, 2000, 2001, and 2002. The 1999 grant funding has to be obligated by March 23, 2003. He stated the remaining funds must be obligated by July 31, 2004.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Director of Public Safety, to apply for a grant from the Department of Justice through the Department of Emergency Management in the amount of $36,101.05. There are no local matching funds required for the grant.

IN RE: REQUEST TO REPAIR 1980 FORD PUMPER -- DINWIDDIE VOLUNTEER FIRE DEPARTMENT

Mr. David Jolly requested authorization to replace the windshield wiper motor on the 1980 Ford pumper which is located at the DVFD. The unit was sent to Colonial Ford due to the windshield wipers not working. It was determined that the air-operated motors had gone bad and needed to be replaced. Colonial Ford was unable to locate air-operated motors due to the age of the vehicle. They suggested converting the current wipers to electric motors. The parts are estimated to be around $2,100 plus the labor cost of $1,100 for a total of $3,200. The unit serves DVFD and is also used as a reserve unit for the other agencies. He stated although this is a costly repair, this is the least costly if we are going to continue to maintain a reserve unit.

Mr. Clay commented this is a 23-year old unit and he was not in agreement to spend $3,200 for a wiper motor. Mr. Bracey agreed and suggested that staff look for used parts at one of the junkyards. He said there are a lot of old school buses around and any mechanic could put the motor on the unit. Mr. Jolly stated he would see if a used part could be located.

The County Administrator thanked Mr. Jolly and EMS staff for all of their hard work over the weekend during the winter weather.

IN RE: AUTHORIZATION TO ADVERTISE AN ORDINANCE AMENDING CHAPTER 22 OF THE CODE OF DINWIDDIE COUNTY TO IMPOSE FEES TO COVER THE COSTS OF TECHNICAL REVIEWS OF LAND USE APPLICATIONS

The County Administrator requested authorization to advertise a public hearing for an ordinance to impose fees to cover the costs of technical reviews of land use applications. She pointed out that this amendment is similar to the requirements the County placed on telecommunication tower applications.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to advertise for a Public Hearing to amend the Code of the County of Dinwiddie, Virginia to impose fees to cover the costs associated with technical reviews of land use applications.

IN RE: ADOPTION OF CONDUCT FOR TIDEWATER QUARRIES WORKSHOPS

The County Administrator explained that this is not a public hearing; however, the two Chairmen have suggested that the public be allowed to ask questions of the Tidewater consultants on each of the studies presented. The County's consultant will be attending the workshops as well as the public hearing on the CUP and following it, will provide a written report on March 28 or as soon

thereafter as possible. That report should address, in addition to the information presented by Tidewater Quarries at the informational meetings, information brought out at the planning commission public hearing.

RECOMMENDATION FOR CONDUCT OF WORKSHOP

1. Both bodies will convene their individual meetings.
2. Presentation of technical material from consultants/experts representing Tidewater Quarries, Inc.
3. Questions/comments from Board of Supervisors and Planning Commission members
4. Questions/comments from citizens.
5. Each body respectively closes its meeting.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the conduct for the Tidewater Quarries workshops was adopted as presented.

IN RE: AUTHORIZATION TO ENTER INTO CONTRACT – BURGESS AND NIPLE FOR CONSULTATION SERVICES FOR THE QUARRY APPLICATION

The County Administrator stated the draft contract for he County's conditional use permit for the Tidewater Quarries application was enclosed in their packets. She asked the Board if they wanted to change the scope in any way. If so, we will ask the consultant for a revised cost estimate and amend the contract. Mr. Bowman stated he would like to have a review of the economic impact of the quarry on other businesses in the area. Mrs. Ralph commented we have until April 1, to add other studies if it is the desire of the Board. She requested authorization to enter into a contract with Burgess and Niple for the consultation services not to exceed $22,250. Attendance at meetings in addition to the four set forth in the contract would be at a fixed fee of $350 per meeting.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia approves the scope of work set forth in the specifications and authorizes Administration to enter into a contract with Burgess and Niple in an amount not to exceed $22,250.

IN RE: BOARD MEMBER COMMENTS

Mr. Bracey — He requested a copy of the Historic Preservation letter to the Board members Mrs. Barefoot referred to during the citizen comments period. He commented the poster situation Mr. Bratschi asked the Board to look into needed to be addressed by the School Board.

Mr. Moody — He commented he saw in the report from Robinson Farmer Cox that the IDA had loaned the Namozine Volunteer Fire Department $31,168 for the ladder truck and he thought the Board had taken care of that loan. The County Administrator stated the Board paid off the loan they had at the Bank of Southside. She commented Mr. Ronnie Erb with Namozine is here and he maybe he can give us the details. Mr. Erb stated the truck total cost was $254,000. He said the volunteers made a loan with the Bank of Southside for $200,000, and the Board paid approximately $196,000. The IDA loaned us $31,168 without interest to put the motor in the truck, which was scheduled to be paid September 10,

2002. The remaining funds were donated or raised by the volunteers.

Mr. Clay — He stated the consent agenda seems to be working very well.

Mr. Haraway — He stated the narrative letter from Dr. Wise was not what he requested. He pointed out all he needed was figures and he could do the math.

Mr. Bowman — He stated he had not changed his position on the preservation of the battlefields. He commented he would like to know if any of the other members changed their position.

CODE OF ETHICS DISCUSSION

Mr. Bracey stated he felt the Code of Ethics was something the Board needed. If you serve or have served on any boards/commissions most of them ask you to sign them. He said he had checked with other localities and they do have them.

Mr. Haraway asked if we are adopting this set or are these examples from other localities? The County Administrator stated they are examples but most are very similar.

Mr. Moody commented a workshop was held at one of the VACo meetings he attended and he felt it would be a good idea to have one for the Board.

IN RE: CLOSED SESSION

Mr. Bowman requested that the discussion of the conditional use permit be held in open session. The County Administrator stated it was on the agenda to be discussed either in open or closed session at the discretion of the Board. The County Attorney commented she felt comfortable with discussing it in open session but the decision was up to the Board members. No motion was made to hold the discussion in open session.

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

Acquisition of Property - §2.2-3711 A. 3 of the Code of Virginia

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

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

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Mr. Bowman, voting "Aye", the Board moved into the Closed Meeting at 3:26 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 5:07 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under §2.2-3711 A. 3 - Acquisition of Property; §2.2-3711 A. 1 – Personnel - Appointments; §2.2-3711 A. 7 - Conditional Use Permit

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

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

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

IN RE: AUTHORIZATION TO SUBMIT TOBACCO COMMISSION APPLICATION FOR PURCHASE & DEVELOPMENT OF INDUSTRIAL SITE

The County Administrator requested authorization to submit an application to the Tobacco Commission for the purchase and development of an industrial site.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes Administration to submit the application to the Tobacco Commission for the purchase and development of an industrial site.

IN RE: APPOINTMENTS – DINWIDDIE COUNTY INDUSTRIAL AUTHORITY

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Dr. Mark Moore and Mr. Oscar Edwards are hereby reappointed to the Dinwiddie County Industrial Authority for a term ending February 5, 2007.

IN RE: APPOINTMENT – CRATER DISTRICT HEALTH ADVISORY BOARD

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Dr. Charles Ashby is hereby appointed to serve on the Crater Health District Board for a term ending February 28, 2006.

IN RE: APPOINTMENTS – DINWIDDIE COUNTY AIRPORT AUTHORITY

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. William Morgan, Dinwiddie County Representative, and Mr. Michael Lee, City of Colonial Heights Representative, are hereby reappointed to the Dinwiddie County Airport Authority for a term ending January 31, 2007.

IN RE: COUNTY ADMINISTRATOR COMMENTS

The County Administrator asked the Board if they could come in at 3:00 P.M. on Tuesday, February 25th or Thursday, February 27th for a budget workshop? The Board agreed that the 25th at 3:00 P.M. was ok.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Virginia's Gateway Region – Agenda and February report.
2. Robinson, Farmer, Cox & Associates Auditors' Report - Dinwiddie County Industrial Authority
3. Appomattox Regional Library Report

IN RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 5:16 P.M. to be continued until 3:00 P.M. on Tuesday, February 25, 2003 for a budget work session in the Multi-purpose Room of the Pamplin Administration Building.

Robert Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM OF THE EASTSIDE ENHANCEMENT CENTER IN DINWIDDIE COUNTY, VIRGINIA, ON THE 19th DAY OF FEBRUARY, 2003, AT 5:30 P.M.

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

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Mr. Robert Bowman, IV, Chairman, called the continuation meeting to order at 6:30 P.M.

IN RE: TECHNICAL PRESENTATIONS BY CONSULTANTS TIDEWATER QUARRIES INC.

Mrs. Wendy Ralph, County Administrator, gave the order of conduct for the workshop. She stated that each consultant from Tidewater would present their topics as shown on the agendas provided in the rear of the room. She stated that after hearing the presentations, the Planning Commission would present any questions or comments to the consultants followed by questions and comments from the Board of Supervisors. Once their questions have been answered, the public will have an opportunity to ask questions. She asked that each citizen come forward and state their name and address for the record. In addition, Mrs. Ralph stated that this format would be followed for each topic.

She added that in order to facilitate this process and to insure that all questions are answered, forms will be provided at the rear to write down any questions. She asked that the forms be left so they can be distributed to the consultants and to the county consultant. Ms. Ralph stated that there was some change to the agenda. The changes are that presentation 2b will now become 2f and the remaining presentations will move up on the agenda.

At this time, Ms. Ralph turned the meeting over to Brennen Keene.

Mr. Keene, an attorney on behalf of Tidewater Quarries, Inc. addressed the Board and Commission, presenting each speaker before their presentations. The presentations were as follows:

A. **Hydro-Geological** – Presentation by Stephanie Powell, President of Chesapeake Environmental Management, Inc. Ms. Powell has a B.S. and earned her M.S. in Geology from Kent State University and has performed Doctoral work at the University of Virginia Environmental Sciences Department. She has 17 years of experience in the field and works in both the public and private sector. She has worked for the Environmental Protection Agency and private organizations like Tidewater on Mining and Industrial operations.

   Ms. Powell spoke concerning the impact the quarry would have on the wells and water table in the area and what impact it would have in conjunction with the Vulcan Quarry on Rt. 226. She concluded that there were homes in the area that have very shallow wells – 25 feet or less – and there could be an impact to those wells from the mining. She stated that the solution to that problem would be to drill modern, deep, bedrock wells in this area. In reference to the combined impact of Vulcan and Tidewater on the surrounding wells, she concluded that the draw down of the two mines was singular and there was no cumulative impact from the two mines. She further concluded that the mines would not have a significant impact on groundwater services to

wells in the area provided that the shallow wells are replaced with the more modern deep wells. She fielded questions from the Planning Commission, Board of Supervisors, and the following citizens in reference to her presentation:

1. Geri Barefoot – 7411 Frontage Road, Petersburg, VA 23803
2. Wendell Lifsey – 4321 Sunset Drive, Petersburg, VA 23803
3. Robert Belcher – 27516 Flank Road, Petersburg, VA 23803
4. Diane Parker – 10700 Chalkley Road, Richmond, VA 23237
5. Dale Marks – 23830 Frontage Court, Petersburg, VA 23803
6. F. P. Clay, Sr. – 18603 White Oak Road, Sutherland, VA 23885

B. Noise Assessment – Presentation by Mike Spinano, of Spinano Engineering. Mr. Spinano has a B. S. in Aeronautical Engineering from New York University. He has done graduate course work in acoustics and aerodynamics at New York University. He has done graduate courses in acoustics at the University of Pennsylvania. Mr. Spinano has 30 years of experience in noise and vibration engineering projects. He is extensively published and Board Certified in Noise Control Engineering.

Mr. Spinano reviewed the report he presented with the conditional use permit application for Tidewater Quarries, Inc. He discussed three key sound level descriptors in the course of his discussion. He discussed decibels in terms of maximum sound levels, average sound levels, and equivalent sound levels. He added that the purpose of his analysis was to determine whether the sound levels emanating from the quarry operation would be acceptable.

Mr. Spinano referenced the County Noise Ordinance, which limited noise but does not quantify what is considered unreasonable or unnecessary noise. He stated that he used a standard acceptable limit. Existing noise levels were measured at a Duncan Road location, a Dabney Mill Road location and a Frontage Road location.

Mr. Spinano concluded after much discussion that the noise levels emanating from the quarry would be acceptable noise levels. He fielded questions from the Planning Commissioners and Board of Supervisors and the following citizens in reference to his presentation:

1. Geri Barefoot – 7411 Frontage Road, Petersburg
2. Tom Morgan - 9004 Duncan Road, Petersburg
3. Elizabeth Samsky – 20110 Shippings Road, DeWitt
4. Mark J. Huber – 6027 Bonneau Road, Richmond
5. Dianne Parker – 10700 Chalkley Road, Richmond
6. Robert Belcher - 27516 Flank Road, Petersburg
7. Barbara M. Wilson – 8804 Duncan Road, Petersburg
8. Charles Roberson - 7101 Frontage Road, Petersburg
9. Forrest Clay – 18603 White Oak Road, Sutherland
10. Kerry Giannotti – 19613 Trench Drive, Sutherland

Mr. Bowman asked Mr. Keene to introduce the next speaker.

C. Wetlands and Endangered Species – Presented by Thaddeus Loucks of the Timmons Group. Mr. Loucks has a B.S. in Biology from Juniata College and a M. S. in Environmental Science from Long Island University. He has eight years experience in wetland delineation and is a certified professional wetland scientist. He stated that wetland delineation has been done on the property and has been approved by the Corp of Engineers. He also stated that he researched the database provided by the Department of Games and Inland Fisheries and the preliminary findings are that there are no endangered species

on the property. Mr. Loucks stated that there were two tributaries along eastern and western boundaries of the property, Hatchers Run and Rocky Branch. He said any wetland impacted by the project would be mitigated on or off site according to DEQ requirements. Mr. Loucks fielded questions from the Planning Commissioners and Board of Supervisors and the following citizen in reference to his presentation:

1. Geri Barefoot – 7411 Frontage Road, Petersburg, Va

Mr. Keene introduced the next speaker.

D. Master Plan – Presented by Andrew Gould of Timmons Group. Mr. Gould has a B.S. in Civil Engineering from Notre Dame University and a M. S. in Civil Engineering from Virginia Polytechnic Institute and has 9 years experience in environmental services with a particular experience in wetlands, water quality and site design. Mr. Gould stated that in developing the master plan for the site, he first identified the constraints of the site and then determined how the facilities required would best fit into the constraints. He said the property lines were set into the property one hundred feet to provide a buffer to surrounding properties. He said they also looked at the wetland information as a constraint. In addition, the noise berms were shown as constraints. He said before arranging the facilities on the site he considered historical resources. The historical resource that was of special concern was an artillery placement at the southern end of the site. He said because of it an additional buffer has been added and the noise berms have been moved. He also looked at the treatment of the storm water from the property. He said DMME has regulations for the control of storm water for mining sites. DEQ also requires this project to obtain a Virginia Pollution Discharge Elimination Systems Permit. Mr. Gould fielded questions from the Planning Commissioners and Board of Supervisors and the following citizens in reference to his presentation:

1. Geri Barefoot – 7411 Frontage Road, Petersburg, Va
2. Diane Parker – 10700 Chalkley Road, Richmond, Va
3. Robert Belcher – 27516 Flank Road, Petersburg, VA
4. Shelley W. Shipp – 7801 Squirrel Level Road, Petersburg, Va
5. George Whitman – 13010 Old Stage Road, Petersburg, VA

E. Lighting Guidelines - Presented by David Hartman, P.E., of Whitescarver, Hurd & Obenchain. Mr. Hartman has a B.S. in Electrical Engineering from VPI and 10 years experience in electrical engineering, including lighting design. He stated that they expected to apply a typical quarry lighting design to this site. He said that they contacted the County and discovered that they did not have specific lighting guideline ordinances to follow. He said they would be using a maximum 30-foot pole with a maximum ½ foot-candle of light at the property lines. He also said a flat lens with a 400 watt lamp would be used. He concluded that the quarry would be well lit. Mr. Hartman fielded questions from the Planning Commissioners and Board of Supervisors and the following citizen in reference to his presentation:

1. Mrs. Geri Barefoot – 7411 Frontage Road, Petersburg

The public was reminded that anyone who wanted to submit questions in writing could do so by filling out one of the forms at the back of the room.

IN RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 11:14 P.M. to be continued until 5:30 P.M. on Tuesday, February 26, 2003 for Technical presentations by the consultants for Tidewater Quarries, Inc. to be held in Auditorium at the Dinwiddie County Elementary School.

Robert L. Bowman, IV

Robert Bowman, IV, Chairman

Wendy Weber Ralph

Wendy Weber Ralph
County Administrator

/abr

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 25th DAY OF FEBRUARY, 2003, AT 3:00 P.M.

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

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Mr. Robert Bowman, IV, Chairman, called the continuation meeting to order at 3:06 P.M.

IN RE: EMS RECOMMENDATIONS/CIP ITEMS

Mr. David Jolly, Public Safety Director, stated he ran the number of calls again and the northern end of the County has the largest EMS call load. Predominantly most of the calls are run along the I-85/Route 460 corridor area. With that being the case, he recommended placing the 2nd EMS unit at Namozine Station with one caveat that initially the new EMS employees be stationed at the Dinwiddie EMS for a period of time for two basic reasons. First of all, for precept and training before turning them loose in our system; and secondly, the Namozine Station currently only has the ability to sleep 4-people in code approved areas of the building. A couple of years ago, they elected at the Station to start sleeping folks and they got to the point that they were sleeping more than 4 so they added some beds to the second floor of the building. The second floor area does not meet code requirements to have a dormitory or sleeping area in the building. A request was put in the CIP for $164,000 for an addition to the left-hand side of the Namozine Station to handle 12 additional folks. The addition would be approximately 30' X 65' which would house the bunking facilities and bathrooms that are needed to facilitate the volunteers and paid staff.

Staff also evaluated the Ford VFD. They have asked for an addition for some of the same reasons and to include storage and classroom space. Mr. Jolly commented his concern with using Ford at this time is that the majority of the call load is to the East of them. Even though Ford is closer to Route 460. Namozine is a lot closer for getting to the Route 1/I-85 corridor to transfer North and South should the Dinwiddie Unit be tied up on a call. Typically, coming from Ford they could use Courthouse Road for East - West access; however, during bad weather VDOT does not always get it cleared. VDOT does an excellent job in clearing Route 460 and I-85 and that was a determining factor. He recommended moving forward with the addition at the Namozine Station and placing the second 24-hour unit at that facility. Namozine did request that unit to assist them in their staffing concerns and getting their volunteers trained as well.

There was a considerable amount of discussion regarding the percentage of calls, where the majority of calls are made, full time and part-time EMS personnel, locating another station at the airport, and the cost of relocating Namozine.

The County Administrator stated, if what I am hearing is correct, you are saying, if the population continues to grow at the present rate in the County it is probable that there will be a need for another fire station at some point. She asked Mr. Jolly if the airport was the location he was referring to. He replied yes. But it would not replace Namozine.

The County Administrator requested authorization to place the 2nd unit at Namozine and to move forward with the development of the plans for the addition.

Mr. Bracey asked if the project was in the CIP for the present year. Mr. Jolly responded yes.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Public Safety Director is authorized to place the 2nd unit at Namozine and to move forward with the development of the plans for the addition at the Namozine Volunteer Fire Station.

Mr. Bracey commented we need to know well in advance what architectural firm we are going use. It should be a local firm so there won't be any travel expenses. The County needs to be careful not to include any frills for this project.

IN RE: AUTHORIZATION TO PURCHASE VEHICLE EXTRICATION EQUIPMENT – MCKENNEY VFD

Mr. David Jolly stated there was some vehicle extrication equipment included in the CIP for the McKenney Fire Department. The new unit, which has been put into service, was designed around that equipment but the project has not been bid yet. The cost should be around $16,000. He requested authorization to advertise for bids and bring them back to the Board for approval.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administration is authorized to advertise for bids for the extrication equipment for the McKenney Volunteer Fire Department Unit.

IN RE: REQUEST TO PURCHASE TURN-OUT GEAR

Mr. David Jolly stated the last item he had was the structural firefighting gear that all of the volunteers use. At the fire/rescue level probably 18-months ago the members elected to come together and design a countywide specification, not an individual department specification, in an effort to be able to bid the project out and to get standardization across the system so the departments can change the gear back and forth between stations and also have a replacement schedule for that gear. In this current year CIP there is $35,000 for this gear. The specifications for the gear have been put together for the County Attorney's review. He requested authorization to forward the bid to the attorney and advertise for bids. He commented this is a five-year program with funding for this year being in the present CIP and all future years going back through the review process as all CIP projects do. We are going to write the contract for a 5-year period as opposed to a 1-year contract. If the funding is available we should be able to continue to purchase off the contract whether it is from the CIP or by the volunteer agencies.

Mr. Haraway asked if Mr. Jolly was talking about $35,000 a year for 5 years? Mr. Jolly replied yes. For every volunteer in our system, roughly around 200, the County has an investment of $1,200 in turnout gear per person.

Mr. Haraway questioned why we are doing this? Mr. Jolly explained under the present system each volunteer is outfitted per his or her individual company's requirements. If that volunteer has a large body frame and the next volunteer comes aboard and he has a small body frame then a new outfit has to be

purchased for him. What we are proposing is to have turnout gear that can be interchanged from one station to another countywide. All the gear today has the company names on the back of the gear and we can't transfer between stations. If we are allowed to proceed with standardized gear it can be transferred between stations because we will have snap on flaps for the company names and the lifecycle is typically 5 to 7 years.

Mr. Haraway stated somewhere down the road we are going to have to stop purchasing everything that comes along. He said he felt we should hold off on the request. The County Administrator asked Mr. Jolly if there was an immediate need for the gear. He replied there are 26 or 27 sets that need to be replaced. Ten sets of gear at Old Hickory are outdated and scheduled for replacement this year. Somebody is going to have to replace worn out gear this year whether it is a CIP project or something they have to fund individually. Mrs. Ralph commented you have volunteers out there that are not properly outfitted. Mr. Jolly replied some of them aren't but the volunteers don't need all 27 sets this year, but at least 10 sets will need to be replaced. The County Administrator stated if the County could get a contract over a 5-year period the gear can be replaced as needed rather than replacing all of the gear at one time.

Mr. Bowman questioned whether the money is already in the budget or if it will be coming in from the State. The County Administrator replied neither, it is in the CIP not the budget and it will not be coming from the State. The money is already available. Mr. Jolly expressed his concern regarding not being able to get bids out for the contact. He stated he was not asking to spend the money today he just wanted to get the bidding process over.

Mr. Bracey commented he hoped the County is expanding or preparing to expand for the new employees for the fire department. He would hate to wait until the last minute and not have the people we need to do the job.

Mr. Moody stated every year the County spends more and more money on Public Safety. He said he wondered if we will ever catch up. He stated he wanted to do what is right but it is hard to do.

It was the concurrence of the Board that we should wait until the budget process is further along before making a decision on this project.

The County Administrator informed the Board that the resolution that sets out the response time and service areas for the County under the new EMS regulations is on target for adoption at the March 4th meeting.

IN RE: UPDATE ON STATE BUDGET CUTS

The County Administrator commented the General Assembly has finished the budget. We will have to get some final numbers but it appears that the County has faired a lot better than other localities.

The constitutional officers, commissioner of revenue, treasurer, and the circuit court clerks, budgets were cut 11%. The commonwealth's attorney came out with a 7% cut this year and a 5% cut next year. The sheriff did not get cut directly for law enforcement personnel but the jail reimbursement will be cut 5% this year and next year. With State mandates for the jail, the sheriff will probably have to cut a vehicle out of his budget.

The salary issues the Assembly has offered up is a 2.25% increase for state employees, state reported employees, and teachers effective January 1, 2004 and is contingent on an improved economy. She stated the School Board would have to budget for the raises and if it didn't go through then they would have to take them out or find the money somewhere in their budget. As you know, the state only funds the salaries of teachers it deems necessary to meet

the Standards of Quality. At this point we do not have a budget from the school board, so we can't tell what kind of an effect it will have on the County.

IN RE: AUTHORIZATION TO INCREASE SECURITY WORK FEES FOR DEPUTIES

The County Administrator stated there are some fees we assess for county deputies who do security work in the County. The County presently charges $26 per hour, which is not covering the expenses of overtime rates for the deputies. Staff is proposing that the rate be increased to $30 per hour.

Mrs. Glenice Townsend, Chief, Director of Administrative and Community Services, explained that she compiled the salaries of all the deputies involved in the security work and divided it by the number of personnel and came up with an average of $27.12 per hour. She then added the cost of the use of the vehicles and uniforms and $30 would cover the County's expenses.

Mr. Bowman asked if there is a requirement in the County ordinance mandating that the security officers have to be county deputies? Mrs. Ralph stated the ordinance states the sheriff's department must approve the number of security officers but she didn't think it specified that they have to be county deputies. Mr. Haraway commented that the special entertainment permit should be changed to reflect that persons may hire their own outside security personnel for these events. People are being taken advantage of and it should be changed.

Mrs. Ralph stated the County has to pay the deputies when they work and requested authorization to increase the fee to $30 per hour when they do security work.

Upon Motion of Mr. Moody, Seconded by Mr. Bracey, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the Board approved the increased fee to $30 per hour for county deputies used for off-duty security.

The Board instructed Staff to change the special entertainment permits to reflect that security personnel can be used instead of county deputies for special events.

The County Administrator commented that the Animal Control Officer had some proposed fees for their department also. She will be at the next meeting to go over those with the Board.

IN RE: DISCUSSION OF BUDGET ISSUES

The County Administrator proposed a 2.5% cost of living pay increase for the county employees in the 2003-04 budget if we have the money.

If the economic picture improves State supported employees should receive a 2.25% pay increase in January. But it is possible they won't get anything. Before we knew that was going to happen, Mrs. Townsend worked up a proposal to provide the state supported employees who are in the offices of the constitutional officer's a onetime bonus. The recommendation that we have for them is a onetime bonus that is not part of the salary structure.

Mrs. Townsend told the Board that some of the constitutional officers have approached Staff to see if they can place their employees under the County's personnel policy. The Treasurer will go over this request with the Board. Mrs. Townsend explained the process she used to come up with the bonus of $350 per state supported employee including the Sheriff's department which would cost the County approximately $23,800. They would still get the 2.25% increase from the State in January also. Mrs. Townsend stated she wanted to know how the Board felt about the proposal. She stated her concern was that these people

are saying the County employees are getting raises and they aren't getting anything. She said that they really are County employees and the State only reimburses us.

Mr. Bracey and Mr. Clay expressed their concerns about raises given to State supported staff by the State and the County employees not receiving one. Several years ago the State gave a large increase and the County employees didn't get anywhere near the one they received.

Mr. Haraway asked Mrs. Townsend over the past 10 years would the raises the state supported employees got be greater or less than what County employees have received. Mrs. Townsend replied she thought it would be pretty much the same considering the increase the Board gave it's employees last year. Mr. Haraway stated you couldn't look at it over a 2 or 3 year basis; it needs to be looked at over a longer period of time. If they were receiving less than our employees and we aren't looking at a large sum of money and it keeps morale up he would not be opposed to the bonus. The County Administrator reminded the Board that the 2.25% from the State is based on the revenue projection. They may end up not getting anything again.

Mrs. Townsend requested authorization to go through the process to see what the projections might be for the budget.

Mr. Moody stated he was not in favor of picking up any state mandates but he felt Administration should look at this. The County Administrator stated the Constitutional Officers do want the opportunity to present this information to the Board.

Mr. Haraway commented it is unusual for Administrative Staff to bring an issue before the Board if they don't feel there is a potential problem. If the employees continue not to be compensated for the work they are doing they might leave and the County would lose some good people. Mr. Haraway stated the Board should to take a look at this. He said he felt everyone deserved the 2½% increase in his or her salary.

HEALTH INSURANCE INCREASE

The Chief, Director of Administrative and Community Services stated there is a 14% increase in the cost of health insurance this year and we will have only 2 Anthem plans to offer to employees. The County is required by Local Choice to pay 80% of the employee's premium and 20% of the dependant's premium, which will cost the County $69,372 for 109 participants. The cost for a family is now $867 a year for health insurance. The County's portion is $257 per employee and $321 for spouse/child. She commented the thought process is that the raise will help the employees with their increased health insurance costs.

BOARD OF SUPERVISORS SALARY INCREASE

The County Administrator informed the Board that July 1, 2003 is the deadline for them to do anything about an increase in their salaries. During an election year for the Board there is no limit on the amount you may increase your salary. If you choose to increase it any other year it must be done by an Ordinance and you are required to have a public hearing. The effective date is January 1, 2004.

Mr. Bowman requested that Staff check to see what the other localities pay their supervisors. Mr. Haraway asked Mrs. Townsend to do an analysis to see what it would be if they got the same increase the employees got over the past 4 years.

POSITION - GRANT WRITER

The County Administrator stated it becomes more and more apparent that the County needs a grant writer. The County is losing out on grants as we speak; but it is a situation where you have to have someone to administer the grant as well as get them. She distributed copies of a job description for the grant writer. There will need to be a base salary for the position. She asked the Board to allow Administration to work this position into the budget to start the process. The Board concurred.

VOLUNTEERS TO MAN HISTORIC COURTHOUSE

The County Administrator requested authorization to allow volunteers from the Dinwiddie Historical Society to open the Historic Courthouse for the public. She told the Board that this appears to be the only way we could get someone in there to keep the building open without paying for personnel. Continuing she said she told Mrs. Betty Bowen she would let her know something today. They may want to hook up a telephone but it shouldn't be much more than that. The Board agreed to allow the Historical Society to solicit volunteers to set up in the Courthouse.

REQUEST FOR A LETTER OF SUPPORT FOR PAMPLIN PARK

The Assistant County Administrator stated Mr. Bowman and Mrs. Ralph were asked to write a letter of recommendation for Pamplin Park and before we did anything we wanted to make sure it was okay with the Board. Pamplin Park is being considered for two awards. They are from the American Association for State and Local History, which is an annual award program, and the National Trust for Historic Preservation, for preservation of battlefields, for historic sites and education. He asked the Board if they had any problem with Administration writing the letters of recommendation. The Board members had no objections.

DATES TO MEET FOR BUDGET DISCUSSIONS

The County Administrator asked the Board if they would be willing to come in at 3:00 P.M. on Tuesday March 4, 2003 to meet with the Constitutional Officers to go over their budgets and continue to work on the FY 2003-04 budget. The Board agreed.

IN RE: CLOSED SESSION

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

Prospective Industry - §2.2-3711 A. 5 of the Code of Virginia

Mr. Moody seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 4:41 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 5:25 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under §2.2-3711 A. 5 - Prospective Industry;

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

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

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

IN RE: RECESS

The Board recessed for dinner at 5:26 P.M. The meeting was moved to the Dinwiddie Elementary School for the second workshop for the technical presentations by consultants for Tidewater Quarries, Inc.

IN RE: BOARD OF SUPERVISORS/PLANNING COMMISSION JOINT MEETING FOR THE TECHNICAL PRESENTATIONS BY CONSULTANTS – TIDEWATER QUARRIES, INC.

Mr. Dean McCray, Chairman, Dinwiddie County Planning Commission, called the Planning Commission meeting to order at 6:41 P.M.

Mr. Robert Bowman, IV, Chairman, reconvened the Board of Supervisors meeting at 6:42 P.M.

Mrs. Wendy Weber Ralph, County Administrator, welcomed everyone to the second workshop to be held on the conditional use permit application for Tidewater Quarries, Inc. This is a joint meeting between the Board of supervisors and the Planning Commission to hear the presentation of several studies prepared by Tidewater's consultants who are here tonight. Each topic will be presented and will be followed by questions from the Planning Commissioners, questions from the Board of Supervisors, and questions from the public. This format will be followed for each topic presented. The applicant has the opportunity to answer a question tonight or respond at the public hearing. But we will ask that all questions be answered.

As shown on the agenda, the public will have an opportunity to ask questions on each topic following the Planning Commission and Board of Supervisors. She stated when you come to the podium; identify yourself by stating your name and address. To help facilitate this process and insure that we have all your names and addresses, we would ask that you sign in at our front table after you speak. If you would like to, we also have forms available to write down your questions under the particular topic you are addressing and leave the form with us when you leave tonight.

We have several studies to cover tonight and we want to make sure that everyone has an opportunity to speak. We ask, therefore, that you respect the right of everyone present and help us facilitate this meeting. We are paying for the meeting to be professionally recorded and it is very important that you limit your comments and remarks to the time when you have the floor to speak.

Economic Impact Presentation

Mr. Roy L. Pearson, School of Business, College of William and Mary, presented the Economic Impacts of the proposed Quarry on the County.

Dinwiddie County

Economic Impacts of a Proposed Quarry, Concrete Plant, and Asphalt Plant

Roy L. Pearson
School of Business
College of William and Mary
February 25, 2003

roy.pearson@business.wm.edu

Indirect: Sales, payroll, and profits paid by Diamondback Wildlife Consultants to its subcontractors

Induced: Local spending by employees of Diamondback Wildlife Consultants and its subcontractors

Induced: Local spending by employees of businesses off the Refuge that benefit from visitor spending

Time frames and units

- The quarry will not be at full operation until 5 years after startup
  - The impact that counts: 5 years and beyond
- The concrete plant will not be at full operation until 6 years after quarry startup
- The asphalt plant will not be at full operation until 6 years after quarry startup
- All impact $ amounts are at 2001 price levels

Quarry Year 5 Impacts

	Direct (Col. 1)	Indirect (Col. 2)	Induced (Col. 3)	Total (Col. 4)	Ratio, Total/ Direct (Col.5)
Sales	$10,080,000	$1,809,760	$1,496,172	$13,385,932	1.33
Wages & Salaries	$1,716,000	$770,147	$610,998	$3,097,145	1.80
Jobs	47	22	23	92	1.98
County Sales per Direct Job					$287,018

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Concrete plant 6th year impacts

Concrete Plant Year 6 Impacts					
	Direct (Col. 1)	Indirect (Col. 2)	Induced (Col. 3)	Total (Col. 4)	Ratio, Total/ Direct (Col.5)
Sales	$2,340,000	$626,899	$478,557	$3,445,456	1.47
Wages & Salaries	$406,757	$159,659	$106,218	$672,633	1.65
Jobs	12	5.2	4.2	21.4	1.78
County Sales per Direct Job					$287,121

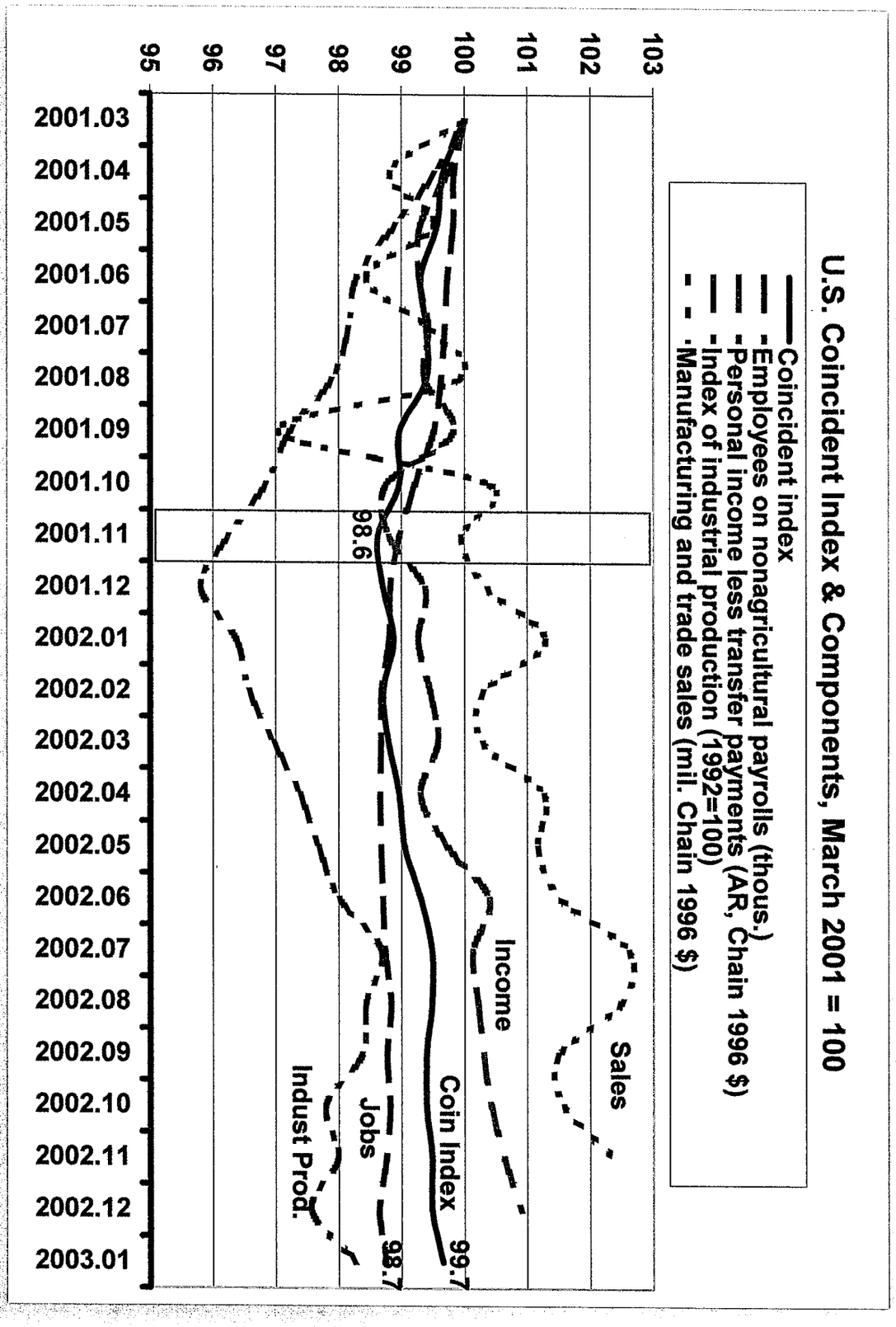
Asphalt Plant Year 6 Impacts

	Direct (Col. 1)	Indirect (Col. 2)	Induced (Col. 3)	Total (Col. 4)	Ratio, Total/ Direct (Col.5)
Sales	$1,645,000	$360,544	$217,590	$2,223,134	1.35
Wages & Salaries	$75,490	$54,374	$25,434	$155,298	2.06
Jobs	2	1.7	1	4.7	2.33
County Sales per Direct Job					$1,111,567

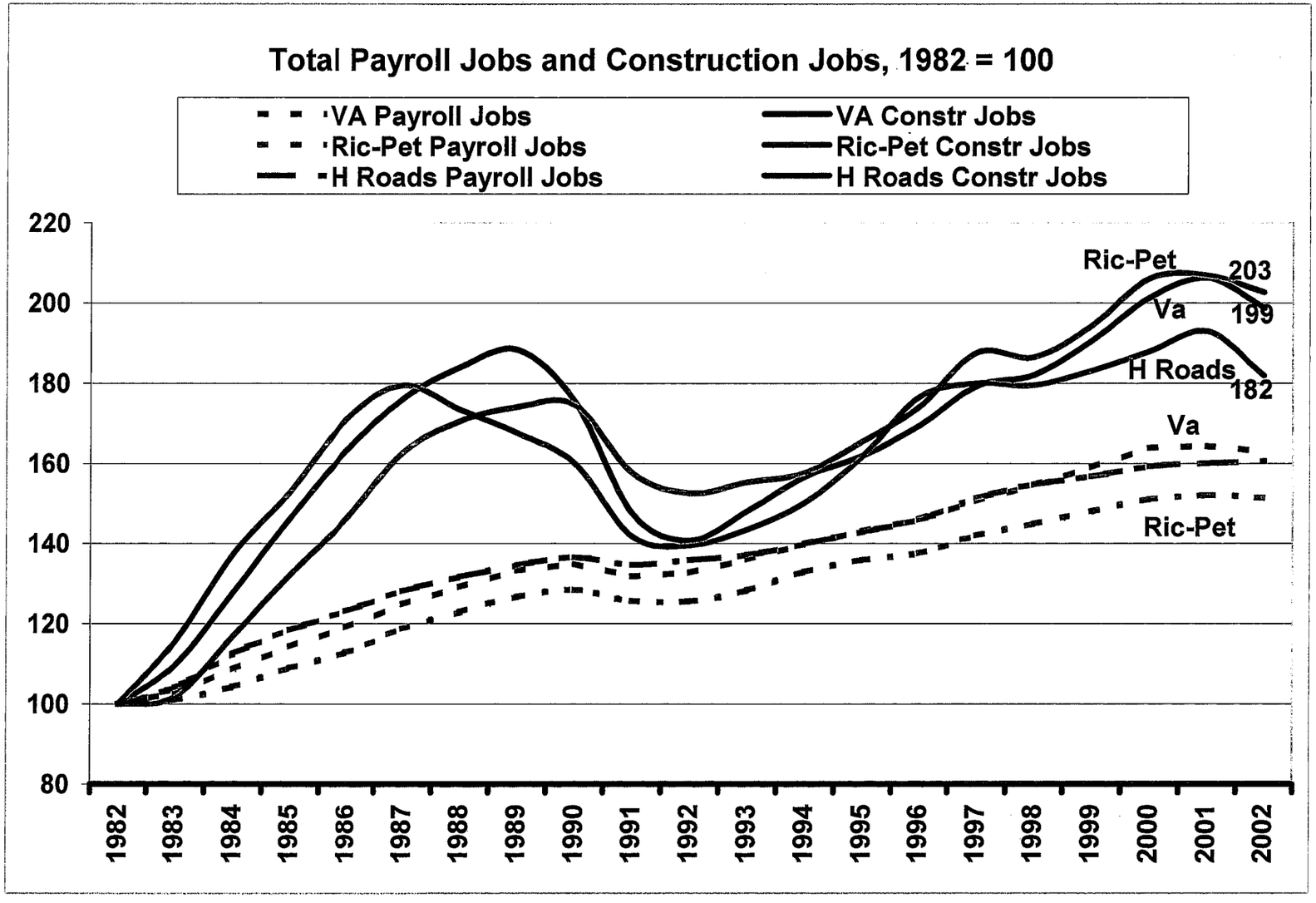
BOOK 16 PAGE 59 bb FEBRUARY 25, 2003

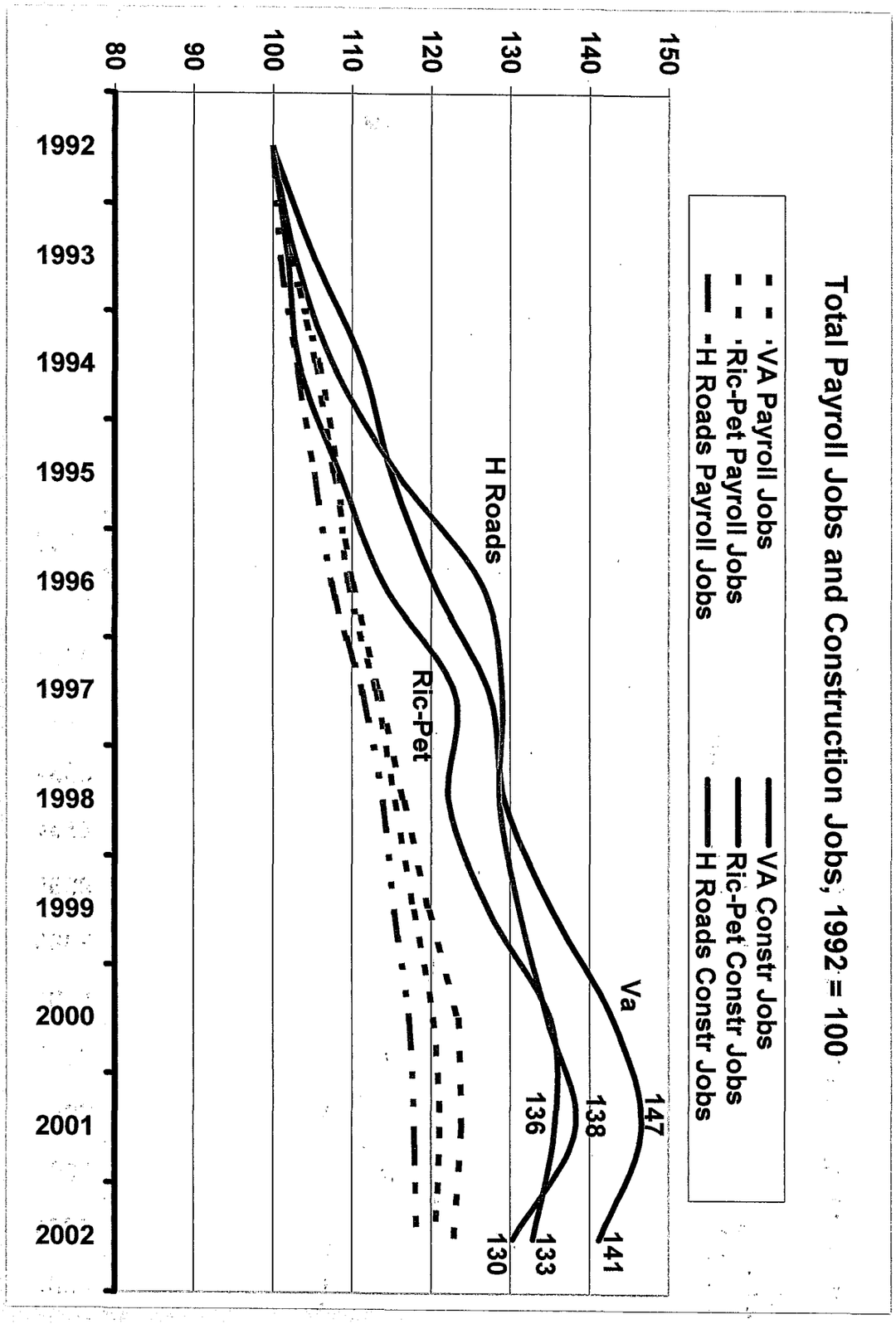
County value added

- The quarry operation uses natural resources of the County, supported by other local businesses, generating employment for local residents.
  - Means County impacts above average for businesses locating in a county of this size.
- The concrete and asphalt plants are capital-intensive manufacturing operations using the quarry stone as an input in producing higher-value products.
- These plants build on the quarry base, pulling quarry customer sales, payroll, and jobs inside Dinwiddie County.

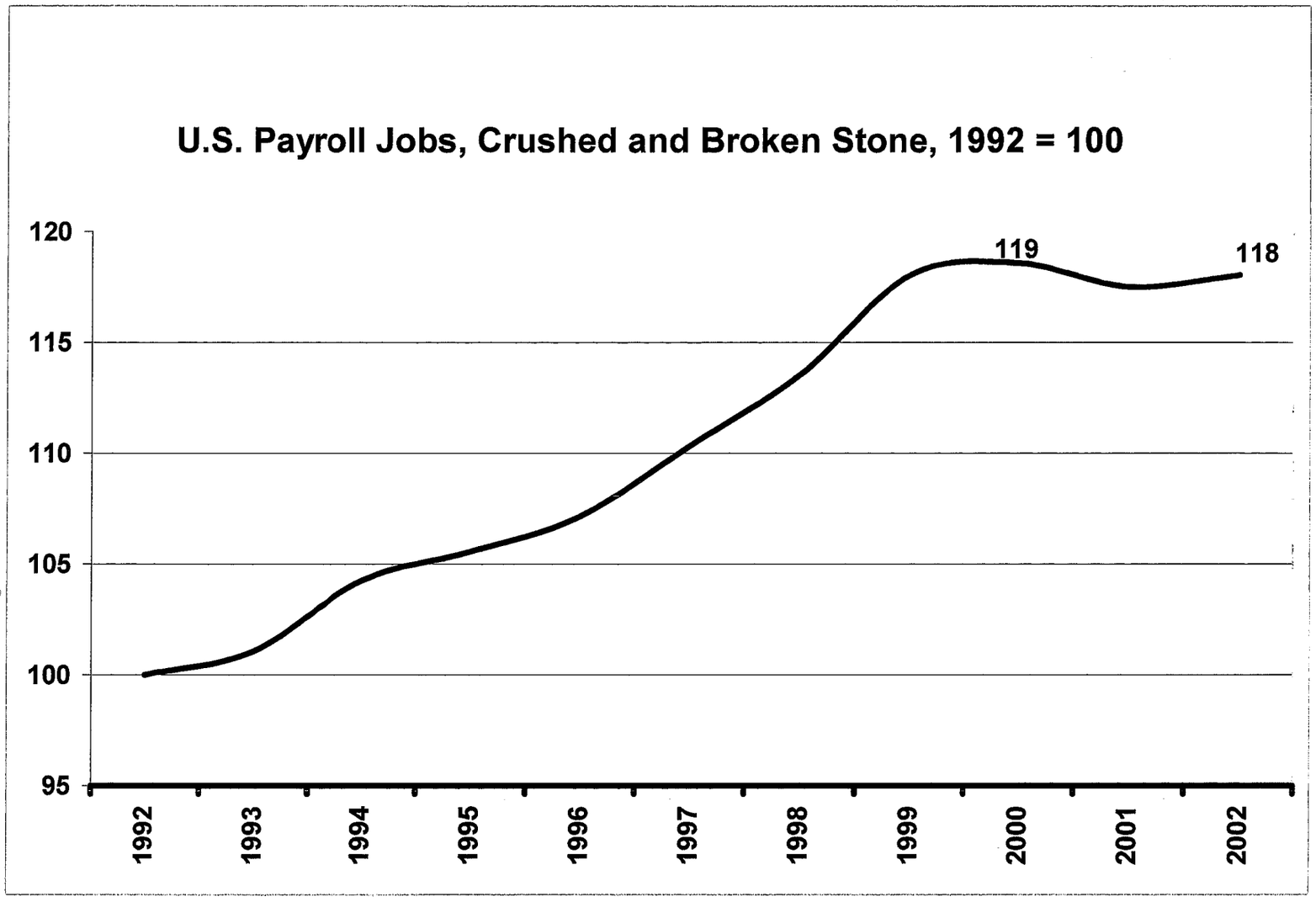

U.S. Coincident Index & Components, March 2001 = 100
Coincident index
Employees on nonagricultural payrolls (thous.)
Personal income less transfer payments (AR, Chain 1996 $)
Index of industrial production (1992=100)
Manufacturing and trade sales (mil. Chain 1996 $)
95
96
97
98
99
100
101
102
103
2001.03
2001.04
2001.05
2001.06
2001.07
2001.08
2001.09
2001.10
2001.11
2001.12
2002.01
2002.02
2002.03
2002.04
2002.05
2002.06
2002.07
2002.08
2002.09
2002.10
2002.11
2002.12
2003.01
98.6
Sales
Income
Coin Index
99.7
Jobs
98.7
Indust Prod.

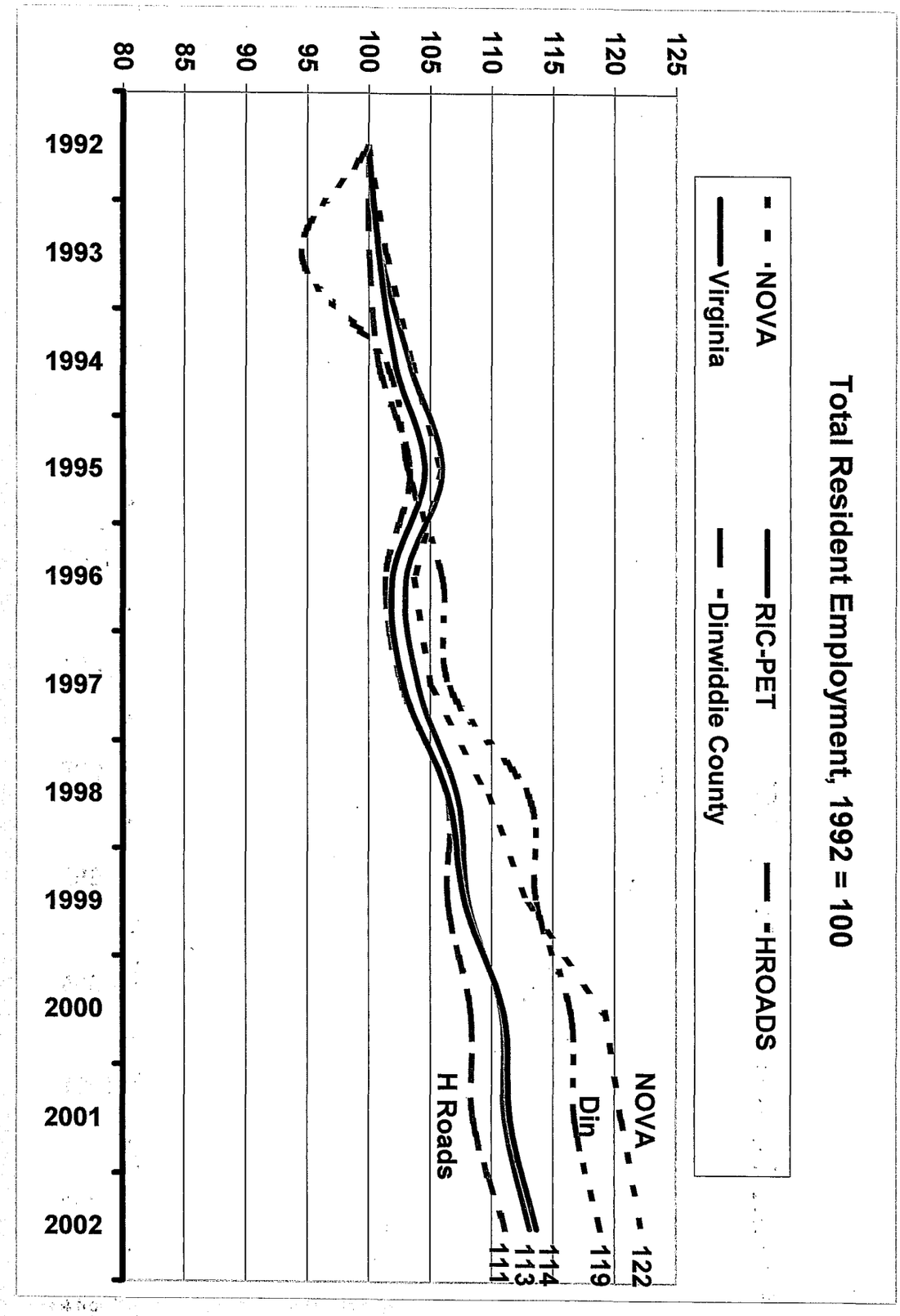
Area's construction jobs still twice 1982



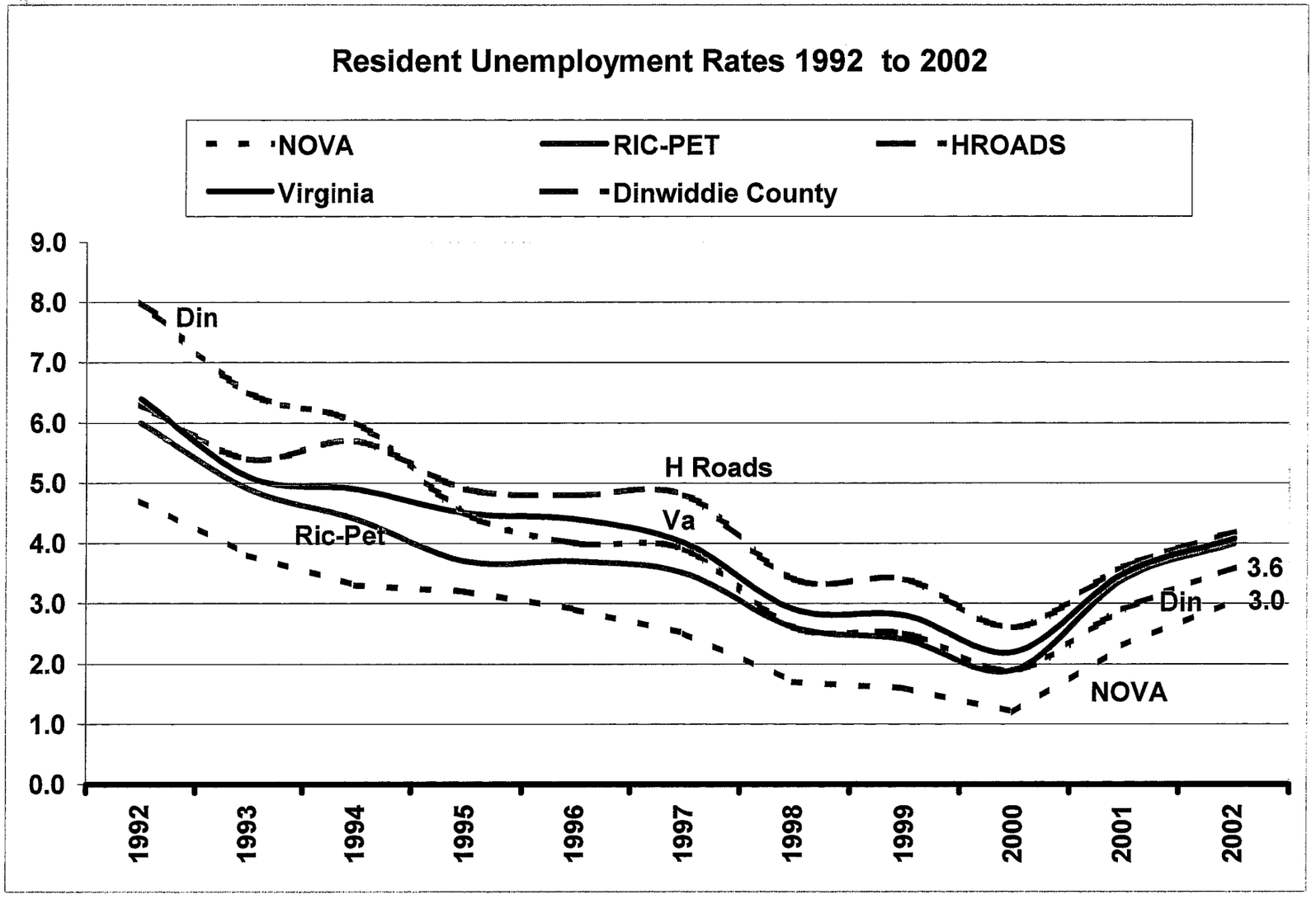

Total Payroll Jobs and Construction Jobs, 1992 = 100
VA Payroll Jobs
Ric-Pet Payroll Jobs
H Roads Payroll Jobs
VA Constr Jobs
Ric-Pet Constr Jobs
H Roads Constr Jobs
80
90
100
110
120
130
140
150
1992
1993
1994
1995
1996
1997
1998
1999
2000
2001
2002
H Roads
Ric-Pet
Va
147
138
136
141
133
130

U.S. quarry jobs still 18% above '92




Total Resident Employment, 1992 = 100
NOVA
RIC-PET
HROADS
Virginia
Dinwiddie County
80
85
90
95
100
105
110
115
120
125
1992
1993
1994
1995
1996
1997
1998
1999
2000
2001
2002
NOVA
Din
H Roads
122
119
114
113
111

Dinwiddie 2002 unemployment: 3.6%



His presentation was followed by questions from the Planning Commissioners and Board of Supervisors.

IN RE: RESTRICTION OF QUESTIONS & COMMENTS TO A 3-MINUTE TIME LIMIT

Upon Motion of Mr. Titmus, Seconded by Mr. Lee, Mr. Titmus, Mrs. Stewart, Mr. Lee, Mr. Perkinson, Mr. Moody, Mr. McCray, voting "Aye", a 3-minute time limit was placed on persons wishing to ask questions or make comments to the Consultants, the Planning Commissioners and the Board of Supervisors.

IN RE: RECESS

Mr. Dean McCray called a recess at 8:03 P.M. The meeting reconvened at 8:13 P.M.

Archaeological Assessment Presentation

Mr. Brad McDonald, Staff Archaeologist and Research, Cultural Resources, Inc., presented the Archaeological Assessment of the property for the proposed quarry. He commented the goal of this project was to provide information on the historic background and current condition of the project area, as well as to assess the potential for the presence of archaeological resources and to identify any potentially significant archaeological resources within the project area.

"Background research and field reconnaissance of the 341-acre proposed Greenfield Quarry Facility indicates that approximately 33% of the property has low potential for the presence of archaeological sites, 31% has high potential, and approximately 27% has moderate potential. The remaining 9% of the project area consists of 27 acres of disturbed ground and 3.0 acres of earthworks.

Small prehistoric campsites may be present, probably related to the Archaic, as well as larger and more extensive sites dating to the eighteenth and nineteenth centuries. Evidence of Civil War activity, in the form of a major Confederate earthwork, is already documented on the property. Documentary sources indicate that no direct combat took place on the project area. During the Battle of Armstrong's Mill/Hatcher's Run, Confederate forces outside the project area, south of Clements farmstead. The likelihood for finding artifacts on the property associated with Civil War activity is extremely low, given the marginal role the earthworks played in several of the conflicts in the area, and the popularity of hunting for Civil War activity have been picked over by relic hunters, and there is no reason to believe that the project area escaped such activity."

Mr. McDonald's presentation was followed by questions from the Planning Commissioners and Board of Supervisors.

Transport and Traffic Analysis Presentation

Mr. Chris Kiefer, Assistant Department Manager and Transportation Redesign, graduate of Notre Dame University, J.K. Timmons Group, presented the Transport and Traffic Analysis for the proposed quarry site.

"The following steps were taken to determine the transportation impacts associated with the operations of the proposed quarry and processing plant:

Data Collection – Background average daily traffic (ADT) data was obtained from the Virginia Department of Transportation's (VDOT) Petersburg

Residency. In addition, AM and PM peak directional turning movement counts were collected on May 23, 2001 at the following intersections:

Route 1 and Frontage Road
Route 1 and Route 460

Traffic Generation and Distribution – Peak hour traffic generated by the proposed site was based on data from Tidewater Quarries' Springfield/Glen Allen plant. Daily ticket journals produced during the operation's peak months were used to calculate hourly truck volumes over the course of a typical workday. The traffic generated by the proposed site was then distributed onto the surrounding roadway network using existing traffic movements and input from Tidewater Quarry's operations department.

The number of truckloads averaged 370 per day;

There was no real peak hour for truck traffic; the numbers were relatively consistent, generally averaging 9 to 11% per hour throughout the workday; and

The quarry's highest AM hour for truck traffic is 10:00 A.M. to 11:00 A.M. the highest PM hour for truck traffic is 1:00 P.M. to 2:00 P.M. These hours do not correspond with the peak hours for traffic along Route 1 – 7:15 A.M. to 8:15 A.M. and 5:00 P.M. to 6:00 P.M.

In addition to truck traffic, the quarry is expected to employ 15-20 persons. These employees are expected to arrive time between 6:00 A.M. and 7:00 A.M. The morning arrivals will occur prior to the morning peak hour of adjacent street traffic (7:15 – 8:15 A.M.) and should not impact that traffic. The evening departures will coincide with the evening peak hour (5:00 – 6:00 P.M.) and have been included in the analysis.

The estimated trip generation for the proposed facility is anticipated to be as follows:

	2002				2010			
	AM PEAK HOUR		PM PEAK HOUR		AM PEAK HOUR		PM PEAK HOUR	
	IN	OUT	IN	OUT	IN	OUT	IN	OUT
Shipping (Trucks)*	7	7	0	3	31	31	0	14
Employees**	0	0	0	15	0	0	0	20
Total Site Traffic	7	7	0	18	31	31	0	34

** Only trucks exiting the site will impact the PM peak. This number is 50% of the total that entered the site between 4:00 pm and 5:00 pm.*

*** Employees arrive prior to AM Peak and exit the site during the PM peak*

Traffic Capacity Analysis – Level of service calculation were performed at the intersection of Route 1 and Frontage Road. These calculations were made using Highway Capacity Software (HCS) 2000, a computer program based on techniques outlined in the *2000 Highway Capacity Manual*, published by the Transportation research Board (TRB).

Site Analysis & Review of Proposed Improvements - A visual assessment of the existing roadway infrastructure to assess site development constraints such as: number and width of lanes, horizontal alignment, and sight distance. Proposed roadway improvements required for accommodating site –generated traffic was evaluated relative to VDOT's *Minimum Standards of Entrance to State Highways* and *Road Design Manual*.

Access to and from the proposed quarry and processing plant site is provided via Frontage Road. Frontage Road has an existing typical section consisting of two 9' travel lanes with 6' graded shoulders. To accommodate the anticipated site traffic, recommended improvements include widening this section of two 12' lanes with 8' shoulders.

Within the project area, Route 1 currently has a three-lane roadway section with a continuous two-way-left-turn lane. In the vicinity of the project, Route 1 carries an average daily traffic of 10,000 vehicles per day and has a posted speed limit of 45 mph (it was pointed out that the speed limit up to West End Baptist Church is 55 mph).

At the intersection of Frontage Road and Route 1, sight distances were estimated to be just over 450' looking right (to the north) and 800' looking left (to the south). The sight distance measurements meet the minimum requirements for a two/three lane major road with a speed limit of 45 mph. Since the vast majority of traffic will be turning right and truck traffic in general has a higher line of sight and visibility, it was concluded that existing distance is adequate at this intersection.

At the intersection of Frontage Road and Blue Tartan Road sight distance was estimated to be approximately 250' looking left (to the south). Timmons recommended that some clearing and grading be performed on the east side of this intersection to increase that sight distance to achieve at least 400' of visibility. The improvements can be performed on existing right of way and should not require any additional right of way or easements from private property owners.

Proposed Transportation Infrastructure Improvements

Required Improvements

Widen the existing Frontage Road from the Route 1 intersection to the site to provide 24' of paved surface and improved shoulders.

Strengthen the pavement structure to carry additional loads.

Extend drainage structures, replace paved ditches and provide erosion and sediment control along disturbed areas.

Provide a right turn taper for northbound vehicles from Route 1 turning right onto Frontage Road

No additional right of way is anticipated for these improvements.

Probable Cost = $815,000

Suggested Improvements

Southbound left turn lane improvements: Trucks turning left from Route 1 southbound onto Frontage Road will be on a slight downgrade 92.0-2.5%). To ensure that rutting does not occur in this existing turn lane, VDOT may require removal of approximately 300'of the existing asphalt pavement and replacement with grooved Portland cement concrete pavement. Although trucks making this turn should generally be unloaded, Timmons suggest adding this to the budget as a contingency. No additional right of way is anticipated for these improvements.

Probable Cost = $ 40,000

Northbound acceleration lane/free-flow right turn lane: Loaded trucks turning right onto northbound Route 1 would benefit from an acceleration lane and taper (500' total length). This would allow a free-flow right turn allowing these trucks to enter the traffic flow without coming to a complete stop. These improvements would assist drivers turning onto that 2.0%-2.5% upgrade, reduce wear and tear on the pavement, and help reduce truck noise at the intersection.

Probable Cost = $ 55,000
Plus right of way*

**Adding the acceleration lane along Route 1 will require a small amount of right of way and/or construction easements from the adjacent property owner fronting Route 1.*

His presentation was followed by questions from the Planning Commissioners and Board of Supervisors.

Mr. Scheid announced that the rezoning application for the Tidewater Quarries, Inc., was scheduled for a rehearing on Thursday, February 27, 2003 at Dinwiddie Elementary School.

PERSONS WHO HAD QUESTIONS FOR THE CONSULTANTS

Tommy Peters – 5123 Chesdin Road, Petersburg, Virginia
Michelle Parker – 6812 Duncan Road, Petersburg, Virginia
Thomas Morgan – 9004 Duncan Road, Petersburg, Virginia
John Easter - Box 500, Richmond, Virginia
Dianna Parker – 10700 Chalkley Road, Richmond, Virginia
Barbara Wilson – 8804 Duncan Road, Petersburg, Virginia
Melanie Robertson – 19405 Lundy Road, Dinwiddie, Virginia

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the meeting adjourned at 10:09 P.M. to be continued until 3:00 P.M. on Tuesday, March 4, 2003 for a budget work session in the Multi-purpose Room of the Pamplin Administration Building.

Robert Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

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 4th DAY OF MARCH, 2003, AT 3:00 P.M.

PRESENT:	ROBERT L. BOWMAN IV - CHAIR (Arrived 4:32 P.M.)	ELECTION DISTRICT #3
	DONALD L. HARAWAY – VICE CHAIR	ELECTION DISTRICT #2
	HARRISON A. MOODY	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.,	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5

==========

Mr. Donald Haraway, Vice Chairman, called the continuation meeting to order at 3:09 P.M.

IN RE: DISCUSSION OF PROPOSED FEES- FOR QUARANTINED ANIMALS/FEE FOR PICKED UP, OWNER RELEASE ANIMALS -- ANIMAL CONTROL OFFICER

Ms. Mary Ellison, Animal Control Officer stated it is very expensive for the County to provide services for picking up animals. She discussed the proposal of the following fees:

1. Turned in animals that **have** to be picked up by Animal Control...$10.00 **IF** licensed, $20.00 unlicensed, with the appropriate property release.

2. Quarantined animal **brought** to the shelter.....$ 20.00
3. Quarantined animal **picked up** with license.....30.00
4. Quarantined animal **picked up** without license.....40.00

Animal Control receives several calls a year in reference to picking owned dogs up for citizens. She stated she would like to propose a pick up fee for these dogs. In the past, people call because they can't handle the dog, have no transportation, or they don't want to put the animal in their car. Experience has shown that these animals have not been vaccinated for rabies and have no license. Therefore, she requested the above fee, #1, be established.

Our current pickup fees are $10.00 for the first day, plus $2.00 per day for care of stray dogs, which is below other jurisdictions. This is the fee for dogs returned to owners from the shelter.

We do not charge a "turn in" fee for an animal brought to the shelter that does not have to be quarantined. Hopefully, this policy will help to stop animals from being "dropped".

> Dinwiddie County Code, Sec. 4-58. Quarantine of biting or bitten animals. All animals biting or otherwise injuring human beings or animals shall immediately be placed under quarantine for a minimal period of ten (10) days. The area and conditions of quarantine shall be designated by the health officer or his duly authorized deputy. **When suitable quarantine cannot be maintained by the owner, the animal shall be removed to a suitable pound and there be quarantined at the expense of the owner.** All animals bitten by rabid animals, or suspiciously rabid animals, shall either be destroyed or, if previously vaccinated in a manner satisfactory to the health officer, may be revaccinated in the prescribed manner and held under quarantine for a minimal period of thirty (30) days.

Comparisons:

Colonial Heights:

Pick up fee	$15.00
Board	6.00 per day
Will not pick up turn in	
Quarantine	15.00 + 6.00 per day

Petersburg:

Pick up fee	$30.00
Board	12.00 per day
Turn in	30.00
Quarantine	30.00 +12.00 per day

Prince George:

Pick up fee	$10.00
Board	3.00 per day
Turn in	25.00 (picked up or brought to shelter)
Quarantine	5.00 per day + 10.00 if returned to owner

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to advertise for a Public Hearing to amend the Code of the County of Dinwiddie, Virginia to impose fees to cover the costs associated with picking up animals.

IN RE: COMMISSIONER OF THE REVENUE – BUDGET DISCUSSION

Ms. Deborah Marston, Commissioner of the Revenue, presented the following requests for the Boards consideration for the FY 03-04 budget.

A new position – Field Person - This would be a Grade A Step 4 position at an annual salary of $25, 494. This person would go out in the field and measure new construction, checks to make sure the contractors are all properly licensed, and make sure they have a business license for Dinwiddie County. This position would be self-supporting because revenue from new construction would be put on the books right away for taxation purposes. Within 30 days the Treasurer does a supplemental bill for collection of funds.

The County Administrator asked if the position would be a part-time or full time position. The Commissioner responded it could be part-time now and work into a full time position. The County Administrator commented, what you are saying is that on a monthly basis you would be picking up all the land transfers and matching those up with all the building permits on a current basis. Ms. Marston replied yes.

Extra part-time help funds –the general reassessment will be starting up this summer going into full swing next year. During the reassessments singlewide mobile homes are picked up and put on as personal property for taxing. Ms. Marston informed the Board that there is a three-way verification for the orange strip files. They are a manual card file system, and computer screen system and the actual tax maps. Typically these are verified during a reassessment or every other reassessment, but they have not been verified since the 1992-93 reassessment. Those things really need to be verified and we need to make sure all of the parcels are put on the tax maps. The land use tax information has to be recalculated based on the new assessments too. The new PPTRA Act, which will go into effect in 2004 will require that all vehicles have to be verified and if we can't it is a guaranteed revenue loss for the County. It is a three-step verification process, first with DMV, then the purchase of the County decal and then signing and filing the personal property form. Ms. Marston requested that the Board seriously consider funding the extra help for her office for these issues.

The County Administrator asked the Commissioner to elaborate on what the extra work for her office would be for PPTRA? She replied we have to verify

that vehicles used for business are marked properly on the personal property forms and each one has to be signed. If the form is not signed, technically the State may not reimburse the County. The State will download the Income Tax forms by internet to the County and her office will have to verify that the vehicle was marked for business use on the return. The County decal will have to be checked for the same information. Then we have to check the DMV records to verify that when the State license tag was purchased it is marked for business use also.

Capital Outlay – Equipment to tie into the Clerk of the Circuit Court's Office to get deeds and plats needed for tax information. Ms. Marston stated the total cost is $99,000. There was a $60,000 grant from the State, which was available to the Clerk's Office to provide equipment to photograph the deeds in her office. The Commissioner of Revenue said hopefully she could use some of the grant money to purchase the equipment for her office. In addition, she stated she needs $7,000 for aerial photographs; one typewriter; a laptop for fieldwork; a P.C. and printer; a vehicle to use to measure new construction; $2,000 reserve money for items that might break down; and funds to purchase microfilm equipment for Land Use and Business License.

Travel and Printer Reimbursement – The state cut all travel money and she requested the County reimburse her for attending the Commissioners meeting in October. The County did not pay for the printer for the P.C., which was ordered for her office and she requested they reimburse her the $459 that she paid for out of her pocket. Ms. Marston stated her office has sold maps and real estate records from July 2001 – January 31, 2003 and they have collected $2,600 that is not earmarked in the budget for anything. She requested that these funds be used to reimburse her for the travel and printer.

The LGOC is going to be held in Norfolk this summer and she asked that the Board consider paying the Constitutional Officers for travel related to mandated training.

Mr. Moody and Mr. Bracey requested that Ms. Marston check with some of the other comparable localities regarding the new field position to see what revenue it would bring into the County.

The County Administrator asked Ms. Marston if the updated revenues for the budget would be ready for the Board this week. She replied her office would try to get those figures to them this week.

IN RE: TREASURER – BUDGET DISCUSSION

Mr. William E. Jones, Treasurer, stated his budget had been cut $11,796 this year. Most of the funds have been taken out of the part-time help line item, travel was cut out and he cut down on newspaper ad sizes and advertisements. He stated the only thing that bothered him was postage funds for the second half billing. Mr. Jones commented there might be other line items he may be able to transfer into the postage budget later.

Travel Reimbursements for FY04 – This coming year travel has been cut out of the State budget. He requested that the County appropriate local funding for them to attend at least one of their conferences. Mr. Jones stated his Deputy attends the LGOC for re-certification courses and the travel would be for educational purposes.

Request to Place Treasurer's Employees Under County Personnel and Pay Plan – The Treasurer commented he has been contemplating asking that his employees be allowed to come under the County personnel and pay plan for years and years and he feels this is the time to do it. The State is not keeping up with the salary scales of the private sector or the local County plan. It is for the betterment of my staff, and the County, and its good for morale. He reported his

Staff is in the process of finalizing the job descriptions the other County employees did last winter. It will be analyzed and the position will be placed into a category on the County plan. He stated the figures he provided in the budget for his employees were some that came off the County scale based on where he felt they might fit. Mr. Jones said he had talked with the County Administrator about this and once his employees are in they are in to stay. He stated he didn't know if any of the other Constitutional Officers had requested this but he was asking for it and he would like for the Board to consider it for his staff. The County Administrator explained that the Treasurer's staff has been provided the same questionnaire that the County employees filled out to be evaluated. Once the questionnaires are completed they will be sent to the consultant that did our work to see where his employees might fit on our scale so the Board will then have something to react to. If the Board decides to allow them to come under the County's personnel and pay plan it should not effect the State compensation so far as the reimbursements to the County. Mr. Jones commented the County would still be reimbursed what the State normally pays for his staff.

Mr. Haraway commented in the last 3-years Mr. Jones' staff had received less than a 2% increase in their salary. Mr. Jones stated the last increase they received was a 3.25% increase in December of 2000. He also commented the State is proposing a 2.25% increase this year in December, based on what happens with the economy. He said he felt the chances of the State employees getting a salary increase are very slim.

Mr. Bracey and Mr. clay expressed concerns about whether the County should allow the Constitutional Officer's State employees to come under the County personnel pay plan.

The County Administrator asked Mr. Jones if he had gotten any more information about the DMV licensing issue? Mr. Jones said the information he received states, revised language drafted by treasurers and commissioners in conjunction with VML and VACo authorizes the Department of Motor Vehicles to appoint constitutional officers to serve as contract license agents for the Department. Commission rates will be negotiated and the locality is required to provide at least 80% of commissions received to the office to offset expenses incurred. Mrs. Ralph asked if it was going to be required or is it something you have to request? Mr. Jones stated it would have to be requested.

MR. HARAWAY TURNED THE MEETING OVER TO THE CHAIRMAN MR. BOWMAN

IN RE: RECESS

The Chairman called a recess at 4:30 P.M. The meeting reconvened at 4:35 P.M.

IN RE: GIS – STATUS/AUTHORIZATION TO ADVERTISE POSITION

Mr. David Thompson, Senior Planner/Zoning Administrator told the Board he received 11 proposals from firms to provide design and implementation services for the County-wide GIS. He stated the committee would meet tomorrow and short list the firms to five or less. He invited the Board to sit on the panel for the interviews at the end of this month or the first of April. He said he would let the Board know when he found out what the date will be.

We are hoping to receive the digital orthophotography from VIGN within the next two weeks. Hopefully, we are going to have a contract by the end of April or first of May.

Mr. Thompson explained how the GIS system would help all of the County departments. Mr. Moody asked who is going to overlay those tax maps? Mr.

Thompson stated the company would initially, once that is done the GIS manager and technician would take care of any changes. The Commissioner of the Revenue assigns the tax map parcel number but any approved plat comes to the Planning Department first. Mr. Bowman asked if it is required by the County to have a recorded plat of all divisions or sales of land? Mr. Thompson replied the deed has to be recorded but the plat does not. Mr. Bowman asked if any of the Counties require a plat with a deed? He replied Chesterfield does. Mr. Bowman stated he felt the County should have an ordinance to require plats of all divisions or sales of land; and the surveyors should also be required to do the plats in a scale comparable to the GIS. Mr. Thompson commented he felt it would be too cost prohibitive for the surveyors to require them to do a plat in a comparable scale for the GIS.

The Senior Planner/Zoning Administrator informed the Board that it would take approximately 8 months to scan and digitize our maps. We need to have a GIS manager to be responsible for feedback to the firm and to learn the use of the equipment. The firm would be responsible for the initial work but the manager would learn. Mr. Bracey asked what salary range and what the requirements would be for the position. Mr. Thompson commented he felt the person should be GIS certified and the salary range would be around $36,656.

The County Administrator requested authorization to proceed with the process of hiring a GIS manager. Mr. Clay stated he is not in favor of hiring anyone before you need him or her. Mr. Bracey commented the proposals all recommend having a person on board so he can learn the equipment.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Administration is authorized to proceed with the process of hiring a GIS manager.

Mr. Bowman stated he understood the GIS for Prince George is costing a lot less than ours. Mr. Thompson stated initially it is, but by the time they get through with the total system it was going to cost them more in the long run. Mr. Bowman asked how much ours is going to cost? He replied in the worst-case scenario $750,000.

IN RE: QUARRY – STATE AGENCY WORKSHOPS

Mr. Guy Scheid, Director of Planning, stated what we were thinking of doing was to hold a workshop session on March 19th with the Planning Commission and Board to hear presentations from the Virginia Department of Mines, Minerals, and Energy, Department of Historic Resources, Virginia Department of Transportation, and the Department of Environmental Quality. The meeting would start at 6:30 P.M. and end around 8:30 P.M. The purpose for the workshop would be to have the representatives from the agencies address the permitting processes associated with rock quarry applications in general. The Board members agreed to hold the workshop with the stipulation that all questions from the public have to be written down for the agencies to answer at the end of the presentations.

The County Administrator commented there is one more workshop we would like to hold March 12, 2003 at 6:30 P.M. The National Park Service would present the proposed land protection portion of the "DRAFT" General Management Plan for the land protection strategies specific to Dinwiddie County. She asked the Board if they would like to have the meeting? Mr. Clay, Mr. Moody, and Mr. Bracey said they would be interested in hearing the plan.

IN RE: COMMONWEALTH'S ATTORNEY – BUDGET DISCUSSION

Mr. T. O. Rainey, III, Commonwealth's Attorney, told the Board the State has cut the Constitutional Officers budgets and there is only $300 remaining in his budget for the remainder of FY 03. He commented he has not asked for any supplemental assistance from the Board for many years. The staff consists of one secretary, one part-time assistant Commonwealth Attorney and him. General District Court is held on Monday, Tuesday and Thursday every week and a Commonwealth's Attorney must be in court. Also, I have to be present in the Circuit Court approximately 60 to 65 days a year. Unfortunately, many days both Courts run concurrently and two prosecutors are needed on those days. He stated he had suggested to the Circuit Court that they hold Court on Wednesday and Friday to avoid the need for two prosecutors. However, they did not like the idea. Mr. Rainey said if he lost the Assistant Commonwealth's Attorney he would not be able to cover the Court appearances. He commented if he lost the only secretary the office would be unable to handle any case files or correspondence and the phone would go unanswered.

He told the Board his secretary also has to undergo surgery and would be out for approximately 3 weeks and he needed funds for a temporary secretary for his office. He said hiring an hourly person wouldn't help because he doesn't have enough money in his budget to finish out the year.

Mr. Rainey stated there is $27,000 in the Forfeited Asset seizure account that he shared with the Sheriff but its use is restricted. The County Administrator asked when the money would be available for use. He said it would be available March 18, 2003. Mrs. Ralph commented the proposed use of the forfeited funds would have to be worked through.

Several Board members asked if having a full time Commonwealth's Attorney would help. Mr. Rainey responded since the State took away some funding he felt there would be no money for a full-time attorney either. He explained that even if the Board endorsed the need, it would still have to go before the General Assembly for their final approval.

Mr. Rainey requested that the Board provide funds to help him with getting a temporary secretary for his office. He added he would meet with the County Administrator to see what could be worked out.

IN RE: CLOSED SESSION

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

Privacy of Individuals - §2.2-3711 A. 4 of the Code of Virginia

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

Mr. Clay seconded the motion. Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the Board moved into the Closed Meeting at 6:44 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:20 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under §2.2-3711 A. 4 – Privacy of Individuals §2.2-3711 A. 7 - Virginia Bio-Fuels Litigation

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

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

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the meeting adjourned at 7:25 P.M.

Robert Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 7:30 P.M.

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

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

Mr. Robert L. Bowman, Chair, called the regular meeting to order at 7:30 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1034172 through 1034371 (void check(s) numbered 1034002, 1034111, 1034112, 1034171, 1034175, 1034363, 1034247 and 1034365)

Accounts Payable:

(101) General Fund	$ 154,943.11
(103) Jail Commission	$ 100.48
(104) Marketing Fund	$ .00
(209) Litter Control	$ 110.00
(222) E911 Fund	$ 17,290.35
(223) Self Insurance Fund	$ .00
(225) Courthouse Maintenance	$ .00
(226) Law Library	$ 44.30
(228) Fire Programs & EMS	$ .00
(229) Forfeited Asset Sharing	$ .00
(304) CDBG Grant Fund	$ 128.79
(305) Capital Projects Fund	$ 7,440.00
(401)County Debt Service	$ 62,416.33
TOTAL	**$ 242,473.36**

PAYROLL 02/28/03

(101) General Fund	$ 410,535.99
(222) E911 Fund	$ 3,420.91
(304) CDBG Fund	$ 4,044.08
TOTAL	**$ 418,000.98**

IN RE: SCHOOL BOARD REQUISITION # 9 – 1998A (70-02-200-7019743)

The following invoices from Dr. Leland Wise, Jr., Superintendent of Schools for Payment Requisition #9 -1998A Bond Issue (70-02-200-7019743) were submitted for payment:

Whitescarver, Hurd, and Obenchain BCWH	Architect and Engineering Services Architect	Dinwiddie Elementary School	$290.00
		Facility Study – Phase II (Reimbursement of expenses)	$1,736.25
Total			**$2,026.25**

The invoices for this expenditure have been reviewed and approved. Please be advised that the BCWH invoice was previously submitted.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number #9 -1998A (70-02-200-7019743) in the amount of $2,026.25 be approved and funds appropriated for CIP expenses from the School Project Account.

IN RE: CITIZEN COMMENTS

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

1. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia – commented at the last Board meeting he addressed the issue of the "In God We Trust Posters" not being displayed in the Middle School. He stated when I brought this to your attention at the last meeting Mr. Bracey felt this was a matter for the School Board but he disagreed. He stated you are the leaders of this County and he felt it was the responsibility of the Board to contact Dr. Wise and ask him why the posters are not on display in the classrooms. Mr. Alsbrook does have the posters displayed at Sunnyside Elementary School.

2. Eva Bratschi – 23500 Cutbank Road, McKenney, Virginia – requested that the Board allow Mr. Phillip Harris, Code Enforcement Officer, to handle the DEQ money, approximately $6,500 a year, and work with children in the County to start picking up litter along the roads. There is approximately 580 miles of road in the County. She also encouraged the Board to offer a $50 certificate to County employees to get them involved with picking up litter too.

3. John Isom – 19917 Cox Road, Sutherland, Virginia – Lack of awareness is one of the main reasons unfavorable and unwanted projects come to fruition. He commented one of the goals of the political body should be to maximize the involvement of the residents of the community. He requested that whenever there is a request for a rezoning or any other matter coming to the Board that it be posted on the website because most people work during the regular business hours limiting residents ability to gather all the facts. He stated publication of notice in the newspaper and letters to adjacent landowners are not enough. The Board should be more responsive to the citizens.

4. Anne Scarborough – Boydton Plank Road, Dinwiddie, Virginia - Commented about the following topics:

a. How could something go all the way through the rezoning process with the Planning Commission and it is voted on; and then it is advertised in

the paper that there was an error in the tax map and parcel number? Who's fault was it? Who's responsible for the cost involved?

b. Who paid for the mistake that the Progress-Index made in the advertising of the public hearing?
c. It is being advertised in the paper that the Board of Supervisors is getting a divorce. Why hasn't someone called the Attorney who advertised it to let him know?
d. New budget - Could the percentage of payment made by the State for the Constitutional Officers be put in the back of the budget? Along with the percentage of the benefits the County pays.
e. Could the pages of the minutes be numbered?
f. Does the Sheriff have the ability to issue tickets on State property? According to Board minutes, the Commonwealth's Attorney was asked and he responded that only State Troopers could issue those tickets because of the State Code. The Commonwealth's Attorney said the only way to change that was to ask the General Assembly to be a designated County which would allow the Sheriff's Department to issue tickets on State property. Mrs. Wendy Weber Ralph was instructed by the Board to apply for this status. Mrs. Scarborough asked if the County is now a designated County and is the Sheriff now able to issue tickets on State property?
g. Industry, jobs, contracts, revenue, and taxes – When industry comes into the County, why doesn't the Board enter into a contract requiring them to fulfill the obligations they promise the County? Other Counties have those contracts, why don't we? What incentives were offered to Ingram and NWB?

4. Marjorie Flowers – 14919 Wilkinson Road, DeWitt, Virginia- reminded the Board that this is a re-election year and they should listen to the citizens.

IN RE: STATEMENT PRIOR TO PUBLIC HEARING

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 case(s)."

IN RE: PUBLIC HEARING – P-02-4 – NICK W. STAMOS REZONING REQUEST

This being the time and place as advertised in the Progress Index on February 18, 2003 and February 25, 2003, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on a request from Mr. Nick W. Stamos to rezone a 65-acre parcel of land from Agricultural, general A-2, to Residential, RR-1.

Mr. Scheid read excerpts from the following Summary Staff Report:

Planning Summary Report

File: **P-02-4**

Applicant: **Nick W. Stamos**

The applicant, Mr. Nick W. Stamos, is seeking to rezone a 65-acre parcel of land from Agricultural, general A-2 to Residential, rural RR-1. The property is located on the East side of Claiborne Road (Rt. 631) near its intersection with Route 460 in the Sutherland area. The tax map/parcel numbers are 19-99 and 19-99B. The current zoning requires a minimum of 3 acres per home site and limits the number of times the parcel may be subdivided. The rural residential zoning requires a minimum of 2 acres per home site. The comprehensive land use plan designates this area as an urban planning area. The planning staff introduced the case and noted that the applicant offered several proffers if the rezoning application was approved. During the public hearing portion of the meeting, several citizens spoke noting concerns they had with the request. After hearing the citizen comments, the Chairman closed the public comment portion of the public hearing. In view of the citizen comments and the applicants' willingness to meet with the citizens regarding their concerns, a committee was appointed and the case continued to December 11th. The committee met on December 2nd at 3:30 p.m. at McCray Electric Company on Route 460. Several matters involving buffers, size of homes, lot size, traffic and wells were discussed. Upon conclusion of the meeting, the applicant agreed to revise the proffers offered as part of the rezoning process. The revised proffers were introduced at the December 11th meeting. A brief discussion among the Commissioners followed. Upon conclusion of the discussions, the Planning Commission voted 3-2 with 1 abstaining to recommend **approval with proffers** to the Board of Supervisors.

The Board of Supervisors heard the rezoning case, P-02-4, at your January 2, 2003 meeting. With considerable comments from the applicant, citizens and Board members, the Board voted to continue this hearing to the February 4, 2003 meeting. In the interim, the applicant stated a willingness to revise the previously submitted proffers. Revised proffers were submitted to the Planning Department on January 13th. Due to the Progress-Index failure to advertise the case as requested, it was rescheduled from the February 4th to the March 4th meeting of the Board. A copy of the revised proffers is attached to this summary report.

Mr. Scheid reported that he also contacted the following persons and agencies regarding some of the concerns raised by citizens at the January 2nd meeting:

Chris Calkins – National Park Service – no significant battles fought on this property.

Paul Booth – Department of Game and Inland Fisheries – No endangered species on the property.

CORP – do not get involved in monitoring private wells.

VDOT – would be involved in the development of the roads for the subdivision and they will make certain they are safe.

Since this is a zoning matter, the standard statement regarding your action must be read. In order to assist you in this matter, the statement was included in your information.

Mr. Bowman opened the public hearing. The following citizens came forward to address the Board in opposition to the rezoning request.

1. John Isom - 19917 Cox Road, Sutherland, Virginia 23803.

2. Ray Witt – 20013 Cox Road, Sutherland, Virginia 23803.

3. Barbara Wilson – 8804 Duncan Road, Petersburg, Virginia 23803.

4. Victoria Heller - 20009 Cox Road, Sutherland, Virginia 23803 – She commented she is an adjacent property owner and they did not receive notification of the rezoning application, nor did her mother-in-law Helen Heller.

Mr. Scheid replied that his records indicated that a notification letter was mailed to Mrs. Helen Heller. He stated that Helen Heller, Ray Heller and Victoria Heller were at the Planning Commission's public hearing and the January 2nd Board public hearing too, which indicated they had knowledge of the rezoning request and the public hearings. Mr. Scheid asked the County Attorney if the presence of a person at any of the hearings met the legal requirement for proper notification for an adjacent landowner. Mr. Daniel Siegel, County Attorney, replied yes, it did.

The following citizen came forward to address the Board in support of the rezoning request.

1. Eva Bratschi – Cutbank Road, DeWitt, Virginia.
2. Ronald Gordon – 14100 Boydton Plank Road, Dinwiddie, Virginia 23803.

Mr. Bowman closed the public hearing.

The Applicant, Nick Stamos, 18410 Sycamore Drive, Dinwiddie, Virginia 23841, stated he and his partner, Kenneth Thompson, changed their proffers to align with the requests the Board made at the hearing. He commented he had hoped that they would be able to satisfy the requests of the neighbors but they intended to make this into a top-notch subdivision and build good quality homes. He requested that the Board approve their rezoning request.

Mr. Bracey stated his main concern was the buffer zone. He also commented he talked with some realtors and they would like to see some larger homes built in the County. They feel there are already a sufficient number of smaller homes in the County. He commented he hoped the buffer zone would not be disturbed in future years.

Mr. Moody stated the buffer zone of 25' will be in the covenant restrictions neither the developers nor the homeowners would be able to disturb it. He said the size of the homes and the buffer was taken care of by the developers and that was his concerns.

Mr. Clay commented he felt the developers met the requirements the citizens and Board members were concerned with, so he was ok with the rezoning request.

Mr. Haraway stated he was just a little concerned with the opposition from the citizens here tonight. The citizens he received calls from were concerned with the small size of the house and the buffer zone and he felt those issues were taken care of in the proffers offered by the developers. He said if he were to vote against the rezoning request tonight he would be going against his word.

Mr. Bowman agreed with Mr. Haraway and added the Board should look at raising the bar on developers and require them to build larger homes in the County.

Mr. Clay stated, 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 I move that rezoning application P-02-4 be approved with proffers.

The motion was seconded by Mr. Moody, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," rezoning request P-02-4 was approved with the conditions from the Planning Commission and the following proffers.

"DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS AFFECTING THE PROPOSED CLAIBORNE ESTATES SUBDIVISION, DINWIDDIE COUNTY, VIRGINIA.

RE: Voluntary proffers for a proposed division of tax map/parcel 19-99 *P-02-4* off east side of Claiborne Road January 10, 2003

The undersigned voluntarily proffer the following conditions to be attached to the property upon approval of rezoning request.

1. No structure shall be erected on any parcel of land in the subdivision other than dwellings for single-family occupancy and necessary appurtenant outbuildings, which said outbuildings may be used only for ancillary residential purposes. No dwellings or buildings will be used for commercial purposes other than home occupations, as approved by the appropriate governing body of the county of Dinwiddie shall be allowed.

1. No trailer, shack, garage, barn or other outbuildings erected on the property shall at any time be used as a residence temporally or permanently, nor shall any residence of a temporary character be permitted.

2. No manufactured homes, no mobile homes, no modular homes shall be allowed on any lot.

3. No inoperable vehicles or unlicensed vehicles be allowed on any lot for over 30 days, unless stored in a fully enclosed garage.

4. No noxious or offensive trade or activity shall be permitted on any lot that shall become and annoyance or nuisance to a residential neighborhood.

5. No one-story residence containing less than 1500 square feet exclusive of porches, decks, carport, or garage shall be constructed in the subdivision. No one and one half-story residence containing less than 1600 square feet exclusive of residence porches, decks, carport, or garage shall be constructed in the subdivision. No two-story residence containing less than 1750 square feet exclusive of residence porches, decks, carport, or garage shall be constructed in the subdivision.

6. All foundations will be bricked however, that portion under the porches or decks that will be covered with latticework need not be bricked.

7. All fences shall enclose the rear yard only shall be closer to the road than the rear corners of the home. Property owners may attach a fence to any fence on the adjoining property this is to prevent two fences along a common line.

8. No live horses, cattle, hogs, pigs, goats, sheep, poultry, or any livestock shall be allowed on any lot.

9. Pets such as cats and dogs may be kept and maintained at an occupants residence provided such pets are not kept or maintained for commercial purposes, and no more that (4) four pets will be allowed on any single lot or family residence.

10. No lots will front on Claiborne Road. No personal driveways will be allowed to enter Claiborne Road.

11. Prior to recording of any subdivision plat for the property, the developer shall furnish satisfactory evidence to the County Health Department that their exist on each lot an effective site for a well and a effective site for a septic system of sufficient capacity to service the proposed improvements on such lot.

12. All lots are to have a minimum of 2 acres and have a minimum width of 200' at either the road frontage or at the building set back line.

13. There will be a natural 25' buffer strip left around the outside boundary of the entire subdivision which trees and scrubs will be left. Also the developers will not clear-cut the land in the preparation for a subdivision. Developers will do a subdivision. Developers will do a subdivision cut leaving 20 plus trees per acre and will clear cut the area to be used for a road and necessary utility easement and will cut the lots where the homes and required well and drain field will need to be.

The above proffers were signed by Nick W. Stamos and Kenneth A. Thompson."

IN RE: PUBLIC HEARING – A-03-1 – ORDINANCE TO AMEND SECTION 15-3 OF THE CODE OF THE COUNTY OF DINWIDDIE, VIRGINIA TO ALLOW THE PHYSICALLY DISABLED PERSON TO HUNT WITH RIFLES

This being the time and place as advertised in the Progress Index on February 18, 2003 and February 25, 2003, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comments regarding amending §15.3 of the Code of Dinwiddie County to permit an exception to the restrictions on hunting with rifles for the physically disabled.

The County Administrator commented this is an ordinance to amend Section 15-3 of the Code of the County of Dinwiddie, Virginia to allow the physically disabled person to hunt with rifles. She read the ordinance.

It shall be unlawful and a class 3 misdemeanor for any person to hunt with a rifle of a caliber larger than .22 in the county, except in the hunting of groundhogs (woodchucks) between March 1 and August 31; however, this section shall not apply and does specifically exempt from the above provisions the hunting of game species with a muzzle-loading rifle during the prescribed open seasons for the hunting of game species as established by the Commission of Game and Inland Fisheries; provided, however, unless such person holds a valid permit issued under § 29-521.3 of the Code of Virginia that the use of such muzzle-loading rifle in the hunting of deer may only be from a stand located at least ten (10) feet in elevation above the ground; and "accelerator" cartridges is strictly prohibited from use in conjunction with said muzzle-loading weapons.

Mr. Bowman opened the public hearing. The following citizen(s) came forward to address the Board in opposition to the ordinance.

1. Robert Belcher – 27516 Flank Road, Petersburg, Virginia

2. Eva Bratschi – Cutbank Road, DeWitt, Virginia

The following citizen(s) came forward to address the Board in support of the ordinance.

1. Michael Bratschi - Cutbank Road, DeWitt, Virginia

2. John Isom - 19917 Cox Road, Sutherland, Virginia

Mr. Bowman closed the public hearing.

Mr. Clay stated he didn't like it but he would go along with it if the Board wanted to pass the ordinance.

Mr. Haraway agreed.

Mr. Moody stated he did not feel there would be that many disabled people hunting with the muzzle-loading rifles. This is not a rifle that shoots a long distance. It is a black powder gun and the hunting season doesn't last but maybe two or three weeks. He said he felt the ordinance should be passed.

Mr. Bracey stated he could not vote for this.

Mr. Bowman stated the County is continuing to grow into more of a residential County and he felt it would be too dangerous to the citizens to allow anyone to stand on the ground and hunt with a rifle.

Upon motion of Mr. Moody, Seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Nay," Mr. Moody, voting "Aye," the amendment to §15.3 of the Code of Dinwiddie County to permit an exception to the restrictions on hunting with rifles for the physically disabled was not approved.

IN RE: APPOINTMENT – WILLADEAN HARRISON - DISTRICT 19 CHAPTER 10 BOARD

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Ms. Willadean Harrison is hereby appointed to serve on the District 19 Chapter 10 Board for a term ending December 31, 2005.

IN RE: 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 REFUNDING BONDS OF DINWIDDIE COUNTY WATER AUTHORITY

The County Administrator stated a resolution and support agreement were enclosed in your packet for your consideration in support of a refinancing for the Dinwiddie County Water Authority. If you agree to support them, the County's moral obligation increases the opportunity for the Water Authority to get a better rate. Mr. Jamie Shield with Davenport and Company is here to review the refinancing with you.

Mr. Shield presented the updated refinancing results for the Water Authority's Rural Development Series 1978 and 1986 Rural Development Bonds.

MEMORANDUM

To: Members of the Dinwiddie County Board of Supervisors

From: David P. Rose, Senior Vice President, Manager, Davenport Public Finance
James A. Shield III, Associate Vice President, Davenport Public Finance

Christopher J. Wyatt, Director, Dinwiddie County Water Authority

"Re: Updated Refinancing Results for the Dinwiddie County Water Authority's Rural Development Series 1978 & 1986 Bonds Competitive Bidding Process & the Request for the Moral Obligation Pledge of the Dinwiddie County Board of Supervisors.

Date: March 4, 2003

Thank you for your support for the Dinwiddie County Water Authority to refund/restructure the Authority's Series 1978 and 1986 Rural Development Bonds. Included below is a comparison of the new debt service totals incorporating the results of a competitive bidding process versus the Water Authority's current obligation to Rural Development. SunTrust Bank has offered the lowest bids of all interested financial institutions.

As of April 1, 2003, Davenport's preliminary analysis indicated the Water Authority's current debt service obligation (principal and interest) to Rural Development for the Series 1978 and 1986 bonds is approximately $3,282,274.80.

The new debt service totals (principal and interest) for the SunTrust bids are as follows:

	*New Debt Service**	*Old Debt Service*	*Total Savings*
SunTrust – 12 Year (3.33%)	*$2,454,344*	*$3,282,275*	*$827,931*
SunTrust – 14 Year (3.49%)	*$2,553,856*	*$3,282,275*	*$728,419*
SunTrust – 15 Year (3.65%)	*$2,620,155*	*$3,282,275*	*$662,120*

***The New Debt Service totals factor in the release of a $208,596 Debt Service Reserve Fund for the Series 1978 and 1986 Bonds that further reduces the total principal amount to be issued for the Series 2003 Refunding Bond.**

As you can see, the Authority will benefit from substantial debt service savings by refunding the Series 1978 and 1986 issues to a private placement structure. Thank you for support on this issue.

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Dinwiddie Couty Water Authority

Summary of Refunding Proposals, February 27, 2003

Bank Bid Proposal Description	SunTrust Bank *Recommended Bid*	Bank of Southside Virginia *Cover Bid*	BB&T
Loan Size	Up to $2,400,000	Up to $2,400,000	Up to $2,400,000
Security	Revenues & Moral Oligation of Dinwiddie County	Revenues & Moral Oligation of Dinwiddie County	Revenues & Moral Oligation of Dinwiddie County
Fixed Interest Rates	3.33% - 12 Year 3.49% - 14 Year 3.65% - 15 Year	3.84% - 12 Year 3.94% - 14 Year 3.99% - 15 Year	3.91% - 12 Year 4.03% - 14 Year 4.03% - 15 Year
Interest Payment Dates	April 1 & October 1, Beginning on October 1, 2003	April 1 & October 1, Beginning on October 1, 2003	April 1 & October 1, Beginning on October 1, 2003
Principal Payment Date	October 1, Beginning on October 1, 2003	October 1, Beginning on October 1, 2003	October 1, Beginning on October 1, 2003
Optional Redemption	Prepayable with the Following Premiums: After Year 8: 102% Year 9: 101% After Year 9: Par	Prepayable with the Following Premium: After Year 8: 102% Declining .50% Each Year Thereafter.	Redemption Premium Summary: Prepayable at Any Time.
Final Maturity	October 1, 2014, 2016, or 2017	October 1, 2014, 2016, or 2017	October 1, 2014, 2016, or 2017
Bank Specific Fees	None.	None.	One-Half of One Percent of Amount Financed.
Other	Must Close No Later Than March 27, 2003.	Must Close No Later Than March 14, 2003.	Must Close No Later Than March 27, 2003. Need Bond Counsel Opinion 5 Days Prior.

Bank Bid Proposal Description	Citizens Bank & Trust Company Blackstone, Virginia	Wachovia Bank
Loan Size	Up to $2,400,000	Up to $2,400,000
Security	Revenues & Moral Oligation of Dinwiddie County	Revenues & Moral Oligation of Dinwiddie County
Fixed Interest Rate	4.10% - 12 Year 4.30% - 14 Year 4.35% - 15 Year	4.17% - 12 Year 4.39% - 14 Year 4.49% - 15 Year
Interest Payment Dates	April 1 & October 1, Beginning on October 1, 2003	April 1 & October 1, Beginning on October 1, 2003
Principal Payment Date	October 1, Beginning on October 1, 2003	October 1, Beginning on October 1, 2003
Optional Redemption	Principal Payable Upon Call at 100% 5 Years After Issuance with 30 Days Notice of Call, then Callable Annually Thereafter At Authority's Discretion with 30 Day Notice.	Redemption Premium Summary: Prepayable at Any Time.
Final Maturity	October 1, 2014, 2016, or 2017	October 1, 2014, 2016, or 2017
Bank Specific Fees	None.	Bank Attorney Fee Not-to Exceed $4,000.00
Other	Must Close in "Late March of 2003"	Must Notify Acceptance of Bids No Later Than March 4, 2003.

Mr. Haraway asked what the refinancing fees would be? Mr. Shield replied that the cost for bond counsel is $40,000, Davenport's fees are $25,000 and there will be some closing costs for Hunton & Williams.

Mr. Moody questioned if this moral obligation would affect the County's borrowing ability. Mr. Shield said no.

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the following resolution of agreement and support agreement were adopted:

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 REFUNDING BONDS OF DINWIDDIE COUNTY WATER AUTHORITY

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 Sewer Authorities Act;

WHEREAS, the Authority desires to issue refunding bonds in an aggregate principal amount not to exceed $2,400,000 **(the "2003 Refunding Bonds")**, the proceeds of which, together with other available funds, are estimated to be sufficient to pay the cost of re-financing the Authority's outstanding Series 1978 and 1986 Rural Development Water and Sewer Revenue Bonds originally issued on August 10, 1978 and August 20, 1986, respectively, **(collectively, the "Refunded Bonds")** which Refunded Bonds were originally issued to finance various water and sewer projects within the County **(the "Project")**; and

WHEREAS, the Project is part of the Authority's main water and sewer system **(the "System")**; and

WHEREAS, the primary security for the repayment of the 2003 Refunding Bonds is a pledge by the Authority of the revenues of the Main County System, excluding the Courthouse and Church Road Systems; and

WHEREAS, the Authority has requested that the County, as additional security for the repayment of the 2003 Refunding Bonds, enter into an agreement to provide, as necessary, financial support to the Authority in the payment of the debt service on the 2003 Refunding Bonds, subject to the appropriation by the Board of Supervisors of sufficient funds for such purposes; and

WHEREAS, the Board of Supervisors, on behalf of the County, desires to enter into such a support agreement to improve the marketability of the 2003 Refunding Bonds and the Authority's cost of financing; and

WHEREAS, a draft of a Support Agreement, between the Board of Supervisors, acting on behalf of the County, and the Authority **(the "Support Agreement")**, has been presented to the Board at the meeting at which this Resolution was adopted.

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 re-financing the Refunded Bonds, 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 amendments, 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 his approval of such amendments, 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 states 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 Authority's issuance of the 2003 Refunding Bonds, provided that such 2003 Refunding Bonds do not exceed an original aggregate principal amount of $2,400,000.

6. All resolutions or parts thereof in conflict herewith are hereby repealed.

7. All approvals 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 2003 Refunding Bonds, the Support Agreement and all related documents thereto.

8. This resolution shall take effect immediately.

SUPPORT AGREEMENT

THIS SUPPORT AGREEMENT, made as of _____, 2003, between the **BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA (the "Board")**, acting as the governing body of Dinwiddie County, Virginia **(the "County")**, and **DINWIDDIE COUNTY WATER AUTHORITY (the "Authority")**, a public body politic and corporate of the Commonwealth of Virginia, for the benefit of the holder of the Authority's 2003 Refunding Bonds (as hereinafter defined);

WITNESSETH:

WHEREAS, the Authority was created by the Board pursuant to the Virginia Water and Sewer Authorities Act, Chapter 51, Title 15.2, Code of

Virginia of 1950, as amended (**the "Act"**), and owns and operates water and sewer utility facilities in the County; and

[**WHEREAS,** pursuant to the terms of a master water and sewer bond resolution adopted by the Authority on October 5, 1977, as supplemented and amended from time to time **(collectively, the "Resolution")**, the Authority has issued and sold to the Government a $3,239,300 Water and Sewer Revenue Bond, Series of 1978, and a $253,000 Water and Sewer Revenue Bond, Series of 1986] **(collectively, the "Prior Bonds")**; and

WHEREAS, the Authority has determined that it is in its best interest to issue and sell refunding bonds in an original aggregate principal amount not to exceed $2,400,000, **(the "2003 Refunding Bonds" and collectively with the Prior Bonds, the "Bonds")**, the net proceeds of which will be used to refund the Prior Bonds; and

WHEREAS, the Board adopted on March 4, 2003, a resolution **(the "County Resolution")** agreeing to the Authority's issuance of the 2003 Refunding Bonds and authorizing the execution of an agreement providing for a non-binding obligation of the Board to consider certain appropriations to the Authority to provide, as necessary, financial support to the Authority in the payment of the debt service on the 2003 Refunding Bonds.

NOW, THEREFORE, for and in consideration of the foregoing and of the mutual covenants herein set forth, the parties hereto agree as follows.

1. The Authority shall use its best efforts to issue the 2003 Refunding Bonds as soon as reasonably possible and use the proceeds of the 2003 Refunding Bonds to refund the Prior Bonds.

2. No later than March 1 of each year beginning March 1, 2004, the Authority's Executive Director shall notify the County Administrator of the amount **(the "Annual Deficiency Amount")** by which the Authority reasonably expects the revenues to be insufficient to pay the debt service obligations under the 2003 Refunding Bonds.

3. The County Administrator shall include the Annual Deficiency Amount in his budget submitted to the Board for the following fiscal year. The County Administrator shall deliver to the Authority within ten days after the adoption of the County's budget for each fiscal year, but not later than July 15 of each year, a certificate stating whether the Board has appropriated an amount equal to the Annual Deficiency Amount to or on behalf of the Authority for such purpose in the adopted County budget for such fiscal year.

4. If at any time revenues shall be insufficient to make the debt service payments referred to in paragraph 2 hereof, as and when they are due, the Executive Director shall notify the County Administrator of the amount of such deficiency and shall request an appropriation from the Board in the amount of such deficiency to make such payment.

5. Upon receipt of each request for appropriation from the Authority pursuant to paragraph 4 above, the County Administrator shall present such request to the Board, and the Board shall consider such request, at its next regularly scheduled meeting at which it is possible to satisfy any applicable notification requirement. Promptly after such meeting, the County Administrator shall notify the Authority and the Bank as to whether the amount so requested was appropriated. If the Board shall fail to make any such appropriation, the Authority shall add the amount of such requested appropriation to the Annual Deficiency Amount reported to the County Administrator for the County's next fiscal year.

6. The County shall pay to or on behalf of the Authority the amount of any appropriation made pursuant to this Agreement. The County and the Authority acknowledge that any amounts received by the Authority from the County pursuant to this Support Agreement shall be deemed to constitute a portion of System revenues pledged under the Resolution to the payment of principal of and, premium, if any, and interest on the Bonds and other costs provided therein.

7. The Board hereby undertakes a non-binding obligation to appropriate to the Authority such amounts as may be requested from time to time pursuant to paragraph 3 and 4 above, to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of Virginia. The Board, while recognizing that it is not empowered to make any binding commitment to make such appropriations in future fiscal years, has stated in the County Resolution its intent to make such appropriations in future fiscal years and recommended that future Boards of Supervisors do likewise.

8. NOTHING HEREIN CONTAINED IS OR SHALL BE DEEMED TO BE A LENDING OF THE CREDIT OF THE COUNTY TO THE AUTHORITY OR TO ANY HOLDER OF ANY BONDS, INCLUDING WITHOUT LIMITATION THE 2003 REFUNDING BONDS, OR TO ANY OTHER PERSON, AND NOTHING HEREIN CONTAINED IS OR SHALL BE DEEMED TO BE A PLEDGE OF THE FAITH AND CREDIT OR THE TAXING POWER OF THE COUNTY. NOTHING HEREIN CONTAINED SHALL BIND OR OBLIGATE THE BOARD TO APPROPRIATE FUNDS TO THE AUTHORITY FOR THE PURPOSES DESCRIBED HEREIN, NOR SHALL ANY PROVISION OF THIS AGREEMENT GIVE THE AUTHORITY OR ANY HOLDERS OF THE 2003 REFUNDING BONDS OR ANY OTHER PERSON ANY LEGAL RIGHT TO ENFORCE THE TERMS HEREOF AGAINST THE BOARD OR THE COUNTY.

9. The Authority agrees not to issue additional bonds relating to the System (as defined in the Resolution), refunding bonds relating to the System or subordinate debt relating to the System, nor to amend the Resolution without the County's prior written consent. The Authority agrees to redeem the 2003 Refunding Bonds in such amounts and at such times as permitted by the Resolution and as the County may request upon payment by the County of the applicable redemption price therefore.

10. The Authority shall prepare and deliver to the County monthly reports of the Authority's financial and operating performance. The Authority shall also deliver to the County a copy of each annual audit of the Authority's books and records promptly upon the Authority's acceptance of such audit.

11. Any notices or requests required to be given hereunder shall be deemed given if sent by registered or certified mail, postage prepaid, addressed (a) if to the Authority, at 23008 Airpark Drive, Petersburg, Virginia 23803, Attention: Executive Director, with a copy to its Counsel at Hunton & Williams, 951 East Byrd Street, Richmond, Virginia 23219 (Attention: Christopher G. Kulp), and (b) if to the County, at Dinwiddie County Administration Building, Dinwiddie, Virginia 23841, Attention: County Administrator, with a copy to the County Attorney, Daniel M. Siegel, Esquire, at Sands Anderson Marks & Miller, P. O. Box 1998, Richmond, Virginia 23219. Any party may designate any other address for notices or requests by giving notice under this paragraph.

12. It is the intent of the parties hereto that this Support Agreement shall be governed by the laws of the Commonwealth of Virginia.

13. This Support Agreement shall remain in full force and effect until the 2003 Refunding Bonds have been paid in full.

14. All capitalized terms used herein and not otherwise defined shall have the meanings ascribed thereto in the Resolution.

IN WITNESS WHEREOF, the parties hereto have each caused this Support Agreement to be executed in their respective names as of the date first above written.

BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA

By_____

(SEAL)

Chairman

DINWIDDIE COUNTY WATER AUTHORITY

By_____

(SEAL)

Chairman

IN RE: RESOLUTION OF SUPPORT FOR GREENSVILE COUNTY TO ESTABLISH A HIGHER EDUCATION CENTER

The County Administrator stated she received a request from Greensville County asking the Board to pass a resolution of support regarding their efforts to establish a Higher Education Center. At the present time, the Southside Virginia Community College operates a campus located in Alberta. The space is in a building provided by Perdue and they would like to see them relocate somewhere else. The space is very inadequate and is not handicapped accessible. Greensville County received funding from CDBG to perform a needs assessment to show the need for a new center. It will serve as a One Stop Work Center for VEC and provide GED training and assist the unemployed and the underemployed. They will be seeking funding through the Tobacco Commission, CDBG, and various grant/loan sources to construct the facility. The campus has been used by Dinwiddie County residents. The resolution supports this effort; however; it does not bind the county to any financial commitment now or in the future.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the following resolution of support was adopted; it does not bind the County to any financial commitment now or in the future.

WHEREAS, the current educational facilities utilized by the Southside Virginia Community College, Virginia Workforce Center, and Southside Programs for Adult Continuing Education, located in Emporia, Virginia are decentralized and inadequate due to an insufficient number of classrooms,

insufficient technology, and non-compliance to the Americans with Disabilities Act; and

WHEREAS, those persons using the aforementioned educational facilities were surveyed and found to be citizens of Brunswick, Dinwiddie, Sussex, Southampton, and Greensville Counties as well as the City of Emporia; and

WHEREAS, an effort currently exists to address the needs of unemployed and underemployed persons, as well as the training and educational needs of industries located in those jurisdictions and the facilities needs of the Southside Virginia Community College, Virginia Workforce Center, and Southside Programs for Adults Continuing Education.

NOW THEREFORE, BE IT RESOLVED, that the Dinwiddie County Board of supervisors supports and endorses the efforts that are being undertaken to meet the needs of unemployed and underemployed persons, and the educational and training needs of industries as well as to improve facilities for the Southside Virginia Community College, Virginia Workforce Center and the Southside Programs for Adult Continuing Education.

IN RE: AUTHORIZATION TO APPROVE ITEMS TO MEET THE NEW STATE REGULATIONS TO RENEW THE COUNTY'S EMS LICENSE

The County Administrator stated the Public Safety Director is distributing a resolution to review and adopt to meet the new State regulations to renew the County's EMS license. The resolution includes the response areas and the response times discussed at an earlier meeting.

Mr. David Jolly, Public Safety Director, commented on Saturday, March 1, 2003 a meeting was held between members of Dinwiddie Volunteer Rescue Squad and Dinwiddie Public Safety to establish emergency response areas. The meeting was very successful and we came to some agreements that are closely in line with what was originally presented to the organization. These areas are required to comply with the EMS Rules and Regulations that were effective January 15, 2003.

The group designated primary response areas by utilizing the intersections of streets. Which responding unit would be delivering emergency medical services established these intersections. The closest responding unit available, utilizing mileage and response time were used in determining these response areas.

Mr. Jolly commented based on the results of that meeting, he requested that the Board approve the following items:

1. Allow the County Administrator and the Director of Public Safety to adopt and/or approve any policy or condition necessary to comply with the Virginia Office of EMS Rules and Regulations; and

2. Designate the primary response areas for each of the licensed agencies within the County as outlined on a map to be maintained within the Office of Public Safety and approved by the Director of Public Safety; and

3. Designate the unit mobilization standard to be four (4) minutes from the time of dispatch until the time the unit has started to respond; and

4. Designate the unit responding interval standard to be no more than twenty-six (26) minutes from unit responding to on-scene; and

5. Allow the Department of Public Safety – EMS Division to enter into a mutual aid agreement between the Dinwiddie Volunteer Ambulance and Rescue Squad and the Department of Public Safety to cover each other's area as the secondary agency in times in which the agency is unable to respond.

Upon Motion of Mr. Bracey, Seconded by Mr. Moody, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the above listed items were approved.

IN RE: COUNTY ADMINISTRATOR COMMENTS

The County Administrator commented on March 12th the Planning Commission is holding the public hearing on the conditional use permit for Tidewater Quarries and they have agreed to come in at 5:30 P.M. to hold a combined workshop with the Board if you all would be in agreement with coming in at that time. We have been trying to get some answers to questions, which have come up at some of the various workshops and meetings. One of the issues that came up was the historical significance of the battles that took place on the subject property. The National Park Service has agreed to attend the meeting and discuss the Draft General Maintenance Plan and further describe the areas that they are working on to preserve in the County. The Board agreed to the workshop.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody — He stated the memo from the Virginia Gateway Region, which was provided in our packets, is a good document that should be turned over to the Economic Development Department. One article dealt with retaining existing businesses; also on page 26 it deals with strategic planning services and he felt the Board should have a work session on that.

Mr. Bowman — He agreed with Mr. Moody about the work session. He commented he would like for the Board to see if the Planning Commission could come up with some ideas as to how we could raise the bar in the County on subdivisions to increase the size of homes.

The County Administrator asked the Board if they would be thinking of some dates they could meet to go over the budget. The Board members suggested that she set the dates and let them know when to be here.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Memo from – Virginia's Gateway Region and "A Blueprint for Elected Officials".
2. Virginia Motorsports Park 2003 schedule of events.
3. "Sample" letter from Southeast High Speed Rail Corridor regarding location survey notification.

RE: ADJOURNMENT

Upon motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the meeting adjourned at 9:28 P.M. to be continued until 5:30 P.M. on Wednesday, March 12, 2003 for a combined work session with the Planning Commission for the National Park

Service to present the Draft General Maintenance Plan for Dinwiddie County to be held in the Multi-purpose Room of the Eastside Community Enhancement Center.

Robert Bowman, IV, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM AT THE EASTSIDE COMMUNITY ENHANCEMENT CENTER IN DINWIDDIE COUNTY, VIRGINIA, ON THE 12th DAY OF MARCH, 2003, AT 5:30 P.M.

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

==========

Mr. Robert Bowman, IV, Chairman, called the continuation meeting to order at 5:41 P.M.

IN RE: PRESENTATION BY THE UNITED STATES NATIONAL PARK SERVICE -- THE *"DRAFT"* GENERAL MANAGEMENT PLAN FOR DINWIDDIE COUNTY

Mr. William C. Scheid, Director of Planning, stated that Mr. Bob Kirby, Petersburg National Battlefield Superintendent, and Mr. Chris Calkins, Chief of Interpretation, Petersburg Park Service are here to present the Draft General Management Plan for Dinwiddie County.

Mr. Kirby discussed the land, which is protected by the National Park Service and described the core areas in the battle epicenters. Mr. Calkins presented the battle sites and the historical significance of the battles.

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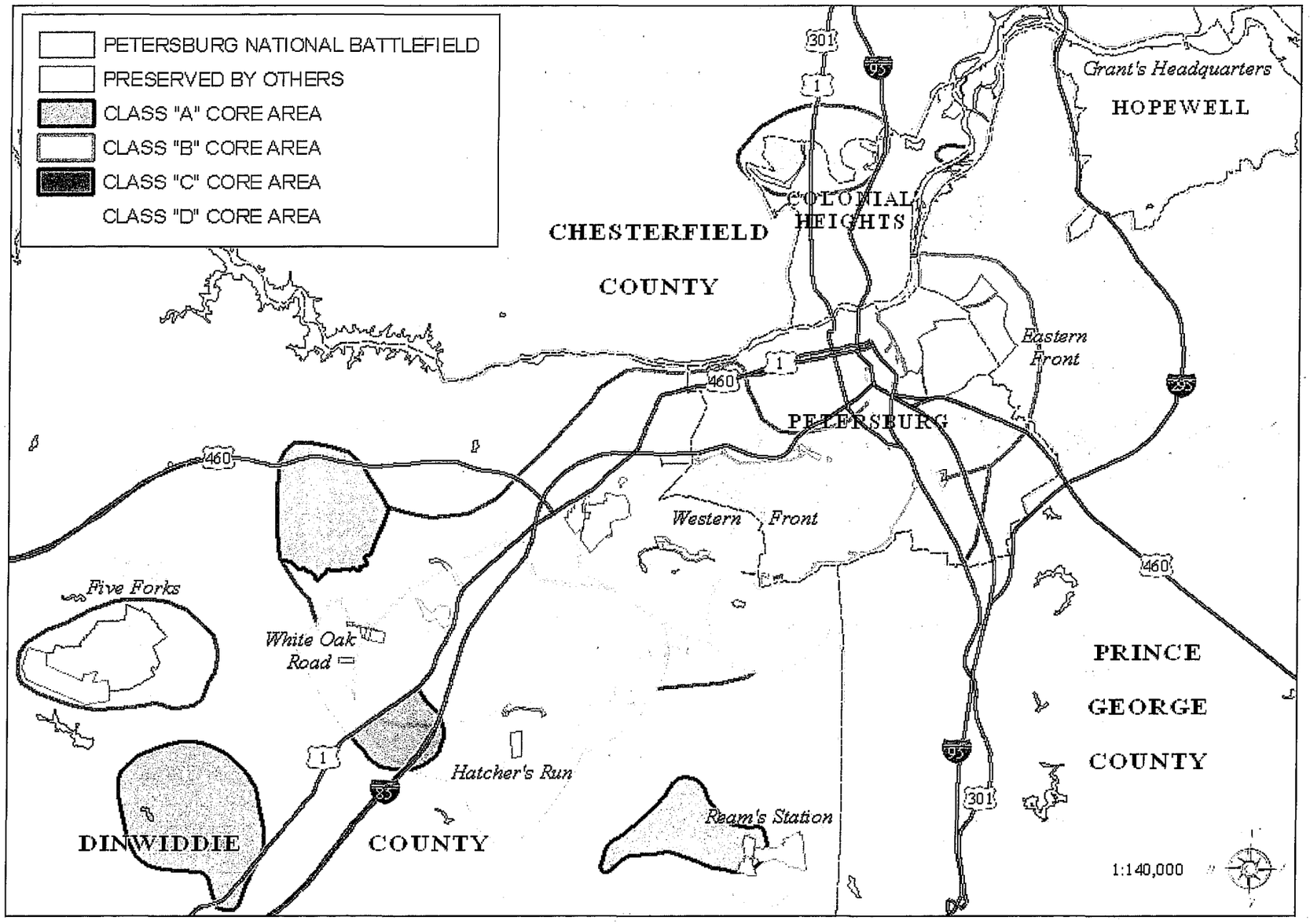
Briefing for the Dinwiddie County Board of Supervisors

Land protection strategies specific to Dinwiddie County
from the proposed land protection portion of the
DRAFT General Management Plan for Petersburg
National Battlefield

March 12, 2003

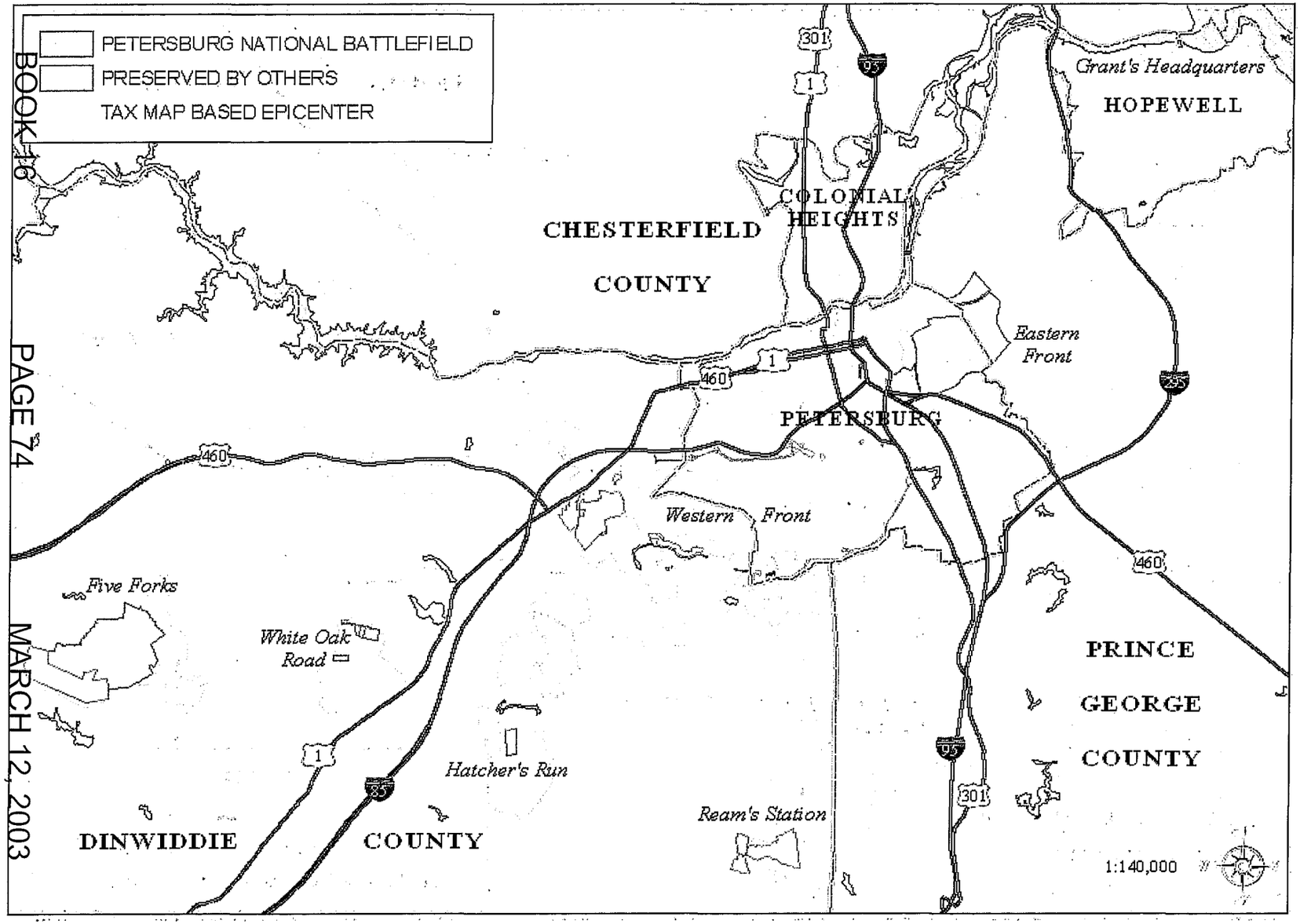
BOOK 16 PAGE 72 MARCH 12, 2003

BOOK 16 PAGE 73 MARCH 12, 2003



BOOK 16 PAGE 73 MARCH 12, 2003

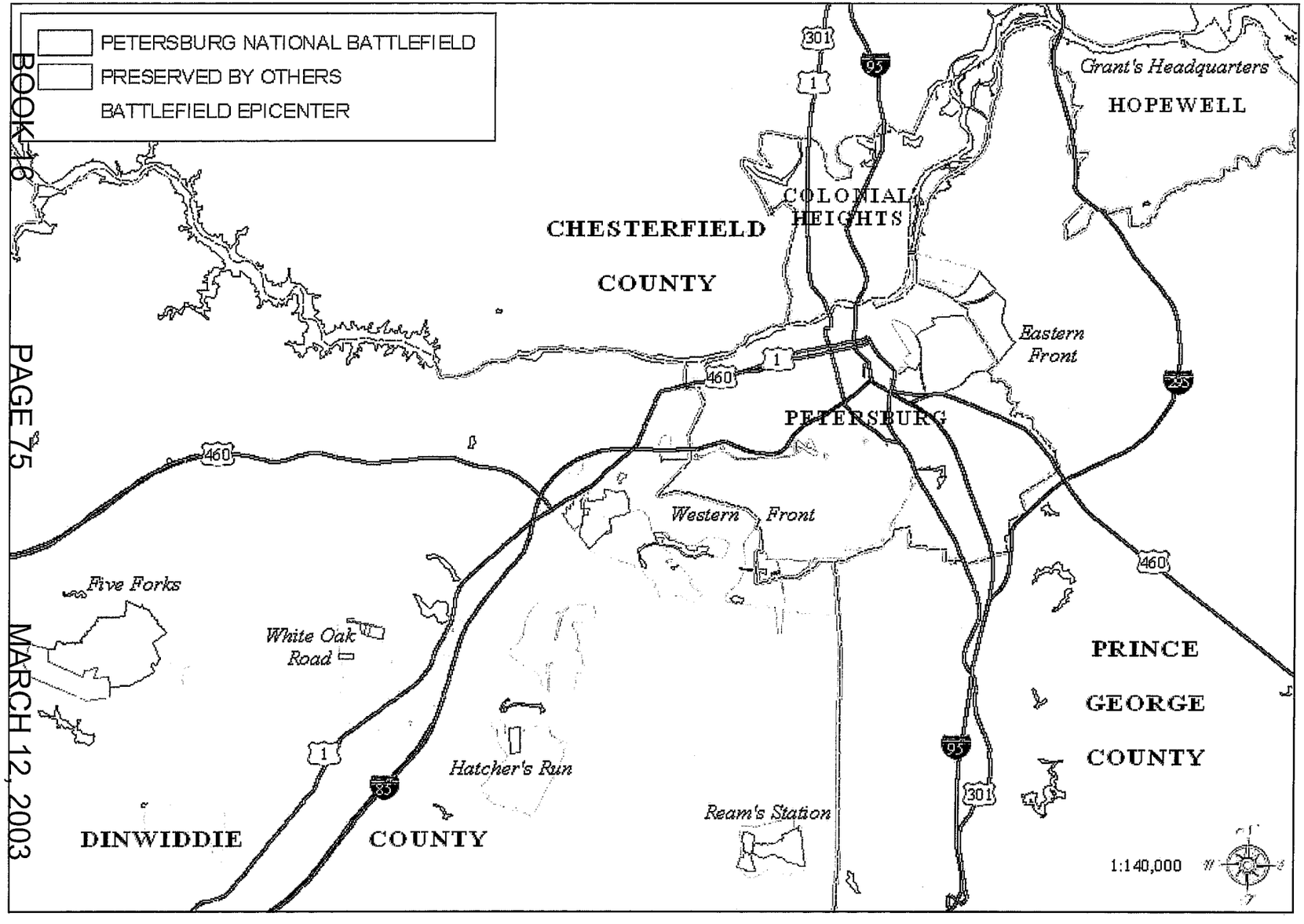
BOOK 16 PAGE 74 MARCH 12, 2003



BOOK 16

PAGE 74

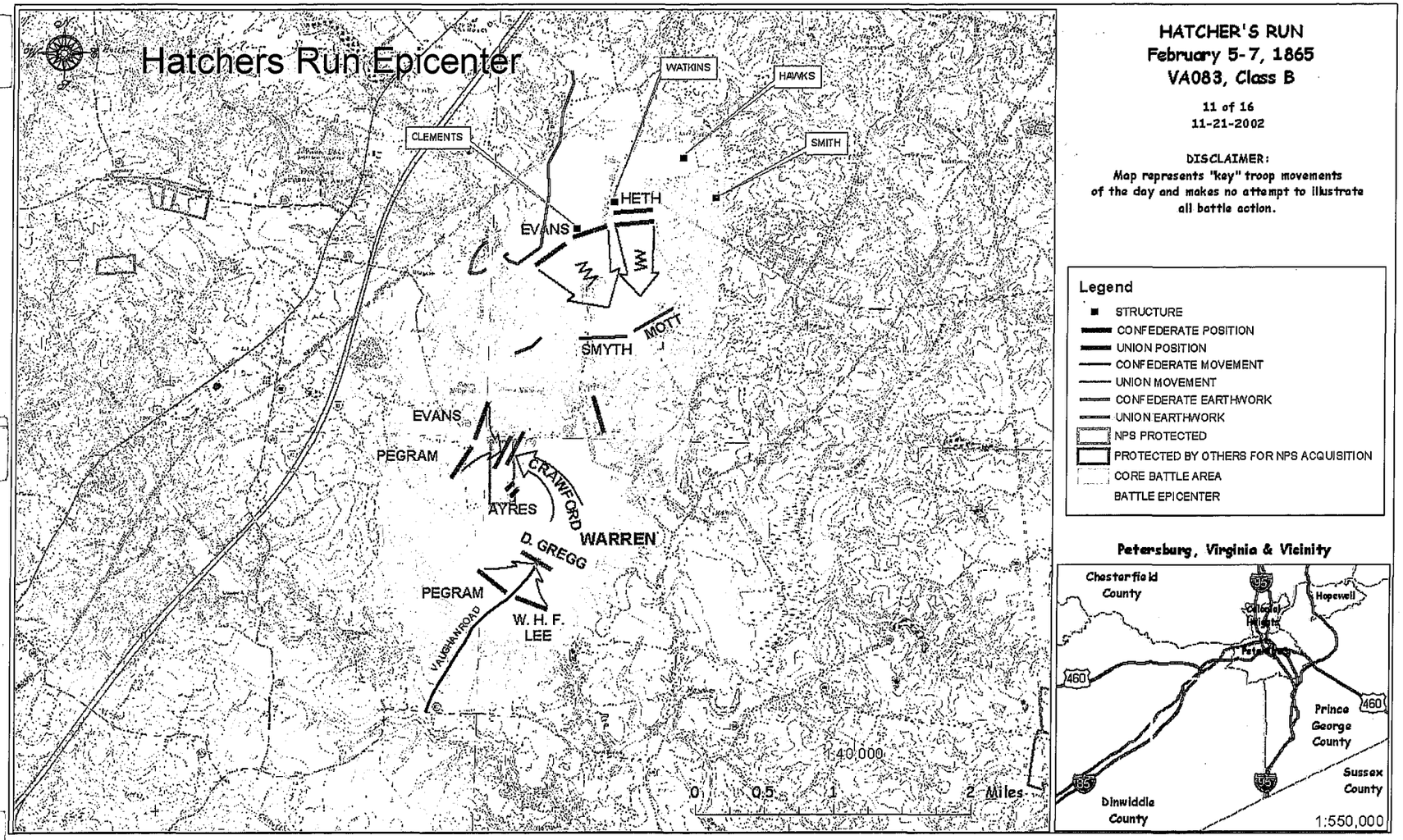
MARCH 12, 2003



BOOK 16 PAGE 75 MARCH 12, 2003

HATCHER'S RUN
February 5-7, 1865
VA083, Class B
11 of 16
11-21-2002
DISCLAIMER:
Map represents "Key" troop movements of the day and makes no attempt to illustrate all battle action.
Legend
STRUCTURE
CONFEDERATE POSITION
UNION POSITION
CONFEDERATE MOVEMENT
UNION MOVEMENT
CONFEDERATE EARTHWORK
UNION EARTHWORK
NPS PROTECTED
PROTECTED BY OTHERS FOR NPS ACQUISITION
NOT PROTECTED
BATTLE EPICENTER
CORE BATTLE AREA
Petersburg, Virginia & Vicinity
Chesterfield County
Dinwiddie County
Prince George County
Sussex County
Hopewell
460
85
95
1:550,000
CLEMENTS
EVANS
WATKINS
HAWKS
SMITH
PEGRAM
VAUGHAN ROAD
AYRES
GREGG
WARREN
W.H.F. LEE
0
0.5
1
2 Miles
1:40,000

BOOK 16 PAGE 76 MARCH 12, 2003



HATCHER'S RUN
February 5-7, 1865
VA083, Class B

11 of 16
11-21-2002

DISCLAIMER:
Map represents "key" troop movements of the day and makes no attempt to illustrate all battle action.

Legend

- STRUCTURE
- CONFEDERATE POSITION
- UNION POSITION
- CONFEDERATE MOVEMENT
- UNION MOVEMENT
- CONFEDERATE EARTHWORK
- UNION EARTHWORK
- NPS PROTECTED
- PROTECTED BY OTHERS FOR NPS ACQUISITION
- CORE BATTLE AREA
- BATTLE EPICENTER

Petersburg, Virginia & Vicinity

BOOK 16 PAGE 76 MARCH 12, 2003

HATCHER'S RUN
February 5-7, 1865
VA083, Class B

11 of 16
11-21-2002

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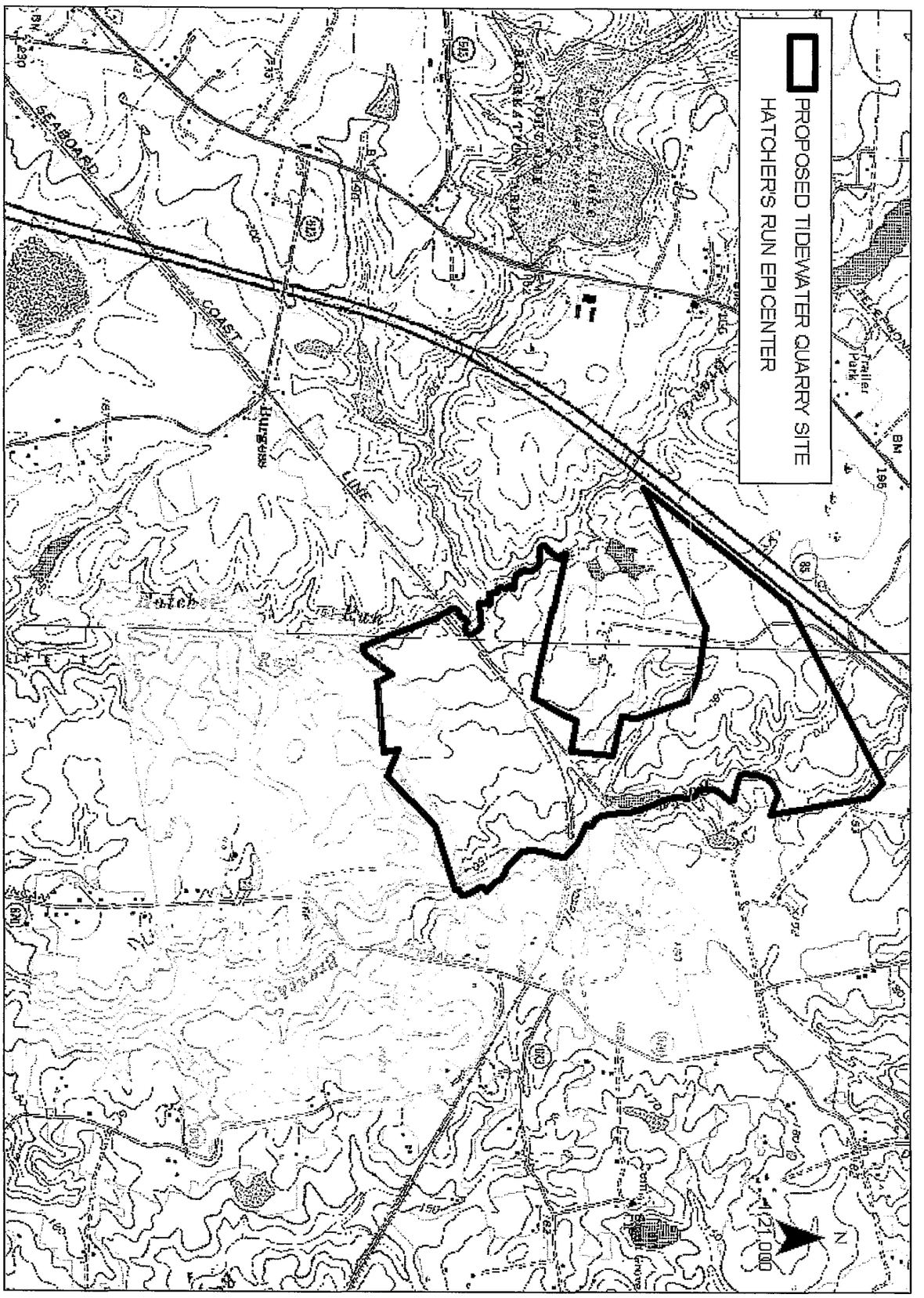
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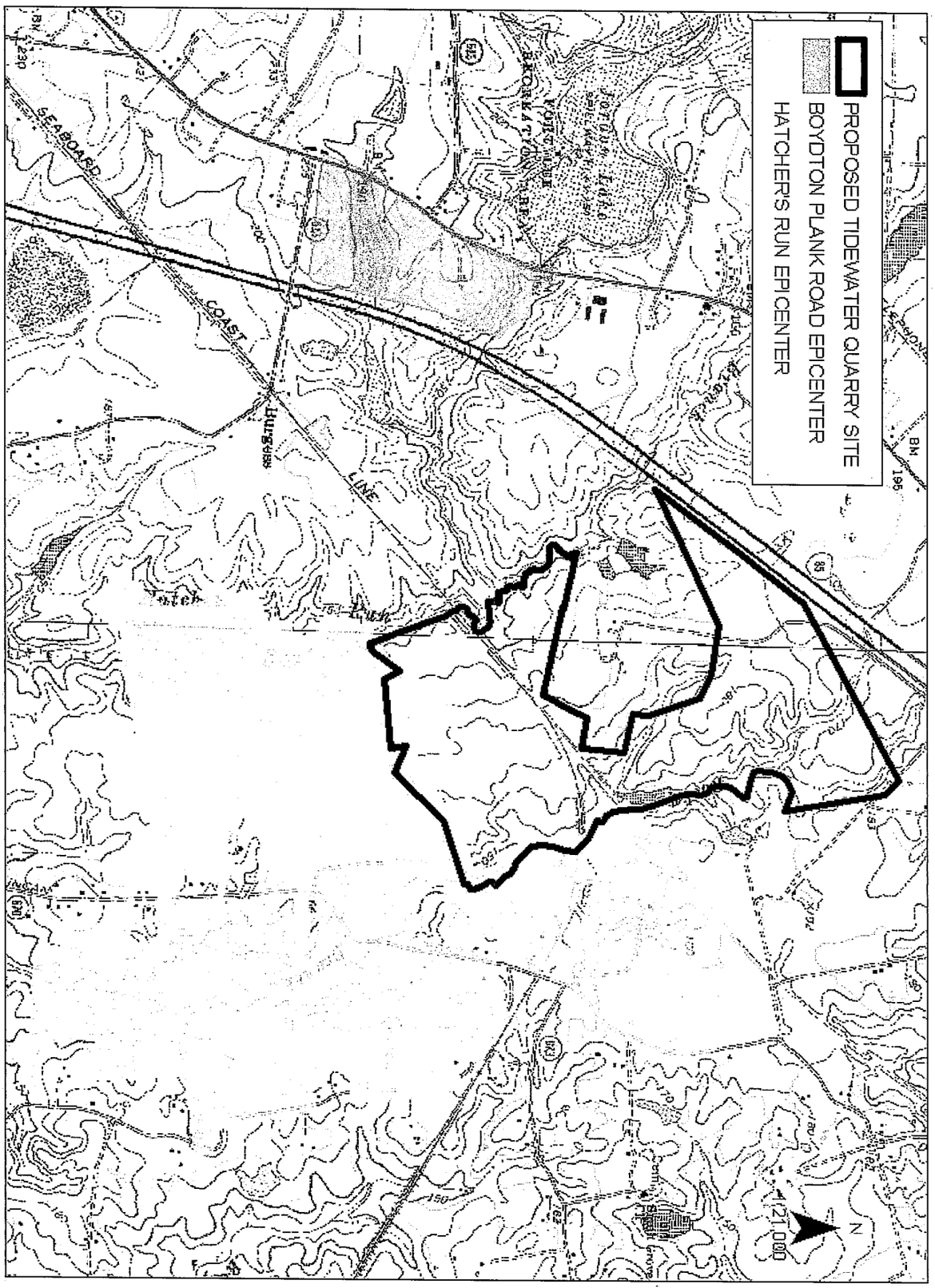
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- UNION MOVEMENT
- CONFEDERATE EARTHWORK
- UNION EARTHWORK
- NPS PROTECTED
- PROTECTED BY OTHERS FOR NPS ACQUISITION
- BATTLE EPICENTER
- CORE BATTLE AREA

Petersburg, Virginia & Vicinity

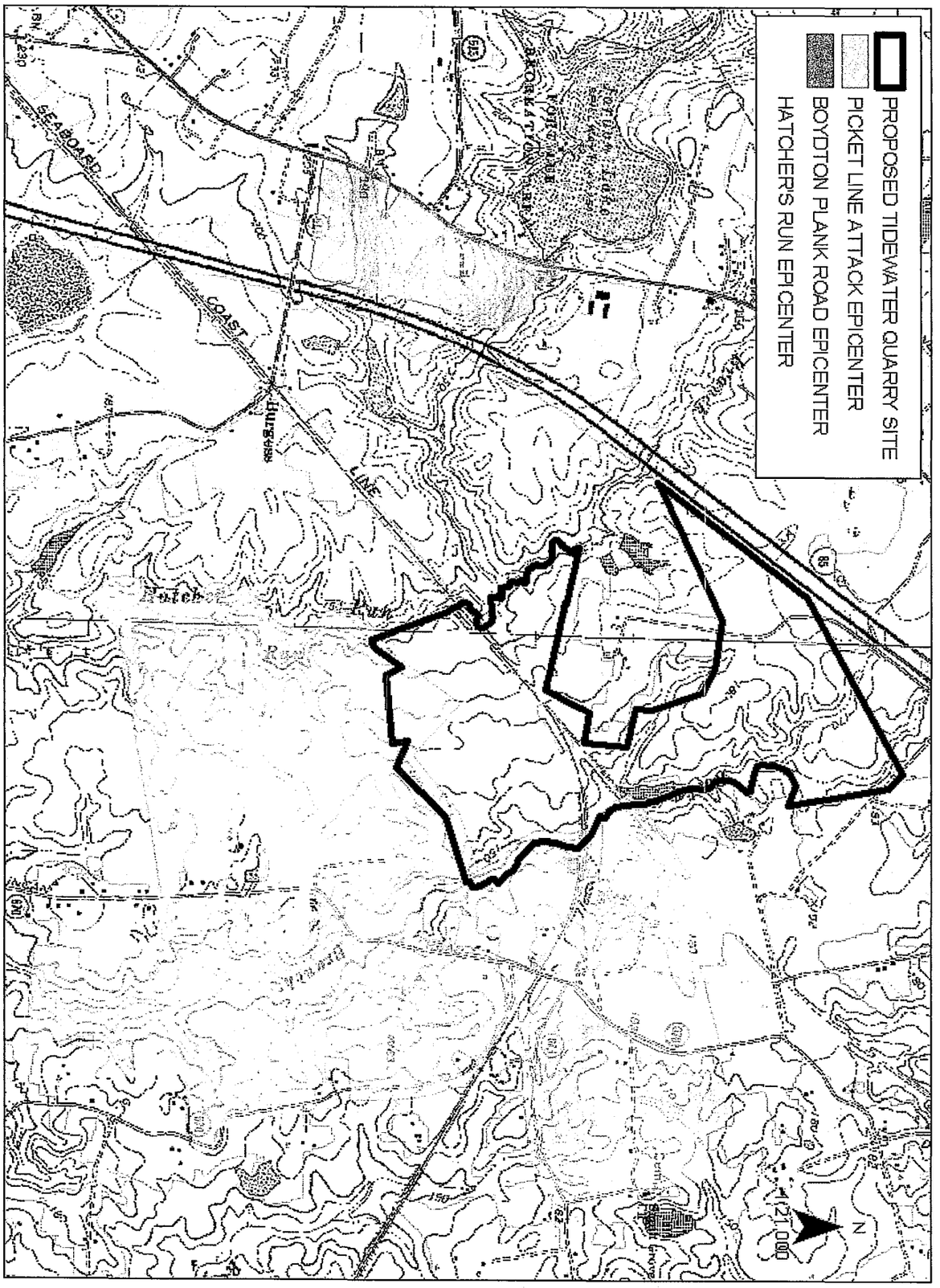
BOOK 16 PAGE 77 MARCH 12, 2003

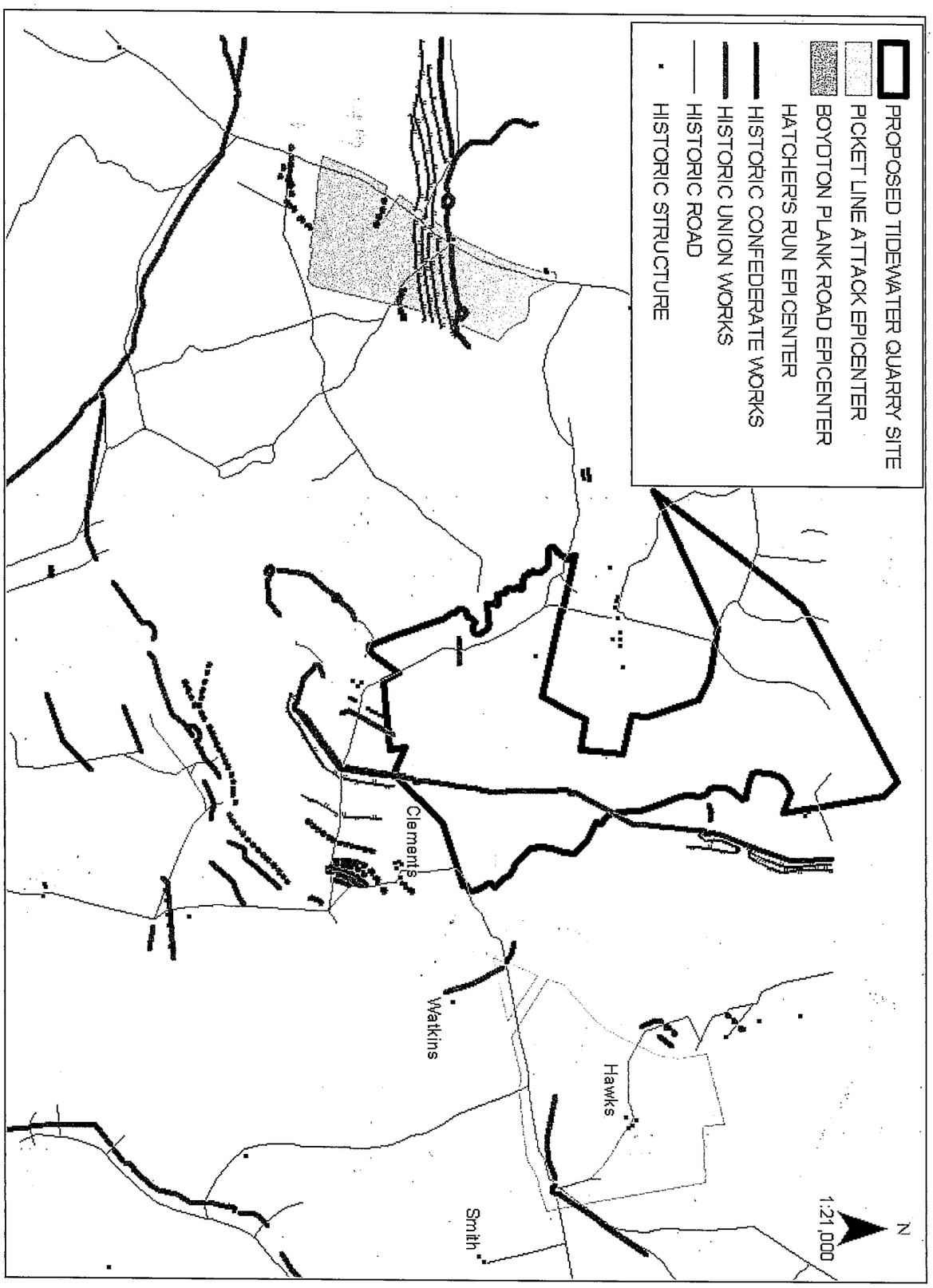
PROPOSED TIDEWATER QUARRY
QUARRY BOUNDARY
QUARRY PIT
ASHPHALT PLANT
CONCRETE PLANT
OVERBURDEN STORAGE
POND
PROCESSING PLANT
ROAD
LINE
ROAD
1:3,000


PROPOSED TIDEWATER QUARRY SITE
HATCHER'S RUN EPICENTER
SEABOARD
COAST
LINE
Burgess
Lurich
Lurich
Trailer Park
121,000
N


PROPOSED TIDEWATER QUARRY SITE
BOYDTON PLANK ROAD EPICENTER
HATCHER'S RUN EPICENTER
SEABOARD
COAST
LINE
Hungers
Hatch
Run
BM
195
85
N
1/21,000

13


PROPOSED TIDEWATER QUARRY SITE
PICKET LINE ATTACK EPICENTER
BOYDTON PLANK ROAD EPICENTER
HATCHER'S RUN EPICENTER
SEABOARD
COAST
LINE
Hatcher
Run
N
1:21,000


PROPOSED TIDEWATER QUARRY SITE
PICKET LINE ATTACK EPICENTER
BOYDTON PLANK ROAD EPICENTER
HATCHER'S RUN EPICENTER
HISTORIC CONFEDERATE WORKS
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HISTORIC ROAD
HISTORIC STRUCTURE
Clements
Watkins
Hawks
Smith
1:21,000
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THE NEW YORK HERALD.

WHOLE NO. 10,291. NEW YORK, MONDAY, OCTOBER 31, 1864. PRICE FOUR CENTS.

RICHMOND.

Additional Details of the Operations of the 27th Inst.

The Army of the Potomac Makes a Reconnoissance Towards the Sou hside Railroad.

The Army of the James Demonstrates Against Richmond.

The Enemy Heavily Fortified At All Points.

Gallant Conduct of the Troops of All the Corps.

ADVANTAGES GAINED.

The Armies Resume Their Original Lines.

An Advance of Three Miles Gained on the Left Towards the Southside Railroad.

LIST OF CASUALTIES.

...grew expected to keep pace and also to keep open communication with them.

THE ENEMY ENCOUNTERED.

It was but little past daylight when we first encountered the enemy, who, we learned, consisted of four brigades of cavalry, under the command of General Wade Hampton. Two brigades were commanded by Generals Barringer, Young, Lee and Butler. Yesterday the whole force was reviewed by General Hampton. The first serious resistance made to our advance was at a small creek or stream in the vicinity of what is known as the Military Telegraph road. Here the enemy had constructed a strong line of breastworks covering the bridge, and had they defended it properly could have given us considerable trouble in taking the position. The First Maine regiment, armed with sixteen shooting rifles, had the advance, and carried the line by assault, wading the stream both above and below the bridge, capturing quite a number of prisoners and leaving several of the enemy dead on the field. General Gregg and staff were watching the movement a few yards from the bridge, in an exposed position, when Captain John W. Harper, acting Provost Marshal of the division, was shot through the arm. The ball struck the elbow joint, but did not break the bone. The wound, though painful, is not considered dangerous.

CAPTURE OF SEVEN WAGONS, ETC.

Upon reaching the telegraph road, which leads from Petersburg to Stony Creek station, on the Weldon road, we succeeded in capturing eight army wagons, partially loaded with commissary stores, tobacco, &c., and quite a number of prisoners. Here we turned to the left, in order to connect with General Hancock.

DESTROYED SEVEN CAISSONS.

Upon the telegraph road we passed several caissons recently occupied by the enemy's cavalry, and showing signs of having been abandoned in great haste. Considerable quantities of grain and hay were left, and any amount of small articles pertaining to camp life.

WITHDRAWAL OF THE ENEMY.

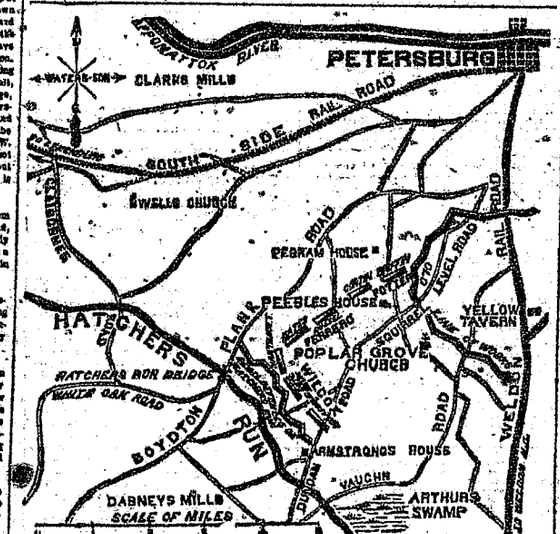
We also learned that about half of the enemy were in the vicinity of Stony Creek station, which was in our rear, and the balance in our front. Skirmishing was now going on constantly, both in front and rear, so that the wires lines were in considerable trouble to find a safe place in the line; and so add to their discomfiture, we received a volley from General Hancock's corps, moving on our right, which fortunately did no injury beyond killing a horse or two.

SKIRMISH WITH THE ENEMY.

Colonel Smith, who commanded the Third brigade, in advance, had his guns pouring solid shot and shell into the rebels in the front, while General Davies was equally busy with his artillery in the rear, and the Second brigade, under Colonel Kirwin, occupying the centre, received generally the contents of the rebel artillery both from the front and rear. Taken as a whole, it was a

THE RECENT RECONNOISSANCE.

Scene of the Operations of the 27th at Hatcher's Run.



Wm. Deagar, G, 187th New York, head.
J. W. Kholp, D, 187th New York, urgent.

...ing of the 37th the lines of the Tenth corps were pushed

...have not been idle, as the operations against the enemy's capital can testify.

SECRECY OF THE PLANS.

Reasons had reached the Army of the James that the Potomac Army was upon the point of commencing a movement; but so secret had the matter been kept and so well laid were the plans that up to the time of putting them in execution no one here knew of it. Not even an intimation was received, that this corps was so soon to be engaged with the enemy. In accordance with these facts there was some surprise expressed upon the reception of the orders on Wednesday evening to be packed up and ready to start at four in the morning. Suggestions and surmises of what was on foot were plentiful, but no one knew anything, and at an unreasonably early hour the next morning we were aroused and commenced getting ready.

THE MOVEMENT OF THE TENTH CORPS.

Day had just commenced breaking, the first streaks being discernable above the tree tops, when all being in readiness, General Terry and staff mounted and proceeding out from camp, travelled rapidly along the New Market road, struck a cross road to the Central or Darbytown road, which we followed until we came to the farm known as the Jacob S. Adee farm, but which has been the residence for several years of Dr. J. J. Johnson, a Northern man by birth, but a rebel by choice. In a previous despatch, the location of this farm, on which there is a fine large house, has been given, so I will merely state it is about four miles from Richmond in a northeasterly direction by the Central road. At this point there are a few houses at some distance from each other, not enough to constitute a village, but on account of the majority of the people bearing the name of Darby. This location has been termed Darbytown, and the road Darbytown road. Upon reaching this point, about noon, a halt took place from the James at Aiken's Landing, General Terry established his headquarters and waited for the columns to come up. Very soon General Foster's division came up the road and formed in line of battle, on and to the left of the road. General Ames' First division, formerly Terry's, was also on hand, which formed on the right, its left resting upon the road. General Hawley's Third division of colored troops formed on the right of General Foster. Immediately in front of the Johnson House the ground is level and clear for a considerable distance, our picket line crossing it nearly east and west.

THE REBEL PICKETS,

just in the edge of the woods and armed two or three hundred, were plainly seen with the naked eye from headquarters. When this disposition of the forces was made a skirmish line was thrown out, which, soon after passing our pickets, became engaged with the rebel pickets, and drove them from a slight line of works on the right. The firing opened at this point, while the line steadily advanced on the left. Upon the rebel pickets

...commanders of the two corps in the army of the James:—

WAR DEPARTMENT MILITARY TELEGRAPH,
DEPARTMENT HEADQUARTERS, Oct. 28—P. M.

General Butler directs that you inform the press correspondents that no information of the movement to-morrow shall be sent before the day after to-morrow is moving—not even a hint as to the prospect of moving. He will hold the correspondents strictly responsible that this order is obeyed.

C. A. KENDALL, Lieutenant Colonel, &c.

THE MARCH COMMENCED.

At five o'clock this morning, every preparation having been made, the column commenced its march. Roads were selected that would accord the greatest force to the enemy. General Martins led the advance, Hinks' man following, and the colored troops bringing up the rear of the column. At eight o'clock Martin's head, on the Darbytown road, was reached, and it was evident that the enemy had not yet discovered our advance. Lieutenant Thomas Weiss, Aid-de-Camp, was sent forward to open communications with Colonel Spear, whose brigade of cavalry was to lead an advance. Nothing had been heard for some time from Colonel Spear. Lieutenant Dawells was sent forward to discover the road, and the column moved forward, passing through a wood road. General Weitzel connected on the Charles City roads at White Tavern.

THE ENEMY MEASURE.

General Kautz's cavalry, under command of Colonel West, was here found in position, with its advance engaging the enemy in front of the rebel works on the road. Connection was here made with Spear, who took the advance through the White Oak swamp. In the meantime the Tenth corps, which had advanced to its old fighting ground, had become hotly engaged with the enemy. As yet, however, it was evident that the enemy had not discovered the advance of this corps.

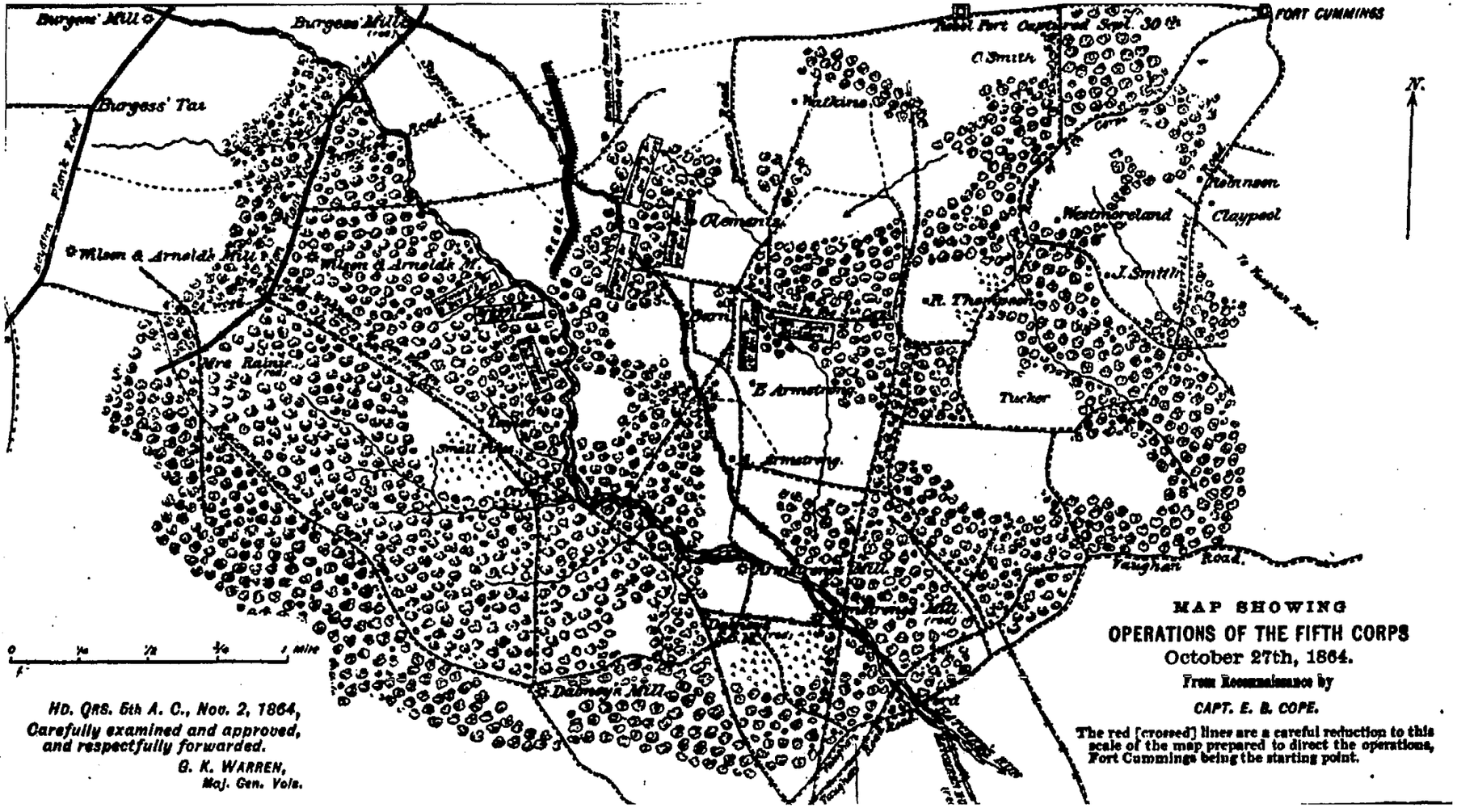
THE ENEMY RECOVERS THE SURPRISE.

Col. Spear's advance suddenly came upon three rebel cavalry videttes, who unfortunately succeeded in making their escape. Our march henceforth was no longer a secret, and the column was pushed on to make up as speed what it had lost in secrecy. The roads were some of the best through this historical swamp, but the men pressed on and soon reached McClellan's old works, thrown up on the battle field of Fair Oaks. Passing through a narrow strip of wood we at length reached the Williamsburg road and came in immediate contact with the enemy, whose works were about a mile further up the road.

AN ENGAGEMENT.

Colonel Spear dismounted some of his cavalry and, supported by a line of infantry skirmishers from Marston's division, moved forward upon the enemy. In front of their works they were found to consist of only a line of dismounted cavalry. The troops were thrown forward in column of division without waiting to form

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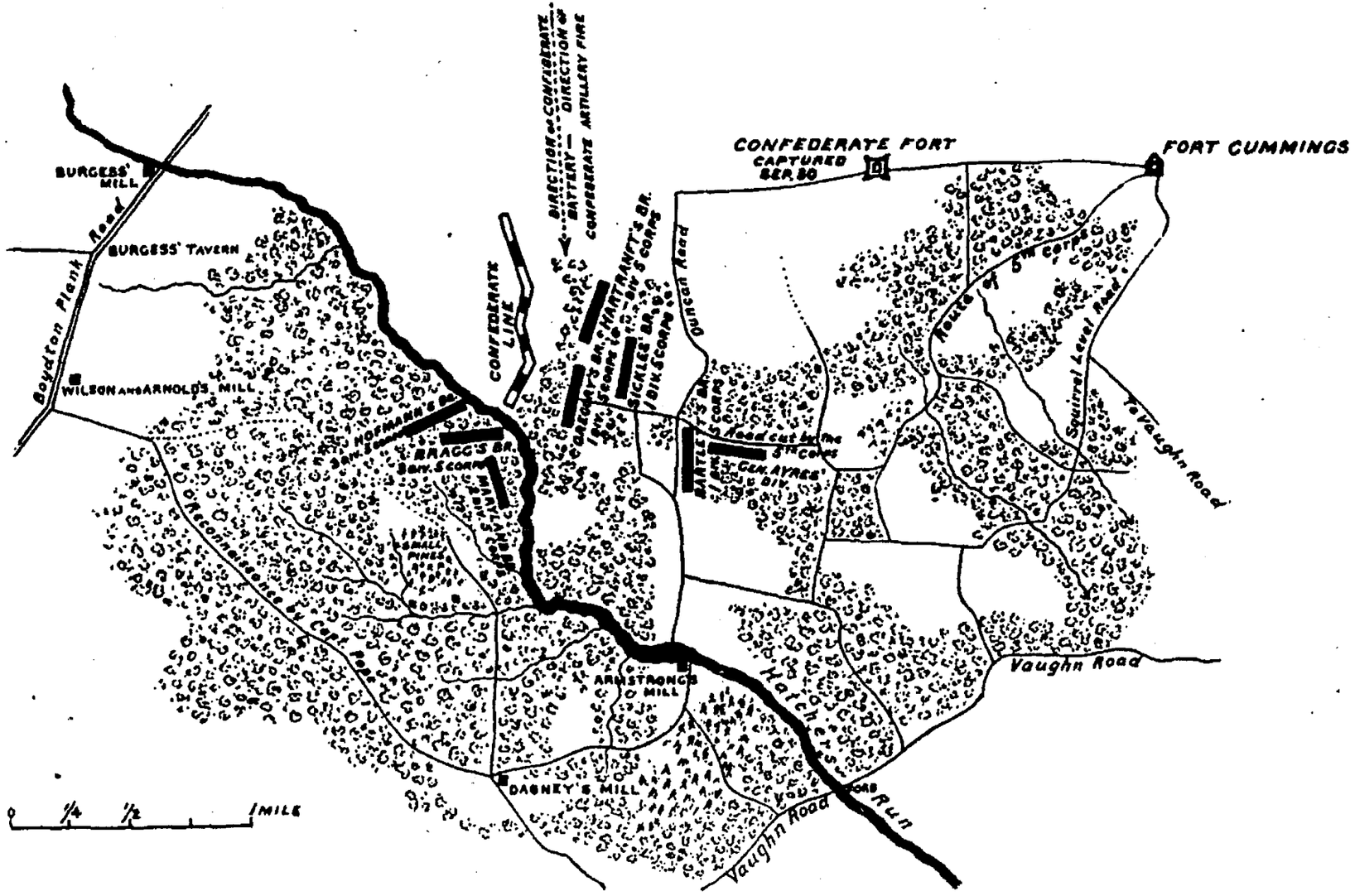


HD. QRS. 5th A. C., Nov. 2, 1864,
Carefully examined and approved, and respectfully forwarded.
G. K. WARREN,
Maj. Gen. Vols.

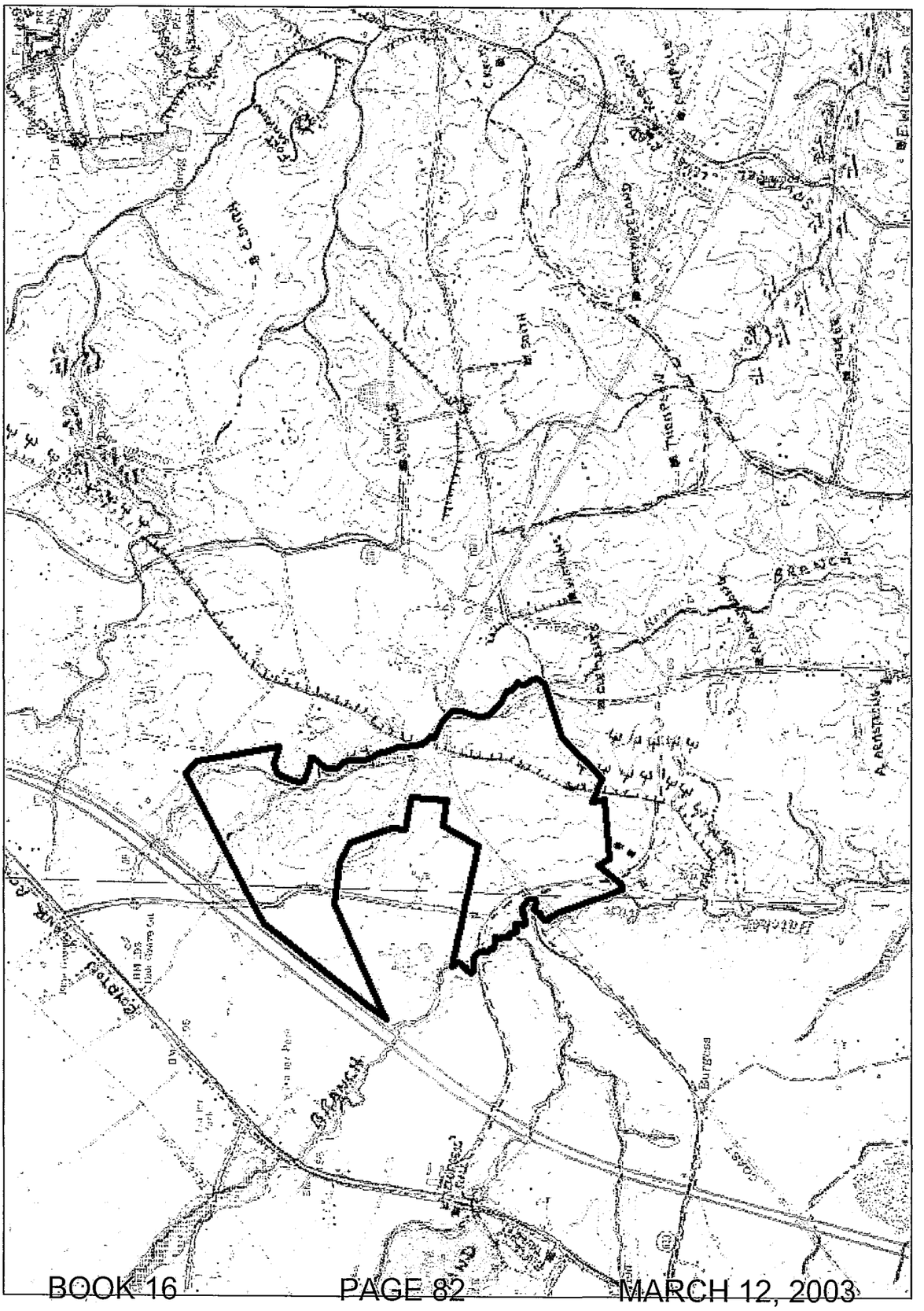
MAP SHOWING
OPERATIONS OF THE FIFTH CORPS
October 27th, 1864.
From Reconnaissance by
CAPT. E. B. COPE.

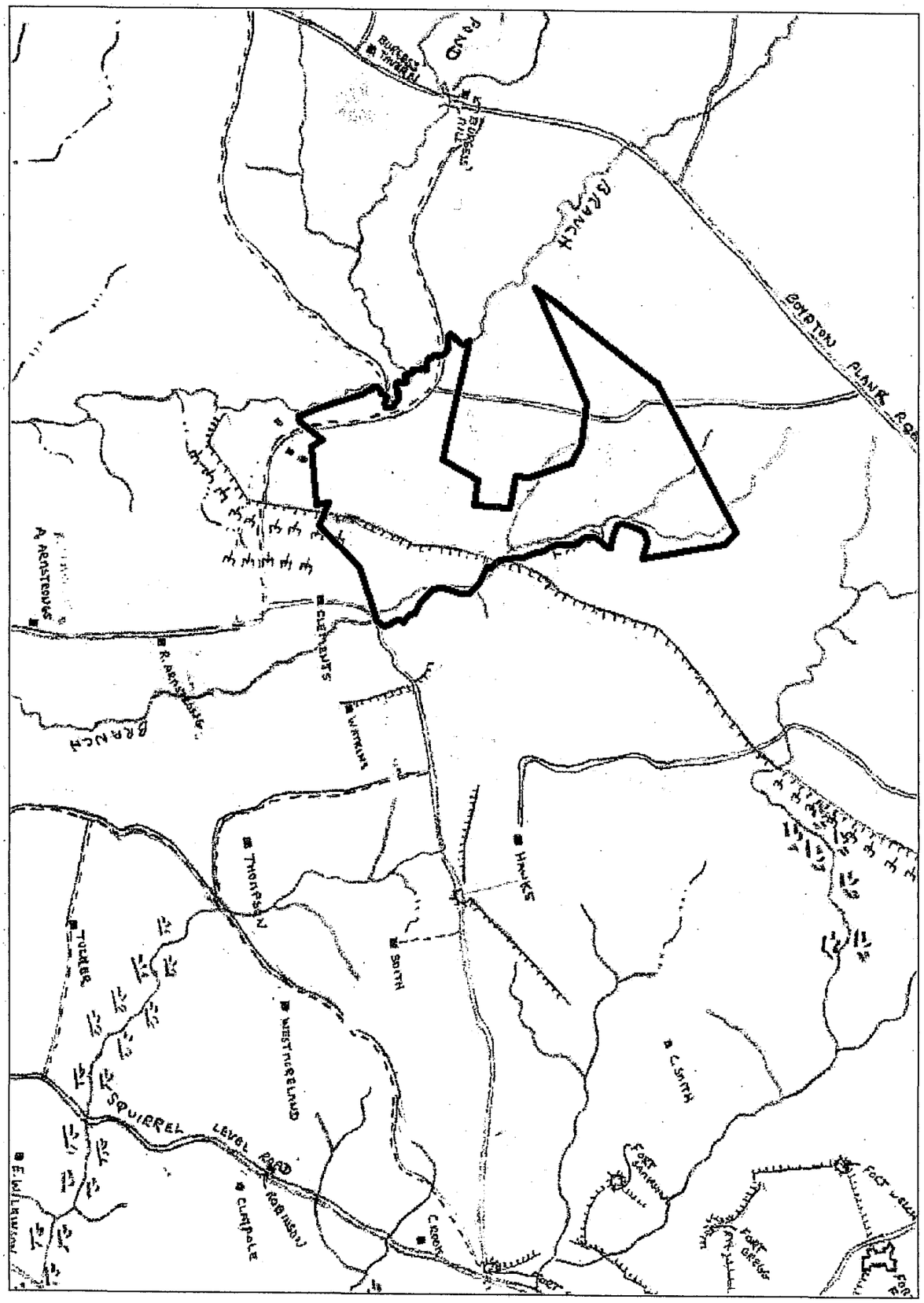
The red [crossed] lines are a careful reduction to this scale of the map prepared to direct the operations, Fort Cummings being the starting point.

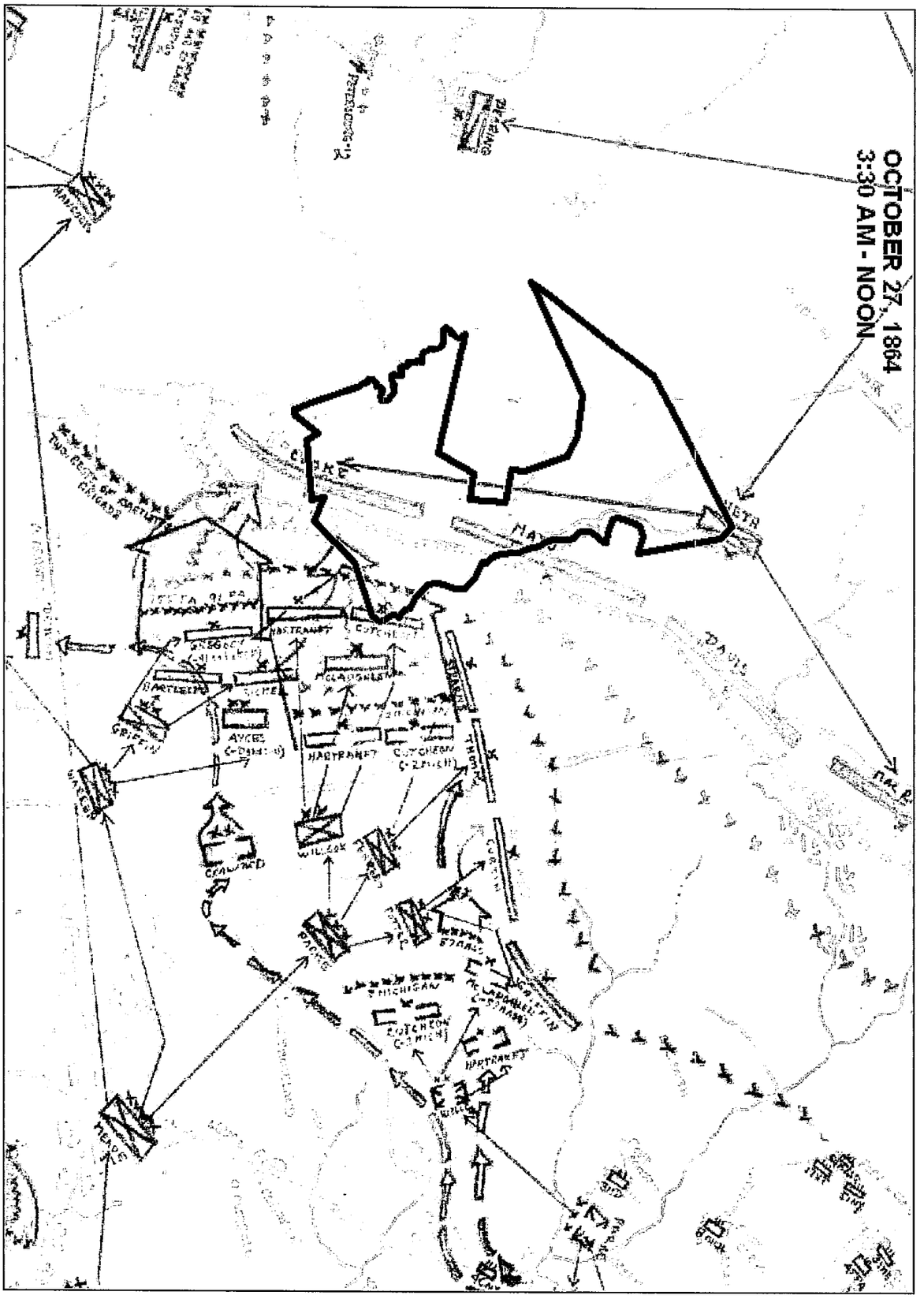
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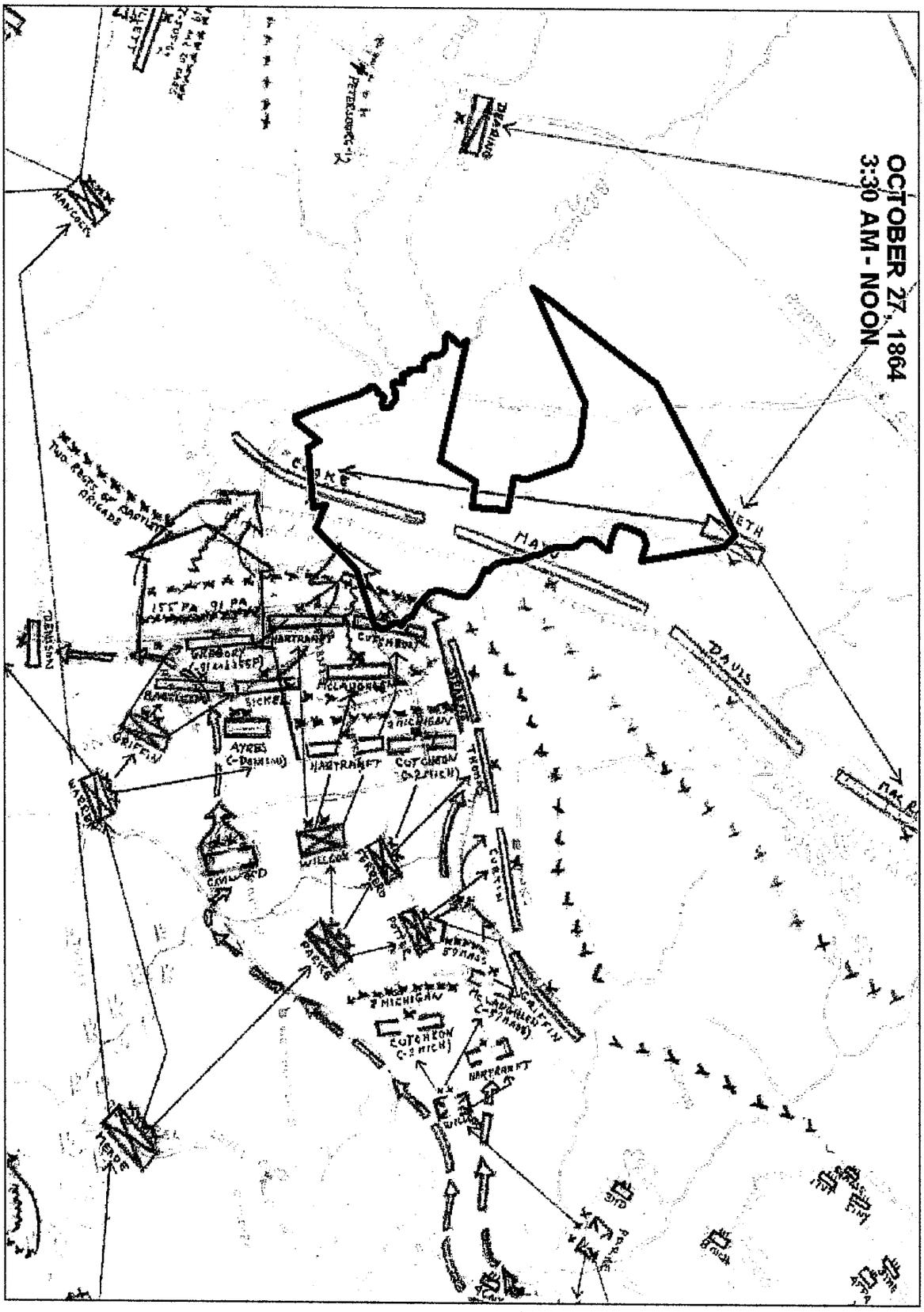


MAP SHOWING OPERATIONS OF THE 5TH CORPS, OCTOBER 27, 1864.
From Reconnaissance by Capt. E. B. Cope.


Thurman
Burgess


BRANCH
R. ARMSTRONG
CLEMENTS
WATKINS
THOMPSON
HAWKS
TUCKER
SMITH
WESTMORELAND
SQUIRREL LEVEL RD
ROBINSON
CLEMDALE
C. SMITH
FORT CAMPBELL
FORT GREGG
FORT


OCTOBER 27, 1864
3:30 AM - NOON


OCTOBER 27, 1864
3:30 AM - NOON
PETERSBURG R.
CLARKE
HAYS
DAVIS
GRIFFIN
AYRES
HARTRANFT
CUTCHEON
WILLCOX
CURTIN
TIDBALL
TERRY
BARLOW
GREGORY
MCLAUGHLEN
SICKEL
MICHIGAN
CAMPBELL
NARCISSE
TURNER
TWO FORTS OF CADWALLADER'S BRIGADE

Gurley house. I waited till about midnight, and nearly an hour after the Second Corps passed, but the enemy did not appear. A guard from each brigade collected stragglers, hundreds of whom were asleep and exhausted along the road and in the woods, and my staff and orderlies made every effort to arouse them and push them on, leaving none we could see.

The casualties of this division were only 2 missing from the First Brigade and 8 from the Second—10 in all.

I have the honor to be, very respectfully, your obedient servant,

O. B. WILLCOX,
Brigadier-General, Commanding.

Capt. ROBERT A. HUTCHINS,
Assistant Adjutant-General, Ninth Army Corps.

No. 215.

Report of Brig. Gen. Edward Ferrero, U. S. Army, commanding Third Division, of operations October 27–28.

HEADQUARTERS THIRD DIVISION, NINTH ARMY CORPS,
Near Peebles' House, Va., October 29, 1864.

MAJOR: I have the honor to submit the following report of the part taken by my command in the recent operations toward the left of our present position:

My command broke camp on the morning of the 27th instant at 3 a. m. and marched, in rear of the First Division of this corps, at 3.30 a. m. Nothing unusual occurred until we arrived at a point opposite the Clements house, where my command took position on the right of General Willcox's division—the First Brigade, under command of Colonel Bates, on the left, and the Second Brigade, under command of Colonel Russell, connecting with the Second Division, commanded by General R. B. Potter, at a point near the Hawks house. The division advanced in line of battle through a thick woods covered by a heavy undergrowth until they came within 100 yards of the enemy's line of works, where they were obliged to halt from the obstructions of fallen timber and abatis, which prevented our farther successful advance. Finding it impossible to overcome these impediments, I reported the fact to the general commanding, and received orders to fortify my line and make such preparations as to hold this position. These dispositions having been made, my division held said line until the morning of the 28th, when, upon the receipt of orders, we fell back to our present camp.

I have to state that both officers and men of this command behaved with great coolness in carrying out my orders explicitly, and are deserving of great praise for their conduct in this action. My staff were ever ready and executed my orders with entire satisfaction.

The list of casualties I have already forwarded.*

In closing I will state that I am very much pleased with the conduct of the colored troops.

I have the honor to be, very respectfully, your obedient servant,

EDW. FERRERO,
Brigadier-General, Commanding.

Maj. P. M. LYDIG,
Assistant Adjutant-General, Ninth Army Corps.

* Embodied in table, p. 159.

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and several of their horsemen unhorsed. A new picket-line was established, and after dark the skirmish line and supports were withdrawn to the new line.

I am, captain, very respectfully, your obedient servant,

SAM. HARRIMAN,
Colonel, Commanding Brigade.

Capt. JOHN D. BERTOLETTE,
Assistant Adjutant-General.

No. 192.

Report of Brig. Gen. John F. Hartranft, U. S. Army, commanding First Brigade, of operations October 27–28.

HDQRS. FIRST BRIG., FIRST DIV., NINTH ARMY CORPS,
October 30, 1864.

CAPTAIN: In obedience to orders from the general commanding, I moved my brigade from camp at 3.30 a. m. on the 27th instant, in the following order: Fifty-first Regiment Pennsylvania Veteran Volunteers, Capt. J. K. Bolton commanding; Thirty-seventh Regiment Wisconsin Volunteers, Maj. W. J. Kershaw commanding; One hundred and ninth Regiment New York Volunteers, Maj. G. W. Dunn commanding; Thirty-eighth Regiment Wisconsin Volunteers, Col. James Bintliff commanding; Twenty-seventh Regiment Michigan Volunteers, Capt. James Dafoe commanding; Thirteenth Regiment Ohio Volunteer Cavalry (dismounted), Maj. S. R. Clark commanding, following the Second Brigade, commanded by Lieut. Col. B. M. Cutcheon, who after passing outside of the fortifications on the road leading westwardly from Fort Cummings, halted until daylight. At daybreak he moved forward as rapidly as his skirmishers could advance through the woods. I followed him closely, and when the head of my column reached the edge of the clearing at the Watkins house I sent, by direction of the general commanding, the Fifty-first Pennsylvania forward to occupy the Watkins house and the Thirty-seventh Wisconsin in support, leaving my remaining regiments to follow Cutcheon's brigade. After occupying the house I advanced the skirmishers to the woods in advance. When Lieut. Col. B. M. Cutcheon's skirmishers came up on the right I ordered them again forward. They now continued their advance until coming up with the enemy's main line of works and took up position less than 100 yards from the same in the edge of the woods. The enemy's line at this point formed a re-entering angle; the general direction of the same was about north and south; in front was clear ground. Colonel Gregg's brigade, Fifth Corps, came up, formed on the left and charged the enemy's line of works. The men advanced to the abatis but were repulsed. Capt. Dan. L. Nicholas, in charge of my skirmishers, thought the enemy had a full line of battle. Colonel Sickel's brigade, same corps, formed in rear of my skirmishers. Captain Bolton, who was supporting with his regiment his skirmishers, moved so far to the right that he was uncovered by Lieutenant-Colonel Cutcheon's skirmishers. He advanced to within about 100 yards of the enemy's work, when he drew his fire from his pits. Captain reported the enemy was moving about considerably, but mostly to the right.

At the first opening of the enemy, I formed my regiments in rear of the Second Brigade in two lines in support to Lieutenant-Colonel

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Cutcheon, but soon after, by direction of the general commanding, formed line connecting Lieutenant-Colonel Cutcheon's left with Colonel Sickel's (Fifth Corps) right. To make the connection, I placed all the regiments on the line, except the Fifty-first Pennsylvania, which was on the skirmish line. The general direction of my line was about 10 degrees east of north. The troops remained in this position during the day and built line of breast-works. At dusk I withdrew the Fifty-first Pennsylvania, and established pickets from the regiments in their own front. Remained in this position during the night and next day until 12 m., when we withdrew in conjunction with the Fifth Corps. I previously deployed skirmishers in the works from the Fifty-first Pennsylvania, with orders to remain until the pickets were withdrawn from the front, and then fall back gradually as the skirmishers of the Fifth Corps fell back. The brigade was withdrawn and formed in front of the Watkins house, connecting with McLaughlen's brigade before my skirmishers left the works. Captain ———, division officer of the day, ordered back Cutcheon's skirmishers, which left my right exposed for 300 yards. Brigade occupied the works at the Watkins house an hour, when I was ordered to fall back to the Smith house and bring back my skirmishers to the Watkins house, and connect with McLaughlen's skirmishers. Formed line at the Smith house, right resting on the same; left refused, so as to form right angles. Here deployed the Twenty-seventh Michigan as skirmishers to cover this line; afterward moved them to the left, so as to connect with the Fifth Corps, and also cover the flank. After leaving this line the brigade moved direct to camp, and the Twenty-seventh Michigan and Fifty-first Pennsylvania ordered to follow.

I am, captain, very respectfully, your obedient servant,

J. F. HARTRANFT,
Brigadier-General, Commanding.

Capt. JOHN D. BERTOLETTE,
Assistant Adjutant-General, First Division, Ninth Army Corps.

No. 193.

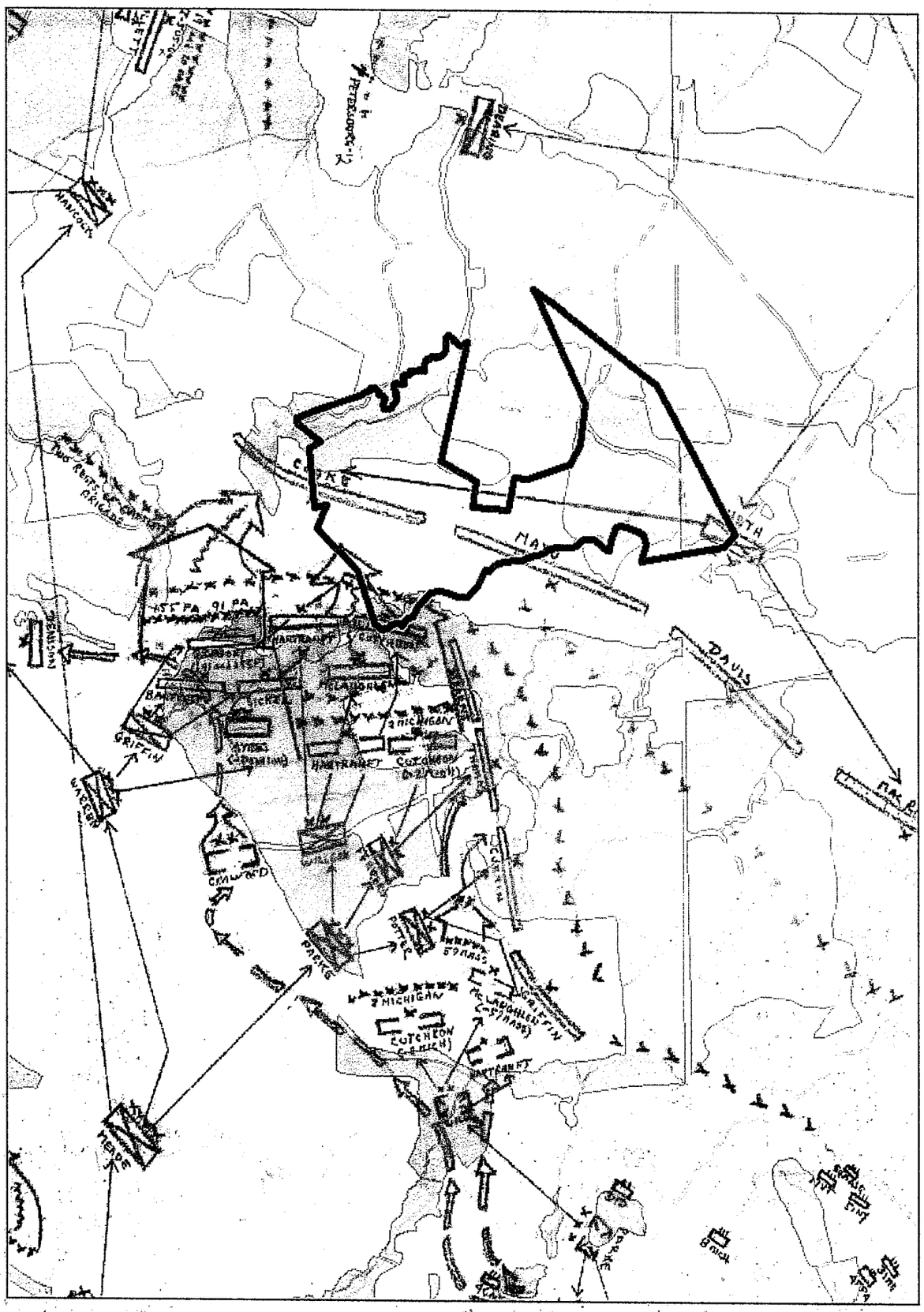
Report of Lieut. Col. Ralph Ely, Eighth Michigan Infantry, of operations September 30–October 9.

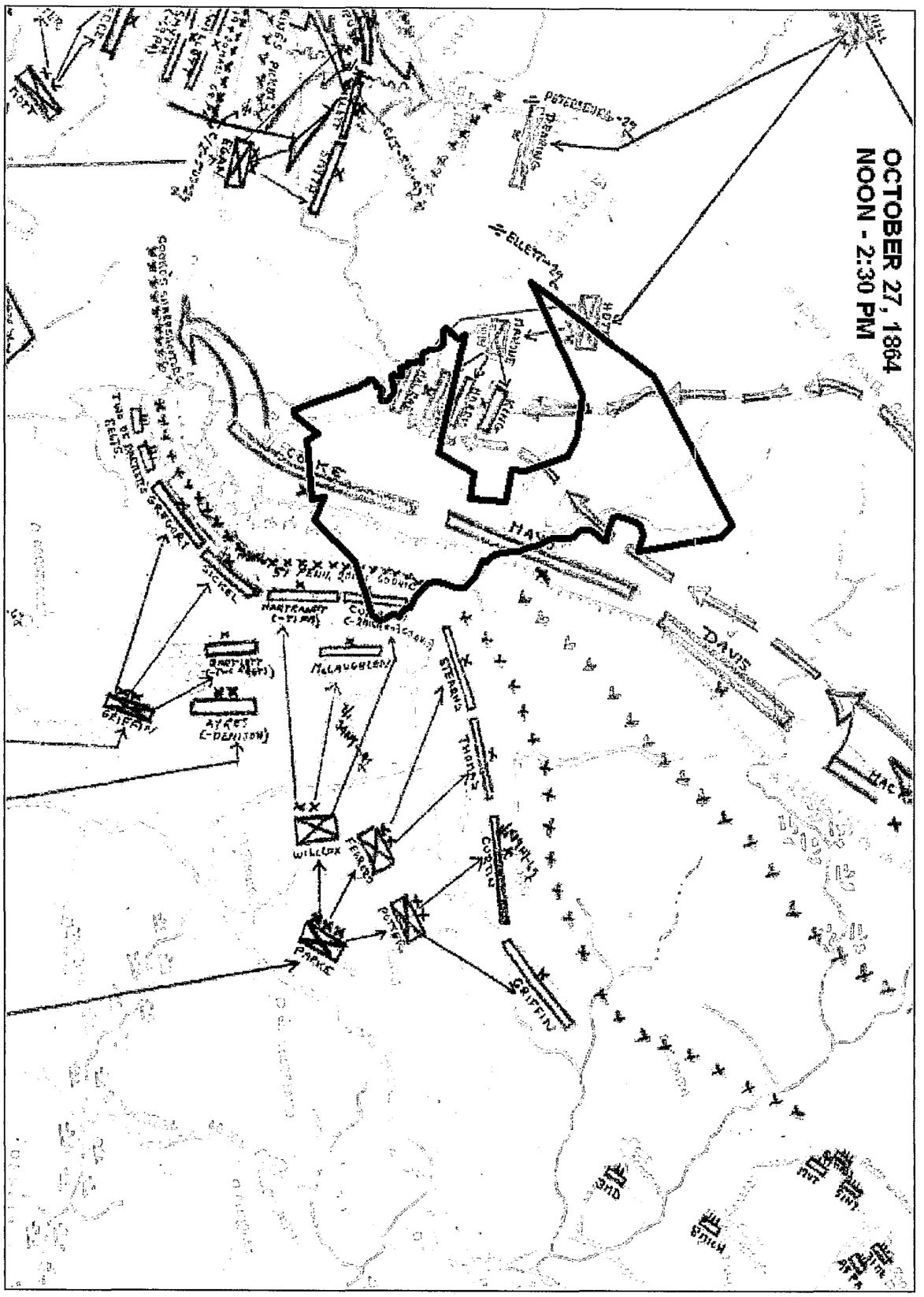
HDQRS. EIGHTH MICHIGAN INFANTRY VETERAN VOLS.,
October 16, 1864.

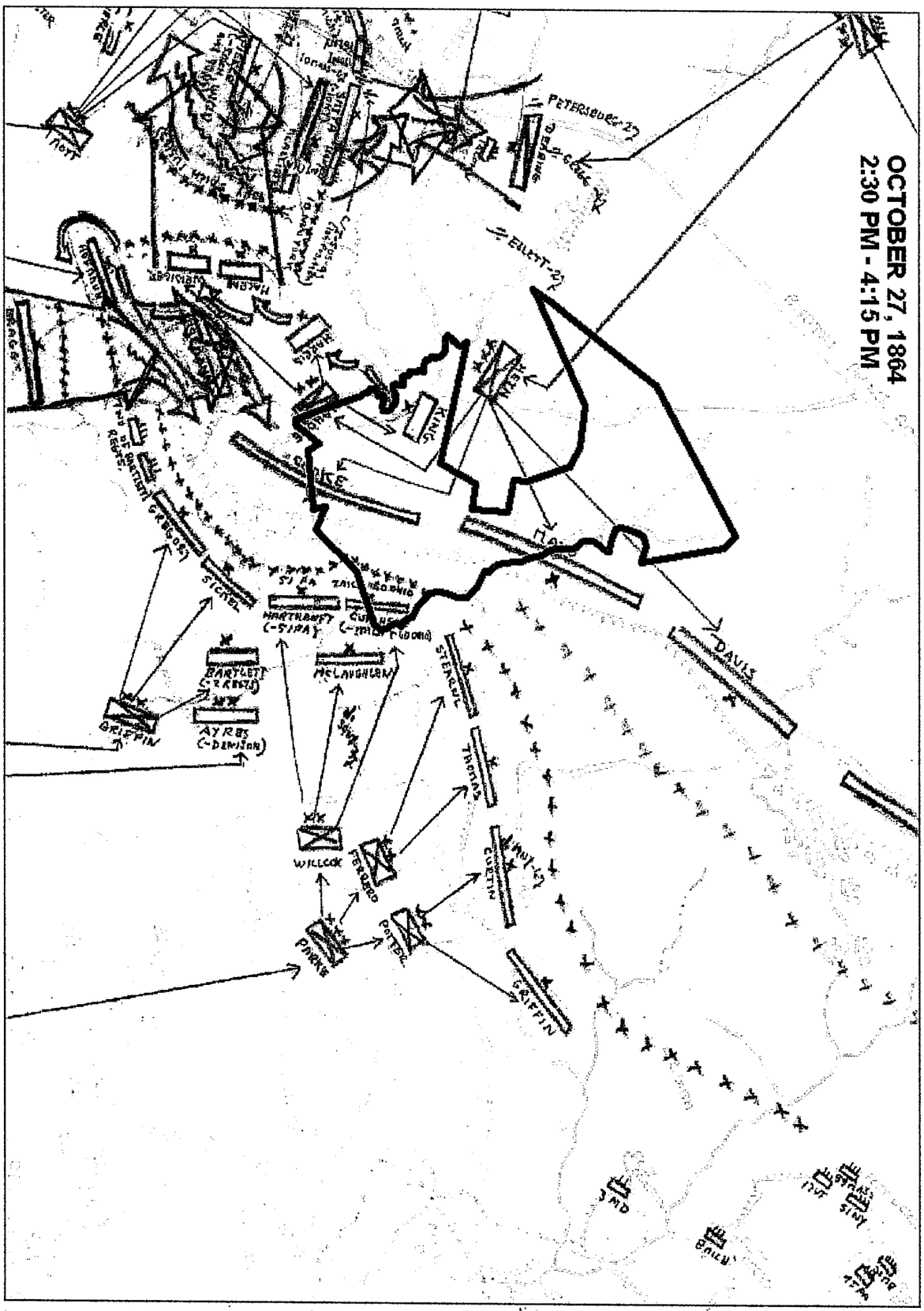
SIR: In compliance with circular of last evening, I have the honor to submit the following record of my command from September 30 to October 9, 1864:

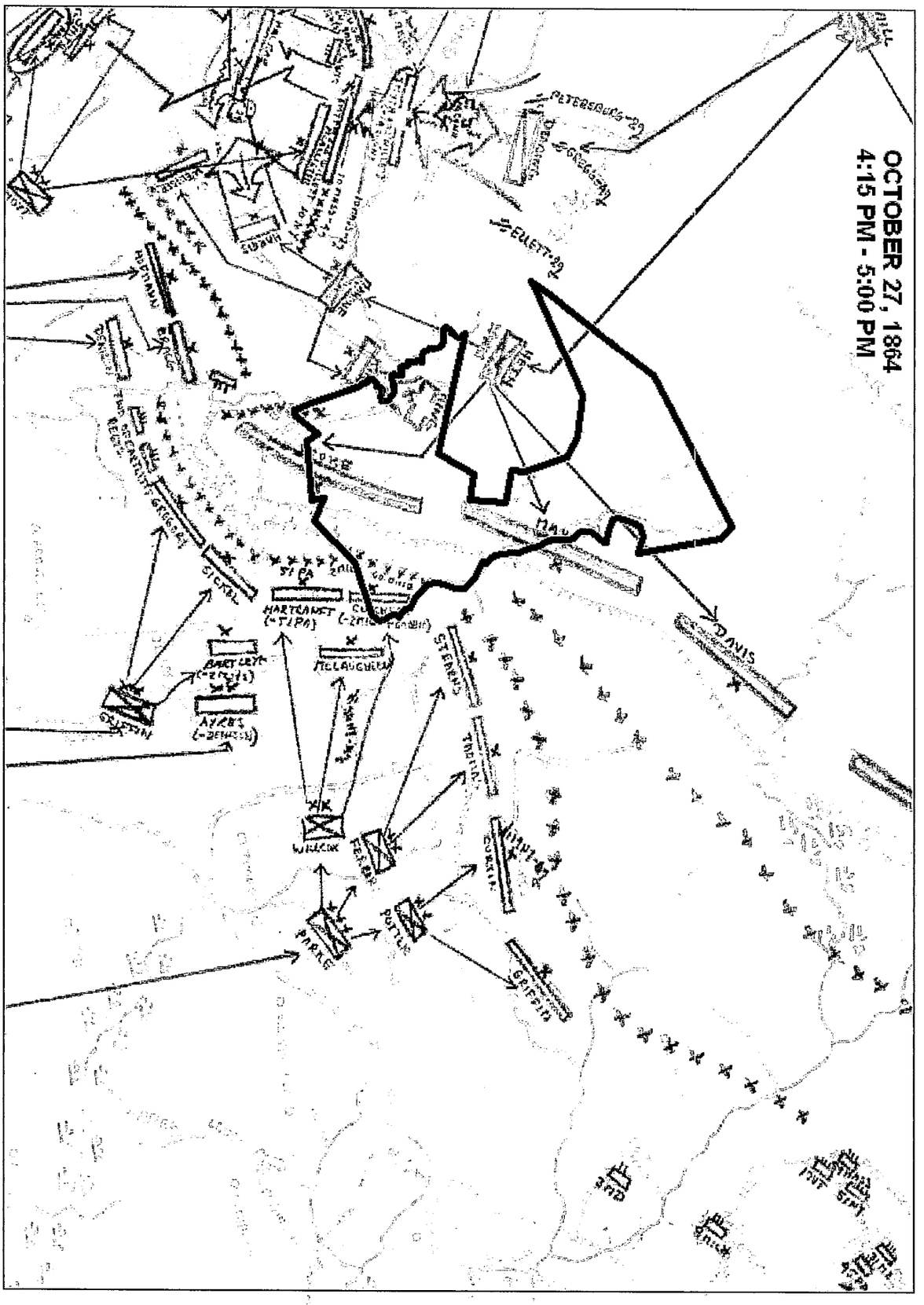
On the morning of September 30 moved from near the Yellow House to Poplar Grove Church and relieved a portion of the Fifth Corps, who had captured the strong line of intrenchments, and in the afternoon engaged the enemy's re-enforcements until night, holding the position by most desperate fighting, resulting in seven casualties to the regiment, viz: Sergts. Lyman W. Pixley, Company K, and D. Henry McComas, Company E (leg amputated), and Privates Elijah Bird, Company A, and James Gordan, Company E, wounded; Corpl. William A. Wright, Company G, and Privates Isaac R. Kidney, Company G, and Charles Maxted, Company B, missing. During the night the regiment moved to the left and fortified a new position, where it remained until the morning of October 2, when, as a support for the Twenty-seventh

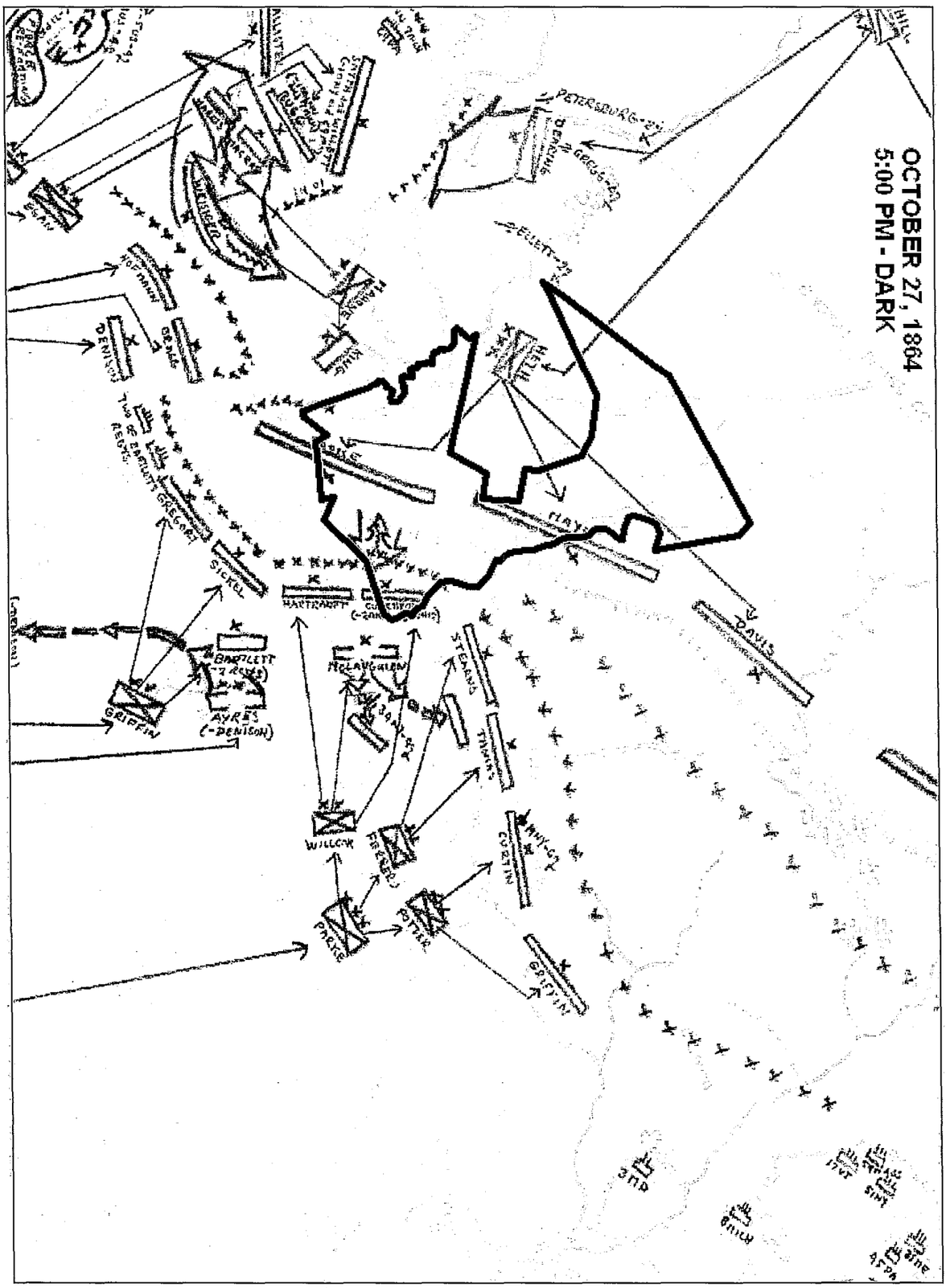
BOOK 16 PAGE 85 MARCH 12, 2003

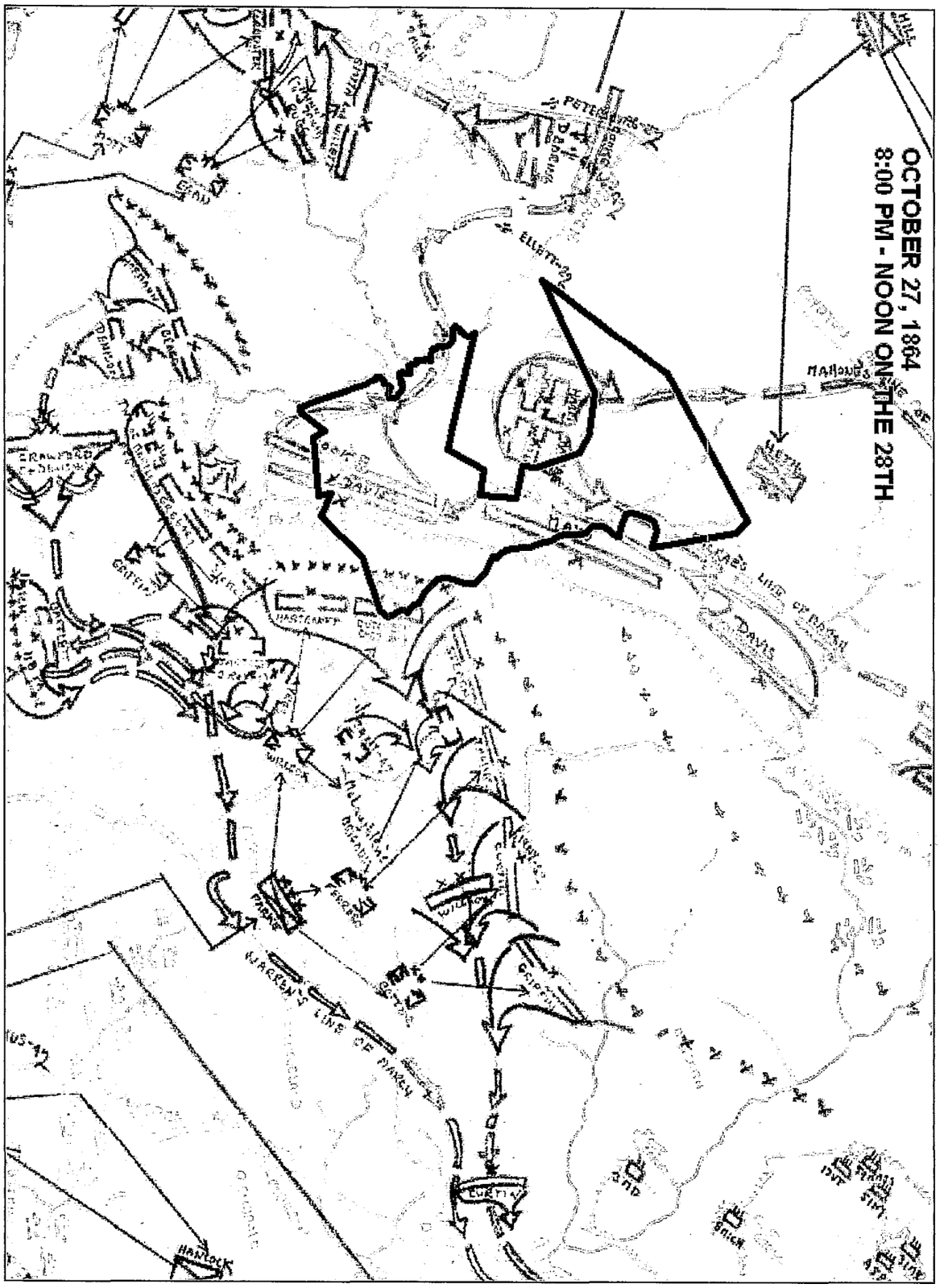

MAYCROFT
GRIFFIN
DAVIS
MERCER
WAGNER
CRAWFORD
PARKING
HARTRAMPF
CUTCHEON
MICHIGAN
PELLAGRINO
BAMBERGER
HYBEA
TIMEMARKET
CUTCHEON
MICHIGAN
PELLAGRINO
HARTRAMPF
MAYCROFT
DAVIS
MERCER
WAGNER
CRAWFORD
PARKING
GRIFFIN
MANCOR
PETERBOROUGH
BEAVER
MAYCROFT
DAVIS
MERCER
WAGNER
CRAWFORD
PARKING
GRIFFIN
MANCOR
PETERBOROUGH
BEAVER


OCTOBER 27, 1864
NOON - 2:30 PM
DAVIS
GRIFFIN


OCTOBER 27, 1864
2:30 PM - 4:15 PM
PETERSBURG-27
ELLETT-27
DAVIS
GRIFFIN
WILLCOX
PARKE
POTTER
CURTIN
FORWARD
HARTRANFT
(-SIPAY)
MCLAUGHLEN
BARTLETT
AYRES
(-DENISON)
STEDMAN
TRIMBLE
STEVENS
BAILEY


OCTOBER 27, 1864
4:15 PM - 5:00 PM
PETERSBURG
DAVIS
HARTRANFT
(-1 / 1 / A)
MCLAUGHLEN
WILCOX
FERRERO
POTTER
GRIFFIN
STEVENS


OCTOBER 27, 1864
5:00 PM - DARK
PETERSBURG-20
GREGG-20
ELLETT-21
DENISON
GRIMES
FLINT
STICKEL
MARTINDALE
BARTLETT
GRIFFIN
AYRES
(-DENISON)
McLAWS-GILEM
STEVENS
TIMMONS
WILLCOX
CURTIN
PIERCE
POTTER
DAVIS


OCTOBER 27, 1864
8:00 PM - NOON ON THE 28TH
ELLETT'S
MAHONE'S
DAVIS
GRIFFIN
WARREN
CRAWFORD
GRIFFIN
WARREN
GRIFFIN
HANCOCK
WARREN LINE OF MARCH
WARREN LINE OF MARCH
DAVIS

Return of Casualties in the Union Forces—Continued.

BOYDTON PLANK ROAD (OR HATCHER'S RUN), VA., OCTOBER 27-28, 1864—Continued.

Command.	Killed.		Wounded.		Captured or missing.		Aggregate.
	Officers.	Men.	Officers.	Men.	Officers.	Men.	
THIRD DIVISION.							
Brig. Gen. EDWARD FERRERO.							
First Brigade.							
Col. OZORA P. STEARNS. (BATES)							
27th U. S. Colored Troops	.....	2	4	12	.....	.....	18
30th U. S. Colored Troops	.....	.....	2	18	.....	2	22
39th U. S. Colored Troops	.....	.....	1	6	.....	.....	7
43d U. S. Colored Troops	1	4	1	18	.....	4	28
Total First Brigade	1	6	8	54	.....	6	75
Second Brigade.							
Col. HENRY G. THOMAS. (RUSSELL)							
19th U. S. Colored Troops	.....	.....	.....	.....	.....	.....	.....
23d U. S. Colored Troops	.....	.....	.....	.....	.....	.....	.....
28th U. S. Colored Troops	.....	.....	.....	3	.....	.....	3
29th U. S. Colored Troops	.....	.....	.....	1	.....	.....	1
31st U. S. Colored Troops	.....	.....	.....	1	.....	.....	1
Total Second Brigade	.....	.....	.....	5	.....	.....	5
Total Third Division	1	6	8	59	.....	6	80
ARTILLERY BRIGADE.							
Col. JOHN C. TIDBALL.							
New York Light, 19th Battery	.....	.....	.....	.....	.....	.....	.....
New York Light, 34th Battery	.....	.....	.....	.....	.....	.....	.....
Total Ninth Army Corps	1	7	13	115	1	13	150
CAVALRY.							
SECOND DIVISION.							
Brig. Gen. DAVID MCM. GREGG.							
Staff	.....	.....	1	.....	.....	.....	1
First Brigade.							
Brig. Gen. HENRY E. DAVIES, Jr.							
1st Massachusetts	.....	.....	.....	2	.....	4	6
1st New Jersey	.....	.....	.....	3	.....	.....	3
10th New York	.....	6	1	10	.....	.....	17
24th New York	.....	.....	.....	.....	.....	.....	.....
1st Pennsylvania (four companies)	.....	1	.....	8	.....	1	10
2d U. S. Artillery, Battery A	.....	.....	.....	.....	.....	.....	.....
Total First Brigade	.....	7	1	23	.....	5	36
Second Brigade.							
Col. MICHAEL KERWIN.							
2d Pennsylvania	.....	1	.....	4	.....	.....	5
4th Pennsylvania	.....	1	.....	5	.....	3	9
8th Pennsylvania	.....	.....	.....	1	.....	4	5
13th Pennsylvania	.....	2	.....	5	.....	2	9
16th Pennsylvania	.....	5	3	20	1	4	32
1st U. S. Artillery, Batteries H and I	.....	.....	.....	1	.....	2	3
Total Second Brigade	.....	9	2	36	1	15	63

Return of Casualties in the Union Forces—Continued.

BOYDTON PLANK ROAD (OR HATCHER'S RUN), VA., OCTOBER 27-28, 1864—Continued.

Command.	Killed.		Wounded.		Captured or missing.		Aggregate.
	Officers.	Men.	Officers.	Men.	Officers.	Men.	
Third Brigade.							
Col. CHARLES H. SMITH.							
1st Maine	1	6	3	53	.....	13	77
6th Ohio	1	5	1	17	.....	13	37
21st Pennsylvania	.....	3	6	20	1	13	57
Total Third Brigade	2	16	10	90	1	43	171
Total cavalry	3	23	14	158	2	63	27

RECAPITULATION.

Second Army Corps	11	88	26	503	3	417	1,058
Fifth Army Corps	.....	25	3	196	2	53	279
Ninth Army Corps	1	7	13	115	1	13	150
Cavalry	2	23	14	158	2	63	271
Grand total	14	132	66	972	8	556	1,758

OFFICERS KILLED OR MORTALLY WOUNDED.

CONNECTICUT.

Lieut. Perkins Bartholomew, 14th Infantry.

DELAWARE.

Maj. William F. Smith, 1st Infantry.

MAINE.

Lieut. Winfield S. Collins, 1st Cavalry.

MASSACHUSETTS.

Lieut. Henry H. Granger, 10th Battery.
Lieut. Asa Smith, 10th Battery.
Capt. David A. Granger, 11th Infantry.
Capt. Alexander McTavish, 11th Infantry.

MICHIGAN.

Lieut. Stewart A. Boyd, 5th Infantry.
Lieut. James F. McGinley, 5th Infantry.

NEW YORK.

Lieut. George W. Rector, jr., 8th Heavy Artillery.
Lieut. Hendrick W. Rathbun, 86th Infantry.
Capt. James Chamberlain, 120th Infantry.
Capt. James Flunegan, 124th Infantry.
Capt. Willard A. Musson, 152d Infantry.
Capt. Daniel Purdy, 155th Infantry.

OHIO.

Capt. Eusebius S. Austin, 6th Cavalry.
Lieut. Col. Frank J. Spalter, 4th Infantry.

PENNSYLVANIA.

Capt. James H. Closson, 91st Infantry.
Capt. John C. Conser, 105th Infantry.
Capt. Charles E. Patton, 105th Infantry.

U. S. ARMY.

Lieut. Thomas Burnes, 2d Artillery.

U. S. COLORED TROOPS.

Lieut. Thomas J. Wood, 30th Infantry.
Lieut. James Rountree, 43d Infantry.

BOOK 16 PAGE 88 MARCH 12, 2003

VERMONT

IN THE CIVIL WAR.

A HISTORY

OF THE PART TAKEN BY THE

VERMONT SOLDIERS

AND SAILORS

IN THE WAR FOR THE UNION.

1861-5.

BY G. G. BENEDICT.

VOLUME I.

BURLINGTON:
FREE PRESS ASSOCIATION,
1886.

BOOK 16 PAGE 89 MARCH 12, 2003


LINES OF PETERSBURG
April 2nd. 1885.
Positions of Vermont Brigade.
Appomattox River
COX ROAD.
BOYDTON PLANK ROAD.
Hatcher's Run
Bailey House
Red House.
Intrenched Picket Line.
Vt. Brigade.
Signal Tower
FORT FISHER
FORT WELTON
FORT GREGG
FORT ALEXANDER
Ft. LEE
9th Pas. Brigade.
WELDON R.R.
1 M.

Mr. Kirby and Mr. Calkins answered questions from the Planning Commissioners, the Board of Supervisors, the citizens and the public.

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Bracey, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Bowman voting "Aye", the meeting adjourned at 6:47 P.M. to be continued until 11:00 A.M. on Tuesday, March 18, 2003 for a budget work session to be held in the Multi-purpose Room of the Pamplin Administration Building.

Robert Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

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 MARCH, 2003, AT 11:00 A.M.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

State Reductions

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

Travel and Training

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

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

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

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

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

Status report for Resource Officer Grant

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

Salary increase for the Board of Supervisors

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

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

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

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

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

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

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

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

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

Request for funds for counter for Clerk of the Circuit Court

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

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

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

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

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

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

Discussion for Grant Writer Position

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

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

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

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

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

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

IN RE: CLOSED SESSION

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

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

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

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

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

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

IN RE: CERTIFICATION

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

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

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

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

IN RE: ADJOURNMENT

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

_____
Robert Bowman, IV, Chairman

_____
Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 2:00 P.M.

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

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

Mr. Robert Bowman, IV, Chairman, called the regular meeting to order at 2:10 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS

The County Administrator stated the Director of Planning has withdrawn his travel request so it needed to be removed from the consent agenda items and add # 4 under County Administrator - discussion of a firm to consider cash proffers.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the February 18, 2003 Regular Meeting, and the February 25, 2003 Continuation Meeting are hereby approved.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1034372 through 1034528 (void check(s) numbered 1034373) for:

Accounts Payable FY 2002- 2003:

(101) General Fund	$	227,029.97
(103) Jail Commission	$	20.99
(104) Marketing Fund	$	.00
(209) Litter Control	$	.00
(222) E911 Fund	$	1,895.39
(223) Self Insurance Fund	$	.00
(225) Courthouse Maintenance	$	.00
(226) Law Library	$	.00
(228) Fire Programs & EMS	$	4,296.08
(229) Forfeited Asset Sharing	$	.00
(304) CDBG Grant Fund	$	137.55

(305) Capital Projects Fund	$ 37,964.83
(401) County Debt Service	$ 23,733.36
TOTAL	**$ 192,078.63**

IN RE: SCHOOL BOARD REQUISITION # 10 – 1998A (70-02-200-7019743)

The following invoices from Dr. Leland Wise, Jr., Superintendent of Schools for Payment Requisition #10 -1998A Bond Issue (70-02-200-7019743) were submitted for payment:

Whitescarver, Hurd, and Obenchain	Architect and Engineering Services	Dinwiddie Elementary School	$1,087.50
Reed-Smith	Legal Services	Dinwiddie Elementary School	$859.05
Total			**$1,946.55**

The attached invoices for this expenditure have been reviewed and approved.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number #10 -1998A (70-02-200-7019743) in the amount of $1,946.55 be approved and funds appropriated for CIP expenses from the School Project Account.

IN RE: CITIZEN COMMENTS

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

The following citizen(s) came forward to address the Board:

1. Mr. James Wilson – 14409 Cox Road, Church Road, Virginia – presented a petition from the residents who live on Karrissa Drive, a private dirt road, and Old Cox Road to the Board of Supervisors requesting that a 5-mile per hour speed limit sign be erected next to the railroad tracks. He commented there is excessive speeding, noise from the vehicles, damage being done to the road, and of course the danger of someone hitting a child. The County Administrator was requested to look into the situation. The Sheriff will be contacted about the speeding on Old Cox Road. Karrissa Drive is not in the State system.

2. Rev. Kathryn F. Talley, Housing Development Officer and Mr. Graham Driver, Director of Development, Community Housing Partners – 1520 West Main Street, Suite 200, Richmond, Virginia 23220 – appeared before the Board of Supervisors seeking support for their rehabilitation efforts in the Sentry Woods Subdivision located in the northeast portion of the County. In order to secure the necessary tax credits provided by a program administered by the Virginia Housing Authority, a letter of support from Dinwiddie County is necessary. The Board members requested that Rev. Talley and Mr. Wilson come back to the April 1, 2003 meeting and provide a map of the proposed area. This would also allow time for the Board members to take a look at the site if they so desired.

IN RE: VDOT – REPORT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, came forward with the following updates:

1. The North Carolina Department of Transportation has tentatively set dates for the public meetings for the High Speed Rail Project in June and July. Mr. Caywood stated he understood the County has gone on record in opposition to the project. However, David Foster, project manager for the North Carolina Department of Transportation extended an invitation to the Board and County Staff to drive over the County and discuss any concerns you might have in mid-May about the route; or hold some pre- presentations in advance of the public meetings in the area. If any of you would like to participate please let me know so I can contact Mr. Foster.

2. He reported that VDOT is scheduled to begin work on Ridley Road in earnest as soon as weather permits.

3. The Iluka Project on Rt. 665, which is being financed by a grant by Sussex County, should be approved by the Commonwealth Transportation Board sometime this week and work is scheduled to commence this summer.

4. VDOT's maintenance budget is about $100 million over extended due to snow removal expenses and pothole expenses; but the Governor has indicated that he would like to see us maintain the resurfacing schedules, which is very important to the County. He told the Board he would keep them updated.

5. Halifax Road Project at the Route 667 intersection has been advertised this month. Bids are due back in approximately 30 days. Construction should begin in late May or early June.

6. Squirrel Level Road Funding Issues – the Right of way costs have increased substantially on both Squirrel Level Road projects primarily due to Verizon relocation costs. The first project has increased by approximately $350,000 over what had been budgeted in the 6-Year Plan. VDOT plans to keep the 1st project on schedule by taking funds from the 2nd project, which will delay the 2nd project by approximately one year if current funding levels are maintained.

7. Courthouse Road, Rt. 619 – would like the Board's feedback on a reduction in scope for the project between Rt. 609 North and Rt. 609 South. VDOT is proposing primarily an overlay project with some shoulder work and geometric improvements at the Rt. 609 North intersection. This should serve the existing 418 vehicles per day well at a much lower cost. Savings could be utilized to help offset the increases in cost for the 613 projects, which have a higher traffic volume. This is consistent with the note in the 6-year plan but it will yield a project that looks different than the previous Courthouse Road projects.

8. Route 226/Route 1 Signal Replacement Project should be completed within the week or so weather permitting. Cameras are for vehicle detection only. No images are recorded.

9. Trucks from the industries on Boydton Plank Road in the City of Petersburg are prohibited by proffer from making left turns into the city residential areas in response to a question from Mr. Bracey.

10. Pre-Allocation hearings for the Primary, Interstate, and Urban systems for 2004 – 2009 are scheduled on April 4th in the Multi-Purpose Room of the Wagner Building, 9501 Lucy Court Circle, Chesterfield, Virginia. The County is encouraged to send a representative.

11. Enhancement Program workshop for applicants for new projects 2003 funding: will be held at the Colonial Heights, Richmond District Office April 22 at 1:00 P.M.

12. Project Dashboard is now online at virginiadot.org.

13. "Draft" for the Long Range Planning Maps and Support Data have been provided to the County Administrator today.

14. Mr. Caywood stated he has been assigned to the District Office for a month from April 24th through May 25th. It is a trickle down effect; somebody who has a Senior Position in the District Office serves as a Major in the Air Force Reserve has been called to active duty. He said his Assistant, Timmy Overton would be serving as the Acting Resident Engineer during his assignment.

Mr. Bracey stated a citizen called and said you sent someone to Hunnicut Road and they put some gravel in those holes but it got knocked out after it snowed. Mr. Caywood commented he would make sure it was put on the list for some maintenance work. It needs a motor grader and asphalt to do it right.

Mr. Bracey stated he accepted the invitation for the High Speed Rail tour but he felt it should be for the public if their land is going to be disturbed. Mr. Caywood informed him that there are going to be some public workshops in June and July specifically for those purposes. He commented if there are any citizen groups within the County that would like to have their own meetings apart from the general workshops they would be willing to come to a meeting like that too.

Mr. Bowman asked how many phases are involved in the study? Mr. Caywood replied they are called tiers. This part is Tier II, which is the environmental study. He said he did not have a map yet. Mr. Bowman asked how long it would be before they would be buying right-of-ways? He responded he wasn't sure but it would be quite a few years before that process would begin. Mr. Bracey asked how many right of ways would be involved? Mr. Caywood responded it would be hundreds and hundreds of parcels. The route is from Washington D.C. to Raleigh.

Mr. Bowman stated he felt it would be good to have them come before the Board and give their presentation. He said it would be interesting to know what impact the quarry would have on the route; and whether or not the quarry would allow them to purchase their property at the same rate they are purchasing it on either side; or if they would have to pay damages when they come through the quarry. Mr. Bowman commented the sooner Mr. Caywood could get the High Speed Rail people here the better it would be.

IN RE: APPOINTMENT – MR. GENE WITT - DINWIDDIE COUNTY WATER AUTHORITY

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Gene Witt be appointed to the Dinwiddie Water Authority, for a four-year term ending December 31, 2006.

IN RE: APPOMATTOX REGIONAL LIBRARY SYSTEM & TOWN OF MCKENNEY - REQUEST FOR LETTER OF SUPPORT FOR GRANT TO PROVIDE HANDICAP ACCESS

The County Administrator stated she received a letter from Mr. Chuck Koutnik, Regional Library Director requesting a letter of support from the Board for a grant from the John Randolph Foundation. The Town of McKenney and the Appomattox Regional Library System are seeking grant funds to provide handicap access to the building that houses the Town Hall and the McKenney Library. The funds will also be used to convert a storage closet into library usable space.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes Staff to write a letter of support for a grant from the John Randolph Foundation for handicap access to the McKenney Town Hall and Library.

IN RE: MR. BOB MENGEL, CONSULTING FORESTER, REQUEST TO USE COUNTY ROAD FOR ACCESS TO REMOVE TIMBER FROM ADJOINING PROPERTY

The County Administrator stated Bob Mengel is here tonight requesting authorization to cross the County's property to remove timber from adjoining property behind the landfill. She commented access is needed to the properties because Chamberlains Bed Creek limits access from the South and West and Great Branch limits access from the North and East. She said he would need access authorization for a three-year period. The road would also need to be extended to the properties. This would be accomplished by using the skid trails made when the land was thinned and it would have to be widened. If any live trees are cut or damaged the County will be reimbursed for them. A hold harmless clause would be included in the agreement to release the County from any claims due to injuries or damage resulting from the use of this access. If the Board authorizes this request we would have an agreement prepared to allow this use.

Mr. Bowman stated he felt the property owners should pay for the legal expenses involved in the agreement. Mr. Bracey questioned whether they should pay the County for the use of the right of way.

Mr. Mengel commented he has been a forester for 20 years and they have never paid for right of ways. We are responsible for maintaining the road and leaving it in as good or better condition than we found it. Mr. Bracey requested before and after pictures of the access road. Mr. Mengel stated he does that anyway.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes the County Administrator to execute an agreement to allow Bob Mengel, Consulting Forester, the use of the access road at the County landfill with the following stipulations:

1. If any live trees are cut or damaged the County shall be reimbursed for them.
2. A hold harmless clause shall be included in the agreement to release the County from any claims due to injuries or damage resulting from the use of this access.

3. The property owners shall be responsible for all legal expenses involved in the agreement.
4. Authorization for the temporary access shall only be for a three-year period.
5. The property owners shall be responsible for maintaining the road and leaving it in as good or better condition than they found it.
6. The Board shall be provided before and after pictures of the access road.

IN RE: AUTHORIZATION TO ENTER INTO NEGOTIATIONS WITH DESTEFANO DESIGN - FOR ARCHITECTURAL SERVICES - NAMOZINE VFD ADDITION

The County Administrator stated at the February 25th work session the Board authorized staff to proceed with the improvements to the Namozine VFD. In the County's original contract with DeStefano Design Group, in the scope of work we included other projects the County might have. She requested authorization to enter into negotiations with DeStefano for this work.

Mr. Bracey requested that the plans be submitted to the Board members before the work commences on the project. He commented he does not agree with the project and he hoped it does not haunt us down the road.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to enter into negotiations with DeStefano Design Group for the architectural services for the Namozine VFD improvements.

IN RE: AUTHORIZATION TO ENTER INTO CONTRACT - ROBINSON, FARMER, COX - TO ESTABLISH CASH PROFFERS

The Assistant County Administrator, W. Kevin Massengill, distributed copies of an article in the Richmond Times Dispatch regarding cash proffers. As Mrs. Ralph indicated, the County is now qualified for cash proffers due to our growth. The article in the newspaper shows two wide spectrums; one with the real estate sector, which sees cash proffers as somewhat of a hurdle inhibiting homeowners housing because local ordinances make it more costly to build. He stated, but generally speaking cash proffers is a way in which "growth pays for growth".

The County Administrator commented we solicited three RFP's. Two companies responded - Robinson, Farmer, Cox Associates for $5,000 and Maximus for $22,000. Continuing she stated she felt the present auditors certainly have an advantage knowing the County's budget, requirements, and expenses which might have been a factor for the lower price. She said she thought Robinson, Farmer, Cox Associates did the base line study to establish cash proffers for Prince George County. It is up to the Board what amount it wants to request but the County needs to establish a basis for the charges.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to enter into a contract with Robinson, Farmer, Cox Associates for the preparation of a system used to compute the fiscal impact of a proposed rezoning; which is the underlying basis for the acceptance of cash proffers.

IN RE: BOARD MEMBER COMMENTS

Mr. Haraway — He asked if the Board was going to discuss the letter from the Auditor of Public Accounts? The County Administrator stated she would like to have the Clerk present for the discussion.

Mr. Moody — He commented the County has a dog confinement ordinance and a certain percentage of the citizens would have to sign a petition and present it to the Board to have their area included. The County Administrator commented 51% of the residents would have to sign the petition before it could be presented to the Board for consideration. Mr. Moody stated he had some concerns about the process. When you get into the subdivisions sometimes it is hard to get everyone to go along with it even though it is needed. He felt a committee should be formed to study this issue.

Mr. Bracey — He stated we paid a bill today for Dinwiddie Elementary School for a HVAC Consultants and Principal study and to Reed-Smith for legal services. What are these charges for and why are we paying for them out of the Sun Trust bond account? There is a subcontractor in the County that did some work for the general contractor on a project for the School Board and he hasn't been paid yet. He commented this concerns him when local people are doing work and not getting paid. He said he would like to have a report if there are some legal problems. The Board members concurred.

The County Administrator commented it was her understanding it is a legal issue and they are going through the process now. She asked the Board for some dates to discuss several School Board issues: the construction options, the budget we received yesterday, and apparently there are a lot of questions regarding this situation. She suggested discussing this situation with them at that time and if there is a need to go into closed session for this discussion we certainly could. Mr. Bracey commented the largest contribution the County makes to any organization is to the School Board and he felt it was very important to meet with them to discuss their budget. The Board agreed to meet Wednesday, March 26, 2003 at 6:30 P.M.

Mr. Bowman — He commented the Board had previously discussed a sound and noise zone around the Motorsports complex. He requested that the County Attorney research what could be done to protect the County.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter from the Auditor of Public Accounts regarding the cash receipts of the Clerk of the Circuit Court.
2. Commonwealth of Virginia locality recycling rate report for calendar year 2002.
3. Dinwiddie County 2002 Recycling Report – Director of Waste Management.
4. Letter form Tidewater Resource and Conservation and Development Council regarding a series of meetings and events to make the Commonwealth as fire safe as possible.
5. Invitation to the Southside Virginia Heritage Days at Historic Fork Inn.

6. Department of Game and Inland Fisheries letter regarding proposed changes to hunting and trapping regulations for 2003-2004 meetings to be held in March.
7. Letter of notification - VDOT's Web-based project management tool to track the status of active transportation construction projects now on-line *Dashboard.*

IN RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 3:35 P.M. to be continued until 5:30 P.M. on Wednesday, March 19, 2003 for a joint work shop with the Planning Commission for a presentation of the State Agencies regarding Permitting for Quarry Operations to be held in the Multi-purpose Room of the Eastside Community Enhancement Center.

Robert Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM AT THE EASTSIDE COMMUNITY ENHANCEMENT CENTER IN DINWIDDIE COUNTY, VIRGINIA, ON THE 19th DAY OF MARCH, 2003, AT 6:30 P.M.

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

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Mr. Robert Bowman, IV, Chairman, called the continuation meeting to order at 6:41 P.M.

IN RE: PRESENTATION OF THE STATE AGENCIES REGARDING PERMITTING FOR QUARRY OPERATIONS

Mrs. Wendy Ralph, County Administrator gave the order of conduct for the workshop. She stated that each agency would present their topic as shown on the agendas. After hearing the presentations, the Planning Commission would present any questions or comments to the agency representatives followed by questions and comments from the Board of Supervisors. Forms have been provided on the tables to write down any questions anyone might have for the representatives. Once the Board and Planning Commission questions have been answered the chairman will read any questions presented by the public to the representatives and they will try to answer those questions.

Department of Mines, Minerals & Energy

Mr. Mark S. Goff, Engineering Manager, Division of Mineral Mining came forward and presented the following information on the process related to new applications for mineral mining permits. "Mineral mines include rock quarries, open pit mines, dredging operations, and underground mines that extract a variety of non-fuel minerals. Mineral mining permits are issued by the Department of Mines, Minerals and Energy's Division of Mineral mining (DMM) under the Virginia Minerals Other Than Coal Surface Mining Law Regulations.

The public notification requirements for all new permit applicants give adjacent property owners advance notice of the intended mining operation. Public hearings and public comment periods provide these property owners the opportunity to voice their concerns or objections related to the proposed mining operations and reclamation plan.

Public Notification

The applicant for a mineral mining permit is required to notify adjacent property owners within 1000 feet of the proposed permit boundary. These property owners have 10 days from receipt of notification to file written objections with the DMM Director and/or request a public hearing concerning the proposed mining operation. Public notification is required for initial or new applications only. No new notice is required for renewal applications or for the addition of acreage to existing permits.

Purpose of Hearings

The public hearing serves an informal "information gathering" forum. The purpose of the hearing is to:

Give adjacent landowners and the applicant a forum in which to publicly address any objections or concerns regarding the proposed mining operation.

Set up an appeal process for any party aggrieved by the decision of the DMM to either issue or deny the permit.

Public Hearing Procedure

The public hearing procedure is addressed in Virginia's Administrative Process Act (APA Section 9-6.14:11). The hearing is conducted by a hearing officer and held in the general vicinity of the proposed mining operation. Persons attending the hearing may present written and/or oral statements, photographs, or other evidence. The hearing is recorded for future review.

The hearing is not an adversarial proceeding. Cross-examination is not permitted, as the hearing is only informational or fact-finding in nature. Questions are addressed to the hearing officer, who will determine what procedure is best for answering the questions. Due to time constraints, it may not be possible for answering the questions. Due to time constraints, it may not be possible to respond to all questions or concerns at the hearing. However, all issues raised will be addressed in the hearing officer's written recommendation.

Within 30 days following the close of the hearing, the hearing officer will make a written recommendation to the Director of DMM to either issue or deny the permit, or require the applicant to supply additional information prior to making the final permit decision. A copy of the hearing officer's recommendation will be mailed to each person that requested the hearing, as well as the permit applicant. Other participants in the public hearing may also request a copy of the recommendation.

Based upon the recommendation of the hearing officer and any additional information that was requested and received pursuant to the recommendation, the Director of DMM will either issue or deny the permit.

Administrative Appeals

The issuance of the permit, or the decision to deny the permit application, represents DMM's final order or case decision and as such may be appealed to civil court in the city or county where the mine is to be located. If the final order is appealed, the rules controlling such an appeal are found at Rule 2A, Rules of the Supreme Court of Virginia, and Article 4, Court Review, of the Administrative Process Act. Parties with a right to appeal the final order have 30 days from the date of the issuance of the permit to file a notice of appeal under the referenced Rules. A notice of appeal must be filed to begin the process. If the notice of final order was received by mail, an additional three days are added to the 30-day requirement.

DMM Authority

Through its administration of the Minerals Other Than Coal surface Mining Law and Regulations, the Division of Mineral Mining provides for the safe and environmentally sound exploration and production of Virginia's non-fuel minerals. This is accomplished through the permitting process, regular inspection and enforcement activities, and complaint investigations that address such areas as:

Method of Operation
Mine Map
Mine Road Maintenance
Construction Activities
Screening of the Mine Operation
Grading and Seeding
Citizen and Worker Complaints
Erosion and Sediment Control
Operator Insurance Bond

Blasting Operations
Final Reclamation and Stabilization of the Site

Common issues of concern that DMM has no authority to regulate under the Mining Law and Regulations are listed below:

Land-Use
Zoning
Traffic on public Roads
Property Value
Hours of Operation
Life of the Mining Operation"

Virginia Department of Transportation

Mr. Scheid introduced Mr. Richard Caywood, Resident Engineer for Dinwiddie County. Mr. Caywood gave VDOT's role in the permitting process. He stated that in Dinwiddie the agency provided the following services:

1. Provide technical engineering and advice to the County in the site plan process.
2. Regulate entrances to the state highway system.
3. Coordination with the Federal Highway Administration when looking at sites which will impact the interstate right-of-way or system in any way.

He added that some of the steps in the process for a major site were as follows:

1. Review traffic impact analysis.
2. Land Use Permit for any work done in VDOT right-of-way.
3. Environmental review for work done in VDOT right-of-way.
4. Entrance Permit for accessing site from state maintained road system.

Mr. Caywood commented even though the actual site plan is approved by the county, the entrance permit is reviewed and issued by VDOT. Mr. Caywood stated, that VDOT does not take a position on local land use decisions. He said their role was to support the desires and aims of the Planning Commission and provide technical assistance where needed. Lastly he said, concerning "fugitive dust", there is an entrance permit issued by VDOT with a requirement that the site operate in a safe manner and not track dust, mud, debris or gravel out onto the road from the site thus creating a safety hazard.

Mr. Caywood discussed the following questions and comments with the Planning Commission and Board of Supervisors.

1. When reviewing and providing technical assistance, is the best traffic plan suggested or does the proposed traffic plan get reviewed.
2. The Environmental review process.
3. What is required to get an interstate entrance permit.
4. How is it determined if there is enough distance for turning lanes.
5. Can VDOT stop a project?
6. If locality wanted to control flow of traffic through historical area, do they have any recourse?

Department of Historic Resources Presentation

Ms. Ethel R. Eaton, Ph. D., Archaeologist Senior, Department of Historic Resources, came forward and presented the following information:

The Advisory Council on Historic Preservation is comprised of 20 presidentially appointed members, and a small permanent staff housed in offices in

Washington, DC, and Denver, Colorado. The staff provides all support services for ACHP members. The Executive Director is based in the Washington, DC, office.

Each year, the Federal Government is involved in a variety of projects that impact historic properties. For example, the Federal Highway Administration works with States on road improvements; the Department of Housing and Urban Development grants funds to cities to rebuild communities; and the General Services Administration builds and leases Federal office space.

Agencies like the Forest Service, the National Park Service, the Bureau of Land Management, the Department of Veterans Affairs, and the Defense agencies make decisions daily about the management of Federal buildings, parks, forests, and lands.

Less obvious Federal actions can also have repercussions on historic properties. A Corps of Engineers permit to build a boat dock or a housing development that affects wetlands may also impact fragile archeological sites. Likewise, a Federal Communications Commission license for cellular tower construction might compromise rural landscapes or properties valued by Indian tribes for traditional religious or cultural practices.

These and many other Federal actions can harm historic properties. Section 106 review is your opportunity to alert the Federal Government to the properties you value and to influence decisions about the Federal projects that affect them.

What Is Section 106 Review?

In the National Historic Preservation Act (NHPA), Congress established a comprehensive program to preserve the historical and cultural foundations of the Nation as a living part of community life. Section 106 of NHPA is crucial to that program, because it requires consideration of historic preservation in the multitude of Federal actions that take place nationwide. Section 106 requires Federal agencies to consider the effects of their actions on historic properties and provide the Council an opportunity to comment on Federal projects prior to implementation.

Section 106 review encourages, but does not mandate, preservation. Sometimes there is no way for a needed project to proceed without harming historic properties. Section 106 review does, however, ensure that preservation values are factored into Federal agency planning and decisions. Because of Section 106, Federal agencies must assume responsibility for the consequences of their actions and be publicly accountable for their decisions.

Understanding Section 106 Review

Regulations issued by the Council guide Section 106 review, specifying actions Federal agencies must take to meet their legal obligations. The regulations are published in the Code of Federal Regulations at 36 CFR Part 800 and can be found on the Council's Web site at www.achp.gov/regs.html.

Federal agencies are responsible for initiating Section 106 review, most of which takes place between the agency and State and tribal officials. Appointed by the governor, the State Historic Preservation Officer (SHPO) coordinates the State's historic preservation program and consults with agencies during Section 106 review.

Agencies also consult with officials of federally recognized Indian tribes (herewith, "tribe") when tribal lands or historic properties of significance to such tribes are involved. Some tribes have officially designated Tribal Historic Preservation Officers (THPOs), while others designate representatives to consult

with agencies as needed. Contact information appears on the final pages of this guide.

To successfully complete Section 106 review, Federal agencies must:

- determine if Section 106 of NHPA applies to a given project and, if so, initiate the review;
- gather information to decide which properties in the project area are listed on or eligible for the National Register of Historic Places;
- determine how historic properties might be affected;
- explore alternatives to avoid or reduce harm to historic properties; and
- reach agreement with the SHPO/tribe (and the Council in some cases) on measures to deal with any adverse effects **or** obtain advisory comments from the Council, which are sent to the head of the agency.

The National Register of Historic Places

The National Register of Historic Places is the Nation's official list of properties recognized for their significance in American history, architecture, archeology, engineering, and culture. It is administered by the National Park Service, which is part of the Department of the Interior. National Register properties include districts, sites, buildings, structures, and objects. They can be significant to a local community, a State, an Indian tribe, or the Nation as a whole.

In order to be considered during Section 106 review, a property must either be already listed on the National Register or be eligible for listing. A property is considered eligible when it meets specific criteria established by the National Park Service.

During Section 106 review, the Federal agency evaluates properties against those criteria and seeks the consensus of the SHPO and/or tribe regarding eligibility.

If you have any questions, please contact the Division of Resource Services and Review at (804) 367-2323, extension 106.

Virginia Department of Historic Resources
Division of Resource Services and Review
2801 Kensington Avenue
Richmond, VA 23221

When historic properties will be harmed, Section 106 review usually ends with a legally binding agreement that establishes how the Federal agency will address the adverse effects. In the few cases where this does not occur, and the Council issues advisory comments, the head of the Federal agency must consider the comments in making a final decision.

The point of Section 106 review is not to stop projects. It is to ensure that Federal agencies fully consider historic preservation issues and the views of the public during project planning.

What Is an Adverse Effect?

In Section 106 review, a project is considered to adversely affect a historic property if it may alter the characteristics that qualify the property for inclusion in the National Register in a manner that would diminish the *integrity* of the property. Integrity is the ability of a property to convey its significance, based on its location, design, setting, materials, workmanship, feeling, and association.

Adverse effects can be direct or indirect. They include reasonably foreseeable impacts that may occur later in time, be farther removed in distance, or be cumulative.

Typical examples of adverse effects are:

- physical destruction or damage
- alteration inconsistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* (see www2.cr.nps.gov/tps/secstan1.htm for more information)
- relocation of the property
- change in the character of the property's use or setting
- introduction of incompatible visual, atmospheric, or audible elements
- neglect and deterioration
- transfer, lease, or sale out of Federal control without adequate preservation restrictions

Determining Federal Involvement

If you are concerned about a proposed project and wondering whether Section 106 applies, you must first determine whether the Federal Government is involved. Will a Federal agency fund or carry out the project? Is a Federal permit, license, or approval needed? Section 106 applies only if a Federal agency is taking an action, so confirming Federal involvement is key.

Is There Federal Involvement?

Consider the possibilities:

- Is a Federally owned or controlled property involved, such as a military base, park, forest, office building, post office, or courthouse? Is the agency proposing a project on its land, or would it have to provide a right-of-way or other approval to a private company for a project such as a pipeline or mine?
- Is the project receiving Federal funds, grants, or loans? If it is a transportation project, frequent sources of funds are the Federal Highway Administration, the Federal Transit Administration, and the Federal Aviation Administration (for airport improvements). Many local government projects receive funds from the Department of Housing and Urban Development. The Federal Emergency Management Agency provides funds for disaster relief.
- Does the project require a Federal permit, license, or other approval? Often housing developments impact wetlands, so a Corps of Engineers permit may be required. Airport projects frequently require approvals from the Federal Aviation Administration.

Many communications activities, including cellular tower construction, are licensed by the Federal Communications Commission. Hydropower and pipeline development requires approval from the Federal Energy Regulatory Commission. Creation of new bank branches must be approved by the Federal Deposit Insurance Corporation.

Sometimes Federal involvement is obvious. More often, the answer is not immediately apparent. If you have a question, contact the project sponsor to obtain additional information and to inquire about Federal involvement. All Federal agencies have Web sites, many listing regional or local contacts and information on major projects. The SHPO/tribe, State or local planning commissions, or statewide historic preservation organizations may also have project information.

Once you have identified the responsible Federal agency, write to the agency to request a project description and inquire about the status of project planning. Ask how the agency plans to comply with Section 106 and begin to voice your concerns. Keep the SHPO/tribe advised of your interest and contacts with the Federal agency.

Monitoring Federal Actions

The earlier you learn about proposed Federal actions, the greater your chance of influencing the outcome of Section 106 review.

- Learn more about the history of your neighborhood, city, or State. Join a local or statewide preservation, historical or archeological organization. These organizations are often the ones first contacted by Federal agencies.
- If there is a clearinghouse that distributes information about local, State, tribal, and Federal projects, make sure you or your organization is on their mailing list.
- Make the SHPO or tribe aware of your interest.
- Become more involved in State and local decision making. Ask about the applicability of Section 106 to projects under State, tribal, or local review. Does your State, tribe, or community have preservation laws in place? If so, become knowledgeable about and active in the implementation of these laws.

Review the local newspaper for notices about projects being reviewed under other Federal statutes, especially the National Environmental Policy Act (NEPA). Under NEPA, a Federal agency must determine if its proposed actions will significantly impact the environment. Usually, if a Federal agency is analyzing a project's environmental impacts under NEPA, then it must also complete a Section 106 review.

Working with Federal Agencies

Throughout Section 106 review, Federal agencies must consider the views of the public. This is particularly important when an agency is trying to identify historic properties that might be affected by a project and is considering ways to avoid or minimize harm.

In either case, agencies must give the public a chance to learn about the project and provide their views.

How agencies publicize projects depends on the nature and complexity of the particular project, and the agency's public involvement procedures. Public meetings are often noted in local newspapers and on television and radio. A daily Government publication, the *Federal Register* (available at many public libraries and online at www.access.gpo.gov), has notices concerning projects, including those being reviewed under the National Environmental Policy Act (NEPA). Federal agencies often use NEPA public outreach for purposes of Section 106 review.

Federal agencies also frequently contact museums and historical societies directly to learn about historic properties and community concerns. Let these organizations know of your interest.

When the agency provides you with information, let the agency know if you disagree with its findings regarding what properties are eligible for the National Register of Historic Places or how the proposed project may affect them. Tell the agency—in writing—about any important properties which you think have been overlooked or incorrectly evaluated. Be sure to provide documentation to support your views.

When the Federal agency releases information about project alternatives under consideration, make it aware of the options you believe would be most beneficial. To support alternatives that would preserve historic properties, be prepared to discuss costs and how well your preferred alternatives would meet project needs. Sharing success stories about the treatment or reuse of similar resources can be helpful.

Applicants for Federal assistance or permits, and their consultants, often undertake research and analyses on behalf of a Federal agency. Be prepared to make your interests and views known to them, but remember that the Federal agency is ultimately responsible for completing Section 106 review. Make sure that you also convey your concerns directly to the Federal agency.

Influencing Project Outcomes

In addition to seeking the views of the public, Federal agencies must actively consult with certain organizations and individuals during review. This interactive consultation is at the heart of Section 106 review.

Consultation does not mandate a specific outcome. Rather, it is the process of seeking consensus about how project effects on historic properties should be handled. The organizations and individuals that Federal agencies must consult are called "consulting parties."

To influence project outcomes, you may work through the consulting parties, particularly those who represent your interests. For instance, if you live within the local jurisdiction where a project is taking place, make sure to express your views on historic preservation issues to the local government officials who participate in consultation.

You or your organization, however, may want to take a more active role in Section 106 review, especially if you have a legal or economic interest in the project or the affected properties. You might also have an interest in the effects of the project as an individual, a business owner, or a member of a neighborhood association, preservation group, or other organization. Under these circumstances, you or your organization may write to the Federal agency asking to become a consulting party.

Who Are "Consulting Parties"?

The following parties are entitled to actively participate as consulting parties during Section 106 review:

- State Historic Preservation Officers;
- Indian tribes;
- Native Hawaiian organizations;
- Local governments; and
- Applicants for Federal assistance, permits, licenses, and other approvals.

Other individuals and organizations with a demonstrated interest in the project may participate in Section 106 review as consulting parties "due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effects on historic properties." Their participation is subject to approval by the responsible Federal agency.

When requesting consulting party status, explain why you believe your participation would be valuable to successful resolution. Since the SHPO/tribe will assist the Federal agency in deciding who will participate in the consultation, be sure to provide the SHPO/tribe with a copy of your letter to the agency.

The Federal agency makes the ultimate decision. However, if you are denied consulting party status, you may contact the Council to request a review of the matter.

Consulting party status entitles you to share your views, receive and review pertinent information, offer ideas, and consider possible solutions together with the Federal agency and other consulting parties. It is up to you to decide how actively you want to participate in consultation.

Making the Most of Consultation

Consultation will vary depending on the Federal agency's planning process and the nature of the project and its effects.

Often consultation involves diverse participants with a variety of concerns and issues, including preservation proponents as well as those who view historic properties as impediments.

Effective consultation occurs when you:

- keep an open mind;
- state your interests clearly;
- acknowledge that others have legitimate interests, and seek to understand and accommodate them;
- consider a wide range of options; and
- identify shared goals and seek options that allow mutual gain.

Creative ideas about alternatives—not complaints—are the hallmarks of effective consultation.

How the Council Can Help

Under Section 106 review, most harmful effects are addressed successfully by the Federal agency, the SHPO/tribe, and any other consulting parties. So, your first points of contact should always be the Federal agency and the SHPO/tribe. However, the Council can also assist with your questions and concerns.

When there is significant public controversy, or if the project will have substantial effects on important historic properties, the Council may elect to participate directly in the consultation. The Council may also decide to get involved if important policy questions are raised or if there are issues of concern to Indian tribes or Native Hawaiian organizations.

Whether the Council becomes involved in consultation or not, you may contact the Council to express your views or to request guidance, advice, or technical assistance. Regardless of the scale of the project or the magnitude of its effects, the Council is available to assist with dispute resolution and advise on the conduct of Section 106 decision-making.

If you disagree with the Federal agency regarding which historic properties are affected by a project or how they will be impacted, contact the Council. Depending upon the status of the review, the Council could require reconsideration of the Federal agency's findings.

Contacting the Council: A Checklist

When you contact the Council, try to have the following information available:

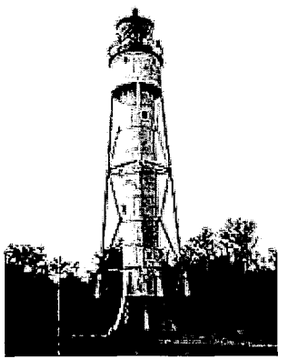
- the name of the responsible Federal agency and how it is involved;
- a description of the project;
- the historic properties involved; and

- a clear statement of your concerns about the project and its effect on historic properties.

If you suspect Federal involvement but have been unable to verify it, or if you believe that the Federal agency or one of the other participants in review has not fulfilled its responsibilities under the Council's regulations, you can ask the Council to investigate. In either case, be as specific as possible.

When Agencies Don't Follow the Rules

Federal agencies must conclude Section 106 review before project funds are approved or permits issued. They must not sign contracts or take other actions that would preclude consideration of the full range of alternatives to avoid or minimize harm to historic properties before Section 106 review is complete.



If the agency acts without properly completing Section 106 review, the Council can issue a finding that the agency has foreclosed the possibility of meaningful review of the project. This means that, in the Council's opinion, the agency has failed to comply with Section 106 and therefore has not met the requirements of Federal law.

A vigilant public helps ensure that Federal agencies comply fully with Section 106. In response to requests, the Council can investigate questionable actions and advise agencies to do what is required. As a last resort, preservation groups or individuals can litigate in order to enforce Section 106.

Following Through

Designed to accommodate project needs and historic values, Section 106 review needs strong public participation if it is to be meaningful. Section 106 review can—and does—permit the public to influence how Federal actions affect historic properties. By keeping abreast of Federal involvement, participating in consultation, and knowing when and whom to ask for help, you can play an active role in deciding the future of your community.

Section 106 review gives you a chance to weigh in when Federal actions will affect historic properties you care about. Seize that chance and make a difference!

Contact Information

Advisory Council on Historic Preservation

Office of Planning and Review
1100 Pennsylvania Avenue, NW, Suite 809
Washington, DC 20004
Phone: (202) 606-8503
Fax: (202) 606-8647
E-mail: achp@achp.gov
Web site: www.achp.gov

The Council's Web site includes a "Users Guide to Section 106 Review" and contact information for Federal agencies, SHPOs, and tribes.

The Council's Denver office handles most Section 106 reviews in the western States:
12136 West Bayaud Avenue, Suite 330
Lakewood, CO 80228
Phone: (303) 969-5110
Fax: (303) 969-5115

National Conference of State Historic Preservation Officers

444 N. Capitol St., NW, Suite 342
Washington, DC 20001-1512
Phone: (202) 624-5465
Fax: (202) 624-5419
Web site: www.sso.org/ncshpo

National Association of Tribal Historic Preservation Officers

1411 K Street, NW, Suite 700
Washington, DC 20005
Phone: (202) 628-8476
Fax: (202) 628-2241

National Park Service

Heritage Preservation Services
1849 C St., NW, NC-330
Washington, DC 20240
Phone: (202) 343-9573
Fax: (202) 343-3921
Web site: www2.cr.nps.gov

National Register of Historic Places
1849 C St., NW, NC-400
Washington, DC 20240
Phone: (202) 343-9536
Fax: (202) 343-1836
Web site: www.cr.nps.gov/nr

National Trust for Historic Preservation

1785 Massachusetts Avenue, NW
Washington, DC 20036
Phone: (800) 944-6847 or (202) 588-6000
Fax: (202) 588-6038
Web site: www.nthp.org

The National Trust has regional offices in San Francisco, Denver, Fort Worth, Chicago, Boston, and Charleston.

Obtaining information on previously recorded historic properties does not constitute review under Section 106 of the National Historic Preservation Act. If a project is federally funded, licensed, or permitted, the federal agency may require you to obtain DHR comment under Section 106. If you are also requesting a review of your project on behalf of a federal agency, you may download a Project Review Form from our web site at www.dhr.state.va.us. **This is a separate process that does not involve the archives, and thus cannot be accomplished concurrent with an archives search."**

Department of Environmental Quality

James Golden, Deputy Director of the Central Division of Department of Environmental Quality, came forward and presented the following information on the process related to applications for DEQ permits.

Air Permit to Construct and Operate

The EPA has established New Source Performance Standards for certain industrial activities with the potential to impact air quality. Non Metallic Mineral Mining is one of those industrial activities and therefore a permit from DEQ is required.

Pollutant of concern from an air perspective is Particulates. The air permit addresses particulate emissions in several ways:

1. Through put of material is limited
2. Emission sources like conveyors and crushers must be controlled by methods such as wet suppression or enclosure
3. Fugitive dust from roads is controlled by water trucks or irrigation systems
4. Permit contains numerical limitations of annual particulate emissions

Water Permits

1. Storm Water Permit for Construction Activities
   A. Required if area of land disturbance is greater than 1 acre
   B. Basic Requirement of this permit is the development and implementation of a Storm Water Pollution Prevention Plan
   C. The permit specifies the content of the Plan
      a. A significant component of the plan includes incorporation of local Erosion and Sediment Control Plans, which become an enforceable part of the permit.

2. Nonmetallic Mineral Mining Facility Permit
   A. Similar to the air permit, this industrial activity also requires a water permit (must have DMME permit in order to get DEQ permit)
   B. Permit addresses both storm water and process water discharges.
   C. Permit requirements include
      a. Quarterly monitoring and reporting of process water discharges
      b. Annual monitoring and reporting of storm water discharges
      c. Development and implementation of a Storm Water Pollution Prevention Plan

3. Inspection and Enforcement Capability – 20 inspectors covering 22 counties and some 2,500 permits
   A. Inspection frequencies for permits vary:
      For example, the Construction Storm Water Permit is only effective during active construction. There are currently 700 such permits – inspections are limited to very large sites and in response to complaints from local governments and citizens.
   B. Air permits are inspected generally 1 every 2 years
   C. Other water permits generally 1 every 5 years

4. Enforcement Capability
   A. Consists primarily of:
      a. Active informal corrections
      b. Consent order process (primarily civil with some criminal involvement in willful acts)
      c. Adversarial proceedings (primarily civil with some criminal involvement in willful acts)
      d. An ability to refer to the Attorney General Office for action

5. Virginia Water Protection Permit – Wetlands - VWP
   A. VWP permit is required if wetland will be impacted as a result of facility construction and operation
   B. Permit basically requires the facility to be constructed and operated in a way that avoids and minimizes impacts to wetlands
   D. Any wetlands impacted at the site require mitigation
   E. Mitigation can be accomplished in several ways:
      a. Wetland creation or restoration on-site
      b. Purchase of use of wetland bank credits - $57,000 per acre
      c. Contribution to approved In-lieu Fund (CORPS/VA Nature Conservancy) no available bank or stream improvement

d. Preservation of existing wetlands and upland buffers in conjunction with mitigation

Mr. Golden said in closing, some general comments on these permit types. All 4 of these permits are general permits – most significant aspect is that unlike individual permits, no public notice or participation is required. This means there is no opportunity for public opposition to the issuance of the permit. Local government approval is only required for the Air Permit – no approval is needed for the 3 water permits. These issues are not addressed: noise, blasting, and truck traffic.

A question and answer period by the members of the Planning Commission, Board of Supervisors and citizens followed the agencies presentations.

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Bracey, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye", the meeting adjourned at 10:47 P.M. to be continued until 1:00 P.M. on Friday, March 21, 2003 for a site visit at the Springfield Quarry Plant at 11460 Staples Mill Road, Glen Allen, Virginia.

Robert Bowman IV

robert bowman, iv, chairman

Wendy Weber Ralph

Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD AT THE SPRINGFIELD QUARRY 11460 STAPLES MILL ROAD GLEN ALLEN, VIRGINIA, ON THE 24th DAY OF MARCH, 2003, AT 1:00 P.M.

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

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IN RE: SPRINGFIELD QUARRY SITE VISIT

The van left the Pamplin Administration Building at 1:00 P.M. and arrived at the Springfield Quarry, 11460 Staples Mill Road, Glen Allen, Virginia at 2:00 P.M. The Board toured the facilities and witnessed a blast.

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Bracey, Mr. Bracey, Mr. Moody, Mr. Clay, voting "Aye", the meeting adjourned at 5:04 P.M. to be continued until 6:30 P.M. on Tuesday, March 26, 2003 for the School Board's FY 04 Budget presentation to be held in the Multi-purpose Room of the Pamplin Administration Building.

Robert L. Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

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 26th DAY OF MARCH, 2003, AT 6:30 P.M.

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

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Mr. Robert Bowman, IV, Chairman, called the continuation meeting to order at 6:38 P.M.

IN RE: PRESENTATION OF THE SCHOOL BOARD FY2004 BUDGET

Dr. Leland Wise, Jr., Superintendent of Schools, presented the following school budget for FY2004:

Dinwiddie County Public Schools
FY2004 Budget

This budget is needed to continue the exceptional progress being made by the school division in:

- School Accreditation
- Improved SOL Test Scores
- Meeting the needs of an increasing student population

Student Enrollment K-12

Actual Fall Membership
◆Projected

Year	K-12	Increase
1999-2000	**4,246**	
2000-2001	**4,319**	**+ 73**
2001-2002	**4,340**	**+ 21**
2002-2003	**4,423**	**+ 83**
◆2003-2004	**4,500**	**+ 77**
◆2004-2005	**4,550**	**+ 50**
◆2005-2006	**4,718**	**+168**

New Teachers

Increasing student enrollment, accreditation standards, and new teacher requirements emphasize the ongoing and critical need for highly qualified teachers. This budget includes:

- Eight teachers in grades K-12
- Four special education teachers
- One instructional specialist

Support Staff Personnel-Additional Staff

- One Occupational Therapist Assistant
- One Special Education Aide
- One High School Guidance Secretary
- One Middle School Library Aide
- One Finance Secretary

Other Personnel

This budget provides for improving all classified salary schedules.

Key personnel have left Dinwiddie for more competitive salaries and benefits.

These increases are necessary to retain quality personnel and to be able to recruit in these areas.

FY2004 Revenue Budget

The FY2003 - 2004 local composite index for Dinwiddie County is .2877 .

The FY2004 budget is based on an average daily membership of 4360.

This is an increase of 70 students from FY2003.

State Revenue

State funding has increased by less than:

4%

This can basically be attributed to the increased student count.

Local Revenue

Local money needed to fund proposed operations budget would increase from:

$10,196,946 to $12,494,140

Expenditure Budget

Teacher salary scale has been modified to reflect a starting salary of:

$32,500 with 24 steps

This will cost approximately:

$530,000

Other Items

- Capital Improvements = $2,037,850
- Technology
- Library books & software
- Maintenance
- Utilities – Electricity
- Personnel advertisements & recruitment costs
- Employee Health Insurance Costs = 15%
- Transportation - Fuel

Other Funds

- ◆Cafeteria Fund = $1,314,374
- ◆Head Start = $300,000 (July-Nov.)
- ◆Textbook Fund = $500,000

The presentation was followed by a lengthy discussion between the Board of Supervisors, School Board, County Staff and School Staff regarding the increases in health insurance, salaries, travel expenses, FICA, transportation costs, special education needs, and utilities. The Board of Supervisors also requested additional information on the proposed field house. The two Boards agreed to hold another workshop when dates could be worked out.

IN RE: RECESS

The Board Chairman called a recess at 8:45 P.M. The meeting reconvened at 8:50 P.M.

IN RE: ADOPTION OF EMERGENCY ORDINANCE AMENDING CHAPTER 22 OF THE CODE OF DINWIDDIE COUNTY TO ESTABLISH FEES TO COVER THE COSTS OF TECHNICAL REVIEWS OF LAND USE APPLICATIONS

The County Administrator explained that an emergency ordinance is effective for only 60 days while the County goes through the process with the Planning Commission and Board of Supervisors to have the public hearings for its adoption.

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye", the following ordinance was adopted.

AN EMERGENCY ORDINANCE AMENDING CHAPTER 22 OF THE CODE OF DINWIDDIE COUNTY TO ESTABLISH FEES TO COVER THE COSTS OF TECHNICAL REVIEWS OF LAND USE APPLICATIONS

WHEREAS, certain applications for amendments to Chapter 22 (zoning) may involve significant land disturbing, environmental, or engineering issues that in order to be properly considered require technical analysis that is not presently within the expertise of the staff of the Planning Department; and

WHEREAS, approval of such application will require retaining the services of outside experts to conduct technical reviews on the impact of the proposed land use change; and

WHEREAS, these technical reviews will provide the Dinwiddie Planning Commission and Board of Supervisors with professional expertise necessary to analyze these issues and to determine whether the application is consistent with good zoning practice; and

WHEREAS, an emergency exists because it is anticipated that applications for land use amendments will be submitted that will require such technical reviews.

THEREFORE, BE IT ORDAINED, by the Board of Supervisors of Dinwiddie County, Virginia under the authority granted to it under §15.2-2286 of the *Code of Virginia* and in order to promote the public health, safety and public welfare, and to promote good zoning practice, the following amendment to Chapter 22 of the Code of Dinwiddie County.

§ 22-25 Technical Reviews and Studies

A. Prior to accepting an application for a rezoning or a conditional use permit, the Zoning Administrator may require the applicant to pay for the cost of technical reviews that may be necessary to properly evaluate the impact of the proposed change in land use. Such technical reviews may be required when

1. The application involves, but is not limited to, the following conditional uses and the Zoning Administrator determines that the technical reviews are required for the proper consideration of the application: *Veterinary hospital; Communication Tower; County owned solid waste disposal facility; Motels; Airports; Manufactured home park; Sand, gravel and crushed stone operations;* Asphalt mixing plant, when located at a stone quarry site; Concrete/cement mixing plant, when located at a stone quarry site; Motor Sports Complex; Agriculturally oriented ethanol plant; Open pit mining; Storage of explosives; Propane bulk storage facility; General Hospitals; Wholesale business and storage warehouse; Tractor trailer service station; Melting, reprocessing, rolling, drawing, extruding, casting, and forging of ferrous and nonferrous metals; Commercial and service facilities whose function(s) are solely oriented to the needs of the industries located in the industrial district; Underground facilities for pipelines, electrical power and energy, distribution lines, telephone and telegraph.

2. The application (1) involves a use with significant land disturbing, environmental, or engineering issues, (2) requests a change in zoning classification from agricultural or residential to business or industrial, (3) increases the intensity of uses on the property significantly, including an increase in the density of housing units, (4) increases the traffic flow in the immediate area by 20% or more, (5) is likely to have a particular adverse impact on the surrounding land uses; or (6) involves a use that may create a disturbance to the peace and tranquility of land uses in the immediate vicinity. Such disturbances may be, but are not limited to, excessive noise, dust, light, environmental pollution.

B. The technical review(s) that may be required will be performed by engineering, environmental, transportation, architectural, landscape architecture, land surveying, archeologists, or other professionals approved by the county. ~~. At the time that the application is submitted~~ It will be the responsibility of the applicant to pay the fee for each review prior to it being accepted as complete by the Zoning Administrator.

C. If the Zoning Administrator requires that a technical review(s) be conducted and the applicant does not agree to pay for such review(s), the application will be deemed to be incomplete and no further action will be taken on it.

D. An applicant who disagrees with the need for a technical review(s), may request the Planning Commission to deem the application complete without the requested technical review(s). A request to have the Planning Commission deem the application complete without the technical review(s) must be received by the Zoning Administrator fourteen (14) work days prior to the next regularly scheduled meeting of the Planning Commission. The Planning Commission without a public hearing will hear the request.

E. The Planning Commission and/or the Board of Supervisors may require additional technical reviews as it may determine necessary to consider the application.

F. If a technical review(s) is required, the applicant shall pay, in addition to any filing fee for such application, the fee necessary to cover the costs for the technical review(s).

This Ordinance becomes effective upon adoption thereof.

IN RE: CLOSED SESSION

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

Prospective Business - §2.2-3711 A.5

Mr. Moody seconded the motion. Mr. Moody, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the Board moved into the Closed Meeting at 9:30 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 9:45 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under §2.2-3711 A.5 - Prospective Business;

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

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

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye", the meeting adjourned at 9:50 P.M. to be continued until 6:30 P.M. on Tuesday, April 1, 2003 for a budget work session to be held in the Multi-purpose Room of the Eastside Community Enhancement Center.

Robert Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM AT THE EASTSIDE COMMUNITY ENHANCEMENT CENTER IN DINWIDDIE COUNTY, VIRGINIA, ON THE 1st DAY OF APRIL, 2003, AT 6:30 P.M.

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

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Mr. Robert L. Bowman, Chair, called the continuation meeting to order at 6:37 P.M.

DISCUSSION OF FY 03-04 BUDGET ISSUES

The County Administrator, Wendy Weber Ralph, informed the Board members that in order for the Treasurer to get tax tickets out on time we would have to have the public hearing for the budget on April 23rd and then come back for the adoption of the budget on April 30th. Therefore, there are a few items that need to be finalized.

Board Salaries

The County Administrator stated Mrs. Glenice Townsend recalculated the Board's salaries to reflect what the County employees received over the past 4-years, as requested by a Board member, using the accumulative method, which resulted in a $300 dollar increase. This would raise the salary to $8,800 a year. She said she was presenting this to them to see if they wanted Staff to make this change to the budget. Mr. Bracey commented this increase was not for this Board; it is for the incoming Board. It was the consensus of the Board to increase the salaries for the incoming Board members to $8,800 in the FY 04 budget effective January 1, 2004.

IN RE: SUPPLEMENT FOR CONSTITUTIONAL OFFICERS EMPLOYEES

The County Administrator commented a copy of the chart for a one-time supplement which was mentioned before for the Constitutional Officers employees was distributed to you. She asked Mrs. Glenice Townsend to explain what the chart shows with the combination of the State increase in December combined with the straight contribution from the County. Mr. Haraway asked if the Constitutional Officers were included. Mrs. Townsend replied no; but she would include them if the Board wanted her to. She explained that their salaries are set by the General Assembly and they will not get the 2.25% increase the State is giving in December either. Mr. Haraway stated he felt if the Board was going to do give the supplement the 4 Constitutional Officers should get the increase also.

The Chief of Administrative Services stated the employees of the Constitutional Officers have not received an increase in their salaries for 3-years. She said she totaled the annual salary now being paid to all of the employees of the Constitutional Officers and figured what the increase would be if the Board gave a 2.50% increase in July 2003 on these salaries and came up with $42,000 and some dollars. Then she subtracted the 2.25% (1.14%) that the State will be giving in December to come up with approximately a $20,000 difference. She then divided the $20,000 by the total number of employees and got the $350 supplemental amount. It would not affect their retirement or anything else, because it would be a one-time supplement. It would also keep them on scale with the State and won't get that off balance either.

Mr. Clay moved to put the $20,000 in the budget and if the State does not give the employees of the Constitutional Officers a raise in December the County would give them the one time $350 supplement. If the State does give them the 2.25% increase in December, the funds would remain in the budget. Mr. Haraway seconded the motion. Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the motion carried.

INRE: AUTHORIZATION FOR FY 04 PART-TIME POSITION EXTENSION AGENT

Mrs. Ralph commented that information on continuing the second extension agent position on a part-time basis for FY04 was in enclosed in their packets. The Board already approved two months for May and June and you requested additional information before you approved it for next year. The hourly rate is $20 per hour. What you would be considering is whether or not you would allow the part-time position for the extension agent to continue in the budget for FY04, not to exceed the present funding included in the budget.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia approved funding for the part-time position of Extension Agent, 4-H Youth in the FY 2003-2004 budget, not to exceed the present funding level.

Reports Supporting the School Resource Officer

The County Administrator stated the status report the Board requested on the success of the program for the School Resource Officers was submitted to us from the School Board and the Sheriff's Office. At the present time there are 2 SRO's one at the high school and one at the middle school. The two positions are included in the budget now, unless you direct otherwise.

Mr. Moody stated the situation with overcrowding at the Middle School warranted an additional SRO. He requested that Administration have someone find out if any additional grant money is available. Unless the capital improvements are done at the Middle School the problems are going to continue to grow. Mrs. Ralph commented she had not been made aware if they have applied for another grant. But at the present time only 2 positions have been included in the budget.

Mr. Bracey pointed out that according to the information the High School has the majority of incidents. He commented he was not in favor of supporting any additional SRO's at this time.

The County Administrator stated she would ask the School Board and Sheriff's Department to investigate the source of funds and provide a report to the Board. We do have to move on with the budget process but we certainly could add it later if the Board chooses to do so.

Other information requested or provided to the Board

Surrounding School Board Budgets – Prince George and Colonial Heights responded.

New Salary Scale from the School Board – The Board requested that the Superintendent meet with them to explain the new scale.

Strategic Plan for School Facilities Improvement – copies were distributed.

The County Administrator requested authorization to work with the Superintendent of Schools to determine what funding is needed to support the Board's priorities: a) Improving teachers salaries b) Meeting the local share of state and federal mandated programs. The budget contains an additional $765,000 in local funds.

RE: ADJOURNMENT

Upon motion of Mr. Moody, Seconded by Mr. Bracey, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the meeting adjourned at 7:28 P.M.

Robert Bowman, IV, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM AT THE EASTSIDE COMMUNITY ENHANCEMENT CENTER IN DINWIDDIE COUNTY, VIRGINIA, ON THE 1ST DAY OF APRIL, 2003, AT 7:30 P.M.

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

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

Mr. Robert L. Bowman, Chair, called the regular meeting to order at 7:41 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Wendy Ralph, County Administrator, stated there was a need to add a Closed Session for: (1) Legal Counsel – Contract negotiations

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the February 19, 2003 Continuation Meeting, March 4, 2003 Continuation Meeting, March 4, 2003 Regular Meeting, and the March 12, 2003 Continuation Meeting are approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1034531 through 1034722, (void check(s) numbered 1034530, 1033914, 1034235, 1034529, and 1034594)

Accounts Payable:

(101) General Fund	$ 253,414.23
(103) Jail Commission	$ .00
(104) Marketing Fund	$ .00
(209) Litter Control	$ 110.00
(222) E911 Fund	$ 5,456.59
(223) Self Insurance Fund	$ .00
(225) Courthouse Maintenance	$ .00
(226) Law Library	$ .00
(228) Fire Programs & EMS	$ 27.98
(229) Forfeited Asset Sharing	$ .00
(304) CDBG Grant Fund	$ 239.40
(305) Capital Projects Fund	$ 22,861.40

(401)County Debt Service	$ .00
TOTAL	**$ 281,999.60**

PAYROLL 03/31/03

(101) General Fund	$ 413,649.81
(222) E911 Fund	$ 3,420.91
(304) CDBG Fund	$ 4,181.30
TOTAL	**$ 421,252.02**

IN RE: CITIZEN COMMENTS

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

1. Barbara Wilson – 8804 Duncan Road, Petersburg, Virginia - stated for over a year citizens have appeared before this Board and the Planning Commission with questions concerning the rezoning and conditional use permit for Tidewater Quarry operations. She asked when are we going to get answers to our questions? She also requested that the Board consider holding the Quarry's conditional use permit public hearing at the Dinwiddie County High School to accommodate the need for additional parking and space.

2. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia – commented he read in the newspaper last week that the Commonwealth's Attorney had asked the Board for some additional money to supplement his office. He asked did you give him the money? The County Administrator responded no, at this point, because he is looking into other funding sources. Mr. Bratschi stated Dinwiddie County is not going to get a full-time Commonwealth's Attorney because Mr. Rainey is not going to apply. He requested that the Board place a referendum on the ballots to establish a Police Department and let the people decide whether or not they wanted it themselves. The issue of the 3-minute time limit for the citizens to make comments to the Board was questioned. Mr. Bowman said the Board was currently looking at it.

3. Don Lauter – Prince George County - stated he had a copy of the land use by the National Parks Service "Draft" Management Plan. He commented he noticed all of the maps in the plan are about 1,000 feet off. He questioned whether the citizens would ever be allowed to go out with a group and take a look at the couple of thousand feet or so of 7' tall earthworks where the Confederate line was located where the black troops fought.

IN RE: REQUEST FOR LETTER OF SUPPORT – COMMUNITY HOUSING PARTNER

Rev. Kathryn F. Talley, Housing Development Officer and Mr. Graham Driver, Director of Development, Community Housing Partners appeared before the Board of Supervisors at the March 18th meeting seeking a letter of support for their rehabilitation efforts in the Sentry Woods Subdivision located in the northeast portion of the County. One of the issues of concern raised at the last meeting by Mr. Bracey was whether the real estate taxes had been paid on the property. According to the tax records $25,000 is owed on the property, which will be paid in full at the point of sale. Hopefully, this will happen in November if they are successful in obtaining the tax credit. The question was also raised, since they are a non-profit housing developer, would they be tax exempt. Rev. Talley said definitively yes, our properties do in fact, pay real estate taxes across

the State and we would in Dinwiddie as well. Continuing she described the improvements they intend to make to the properties. Rev. Talley stated they were here tonight to answer any other questions the Board might have and to request a letter of support for their proposal.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to write a letter of support endorsing the Community Housing Partners rehabilitation efforts to the Sentry Woods Subdivision project.

IN RE: PRESENTATION OF PEER REVIEW BY COUNTY'S CONSULTANT – TIDEWATER IMPACT STUDIES

The County Administrator stated Mr. Randy Darden, Jr., with Burgess and Niple is here tonight to review the Executive Summary for his peer review of the impact studies for Tidewater Quarries. Mr. Darden presented the following Executive Summary.

"EXECUTIVE SUMMARY

Burgess & Niple (B&N) was retained by Dinwiddie County to provide a peer review and objective analysis of various technical reports associated with the Tidewater Quarries, Incorporated (TQI) application to site a quarry in Dinwiddie County.

B&N was present at the two public information meetings held on February 19 and February 25, 2003. These meetings provided an opportunity for the applicant to make their technical presentations and provided an opportunity for follow up questions from members of the Board of Supervisors, Planning Commission and the public. We attended the March 12, 2003 Dinwiddie County Planning Commission meeting which was preceded by a presentation by the National Park Service and we were present at the site visit made to the TQI Springfield Road Quarry. During this visit, a quarry blast was observed.

Hydro Geological Report

The report prepared by CEM, indicates shallow wells in the vicinity of the quarry may be impacted. We are in agreement with this statement. As a result of this concern, it is presumed construction of deeper wells can be accomplished to address this situation should it arise.

With regard to this scenario, we have concerns. The report does not address the potential impact of the proposed quarry operation on deep wells. At this point, we cannot concur with this method as a potential solution to shallow well impacts. We would recommend the study be revised to address any impacts the proposed quarry may have on deep wells.

Second, it has been stated that impacts may occur to the shallow wells. However, the report does not address the impacts on Hatcher Run, Rocky Branch or the ponds located throughout the area. We recommend the report be revised to address this issue.

We would also recommend the pumping rate from the quarry operation be revisited. The Jack Quarry to the north, discharges 270,000 gallons per day and the TQI Richmond operation discharges between 100,000 and 200,000 gallons per day. Our concern is as the pumping rate increases above 100,000 gallons per day, impacts are seen on both the average recharge rate and the drought recharge rate.

Additional comments, questions and recommendations are presented in the attached review.

Economic Impact Report

After reviewing Dr. Pearson's Economic Impact Report, BBP concludes that the report reasonably estimates economic impacts of the proposed TQI site even though there are certain methodological shortcomings in the application of the assumed jobs and salaries that Dinwiddie captures. However, because TQI already operates a concrete plant in Dinwiddie County, the Planning Commission should understand that most impacts calculated for the concrete sales portion is a transfer and does not represent net new revenues. It is possible, however, that that the location of the concrete facility next to the quarry could result in synergies that could increase concrete sales revenues.

Assumptions in terms of salary rates, the number of employees, and taxes are all within reason and coincide with average county statistics. Although certain assumptions (e.g. discount rate, impacts to other counties) could be more conservative, BBP does not believe the results or conclusions (other than the calculations for the concrete plant which constitute 14% of the business volume) materially overstate the potential or expected benefits of the plant to Dinwiddie County.

Transportation Infrastructure and Traffic Analysis

The report does not address the need or justification for signalized operation of the US 1/Frontage Road intersection. It appears that signalization at the intersection maybe required sometime before full production of the facility (2010) is reached. However, B&N would recommend traffic signal installation only after operation of the quarry begins, in order to verify the assumptions made in the report, i.e., background traffic growth, amount of generated quarry traffic, and traffic distribution. It will be important to accurately determine the number of left turning trucks for an adequate time after opening of the quarry, rather than to simply assume a 2% distribution to the south.

Reference is made in the report to a market study that was used to determine the traffic distribution in the study area. This market study should be included, or be more fully described in the report. It is understood that the proximity of the I-85/US 460 Interchange will attract most of the generated Frontage Road traffic to and from the north. However, the assumption that practically all (98%) of the generated traffic on Frontage Road would turn right should be substantiated. (One third of the **existing** traffic currently turns left during the pm peak hour.) Fully loaded, **left**-turning trucks would have a greater negative impact on intersection operation.

If, in fact, practically all of the generated truck traffic leaving the quarry is destined to the north and east, presumably using I-85, an additional traffic impact analysis of the US 1/US 460 intersections should be performed. Left turning trucks at this intersection could have a significant impact on intersection delay and safety.

Environmental Noise Assessment

The Environmental Noise Assessment report prepared by Staiano Engineering, Inc dated August 9, 2002 presented information concerning noise generation and mitigation at the proposed Tidewater Quarries, Inc. operation. The noise study followed standard sound sampling and modeling procedures for determining the sound levels generated by equipment at the facility and predicting sound levels at sensitive receptors adjacent to the facility.

Based on the information presented in the report, ambient readings at three locations around the proposed site produced an equivalent average sound level of 42-60 A-weighted decibels (dBA).

One source of sound from within the quarry operation that was not included in the report calculations was on-site blasting. Blasting will most likely produce sound levels that exceed the 65 dBA (on-site). How this affects the daytime average hinges on the frequency (number) of blasting events in one day.

A second source of noise that was discussed in a cursory manner is the truck traffic along the Frontage Road. The report states that between 361 and 400 loads of material will leave the site on a daily basis. This will result in 722 to 800 trucks passing the houses along Frontage Road, since each truck will pass the houses twice per trip. Using the data included in the report, semi trucks produce about 90 dBA at the edge of the roadway. Using a 6-dBA decrease for every 100 feet the sound travels, a house at 300 feet from the road will experience a level of 72 dBA. Houses closer to the road than 300 feet will experience sound levels between 90 and 72 dBA. This would exceed the stated goal of 65 dBA during the daytime.

In conclusion, the Environmental Noise Assessment addressed sound levels generated from selected activities within the proposed quarry. The report identified the sound levels at selected receptors adjacent to the quarry property with and without mitigation at the quarry property boundary based on the sound emitted from the equipment. The mitigation should be able to meet the sound level requirements based on the equipment they propose to use at the site. The sound levels did not include sound generated from blasting activities within the quarry. Blasting will most likely have an annoyance sound level on surrounding property due to the sudden nature of the sound energy. The noise assessment report did not address the impact of truck traffic noise off-site between the quarry and the Interstate. Based on an estimate of truck sound levels generated along Frontage Road, this sound will most likely be a higher level than the sound from the quarry operations. The other concern with the truck traffic is that trucks may be entering the quarry twenty-four hours a day. In the evening and at night, these trucks will most likely have the greatest noise impact compared to daytime on the homes along Frontage Road.

Site Lighting

Overall, the report addressed the major concerns for spill and glare control. It is the intent to minimize the spill and glare, but not sacrifice safety to those requiring artificial lighting.

In the criteria section, it was stated that the allowable spill light be limited to 0.5 foot-candles 50'-75' beyond the property line. We would recommend that the limit be 0.5 foot-candles at the property line.

For the processing site lighting, we agree with the use of cutoff fixtures as described. 600 watts seems like a large lamp for a 30-foot pole. Lamp wattage and pole height would vary based upon required lighting levels. Pole heights greater than 30' would not be recommended since the light would be visible from a greater distance. Keeping the poles below the 30' tree line would also be recommended to reduce visible light by neighbors. The use of 400 watt and smaller lamps should be considered.

In general, automatic lighting controls should be considered to shut off the lighting when it is not required (other than those needed for security and safety). Controls should be zoned so particular areas that are not in operation can be turned off (or reduced) independently.

Controls will also provide energy savings. It is also recommended that foot-candle point calculations be provided for all the exterior lighting in order to allow for the least amount of lighting to be provided to accomplish the required lighting levels. These foot-candle printouts should be reviewed by a certified lighting designer (LC) or by an electrical professional engineer (PE).

Archaeological Assessment

The study appears confined to archaeological resource potential only. Absent from their summary are any formal recommendations for how to treat the earthworks on the property, including their potential National Register eligibility or their relationship to potentially eligible battlefields. Ultimately, Gray & Pape would agree that the likelihood of identifying artifacts associated with Civil War skirmishes may be low, even when considering other skirmishes not mentioned in the report; however, features such as earthworks are cultural resources that should be considered for their National Register eligibility in the same way that archaeological sites are considered.

Because the goal of a typical archaeological assessment is limited to that of identifying site potential, extremely detailed historic research is typically not undertaken. Typically, the archival files at the VDHR are consulted for site locations, and various other sources of historic context and mapping are consulted to identify resources that may not have been recorded with the VDHR. Additionally, the National Park Service (NPS) historians in the Petersburg area are an excellent source of historic information on Civil War activity in this region. It would appear from the report that at least the troop movement maps for various battles housed at the NPS were used (Page 6), but it is unclear as to whether individual staff were consulted.

Since this survey was undertaken, information has become more readily available concerning the role of the earthworks that run through the project area in the final battle of Petersburg, often known as "The Breakthrough" or "Petersburg Battlefield #3." A preliminary National Register form was submitted to the VDHR's review team for the Fort Davis Civil War Earthworks also recorded as Site 44DW314 and architectural Resource 26-5012 in September of 2002 (Barefoot 2002). This form reports that the resource consists of an approximately 4000-foot segment of well-preserved earthworks constructed in September and October of 1864, which are part of a larger, nearly 2-mile stretch of well-preserved earthworks. Fort Davis is near the northern end of the reported resource. A 5-gun battery, a 2-gun battery, and interior fort section, and primary and secondary breastworks are also included. The form contends that these earthworks were utilized in both the Battle of Boydton Plank Road on October 27, 1864, and later in the Breakthrough battle on April 2, 1865. A two-gun battery along the main line was used by Confederates to open fire on the Third Division of Parke's IX Corps, which resulted in 80 Federal casualties, all of whom were members of Bates' Colored Troops. Later, the works were used by Davis' Mississippi regiments and McComb's Tennessee regiments in a skirmish with Wright's 6th Vermont Corps. The primary engagements here occurred at Fort Davis, at the northern end of the recorded resource. The form reports that Fort Davis was eventually taken by the Union troops, the line was completely compromised, the Southside Railroad was secured by Federal troops, and, ultimately, Lee abandoned Petersburg. The VDHR has conditionally approved this form and has requested additional information from the applicant (Wagner 2003).

CRI did not recognize the relationship of the earthworks to "The Breakthrough," which is recorded as Petersburg Battlefield #3 (Resource 123-5026) at the VDHR. They did recognize that the earthworks played a role in both the Battle of Boydton Plank Road and the Battle of Hatcher's Run, however. But because their assessment was confined to the likelihood of encountering artifacts associated with these battles, they concluded that the likelihood of identifying

artifacts associated with these battles was low. Such an assessment fails to consider the historic significance of the earthworks themselves and, thefore, the potential for the project area to contain historically significant cultural resources.

Gray & Pape was provided with a copy of a letter indicating the support of the Civil War Preservation Trust for Tidewater Quarries willingness to mitigate the impact of its quarry on Civil War resources by offering a "Mitigation Package." While Gray & Pape has not reviewed this plan, we recommend that that VDHR play an integral role in any form of mitigation for effects to historic properties on the parcel in keeping with federal guidance for following Section 106 of the NRHP (Advisory Council on Historic Preservation 2001). The VDHR is an invaluable resource to help in such matters and their participation is required if the project wishes to comply with Section 106.

In conclusion, Gray & Pape finds that the Archaeological Assessment of the Tidewater Quarries Dinwiddie County Facility undertaken by CRI generally accomplished its stated goals. It provided an adequate assessment of the potential of the property to contain archaeological sites. However, in failing to identify the role of the earthworks that run through the site with the "Breakthrough" battles of April 2, 1865, it may have incorrectly estimated the archaeological potential of the areas surrounding the earthworks. Additionally, because important cultural resources issues beyond those of the potential for archaeological sites to be located on the property were not addressed, certain objectives of cultural resources investigations necessary for environmental permitting were not accomplished including the potential for the project area to contain historically significant architectural resources and/or archaeological features.

Endangered Species / Wetlands Survey

Based on the preliminary nature of the Endangered Species report and the stated need for additional information, a review of the document was not provided.

The wetlands report presented confirmed wetland locations and certification by the Corp of Engineers. No further review is required of this report."

The County Administrator commented if the Board members had any other issues we could set up a workshop date for Mr. Darden to come back and deal with those issues. The other experts within the firm could be brought in with a conference call to answer specific questions.

Mr. Bowman asked questions dealing with the economic impact study; the regional impact of the quarry; its potential growth; traffic impact, and the noise impact.

Mr. Dean McCray requested that Mr. Darden attend the Planning Commission meeting Tuesday, April 9, 2003 to answer any questions they might have.

Mr. Scheid informed the public that the complete Peer Review compiled by Burgess & Niple would be available in hard copy form on Thursday or Friday in the Planning Office for $20 and on CD for $15 if anyone was interested in purchasing it.

IN RE: RECESS

The Chairman called for a recess at 8:40 P.M. The meeting reconvened at 8:59 P.M.

IN RE: STATEMENT PRIOR TO PUBLIC HEARING

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 case(s)."

IN RE: PUBLIC HEARING – P-02-6 – TIDEWATER QUARRIES, INC- REZONING REQUEST

This being the time and place as advertised in the Progress Index on March 18, 2003 and March 25, 2003, and in the Monitor on March 19, 2003 and March 26, 2003, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on a request from Tidewater Quarries, Inc., to rezone approximately 20.6 acres from Business, limited B-1 to Agricultural, general A-2.

Mr. Scheid read excerpts from the following Summary Staff Report:

Planning Summary Report

File: **P-02-6**

Applicant: **Tidewater Quarries, Inc.**

The applicant, Tidewater Quarries Inc., is seeking a rezoning of tax map/parcels 34-13A & 34-13B containing approximately 20.6 acres from Business, limited B-1 to Agricultural, general A-2. The property is bounded to the east and west by property owned by G. B. Ragsdale and Frank E. Houseman, to the south by Hatchers Run and to the north by Rocky Branch. The property is a portion of the abandoned railroad line and is located approximately 2,000 feet west of Duncan Road and approximately 3,700 feet north of Dabney Mill Road. The applicant is acting on behalf of the property owners, G. B. Ragsdale and Frank E. Houseman. Originally, the Planning Commission heard this case at their regular meeting on January 8, 2003 (Mr. Wood was not present during the hearing). There was considerable citizen comment in objection to the rezoning application. Upon conclusion of this meeting, the Planning Commission voted 4-2 in favor of recommending approval to the Board of Supervisors. Shortly thereafter a few deficiencies were noted in the application. Legal counsel recommended that an amended application be submitted and the Planning Commission rehear the rezoning application. On February 27, 2003, the Planning Commission reheard the rezoning application submitted by Tidewater Quarries. Again, there were several citizens in attendance that spoke in opposition to the rezoning request. Many comments made reference to the possible location of a quarry on the Ragsdale/Houseman lands located on both sides of this strip of land as well as ulterior motives by Tidewater for the rezoning request. Upon conclusion of the public comments and discussions among the Planning Commissioners, the Planning Commission voted 4-2 (Mr. Wood not present during this hearing) to recommend approval of the rezoning request to the Board of Supervisors.

Since this is a zoning matter, the standard statement regarding your action must be read. In order to assist you in this mater, the statement is attached.

Mr. Brennon Keene – 901 E. Cary Street, Richmond, VA, Attorney, spoke on behalf of Tidewater Quarries, Inc, the applicant. He stated that the issue before the Board was a simple one. He commented the B-1 zoning was created a long time ago for a reason unknown to us. The parcel of land is a portion of the abandoned railroad line that is only 100 feet wide, which is not developable as a B-1 property with the current zoning. He added that being consistent with good land use and zoning practices this property should be zoned A-2 to match the surrounding property. He requested that the Board approve the rezoning request before them tonight.

Mr. Bowman opened the public hearing. The following citizens came forward to address the Board in opposition to the rezoning request.

1. David Dudley – 25907 Smith Grove Road, Petersburg, Virginia
2. Ralph Mangum – 9013 Dabney Drive, Sutherland, Virginia
3. Diana Parker – 10700 Chalkley Road, Richmond, Virginia
4. Geri Barefoot – 7411 Frontage Road, Petersburg, Virginia
5. George Whitman, 13010 Old Stage Road, Petersburg, Virginia
6. Michelle Parker – 6812 Duncan Road, Petersburg, Virginia
7. John Easter – 701 East Byrd Street, Richmond, Virginia
8. Barbara Wilson – 8804 Duncan Road, Petersburg, Virginia
9. Tommy Peters - 5123 Chesdin Road, Petersburg, Virginia

No one spoke in support of the rezoning request.

Mr. Bowman closed the public hearing.

Mr. Keene stated he would like to refute the issue raised by Mr. Easter regarding the justification of the rezoning. The B-1 zoning is clearly incompatible with that area. It can't be used for a bakery shop nor can it be used for B zoning uses. It doesn't make sense to keep it in a B-1 use because it is unusable in that zoning classification and that is a fairly straightforward answer. With the regard to the claim of the fleecing of America, he commented it didn't sound exactly right to him with the Virginia Commonwealth laws; so he spoke with the attorney who tried the case where Henrico County rezoned the land for a wastewater treatment plant. The landowner in this case said he wanted to be paid for all of the sand and gravel underneath the wastewater treatment plant. The Supreme Court of Virginia ruled no to that case; that is not part of the calculus and there are Federal and State Supreme Court cases on that. The only thing that you can look at is the fair market value of the land not the future profits that you may or may not make on the land. Now the fact that there is minerals there can play into what the fair market value of the property is. There is also a four-part test as to whether or not you can figure the minerals as part of the fair market value. One part of that test is that the minerals underneath this property have to be different from all the properties around it. We have already said there is granite all around this property, so it is not different. Tidewater is not purchasing this property to try to fleece the Federal or State Government out of money for the proposed High Speed Rail line. The only purpose is to eventually open a quarry as we have said all along. Mr. Keene stated that when they filed the application back in October it was filed as one application. He said it was separated after learning from staff that they would have to go through the rezoning process before the conditional use permit process. Now the fact that you rezone this property has no bearing on how you decide on the conditional use permit. That has to stand on its on merits. If this property is rezoned the only thing it means is that Mr. Ragsdale has 20 more acres of A-2 land than he has now, which means he can use it for A-2; he can't use it for B-1. He requested approval of the rezoning request as recommended by the Planning Commission.

County Jailor position at an annual salary of $23,329. There were 16 applicants who were tested, interviewed, fingerprinted, and photographed for the position.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Sheriff's Department to employ Mr. Glen Edward Schrum for a County Jailor position, at an annual salary of $23,329.

IN RE: BOARD MEMBER COMMENTS

Mr. Haraway — He stated he received information in the mail regarding a 457 plan. At the current time the County only offers 1 plan to the employees and with the current stock market today we really need to offer the employees more than just 1 company. They need to have more than one choice. The County should issue an RFP to several tax shelter annuity companies and choose at least 1 or maybe even 2 companies to go along with the one we currently have. The Board owes this to the employees to give them a choice when it comes to investing their money for retirement. Mr. Haraway made it a motion. Mr. Clay seconded the motion. Mr. Bracey asked for clarification of Mr. Haraway's motion. Mr. Haraway restated his request. The County Administrator stated the County chose to go through VACo because that provided an opportunity for us not to have to go through the bidding process. There may be an opportunity that the State is coming out with for the County to participate in if Mr. Haraway would allow Staff the time to wait and see what the State is offering. We could give a report to the Board at its next meeting. Mr. Haraway remarked if it is forthcoming in two weeks he would agree to wait. However, he brought this subject up two years ago and Administration was supposed to be looking into it and two years have lapsed and nothing has been done yet. The County Administrator agreed with him. Mr. Bracey asked how many employees are participating in the present program? Mr. Haraway withdrew his motion. Mr. Clay withdrew his second.

IN RE: CLOSED SESSION

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

> **Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia** – Contract Negotiations

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 10:41 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 11:11 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.7, of the Code of Virginia – Contract Negotiations

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

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

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

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Petersburg National Battlefield News Release – Fee reduction at Petersburg National Battlefield.
2. VDOT – return of former private property to Charles P. Fick.
3. Letter from SPCA informing County that they will be supplying 6 catch-poles to the Dinwiddie County Animal Control Department for the rescue of animals.
4. Petersburg National Battlefield News Release – "The Old Guard" to provide military honors for unknown Union Soldiers burial.
5. Letter from the Commonwealth of Virginia Crater Health District updating the West Nile Virus Surveillance and Response plans for 2003.
6. Certificate of appreciation from the Virginia Institute of Government for Dinwiddie County's contributions to the Virginia Institute of Government's Email Broadcast Information Service for 2002.
7. Appomattox Regional Library System - report

RE: ADJOURNMENT

Upon motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the meeting adjourned at 11:15 P.M.

Robert L. Bowman IV
Robert Bowman, IV, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 2:00 P.M.

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

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

Mr. Robert Bowman, IV, Chairman, 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

The County Administrator stated there was a need to add under Closed Session - Acquisition of Property - §2.2-3711 A. 3; and add GIS position update to Personnel.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the March 18, 2003 Continuation Meeting, March 18, 2003 Regular Meeting, March 24, 2003 Continuation Meeting, March 26, 2003 Continuation Meeting, April 1, 2003 Continuation Meeting and the April 1, 2003 Regular Meeting are hereby approved.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1034724 through 1034879 (void check(s) numbered 1034723 and1034763) for:

Accounts Payable FY 2002- 2003:

(101) General Fund	$	332,693.04
(103) Jail Commission	$	.00
(104) Marketing Fund	$	.00
(209) Litter Control	$	.00
(222) E911 Fund	$	2,016.95
(223) Self Insurance Fund	$	.00
(225) Courthouse Maintenance	$	.00
(226) Law Library	$	.00
(228) Fire Programs & EMS	$	5,258.72
(229) Forfeited Asset Sharing	$	.00

(304) CDBG Grant Fund	$ .00
(305) Capital Projects Fund	$ 2,793.65
(401) County Debt Service	$ 85,373.75
TOTAL	**$ 428,136.11**

IN RE: CITIZEN COMMENTS

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

The following citizen(s) came forward to address the Board:

1. Michael Bratschi – 23500 Cutbank Road, McKenney, Virginia – requested that Mr. Clay his Board of Supervisor representative vote no on the quarry issue. He questioned the legality of Mr. Moody serving on the Planning Commission. He also stated he didn't feel it was legal for the County to contract with Mr. Clay (DeWitt Tire) or Mr. Mc Cray (McCray Electric). He presented a FOIA request.

2. Kenneth Thompson – 11414 Lew Jones Road – DeWitt, Virginia – thanked the Board for helping with the medical center and doctor and for the DeWitt Post Office. He also requested that a traffic light be installed at the intersections of Boydton Plank Road and Courthouse Road before a tragedy happens.

3. Eva Bratschi – 23500 Cutbank Road, McKenney, Virginia – stated she lives in the 5th District and she is opposed to the rock quarry at that location. She commented she had presented a proposal to the County Administrator, which is called the Dinwiddie Embrace Environmental Program (DEEP). The program will coordinate with VDOT, the community and the County employees to clean up the roads around Dinwiddie County. On April 10, Governor Mark Warner had the first natural resource leadership summit and the summit emphasized finding ways to use existing resources and new partnerships to better manage the Commonwealth's Natural and Historic Resources. She stated her proposal falls in line with what the Governor has proposed and she requested to be placed on the June agenda to present the proposal to the Board.

4. Anne Scarborough – Boydton Plank Road, Dinwiddie, Virginia – Thanked the Board for the lights in the parking lot at the Enhancement Center and praised the employees for the great job they did. She voiced her disapproval with the Board because they had not proposed an increase in the personal property taxes on airplanes at least to fifty-five cents, which would be a five-cent increase in the FY03-04 budget. Mrs. Scarborough commented she is all for the School System but she felt they could cut their budget if they took a close look at it. She said she was appalled that they have requested $87 million for a building program. Are the funds they are requesting going to trickle down to the students? She also commented that the School Board Office has filled up to capacity again.

IN RE: CENTRAL VIRGINIA FILM OFFICE – UPDATE – KEN ROY

Mr. Ken Roy, Executive Director of the Central Virginia Film Office came before the Board to give the fifth anniversary update of the Central Virginia Film Office. He also thanked the Board for allowing the County Administrator to serve on the Board. The following is a synopsis of his update:

The Central Virginia Film Office Region -

Dinwiddie County was a charter member in the establishment of the CVFO

The following localities financially support and comprise the CVFO:

Cities of: Hopewell, Colonial Heights and Petersburg

Counties of: Charles City, Chesterfield, Dinwiddie, and Prince George

History of Filming Within the Region –

In the period between 1987–1998, only 13 films were filmed in the region

The CVFO was organized in March 1998, and began active promotion efforts in April 1998

Regional Productions Prior to 1998

1987 – *The Murder of Mary Phagen & Gore Vidal's Lincoln*
1989 – Traitor in My House
1991 – The Broken Chain
1993 – The Vernon Johns Story – 500 Nations – Foreign Student
1994 – Tad – Major Payne
1995 – The Monroes
1997 – The Day Lincoln Was Shot – Love Letters

Film and Television Projects filmed since 1998

1998 – *Asunder, LBJ, The Road to War, Lincoln, Legacy, Slave Letters, First Dogs, Tom Clancy's NetForce, Civil War Journal*
1999 – Cherry Falls, Nothin' 2 Lose, The Contender, Haunted Washington, Hoover and MLK, Jr, Legacy, Wicked Spring, A Separate Path to Glory, Sally Hemings: An American Scandal
2000 – Crossing the Bridge, Hannibal, Hearts in Atlantis
2001 – Mickey, For Real, Founding Brothers
2002 – Emma Edmonds Story, Capital City, Iron-Jawed Angels, Cold Mountain, April 18, 1865

Other CVFO Accomplishments

Co-Founded the Southern Mystique Film Camp in 2001

2001 – CVFO Executive Director elected to Board of Directors of the Association of Film Commissioners International
Organization of over 300 worldwide members

2002 – Elected by the AFCI Board to be the AFCI Treasurer

With Richmond, the Central Virginia Region was selected as on of the 2003 top 10 areas in North America for Independent Filmmakers

What Has the Entire Region Grained Through CVFO Efforts?

Prior to 1998, there were only 1-2 productions in Region each year – now 3-10 projects per year

Through the efforts of the localities and the CVFO, the film industry is much more aware of the assets and capabilities available in the Central Virginia region

This is translating into increased economic opportunity for the entire region.

Despite this growth and increased recognition for the region – there is still immense potential.

CVFO on the Virginia Tourism Corporation's study of expanding tourism through awareness of filming activities (past and present) in the state

CVFO also invited to participate in the Governor's Motion Picture Opportunity Fund Committee for the state

2003 and Beyond

Enhancing and expanding he film industry in Central Virginia has, and will continue to, annually inject tens and thousands of dollars into the regional economy

Dinwiddie's membership and support has been a major factor in the growth of the regional film industry, and we look forward to continuing to work with the County in the future.

Mr. Roy reported on the third annual summer film camp to be held at the New Millennium Studios in Petersburg, Virginia. The Camp, named the Southern Mystique Film Camp, is a collaborative effort between the Studio and the CVFO (which is funded and supported by Colonial Heights, Hopewell, Petersburg, Charles City, Chesterfield, Dinwiddie, and Prince George).

The Southern Mystique Film Camp is limited to just 36 students between the ages 15-20, and will be held July 13-19, 2003. Tuition for the Camp is $595, and includes all materials required for the training and student projects. Applicants who are accepted and pay the entire tuition by May 3 will be able to save $100, making the session a very affordable $495. The Film Office will be accepting applications until June 1, 2003.

During its first two years, the Camp attracted students from as far away as Wisconsin, Florida, and New Jersey. The remainder of the students were from Virginia, predominately from the CVFO region, but also included several from Hampton Roads, Charlottesville, Fredericksburg, and Gloucester. He stated we have already received strong interest from another student from Wisconsin, one from Ohio, and at least one student that attended last year's session who wants to return this year. Based on this initial interest, we anticipate our 2003 Camp will full up early.

During the intensive, one-week program, students will learn the basics of film, as well as some of the newest digital video production techniques. Classes include an introduction to screenwriting and acting, as well as a first-hand session with Tim Reid and Daphne Maxwell-Reid, owners of New Millennium Studios, on choosing a career in the entertainment industry. Students are divided up into several production teams that conceive, script, rehearse, shoot, edit, score, title, and premiere their projects – all within the one-week session.

Perhaps the most unique offering of the Camp is the opportunity for the students to access the 16,000 square foot soundstage at New Millennium Studios. Not only will the students receive training in the same facilities used by several incorporate these facilities and equipment into their own short projects.

Mr. Roy commented we are very pleased to be offering such an exciting opportunity to area youth. Students will get the benefit of learning filmmaking and some of the newest digital video techniques at one of the few full-service studios located outside of Hollywood, and we get the benefit of discovering and training some of the region's most enthusiastic up-and-coming young filmmakers. We hope to have several projects come out of this year's Camp that we can submit to Student Film Competitions and Festivals.

Applications and more information about the camp are available on the Films Office's website at www.cvfo.org/camp, or by contacting the Central Virginia Film Office at (804) 216-2772.

Mr. Bowman asked Mr. Roy if the CVFO did a monthly newsletter? Mr. Roy commented they sent out a quarterly one. He stated he would include the Board on the list for future newsletters and asked for their email addresses. He also stated that there is considerable interest within the film industry for historic courtrooms such as the one in Dinwiddie.

IN RE: VDOT – REPORT

Mr. Timothy Overton, Acting Resident Engineer, Virginia Department of Transportation, came forward with the following updates:

1. A meeting was held with representatives from Vulcan Materials regarding a proposed site for another quarry on Route 650 East of Route I-85.

2. VDOT is scheduled to begin work on Route 711, Ridley Road as soon as the weather permits.

3. He requested that a workshop meeting be scheduled for the Six Year Plan sometime in May.

4. A left turn lane for Route 632, Butterwood Road, on Route 460 has been approved and work should commence sometime this summer.

5. Due to the soaring cost for snow removal and pothole expenses some maintenance projects will have to be cut back to recoup those losses. One of the items that may have been impacted is the surface treatment schedule in the County. There was only one bidder and the bid was a couple hundred thousand over VDOT's estimate so they elected not to proceed with that work.

6. Slurry was applied to Route 460 and the lines and turn lanes will be repainted sometime this week.

7. There has been a weight reduction, down to 10 tons, on Rainey Road due to a deteriorating 72" pipe. Hopefully, VDOT will be able to start work on that project within the next two months.

Mr. Bracey asked what the process is to get a speed reduction on a road? Mr. Overton replied typically all VDOT needs is a letter from a resident or a Board member requesting a speed study. The request would be forwarded to the engineering department at the district office. The engineering department will perform the study and the recommendation would come from them. The process takes approximately a month to 6 weeks.

Mr. Bowman thanked VDOT for installing the Holiday Inn Express sign on I-85.

IN RE: SOCIAL SERVICES – REQUEST AND APPROVAL OF APPROPRIATION OF FUNDS FROM DONATIONS

Ms. Peggy McElveen requested a resolution to appropriate funding received by her department through donations. She stated that no local match funds would be required.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for supplemental appropriations from donations in the amount of $850 for the FY 2003 Social Services budget as follows:

St. John's Catholic Church	$500
Calvary and Good Shepard Churches	100
Women of the Moose	25.
Va. Independent Auto Dealers Assoc.	50
Bath Parrish (Episcopal Churches)	75
Calvary Episcopal Women	100
TOTAL	$850

IN RE: SOCIAL SERVICES REQUEST TO ENTER INTO CONTRACT – VEHICLES FOR CHANGE

Ms. McElveen stated Vehicles for Change is a private, non-profit agency, which provides cars to low income families for employment purposes. This organization currently provides services to several localities in northern Virginia and is expanding into the Richmond area. Social Services agencies participating in this project in northern Virginia have found it to be successful, with approximately 60 cars distributed last year and an estimate of 90 to be distributed this year.

State and Federal funds have been allocated to local departments of social services designated for special projects, which will increase employment of welfare clients. Localities, collaborating in this effort, have determined that transportation is the biggest barrier to employment. The cost of paying a third party to transport clients to employment is prohibitive and does not support self-sufficiency. The most reasonable and effective means of transportation is use of a personally owned vehicle.

- The total amount of the contract is $20, 013; no local money required.
- The purpose of the contract is to enable Dinwiddie welfare clients to apply for and receive a loan for the purchase of a vehicle. The loan is guaranteed by Vehicles for Change.
- Social Services will refer eligible clients to Vehicles for Change; we are entitled to a total of 18 vehicles.
- Vehicles for Change receives donated cars, has them repaired, inspected, and then sells them to the clients at a cost of $750 to $900.
- The contract offsets all other expenses associated with this transaction.

Other localities included in the collaborative: Chesterfield/Colonial Heights, Petersburg, Prince George, Richmond, Hanover, Hopewell, and Amelia.

Ms. McElveen concluded her report by requesting approval to enter into a contract with Vehicles for Change in the amount of $20,013, and to appropriate the funds, which have been allocated by the Virginia Department of Social Services.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Dinwiddie County through the Department of Social Services to enter into a contract with Vehicles for Change in the amount of $20,013, and to appropriate the funds, which have been allocated by the Virginia Department of Social Services.

IN RE: SUPPLEMENTAL APPROPRIATION TO THE FY2003 SCHOOL BUDGET

Dr. Leland Wise, Superintendent of Schools, sent a memo to the Board for this request: "The Dinwiddie County School Board voted at its April 8, 2003 meeting to request that the Dinwiddie County Board of Supervisors provide an additional supplemental appropriation to the FY2003 school budget, due to the increase in enrollment. This money is state basic aid money and is due to the increased enrollment of students. Therefore, the total supplemental

appropriation requested is $226,850.00. None of this supplemental appropriation requires local funds.

Since we are categorically funded by the Board of Supervisors, the supplemental appropriation is proposed to be distributed in the following manner:

CATEGORY	Current Total Appropriation (FY03 School Budget)	Additional Requested Supplemental Appropriation	Proposed New Total Appropriation (FY03 School Budget)
Instruction	$23,540,961.62	$194,350.00	$23,735,311.62
Transportation	2,047,475.99	17,500.00	2,067,975.99
Food Services	1,344,757.41	0.00	1,344,757.41
Maintenance	3,453,885.00	15,000.00	3,468,885.00
Facilities	135,623.87	0.00	135,623.87
TOTAL		$226,850.00	

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Supplemental Appropriation to the FY2003 School budget in the amount of $226,850.00 is hereby approved as listed above. No local funds are required.

IN RE: AUTHORIZATION TO RENOVATE NAMOZINE VFD

Mr. Donald Faison, Director of Buildings and Grounds, requested authorization to investigate the option to renovate the existing Namozine VFD building to house both paid personnel and volunteers in lieu of adding the 2100 square foot addition for paid personnel plus still have to correct deficiencies in the existing building. The costs for the addition is approximately $210,000; plus architects fees $26,000; furnishings $10,000 and deficiencies $75,000 to $100,000. The annex building will need a new roof approximately $12,000 and some renovation work around $40,000. The approximate total is $398,000.00. To renovate the existing building the cost would be approximately $180,000 plus architects fees of $18,000, furnishings $10,000 and annex work for $52,000 for a total of $260,000.

Mr. Haraway asked if this was agreeable with the volunteers. Mr. Faison stated they were included in the meetings and agreed with the proposal.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Buildings and Grounds Director is authorized to look into the options of renovating the Namozine VFD in lieu of adding the 2100 square foot addition to accommodate both paid personnel and volunteers.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mrs. Ralph commented the deferred Compensation Program information Mr. Haraway requested at the last meeting was enclosed in the Board's packet, which includes the County's present program through the National Association of Counties and two other plans the State of Virginia program, and the International City Managers Association program. The bidding has been completed on these programs and they are used statewide by various other localities. Mrs. Ralph stated if the Board wanted Staff to pursue these plans they would get some additional information. Mr. Haraway stated this was not what he had in mind. The information provided by Staff is very similar to what the County offers the employees now. It is like a catalog operation where you don't have a representative locally. Additionally, there was no information listing what the returns for the past three years was on a fixed investment. Mr. Haraway

commented he felt a personal representative is what is lacking here and that is demonstrated by having less than 20 people currently participating in the program. Normally there is a higher percentage participating in the tax-deferred program. He commented Prince George County recently went through the RFP process and chose a company where a representative will be available to the people on a weekly basis. Mr. Haraway stated that is why he would like to see the County issue a RFP. Mr. Bracey questioned how many people are currently on the County's payroll? The County Administrator replied about 120. Mr. Bracey stated he felt the lack of participation was due to fact that there are very few people on the County's payroll who make enough money that could spare a couple of hundred dollars a month to participate in the program. Mr. Haraway gave a "sample" RFP to the County Administrator in case the County issued a RFP. The County Administrator stated she would contact Prince George County to see if they would share their information before issuing an RFP.

The County Administrator advised the Board that the only date she could get for them to meet with the School Board to continue the discussion about the Capital Improvement Program was April 21, 2003 at 6:30 P.M. The Board members agreed to meet.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman — He commented Mr. Tom Evans with Southwood Builders would like to meet with the Board to discuss the issues they are faced with now with the School Board situation on Dinwiddie Elementary School. The other Board members felt that would be inappropriate due to the legal situation and they are not a party to the contract.

IN RE: CLOSED SESSION

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

Acquisition of Property - §2.2-3711 A. 3

Personnel - §2.2-3711 A.1 – Public Safety; Appointments; GIS Position

Mr. Haraway seconded the motion. Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the Board moved into the Closed Meeting at 3:05 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 4:04 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under Acquisition of Property - §2.2-3711 A. 3; Personnel - §2.2-3711 A.1 – Appointments; Public Safety; GIS position.

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

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

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

IN RE: APPOINTMENT – MS. JANET MARIE HEDRICK – FRIENDS OF THE LOWER APPOMATTOX RIVER

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Ms. Janet Marie Hedrick be appointed for an indefinite term to the Friends of the Lower Appomattox River.

IN RE: BOARD MEMBER COMMENTS

Mr. Bowman commented he had received several calls from citizens regarding how well Mr. Phillip Harris has handled code compliance situations.

Mr. Haraway stated he would be out of town from April 27 to May 3, 2003.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Newspaper article – *Real estate tax increase not expected in Powhatan.*
2. Letter from Resource Conservation and Development Council – update on the current activities, projects and funding needs for the South Centre' Corridors Resource Conservation and Development council (RD&D).
3. Community Housing Partners letter of thanks for Board's support of their Low-Income Housing Tax Credits for the rehabilitation of Sentry Woods Duplexes.
4. Report from FEMA - regarding the availability of Virginia Farm Service Agency physical loss loans to 10 Virginia counties due to the blizzard damages that occurred from February 15 – 18, 2003. In addition to the 10 counties, 25 other Virginia counties/cities were named as contiguous counties/cities where eligible family farmers may qualify for FSA EM physical loss loan assistance, which includes Dinwiddie County.
5. Appomattox Regional Library System March report.

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the meeting adjourned at 4:06 P.M. to be continued until 6:30 P.M. on Monday, April 21, 2003 for a work session with the School Board to continue discussion about the Capital Improvement Program to be held in the Pamplin Administration Building, Multi-purpose Room.

Robert Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

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 23rd DAY OF APRIL, 2003, AT 7:00 P.M.

PRESENT:	ROBERT L. BOWMAN IV - CHAIR	ELECTION DISTRICT #3
	DONALD L. HARAWAY – VICE CHAIR	ELECTION DISTRICT #2
	HARRISON A. MOODY	ELECTION DISTRICT #1
(arrived 7:20 pm)	EDWARD A. BRACEY, JR.,	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5

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

Mr. Robert L. Bowman, Chair, called the regular meeting to order at 7:09 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: PUBLIC HEARING – PROPOSED FY 2003 - 2004 BUDGET – TAX RATES FOR 2003

This being the time and place as advertised in the Dinwiddie Monitor on April 16, 2003 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comment on the proposed Budget for the Fiscal Year Commencing July 1, 2003 and the proposed Tax Rates for 2003.

Mrs. Wendy Ralph, County Administrator, gave the following overview of the Proposed FY 2003 – 2004 Budget and Tax Rates for 2003.

OVERVIEW OF 2003 -2004 BUDGET

SUMMARY POINTS

5% overall increase in budget- appears to be 13% with Tobacco Commission funding and increase in fund balance
6% increase in local revenues; State revenues – 3% increase through PPTRA – actually down 2%

4% increase in General Fund operational budget

$765,000 additional local funds transfer to Schools represents 8% increase

PERSONNEL COSTS

2 ½ % COLA increase for County employees – no merit

2.25% increase for State funded positions - $350 supplement from County if State funding is not provided

Health insurance increase is 14%; however, the County is only covering the minimum 80%/20% required by the insurance program – Employees responsible for the balance

Increase in local transfer for schools for purpose of increasing beginning teacher salary to $32,500 and to adjust the entire teacher scale to remain competitive with the area – (Requires $530,000)

Commissioner & Treasurer – have absorbed State cuts in Extra Help and Office Expenses

Circuit Court Clerk – cut a new position

Commonwealth Attorney – has absorbed State cuts in Ass't. Commonwealth Attorney & Secretary positions

Sheriff – absorbed cut in jail per diem by eliminating one replacement vehicle

Match provided for two school resource officers – Middle & High Schools

GENERAL REASSESSMENT

Funds are provided to begin the General Reassessment which will be effective January, 2005

JAIL

Funds are provided to continue to purchase outside space
All options are still under review
As State funds are cut, we will bear the cost of caring for State prisoners for a longer period of time

CRATER JUVENILE DETENTION

The Green House (shelter care) has been closed. Funds have been provided to procure these services from outside agencies

Also reflects a cut in State funding

BUILDING INSPECTIONS

A replacement vehicle is included

DINWIDDIE EMS

Continue funding for second paid crew

Funding to begin to address the issue of providing fire services – reviewing options to assist volunteer agencies

WASTE MANAGEMENT

Sufficient funds are provided to continue operation of the department by the County or to pursue privatization

Additional manned sites have been placed on hold

PLANNING & ZONING

Route 1 & Route 460 corridor study funding carried over

Legal expenses removed from County Attorney and shown here - due to large number of zoning and building code violations

OUTSIDE AGENCIES

3% increase for outside agencies

Funding for County's share of BRAC expenses

4-H extension agent has been continued by the County on a part-time basis until State funds are restored

Internal Services – $5,000 provided by Board for continuing education and/or in-service training

CAPITAL PROJECTS

Capital Projects Fund includes $2 million - $1,000,000 carried over from present year (FY03) and $1,000,000 transfer for FY04

The School system is requesting $2,037,850 in capital projects. Other County projects total $2.7 Million. The CIP Committee is presently reviewing these projects

SCHOOL BOARD

Since 1998, the Board has provided an average 14% increase to the School budget dedicated to increasing teacher salaries. This year they are able to provide $765,000 for that same purpose. The balance of the funding is provided to assist the school system with unfunded mandates

Funding for County's share of BRAC expenses

4-H extension agent has been continued by the County on a part-time basis until State funds are restored

Internal Services – $5,000 provided by Board for continuing education and/or in-service training

Other transfers include:

$230,000 for insurance

$100,000 for capital projects (additional funding is being considered through CIP)

$1,809,263 in debt service

DEBT SERVICE

Debt service payments for County projects decreased by $318,000. However, we lost $350,000 in interest, which has been used to fund debt service.

Transfer from Meals Tax for School Debt Service remains $400,000.

E911

Continuation of ten new dispatchers and full operation of new communications center

Once contract is awarded, 8 months to complete - start up date is anticipated to be the Spring of 2004

IN RE: PUBLIC HEARING – TAX RATES FOR 2003

This being the time and place as advertised in the Dinwiddie Monitor on April 16, 2003 for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comment on the proposed Tax Rates for 2003.

TAX RATES - FY 2003

◆Real Estate	.77
◆Mobile Homes	.77
◆Mineral Lands	.77
◆Public Services	.77
◆Personal Property	4.90
◆Personal Property - Volunteers	.25
◆Machinery & Tools -	3.30
◆Heavy Const. Equip. -	3.30
◆Certified Pollution Control	3.30
◆Airplanes -	.50

Mr. Bowman opened the Public Hearings on the Proposed Budget and Tax Rates.

The following citizens came forward requesting that the Board reconsider fully funding the School Board budget:

1. Evan Bishop – 18012 Bonneville Lane, Dinwiddie, Virginia
2. Rashaunda Jackson – 18523 Malones Road, Carson, Virginia
3. Joy Marshall – 4725 Woodstream Drive, Petersburg, Virginia
4. Angela Orrell – 16563 Cantree Road, McKenney, Virginia
5. Barbara Pittman – Dinwiddie, Virginia
6. David Abbey – 7901 Brills Road, McKenney, Virginia
7. Donna King – 10523 Rives Avenue, McKenney, Virginia
8. Cheryl Perkins – 13315 Boydton Plank Road, Dinwiddie, Virginia
9. Craig Lewis – 19921 Hope Drive, Sutherland, Virginia
10. Samuel Hayes – 17507 Mansons Church Road, McKenney, Virginia
11. Cheryl Martinez – 237185 Sparrow Court, Petersburg, Virginia
12. Lee Wise – 17911 Wilkinson Road, Dinwiddie, Virginia
13. Evelyn Whitehead – 9313 Dabney drive, Sutherland, Virginia
14. Chris Marston – 12920 Courthouse road, Dinwiddie, Virginia
15. Michael Duggan – 24023 Bancroft Drive, Petersburg, Virginia
16. Todd Morgan – 16762 Hunter Drive, Sutherland, Virginia

The following citizens came forward to address other items in the FY 03-04 Budget:

1. Charles Koutnik, Executive Director, Appomattox Regional Library, 245 East Cawson Street, Hopewell, Virginia – requesting 2.19% increase in Library funding
2. Bill Jones - Dinwiddie County Treasurer – on behalf of employees requesting increase in salaries
3. Stacey L. Hayes – 14915 Courthouse Road, Dinwiddie, Virginia – Dinwiddie County Youth League Commission - no recreational parks in the County
4. Anne Scarborough – Boydton Plank Road, Dinwiddie, Virginia – the airplane tax rate; building new schools; and the increases in the Board of Supervisor's budget;

Mr. Bowman closed the Public Hearings on the Proposed Budget and Tax Rates. Action will be taken on Wednesday, April 30, 2003.

IN RE: RECESS

The Chairman called for a recess at 8:57 P.M. The meeting reconvened at 9:15 P.M.

IN RE: **DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES – REPORT ON PROPOSED LOCATION OF VIOLENT SEXUAL PREDATORS PROGRAM – SOUTHSIDE VIRGINIA TRANING CENTER**

Dr. James S. Reinhard, Commissioner, Department of Mental Health, Mental Retardation and Substance Abuse Services, came forward presenting the following information to the Board:

"SVP REHABILITATION PRGRAM AT SOUTHSIDE VIRGINIA TRAINING CENTER
DINWIDDIE COUNTY, VIRGINIA

The requirement for commitment and treatment of sexually violent predators became law in April 2003, at the end of the veto session of the Virginia General Assembly. This made it necessary, in a matter of just a few weeks, to locate an existing facility that could be readily prepared to accept the civil commitment program as a relatively temporary measure, until such time as renovation/construction can occur to create an appropriately designed permanent facility. The law also requires this program to be under the direction of the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS).

For a variety of reasons, the DMHMRSAS Petersburg campus was identified as the most appropriate facility for the temporary placement of this program. However, the Governor has further directed DMHMRSAS to pursue a longer-term facility through a capital budget submission to the 2004 General Assembly. While there is no guarantee that this campus won't be the permanent location, we will be reviewing every possible alternative site across the Commonwealth in making this recommendation.

In the meantime, we will continue to dialog with communities and local governments surrounding the program regarding steps we can take to minimize the impact on the citizens and visitors to the area.

Why is this program being implemented?

Legislation was enacted in 1999 to civilly commit sexually violent predators; however, implementation of the bill was delayed. During the 2003 session of the General Assembly, a modified version of the original bill was passed and made effective upon the Governor's signature on the bill. The bill was signed April 2, 2003. The Governor has directed DMHMRSAS to pursue a longer-term facility through a capital budget submission to the 2004 General Assembly.

What is the purpose of this program?

The purpose of this program is to provide secure treatment and rehabilitation to individuals who are civilly committed as so-called "sexually violent predators." Individuals are committed until such time as their risk for re-offending is sufficiently reduced that they are deemed safe to return to the community.

What will this program do?

This is an intensive behavioral rehabilitation program. Clients are maintained in a secure environment and subject to intense monitoring.

Who will participate in and receive rehabilitation services from this program?

Certain persons convicted of and sentenced for predicate sex crimes and who are currently incarcerated and reaching the end of their sentence are referred for an evaluation to determine if they meet the statutory clinical criteria of a Sexually Violent Predator (SVP). If they meet the criteria they may then be civilly committed to the program through a legal process.

What is a "Sexually Violent Predator"?

A "Sexually Violent Predator" is any person who has i) been convicted of a sexually violent offense or has been charged with a sexually violent offense and is unrestorably incompetent to stand trial *and* ii) because of a mental abnormality or personality disorder, finds it difficult to control his predatory behavior which makes him likely to engage in sexually violent acts. It is important to note that the individuals coming into this program would otherwise be released into the community at the end of their prison sentences.

How many individuals will participate in this program?

Approximately twenty-five (25) clients will enter the program within the first twelve months.

Why was Southside Virginia Training Center selected?

The DMHMRSAS Southside Virginia Training Center has been identified as the most appropriate facility for the temporary placement of this program. It was necessary to identify a facility that will temporarily house the program for at least three (3) years. Building 9 and 10 at Southside Virginia Training Center have been selected primarily because they are:

1. In good physical condition
2. Isolated from the remainder of the campus
3. Designed in a way that facilitates monitoring and supervision of the clients

The facility sits several hundred yards off of Route 1. The Department is exploring landscaping ideas to provide additional screening.

What security will be in place for this new program?

For the safety of the community, our staff, and the clients of this program, assuring the highest possible level of security is our top priority in implementing this program. DMHMRSAS is working with the Department of Corrections and a nationally prominent security-consulting firm to assure the security at this facility.

Exterior controls include:

- Double fencing with an intruder detection system between the fences
- Razor wire at both internal and external fences
- Perimeter cameras
- Lighting
- Patrols

Interior controls include:

- Security cameras
- Security staff, separate from treatment/program staff
- Locked and alarmed doors
- Secure windows

In addition, DMHMRSAS is assessing the use of GPS locator bracelets as an additional security measure."

There was a lengthy question and answer period between the Board members, County Administrator, and the representative from DMHMRSAS regarding the choice of the location; the security system; personnel issues; appearance and barriers; EMS/Fire services; and a financial agreement between DMHMRSAS and the County."

The following citizens came forward in opposition to the placement of the Violent Sexual Predators at the Southside Virginia Training Center location:

1. Richard Stewart – 129 Rolfe Street, Petersburg, Virginia
2. Cheryl Martinez – 23718 Sparrow Court, Petersburg, Virginia
3. Leonard Davis – 5014 Olgers Road, Sutherland, Virginia
4. Parker Simmons – 26114 Washington street, Petersburg, Virginia
5. LeRoy Ivey – 25808 Franklin Street, Petersburg, Virginia
6. Michelle Parker – 6812 Duncan Road, Petersburg, Virginia
7. Kevin Hill – Vice Mayor – City of Petersburg, Virginia
8. Teresa Stump - Dinwiddie County
9. Jennifer Schwartz – 24618 Brickwood Lane, Petersburg, Virginia
10. Melodie Jackson – 20920 Little Road, Petersburg, Virginia
11. Thomas Tucker – 24811 Brickwood Lane, Petersburg, Virginia
12. Melvin Farrah – 2415 Bancroft Drive, Petersburg, Virginia

Mr. Bracey stated a resolution needed to be drafted and taken to the Governor to voice the Board's fervent opposition to the proposed placement of the SVP Program at the Southside Virginia Training Center location.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Staff is instructed to draft a resolution to be delivered to Governor Warner in opposition to the proposed placement of the SVP Program to be located in Buildings 9 and 10 on the North side campus of Southside Virginia Training Center in Dinwiddie County.

IN RE: SHERIFF'S DEPARTMENT – AUTHORIZATION TO REPLACE VACANT COUNTY POSITIONS

Sheriff Samuel Shands sent a letter to the County Administrator requesting the Board's authorization to fill two vacant county funded positions in his department.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Sheriff's Department is authorized to fill the two vacant county positions as requested with two of the following individuals: Brad Franklin Mann; Ricky Lynn Davenport; Ranger I. Freeman; at a salary of $23,329.00.

IN RE: AUTHORIZATION TO PAY INCREASES IN HEATING FUELS, ELECTRICITY, AND WATER BILLS FOR SCHOOL SYSTEM IN EXCESS OF FY 03 BUDGET YEAR COSTS

Mr. Haraway commented Dr. Wise indicated tonight that the largest expense in his budget that he was having a problem with was utilities, at a

$130,000 increase. A lot of people here tonight also talked about using the school facilities for recreational purposes at night. Mr. Haraway stated we want the citizens to be able to use these facilities but the School System has no control over how many nights a week that the people use them. He made a motion, starting with the 1st quarter of the next budget year that the County pay any additional utility bill expense that is an increase over the previous quarter for the last year. For example, the 1st quarter for 2003 will end September 30, 2003; take the utility bills, which ended September 30, 2002 and compare the two then reimburse the School System for the additional amount not to exceed $130,000; since Dr. Wise has indicated that this is their most serious problem. Mr. Haraway clarified that he was talking about the heating fuels, electric, and water bills, not the telephone bills. This should give them some relief in their budget for next year.

Mr. Clay seconded the motion. Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye,"

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School System will be reimbursed an amount not to exceed $130,000 for any additional increases in their heating fuels, electric, and water bills for FY04, as compared to the same quarter for FY 03.

IN RE: CLOSED SESSION

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

Personnel - §2.2-3711 A.1 – Commonwealth Attorney

Mr. Moody seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 10:37 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:49 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1, of the Code of Virginia – Personnel - Commonwealth Attorney

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

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

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

RE: ADJOURNMENT

Upon motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the meeting adjourned

at 10:57 P.M. to be continued until 7:00 P.M. on Wednesday, April 30, 2003 for the adoption of the FY 03-04 Budget and Tax Rates.

Robert Bowman, IV, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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 30th DAY OF APRIL, 2003, AT 7:00 P.M.

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

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Mr. Robert L. Bowman, Chair, called the regular meeting to order at 7:07 P.M.

IN RE: DISCLOSURE STATEMENT

Mr. Bracey read the following statement prior to action being taken on the proposed 2003-2004 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 school employees with similar credentials and experiences. Therefore, I feel that I am able to participate in the actions of the Board concerning the 2003-2004 budget effectively, fairly and in the public interest."

IN RE: ADOPTION - FY 2003-2004 BUDGET

Mrs. Wendy Ralph, County Administrator, presented the Proposed FY 2003 – 2004 Budget. She commented at the public hearing last week the Board took action to include an amount not to exceed $130,000 in the budget for the School System to be reimbursed any additional increases in their heating fuels, electric, and water bills for FY04, as compared to the same quarter for FY 03. There may be some amendments to the budget later in the FY but tonight there are none.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following budget for FY 2003-2004 is adopted:

INCOME ESTIMATES Fiscal Year Commencing July 1, 2003

GENERAL FUND:

Revenue from Local Sources:	
General Property Taxes	13,568,785
Other Local Taxes	2,905,000
Permits, Privilege & Regulatory Licenses	224,800
Fines and Forfeitures	150,000
Revenue from Use of Money & Property	414,000
Charges for Services	574,546
Miscellaneous Revenue	615,342
TOTAL	$18,452,473

Revenue from the Commonwealth	7,158,362
Revenue from the Federal Government	-0-
Non-Revenue Receipts	-0-
TOTAL GENERAL FUND	$25,610,835
LAW LIBRARY FUND	6,500
SCHOOL TEXTBOOK FUND	328,569
SCHOOL CAFETERIA FUND	1,314,374
SCHOOL FUND:	
Revenue from Local Sources	40,500
Revenue from the Commonwealth	18,315,899
Revenue from the Federal Government	1,620,557
Transfers from Other Funds	10,835,897
TOTAL SCHOOL FUND	30,812,853
VA PUBLIC ASSISTANCE FUND	2,572,969
E911 FUND	298,022
SELF-INSURANCE FUND	-0-
GENERAL CAPITAL PROJECTS FUND	1,000,000
OYCS FUND	-0-
GRANT FUND	2,606,730
FIRE PROGRAMS FUND	43,000
FORFEITED ASSET SHARING	-0-
MEALS TAX	340,000
SCHOOL CAPITAL PROJECTS	100,000
CSA FUND	785,812
JAIL COMMISSION FUND	6,000
COURTHOUSE MAINTENANCE FUND	18,000
COUNTY DEBT SERVICE	1,708,832
HEAD START FUND	300,000
SCHOOL DEBT SERVICE	2,724,823
GRAND TOTAL – ALL FUNDS	70,577,319
LESS INTERFUND TRANSFERS	16,694,724
TOTAL INCOME	53,882,595
FUND BALANCES, JULY 1	18,341,079
CASH RESOURCES	72,223,674

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CONTEMPLATED EXPENDITURES

GENERAL FUND:	
Board of Supervisors	80,605
County Administrator	358,385
County Attorney	88,700
Independent Auditor	39,300
Commissioner of the Revenue	236,314
Business License	20,332
General Reassessment	100,000
Land Use	19,567
Treasurer	255,292

Data Processing	102,836
Electoral Board and Officials	83,923
Circuit Court	21,300
County Court	8,030
Special Magistrates	300
Clerk of the Circuit Court	60,254
Commonwealth's Attorney	122,180
Sheriff-Law Enforcement	2,558,853
Victim Witness	50,439
Volunteer Fire Departments	293,000
Ambulance & Rescue Service	49,400
Forestry Service	11,718
Dinwiddie EMS	892,354
Sheriff—Correction & Detention	609,947
Probation Office	4,300
Other Correction & Detention	259,070
Building Inspection	234,238
Animal Control	123,944
Medical Examiner	500
Public Safety/Civil Defense	157,656
Street Lights	35,000
Refuse Disposal	1,188,574
Public Nuisance	5,000
Public Utilities	123,000
Maintenance of Buildings & Grounds	498,687
Water Service	525,000
Health	191,311
Mental Health	58,314
Area Agency on Aging	4,225
Other Social Services	19,604
Community College	5,268
Recreation	239,483
Lake Chesdin	1,500
Regional Library	214,802
Zoning Board	12,600
Planning	233,481
Economic Development	14,100
Other Planning & Community Develop.	72,964
Regional Planning Commission	38,213
GIS Department	49,494
Soil and Water Conservation	15,500
Advancement of Agric & Home Economics	68,664
Internal Services	15,025
Insurance	125,000
Subtotal	10,597,546
Transfers to Other Funds	15,852,007
TOTAL GENERAL FUND	26,449,553
HEAD START	300,000
LAW LIBRARY FUND	6,500
SCHOOL TEXTBOOK FUND	500,000
SCHOOL FUND	30,812,854
SCHOOL CAFETERIA FUND	1,314,374
VA PUBLIC ASSISTANCE FUND	2,572,969
E911 FUND	457,484
OYCS FUND	-0-
GENERAL CAPITAL PROJECTS	2,000,000
SCHOOL CAPITAL PROJECTS	100,000
GRANT FUND	2,602,136
FIRE PROGRAMS FUND	69,933
FORFEITED ASSET SHARING	-0-

MEALS TAX FUND	400,000
CSA FUND	785,812
JAIL PHONE COMMISSION FUND	4,000
COURTHOUSE MAINTENANCE	18,000
DEBT SERVICE	1,708,832
SCHOOL DEBT SERVICE	2,724,823
GRAND TOTALS – ALL FUNDS	72,827,270
LESS INTERFUND TRANSFERS	16,694,724
TOTAL EXPENDITURES	56,132,546
FUND BALANCES – JUNE 30	16,091,128
TOTAL REQUIREMENTS	$ 72,223,674

IN RE: ADOPTION - 2003 TAX RATES

Mrs. Ralph reviewed the proposed tax rates for those citizens in attendance as follows:

Unit Levy – All Districts - - $100 Assessed Valuations

Real Estate	.77
Mobile Homes	.77
Mineral Lands	.77
Public Services	.77
Personal Property	4.90
Personal Property – Volunteer Vehicles	.25
Machinery Tools	3.30
Certified Pollution Control	3.30
Heavy Construction Machinery	3.30
Airplanes	.50

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above tax rates are hereby adopted for the year 2003.

IN RE: AUTHORIZATION FOR CHAIRMAN TO SIGN JOINT LETTER IN OPPOSITION TO THE TEMPORARY LOCATION OF THE SVP REHABILITATION PROGRAM AT SOUTHSIDE VIRGINIA TRAINING CENTER

The County Administrator reported a resolution in opposition to the proposed temporary location of the Sexually Violent Predator Program at the Southside Virginia Training Center has been drafted per your request. The City of Petersburg adopted a similar resolution at their council meeting also. Delegate Fenton Bland, and representatives from the County and City of Petersburg will present the resolution to Governor Warner. Mayor Roslyn Dance is going to draft a letter requesting the support of the jurisdictions in the region to join the City of Petersburg and Dinwiddie County by adopting resolutions to oppose the location of the program for sexually violent predators at Southside Virginia Training Center. Mrs. Ralph requested authorization for the Chairman to sign the letter.

Upon motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Bowman voting "Aye," the Chairman was authorized to sign the letter as described.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Southeast High Speed Rail representatives from the North Carolina and Virginia Rails Division will be at the Board meeting May 6th to provide an update on the High Speed Rail project and address any issues the Board might have.

2. Two interviews for the GIS position are scheduled for Tuesday, May 6th at 10:00 and 11:00 A.M. if any Board members are interested in participating.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, Seconded by Mr. Bracey, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Bowman voting "Aye," the meeting adjourned at 7:56 P.M.

Robert Bowman, IV, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 7:30 P.M.

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

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

Mr. Robert L. Bowman, Chair, called the regular meeting to order at 7:41 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Wendy Ralph, County Administrator, stated there was a need to add under the Closed Session: (1) Personnel – GIS Position and Recreation

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the March 19, 2003 Continuation Meeting, April 15, Regular Meeting, and the April 23, 2003 Continuation Meeting are approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1034883 – 1034945 and 1034948 through 1035088, (void check(s) numbered 1034810, 1034880, 1034881, 1034882 and 1034947)

Accounts Payable:

(101) General Fund	$ 243,191.73
(103) Jail Commission	$ .00
(104) Marketing Fund	$ .00
(209) Litter Control	$ .00
(222) E911 Fund	$ 11,111.25
(223) Self Insurance Fund	$ .00
(225) Courthouse Maintenance	$ .00
(226) Law Library	$ .00
(228) Fire Programs & EMS	$ 2,768.56
(229) Forfeited Asset Sharing	$ .00
(304) CDBG Grant Fund	$ 73.25

(305) Capital Projects Fund	$ 6,731.87
(401)County Debt Service	$ .00
TOTAL	**$ 264,633.39**

PAYROLL 04/30/03

(101) General Fund	$ 409,357.40
(222) E911 Fund	$ 3,420.91
(304) CDBG Fund	$ 4,221.67
TOTAL	**$ 416,999.98**

IN RE: CITIZEN COMMENTS

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

1. Rebecca Duffey – 19418 Boydton Plank Road, Dewitt, Virginia, 23840 – reported that Syna-gro was spreading hazardous material on the property located next to her on the old lumberyard property. She questioned why the Board was allowing companies to bring these harmful materials into the County. She also requested that the Board do something about the situation. Mr. Bowman explained that Dinwiddie County has nothing to do with allowing the spreading of chemicals on lands. The State mandates who can and can not come into the County. He then instructed the County Administrator to contact the Health Department and get them to test Ms. Duffey's water. He commented Mrs. Ralph would get back to her.

2. Anne Scarborough – Boydton Plank Road, Dinwiddie, Virginia – commented she was shocked to learn the Board would not be voting on the quarry issue until after the elections in November. She expressed her dislike of the consent agenda. She said the citizens have no reason to attend the meetings since the department heads no longer appear at the meetings to give their reports. Ms. Scarborough read a newspaper article regarding the top 50 employers in the State and commented Dinwiddie County was 37th on the list with 954 employees. Compared to 2002 there was an increase of 54 employees. She asked how many of those belonged to the Board of Supervisors and how many were employed by the School Board? She also commented that out of 95 counties in the State that there are only 25 counties that have higher tax rates than Dinwiddie County in the State. The tax rates here are too high for a rural county she remarked.

3. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia – commented he was against the quarry. He asked the Board members, why don't you go public with the way you are going to vote on the issue? He commented he could not believe that the Board was not informed that the sexually violent predators program would be locating at SVTC. Is the County going to be receiving funding from the State for the services they would have to provide to the "clients"? He stated he received the letter and the Code from Mr. Massengill regarding Mr. Moody serving on the Planning Commission and the Board, but he still felt it was a conflict for him to serve on both of the Boards. Continuing he stated, Mr. Clay and Mr. McCray should not be allowed to provide bids on the vehicle and electrical contracts in the County because they serve on the Board and Planning Commission. He said he felt it was a conflict of interest.

4. Diana Parker – 10700 Chalkley Road, Chesterfield, Virginia – came forward commenting several of the representatives from the Sierra Club have been in contact with the High Speed Rail representatives and have expressed their concerns regarding the "S" line going through the property located near Pamplin Park which Tidewater Quarry, Inc. is proposing to locate a quarry. The historical earthworks on the property will be destroyed if they use this route and they are opposed to that.

IN RE: SOUTHEAST HIGH SPEED RAIL UPDATE

Mr. William C. Scheid, Planning Director, came forward and introduced Mr. Alan Tobias, Rail Passenger Project Manager, Virginia Department of Rail and Public Transportation.

Mr. Tobias introduced Mr. David Foster, NCDRPT, and Mr. Sam Hayes, VDOT.

Mr. Foster briefly highlighted the background and status of the SEHSR Tier I EIS and presented the Draft Implementation Plan for the Southeast High-Speed Rail Corridor (SEHSP). North Carolina and Virginia recently completed the Tier I Environmental Impact Statement identifying the preferred corridor for Washington D.C. to Charlotte, North Carolina portion of the SEHSP. The plan illustrated how the corridor would be broken into segments with logical termini as approved by FRA and what the next steps would be in each of those segments. The project Tier II studies will analyze impacts along specific alignments within the corridor and will include the associated stations. He presented the following update:

"SOUTHEAST HIGH SPEED RAIL Washington, D.C. to Charlotte, NC

Bringing You Up to Date

1992	Original SEHSR corridor designation
1997	MOU VDRPT and NCDOT
1999, Oct.	Start of Tier I EIS
2001, Aug.	DEIS approved by FHWA & FRA
2002, June	FEIS approved by FHWA & FRA
2002, Oct.	ROD issued by FHWA & FRA

Tier II environmental studies begin

The Federal Railroad Administration and the Federal Highway Administration issued a Record of Decision on the Tier I Environmental Impact Statement (EIS) in 2002 confirming and approving the route for the Southeast High-Speed Rail corridor. The Southeast High-Speed Rail (SEHSR) project is currently in the second environmental study phase, which includes more specific analysis along the preferred route.

Rather than a single large document, smaller Tier II environmental studies will be conducted for specific segments of the route where track work will be needed. A Tier II EIS is underway for the portion of the preferred corridor between Petersburg, VA and Raleigh, NC.

Agency scooping meetings and public workshops will be held for the Petersburg to Raleigh segment in summer 2003. Information from these meetings will be used to prepare a Draft Tier II EIS that examines the potential impacts for detailed designs through this segment.

North Carolina has been the lead state in working with the host railroads and other states to develop higher speed rail passenger service in the southeast and has worked with the northeast corridor states to designate a future high-speed rail network from Florida to Maine.

Project Overview

In 1992, the U.S. Department of Transportation designated five national high-speed rail corridors across the country. The original Southeast High Speed Rail Corridor - extending from Washington, D.C. through Richmond and Raleigh to Charlotte - has been identified as the most economically viable high-speed rail corridor in the country. The USDOT has since extended the corridor to Atlanta and Macon, GA, Columbia, S.C. and Jacksonville, FL.

In the United States, high speed trains run up to 150 mph. High speed rail in the southeast will mean top speeds of 110 mph and average speeds between 85-90 mph. Virginia, North Carolina, South Carolina and Georgia have joined together and are working with the business communities in each state to form a four-state coalition to plan, develop and implement high speed rail in the Southeast. The system will be developed incrementally. Portions of the Washington-Charlotte SEHSR corridor could be completed by 2010, depending on funding availability."

Mr. Tobias stated they would be scheduling meetings and workshops in the County in June and July and if any small groups or clubs would like to have representatives to meet with them they would be happy to accommodate them. He also offered to take the Board on a tour of the County to show them where the proposed line would be located.

Mr. Clay asked what the RR would do to make the small road crossings safe in the County with trains traveling at 110 MPH? Mr. Tobias replied a study would be done to determine the safest method to address rail crossings.

Mr. Haraway questioned whether the project would take funding away from local use. Mr. Tobias responded it would be federally funded on an 80/20 match. Mr. Haraway stated then 20% could come from the state. Mr. Tobias commented that is correct but the public transport fund is also a potential funding source.

Mr. Bracey asked if they had a map of where the rails are going to be located in Dinwiddie County and how it will affect Dinwiddie County? Mr. Tobias stated mapping is being developed. Aerial maps have already been done and only vary 25 miles in location. He commented Mr. Scheid will be provided a full corridor map for the Planning Department in approximately 4 weeks.

Mr. Bracey commented at the rezoning hearing for Tidewater Quarries the cost of purchasing right of ways came up. If the quarry owns the property would that increase the cost of purchasing the right of way through that area? Mr. Tobias replied it makes no difference to them who owned the property; a land appraisal would be done and that is what would be paid for it. Mr. Haraway stated it would appear to him that if there is a quarry operating on the property it would certainly make the property more valuable than it is presently. Mr. Tobias stated millions of dollars would be spent for right of ways. Mr. Scheid stated Tidewater Quarries proffered to accept the same value for their land as the highest per acre condemnation award for any other land condemned (or sold in lieu of condemnation) in Dinwiddie County for the Southeast High Speed Rail Corridor. (The following excerpt is one of the conditions Tidewater offered at the Planning Commission workshop). "Should any governmental entity or any private entity that has been lawfully granted authority to condemn land for construction of the Southeast High Speed Rail Corridor seek to condemn the High Speed Rail Line Property during the fifteen (15) year period, the Applicant shall not seek a condemnation award for the value of the land to be condemned (on a per acre basis) that exceeds the highest per acre condemnation award for any other land condemned (or sold in lieu of condemnation) in Dinwiddie County for the Southeast High Speed Rail Corridor. Nothing herein shall prohibit the Applicant from seeking compensation for an appropriate means of access across the High Speed Rail Line Property (whether by bridge or tunnel)."

Mr. Bowman commented it seems Dinwiddie County is being dumped on lately. He asked how many roads would be closed due to the HSR? And what the determining factor was for the location of the HSR? Mr. Foster commented that information would be in the Executive Summary.

Mr. Foster stated they would come up and take the Board and members of the Planning Department on a tour of the lines and what roads would be affected in Dinwiddie County.

If anyone has any questions please contact:

David B. Foster	919-508-1917	NCDOT
Diana Young-Paiva	919-508-1923	NCDOT
Alan Tobias	804-786-1063	VDRPT

Or for general information access the web site www.sejsr.org

Mr. Bracey commented this is another mandate that the Board doesn't have any say about but will have to help with funding.

IN RE: RECESS

The Chairman called for a recess at 8:46 P.M. The meeting reconvened at 8:59 P.M.

IN RE: STATEMENT PRIOR TO PUBLIC HEARING

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 case(s)."

IN RE: PUBLIC HEARING – A-03-02- AMENDMENTS TO CHAPTER 22 – ADDING SECTION 18-14, FEES FOR TECHNICAL REVIEWS AND THE ZONING ORDINANCE ADDING SECTION 22-25 FEES FOR TECHNICAL REVIEWS

This being the time and place as advertised in the Monitor on April 23, 2003 and April 30, 2003, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment regarding a proposed amendment to the Subdivision Ordinance by adding section 18-14, Fees for Technical Reviews and the Zoning Ordinance by adding section 22-25, Fees for Technical Reviews.

Mr. Scheid read an excerpt from the following Summary Report:

SUMMARY REPORT

FILE #: **A-03-2**
SUBJECT: **PROPOSED AMENDMENT**
SUBDIVISION AND ZONING ORDINANCE

The attached information is sent regarding a proposed amendment to the Subdivision Ordinance by adding section 18-14, Fees for Technical Reviews and the Zoning Ordinance by adding section 22-25, Fees for Technical Reviews. The purpose of the amendments are to require, under certain circumstances, a technical review fee of applicants seeking a land use change (subdivision, conditional use and rezoning) that will involve significant land disturbance, environmental or engineering issues, will increase the density or intensity of the use of the land, and/or may have a particular adverse impact or may create a disturbance to the peace and tranquility on surrounding land uses. If such technical review(s) are required, the fee will be paid by the applicant for costs to the County of retaining the services of a professional with expertise in the technical area. An appeal procedure is provided from decisions of the Planning Department. Additionally, the Planning Commission or Board of Supervisors is empowered to require additional studies to those required by the Planning Department. On March 18th, the Board of Supervisors passed an emergency ordinance effecting Chapter 22, the Zoning Ordinance, in which such fees for technical reviews would be required. Since the emergency ordinance is temporary in nature, the amendment was sent to the Planning Commission for a public hearing and a recommendation. The Planning Commission reviewed this amendment at their April 9th public meeting. No one appeared in support of or opposition to the amendment. The Commissioners held a brief conversation amongst themselves during which time they noted the County made such a provision for technical review fees in Article IX, Section 22-274(15), Telecommunication Antenna and Towers. In this case, the applicant for a telecommunication tower paid the County for the consultant fee charged for reviewing the technical report justifying the need for the tower. Upon concluding their discussions, the Commission voted unanimously (6-0 with Mr. Lee absent) to recommend approval to the Board of Supervisors.

Since this involves a zoning matter, the compliance statement must be read as a part of your motion.

Mr. Bowman opened the public hearing. The following citizens came forward to address the Board in support of the amendment:

1. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia
2. Geri Barefoot – 7411 Frontage Road, Petersburg, Virginia

However, they expressed a concern that a small developer or citizen should not be burdened with this cost.

No one spoke in opposition of the amendment. Mr. Bowman closed the public hearing.

Mr. Moody stated 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, I move that amendment case A-03-2 be approved.

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Bracey, Mr. Haraway, Mr. Bowman voting "Aye," amendment case A-03-2 was adopted.

AN ORDINANCE AMENDING CHAPTERS 18 and 22 OF THE CODE OF DINWIDDIE COUNTY TO ESTABLISH FEES TO COVER THE COSTS OF TECHNICAL REVIEWS OF LAND USE APPLICATIONS

WHEREAS, certain applications for amendments to Chapter 18 (Subdivisions) and Chapter 22 (Zoning) may involve significant land disturbing, environmental, or engineering issues that in order to be properly considered require technical analysis that is not presently within the expertise of the staff of the Planning Department; and

WHEREAS, approval of such application will require retaining the services of outside experts to conduct technical reviews on the impact of the proposed land use change; and

WHEREAS, these technical reviews will provide the Dinwiddie Planning Commission and Board of Supervisors with professional expertise necessary to analyze these issues and to determine whether the application is consistent with good zoning practice; and

NOW THEREFORE, BE IT ORDAINED, by the Board of Supervisors of Dinwiddie County, Virginia under the authority granted to it under § 15.2-107 and §15.2-2286 of the *Code of Virginia* and in order to promote the public health, safety and public welfare, and to promote good zoning practice, the following amendments to Chapters 18 and 22 of the Code of Dinwiddie County be hereby enacted:

§ 18 – 14 Fees for Technical Reviews

A. Prior to accepting an application for a rezoning or a conditional use permit, the Planning Director may require the applicant to pay for the cost of technical reviews that may be necessary to properly evaluate the impact of the proposed change in land use. Such technical reviews may be required when the application (1) involves a plan of development with significant land disturbing, water management, water and sewer service, environmental, or engineering issues; (2) increases the intensity of uses on the property significantly, including an increase in the density of housing units, (3) increases the traffic flow in the immediate area by 20% or more, and/or (4) is likely to have a particular adverse impact on the surrounding land uses such as excessive noise, dust, light, environmental pollution.

B. The technical review(s) that may be required will be performed by engineering, environmental, transportation, architectural, landscape architecture, land surveying, archeologists, or other professionals approved by the county.

C. If the Planning Director requires that a technical review(s) be conducted and the applicant does not agree to pay for such review(s), the application will be deemed to be incomplete and no further action will be taken on it.

D. An applicant who disagrees with the need for a technical review(s), may request the Planning Commission to deem the application complete without the requested technical review(s). A request to have the Planning Commission deem the application complete without the technical review(s) must be received by the Planning Director fourteen (14) work days prior to the next regularly scheduled meeting of the Planning Commission. The Planning Commission without a public hearing will hear the request.

E. The Planning Commission and/or the Board of Supervisors may require additional technical reviews as it may determine necessary to consider the application.

F. If a technical review(s) is required, the applicant shall pay, in addition to any filing fee for such application, the fee necessary to cover the costs for the technical review(s).

§ 22 - 25 Fees for Technical Reviews

G. Prior to accepting an application for a rezoning or a conditional use permit, the Zoning Administrator may require the applicant to pay for the cost of technical reviews that may be necessary to properly evaluate the impact of the proposed change in land use. Such technical reviews may be required when:

1. The application involves, but is not limited to, the following conditional uses and the Zoning Administrator determines that such studies are required for the proper consideration of the application: Veterinary hospital; Communication Tower; County owned solid waste disposal facility; Motels; Airports; Manufactured home park; Sand, gravel and crushed stone operations; Asphalt mixing plant, when located at a stone quarry site; Concrete/cement mixing plant, when located at a stone quarry site; Motor Sports Complex; Agriculturally oriented ethanol plant; Open pit mining; Storage of explosives; Propane bulk storage facility; General Hospitals; Wholesale business and storage warehouse; Tractor trailer service station; Melting, reprocessing, rolling, drawing, extruding, casting, and forging of ferrous and nonferrous metals; Commercial and service facilities whose function(s) are solely oriented to the needs of the industries located in the industrial district; Underground facilities for pipelines, electrical power and energy, distribution lines, telephone and telegraph.

2. The application (1) involves a use with significant land disturbing, environmental, or engineering issues, (2) requests a change in zoning classification from agricultural or residential to business or industrial, (3) increases the intensity of uses on the property significantly, including an increase in the density of housing units, (4) increases the traffic flow in the immediate area by 20% or more, (5) is likely to have a particular adverse impact on the surrounding land uses; or (6) involves a use that may create a disturbance to the peace and tranquility of land uses in the immediate vicinity. Such disturbances may be, but are not limited to, excessive noise, dust, light, environmental pollution.

A. The technical review(s) that may be required will be performed by engineering, environmental, transportation, architectural, landscape architecture, land surveying, archeologists, or other professionals approved by the county.

B. If the Zoning Administrator requires that a technical review(s) be conducted and the applicant does not agree to pay for such review(s), the application will be deemed to be incomplete and no further action will be taken on it.

C. An applicant who disagrees with the need for a technical review(s), may request the Planning Commission to deem the application complete without the requested technical review(s). A request to have the Planning Commission deem the application complete without the technical review(s) must be received by the Zoning Administrator fourteen (14) work days prior to the next regularly scheduled meeting of the Planning

Commission. The Planning Commission without a public hearing will hear the request.

D. The Planning Commission and/or the Board of Supervisors may require additional technical reviews as it may determine necessary to consider the application.

E. If a technical review(s) is required, the applicant shall pay, in addition to any filing fee for such application, the fee necessary to cover the costs for the technical review(s).

This Ordinance becomes effective upon adoption thereof.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The timeline for the communications system was provided in the Board packets.

IN RE: AUTHORIZATION TO REPLACE NAMOZINE VFD ANNEX BUILDING ROOF

The County Administrator stated a request from Mr. David M. Jolly, Director of Public Safety, to repair a portion of the roof at the Namozine VFD Annex Building was included in the packets. This building will be used in the option Mr. Faison is investigating as an alternative to the building addition. At this time, funding is available in the Maintenance category of the volunteer fire department budget.

Mr. Jolly stated as we continue to evaluate and plan for the renovation of the Namozine Fire Station the use of the annex building will be needed to provide for adequate meeting and storage area.

The roof on the front half of this building is in need of replacement. We have received an estimate from the vendor that is under contract for roof repair in the amount of $6,200.00. The cost does include a ten-year warranty as we have received in the past. Funding is requested for this project from the maintenance line item of the volunteer fire budget. There is current funding available to complete this project.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorized the replacement of the roof on the front half of the annex building at the Namozine VFD at an estimated cost of $6,200.00. Funding for this project will be provided from the maintenance line item of the volunteer fire budget.

IN RE: COUNTY ADMINISTRATOR COMMENTS – CONT'

1. The meeting tonight needs to be continued to May 20, 2003 at 11:00 A.M. for the Board to begin work on the Corridor Study.

2. The Historical Society will be manning the Courthouse on Tuesdays and Thursdays from 10:00 – 2:00 P.M. beginning Thursday, May 8, 2003.

IN RE: BOARD MEMBER COMMENTS

Mr. Haraway — He stated the communication timeline presented was not in an easy to read format. He said he would like to see it done in 3 columns - 1) date 2) who is responsible 3) what is to be accomplished.

Mr. Moody — He asked if Staff was working on the Deferred Compensation Plan requested by Mr. Haraway. The County Administrator replied we contacted Prince George regarding their plan and have received information that Staff would like to discuss with them further.

Mr. Bracey — He requested that the Code of Ethics be put on the agenda for the next Board meeting. He also requested that the County Attorney provide the Board with a set of the "Little' Roberts Rules of Order" for their consideration. He stated Mrs. Scarborough brought up some important issues and he hoped staff would send the information she requested to her. He also asked that the Davenport report be sent to her too.

IN RE: AMENDMENT TO THE AGENDA

Mr. Bowman requested that the agenda be amended to include consultation with legal counsel for litigation to discuss Virginia Bio Fuels.

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

IN RE: CLOSED SESSION

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

Personnel - §2.2-3711 A. 1 of the Code of Virginia – GIS Position, Recreation;
Acquisition of Property - §2.2-3711 A. 3 of the Code of Virginia
Litigation - §2.2-3711 A. 7 of the Code of Virginia – VA Bio Fuels

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 9:29 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:14 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under §2.2-3711 A.7 of the Code of Virginia – VA Bio Fuels; §2.2-3711 A.3 Acquisition of Property; §2.2-3711 A.1 Personnel, GIS Position, Recreation;

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

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

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

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter from Adelphia regarding changes in cable services.

2. VDOT – letter regarding Tentative Six-Year Program and videoconference on May 14.

3. Newspaper article regarding Prince George County's $93 million budget.

RE: ADJOURNMENT

Upon motion of Mr. Moody, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the meeting adjourned at 10:16 P.M. to be continued until 11:00 A.M. on Tuesday, May 20, 2003 for a workshop for the Corridor Study.

Robert Bowman, IV, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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 20th DAY OF MAY, 2003, AT 11:00 A.M.

PRESENT:	ROBERT L. BOWMAN IV - CHAIR	ELECTION DISTRICT #3
Arrived 11:44	DONALD L. HARAWAY – VICE CHAIR	ELECTION DISTRICT #2
	HARRISON A. MOODY	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.,	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5

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Mr. Robert Bowman, IV, Chairman, called the continuation meeting to order at 11:10 A.M.

IN RE: DISCUSSION OF CORRIDOR PLAN

The Board met with Ms. Vaughn Rinner Principle with expertise in landscape with Landmark Design to discuss the scope of services for the Route 1 and Route 460 Corridor Studies. Some topics discussed were:

Road access	Green space
Curb cuts	Lighting issues
Landscaping	Signage
Utility guidelines	Airport Road

Road set backs/adding lanes
Directional road signs

Staff will recommend the number of meetings needed so the contract can be finalized.

IN RE: RECESS

The Chairman called for a recess at 12:36 P.M. The meeting reconvened at 12:49 P.M.

IN RE: DISCUSSION OF LEACHATE PROBLEM – DIRECTOR OF WASTE MANAGEMENT

Mr. Dennis King, Director of Waste Management, informed the Board that a representative from the DEQ did an inspection and discovered one of the 3,000-gallon leachate tanks was leaking. This is an extremely old tank and when it rains the tank overflows, which is a very serious violation of State regulations. Proactively, we contacted our consultant and a set of plans was drawn up to address the problem. He stated DEQ was happy with the proposal. He presented a proposed bid from Specialty Mechanical Co. LLC for the leachate collection system for the landfill. The County Administrator said the contract would be presented to the Board at the regular meeting today for action.

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Moody Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the meeting adjourned at 1:53 P.M.

Robert Bowman IV
Robert Bowman, IV, Chairman

Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 2:00 P.M.

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

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

Mr. Robert Bowman, IV, Chairman, called the regular meeting to order at 2:07 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the April 30, 2003 Continuation Meeting, and the May 6, 2003 Regular Meeting are hereby approved.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1034946, and 1035090 through 1035216 (void check(s) numbered 10345089, 1035132 and 1035169) for:

Accounts Payable FY 2002- 2003:

(101) General Fund	$ 221,346.23
(103) Jail Commission	$ 95.72
(104) Marketing Fund	$ .00
(209) Litter Control	$ .00
(222) E911 Fund	$ 3,522.82
(223) Self Insurance Fund	$ .00
(225) Courthouse Maintenance	$ .00
(226) Law Library	$ .00
(228) Fire Programs & EMS	$ .00
(229) Forfeited Asset Sharing	$ .00
(304) CDBG Grant Fund	$ 45.30
(305) Capital Projects Fund	$ 2,008.70
(401) County Debt Service	$ 89,075.54
TOTAL	**$ 316,094.31**

PAYROLL 05/01/03 (Supplement)

(101) General Fund	$	1,298.32
(222) E911 Fund	$	.00
(304) CDBG Fund	$	.00
TOTAL	**$**	**1,298.32**

IN RE: SCHOOL BOARD REQUISITION # 11 – 1998A (70-02-200-7019743)

The following invoice from Dr. Leland Wise, Jr., Superintendent of Schools, for Payment Requisition #11 -1998A Bond Issue (70-02-200-7019743) was submitted for payment:

Reed-Smith	Legal Services	Dinwiddie Elementary School	$562.97
Total			**$562.97**

The attached invoice for this expenditure has been reviewed and approved.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number #11 -1998A (70-02-200-7019743) in the amount of $562.97 be approved and funds appropriated for CIP expenses from the School Project Account.

IN RE: AUTHORIZATION TO BID CONSOLE FURNITURE – COMMUNICATIONS CENTER

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Communications Manager to request bids for the purchase, installation, and maintenance of four Emergency Communications Console Workstations for the Communications Center.

IN RE; RESOLUTION – DECLARING NALTIONAL EMS WEEK

Upon motion of Mr. Moody, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the following resolution is hereby adopted.

Resolution

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGIINIA

To Designate the Week of May 18–24, 2003 as Emergency Medical Services Week

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services teams consist of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; and approximately two-thirds of all emergency medical services providers are volunteers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, Americans benefit daily from the knowledge and skills of these highly trained individuals; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; and

NOW, THEREFORE BE IT RESOLVED, the Board of Supervisors of Dinwiddie County, Virginia, in recognition of this event do hereby proclaim the week of May 18–24, 2003 as

EMERGENCY MEDICAL SERVICES WEEK

IN RE: AUTHORIZATION FOR REPAIR OF 1999 & 2002 AMBULANCES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to repair the1999 ambulance in an amount not to exceed $900.00 with funds being appropriated from the Capital line item in the volunteer fire budget; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Public Safety Director to have the 2002 ambulance repaired that was involved in an accident with the deer to be processed as an insurance claim at an estimated cost of $1,500.

IN RE: CITIZEN COMMENTS

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

The following citizen(s) came forward to address the Board:

1. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia – requested that Mr. Clay vote no on the Tidewater Quarry permit. He commented he felt it would be advantageous for the County to have it's own County Attorney. If a comparison were done he said he was sure it would be a lot cheaper than the present law firm of Sands, Anderson, Marks and Miller. He further stated that the Board members needed to let the citizens know which way they intend to vote on the quarry issue because the citizens have a right to know. Continuing he apologized to Mr. Clay and commented he did not know that his son is the owner of DeWitt Tire. However, he still felt the County should bid the work out. Mr. Bratschi pointed out that the Board should consider citizens like Anne Scarborough, the Belchers, Geri Barefoot, and he and his wife, who attend the Board meetings for appointments to the different committees/boards/authorities. He complimented the

Planning Commission for disapproving the Tidewater Quarries conditional use permit. He requested that Mr. Moody abstain from voting when the Board votes on the conditional use permit.

Mr. Bracey asked when the Board was going to move forward with the Tidewater Quarry public hearing? Mr. Bowman stated he did not know when the issue was going to come before the Board, but he felt some more studies needed to be done before it did. Mr. Moody commented that the Board should move forward with the public hearing. Mr. Bowman said there needed to be a joint meeting with the Planning Commissioners to discuss the proffers offered by Tidewater. Mr. Moody countered stating a public hearing should be held. The Board doesn't have to take any action that night. They could hear all the facts then make a decision later. There was a short discussion between the Board members regarding the quarry then Mr. Bowman suggested that further discussion on the issue could be brought up during the Board member comments. The Board agreed.

2. Eva Bratschi - 23500 Cutbank Road, McKenney, Virginia – commented the article in the Progress-Index regarding the High Speed Rail resolution was incorrect. Mr. Tobias told her a resolution could be presented to them opposing the High Speed Rail coming through Dinwiddie County, not a member of the Board. The paper incorrectly printed a member of the Board of Supervisors informed her that a resolution could be presented to them. The County Administrator supplied the minutes from the Board meeting showing the position the Board has taken in opposition to the High Speed Rail coming through Dinwiddie County. Continuing she expressed her sympathy for the family of Kenneth H. Whirley Sr., who died after his truck was struck by the train while he was attempting to cross the railroad tracks. It is a private road and VDOT is not responsible for warning devices but she asked if the County to set some kind of guidelines for safety reasons that the residents on the road would have to follow. Mrs. Bratschi informed the Board that there is a defective slide on the playground at the Dinwiddie Elementary School and their daughter had to get stitches as a result of falling off the slide Easter Sunday. It has been brought to the attention of the School Board but nothing has been done about it. This is a liability issue and needs to be addressed. There may be a lawsuit if the slide is not removed or repaired. Mr. Bowman stated the Board of Supervisors has taken a stand against the High Speed Rail coming through Dinwiddie County.

3. Anne Scarborough – Boydton Plank Road, Dinwiddie, Virginia – commented she could not believe the Board wants to hire yet another consultant about the quarry. It is time for the Board to move forward with the public hearing and vote before the elections in November. Enough money and time has been spent on the issue. She thanked Mr. Moody for not voting on the quarry issue. She stated she felt it was wrong for the Board member who sits on the Planning Commission to vote twice. She urged the Board to do what is necessary to say that whomever sits on the Planning Commission not be allowed to vote. Ms. Scarborough stated the last time she was here she asked about the number of new jobs that had been added to the payroll from the newspaper article in the Times Dispatch regarding the top 50 employers in the State. Dinwiddie County was 37th on the list with the most fulltime employees. She asked if anyone had looked into the situation and how many of those belonged to the Board of Supervisors and how many were employed by the School Board? The County Administrator commented Staff is working on gathering the information and it is about 95% done. Mr. Haraway asked if this was for the State of Virginia or for the Richmond area? Mrs. Scarborough commented she didn't care if it was for the Richmond area or for the

whole State, 54 is still too many new fulltime employees. That ranks with Phillip Morris and some of the larger corporations. The Board requested that the Richmond Times Dispatch reporter check and see who wrote the article and where they obtained their information.

4. Peter Jeffrey, 2500 Susten Lane, Richmond, VA 23224 – representing West Petersburg First Baptist Church expressed his disappointment and concern regarding the absence of the Board members in the recent march against the plan to house Violent Sexual Predators in a facility in Dinwiddie County. He distributed a flyer to the Board regarding a march planned in Richmond on the Capital grounds on Saturday, May 24, at 8:30 A.M. and admonished the Board to participate in the protest and protect the citizens of Dinwiddie County. Mr. Bowman commented the Board was working behind the scenes to get the State officials to change their mind and house them in a different location.

5. Marjorie Flowers, 14919 Wilkinson Road, Dinwiddie, Virginia – stating she agreed with Anne Scarborough and Reverend Jeffrey. She also reminded the Board this is an election year and they should listen to the citizens.

6. Robert Belcher, 27516 Flank Road, Petersburg, Virginia – came before the Board stating he has attended all of the meetings the Planning Commission and Board has had regarding the Quarry and he felt the Board should follow the recommendation of the Planning Commissioners on the issue.

IN RE: VDOT – REPORT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, came forward and stated he was glad to be back in the County from his assignment in Richmond and thanked Mr. Overton for taking care of things in his absence. He provided the following update:

1. Due to limited funding mowing on the Secondary road will begin within the next week or so depending on the weather. The first mowing on I-85 will be delayed until the month of June and will be limited to the shoulders. The second mowing on the shoulders will be delayed until late July or early August. The final mowing will be done based on availability of funds and condition of vegetation. Mowing of the Primary roads such as Rt. 460 will be performed as needed. This will include sight distance, crossovers and intersections.
2. The Halifax Road Project Bids - the apparent low bid is $368,000, which is far less than the projected cost in the Six Year Plan of $575,000. Work is slated to begin within the next 45 days.
3. Ridley Road construction will start when weather permits; we need 3 to 4 days of warmer weather to apply the surface treatment.
4. The turn lanes on Route 1 have been repainted at Eastside and the Fire Station. Most of the passing lanes have been eliminated on Route 1 also.

Board Member Comments Questions

1. Mr. Moody asked if the intersections would be mowed low enough so the compact cars would have a clear view of the road at intersections? Mr. Caywood replied certainly. When the mowing is done the height will be the same as it always has been; the difference this year is the width of the cut and the frequency.
2. Mr. Moody – Route 643 was tarred and graveled approximately 15 to 20 years ago and it did not have a good base; consequently, it is falling apart. He requested that Mr. Caywood take a look at the road and see

if the reclamation process could be done on the road. Mr. Caywood stated he would take a look at it and let him know.

3. Mr. Bracey – the curve at Hamilton Arms Road has not been taken care of and it needs to be taken care of as soon as possible. Mr. Caywood commented he would take another look at it this week.
4. Mr. Bracey – the lights at night from the East Coast Station at the intersection of Routes 1 and 460 are blinding and it is easy to misjudge where the road is if someone is turning on to Route 460. Mr. Caywood stated he would check to see if the lights are aimed properly.
5. Mr. Bracey – the ditches in Stoney Springs need to be cleaned especially since the storm came through. Mr. Caywood stated the ditches would be a major point of emphasis this year. A crew will be put together to address them this year.
6. Mr. Bowman agreed with Mr. Bracey regarding the lights at the East Coast Station intersection.
7. Mr. Bowman – does VDOT approve the use of plastic residential driveway culverts. Mr. Caywood stated if he would call there is a list of approved culvert pipes available at the VDOT Office.
8. Mr. Bowman – are curb cuts required by VDOT. Mr. Caywood replied technically they are not required by VDOT but if the County has any regulations or standards VDOT enforces them. He said VDOT does require matching pavement if the road is paved. Depending on the classification of the road you might also get into curb and gutter on some primary roads such as Route 1. He stated he would double check and write a letter to the County Administrator because he did not want to give any false information.

IN RE: AUTHORIZATION TO FILL SECRETARY III/BUSINESS LICENSE-LAND USE FULL-TIME POSITION – COMMISSIONER OF THE REVENUE

The County Administrator commented Ms. Deborah Marston, Commissioner of the Revenue, requested authorization to advertise and fill the position of Secretary III/Business License-Land Use due to the resignation of Mrs. Rebecca B. Winn effective May 27, 2003. Mrs. Winn has accepted a position with the State Tax Department.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Commissioner of the Revenue to advertise and fill the position of Secretary III/Business License-Land Use.

Mr. Bracey asked if Mrs. Winn was going to do an exit interview. He commented he would just like to know why she is leaving, not to get into Mrs. Marston's business. The County Administrator stated we could ask Mrs. Marston to have her do one. Mr. Bowman stated it would be a good process to help the County retain good employees.

IN RE: RESOLUTION – RAISING CERTAIN FEES FOR ANIMAL CONTROL

The County Administrator commented during the budget session Mary Ellison, Animal Control Officer, presented a proposal for Quarantined animals and pick up fees for owner released animals. The Board discussed in length these fees and issues. According to the County Attorney the fees can be established administratively by a resolution rather than by an ordinance. If the Board wishes to do it this way you would have to adopt the resolution. If it is done by a resolution it would not be a part of the Code and the County would not have the expense of advertising for a public hearing every time a change is made.

Upon motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the following resolution is hereby adopted.

RESOLUTION
Raising Certain Fees for Animal Control

Whereas, the County Administrator has evaluated the costs incurred when an Animal Control Officer has to pick up animals throughout the county; and

Whereas, some of these animals lawfully belong to owners who are responsible for their care and control; and

Whereas, the costs of transporting and quarantining animals has risen.

Now therefore be it resolved, by this Board of Supervisors for the County of Dinwiddie that the following fees shall be established:

Fee	**Amount**
Boarding	$ 2.00 per day
Transportation (Pick-up)	
Licensed Animal	$10.00
Unlicensed Animal*	$20.00
Bite Quarantines	
Animals brought by owner	$20.00 for ten days
Transported by Animal Control	
Licensed	$30.00 for ten days
Unlicensed*	$40.00 for ten days
Extra day boarding	$ 2.00 per day

*Prior to the release of an unlicensed animal to the owner the owner will have to pay the applicable animal license fee and any fines owed in addition to the above fees.

This resolution shall become effective upon adoption.

IN RE: LOCAL DISASTER DECLARATION – WIND AND HAIL STORM

The County Administrator stated Mr. Michael Parrish the Extension Agent was not able to be here today due to his wife's illness. Mr. Jolly will provide his report on the hail and wind storm that occurred in the County on May 9, 2003.

Mr. David Jolly, Director of Public Safety, came forward and gave a report on the hail and wind storm that occurred in the County on May 9, 2003. Approximately 60 houses had structural damages at an estimated cost of $400,000 to repair them. He commented the majority of the damage was done to the crops and equipment. The combined estimated damages for the County is 1.8 million dollars. Mr. Parrish submitted an initial damage assessment report, which was included in the Board packets. Mr. Jolly commented at this point the Board needed to declare a local emergency for Dinwiddie County and request State assistance.

The following memo was included in the Board's packet, which was prepared by Mr. Michael Parrish, Extension Agent:

"Following the hail and wind storm that occurred in the County on May 9, 2003, I visited a majority of the agricultural sites that experienced significant crop, equipment and structure losses. Once the 24-hour assessment was completed I provided the Dinwiddie County Public Safety Office with an initial damage assessment report. This report estimated agricultural loss over 1.2 million. The numbers may increase as more farmers and I evaluate the crops in the near future.

At this time, I would recommended that the County request a State emergency or Disaster Designation from the State, which resulted from the hail and windstorm on May 9, 2003. This designation will help Dinwiddie Agriculture Producers receive monetary assistance if and when the State or Federal Government Agencies deem appropriate.

A copy of the Dinwiddie Flash Situation Report filed by the local Farm Service Agency with the assistance of the Dinwiddie Extension Office was enclosed in your packets. This report will go to the USDA State Office for review along with reports from Amelia, Sussex and Southampton Counties.

The assessment report is as follows:

CROP	MONETARY DAMAGE
Flue Tobacco	$ 101,700
Corn	54,000
Wheat	400,000
Hay (1st Cutting)	300,000
Rye (Grain)	160,000
Rye (Straw)	125,000
Oats	24,000
Total	**$1,164,700**

OTHER	MONETARY DAMAGE
House Trailers	$ 80,000
Livestock & Fences	80,000
Five green houses were Destroyed	

The total approximate damage caused by hail and wind damage has been estimated at $1,204,700."

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County of Dinwiddie is hereby declared a local disaster area due to the hail and wind storm that occurred in the County on May 9, 2003.

IN RE: APPOINTMENT OF MR. DAVID THOMPSON - DIRECTOR OF GIS OPERATIONS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. David Thompson is appointed Director of GIS Operations at Grade 15 Step A, with an annual salary of $36,656, effective May 15, 2003.

IN RE: AUTHORIZATION TO ENTER INTO CONTRACT NEGOTIATIONS WITH WORLDVIEW SOLUTIONS – GIS SYSTEM

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes the Director of GIS Operations to enter into contract negotiations with Worldview Solutions for the GIS System. The contract will not include hardware, software, peripherals or license.

IN RE: AUTHORIZATION TO ENTER INTO A CONTRACT – DESTEFANO DESIGN GROUP – NAMOZINE VFD RENOVATIONS

Mr. Donald Faison, Director of Buildings and Grounds, requested authorization to enter into a contract with DeStefano Design Group to prepare plans and specifications to renovate the existing building and annex building for the Namozine VFD. The renovation of the existing fire station will meet the needs of the volunteers as well as the paid personnel. Included in the price will be two bunk rooms, which will sleep 12, handicap baths and showers, utility room, upgraded kitchen, day room, 3 office spaces, radio room, fire separated floors and walls, masonry repairs to the existing walls, and repainting the existing building. Renovation of the annex building will give them good storage space, a meeting/training room, upgraded toilets and kitchen and it will be made handicap accessible. The architectural fees for renovating the existing building are $21,803; the annex building fees are $9,620.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorized the Buildings and Ground Director to enter into a contract with DeStefano Design Group to prepare plans and specifications for the Namozine Building as shown in his report and described above.

Mr. Haraway asked Mr. Faison what the percentage fees usually run for architects? Mr. Faison replied around 10%. Mr. Haraway stated that was in line with his experience also; but according to his calculations Mr. DeStefano's percentages for the existing building is 18.1% and 15.6% for the annex. He said he felt his fees were too high this time. Mr. Faison replied there are a lot of unknowns on this project but he would talk with Mr. DeStefano about his fees if the Board so desired. Mr. Haraway requested that Mr. Faison check the

architectural costs for Eastside Community Center and the Public Safety Building and if the 2 projects compared with these fees he would be okay with it.

Mr. Bracey amended his motion to reflect Mr. Haraway's concern regarding the architect's fees. Mr. Clay agreed to the amendment.

IN RE: TOBACCO INDEMINIFICATION AWARD OF FY 03 ECONOMIC DEVELOPMENT FUNDS

The Assistant County Administrator stated the Tobacco Indemnification and Community Revitalization Commission met in South Boston on April 24, 2003 and approved awards of FY03 Economic Development funds. The award in the amount of $1,073,159 has been made for the Dinwiddie County Industrial Park, Phase II. This award has been approved contingent upon land acquisition, VDOT Industrial Access Road funding and a cash match as proposed in the application.

As a condition of the award, the Commission requires its participation in all press conferences or announcements of this grant.

IN RE: AUTHORIZATION FOR THE DIRECTOR OF WASTE MANAGEMENT TO ENTER INTO A CONTRACT WITH SPECIALTY MECHANICAL CO. LLC – LANDFILL LEACHATE COLLECTION SYSTEM

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Director of Waste Management to enter into a contract with Specialty Mechanical Co. LLC for the leachate collection system for the landfill as shown on the Draper Aden Associates blue print for the base price of $36,737.

IN RE: RENEWAL ANALYSIS FROM ANTHEM

The County Administrator pointed out to the Board that the Chief of Administrative Services, Glenice Townsend, included a memo regarding the Inmates Insurance Program in the Board packets.

Information on the net savings from Anthem for the seven-month period that the County has been participating in the Local Jail Agreement was $31,984. Staff is very pleased with this but the County can never get ahead of the game. The Jail took a big loss in the per diem but this will certainly help fill in for the loss of the revenue from the State. She thanked Mrs. Townsend for her efforts with the program.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay — He requested that the County Administrator write a letter to Mr. Bratschi to let him know that the County does bid out the contract for work done on the County vehicles. The County Administrator commented the letter did go out to Mr. Bratschi.

Mr. Moody — He commented, let the records show and the newspaper know that he has never been quoted as a staunch supporter of the rock quarry. However, he is pro business and pro education and he does try to help get businesses in the County to help support the services that people require; but he has taken no stand publicly one way or the other yet.

Mr. Bracey — He stated he had requested that the Code of Ethics be put back on the agenda for today and he felt the Board members should vote on them, either up or down. It is very important for persons to have a code of ethics. Mr. Bowman asked if the 3-minute limit for the citizen comment period would be included in that? Mr. Bracey stated that was up to him as to how long he allowed the citizens to speak. The Board voted some time ago on the 3-minute deal and you voted for it too. This has nothing to do with that; this is the Code of Ethics for the Board members. Mr. Clay commented he felt the Board members have been doing this all along and he didn't think that the Board needed them now; but if the others wanted them he would go along with it. Mr. Haraway stated he would like for them to be placed on the agenda for the next Board meeting to be discussed and voted on. Mr. Moody agreed also.

Mr. Bracey — He commented the School Board had another requisition today for payment to Reed-Smith, attorneys, from bond funds for the Dinwiddie Elementary School project. He stated he knew that people should be paid for the work they do. However, he felt the money should be used for school projects not attorneys. Mr. Moody stated he hated to spend this money on attorneys too and not on mortar or things for the children. But he conceded the attorneys needed to be paid too. Mr. Bowman said he certainly would be in favor of going to the Dinwiddie Elementary School to see what the problems are. Mr. Bracey stated this is a legal issue and the Board should not get involved in it. He felt the County Administrator could find out what is going on and let the Board know. He requested that she find out how much money has been spent on attorneys from day one other than the bond attorney and other regular attorneys for the bond issue; and why we are spending this money on attorneys and why isn't it being spent on the Dinwiddie Elementary project. There are many things that still need to be done for children not attorneys. Mr. Bowman stated he agreed with him 100 percent. This money should be paid to the contractors who have done the work on this project. The School Board should be going after the architect that designed the building.

Mr. Bracey — He stated there was a comment made today about the County having a County Attorney; we had a County Attorney about 16 years ago and we were paying him around $80,000 or more a year and the County was about $60,000 in the red. In addition to his salary the County had to spend thousands of dollars for litigation because one attorney does not possess all of the expertise needed to run a government. He further stated he would hate to have to hire Sands, Anderson, Marks and Miller to handle a case for the County

Mr. Bracey — He commended all of the EMS folks and all the volunteers for the great job they did during the storm. The buildings held up well; there were some damages to the buildings and the vehicles but the County held its own.

IN RE: PUBLIC HEARING FOR TIDEWATER QUARRY TO BE HELD ON JUNE 17, 2003

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to advertise the conditional use permit public hearing for the Tidewater Quarries for June 17, 2003 to be held in the Auditorium of the Dinwiddie County High School at 7:30 P.M. The rezoning request will be considered at the same meeting.

IN RE: CLOSED SESSION

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

Personnel - §2.2-3711 A. 1 of the Code of Virginia – Public Safety; Appointments
Acquisition of Property - §2.2-3711 A. 3 of the Code of Virginia
Litigation - §2.2-3711 A. 7 of the Code of Virginia – Update on Litigation

Mr. Clay seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 4:26 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 6:14 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under §2.2-3711 A.7 of the Code of Virginia – Update on Litigation; §2.2-3711 A.3 Acquisition of Property; §2.2-3711 A.1 Personnel - Public Safety; Appointments;

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

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

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

IN RE: AUTHORIZATION TO HIRE 6 EMS TECHNICIANS FOR SECOND CREW

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that David Owens, Walter Heemer and James Johnson are hereby hired as EMS Advanced Technicians at Grade 12A, with an annual salary of $29,099.00; and Rosa Ingargiola, Jacob Bridgman, and Timothy Doughty are hereby hired as EMS Basic Technicians at Grade 10A, with an annual salary of $24,945.00.

IN RE: AUTHORIZATION TO HIRE FIRM OF CECIL SIMMONS & COMPANY- COMMERCIAL APPRAISER

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Administrative Staff is hereby authorized to hire the firm of Cecil Simmons & Company to provide appraisals for the property the County is considering for the Industrial Park and possible School uses.

IN RE: COUNTY ADMINISTRATOR COMMENTS

The County Administrator commented the Superintendent has expressed a desire to meet with the Board after you all complete the tours of the schools. At this point, Mr. Bracey has not had the opportunity to take the tour; therefore, a continuation meeting can't be scheduled. The Board members had a discussion regarding their opinion of the situation of the schools. The County Administrator was instructed to write a letter to the Superintendent summarizing the recommendations from the Board and requesting a meeting with the School Board as soon as possible.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter from VDOT regarding the statewide maintenance programs effect on the grass mowing operations this season.
2. Letter from the Department of Game and Inland Fisheries regarding the new hunting and trapping regulation for 2003 – 2004 seasons.
3. Appomattox Regional Library System April report.
4. Memorandum from James D. Campbell, VACo, Executive Director regarding proposals for VACo's 2004 Legislative Program.
5. Letter from the Mayor, City of Hopewell joining the County in opposition to the sexually violent predator program at Southside Virginia Training Center.

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the meeting adjourned at 6:28 P.M.

Robert Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 7:30 P.M.

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

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

Mr. Robert L. Bowman, Chair, called the regular meeting to order at 7:41 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Donald Haraway requested that appointments be added to Closed Session under Personnel. Mrs. Wendy Ralph, County Administrator, requested that Investment of Public Funds under Closed Session be removed from the agenda.

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

IN RE: MINUTES

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

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

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1035217 – 1035294 and 1035296 through 1035409, (void check(s) numbered 1035217, 1034778, and 1035295)

Accounts Payable:

(101) General Fund	$	94,909.74
(103) Jail Commission	$	.00
(104) Marketing Fund	$	.00
(209) Litter Control	$	.00
(222) E911 Fund	$	4,843.09
(223) Self Insurance Fund	$	.00
(225) Courthouse Maintenance	$	564.25
(226) Law Library	$	36.80
(228) Fire Programs & EMS	$	1,247.30
(229) Forfeited Asset Sharing	$	.00
(304) CDBG Grant Fund	$	785.27

(305) Capital Projects Fund	$ 37,888.12
(401)County Debt Service	$ .00
TOTAL	**$ 140,274.24**

PAYROLL 05/30/03

(101) General Fund	$ 418,847.03
(222) E911 Fund	$ 3,420.91
(304) CDBG Fund	$ 4,407.36
TOTAL	**$ 426,675.30**

IN RE: SCHOOL BOARD SUPPLEMENTAL APPROPRIATION FOR HEAD START

The Dinwiddie County School Board voted at its May 14, 2003 meeting to request of the Dinwiddie County Board of Supervisors a supplemental appropriation to the FY2003 school budget. Funds in the amount of $298,450.00 are needed to cover the first half of Program Year 10 for Head Start. Head Start also received supplemental funding in the amount of $99,871 for their expansion program. The total appropriation request to the instruction category is $398,321.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board's request for funds in the amount of $398,321 to cover the first half of Program Year 10 for Head Start for FY2003 is approved. This is all federal money for the Head Start Fund and no local match is needed.

IN RE: RESOLUTION – THOMAS MITCHELL GIBBS – 100TH BIRTHDAY

Upon motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the following resolution is hereby adopted.

Resolution

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

IN RECOGNITION OF

THOMAS MITCHELL GIBBS

WHEREAS, Mr. Thomas Mitchell Gibbs was born on June 12, 1903 at Wilsons, Virginia and has resided in Dinwiddie County his entire life; he was the fourth child of fourteen children born to his parents Peterson Mitchell Gibbs and Sarah Elizabeth Brooks; and

WHEREAS, on June 12, 2003, Mr. Gibbs will celebrate his 100th birthday; and

WHEREAS, Mr. Gibbs spent most of his young adult life helping to support his parents and siblings at the age of 21 he married Miss. Ruth Alease Ladd on December 30, 1924. He is the proud father of one son, Thomas Edward, a Daughter-in-Law, Nancy Carole Chambers, two Grandchildren, seven Great Grandchildren, two step Great Grandchildren and one Great-Great Grandson; and

WHEREAS, Mr. Gibbs is a long time member of Rocky Run United Methodist Church of DeWitt, Virginia and still reads his Bible regularly as well as other Bible related books; and

WHEREAS, Mr. Gibbs has been a dedicated farmer all his life, always willing to lend a helping hand to other farmers that needed assistance with firewood, crops, barn raisings, and slaughtering of livestock; and

WHEREAS, Mr. Gibbs has touched the lives of many in a kind and loving way and he is fondly call "Grandpa" by many of the residents of Dinwiddie County; and

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia desires to acknowledge Mr. Thomas Mitchell Gibbs on his 100th birthday.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia joins with family and friends to wish Mr. Gibbs a very blessed 100th birthday and the enjoyment of health and prosperous days to come.

IN RE: AUTHORIZATION FOR COUNTY ADMINISTRATOR TO SIGN LETTER OF AGREEMENT – ECONOMIC DEVELOPMENT GRANT FROM TOBACCO COMMISSION

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to sign the Letter of Agreement for the Dinwiddie County Industrial Park, Phase II economic development grant with the Tobacco Indemnification and Community Revitalization Commission.

IN RE: CITIZEN COMMENTS

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

1. Anne Scarborough – Boydton Plank Road, Dinwiddie, Virginia – commented she was extremely disappointed with the Board when she read in the Monitor that they had decided not to hold the public hearing on the quarry issue after they voted at the last meeting to move forward with the hearing on June 17, 2003. The Board had legal counsel at the meeting but he did not let anyone know the Board should not proceed with the public hearing. Why not? Legal counsel should have let everyone know before the Board voted to hold the public hearing. It isn't because there hasn't been enough information to make a decision. She stated she knew the Board wasn't afraid of a lawsuit, so why didn't they go on and vote on the issue. She asked if the County had received any compensation from anybody that got the County in this mess with the Virginia Bio-Fuels lawsuit? What has it cost the County? The only people who are benefiting from it are the attorneys. Mrs. Scarborough said she was disappointed in the Board.

2. George Whitman – 13010 Old Stage Road, Petersburg, VA – requested under FOIA the following:

a. Legal fees involved in the Virginia Bio-Fuels lawsuit to date.
b. How much interest that has accumulated?
c. How much money the County is paying Sands & Anderson a year?
d. Why is the County so tied into the law firm Sands & Anderson?
e. Why can't the legal work be diversified with other law firms?

Mr. Whitman stated this is an election year and Sands Anderson's name would not be on the ballot; but he felt they are running the County behind the scenes. He cautioned the Board to remember the law firm is hired at their request and the Board has a responsibility to the citizens of the County to represent them.

3. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia commented he didn't want the rail system or the quarry. He said he agreed with Mrs. Scarborough about the Board changing the date to hold the public hearing on the quarry. He commented there are three issues that are "hot" in the County, the quarry; the sexually violent predators program; and the high-speed rail. Citizens want to know how the Board is going to vote on these issues. Mr. Bratschi praised Mr. Bowman for attending the rally in Richmond against the SVP program. He stated he felt the County should hire a fulltime County Attorney.

4. Eva Bratschi - 23500 Cutbank Road, McKenney, Virginia – came forward commenting she was concerned about what the members of the Board are doing with their position. It is the responsibility of the Board to seek out Grant funds, which are available to the citizens in the County. On May 27th she received a news release from the Governor's Office regarding an announcement that more than $10.7 million in 2003 Community Block Grants were offered to 18 localities throughout Virginia. The grants would benefit low-income residents and support community and economic development projects such as medical and community centers, downtown revitalization, and job creation. The State of Virginia gets $24 million annually from the U.S. Department of Housing and Urban Development for the CDBG program. The deadline for the block grant was March of this year. Mrs. Bratschi stated Dinwiddie County was not on the list of recipients and someone in the County needs to seek these grants out. There are a lot of people in the County who live in sub-standard housing and it is the responsibility of the district supervisor to seek out funds for these people. She also commented that there has been no County news in the Richmond Times Dispatch lately and she wondered why.

IN RE: PRESENTATION OF VIRGINIA SHERIFFS' INSTITUTE SCHOLARSHIP AWARD – MISS JOSIE A. KEPPEL

Samuel H. Shands, Sheriff Dinwiddie County, presented the Virginia Sheriffs' Institute scholarship award, in the amount of $500 to Josie A. Keppel a resident of the county. Miss Keppel is graduating from Kenston Forest and will be attending Mary Washington College.

IN RE: EASTSIDE COMMUNITY ENHANCEMENT CENTER MASTER PLAN CONCEPT – PICNIC SHELTER

Mr. Timothy Smith, Director of Recreation, presented the following power point master plan concept for the Eastside Community Enhancement Center Pavilion location:

secondary road. Therefore, precedence has been set in the General Assembly. If the Board is interested in doing it, this would be for all of Route 226 or a segment from Route 460 to Sterling Road; if the Board would like to pass the resolution.

Mr. Bowman stated he would like to see it prohibited from the Quarry headed east to Route 1. Mr. Bracey asked how Vulcan would ship the materials? Mr. Bowman commented the study that was done by VDOT showed it was quicker for the trucks leaving the Quarry, to go right onto Route 226 then make a left onto Route 460 East and take I-85 North, than it was for them to go East on Route 226. Mr. Bracey interjected he felt a survey should be done to determine what effects it would have on the truckers. Mr. Massengill stated Vulcan has done their own survey and the results showed 90% of the trucks were turning right onto Route 226 going to Route 460. The other 10%, being independent truckers, were the ones traveling to the left, heading East onto Route 226. These truckers are going into Matoaca and the southern area of Chesterfield. Mr. Moody asked if they would be able to deliver to the Matoaca area? Mr. Bowman commented they would have to go via I-85 then take Route 1 North to Route 226 to Ferndale Road to Matoaca. Mr. Moody stated they would still have to travel on Route 226 to get to Matoaca. Mr. Bracey commented Ferndale Road is residential, that entire road, all the way out to River Road in Chesterfield. Mr. Bowman pointed out that the trucks are already using Ferndale Road anyway. Mr. Bracey stated he was not against the idea but the Board needed to be very careful and have a study done before a resolution is adopted. The Assistant County Administrator informed the Board that there is a deadline to have the bill considered by the General Assembly but there should be time for the study. Mr. Bowman stated VDOT has already done the study and there should be enough information compiled for the Board to make a decision. He requested that the County Administrator and Assistant County Administrator contact VDOT and get the information for the Board to review.

IN RE: BOARD MEMBER COMMENTS CONT'

Mr. Bowman — He requested that an explanation for future payments made to Sands & Anderson for issues in his area be sent to the Board members so they would be able to tell what case or cases the payments are for and what the outcome is.

IN RE: CLOSED SESSION

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

Personnel - §2.2-3711 A. 1 of the Code of Virginia – County Administrator; Zoning Administrator; Appointments
Legal - 2-3711 A. 7 of the Code of Virginia – Litigation

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 9:29 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:26 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under §2.2-3711 A.7 of the Code of Virginia – Personnel - County Administrator; Zoning Administrator; and Appointments; and Legal - 2-3711 A. 7 of the Code of Virginia – Litigation;

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

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

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

IN RE: APPOINTMENT DONALD L. HARAWAY– CRATER PLANNING DISTRICT COMMITTEE AND METROPOLITIAN PLANNING ORGANIZATION

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Donald Haraway, is hereby reappointed to the Crater Planning District Committee and Metropolitan Planning Organization, for a one-year term, expiring June 30, 2004.

IN RE: APPOINTMENT– SARAH CLARKE GUNN – JOHN TYLER COMMUNITY COLLEGE BOARD

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Ms. Sarah Clarke Gunn, is hereby reappointed to the John Tyler Community College Board, for a four-year term, expiring June 30, 2007

IN RE: RECOMMENDATION OF JAMES GITTMAN TO THE NOMINATING COMMITTEE FOR THE CENTRAL VIRGINIA PLANNING AGENCY BOARD OF DIRECTORS TO REPRESENT PLANNING DISTRICT 19

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. James Gittman, is hereby recommended to the Nominating Committee of the Central Virginia Health Planning Agency Board of Directors for a Consumer nomination to represent Planning District 19.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter from Adelphia regarding changes on subscriber's cable bills for franchise fees.
2. Newspaper article regarding City of Petersburg – proposed plan to restructure the city's middle and high schools.
3. Newspaper article - Petersburg City Council approves budget.
4. Newspaper article - Colonial Heights council OKs $36.4 million budget.
5. Newspaper article - Chesterfield Planning Commission to hear rezoning proposals.

RE: ADJOURNMENT

Upon motion of Mr. Moody, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the meeting adjourned at 10:32 P.M.

Robert Bowman, IV, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 2:00 P.M.

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

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

Mr. Robert Bowman, IV, Chairman, 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

Mrs. Wendy Ralph, County Administrator, requested under Consultation with Legal Counsel - Contract Negotiations for TXI be added to the Closed Session on the agenda.

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

IN RE: CONSENT AGENDA

Mr. Bracey requested that the School Board's request for Payment Requisition #13 -1998A Bond Issue (70-02-200-7019743), in the amount of $3,513.18 to Reed Smith, which was submitted for payment be removed from the consent agenda for further discussion. Mr. Bowman agreed. The Board instructed the County Administrator to contact the School Board to find out exactly why bond funds are being requested for attorney fees when there are still items that need to be completed on the school project.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the May 20 Continuation Meeting and the June 3, 2003 Regular Meeting are hereby approved.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1035411, through 1035544 (void check(s) numbered 10345410) for:

Accounts Payable FY 2002- 2003:

(101) General Fund	$ 127,303.28
(103) Jail Commission	$ 141.41

(104) Marketing Fund	$	.00
(209) Litter Control	$	.00
(222) E911 Fund	$	5,525.23
(223) Self Insurance Fund	$	.00
(225) Courthouse Maintenance	$	.00
(226) Law Library	$	.00
(228) Fire Programs & EMS	$	316.58
(229) Forfeited Asset Sharing	$	.00
(304) CDBG Grant Fund	$	508.00
(305) Capital Projects Fund	$	.00
(401) County Debt Service	$	25,957.30
TOTAL	**$**	**159,478.80**

IN RE: CITIZEN COMMENTS

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

The following citizen(s) came forward to address the Board:

1. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia came before the Board with the following comments and questions:
   1. Requested that Mr. Clay vote no on the Tidewater Quarry permit on July 1st.
   2. Commented he was very upset about the injury his daughter sustained on April 20, 2003 at the Dinwiddie Elementary School on the playground equipment and the treatment he has received from the School Board. He also presented the following FOIA requests pertaining to the injury:
      a. Accident report on Veronica Bratschi 4/20/03
      b. Maintenance records, reports on playground equipment at Dinwiddie Elementary for the past 1 ½ years; all related documents to maintenance of the big slide.
      c. Documentation between Administration Office and School Division and Insurance Company involving the accident.
   3. He stated he felt a lot of the jobs in the County are already filled before they are advertised to the public; they are only advertised to meet State requirements.

2. George Arnold - 2009 Hope Drive, Sutherland, Virginia – came before the Board regarding the drainage problem at his residence. Mr. Haraway interrupted and asked if Mr. Arnold would mind if this issue could be discussed under the Board Comments. Mr. Arnold commented that would be fine.

3. Geri Barefoot – 7411 Frontage Road, Petersburg, Virginia – informed the Board that the case for the injunction to stop the State from opening the SVP unit at SVTC would be heard in the Petersburg court at 1:30 P.M. this Friday and requested they sign a petition in support.

4. Anne Scarborough – Boydton Plank Road, Dinwiddie, Virginia –stated she would like the total amount the County has paid to the attorneys for the Wal-Mart litigation. She questioned why Administration does not list the reason why they are going into closed session for Consultation with Legal Counsel – 2.2-3711A.7 - Update on Litigation on the Agenda; all of the other localities do.

5. Dave Pittman – Reporter for the Monitor – challenged the legality of the closed session for Consultation with Legal Counsel – 2.2-3711A.7 for Procedural Issues relating to Conditional Use Permit. The County Attorney replied that the provision for Closed Meetings relating to

consultation with legal counsel has two parts, one dealing with actual or probable litigation and the FOIA attempts to limit the provision for "probable litigation". The other provision allows a Board of Supervisors to meet with the county attorney for "consultation with legal counsel...regarding specific legal matters requiring the provision of legal advice by such counsel". Just like private citizens and corporations, Boards of Supervisors also have the right to discuss and receive legal advice from their counsel or privileged communications, to preserve the attorney-client privilege and obtain legal advice on questions, such as legal issues relating to the procedure for having the public hearing and determination on the rezoning and conditional use of the proposed quarry site.

IN RE: ADELPHIA REPORT ON FEE INCREASES – LUKE MATTHEWS

Mr. Luke Matthews, General Manager, Adelphia Cable came forward and distributed copies of the following rate comparison for cable service to the Board:

Company	Location	# Basic Channels	Basic Monthly Rate
Adelphia	Dinwiddie County	58	37.41
Charter	Outer Banks, NC	60	42.00
Charter	Lawrenceville VA	59	41.51
Charter	Franklin, VA	74	44.99
Charter	Alberta VA	59	41.51
Charter	Roanoke Rapids NC	73	44.37
Time Warner	Henderson NC	78	45.00
Cox	Rocky Mount NC	62	40.00
AT&T	Richmond VA	62	40.00
Comcast	Chesterfield VA	73	42.21
Tele-Media	Petersburg VA	59	34.95

Mr. Matthews reported in the past three years there have been 3 increases for cable service in 2001 - $2.00; 2002 - $2.00; and in 2003 - $2.46. Adelphia has spent in excess of $5 million dollars in infrastructure in Dinwiddie County over the past three years. He commented one of the reasons for price increases is the cost of programming.

Mr. Haraway stated there has been a 7 percent increase in the past 3 years for service and the consumer price index is at 3%. He was concerned that the citizens could not continue to handle those increases. Why would someone continue to pay for cable when they can get satellite for much less and receive a lot more channels? Mr. Matthews stated satellites do not provide local channels and they do not bear the cost of equipment, and require a long-term contract. With cable a person is not locked in a contract and they don't have to purchase any equipment and they receive local stations. Adelphia returns a portion of the franchise fees to the County also.

Mr. Moody asked if Adelphia had installed all of the equipment that was promised? Mr. Matthews responded yes.

Mr. Bowman asked Mr. Mathews if he had cable rates for Hopewell and Chester? Mr. Matthews no but he would get them and send them to the Board.

IN RE: RESOLUTION OF SUPPORT FOR THE CIVIL WAR PRESERVATRION TRUST'S TEA-21 - 1864 BATTLE OF REAM'S STATION APPLICATION

Mr. Scott Palumbo, Real Estate Coordinator, came forward stating the Civil War Preservation Trust and the Department of Conservation and Recreation

are in the process of submitting a Transportation Enhancement Proposal for the Richmond District to the Department of Transportation (VDOT). We intend to pursue preservation opportunities on two parcels of land associated with the battle of Ream's Station, which the Civil War Sites Advisory Commission has listed as a Priority II site and are asking the Dinwiddie County Board of Supervisors to pass a resolution of support for consideration of our application by VDOT. The following is a summary of our proposal and its rationale.

Mr. Palumbo pointed out that they intend to acquire +/- 84 acres of land on the site of the 1864 Battle of Ream's Station. Here, as summarized by the American Battlefield Protection Program of the National Park Service:

On August 24, Union II Corps moved south along the Weldon Railroad, tearing up track, preceded by Gregg's cavalry division. On August 25, Maj. Gen. Henry Heth attacked and overran the faulty Union position at Ream's Station, capturing 9 guns, 12 colors, and many prisoners. The old II Corps was shattered. Maj. Gen. Winfield Scott Hancock withdrew to the main Union line near the Jerusalem Plank Road, bemoaning the declining combat effectiveness of his troops.

The parcels are located along Halifax Road and are identified by the Commissioner of Revenue for Dinwiddie County on Tax Map 48, Parcel 41 (+/-12 acres) and Tax Map 49, Parcel 29 (+/- 72 acres).

This project is eligible for Transportation Enhancement funds under two categories of selection criteria including the "Acquisition of Scenic Easements and Scenic or Historic Sites" and "Historic Preservation."

He commented this land, once acquired, will be held in perpetuity as open space, highlighting Virginia's culture and historic landscape as seen from its roadways, thus helping to preserve Dinwiddie County's scenic view sheds. Our proposal will complement the work of both public and private entities such as the Conservation Fund, Petersburg National Battlefield, Pamplin Historical Park and the nationally recognized Virginia Civil War Trails program and will, likewise, contribute to other land preservation efforts currently afoot. In fact, CWPT has already preserved more than 80 acres at Ream's Station upon which a walking trail with a parking area are currently being constructed. The success of this project will lead to a heightened public awareness of the need to preserve the scenic beauty of Virginia's surface transportation system. By cultivating this awareness, we can appreciate this visual resource for generations to come and take confidence in the fact that such worthwhile goals can be accomplished.

He also stated the Civil War Preservation Trust is the largest battlefield preservation organization in the United States. We are a non-profit group with more than 45,000 members nationwide. To date, we have preserved more than 16,000 acres of endangered battlefield land at 81 sites in 19 states. Given our preservation accomplishments as well as the significance of the Hatcher's Run battlefield, where 2,700 men fell fighting for their vision of freedom as the Union Army moved ever closer to victory in Virginia just two months later, he urged the Board to pass a resolution in support of their application.

Mr. Bowman asked what the deadline date was for the resolution? Mr. Palumbo stated July 1, 2003. Mr. Bowman asked how much grant money Dinwiddie County qualifies for? Mr. Palumbo replied 10% of the $15 million statewide are set aside for Transportation Enhancement funds. He commented he didn't know how much Dinwiddie County qualified for. Mr. Bowman stated he would like to see a committee formed of local representatives to have an input in where the money should be spent. Mr. Caywood stated the Transportation Enhancement funds are not broken down per county. He commented he did feel it would be appropriate for the County to have a committee to recommend where the funds are spent. He emphasized these funds were set aside 5 years ago for this grant and budget cuts in the State is a reality now.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the following resolution of support is adopted.

WHEREAS, in accordance with the Commonwealth of Transportation Board procedures, letters of support from local governments or state agencies supplement Transportation enhancement applications; and

WHEREAS, the Civil War Preservation Trust has applied for Transportation Enhancement funding in Dinwiddie County to acquire a battlefield site on Halifax Road where the 1864 Battle of Ream's Station was fought; and

WHEREAS, the acquisition of historic Civil War battlefield property provides increased heritage tourism attractions that provide economic benefits to Dinwiddie County;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia supports the Civil War Preservation Trust's Transportation Enhancement application; and

BE IT FURTHER RESOLVED that the Board of Supervisors of the Dinwiddie County, Virginia, understands that it is not being asked to serve as fiscal agent for this project or provide matching funds and that any funds committed by the Board of Supervisors would be on a voluntary basis, as it deems appropriate.

IN RE: VDOT – REPORT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, came forward and stated he would like to apologize to the Board but he had not been able to address any of the issues from the last meeting due to the flooding and road wash outs in the County. There were two-dozen roads closed and now there are only four remaining. He assured the Board that he would address those items from the last Board meeting as soon as he could. He provided the following update on the road closures and openings:

Closed

1. Rt. 613 (White Oak Road): pipes washed out – anticipated completion time, early next week.
2. Rt. 640 (Hobbs Mill Road): bridge over Namozine Creek – closed until further notice. Bridge out in Amelia County.
3. Rt. 627 (Courthouse Road): bridge over Hatchers Run – closed until further notice, hopefully before school opens in the fall. South off Highway 460 & North of Rt. 613 (White Oak Road – near Five Forks area).
4. Rt. 675 (Vaughan Road): in process of installing pipe – anticipated completion time weather permitting – early next week.

Open

1. Rt. 627 (Courthouse Road): between Rt. 661 (Boisseau Road) and Rt. 613 (White Oak Road) – work to be completed weather permitting Friday. Pipes installed/stone down; in process of putting in Rip Rap around end of pipe. Plant mix scheduled for tomorrow.
2. Rt. 627 (Courthouse Road): between Rt. 751 and Rt. 611.
3. Rt. 628 (Tranquility Lane): between Rt. 613 and Rt. 689.

When asked, Mr. Caywood informed the Board the cost of repairs would run around $1,500,000 million dollars for the County.

Update

1. Citizen workshop for the High Speed Rail is scheduled for Thursday, July 10, 2003 from 4:00 – 7:30 P.M. at the Dinwiddie Elementary School. "The Virginia Department of Rail and Public Transportation and North Carolina Department of Transportation are beginning detailed studies for the Petersburg to Raleigh section of the Southeast High-Speed Rail corridor. Citizen input on this project concept is vital."
2. Ridley Road construction will start when weather permits; we need 3 to 4 days of warmer weather to apply the surface treatment

Board Member Comments/Questions

1. Mr. Moody explained to Mr. Caywood that Courthouse Road is a very important thoroughfare for everyone in his district. Mr. Moody asked if there was any way he could expedite the process. Mr. Caywood replied he realized the significant impact this closure had on the County; but he stated a bridge is the only solution to prohibit future wash outs for this section of the road and that will take approximately 3 months.
2. Mr. Bowman – When will the County find out which roads will be closed as a result of the HSR? Mr. Caywood stated he did not know for sure but it would behoove the County to go on record at the public hearings of their opposition to the HSR. He said he would be happy to work with the County Administrator and Assistant County Administrator to make sure the verbiage is correct for the resolution.
3. Mr. Bracey – commented he received calls from residents regarding the high volume of truck traffic on Halifax Road. It appears that they may be trying to avoid the scales on I-95. He questioned if there was something VDOT could do to restrict the truck from using the road. Mr. Caywood stated he would check that for him.
4. Mr. Bracey – mentioned at the intersection of Courthouse Road and Boydton Plank Road there is a problem in the mornings and afternoons with traffic making a left turn off Courthouse onto Boydton Plank. He asked if a stoplight could be installed there to help with the flow of traffic? Mr. Caywood stated 2 years ago that issue was visited and the Board might want to re-visit it again this year. He mentioned they discussed aligning Courthouse Road with Carson Road beside Dinwiddie Elementary School and that was a good option.

IN RE: REVENUE MAXIMIZATION

The County Administrator stated she would like to commend Mr. H. L. Parrish and Mrs. Peggy McElveen for their diligence for working on a program to provide reimbursement to the County on certain expenditures the County now makes in the areas of serving at-risk children. These areas deal with the Comprehensive Services Act and the VJCCCA program mainly. This program has been very successful in other localities. A position will be needed to run the program and make sure the County is receiving the funds it is entitled to.

Mr. H. L. Parrish, Probation Officer, stated the Revenue Maximization or Rev-Max is a federally funded program designed to reimburse localities for local funds spent on the administration of programs for at risk youth.

The program is administered by the Virginia Dept. of Social Services thru the local Department of Social Services. The program refunds 50 percent of all qualifying administrative expenses occurred by the locality in pre-placement programs. In addition, Rev-Max allows the locality to go back for two years to recoup past expenses.

Dinwiddie County has several programs that qualify for reimbursement. They are: (1) The CSA Coordinators position and all related expenses; (2) the VJCCCA Coordinator and related expenses; (3) the Community Service Work

Coordinator; (4) certain school guidance positions; (5) certain mental health counselor positions; and, (6) certain social services functions.

Thirty-five (35) localities have already entered agreements with the Virginia Department of Social Services and are currently receiving Rev-Max funds.

Interviewing several of these localities has reaffirmed that the programs Dinwiddie has will qualify for the 50 percent reimbursement. Dinwiddie could expect to receive approximately $45,000 a year for 2001 and beyond.

With the hiring of a Rev-Max Coordinator, 50 percent of the salary, benefits and expenses will be refundable. The benefit to the County will be the ability for a Rev-Max Coordinator to increase the amount of programs that qualify for reimbursement.

The combining of this position with other grant-based responsibilities will allow the County to take advantage of other state and federal funds available in various areas without significant increase in cost to the county.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to advertise and fill the position of a Rev-Max Coordinator as outlined in the proposed job description.

IN RE: RECESS

The Chairman called a recess at 3:23 P.M. The meeting reconvened at 3:37 P.M.

IN RE: DISCUSSION OF ESTIMATES FOR EASTSIDE ENHANCEMENT COMMUNITY CENTER PAVILION & PARKING FACILITIES

The County Administrator commented that Staff had not been able to complete the remaining estimates on the pavilion discussed at the last meeting. With the prices obtained at this point, it appears the project will be over the amount approved. Also since that time staff has met with a couple of the volunteer athletic managers and we have been contacted by corporate leaders offering to get involved in community activities. She requested that the Board allow staff time to have further discussions with these individuals. We feel that we may be able to accomplish everything within the budgeted amount. Staff is not trying to put the project off, however, a little more time is needed to pull it together. The Board agreed.

Mr. Bracey asked if there were any other major projects that would prohibit moving forward with this project? He said the parking issue has been there for a long time and it is just being addressed now. Mrs. Ralph commented the lighting, and the storm water drainage are two other items that will be addressed, if that is agreeable with the Board.

IN RE: NAMOZINE VFD - AUTHORIZATION TO CONTRACT WITH DESTEFANO DESIGN GROUP

Mr. Donald Faison, Director of Buildings and Grounds, requested authorization to enter into a contract with DeStefano Design Group to prepare plans and specifications to renovate the existing building and annex building for the Namozine VFD. The renovation of the existing fire station will meet the needs of the volunteers as well as the paid personnel. Included in the price will be two bunk rooms, which will sleep 12, handicap baths and showers, utility room, upgraded kitchen, day room, 3 office spaces, radio room, fire separated

floors and walls, masonry repairs to the existing walls, and repainting the existing building. Renovation of the annex building will give them good storage space, a meeting/training room, upgraded toilets and kitchen and it will be made handicap accessible. The estimated construction cost is $182,597 for both buildings.

Mr. Faison commented the architect took out the three meetings that he had included in his fee, which was to come before the Board to bring the plans. Mr. Faison stated he would bring the plans to the Board instead. The architectural fees for the plans and specifications for the renovation of the existing building and the annex building will be a fixed fee of $25,697, which is approximately 14.1% of the estimated construction cost (plus reimbursables).

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorized the Buildings and Ground Director to enter into a contract with DeStefano Design Group to prepare plans and specifications for the Namozine Building and the annex building as shown in his report and described above; at a fixed fee of $25,697, (plus reimbursables).

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Meeting with the School Board – At the end of May, Staff sent a letter outlining the school improvements the Board felt were critical at this time. Dr. Wise will be meeting on Wednesday the 25th with their architect and will be sending a written response to our letter; following that, we should be able to come up with some dates to meet.
2. Appomattox Park – she commented she spoke with David Canada, City Manager of Petersburg, and he was very receptive to meeting with us on a cooperative effort to make the Park a viable operation. If any of the Board would like to come to the meeting, please let Staff know.
3. Proffers – Staff received the first draft on instituting cash proffers from Robinson, Farmer, Cox Associates and Staff will be working on a document to present to the Board, hopefully within the next 30 days.
4. Radio System – Proposals were due yesterday on our communications system. One proposal was received from Motorola, and Staff will be working with our radio consultant to review the bid to see that it is responsive.
5. IPR Program – Mrs. Ralph stated she had some good news about the IPR program. The County has not been able to participate for several months due to the lack of staff. Enclosed in the Board packet was a letter from the Cumberland Housing Community Development Program and the County will be allowing them to roam in the County and administer the program for County residents. Cumberland Housing has been approved by the State.
6. Compensation Board – The State continues to drop its responsibility to localities by dropping or under funding programs they are responsible for by law. The County Administrator distributed an example from the Compensation Board wherein they will no longer provide reimbursement for accumulated vacation for employees of Constitution Officers. "This does not mean they will not be paid; only that the localities will not be reimbursed." She commented this leads me to the second part of the handout – Mr. Moody is familiar with this. The VACo membership last fall voted to conduct a public awareness campaign to improve the public's understanding of how under funding by the State adversely affects citizens at the local level. A tool kit has been provided with sample news releases, letters to legislators and TV and radio spots calling on Virginia's state officials to fully fund public services delivered at the local level. She asked the Board to consider if they would like to pursue this campaign.
7. Sexually Violent Predators Advisory Committee – Staff has been invited to an advisory committee meeting that will be held on the Sexually Violent Predators Program at the Southside Virginia Training Center on June 25th at 1:00 – 3:00 P.M. Mrs. Ralph stated she, Mr. Massengill, and Mr. Bowman will be going and if any other Board members would like to go just let her know.

Mr. Haraway stated he would like a report, which indicates what the County employees can accumulate as far as annual leave/sick leave and in the next column indicate what the law requires the County to do. The County Administrator stated the reimbursement is for Constitutional Officers only. The Fiscal Officer, Mrs. Glenice Townsend, commented she would be receiving that information at the end of June for auditing purposes. Mr. Haraway asked if the State leave time is the same as the County's? The County Administrator stated County employees are only allowed to carry over ten days per year, but the State allows 30 days maximum carry over per year. There is no limit to the amount of sick leave because there is no reimbursement for it. Mr. Haraway commented this is not good. The State allows the Constitutional Officers to accrue 30 days of leave and then requires the County taxpayers to pay for it. He commented the Board needs to take a serious look at this and bring them in line with the County employees, if the County is going to have to foot this bill. He stated by providing this report to the Board it will give us the information needed to base a decision. This could be a large liability for the County.

IN RE: DRAINAGE PROBLEM & REQUEST TO ABANDON "PAPER STREET" – GEORGE ARNOLD - 20009 HOPE DRIVE, SUTHERLAND, VIRGINIA

Mr. William Scheid, County Planner, read the following memo:

The attached information is submitted as the result of my conversations with Mr. Haraway regarding a drainage problem of Mr. Arnold. Mr. Haraway requested that I have the matter placed on the June 17th Board of Supervisors' agenda. In reviewing the material it will be noted that there are a few courses of action that can be taken but agreement among the Board members is needed.

During the past several months, Mr. Arnold has corresponded with this office regarding his drainage situation. As concluded by Mr. Arnold, there is an underground spring located to the east of his property. The topography in this area is sloped such that the surface water and, apparently subsurface water, flow toward his home. This has created a footing and foundation problem. The footing has settled several inches and the foundation has cracked. The floors inside the house are not level and the drywall is splitting at the seams.

While the surface water was diverted around the house to the rear, the subsurface water must be dealt with in a different manner. Mr. Arnold explored various means of intercepting the subsurface water and has concluded that a trench with drain tile would be the most effective course of action. Preliminary cost estimates obtained by Mr. Arnold indicate the trench with drain tile would be costly but would protect his home from further damage. With this in mind, Mr. Arnold purchased the property east of his lot from Jean S. Henshaw. At this point, Mr. Arnold was advised by the Title Company that the County had an interest in the property and could utilize the property in the future as a secondary access road to River Road if the property shown as the L. C. Glover Tract could be utilized. The parcel under consideration was platted in 1977 as a 'paper street' serving the Clay Estates subdivision. (NOTE: Reference the attached plat. Mr. Arnold's lot is shown in yellow and the paper street in blue.) It was his intention to place the trench with drain tile in this 'paper street' and divert the water to the rear of his property.

Essentially, Mr. Arnold desires that the County abandon its interest in any future use of this property. Currently, the main entrance road adequately serves the subdivision. Independence Drive was extended to the north and is a private road serving approximately five (5) home sites. If Eugene Drive is extended to the west (into the Fenderson Tract now owned by the Dinwiddie School Board), it could be connected directly to River Road. It is his belief that there will not be a need for a second entrance road into this subdivision.

In reviewing this matter with Mr. Haraway and Mr. Arnold, I raised a few concerns regarding the County abandoning its interest in the possible extension of the 'paper street' to River Road. It was suggested to Mr. Arnold that he place his trench and drain tile within the 'paper street'. Since he is the current owner of the property, he may do so. If the County extended the 'paper street' at some future date and disturbed or destroyed the drain tile, then the issue of intercepting the subsurface water would need to be addressed, again.

The Board is requested to advise staff if it desires to abandon its interest in this land parcel. While I stated there were some concerns in abandoning future public use of this property, it is my opinion that this property will not be needed as a secondary access to this subdivision or access for development of lands to the north of the subdivision.

There followed a lengthy discussion between the Board members, Mr. Arnold, Mr. Scheid, the County Administrator and the County Attorney, regarding the issue of possibly causing drainage problems to neighboring houses; whether there might be a need for the "paper street" sometime in the future; setting precedence for future drainage problems; and the legal costs to the County.

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

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia has determined that a portion of Independence Drive shown on the County Tax Maps as a "paper street" located to the south of Hope Drive in Clay Estates Subdivision, is a street which the citizens in the area have not used and the County does not foresee any need for future use; and

WHEREAS, Mr. Arnold is the current landowner of the "paper street" and is seeking the County and State Department of Transportation to abandon any interest in the property for "public use";

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that the County Planner is authorized to work with Mr. George Arnold to take the necessary steps to abandon the County and States' interest in the "public use" thereof with the understanding that any expenses associated with this process shall be borne by Mr. Arnold.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody — He commented Mrs. Ralph mentioned the part about the VACo's public awareness campaign and she has gotten the tool kit to help improve the public's understanding of how under funding by the State adversely affects citizens at the local level. He stated he felt the Board should ask her to take a look at it and spend a few dollars to inform the public that it is not the Board who is undercutting them. They need to know what the real problem is. Mr. Moody said he would like for her to check into it to see how much it would cost to do a little bit of advertising for public relations and to get the word out. The Board members agreed.

IN RE: DEFERRED COMPENSATION

The County Administrator stated she previously provided information on the plan the County now has with Nationwide and two additional plans that have been reviewed. The ICMA plan is very similar to the VACo plan the County has now. VALIC is similar but really is not considered a public affiliated agency and is the one chosen by Prince George after a bid process. Mrs. Barbara McKitrick spoke with Prince George and has provided a memo regarding her discussion. Mrs. Ralph commented Mr. Haraway had a follow up question regarding the rate

of return and Mrs. McKitrick will address that. The rate of return is 4.2% and it is guaranteed not to go below 4.0%. Mrs. Ralph commented the reason Staff has not gone out beyond the VACo plan was because of the bidding process. However, with the change in State law and since Prince George has gone through the bid process, legal counsel advised Staff that the County could use their bid and negotiate a contract with VALIC if the Board would like to. With the ICMA plan there is no need for a bidding process because it is a public affiliated firm. If a second plan is selected, Staff would request that the stipulation be that no additional administrative duties would be required other than processing payroll as it now does with the present plan.

Mr. Bracey questioned how many employees participate in the plan presently? The County Administrator responded 18. Mr. Bracey asked how many employees does the County have on payroll? She replied 178. Mr. Haraway commented that is one reason why he was concerned. Normally when you go into places of employment with 178 people on payroll there would be more than 18 employees participating and he felt if the County had a company with a local representative for them to talk with there would be more employee participation. He stated he would like for the County to have VALIC added as an alternative company, not to replace what it has now.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorized Staff to add VALIC as an additional company for deferred compensation for the employees of the County, with the stipulation that there will be no additional administrative duties required other than processing payroll as it now does with the present plan.

IN RE: CODE OF ETHICS

Staff provided a memo outlining how many localities have adopted a Code of Ethics for its governing body.

There was a short discussion between the Board members regarding the adoption of the Code of Ethics but the Board elected not to adopt them at this time.

IN RE: BOARD MEMBER COMMENTS

Mr. Haraway — He commented he is the Board's representative on the Crater Planning District Commission. A couple of weeks ago the subject came up of the different highway projects in the area and there was $3,199,000 dollars available to spend on these projects. The technical committee voted on the ranking for projects to receive funding this year. Mr. Scheid is on the committee that does the rating on the projects and Temple Avenue in Colonial Heights rated number one for funding this year and it will probably cost $4 million. The State will fund $3.2 million and the City of Colonial Heights will provide the remaining funds. He stated the County was fortunate and commended Mr. Scheid for his assistance in getting a County project ranked third on the list. The project is to construct a traffic lane from the city limits of Petersburg to the East Coast Station on Route 1. Mr. Scheid explained the process the committee used to rank the projects on the list. Mr. Haraway pointed out that we have another project which is the I-85 and Route 460 project ranked 5th on the list also; but sometimes the projects get bumped or it may come to the point that the project is too expensive. Mr. Scheid interjected there are only certain roads that qualify for these

funds such as the interstate and main arterial roads. Mr. Bracey stated he would hate for people to get the wrong idea that this project is going to happen next year. Mr. Haraway stated there is always a chance of funding not being available or of the project being bumped.

IN RE: CLOSED SESSION

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

Personnel - §2.2-3711 A. 1 of the Code of Virginia – County Administrator; VJCCCA
Litigation - §2.2-3711 A. 7 of the Code of Virginia – Update on Litigation Virginia Bio Fuels; Procedural Issues relating to Conditional Use Permit;

Mr. Moody seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 4:54 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 6:08 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under §2.2-3711 A.7 of the Code of Virginia – Update on Litigation Virginia Bio Fuels; Procedural Issues relating to Conditional Use Permit; §2.2-3711 A.1 Personnel – County Administrator; VJCCCA;

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

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

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

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Animal Control Officer – Adoption Application form and regulations for adoption.
2. Letter from RC&D Council informing County that it has entered into a partnership with VSU and the Department of Agriculture to conduct a Water Quality Assessment for underserved farmers in the RC&D area.
3. Madeline's House – shelter expenditures for 2002 budget and proposed 2003 budget.
4. Memorandum from William Scheid, County Planner, to Donald Haraway, County Administrator and Assistant County Administrator regarding the drainage problem at 20009 Hope Drive, Sutherland, VA, George R. Arnold property.
5. Email from citizen regarding speeding on Vaughan Road – forwarded to Sheriff.
6. Appomattox Regional Library – report.

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the meeting adjourned at 6:11 P.M.

Robert Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE AUDITORIUM OF THE DINWIDDIE COUNTY HIGH SCHOOL IN DINWIDDIE COUNTY, VIRGINIA, ON THE 1st DAY OF JULY, 2003, AT 7:30 P.M.

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

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

Mr. Robert L. Bowman, Chair, called the regular meeting to order at 7:36 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Wendy Ralph, County Administrator, commented Tidewater Quarries, Inc., withdrew its' rezoning application P-02-6 and conditional use permit application C-02-8; therefore, those two items need to be removed from the agenda. She commented there is also a need for a Closed Session for Legal Consultation to discuss the two Wilcot Partner Cases (P-03-2 and P-03-3).

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the June 17, 2003 Regular Meeting are hereby approved.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1035546 through 1035789 (void check(s) numbered 1035625, 1035545,1035283, and 1035618)

Accounts Payable:

(101) General Fund	$ 185,205.63
(103) Jail Commission	$ .00
(104) Marketing Fund	$ .00
(209) Litter Control	$ 6,274.00
(222) E911 Fund	$ 1,708.49
(223) Self Insurance Fund	$ .00
(225) Courthouse Maintenance	$ .00
(226) Law Library	$ .00
(228) Fire Programs & EMS	$ .00
(229) Forfeited Asset Sharing	$ .00

(304) CDBG Grant Fund	$ 613.52
(305) Capital Projects Fund	$ 2,196.07
(401)County Debt Service	$ 25,927.30
TOTAL	**$ 221,925.01**

PAYROLL 02/28/03

(101) General Fund	$ 437,228.81
(222) E911 Fund	$ 3,459.52
(304) CDBG Fund	$ 3,783.07
TOTAL	**$ 444,471.40**

ACCOUNTS PAYABLE: JULY 1, 2003

(101) General Fund	$ 130,777.14
TOTAL	**$ 130,777.14**

IN RE: CITIZEN COMMENTS

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

1. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia voiced his displeasure for the Citizens for a Better Dinwiddie Group.

2. Eva Bratschi – 23500 Cutbank Road, McKenney, Virginia – came before the Board to voice her oppositions to the High Speed Rail coming through Dinwiddie County.

3. Geri Barefoot – Frontage Road, Petersburg, Virginia – expressed her gratitude to the Board members who were in opposition to the quarry and admonished the other Board members to be more responsive to their citizens.

4. Rowland Powell – Boydton Plank Road, Dinwiddie, Virginia - commented on the issues of a telephone survey he received regarding the Tidewater Quarry application.

IN RE: CLOSED SESSION

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

Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia – to discuss legal issues regarding the two Wilcot Partner Cases P-03-2 and P-03-3.

Mr. Clay seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 7:56 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 8:28 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under §2.2-3711 A.7 of the Code of Virginia – to discuss issues regarding the two Wilcot Partners Cases P-03-2 and P-03-3.

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

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

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

IN RE: PUBLIC HEARING – P-03-2 – WILCOT PARTNERS REQUEST TO AMEND LOT AREA REQUIREMENTS

This being the time and place as advertised in the Monitor on June 18, 2003 and June 25, 2003, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on an amendment request from Wilcot Partners, applicant, who is seeking to amend conditions established by case P-79-5. The applicant is seeking amendment of the lot area requirement from 200' to 100'.

Mr. Scheid read excerpts from the following Summary Staff Report:

Planning Summary Report

File:	**P-03-2**
Applicant:	**Wilcot Partners**
Property Address:	**Route 1 and White Oak Road intersection**
Existing Zoning:	**Residential, Limited R-1 (w/ proffers)**
Water Source:	**public (proposed)**
Sewer Disposal:	**public (proposed)**

The applicant, Wilcot Partners, is seeking an amendment to conditions (now referred to as proffers) established by case P-79-5 that was heard by the Planning Commission and Board of Supervisors in 1979. The property is currently owned by Robert G. Ragsdale but is under a purchase contract with Wilcot Partners, LLC. The location of the property is at the northwest corner of the Route 1 (Boydton Plank Road) and Route 613 (White Oak Road) intersection. The parcel is a portion of Tax Map/Parcel 33-3 and contains approximately 101 acres. The County Comprehensive Land Use Plan identifies this parcel as bordering the Urban Planning and Community Planning Area.

Considerable zoning activity occurred on this land parcel in the 1970's. In 1970, the entire tract of land referred to as the Lake Jordan property was zoned as Agricultural, general A-2. At that time properties having this zoning classification could be subdivided into 1-acre parcels with 150' of frontage on a State maintained road. A rezoning request, P-73-1, was submitted to the County in 1973 on behalf of American Logistics Association (also know as Defense Supply Association) to have the property rezoned from Agricultural, general A-2 to Residential, general R-2. The Board moved to approve rezoning case P-73-1 at their January 16, 1974 meeting. Shortly thereafter, the American Logistics Association filed a rezoning application, P-74-2, seeking to have the entire tract rezoned from Residential R-2 to Planned Residential Development, PRD. The purpose of the rezoning was to obtain the type of mixed residential development sought at the desired density. At the April 17, 1974 meeting of the Board of Supervisors, the Board unanimously voted approval of rezoning request P-74-2.

On May 15, 1979, Mr. Ragsdale filed a rezoning application, P-79-5, with the Planning Department seeking to change a 101-acre portion of the PRD property to Residential, Limited R-1 with two (2) proffers attached. The Planning Commission heard the case at their June 6, 1979 meeting and sent the matter to the Board of Supervisors with a recommendation for approval. It was noted at the Planning Commission meeting that it was not feasible to develop this property as high density housing since central water and sewer is required and it is not economically feasible to provide this service at this time. The Board heard the case at their July 18, 1979 meeting and voted to approve rezoning case P-79-5 with the following conditions (proffers) attached: lot size shall be a minimum of 2 acres; and a minimum of 200' road frontage shall be required. The property has remained undeveloped to this date.

The Planning Commission heard this zoning amendment request at their June 11, 2003 meeting. In consideration of the County amending the previous proffers established by case P-79-5 (i.e. deleting the 2 acre minimum lot size and 200' frontage requirements), the applicant proposed substituting a new set of proffers to insure the County of a quality single-family dwelling subdivision. The proffers are attached to this summary report. Additionally, it was stated that the applicant has submitted a down zoning request for the remaining lands contained in tax map/parcel 33-3 located north of Lake Jordan. The case, P-03-3, seeks to change the zoning from PRD to R-1. By doing so, the total number of single lot residential dwellings would be reduced in portion to the number of lots relocated to the property south of the lake. After a discussion among the Planning Commissioners and comments from area residents (see extract of Planning Commission minutes), the Planning Commission voted unanimously (7-0) to recommend approval of P-03-2 to the Board of Supervisors. (NOTE: A committee was formed to refine the proffers to be sent to the Board. The committee met on June 20th and refined the proffers as instructed.)

Since this is a zoning matter, the standard statement regarding your action must be read.

Mr. Dan Smith - 939 Street, Newport News, Virginia, agent for Wilcot Partners, LLC came forward stating that Wilcot Partners were contract purchasers for the Lake Jordan property. The reason for the request was to develop a residential subdivision. He added that case P-03-2 would allow a zoning that would require smaller lot sizes. He said the history of the property has demonstrated that residential housing units have long been the plan for the property.

Mr. Smith said they believed the 75-acre lake is a beautiful amenity to the property. The anticipated price range of the houses to be sold would be between $160,000.00 and $250,000.00 to $350,000.00 on the lake. Mr. Smith believed this subdivision would bring in people from as far away as Richmond and Chesterfield. He stated that he envisioned approximately 200 single-family 20,000 square foot lots and approximately 150 single-family 20,000 square foot lots on the P-03-2 rezoning.

Mr. Smith introduced Mr. Derrick Johnson, Timmons Engineering, and Mr. Michael Cotter, Wilcot Partners, LLC. He said they would be able to answer any questions relating to the requests.

Mr. Smith requested that the Board approve the rezoning application for P-03-2.

Mr. Bowman opened the public hearing portion of the meeting. He asked if there was anyone signed up to speak. The following persons came forward to address the Board:

1. Charlotte Carnes - spoke in support of the request.
2. Ralph Mangum – 9013 Dabney Road, Petersburg, Virginia – spoke in opposition to the request.

3. Stan Chappell – 22212 White Oak Road, Petersburg, Virginia – spoke in opposition to the request.
4. Donald Turner – 21903 White Oak Road, Petersburg, Virginia – spoke in opposition to the request.
5. George Whitman – 13010 Old Stage Road, Petersburg, Virginia – spoke in opposition to the request.
6. Robert Ragsdale – 8511 Boydton Plank Road, Petersburg, Virginia - spoke in support of the request. He also requested that the Board, if it should decide to approve the rezoning request, condition the approval on the sale of the property occurring on or before October 31, 2003.

Mr. Haraway asked Mr. Ragsdale if there was a contract dispute between him and Wilcot Partners, LLC? Mr. Ragsdale stated he did not feel there was a need for a proffer in the rezoning request to address the Virginia Motorsports Park noise issue because there is a State law, which requires the seller to inform the buyer of the existence of a noise issue.

The County Attorney was asked if she knew of a State law or ordinance, which required a seller to inform a buyer of the existence of a noise issue? Mrs. Katz responded she was not familiar with any code section that required a property owner to disclose environmental factors off the property. What may be offensive to one person may not be offensive to another. However, she did not know of any code, which required a person to disclose that there is a permitted use that may be bothersome on an adjacent piece of property.

Mr. Haraway also asked Mr. Ragsdale if he agreed to the addendum to the contract. Mr. Ragsdale commented yes he did. Mr. Haraway stated it was his understanding that both parties, the buyer and seller, agreed to the addendum.

Mr. Bowman closed the public hearing.

Mr. Bowman asked Mr. Smith to come forward and address the issues brought up by the citizens during the public hearing session.

Mr. Smith commented some of the concerns had been addressed in the proffers. Mr. Derrick Johnson with the Timmons Group will answer the technical questions you might have regarding the impact on the schools and traffic issues at the intersections of Boydton Plank Road (US Route 1) and White Oak Road (Rt. 613). Mr. Smith requested that the Board approve the rezoning application for P-03-2.

Mr. Johnson came forward and commented that this rezoning is actually a down zoning and addressed the number of lots and sizes of the houses expected to be built in the subdivision. As far as the transportation concerns, raised by Mr. Bracey, on Rt. 1, he stated that he was working with VDOT to determine the location of the entrances. He said the first entrance on Rt. 613 would be about 1,200' away from the Rt. 1 intersection. He added that the second entrance to serve those lots would be about 1,500' going west on Rt. 613. This development would be phased out over a five-year time period. In order to satisfy the number of homes that will be built in the subdivision, there needed to be two entrances on Rt. 613. He said with the topography and the lay of the land it would affect where the homes can and cannot be built so there might be fewer homes than they proposed. Other considerations that must be noted related to public services generated by the subdivision. It would appear that emergency services would not be compromised due to the location of the proposed subdivision and access from the existing road system. It does not appear that the school system would be impacted to any greater degree than it would be if the property were developed under the current zoning classifications of PRD and R-1 (w/ conditions).

He added that VDOT would have to do a traffic study to determine if a light would be needed at the Rt. 1 and Rt. 613 intersections. The biggest concern there would be the left hand turn off Rt. 613 headed North on Route 1.

He also commented on the flood and drainage issues that might exist in the subdivision. He said an analysis of the pond and the dam would be looked at as a part of the site plan. The drainage issues would be addressed with roll face curb and gutters.

Mr. Bracey stated he still felt there would be a big increase in the traffic at the intersections of Boydton Plank Road and Rt. 613, White Oak Road that would cause problems when making a left turn onto Boydton Plank Road off White Oak Road.

Mr. Haraway commented he did not understand why the term "financially feasible" was included in proffer number 12 which, states, "If financially feasible, the applicant shall install, for the exclusive use of families living in the subdivision, playground equipment for children who live there." He pointed out that the cost of playground equipment should not exceed $5,000, which is inmaterial for the total price of this project. Continuing he commented he would like to see "financially feasible" excluded from proffer 12. The applicant agreed to remove "financially feasible" from proffer number 12.

Mr. Bowman asked Mr. Scheid what PRD stands for? Mr. Scheid responded it is a planned residential development district that is designed to provide for medium and large-scale developments incorporating a single type or a variety of residential and related uses, which are planned and developed as a unit. It may also provide reservation of areas for retail shops and it may include educational and governmental facilities wherever these are deemed necessary by the County. Mr. Bowman questioned whether the rezoning from PRD to Residential, Limited R-1 (w/ proffers) was really a down zoning. He voiced his concern regarding the number of lots the R-1 rezoning would allow compared to the PRD zoning. There was a lengthy discussion regarding the permitted uses in the PRD zoning.

The County Attorney commented that this is a rezoning at this time; it is not an approval of the subdivision or the units. Mr. Bowman reiterated his concern.

Mr. Bowman asked Mr. Smith if he had been on the site when the Virginia Motorsports Park drag cars were racing? Mr. Smith responded he personally had not but one of the Wilcot partners Mr. James E. Wilson has and he said, to him a noise is a noise. He added that he had talked with the land manager for Ryan homes which is a national real estate development builder and he advised him that in recent years Ryan Homes had built a subdivision next to Colonial Downs racetrack where there is also drag racing, and in spite of the noise factor there has not been any adverse effect upon the marketing of the homes in that subdivision.

Mr. Bowman asked if the owners of the homes were comfortable with the noise level and then did they feel comfortable selling them the homes. Mr. Smith stated that they were comfortable and with proper disclosure to potential purchasers there would not be an adverse effect upon the marketing of the subdivision.

Mr. Bowman stated that if there was no more discussion, he would entertain a motion on the request.

Mr. Haraway stated, 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, I move that P-03-2 be (approved with the proffers submitted by the applicant) with "financially feasible" being removed from proffer number 12, by the Board of Supervisors; and

Be it further resolved that the rezoning request is based upon the condition that the rezoning would not go into effect unless Wilcot Partners, LLC consummates the purchase pursuant to the agreement no later than October 31, 2003.

The motion was seconded by Mr. Bracey, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," rezoning request P-03-2 was approved with the conditions from the Planning Commission and the following proffers.

"June 25, 2003

Re: Land Use Amendment Applications P-03-03

To: Mr. Guy Scheid, Director
Dinwiddie County Planning Department
Dinwiddie, Virginia

With reference to the above Land Use Amendment Application, Wilcot Partners, LLC proffers the following:

1. A minimum 25 foot buffer consisting of the existing tree cover and open space shall remain on the lands adjacent to Route 1, Route 613, and on the proposed subdivision lots adjacent to land parcel 33(4)IN in the name of Katie R. Williams Estate. Along Routes 1 and 613, this buffer shall extend from the point of beginning of the existing tree line 25 feet into the interior of each subdivision lot (and specifically not from the line of cleared easement area).

2. The subdivision road will access the property from Route 613 only. All lots having frontage on Route 1 and Route 613 shall have driveway access to the subdivision road, only.

3. The asphalt roads serving the subdivision will have a roll curb/gutter system for storm water management.

4. The property will be served by the public water and sewer system operated by the Dinwiddie County Water Authority.

5. All lots within the development will be provided access to Lake Jordan through a common area located on the property which is the subject matter of this Land Use Amendment Application.

6. The minimum square footage (SF) of finished floor space (exclusive of such things as attached garage, enclosed screen porches, etc.) for a single story family dwelling shall be 1500 SF and for all other dwellings 1750 SF.

7. A pedestrian footbridge shall be constructed between the North and South portions of the properties which are the subject matter of referenced Land Use Amendment Applications P-03-02 and P-03-03, to grant pedestrian access for subdivision lot owners and their invited guests between the those properties.

8. A Homeowners Association shall be provided for in the Deed Covenants and Restrictions for the maintenance of the common areas.

9. A provision shall be made in the Deed Covenants and Restrictions requiring builders, on initial sales of homes in the subdivision, and all subsequent property owners, on resale of their properties, to disclose to their purchasers the existence of the VMP, and the potential noise generated by activities there.

10. A provision shall be made in the Deed Covenants and Restrictions requiring all driveways to be constructed with concrete.

11. "Red tip" bushes, or a similar evergreen bush, shall be planted along the entire length of the property line along Route 613, and along the private property lines contiguous with subdivision on the property owned by Stan Chappell on route 613. The bushes shall be planted prior to completion of construction of on- and off-site improvements (water and sewer facility installation, curb and gutter installation, roadway construction, etc.) to the property, which is the subject matter of this Land Use Amendment Application.

12. The applicant shall install, for the exclusive use of families living in the subdivision, playground equipment for children who live there.

13. If financially feasible, the applicant shall consider constructing a "boulevard" type entrance to the subdivision on Route 613, rather than two separate entrances there.

14. If financially feasible, the applicant shall install public water and sewer hook-ups along an interior lot line in the subdivision to the property owned by Mr. Stan Chappell at no cost to Mr. Chappell.

WILCOT PARTNERS, LLC

By,

_____
Managing Member"

IN RE: RECESS

The Chairman called a recess at 9:50 P.M. The meeting reconvened at 10:09 P.M.

IN RE: PUBLIC HEARING – P-03-3 – WILCOT PARTNERS REZONING REQUEST

This being the time and place as advertised in the Monitor on June 18, 2003 and June 25, 2003, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on a request from Wilcot Partners to rezone a 136-acre parcel (a portion of which is within Lake Jordan) of land from Planned Residential Development, PDR, to Residential, Limited R-1.

Mr. Scheid read excerpts from the following Summary Staff Report:

Summary Staff Report

File:	**P-03-3**
Applicant:	**Wilcot Partners**
Property Address:	**Route 1 north of White Oak Road**
Existing Zoning:	**Planned Residential Development, PRD**
Water Source:	**public (proposed)**
Sewer Disposal:	**public (proposed)**

The applicant, Wilcot Partners, is seeking a down zoning of a portion of Tax Map/Parcel 33-3 containing approximately 136 acres (Lake Jordan being part thereof) from Planned Residential Development (PRD) to Residential, limited R-1 (with proffers). The property is owned by Robert G. Ragsdale and is located on the west side of Route 1 approximately ¼ mile north of Route 613 (White Oak Road). The County Comprehensive Land Use Plan identifies this parcel as bordering the Urban Planning and Community Planning Area. The current zoning allows the applicant to have a density exceeding five (5) single family dwelling lots per net acre.

Considerable zoning activity occurred on this land parcel in the 1970's. In 1970, the entire tract of land referred to as the Lake Jordan property was zoned as Agricultural, general A-2. At that time properties having this zoning classification could be subdivided into 1-acre parcels with 150' of frontage on a State maintained road. A rezoning request, P-73-1, was submitted to the County in 1973 on behalf of American Logistics Association (also know as Defense Supply Association) to have the property rezoned from Agricultural, general A-2 to Residential, general R-2. The Board moved to approve rezoning case P-73-1 at their January 16, 1974 meeting. Shortly thereafter, the American Logistics Association filed a rezoning application, P-74-2, seeking to have the entire tract rezoned from Residential R-2 to Planned Residential Development, PRD. The purpose of the rezoning was to obtain the type of mixed residential development sought at the desired density. At the April 17, 1974 meeting of the Board of Supervisors, the Board unanimously voted approval of rezoning request P-74-2.

The Planning Commission heard this rezoning request at their June 11, 2003 meeting. The applicant has offered to downzone the zoning on this property with proffers since they were seeking an amendment to the zoning on the property located to the south of Lake Jordan. The proffers are attached to this summary report. After a brief discussion among the Planning Commissioners (see extract of Planning Commission minutes), the Planning Commission voted unanimously (7-0) to recommend approval of P-03-3 to the Board of Supervisors. (NOTE: A committee was formed to refine the proffers to be sent to the Board. The committee met on June 20th and refined the proffers as instructed.)

Since this is a zoning matter, the standard statement regarding your action must be read.

Mr. Dan Smith- 939 Street, Newport News, Virginia, agent for Wilcot Partners, LLC came forward to speak to the request. He thanked the Board for approving the P-03-2 application. He stated that this request was for the north side of the property that is currently zoned PRD, which will allow a higher density than what is being asked for. He said they were basically asking for a down zoning on the property. He said they did present proffers, which were presented

to the Planning Commission and included in the request tonight. He requested that the Board approve the rezoning application.

Mr. Bowman opened the public hearing. No one spoke in opposition to the rezoning request.

Mr. Bowman closed the public hearing.

Mr. Haraway asked Mr. Smith about the "financially feasible" term included in proffer number 11 which, states, "If financially feasible, the applicant shall install, for the exclusive use of families living in the subdivision, playground equipment for children who live there." He commented he would like to see "financially feasible" excluded from the proffer. Mr. Smith agreed to strike "financially feasible" from proffer number 11.

Mr. Moody stated, 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, I move that P-03-3 be (approved with the proffers submitted by the applicant) with "financially feasible" being removed from proffer number 11, by the Board of Supervisors; and

Be it further resolved that the rezoning request is based upon the condition that the rezoning would not go into effect unless Wilcot Partners, LLC consummates the purchase pursuant to the agreement no later than October 31, 2003.

The motion was seconded by Mr. Bracey, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," rezoning request P-03-3 was approved with the conditions from the Planning Commission and the following proffers.

PROFFER

June 25, 2003

Re: Land Use Amendment Applications P-03-03

To: Mr. Guy Scheid, Director
Dinwiddie County Planning Department
Dinwiddie, Virginia

With reference to the above Land Use Amendment Application, Wilcot Partners, LLC proffers the following:

1. A minimum 25 foot buffer consisting of the existing tree cover (if any) and open space shall remain on the lands adjacent to Route 1. This buffer along Route 1 shall extend from the point of beginning of the existing tree line (if any) 25 feet into the interior of each subdivision lot (and specifically not from the line of cleared easement area). This buffer shall not apply to any side lot line along Route 1.

2. The subdivision road will access the property from Route 1. All lots shall have driveway access to the subdivision road, only.

3. The asphalt roads serving the subdivision will have a roll curb/gutter system for storm water management.

4. The property will be served by the public water and sewer system operated by the Dinwiddie County Water Authority.

5. All lots within the development will be provided access to Lake Jordan through a common area located on the property which is the subject matter of Land Use Amendment Application P-03-02.

6. The minimum square footage (SF) of finished floor space (exclusive of such things as attached garage, enclosed screen porches, etc.) for a single story family dwelling shall be 1500 SF and for all other dwellings 1750 SF.

7. A pedestrian footbridge shall be constructed between the North and South portions of the properties which are the subject matter of Land Use Amendment Applications P-03-02 and P-03-03, to grant pedestrian access for subdivision lot owners and their invited guests between the those properties.

8. A Homeowners Association shall be provided for in the Deed Covenants and Restrictions for the maintenance of the common areas.

9. A provision shall be made in the Deed Covenants and Restrictions requiring builders, on initial sales of homes in the subdivision, and all subsequent property owners, on resales of their properties, to disclose to their purchasers the existence of the VMP, and the potential noise generated by activities there.

10. A provision shall be made in the Deed Covenants and Restrictions requiring all driveways to be constructed with concrete.

11. If financially feasible, the applicant shall install, for the exclusive use of families living in the subdivision, playground equipment for children who live there. If constructed, this playground equipment shall be located in a common area on the property, which is the subject matter of Land Use Amendment Application P-030-2.

WILCOT PARTNERS, LLC

By,

_____

Managing Member

IN RE: PUBLIC HEARING – DINWIDDIE COUNTY PLANNING DEPARTMENT – A-03-3 – AMENDMENT TO CHAPTER 22, ZONING, DIVISION 11, BUSINESS, GENERAL DISTRICT B-2, SECTION 22-185, TATTOO PARLOR

This being the time and place as advertised in the Monitor on June 18, 2003 and June 25, 2003, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on a request by the Dinwiddie County Planning Department, at the request of Bryan E. Wallace, is seeking the addition of a tattoo parlor with a conditional use permit to the B-2 (Business, General) district, section 22-185, Permitted Uses.

Mr. Thompson read excerpts from the following Summary Staff Report:

Planning Summary Report

Planning Summary Report

File: A-03-3

Applicant: Dinwiddie County Planning Department

Amendment to Code: Business, General, B-2

The applicant, Dinwiddie County Planning Department, at the request of Bryan E. Wallace, is seeking the addition of a tattoo parlor with a conditional use permit to the B-2 (Business, General) district, section 22-185, Permitted Uses. The

Dinwiddie Zoning Ordinance does not provide for such a use in any zoning district. A review of other zoning codes in adjacent jurisdictions reveals that this type of use is generally permitted in the General Business district with a conditional use permit.

The Planning Commission reviewed this amendment at their May 14th meeting. It was noted that tattoo parlors and body piercing is a fast growing business. Staff expressed concerns about the issue of health, contamination and other health related problems. It was mentioned that adding a section to the County Code that addressed the health concerns would provide a stronger foundation for controlling these concerns. Additionally, the Health Department could be utilized in enforcing the regulations. No one present spoke in opposition to the amendment. The Planning Commissioners voted unanimously to recommend approval of A-03-3 to the Board of Supervisors but directed staff to prepare a definition of Tattoo Parlor for the Planning Commission to review at their June meeting before sending the amendment to the Board of Supervisors.

Mr. Thompson commented that Mr. Wallace was present if the Board had any additional questions for him.

Mr. Bowman opened the public hearing for A-03-3. The following persons came forward to address the Board:

1. Michael Bratschi – 23500 Cutbank Road, McKenney, Virginia – spoke in opposition to the amendment. He also read a section of the Planning Commission minutes regarding, "if an individual is intoxicated or under the influence of drugs Mr. Wallace would tattoo them".
2. Eva Bratschi – 23500 Cutbank Road, McKenney, Virginia – spoke in opposition to the amendment.
3. Mr. Dean McCray – 2600 Oxford Drive, Sutherland, Virginia – spoke in support of the amendment and commented that the minutes Mr. Bratschi was referring to were "draft" minutes, which have not been approved by the Planning Commission.

Mr. Bowman closed the public hearing for A-03-3.

Mr. Bryan E. Wallace, applicant, came forward and addressed the issues raised in the citizen comment period. He stated he had been in business for over 13 years in the Tri-City area and never had any problems with the police or the health department. He also commented about 50% of his business was military and he had not heard of the policy Mrs. Bratschi read from. He requested that the Board approve the request.

Mr. Bracey commented in the future any minutes for the Planning Commission or the Board of Supervisors, which had not been approved, should be marked "draft".

Mr. Moody stated, 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, I move that Zoning Amendment A-03-3 be approved by the Board of Supervisors. There was no second.

The Chairman declared that the Motion died.

IN RE: A-03-4 - TATTOO PARLOR DEFINITION

This being the time and place as advertised in the Monitor on June 18, 2003 and June 25, 2003, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on the request of the Planning Department to add an amendment to section 22-1 of the Code of Dinwiddie, to add the definition of a tattoo parlor to section 22-1, Definitions.

Planning Summary Report

File: A-03-4

Applicant: Dinwiddie County Planning Department

The applicant, Dinwiddie County Planning Department, at the request of the Planning Commission, is seeking the addition of a tattoo parlor definition to section 22-1, Definitions. The Planning Commission reviewed this amendment at their June 11th meeting. After a brief discussion by the Commissioners, the Planning Commission voted unanimously to recommend approval of A-03-4 to the Board of Supervisors.

Mr. Thompson came forward and stated that the draft copies of the staff report for tonight meeting have been made available to the public on the table out front.

He read the following definition:

TATTOO PARLOR: Any permanent place or establishment in which is offered or practiced the placing of designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of any person with ink or any other substance resulting in the permanent coloration of the skin, including permanent make-up, by the aid of needles or other instruments designed to touch or puncture the skin. This definition shall not include medical doctors, veterinarians, registered nurses or other medical services personnel licensed pursuant to Virginia Code Title 54.1, who conduct tattooing in the performance of professional medical services. Tattoo parlors shall be established and operated in accordance with applicable provisions in Chapter 22, of the County Code. In order to operate a tattoo parlor in Dinwiddie County, a tattooist shall be a state licensed and certified tattooist as of July 1, 2004. Body piercing is considered an accessory use and is further defined as any place in which it is offered or practiced the act of penetrating the skin to make a hole, mark, or scar, generally permanent in nature. "Body piercing" does not include the use of a mechanized, pre-sterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both. In order to perform body-piercing in Dinwiddie County, a tattooist shall be a state licensed and certified body piercer as of July 1, 2004. Additionally, all tattooing and body piercing must be done in an enclosed portion of the establishment not visible by the public.

Since this is a zoning matter, the standard statement must be read by the Board as part of your motion.

Mr. Bowman opened the public hearing for public comments. The following persons came forward to speak regarding A-03-4:

1. Michael Bratschi – 23500 Cutbank Road, McKenney, Virginia – spoke in opposition to the amendment
2. Eva Bratschi – 23500 Cutbank Road, McKenney, Virginia – spoke in opposition to the amendment.

Mr. Bowman closed the public hearing.

Mr. Bracey questioned Mr. Thompson where he got the definition of a tattoo parlor. Mr. Thompson stated it was drawn from a survey of 9 other localities in the State. The County Attorney informed the Board that the definition mirrors the State definition of a tattoo parlor.

Mr. Bowman called for a motion. There being no motion the Chairman declared the issue dead.

Mr. Moody stated he personally would not get a tattoo, but many people do. He said he felt the County would lose revenue because they would go to Colonial Heights or Petersburg to get them.

IN RE: BOARD MEMBER COMMENTS

Mr. Haraway — He asked the County Administrator if any progress had been made to arrange a meeting with the School Board to address the school issues? Mrs. Ralph replied she had not received any response from the correspondence she sent regarding any rebuttal or replies to the letter that was sent to the Superintendent summarizing the recommendations from the Board. Mr. Haraway commented he found it hard to believe that there has been no communication because the Board was led to believe there was a dire need to move forward as quickly as possible with building the new schools. He stated he hoped a meeting could be arranged soon. Mr. Bracey agreed and requested that the Chairman, County Administrator, Assistant County Administrator, Chairman of the School Board, Superintendent, and Dr. Lanham meet to discuss the recommendations from the Board. Mr. Moody echoed the need to meet with the School Board to get the projects going. He commented they might not like what this Board had to say but there is a need to move forward and get something done for the schools. Mr. Bowman agreed and requested that the County Administrator set up a meeting with them.

Mr. Bowman — He commented there are some issues in the Comprehensive Land Use Plan that needed to be discussed and looked at very closely. He instructed the County Administrator to place it on the Agenda for the July 15, 2003 meeting.

Mr. Bracey — He stated our County Code does need to have something in place about tattoo parlors. He requested that the Planning Department and the County Attorney work together and bring something back to the Board.

Mr. Bowman — He stated in January the Board voted to try holding its meetings on Tuesdays instead of Wednesdays. He asked if the other members were satisfied with them being held on Tuesday? Mr. Bracey commented he preferred Wednesday meetings but the Board voted to try the Tuesday meetings for a year, not six months. Several Board members commented it was an issue for the organizational meeting in January.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter from the Superintendent of Schools to the County Administrator regarding the Board's nonpayment of Requisition #13.
2. Memo from Dean A. Lynch to James D. Campbell, Executive Director, VACo regarding the establishment of a Rural Caucus.
3. Memo from Dean A. Lynch to County Administrators regarding the establishment of VACo's Rural Caucus and scheduled meeting and agenda for Tuesday, August 12 at 9:00 A.M., at Norfolk Convention Center in conjunction with LGOC.
4. Letter from Adelphia introducing Ms. Jean Baker of Elizabeth City, NC as the new district manager of operations for Adelphia effective June 2, 2003.
5. Letter to the County Administrator from Robert L. Turner, Jr., Vice President for Development, Virginia State University, to schedule a

meeting to discuss matters of mutual interest, and visit the campus on Wednesday, August 13, 2003 for breakfast.

RE: ADJOURNMENT

Upon motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the meeting adjourned at 10:59 P.M.

Robert Bowman, IV, Chairman

ATTEST:
Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 2:00 P.M.

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

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

Mr. Robert Bowman, IV, Chairman, called the regular meeting to order at 2:04 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: CONSENT AGENDA

Mr. Bracey requested that the Ladder Truck claim for the Namozine VFD be removed for discussion. The Board agreed.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1035770, through 1035787 (void check(s) numbered 1035166, 1035372, 1035479, 1035438, and 1035774) for:

Accounts Payable FY 2003- 2004:

(101) General Fund	$ 127,303.28
(103) Jail Commission	$ 141.41
(104) Marketing Fund	$ .00
(209) Litter Control	$ .00
(222) E911 Fund	$ 5,525.23
(223) Self Insurance Fund	$ .00
(225) Courthouse Maintenance	$ .00
(226) Law Library	$ .00
(228) Fire Programs & EMS	$ 316.58
(229) Forfeited Asset Sharing	$ .00
(304) CDBG Grant Fund	$ 508.00
(305) Capital Projects Fund	$ .00
(401) County Debt Service	$ 25,957.30
TOTAL	**$ 159,478.80**

IN RE: AUTHORIZATION FOR COUNTY ADMINISTRATOR TO SIGN JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT FOR PURCHASE OF A 15-PASSENGER VAN

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the Board authorized the County Administrator to sign the Juvenile Accountability Incentive Block Grant, 04-A4281JB01, in the amount of $17,965, for the purchase of a 15 passenger van to be titled and insured by the County. The County matching funds of $1,996 are included in the FY03-04 VJCCCA fund balance.

IN RE: AUTHORIZATION TO ENTER INTO CONTRACT WITH WORLDVIEW SOLUTIONS INC. FOR ENTERPRISE GEOGRAPHIC INFORMATION SYSTEMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to enter into a contract with WorldView Solutions Inc. to implement an Enterprise Geographic Information System for the County for the negotiated price not to exceed $424,000.

IN RE: AUTHORIZATION TO ENTER INTO NEGOTIATIONS WITH MOTOROLA TO FINALIZE A CONTRACT FOR THE RADIO COMMUNICATIONS SYSTEM

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to enter into negotiations with Motorola for the new Public Safety Radio Communications System.

IN RE: AUTHORIZATION TO HIRE JOHNNA YATES – CUSTODIAN I

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to hire Ms. Johnna Yates for the position of Custodian I, at Grade 1, Step H, at an annual salary of $14,835.

IN RE: LADDER TRUCK REPAIR – NAMOZINE VFD

Mr. David Jolly, Public Safety Director, explained to the Board that through the annual inspection a small crack was discovered in the structural supports of the aerial ladder truck. Upon closer inspection we believe it was there at the time of construction. Over a period of time the crack increased due to water seepage into the small opening and freezing as a result one of the upright support structures actually cracked open. According to the manufacturer, E-One, they required that it be repaired before it could be certified for the safety of the volunteers. We got some quotes on repairing the unit and Namozine elected to have the ladder repaired so it could be put back into service quickly. The representative at American Fire Equipment told us the unit should be covered under the warranty and it should not be a County expense. Yesterday a representative from American Fire took the defective part to Florida, at their expense, to argue the point with E-One the manufacturer. The estimated cost to repair the unit is $3,000 and the unit will have to be sent to Woodbridge, Virginia. He requested approval for the repair of the unit to be funded from line item 101-032200-3310, if the warranty does not cover the cost of the repair. The Board instructed Mr. Jolly to wait until the manufacturer renders a decision as to whether the repair would be covered under the warranty. If it is not, then bring it back to the Board.

IN RE: CITIZEN COMMENTS

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

The following citizen(s) came forward to address the Board:

1. Eva Bratschi - 23500 Cutbank Road, McKenney, Virginia came before the Board requesting that the Board approve the claim for her daughter's injury.
2. Robert Rowland - 2009 Hope Drive, Sutherland, Virginia – thanked the Board for voting no on the request for a tattoo parlor in Dinwiddie County at the last Board meeting.
3. George Whitman stated there has been an appropriation of $850,000 dollars in the county budget for the GIS. He commented the citizens needed to know what is going on with that situation. He presented a FOIA request for the following GIS information:
   "a. I would like to view all documents on personnel qualifications needed to manage and incorporate GIS into Dinwiddie County.
   b. I would like to view all documents related to job description, job knowledge and job training as it relates to GES knowledge and execution of GIS.
   c. I would like to view all documents on the cost to date on GIS.
   d. All information pertaining to the salary, training, and any equipment needed for the completion of GIS in Dinwiddie County.
   e. I would like to view all documents on future cost of GIS for Dinwiddie County."

IN RE: RETIREMENT RESOLUTION – MR. LEE DUGGER

Resolution

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of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

JULY 15, 2003

IN RECOGNITION OF

MR. LEE A. DUGGER

WHEREAS, Mr. Lee A. Dugger served as Custodian I for Dinwiddie County, with distinction and integrity from August 1, 1997, until June 30, 2003; and

WHEREAS, the entire staff of Dinwiddie County would like to thank Mr. Dugger for the superb job he performed in keeping the floors in excellent condition and for his willingness to go beyond the scope of his responsibility; and

WHEREAS, the Board of Supervisors on this 15th day of July 2003 desires to acknowledge these qualities and to extend to him our warmest regards on this occasion and our very best wishes for many years of health and happiness as he enters a new phase of his life;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, hereby commends Mr. Dugger 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 Mr. Lee A. Dugger, and a copy spread upon the minutes of this meeting.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the above resolution was adopted.

IN RE: CLAIM – ALLEGED PLAYGROUND INJURY AT DINWIDDIE ELEMENTARY SCHOOL VERONICA BRATSCHI

Mr. Michael Bratschi came before the Board and presented a claim of $15,000 for the alleged injuries, pain and suffering his daughter sustained on April 20, 2003 as a result of a "bubble" defect in a Sonic Slide on the playground at the Dinwiddie County Elementary School. He commented that Mrs. Bernice Bracey went to his church and told his "brothers and sisters" in the Lord that he and his wife were going to sue the County. He requested that Mr. Bracey abstain from voting because Mrs. Bracey was his wife and the principal at the school. Mr. Bratschi presented photographs of the "damaged" slide and his daughter's chin where she received five stitches from the injury.

Mr. Bratschi recapped the process he had gone through with the school board regarding the slide and his daughter's injury. He stated Mr. Morris, Dr. Wise, and the insurance investigator were not telling the truth about the slide being defective. Continuing, he commented Mr. Jimmy Davis, Director of Facilities Operations, was the only person with the School System that had told the truth about the slide and the situation. He informed the Board that even though it was reported that there were no abnormalities in the slide, the section with the "bubble" in it has been replaced by Commonwealth Recreation, Inc., the playground equipment company. He requested that the Board pay the claim for his daughter's injury.

Mr. Bracey commented regarding Mr. Bratschi's request that he should not vote on this issue. He said he did not discuss "school issues" with his wife and she did not discuss "board issues" with him. He also asked the County Attorney for his legal opinion as to whether he should or should not vote. Mr. Daniel Siegel, County Attorney, replied there was no conflict of interest for him to vote on this issue.

Mr. Moody stated having reviewed the written and verbal claim presented by Mr. Michael Bratschi regarding the alleged injury to his minor child, Veronica Bratschi, on April 20, 2003 on the grounds of Dinwiddie Elementary School. He moved to deny the claim on the following basis:

1. Dinwiddie Elementary School, its grounds, and all equipment located on such grounds is under the sole control of the Dinwiddie County School Board and such public body is responsible for the maintenance of such building, grounds and equipment. (See § 22.1-79(3) of the Code of Virginia)

2. The Virginia Supreme Court has held that in the operation and maintenance of a school building and school grounds and facilities, a school board acts as a governmental agency or arm of the State and is immune from liability for tortuous personal injury negligently inflicted. (See *Kellum v School Board of the City of Norfolk,* 202 VA 252 (1960))

3. Dinwiddie County Board of Supervisors has no authority to exercise control over the operations, management, or maintenance of property belonging to the Dinwiddie County School Board.

4. If such playground at Dinwiddie Elementary School, however, should be deemed to be under the control of the County, the County is granted immunity from liability for damages resulting from injuries arising from the use of recreational facilities. (See § 15.2-1809 of the Code of Virginia)

The motion was seconded by Mr. Bracey, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye" the claim was denied.

IN RE: SCHOOL BOARD - REQUEST FOR PAYMENT REQUISITION #13 -1998A BOND ISSUE

The County Administrator pointed out that the School Board's request for Payment Requisition #13 -1998A Bond Issue (70-02-200-7019743), in the amount of $3,513.18 to Reed Smith, legal counsel, which was submitted for payment had been postponed due to the Board's concern that using the remaining bond monies for legal fees would deplete funds available to settle the dispute and/or correct the remaining items needed to close out the Dinwiddie Elementary School project. She commented per the Board's instructions she wrote to the Superintendent and asked if there was sufficient funding in the bond issue to cover the fees and the additional work on the project. She stated the Superintendent's reply was included in the Board packet.

Mr. Bracey stated he had not changed his mind; he still felt the funds should be used to finish the school project, not to pay legal fees for the School Board. Mr. Bowman commented if there is a problem with the project the architect who signed off on the project should be held accountable, not the county or the contractors who have finished their work satisfactorily. He stated several contractors have not been paid for the work they did on the project and he did not feel that was right to take these funds to pay attorneys when they haven't been paid. Mr. Moody commented he shared some of the concerns they had also; but there is a claim for legal fees and they are expecting to get paid. He said he felt the Board should pay the claim. Mr. Clay agreed. Mr. Bracey commented he felt they should be paid but this claim is for legal services for the School Board and should not be paid from the project funds.

The County Administrator offered a compromise to the Board. She suggested that if there were sufficient funds left in the bond issue when everything is settled and the school improvements are completed the Board could consider reimbursing the School Board for the legal fees it incurs.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition #13 -1998A Bond Issue (70-02-200-7019743), in the amount of $3,513.18 to Reed Smith, is not approved and is referred back to the School Board for payment from their legal fund balance; and BE IT FURTHER RESOLVED by the Board of Supervisors, when everything is settled and the school improvements are completed, the requisition can be resubmitted for the Board to consider for reimbursement of the legal fees.

IN RE: VDOT – REPORT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, came forward and provided the following update:

1. All roads in the County are open with the exception of Rt. 640 (Hobbs Mill Road): bridge over Namozine Creek in Amelia County; and Rt. 627

(Courthouse Road): bridge over Hatchers Run which hopefully will be open before school opens in the fall. All the utilities and old pipe have been moved. The bid opening for the project is due tomorrow at VDOT.

2. Halifax Road project – clearing and gutter work is done; weather has restricted work but will proceed with good weather.
3. Mr. Caywood said he attended the Southeast High Speed Rail public workshop at the Dinwiddie Elementary School on July 10, 2003. The meeting was held in an informal style, providing the public an opportunity to ask questions and share thoughts directly with the project team.
4. The summary of the truck restriction for Rt. 226 (Cox Road) was included in your packets. However, in the 2003 Session of the General Assembly, Section 46.2-809 of the Code of Virginia was modified to allow the restriction of trucks on the primary highway system. This law became effective on July 1, 2003. VDOT is currently in the process of developing implementation guidelines for this legislation. He said he would share these guidelines with the County as soon as they are available. He apologized for overlooking this piece of legislation; it slipped past him.
5. Weather issues – will resume mowing, pavement break-up, Ridley Road, and general maintenance work as soon as weather permits.

IN RE: AUTHORIZATION TO ADVERTISE PUBLIC HEARING FOR RESTRICTION OF THROUGH TRUCK TRAFFIC ON ROUTE 226 (COX ROAD)

Mr. Bowman stated he was not happy with the report he received from VDOT on the truck traffic on Rt. 226. Since he has been on the Board there is not a week that goes by that he does not receive calls from residents that live on the road complaining about the noise and from the trucks and jack brakes. He asked Mr. Caywood if VDOT would hold a public hearing to restrict through truck traffic on Rt. 226. He also asked the Board to support his endeavor.

Mr. Caywood responded that VDOT would not hold the public hearings; that would be the County's responsibility. He also commented that the information was provided to the Honorable Fenton Bland, Jr., Member of the Virginia House of Delegates, for the purpose of reviewing a request for the potential introduction of legislation regarding Route 226. VDOT would be happy to meet with the County and/or Delegate Bland to provide additional technical information relating to the issue. He said VDOT would evaluate Rt. 226 under the new guidelines that will be developed to implement the revised language in 46.2-809.

Mr. Bracey expressed his concern regarding the monetary constraints this would place on businesses on Cox Road.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Administrative Staff is instructed to advertise for two Public Hearings to restrict through truck traffic on Route 226 (Cox Road) on August 5, 2003 and September 2, 2003.

IN RE: VDOT – REPORT CONT'

Board Member Comments/Questions

1. Mr. Bracey – commented it had come to his attention that there needed to be some distinctive North or South VDOT road markers on Route 1 and Route 460 for Courthouse Road. Courthouse Road is a

long road and people are getting lost looking for the High School. This came to his attention during the graduation exercises because storeowners told him people were stopping in to get directions to the High School. Mr. Moody agreed and stated VDOT should be able to install some directional signs on the main road to let people know where the High School is located. Mr. Caywood said he would check on it.

2. Mr. Bowman – mentioned at the intersections of Route 1 and 460 it really did need to be striped more on the road to indicate where the road is when turning West on Route 460 off Route 1. It is very difficult at night to see where the road is to make that turn. Mr. Bracey agreed; but he said he also felt it was because of the lighting at the East Coast Station. Mr. Caywood replied he would have the engineer take a look at the situation.

IN RE: NAMOZINE VFD IMPROVEMENTS - AUTHORIZATION TO CONTRACT WITH DESTEFANO DESIGN GROUP

Mr. Donald Faison, Director of Buildings and Grounds, presented the schematics prepared by DeStefano Design Group for the renovation of the existing building and annex building for Namozine VFD. He discussed the plans and pointed out that these renovations will give them good storage space, a meeting/training room, upgraded toilets and kitchen and it will be made handicap accessible. He asked the Board for their input. After a lengthy discussion, the Board members agreed that they felt it would be safer for the volunteers if two windows were put in at the end of the bunkroom area and a 30" door installed for emergency escape.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorized the Buildings and Ground Director to proceed with the schematics for the renovation of the Namozine Building and the annex building as presented to include the two extra windows in the bunk room area and the two 30" doors in the toilet facilities on the second floor.

IN RE: ASSISTANCE TO FIREFIGHTERS GRANT AWARD

The County Administrator stated Mr. Dennis Hale and Mr. David Jolly had some wonderful news and she did not want to steal their thunder. She asked them to come forward and share the good news.

Mr. Jolly stated in March he received Board approval to apply for a FEMA Grant. On Friday they received official notification that the request for the grant was approved in the amount of $511,988. The County's match is 10% or $56,887. It is the second largest grant, which has been awarded in the country and the first and largest one for the State of Virginia. He commented he was very proud of the committee that wrote the grant.

Mr. Dennis Hale, Fire Chief, came forward and explained the process the committee went through to submit the application for the Emergency Preparedness & Response Directorate for the FY03 Assistance to Firefighters Grant Program in the program area of Fire Operations and Firefighter Safety. He said this is a one-year grant and the funds will be available on August 1st and it must be spent before July 31, 2004. The plan for the money is to replace every single SCBA, which are air packs, in the County. The cost is about $4,000 for each pack. The funds will also be utilized to replace other fire equipment and fire turn out gear for the volunteers.

Mr. Bowman expressed his and the other Board members appreciation to the committee and Mr. Hale for their dedication, hard work and willingness to administer the grant.

IN RE: ADOPTION OF RESOLUTION TO RESTRUCTURE APPOMATTOX RIVER WATER AUTHORITY'S OUTSTANDING WATER REVENUE REFUNDING BONDS, SERIES 1993

Upon motion of Mr. Bracey, Seconded by Mr. Moody, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the resolution was adopted with "irrevocably" to be removed from the first paragraph on the advice of legal counsel.

A. Appomattox River Water Authority ("ARWA") has informed the Board of Supervisors of Dinwiddie County, Virginia (the "Board") that the Authority intends to issue in July or August of 2003 up to $10,000,000 in revenue bonds (the "Refunding Bonds") to refund or restructure ARWA's outstanding Water Revenue Refunding Bonds, Series 1993.

B. ARWA has further informed the Board that ARWA intends to designate the Refunding Bonds as "qualified tax-exempt obligations" under Section 265(b) of the Internal Revenue Code of 1986, as amended (the "Code"), to encourage commercial banks and similar financial institutions to purchase the Refunding Bonds.

C. ARWA is authorized to issue additional bonds ("Additional Bonds," and, together with the Refunding Bonds, the "Bonds") from time to time hereafter for the purpose of paying the whole or any part of the "cost" of ARWA's "water system," as such terms are defined in the Virginia Water and Waste Authorities Act, Chapter 51, Title 15.2, Code of Virginia of 1950, as amended, and to refund any Bonds outstanding and issued by ARWA under the Act.

D. The Board has been advised by Bond Counsel to ARWA that if the Board does not take the action evidenced by this Resolution, which is authorized under Section 265(b)(3)(C)(iii) of the Code, the County of Dinwiddie, Virginia (the "County") and each of ARWA's other member jurisdictions each may have to take into account the full principal amount of any Bonds in determining whether it is eligible to issue qualified tax-exempt obligations in calendar year 2003 and future calendar years.

E. Bond Counsel of ARWA has advised that the allocation set forth in

this Resolution satisfies the requirements of Section 265(b)(3)(C)(iii) of the Code for the Refunding Bonds and should satisfy the requirements for most Additional Bonds issued by ARWA, although ARWA's service agreement with its member jurisdictions allows for member jurisdictions to "opt out" of paying their shares of debt service on Bonds if (among other things) cash is deposited with ARWA and for varying allocations of the member jurisdictions' respective payment obligations for any particular issue of Bonds depending on the purpose of the Bonds; in such cases, the allocation set forth below may need to be adjusted with respect to certain issues of Additional Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board agrees that the principal amount of the Refunding Bonds and, unless otherwise provided by subsequent resolution, the principal amount of any Additional Bonds issued by ARWA will be allocated for purposes of Section 265(b)(3)(C) of the Code to ARWA's member jurisdictions on the basis of the allocations of the capacity of ARWA's water treatment plant, which will result in the principal amount of such Bonds being allocated as follows:

Chesterfield County ---------- 64.32%
City of Petersburg ---------- 29.69%
City of Colonial Heights ----- 2.97%
Dinwiddie County ---------- 1.98%
Prince George County --------- 1.04%

2. The Board finds that the allocation for the County set forth in paragraph 1 bears a reasonable relationship to the benefits expected to be received by the County from the issuance of the Refunding Bonds and, unless otherwise provided by subsequent resolution, the issuance of all Additional Bonds by ARWA.

3. This Resolution will take effect immediately.

IN RE: DISTRICT 19 COMMUNITY SERVICES BOARD – PERFORMANCE CONTRACT

The County Administrator stated as the Board might recall, each year, the Board is asked to approve the annual performance contract for District 19. She stated she had the FY 2004 performance contract and Mr. Joseph E. Hubbard, Executive Director, has requested the Board approve the document. The document has not changed in any material way from the previous year's contract. She commented she did not enclose the document due to its length.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that pursuant to the requirements of Virginia Code Section 37.1-198 the FY 2004 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.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay — He asked how the Baxter property purchase was moving along? The County Administrator responded that the other property was thrown in with that appraisal and Staff is in contact with the individual daily to get it done. He has promised us he will get it done soon.

Mr. Moody — He said his comment related to the grant the County received from FEMA. Every year VACo gives out awards for different categories and he believed this might fit in one of the categories and he encouraged the County to apply for it. He stated this was quite an accomplishment.

Mr. Bracey — He stated the Board members needed to get together to hash out some issues that have gotten out of hand between the Board members and we need to get together and take care of them. He stated he has some constituents that are concerned about an investigation into some actions of this Board. The Board needs to get together and take care of these negative things in the community.

He commented he noticed the grass situation is getting out of control and the Compliance Officer needed to have someone to cut those yards. Many of the homes are vacant FHA or government owned but they are located in subdivisions and the neighbors are complaining.

He also pointed out that something should be done concerning the school situation. He requested that the

Chairman, Vice-Chairman, County Administrator and Assistant County Administrator meet with the Superintendent and School Board representatives to see if a compromise could be reached regarding the building needs.

Mr. Bowman — He said he really didn't know what to do regarding meeting together to work out the issues but he felt it would be best to meet with the County Administrator and discuss the issues and then relay them to the other Board members.

IN RE: DISCUSSION OF REVISIONS TO THE COMPREHENSIVE LAND USE PLAN

Mr. Bowman stated he felt there were some important revisions that need to be made to the zoning code. He asked Mr. William "Guy" Scheid, Director of Planning, to come forward, continuing he commented he understood that the Planning Commission was working on some revisions they feel are necessary. Mr. Bowman stated he was open to any suggestions and things that the County needs to do to keep up with progress in the County. He said he would like to see these things addressed and moved on in a timely manner.

Mr. Scheid stated if he could there is a follow-up to what Mr. Bowman was eluding to in the CLUP under the Land Use and Development Chapter. One of the first statements is "Conduct an annual meeting between the Board of Supervisors and Planning Commission to establish an annual work plan and prioritization of projects from the implementation strategies in the Comprehensive Plan to be accomplished in each ensuing year." Mr. Scheid commented it is the desire of the Chairman of the Planning Commission to move forward with these issues. Mr. Scheid pointed out that he the matrix he was working on is nearing completion and he felt the Planning Commission would be able to complete their work by the next meeting and be ready to present their amendments to the Board of Supervisors.

Mr. Bowman commented he appreciated the work the Commissioners were doing and the Board would wait for their suggestions.

IN RE: CLOSED SESSION

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

> **Personnel - §2.2-3711 A. 1 of the Code of Virginia** – Treasurer; County Administrator;
> **Industrial Prospect – §2.2-3711 A. 5**
> **Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia** – Update on Litigation Virginia Bio Fuels; Procedural Issues relating to Conditional Use Permit;

Mr. Moody seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 4:54 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 6:08 P.M.

IN RE: CERTIFICATION

> **Whereas,** this Board convened in a closed meeting under **Personnel - §2.2-3711 A. 1 of the Code of Virginia** – Treasurer; County Administrator; **Industrial Prospect – §2.2-3711 A. 5**

Consultation with Legal Counsel - §2.2-3711 A.7 of the Code of Virginia - Update on Litigation Virginia Bio Fuels; Procedural Issues relating to Conditional Use Permit;

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

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

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

IN RE: SALARY INCREASE – COUNTY ADMINISTRATOR

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

WHEREAS, the employment agreement with the County Administrator provides for a annual salary increase based on an satisfactory performance evaluation;

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator's salary is increased $5,000, effective July 1, 2003.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter from descendants of the Rev. Henry Madison inviting the County Administrator to attend the Madison Family Reunion or send a greeting for their souvenir book.
2. Appomattox River Water Authority's drought plan for future information.
3. Newspaper article regarding "Help wanted for rescue squad".
4. Report on Admissions for FY 1999-2002 – Crater Juvenile Detention Home

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the meeting adjourned at 6:11 P.M.

Robert L. Bowman, IV

Robert Bowman, IV, Chairman

Wendy Weber Ralph

Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 7:30 P.M.

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

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

Mr. Robert L. Bowman, Chair, called the regular meeting to order at 7:33 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the July 15, 2003 Continuation meeting adjourned at 7:36 P.M.

IN RE: MINUTES

Mrs. Alma B. Russell, Clerk to the Board, stated Mr. Moody called today and brought it to her attention that the numbering for the proffers for public hearing P-03-3 was incorrect in the minutes on July 1, 2003, located on page 14. Mrs. Russell informed the Board that her software program has a "glitch" in it that automatically changes numbers when she exits a file. However, the corrections have been made to the minutes for adoption tonight.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the July 1, 2003 Regular Meeting are hereby approved with the above changes.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1035974 through 1036207 (void check(s) numbered 1034596, 1035897, 1035977, and 10356051)

Accounts Payable FY 02-03:

(101) General Fund	$	43,431.96
(103) Jail Commission	$	.00
(104) Marketing Fund	$	.00
(209) Litter Control	$	.00
(222) E911 Fund	$	80.27
(223) Self Insurance Fund	$	.00
(225) Courthouse Maintenance	$	.00
(226) Law Library	$	.00

(228) Fire Programs & EMS	$ 995.00
(229) Forfeited Asset Sharing	$ .00
(304) CDBG Grant Fund	$ .00
(305) Capital Projects Fund	$ 2,504.00
(401) County Debt Service	$ .00
TOTAL	**$ 47,011.23**

Accounts Payable FY 03-04:

(101) General Fund	$ 336,322.63
(103) Jail Commission	$ .00
(104) Marketing Fund	$ .00
(209) Litter Control	$ .00
(222) E911 Fund	$ 3,561.00
(223) Self Insurance Fund	$ .00
(225) Courthouse Maintenance	$ 380.00
(226) Law Library	$ 1,710.82
(228) Fire Programs & EMS	$ .00
(229) Forfeited Asset Sharing	$ .00
(304) CDBG Grant Fund	$ .00
(305) Capital Projects Fund	$ 5,483.87
(401)County Debt Service	$ 73,066.00
TOTAL	**$ 420,524.32**

PAYROLL 07/31/03

(101) General Fund	$ 428,842.34
(222) E911 Fund	$ 3,539.66
(304) CDBG Fund	$ 3,427.82
TOTAL	**$ 436,270.38**

IN RE: AUTHORIZATION TO ENTER INTO CONTRACT WITH STATE FOR REVENUE MAXIMIZATION FUNDS

"July 24, 2003

TO: Dinwiddie County Board of Supervisors

Wendy Ralph, County Administrator

FROM: Peggy McElveen

Re: Items for Board agenda – August 5, 2003

The following is information regarding a request for your approval of a contract with the Virginia Department of Social Services, which will increase federal funds for our locality. These funds are available for certain costs in the administration of programs for designated "at risk" children who meet specific federal requirements.

For the past couple of years the Virginia Department of Social Services has been involved in a statewide effort to help communities maximize federal reimbursement. Many communities have found that they are already spending local money that they could claim for federal reimbursement of certain services to at-risk children. Through Revenue Maximization these localities have been successful in drawing down previously untapped federal funds. The costs

identified are on-going costs that can continue to receive federal reimbursement verses a one-time reimbursement.

Key Points:

- Contract is between County and State.
- Does not affect other local budgets
- Federal reimbursement is only available through State and Local Department of Social Services; they serve as conduits for the funds.
- Local funds, which are potentially reimbursable include VJCCCA funds managed by Court Services, CSA Administrative funds, funds for School Social Worker, or Administrative funds from MHMRSAS.
- Our targets for Dinwiddie County at this time are the VJCCCA and CSA funds.

Advantages:

- Will provide a federal match (50%) for some current local expenditures.
- Will increase funds available to Administration of services and programs for at-risk children.
- Will enable our locality to employ a full time CSA Rev Max Co-Coordinator to manage the funds, assist in managing County grants, monitor expenditure funds and provide accountability of the various sources of funds for at-risk children.
- Will enable our locality to increase our focus on preventing expensive out of home placements and detention costs.

The attached letter to the State Social Services Director will accompany the Contract and provides basic information about our locality's plan.

July 23, 2003

Maurice Jones, Commissioner
Virginia Department of Social Services (VDSS)
730 E. Broad Street
Richmond, Virginia 23219

Dear Commissioner Jones:

The purpose of this letter is to provide, for your approval, the plan for the County of Dinwiddie revenue maximization initiative. Two major components of our initiative focus on identifying unclaimed administrative costs incurred for Title IV-E Pre-Placement Prevention and other "reasonable and necessary" costs allowed by other program initiatives. These initiatives are undertaken within the framework provided by the agreement between VDSS and the County of Dinwiddie and applicable Federal policy.

Background:

Increase in delinquency

Social problems in Dinwiddie County are continuing to become more serious and more expensive to resolve. The number of juveniles in the area that have been charged with assault has increased over the past several years. This has resulted in an increase in out-of-family placements and a significant strain on existing resources.

Increase in behavioral and mental health needs

Dinwiddie County has traditionally had 10 to 15 children in foster care. That rate continues with 13 children in foster care this year. There has also been a significant increase in the mental health and behavioral needs of children that are being placed in foster care. We are having to look for placement options for teenagers with serious behavioral and mental health issues, as well as placements for children with significant at-risk needs. Fewer younger children are in need of placement; those who do have multiple problems. These changing needs have fundamentally altered the services that our department and foster parents must provide. In many instances, comprehensive treatment facilities are needed in order to meet the needs of the child.

Need for prevention services

The Dinwiddie Community Policy and Management Team has identified the need for prevention services to address problems of family dysfunction, domestic violence, teen pregnancy, and substance abuse. The problems of at risk youth can be attributed to exposure to domestic violence, violence in the school environment and extensive use of drugs and alcohol by many parents.

The large increase in need for primary service delivery to meet the needs of youth in Dinwiddie County and the other budgetary demands leaves little in the way of funding for additional prevention services. There is a need for an increase in primary prevention and early intervention services in Dinwiddie County. Our goal is to reduce out of home placements and family disruption by providing preventive services. We have found that once a child is removed from his family, there are many negative side effects which add to the families' stress and dysfunction.
This is not only harmful to the child, but makes reuniting the family more difficult.

We are interested in furthering our efforts to meet the needs of youth/families in Dinwiddie County and are, therefore, interested in recovering every federal dollar to which we are entitled. Accordingly, we are pursuing reimbursement for Title IV-E foster care pre-placement preventive services and other "reasonable and necessary" costs allowed by other programs to draw down federal financial participation (FFP) to support additional social services initiatives to meet the needs of youth in Dinwiddie County.

Organization and Scope of the Initiative

We envision expanding services and enhancing existing efforts to prevent foster care and other out-of-family placements with the initial proceeds from this project. Our initiative will include the following:

1. A Title IVE/CSA Coordinator position devoted primarily to documentation, reporting, and coordination of information related to Title IVE, Medicaid, and CSA services and reimbursements.

    - Better utilize all funding sources, including grants, so that more services are available for prevention of foster care, intensive services to families and children in foster care which will increase assist in returning children to their homes or other permanent placement, and reduce the need for other out of home placements
    - Assist with coordination of services with multiple agencies, vendors, and providers so that services are delivered in the least restrictive setting and that rates are negotiated
    - Monitor expenditures for accurate and appropriate service delivery

1. Increased case management and oversight of VJCCCA Program will enable us to:

   - Increase services to families through a contract for Effective Parenting training targeting parents of children before the Court. This effort will strengthen families, prevent detention and other out of home placements. It will also deter further involvement with the Court. It is estimated that this program will serve approximately 45 families annually.

   - Expand Substance Abuse services to youth through a contract for counseling and education of youth who are before the Court or being diverted from Court as a result of alcohol or drug problems. This initiative will reduce the incidence of children before the Court because of substance abuse and will assist youth in becoming drug free. This program could serve up to 30 youth per year.

2. Collaborate with the local School Board office to expand and broaden services traditionally provided by the school social worker in order to reduce truancy, violence in the schools, and school drop outs. This particular initiative is in the preliminary stages; however, case management services, contractual services and direct services are critical in reducing the number of children at risk as identified by the school system.

Assurances

In addition to our commitments to VDSS under our overall agreement (Attachment A), this letter provides the following assurances specific to the Initiative:

1. FFP will be claimed only for administrative activities (for Title IV-E foster care, this includes case management provided to "reasonable candidates" for Title IV-E foster care).
2. Costs claimed for this initiative will be submitted separately each quarter and will not duplicate those submitted to VDSS under LASER or any other state reimbursement mechanism.
3. Non-Federal costs that we incur under this initiative will be financed solely out of local public expenditures certified to us quarterly by internal resources and external partners.
4. We will also certify that these County/Local funds are not being used to match any other public grant-in-aid program, or that these costs have been adjusted accordingly.
5. In cooperation with all parties, we will maintain the accounting, statistical, and case records necessary to enable VDSS and Federal auditors to concur in the reasonableness of all claims submitted.
6. FFP received by the County as a result of this initiative will be used to provide necessary services and will not be used to supplant any local funding.
7. All costs will conform to the approved plan.

Estimated Reimbursement:

FY 2004	-	$ 30,000
FY 2005	-	$ 50,000
FY 2006	-	$ 60,000

Request for Approval:

Current VDSS reimbursement options do not include reporting costs that are not incurred by the local DSS agency (except for central service costs). The costs

reported here are not central service costs. They are, however, allowable and reimbursable costs incurred by external affiliates, which are certified to the County for Federal reimbursement purposes.

We trust that the initiative described in this letter is consistent with applicable State and Federal Policy and our mutual interests in reducing the frequency with which children are placed in out-of-home care. Your confirmation of this fact will enable us to submit our initial claim to VDSS for reimbursement.

Please feel free to contact me if you have any questions regarding the attached, or if I can be of additional assistance.

Sincerely,

Director

Documents included: Contract between Dinwiddie County and VDSS
Letter re: VJCCA funds"

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby authorized the County Administrator to endorse the following agreement with the Virginia Department of Social Services:

AGREEMENT BETWEEN THE

COUNTY OF DINWIDDIE, VIRGINIA

AND

THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES

REGARDING

LOCAL GOVERNMENT EXPENDITURES IN SUPPORT

OF FEDERAL PROGRAMS ADMINISTERED BY VDSS

This Agreement is entered into this first day of July 2003, by and between the County of Dinwiddie, Virginia (hereinafter referred to as "the Locality") and the Virginia Department of Social Services (hereinafter referred to as "VDSS").

WITNESSETH

WHEREAS, the VDSS is the Single State Agency responsible for the Statewide administration and financing of major Federal human service programs, including (but not limited to):

1. Temporary Assistance to Needy Families (authorized by Title IV-A of the Social Security Act),

2. Child Support Enforcement (authorized by Title IV-D of the Social Security Act),

3. Foster Care and Adoption Services (authorized by Title IV-E of the Social Security Act), and

4. The Food Stamps Program (authorized by The Food Stamp Act and other Federal legislation); and

WHEREAS, the VDSS maintains a "state supervised" social services delivery system that is "locally administered" by the local Department of Social Services, within and on behalf of the Locality; and

WHEREAS, both VDSS and the Locality share a desire to expand local human services to the extent that resources are available to address otherwise unmet social needs; and

WHEREAS, the Locality has elected to make voluntary, necessary, and reasonable contributions of local and other unmatched non-Federal financial resources (over and above State mandated levels) to the costs of administering and providing human services under one or more of the above-referenced or other Federal programs administered by VDSS; and

WHEREAS, the financial contributions made by the Locality may be eligible for Federal Financial Participation (FFP), provided appropriate claims are made by VDSS to the cognizant Federal agencies; and

WHEREAS, both VDSS and the Locality desire to assure that the Locality receives appropriate FFP earned on the financial contributions of the Locality; and

WHEREAS, both VDSS and the Locality desire to establish and maintain appropriate procedures within VDSS to assure that claims are filed in an accurate manner, the Locality is reimbursed on a timely basis, and the integrity of all contributions, expenditures, and claims are assured;

NOW THEREFORE, VDSS and the Locality hereby agree as follows:

ARTICLE 1

DOCUMENTATION AND REPORTING OF LOCAL EXPENDITURES

1.1 The Locality agrees to maintain documentation of the expenditures that it incurs and the eligibility of the persons served consistent with procedures developed by VDSS and consistent with those services identified with the approved plan, as defined in the Scope of Services (Attachment A).

1.2 The Locality agrees to submit a claim to VDSS (on a quarterly basis) documenting and certifying the actual direct and indirect costs incurred by the Locality that have not been otherwise claimed for or reimbursed by VDSS or any other Federal reimbursement process.

a. The Locality shall attach to each claim a statement certifying that the expenditures being claimed for reimbursement are made from public funds and are reasonable and necessary for the efficient operation of the program in question. The Locality shall also provide, for VDSS review, such documentation as VDSS may specify in order for VDSS to exercise its fiduciary responsibility as the Single State Agency for the Federal program(s) in question.

1.4 The Locality's services and expenditures shall adhere to applicable VDSS policy and all claims shall be in a form and format specified by VDSS. The Locality's claims shall use, as appropriate and with the prior approval

of VDSS, statewide cost allocation methodologies in conjunction with other data as the basis for allocating costs.

1.5 The Locality agrees to form a local oversight board to administer the projects or related funds resulting from this agreement. The Locality agrees to effect a separate written agreement(s), between this board and any subsequent local partner(s) participating in this agreement, for the purpose of defining the distribution of any funds resulting from this agreement.

1.6 The Locality agrees to provide such additional information as may be required by VDSS and the cognizant Federal agency to determine the appropriateness of its claim and to provide reasonable estimates of future expenditures.

1.7 VDSS agrees to include in its claim to the cognizant Federal agency the expenditures certified by the Locality under this Agreement.

1.8 VDSS agrees to reimburse the Locality for the FFP paid by the cognizant Federal agency attributable to the Locality's claim, less an administrative fee of up to five (5) percent.

VDSS shall not be obligated to process this claim for reimbursement on behalf of the Locality until VDSS has assured itself that the pass-through of FFP to the Locality is appropriate. VDSS agrees to make every effort to make sure that this pass-through takes place within 15 working days of receipt of those funds from the Federal government.

1.9 VDSS agrees to use the proceeds of the administrative fee to establish and maintain an orderly process for claiming appropriate FFP on behalf of the Locality.

The VDSS process will include the VDSS hiring of sufficient and trained staff or contractual assistance necessary to oversee the claiming process, monitoring the Locality's compliance with applicable Federal and State policies, and assuring (by either pre- or post-audit) the integrity of claims made under this Agreement.

1.10 VDSS agrees to annually review with the Locality the reasonableness of the five (5) percent administrative fee. VDSS agrees to make every effort to assure that its costs are shared with other localities seeking to maximize appropriate Federal funding for its services and, to the extent possible, reduce the fee to the Locality.

ARTICLE 2

FEDERAL FINANCIAL PARTICIPATION

2.1 The Locality shall be eligible to receive applicable FFP on Locality contributions for which open-ended Federal funding is available or as otherwise provided by State or Federal law and regulation.

It is understood and agreed among the parties hereto that VDSS shall be bound hereunder only to the extent of the funds available or which may hereafter become available for the purposes of this Agreement.

2.2 The Locality shall not be entitled to receive reimbursement for FFP earned on programs where Federal funding is capped or the pass-through of FFP to the Locality would cause a reduction in FFP to another locality or to a program administered directly by VDSS.

2.3 The Locality agrees to reinvest the additional FFP received under this agreement to enhance and expand its human service programs or to develop new initiatives to better meet social service needs identified by Locality in collaboration with the VDSS, localities, and community-based organizations participating in coordinated activities.

2.4 The Locality agrees that no portion of the additional FFP received under this agreement will be used to supplant local or other funding for social or other services that are part of this agreement, unless a written exception is approved by VDSS.

ARTICLE 3

LIABILITY

3.1 The Locality agrees to assume full responsibility for any financial obligations resulting from disallowances by the Federal Government of Federal reimbursements "received" by and attributable to Locality expenditure claims, pursuant to the terms of this agreement.

3.2 In the event that a Federal disallowance results in a loss of funds under this agreement, the Locality will make reimbursement to VDSS upon the final determination of any appeal made to the Federal government made by VDSS on behalf of the Locality.

3.3 Notwithstanding the obligation of the Locality to make full reimbursement as provided above, this Agreement authorizes VDSS to deduct any and all amounts disallowed by the Federal government from payments that would otherwise be made by VDSS to the Locality.

ARTICLE 4

AMENDMENTS

4.1 Either party may initiate a request to amend this Agreement by sending written notice, mailed first class, postage prepaid, to the following addresses.

If to VDSS:

Mr. Kent Jorgensen, Acting Project Manager
Department of Social Services
Commonwealth of Virginia
730 E. Broad Street
Richmond, Virginia 23219-1849

If to the Locality:

Ms. Wendy Ralph, County Administrator
Dinwiddie County
P. O. Drawer 70
Dinwiddie, VA 23872

Unless a shorter period is agreed to, amendments must be submitted at least thirty (30) working days in advance of there proposed effective date.

4.2 The non-initiating party shall respond to the amendment request within thirty (30) working days of its receipt. Amendments must be approved in writing by both parties and executed by persons authorized to bind the respective parties.

ARTICLE 5

TERMINATION

5.1 This agreement shall cover all properly documented services provided by the Locality that are subsequently submitted to the VDSS for allowable federal reimbursement within the terms of this agreement and within the federally defined timeframes for reimbursement. This agreement shall remain in effect until either party notifies the other party of its intent to terminate the agreement.

5.2 Termination shall take effect no sooner than 60 days after written notification by one party to the other, unless an alternative date is agreed upon. Such notification will be mailed first class, postage prepaid, to the address listed in Section 4.1, above. If the Agreement is so terminated, then each party shall within sixty (60) working days of the termination date reimburse the other party for any monies owed.

5.3 The VDSS reserves the right to cancel and terminate this agreement, in part or in whole, without penalty, upon 60 days written notice to the Locality. Any contract cancellation notice shall not relieve either party of the obligation to deliver and/or perform on all outstanding deliverables prior to the effective date of cancellation.

ARTICLE 6

RETENTION AND REVIEW OF RECORDS

6.1 Both parties, or their agent(s), agree to retain all books, records, and other documents which are relevant to this Agreement for no less than three (3) years after the date of the final report for the applicable period; a resolution of audit findings; or disposition of non-expendable property, whichever is later.

6.2 The Locality agrees that VDSS or its agent(s) shall, during the term of the Agreement and for three (3) years after the date of the final report for the applicable period, have reasonable access to and the right to examine any documents and financial records pertaining to the Agreement for the purposes of an audit of the payments made as a result of the Agreement.

6.3 The Locality agrees to include the terms of this agreement, by reference, in all subagreements or cooperative agreements with other entities providing services to the people of the Locality where the pass-through of Federal funding to those entities is contemplated.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement as of the day and year first written above.

For VDSS:	**For the Local Department:**
Signature of Authorized Agent	Signature of Local Department of Social Services Director
David A. Mitchell Name of Authorized Agent (Printed or Typed)	Name of Authorized Agent (Printed or Typed)
Deputy Commissioner Title of Authorized Agent (Printed or Typed)	Director Title of Authorized Agent (Printed or Typed)
Date	Date

For the Locality:	**Counsel for the Locality:**
Signature of Local Government Official	Signature of Counsel
Name of Authorized Agent (Printed or Typed)	Name of Counsel (Printed or Typed)
Title of Authorized Agent (Printed or Typed)	Title (Printed or Typed)
Date	Date

ATTACHMENT A
SCOPE OF SERVICES FOR TITLE IV-E FOSTER CARE
PREPLACEMENT PREVENTION PROJECTS

ADMINISTRATION OF THE TITLE IV-E STATE PLAN

A. Dinwiddie Social Services maintains a partnership with various community agencies in the provision of preventive services to families and children. As it relates to Title IV-E foster care and foster care pre-placement prevention, such services will include the provision of case management and other Title IV-E allowable administrative support activities to children and families of children for the purpose of maintaining a safe and stable in-home family setting for the child or to plan out of home placement.

B. Among the Title IV-E Foster Care Prevention services to be provided, the LDSS and partner(s) will be responsible for determining when a child receiving services from the partner(s) may be considered to be a reasonable candidate for foster care (including all forms of out-of-home care). "Reasonable candidates" are those children for whom there is:

- an eligibility determination form which has been completed by VDSS or a local department of social services to establish the child's eligibility under Title IV-E; or

- evidence of court proceedings in relation to the removal of the child from the home (e.g., a petition to the court, a court order, or a transcript of the court's proceedings); or

- a defined case plan which clearly indicates that, in the absence of effective preventive services, foster care or other out-of-home placement is the planned arrangement for the child.

C. With respect to those children determined to be "reasonable candidates," the partner(s) agrees to perform administrative functions that are necessary for the proper and efficient administration of the Title IV-E State Plan. These functions may include such administrative activities as:

1. referral to services,

2. preparation for and participation in judicial proceedings,

3. development of the case plan,

4. case reviews,

5. case management and supervision, and

6. a proportionate share of related agency overhead.

D. The LDSS will maintain files at the LDSS showing evidence of the LDSS determination of reasonable candidacy. The determination of reasonable candidacy will be documented every six months in the service plan or a suitable addendum as prescribed by VDSS.

E. The LDSS and partner(s) shall cease claiming Federal financial participation (FFP) for the administrative costs related to Title IV-E pre-placement prevention with respect to a child once that child is no longer considered to remain a "reasonable candidate."

Once a child has been determined to be a "reasonable candidate" for foster care, that child shall remain a reasonable candidate until one of the following three events take place:

1. Ages out - The child reaches his/her 18th birthday or up to the month a child completes his/her educational program if the child is expected to complete that educational program by or within the month of his/her 19th birthday; or

2. Status changes - The child is no longer a "reasonable candidate," that is:

a. the child is removed from his/her home and placed in out-of-home care; or

b. the child becomes ineligible for Title IV-E (if that was the criterion upon which reasonable candidacy was based); or

c. the judicial proceedings related to the child are changed to reflect the fact that placement of the child in out-of-home care is no longer the planned arrangement for the child (if that was the criterion upon which reasonable candidacy was based); or

d. the LDSS or partner(s), acting under the terms of a written agreement with the LDSS, determines that absent preventive services, out-of-home care is no longer the planned arrangement

for the child (if that was the criterion upon which reasonable candidacy was based); or

3. Times out - Six months have elapsed since the child was last determined to be a reasonable candidate ***OR*** a longer period if conditions have not changed (the same or reasonably equivalent conditions that led the child to be a reasonable candidate continue to exist for the child).

IN RE: CITIZEN COMMENTS

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

1. Jerry and Sharon Reed – 20185 Hunnicut Road, Dinwiddie, Virginia - came forward asking the Board to intervene in the unfair taxation of real estate taxes by the Commissioner of the Revenue on their home. Mr. and Mrs. Reed stated they called the County to get the assessment on their home this year and discovered there has not been an assessment done by the Commissioner. Mrs. Reed said they have lived at 20185 Hunnicut Road since August 31, 2001 but the Commissioner had not billed them for the taxes on the house. She commented she had been paying taxes on the land but not on the house. Mrs. Reed told the Board she had no way of knowing the taxes did not include the house because it was paid through the mortgage company. She said she spoke with Mrs. Marston and was told she had not had the opportunity to come out and do the assessment because it had been too wet, her mother was terminally ill, she did not have sufficient staff to do the assessment and her daughter was getting married; every excuse under the sun was given to them by Mrs. Marston to justify her not doing the assessment. Mrs. Reed commented it was not their fault that Mrs. Marston had not or could not do her job and they should not be penalized for this. Recently they received a bill for back taxes from August 31, 2001 and have been given 30 days to pay them by the Treasurer. Mr. Bowman explained to Mrs. Reed that Mrs. Marston is an elected official and the Board has no control over her office. He did comment that the County has had numerous complaints about the Commissioner but there was nothing the Board could do about the situation. Mr. Bracey interrupted --- Mr. Bowman, stating he did not think this couple was asking that the taxes be removed he felt they were asking for the Commissioner to work with them so they could pay the taxes. It is not their fault that the Commissioner did not do her job and they should not have to come up with all this money in 30 days. Mr. Bracey stated the County Treasurer has worked with people in the past and allowed payments to be made over an extended period of time and these people should be given that opportunity also. He asked the County Administrator if the Treasurer had worked with other people in the past by allowing them to pay their taxes over an extended period of time. The County Administrator pointed out that the couple was not asking that the taxes be removed they intend to pay; they just needed an extension. She stated there have been incidences when the Treasurer has been able to work with individuals in similar cases. Mr. Bowman asked Mr. Bracey if this was a motion. Mr. Bracey responded it certainly was.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, instructed the County Administrator to write a letter to the Commissioner

and the Treasurer on behalf of Mr. and Mrs. Jerry Reed asking those offices to work with the couple in order to allow them sufficient time to pay the past two years of real estate taxes on their property located at 20185 Hunnicut Road, Dinwiddie, Virginia, if the problem was created by the County.

2. Loren Million – 25118 Smith Grove Road, Petersburg, Virginia – spoke on behalf of Bryan and Teresa Wallace; he stated they are members in good standing at his Church and he was not opposed to him opening and operating a tattoo parlor in the County.

3. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia - spoke on the following subjects: a) Under the Freedom of Information Act he requested information on whether Mr. Clay, member of the Board of Supervisors and Mr. McCray, member of the Planning Commission are in violation of the Conflict of Interest Act and "ethics" also; he requested a copy of the contracts and the proposals for the bids. b) Funds County has spent on attorneys for the Virginia Bio Fuels case. c) He discussed the need for new school buildings in the County. d) He stated the Board took the vote on the tattoo parlor issue and it is a mute issue. e) He asked what the "G.P.S." was and how it would work. f) FOIA request for the Board members to supply any documents/information on whether the attorneys or staff of Tidewater Quarry withdrew their request because of the election.

4. Eva Bratschi – 23500 Cutbank Road, McKenney, Virginia – came before the Board stating she was disturbed about the amount of debt the County is in. She also commented she felt a full-time County Attorney would be cheaper than using the present law firm, which represents the county. She also presented the following FOIA requests for a) County Budget b) County outstanding debt to date.

5. Jay Franklin – 25525 Buck Lane, Petersburg, Virginia – spoke on behalf of Bryan Wallace and his request for a Tattoo Parlor.

6. Bryan Wallace – 25520 Doe Drive, Petersburg, Virginia – stated he hoped the Board would reconsider his Tattoo Parlor request soon because he has been paying rent on a building in the County for the past six and a half months.

7. Steve Dixon – 25550 Doe Drive, Petersburg, Virginia - spoke on behalf of Bryan Wallace and his request for a Tattoo Parlor.

Mr. Bracey asked the County Attorney exactly what the Board's action in regard to the public hearing on the Tattoo Parlor was. Ms. Phyllis Katz, County Attorney, requested that the Clerk to the Board read the action on both cases for the Board.

The Clerk stated for Zoning Amendment A-03-3, "Mr. Moody stated, 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, I move that Zoning Amendment A-03-3 be approved by the Board of Supervisors. There was no second. The Chairman declared that the Motion died.

The Clerk stated regarding the action for the addition to the County Code to include the definition of a tattoo parlor to section 22-1, Definitions. Mr. Bowman called for a motion after the Board discussed the issue. There being no motion the Chairman declared the issue dead. Mr. Moody stated he would like to make a motion; however, Mr. Bowman stated it was too late because he had declared the issue dead."

Mr. Bracey commented he hoped the Board's decision had not hurt Mr. Wallace's chance to make a living. This is one of the reasons that the Board needs to have a set of rules to govern the way it votes on issues. He commented he has been the Chairman and it is a difficult position to be in; but he felt it would be easier it they had an established set of rules to govern the Board. Even though there was no second to the motion the Board still should have voted on the issue. A heated discussion ensued between Mr. Bracey and Mr. Bowman regarding the Chairman's call on the two cases. Mr. Bowman stated he was the Chair and he made the decision, and he stood by his decision. The County Attorney was asked what options the Board had regarding the cases. Mrs. Katz stated since the Board took no action under the Code you have a year to make a decision. Continuing, she informed the Board that she was prepared to give legal advice in closed session regarding their options for these cases. Mr. Bracey reiterated, but have we treated Mr. Wallace fairly?

IN RE: PUBLIC HEARING – TO PROHIBIT OR RESTRICT THROUGH TRUCK OR SEMI TRAILER COMBINATION TRAFFIC ON STATE ROUTE 226 (COX ROAD)

This being the time and place as advertised in the Monitor on July 23, 2003 and July 30, 2003, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on whether the Board will make a formal request to the Commonwealth Transportation Board, or its designee, to prohibit or restrict the use by through traffic (by any truck or truck and trailer or semi trailer combination - but not a pickup or panel truck) on State Route 226 – Cox Road – located in the County.

Mr. W. Kevin Massengill, Assistant County Administrator, gave a brief synopsis of the steps, which have been taken to prohibit truck traffic on Route 226. He commented the General Assembly passed legislation to prohibit or restrict truck traffic on primary highways. He pointed out that after the public hearings have taken place to get input from citizens it would be up to the Board to make a formal request to the Commonwealth Transportation Board, or its designee, to prohibit or restrict the use by through traffic (by any truck or truck and trailer or semi trailer combination – but not a pickup or panel truck) on State Route 226 – Cox Road – located in the County.

Mr. Bowman opened the public hearing for citizen's comments. The following persons spoke in favor of prohibiting or restricting through truck traffic on Route 226:

1. Calvin Milton – 25702 Cox Road, Petersburg, Virginia
2. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia
3. Betty Bowen – 5110 Sterling Road, Petersburg, Virginia
4. Michelle Parker – 6812 Duncan Road, Petersburg, Virginia
5. Epsie Carter – 5309 Chesdin Road, Petersburg, Virginia
6. Gloria S. Matthews – 5319 Chesdin Road, Petersburg, Virginia

The following persons spoke in opposition to prohibit or restrict the use by through traffic (by any truck or truck and trailer or semi trailer combination) on Route 226:

1. James Harvell – Carson, Virginia
2. J. C. Williams – 4080 Tavern Road, Disputanta, Virginia

Mr. Bowman closed the public hearing.

Mr. Bowman commented there was no intent of the Board to create a hardship on the truck drivers but he had received more complaints about the truck traffic on Rt. 226, since he has been a member on the Board, than any other issue including the proposed quarry. He stated Dinwiddie County is growing and changing and it is not 1960 anymore and things have changed.

Population has increased tremendously with the addition of the subdivisions, which has caused an increase in the possibility of accidents. All we are trying to do is to prevent something from happening and make Dinwiddie a better place to live. You just can't have heavy industrial and residential in the same area without having these problems. He thanked Vulcan for their assistance in posting signs and cooperating with the county also.

Mr. Clay stated he sympathized with the truck drivers because they were just trying to make a living and it would be a hardship for them if they have to travel the extra distance. He commented he wanted to do what is best for the citizens but felt the broken windshields were a result of people following too close to the trucks.

Mr. Haraway commented he had a lot of folks here tonight from his district and the message he heard during the citizen comment period was that they would like to see the Board pursue the matter of restricting through truck traffic on Rt. 226. He asked for a show of hands for anyone who lives in Dinwiddie County that does not want the Board to pursue the elimination of truck traffic (three persons raised their hands). He then asked for those who would favor restricting truck traffic. Mr. Haraway commented this was an indication that the matter should be pursued.

Mr. Bracey voiced his concern that the Board was tampering with the livelihood of a lot of people if it restricted truck traffic on Rt. 226. These truckers don't make any money if their trucks aren't moving and they should choose the closer route, it only makes sense. He also commented the rock quarry was there before the subdivisions were built. He asked do we want to close Vulcan down? The Board should look into this situation a lot closer before it acts on restricting truck traffic because it is a matter of economics.

Mr. Moody said he would like to get some updated information from VDOT before making a decision. Mr. Bowman agreed. He commented he was taken aback because neither the Director of Planning nor VDOT representatives were at the meeting.

The County Administrator stated she did not know that the Board wanted any additional input from them but they would be at the next public hearing.

The next public hearing is scheduled for September 2, 2003 at 7:30 P.M.

IN RE: **PUBLIC HEARING – A-03-6 --TO AMEND SECTION 19-168 AND SECTION 19-169 OF ARTICLE XIV OF CHAPTER 19 OF THE DINWIDDIE COUNTY CODE TO ELIMINATE CERTAIN LIMITATIONS RELATING TO THE PARTIAL TAX EXEMPTIONS FOR CERTIFIED POLLUTION CONTROL EQUIPMENT AND FACILITIES LOCATED IN AN ENTERPRISE ZONE AND CERTIFIED RECYCLING EQUIPMENT LOCATED IN AN ENTERPRISE ZONE**

This being the time and place as advertised in the Monitor on July 23, 2003 and July 30, 2003, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on a proposed ordinance of the County of Dinwiddie, Virginia to amend Section 19-168 and Section 19-169 of Article XIV of Chapter 19 of the Dinwiddie County Code to eliminate certain limitations relating to the **partial tax exemptions** for certified pollution control equipment and facilities located in an enterprise zone and certified recycling equipment located in an enterprise zone.

The County Administrator explained what the Board is considering tonight is to lift the caps on the tax exemptions for certified pollution control equipment and facilities located in an enterprise zone and certified recycling equipment

located in an enterprise zone. The changes will eliminate the current limitations in the Enterprise Zone Ordinance on available tax incentives for Certified Recycling and Pollution Control Equipment and provide for a period of incentives corresponding to the original tax incentives.

Mr. Bowman stated he noticed a payment in the amount of $26,000 to $28,000 a month that is made to the water authority for the Chaparral project each month on the claims. He asked if the County had gained enough money to completely pay that project off? The County Administrator replied according to the analysis right now, the County could pay that off if that is what the Board desires to do. Mr. Bowman asked what the amount was for the bond issue for that project? Mrs. Ralph stated it was roughly $5 million dollars. Mr. Bowman requested a detailed list of the original bond issue and the amount owed. The County Administrator replied, since the Board is not taking action tonight on the ordinance, she would get that information to him. He also requested a copy of the original inducement agreement. She replied that the agreement is not public information at this point because it is not finalized; but she would provide a copy to him.

Mr. Bowman opened the public hearing. The following persons came forward to speak in favor of or in opposition to the ordinance.

1. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia
2. Barbara Wilson – 8804 Duncan Road, Petersburg, Virginia
3. Eva Bratschi - 23500 Cutbank Road, McKenney, Virginia

Mr. Bowman closed the pubic hearing.

Mr. Bracey asked if there was a simple way to explain what an enterprise zone was? Mr. Bowman requested that the County Attorney prepare a one-page briefing for the next meeting to explain what it is. The Assistant County Administrator stated he would prepare that for the Board and citizens.

The Chairman stated action would be taken on the ordinance at a later date.

IN RE: RESOLUTION – SUPPORT FOR EDUCATION FUNDING FOR VIRGINIA'S STUDENTS

Upon motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," this Education Resolution was adopted:

A RESOLUTION IN SUPPORT OF VIRGINIA'S STUDENTS

Whereas, many students in Virginia's public schools are at-risk of not learning what is required to earn a high school diploma, enroll in a college or university or enter the job market, and even the successful students who graduate are affected by schools struggling to provide the level of educational quality they need and deserve; and, whereas, teachers often find they do not have the tools or training necessary to teach the subjects mandated for achievement of state standards and teachers' salaries and the uncertain state support of salaries do not provide the kind of incentives that attract and keep the most talented professionals, and,

Whereas, state funding for public education does not reflect the true cost of constructing, staffing, equipping, operating and maintaining schools that perform at the level needed to support the foundation for standards of quality and learning, and the costs of educating at-risk students create additional fiscal pressures on many school systems, and, whereas, not only are students being left behind, taxpayers are seeing the increasing burden of higher local real estate tax rates as local governments try to pay both their share and the state's share of

education costs, and, when Virginia's students plan for higher education, they face additional challenges because legislative reports also have verified that appropriate levels of funding have not been achieved for higher education, and one of the worst results of reduced funding for college students is that so many qualified Virginia students are denied admission because the faculty, buildings, and equipment are simply not there to accommodate them, and;

Whereas, the effects of being left behind without a high school diploma or a college degree, especially for an at-risk student, are compelling. A Virginian who has a high school diploma earns a lot more than one who does not. A degree from a community college means more, and a four-year college degree means even more. Education literally pays, in addition to its other quality-of-life benefits.

Therefore be it resolved that, the County of Dinwiddie, Virginia urges the elected members of the General Assembly to commit to work for additional state dollars to fully fund the actual costs of the Standards of Quality and the legislative guidelines for higher education funding. These actions are essential if our elementary, middle and high schools, community colleges and four-year colleges and universities are to meet the following goals:

- Smaller classes in schools and colleges where teachers and faculty can provide students the individual attention they need to learn and graduate on time;
- Sufficient numbers of well-qualified teachers and faculty to give every student the opportunity to graduate from high school and to have access to higher education and opportunities for training and skill development;
- Competitive salaries to attract and keep well-qualified teachers and faculty to help students learn;
- Modern, safe classrooms, laboratories, technology and equipment to provide the environment in which students learn best;
- Accountability and performance measurement at all levels for students, teachers, faculty, administrators and others responsible for helping students learn.

_____
Signature

_____
Title

_____
Organization

_____
Date

IN RE: AUTHORIZATION TO PROCEED WITH PUBLIC AWARENESS CAMPAIGN

The County Administrator commented she did not think there would be a lot of expense to run a few press releases and/or public service announcements for the public awareness campaign for State funding. She asked the Board if they wanted her to proceed with the campaign.

Upon motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the County Administrator was authorized to move forward with the public awareness campaign for State funding.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. VDOT requested that the Board set some dates to hold a work session in September to discuss the Six-Year Secondary Road Plan and then have the public hearing in October. She suggested that the Board come in early on September 2, 2003 before their regular meeting. The Board agreed.
2. It is time for the County to perform the general reassessment and there should be an RFP that will be going out soon. There would be a request to enter into a contract for those services.
3. A request was enclosed in the Board packets from an organization called "Save Our Kids" (SOK) for a $1,000 donation to help defray legal expenses for their case against the State (Sexual Predator Program). The County Administrator stated there are some legal requirements that the organization would have to meet and those are outlined in the State Code. The Board suggested that the County Administrator pursue whether the organization is eligible to receive contributions or not. Mrs. Ralph commented that a similar letter was sent to the City of Petersburg Council and they have not met to determine what their official action might be. Mr. Moody suggested that the money might be better spent on lobbying efforts to make sure the General Assembly funds a permanent facility somewhere else. Mr. Bowman pointed out that the General Assembly could also strengthen the laws for enforcing stronger sentencing to make certain the perpetrators are kept in prison instead of having to build these facilities.
4. The Board was requested to check to see if they had any available dates to meet with the School Board to discuss the school improvements.

IN RE: BOARD MEMBER COMMENTS

Mr. Bracey — He asked where did the comment come from that the County is broke or in debt? He stated according to the report given by Robinson, Farmer, Cox Associates to the Board the County is doing very healthy financially. He said is it necessary for Administration to meet with individuals to meet with the citizens to straighten out this situation. But as far as he knows this County is doing well. He stated the Bio-Fuels situation does need some explaining, after the attorney finishes with litigation. Mr. Bowman agreed with Mr. Bracey. Mr. Moody stated he echoed Mr. Bracey's sentiments.

Mr. Moody — He also commented another thing that keeps' coming up is about the industries leaving after five years because of the big tax breaks. The only tax break they get is if they are in the enterprise zone and even if they leave they still owe the real estate taxes on that building. We lose jobs if they leave but we definitely don't lose revenue.

Mr. Clay — He commented he agreed with Mr. Bracey and Mr. Moody. He stated if the County had not had the Attorney's in the Bio-Fuels case defending us the County would owe a lot more money in law suits than we do now.

Mr. Haraway — He stated he was concerned that during the Citizens Comment period that people acquire the wrong information and there were a lot of people that left the meeting thinking that the County owes over a million dollars in legal fees. He

asked the Board members to consider having the County Administrator at the conclusion of the comment period when there is a false statement made to have her correct that statement. All of the Board members agreed. Mr. Moody interjected that the comment period is just what it is a citizen comment period and he felt the Board should stick to that.

IN RE: RESPONSE TO INCORRECT STATEMENTS DURING CITIZEN COMMENT PERIOD

Upon motion of Mr. Haraway, Seconded by Mr. Bracey, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the County Administrator was instructed to correct any false statement made by any citizen during the Citizen Comment period.

IN RE: BOARD MEMBER COMMENTS – CONT'

Mr. Bowman — He commented he would not be able to attend the next Board meeting on August 19, 2003.

IN RE: CLOSED SESSION

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

> **Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia** – to discuss tattoo parlor; **Industrial §2.2-3711; A. 5; Personnel §2.2-3711 A. 1** – Revenue Maximization, Buildings and Grounds, Community Service Work Coordinator (Part-time); **Acquisition of Property §2.2-3711 A. 3**

Mr. Bracey seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 9:31 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 11:18 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under §2.2-3711 A.7 of the Code of Virginia Consultation with Legal Counsel – Tattoo Parlor; Personnel - §2.2-3711 A. 1 – Revenue Maximization, Buildings and Grounds, and Community Service Work Coordinator (Part time); Industrial - §2.2-3711 A. 5; Acquisition of Property - §2.2-3711 A.3.

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

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

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

IN RE: AUTHORIZATION TO ADVERTISE BUILDINGS AND GROUNDS DIRECTOR POSITION

Upon motion of Mr. Clay, Seconded by Mr. Moody, Mr. Bracey, Mr.

Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," Staff was authorized to advertise the position of Director of Buildings and Grounds which will be vacant September 30, 2003.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter from County Administrator to Ronald V. Joiner regarding the 2003 Madison Family Reunion in the County.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the meeting adjourned at 11:23 P.M. to be continued until Wednesday, August 13, 2003 at 4:00 P.M. to hold a joint meeting with the School Board to discuss school improvements.

Robert Bowman, IV, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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 13th DAY OF AUGUST, 2003, AT 4:00 P.M.

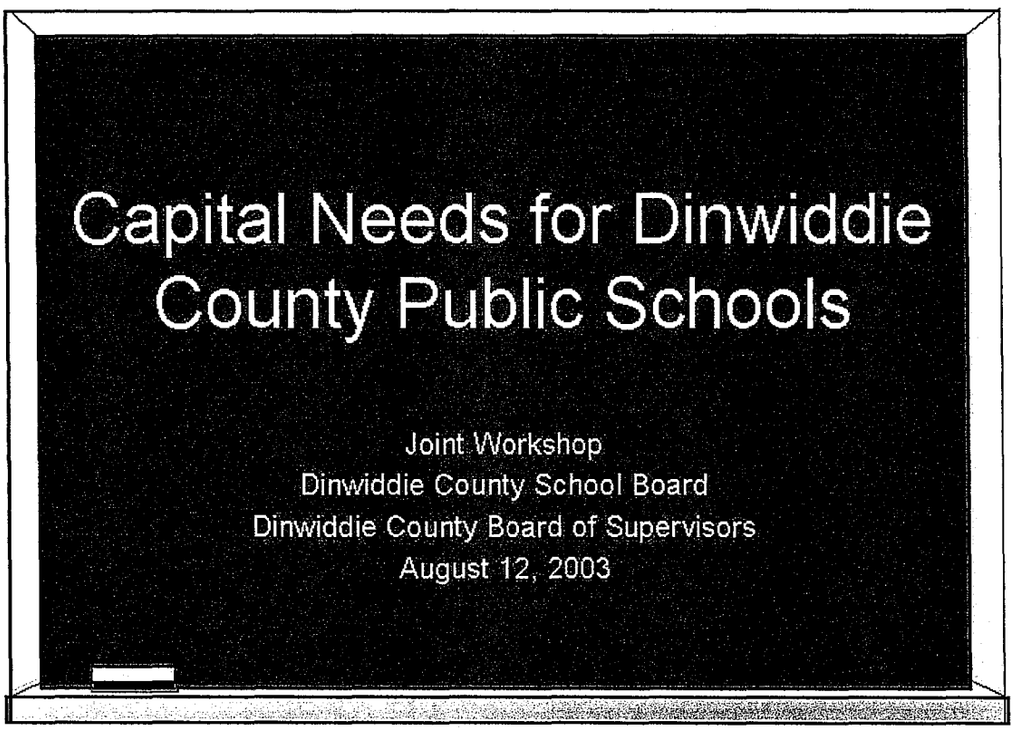
PRESENT:	ROBERT L. BOWMAN IV - CHAIR	ELECTION DISTRICT #3
	DONALD L. HARAWAY – VICE CHAIR	ELECTION DISTRICT #2
	HARRISON A. MOODY	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.,	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5

==========

Mr. Robert Bowman, IV, Chairman, called the continuation meeting to order at 4:00 P.M.

IN RE: JOINT MEETING WITH SCHOOL BOARD -- DISCUSSION CAPITAL IMPROVEMENTS

The two Boards met to discuss improvements to the schools. Dr. James Lanham, Assistant Superintendent of Administration, presented the following information to both Boards.



Background Information

- January, 2002
  Dinwiddie School Board issues and accepts RFP submissions for Architectural/Engineering Services for Educational Facilities Study and Attendance Zone Revision after obtaining funding from Board of Supervisors

- March, 2002
  Dinwiddie School Board engages BCWH Architects and consulting team to complete Facilities Study and Attendance Zone Revision

Background Information

- March - June, 2002
  Phase I - elementary rezoning . GIS for school system developed to analyze data. Several scenarios were developed and community meetings held. This was completed in June 2002 and implemented for the 2002-2003 school year.

- March – November, 2002
  Phase II - complete review of all school and support facilities resulting in a 10-year Capital Improvement Plan and a Strategic Plan for School Facilities Improvement. Six different long range facility scenarios to meet the needs of the school division for the next decade were developed.

Background Information

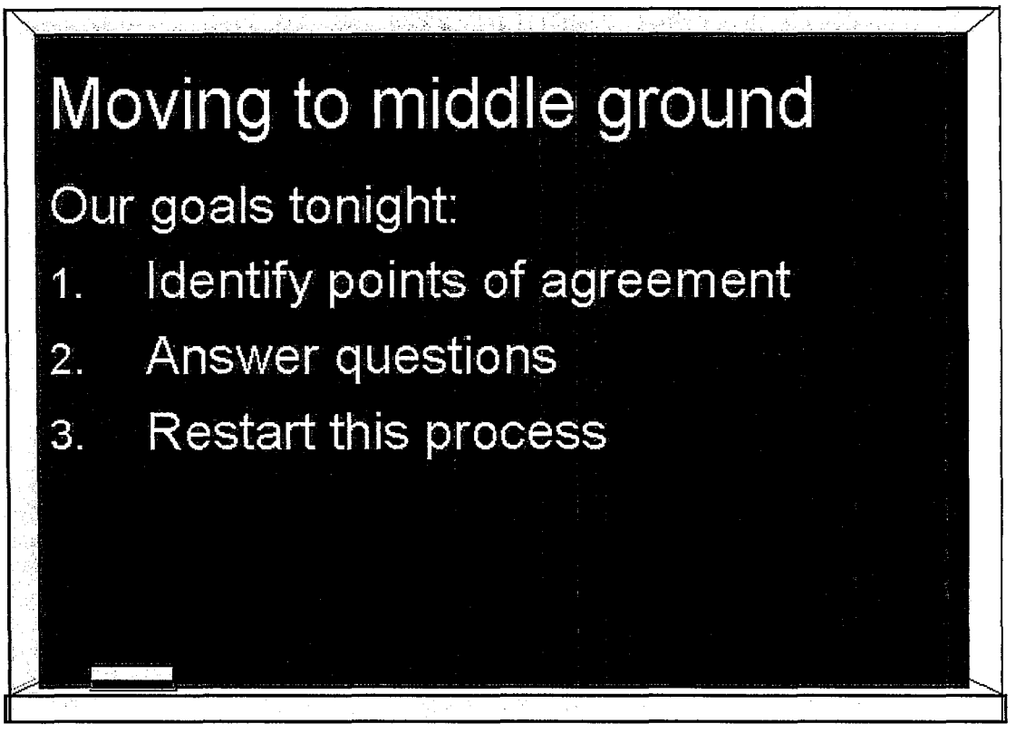
- December, 2002
  School Board endorses Long Range Facility Scenario I which called for:
  - New Rohoic Elementary to ease overcrowding and accommodate future growth
  - New High School to ease overcrowding and accommodate future growth and new programs
  - Renovated High School for Middle School to accommodate all middle school population in one building
  - Reuse of Middle School for School Board, Alternative Ed., and Head Start

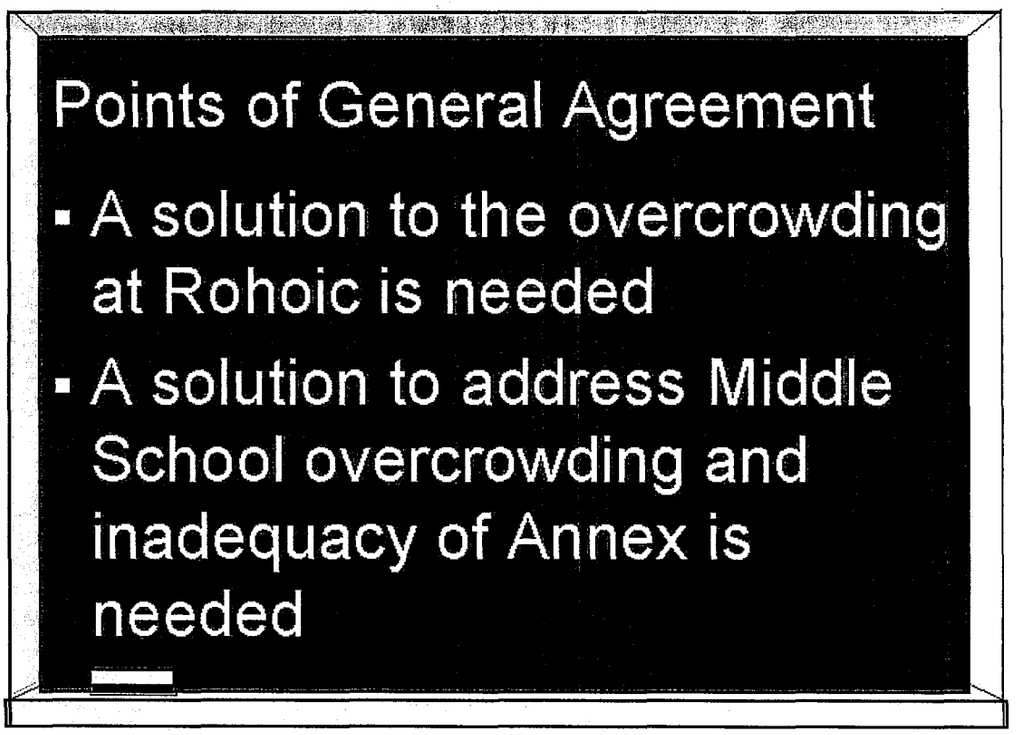
Background Information

- January – June, 2003
  Scenario 1 presented as recommendation of School Board to the Board of Supervisors.

  Board of Supervisors expressed concern regarding high cost of all scenarios, asked for clarification, suggested alternatives.

  Board of Supervisors tour high school, middle school and Rohoic.


Moving to middle ground
Our goals tonight:
1. Identify points of agreement
2. Answer questions
3. Restart this process

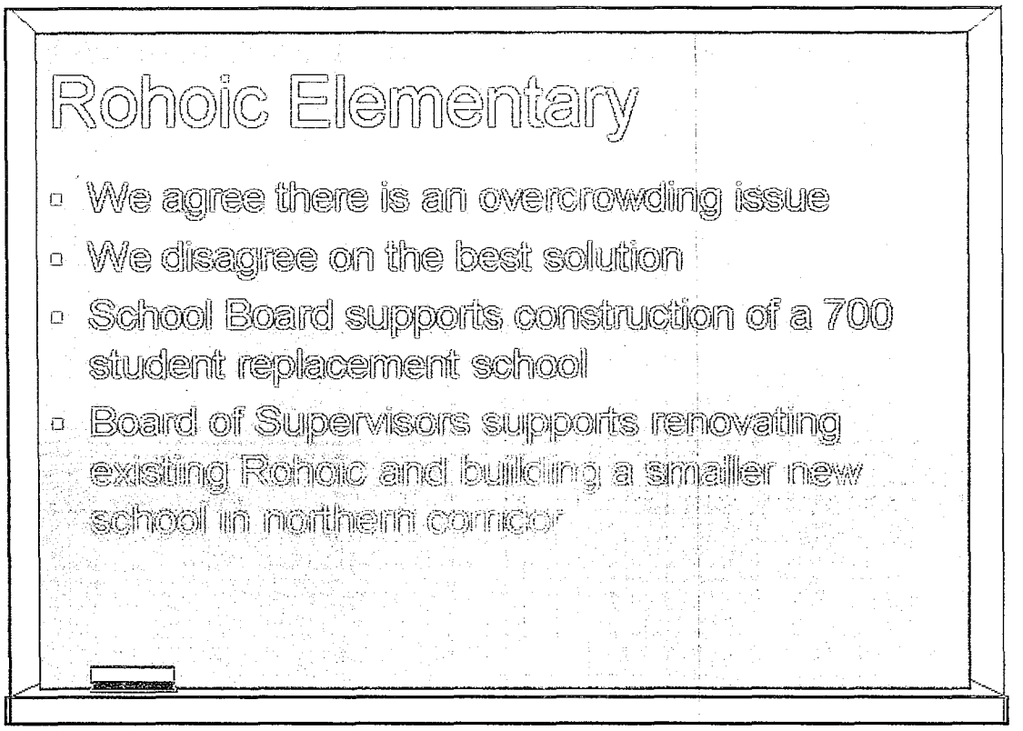

Points of General Agreement
▪ A solution to the overcrowding at Rohoic is needed
▪ A solution to address Middle School overcrowding and inadequacy of Annex is needed

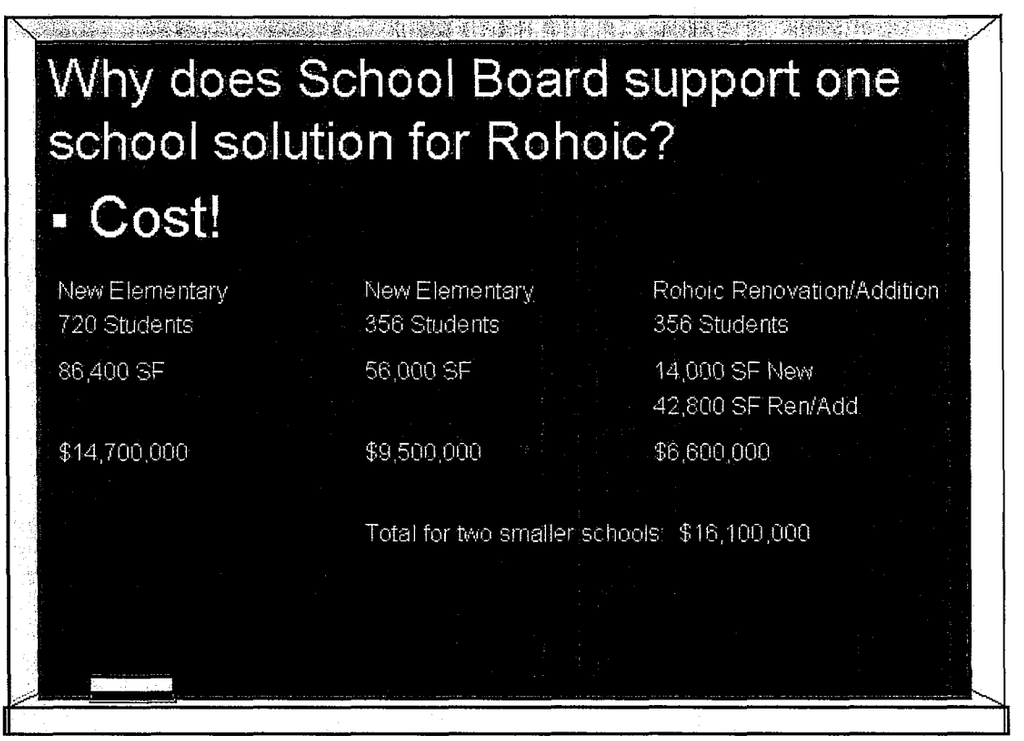
Current Points of Disagreement

- Long term capital needs at Dinwiddie High School
- Long term capital needs at Southside and Sunnyside

Other Related Issues to Consider

- Long term solution to school bus replacement issue
- Maintenance of existing facilities
- Alternative School, School Board Office Space, and Head Start Space
- Completion of final planning estimates for 10-year CIP for budget development


Rohoic Elementary
We agree there is an overcrowding issue
We disagree on the best solution
School Board supports construction of a 700 student replacement school
Board of Supervisors supports renovating existing Rohoic and building a smaller new school in northern corridor


Why does School Board support one school solution for Rohoic?
Cost!
New Elementary 720 Students
86,400 SF
$14,700,000
New Elementary 356 Students
56,000 SF
$9,500,000
Rohoic Renovation/Addition 356 Students
14,000 SF New
42,800 SF Ren/Add
$6,600,000
Total for two smaller schools: $16,100,000

Why does School Board support one school solution for Rohoic?

- **Cost!**

  Utility Costs – Cost of operating more area with two schools (112,800 square feet vs. 86,400 square feet) is over $300,000 in utility costs over ten years.

  Duplication of Staff – two schools require more staff due to duplicated teachers and support staff: over $5 million in ten year period.

  Reduction of duplicate bus routes would save money in transportation.

Why does School Board support one school solution for Rohoic?

- **Meeting long-term needs**

  A new school could be built with core facilities to support future expansion for continued growth.

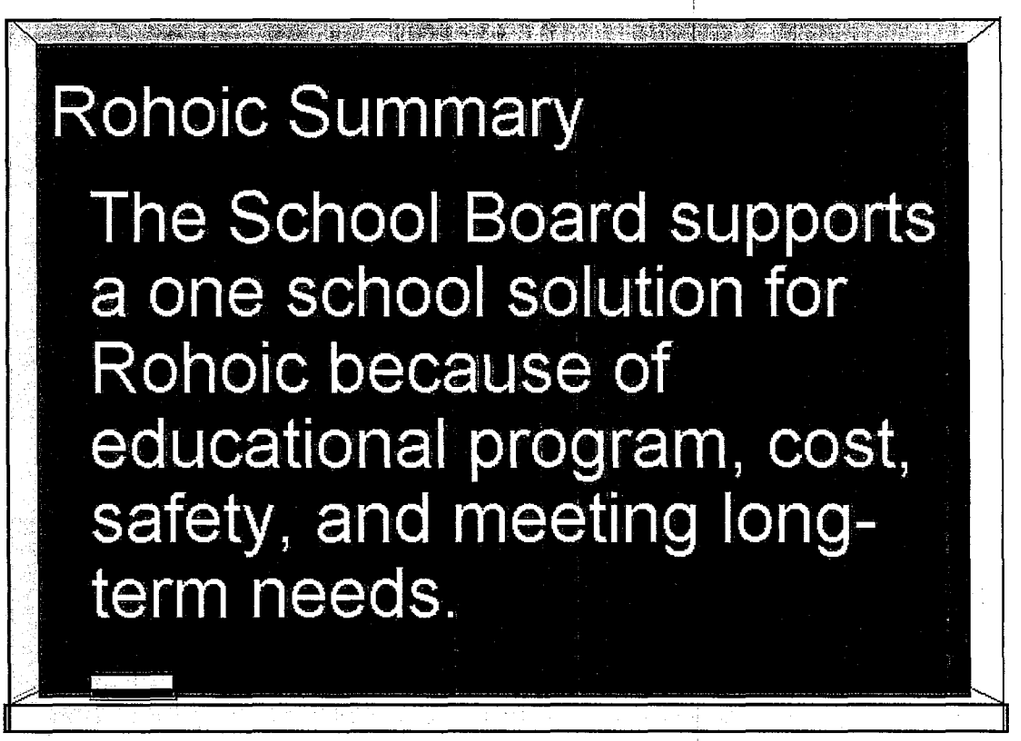
- **Demographic Concerns**

  One school solution would produce school with a more balanced demographic mix. Two school solution could produce two schools with very different student populations.

- **Safety**

  Concerns about existing site- traffic, access, safety.


Aren't small schools better than larger schools?
Most communities are building elementary schools with larger capacities. However, design of these schools groups students together by age (K& 1, 2 & 3, 4&5) in pods or wings - school within a school concept.
Across state and region students in larger schools perform at the same level as students in smaller schools.
Larger schools can offer more diverse learning opportunities for meeting a wider variety of student needs.
Most growing communities can't afford luxury of smaller schools


Rohoic Summary
The School Board supports a one school solution for Rohoic because of educational program, cost, safety, and meeting long-term needs.

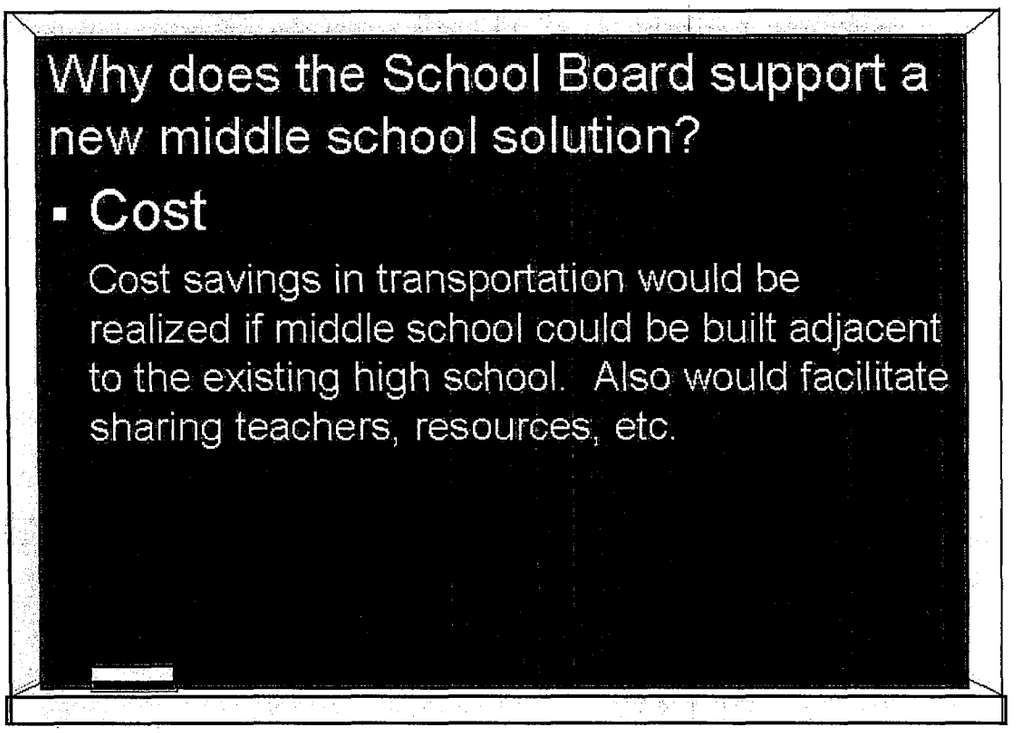
Dinwiddie Middle School

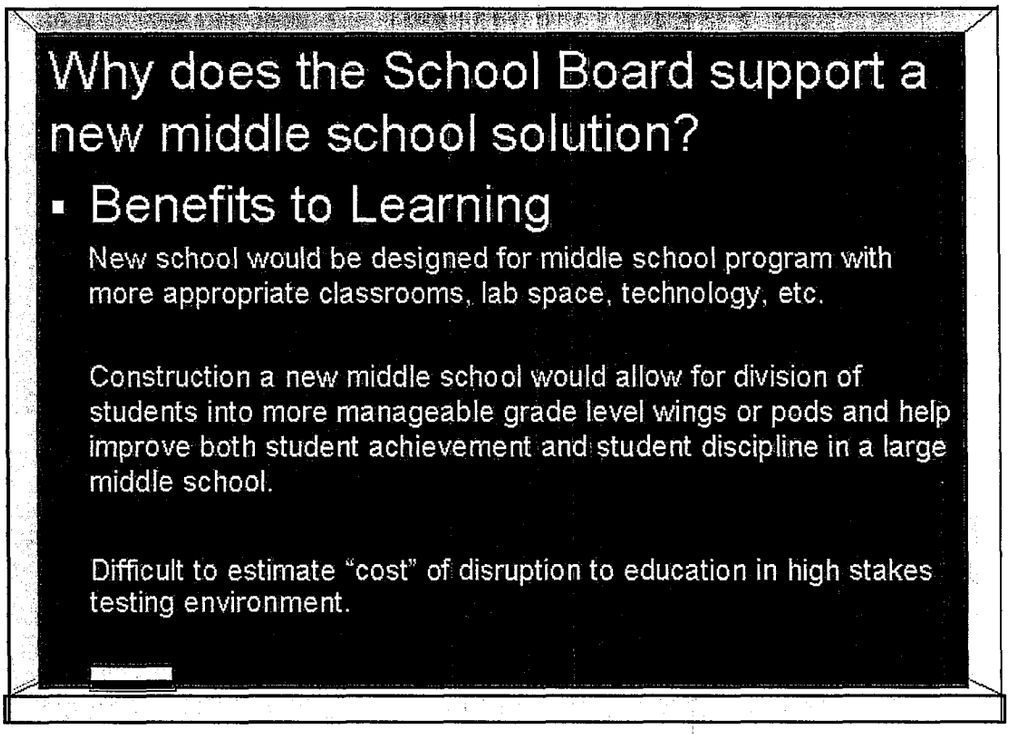
- We agree that there are a number of problems at the current middle school including crowding, the annex, cafeteria location, traffic and transportation concerns.
- We disagree on the best solution
- Scenario 1, when endorsed by the School Board, recommended renovating the existing high school for a middle school after a new high school was constructed.
- Without full support of a new high school, the School Board supports construction of a new 1350 student middle school
- Board of Supervisors supports additions to existing Middle School for 1350 students

Why does the School Board support a new middle school solution?

- Cost!

New Middle School 1350 Students	Dinwiddie Middle School Addition/Renovation 1350 Students
175,000 SF	90,000 SF New Construction 86,600 SF Renovation
$29,700,000	$21,000,000
Cost includes land acquisition.	Renovation estimates **do not** include costs of phasing construction, relocating students during construction (or trailers), additional right-of-way acquisition, land acquisition, etc.


Why does the School Board support a new middle school solution?
Cost
Cost savings in transportation would be realized if middle school could be built adjacent to the existing high school. Also would facilitate sharing teachers, resources, etc.


Why does the School Board support a new middle school solution?
Benefits to Learning
New school would be designed for middle school program with more appropriate classrooms, lab space, technology, etc.
Construction a new middle school would allow for division of students into more manageable grade level wings or pods and help improve both student achievement and student discipline in a large middle school.
Difficult to estimate "cost" of disruption to education in high stakes testing environment.

Why does the School Board support a new middle school solution?

- **Safety**

  School Board has significant concerns about building additions and renovation while school is still operating on site.

  School is vastly overcrowded, logistical issues of moving students safely to lunch, PE, Library on construction site, traffic flow issues during construction.

  Strong feeling that annex portion is beyond rehabilitation, unsafe and needs to be torn down.

Middle School Summary

If a new high school is not an option, the School Board strongly supports building a new 1350 student middle school on a site adjacent to the existing high school and utilization of existing middle school as outlined.

Viable Alternatives for Buildings

- There are options available for utilizing both the Middle School and Rohoic.
- Alternative School is needed to deal with specific portion of population needing different programs for success in school and to ensure other schools achieve accreditation.
- Current middle school, with some modification, could easily house an Alternative School (6-12), Head Start, School Board Administrative Offices, and Technology.

Viable Alternatives for Buildings

- Head Start needs appropriate classroom and office space for their program. Costs savings for program if they could move out of leased trailers.
- School Board office needs to consolidate operations into one location and also provide county with needed space in Pamplin Building.
- Adequate maintenance, training, and storage is also needed for school's growing technology operations.

Viable Alternatives for Buildings

- Rohoic could also be used for county or school needs.
- Rohoic location would also make property marketable to business community to recoup some construction costs.
- Rohoic could also be used for additional Social Services, Recreation, or other space, or eventually house expanded pre-school or vocational programs for the community.

High School Issues

- While there is disagreement, the School Board maintains there is overcrowding at Dinwiddie High School.
- If a new high school is not part of this plan, some work is needed to provide additional cafeteria space, locker room space, classrooms in the vocational wing, and some systems upgrade in areas that were not impacted by other renovation projects.
- We are in the process of further reviewing program needs for a high school of the future.

Southside and Sunnyside

- Renovations at Southside and Sunnyside are beyond the scope of the next phase of renovation projects, but remain in the 10 year plan.
- We will continue to monitor their infrastructure and systems as they are approaching the end of their life expectancy.
- Some kitchen work and ADA renovation may have to be accomplished within the scope of annual capital projects.

Transportation

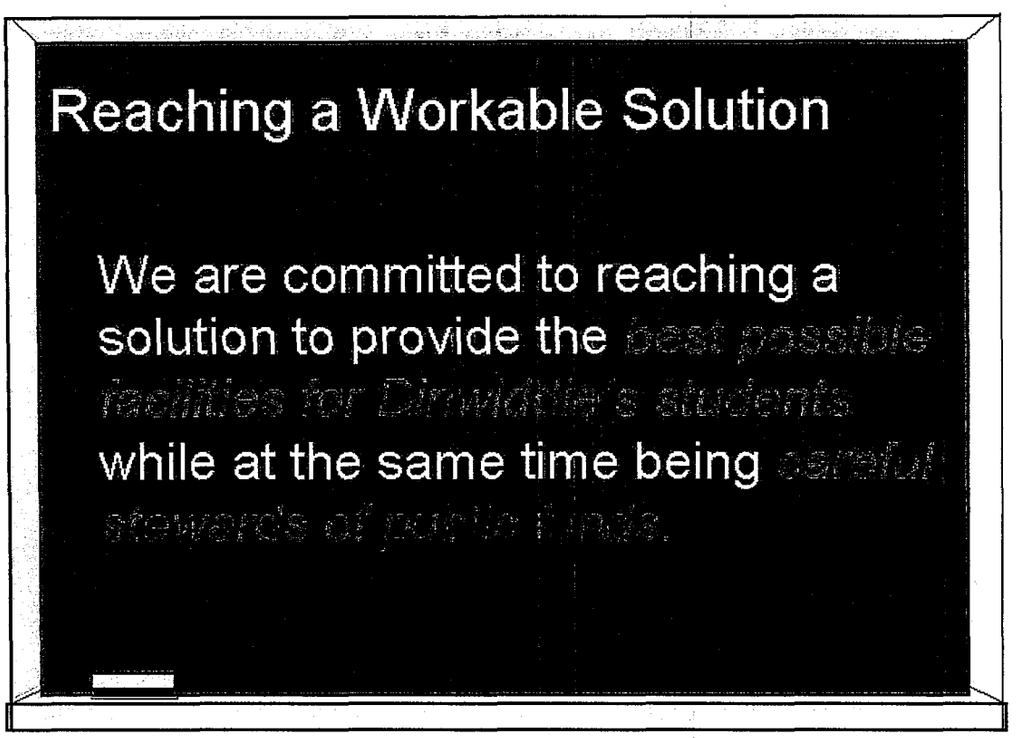
- 71 buses in the current fleet will need replacement within the next five years.
- 2003 – 16 buses - $880,000
- 2004 – 15 buses - $849,750
- 2005 – 16 buses - $933,592
- 2006 – 12 buses - $721,200
- 2007 – 12 buses - $742,836
- Total – 71buses - $4,127,378

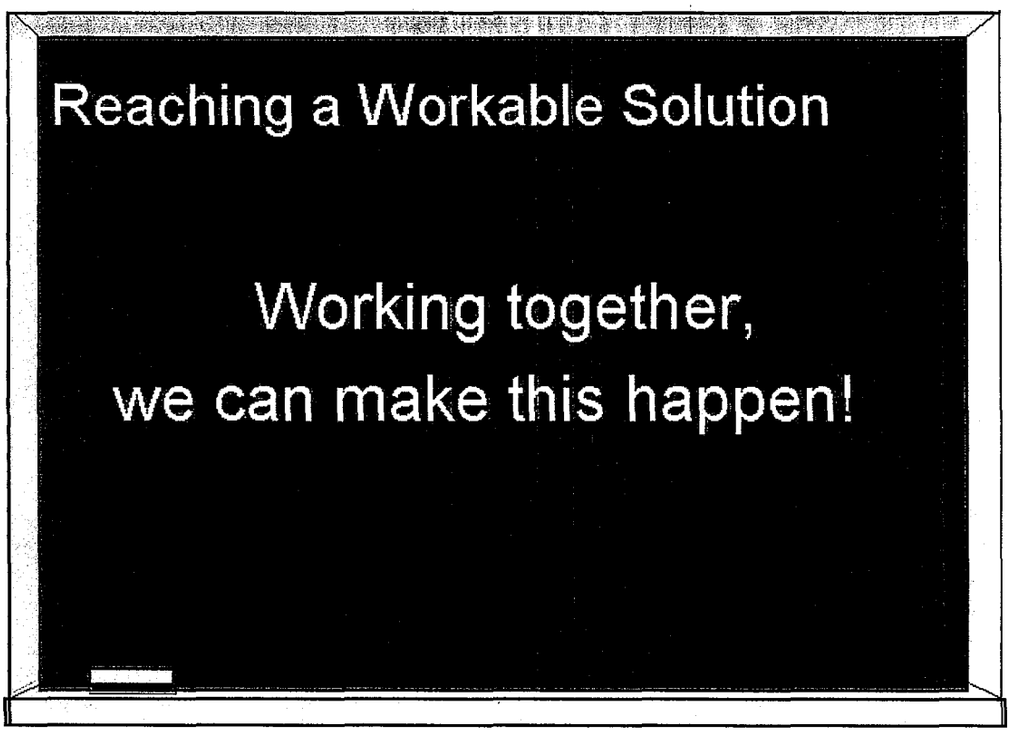
Transportation

- Current CIP can support purchase of 7 buses. Request approval to order these buses to ensure their arrival sometime this fall.
- Cost for 7 buses estimated at $385,000
- Remaining buses would need to be financed and debt service built into budget process beginning in 2004.

Other Projects

- There is other work that needs to be accomplished. However, this list can not be completed until a decision is made on Rohoic, the middle school, and the high school.
- These projects would include roof repair or replacement, bringing kitchens up to new code requirements, and meeting any ADA demands. ADA compliance is a concern because of continued growth of special needs population, the fact that these are public buildings, etc.
- Once these decisions are made, BCWH will finalize the 10-year Strategic Facilities Plan that will include timelines and costs for planning purposes. These can then be incorporated into the County Comprehensive Plan.





The Boards decided to have the County Architect and School Architect exchange information and meet to discuss differences and come up with a written plan or plans for the Boards to review and agree upon.

IN RE: CLOSED SESSION

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

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

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 5:58 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 6:14 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under §2.2-3711 A.5 of the Code of Virginia - Industry

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

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

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Moody Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the meeting adjourned at 6:15 P.M.

Robert L. Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 2:00 P.M.

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

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

Mr. Robert L. Bowman, Chair, 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

Mrs. Wendy Ralph, County Administrator, requested that under Consultation with Legal Counsel - Litigation for Virginia Bio Fuels be added under Closed Session. She also asked that under number (6.) Action Items # 2 Corridor Study – Approval of Contract be postponed.

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

IN RE: CONSENT AGENDA

Mr. Bracey requested that an explanation on the Truck claim for the Namozine VFD be removed for discussion. The Board agreed.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the July 15, Regular Meeting, are approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1036211, through 1036340 (void check(s) numbered 1035931, 1036210 and 1036340) for:

Accounts Payable FY 2003- 2004:

(101) General Fund	$	123,687.85
(103) Jail Commission	$	.00
(104) Marketing Fund	$	.00
(209) Litter Control	$	.00
(222) E911 Fund	$	1,874.67
(223) Self Insurance Fund	$	.00

(225) Courthouse Maintenance	$	.00
(226) Law Library	$	.00
(228) Fire Programs & EMS	$	.00
(229) Forfeited Asset Sharing	$	.00
(304) CDBG Grant Fund	$	.00
(305) Capital Projects Fund	$	2,101.10
(401) County Debt Service	$	.00
TOTAL	**$**	**127,663.42**

IN RE: SCHOOL BOARD - REQUISITION #12 -1998A BOND ISSUE

The County Administrator pointed out that Dr. Lanham was here if the Board had any desire to discuss the School Board's request for Payment Requisition #12 -1998A Bond Issue (70-02-200-7019743), in the amount of $2,477.55 to Whitescarver, Hurd, and Obenchain, Consulting Engineering Firm, which was submitted for payment.

Mr. Bracey stated he had not changed his mind; he still felt the funds should be used to finish the school project, not to pay consultant fees or legal fees for the School Board. He commented he felt they should be paid but not out of the project funds.

The County Administrator suggested that this claim be handled in the same manner as the last one, which was for legal fees. If there are sufficient funds left in the bond issue when everything is settled and the school improvements are completed the Board could consider reimbursing the School Board for the consultant fees it incurs.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition #12 -1998A Bond Issue (70-02-200-7019743), in the amount of $2,477.50 to Whitescarver, Hurd, and Obenchain, is not approved and is referred back to the School Board for payment from School Fund monies; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, when everything is settled and the school improvements are completed, the requisition can be resubmitted for the Board to consider for reimbursement of the consultant fees.

IN RE: AUTHORIZATION TO FILL TWO POSITIONS -- DIRECTOR OF THE OFFICE OF REVENUE MAXIMIZATION AND COMMUNITY SERVICE WORK COORDINATOR

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the employment of the following at the salary and effective employment date so stated:

Ms. Marie A. Grant – Director of the Office of Revenue Maximization Grade 14, Step B - $35,659.

Mr. James R. Picardat, Sr. – Community Service Work Coordinator - $15.00 per hour (part-time).

IN RE: AUTHORIZATION TO CHANGE THE DECEMBER 2003 PAYROLL DATE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to discontinue the practice of an early payroll in December and revert back to a payroll date of December 31, 2003.

IN RE: AUTHORIZATION TO ACCEPT TITLE TO 1993 FORD F250 VAN FOR FORD VFD AND EMS SUPPORT VEHICLE

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia accepts title to a 1993 Ford F250 van to be utilized by the Ford Volunteer Fire Department and EMS with the following stipulations:

1. Ford VFD will provide all maintenance on this vehicle.
2. The vehicle must be painted, lettered and striped in accordance with the standards set by the Fire Rescue Association and approved by the Public Safety Department.
3. The vehicle cannot be utilized for emergency response on a regular basis.
4. The County will provide fuel and insurance for the vehicle.

IN RE: ACCEPTANCE OF URBAN & COMMUNITY FORESTRY ASSISTANCE GRANT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Director of Parks and Recreation to accept the Urban and Community Forestry Assistance Grant in the amount of $8,400 for a full promotional and educational brochure outlining the values and benefits of the proposed greenway trail for public distribution. The local match will be in-kind.

IN RE: LETTER OF RESIGNATION - MS. SARAH GUNN – JOHN TYLER COMMUNITY COLLEGE BOARD

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the resignation of Ms. Sarah Gunn from the John Tyler Community College Board is hereby accepted with regret.

IN RE: RESOLUTION AUTHORIZING COMPETITIVE NEGOTIATION FOR THE COMPUTER AIDED DISPATCH AND MAPPING SYSTEM FOR THE COMMUNICATIONS SYSTEM

Upon motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the following resolution is hereby adopted.

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 "Computer Aided Dispatch and Mapping System" to evaluate various subjective factors, including a demonstrated understanding of the work and ability to perform, interoperability with other programs currently being used for records management, integration with the proposed E-911 system, mapping that is computer aided dispatch based instead of a stand alone mapping system, experience and qualifications schedule and quality of work, and to negotiate specific contractual terms and conditions and pricing, 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 "Computer Aided Dispatch and Mapping System" 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 19, 2003.

IN RE: 2003 VIRGINIA HAZARDOUS MATERIALS CONFERENCE – SEPTEMBER 24-27, 1999

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Director of Public Safety to attend the Hazardous Materials Conference in Virginia Beach on September 24-27, 2003 with funds in the amount of $623 being provided from his budget category 101-035500-5540.

IN RE: CITIZEN COMMENTS

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

The following citizen(s) came forward to address the Board:

1. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia came before the Board stating he was not going to pay the invoice for anything but the duplication fees for his FOIA request he submitted to administration. He referred to code section 2.2-3704 for his refusal. He also submitted a FOIA request for a list of all the committees and boards that each Board of Supervisor serves on or is appointed to and if it is a paid appointment.

2. Geri Barefoot – Frontage Road, Petersburg, Virginia – requested that the Board require the Planning Department to inform citizens when property adjacent to them is being applied with bio solids. She commented recently she attended a Colonial Heights Board meeting and during the Citizen Comment period City Council members answered any question the citizens had during that time. She said she was very impressed that they took the time to answer their questions and if they did not have an answer they told that individual they would receive a written reply.
3. Anne Scarborough – Boydton Plank Road, Dinwiddie, Virginia - stated there was an article in the newspaper that, stated the tax rate of Dinwiddie County compared with the tax rates of surrounding jurisdictions and she felt it was misleading to the citizens when we are compared with Colonial Heights and Hopewell. She also cautioned the Board not to let the School System mislead the public regarding funds that have been spent for school renovations. Mrs. Scarborough asked what the money did for the students in the County. She said she hoped the funds would not be spent for big salaries for the School Board Administrators and staff. Please make sure the money is being spent on the students and education, not on salaries.
4. Peggy McElveen – Director of Social Services – informed the Board that she would be retiring at the end of August after 12 years of service in the County. She thanked the Board for listening and being so responsive to her department. A special thanks to Mr. Bracey and Mr. Clay was extended because they served on the Social Services Board. She also included Mrs. Wendy Ralph, Mrs. Glenice Townsend, Mr. William Jones, Mr. Donald Faison and Mr. David Jolly for all of their help and assistance over the years. Mr. Bowman expressed the Board's gratitude for her many years of service and extended their best wishes for many years of health and happiness as she enters a new phase of her life.

IN RE: VDOT – REPORT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, came forward and provided the following update:

1. Rt. 627 (Courthouse Road): bridge over Hatchers Run should reopen on October 15, 2003. He reported VDOT has offered a $2,500 incentive for each day the project is completed early. He commented VDOT has also offered an incentive for early delivery of the construction materials. State funds are being used for the project not local maintenance funds.
2. Visibility lines have been painted at the traffic light on Route 1 and the Rt. 460 intersection. He informed the board that raised pavement markers are also going to be installed at the intersection which should help dramatically.
3. Rt. 600 (Ferndale Road) Bridge – Re-decking work will begin next summer on this project. At the present time VDOT is trying to locate the utilities to rework the plumbing on the bridge and temporary signalization for one lane traffic will be installed. The potholes will be repaired for a temporary fix.
4. The Six–Year Road Plan work session will be held at the next Board meeting on September 2, 2003 and Mr. Steve Fritton and Mr. Timothy Overton will be presenting it to the Board.
5. Halifax Road project –weather permitting work is scheduled to start shortly.
6. Butterwood Road work has been completed.
7. Ridley Road project has been completed.
8.

Board Comments – Questions:

1. Mr. Bracey – Hospitality Lane – Grass so tall vehicles have to pull into road to see if traffic is clear. Mr. Caywood said he would have it mowed.

IN RE: REQUEST TO PURCHASE SEVEN SCHOOL BUSES

MEMO FROM DR. WISE

"Per the discussion at the joint meeting of the Dinwiddie County Board of Supervisors and the Dinwiddie County School Board last evening, Dinwiddie County Public Schools is requesting that the county provide capital funding to purchase seven school buses for the school system to be purchased immediately. The total cost for this purchase will be $368,781 per the attached quote from the existing state contract with Sonny Merryman, Inc.

We will look forward to working with you over the next several months to develop a plan to meet the remaining school bus needs so that the cost can be built into debt service in our budget beginning with the next fiscal year."

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia approves the request from the School Board for the purchase of seven school buses in the amount of $368,781 from the capital improvements funds, off the existing state contract with Sonny Merryman, Inc.

IN RE: AUTHORIZATION TO REPLACE AMBULANCE – EMERGENCY PURCHASE ORDER

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorized the Director of Public Safety to enter into a contract with P.L. Custom in the amount of $111,701 for the emergency purchase of the ambulance to replace the one involved in the accident on I-85.

IN RE: SOLE SOURCE PURCHASE OF VEHICLE EXTRICATION EQUIPMENT – MCKENNEY VFD

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that they approve the sole source justification as presented to accept the low bid from Virginia-Maryland Rescue Systems to purchase the Vehicle extrication equipment for the McKenney VFD in the amount of $16,075. Funding is available in the Capital Improvement Program.

IN RE: ACCEPTANCE OF GRANT – HOMELAND SECURITY

Mr. David Jolly, Director of Public Safety, stated he received information from the Virginia Department of Emergency Management (VDEM) that the County has been allocated $100,741 to be used to better prepare to combat and deal with terrorist acts involving weapons of mass destruction and hazardous materials.

Funding of this grant is based on a formula that provides $50,000 plus $2.07 per capita to each locality across the Commonwealth. This funding must

be used according to the requirements that are specified by the Office of Domestic Preparedness.

Specifically, staff is proposing these funds to allow each of our first out fire units to have monitoring capabilities for hazardous material responses and to improve the equipment and trailer used for hazardous material responses.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to sign the Grant Agreement between the Virginia Department of Emergency Management (VDEM) and the County of Dinwiddie, the grant recipient, for the amount of $100,741 to be used to better prepare to combat and deal with terrorist acts involving weapons of mass destruction and hazardous materials.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The Board agreed to come in early on September 2, 2003 to meet in a workshop session with VDOT on the Six-Year Plan. Staff has been meeting with Motorola representatives to finalize the radio system contract and recommend that, if possible, the Board come in that same evening at 4:00 P.M. for a brief presentation on the radio system and the cost. The proposal from Motorola is valid until September 22nd. The Board agreed to come in at 4:00 P.M.
2. Recently staff has been receiving phone calls on the use of bio-solids in the County, staff would like to know if the Board would like to have a presentation by Farm bureau on the subject. Mr. Alvin Blaha has offered the Farm Bureau's assistance if the Board would like to have it. The Board also has the option of adopting an ordinance, which was included in your packets that would allow the county to hire an inspector. Think about it and let staff know if you want to arrange a presentation or consider the ordinance.
3. Robinson, Farmer, Cox Associates has finished the draft of the justification for proffers for the County. She suggested setting up a workshop session so the Board members can review how Robinson, Farmer, Cox Associates arrived at their proposed proffer amounts and then the Board can decide whether it wants to proceed with adopting an ordinance. Mrs. Ralph asked that the Board let staff know when they would like to hold this discussion so staff could set it up.
4. She informed the Board that interviews for the Senior Planner/Zoning Administrator position would be held on Wednesday, August 27, 2003. She requested that the Board let staff know if they would like to participate so staff could send them a schedule.
5. The Planning Commission would like to have a work session with the Board to discuss continuing projects they would like to pursue, i.e. the revisions that need to be made to the zoning code. The Planning Commission will be meeting on September 10th and she asked if the Board would rather come in early or discuss the issues during the 7:30 P.M. meeting? The Board agreed to come in at 5:00 P.M.
6. The County Administrator said the architects for the School Board and the County would be meeting on Friday, August 29th to discuss the school improvements. The School Board meeting is scheduled for September 9th and the two Boards should schedule a workshop session as soon as possible after that to follow-up on the school improvements.

IN RE: RESOLUTION AUTHORIZING COMPETITIVE NEGOTIATION – GENERAL REASSESSMENT

Upon motion of Mr. Bracey, Seconded by Mr. Moody, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the following Competitive Resolution was adopted.

General Reassessment

WHEREAS, the Board of Supervisors of Dinwiddie County (the "Board") wishes to receive proposals from qualified firms for the County's "General Reassessment" to evaluate various subjective factors, including qualifications and experience of the assessor relative to the same type of assessment process, expertise of key personnel, general understanding and knowledge of the assessment process in a growing rural county, technical and staff capabilities to undertake and complete the assessment in an expeditious manner, and to negotiate specific contractual terms and conditions and pricing, 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:

4. 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 "General Reassessment" 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.
5. This Resolution shall constitute a written determination that competitive sealed bidding is not advantageous to the public for the reasons stated above.
6. This Resolution shall be effective as of August 19, 2003.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody — He requested that the Director of Planning provide the same Comprehensive Land Use list that was given to the Planning Commissioners for the work session on September 10th.

Mr. Bowman — He stated he would like to see the impact fees brought before the Board as soon as possible.

IN RE: CLOSED SESSION

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

Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia – Chaparral Agreement, VBF Litigation; **Acquisition of Property - §2.2-3711 A. 3 Personnel - §2.2-3711 A. 1** – Planning

Mr. Bracey seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 3:24 P.M.

Mr. Moody left at 4:10 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 4:34 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under **Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia** – Chaparral Agreement, VBF Litigation; **Acquisition of Property - §2.2-3711 A. 3; Personnel - §2.2-3711 A. 1** – Planning

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

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

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

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Virginia's Gateway Region Report.
2. Email from Gerald McCarthy regarding the Commonwealth Transportation Board's annual "pre-allocation hearing" to be held at the Appomattox Regional Governor's School on September 25, 2003 in Petersburg.
3. Update on developing and delivering a realistic Six-Year Improvement Program and public hearing schedule for FY05-10 from Whittington W. Clement - Commonwealth Transportation Board.
4. Appomattox Regional Library System – Report.

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Bracey, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the meeting adjourned at 4:36 P.M. to be continued until 4:00 P.M. on Tuesday, September 2, 2003 for the Motorola representatives to present a brief presentation on the radio system and the cost.

Robert L. Bowman IV

Robert Bowman, IV, Chairman

Wendy Weber Ralph

Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE PUBLIC SAFETY BUILDING CONFERENCE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 2ND DAY OF SEPTEMBER, 2003, AT 4:00 P.M.

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

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Mr. Donald L. Haraway, IV, Vice Chair, called the continuation meeting to order at 4:07 P.M.

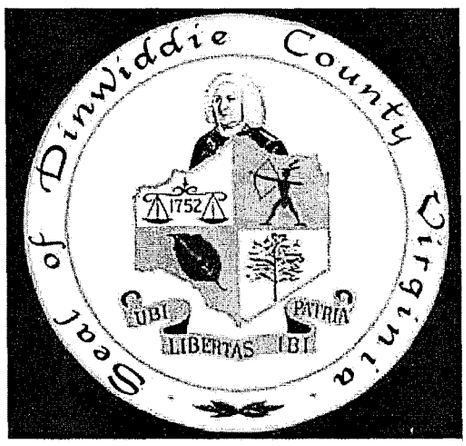
IN RE: PRESENTATION AND DISCUSSION OF RADIO COMMUNICATIONS SYSTEM – KIMBALL & ASSOCIATES & MOTOROLA

Mr. Kevin Massengill, Assistant County Administrator, stated our Consultant, Kimball & Associates, is present along with representatives from Motorola to bring you up to date on the process and answer any questions you might have on the proposed radio communications system.

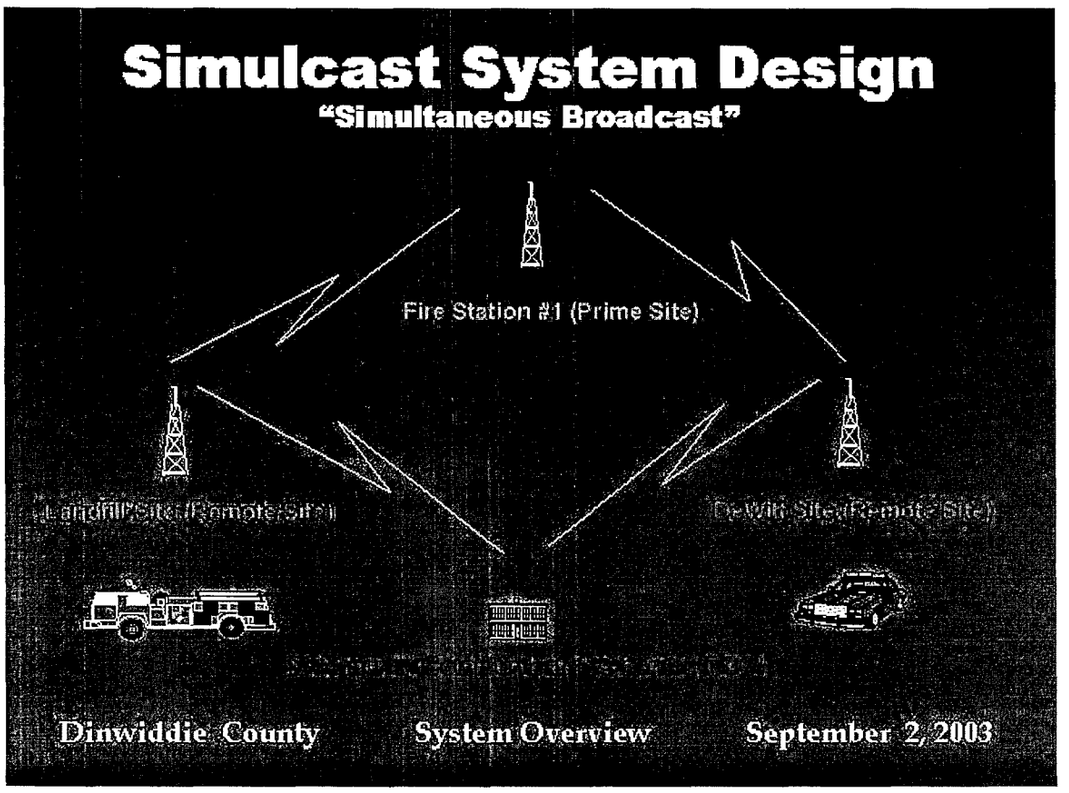
Ms. Denise Absher, Communications Manager, introduced Mr. Curt Andrich, Senior Consultant with L. Robert Kimball & Associates, and Mr. Steve R. Garner, Virginia Sales Manager, Motorola, Inc.

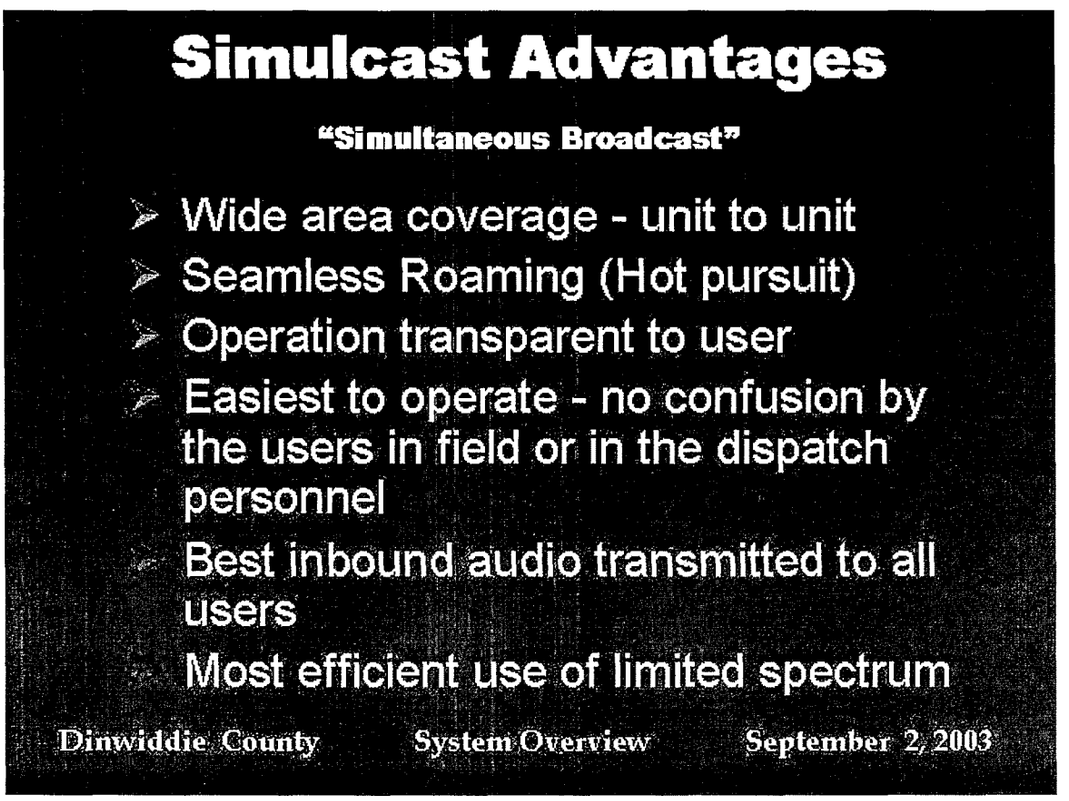
Mr. Garner presented the following update for the proposed radio communications system to the Board:

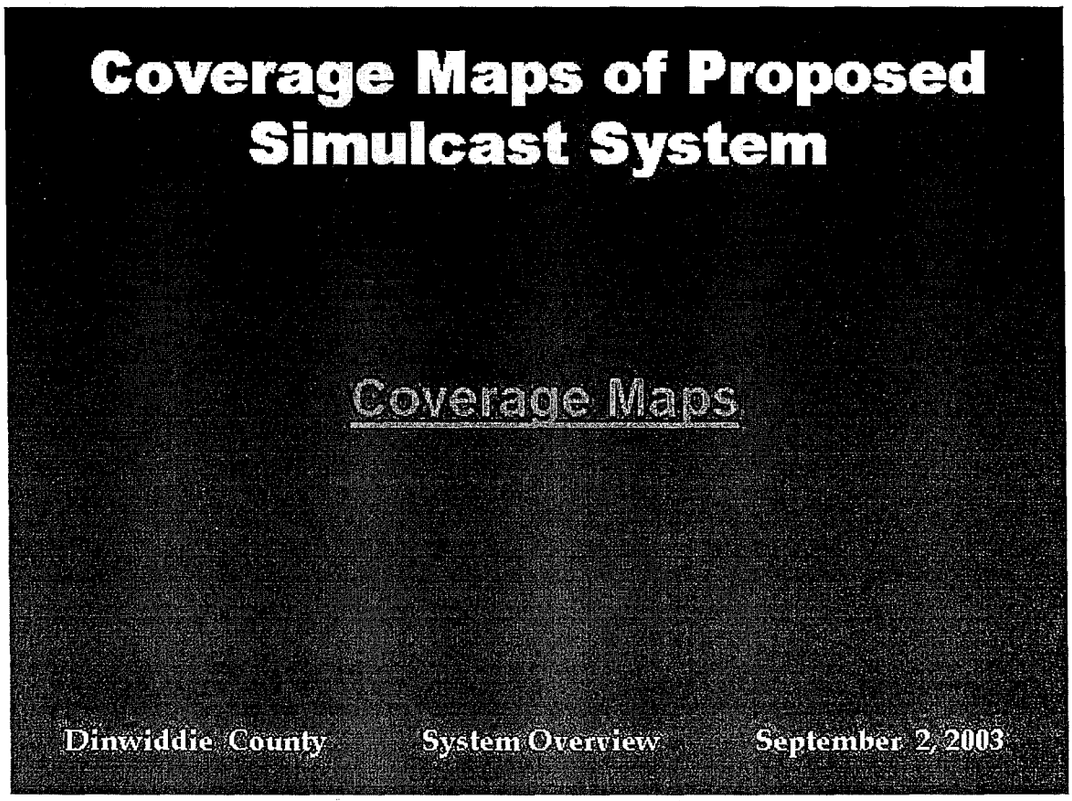
INSERT PRESENTATION

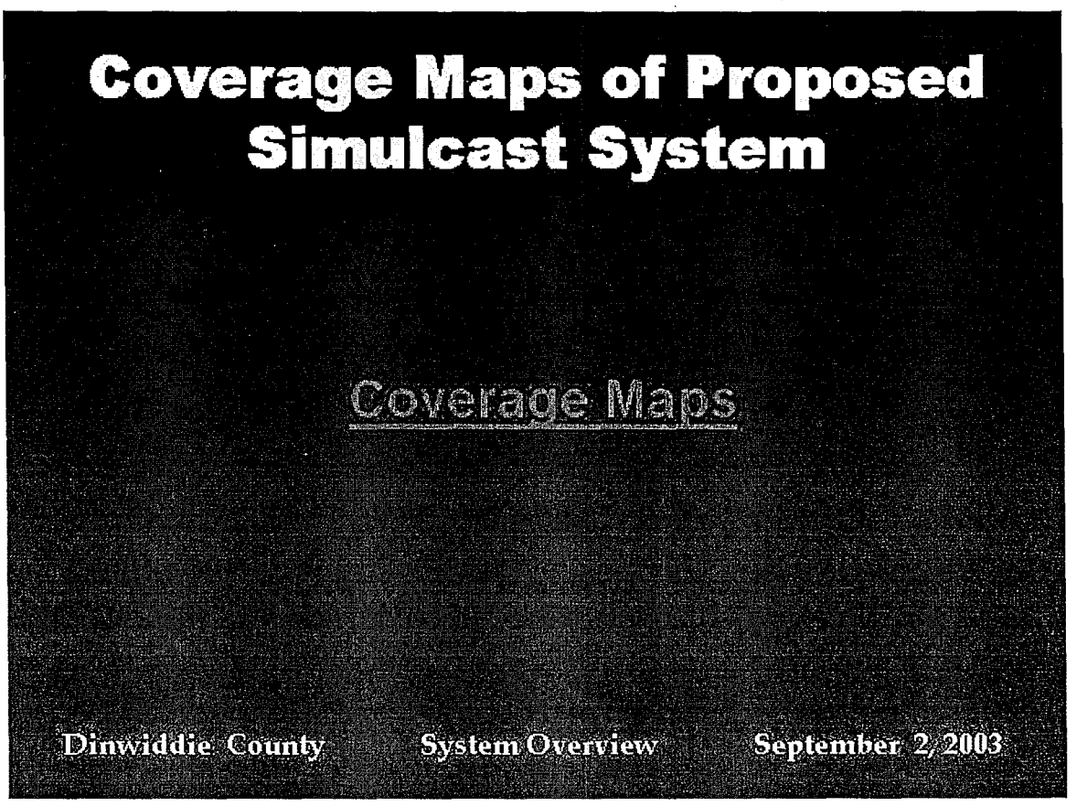


VHF Simulcast
Radio and Paging System


Simulcast System Design
"Simultaneous Broadcast"
Fire Station #1 (Prime Site)
Dinwiddie County
System Overview
September 2, 2003


Simulcast Advantages
"Simultaneous Broadcast"
Wide area coverage - unit to unit
Seamless Roaming (Hot pursuit)
Operation transparent to user
Easiest to operate - no confusion by the users in field or in the dispatch personnel
Best inbound audio transmitted to all users
Most efficient use of limited spectrum
Dinwiddie County
System Overview
September 2, 2003


Coverage Maps of Proposed Simulcast System
Coverage Maps
Dinwiddie County
System Overview
September 2, 2003


Coverage Maps of Proposed Simulcast System
Coverage Maps
Dinwiddie County
System Overview
September 2, 2003


System Components
3 Site, 4 Channels, VHF, Simulcast Radio
1 Channels 12.5 KHz Digital-Law Enforcement
2 Channels 12.5 KHz Analog-Fire/Rescue
1 Channel, VHF, Simulcast Paging (Wideband)
Four Position CentraCom Gold Series Elite Dispatch Consoles-ECC
Plant E-911 System (Wireless Phase II)-ECC
Pixsys Voice Recorder-ECC
Dinwiddie County System Overview September 2, 2003


System Components
(continued)
Microwave System
System Alarm and Control
Fire Station Alerting
40 Digital Mobile Radios
41 Digital Portables
34 Analog Mobile Radios
39 Analog Portables
6 Control Stations
200 Fire/Rescue Pagers
Dinwiddie County System Overview September 2, 2003

Equipment Location by Site






Fire Station #1 (Prime Site)	Landfill Site (Remote Site)	DeWitt Site (Remote Site)	Emergency Communications Center (ECC)
2 Analog Repeater	2 Analog Repeater	2 Analog Repeater	4 Position Plant E911
1 Digital Repeater	1 Digital Repeater	1 Digital Repeater	4 Position Dispatch Console
1 Paging Base	1 Paging Base	1 Paging Base	1 Pixsys Voice Recorder
180' S S Tower	180' Guyed Tower	1 Microwave Dish	1 Magic MIS System
3 Microwave Dishes	1 Microwave Dish	2 Antenna & Line	1 Channel Bank
2 Antenna & Line	2 Antenna & Line	1 12x10 Building	1 Alarm & Control Central
1 12x16 Building	1 12x10 Building	1 Generator	1 Fire Station Alerting Central
1 Generator	1 Generator	1 UPS	1 Microwave Dish
1 UPS	1 UPS	1 Channel Bank	1 UPS
1 Channel Bank	1 Channel Bank		

Dinwiddie County System Overview September 2, 2003

Push-To-Talk ID (PTT)

- Radio User Presses PTT
- User ID is displayed on console
- Used for Identification of Users by Dispatchers for System Management

Dinwiddie County System Overview September 2, 2003

Emergency / Alarm Call

- Radio User Presses Emergency Button
- ID Flashes on Console
- Audible Indication of Emergency
- One Channel Operational

Dinwiddie County System Overview September 2, 2003

Systems Integration Services

- Project Management
- System Design
- Customer Center for Systems Integration (CCSI)
- Implementation
- Testing and Optimization
- Training
- System Cutover
- Service and Ongoing Support

Dinwiddie County System Overview September 2, 2003

Anticipated Major Project Milestones

- Project Award/Purchase Order 9/15/03
- Project Kick-off Meeting 10/03/03
- System Configuration & Design Review 11/03/03
- Equipment Order & Manufacture 12/05/03
- Equipment Staging 2/17/04
- Site Development Completed 2/20/04
- System Delivery 2/27/04
- System Installation Completion 4/13/04
- System Cut Over 6/24/04
- Final Acceptance 7/13/04

Dinwiddie County System Overview September 2, 2003

Addition to Local Service

System Support Services that are included...

Field Technical Representative



- **Assist Local Service Shop**
- **Recommend And Provide Technical Solutions**
- **Troubleshoots System Problems**
- **Maintenance / Installation Standards To Assure Continued System Performance**

Dinwiddie County System Overview September 2, 2003

Call Center



- Central Dispatch Operations
  - *One Number To Call for Service*
- Call Management and Tracking
- Technician Dispatch
- Time Driven Escalation Procedures
- Preventative Maintenance Scheduling
- Service Activity Reports

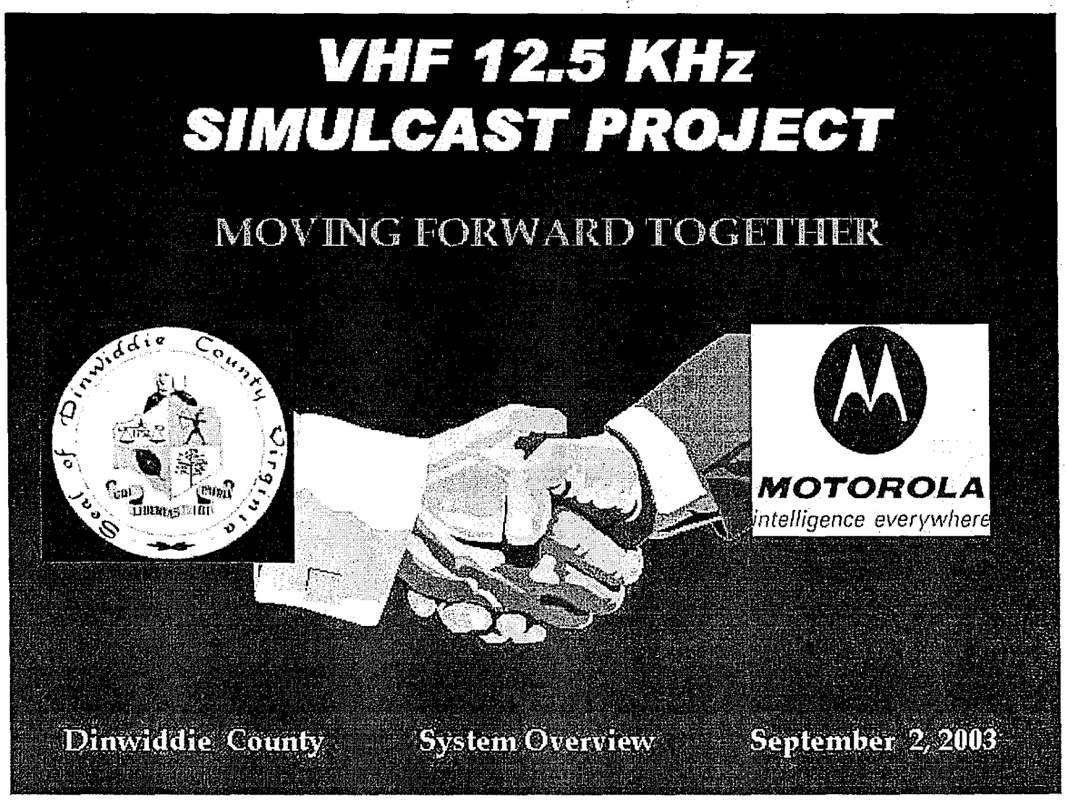
Dinwiddie County System Overview September 2, 2003

Technical Support

- Highly Trained and Experienced System Technicians
  - *—Experts in Troubleshooting over the Phone*
- Technical Consulting/Problem Analysis
- Coordination with other Motorola Support Teams
- 24 Hour Technical Help Desk

Dinwiddie County System Overview September 2, 2003





Mr. Bracey stated his concern was the coverage area and the cost of the system. He asked if the proposed towers were in the best location for the best coverage? Mr. Garner stated the towers had to be placed within no more than a 7 mile radius to perform the best. He also stated he was trying to use the existing locations for the towers to save the county money.

Mr. Clay said he certainly hoped the system would give the county the best coverage especially at what it was going to cost the county.

Mr. Moody asked why couldn't a tower be placed in the western section of the county for better coverage? He also asked what the difference would be if the county decided to go digital? Mr. Garner stated he thought the difference would be around $500,000 but he would be happy to get the figures and get back to him. Mr. Moody commented he would be happier with the cost of the system if it were digital.

Mr. Bowman was concerned with the expected coverage in the northern end of the county. He said it was the most populated area and it appeared to him on the coverage map there were some white non-coverage areas. Mr. Garner replied all the areas would have an expected 95% coverage.

Mr. Haraway asked what the expectant life of the system was. Mr. Garner replied between 12 to15 years. Mr. Haraway also asked what the total cost was for the system. Mr. Garner stated $4,230,000 million.

It was the consensus of the Board that the main objective was to make sure the County has the radio system that would provide the best coverage in the County. The main concern of the Board was the placement of the towers and whether to go digital or analog.

IN RE: RECESS

The Chairman called for a recess and the meeting reconvened at the Pamplin Administration Building at 6:30 p.m. for the work session with VDOT representatives on the County's six-year secondary road plan.

IN RE: VDOT SIX-YEAR ROAD PLAN – WORK SESSION

Mr. Timothy W. Overton, Assistant Resident Engineer, VDOT presented the following information to the Board members and public:

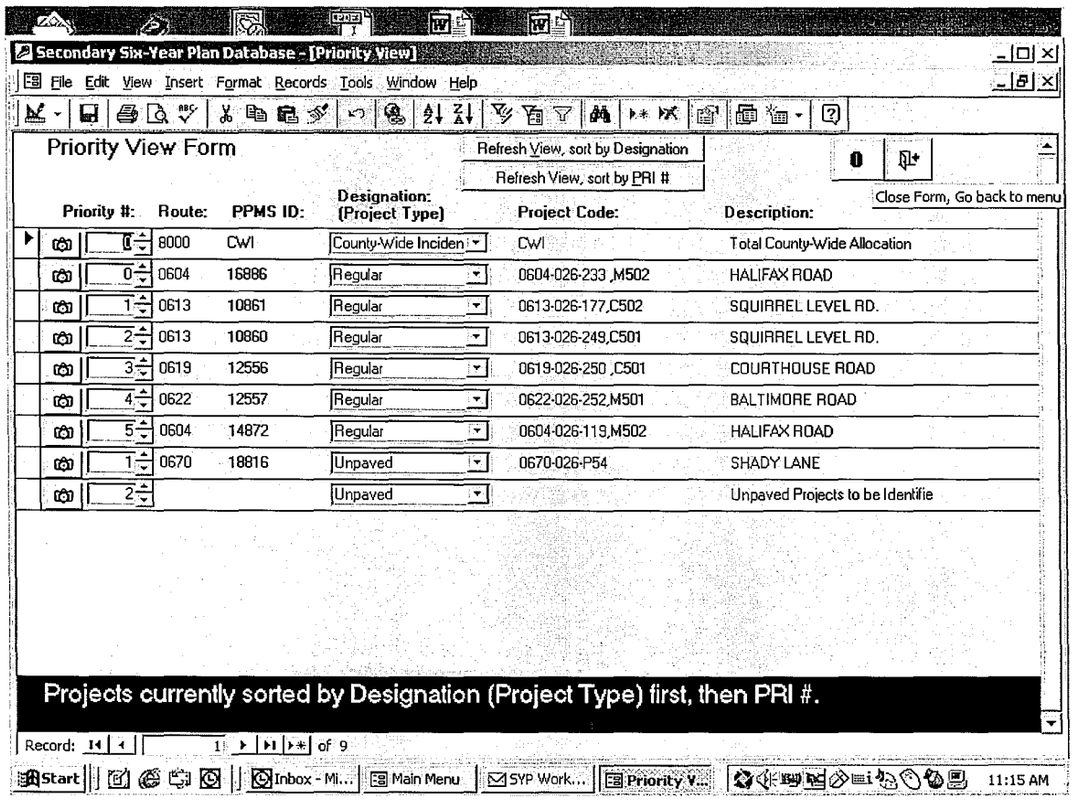
"Subject: **Six-Year Plan Workshop**

Attached is the Dinwiddie County's Secondary Construction Priority Listing and the candidates for the Rural Rustic Program listed in descending traffic count order.

The priority list already has regular projects that extend beyond the projection of the six-year plan. The increases to the estimated cost of regular projects have exceeded the annual allocation and we do not recommend adding any projects to the regular priority listing. However, the Board may choose to add projects to the unpaved listing or change the existing order of the projects in the regular listing.

Virginia Department of Transportation's new estimating system is being used across the state and has increased the estimated cost of projects in Dinwiddie by approximately $4.4 million. This system is based on sound engineering principles and historical item costs that has been collected from statewide projects over the recent past. This data may not reflect today's actual construction costs for local projects. Since local averages will be used in the future, this system should make better forecast of actual project costs as time passes.

The Residency is committed to reducing total project cost by various means. These may include scope reduction, such as paving Route 619 in lieu of full construction, and state force construction on the Rural Rustic Road Projects. Also, we plan to use any available funds that will supplement the County's regular allocations."



DINWIDDIE COUNTY RURAL RUSTIC CANDIDATE PROJECTS

UPDATED 8/28/03

Rt.	Name	From	To	Length	AADT Count	Traffic Count Per Mile
609	Cherry Hill Rd.	Rt. 687	Rt. 616	3.3 MI	160	49
609	Cherry Hill Rd.	Rt. 619	Rt. 40	2.22 MI	130	59
746	Bird's Nest Rd.	Rt. 708	Dead End	.93 MI	120	129
644	Brills Rd.	Rt. 610	Rt. 642	2.44 MI	110	45
658	Branchs Rd.	Rt. 656	Rt. 619	2.67 MI	110	41
644	Brills Rd.	Rt. 642	Rt. 40	2.45 MI	100	41
729	Spriggs Rd.	Rt. 661	Dead End	.52 MI	90	173
702	Lennie Rd.	Rt. 638	Rt. 40	1.22 MI	90	73
694	Old Pine Rd.	Rt. 622	Dead End	.51 MI	80	157
620	White Oak Rd.	Rt. 642	Rt. 639	1.22 MI	80	66
722	Abernathy Rd.	Rt. 619	Dead End	.9 MI	80	89
744	Mckissicks Rd.	Rt. 644	Dead End	.57 MI	70	123

Mr. Overton commented that the Rural Rustic projects would not affect the overall priority list or the funding for those projects. He also informed the Board that the funding for these projects could not be used for any other purposes.

Mr. Steve Fritton, Construction Supervisor, VDOT, informed the Board that if they chose to change the priority list it would delay the existing projects.

Mr. Bowman asked if VDOT made recommendations to the County as to the priority of the roads on the Six-Year Plan. Mr. Frittion commented it is not the responsibility nor should it be the responsibility of VDOT to decide that. He commented that has been and should remain the decision of the Board. Mr. Bowman said he was not an engineer and did not have the expertise to decide which road or roads or where on the list they should be placed. He stated he felt the County should get some engineers to take a look at the roads to make those decisions.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the meeting adjourned at 7:08 P.M.

Robert Bowman, IV, Chairman

ATTEST:
W. Kevin Massengill
Assistant County Administrator

/abr

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, 2003, AT 7:30 P.M.

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

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

Mr. Robert L. Bowman, Chair, called the regular meeting to order at 7:33 P.M. followed by the Lord's Prayer and the Pledge of Allegiance. Mr. Bowman informed the public that the County Administrator was in the hospital recouping from an emergency appendectomy surgery and the Assistant County Administrator, Mr. Kevin Massengill, would be filling in for her tonight.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Kevin Massengill, Assistant County Administrator, stated that there were some additional claims in the amount of $47,325.45 that needed to be added to the consent agenda. In addition, he would like to add under Closed Session - Industrial Prospect. The County Attorney requested that under Consultation with Legal Counsel – procurement issue be added also.

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

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the August 13, 2003 Continuation Meeting are hereby approved.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1036208 through 1036549 (void check(s) numbered 1036341, 1036143, 1036342, 1036413 and 1036545)

Accounts Payable:

(101) General Fund	$ 203,476.44
(103) Jail Commission	$ 20.98
(104) Marketing Fund	$ .00
(209) Litter Control	$ .00
(222) E911 Fund	$ 3,136.80
(223) Self Insurance Fund	$ .00

(225) Courthouse Maintenance	$ 780.00
(226) Law Library	$ 406.15
(228) Fire Programs & EMS	$ 1,719.93
(229) Forfeited Asset Sharing	$ .00
(304) CDBG Grant Fund	$ 10,325.78
(305) Capital Projects Fund	$ 7,792.37
(401) County Debt Service	$ 54,905.31
TOTAL	**$ 282,563.76**

PAYROLL 08/29/03

(101) General Fund	$ 428,015.02
(222) E911 Fund	$ 3,539.66
(229) Forfeited Asset Sharing	$ 132.90
(304) CDBG Fund	$ 3,839.67
TOTAL	**$ 435,527.25**

IN RE: SHERIFF'S DEPARTMENT– AUTHORIZATION TO REPLACE VACANT COUNTY POSITION – COURTROOM SECURITY OFFICER

Sheriff Samuel H. Shands wrote a letter to the County Administrator requesting authorization to hire an individual to fill one county vacancy. The Sheriff has a total of six vacancies but at this time he is requesting that he be allowed to fill one position. The individual has not been selected yet; however, the new position will be for a courtroom security officer at an annual salary of $23,329.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Sheriff's Department to fill one county position for a courtroom security officer at an annual salary of $23,329.

IN RE: AUTHORIZATION TO ENTER INTO CONTRACT WITH WATSON FURNITURE GROUP – EMERGENCY COMMUNICATIONS CONSOLE FURNITURE

"To: Board of Supervisors

Date: September 2, 2003

From: Denise P Absher
Communications Manager

Ref: Emergency Communications Console Furniture

Below you will find listed, the vendors that responded to the Invitation to Bid, for Emergency Communications Console Furniture:

Dispatch Products Co.	$30,027.00	Non-Responsive
Interact Public Safety	$49,238.20	Non-Responsive
Watson Furniture Group	$43,549.00	Responsive

I request authorization to enter into contract with Watson Furniture Group for an amount not to exceed $45,000.00. Due to the potential use of the Emergency Operations Center as the Communications Center, an additional rotating resource will be added for locating resource materials, and having another work surface to place computer monitors and keyboards on."

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Bowman, Mr. Haraway 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 sign the contract with Watson Furniture Group for an amount not to exceed $45,000 for the Emergency Communications Console Furniture.

IN RE: CITIZEN COMMENTS

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

1. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia - spoke on the following subjects: a) Informed the Board that a Lieutenant in the Sheriff's Office had gone on private rental property and removed a political sign which he and his wife had permission to place on that citizen's property. He stated that person was a county employee who is sworn to uphold the laws of the Commonwealth and he is supposed to respect the civil right laws. He told the Board they should look into why county employees blatantly, arrogantly violate people's first amendment rights. b) He stated he contacted the Commonwealths' Attorney to look into the charges that the Administrative staff charged for a FOIA request he made regarding the contracts that had been awarded to Dewitt Tire in 1996. The charge was in the amount of $25.52. He commented all he wanted was a copy of the contract and he got 61 copies of trash he didn't want. c) He also commented that the county needed to hire a full-time County Attorney instead of using the law firm in Richmond. He said he felt the Board was cheating the taxpayers because of the high cost of the law firm and it isn't fair.

2. Anne Scarborough – Boydton Plank Road, Dinwiddie, Virginia – she read an article from the newspaper regarding the $24 million dollar loss by Chaparral Steel. She commented that she noticed they were on the agenda for the closed session at the last meeting and she hoped they weren't soliciting for the County to give them something else; because she felt the county has given them enough. She commented all her life she had heard don't listen to "so and so" because they talked out of both sides of their mouth. She said that is the way she felt about the Board because of two articles she read in the Monitor. "The Board of Supervisor's are very cognizant of the ability of the citizens to pay especially of those on fixed income, farmers who have had to give up their farm and career and those citizens who have lost jobs in a stagnant economy." The reason she said they were talking out of both sides of their mouth was because of this article – talking about the school board again --- in the end, both boards agreed to have their architect meet and share information to come up with a plan that would result in a minimum tax increase. She said there will be a tax increase for the citizens in the County. On one hand you're saying poor citizens --- then you turn around and say you are going to have a tax increase. She stated the County gets a windfall of money every four years when the reassessments are done. There are several surrounding counties that reassess every six years but Dinwiddie County does it every four years at $.77 cents. Not only are the citizens being overtaxed and have been for years, we continue to be overtaxed $.27 cents higher than neighboring counties

comparable to Dinwiddie County. On one hand you say one thing and then on the other the Board says "I am going to raise your tax"...does that make any sense to you? Continuing she admonished the Board not to let the school system control the tax rate. She cited the following student - teacher ratios for Dinwiddie County:

Year	Students	Teachers
1923	4,237	131
1961	4,432	168

She stated since 1923 we only have 288 more students. Since 1961 there are only 93 more students. But during a slump of growth, the County closed three schools – Eastside in 1983; McKenney in 1988 which was reopened (part of it) in 1995 for the alternative education students; and Northside in 1988. Someone should be held responsible for the waste of tax dollars because of the shambles Northside School is in. She admonished the Board members not to let the School Board blow a lot of smoke until they knew what was going on with them. Don't let them control what we the citizens have to pay in taxes.

She also requested that Staff look into all the missing directional green road signs on the county roads. Why are the citizens being taxed if the signs are not going to be kept up? The Assistant County Administrator stated he would have staff look at the sign problem.

3. George Whitman – 13010 Old Stage Road, Petersburg, Virginia – he stated the county is on a collision course. It is in dire need of a public works department. He said there is only one qualified person in the Planning Department and that is Mr. Scheid. The other personnel are not qualified for their positions and Mr. Scheid needs some help. He commented that the Board was responsible for where they spend the citizen's money. He said from this point on, until this election is over, he was going to evaluate what the Board has been doing with the taxpayers money. He questioned how the County could afford to spend $800,045 dollars on the GIS. He questioned what the Board is doing for the citizens in the County. He also stated the County is 40 or 50 years behind on our storm and drainage issues. There are people in the County building on wetlands and flood planes and it is going to come back and haunt us. Continuing he commented the County doesn't have anyone looking out for the taxpayer..... The Chairman called a time limit on Mr. Whitman due to the 30-minute time frame allotted for the citizen comment period.

IN RE: PUBLIC HEARING – TO PROHIBIT OR RESTRICT THROUGH TRUCK OR SEMI TRAILER COMBINATION TRAFFIC ON STATE ROUTE 226 (COX ROAD)

This being the time and place as advertised in the Monitor on August 19, 2003 and August 26, 2003, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on whether the Board will make a formal request to the Commonwealth Transportation Board, or its designee, to prohibit or restrict the use by through traffic (by any truck or truck and trailer or semi trailer combination - but not a pickup or panel truck) on State Route 226 – Cox Road – located in the County.

Mr. W. Kevin Massengill, Assistant County Administrator, stated this was the second required public hearing for restriction of truck traffic on Rt. 226. Information from Richard Caywood, VDOT, on previous studies done on Rt. 226 was provided in the Board packets. He commented that VDOT representatives were present tonight as well as Mr. Guy Scheid, Planning Director, as requested

by the Board, to give a brief background on Rt. 226 and answer any questions they might have.

Mr. Scheid gave a brief planning summary on Rt. 226. He explained to the Board that the industry was there before a lot of the residential development got there. However, the residential growth got there but with the proper buffering it didn't seem to inhibit the residential growth. As the characteristics of the neighborhood changed and the road patterns changed, you do have conflicting types of traffic that are there. He stated what he could envision if you did allow the expansion of the existing industry or you allowed other industries to start coming in on 226 you might have an increased impact; but in this particular case, it is pretty much known that the industry is there. People like this location and the infrastructure that's available the ability to get where they want to go and it's close to their jobs. Route 226 is a fairly stable community. With the exception of a hand full of businesses Route 226 is basically a residential area.

Mr. Bowman commented that the reason this is before the Board tonight is because of all the calls and complaints he has gotten over the last 3-years. Mr. Bowman stated that he continues to get calls about the truck traffic and the "Jack brakes" and the noise. People are really dissatisfied and he got the feeling that they would rather live elsewhere. He asked Mr. Scheid in his professional opinion did he see a problem with this and did he think people are going to stay and they don't have a legitimate complaint.

Mr. Scheid replied that the people have come into the area knowing what is there and there has not been any expansion of the facility itself. Mr. Bowman countered saying when it was originally built the size and load capacity of the trucks were much less and then they didn't have "Jake" brakes, which make a tremendous amount of noise. Is there any relief for the people? Mr. Scheid replied if the area continues to develop as it is developing other alternatives are going to have to become available. When you do have commercial types of traffic and residential traffic as the volumes get larger and larger there are more incidences of conflict that you find between them. It is obvious that the larger vehicles have a harder time getting along with the smaller ones. He commented at the present time the businesses and residential areas in the area were in compliance with the Comprehensive Land Use Plan. It would be nice if they could be separated but unfortunately for this area the development is already there.

Mr. Overton, Assistant Resident Engineer, VDOT, told the Board that he was not familiar with the study that had been done by VDOT but he would have the engineering division do another comprehensive study. He commented the number of vehicles and road entrances would affect the outcome.

Mr. Bracey asked the Chairman if he knew how many times this issue had come before this board? Mr. Bowman commented he had brought it before the Board several times since he has been on the Board. Mr. Bracey commented but this is not the first time the truck traffic issue has been brought before this board. As a matter of fact since he has been on the Board the issue has been brought up numerous times. Mr. Bracey stated, Mr. Chairman, you are not and have not been the only member of the Board to try and get something done to help with the truck traffic issue in that area. So don't try to sway the citizens into thinking that this is a new idea and you are the only one that is trying to do something about it. He said just tell the truth Mr. Bowman. The Board is going to have to deal with the whole nine yards. Mr. Bracey stated, Mr. Bowman you are trying to portray that this is the first time this issue has come before the Board and it is not. He said he felt (Mr. Bowman) should be fair to this Board and VDOT. Each time VDOT has responded to the Board and they have had to follow their guidelines also. Mr. Bowman made the comment then you think I should drop the issue? Mr. Bracey replied, that is not what he said, just tell the truth Mr. Bowman, this Board has dealt with this issue before you ever got elected.

Mr. Bowman opened the public hearing for citizen's comments. The following persons spoke in favor of prohibiting or restricting through truck traffic on Route 226:

1. Michelle Parker – 6812 Duncan Road, Petersburg, Virginia
2. Eva Bratschi - 23500 Cutbank Road, McKenney, Virginia
3. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia
4. George Whitman – 13010 Old Stage Road, Petersburg, Virginia

The following persons spoke in opposition to prohibit or restrict the use by through traffic (by any truck or truck and trailer or semi trailer combination) on Route 226:

1. Ted Baxter – Gentry Wells – Cox Road, Petersburg, Virginia
2. James Harvell – Carson, Virginia
3. J. C. Williams – 4080 Tavern Road, Disputanta, Virginia
4. Edward Williams – 23505 Cox Road, Petersburg, Virginia

Mr. Bowman closed the public hearing.

Mr. Haraway asked Mr. J. C. Williams if he would send the Board a computation of the losses he and other trucker stated they would lose if they used I-85 instead of Cox Road. Mr. Williams replied he would.

Mr. Bowman commented that there was no intent of the Board to create a hardship on the truck drivers but he had received more complaints about the truck traffic on Rt. 226, since he has been a member on the Board, than any other issue including the proposed quarry. He stated Dinwiddie County is growing and changing and it is not 1960 anymore. Population has increased tremendously with the addition of the subdivisions, which has caused an increase in the possibility of accidents. The only thing the Board is trying to do is to prevent accidents from happening and to make Dinwiddie a better place to live. You just can't have heavy industrial and residential growth in the same area without having these problems. He thanked Vulcan for their assistance in posting signs and cooperating with the county officials also.

Mr. Clay stated he sympathized with the truck drivers because they were just trying to make a living and it would be a hardship for them if they have to travel the extra distance. He commented he wanted to do what is best for the citizens but felt the broken windshields might be a result of people following too closely to the trucks.

Mr. Haraway commented he had a lot of folks here tonight from his district and the message he heard during the citizen comment period was that they would like to see the Board pursue the matter of restricting through truck traffic on Rt. 226. He asked for a show of hands for persons who lived in Dinwiddie County that does not want the Board to pursue the elimination of truck traffic (three persons raised their hands). He then asked for those who would favor restricting truck traffic. The majority of the people present raised their hands. Mr. Haraway commented this was an indication that the matter should be pursued.

Mr. Bracey stated there was no way he could support the issue at hand. He commented he felt industry and residents could live together. Continuing he voiced his concern that the Board was tampering with the livelihood of a lot of people if it restricted truck traffic on Rt. 226. These truckers don't make any money if their trucks aren't moving and they should choose the closer route, it only makes sense. He also commented the rock quarry was there before the subdivisions were built. He asked the Board do we want to close Vulcan down? He stated the Board should look into this situation a lot closer before it acted on restricting truck traffic because it is a matter of economics. He cautioned the

Board members against making a decision on restricting truck traffic on Rt. 226. He stated that VDOT and the County needed to do some additional studies before the Board made a commitment on this issue.

Mr. Moody said he too would like to get some updated information from VDOT before making a decision. Mr. Haraway and Mr. Clay agreed.

It was the consensus of the Board members that before it took the next step to adopt a resolution to request the Virginia Commonwealth Transportation Board or its designee to consider the restriction of truck traffic on Route 226 that additional updated input from VDOT was needed.

Mr. Overton, Assistant Resident Engineer, with VDOT agreed to meet with Mr. Caywood and conduct a new comprehensive study on Route 226. The study and its conclusions would then be presented to County Staff and the Board.

IN RE: RECESS

The Chairman called for a recess at 8:51 P.M. The meeting reconvened at 9:05 P.M.

IN RE: SPECIAL ENTERTAINMENT PERMIT REQUEST – DUCKS UNLIMITED

The Assistant County Administrator relayed to the Board that an application was enclosed in their packets from Ducks Unlimited for their Outdoor Festival to be held September 19 – 21, 2003 at the Virginia Motorsports Park. Mr. Paul Coleman has been assisting the group in the process of completing the application for the event; however, it has been a difficult process since the representatives are located in California.

At this point, the County has not received a completed form from the Health Department and the Building Inspections Department. Some of the information may not be completed until the week Ducks Unlimited will be arriving for the event. The County is very pleased to have been chosen to hold the event; however, the County is responsible for insuring the safety and protection of the citizens and persons attending the event. The displays need to be inspected. Therefore, Staff recommends approval of the permit with the contingency that the Health Department and the Building Inspections Department sign off on their forms prior to the opening of the event.

Mr. Coleman and Mr. Rick Johnson, Regional Director of Ducks Unlimited addressed the Board on behalf of the event. Mr. Johnson expressed his appreciation to the Board for the County's involvement thus far. He also requested that the Board extend the courtesy of dropping the Fire and EMS charge of $6,000. He said they did not budget for this expenditure since no other locality had charged for these services. He commented Ducks Unlimited is a 501C3 "non-profit organization" and are exempt from charging the 4% sales "entertainment tax"; but in lieu of paying the Fire and EMS charge of $6,000 they would charge the patrons the 4% sales tax and the County would receive approximately $10,000, which would turn a profit for the County.

Mr. David Jolly, Director of Public Safety, addressed the Board stating he came up with the $6,000 figure. There was a lengthy discussion between the Board members, Mr. Johnson, Mr. Coleman, and the Director of Public Safety regarding whether or not to relinquish the fees for the Fire and EMS services or to accept the fee for the 4% sales tax.

Mr. Shelly Newton, Assistant Fire Chief, NVFD, spoke on behalf of the volunteers who would be working the event. He stated the stations that covered the event should receive compensation for their time and equipment. The Chairman of the Board told Mr. Newton that they would make sure that the

volunteer agencies that worked the event would get compensated for their services.

Mr. Haraway moved to allow Ducks Unlimited to hold the event and due to the 501C3 "non-profit organization" status in lieu of paying the Fire and EMS charge of $6,000, they would charge the patrons attending the event the 4% sales tax. The County would receive approximately $10,000, which would be profitable for the County.

Mr. Moody seconded the motion. Mr. Moody, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman voted "Aye", motion carried.

Mr. Coleman and Mr. Johnson expressed their appreciation to the Board for its consideration.

IN RE: CORRIDOR STUDIES AGREEMENT – LANDMARK DESIGN GROUP

The Assistant County Administrator commented the contract for the Corridor Study with Landmark Design Group has been finalized and at this time Staff is requesting authorization for the County Administrator to sign the contract. Also enclosed in your packets was a proposed schedule of workshops for the Boards review. He stated Mrs. Von Rinner is present if any of you have any additional questions. He said there is approximately $47,000 dollars in the budget for the project; therefore, an additional appropriation of $10,000 dollars is needed if it is the desire of the Board to move forward with the contract.

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

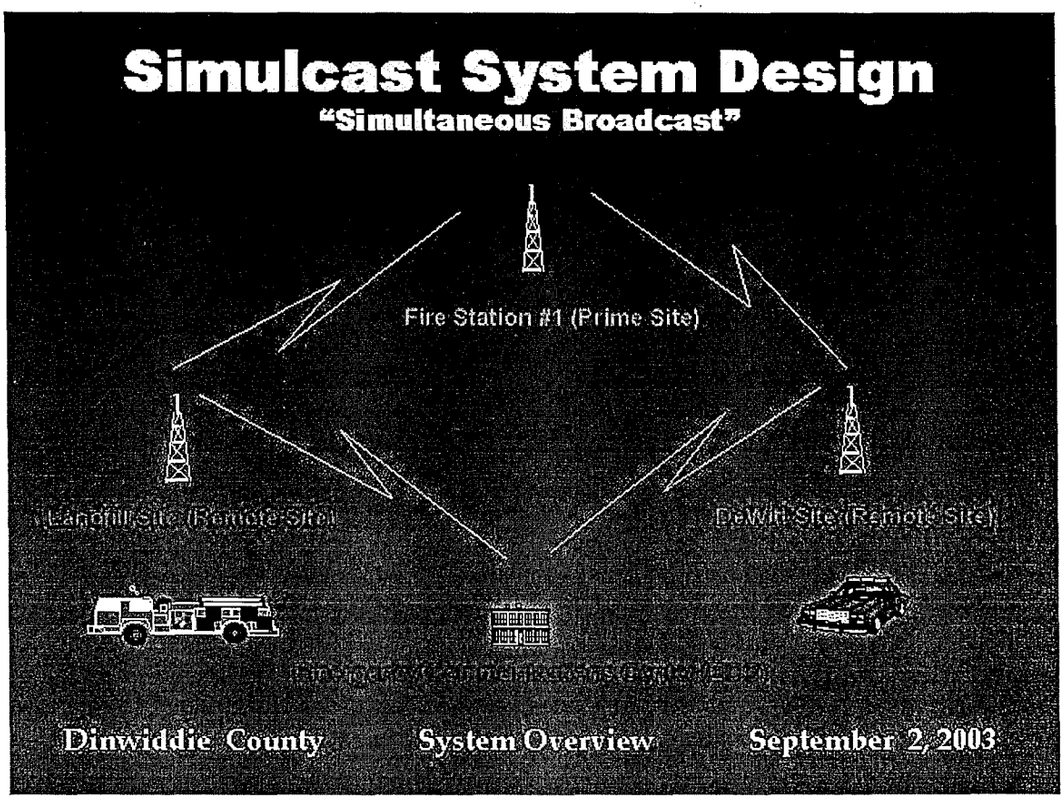
BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to sign the contract with Landmark Design Group for an amount not to exceed $57,000 for the Route 1 and Route 460 Corridor Study.

IN RE: RADIO COMMUNICATIONS SYSTEM - AUTHORIZATION TO ENTER INTO CONTRACT WITH MOTOROLA

Ms. Denise Absher, Communications Manager, introduced Mr. Curt Andrich, Senior Consultant with L. Robert Kimball & Associates, and Mr. Steve R. Garner, Virginia Sales Manager, Motorola, Inc. to the Board and Public.

Mr. Garner presented the following information to the Citizens and Board.

VHF Simulcast Radio and Paging System



Simulcast Advantages

"Simultaneous Broadcast"

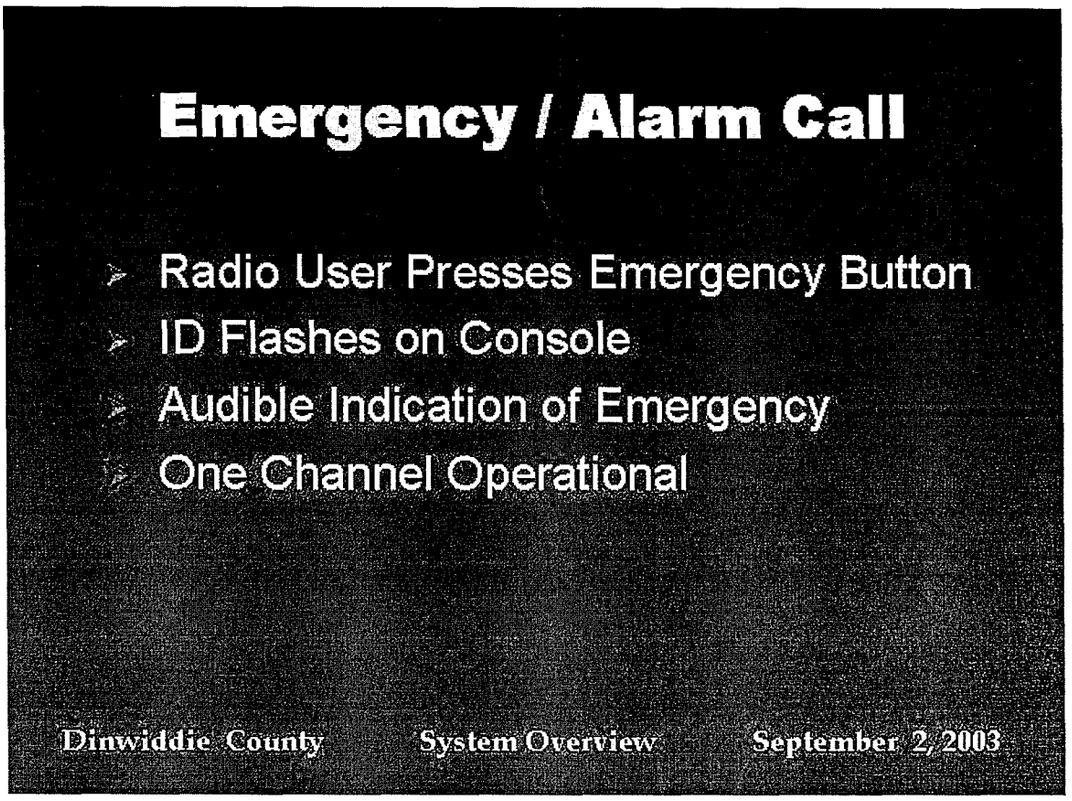
- Wide area coverage - unit to unit
- Seamless Roaming (Hot pursuit)
- Operation transparent to user
- Easiest to operate - no confusion by the users in field or in the dispatch personnel
- Best inbound audio transmitted to all users
- Most efficient use of limited spectrum

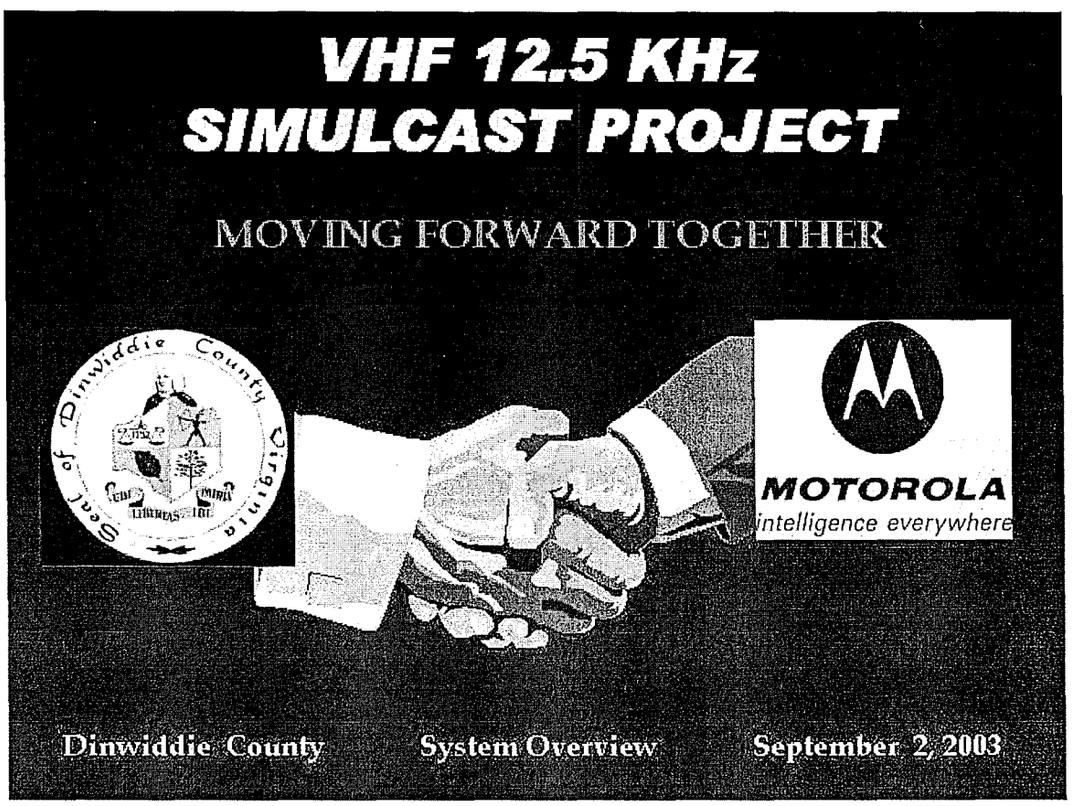
Dinwiddie County System Overview September 2, 2003

Push-To-Talk ID (PTT)

- Radio User Presses PTT
- User ID is displayed on console
- Used for Identification of Users by Dispatchers for System Management

Dinwiddie County System Overview September 2, 2003





Mr. Moody asked if the Board approves the contract tonight would the County be able to change the system to digital in the future. He was informed by the Motorola representative that the County could.

Mr. Haraway stated "I move to award the contract for the VHF Simulcast Public Safety Radio Communications System to Motorola, Inc. for the price of $4,230,000 million dollars with an addendum setting forth the scope of service and pricing for the digital features that were proposed by our consultants. Such addendum shall provide the County with the discretion to elect to purchase this equipment in the future. The contract is subject to the County Attorney negotiating satisfactory terms and conditions that will govern the contract." The motion was seconded by Mr. Clay. Mr. Moody, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye", motion carried.

IN RE: APPOINTMENTS – VIRGINIA'S GATEWAY REGION

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Donald Haraway and Mr. Milton I. Hargrave, Jr. are hereby re-appointed to the Virginia Gateway Region Board for a term ending September 30, 2004.

IN RE: APPOINTMENTS – DISTRICT 19 CHAPTER 10 BOARD

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Ms. Kimberley Willis is hereby appointed to fill the unexpired term of Mrs. Peggy McElveen on the District 19 Chapter 10 Board for a term ending December 31, 2003.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The Assistant County Administrator stated as a result of the meeting between the County and School Architects, which was held on Friday, September 29, 2003, a meeting needs to be scheduled between the two Boards to discuss the results and hopefully proceed with the project. The earliest this could be scheduled would be at the end of the September 16, 2003 meeting around 4:00 P.M. if that meets with the Boards approval. Also, the School Board would need to procure an architect for the project. Administration recommends authorization for the School Board to proceed with the selection of an architect. This will expedite the process when the Boards reach a decision on which projects to pursue. The Board agreed to meet with the School Board after the September 16th meeting. However, several of the Board members felt that the School Board should wait until after that meeting to procure the services of an architect.
2. The Assistant County Administrator stated that some of the Board members have asked about the institution of volunteer proffers and as mentioned at the last meeting, Robinson, Farmer, Cox Associates have finished the draft of the justification. Please let Staff know when it would like to hold this discussion so it can be arranged. The Board agreed to meet with Robinson, Farmer, Cox Associates during the joint meeting with the Planning Commission on September 10, 2003.

IN RE: BOARD MEMBER COMMENTS

Mr. Clay — He stated it had been very uncomfortable tonight and he requested that the air conditioner be repaired before the next meeting.

Mr. Bracey — He requested that the Board members meet to discuss issues between the members that should not be discussed in open session. He also stated he had the following concerns with the Recreation Department:

1. County Fair
2. Programs are basically the same and they need to be expanded to recognize people of various ages.
3. He asked for an update by the next meeting on the funds allocated for the picnic shelter.

He commented a business had contacted him regarding juveniles smoking blunts on their property. He requested

that the Sheriff's Office be contacted to see if something could be done about the situation.
Continuing he stated the Board should sit down and discuss the Planning Department because there was no leadership in that department.
He commented, in regard to the statement made by Mrs. Scarborough that the Board had met with the School Board to raise the county taxes for the school projects; this Board has not voted on a tax increase.

Mr. Moody — He commented that in his travels around the County he also noticed a lot of road signs that were missing. He suggested that someone should be hired to do an inventory of all the missing road signs so they could be replaced. He also asked the citizens if they noticed any missing to please report them to the Planning Department. The phone number for Planning is 804-469-4542. He stated he would be in favor of discussing the volunteer cash proffers at the joint meeting with the Planning Commission scheduled for September 10th.

Mr. Haraway — He expressed his concern about the broken air conditioner.

Mr. Bowman — He commented when the Board meets with Davenport, he would like to know why Dinwiddie County is ranked in the top 25% of localities for the highest real estate tax. He asked who is in the top 25 and why is Dinwiddie County considered in that bracket.
He also stated he receives many complaints about the appearance of the Food Lion parking lot. He asked if Administration could do something about it. He said he thought the County Administrator should talk with the Virginia Department of Health and the Management Staff of Food Lion to work out something to make sure the store is kept clean. He said something needs to be done about the situation.

IN RE: CLOSED SESSION

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

> **Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia** – – FOIA; Procurement Issue; **Personnel - §2.2-3711 A. 1** – Planning Department; **Industrial Development - §2.2-3711 A. 5;**

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 10:38 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 11:35 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under §2.2-3711 A.7 of the Code of Virginia Consultation with Legal Counsel – FOIA; Procurement Issue; Personnel - §2.2-3711 A. 1 – Planning Department; Industrial Development - §2.2-3711 A. 5;

that the Sheriff's Office be contacted to see if something could be done about the situation.
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Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 10:38 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 11:35 P.M.

IN RE: CERTIFICATION

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

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

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

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, Seconded by Mr. Moody, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the meeting adjourned at 11:39 P.M. to be continued to September 10 , 2003 for a joint meeting with the Planning Commission in the Multi-purpose Room in the Pamplin Administration Building.

Robert L. Bowman IV

Robert Bowman, IV, Chairman

ATTEST: W. K. Massengill

W. Kevin Massengill
Assistant County Administrator

/abr

VIRGINIA: MINUTES OF THE JOINT WORKSHOP OF THE PLANNING COMMISSION AND BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING ON THE 10th DAY OF SEPTEMBER 2003 AT 5:00 P.M.

PRESENT:	ROBERT L. BOWMAN IV - CHAIR	ELECTION DISTRICT #3
	DONALD L. HARAWAY – VICE CHAIR	ELECTION DISTRICT #2
	HARRISON A. MOODY (arrived 5:30 p.m.)	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.,	ELECTION DISTRICT #4
	AUBREY S. CLAY	ELECTION DISTRICT #5

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Mr. Robert Bowman, IV, Chairman, called the continuation meeting to order at 5:13 P.M.

IN RE: JOINT WORKSHOP TO DISCUSS VOLUNTARY CASH PROFFERS

The following items were discussed:

Mrs. Wendy Ralph, County Administrator, made brief comments thanking everyone for the many acts of kindness extended to her during her recent illness. She then introduced Ms. Amy Crowder and Mr. Brett Harmon as applicants for the Senior Planner/Zoning Administrator position. She stated that they had been through one set of interviews and this was an opportunity to meet the Board and Commission members.

Mrs. Ralph stated that the reason for the workshop was to begin discussion between the Board of Supervisors and the Planning Commission on goals and objectives that they would like implemented from the Comprehensive Plan recommendations. One of the things the county has become eligible for with the last census is voluntary cash proffers. She added that one of the requirements is the establishment of the baseline for that proffer system. In order to do that the County contracted with Robinson, Farmer, Cox Associates and they were in attendance to give a presentation and go over the projected cost per residential housing unit.

Mr. Steve Jacobs of the accounting firm of Robinson, Farmer, Cox Associates came forward and made his presentation discussing cash proffers as they relate to rezoning requests.

COUNTY OF DINWIDDIE
2003 PROFFER GUIDELINES

Presentation to the County Board of Supervisors
September 10, 2003

ROBINSON FARMER COX ASSOCIATES

BACKGROUND

- RFC ENGAGED TO
  - Develop a County proffer guideline sytem
- STUDY APPROACH
  - Based financial data on the 2002 Audit and 2003 CIP
  - Included "credits" from revenue sources that contribute to the funding of capital expenditure and debt service, but were not recognized by the earlier study

ROBINSON FARMER COX ASSOCIATES

DEMOGRAPHICS

2000 DATA

County Population	23,535
Households	9,107
Persons per Household	2.58
Average Taxable Value New Housing Unit	$101,800
Average Taxable Value Motor Vehicle	$4,000
Vehicles per Household	2.0

METHODOLOGY

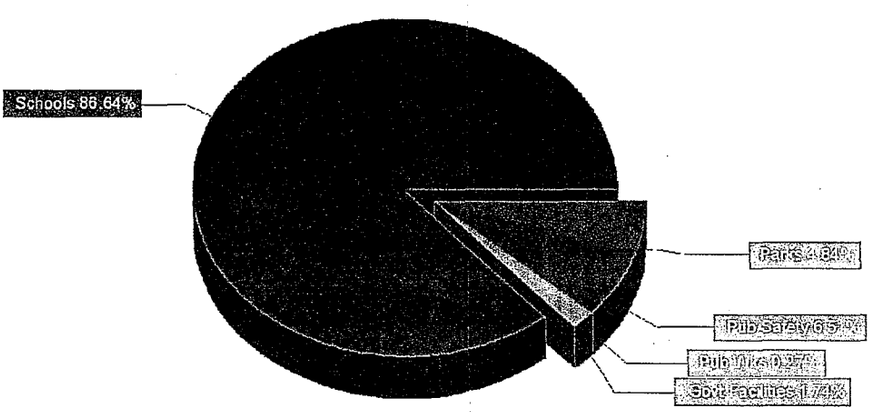
- Based on current CIP, compute capital improvement costs per household for each function
- Calculate total credit per function
- Cost - Credit = Total Capital Impact

CAPITAL IMPROVEMENT PROGRAM

Project	Cost - $
Schools	
Elementary School Projects	*931,875*
Middle School Projects	*1,695,000*
High School Projects	*10,500,000*
System Wide Projects	*33,500,000*
Total Schools	**89,498,000**
General Government Facilities	**1,798,549**
Public Works Projects	**281,820**
Public Safety Projects/	**6,725,428**
Parks & Recreation Projects	**5,000,167**
TOTAL CAPITAL PROJECTS	**103,303,964**

County of Dinwiddie - 2003 Proffer Guidelines

CAPITAL IMPROVEMENT COSTS

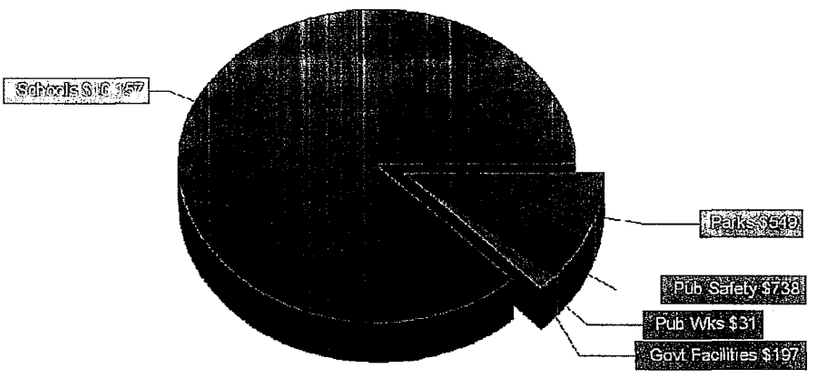


ROBINSON FARMER COX ASSOCIATES RFC

CAPITAL IMPROVEMENT COSTS

(CONTINUED)

$ Per Household



CAPITAL COST COMPUTATION

EXAMPLE: SCHOOLS

Project	Cost	Cost/Pupil	Pupil/HH	Cost/HH
Elementary School Projects	$27,456,000	$13,387	0.23	$3,079
Middle School Projects	$19,280,000	$18,344	0.12	$2,201
High School Projects	$38,690,000	$33,968	0.13	$4,416
System Wide Projects	$4,072,000	$960	0.48	$461
TOTAL COST				**$10,157**

CAPITAL COST COMPUTATION

EXAMPLE: SCHOOLS CONTINUED

Per Unit Credit Computation

	Real Estate	Personal Property	Other Revenue
Taxable Value - Unit	101,800	8,000	0
Tax Rate per $100	$0.77	$4.90	$0.00
Est. Annual Revenue	784	392	335
% Supporting Debt Svc	25.63%	25.63%	25.63%
$ for Debt Credit	201	100	86
Function's % of Debt	86.64%	86.64%	86.64%
Rate of Annual Growth	2.00%	2.00%	2.00%
Discount Rate	6.00%	6.00%	6.00%
Present Value	2,341	1,172	1,035
Forecasted Revenue			
Year 1	174	87	75
Year 2	177	89	77
Year 3	181	91	79
Year 4	185	93	81
Year 18	245	121	109
Year 19	250	123	111
Year 20	255	125	113

County of Dinwiddie - 2003 Proffer Guidelines

CAPITAL COST COMPUTATION

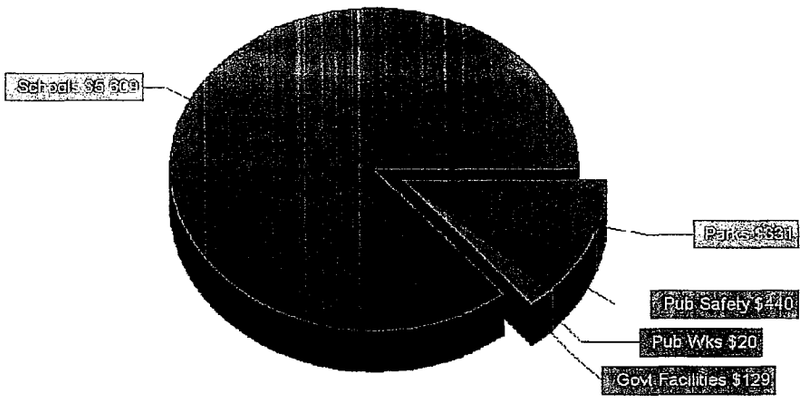
EXAMPLE: SCHOOLS CONTINUED

Project	Cost	Cost/Pupil	Pupil/HH	Cost/HH
Elementary School Projects	$27,456,000	$13,387	0.23	$3,079
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High School Projects	$38,690,000	$33,968	0.13	$4,416
System Wide Projects	$4,072,000	$960	0.48	$461
TOTAL COST				$10,157
CREDIT				*$4,548*
NET CAPITAL IMPACT	**89,498,000**			**$5,609**

ROBINSON FARMER COX ASSOCIATES RFC

SUMMARY

NET CAPITAL IMPACT



ROBINSON FARMER COX ASSOCIATES

County of Dinwiddie - 2003 Proffer Guidelines

CONCLUSION

PER HOUSEHOLD DATA	
Impact On Schools	
Gross Costs	*$10,157*
Total Credits	*$4,548*
Net Capital Impact	**$5,609**
Impact On Gen Govt Facilities	
Gross Costs	*$197*
Total Credits	*$68*
Net Capital Impact	**$129**
Impact On Public Works	
Gross Costs	*$31*
Total Credits	*$11*
Net Capital Impact	**$20**
Impact On Public Safety	
Gross Costs	*$738*
Total Credits	*$298*
Net Capital Impact	**$440**
Impact On Parks & Recreation	
Gross Costs	*$549*
Total Credits	*$218*
Net Capital Impact	**$331**
TOTAL CAPITAL IMPACT	$6,529

TOTAL IMPACT:

$6,529 per household

ROBINSON FARMER COX ASSOCIATES

It was pointed out that the proposed cash proffer of $6,529 was based on the full $88 million school improvement plan. Any reduction in the plan reduces the cash proffer.

There was general discussion among the Planning Commission, Board of Supervisors and Mr. Jacobs concerning the projected cost per residential housing unit and the feasibility of implementing cash proffers. He commented that if the county wished to pursue cash proffers, the zoning ordinance must be amended. Mr. Jacobs concluded his presentation at 6:37 p.m.

IN RE: RECESS FOR DINNER

The Board recess for dinner at 6:37 P.M. and reconvened at 6:50 P.M.

IN RE: DISCUSSION OF WORK PROGRAM FOR PLANNING COMMISSION & STAFF FOR ITEMS IN COMPREHENSIVE LAND USE PLAN

After recessing for dinner, Ms. Ralph led the Planning Commission and the Board of Supervisors in discussion of the Annual Work Program for the Planning Commission and staff. Mr. Dean McCray presented the manner in which the annual work matrix was developed. The Planning Commission developed it from items listed in the Comprehensive Plan. Mr. McCray stated they essentially targeted the following for further study: protect agricultural lands from incompatible land use development by controlling residential and commercial development; develop an impact fee for intensive land usage; require recreational areas in new developments; allow greater density within development if offset by buffering; and study transfer of development rights as they may apply to agricultural lands.

Planning Staff raised the following issues that need to be addressed: develop a storm water management district for the northeast portion of the County that can respond to the increasing demands for drainage maintenance and repair; and review the various zoning districts for compatibility with the policies, goals and objectives established by the comprehensive plan.

At this point, Mr. Bracey expressed his concern regarding the need for more buffering around residential subdivisions than is currently required. Additionally, we need more public lands so that we can have a county park(s) and more recreational opportunities.

Mr. Bowman stated that we needed to properly plan for industrial development and it needs to be in the northeastern portion of the County near Petersburg. Also, we need to develop a strategy to separate trucks from passenger vehicles.

Mr. Titmus expressed the desire to reduce the number of uses found in each of our districts. Perhaps the use of overlay districts could assist in use restrictions. Mr. Bowman elaborated upon Mr. Titmus' statement by saying it is bad zoning to allow cabinet shops as a use by right in an agricultural district rather than requiring a conditional use permit.

Mr. Lee stated that more farming uses should be encouraged in the Agricultural zoning districts rather than non-agricultural uses.

Mr. Scheid noted that drainage complaints are constantly referred to his office. Most of the complaints are from residents located in the northeast portion of the County. It has been previously mentioned that a storm water management district should be studied for this area. It is a problem that will continue to grow until a solution is adopted.

IN RE: RC&D BOARD REPORT

Mr. Lee stated the following: the RC & D is considering hiring a land planner to study Transfer of Development Rights for the Tri-Cities area; and they are looking into more agri-business grants.

IN RE: RECREATIONAL MINING – BARRY RESNICK PROPERTY

Mr. Barry Resnick gave a brief presentation on his request to establish recreational mining on his property on Harper's Bridge Road.

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Moody Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the meeting adjourned at 7:27 P.M.

Robert L. Bowman IV

Robert Bowman, IV, Chairman

Wendy Weber Ralph

Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 2:00 P.M.

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

==========

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

Mr. Robert L. Bowman, Chair, called the regular meeting to order at 2:09 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Wendy Ralph, the County Administrator, stated that there were a couple of additions she would like to add under the Action Items Agenda. The first was to present an adoption of a local emergency declaration because of the impending storm. The second was a resolution submitted by the School Board on a fiscal agent for the Governors School. She stated that under closed Session, add consultation with legal counsel, 2.2-3711 A .7, for purpose of a tax appeal. She also stated, for informational purposes for those that are here, the joint meeting with the School Board will not actually be a meeting with the School Board. She stated that there were some members that could not be present however we will still have that meeting with representatives from the School Board. She stated that school staff would come up and go over the information with the Board of Supervisors that was gathered from a meeting they had with the architect. She stated that out of this meeting we would set another meeting with the School Board members.

Upon motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the above amendments were approved.

IN RE: CONSENT AGENDA

The County Administrator wanted to add to the claims the amount of $14,498.52 for FCC Licensing and corrected check for legal services.

IN RE: MINUTES

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the August 5, 2003 Regular Meeting and August 19, 2003 Regular Meeting were approved in their entirety.

IN RE: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same

using checks numbered 1036550, through 1036687 (void check(s) numbered 1035616, 1036042, 1036552, and 1036553) for:

ACCOUNTS PAYABLE

(101) General Fund	$	189,610.11
(103) Jail Commission	$	
(104) Marketing Fund	$	
(209) Litter Control	$	
(222) E911 Fund	$	6,086.48
(223) Self Insurance Fund	$	
(225) Courthouse Maintenance	$	
(226) Law Library	$	
(228) Fire Programs & EMS	$	
(229) Forfeited Asset Sharing	$	
(304) CDBG Grant Fund	$	108.60
(305) Capital Projects Fund	$	44,026.45
(401) County Debt Service	$	
TOTAL	**$**	**239,831.64**

IN RE: DIRECTOR OF PLANNING – REQUEST TO ATTEND E & S WORKSHOP

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Director of Planning to attend the E & S Workshop scheduled for October 1 – 2, 2003 in Newport News, Virginia.

IN RE: DIRECTOR OF GIS – REQUEST TO ATTEND VA GIS CONFERENCE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to the Director of GIS to attend the VA GIS Conference scheduled for October 27 – 28, 2003 in Richmond, Virginia.

IN RE: RESOLUTION – SEXUAL ASSAULT/DOMESTIC VIOLENCE AWARENESS MONTH

Upon motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the following resolution is adopted.

RESOLUTION DECLARING OCTOBER SEXUAL ASSAULT/DOMESTIC VIOLENCE AWARENESS MONTH IN THE COUNTY OF DINWIDDIE, VIRGINIA

WHEREAS, sexual assault and domestic violence affects every person of Dinwiddie, Virginia as a victim or as a family member, significant other, neighbor or co-worker of a victim; and

WHEREAS, many citizens of Dinwiddie, Virginia are working to provide quality services and assistance to sexual assault and domestic violence survivors; and dedicated volunteers help staff the 24-hour crisis line at The James House and other family violence centers, respond to emergency calls and offer support,

comfort, and advocacy during medical exams, criminal proceedings, and throughout the healing process; and

WHEREAS, Dinwiddie, Virginia volunteers of The James House and other family violence programs are promoting education by offering training to schools, churches, and civic organizations, as well as medical, mental health, law enforcement, education, and criminal justice personnel regarding issues of sexual assault and domestic violence; and

WHEREAS, it is vitally important that continued educational efforts to provide information about prevention and services for sexual assault and domestic violence be supported and enhanced; and

WHEREAS, it is critical to intensify public awareness of sexual assault and domestic violence, to educate people about the need for citizen involvement in efforts to reduce sexual and family violence, to increase support for agencies such as The James House, who provide cost-free services, and to increase the awareness of the healing power of creative expression; and

WHEREAS, The James House and other family violence centers requests public support and assistance as they continue to work toward a society where all women, children and men can live in peace, free from violence and exploitation;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, does hereby proclaim the month of October as

SEXUAL ASSAULT/DOMESTIC VIOLENCE AWARENESS MONTH
in Dinwiddie County, Virginia, and commends this observance to all citizens.

IN RE: CITIZEN COMMENTS

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

The following citizen(s) came forward to address the Board:

1. Geri Barefoot – 7411 Frontage Road, Petersburg, Virginia – She stated that every County surrounding Dinwiddie has some type of ordinance that regulates the spread of biosolids. She stated that she would like to request that this Board implement the same ordinance as adopted by the Virginia Association of Counties. She stated that they have what is considered a model ordinance. She stated that theirs works and is in compliance with the laws regulating biosolids. She stated that she would like the Board to hire a biosolids coordinator that would over see the land applications and storing of biosolids. She stated that this would not cost the county anything. She stated that who ever the county hires is paid on an average of $16 dollars an hour plus .32 cents a mile. She stated that the state health department reimburses the county for every penny spent. She stated that the state health department recoups its money by charging the biosolids company $2.50 to $4.00 a ton. She stated that she would like the Board to implement notification of surrounding landowners when biosolids are spread. She stated there was a bad incident on Duncan Road because of the spreading of biosolids and because the surrounding landowners were not notified. She stated she feels the Board is responsible.

Mr. Bracey asked if the County has had a public hearing on biosolids and didn't they give us some regulation information?

The County Administrator stated that there was an informational meeting back when biosolids were first being applied. She stated that we have not had a public hearing on an ordinance.

Mr. Bowman asked if the County has anything in the ordinance that pertains to biosolids?

The County Administrator stated that we do not have anything at the present time. She stated that what she would like to do is bring back on October 7, 2003 a recommendation for the Board on the options available concerning a biosolids ordinance, what can be done on hiring someone and the reimbursement process.

Mr. Bowman asked how could the companies be operating in the County if the County does not have an ordinance? He asked is this not the same thing the County went through concerning a tattoo parlor? He asked didn't we have to add that to our ordinance for them to operate?

Mr. Moody stated that the spreading of biosolids is allowed in the state-by-state regulations in the Counties if the area is zoned A-2 (agricultural). He stated that some counties have an ordinance, but it cannot be any stricter than the state.

The County Administrator stated that she would like to present a package of options for the Board with some recommendation. She stated she wanted to see what other counties are doing to get a feel for what this county can get accomplished.

2. Margie Flowers – 14919 Wilkerson Road, Dewitt, Virginia – She stated that she was also concerned about an ordinance for biosolids. She stated she hoped the Board would not drag their feet on this issue. She asked the Board members how long they have known about the spreading of biosolids and would the Board have brought the matter up if no citizens had said anything? She stated that the county that has collected money is Nottoway. She stated the county does need someone to regulate the spreading of biosolids. She stated she feels there has not been enough research done on the spreading of biosolids.

Mr. Bracey stated that there seems to be an issue between the state and the county. He stated that when the County Administrator gets the information from the Farm Bureau, persons from the state department should come and present their materials on biosolids. He stated that he would like to see them come here and present a program, not necessarily to him, but for the citizens of Dinwiddie County.

3. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia – He stated that he had an opportunity to go before the Board in the City of Colonial Heights. He stated they had the ten-minute rule for a citizen to speak and asked any question they wanted. He stated that they had someone on staff that could answer the questions and if the question could not be answered the Mayor would get a staff member on it right away. He stated that they would get back with you as soon as possible. He stated that he would like to see that here in this County. He stated that he would like to see or have citizen's sit in the interviews and see what kind of qualifications are being introduced and see the selection process for individuals getting jobs in Dinwiddie County. He stated the reason he is requesting this is because when the GIS position was

posted he heard that it was already a done deal that Mr. David Thompson, Senior Planner for Dinwiddie County, would get it and he did. He stated that it is things like this that makes a citizen think that the County is doing things that are not ethical. He stated that he came before the Board and told them that landowners were going to rental properties and telling rental persons to remove his wife's signs or they will be evicted. He stated that he drove by the same properties and noticed that Mr. Clay, a Board Member, has his signs on the very same properties. He stated he is disturbed by this nineteen sixties attitude disguised in the twenty first century in this county.

Mr. Bracey stated that the Board does owe Mr. Bratschi an answer on why a lieutenant from the Sheriff's Department would have his wife's signs removed.

The County Administrator stated the reason the Lieutenant had the signs removed is because they were on his property and he did not want them there.

4. Anne Scarborough – Boydton Plank Road, Dinwiddie, Virginia – She stated while she was out on vacation, she read in the paper where candidates applying for a local government job were listed. She stated that it would help alleviate many concerns that the citizens would have concerning hiring procedures if you would announce whom the final three or four candidates were going to be and list it in the paper. She stated that the citizens comments in the past were done a lot better than how they are done now. She stated that she was told by someone that was a member of some committee somewhere that the lawyers are telling people not to say anything, don't have your names in the minutes, because then the citizens can come back and say who said what. She stated that she would like to bring some copies of some minutes and read two or three paragraphs to you sometimes to show you how you answered the citizens. She stated that she read where the County is going to do a tax increase. She stated that she would like for the Board to tell the citizens what the tax increase is prior to November. She stated that the citizens have the right to know what the tax and increase may be, whether one cent, three cents or five cents. She stated that she wants to know before she goes to the polls and votes what the Board is attempting to do concerning the raising of taxes. She stated that the Board owes it to the citizens to not hide behind their office and not make their position known on certain matters. She stated that was what the Board did concerning the quarry.

IN RE: REPORT – VDOT – MR. RICHARD CAYWOOD

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, came forward and provided the following update:

He stated that VDOT is planning to initiate a 24 hour operations if the forecast remains the same and they have contacted contractors that they have access to help in the after math. He wanted to thank the County for inviting VDOT to a coordinating session. He stated that they are at present preparing for flooding and fallen trees. He stated that he just wanted to let everyone know that they have done pretty much all that they could do in terms of preparing for the storm. He stated that he wanted to give the Board an update on the Route 627 work, which is Courthouse Road. He stated that overall it is going well, but there has been one issue. He stated that with the new bridge construction, they have encountered a different rock formation underground then what they had expected. He stated that this could require a little more additional work. He

stated that he had the opportunity to ride on Ridley Road to check the surface condition. He said there are two issues with the road. He stated the first being bumps in the road and they are fairly easy to fix. He stated the second being the surface of the road where bigger rocks than usual were used and the road is very noisy to drive on. He stated he does not believe that it is a safety issue more than it is a noise issue. He stated that they would like to leave it until the spring because they want to see how it works out during the winter months. He stated that there was one other item he wanted to discuss and he knows that it is a concern for the Board. He stated that assuming that the Commonwealth Transportation Board meets on Thursday as they are scheduled to do, they are scheduled to consider the revised through truck policy. He stated that if that takes place they would be in a much better position to evaluate whether they need to do any further studies on Route 226.

Mr. Bowman asked the County Administrator if any one from Dinwiddie County would be attending the meeting on Thursday to lobby for the project?

The County Administrator stated that there would be someone there.

Mr. Bowman stated that about fifteen years ago he saw some plans drawn for Route 1 and Route 226. He stated it came on from the expansion of Washington Street. He asked what are VDOT plans for the Bridge, as it is not wide enough, over the Railroad tracks on Route 1 before you get to Duncan Road.

Mr. Caywood stated that he had not seen any plans. He stated that bridges are fairly easy to expand if they are within the current standard. He stated that he would go into VDOT's archives and take a look at the study concerning the work.

Mr. Moody stated that he had one comment about Route 627. He stated that whatever VDOT needs to do to get the road fixed, they need to do it. He stated that it is ridiculous for the people in that area to be inconvenienced any longer.

Mr. Caywood agreed with Mr. Moody and apologized for the inconvenience and stated that they are working to get the road repaired.

Mr. Bracey sated that there are not a lot of people living on Ridley Road and asked if Mr. Caywood's office could inform them of what is going on in terms of the progress. He also asked about Route 226 and Boydton Plank Road. He stated that with all the traffic lights that are being added are there any plans to help the turn or flow of traffic?

Mr. Caywood stated that he would inform the persons living on Ridley Road and concerning Boydton Plank Road they are working on getting the road in better working condition.

Mr. Clay stated that the potholes are not finished on Coleman Road. He asked is anything going to be done?

Mr. Caywood stated they are going to do some skin patching because it is fairly inexpensive and solves the problem.

IN RE: REPORT – DEPARTMENT OF SOCIAL SERVICES – MS. KIMBERLEY D. WILLIS

Ms. Kimberley D. Willis, the new Social Services Director, introduced herself to the Board and gave some brief information about her background.

IN RE: NAMOZINE VFD – DESIGN DEVELOPMENT DRAWING REVIEW

Mr. Donald W. Faison – Buildings and Grounds Director – stated that since the first quarter there are two major changes on the first drawing. One change was the equipment room being changed around to incorporate the washer and dryer. The second change was closing off a doorway and moving the refrigerator to make room for the new cabinets in an "L" shape in the kitchen area. He stated that there are some significant changes to the second drawing. He stated that the windows, which the Board wanted, were added in the bunkroom. He stated that because of the hood location over the stove in the kitchen, the corridor could not come straight across as originally planned.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia recommend that Buildings and Grounds move forward to the final drawing where the architect will take three weeks to finish and then move to the bid process being thirty days long where someone will come before the Board with results from the bidding.

IN RE: GOVERNMENT BUILDINGS – PHYSICAL PLANT MAINTENANCE BIDS

Mr. Donald W. Faison – Buildings and Grounds Director – stated that the reason there is a rebidding for painting, concrete work, carpentry, masonry, drywall, personnel door repair and aluminum storefront door repair because JDM Construction did not honor their contract. They did a portion of some of the work but did not come through with doing some of the items we wanted them to do. He stated that they just did not cooperate! They did not respond in a timely manner! He recommended accepting the low bid from Specialty Mechanical. He pointed out that no local vendors submitted a bid.

The following bids were received on September 8, 2003 at 2:30 P.M.

PAINTING			
MATNEY, INC.	2 Painters $80.00	$120.00 OVERTIME	$150.00 HOLIDAYS
RODGER & SONS	2 Painters $52.00	$ 77.50 OVERTIME	$ 78.00 HOLIDAYS
SPECIALTY MECH.	2 Painters $ 65.00	$ 97.50 OVERTIME	$ 97.50 HOLIDAYS
G.M. CLEMENTS	2 Painters $ 70.00	$105.00 OVERTIME	$140.00 HOLIDAYS
R.M. HARRIS	3 Painters $96.00	$144.00 OVERTIME	$186.00 HOLIDAYS
CONCRETE WORK			
MATNEY, INC.	2 Finishers $90.00	$130.00 OVERTIME	$160.00 HOLIDAYS
SPECIALTY MECH.	2 Finishers $75.00	$125.00 OVERTIME	$125.00 HOLIDAYS
CARPENTRY			
MATNEY, INC.	2 Carpenters $80.00	$120.00OVERTIME	$150.00 HOLIDAYS
SPECIALTY MECH.	2 Carpenters $65.00	$ 97.50OVERTIME	$ 97.50 HOLIDAYS
MASONRY			
MATNEY, INC.	2 Masons $90.00	$130.00 OVERTIME	$160.00 HOLIDAYS
SPECIALTY MECH.	2 Masons $ 75.00	$125.00 OVERTIME	$125.00 HOLIDAYS
DRYWALL			
SPECIALTY MECH.	2 Mechanics $65.00	$ 97.50 OVERTIME	$97.50 HOLIDAYS
PERSONNEL DOOR REPAIR			
SPECIALTY MECH.	2 Mechanics $65.00	$ 97.50 OVERTIME	$ 97.50 HOLIDAYS
ALUMINUM STOREFRONT DOOR REPAIR			
SPECIALTY MECH.	2 Mechanics $100.00	$150.00 OVERTIME	$150.00 HOLIDAYS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Specialty Mechanical is hereby selected as the new contractor to provide the physical plant maintenance work as described starting October 1, 2003 and ending June 30, 2004 renewable for a twelve-month period at the County's discretion.

IN RE: DINWIDDIE VFD – REPAIR OF 1993 ENGINE

Mr. David Jolly – Public Safety Director – stated that every year they do pump truck maintenance, pump truck servicing and pump truck inspections on the units and this year during the inspection they found two mechanical seals that have deteriorated on the 1993 engine. He stated this has caused the pump to not operate as proficiently as it has in the past. He stated the estimated cost would be $3,500 dollars to repair. He stated that there is a capital line item in the VFD budget to handle the repair and he is asking the Board to authorize them to pay for the repair at that cost level not exceeding the amount of $3,500.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Dinwiddie VFD is authorized to repair their 1993 engine using capital funds within the 32200 category at a cost not to exceed $3,500.

IN RE: MAMOZINE VFD – LADDER TRUCK REPAIR BILL

Mr. David Jolly – Public Safety Director – stated the cost of repair for the Namozine VFD ladder truck would be $1,800. He stated that there is a capital line item for the VFD budget to handle the repair and he is asking the Board to authorize them to pay for the repair at that cost level not exceeding the amount of $1,800.

Mr. Haraway asked Mr. Jolly to get an itemized bill from American Fire Equipment, the company that is repairing the ladder truck, so we will know exactly what the charges are concerning.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Namozine VFD is authorized to pay the ladder truck repair bill using capital funds within the 32200 category at a cost not to exceed $1,800.

IN RE: ADOPTION OF LOCAL EMERGENCY BECAUSE OF IMPENDING STORM

Mr. Jolly stated that a staff meeting was pulled together involving School Board, Health Department, County Staff, VDOT and the Sheriff's Department yesterday afternoon at 3:30 P.M. to provide a briefing for them based on the weather information. He stated that the information has changed and may continue to change, as the Hurricane gets closer to land. He stated that Dinwiddie Elementary is the primary shelter facility. He stated that it will be open at 5:00 P.M. tomorrow. He said the reason for the shelter opening that early is because the storm is expected to hit the Tidewater area earlier than us and they want to be ready. He stated that a one-page preparatory information sheet was given to the school so they would get them to the children who will carry them home to their parents. He stated the Ms. Carwile, Information Technology Specialist, has reconfigured the web site so that the front page will show key pieces of information. He stated that the first is a link to the weather service or the emergency management web page that will get you to the weather service. He stated that the second is to VDOT so the citizens can get information concerning up to date road closings. He stated that most of the Volunteer fire

departments will start staffing on Wednesday night and remain staffed as best they can through out the Hurricane.

Upon Motion of Mr. Bracey, Seconded by Mr. Moody, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the following emergency declaration is adopted.

DECLARATION OF A LOCAL EMERGENCY

WHEREAS, the Board of Supervisors of the County of Dinwiddie does hereby find that:

1. Due to hurricane Isabel, the County of Dinwiddie is facing dangerous conditions resulting from excessive rain and high winds resulting in power outages, high water and extensive road structure damage; and
2. Due to the excessive rain, high winds, road structure damage 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 the County; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said emergency the powers, functions, 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.

IN RE: GAS & FUEL OIL BIDS – AWARD OF CONTRACT

The County Administrator stated that the County received one bid and that was from Parker Oil. She recommended that the fixed price for FY 03-04 year from Parker Oil be accepted and the contract for gas & fuel be awarded to them. She stated that the volatile market we are in makes this choice the best. She stated that the bid prices have been extended only to the date of the Board meeting.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Parker Oil be awarded the contract to provide gas, fuel oil and diesel for FY 03-04 at a fixed price of: Unleaded - $1.047 per gallon; Diesel - $ .960 per gallon; Fuel Oil - $ .8980 per gallon

IN RE: RESOLUTION TO DESIGNATE FISCAL AGENT FOR THE GOVERNOR'S SCHOOL

The County Administrator presented a letter from the School Board requesting approval of a fiscal agent for the governor's school. She stated that it deals with who will serve as the fiscal agent for the Appomattox Regional Governor's School. She stated that they need the approval of all the localities involved. She stated that Chesterfield would be designated the fiscal agent.

Mr. Bracey stated that he would like for someone from the School Board to come forward and explain what this matter is. He stated that we should postpone the decision until then.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator stated that the Ducks Unlimited event has been postponed and in their case when they postpone an event, it is rescheduled for the next year. She stated that she mentioned to them that the County would support them if they wanted to come back to the County with the event.

2. The County Administrator stated that on the Recreation Pavilion, staff is working on bringing that information back to the Board. She stated that there has been an interest expressed by Mr. Haraway to view the structure at Burrowsville where they have a similar structure. She stated that if any other Board member wanted to take the visit please let administration know. She stated that they would like to make the visit between now and October 7. She stated that the reason is so they can bring the recommendation back to the Board at the next meeting.

IN RE: BOARD MEMBER COMMENTS

Mr. Bracey stated that he still wants to meet with the Board to discuss some matters of concern.

Mr. Haraway stated that the members could come in thirty minutes early before the next meeting.

Mr. Moody stated that he had two items to mention and the first being the voter district lines. He stated that where they are seems to be confusing to a lot of people. He stated that the people are confused about where they live in terms of their district. He stated that maybe a picture put in the paper showing the lines with respect to the district would be helpful to the citizens. Secondly he stated that back in the spring when we received a lot of rain there were some farmers who were not able to plant their crops. He stated that he would like to ask the extension service or FSA to do a damage assessment to see if we need to declare an emergency.

Mr. Haraway stated that he had one item and that was legal fees. He stated that based on the first two and a half months of this fiscal year; he annualized the fee at $200,000. He stated that the Board needs to take a look at the request of the legal services. He stated that he hopes there is not anyone calling for legal services without the approval of the Administrator or Assistant Administrator. He asked if it is true and if anyone is allowed to call without approval? He stated that the cost goes up each year! He stated that he would like to see the administration take some steps to curtail the legal costs for this year!

The County Administrator stated that the administration is pretty much aware of the issues that they are calling on. She stated that they are not just picking up the phone and calling without approval. She stated that a big portion of the cost comes from litigation and there is no way to curtail the costs. She stated that the administration will certainly work on the other matters.

Mr. Bracey stated that there is a department that uses legal services a lot more than the other departments. He stated that they need to come in and justify why they are calling them.

Mr. Haraway stated that another approach we may want to take is increasing the retainer to include more day-to-day business operations or decisions. He gave the example of the County only paying $36,000 for the retainer, but we are looking at over $200,000 in legal bills. He stated that maybe we could explore with the law firm increasing the retainer for the daily items. He stated that he thinks that over $200,000 is too much to be spending in legal fees.

Mr. Bowman stated that he had a question about the fund balance. He stated that Debbie Marston, Commissioner of the Revenue, was going to go back

and bill for back taxes with the Titanium Company. He asked if she did and if the fund balance represents five years of collecting taxes or is it included in the $15,000,000, or is it a one-time wind fall?

The County Administrator stated that the fund balance would include all the revenue collected up to the date listed.

Mr. Bowman asked if we could get a figure about how many years she went back and collected on the Titanium Company so we will know what to expect next year?

The County Administrator stated that we could ask her for the information.

Mr. Bracey stated that in the past when there was a windfall of money it was put into a separate account designating it as a windfall amount.

IN RE: CLOSED SESSION

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

2.2-3711 A. 1 of the Code of Virginia, Personnel Matters
VJCCCA; Planning; Animal Control
2.2-3711 A. 3 of the Code of Virginia, Acquisition of Property
2.2-3711 A. 5 of the Code of Virginia, Industrial Development
2.2-3711 A. 7 of the Code of Virginia, Consultation with Legal Counsel
Tax Appeal

Upon Motion of Mr. Clay seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the Board moved into the Closed Meeting at 4:31 P.M.

IN RE: CERTIFICATION

A vote having been made and approved the meeting reconvened into Open Session at 5:26 P.M.

Whereas, this Board convened in a closed meeting under **2.2-3711 A. 1 Personnel Matters** – VJCCCA; Planning; Animal Control and **2.2-3711 A. 3 Acquisition of Property** and **2.2-3711 A. 5 Industrial Development** and **2.2-3711 A. 7 Consultation with Legal Counsel** – Tax Appeal.

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

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

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

IN RE: JOINT MEETING WITH REPRESENTATIVES OF THE SCHOOL BOARD STAFF – REVIEW OF SCHOOL BOARD IMPROVEMENTS

The County Administrator stated that after the last time the Board met the architects got together and had a meeting and the administrative staff and school staff came in and talked with the architect. She stated that the Board members should have gotten either Saturday or Monday some material from BCWH. She

stated that they also should have received a sheet showing a comparison chart and she gave them a letter from the administration office concerning this matter. She stated that since there were some school board members that could not get to the meeting at this time and because you all wanted to meet at the end of the Board meeting, she thought it was best to ask the school staff to come up and go through the document.

Dr. Jim Lanham, before he began his discussion on the new building options only, stated that the best way to follow this was to let each option follow its own path through each of the succeeding pages. He stated that the first option is the original option that the School Board presented to the Board. He stated that he hoped at this point that it has expanded to the point where the Board has a very clear picture of what was included. He stated that the information shows them what would be contained in the building. He stated that the original option shows a new elementary school of 720 students with a price tag of $14 million. He stated that option two talks about building a new elementary school for 356 students, but with a core for 720 students. He stated that for a new elementary school housing 356 students the cost would be $9.5 million. He stated that if you build it to include the core of 720 students the cost goes up to $10.2 million. He stated that this was something that came out of the discussion with Ms. Ralph and Mr. Massengill. He stated that the feeling he got out of the meeting was that no matter what the size of new building they built, 350, 450, 550, that the County would want to be able to have core facilities built at the time that allow for expansion. He stated that core facilities that we are talking about would be the cafeteria, library, administrative office space and multi-purpose room space the kinds of things that are found at the core of a building that are hard to add on to. He stated that option three is a new elementary school for 472 students that would cost $10.3 million and with the core of 720 students the cost goes to 11 million. He stated that option four is a new elementary school of 422 students with a price tag of $9 million.

Dr. Lanham, before he began his discussion on what to do with the existing Rohoic Elementary School, stated that the first two pages have to be looked at in concert with the next two pages. He stated that under the first option would be nothing. He stated that there would be some uses for it but not for elementary instruction, because you build a big school that can handle the population. He stated that option two looks at renovation for 356 students carrying a price tag of $6.6 million. He stated that the $6.6 million does not include the phasing cost. He stated that the phasing costs are the cost for trailers and the things that go with housing students in a temporary facility while the original facility is being worked on. He stated that the third option with only doing minor renovations such as the HVAC, electrical and the like would cost $3.3 million with phasing cost being $3.2 million.

Mr. Haraway stated that under option three where you talk about the building interior, you have replaced the classroom casework. He stated that when he thinks of casework he thinks of windowframes and doorframes. He asked Dr. Lanham if that is was what he was talking about.

Dr. Lanham yes and it also refers to built-ins, cubbies, counter top, and for places for students to store books that may not have lockers.

Mr. Haraway stated that what he would like to see is a cost column under option one for things that need to be done to keep the Rohoic school building up to code. He stated that we may not use it for a school, but there are things that need to be done to the building to keep it up to code standards.

Mr. Haraway asked Dr. Lanham to review with him the school set up concerning class periods.

Dr. Lanham stated that the elementary school children are in the same class all day and they go out for one special per day. He stated that special could be library, PE and music.

Mr. Haraway stated that the distance between a school he went out and drove last week was four miles. He asked why couldn't we use one teacher to work at another school if that school needs more resources?

Dr. Lanham stated that it is possible to have some teachers move such as art, PE or music, but moving the special education teachers may pose a problem. He stated that for the most part they are doing that with those teachers now.

Mr. De Stefano stated that the national associations of elementary school principals recommend that the sizes be between 425 to 451 students.

County Administrator stated that as a basis of looking at the new elementary school your estimates were fairly close which were nine and a half and nine. She stated that it appears to her that what we have is decision number one being building a new school with the numbers that were given or number two being the renovations of Rohoic with the numbers given. She stated that is what the Board's need to come together on and make a decision.

Mr. Moody stated that what needs to be put in to factor is what it will cost to get Rohoic up to code and what must be done to Rohoic to keep it up to code even if we do not use it for a school. He asked what was the School Board's recommendation concerning the use of Rohoic for something other than a school?

Dr. Lanham stated that there were four options with the first being Head Start that is presently in leased space at Southside Elementary; it needs a permanent home. He stated that the second option would be for an alternative High School. He stated that the third option would be for a consolidation of school board offices and the fourth option would be the current technology department.

Mr. Bracey asked what are we able to finance as a community? He stated that most of the citizens want a smaller school. He stated that he would like to see Rohoic renovated because we are three years behind as of now. He stated that we have been talking about doing something and we have not. He stated that we have never had a problem with the citizens before with financing schools so let's get something done. He stated that he does not have any respect or confidence in BCWH, because of what he has gathered from other localities. He stated that BCWH has almost drove some of the other localities broke. He stated that he has more confidence in the school board staff than in BCWH, because BCWH cost the county $200,000 for their study without citizen's input and the school board staff would have done the job at no cost and listened to what the citizens wanted.

Dr. Wise stated that he doesn't feel for $30 million the school board can get the programs done that the county needs. He stated you can play games with numbers and size all you want. He stated that the school board has brought in some qualified teachers and they are ready to share their knowledge. He stated the days of bring your buddy in and putting him on staff and him not being certified or qualified are over. He stated that everyone is fighting for good teachers. He stated that it will take $40 to $50 million to get it done right.

Mr. Bowman asked the County Administrator how much money can the county spend right now without raising taxes?

The County Administrator stated without raising taxes we could spend $8 million dollars.

Mr. Clay asked the County Administrator do you know how much we would have to raise the taxes to get the $40 million?

The County Administrator stated that the last bit of information that was gathered from the financial people was five cents if everything else we have does not change.

Mr. Bowman stated that he had to ask this question because the taxpayers ask him all the time and that is what would it cost to remodel or renovate Northside Elementary?

Mr. Donnie Faison, Director of Buildings and Grounds, stated that it would cost $1.6 million to complete and if they added the gymnasium work to it the cost would go up to about $2 million.

Mr. Wise stated that the $2 million does not involve bringing the building up to code for a school. He stated that they did a study and that building would need more than $2 million to come up to code. He stated that we must remember that it was declassified as a school and it has to go through a process to get reclassified. He stated he believes that will it would cost more than $2 million to bring it up to federal mandated standards for use as a school.

Mr. Bowman asked Mr. Wise if the Board could see the study. He also asked what the cost would be to renovate for school use.

Dr. Wise stated that it would cost about $6 million plus.

Mr. Haraway stated that he had a question for Mr. DeStefano. He stated that he has a paper that shows Deep Run High was built for $123 a square foot but the figures on our sheet are coming in at $170 a square foot. He asked what is the difference and why is there a difference?

Mr. DeStefano stated that it has to do with what goes in the space whether cheap/expensive carpet or cheap/expensive vinyl or cheap/expensive design. He stated that the numbers that are listed on the sheet are strictly for guide information purposes only.

Kevin Massengill, Assistant County Administrator, gave a list of square foot prices for the schools based on the 02/03 school year:

DOE	02/03	$116	per square foot
		$96	building cost
MIDDLE	02/03	$113	per square foot
		$97	building cost
HIGH SCHOOL	02/03	$131	per square foot
		$109	building cost

Mr. Bowman stated that the Board should look at all our fees and look at all the ways we can generate funds for the schools.

The County Administrator stated that as a suggestion we could break it here with the elementary school study and then when the two Boards get together we could pick up and continue with the middle school study. She gave two dates to continue the meeting and they were October 1 or 2 at 6:00 P.M. She stated that everyone decided on October 1 at 6:00 P.M.

Mr. Haraway stated that he is ready to vote on architects for a 400-student body elementary school with the ability to expand to the core of 720 students.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board is authorized to proceed with issuing an RFP for the selection of an architect. Mr. Bracey stated he hoped the School Board would include someone from the Administration on the selection panel.

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Bracey, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the meeting adjourned at 7:45 P.M. to be continued until October 1, 2003 at 6:00 P.M. to meet with the School Board.

Robert Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 7:30 P.M.

PRESENT:	ROBERT L. BOWMAN IV - CHAIR	ELECTION DISTRICT #3
	DONALD L. HARAWAY – VICE CHAIR	ELECTION DISTRICT #2
	HARRISON A. MOODY	ELECTION DISTRICT #1
	EDWARD A. BRACEY, JR.,	ELECTION DISTRICT #4
OTHER:	JACK CATLETT	COUNTY ATTORNEY
ABSENT:	AUBREY S. CLAY	ELECTION DISTRICT #5

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

Mr. Robert L. Bowman, Chair, called the regular meeting to order at 7:38 P.M. followed by the Lord's Prayer and the Pledge of Allegiance. Mr. Bowman wanted to express his sincere thanks to all the Departments, Volunteers and employees for their hard work and efforts surrounding Hurricane Isabel. Mrs. Ralph echoed his marks and added that she hopes at some point there would be something that could be done in a formal way to recognize everyone who played a part in the Hurricane effort.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bracey requested that the Planning Department be present and added to the personnel item during the closed session. Mr. Bracey also wanted to make a Public Statement after the session concerning the issue.

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

IN RE: CONSENT AGENDA

There was a claims supplement added to the claims section of the consent agenda for Capital Project Funds for $131,100. Ms. Russell mentioned the appointment letter of the new VJCCCA Coordinator and the resolution of the Tobacco Allotment Buy-Out-Program. Mr. Bowman wanted an explanation of the $131,100 and Ms. Ralph stated that it was for Ford's Volunteer Fire Department for the First Responder/Fire vehicle. It will be delivered within the next week to Richmond where some things will be added to it and they wanted to have the check ready if everything was complete before the next meeting.

IN RE: CLAIMS

Upon motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Haraway, Mr. Bowman 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 1036891, 1036757-1036888.

Accounts Payable

(101) General Fund	$ 331,921.27
(103) Jail Commission	$ 114.20
(104) Marketing Fund	$
(222) E911 Fund	$ 6,798.37
(223) Self Insurance Fund	$

(225) Courthouse Maintenance	$	
(226) Law Library	$	69.50
(228) Fire Programs & EMS	$	
(229) Forfeited Asset Sharing	$	
(304) CDBG Grant Fund	$	2,826.98
(305) Capital Projects Fund	$	152,002.41
(401) County Debt Service	$	56,234.65
(729) Abraham Fund	$	643.75
TOTAL	**$**	**550,611.13**

IN RE: APPOINTMENT – COORDINATOR VJCCCA

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

BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to hire Ms. Lori Henley for the position of Coordinator of the Virginia Juvenile Community Crime Control Act Grade 12, Step C, at an annual salary of $31,336.

IN RE: RESOLUTION – TOBACCO ALLOTMENT BUY-OUT PROGRAM

Upon motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Haraway, Mr. Bowman voting "Aye," the following resolution was adopted.

WHEREAS, tobacco production has played a vital role in the economy of Southside Virginia throughout the history of the region;

WHEREAS, tobacco producers and their families have been important contributors to the family-oriented society which makes our region so desirable;

WHEREAS, the tobacco industry is now under assault on many fronts, as a result of which the continued production of tobacco in the region is seriously endangered;

WHEREAS, the elimination of tobacco production in Southside Virginia will not prevent the production and consumption of cigarettes, as tobacco will be supplied in the future by importation of less costly tobacco;

WHEREAS, the elimination of tobacco production in this region will cause significant harm to the culture, heritage and economic stability of a region, which cherishes its way of life;

WHEREAS, the proposed tobacco allotment buy-out-program is absolutely necessary for those who have worked so hard to create equity in their tobacco allotment.

IT IS, ACCORDINGLY, HEREBY RESOLVED that the Board of Supervisors for Dinwiddie County, Virginia, hereby expresses its unqualified support for implementation of a tobacco allotment buy-out-program, which fairly compensates tobacco producers for their loss of allotment, and urges all federal legislative action required to promptly enact and implement that program.

IT IS FURTHER RESOLVED that Dinwiddie County Board of Supervisors hereby expresses their pride in tobacco producers and their families, and their appreciation for the important societal contributions they have made through their hard working, family-oriented lifestyle.

IN RE: CITIZEN COMMENTS

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

The following citizen(s) came forward to address the Board:

1. Eva Bratschi – 23500 Cutbank Road, McKenney, Virginia – thanked Mr. and Mrs. Bland, Maggie Mayberry, and the volunteer Fire Departments. She commended Kim Willis, Director of the Social Service Department, on her efforts. She was disappointed with the lack of newsprint.

2. Michael Bratschi - 23500 Cutbank Road, McKenney, Virginia – praised Kim Willis for all her efforts. He scolded officials for their non-support. He stated that some of them needed to be fired for not doing their job.

3. Maggi Mayberry – 2501 Ridge Lane, McKenney, Virginia – She spoke to David Jolly after the Hurricane for Red Cross information and was not given a clear answer. She then called Senator Forbes and within 15 minutes she received answers. She also added that there needs to be a clearer and more defined emergency policy for the county. She added if there was anything she could do to help, she would be more than willing to do so. She requested to meet with the Chairman and the County Administrator to discuss her concerns.

4. Michael & Karon Vadnais – 14416 Boydton Plank Road – Dinwiddie – They said that the information others had given was what they were going to give and decided not to come forward.

5. Marjorie Flowers – 14919 Wilkerson Road, Dewitt, Virginia – stated that Kim Willis did a fantastic job. She stayed in contact with Ms. Ralph to offer her assistance. She commented on the Bio Solids and how Dinwiddie County is one of the very few who has not adopted an ordinance. She made mention that Dinwiddie County should form a citizens committee to deal with the issue of Bio Solids.

6. Geri Barefoot – 7411 Frontage Road, Petersburg, Virginia – stated that Dinwiddie County has no Bio Solids ordinance. Neighbors don't even know when and how long it will be spread.

7. Pearl Bland – 17806 Depot Road, McKenney, Virginia – she stated that Kim Willis is a Godsend and that God is speaking to us and we need to have some compassion. Information distribution is very poor. Some one had to call me to find out what was available. There needs to be some kind of domino effect of information. The Red Cross was going to come in because there was no food and people were hungry, but information from the County to them was not clear. At Dinwiddie County Elementary school, the principal turned people from using the rest rooms because they were not volunteers. She believes the principal needs to be reprimanded. All the facilities in the county need to be available for citizens. The county threw ice away. Mrs. Bland stated that the Red Cross was very helpful and we need to go back and read the article. Red Cross was there everyday. It was a truck that was a little late one day.

Mr. Bracey asked if the rest room situation had been corrected? Ms. Ralph stated that Mr. Jolly and Mr. Massengill had taken care of it that day.

8. Dorothy Wyatt – 16612 Hamilton Arms Road – Dewitt, Virginia – She passed on her sincere thanks to the County for the shelter. Everything there was great. She mentioned God being angry with us and her gratefulness for the shelter. She stated that she hopes the county has learned something from Isabel.

9. Anne Scarborough – Boydton Plank Road – She stated her concern over our hiring policies in the county. After getting copies of the Senior Planner and the Director of Buildings and Grounds positions listed on the county's information wall, she matched them up and was not happy. She stated she found it strange that the county would offer more money to a person in a job that does not have the education or degrees involved in the other job.

Mr. Bowman mentioned that trade professions sometime pay more than non-trade professions. He mentioned how a mechanic might make more money than a teacher.

She stated that the Board and County Administrators could tighten up on food spending for meetings. $5,000 dollars for the year is a bit much. She understands that it is part of the job, but could they be more sensible with it, with times as tight as they are. She asked why must all the members attend a meeting at one of the 10 most expensive places to visit? Couldn't two go and bring the information back? This could be your part with helping save money for the county. She mentioned that the county tried to be sneaky and add $5,000 dollars more to the County Administrator's salary behind closed doors. It equaled to a 29.67%, which is unheard of in today's economy.

Mr. Bracey stated that the increase was part of the one-year probationary period. Mr. Bowman stated that it was discussed in closed session. He stated that a percentage was also discussed and that the Board did not just come up with a figure to give Ms. Ralph.

10. Kim Willis – everything that was done by the volunteers, could not have been done without the support of the County Administration. They worked 24/7 and the cafeteria staff worked and cooked. She thanked the Crater Health Department personnel for all their help.

11. Stacey Lin Hayes – Courthouse Road – If you did what you were supposed to do, thank you. If you did not, lets learn from it and move on. Lets focus on the good and move forward and make the best of the situation. If we are going to learn and grow from this, lets not bash our leaders.

IN RE: PUBLIC HEARING – VDOT – PROPOSED SECONDARY SIX-YEAR PLAN FOR FISCAL YEARS 2004/2010 AND 2004/05 SECONDARY CONSTRUCTION BUDGET

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation thanked everyone for pitching in during the hurricane and helping with the Transportation Department. He then provided the following updates:

Bids on 4 sites in Dinwiddie County were received last Thursday. Corman

Construction was the low bidder on each site. All of the work was bid on a lump-sum fixed completion date basis. The total cost of these contracts is approximately $1/2 a million dollars.

1. Rainey Road (Route 734): 45 days from notice to proceed $275,000
2. Walkers Mill Road (Route 665) November 5th $85,000
3. Winfield Road (Route 630) October 21st $69,000
4. Mansion Church Road (Route 651) October 21st $46,000
5. Spain Road (Route 678) State forces; one week

Also on last Thursday, bids were received on a debris removal contract to serve Dinwiddie County for work on the VDOT right of way. The low bidder was Omni Construction of Pearl River Louisiana. Work will begin this week in the northern portion of the county. $13.90 cu. Yd.

The Primary Urban and Interstate 6 Year Plan Public Meeting has been re-scheduled for December 1st at the Renovated Union Station in Petersburg. The meeting will begin at 5:00 PM with a formal presentation at 7:00 PM.

This being the time and place as advertised in the Progress Index on September 30, 2003 for the Board of Supervisors to conduct a public hearing to receive public input on the 2004/05 – 2009/10 Secondary Systems six Year Construction Plan and the 2004/05 Secondary Construction Budget in accordance with 33.1-70.01 of the Code of Virginia.

In reference to the Through Truck Restriction on the Primary System; the September CTB Meeting was held on the 17th as Isabel approached. The meeting was cut short due to the storm and action on the revised guidelines was deferred. The next CTB Meeting is scheduled for October 15th.

Mr. Caywood presented an overview of the Six-Year plan as presented. For the plan, the local Board of Supervisor's and VDOT develop the priorities for the plan. VDOT is responsible for the implementation of the plan in accordance with the established priorities.

This year, the most significant change in the plan is the addition of a listing of Rural Rustic project candidates that utilize the available non-paved road funds. The selected projects were determined by the vehicle density and the number of homes. Cost was estimated at $125,000 per mile for the first three years of the plan and $150,000 per mile for the remaining three years of the plan.

Also, the Courthouse Road project was re-scoped as discussed at the workshop. The current proposal is for pavement rehabilitation and shoulder work only. This resulted in a significant cost reduction and advancement of the advertisement date.

He stated he was also, seeking a resolution designating the Rural Rustic Projects as shown in the plan. A sample has been provided.

The Chairman opened the Public Comment period.

1. Jeri Orton – 26727 Perkins Road – Petersburg – Virginia- has concerns about Halifax Road. In 1999 she presented a petition with 700 signatures to repair Halifax Road. It was number four on the project list and now it has been removed. The needs are still there and with developments much more traffic is being put on the road. Two people have lost lives. No room for driver error. I Urge you to put Halifax Road back in the six year road plan.

2. Michael Bratschi – 23500 – McKenney – Virginia – asked what date Courthouse Road will be completed. The bridge on I-85 always floods at Stony Creek. Are there any plans to raise it?

3. George Whitman – 13010 Old Stage Road – Petersburg – Virginia- nothing has been done in 102 years concerning Halifax Road. He has a serious problem with the priority list. The list is being done as a political list. How much longer until road is done. Must we continue to lose lives? Board Members need to drive the road.

4. Pearl Bland – This is my home. Halifax Road needs to be fixed. With loggers on the road, people's lives are at stake. Mr. Caywood needs to take a look at Halifax Road. We don't want to lose lives like 60 years ago.

5. Mr. Caywood responded to the public comments – Briefly addressed Courthouse Road saying he expected it to re-open in 2 to 3 weeks. VDOT is doing all it can do. No plan to do any major work on I-85, Federal Funds. Work is planned for Ferndale and River Road. Stony Creek area is a major problem with the need for major funding. He agreed with everyone concerning the Halifax Road situation. He will see if VDOT can do anything about the shoulders without having to completely overhaul the road using maintenance money without additional funding from the County. Half of the money in the plan goes to Baltimore Road, which needs a complete reconstruction. Priorities can be changed but the budget would have to be revamped. It would have no impact for three years in the plan.

Mr. Moody – going back to Halifax Road. The project was dropped four years ago due to VDOT budget cuts, not an action by the Board. He hated to see these roads cut and understands Halifax Road is a serious problem, but Baltimore Road is also. I don't want us to lose sight of the roads that were dropped due to the funding from VDOT. Brills Road, a little section half a mile at the bridge where one side is tar and the other gravel. Mr. Caywood stated that is certainly one that could be done as Rural Rustic.

Mr. Bracey – Why did you take Halifax Road off? It had to be done by VDOT because this board did not take it off the plan! Why does VDOT do this, bring it to the board and we have to accept it? That should be considered; not fair to the citizens. State had a cut back and it is not fair. I cannot support this. When a promise is made, a promise should be kept. Caywood stated it was done that way two years ago. The formula has not been changed. It was the straight numerical project.

Mr. Haraway – Does VDOT have written priorities as to how these projects are funded? Mr. Caywood said no.

Upon motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Bracey voting no, Mr. Moody, Mr. Haraway, Mr. Bowman voting "Aye," the VDOT – proposed secondary six-year budget plan for fiscal years 2004/2010 was approved as presented.

Upon motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Bracey voting no, Mr. Moody, Mr. Haraway, Mr. Bowman voting "Aye," the proposed 2004/05 secondary road construction budget plan for FY 2004-2005 Budget was approved as presented.

Upon motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Bracey voting no, Mr. Moody, Mr. Haraway, Mr. Bowman voting "Aye," the proposed Rural Rustic Plan was approved as presented.

RESOLUTION

WHEREAS, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan,

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2004/05 through 2009/10) as well as the Construction Priority List (2004/05) on October 7, 2003 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List,

WHEREAS, Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, appeared before the board and recommended approval of the Six-Year Plan for Secondary Roads (2004/05 through 2009/10) and the Construction Priority List (2004/05) for Dinwiddie County, Virginia,

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the Secondary Road System in Dinwiddie County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2004/05 through 2009/10) and Construction Priority List (2004/05) are hereby approved as presented at the public hearing.

IN RE: PUBLIC HEARING – AGREEMENT FOR TRANSFER OF LAND TO CONVEY PROPERTY OWNED BY DINWIDDIE COUNTY IN WEST PETERSBURG TO TRI-CITIES HABITAT FOR HUMANITY

This being the time and place as advertised in the Dinwiddie Monitor on September 2, 2003 and September 9, 2003, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to receive public comment on a request to consider a resolution to convey to Tri-Cities Habitat for Humanity, a Virginia Corporation, a deed to property owned by the County in the West Petersburg Subdivision. The property is designated as Section 21A-(1), Parcels 339, 340, 341 and 342 by the tax maps of the Commissioner of the Revenue and is located on the north side of Greensville Avenue approximately 275' west of Pagan Street as shown by a plat prepared by R. H. Gordon, surveyor, dated June 13, 2003.

Mr. Scheid stated that Dr. Edward Runke is on the Board for the Tri Cities Habitat for Humanities. He is present to answer questions. Four lots are left in the original plan for improvements under the CDBG program for Dinwiddie County.

Mr. Bracey asked if there is a conflict with this organization and the other one that is the WPVA.

Mr. Scheid stated that he had spoken with the WPVA spokesman Mrs. Bonner and their organization is in agreement with this.

Mr. Bracey stated that he would like to have something in writing saying they agree with this. He wanted the Administration to contact the concerned parties.

Mr. Scheid said that he would contact the organization and get the letter.

Mr. Bracey wanted the County Administration to have proper authorization to sign the papers for the building site. It should be noted that no one spoke at the public hearing

Upon motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Haraway, Mr. Bowman voting "Aye," the County Attorney and County Administrator are authorized to prepare and sign the documentation necessary to transfer the property as described to the Tri Cities Habitat for Humanity.

IN RE: CLAIM – ESTATE OF HATTIE CRITTENDON

Mr. Jack Catlett, County Attorney, stated that a representative from Jay Tronfeld's office, Mr. Newby was here representing the Estate of Hattie Crittendon in the Lawsuit for $13 million dollars against the county. The representative was there to hear the Board's decision.

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

BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia denies the claim of the Estate of Hattie Crittendon for $13 million dollars.

IN RE: COMMUNICATIONS SYSTEM – DISCUSSION OF FUNDING, DAVENPORT, LLC

David Rose with Davenport spoke briefly concerning the project as listed in the Presentation on the E-911 Equipment Financing Program Handout dated October 7, 2003 prepared for Dinwiddie County Board of Supervisors.

Mr. Haraway asked how long is the life of the system? It was stated that it was good from ten to fifteen years. Mr. Haraway asked if the life is twelve years, then what?

Mr. Rose stated that if the life is twelve years than the financial futures or funding required would only last twelve years.

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

Davenport and Company LLC was authorized to issue an RFP to provide funding for the County's Communication System as presented.

IN RE: APPROVAL OF PARTICIPATION IN JOINT STUDY ON JAIL SPACE

The South Side Regional Jail and Dinwiddie County partnered together in a Joint Consultant project to look at jail overcrowding. The estimated cost of Dinwiddie County's share was $5,000. The actual cost will be $5758.33. If Dinwiddie County wants the Consultant to perform additional work outside the contract, there will be an additional cost. (i.e. looking at a site to build a new jail) If there are any additional costs, the County Administrator will bring that information back for the Board's approval.

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Haraway, Mr. Bowman, voting "Aye", authorization to participate in the South Side Regional Jail project with Greensville, Emporia and Brunswick was approved at a cost of $5,788.33.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator complimented Mrs. Kim Willis on a job well done during the hurricane. She just came on board and jumped right in. As of yesterday there were 1,422 food stamp applications processed and there are 200 more to process.

2. The County Administrator stated that the Bio Solids recommendation was set back because of the Hurricane and thought it best not to come forward with a partial report. She stated that she would try to have something ready for the board by the next meeting on October 21st , 2003 along with possible dates for a scheduled presentation by the Farm Bureau. The County Administrator stated that we will be looking at surrounding Counties ordinances to see how they are handling it, what the personnel requirements are and whether or not they are recovering any fees from having an ordinance.

3. The County Administrator stated she was very proud of the staff and the actions they took during and after the hurricane.

a. There were three major problems that were identified:

i. First there were two press releases a day being sent out to the news media and TV and Radio; but there was no plan to get the information to the people who had no power to watch or hear them.

ii. Secondly we did not get the resources we were told we were getting from the State and Federal Governments and that set us back because we had no back up plan.

iii. Lastly the FEMA representatives at the number provided were telling people who called that Dinwiddie County was not a designated County for emergency relief.

4. The County Administrator stated that we are working on the debris removal issue. She thought the County could join in the contract with VDOT and share the cost and then get reimbursed. The State told the County Administrator that it was not a good idea to join in with VDOT. The State suggested it would be better to have our own contract. The County Administrator reemphasized to the public that the debris removal plan is not a dead issue. She stated that we will continue to look at our resources such as Fire Departments or Ruritians to see if there are still needs within different areas of the county for debris removal. The County Administrator reminded everyone that need is defined as elderly or handi-capped individuals that cannot handle debris on their own.

5. The County Administrator asked the Board Members to come in early on October 21, 2003 for a discussion of the settlement of VA Bio Fields litigation. She stated the meeting will include the Board of Supervisors as well as the IDA. She suggested all members to come in at 11:00 A.M. on that day. The Board decided to come in at 11:30 A.M.

IN RE: BOARD MEMBER COMMENTS

1. Mr. Haraway stated that he wanted to share a little of a letter he wrote to the Superintendent of Schools. The point he wanted to make is the realistic figures that should be used when building schools. The report that was submitted should be given back to the architect. He strongly recommended that a report be prepared with the architect listed for every school built in the state for at least the last two years to determine which architects have a track record for designing schools that can be built at a competitive price.

2. Mr. Moody thanked the staff; volunteers and everyone that helped in the hurricane effort. He wished that he had thought to call people.

3. Mr. Bracey thanked Mr. Haraway for a job well done. He thought it was unfortunate that the School Board did not answer when they would deal with the architect. He hopes a member of the Administration staff would be put on the committee for this issue. He thanked the citizens who helped during the storm. He stated that we are not perfect but we did work hard.

4. Mr. Bowman talked about citizens calling to inform him that the power companies were passing by the farmers for other citizens. He stated we learned a lot in the last two or three weeks. He commended everyone, they did a

wonderful job. Mr. Moody stated that we should get a representative from the electric company to come and give us a report on the priority list. The County Administrator stated that a representative from Dominion VA power has offered to come and give us a report.

5. Mr. Bracey stated that we need someone from Southside Electric Company to come also and give us a report. He also stated that he hoped in the future when we issue building permits for convenience stores we would consider what happened. There was plenty of gas in the ground but we couldn't get it out. Is there any legal way to make convenience stores have a generator to pump fuel for the citizens?

IN RE: CHANGE IN MEETING DATE

BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County that the November 4, 2003 meeting held at 7:30 P.M. will be moved to November 5, 2003 due to the fourth being Election Day.

Upon Motion of Mr. Bracey, Seconded by Mr. Moody, Mr. Moody, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the change in meeting date was approved.

IN RE: CLOSED SESSION

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

2.2-3711 A.7 of the code of Virginia, Consultation with Legal Counsel
Lease

2.2-3711 A.1 of the code of Virginia, Personnel Matters
Buildings & Grounds
Administration
Planning Department

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Moody, Mr. Haraway, Mr. Bracey, Mr. Bowman, voting "Aye", the Board moved into the Closed Meeting at 10:54 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 11:47 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under 2.1-3711 A .7 CONSULTATION WITH LEGAL COUNSEL – Lease and 2.1-3711 A .1 PERSONNEL MATTERS – Buildings & Grounds; Planning; Administration

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

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

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

IN RE: COMMENTS CONCERNING APPOINTMENT TO REDISTRICTING COMMITTEE

Mr. Bracey stated that it came to his attention that one member of the County Redistricting Committee who voted and attended meetings was a convicted felon. He stated that he knew the person's brother but not the person. He said the Planning Department, under the direction of Mr. Guy Scheid, knew the person was a convicted felon and Mr. Scheid did not bring that issue before the Board. He suggested that an investigation be done. He stated he believes the process has been tampered with and he doesn't want to go to court. He stated he would call for a state or federal investigation. He stated that we need to right the situation before it goes too far. It has nothing to do with the election. Mr. Bowman stated he wished he had known about the concern. Mr. Bowman stated the appointment was brought before the Board for their consideration and the Board approved the individual. He stated that the gentleman had worked for him and concerning the incident, he was protecting himself. He also stated that the individual had served his time and is now a model citizen.
Mr. Bracey stated he didn't know before. Mr. Bowman continued by stating he had no guidelines except to make an appointment. The Board voted and they should have raised an objection then. Mr. Bowman stated that nothing went on that was illegal. They wanted to make sure Dinwiddie County had a minority district. Legal Counsel said each district should have a black appointee and each district followed those guidelines. He appointed Mr. William Branch.

Mr. Moody stated that he could not point a finger at the Planning Department. They went through the chain of command. "I'm not going to blame the Planning Department" he said.

Mr. Bowman stated the Planning Department did an excellent job.

Mr. Haraway stated he felt the same way. He couldn't blame the Planning Department.

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Bracey, Mr. Haraway, Mr. Moody, Mr. Bowman, voting "Aye", the meeting adjourned at 12:01 A.M. to be continued until 11:30 A.M. on Tuesday, October 21, 2003.

Robert C. Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD JOINTLY WITH THE DINWIDDIE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY IN THE MULTI PURPOSE ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 21st DAY OF OCTOBER, 2003, AT 11:30 A.M.

PRESENT:	ROBERT L. BOWMAN IV - CHAIR	ELECTION DISTRICT #3
	DONALD L. HARAWAY – VICE CHAIR	ELECTION DISTRICT #2
	AUBREY S. CLAY	ELECTION DISTRICT #5
	EDWARD A. BRACEY, JR.,	ELECTION DISTRICT #4
OTHER:	DAN SIEGEL	COUNTY ATTORNEY
ABSENT:	HARRISON A. MOODY	ELECTION DISTRICT #1

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Mr. Robert L. Bowman, Chair, called the continuation meeting to order at 11:42 A.M.

IN RE: CLOSED SESSION

Mr. Bowman stated I move to close this meeting in order to discuss matters exempt under section: **2.1-3711(A) 7 of the code of Virginia, Consultation with Legal Counsel** VBF Settlement

The Industrial Development Authority also moved into closed session.

Upon motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the Board moved into closed session at 11:45 A.M. for the purpose of Consultation with Legal Counsel.

A Vote having been made and approved the meeting reconvened into Open Session at 12:33 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under 2.1-3711(A) 7 CONSULTATION WITH LEGAL COUNSEL – VBF Settlement.

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

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

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

IN RE: RESOLUTION OF THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA, APPROVING SETTLEMENT AGREEMENTS RELATING TO VIRGINIA BIO-FUEL CORPORATION LAWSUITS

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

Be it Resolved by the Board of Supervisors of Dinwiddie County, Virginia that the Chairman or Vice Chairman of the Board of Supervisors of Dinwiddie County, Virginia, is hereby authorized on behalf of Dinwiddie County to enter into settlement agreements and any related releases in relation to the various

lawsuits and past and future claims arising out of the contracts with Virginia Bio-Fuel Corporation with the parties set forth therein and/or arising out of the Dinwiddie County Landfill and the materials recovery facility and the co-composting facility, including, but not limited to, the following parties:

CLOUGH HARBOUR & ASSOCIATES LLP, a New York Limited Liability Partnership

HARVEY T. BAXTER, III

CLAIRE T. BAXTER

GENTRY WELL WORKS, INC., a Virginia Corporation

VIRGINIA BIO-FUEL CORPORATION, a Virginia Corporation

WACHOVIA BANK, N.A. (successor in interest to Signet Bank, N.A.)

The resolution shall be effective immediately.

At 12:45 P.M. the Board of Supervisors and the Industrial Development Authority broke for lunch. At 1:00 P.M. the Board and IDA reconvened.

IN RE: COMMUNICATIONS SYSTEM FINANCING – DAVENPORT & CO

David Rose with Davenport & Company presented a summary of the three responses from the RFP that was sent out on financing the Communication system. The Sun Trust Bank option (option B) 3.79 percent for a twenty-year amortization with a ten-year interest rate was recommended as the best option.

Mr. Haraway asked what the increase would be after the first ten years were completed and Mr. Rose stated he did not know. Mr. Haraway also questioned the expected life of the equipment and stated that it would not be fair to the next generation to pay for something that has already worn out.

Upon motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the Sun Trust Bank option B for financing was approved.

Mr. Haraway suggested that legal fees be a set rate instead of a hourly rate.

Mr. Bowman wanted to see the cost involved in maintaining the radio system located at the Sheriff's Office.

Mr. Bracey stated that he hoped some kind of way we could get the departments to hold a meeting and work on, coming together on the communications systems issue.

Mr. Bowman wanted to know the legal obligation the Board has in regards to getting the Sheriff's Department to accept the change concerning the communication system. The closing documents will be presented to the IDA on November 4, 2003 and to the Board on November 5, 2003.

IN RE: CAPITAL FUNDING ANALYSIS – PROPOSED SCHOOL IMPROVEMENTS

Mr. David Rose handed out a "draft" copy of a Multi Year Capital Projects Plan of Financing. He stated that this was prepared with a growth rate of six percent. He also stated the importance of the County not using all their reserves

to fund these projects. The County Administrator pointed out that the Board had made no decisions. This provides a maximum tax rate increase for the Board to consider when making its decisions. Using the School Board's option one and adding in the cost of school buses and the communications system, the total funds needed would be 63,600,000. The tax impact would require a 7-cent increase in 2006 and a 3-cent increase in 2007. This would also require using the entire capital fund reserve of $10 million.

GENERAL	
E-911	$4,500,000
SCHOOL RELATED	
New ROHOIC Elementary	$14,700,000
ROHOIC Elementary Upgrades	1,900,000
New Middle School	29,700,000
High School Renovations & Additions	6,800,000
Central School Board Facility	2,000,000
School Buses	4,000,000
TOTAL	$ 63,600,000

Mr. Bracey stated that he sat here for twenty minutes listening to what Mr. Rose and others were saying, but wanted to know has anyone been listening to what the Board is saying. He said we need to listen to what the citizens are saying. No further action was taken.

RE: ADJOURNMENT

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

Robert Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 2:00 P.M.

PRESENT:	ROBERT L. BOWMAN IV - CHAIR	ELECTION DISTRICT #3
	DONALD L. HARAWAY – VICE CHAIR	ELECTION DISTRICT #2
	AUBREY S. CLAY	ELECTION DISTRICT #5
	EDWARD A. BRACEY, JR.,	ELECTION DISTRICT #4
OTHER:	DAN SEIGEL	COUNTY ATTORNEY
ABSENT:	HARRISON A. MOODY	ELECTION DISTRICT #1

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

Mr. Robert L. Bowman, Chair, called the regular meeting to order at 2:21 P.M. followed by the Lord's Prayer and the Pledge of Allegiance. The County Administrator read words relayed by Mr. Moody. He wanted to let everyone know he regretted he could not be present today. He was appointed by the Governor to the Tobacco Commission and he felt he needed to be at the meeting.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Wendy Weber Ralph, County Administrator, stated there is a need to add under Closed Session: 2.2-3711 A. 5 of the Code of Virginia, Business and Industry Development.

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

IN RE: CLAIMS

Upon motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman 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 1036893 through 1037038 for:

Accounts Payable

(101) General Fund	$ 249,979.96
(103) Jail Commission	$ 117.30
(209) Litter Control	$
(222) E911 Fund	$ 2,004.85
(223) Self Insurance Fund	$
(225) Courthouse Maintenance	$
(226) Law Library	$ 257.25
(228) Fire Programs	$ 227.00
(229) Forfeited Asset Sharing	$
(304) CDBG Grant Fund	$ 1,446.96
(305) Capital Projects Fund	$ 794.60
(401) County Debt Service	$ 29,519.06
TOTAL	**$ 284,346.98**

IN RE: RESOLUTION FOR FISCAL AGENT – APPOMATTOX REGIONAL GOVERNOR'S SCHOOL

Upon motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the following resolution was adopted:

The County Administrator asked Dr. Lanham, Assistant Superintendent for Instructions, to briefly explain the Fiscal Agent for the Governor's School. He stated that the Governor's School is supported by several localities. Petersburg was the Fiscal Agent in the past but no longer has the personnel to maintain the responsibility. Chesterfield stated that they would not have a problem with the responsibility. We have until July 4, 2004 to agree to let Chesterfield be the Fiscal Agent for the Governor's School.

Whereas, at its 2003 session, the General Assembly amended Section 22.1-118 of the Code of Virginia to permit school boards operating an academic year Governor's School, with approval of the respective governing bodies of their localities, to select a fiscal agent from among the treasurers of the participating localities; and

Whereas, the school boards of Amelia County, Charles City County, Chesterfield County, City of Colonial Heights, Dinwiddie County, City of Franklin, City of Hopewell, Powhatan County, City of Petersburg, Prince George County, City of Richmond, Southampton County, Surry County, and Sussex County (hereafter the "Participating School Boards") operate the Appomattox Regional Governor's School, which is an academic year Governor's School; and

Whereas, the Participating School Boards wish to select the Treasurer of Chesterfield County to be the fiscal agent of the Appomattox Regional Governor's School, effective July 1, 2004.

Now, therefore, be it resolved that the **Board of Supervisors of Dinwiddie County** hereby approves of the selection of the Treasurer of Chesterfield County as the fiscal agent of Appomattox Regional Governor's School, effective July 1, 2004.

IN RE: APCO CONFERENCE – APPROVAL TO ATTEND

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

BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Ms. Denise Absher, an employee of the Public Safety Department, to attend the three day APCO of Virginia Fall Conference which will be held on November 4, 2003 through November 7, 2003.

IN RE: EMS SYMPOSIUM – APPROVAL TO ATTEND

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

BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Dawn Titmus and Rosa Peters employees of the EMS Section in the Public Safety Department, to attend the four day Virginia EMS Symposium which will be held on November 5, 2003 through November 9, 2003.

IN RE: DIRECTOR OF BLDGS. & GROUNDS – POSITION ANNOUNCEMENT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to hire Mr. Charles E. Jones for the position of Director of Buildings & Grounds at Grade 16, Step A, at an annual salary of $40,578 effective November 1, 2003.

IN RE: CITIZEN COMMENTS

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

The following citizen(s) came forward to address the Board:

1. Michael W. Bratschi – 23500 Cutbank Road, – McKenney, Virginia – He stated that if Mr. Moody had so many obligations, he should step aside. He was referencing Mr. Moody's recent appointment by the Governor to the Tobacco Commission. He stated that at the last board meeting the County admitted making mistakes, but there are still 56 homes in the county that do not have indoor plumbing. He stated that it was wrong for Mr. Jolly to go on record at a hearing in Richmond and point fingers at FEMA and the Red Cross for the problems. He stated that he received a letter from the county attorney and he said that he would not be intimidated. He would continue to come to the meetings exercising his first amendment rights. He stated that the firehouses had generators and they (the firehouses) could have been used to benefit the citizens in some way. He stated that the county was not prepared and hoped next time they would be.

   Mr. Bracey stated that there was a program in the county to benefit the citizens who are without indoor plumbing. They would need to contact the planning Department.

   Mr. Bowman stated that the County was not blaming FEMA so much as the County was trying to determine that it was a break down in communication all the way from the state level to the local level. He said that if we had known we were not going to get certain services, we would have gone a different route. He stated we all learned a lesson from this matter and he hoped that we could move on.

2. Geri Barefoot – 7411 Frontage Road, - Petersburg, Virginia – She said she hoped that the county would go forward with the adoption of the VA Bio Solids Ordinance.

3. Anne Scarborough – Boydton Plank Road, - Dinwiddie Virginia – In reference to the E-911 Communication Towers and not being able to get a signal, she stated that she had told the county about needing the system a year ago. She said the School board stated that they would be happy with $50 million dollars. Why is it that they now need $63 million dollars? She said the School Board stated that if they could get thirty more buses they would be ok, why then is there a need for more school bus money? She mentioned that in the 11:30 continuation meeting some board members did not know how long the E-911 equipment would last. She said that Motorola told those members exactly how long the equipment would last. She stated that the citizens contributed $10 million dollars towards the county's revenue and going to the Homestead for any kind of meetings should be brought before the public. The Homestead is too expensive. If you are cutting everyone else's budget, why don't you cut down on your budget? Show us you are being frugal with citizen's money! She stated that

the county should stop rezoning in places. She asked when will the county move forward with the proffers?

4. Margie Flowers – She stated that she hopes the county will adopt a Bio Solids ordinance.
5. Junior Parker – 12241 Trinity church Road – He read statements that talked about the adverse effects of Bio Solids in various states where there were no ordinances. He also stated that his last two tax bills were sent to him with incorrect amounts. He brought it to the attention of the Commissioner of Revenue and when he received his last bill it had not been corrected. He stated, "I will not pay it".
6. Pearl Bland – She wanted to know what is the policy for a person that was treated unfairly by a school board member while attending a school board meeting. She stated she was questioning the school boards approach at handling some issues and she was told to keep quiet or she would be removed from the meeting. She questioned that statement, invoking her first amendment rights, and she was again asked to keep quiet. The sheriff's department showed up to escort her out, but she was allowed to stay.

Mr. Bowman – He stated that there was nothing that the Board of Supervisors could do. The School Board Members are elected as we are and the polls are the only way he sees as a means of remedying the situation.

Mr. Bracey – He agreed with Mr. Bowman. He added that someone should say something to the School Board Members.

IN RE: REPORTS – VDOT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation – He offered to give the county the name of an individual that lives in Chesterfield who is an expert on proffers. He mentioned that the removal of trees from the roadsides is happening, but at a slow pace. The removing of the root balls is causing things to slow a bit. The work on route 630 & 651 is done. Route 665, Walkers Mill, will open next week. The Rainey Road construction will begin soon. The opening on route 627 has been pushed back to November 14th.

IN RE: BIO – SOLIDS ORDINANCE – REVIEW OF DRAFT PLAN

Mr. Guy Scheid, Director of the Planning Department went over the model ordinance. He stated that he had some contacts with Farm Bureau and they would like to meet with the Board to discuss the ordinance issues with you. He stated that Farm Bureau is willing to meet with the board in a work session in November and then in January they would be willing to meet with the public to discuss or answer any questions. Mr. Scheid also stated that the county needs to hire a part time or full time person to handle the issues that come up concerning Bio Solids.

Mr. Bracey, Mr. Clay and Mr. Haraway wanted to know if there was anyway to move this Ordinance process forward without waiting until January?

Mr. Scheid responded that it is possible. With the advertising requirements, December 2, 2003 would be the earliest night meeting the ordinance could be heard.

Mr. Bracey asked Mr. Scheid if there is a grass-cutting ordinance? He stated that he lives next to someone whose grass is up to his waist. He also asked about lots where a house is up for sale. Those persons in the county who are selling their home should take care of the property.

Ms. Anne Scarborough asked how many acres have been spread with Bio Solids?

Mr. Scheid responded that he did not have those numbers but the applicators have to keep records and he could get the numbers from them.

Mr. Bowman stated that the State Health Department should be able to give numbers also.

IN RE: COMMUNICATIONS SYSTEM – ENTENSION OF CONTRACT

Ms. Denise Absher, on the request of the contractor, asked the Board for additional money to cover the additional hours involved in finishing the work that Kimball & Associates contracted for.

Mr. Clay stated that the price was the price and he was not in favor of additional monies.

Mr. Haraway stated that we picked this company for their expertise in this field. We are paying them to do the job regardless of the hours. Mr. Haraway felt we should allow the County Administrator to meet with Kimbal to negotiate at cost a figure with no mark up, not to exceed $5,000.

Upon motion of Mr. Haraway, Seconded by Mr. Bracey, Mr. Haraway, Mr. Bracey, Mr. Bowman voting "Aye," Mr. Clay voting "No," the Board is authorized the County Administrator to meet with Kimbal to negotiate at cost a figure with no mark up, not to exceed $5,000.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. Holiday Parade – It will be scheduled for December 14, 2003 from three to five O'clock in Dinwiddie County at Virginia Motorsports Park.

2. Planning Committee to be formed – Lillian Stewart, Floyd Perkinson and Dean McCray have agreed to become members of a Planning Commission Subcommittee to work on their annual work program. It was asked if any Board Members would like to be on the committee. They will meet on October 28, 2003 at 4:00 P.M.

3. Voting Credentials for the VACO Annual Business Meeting – Mr. Clay, Mr. Bowman and Mr. Moody are members that are going to attend the VACO Conference. A motion was made by Mr. Haraway to make Mr. Bowman the authorized voting member at the Annual Business Meeting. Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye", Mr. Bowman abstained.

4. Date to meet with the School Board – Two dates were suggested by the County Administrator to meet with the School Board to continue discussions on School Improvements.

Mr. Bracey suggested that the County Administrator and the Assistant County Administrator meet with the Superintendent and tell him what the Board can do concerning the Capital Projects Plan of Finance.

Mr. Haraway stated that we have met with the School Board before and there has not been any effort on their part to do anything that we have suggested. He stated that the meeting should be postponed until after the elections when two new School Board members will be participating. They should have some input.

Mr. Clay suggested to let the citizens make the decision by putting it on the ballot for a referendum. There should be different options for reference.

Mr. Bracey agreed with Mr. Clay, but added that County Administration should check to see what needs to take place to put this on the ballot for a referendum.

IN RE: BOARD MEMBER COMMENTS

1. Mr. Bracey stated he hoped the Board would vote on a sum of money for the School budget that the employees would receive. It did not happen last year and he does not want the same to happen again.

2. Mr. Bowman asked about the fund balance. He wanted to know if that includes the back taxes from minerals owed by mining companies. He wants to see what the fund balance would be without those taxes.

IN RE: CLOSED SESSION

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

2.1-3711 A .7 of the code of Virginia, Consultation with Legal Counsel
Chaparral Agreement
2.1-3711 A .5 of the code of Virginia, Business and Industry Development

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the Board move into the Closed Session at 4:14 P.M.

IN RE: CERTIFICATION

A Vote having been made and approved the meeting reconvened into Open Session at 4:53 P.M.

Whereas, this Board convened in a closed meeting under 2.1-3711 A .7 Consultation with Legal Counsel – Chaparral Agreement and 2.1-3711 A .5 Business and Industry Development.

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

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

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the meeting adjourned at 5:01 P.M. on Tuesday, October 21, 2003.

Robert Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

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 NOVEMBER, 2003, AT 7:30 P.M.

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

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

Mr. Robert L. Bowman IV, Chair, 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

Mrs. Wendy Weber Ralph, County Administrator, stated there is a need to add a Closed Session. She suggested that it be added after item four of the Public Hearings and listed as 6(A). She added that under Closed Session items 2.2-3711 A .30 of the Code of Virginia, Discussion of Contract Negotiations – General Reassessment, 2.2-377 A .7 of the Code of Virginia, Consultation with Legal Counsel – Dispatch Equipment for Sheriff and Chaparral Agreement.

Upon motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the above amendments were approved.

IN RE: MINUTES

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

BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the October 21, 2003 Continuation Meeting are hereby approved.

IN RE: CLAIMS

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

BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1037115 through 1037254 (void check(s) numbered 1037126, 1037130, 1037134, 1037136, 1037175, 1037176, 1037185, 1037190, 1037206, 1037224, 1037226, 1037255, 1037256, 1037257 for:

Accounts Payable

(101) General Fund	$	126,193.96
(103) Jail Commission	$	201.62
(209) Litter Control	$	
(222) E911 Fund	$	9412.15
(223) Self Insurance Fund	$	

(225) Courthouse Maintenance	$	1825.00
(226) Law Library	$	934.60
(228) Fire Programs	$	720.00
(229) Forfeited Asset Sharing	$	59.99
(304) CDBG Grant Fund	$	20,455.10
(305) Capital Projects Fund	$	211,503.95
(401) County Debt Service	$	57,572.48
TOTAL	**$**	**428,878.85**

IN RE: CITIZEN COMMENTS

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

The following citizen(s) came forward to address the Board:

1. Margaret Avery – 18505 Shippings Road, Dewitt, Virginia – She stated that she is concerned with the spreading of Bio-Solids. She has health problems that have been affected by the spreading of the Bio-Solids on two occasions. She stated that in April of 2003, after being in the hospital for nine days with Asthmatic Bronchitis and a collapsed lung, her doctor instructed her of the need for her to get out and get some fresh air and do some walking. She stated that after the spreading of Bio-Solids on the adjacent land she could not get out any more. She stated on the second occasion she was going to the church, which is Mount Olivet United Methodist on Route 40, because windows had been broken and when she arrived she noticed Bio-Solids being spread on the property across from the church. She stated that she got sick and had to go home and have a breathing treatment. She stated that she wished the County would think about the Bio-Solids ordinance seriously and consider those persons who have health problems. She stated that she wanted the County to set the guidelines and not put it off and wait.

2. Geri Barefoot – 7411 Frontage Road, - Petersburg, Virginia – She stated she was upset when she read the Monitor on Wednesday November 5. She stated that it seemed from the article that the Farm Bureau is controlling the ordinance that we are trying to put on Bio-Solids. She stated that the consensus from reading the article is that we are the opposition simply because we want our County safe. She stated that the Farm Bureau was asking that we put off the hearing on the workshop. She stated she wanted to know what gave them that right? She asked Mr. Moody if he was on the Board for Virginia Farm Bureau and does he sell Bio-Solids? She stated that seems to offer a conflict of Interest that we could only have one person to represent our group, yet they can have several speakers on the subject. She stated that all she is asking is that this be a safe ordinance for our County.

3. Anne Scarborough – Boydton Plank Road, - Dinwiddie Virginia – She stated that in the past persons have come forward speaking about health hazards with Bio-Solids and tonight a citizen from our County is saying something about it. She stated that it is urgent for us to get this ordinance done as soon as possible. She stated that there is still a problem with signs not being replaced in the County on a timely basis. She also stated that the County has spent a lot of money to purchase the chairs the Board Members are sitting in and she is appalled to see all the nicks and scratches on the arms of the chairs. She would like for the Board to take better care of the county's property.

4. Margie Flowers – 14919 Wilkerson Road, - Dewitt Virginia – She stated that Ms. Margaret Avery and Ms. Geri Barefoot expressed her views and concerns related to the Bio-Solids. She stated that the people in this County spoke during the election and they know what they want. She said that they will not stand by anymore and let there be the "good old boy system". She added that she hoped the Board would not drag their feet concerning Bio-Solids.

5. Michael W. Bratschi – 23500 Cutbank Road, - McKenney Virginia – He stated that it was nice to hear the pledge but unfortunately some people in the County pledge allegiance to a different flag. He stated the Nazi flag was placed in his mailbox on October 29, 2003 among other things that have been done to my family's property. He stated that they crossed the line. He said that if they mess with his family, "he will cap them and that is a promise". He stated that the Sheriff's Department said because they were not Jewish, this was not a hate crime. He said that he had to go and research the code for them. He also mentioned that he was not surprised because the Deputy that came to his house had not been to the academy yet; he had no police experience. He stated that he hoped the remaining Board Members would not let the two new Board Members influence you to vote their way. He restated his main reason for coming forward tonight and that was to let the people know that he is tired of all the threats made on him and his family. He stated that it has been going on for a long time and he is sick of it. He stated that he feels the Board of Supervisors should be concerned that this is existing in this County and if they are not, they are giving people like that the right to threaten their family. He stated that his wife said she has great respect for Mr. Clay and if she could she would give him her votes so he could stay in office.

6. George Whitman Jr. – 13010 Old Stage Road, - Petersburg Virginia – He said now that the elections are behind us, he hoped that we could put away our differences and join hands and more forward. He stated that he hopes the transition will be smooth, because it is what the citizens of Dinwiddie would like to see. He stated that he is at the meeting as the president for the Citizens For A Better Dinwiddie. He stated that he would like to see the Citizens For A Better Dinwiddie be a liaison to help keep the people posted on what is happening in the County.

7. Luther Parker – 12241 Trinity Drive, - Church Road Virginia – He stated that he concurs with all the statements made about Bio-Solids. He stated that he wanted Mr. Moody and the members of the Farm Bureau to know that there is no opposition. He stated that he knows it cannot be banned but that is not what the effort is. The effort is to get an ordinance that suits the needs of the people of Dinwiddie County and not the needs of some external entity that wants to change the expectation. He stated he hoped we will go forward with the time line and get this ordinance done.

   Mr. Bowman stated that Mrs. Ralph is going to address the meeting in her administrative comments. Mr. Bowman then asked if there was anyone else who wanted to comment but had not signed up.

8. Michelle Parker – 6812 Duncan Road, - Petersburg Virginia – She stated she didn't have the proof but she would get it. She continued by saying Farm Bureau wants to move the meeting back because it is in November and December that they do most of their spreading and then they come back in the spring time and do the rest. She stated that she knows the spreading of Bio-Solids cannot

be stopped and she knows the reason why they are trying to stall the meeting. She stated that you have heard person after person come forward and talk about this issue and there is a need for some type of restriction or notification.

Mr. Bowman stated that he does not believe that some company is putting pressure on the Board to push the meeting back. He stated that the Board is trying to coordinate dates with people, professors and those on the Citizen's For A Better Dinwiddie to come in and bring person's to speak to this issue and express their ideas. He asked that they would contact him and let the Board know when they are available.

Mr. Moody stated that the County Attorney has done research in this area and he wanted her to give a quick overview on the matter of what can and cannot be done.

The County Attorney stated that the Virginia Supreme Court has stated that a locality cannot ban Bio-Solids when an applicator holds a permit allowing them to spread Bio-Solids. She stated that there are localities that have adopted regulations and ordinances that are something less than bans but have more restrictions and those have been struck down in the western part of the state. She continued by saying the model ordinance was developed as sort of an agreement by everyone involved so that it would not be subject to challenge if the County wanted to adopt it as their ordinance.

Mr. Bowman asked that the Citizen's For A Better Dinwiddie get with Mrs. Ralph and make sure that the dates being selected are ok so we can move on this as soon as we can coordinate dates.

IN RE: PUBLIC HEARING – LEASE OF COUNTY PROPERTY – USE AS DRUGSTORE

This being the time and place as advertised in the Dinwiddie Monitor on October 22, 2003 and October 29, 2003, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comments regarding the Lease of County Property for use as a Drugstore.

Mrs. Ralph stated that the County had recently purchased what is known as the bank's building located at 14200 Sycamore Drive. She stated that since the banks departure of the building the owner leased it to Mr. Rainey after the unfortunate burning down of his building. She said that whenever the County took over the building they became the landowner of the building. She stated that the state code requires that the County hold a Public Hearing when selling property and with the interpretation of leasing a property; the County was advised to hold a public hearing and that is what's happening tonight. She stated that Mr. Rainey was available and she wanted him to make a few short comments on his plans as far as the use of the building.

Mr. Charles Rainey stated that his plan is to build a new Drug Store building at the site of Dr. Ashby's old office. He stated that he has recently purchased the property and at present he is working on plans for his new building. He stated that if it would please the County he would appreciate if they would let him continue to lease the building until he finishes the project.

Ms. Margie Flowers came forward and stated that she hoped the County would consider continuing to lease the building to Mr. Rainey. She stated that without this Drug Store many people would be forced to go to Petersburg and McKenney.

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

BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to sign the lease of County property with Charles Rainey Jr. for use as a drugstore as presented.

IN RE: PUBLIC HEARING – 2002/03 – 2006/07 CIP

This being he time and place as advertised in the Dinwiddie Monitor on October 22, 2003 and October 29, 2003, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comments regarding the 2002/03 – 2006/07 Capital Improvement Program.

The County Administrator stated that it is her pleasure to present the recommended FY 2002/03 – 2006/07 Capital Improvement Program (CIP) for the Board of Supervisors review and consideration. She stated that before them is a plan that focuses on the County's five year capital needs. She went on to say that the County continues to be challenged with balancing the maintenance of our existing facilities and equipment with the growing needs of our community. She said that while the needs of County Agencies, Constitutional Officers and Department Heads continue to significantly exceed the financial resources available, the County is pleased to present the Board with a program that provides balance between the finite resources and an ever increasing number of priorities. She stated the five-year Capital Improvement Program totals $20,170,389. The first year of the five-year program, which will be referred to from now on as the Capital Budget, is $1,143,282. Below is a summary of the projects that are recommended within the Capital Budget:

*	Purchase of seven school buses -	$368,781
*	Continuation of funding for Countywide GIS -	$153,781
*	Continuation of building renovation to Namozine VFD -	$121,193
*	Construction of a new Rohoic Elementary School -	$14,681,100
*	Development of County Industrial Park -	$252,000
*	Establish a second convenience center -	$56,364
*	Installation of generator at Pamplin Admin Building -	$106,163
*	Rechassis 1997 ambulance -	$85,000

The purchase of seven school buses was previously approved by the Board to meet the emergency needs of the school system.

The County Administrator asked Mr. David Thompson to come forward and give a brief explanation of the continued funding of GIS.

Mr. Thompson stated that the County has signed a contract with Worldview Solutions Inc. to start the implementations and development of the GIS, which the funding was for $424,000. He stated that there is some hardware and software licensing issues that need to be dealt with, but he does not anticipate that portion costing over $100,000. He stated that the original needs assessment of this program was around $1,000,000 but it will come in around half that amount. He said the reason for this is technology is a lot less expensive now then it was when the needs assessment was done. He stated that it should be noted that there are two more years of monies allocated for this project, but only a small fraction will be needed for 2004 and nothing will be needed in 2005. He stated that we are at the pilot portion of the project and he invited anyone to come and see how GIS works. He also said that he would be coming back to the Board with a presentation of the working of GIS.

Mr. Clay stated that it would be a good idea for Mr. Thompson to explain to the citizens what GIS is and what are some things GIS can do.

Mr. Thompson stated that GIS stands for Geographic Information Systems. He went on to say that you will be able to get tax parcel information,

and acquire information on a piece of property. He stated it will help with redistricting lines and with school bus routings.

Mr. Bowman stated that there was one thing he knew that saved the County some money and that was when the state stepped in with the flyovers. It was a saving of $140,000. He said that the state did that because every county was doing the flyovers individually and having different scales done and a lot of the maps didn't match up.

Mr. Bracey asked if this system will be able find properties and homes that are not listed in the County records that are on parcels of land in the County?

Mr. Thompson yes.

The County Administrator asked Mr. David Jolly to come forward and give a brief explanation of the continued building renovation to Namozine VFD which originally came in as a building addition and when the Building and Grounds Director, Mr. Jolly and the architect looked at it, it appeared that we could go in and renovate the building and do what was really needed and save money at the same time. She stated that this renovation is needed to handle the over 2000 calls a year that come through that department.

Mr. Jolly stated that he wanted to thank the volunteers for all their hard work so far. He said they have completed almost all of the interior demolition themselves. He stated that this is a group effort between the County's CIP process and the volunteers. He stated that the final set of plans will be presented at the November 18, 2003 meeting. He echoed the County Administrators comments on the need because of the over 2000 calls a year and added that this Volunteer Fire Department is the largest and one of the busiest running stations.

Mr. Bowman asked Mr. Jolly if he would thank the volunteers on behalf of the Board for saving the County money.

The County Administrator stated that there is one thing with the building that was evident during the recent storm that the County does want to try work in as the bids come in and funding is available and that is an emergency generator in that renovation.

She said the next item to address is the new Rohoic Elementary School. She said she wanted to point out that the committee realizes there have not been any decisions made by the Board. She said this is not a recommendation to do any size of building, it is just recognition by the committee that an additional Elementary School was needed. She stated the Development of a County Industrial Park is a wonderful use of matching local funds with funds from the Tobacco Commission. She said that we were fortunate enough to receive $2,500,000 through the Tobacco Commission. She wanted to thank Mr. Scheid for the application in getting the grant. She stated that the establishment of a second convenience center or what is referred to, as a manned site is similar to the one that is at Rohoic. She said there has been a lot of good comments about the site at Rohoic and the County would like to continue those types of centers around the County. She stated that it includes the purchase of property if needed and the equipment to go there. She said it has proven to be quite beneficial because there has been some reduction in the amount of workload at a manned site because it is controlled as opposed to an unmanned site that is not controlled where anyone can use it and anything can be brought in. She stated that the generator at the Pamplin Administration Building became quite apparent during the hurricane. She said there is work that can only be done by the Administration and the School Board in the building. She also stated that the Social Services Building is in need of a generator, but the County was already into this current plan. She said they were not included in this budget year but she realizes the need. She stated that the last project is the Rechassis of a 1997

ambulance and she had Mr. Jolly come forward to address the matter and describe exactly where we are with the mileage on the present unit and why we need the rechassis.

Mr. Jolly stated that the County wants to get the best wear out of their vehicles and he has presented a plan where in the ambulances after six years of service life are rechassised. He said that rechassising the unit would give it an additional six years of life. In other words spending the $85,000 this year to service the chassis could prevent you from replacing the unit, which would cost $111,000 to $112,000 in the up coming years.

Mr. Haraway asked what is the cost difference between a new chassis and a redone chassis.

Mr. Jolly stated that a new chassis would cost $43,000 and a redone chassis would cost $26,000.

The County Administrator went on to say that details for all of the projects recommended for funding in the FY 2002/03 – 2006/07 Capital Improvement Program can be found in the project description section at the end of her presentational document. She concluded that she was proud to present the Board with the FY 2002/03 – 2006/07 Capital Improvement Program, which she believes is both fiscally responsible and responsive to the community as the County moves into the new millennium. She thanked the Board for their careful review and consideration of the proposal. She also thanked the Board for their continued support as the County pursues capital improvements that will enhance the quality of life for citizens in the County of Dinwiddie.

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

BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that the 2002/03 through 2006/07 Proposed Capital Improvement Program be approved as presented and;

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that all projects listed in the FY 03 budget year will be brought back to the Board for approval before going forward with the item.

IN RE: PUBLIC HEARING – C-03-1 COMMUNICATION TOWER – WHEELER'S POND ROAD (LAND FILL)

This being the time and place as advertised in the Dinwiddie Monitor on October 22, 2003 and October 29, 2003, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comments regarding C-03-1 the construction of a Communication Tower on Wheeler's Pond Road which is at the Land Fill.

Mr. William C. Scheid, Planning Director, came forward and stated that he had a prepared statement, which he has read for the past three years. He stated that it's done that way to streamline the hearing. He then read the statement below:

"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."

The applicant, the County of Dinwiddie, is seeking a conditional use permit to construct a 180' guyed wire communications tower with antenna and support equipment. The tower is needed in order to implement the countywide wireless communications system for emergency services. Location of the tower is proposed at the County Landfill near the front of the property. The Planning Commission heard this request at their October 15, 2003 public meeting. After introduction of the case by planning staff, the applicant came forth to answer several questions regarding the application. Upon conclusion of questions by the Planning Commission, the meeting was opened for public comment. No one present wished to speak, therefore the Chairman closed the public comment portion of the meeting. Upon concluding discussions among the Commissioners, the Planning Commission voted unanimously (5-0) to recommend approval of the conditional use permit without conditions to the Board of Supervisors.

The County Administrator stated that she asked Motorola to be prepared with coverage maps so the public could see what all is involved and how it all relates to the towers.

Will Smithson of Radio Communications, Inc. came forward and introduced himself and an engineer from Motorola by the name of John White. He stated that Motorola responded to the need for the County request on a proposal for a public safety communication system. He stated that Motorola is responsible for the design of system and coverage to meet the County's coverage expectations. He stated that there was an attempt to use the existing tower sites that the County had reciprocity on for co locations. He stated that there was only one site for that option and that was the Alltel tower in Dewitt. He stated that the Landfill and Fire Station sites were chosen based on an engineering aspect. He stated in order to give the County what they wanted in terms of Narrow Band and VHS High Band frequencies the tower had to be configured in particular way to give the County the hand held radio coverage that was required for its public safety. He said that is how the height and elevation of the towers as well as the location of the towers were decided.

Mr. Bracey read the statement below:

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

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, I move that conditional use permit C-03-1 be APPROVED by the Board of Supervisors.

IN RE: PUBLIC HEARING – C-03-2 COMMUNICATION TOWER – BOYDTON PLANK ROAD (DINWIDDIE VFD)

This being the time and place as advertised in the Dinwiddie Monitor on October 22, 2003 and October 29, 2003, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comments regarding C-03-2 the construction of a Communication Tower on Boydton Plank Road which is at the Dinwiddie VFD.

Mr. William C. Scheid, Planning Director, came forward and stated that this is the second part of the application process. He read the case number and stated that there are some dissimilarities with case C-03-1 and C-03-2 and he would mention them as he came across them in his report:

"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."

The applicant, the County of Dinwiddie, is seeking a conditional use permit to construct a 180' self-supporting communications tower with antenna and support equipment. The tower is needed in order to implement the countywide wireless communications system for emergency services. Location of the tower is proposed at the Dinwiddie VFD and EMS building on Boydton Plank Road in Dinwiddie. The Planning Commission heard this request at their October 15, 2003 public meeting. After introduction of the case by planning staff, the applicant came forth to answer several questions regarding the application. Upon conclusion of questions by the Planning Commission, the meeting was opened for public comment. No one present wished to speak, therefore the Chairman closed the public comment portion of the meeting. Due to the site visibility from Route 1, the Commission decided that a 15' to 25' buffer containing evergreens be required at the base of the tower outside of the security fence. Upon concluding discussions among the Commissioners, the Planning Commission voted unanimously (5-0) to recommend approval of the conditional use permit with the buffer condition to the Board of Supervisors.

Mr. Scheid recommended to the Board that the towers be built structurally as to support two additional antennas. He stated that the County at some point could lease out the space to other providers and gain revenue from it, plus the County would not be required to have so many towers in the future.

Mr. Bracey stated that it seem to him that one of the towers would be positioned on the chosen property so as to prevent further developing of that property.

Mr. Scheid responded by agreeing with Mr. Bracey and added that the tower would need to be positioned off to the side of the property so that access could be made to the rear of the property making it developable.

The County Administrator stated that the picture that was developed was just to give us an idea of how it would look and it does not mean that it has to go into that specific spot. She would certainly want the tower placed so as to not hinder the property being developed. She stated that the staff will work with Motorola on a site plan to assure full use of the property.

Mr. Haraway read the statement below:

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

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, I move that conditional use permit C-03-2 be APPROVED by the Board of Supervisors with the conditions as presented.

IN RE: CLOSED SESSION

Mr. Haraway stated that I move to close this meeting in order to discuss matters exempt under sections:

2.2-3711 A .30 of the code of Virginia, Discussion of Contract Negotiations
General Reassessment

2.2-3711 A .7 of the code of Virginia, Consultation with Legal Counsel
Dispatch Equipment for Sheriff

2.2-3711 A .7 of the code of Virginia, Consultation with Legal Counsel
Chaparral Agreement.

Mr. Haraway also asked that the new Board members Mrs. Moody and Mr. Stone be allowed to attend the Closed Session to help in the orientation process.

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the Board moved into the Closed Session at 7:30 P.M.

A Vote having been made and approved the meeting reconvened into Open Session at 8:49 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under 2.2-3711 A .30 Discussion of Contract Negotiations – General Reassessment and 2.2-3711 A .7 Consultation with Legal Counsel – Dispatch Equipment for Sheriff and Chaparral Agreement.

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

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

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

IN RE: COMMUNICATIONS SYSTEM – APPROVAL OF CLOSING DOCUMENTS FOR FINANCING

The County Administrator stated that she just wanted to go over with the Board what makes up the Bond Issue and all the different pieces. She also said that the reason the Motorola spokes persons have remained is because if there are any questions on any of the items she wanted them to answer them. She went on to say that the cost of the Radio System including towers was $4,230,079. The cost of furniture from Watson Dispatch Furniture was $44,847. The cost of the Computer Aided Dispatch Equipment is still out on bid and will not come back in until November 24, 2003. She stated that she asked Ms. Denise Absher to provide the Board with an estimated cost of what she thinks the top amount might be. Her estimated cost at this time is $350,000. The County Administrator stated that some part of the $350,000 would be reimbursed by the Wireless Board. The County Administrator said that Ms. Absher stated that around 30% more or less of the cost would be reimbursed depending on how it is structured. The County Administrator said it is based on what part of the equipment is for mapping, which is required by the Wireless Board and that is why they are getting reimbursement for it. The County Administrator said if you look at the total cost it comes up to $4,624,926. The County Administrator said with the current CIP we funded $211,000, which was provided for debt service. This leaves a new balance of $4,413,926. The County Administrator stated that the financing fees will be around $25,000 and bond counsel fees will total around $20,000.

The County Attorney presented a resolution for the Board to approve the closing documents.

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

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

RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF DINWIDDIE, VIRGINIA

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia **(the "Board of Supervisors")** directed Davenport & Company, LLC **(the "Financial Advisor")** to prepare a Request for Proposals **(the "RFP")** to obtain financing plans to pay the costs of the development, acquisition, construction, equipping and installation of an E-911 Emergency Equipment System **(the "Project")**;

WHEREAS, the Financial Advisor has received responses to the RFP that reflect attractive financing for the Project, and, after reviewing the responses, the Financial Advisor along with the County's Bond Counsel, Sands Anderson Marks & Miller **("Bond Counsel")** has recommended that the Board of Supervisors select the proposal from SunTrust Bank **(the "SunTrust Bank Proposal")**;

WHEREAS, the Board of Supervisors has reviewed each of the responses and recommendations from the Financial Advisor and Bond Counsel and has determined that the SunTrust Bank Proposal is the most beneficial response to the RFP and provides attractive financing terms for the Project and the Board of Supervisors, on behalf of the County, desires to accept such SunTrust Bank Proposal and proceed with the financing reflected therein;

WHEREAS, the Board of Supervisors has requested the Industrial Development Authority of Dinwiddie County, Virginia **(the "Authority")** (a) to issue, offer and sell its lease revenue note or bond in an approximate amount of $4,500,000 **(the "Note")** to finance the development, acquisition, construction, equipping and installation of the Project and (b) to lease the Project to the County to accomplish certain purposes of the Virginia Industrial Development and Revenue Bond Act **(the "Act")**, providing its moral obligation in support of the payment of the Note and the Authority has agreed to do so; and

WHEREAS, the Authority based on the request of the Board of Supervisors proposes to (a) use the proceeds of the Note to pay the costs incurred and to be incurred in connection with the Project, including costs of issuing the Note, (b) lease the Project to the County pursuant to a ground lease and a lease agreement with the Authority, and (c) secure the Note by an assignment of its rights under such lease agreement (except the right to receive indemnification, to receive notices and to give consents and to receive its administrative expenses) to SunTrust Bank **(the "Bank")**, under an assignment agreement between the Authority and the Bank, which is to be acknowledged and consented to by the County, all in accordance with a note purchase agreement among the Bank, the County and the Authority.

WHEREAS, there have been presented to this meeting substantially final drafts of the following documents **(collectively, the "Documents")** in connection with the transactions described above, copies of which shall be filed with the records of the Board of Supervisors:

(a) a Ground Lease dated as of November 1, 2003, between the County and the Authority (i) conveying to the Authority a leasehold interest in the property described therein **(the "Ground Lease")**;

(b) a Lease Agreement, dated as of November 1, 2003, between the Authority and the County conveying to the County a leasehold interest in the Project **(the "Lease Agreement")**;

(c) a Note Purchase Agreement, dated as of November 1, 2003 among the Authority, the County and the Bank, pursuant to which the Note is to be issued **(the "Note Purchase Agreement")**; and

(d) an Assignment Agreement, dated as of November 1, 2003 between the Authority and the Bank, assigning to the Bank certain of the Authority's rights under the Lease Agreement and the Ground Lease, which is to be acknowledged and consented to by the County **(the "Assignment Agreement")**.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Dinwiddie, Virginia:

All costs and expenses in connection with the undertaking of the development, acquisition, construction, equipping and installation of the Project and the issuance of the Note, including the Authority's expenses, the fees and expenses of the County Attorney, and the fees and expenses of the Bank, Bond Counsel and the Financial Advisor, for the sale of the Note, shall be paid from the proceeds therefrom or other funds of the County. If for any reason the Note is not issued, it is understood that all such expenses shall be paid by the County and that the Authority shall have no responsibility therefore.

The County hereby accepts the SunTrust Bank Proposal and instructs the Financial Advisor and Bond Counsel to take all such action as necessary or appropriate to conclude the financing as set forth in the SunTrust Bank Proposal utilizing the 20 year maturity option (3.79% interest rate with a 10 year put option) as set forth therein, for the issuance of the Note.

The following plan for financing the costs of the Project is approved. The Authority shall use the proceeds from the issuance of the Note to finance on behalf of the County, the development, acquisition, construction, equipping and installation of the Project for lease to the County for a lease term not less than the term of the Note at a rent sufficient to pay when due the interest and principal on the Note. The obligation of the Authority to pay principal and interest on the Note will be limited to rent payments received from the County under the lease agreement. The obligation of the County to pay rent under the lease agreement will be subject to the Board of Supervisors of the County making annual appropriations for such purpose. The Board of Supervisors on behalf of the County has adopted this resolution as its moral obligation to the repayment of the Note. The Note will be secured by an assignment of rents to the Bank as the holder thereof. If the Board of Supervisors exercises its right not to appropriate money for rent payments, the Bank may terminate the lease or otherwise exclude the County from possession of the Project. The issuance of the Note on the terms of the SunTrust Bank Proposal, to be set forth in the Note Purchase Agreement and as further described in the Documents, is hereby approved. The Documents are hereby approved in substantially the form submitted at this meeting with such completions, omissions, insertions, changes or modifications as may be approved by the officer executing them whose signature thereon shall be conclusive evidence of approval of such completions, omissions, changes or modifications.

The Chairman or Vice Chairman of the Board of Supervisors, or either of them, and the County Administrator are each hereby authorized and directed to execute the Documents and such other instruments and documents as are necessary or appropriate for the issuance of the Note.

The County consents to its Bond Counsel and County Attorney acting in such capacities as well as special counsel to the Authority in this financing.

The County represents and covenants that it shall not take or omit to take any action the taking or omission of which will cause the Note to be an "arbitrage bond" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended **(the "Code")** or otherwise cause the interest on the Note to be includable in gross income for Federal income tax purposes under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the Authority or the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds from the sale of the Note.

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.

All other acts of the officers of the County that are in conformity with the purposes and intent of this resolution and in furtherance of the issuance and sale of the Note and the undertaking of the development, acquisition, construction, equipping and installation of the Project and the leasing of the Project is hereby approved, ratified and confirmed.

The County by acceptance of this financing agrees to indemnify, defend and save harmless, to the extent permitted by law, 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 Note or the development, acquisition, construction, equipping and installation of the Project.

Nothing in this Resolution, the Note or the Documents shall constitute a debt or a pledge of the faith and credit of the Authority or the County, and the Authority shall not be obligated to make any payments under the Note or the Documents except from payments made by or on behalf of the County under the lease agreement pursuant to annual appropriation thereof in accordance with applicable law.

The County hereby designates, and allocates to the Authority in relation to the issuance of the Note, such designation as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code. The County does not reasonably anticipate (nor do any of its subordinate entities reasonably anticipate) issuing more than $10,000,000 in qualified tax exempt obligations during calendar year 2003 and the County (and any of its subordinate entities) will not designate more than $10,000,000 of qualified tax-exempt obligations pursuant to Section 265(b)(3) of the Code during such calendar year.

The Board hereby reaffirms and declares, in accordance with U.S. Treasury Regulation Section 1.150-2, as amended from time to time, the County's intent to reimburse the County with the proceeds of the Note for Expenditures with respect to the Project, made on or after the date which is 60 days prior to the date of the adoption of this resolution. The County reasonably expects that it will reimburse the Expenditures with the proceeds of the Note. The maximum principal amount of the Note expected to be issued for the Project is $4,500,000.

This resolution shall take effect immediately.

ADOPTED THIS 5TH OF NOVEMBER, 2003.

_____

VICE-CHAIRMAN, BOARD OF SUPERVISORS

CERTIFICATION OF ADOPTION OF RESOLUTION

The undersigned Clerk of the Board of Supervisors of the County of Dinwiddie, Virginia hereby certifies that the Resolution set forth above was duly adopted at an open meeting on November 5th, 2003, by a majority of the Board of Supervisors with the following votes:

Aye:

Robert L. Bowman, IV,
Chairman
Donald L. Haraway,
Vice-Chairman
Harrison A. Moody, Jr.
Edward A. Bracey, Jr.
Aubrey S. Clay

Nay:

None

Abstentions:

None

Signed this ___ day of November, 2003.

By: _____
Clerk, Board of Supervisors

IN RE: GENERAL REASSESSMENT – AWARD OF CONTRACT

The County Administrator stated that it is time for our four-year general reassessment. The County received five proposals and they were interviewed on November 3, 2003. Below is a listing of the companies:

Wampler-Eanes Appraisal Group, Ltd.
Pearson Appraisal Services
Blue Ridge Mass Appraisal Company
Wingate and Associates
Tri-County Appraisals, Inc.

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

BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to negotiate a contract with Wingate and Associates for the General Reassessment.

IN RE: SOCIAL SERVICES GRANT

The County Administrator stated that before we get into the Bio-Solids Ordinance, she wanted Ms. Kim Willis to come forward and talk a little about the FAMIS (Family Access to Medical Insurance Security) Retention Grant that she made possible for the County to receive.

Ms. Willis stated that the Department of Social Services was awarded a grant for $24,000 for 12 months. She stated that it will assist the Department of Social Services in retaining children on the FAMIS. She said it is health

Insurance for children who have parents that work that simply cannot afford health care. She said it was a collaboration with County Administration, Social Services, Public Safety and the Crater Health District to make this a successful proposal. She stated that she looks forward to working with the other county agencies as the program is implemented.

IN RE: BIO-SOLIDS WORKSHOP

The County Administrator stated that Mr. Scheid has given the Board a time line on the earliest that things can get done if we were to have a public hearing on December 2, 2003 on a Bio-Solids Ordinance. She stated that he is working on a proposed ordinance and that he has sent it to the state health department and the Attorney General for review because he did not want to present something that was a problem with them. She stated that she did not think that it varied too much from the model ordinance. She said there were, however, some things that came up that Mr. Scheid felt were needed to be included if possible. She said that we should hear from the Attorney General concerning those items included by Mr. Scheid. She also said the Dinwiddie Farm Bureau wanted to make a presentation to the Board with several speakers they had lined up such as Academic Sciences and the State Department of Health. She stated that there was some other input into this process including names from people that are connected with Universities that we could also call. She went on to say if there is any body else as the Chairman has suggested from other organizations that would like to be a part of the process, please give us a name or contact so we could make sure that they are included. She stated that the real issue is when do we want to put together the meeting. She said there was one suggestion from the Farm Bureau. They suggested that there be a workshop then a public forum followed by the advertised public hearing for the ordinance. She stated that there could be any number of ways to do the meeting. She stated we could consolidate dates into one general meeting and invite people in and then have a question and answer period. She stated it could be done similar to some things done down at Eastside. She reiterated that the earliest you can have any public hearing on an ordinance is December 2, 2003.

Mr. Bowman asked, is November 18, 2003 the earliest we can have the meeting?

The County Administrator stated that the reason she said November 18, 2003 is because that is when the Board comes together for their next meeting. She said the date could change if the Board wanted to hold a special meeting, but her reasoning for November 18, 2003 is because one it is a regular scheduled meeting and two there are no Quarterly Department Head Reports due at the meeting and a workshop could be set up for that day inviting whoever you would like to attend that meeting.

Mr. Bowman stated that he spoke to a couple of Farm Bureau members and they requested that they would like to have the meeting in the evening in January.

The County Administrator stated that was the public forum part. What they actually proposed in a letter was a workshop that was more of a giving new information to the Board at the public meeting. The public forum in January was for a question and answer period with the public and they would have a panel of experts to answer those questions.

Mr. Moody stated that his only concern for this matter is that we do not put together an ordinance any different than the model ordinance. We should not enact an ordinance until Mr. Scheid's questions from the State Health Department are answered. He stated to enact an ordinance that is not legal could cause the County to spend taxpayer's dollars on Lawyers. He suggested that we have a public hearing and adopt, if we want to, the model ordinance and

then move forward with what Mr. Scheid had proposed. He stated that the ordinance had been worked on by VACO, State Health Department, contractors and the Bowen Commission who did a study on the ordinance all last summer. He went on to say that he thinks we are safe with the model ordinance until we get the opinion of the Attorney General and the State Health Department.

Mr. Bowman stated that he agreed with Mr. Moody concerning the model ordinance being adopted.

Mr. Moody stated that he knows of some counties that have stricter ordinances then the state law and the actual contractors have written them letters and told the Counties that they are going to stick to the state regulations.

The County Administrator, for reasons of understanding, stated what was discussed for the record. She said "on November 18, 2003 at 2:00P.M. we will have a discussion or workshop presentation inviting Farm Bureau and their panel and extending the invitation to any other group that has someone that they wanted to be a part of the discussion and make a presentation". She added to meet the deadline for December 2, 2003 we will need to go ahead and advertise an ordinance. She said what she is hearing is the model ordinance and not one that we have added any suggestions to.

IN RE: HOLIDAY SCHEDULE

The County Administrator presented a copy of the Holiday schedule approved by the Governor.

Wednesday, November 26, 2003, State Offices will close at noon
Thanksgiving Day and the day following (November 27 and 28)
Christmas Eve early closure at noon, Christmas Day, and the day following (December 24, 25 and 26)
New Years Day and the day following (January 1 and 2)

IN RE: BOARD MEMBER COMMENTS

Mr. Moody congratulated the new candidates and stated he is looking forward to working with them. He wanted to wish the two out going Board of Supervisors the best and concluded by saying we are losing a lot of experience.

Mr. Haraway wanted to know if there was any word on when they were going to see the audit report,

The County Administrator stated that we were giving them the last pieces of information this week and she expected to be seeing the draft by next week. She stated that they were working on the audit when the hurricane hit and things were pushed back, but they have been able to finish up their work and we are just giving them some final details.

Mr. Bowman stated that his only comment was on the lease of the county property and the drug store. On page one C-13 and page two number six seems to be a conflict in the contract. He stated one seems to cancel out the other. Although it had been voted on, he wanted the Attorney to look at it again and let us know if that is in fact true.

IN RE: ADJOURNMENT

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Bracey, Mr. Clay, Mr. Moody, Mr. Haraway, Mr. Bowman, voting "Aye", the meeting adjourned at 11:30 P.M. on Wednesday, November 5, 2003.

Robert Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 2:00 P.M.

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

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

Mr. Robert L. Bowman IV, Chair, called the regular meeting to order at 2:09 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mrs. Wendy Weber Ralph, County Administrator, stated that she would like to add to the closed session Authority to Place Restrictions on Public Property under section 2.2-3711 A .7 – Consultation with Legal Counsel and Discussion of Industrial Development under section 2.2-3711 A .5 – Business and Industry Development.

Upon motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the above amendments were approved.

IN RE: MINUTES

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

BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the October 7, 2003 and October 21, 2003 Regular Meetings were hereby approved.

IN RE: CLAIMS

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

BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1037260 through 1037460 (void check(s) number 1037260 for:

Accounts Payable

(101) General Fund	$	142,132.75
(103) Jail Commission	$	83.94
(209) Litter Control	$	
(222) E911 Fund	$	2,248.21
(223) Self Insurance Fund	$	-
(225) Courthouse Maintenance	$	660.00
(226) Law Library	$	

(228) Fire Programs	$	
(229) Forfeited Asset Sharing	$	
(304) CDBG Grant Fund	$	232.23
(305) Capital Projects Fund	$	
(401) County Debt Service	$	1,568.60
TOTAL	**$**	**146,925.73**

IN RE: ALVIN LANGLEY – CHIEF FORD VFD – PRESENTATION OF NEW VEHICLE

Mr. Alvin Langley stated that he was present on behalf of the Ford VFD and wanted to express his sincere thanks for the new piece of equipment that was purchased for the VFD. He stated that his thanks goes out to the Board, administration and the citizens who together made this happen. He stated that this is a good piece of equipment and he believes it is going to last a good twenty years. He also stated that this piece of equipment would take a lot of wear and tear off of one of their regular tankers. He stated that the tanker this equipment will replace has already run 78% of all the calls that come into the VFD. He stated this equipment will be a first responder unit and it will run all the medical calls along the Route 460 corridor. He stated that the truck was out front if any of the Board members wanted to look at it and see what was purchased. He also extended an invitation to the Board and any citizen to come by the VFD and see what they have.

Mr. Bowman thanked the Mr. Langley on behalf of the Board for all the hard work he has done and all the volunteers that volunteer everyday. He stated that the Board really appreciates everything that they do for the County and the citizens.

IN RE: CITIZEN COMMENTS

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

There was no one signed up to speak or present who wanted to address the Board.

IN RE: VDOT – RICHARD CAYWOOD

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation opened with giving an up to date report on the status of Courthouse Road and Rainey Road. He stated that there is a light at the end of the tunnel and it is not a train. He stated the delays had to do with some engineering miscalculations. He stated that the optimistic opening of both roads could be Monday, November 24, 2003 and the pessimistic opening could be Wednesday, November 26, 2003. He stated, if all went perfectly, they could open on the weekend. He stated that they received their federal authorization on the right of way acquisition for the Boydton Plank Road project and VDOT is aiming for a January or February advertisement and an August 1, 2004 fix date, which is earlier than projected. It was moved forward in time because of the construction season at the request of the city.

Mr. Bowman stated that he had a citizen ask about Squirrel Level Road where the water stands on the road and there are numerous potholes.

Mr. Caywood stated that he travels that road and knows what the concern is and he will get with the Public Works Department in Petersburg to help expedite the matter.

Mr. Caywood stated he wanted to put items on the radar screen for the Board. He stated that the Rt. 600 Bridge has deteriorated and VDOT has

secured some maintenance funding to do a deck replacement as well as rehabilitation and painting of the substructure for that project. He stated that VDOT with representatives of both counties met on November 17, 2003. They concluded that they should have at least one if not two public information meetings. He stated that they are seeking public input on the various impacts that are possible. He stated that there were two options that VDOT proposed. The first was temporary signalization where the bridge is essentially one lane with a signal on either end. He stated the completion date for this option would be an eighteen-month time line window, because it would be a three-phase project. He stated the other option raised by one of the counties, which VDOT had not really considered, was how quick could you do the work if you closed the bridge. He stated the completion date for this option would be an eight-month window. He stated that they have a tentative public information meeting scheduled for mid-January at the school in Matoaca. He also stated that as a reminder to the Board that the Primary Interstate and Urban Six-Year Improvement Plan public hearing is scheduled for December 1, 2003 at the renovated train station in Petersburg. The informal session, where the public can come and ask questions of the officials, is at 5:00 P.M. and the formal session, more of a Board meeting forum where there is question and answer and public interaction period is, at 7:00 P.M.

Mr. Haraway stated that on the Rt. 600-bridgework advertisement he hoped that VDOT would mention that there is a possibility or an alternative to closing the bridge.

Mr. Caywood stated that VDOT is still working on debris removal and that the removal is only done on items that Isabel placed in VDOT's right of way. They are not removing debris that homeowners have placed in front of their homes. He stated that there are two reasons for this. One is because VDOT does not have the funds to pay their people and two it goes against the agreement that VDOT has worked out with FEMA and FHWA.

IN RE: INFORMATION WORKSHOP – BIO SOLIDS

The County Administrator stated that this time today has been set aside for a workshop on Bio-Solids. She stated that are speakers here today that have come to address the subject. She asked the Chairman if each speaker could be limited to fifteen minutes because of the agenda and the time available for today. She stated that after their formal presentations, there would be a question and answer session for the persons who have questions that could be answered while the experts are available. She stated that the speakers were Dr. Greg K. Evanylo a Professor and Extension Soil Scientist at Virginia Tech University, Mr. Wilmer N. Stoneman, III, the Associate Director Governmental Relations with Virginia Farm Bureau, Mr. Charles W. Swanson, Treatment Technology Engineer with Virginia Department of Health and Mr. Luther Parker. She reminded everyone that this is the information workshop and not the public hearing on the ordinance that will take place on December 2, 2003 at the 7:30 P.M. night meeting.

Mr. Greg Evanylo had a Power Point Presentation on the Pros and Cons of Bio-Solids. He stated he is basing the information he has on Bio-Solids on the work that he and his colleagues have done over several decades. He stated that Bio-Solids are solids removed from the wastewater stream and most of it is from domestic toilets. He stated the before the solids can be classified as Bio-Solids they must under go stabilization, then conditioning and then dewatering. They are then classified as stabilized sludge or Bio-Solids. He stated that Bio-Solids are disposed of by incineration, burying them in a landfill or land applying them as a fertilizer. He stated that there are regulations for the use of Bio-Solids at federal, state and local levels. The federal regulation is U.S. EPA 40 CFR Part 503: Standards for the use and disposal of sewage sludge (1993), the state regulation is VDH 12 VAC 5-585: Biosolids use regulations (1997); VA DEQ (VPDES) and the local level puts together an ordinance from these. He stated

that some health and environmental factors are addressed in the regulations. He stated that those factors are Pathogens and vector attraction, Pollutants, which involve, trace elements and organic toxics, Nutrients and Odors and bioaerosols. He stated that there was thirteen Risk Exposure Pathways utilized to set the standard for how much of a pollutant can be found in a biosolid that could safely be applied to land over a long period of time. He stated that it appears that the quality of the Biosolids being produced and being applied to land is extremely low in trace elements even compared to the standards that have been set. He stated that while the trace elements are extremely low we must still be on top of our nutrient management. He stated that Biosolids like any fertilizer source, animal manure or commercial fertilizer, if not managed correctly presents the potential to contaminate our surface and ground water with nitrate or phosphorus. He stated that is why the way in which Biosolids are applied to land is based on the nitrogen, soon to be phosphorus and lime requirements of the soil or the crop. He stated that Biosolids could only be applied one year out of three. He stated that if the level of the ground water table is too high Biosolids couldn't be added. He stated that there should be buffer strips when applying Biosolids. He stated any farming practices that protect water quality are also appropriate for managing Biosolids. In closing he stated the major problems that have occurred with Biosolids in Virginia are those largely due to odor. He stated that remote application is best and that concluded his presentation.

Mr. Charles Swanson stated that he did not have a presentation. He stated that Mr. Evanylo's presentation covered what he does at the Health Department. He said even though the regulations came out in 1997, the health department has been dealing with the Bio-Solids issue since the mid 70's. He stated that from his viewpoint in the county he's seen Bio-Solids used about half the time on tree forestation.

Mr. Parker stated that he was present on behalf of the citizens of Dinwiddie County. He stated that what the citizens want is not to forbid or ban the use of Bio-Solids in Dinwiddie County; they just want the model ordinance put in to place with notification of when spreading will occur. He stated that in Waste Magazine there was an article that talks about the Bio-Solids trend being like the Free-on trend. He stated that when Free-on came out it was seen as a wonderful product, but then it began having problems. (i.e. ozone depletion and deaths) He stated that the citizens are not in opposition; they fully understand the benefits that the farmers in Dinwiddie County get from the use of Bio-Solids. He stated that he knows the County is built on farmland and if there were no farmland in this County we would not have a County. He stated that he knows the economy is based around farmland and that he wants the farmers to be able to benefit as much as possible. He stated that all the citizens are asking is that there is a safe management plan in place with testing and monitoring to the fullest extent to which we are capable as far as Virginia code is concerned.

Mr. Stoneman stated that he represents the Virginia Farm Bureau Federation. The federation is an organization that represents farmers. The federation has eighty- eight county farm bureaus across the commonwealth and represent thirty six thousand farms of which Dinwiddie County has nine hundred. He stated that he wanted to clarify where the Farm Bureau stands concerning the issue of Bio-Solids both at the state level and the county level. He stated that they support the use of Bio-Solids under strict state regulations. He stated that he has worked with Larry Land at VACO, the agricultural and environmental community with VACO to come up with a model ordinance. He stated that they have been working on a model ordinance as long as he has been with the Farm Bureau. He stated that he would encourage the County to consider the model ordinance as it has been prepared by VACO. He stated it has at least ten years of negotiation between farmers, citizens and local elected officials. He stated that the ordinance is not perfect, but there has not been a year that has gone by that the ordinance has not been tinkered with to make it better and safer for the citizens and the farmers.

Mr. Bowman allowed farmers that were present an opportunity to speak to the matter of Bio-Solids.

Mr. Scott Ragsdale – 16516 Gatewood Road – Dinwiddie Virginia – He stated that he is in favor of the use of Bio-Solids. He stated that Bio-Solids have helped his farm tremendously both financially and agricultural wise. He stated that the only disadvantage to the use of the Bio-Solids that he could see at present is the odor. He stated that breaking the solids up faster (i.e. tilling them as soon as possible) could help that cause.

Mr. Allen Mills – 4831 Harpers Road – McKenney Virginia – He stated that he is in favor of the use of Bio-Solids. He stated that he finds the companies very easy to work with and before he used the Bio-Solids he informed his neighbors that he was going to use them and asked if they mind. He stated that he would not put his life or his family's life in danger when using a product for his lands.

Mr. Meade Harrison – 7704 Quail Hollow Road – McKenney Virginia – He stated that he is in favor of the use of Bio-Solids. He stated that he worked with a company for thirty-three years and had an opportunity to hear what was being done with the Bio-Solids back in the 60's, 70's and 80's. He stated that when someone came by and asked if he wanted the product put on his land he said yes. He stated that if all the agricultural colleges in the southeast and other states were testing Bio-Solids and had not found anything wrong with them, he would accept the use of it.

Mr. Bowman asked if there were any citizens that wanted to comment on the Bio-Solids workshop?

Ms. Geri Barefoot – 7411 Frontage Road – Petersburg Virginia – She stated that years and years ago there was a practice to feed cattle to cattle. She stated that the cows did really well, but then twenty or thirty years later they died of the Mad Cow disease. She stated they decided that this was not a good practice so they stopped feeding cows to cows. She stated that the citizens are asking for an ordinance just to regulate the spreading of Bio-Solids.

Mr. Bowman closed the public comment portion of the workshop and opened the floor for questions and answers.

Ms. Geri Barefoot asked about the public access not being desirable on any of the lands when Bio-Solids are first put down and wouldn't having an ordinance or notification that it is there be a way of doing it?

Mr. Evanylo stated that the public access statement in his presentation was for animals being allowed to get back on the land for grazing or for farmers planting for the harvest. As for persons going on the land, signs would be the best informational tools.

Mr. Stoneman stated that currently the Bio-Solid regulations are open and they are being worked on by a commission. He stated that one thing that has been proposed by the companies is a better way of informing the public of the applying of Bio-Solids to fields. (i.e. signs, News paper etc.)

Ms. Michelle Parker asked a question of Mr. Evanylo - She stated that during your presentation you mentioned a study that was done by the National Sludge and Sewer Service, which was fifteen years old, why is there not a more updated version?

Mr. Evanylo stated that taking another survey will only show that the levels of pollutants are going down and not up. He stated that there has been a request to do another update. He stated that the pollutants have been going down

because of the better quality of material that is being used today and that is why there has not been an immediate need to get the update done.

Mr. Bowman asked the Board if they had any questions and they did not, but he asked if you could apply Bio-Solids to tobacco and peanuts?

Mr. Evanylo stated that tobacco companies would not buy any leaf that has been grown on land that has been fertilized by Bio-Solids. He stated that the tobacco companies believe that the cadmium will make that leaf unhealthy. He stated that you could apply it on peanut product.

Mr. Bracey stated that those who perform crop dusting should be included in the ordinance, in terms of notifying the public.

Mr. Bowman asked the County Attorney to look into the state codes concerning crop dusting in Dinwiddie County.

The County Administrator stated that the model ordinance is being advertised. She stated that she hoped people would get a copy of the ordinance and read it and see what it says. She reminded everyone that the public hearing for the ordinance would be held on December 2, 2003 at 7:30 P.M.

IN RE: ADOPTION OF AMENDMENTS – A-03-6 -- ENTERPRISE ZONE ORDINANCE

The County Administrator stated that the Board adopted the enterprise ordinance back in 1999. She stated that the ordinance provided for partial tax exemptions for certified pollution control equipment as well as certified recycling equipment in an enterprise zone. She stated that as it was discussed with the Board in the last meeting, the agreement with Chaparral Steel has been signed and the public hearing on the amendment to the enterprise ordinance has been held. She stated that action is needed at this meeting to make the amendments effective January 1, 2003. She stated we are working on a joint press release with Chaparral, which she hopes to have ready by the next meeting.

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

BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that Section 19-168 of the County Code is hereby amended to provide as follows:

AN ORDINANCE OF THE COUNTY OF DINWIDDIE, VIRGINIA TO AMEND SECTION 19-168 AND SECTION 19-169 OF ARTICLE XIV OF CHAPTER 19 OF THE DINWIDDIE COUNTY CODE TO CLARIFY THE ADMINISTRATION OF THE PARTIAL TAX EXEMPTIONS FOR CERTIFIED POLLUTION CONTROL EQUIPMENT AND FACILITIES LOCATED IN AN ENTERPRISE ZONE AND CERTIFIED RECYCLING EQUIPMENT LOCATED IN AN ENTERPRISE ZONE

Sec. 19-168. Certified pollution control equipment and facilities located within an Enterprise Zone.

Section 19-168 of the County Code is hereby amended to provide as follows:

A. Pursuant to Section 58.1-3660 of the Code of Virginia of 1950, as amended, certified pollution control equipment and facilities, as defined therein, and concerning which the Commissioner of the Revenue of the County has received written verification of certification as such by the Virginia Department of Environmental Quality or other authorized state certifying authority **("Certified Pollution Control Equipment and Facilities")**, are hereby declared to be a separate class of property for local taxation, separate from other classification of

real or personal property, and such Certified Pollution Control Equipment and Facilities located within an area designated as an Enterprise Zone by the Commonwealth of Virginia shall hereafter be partially exempt from local taxation by the County as set forth herein. The County Administrator may, at any time, request the Commissioner of the Revenue to determine the current use of such Certified Pollution Control Equipment and Facilities to determine its continued use primarily for the purpose of abating or preventing pollution of the atmosphere or waters of the Commonwealth, and upon such request the Commissioner of the Revenue shall determine that all, some or none of the property previously categorized as Certified Pollution Control Equipment and Facilities shall continue to be so categorized.

B. The tax rate for Certified Pollution Control Equipment and Facilities located within an area designated as an Enterprise Zone by the Commonwealth of Virginia shall be
$.03 per $100 assessed value (excluding capitalized interest). Certified Pollution Control Equipment and Facilities not located within an area designated as an Enterprise Zone by the Commonwealth of Virginia shall be taxed at rates generally applicable to those types of real property, personal property and machinery and tools, as applicable, within the County.

C. Any taxpayer wishing to receive the tax rate set forth above for Certified Pollution Control Equipment and Facilities for any particular tax year shall submit to the Commissioner of the Revenue a completed application for the same, on a form to be provided by the County, on or before February 15 of that tax year. The taxpayer shall specifically list each piece of equipment the taxpayer believes qualifies as Certified Pollution Control Equipment and Facilities, and the original capitalized cost (excluding capitalized interest) thereof, on such application.

D. If any clause, provision or subsection of this Section 19-168 is held to be illegal or invalid by any court, the invalidity of the clause, provision or subsection will not affect any of the remaining clauses, provisions or subsections, and this Section 19-168 will be construed and enforced as if the illegal or invalid clause, provision or subsection had not been contained in it.

E. This Ordinance shall be effective as of January 1, 2003 for the tax year beginning on such date.
[State law reference: Va. Code Section 58.1-3660]

Sec. 19-169. Certified recycling equipment, facilities or devices located within an Enterprise Zone.

Section 19-169 of the County Code is hereby amended to provide as follows:

A. For the purposes of this Section 19-169, the following terms shall have the following meanings:

"Applicant Taxpayer" shall mean any taxpayer wishing to receive the benefit of the partial tax exemption for Certified Recycling Equipment set forth in this Section 19-169.

"Assessed Value" shall mean (i) original capitalized cost (excluding capitalized interest) if the property is assessed as personal property or machinery and tools or (ii) current assessed fair market value if the property is assessed as real property.

"Certified Recycling Equipment" shall mean certified recycling equipment, facilities or devices, as defined in Section 58.1-3661 of the Code of Virginia of 1950, as amended, concerning which the Commissioner of the Revenue of the County has received written verification of certification as such by the Virginia Department of Environmental Quality or other authorized state certifying authority

and which was new and unused when placed in an Enterprise Zone as required by this Section 19-169.

"Related Party" shall mean (i) any person, partnership, corporation or other entity in which an Applicant Taxpayer has a legal or equitable interest or has the right to, directly or indirectly, exercise any control over, (ii) any person, partnership, corporation or other entity that has a legal or equitable interest in or has the right to, directly or indirectly, exercise any control over, any Applicant Taxpayer, or (iii) any person, partnership, corporation or other entity in which another Related Party has a legal or equitable interest in or that has a legal or equitable interest in another Related Party.

B. Pursuant to Section 58.1-3661 of the Code of Virginia of 1950, as amended, Certified Recycling Equipment is hereby declared to be a separate class of property for local taxation, separate from other classification of real or personal property, and such Certified Recycling Equipment located within an area designated as an Enterprise Zone by the Commonwealth of Virginia shall hereafter be partially exempt from local taxation by the County, subject to offset and to the limitations as set forth herein.

C. Upon receipt by the Commissioner of the Revenue of the County of the certification described in the definition of Certified Recycling Equipment in Section A, the Commissioner of the Revenue shall determine or re-determine the Assessed Value of such Certified Recycling Equipment. The Commissioner of the Revenue shall also determine or re-determine the Assessed Value of Certified Recycling Equipment in accordance with the general law of local taxation.

D. The partial tax exemption set forth herein shall be effective beginning in the tax year next succeeding the receipt of such certification by the Commissioner of the Revenue for a term of fifteen years if owned by a business which was not located in an Enterprise Zone in the County in one or more new buildings on or before December 31, 1997 but was located in such an Enterprise Zone in the County in one or more buildings prior to December 31, 2002 **(hereinafter referred to as a "Business Locating in an Enterprise Zone after 1997")**. The partial tax exemption set forth herein shall be effective beginning in the tax year next succeeding the receipt of such certification by the Commissioner of Revenue for a term of seven years if owned by a business which was not located in an Enterprise Zone in the County in one or more new buildings on or before December 31, 2002 (hereinafter referred to as a **"Business Locating in an Enterprise Zone after 2002")**.The exemption for a Business Locating in an Enterprise Zone after 1997 for the first five years that such partial exemption is applied concerning any particular Certified Recycling Equipment and for a Business Locating in an Enterprise Zone after 2002 for the first four years that such partial exemption is applied concerning any particular Certified Recycling Equipment shall be determined by applying the County's machinery and tools tax rate to the Assessed Value of such Certified Recycling Equipment and subtracting 65% of such amount either (i) from the total real property tax due on the real property to which such Certified Recycling Equipment is attached or (ii) if such Certified Recycling Equipment is taxable as machinery and tools under Section 58.1-3507 of the Code of Virginia of 1950, as amended, from the total machinery and tools tax due on such Certified Recycling Equipment, at the election of the taxpayer. The exemption for a Business Locating in an Enterprise Zone after 1997 for the sixth through fifteenth years that such partial exemption is applied concerning any particular Certified Recycling Equipment and for a Business Locating in an Enterprise Zone after 2002 for the fifth through seventh years that such partial exemption is applied concerning any particular Certified Recycling Equipment shall be determined as set forth above for the first five years (if for a Business Locating in an Enterprise Zone after 1997) and for the first four years (if for a Business Locating in an Enterprise Zone after 2002), except that the partial exemption shall be at the rate

of 50% rather than 65%. If the taxpayer responsible for payment of tax on the Certified Recycling Equipment has received local government grant monies partially or entirely in lieu of such partial exemption for a particular tax year, the County Administrator shall, prior to May 1 of that year, provide written notice of such grant to the Commissioner of the Revenue and the Treasurer and such grant shall deemed to have satisfied that year's partial exemption to the extent so stated by the County Administrator.

E. For any taxpayer who or which has applied for such partial tax exemption prior to January 1, 2003, has not received the full amount of exemption in tax years beginning prior to January 1, 2003, the initial year of such exemption shall commence on the tax year beginning January 1, 2003.

F. In order to qualify for the partial exemption provided herein, such Applicant Taxpayer must (i) operate a manufacturing business originally located in a newly constructed building or if originally located in an existing building must make an investment (over and above the $5 million investment required in subsection (ii) below) resulting in not less than a 25% increase in the assessed value of such existing building, and (ii) make a minimum investment of $5 million and provide for 50 jobs at such location. All Applicant Taxpayers shall submit to the Commissioner of the Revenue a completed application for the same, on a form to be provided by the County, on or before February 15 of that tax year setting forth information requested by the County and sufficient for the proper administration of this Section 19-169. The Applicant Taxpayer shall specifically list each piece of equipment the Applicant Taxpayer believes qualifies as Certified Recycling Equipment on such application and the original capitalized cost (excluding capitalized interest) of each such listed piece of equipment if assessed as personal property or machinery and tools. The County may at any time request the Department of Environmental Quality or other agency responsible for certifying machinery and equipment as Certified Recycling Equipment to review such certification and either issue a new certification or to decertify such property, as appropriate.

G. If any clause, provision or subsection of this Section 19-169 is held to be illegal or invalid by any court, the invalidity of the clause, provision or subsection will not affect any of the remaining clauses, provisions or subsections, and this Section 19-169 will be construed and enforced as if the illegal or invalid clause, provision or subsection had not been contained in it.

H. This Ordinance shall be effective as of January 1, 2003 for the tax year beginning on such date.

[State law reference: Va. Code Section 58.1-3661]

IN RE: SUBSCRIPTION SERVICE TO VAMANET

The County Administrator stated that there has been a service provided to the county that would be a benefit. She stated that the information is enclosed on a service we would like to provide called VamaNet (Virginia Mass Appraisal Network). It will provide our real estate information 24 hours a day on the Internet to subscribers, i.e. the real estate community, lenders, attorneys but will be provided at no cost to the County. The system will be quite useful to the County departments as well as our GIS system when it is developed. The service is provided through the County's CAMRA system, which is the real estate software, contained on the AS400 and maintained by the Commissioner of Revenue. She stated that there was a representative from the company available to explain and or answer any questions.

Ms. Susan Smith, a representative of VamaNet stated that the company is based out of Staunton Virginia and service is provided to the professional community to provide tax information through out different localities in Virginia. She stated that there have been numerous requests from Realtors in the area

wanting to have access to the information where currently they must come to the Commissioner of Revenue office to get it.

The County Administrator asked Ms. Smith to explain how the information gets to your company and what is the obligation to the county?

She stated that there is a request of file transfer from the Commissioner's office from the real estate file. They would send it to us via mailing where we provide a stamped self-address envelope with a CD or Zip File disk or by email through the county's IT department where we would then run it in our system. All the Dinwiddie Real EstateTax information is available to the County as well as anyone who is a subscriber.

Mr. Bowman asked if it was on line for the general public to go into and get information?

She stated that it is not. She said it is just for membership only at this point. She stated that the County has the option of having it available to the citizens if the County is willing to pay the company a monthly fee. It would be basic information available on the opening page of their web site. It would not be as extensive as the membership side would be.

Mr. Haraway asked how often do they update the information?

She stated that they like to update the information every one to two months if possible. She stated that when the Commissioner's office does their updating, VamaNet would like to do theirs.

Mr. Haraway asked how long is the contract?

She stated that there really is no contract as far as anything written. It is just a verbal agreement between the company and the Commissioner's office.

Mr. Haraway stated that the county could then terminate at any time right!

Mr. David Hickey the CEO for VamaNet came forward and stated that the company wants to maintain a good rapport with its members and if the county wanted to terminate the contract he would see no problem in doing that.

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

BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that the acceptance of the VamaNet program be approved with an inclusion of a paragraph indicating that the county can option out of this program at any time with a thirty day notice and the information will be returned to the county.

IN RE: APPOINTMENT – MR. ROBERT WILSON TO THE APPOMATTOX RIVER WATER AUTHORITY AND ALTERNATE ON THE SOUTH CENTRAL WASTEWATER AUTHORITY REPLACING MR. CHRIS WYATT

The County Administrator stated the she wanted to introduce the new Director of the Dinwiddie County Water Authority and she asked if he would come forward and introduce himself.

Mr. Robert Wilson stated that he was from Chesterfield County where he worked in the County's Operations and Maintenance and Customer services departments for eighteen years and he is looking forward to be working in Dinwiddie County.

The County Administrator stated that the Director of the Dinwiddie Water Authority has been serving as our representative on the Appomattox River Water Authority and our alternate on the South Central Wastewater Authority. She stated now that Mr. Robert Wilson is the new Director, he needs to be appointed to fill the unexpired term of Mr. Chris Wyatt who resigned in September of this year.

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

BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Robert Wilson be appointed to the Appomattox River Water Authority and as alternate to the South Central Wastewater Authority to fill the unexpired term of Mr. Chris Wyatt.

IN RE: NEGOTIATION OF THE TOWER SITE AT DEWITT

The County Administrator asked that Ms. Denise Absher, Communications Manager, to come forward and bring the Board up to date on the negotiations with the Dewitt tower site for the communication system. She stated that there was one slight change and she wanted to make the Board aware of it.

Ms. Absher stated that Public Safety office received notification this morning from Alltel, who the county had asked to co-locate on their tower in Dewitt, that the space we requested had been taken by their equipment. They needed it for their Digital Capabilities for wireless calls. She stated that this has dropped the County's transmit Antenna from 260 feet to 200 feet and the County's receive from 200 feet to 160 feet. She stated that the Microwave Dish was not affected. She stated that this does not affect our co-location on the tower. She handed out two drawings that showed the effect of the change. She stated that there was not a huge amount of difference and analog was the only one that was affected. She stated that she spoke to Curt Andrich this morning and it is his opinion that the county should move forward with the project.

Mr. Bracey stated that we are at the point now where we're going to spend four million dollars and we are not going to have the coverage that we originally talked about.

Ms. Absher stated that we would have the coverage. She said the little white dotted areas just mean coverage is less than the 95%. The requested coverage formula, she added, was set at 95% and if an area fell short of that the white dots are shown. She went on to say that the county's coverage now is 35% to 40% on a good day.

Mr. Kevin Massengill, Assistant County Administrator, asked Ms. Absher if she could have Motorola run the formula at 90% coverage and see how many of the white areas are covered.

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

BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia authorizes the County Administrator to sign a change order to the contract to accommodate the change in the antenna height as presented at no cost.

IN RE: COUNTY ADMINISTRATOR COMMENTS

The County Administrator stated that she wanted to make the Board aware that the bid documents and specifications on the renovations to the Namozine VFD building have been finalized and are ready for bidding. She

asked the Board if they had any desire to have any of the plans come back to them before it is bid out?

Mr. Bowman stated that the volunteers were doing all the demolition on this project trying to save money. He asked if they had saved enough money to purchase a generator?

The County Administrator stated she felt they saved some money that the County did not have to use, however, she could not say how much until the bids come in.

IN RE: BOARD MEMBERS COMMENTS

Mr. Moody stated that he was going to make some comments about the VACO Board meeting, but he will wait until the next meeting to do so.

Mr. Haraway asked if a person is serving on the Central Virginia Health Planning Agency, can they to be a County employee? He received an answer of yes and he then recommended Mr. Guy Scheid Director of the Planning Department. Mr. Bracey stated he would come to Mr. Scheid's defense at this time. He said that Mr. Scheid's plate is full and if he were to take care of it like he should, he will not have enough time for anything else. Mr. Haraway stated that there are other employees that would be excellent at performing the task, such as Mr. Kevin Massengill, Assistant County Administrator, and Ms. Kim Willis, Director of Social Services. He went on to say that he would like to plant a seed to rotate members of the Board of Supervisors that are on the different committees. He stated that he could be a better Board member and be more knowledgeable if he had served a couple of years on various Boards. He stated that he just wanted to put the information out there so the members would think about it.

Mr. Bracey stated that he would hope that these appointments, not only to these Boards but to any commission on any thing that has to deal with Dinwiddie County regardless of how small or how large, would be persons that are tax payers, qualified voters and that they live in the bounds of Dinwiddie County other than those like the Airport Authority and others who have to have someone outside of the bounds of Dinwiddie.

IN RE: CLOSED SESSION

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

2.2-3711 A .30 of the code of Virginia, Discussion of Contract Negotiations
General Reassessment

2.2-3711 A .7 of the code of Virginia, Consultation with Legal Counsel
OMD Agreement

2.2-3711 A .7 of the code of Virginia, Consultation with Legal Counsel
Authority to Place Restrictions on Public Property

2.2-3711 A .5 of the code of Virginia, Business and Industry Development
Discussion of Industry Development

Upon Motion of Mr. Clay, Seconded by Mr. Moody, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the Board moved into the Closed Session at 5:20 P.M.

IN RE: CERTIFICATION

A Vote having been made and approved the meeting reconvened into Open Session at 6:00 P.M.

Whereas, this Board convened in a closed meeting under 2.2-3711 A .30 Discussion of Contract Negotiations – General Reassessment and 2.2-3711 A .7 Consultation with Legal Counsel – OMD Agreement and Authority to Place Restrictions on Public Property and also 2.2-3711 A .5 Business and Industry Development – Discussion of Industrial Development.

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

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

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

IN RE: ADJOURNMENT

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bracey, Mr. Clay, Mr. Moody, Mr. Haraway, Mr. Bowman, voting "Aye", the meeting adjourned at 6:03 P.M. on Tuesday, November 18, 2003.

Robert Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 7:30 P.M.

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

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

Mr. Robert L. Bowman, Chair, called the regular meeting to order at 7:39 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

The County Administrator requested that the Planning Department be added to the Personnel item during the closed session and Retention of Records be added under Consultation with Legal Counsel.

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

IN RE: CLAIMS

Upon motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Haraway, Mr. Bowman 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 1037462 - 1037651 (void check(s) numbered 1037461, 1037512, 1037530, 1037536, 1037620, and 1037351) for:

Accounts Payable

(101) General Fund	$	184,851.70
(103) Jail Commission	$	
(104) Marketing Fund	$	
(222) E911 Fund	$	485.33
(223) Self Insurance Fund	$	
(225) Courthouse Maintenance	$	
(226) Law Library	$	
(228) Fire Programs & EMS	$	2,095.00
(229) Forfeited Asset Sharing	$	
(304) CDBG Grant Fund	$	217.04
(305) Capital Projects Fund	$	42,630.36
(401) County Debt Service	$	35,908.00
(729) Abraham Fund	$	643.75
TOTAL	**$**	**266,831.18**

PAYROLL 11/30/03

(101) General Fund	$ 426,153.61

(222) E911 Fund	$ 3,539.66
(304) CDBG Fund	$ 7,328.75
TOTAL	**$ 437,022.02**

IN RE: TRANSFER OF FUNDS – DE STEFANO DESIGN GROUP INVOICE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that $2,875 be transferred from the General Fund to Fund 305-94100-3002 for the payment of services performed by De Stefano Design Group for the review of the school improvements.

IN RE: COMMUNICATIONS EQUIPMENT REQUISITION #1 – DINWIDDIE COUNTY IDA PUBLIC FACILITIES LEASE REVENUE NOTE SERIES 2003

The following invoice from Motorola, for expenses from the Dinwiddie County IDA Public Facilities Lease Revenue Note Series 2003 was submitted for Payment:

Motorola	Design Review	Radio System	$846,015.60
Total			**$846,015.60**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number #1 in the amount of $846,015.60 be approved and funds appropriated for expenses from the Dinwiddie County IDA Public Facilities Lease Revenue Note Series 2003.

IN RE: SOCIAL SERVICES – ACCEPTANCE OF FUNDS

"To: Wendy Ralph

From: Kim Willis, Director Social Services

Date: November 14, 2003

Subject: Acceptance of Funds

This notice is to kindly request that the County of Dinwiddie Board of Supervisors accept $24,375 to be used by the County of Dinwiddie Department of Social Services. The monies, allocated by the Virginia Department of Medical Assistance Services were the result of a grant won by the Department of Social Services. The grant's purpose is to improve retention of children enrolled in the Family Access to Medical Insurance Security Plan (FAMIS) and FAMIS Plus Programs.

The funds are for a twelve-month period, commencing on November 1, 2003, and will be paid quarterly in equal installments, beginning in mid November 2003. The award will be used to:

- Hire a Health Insurance Coordinator for 20 hours per week at $12.00 per hour,

- Provide Quarterly mailings to families of enrolled children,
- Engage certain community partners in retention activities,
- Mail certification reminders and conduct follow-up phone calls when appropriate,
- Collaborate with Dinwiddie County Schools and nutrition programs,
- Offer enrollment opportunities at employment sites and work with area employers to reach eligible families,
- Work with area medical providers to inform families of the importance of health care coverage, and
- Conduct Quality Improvement activities and evaluate project outcomes,
- Develop/purchase marketing and outreach incentives,
- Purchase a computer, color printer, office supplies,
- Reimburse Coordinator for mileage.

Mrs. Ralph, thank you for presenting this to the Board of Supervisors, and we look forward to collaborating with County of Dinwiddie agencies, businesses and families so that more children in our community will maintain the health coverage they deserve. Our theme is 'Keep 'em Covered', and we plan to implement this theme with thoughtful and meaning activities."

Upon motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Haraway, Mr. Bowman 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 Grant Agreement between the Virginia Department of Medical Assistance Services and the County of Dinwiddie, the grant recipient, the purpose of the grant is to improve retention of children enrolled in the Family Access to Medical Insurance Security Plan (FAMIS) and FAMIS Plus Programs. The amount of the grant is $24,375 to be used by the County of Dinwiddie Department of Social Services. The monies, allocated by the Virginia Department of Medical Assistance Services were the result of a grant won by the Department of Social Services. No local match is needed for this grant.

IN RE: CITIZEN COMMENTS

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

The following citizen(s) came forward to address the Board:

1. Anne Scarborough – Boydton Plank Road – She stated at the first organizational meeting the Board holds in January she would appreciate if they would have both meetings in the evening and move them to Wednesday nights. She also requested Mr. Moody not to accept the resignation of Mr. Hutty Titmus who serves on the Planning Commission. She commented that the Consultant for the Communications Radio System for the E911 Center failed the County because they did not have the foresight to look into the availability of the space on the communications tower that already existed.

2. Creighton Jones– 628 Claiborne Road, Sutherland, Virginia – Requested that Mr. Titmus resignation not be accepted by the Board.

3. Julia Benner – 14416 Boydton Plank Road – Dinwiddie – Stated she was concerned about the number of bags of shredded materials coming from the Commissioner of the Revenues Office. Mr. Bracey explained to the citizens that the Board of Supervisors does not have any authority over the Commissioner of the Revenue or any of the elected official in the County. Mr. Bowman commented she is required by State law to keep a record of everything that has been destroyed in her office.

4. Michael Bratschi – Cutbank Road Road, Dewitt, Virginia – stated that he agreed with the Board. The Commissioner of Revenue has been doing her job for a number of years and she should be given the benefit of the doubt. He encouraged the Board to accept Mr. Titmus' resignation and requested they consider him as a candidate for the Planning Commission.

5. Tommy Peters – requested that Mr. Moody not accept Mr. Titmus' resignation.

6. David Dudley – agreed with Mr. Peters regarding Mr. Titmus.

7. Geri Barefoot – 7411 Frontage Road, Petersburg, Virginia – requested that Mr. Moody not accept Mr. Titmus' resignation.

Mr. Bowman closed the citizen comments period. He also acknowledged that some of the Board of Supervisors in the meeting from Lunenburg County.

IN RE: PUBLIC HEARING – A-03-7 – BIO SOLIDS ORDINANCE

This being the time and place as advertised in the Progress Index on November 18, 2003 and November 25, 2003, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comment on the following matter:

A-03-7. The applicant, Dinwiddie County Planning Department, is seeking to amend the Code of the County of Dinwiddie by adopting Chapter 23, entitled Biosolids Ordinance. The Biosolids Ordinance is intended to implement state requirements related to biosolids; provide for the testing, monitoring and notifying of adjacent landowners of biosolids applied on County land and to provide for the enforcement of state and local regulations related to biosolids. The Biosolids Ordinance shall also require that biosolids are not applied in the County unless adequate financial responsibility is in place, and to limit the land application of biosolids to agricultural areas.

Mr. Guy Scheid, Director of Planning, stated that he had two basic areas of concern in adopting the VACo model ordinance as it appears before the Board this evening. The first concern is found in section 23-6.a in which the biosoilids use will be limited to the Agriculture zoning district, only. There are farmers that have farmland in Residential zoning districts and the model ordinance will not permit them to use biosolids on their property. The second concern involves the date in which the ordinance goes into effect. If it goes into effect immediately, then it appears the planning department will be held responsible for enforcing the ordinance. With the department currently lacking a planner position, it is difficult to accomplish the existing workload. It was suggested that the ordinance become effective in one or two months.

Mr. Bowman asked if any of the Board members had any comments or questions for Mr. Scheid.

Mr. Moody asked Mr. Scheid for his exact wording for the proposed amendment for Section 23 –6.a. Mr. Scheid responded by stating the following verbiage would cover the situation at hand, "Land application of biosolids is authorized in Agricultural zoning districts, in a zoning district were agricultural uses are permitted by right and/or in a zoning district when authorized as a lawful nonconforming use."

Mr. Bracey commented, here we go again....he said he felt this ordinance should be re-advertised to make sure everything is covered.

Mr. Bowman agreed with Mr. Bracey. He said it would put a hardship on the farmers who live in a Residential zone. These farmers are currently applying biosolids now if the ordinance is passed then they would no longer be able to use them.

The County Attorney recommended that the Board adopt the present Biosolids Ordinance as presented then re-advertise it with the suggested limited amendment by Mr. Scheid for the January 6, 2004.

The County Administrator stated in the defense of Mr. Scheid he did present this and other issues, in a memo to staff, that he suggested to you tonight. However, the Board was clear that they wanted to use the "model ordinance" which has been approved by the Attorney General's Office. This model ordinance is the one that was advertised.

Mr. Bracey stated that he would like to see the ordinance readvertised to be effective January 1, 2004.

Mr. Moody stated, concerning section 23-6.a, -- that he did not want to restrict people who are already using it now. He stated that he would hate to put the ordinance into effect January 1, 2004 when it could be a possibility that it would prevent a farmer who is presently using biosolids from using them.

The County Administrator proposed that the effective date for the ordinance be set for February 1, 2003. She also commented that a person would have to be hired to perform the monitoring, and that it is Staff's understanding that the State provides reimbursement for the testing but not for the salary of the individual.

Mr. Haraway commented his district was the most heavily populated and he was very much in favor of adopting the ordinance as presented tonight.

Mr. Ralph suggested that Mr. Scheid read the letter from the Dinwiddie County Farm Bureau and the Virginia Farm Bureau Federation.

Mr. Scheid read the letter from the Dinwiddie County Farm Bureau and the Virginia Farm Bureau Federation.

"December 1, 2003

Mr. Robert Bowman, IV, Chairman
Dinwiddie County Board of Supervisors
PO Drawer 70
Dinwiddie, Virginia, 23841

Dear Mr. Bowman:

The Dinwiddie County Farm Bureau and the Virginia Farm Bureau Federation appreciate the time and effort of the Board on the issue of land application of biosolids. It is our hope that the information presented by Dr. Greg Evanylo, of Virginia Tech, and others was informative and useful.

We also would like to reiterate our support for the state regulated application of biosolids to farmland. With proper oversight from state agencies and local testing and monitoring by county staff we feel the citizens of Dinwiddie will be protected and farmers will be able to have one more option in their constant battle to cut costs.

We therefore ask the Board to pass without amendment the model ordinance provided by the Virginia Association of Counties. It provides a mix of local and state regulation that our organization can live with.

If you have any questions or need for further assistance on this issue please feel free to contact us at any time.

Sincerely,

Travis Y. Lee
President

The letter was notarized by Phyllis L. Williams, December 2, 2003"

Mr. Bowman opened the public hearing for A-03-7 for comments.

1. Mr. Meade Harrison – commented he used biosolids on his farm and has been for several years and his family, livestock, and crops were still alive and doing well. He spoke in opposition of the ordinance.
2. Mrs. Kay Winn – 244 Winnaway Lane, Rich Square, NC 27869 – stated she had no objection to farmers using biosolids. However, signs should be posted when biosolids are applied and there are no requirements for them in this ordinance. She also suggested that the Board should not pass the ordinance if they did not have a plan to police it.
3. Mr. Michael Bratschi – stated the Board should not adopt the ordinance because of the costs involved if the farmers are not allowed to use biosolids. He commented farmers are the backbone of this country.
4. Ms. Diana Parker – Chalkley Road, Richmond, Virginia – Representing the Virginia Sierra Club, Falls of the James Chapter– commented she supported the biosolids ordinance.
5. Mr. Robert Belcher – Flank Road, Petersburg, Virginia – stated it would be shameful for the Board to pass this ordinance that would restrict farmers from using biosolids who have been using them for many years and they didn't have an opportunity to speak against it tonight. He commented if the Dinwiddie County Farm Bureau and the Virginia Farm Bureau Federation farmers were here they certainly would not support the ordinance. If the Board adopts the ordinance they should make sure they have someone to enforce it.

DRAFT BIOSOLIDS ORDINANCE

AN ORDINANCE AMENDING THE DINWIDDIE COUNTY CODE, BY THE ADDITION OF CHAPTER 23, LAND APPLICATION OF BIOSOLIDS

Sec. 23-1 Findings

The Board of Supervisors finds that improper spreading, placement, disposal or management of Biosolids without appropriate regulation, notice and monitoring may result in adverse effects to the general health, safety and welfare of the inhabitants of the County and to agricultural lands, water supplies, wildlife, livestock, natural resources and the environment.

Sec. 23-2 Purpose and Intent

This ordinance is intended to ensure laws and regulations governing the land application of Biosolids are properly implemented and enforced, and to secure and promote the health, safety and welfare of the county's citizens; to deter the creation of a public nuisance and to prevent pollution of the waters and soils of the county related to land application of biosolids. In carrying out this ordinance the County will test and monitor the application of Biosolids to agricultural land within its boundaries as authorized by the Code of Virginia and applicable regulations. This ordinance is intended to address the land application of biosolids in the County and to implement the authority granted to local governments by Va. Code sections 62.1-44.19:3 and sections 32.1-164.5 et seq., to provide for the testing, monitoring and enforcement of land application of Biosolids within the political boundaries of the County and to ensure compliance with applicable laws and regulations. This ordinance is not intended to regulate the land application of animal wastes or manures or exceptional quality biosolids.

Sec. 23-3 Authority and Severability

This ordinance is adopted pursuant to the authority granted by the Code of Virginia, including but not limited to sections 15.2-1200 et seq., 15.2-2200 et seq., 15.2-2283 et seq., 62.1-44.19:3 and 32.1-164.2 et seq. In the event that any portion of this ordinance is declared void for any reason, such decision shall not affect the remaining portions of the ordinance, which shall remain in full force and effect, and for this purpose the provisions of this ordinance are hereby declared to be severable.

Sec. 23-4 Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicated a different meaning:

Applicator: Any person who applies biosolids pursuant to appropriate permits.

Biosolids: Sewage sludge that has received an established treatment for required pathogen control and is treated or managed to reduce vector attraction to a satisfactory level and contains acceptable levels of pollutants, such that it is acceptable for use for land application, marketing or distribution in accordance with state law and regulations.

Biosolids Monitor: An employee or agent of the County, either full-time or part-time, charged with the responsibility of ensuring that the land application of biosolids is conducted in accordance with this ordinance and applicable laws and regulations.

Exceptional Quality Biosolids: Biosolids that have received an established level of treatment for pathogen control and vector attraction reduction and contain known levels of pollutants, such that they may be marketed or distributed for public use in accordance with state regulations.

Land Application of Biosolids: The spreading, placement or distribution of biosolids upon, or insertion into, the land.

Nutrient Management Plan: A plan prepared by a person certified by the Commonwealth as a nutrient management planner and otherwise meeting the requirements set forth by state law and regulation.

Owner: A person who holds legal title, equitable title, a leasehold interest or the right of possession or control over land.

Permit: An authorization granted by the authority of the Commonwealth of Virginia to land apply biosolids.

Permittee: Any person who holds a permit authorizing the land application of biosolids.

Sewage Sludge: Any solid, semi-solid, or liquid residues, which contain materials, removed from municipal or domestic wastewater during treatment including primary and secondary residues.

Storage Facility: Any facility designed to store biosolids for a brief period of time. Such facilities include, but are not limited to: above ground or underground storage tanks, silos, ponds lagoons and other holding devices.

Sec. 23-5 Prohibited Practices

(a) No person shall dispose of sewage sludge, including biosolids, on land located in the County except in accordance with federal and state law and regulations and this ordinance.

(b) No person shall land apply biosolids on lands in the County until all of the procedural requirements set forth in this ordinance as well as those set forth in applicable federal and state laws and regulations have been satisfied. No Owner shall permit land application of biosolids on land in the County until all of the procedural requirements set forth in this ordinance and those set forth in state and federal law and regulation have been satisfied.

(c) No person shall apply and no Owner shall permit the application of sewage sludge other than biosolids that have been approved by the regulations of the Virginia Department of Health or Department of Environmental Quality to land in the County.

(d) No person shall apply biosolids to land in the County except pursuant to a valid permit issued by the Virginia Department of Health or Department of Environmental Quality, in compliance with all applicable federal and state statutes and regulations, and in accordance with the provisions of this Ordinance.

Sec. 23-6 Notice & Requirements for Land Application of Biosolids

(a) Land application of biosolids is authorized only in Agricultural zoning districts.

(b) Any person proposing or intending to land apply biosolids to lands in this County shall notify the County Biosolids Monitor in writing at least fourteen (14) days prior to any intended land application of Biosolids, or as otherwise required by state law or regulation.

(c) The notice provided to the Biosolids Monitor shall include the following information (if not already submitted to the locality):

(1) The name, address and telephone number of the Permittee or Applicator;

(2) The tax map numbers of the parcels where land application will occur;

(3) The name, address and telephone number of the Owner of the property where the land application will occur;

(4) The name, telephone number and address of the hauler of the biosolids;

(5) The estimated date range on which land application will occur and the duration of the planned application;

(6) A copy of the current state permit and any other state or federal permits authorizing the land application;

(7) A copy of a Nutrient Management Plan (NMP) as required by state law and regulation;

(8) Information on proposed haul routes and alternative haul routes on a county map;

(d) The county shall review the documentation provided with the notice and shall notify the applicant in writing of any deficiencies in the submittal within ten (10) business days of receipt. The applicant will have ten (10) business days to correct and amend the deficiencies unless otherwise permitted by the county in writing.

Sec. 23-7 Monitoring and Sampling
(a) By agreeing to accept biosolids for land application, the Owner of the property on which land application takes place agrees to allow the Biosolids Monitor access to the land application site for the purpose of monitoring land application activities. It is the responsibility of the Permittee to ensure that the property Owner is advised of this requirement. The Biosolids Monitor shall make diligent efforts to make contact with the property Owner prior to entering the property.

(b) The Permittee and Owner shall allow the county to take samples at the application site before, during and after the application. Any test samples shall be analyzed at a lab qualified to conduct such analysis and the County Health Department may review these test results to determine compliance with applicable laws and regulations. At the request of the Applicator the Biosolids Monitor will provide the applicator with a split sample.

(c) At the request of the Biosolids Monitor, the Applicator or Permittee shall provide the most recent analysis results for biosolids that are land applied at any site in the county.

Sec. 23-8 Complaint Response

(a) The Biosolids Monitor shall notify the Virginia Department of Health, the Applicator or Permittee and the Owner of all complaints concerning the land application of biosolids.

(b) The Biosolids Monitor shall notify the Permittee of any failure to follow the requirements of the Permit resulting in the improper application of Biosolids or in the spillage of biosolids onto public streets or rights-of-way or on property outside the area authorized by the Permit.

(c) The Permittee shall respond to undertake appropriate corrective action for improperly applied biosolids, or to clean up biosolids spilled onto public streets, roadways or other non-permitted areas, immediately upon receiving such notification.

(d) In the event that the Permittee does not respond to notification of spillage or improper application and the County conducts the cleanup of spilled biosolids, the Permittee shall compensate the County for the actual costs of such cleanup.

(e) The Permittee is responsible for ensuring that the tracking of biosolids from land application sites onto public roads is minimized and that biosolids that are dragged or tracked out from land application sites are promptly removed from public roads and highways.

Sec. 23-9 Scheduling
The Permittee will, at the request of the Biosolids Monitor, make all reasonable efforts to schedule land application activities so as to avoid conflicts with community or social events in the vicinity of the land application site.

Sec. 23-10 Storage

(a) Biosolids shall be land applied as they are received at the site unless land application is precluded by unforeseen weather conditions or other circumstances beyond the control of the Permittee.

(b) Biosolids shall not be stored at any site in the County other than storage that is approved in accordance with the law and regulations of the Virginia Department of Health.

Sec. 23-11 Financial Responsibility

Land application of biosolids is not allowed unless the Permittee has in effect liability insurance or other evidence of financial responsibility in the amount that is required by state law or regulation, covering losses and claims arising from the land application or transportation of biosolids and related activities in the County. Such insurance or other form of financial responsibility shall be maintained in full force and effect throughout the time that the applicator is engaged in land application of Biosolids in the County. The Permittee shall provide the Biosolids Monitor with certificates of insurance and shall promptly notify the Biosolids Monitor of any proposed cancellation or modification of insurance coverage.

Sec. 23-12 Reimbursement

The County shall submit requests for reimbursement for the costs and expenses of testing and monitoring of land application and related activities as are allowed by applicable state law, regulations, manuals, guides and procedures.

Sec. 23-13 Effective Date

This ordinance is effective as of February 1, 2004. Any land application that is in progress on the date this ordinance is adopted, and any land application that was scheduled before the effective date of this ordinance, shall be deemed in compliance with this ordinance provided that land application is completed within thirty (30) days after the effective date of this ordinance.

Sec. 23-14 Enforcement

(a) Any person who violates any of the provisions of this ordinance shall be charged with a Class 1 misdemeanor as defined by the Code of Virginia, as amended. Each day during which any violation is committed or exists shall constitute a separate offense.

(b) The Biosolids Monitor shall have the authority to order the abatement of any violation of state law or regulation. The abatement order shall identify the activity constituting the violation; specify the code provision or regulation violated by the activity and order cessation and correction of the violation.

(c) The County may bring suite to enjoin, restrain, correct or prevent any violation of this ordinance.

Upon motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Haraway, Mr. Bowman voting "Aye," the above Biosolids Ordinance was adopted with an effective date of February 1, 2003.

IN RE: AUTHORIZATION TO ADVERTISE AMENDMENT TO SECTION 23-6 BIOSOLIDS ORDINANCE

Mr. Moody stated he would like to have the public hearing for Section 23-6 a, at the first meeting in January with the suggested verbiage from Mr. Scheid, "Land application of biosolids is authorized in Agricultural zoning districts, in a zoning district were agricultural uses are permitted by right and/or in a zoning district when authorized as a lawful nonconforming use."

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Administration to advertise for a Public Hearing to amend the Biosolids Ordinance - Section 26.3a.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator stated she wanted to reiterate the reason we have not gone forward with a public hearing on Voluntary Cash Proffers is because a decision needs to be made on the amount of the cash proffer we want to include in the ordinance. The range of cash proffers that could be justified at this time is from $1,228 to $6,529. The driving factor in the justification is the amount of school improvements, which has ranged from $40 million to $88 million dollars. The amount of money being spent for schools will make a big difference in the amount of the proffer. As soon as a decision is made on what school improvements are going to be made, staff can plug that into the formula and proceed with the public hearing.

IN RE: HIGH GROWTH COALITION FY 2004 CONTRIBUTION

The County Administrator stated that the High Growth Coalition is hiring a lobbyist to represent the Coalition during the 2004 General Assembly Session to promote the priorities of the Coalition. She stated that the Executive Committee of the Coalition has recommended Roger Wiley as the lobbyist. She also stated that the contribution this year would increase to allow the Coalition to retain an Executive Director/Administrative Support. She commented that the contributions from each member locality are based on a formula that combines a per capita payment basis with a minimum payment cap. The minimum of a member locality is $750, which is an increase of $250 from last year, and the maximum of $5,000, is based upon 2000 U.S. Census population data.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the contribution increase to $700 be approved.

IN RE: COUNTY ADMINISTRATOR COMMENTS (CON'T)

3. The County Administrator, Wendy Weber Ralph stated that the Virginia Center for Behavioral Rehabilitation (VCBR) has received a new resident as of December 10, 2003 and that brings the count up to two. She stated that (VCBR) would advise all parties concerned and give a new count when a new resident arrives.

4. Mrs. Ralph stated that there is one week left to register for any assistance from FEMA.

5. Mrs. Ralph stated that that the reception for the outgoing officials will be December 16, 2003 at 6:00 P.M.

6. Mrs. Ralph stated that she had one change in the plans for the oath of office for the Board members. She stated that Annie Lee Williams, Clerk of the Court, has advised the County that the incoming Board members must be sworn in before the first of the year; therefore, the only time we will have is the December 16, 2003 meeting. She stated that in order to allow family members or friends to attend, we will plan on having the Oath of Office at 6:00 P.M. immediately following the Board meeting. She stated that if that is a problem for anyone, please let her know. The reception for the out going members would be at 12 noon.

7. She closed by saying that she had enclosed information on the Governor's upcoming budget proposal.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody gave a brief report about the VACO conference and the seminars and board meetings he attended.

IN RE: ACCEPTANCE OF RESIGNATION -- DINWIDDIE COUNTY PLANNING COMMISSION – MR. EDWARD HUTSON TITMUS, III

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the resignation of Mr. Edward Hutson "Hutty" Timus, III with an effective date of December 31, 2003 was accepted.

IN RE: BOARD MEMBER COMMENTS (CON'T)

Mr. Haraway stated that the fiscal year ended June 30, 2003 and he wants an explanation on why the report is so late. He asked why do we continue to allow this to happen?

Mr. Bowman stated, concerning school expansions, he would like to see a comparison of building permits with surrounding localities development fees.

IN RE: CLOSED SESSION

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

2.2-3711 A.1 of the code of Virginia - Appointments: Administration; Building Inspections, Planning Department; Public Safety;

2.2-3711 A.3 of the code of Virginia, Acquisition of Property

2.2-3711 A.7 of the code of Virginia, Consultation with Legal Counsel; litigation; EMS; Record Restriction Schedule

Upon Motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the Board moved into Closed Session at 9:46 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 11:54 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under section

2.2-3711 A.1 of the code of Virginia, Appointments: Administration; Building Inspections, Planning Department; Public Safety;

2.2-3711 A.3 of the code of Virginia, Acquisition of Property

2.2-3711 A.7 of the code of Virginia, Consultation with Legal Counsel; litigation; EMS; Record Restriction Schedule

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

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

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

IN RE: AUTHORIZATION TO CARRY OVER ACCUMULATED ANNUAL LEAVE 2003

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the staff members presented to the Board who have been unable to take their vacation time in 2003 are authorized to carry over their accumulated annual leave until 2004.

IN RE: AUTHORIZATION FOR COUNTY ADMINISTRATOR TO SIGN PURCHASE AGREEMENT FOR PROPERTY FOR THE INDUSTRIAL PARK

Mr. Ralph stated one of the first steps the County will need is authorization to sign the purchase agreement which allows the County to do certain things, such as go on the property to perform development tests. The Virginia Tobacco Commission is funding the land acquisition cost for the property being considered for the Industrial Park. Allowing the County Administrator to sign the purchase agreement does not bind the County to purchase the property. Rather, it allows the County to execute an option to purchase the property if deemed advantageous after the site has been tested. Both the County and the landowner have the ability to terminate this agreement if certain contingencies are not met.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorized the County Administrator to sign the purchase agreement for the property being considered for the Industrial Park.

IN RE: APPOINTMENT TO CRATER PLANNING DISTRICT COMMISSION (CPDC) COMMISSIONERS & EXECUTIVE BOARD

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Robert Bowman, IV, was appointed to the Crater Planning District Commission (CPDC) Commissioners & Executive Board for a four-year term beginning January 1, 2004 until December 31, 2007.

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Bracey, Mr. Haraway, Mr. Moody, Mr. Bowman, voting "Aye", the meeting adjourned at 11:59 P.M.

Robert Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

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, 2003, AT 2:00 P.M.

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

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

Mr. Robert L. Bowman, Chair, called the regular meeting to order at 2:06 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody requested that Appointments be added to the agenda after the Closed Session.

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

IN RE: CLAIMS

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

BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1037652 through 1037804 (void check(s) numbered 1037625, 1037652, 1037287, 1037654, 1037205, 1037357 and 1037705) for:

Accounts Payable

(101) General Fund	$	194,820.54
(103) Jail Commission	$	136.32
(209) Litter Control	$	
(222) E911 Fund	$	8,451.79
(223) Self Insurance Fund	$	
(225) Courthouse Maintenance	$	285.00
(226) Law Library	$	250.35
(228) Fire Programs	$	
(229) Forfeited Asset Sharing	$	
(304) CDBG Grant Fund	$	121.95
(305) Capital Projects Fund	$	794.60
(401) County Debt Service	$	55,461.29
TOTAL	**$**	**260,321.84**

IN RE: **RESOLUTIONS OF APPRECIATION – MRS. DONNA W. BROCKWELL - MR. DONALD W. FAISON - MRS. PEGGY L. MCELVEEN - MR. T. O. RAINEY, III - MS. DEBORAH M. MARSTON - MR. EDWARD A. BRACEY, JR. - MR. AUBREY S. CLAY & SOCIAL SERVICES RESOLUTION FOR MR. AUBREY SAMUEL CLAY**

Mrs. Wendy Weber Ralph presented the following resolutions:

Resolution

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

DECEMBER 16, 2003

IN RECOGNITION OF

MRS. DONNA W. BROCKWELL

WHEREAS, Mrs. Donna W. Brockwell began her career in Dinwiddie County, Virginia as a Deputy Clerk on June 1, 1971; she was then appointed Clerk of the General District Court in January 1986 until October 1, 2003; and

WHEREAS, Mrs. Brockwell has been a dedicated employee who represented the County of Dinwiddie in a professional manner; and

WHEREAS, She served Dinwiddie County's citizens with respect and provided excellent assistance to those needing her help;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors on this 16th day of December 2003 desires to express their appreciation to Mrs. Brockwell for her many years of loyal service to Dinwiddie County and to extend to her our warmest regards on this occasion and our very best wishes for many years of health and happiness as she enters a new phase of her life;

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Mrs. Donna W. Brockwell, and a copy spread upon the minutes of this meeting.

Mrs. Brockwell was not present to accept the resolution.

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RESOLUTION

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

IN RECOGNITION
OF

MR. DONALD W. FAISON

WHEREAS, Donald W. Faison has been employed by Dinwiddie County from December 1995 until October 2003; and

WHEREAS, Mr. Faison has served as a Construction Inspector from December of 1995 to July of 1999 and served as the Buildings and Grounds Superintendent from July 1999 to October 2003; and

WHEREAS, Mr. Faison has been a loyal, dedicated employee who always represented the Buildings and Grounds Department in a very professional and caring manner; and

WHEREAS, He served Dinwiddie County's citizens with respect and courtesy and provided excellent assistance to those needing his help; and

WHEREAS, Mr. Faison participated in many County programs, volunteering his time and talents serving on several committees for the betterment of the County; and

WHEREAS, He was always willing to assist fellow employees with special projects and tasks to help lighten their duties and make their efforts more effective;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, on this 16th day of December, 2003 does hereby commend Donald W. Faison for his outstanding service to Dinwiddie County; and

BE IT FURTHER RESOLVED, that this Board sincerely thanks Mr. Faison for the many contributions he has made in service to the citizens of Dinwiddie County and wishes him much happiness and fulfillment as he enters his new professional endeavor; and

BE IT STILL FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this commendation be presented to Mr. Donald W. Faison, "Donnie", and a copy spread upon the minutes of this meeting.

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Resolution

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

DECEMBER 16, 2003

IN RECOGNITION OF

MRS. PEGGY L. MCELVEEN

WHEREAS, Mrs. Peggy L. McElveen has served the County of Dinwiddie with distinction and integrity as the Director of Social Services from July 8, 1991 – August 31, 2003; and

WHEREAS, Mrs. McElveen has served as the Director with professionalism and graceful leadership; and

WHEREAS, Mrs. McElveen has shown compassion and concern for the families, children, and adults who receive services from the Department of Social Services; and

WHEREAS, Mrs. McElveen has consistently expressed support and encouragement to the Social Services employees,

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia, on this 16th day of December, 2003 desires to express their appreciation to Mrs. McElveen for her many years of loyal service to Dinwiddie County and to extend to her our warmest regards on this occasion and our very best wishes for many years of health and happiness as she enters a new phase of her life; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Mrs. Peggy L. McElveen, and a copy spread upon the minutes of this meeting.

Mrs. Peggy L. McElveen was not present to accept the resolution.

Resolution

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

DECEMBER 16, 2003

IN RECOGNITION OF

MR. T. O. RAINEY, III

WHEREAS, Mr. T. O. Rainey, III served as the Commonwealth's Attorney for Dinwiddie County, with distinction and integrity from June 1, 1978, until December 31, 2003; and

WHEREAS, the Board of Supervisors on this 16th day of December 2003 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 Mr. Rainey for his many years of loyal service to Dinwiddie County and to extend to him our warmest regards on this occasion and our very best wishes for many years of health and happiness as he enters a new phase of his life;

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Mr. T. O. Rainey, III, "Lanny", and a copy spread upon the minutes of this meeting.

Mr. Lanny Rainey was not present to accept the resolution of appreciation.

Resolution

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

DECEMBER 16, 2003

IN RECOGNITION OF

MS. DEBORAH M. MARSTON

WHEREAS, Ms. Deborah M. Marston began her career in Dinwiddie County working as a Deputy in the Commissioner of the Revenue Office from January 1, 1976 until December 31, 1987; and served as Commissioner of the Revenue from January 1, 1988 until December 31, 2003; and

WHEREAS, Ms. Marston has been a dedicated employee who represented the County of Dinwiddie in a professional and helpful manner; and

WHEREAS, She served Dinwiddie County's citizens with respect and provided excellent assistance to those needing her help;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors on this 16th day of December 2003 desires to express their appreciation to Ms. Marston for her many years of loyal service to Dinwiddie County and to extend to her our warmest regards on this occasion and our very best wishes for many years of health and happiness as she enters a new phase of her life;

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Ms. Deborah M. Marston, and a copy spread upon the minutes of this meeting.

Resolution

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

DECEMBER 16, 2003

IN RECOGNITION OF

MR. EDWARD A. BRACEY, JR.

WHEREAS, Mr. Edward A. Bracey, Jr. served on the Board of Supervisors in Dinwiddie County, Virginia with distinction and integrity from January 1, 1988, until December 31, 2003; and

WHEREAS, the Board of Supervisors on this 16th day of December 2003 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 Mr. Bracey for his many years of loyal service to Dinwiddie County and to extend to him our warmest regards on this occasion and our very best wishes for many years of health and happiness as he enters a new phase of his life;

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Mr. Edward A. Bracey, Jr., and a copy spread upon the minutes of this meeting.

Resolution

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

DECEMBER 16, 2003

IN RECOGNITION OF

MR. AUBREY S. CLAY

WHEREAS, Mr. Aubrey S. Clay served on the Board of Supervisors in Dinwiddie County, Virginia with distinction and integrity from November 20, 1974 until December 31, 2003; and

WHEREAS, the Board of Supervisors on this 16th day of December 2003 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 Mr. Clay for his many years of loyal service to Dinwiddie County and to extend to him our warmest regards on this occasion and our very best wishes for many years of health and happiness as he enters a new phase of his life;

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Mr. Aubrey S. Clay and a copy spread upon the minutes of this meeting.

Resolution

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

DECEMBER 16, 2003

IN RECOGNITION OF

MR. AUBREY SAMUEL CLAY

WHEREAS, Mr. Aubrey Samuel Clay has served the County of Dinwiddie with distinction and integrity as a member of the Board of Social Services from December 1974 to June 1976, July 1976 to June 1980, July 1980 to June 1984, July 1996 to June 2000, and July 2000 to December 2003; and

WHEREAS, Mr. Aubrey S. Clay has served as Chairman and Vice-Chairman of the Board with professionalism, enthusiasm and extraordinary leadership; and

WHEREAS, Mr. Clay has shown compassion and concern for the families, children, and adults who receive services from the Department of Social Services; and

WHEREAS, Mr. Clay has consistently expressed support and encouragement to the Social Services employees; and

WHEREAS, Mr. Clay has provided leadership to the Department as the Agency implemented numerous initiatives, including the implementation of the Energy Share Program in December 1983, the Virginians Initiative for Work and Not Welfare in December 1983, the transition of the Food Stamp Coupon to an Electronic Benefits Transfer (EBT) Card in May 2002, and the award of a $24,375 Grant from the Department of Medical Assistance Services in November 2003, to test strategies to increase retention and enrollment of Dinwiddie County children in the State's child health insurance programs; and

WHEREAS, Mr. Clay supported and provided guidance for the Department during Hurricane Isabel, when over 170 citizens were sheltered, hundreds of Dinwiddie Residents received emergency assistance, and 2,330 households received $834,472 in Disaster Food Stamps;

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, on this 16th day of December, 2003 desires to express their profound and genuine appreciation to Mr. Clay for his meaningful service to the County; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Mr. Aubrey S. Clay, and a copy spread upon the minutes of this meeting.

Upon motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Haraway, Mr. Bowman voting "Aye," Mr. Clay "abstaining", the above resolutions were adopted.

IN RE: MINUTES

STATEMENT MADE BY MR. BRACEY

Mr. Bracey stated he attested to the Certification following the closed meeting at the November 18, 2003 Meeting. However, after thinking about it he incorrectly voted "Aye" to the Certification. He said during the closed meeting two (2) of the board members discussed issues concerning Tidewater Quarry, which was not included in the disclosure statement before going into closed session; nor in the certification after the closed session. He requested that the records show that he made a mistake by voting "aye" to that certification. Mr. Moody stated that since Mr. Bracey had brought this to his attention, he also made the same error and requested that the minutes reflect his mistake too.

Mr. Bracey asked Ms. Phyllis Katz, County Attorney, what should be done regarding this issue? The County Attorney commented that according to the Virginia Freedom of Information Act the corrections should be made and noted to the minutes. Mr. Bracey asked if there would be any penalties or fines involved. She said there could be a fine associated with the discrepancy. If the court finds that the plaintiff "substantially" prevails, the plaintiff could be awarded costs and attorney's fees from the public body. She commented she thought for a first violation, the fine is $250-$1000; for a subsequent violation, the fine is $1000-$2500. The County Attorney stated at the conclusion of any closed meeting, the public body holding such meeting shall immediately reconvene in an open meeting and shall take a roll call or other recorded vote to be included in the minutes of that body, certifying that to the best of each member's knowledge (1) only public business matters lawfully exempted from open meeting requirements under this chapter and (2) only those public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body. She said any member of the public body who believes that there was a departure from the requirements should so state prior to the vote, indicating the substance of the departure that, in his judgment, has taken place. The statement shall be recorded in the minutes of the public body. Ms. Katz said failure to receive a majority of affirmative votes of the members of the public body present during a meeting would not affect the validity or confidentiality of the meeting with respect to the matters considered therein in compliance with the provisions of the certification. However, the minutes for the November 18, 2003, should reflect that you changed your vote.

Mr. Bowman stated he did talk about Tidewater Quarry in the closed session but it was on the agenda to discuss (2.2-3711 A .5 - Business and Industry Development – Discussion of Industrial Development) under closed

session. He also pointed out that this was not anything that has not been done before.

The following is the corrected Closed Session Certification for the November 18, 2003:

Whereas, this Board convened in a closed meeting under 2.2-3711 A .30 Discussion of Contract Negotiations – General Reassessment and 2.2-3711 A .7 Consultation with Legal Counsel – OMD Agreement and Authority to Place Restrictions on Public Property and also 2.2-3711 A .5 Business and Industry Development – Discussion of Industrial Development.

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

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

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

VDOT RESOLUTION CORRECTION

The public hearing for the County's Secondary Six-Year Road Plan was held at the October 7, 2003 Board of Supervisors Meeting. The following resolution is a housekeeping measure to put the motion the Board made into the form of a resolution required by VDOT.

WHEREAS, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan,

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2004/05 through 2009/10) as well as the Construction Priority List (2004/05) on October 7, 2003 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List,

WHEREAS, Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, appeared before the board and recommended approval of the Six-Year Plan for Secondary Roads (2004/05 through 2009/10) and the Construction Priority List (2004/05) for Dinwiddie County, Virginia,

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the Secondary Road System in Dinwiddie County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2004/05 through 2009/10) and Construction Priority List (2004/05) are hereby approved as presented at the public hearing.

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

BE IT RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the September 2, 2003 Continuation Meeting, September 10, 2003 Continuation Meeting, September 16, 2003 Regular Meeting, October 7, 2003 Regular Meeting – Adoption of the Secondary Six-Year Road Plan Resolution, and the November 18, 2003 Regular Meeting, are hereby approved with the above listed amendments.

IN RE: SHERIFF'S DEPARTMENT REQUEST TO PURCHASE FIVE (5) LAW ENFORCEMENT VEHICLES

"December 4, 2003

Dinwiddie County Board of Supervisors
P. O. Drawer 70
Dinwiddie, Virginia 23841

Re: Purchase of five law enforcement vehicles

Dear Members:

In my 2003-2004 budget, $103,500 was approved for the purchase of four law enforcement vehicles.

Sheehy Ford of 10601 Midlothian Turnpike, Richmond, Virginia 23235, was awarded State Contract IFB #3000-40. This is a competitive bid conducted by the State of Virginia for police vehicles. State bid price is $20,806.50 per vehicle. This bid allows five vehicles to be purchased for $104,032.50. This bid does not include the marking of the vehicles. The cost for graphics on each vehicle is $350.00. The total of marking five vehicles is $1,750.00. This request exceeds the budgeted amount by $532.50 for the vehicles and after marking of the vehicles exceeds the budgeted amount by $2,282.50. This bid includes the following equipment:

Base price	$20,983
Color (white) exterior	No charge
Color (gray) interior	No charge
(Delete paint)	-299
Delete 1" Bonding Straps	-5.50
6" driver side spotlight	No charge
Rear vinyl bench seat	+65
(Delete Carpeted flooring)	-82
Limited slip differential	+145
Total	$20,806.50 x 5 = $104,032.50
Graphics installed	$350.00 x 5 = $1,750.00
	$21,156.50 x 5 = **$105,782.50**

The approval of this request will allow this office to complete the changeover from brown to white vehicles used in patrol. The only marked brown vehicles remaining in the fleet will be the ones used by one school resource officer and the two spare vehicles.

I, therefore, request authority to purchase from State Contract #3000-4, five Ford Crown Victoria police vehicles with graphics from Sheehy Ford of 10601 Midlothian Turnpike, Richmond, Virginia 23235, at a total purchase price of $105,782.50.

If the above request is denied, I request authority to purchase four Ford Crown Victoria police vehicles with graphics from Sheehy Ford of 10601 Midlothian Turnpike, Richmond, Virginia 23235, at a total price of $84,626.00.

Respectfully

Sheriff S. H. Shands"

The County Administrator recommended approval of the purchase of the five vehicles with the shortfall to come from the Sheriff's budget.

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

BE IT RESOLVED by the Board of Supervisors of the Dinwiddie County, Virginia that authorization is granted for the Sheriff's Department to purchase off State Contract #3000-4, five Ford Crown Victoria police vehicles with graphics from Sheehy Ford of 10601 Midlothian Turnpike, Richmond, Virginia 23235, at a total purchase price not to exceed $105,782.50, with the shortfall to come from the Sheriff's budget.

IN RE: AUTHORIZATION TO HIRE – JERRY PERKINSON - BUILDING INSPECTOR

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Gene Jones is appointed to the position of Building Inspector in the Building Inspection Department at a salary of $36,340 (Grade 12 Step I) effective January 1, 2004.

IN RE: AUTHORIZATION TO PURCHASE GIS HARDWARE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the GIS Director to purchase the GIS hardware, a Hewlett Packard 42" Plotter with an additional spindle and upgraded memory module to include a 3-year onsite warranty, at a cost not to exceed $13,746.

IN RE: SCHOOL BOARD SUPPLEMENTAL INSTRUCTIONAL & MAINTENANCE APPROPRIATION #1 FOR FY 2004

"December 11, 2003

Mrs. Wendy Ralph
County Administrator
County of Dinwiddie
P.O. Drawer 70
Dinwiddie, VA 23841

Dear Mrs. Ralph:

At their meeting on December 9, 2003, the Dinwiddie County School Board authorized me to forward Supplemental Appropriation Request #1 to the Dinwiddie County Board of Supervisors for their approval.

We are requesting that the FY2004 budget be increased by an additional $432,640.58. These funds come from two sources. A total of $332,640.58 is requested to adjust the FY2004 federal allocation to the school division. As you know, when the initial budget is developed it contains estimates of the federal grants the school division is anticipating. We now have received the actual grants as well as determined the carry-over amounts in certain federal programs as outlined in the attached spreadsheet, and request this adjustment. In addition, we asked that an additional $100,000 in funds be allocated due to higher than budgeted ADM (average daily membership). Our budget is based on ADM of 4360; the current division membership is 4485.

Categorically, we ask that the entire federal adjustment of $332,640.58 by allocated to instruction. The ADM funds should be split equally between the instruction and maintenance categories ($50,000 each).

We will be present at the December 16, 2003 Board of Supervisors meeting to answer any questions regarding this request. Thank you for your continued cooperation.

Sincerely,

Leland J. Wise, Jr., PhD.
Superintendent

Attachments

December 1, 2003

SUBJECT: Supplemental Appropriation #1

BACKGROUND INFORMATION: The FY2004 budget was approved using estimated revenue for all federal grants. These numbers were based on FY2003 funding.

ADMINISTRATIVE CONSIDERATION(S): Attached you will see a spreadsheet for the FY2004 federal grants including NCLB. There is an additional $332,640.58 in federal money to be allocated to the FY2004 budget.

In addition, enrollment continues to increase. The FY2004 budget was based on 4,360 students. Our enrollment as of October 31, 2003 was 4,485, up 125 from budget. We are asking to appropriate an additional $100,000 from increased ADM. This money would be used to cover the cost of the new positions added due to increased enrollment and some much needed maintenance projects.

The money would be appropriated as follows:

$ 332,640.58	Instruction Category
$ 50,000.00	Instruction Category
$ 50,000.00	Maintenance Category

RECOMMENDATIONS: Authorize us to request the Board of Supervisors to appropriate an additional $432,640.58 to the FY2004 budget due to increased enrollment and federal funding.

ACTION REQUIRED: Board Approval

CONTACT PERSON: Christie Fleming
James Lanham

FY2004 FEDERAL GRANT INFORMATION

SUPPLEMENTAL APPROPRIATION #1

GRANT	FY2004 BUDGET	FY2004 ACTUAL GRANT AWARD	FY2003 CARRYOVER	DIFFERENCE
Title I	$657,655.00	$621,860.00	$67,463.62	$31,668.62
Carl Perkins	$77,790.00	$73,773.00	$0.00	($4,017.00)
Title VI - B - Flow Through	$555,966.00	$653,176.00	$9,724.81	$106,934.81
Preschool	$31,132.00	$31,132.00	$2,861.20	$2,861.20
Title VI - Chapter II	$0.00	$0.00	$10,193.17	$10,193.17
Title II - Eisenhower	$0.00	$0.00	$0.00	$0.00
Title II - Part A - Teacher Quality	$194,637.00	$192,162.00	$188,978.05	$186,503.05
Title II - Part D - Technology	$20,015.00	$19,151.57	$0.00	($863.43)
Title V - Innovative Programs	$43,380.00	$34,769.00	$2,000.00	($6,611.00)
Title IV - Safe and Drug Free	$24,982.00	$26,036.00	$4,917.16	$5,971.16
	$1,605,557.00	$1,652,059.57	$286,138.01	$332,640.58

Upon motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the above supplemental appropriation #1 for FY2004 was approved as presented.

IN RE: PRESENTATION OF PLAQUES BY THE DINWIDDIE COUNTY FIRE AND RESCUE ASSOCIATION - MR. AUBREY S. CLAY & MR. EDWARD A. BRACEY, JR.

Mr. Alvin Langley, Ford VFD, Chief, presented the following plaques of appreciation to Mr. Clay and Mr. Bracey for their many years of service to the Fire and EMS volunteers in the county.

The Fire and Rescue Association presents to Mr. Aubrey S. Clay for his many years of outstanding service to the Fire and Emergency Medical Service from November 20, 1974 to December 31, 2003.

The Fire and Rescue Association presents to Mr. Edward A. Bracey, Jr., for his many years of outstanding service to the Fire and Emergency Medical Service from January 1, 1988 to December 31, 2003.

IN RE: CITIZEN COMMENTS

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

The following citizen(s) came forward to address the Board:

1. Michael W. Bratschi – 23500 Cutbank Road, – McKenney, Virginia – He commended Mr. Clay and Mr. Bracey for their many years of distinguished service to the County. He also stated he hoped the new board would allow Mr. Bowman to serve as the Chairman again next year. He said he appreciated the Board for allowing the citizens to express their opinions. He commented that the School Board does not allow citizens to talk at their meetings. Continuing he stated at the last School Board meeting 20 students were expelled from school. He said something really does need to be done about getting an alternative school in the county.

   Mr. Bracey asked for an explanation from Dr. Lanham regarding the 20 expulsions. Dr. Lanham explained that there were 20 children

expelled but it was done in accordance to State Code. He said he was not free to discuss the details but the Board could rest assured that they were necessary and handled according to the guidelines set forth by statue. Mr. Bracey commented he felt the Board needed to look into the alternative school issue this year.

2. Anne Scarborough – Boydton Plank Road, - Dinwiddie, Virginia – She commented there are a lot of people on the county payroll but who is minding the ship. She said there was an article in the paper regarding the Chesterfield County Attorney who has handled all the suits filed against the county and it did not cost Chesterfield any extra money. In the claims there was a personnel matter handled by Sands, Anderson, Marks & Miller and it cost the taxpayers over $ 200. What does the monthly retainer that is paid to them cover. Continuing she stated, at the last meeting the County Administrator said a press release about Chaparral Steel was being sent to the newspapers but she had not seen anything in the papers yet. Mrs. Scarborough asked why the citizens couldn't get the details. Mrs. Scarborough also commented that at the last meeting the County Attorney informed the Board members that they could discuss issues that are handled in closed session. She commented that she felt the citizens have a right to know about these issues and the Board should be more forth coming with the public. She also thanked Mr. Bowman for allowing the citizens to say what they wanted to without a 3-minute time limit. She again requested that the Board start holding two evening meetings and move them back to Wednesday nights. Mrs. Ralph replied to Mrs. Scarborough and stated that a press release about Chaparral Steel was sent to the Monitor; but she had not seen it published yet. It will be sent to all the newspapers.

IN RE: FY 2002 AUDIT PRESENTATION – ROBINSON, FARMER, COX & ASSOICATES

Ms. Ann Wahl from Robinson, Farmer, Cox & Associates came forward to present the results of the FY2003 audit. A copy of the audit was enclosed in the Board's packet.

She commented that since Governmental Accounting Standards Board's Statement Number 34, *Basic Financial Statements and Management's Discussion and Analysis for State and Local Governments* is now in effect the County's financial statements look entirely different. She gave a brief report on the audit.

Ms. Wahl commented that the first half of the 2003 tax levy due June 5, 2003 did not include an assessment for the Public Service Corporations nor was there an assessment made for the entire tax year of 2002. The Commissioner of the Revenue failed to bill Public Service Corporations for over $1 million dollars in taxes for 2003 and 2002. She said they recommend that Public Service Corporation assessments be billed in installments as the County does with Real Estate and Personal Property.

Mr. Haraway stated, are you telling the Board that there is over $1 million dollars that is owed to the County for taxes right now? Mrs. Wahl replied, yes; at the time the audit was done, the Public Service Corporations taxes for 2003 and 2002 had not been billed or collected. She said the auditors recommended that Public Service Corporation taxes be billed in installments as the County does the Real Estate and Personal Property taxes.

Mr. Moody asked the County Treasurer, Mr. William Jones, if any bills had been sent out for the Public Service Corporations taxes for 2002 and 2003? Mr. Jones stated 2002 had been billed and collected; but 2003 has not. Mrs. Ralph

stated the County had also lost the interest on the money that should have been billed.

Mr. Haraway stated that the letter included in the audit report was dated September 17, 2003. He asked Mrs. Wahl why it took so long to get the audit reports to the County? He commented with all the businesses he deals with the auditors normally have a report out within 120 days. She replied it had been a very busy year for the firm. He asked if she could give the County a list of things to do so that the County could get the report within 120 days. She commented that they were rather busy this year and did not get it done but would work harder next year to get it done in a timely manner.

Mr. Moody commented, Robinson, Farmer, Cox Associates work with a large number of counties. Is Dinwiddie similar to the other counties? She responded yes. He asked if the other counties are as late receiving their reports? She reassured the Board that they would work hard to get the report out earlier next year.

IN RE: REPORTS – VDOT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation commented he would miss Mr. Clay and Mr. Bracey being on the Board. He said his first meeting after being hired with VDOT, which was 12 years ago, was here with Dinwiddie County.

He reported to the Board that VDOT had to absorb costs associated with the ice storm of 1999 from their budget and they are just now getting the funds from the federal government. He stated VDOT had to restrict hiring in order to continue providing services to the counties. The impact of snow and ice removal is quite expensive; last year the State spent $144 million for snow and ice removal. The State only budgeted $80 million this year for those services. In the past, VDOT moved far ahead of the storm and sanded bridges and ramps on the interstates for safety reasons. However, this year they are going to take a sit and wait approach. Until there is an accumulation on the roadways, no manpower would be dispersed in order to save money. Just in case the Board gets some complaints he wanted them to know in advance that this is the new policy for VDOT.

Mr. Caywood provided the following update to the Board:

1. Rainey Road and Courthouse Road have reopened to through traffic.
2. Halifax Road has essentially been completed – only needs reseeding.
3. Boydton Plank Road (bordering Petersburg and Dinwiddie) will be advertised in January. The right-of-ways have been finalized. Work should begin March or April and the project should be completed in August.
4. Ferndale Road – at the Railroad underpass –will be advertised this month for April in-kind repairs.
5. Mr. Caywood stated according to all the input VDOT received from adjoining county officials, everyone wants the bridge on Route 600 left open to traffic. Therefore, one lane would be kept open to traffic during construction.
6. Interstate 85 overpass bridges (exits 63 and 61 - between Route 460 and U.S. Route 1) major repairs are needed. Re-decking and paving will be done on both bridges consequently there will be some lane closures on I-85; but traffic detour can easily be done between the interchanges. Mr. Caywood said the project would be handled with one contract and it would take approximately 18 months to complete.
7. Shady Lane – is a Rural Rustic Project that was included in the Six-Year Road Plan for this year. Funding is in place for this project and work will proceed as soon as the weather permits with hopefully a September completion date.

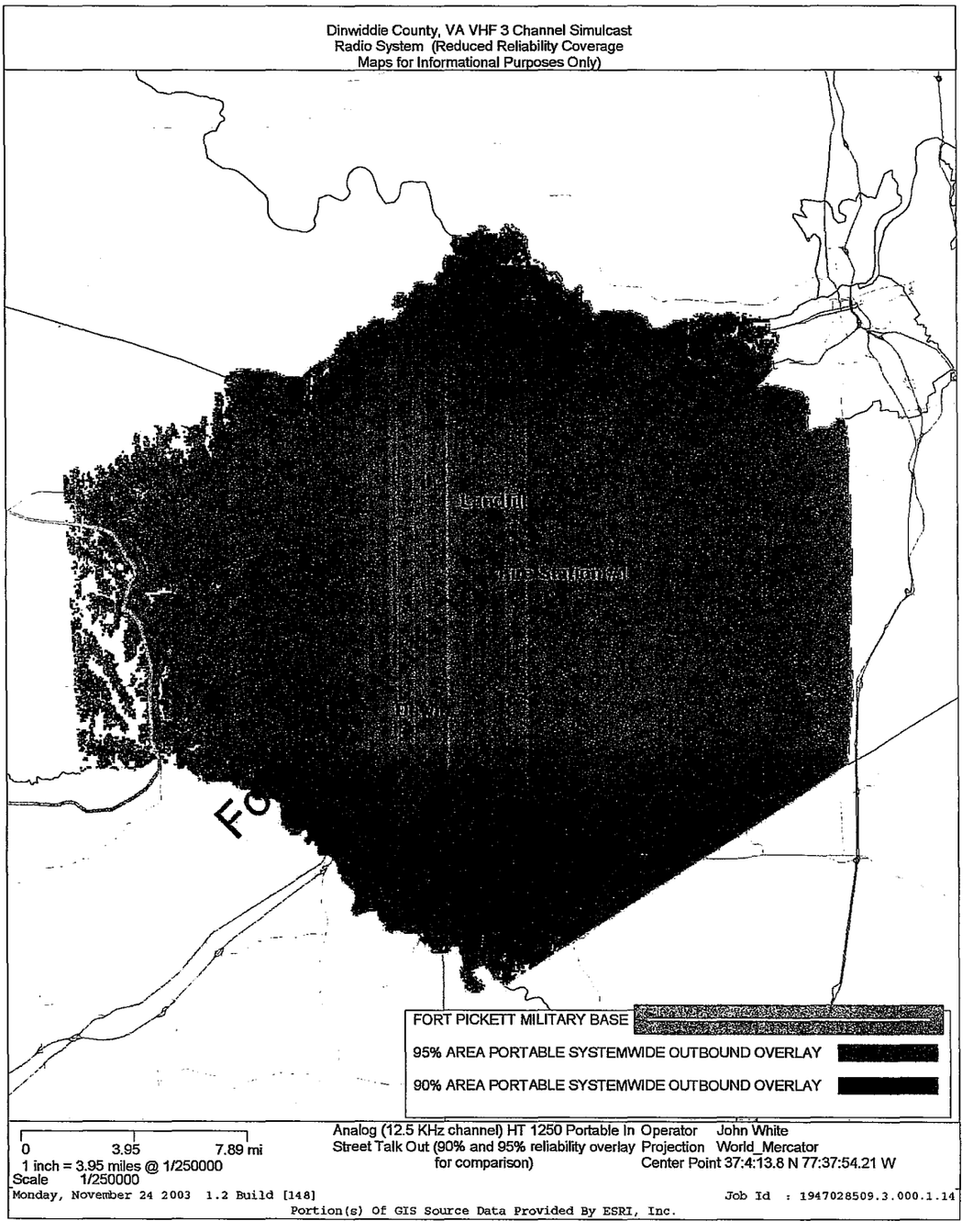
8. Route 619, Courthouse Road – was included in the Six-Year Plan for overlay work. VDOT will advertise the project in early spring.
9. Squirrel Level Road Realignment Project – targeted for July 1 advertisement.
10. Mr. Caywood stated Mr. Haraway had asked VDOT to do a signalization analysis at the Ferndale Road and Cox Road intersections, which has been initialized. He commented that a previous study has already been done for right turn lanes, which would be incorporated in this study.

IN RE: UPDATE ON PROPOSED COMMUNICATION SYSTEM COVERAGE – DE WITT TOWER SITE

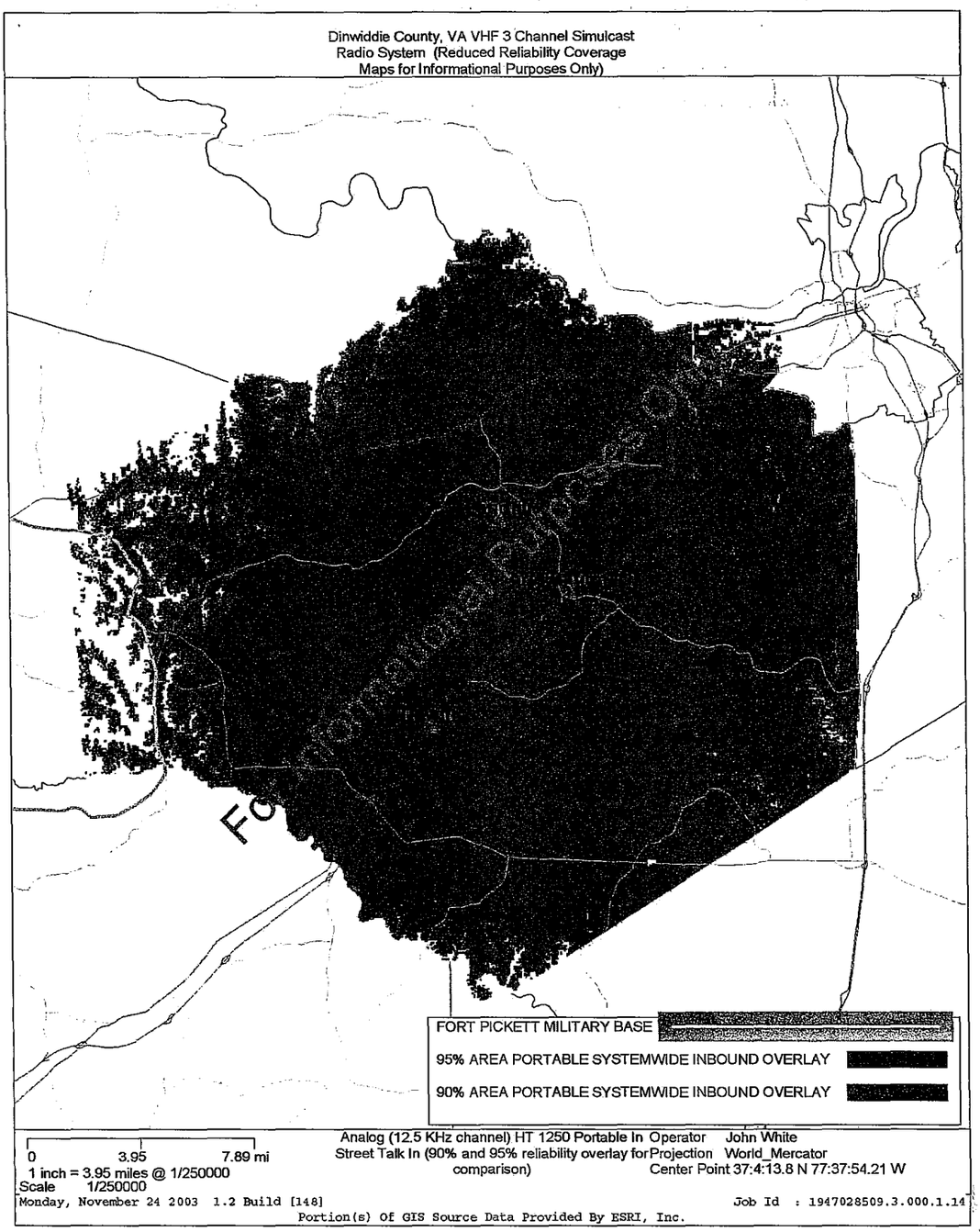
Ms. Denise Absher, at the request of the Board, gave the following update on the proposed communication system coverage for the DeWitt tower site:

1st MAP

EXISTING COVERAGE- TALK OUT FROM COMMUNICATIONS TO A PORTABLE RADIO INDOOR



2ND MAP



EXISTING COVERAGE- TALK OUT FROM COMMUNICATIONS TO A PORTABLE RADIO OUTDOOR

3RD MAP

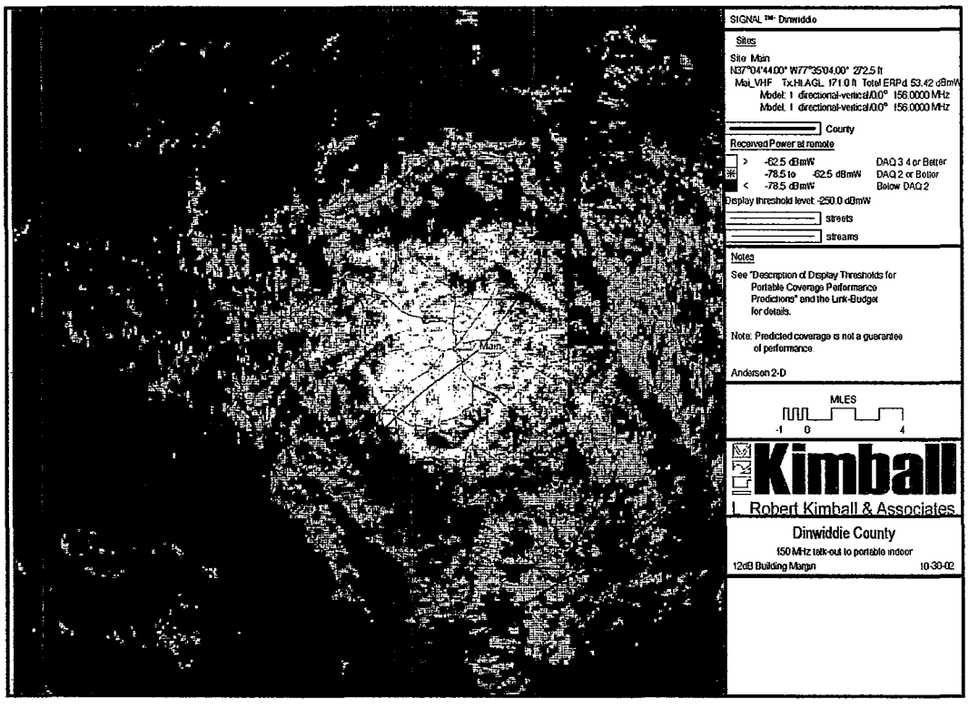
(GREEN) PROPOSED COVERAGE-95% COVERAGE-TALK OUT FROM COMMUNICATIONS TO PORTABLE

4TH MAP

(BLUE) 90% COVERAGE- TALKOUT FROM COMMUNICATIONS TO PORTABLE

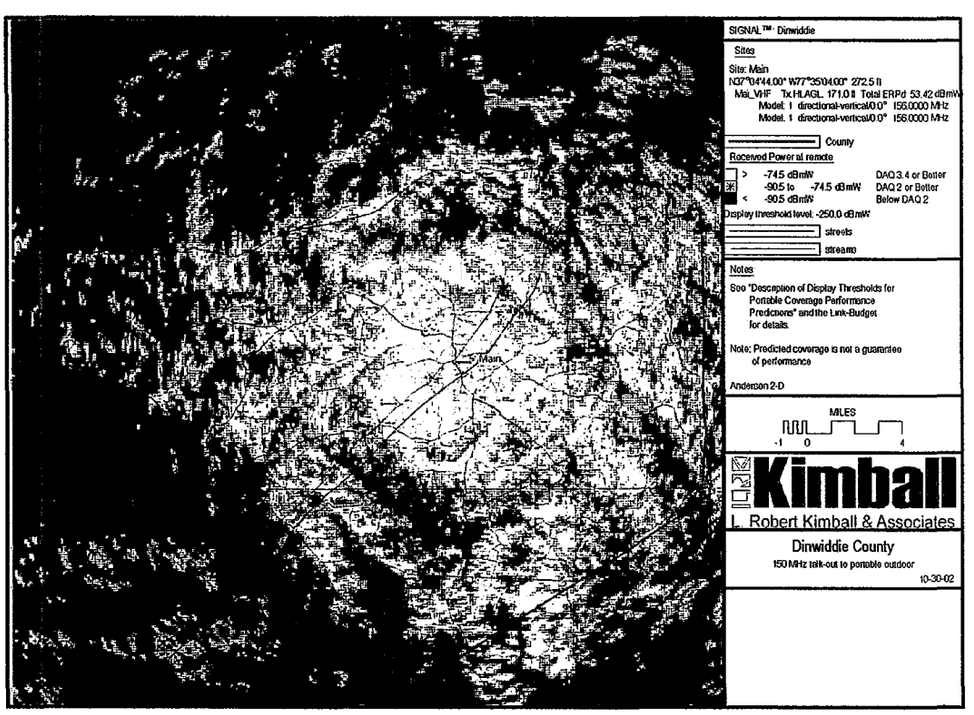
1st MAP

EXISTING COVERAGE- TALK OUT FROM COMMUNICATIONS TO A PORTABLE RADIO INDOOR



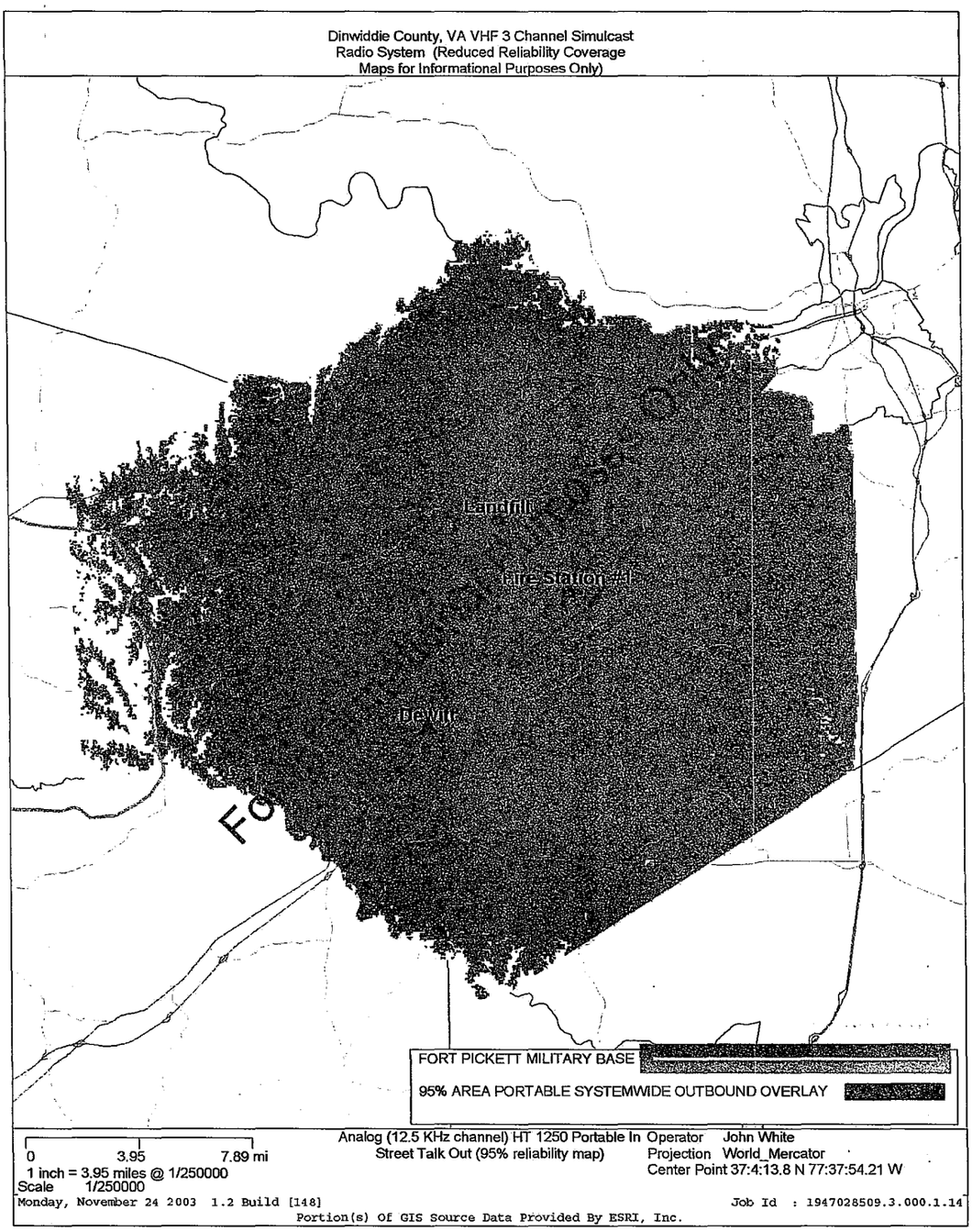
2ND MAP

EXISTING COVERAGE - TALK OUT FROM COMMUNICATIONS TO A PORTABLE RADIO OUTDOOR



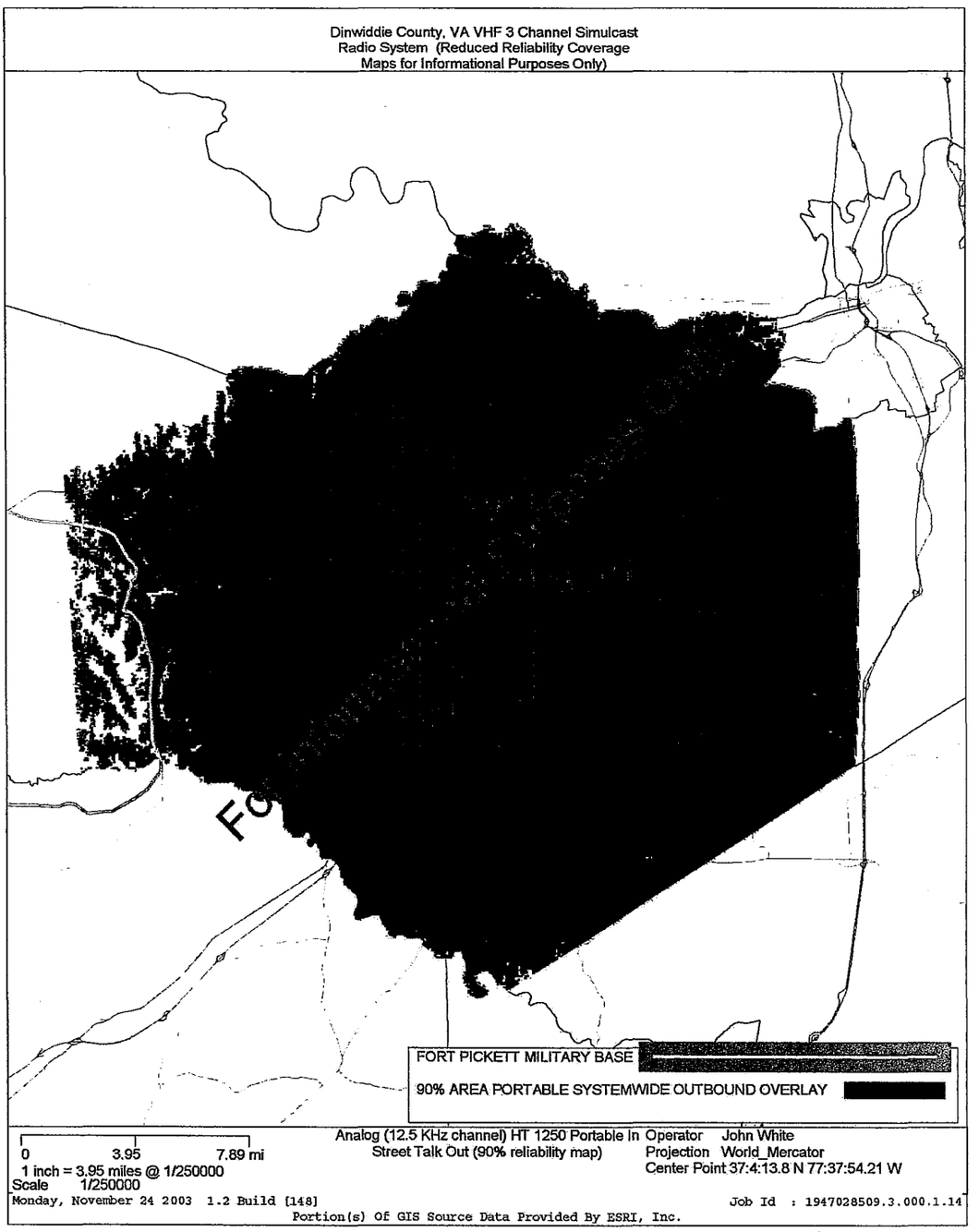
3RD MAP

(GREEN) PROPOSED COVERAGE-95% COVERAGE-TALK OUT FROM COMMUNICATIONS TO PORTABLE



4TH MAP

(BLUE) 90% COVERAGE- TALKOUT FROM COMMUNICATIONS TO PORTABLE



1st MAP

EXISTING COVERAGE- TALK IN TO COMMUNICATIONS FROM A PORTABLE RADIO INDOOR

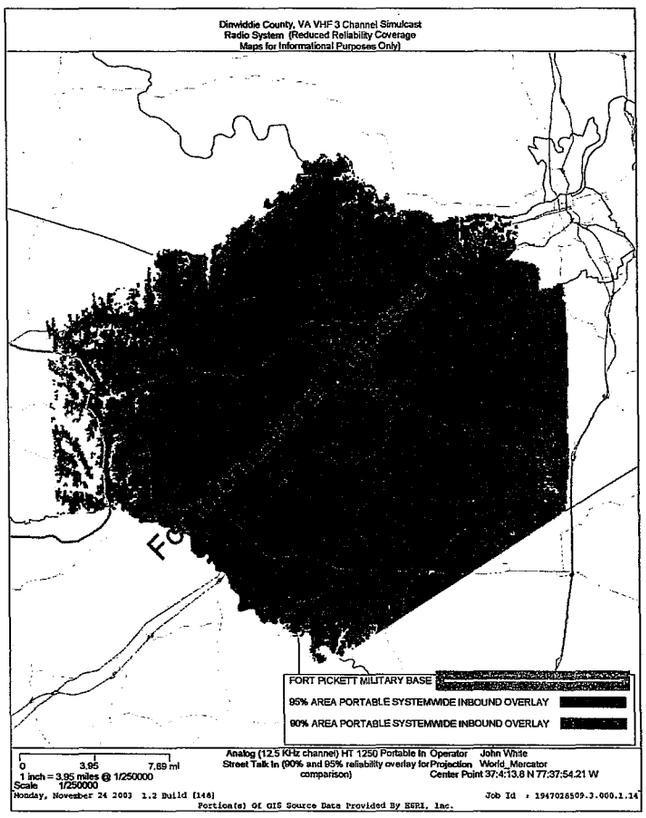
INSERT MAPS

2ND MAP

EXISTING COVERAGE- TALK IN TO COMMUNICATIONS FROM A PORTABLE RADIO INDOOR

3RD MAP

(GREEN) PROPOSED COVERAGE-95% COVERAGE-TALK IN TO COMMUNICATIONS FROM A PORTABLE RADIO



4TH MAP

(BLUE) 90% COVERAGE- TALK IN TO COMMUNICATIONS FROM A PORTABLE RADIO

Mr. Moody stated his main concern was the coverage areas around Ft. Pickett and the western section of the county. He said it didn't appear that there was 95% coverage for that area. Ms. Absher replied there isn't a 95% coverage where the white appears on the maps, because it was her understanding that we don't cover the base so it was not included in the contract. But even if the maps don't show a 95% coverage, the volunteers would still be able to communicate either to base or through a mobile radio. She commented that the coverage would still be better than what the county has now. Mr. Steve Garner with Motorola explained that the reason Ft. Pickett was not included was to keep the cost down.

Mr. Haraway expressed his concern about the white non-coverage areas on the map in the northern area of the county. He commented this is the most populated area in the county and the maps showed a lot of white or less than 95% coverage there. He stated if there is no coverage in the area what would the volunteers do? Mr. Garner replied the mobile service is very reliable and the volunteers would always be able to communicate with dispatch.

Mr. Bracey stated the bottom line is, if this doesn't work, what is it going to cost the county? Mr. Bowman asked what would it cost the county to have 95% coverage all over the county? Mr. Garner replied at this point he did not have any idea, but he would find out and let Ms. Absher know.

However, Mr. Garner stated, the County has two alternatives they could either add an additional receive site or go all digital.

The County Administrator suggested that the Board allow staff to meet with the Motorola representatives to discuss the options presented and any other options that might be available to the County and report back to the Board. The Board concurred.

IN RE: RECESS

The Chairman called for a recess at 4:16 p.m. The meeting reconvened at 4:32 p.m.

IN RE: DISCUSSION OF CORRIDOR STUDY – KICKOFF MEETING

Mr. Guy Scheid, Director of Planning, stated he and Ms. Vaughn Rinner, Director of Planning Principal, Landmark Design Group, were in the process of developing a timeline for the corridor study meetings. It will be very intense and time consuming. The initial meeting for the stakeholders (property owners along corridors as well as those that rent or lease property in study area) and citizens is scheduled for January 5, 2004 at 4:00 p.m. Since this is a countywide meeting, the meeting is proposed to be held in the Pamplin Administration Building. Vaughn Rinner will prepare a presentation that will give information on the project scope and process. It is expected that the meeting will not exceed 2 hours. Once the Board's meeting schedule for next year is finalized, the proposed timeline for the corridor study will be distributed to the Board for approval.

The Board agreed that it would be much better to hold the kickoff meeting at 7:00 p.m. to allow more citizens to be present.

Mr. Bracey stated it had come to his attention again that the grass situation had not been taken care of in one of his constituent's neighborhood. He said they called the Code Enforcement Officer and nothing had been done about the situation. He asked Mr. Scheid to take care of it.

Mr. Bracey asked Mr. Scheid if a person is allowed to have a trailer on a piece of property that also has a house on it? Mr. Scheid stated no, but it does take a period of time to get it resolved.

IN RE: COMMISSIONER OF THE REVENUE – REQUEST REIMBURSEMENTS FOR EXPENDITURES

Ms. Deborah Marston, Commissioner of the Revenue, came and presented the following claims to the Board for reimbursements:

1. October 2002 – Commissioner of the Revenue convention held in Bristol, Virginia - $676. 28.
2. Reimbursement for cleaning curtains in the Commissioner of the Revenue's Office after renovations in 1998 - $112.85.
3. Mileage for use of personal car for assessing new construction 2003 - $936.32.

Mr. Haraway stated Ms. Marston, "half of the month of December is already gone and you have requested a reimbursement for 562 miles." He asked if she kept a log for the mileage? Ms. Marston commented she did keep a log, but she only wrote the number of miles she drove. He asked if she used county vehicles for doing her reassessments? She stated when there is one available she did. Mr. Haraway stated he could not vote for her request unless she could verify the mileage she submitted for reimbursement.

Mr. Bracey made the motion to pay Ms. Marston for the claims she submitted for reimbursement; Mr. Moody seconded the motion.

Mr. Haraway commented he felt the Board was setting a precedent if they passed this request. Continuing he commented he did not feel the Board should reimburse anyone for claims, from another fiscal year and not included in this year's budget. Mr. Bowman agreed. Ms. Marston commented she had her log and would verify her mileage. The County Administrator suggested that the

Board include in the motion that if the claims were verified the Commissioner could then be reimbursed for her claims.

Mr. Bracey, Mr. Moody, Mr. Clay voting "Aye" Mr. Haraway, Mr. Bowman voting "Nay" the Board approved the request from the Commissioner of the Revenue to reimburse her for the claims submitted with verification.

Ms. Marston thanked the Board and commented in the future when citizens or anyone comes before the Board to make a complaint to please either give that person or department a chance to verify that the complaint is valid. Several times citizens have come to the Board and complained about situations which were not true concerning her..... Mr. Bowman interrupted and stated Ms. Marston, "this Board has gotten many complaints about your office and it is a fact that bills for new construction have not been sent out....The Commissioner continued, stating please, just make sure the information being presented to you as a Board is correct. If you have a complaint at least find out if it is factual and give that person the opportunity to respond or explain.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County has received notice that the 2nd resident arrived at the Behavioral Center at 4:45 p.m.

IN RE: ADOPTION OF THE 2004 LEGISLATIVE PROGRAM

The County Administrator stated she enclosed the proposed 2004 Legislative Program and the legislative program adopted by VACo for their review in their packets. She asked if the any of the Board members had any changes they would like to make. If not, she would like to have it adopted by January in order to get it to our legislators. Mr. Moody stated he felt the Tax Restructuring and Education Funding adopted by VACo should definitely be included on the list.

Year 2004 Legislative Issues for Dinwiddie County

The following information represents significant issues identified by the Dinwiddie County Board of Supervisors over the past year. The Dinwiddie Board of Supervisors respectfully requests any assistance you may provide on the following items:

1. Dinwiddie County supports funding for constructing a new permanent facility for the Violent Sexual Predator Program outside of the Dinwiddie/Petersburg area.

2. Dinwiddie County opposes any proposal to increase the share paid by counties for construction of Secondary Roads unless the General Assembly provides additional sources of local funding. Dinwiddie County also opposes any change in statute that increases the present minimum daily vehicle count of 50 for paving unpaved roads.

3. Dinwiddie County supports the continued funding by the state for school infrastructure needs, as well as any initiative to assist localities in the funding of school construction and school renovation projects.

4. Dinwiddie County supports any legislation that will establish the right of the County to require impact fees and other local options to be able to manage the consequences of population growth.

5. Dinwiddie County supports a reduction in the ratio of state funded deputies to population from 1 deputy per 1,500 population to 1 deputy per 1,200 population in Counties with a population of less than 35,000.

6. Dinwiddie County supports full state funding of constitutional officers and their employees and opposes any legislation to increase the local share of funding.

7. Dinwiddie County supports the current definition of "mandated services" under the Comprehensive Services Act. If the definition is expanded, the County requests the Commonwealth cover 100% of the cost of services which were formerly "non-mandated." Dinwiddie County opposes any increase in the local match for the Comprehensive Services Act.

8. Dinwiddie County opposes any attempt to restrict or eliminate local sources of taxation unless local governments are guaranteed the opportunity to replace lost revenue sources with comparable, equivalent, independent sources of revenue to allow localities to fulfill their public service obligations.

9. Dinwiddie County opposes any change in the County's authority to impose the E-911 Tax and any state effort to lower the $3 per month cap on the tax. Dinwiddie County opposes any reduction in the commitment of the General Assembly to provide funding for the capital costs of installing E-911 services.

10. Dinwiddie County opposes a merged state/local telecommunications tax which is collected by the state and redistributed back to localities.

11. Dinwiddie County requests funding support/reimbursement for Fire Service and other public safety services provided to State Agencies/Facilities located within Dinwiddie County.

12. Dinwiddie County opposes any unfunded mandates from the Commonwealth or the Federal government especially as it relates to the local school divisions. When funding for a mandated program is reduced due to declining state revenue, the mandate should be suspended until full funding can be restored.

13. Dinwiddie County supports the priority of the Virginia Association of Counties' 2004 legislative program to "support recommendations to address the inadequacy of state funding for K-12 education and the need for tax restructuring. If implemented as a package, these recommendations will enhance K-12 education and promote state and local fiscal soundness".

14. Dinwiddie County requests additional funding support for localities for the centerline striping of secondary roads. It is the County's position that the addition of centerline markings will enhance traffic safety on many narrow secondary routes.

15. Dinwiddie County opposes any further dilution of the zoning and land use authority of local governments, specifically any attempts to mandate the by-right location of manufactured housing in all single-family residential zoning classifications.

16. Dinwiddie County supports greater flexibility and additional funding to ensure success of the pave-in-place program and rural rustic road program and requests that VDOT work cooperatively with local governments to ensure the success of this program.

17. The General Assembly should require the Virginia Department of Corrections to remove "state-responsible" inmates from local and regional jails in a timely manner and should seek ways to reduce the escalating burden of inmate medical care on such jails.

18. Dinwiddie County supports legislation that would require the Virginia Department of Transportation to maintain and make all repairs to drainage easements both on and off highway right-of-way for any permanent drainage

easement acquired by the Department in connection with or as a precondition to the construction or reconstruction of any highway until such time as each easement shall have been terminated.

19. In Juvenile Corrections, Dinwiddie County opposes shifting responsibilities to localities through policies that increase usage of local detention centers for juveniles that would have previously been taken into State facilities while at the same time reducing State funding to local juvenile programs.

20. Dinwiddie County opposes the addition of any new fees at the State level for the disposal of waste in local landfills unless the fees could be placed on out-of-state trash only.

21. Dinwiddie County supports continued State funding for the regional BRAC initiative for Fort Lee and the Defense Supply Center Richmond.

22. Dinwiddie County supports the Tax Restructuring and Education Funding adopted by "The Virginia Association of Counties who supports recommendations to address the inadequacy of state funding for K-12 education and the need for tax restructuring. These recommendations will enhance K-12 education and promote state and local fiscal soundness."

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the above referenced legislative package is hereby adopted for 2004 with the addition suggested by the Board.

IN RE: REASSESSMENT AGREEMENT WITH WINGATE APPRAISAL SERVICE

Mrs. Ralph commented that it appeared a compromise had been reached with Mr. Harold Wingate for the contract for the General Reassessment. Mrs. Ralph stated a memo was included in the Board's packet with the "not to exceed" clause. "The best estimates available at the present time are approximately 18,000 real estate parcels and approximately 1,600 manufactured homes assessed as personal property, as of January 1, 2005. At $14.75 per parcel this would be $289,100. The best estimate on photographs is approximately 10,500, at $2.00, each which totals $21,000.00. This would indicate a "not-to-exceed" fee of $310,100.

Should the number of assessments exceed the 19,600 combined estimate above, additional billings will be at $12.75 each. Any additional photograph above the 10,500 estimates will be billed at $2.00 each.

New construction and/or new parcels, needing to be assessed by Wingate for either a 2003 Land Book Supplement and /or the 2004 Land Book, are not a component of the General Reassessment and will be billed separately at $14.75 per assessment. Mrs. Ralph stated due to this fact it would be very difficult to provide a total not to exceed cost because of the uncertainty of the number of parcels the reassessment firm may be picking up. They have to be completed by December 31, 2004.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to sign the contract with Wingate and Associates to perform the General Reassessment at a "not-to-exceed" fee of $310,100. Should the number of assessments exceed the 19,600 combined estimate above, additional billings will be at $12.75 each. Any

additional photographs above the 10,500 estimate will be billed at $2.00 each. New construction and/or new parcels, needing to be assessed by Wingate for either a 2003 Land Book Supplement and /or the 2004 Land Book, are not a component of the General Reassessment and will be billed separately at $14.75 per assessment.

IN RE: REPORT ON CANCELLATION OF CHRISTMAS PARADE

The County Administrator said she was sorry that the parade had to be cancelled due to the weather but some good still came out of it. She commended the staff that worked on it and put all their hard work into it. She asked Mr. Kevin Massengill, Assistant County Administrator, to give a report on it.

The Assistant County Administrator stated as everyone knows the parade had to be cancelled due to the bad weather. He commented he served as a member of the planning committee and was proud to report that the County had received $1,068.40 in donations for needy families from individuals and businesses. The funds were given to the Social Services Department for needy families who otherwise might not have had a Christmas. He stated Dinwiddie County is a very business friendly County and he thanked all the businesses who gave so generously.

Mr. Bowman stated Mr. Timothy Smith did an excellent job in preparing for the parade. He thanked everyone for all the hard work they did.

Mrs. Kim Willis, Director of Social Services, thanked all the staff members who had a part in the Christmas Sharing Foundation program. Continuing she stated the funds donated by businesses for the Christmas parade will be used to assist families that did not meet the deadline for the Christmas Sharing Foundation assistance, but had put in for emergency assistance funds. She said everyone was extremely grateful for the assistance they received. Mrs. Willis commented that Dinwiddie County really is truly a business friendly community and thanked everyone who had a part in the donations and planning process for the parade.

Mrs. Willis also expressed her best wishes to Mr. Bracey and Mr. Clay and thanked them for their leadership.

IN RE: COUNTY ADMINISTRATOR COMMENTS CONT'

Mrs. Ralph commented that in light of some concerns that had come up recently as far as the County needing a second 24-hour ambulance unit and the desire for a County tuition assistance policy, staff would like to meet with the Board as soon as possible in a work session to discuss those issues. The Board agreed to come in at 5:30 p.m. on Tuesday, January 6th. She commented that the meeting today would be continued to Monday, January 5, 2004 at 7:00 p.m. for the corridor study.

IN RE: BOARD MEMBER COMMENTS

1. Mr. Clay stated this was his last Board meeting and in the future he felt when a new Supervisor was elected they should take office right away instead of waiting. He commented that is not the law but it should be. He said he had really enjoyed being on the Board and he hoped he had done some good things in the County. Mr. Bowman stated Mr. Clay you certainly have done a lot of good things and he had enjoyed serving on the Board with him.

2. Mr. Bracey commented he was hoping it would not get to this but he had to say what he had to say. He said he received a memo from Staff concerning a ceremony at 6:00 P.M. for the newly

elected officials. He stated this had never been done in the past. The Board has met twice a month and that did not come to the Board to be voted. He stated he felt the Chairman had orchestrated this ceremony and the persons who asked for it should pay for it instead of using taxpayer's money. Continuing he commented where are these funds coming from? Mr. Bracey said if this request had come before the Board it probably would have been approved anyway. However, whoever organized this ceremony should pick up the bill since this Board did not approve it. He also asked if there was anyway that fund raisings in the County could be checked on. He commented that it had been brought to his attention that some of them are not legitimate. Many storeowners allow individuals to place jars for donations that aren't legal or needed. He asked if anything could be done about the situation. He said he had enjoyed working with the citizens of Dinwiddie County for the past 16 years. He commented he had enjoyed working with most of the Board members and staff here and he hoped they would keep things moving. He said you have to remember, "what goes around – comes around" and the Almighty is able. He thanked everyone for their assistance and help during his tenure.

3. Mr. Moody said he echoed the sentiment for the outgoing officials. He commented he had not done the numbers but it was probably about a century and a half of experience that the County would be losing. The County will surely miss that experience. He wished them all well and said he looked forward to working with the new members. He wished everyone a Merry Christmas and a Happy New. He commented he echoed Mr. Bracey's sentiments the Board should have a say so in any event when money is spent.

4. Mr. Bowman stated he would have to take the credit for the swearing in ceremony. He said that it is done in most of the Counties and he felt it is an event that should be recognized. He pointed out that there was a retirement ceremony already planned and he didn't recall that being voted on either. He commented that if it were a bother to the citizens he would be glad to pay for the swearing in ceremony. However, he felt it was more important to have the Board to come together, all the agencies, and all of the Constitutional Officers to work as a team, one body, with one goal. He said he felt it was more important to have a good relationship with the newly elected people coming in, than it actually was for the old people going out. But the old people have run this County credibly for years and it is important to recognize them. But if we had to do one or the other because of the problems we have had with the other Boards and Departments he would say get off on the right foot with the new people coming in. He said that is the way he felt about it and that is what he pushed for, and if he was wrong, the new Board could vote on it and if they wanted him to pay for it, he would.

5. Mr. Haraway asked that the laundry list be prepared for the Board for the January 6, 2004 meeting. He commented that he would also like to thank Mr. Clay and Mr. Bracey for their cooperation in working with him on the Board and the School Board; they even let him come back, and he hoped they both enjoyed their retirement.

IN RE: CLOSED SESSION

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

Personnel -§2.1-3711(A) 1 – Planning; Appointments;
Acquisition of Property - §2.2-3711 A. 3

Mr. Haraway seconded the motion. Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the Board moved into the Closed Session at 5:26 P.M.

IN RE: CERTIFICATION

A Vote having been made and approved the meeting reconvened into Open Session at 6:25 P.M.

Whereas, this Board convened in a closed meeting under §2.1-3711(A) 1 – Personnel - Planning; Appointments; and §2.2-3711 A. 3 - Acquisition of Property.

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

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

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

IN RE: PLANNING COMMISSION APPOINTMENT – DR. MARK MOORE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Dr. Mark Moore is appointed to the Dinwiddie County Planning Commission to fill the unexpired term of Mr. Edward Hutson Titmus, III, for a term ending December 31, 2006.

IN RE: ACCEPTANCE OF RESIGNATION - DR. MARK MOORE - DINWIDDIE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the resignation of Dr. Mark Moore is hereby accepted.

IN RE: DINWIDDIE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY APPOINTMENT – COLONEL PERCELL HOBBS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Colonel Percell Hobbs is appointed to the Dinwiddie County Industrial Development Authority to fill the unexpired term of Dr. Mark Moore, for a term ending February 5, 2007.

IN RE: SOCIAL SERVICES BOARD APPOINTMENT – MR. DONALD L. HARAWAY

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Bowman, 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 Social Services Board to fill the unexpired term of Mr. Aubrey S. Clay, as the Board of Supervisors representative, for a term ending June 30, 2004.

IN RE: PLANNING COMMISSION APPOINTMENT – MR. MICHAEL W. STONE

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Michael W. Stone is appointed as the Board of Supervisors representative to the Dinwiddie County Planning Commission for a term ending December 31, 2007.

IN RE: DINWIDDIE COUNTY WATER AUTHORITY REAPPOINTMENT – MR. NORMAN C. OLGERS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Norman C. Olgers is hereby reappointed to the Dinwiddie County Water Authority, for a term ending December 31, 2007.

IN RE: APPOINTMENT – DINWIDDIE COUNTY AIRPORT AUTHORITY – MR. DONALD HANNON

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Donald Hannon is hereby appointed to fill the unexpired term of Ms. Bettie Guthrie on the Dinwiddie County Airport Authority, term expiring January 31, 2004.

IN RE: APPOINTMENTS – CRATER PLANNING DISTRICT COMMISSION (CPDC) - MR. THOMAS E. RASBERRY - MR. ROBERT BOWMAN, IV - MRS. WENDY WEBER RALPH

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Thomas E. Rasberry is reappointed to the Crater Planning District Commission (CPDC) for a term ending December 31, 2007; Mr. Robert Bowman, IV is appointed to the Crater Planning District Commission (CPDC) as the Executive Board Representative and Mrs. Wendy Weber Ralph is reappointed as the Board of Supervisors representative for a term ending December 31, 2007.

IN RE: RESOLUTION OF APPRECIATION – MR. H. L. PARRISH

Resolution

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

DECEMBER 16, 2003

IN RECOGNITION OF

MR. H. L. PARRISH

WHEREAS, Mr. H. L. Parrish served as the Court Services Supervisor, 11th District, for Dinwiddie County, Virginia with distinction and integrity from October of 1978, until October of 2003; and

WHEREAS, the Board of Supervisors on this 16th day of December 2003 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 Mr. Parrish for his many years of loyal service to Dinwiddie County and to extend to him our warmest regards on this occasion and our very best wishes for many years of health and happiness as he enters a new phase of his life;

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Mr. H. L. Parrish, and a copy spread upon the minutes of this meeting.

Upon motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye," the above resolution was adopted.

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the meeting adjourned at 6:16 P.M. to be continued to 7:00 P.M. Monday, January 5, 2004 for the Corridor Study - Route 1 & Route 460 kick -off meeting.

IN RE: SWEARING IN OF NEWLY ELECTED BOARD OF SUPERVISORS – CONSTITUTIONAL OFFICERS

Mrs. Huntus Duke, Deputy Clerk of the Circuit Court, came forward to swear in the Board of Supervisors members and Constitutional Officers elected in November 2003. The following members came forward to take the oath:

Ms. Duke read the following:

"Do you swear that you will support the Constitution of the United States and the Constitution of the State of Virginia and that you will faithfully and properly discharge and perform all the duties as a member of the Dinwiddie County Board of Supervisors according to the best of your ability, so help you God."

The following signified they would by saying "I do", Mr. Robert L. Bowman, IV; Mrs. Doretha E. Moody; Mr. Harrison A. Moody; Mr. Donald L. Haraway; Mr. Michael W. Stone; Mr. William E. Jones; Mr. Eugene F. Marable, III; Mr. Samuel S. Shands; Mrs. Lori K. Stevens.

Robert Bowman, IV, Chairman

Wendy Weber Ralph
County Administrator

/abr

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 5TH DAY OF JANUARY, 2004, AT 7:00 P.M.

PRESENT:	ROBERT L. BOWMAN IV - CHAIR	ELECTION DISTRICT #3
	HARRISON A. MOODY	ELECTION DISTRICT #1
	DORETHA E. MOODY	ELECTION DISTRICT #4
	MICHAEL W. STONE	ELECTION DISTRICT #5
Absent:	DONALD L. HARAWAY – VICE CHAIR	ELECTION DISTRICT #2

==========

IN RE: CALLTO ORDER

Mr. Robert L. Bowman, Chairman, called the continuation meeting to order at 7:13 P.M.

Mrs. Ralph informed the Board that Mr. Haraway was not able to attend the meeting tonight due to illness. She stated due to his illness and the fact that the issues that staff was planning to cover tomorrow at the 5:30 p.m. Continuation meeting were issues he had specifically requested; she felt it would be best to postpone that meeting, if the Board was in agreement. The Board concurred.

IN RE: ELECTION OF CHAIRMAN AND VICE-CHAIRMAN

The County Administrator recommended that the past Chair and Vice Chair be appointed for this meeting only until the new slate is elected at the organizational meeting.

Upon Motion of Mr. Moody, Seconded by Mr. Stone, Mr. Moody, Mrs. Moody, Mr. Stone voting "Aye", Mr. Bowman, "Abstaining", Mr. Bowman was elected Chair and Mr. Haraway was elected Vice-Chair for the Board of Supervisors for this meeting only.

IN RE: CORRIDOR STUDY KICK-OFF WORK SESSION

Mr. Guy Scheid, Director of Planning, stated this is the initial work session for the stakeholders (property owners along the Route 1 and Route 460 corridors as well as those that rent or lease property in study area) and citizens of the County. He introduced Ms. Vaughn Rinner, Director of Planning Principal, Landmark Design Group, and stated we are in the process of developing a timeline for the corridor study meetings. It will be very intense and time consuming. He thanked everyone for coming.

ITEMS DISTRIBUTED FOR MEETING:

- David Thompson provided a set of maps (4) for the audience members to take home. The maps were labeled as follows: Route 1/460 Corridor Study – SECTION 1, Route 1/460 Corridor Study – SECTION 2, Route 1/460 Corridor Study – SECTION 3, Route 1/460 Corridor Study – SECTION 4 (460 Corridor).
- Sign out sheet provided at back of room.
- 24x36 Zone Map displayed on an easel outside of the meeting room.

Ms. Vaughn Rinner presented the following information to the citizens and Board:

Dinwiddie County
Corridor Planning Studies

Routes 1 and 460

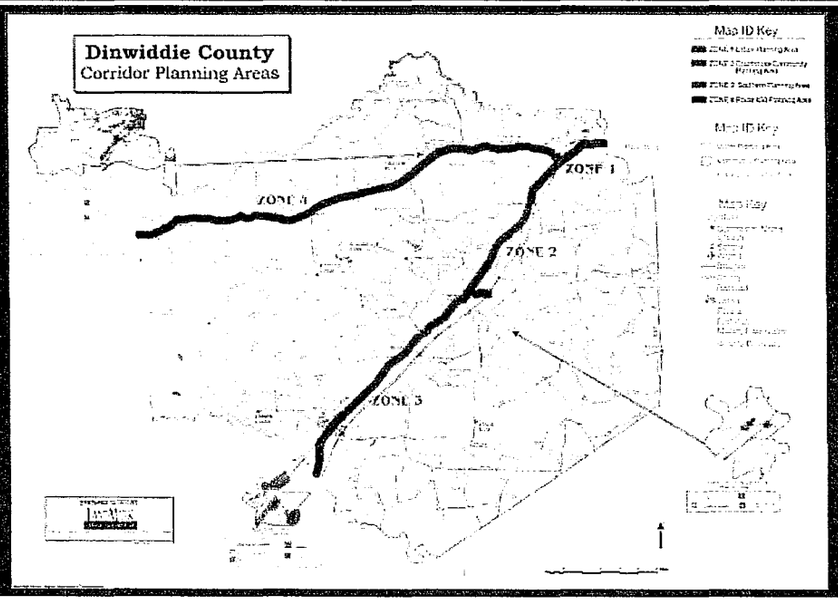


January 5, 2004

LANDMARK DESIGN GROUP

2

Study Area



Project Scope

- **Public Meetings**
- **Analysis Mapping**
  - Potential for Various Land Uses
- **Recommendations for Four Corridor Zones**
  - General Land Use and Potential Rezonings
  - Landscape Architectural Standards with Illustrations
  - Potential Overlay District Locations and Criteria
  - Strategies to Protect Against Premature Development
  - Written Report with Maps and Illustrations

4

Approach to Public Input

Analysis

- Windshield Tour
- Identify What is Positive
- Identify Where Change is Needed

Concept Development

How Do We Get There?

- Identify Potential Methods
- Determine Public Support for Potential Programs

Draft and Final Plan

- Design Recommendations for Each Area
- Recommended Implementation Approach

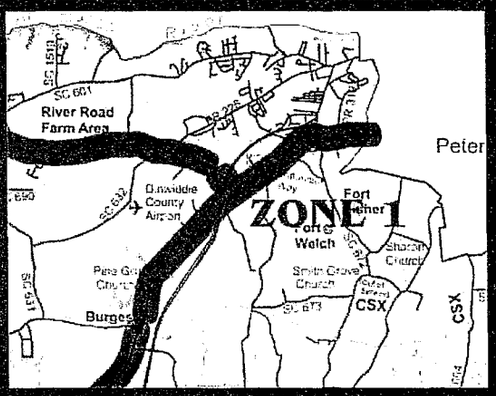
Project Schedule

- Stakeholder Meeting
  - January 5
- Initial Public Input Meetings
  - January 12 and January 15
- Public Meetings on Alternative Studies
  - February 2, February 15, February 19 and March 1
- Review Public Meeting Results (Steering Committee)
  - March 1, March 8 and March 15
- Public Meetings on Refinements and Preferred Alternative
  - March 15, April 8 and April 12
- Work Session on Draft Plan
  - May 12
- Final Plan Presentation
  - June 1

6

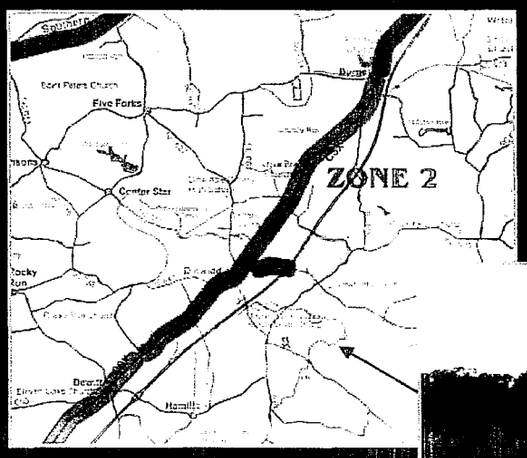
Northern Urban Planning Area





7

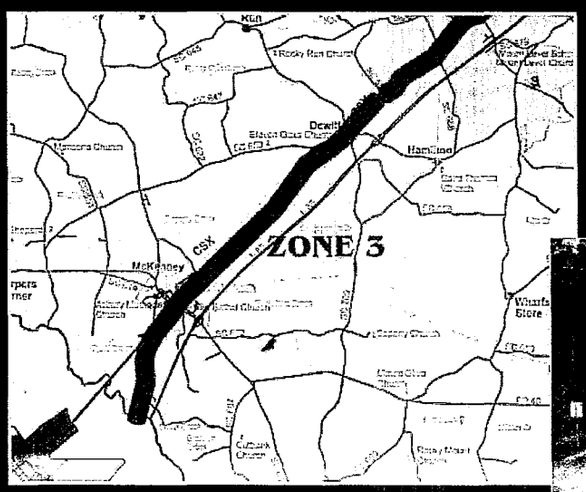
Dinwiddie Courthouse Planning Area





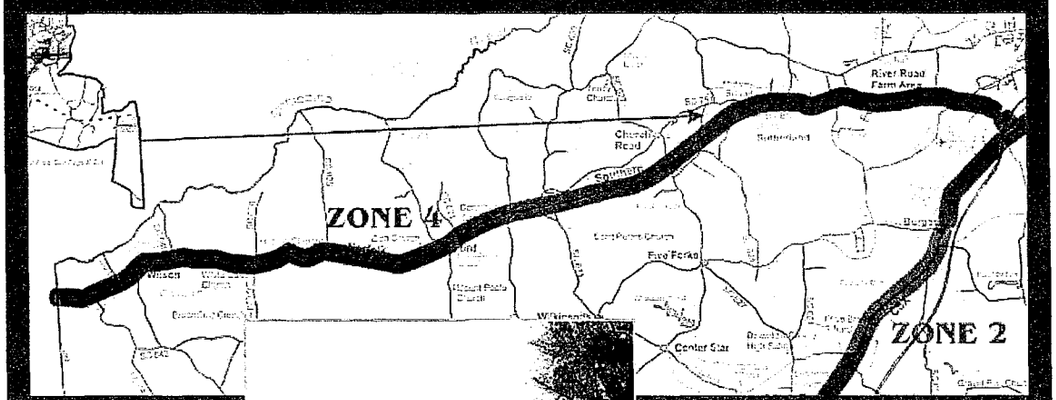
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Southern Route 1 Planning Area





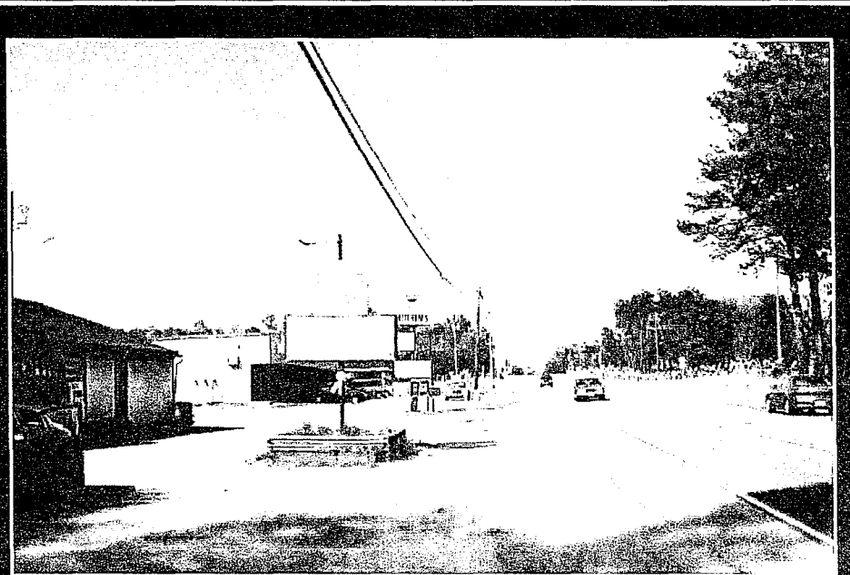
Route 460 Planning Area





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Windshield Tour – The Good and the Ugly



Northern Urban Planning Area



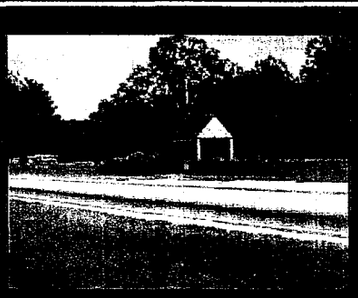
- Interface with Petersburg
- Pamplin Historical Park
- Dinwiddie County Airport
- Virginia Motorsports Park
- Central State Hospital
- Airport Industrial Park

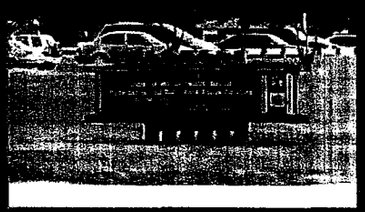




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Central State Hospital







Lake Jordan

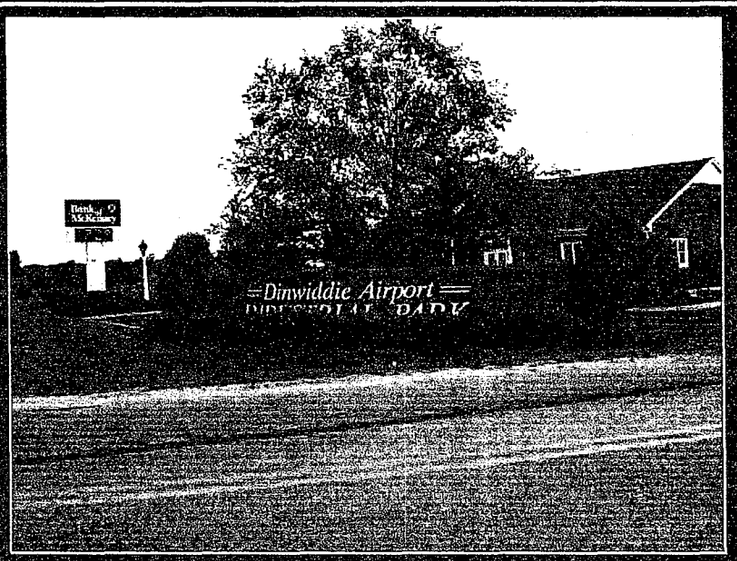




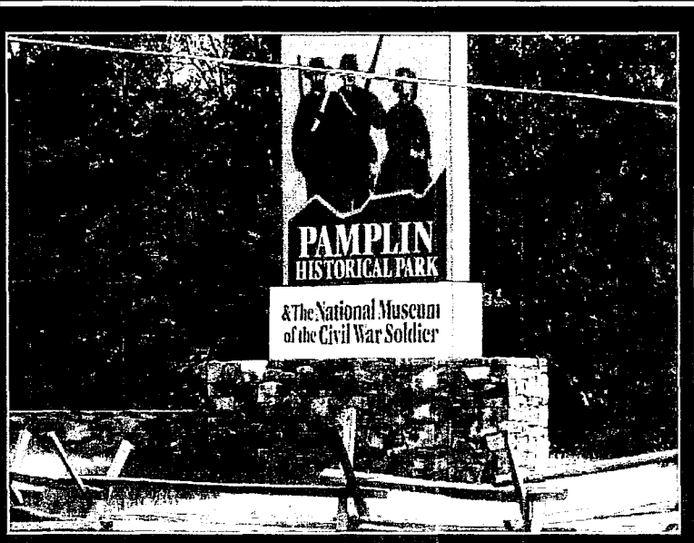


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Airport Industrial Park



Route 1 – Pamplin Park





16

Northern Urban Planning Area - Issues

- Sign "Pollution"
- Land Use Buffers
- Inconsistent Vegetation
- Overly Wide Curb Cuts

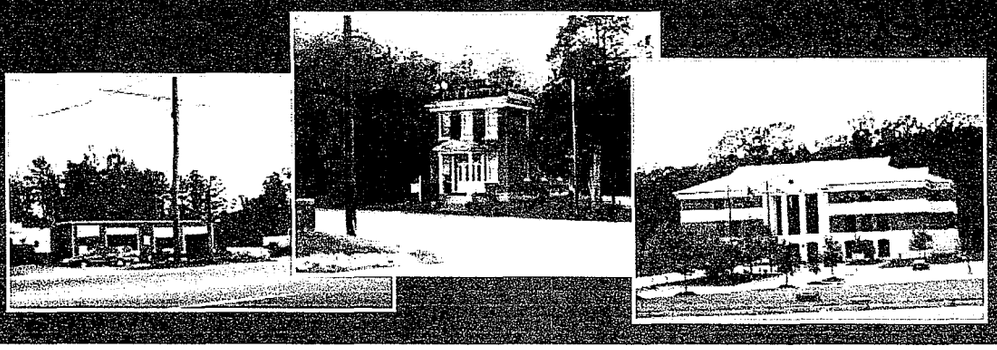




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Dinwiddie Courthouse Planning Area

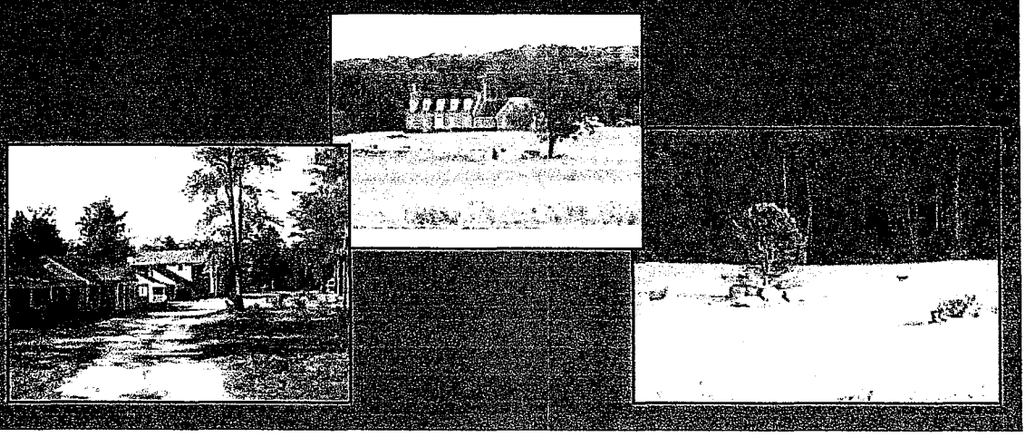
- County Center
- Opportunity to Establish Desired Character
- Include Gateway Interchange at Route 85



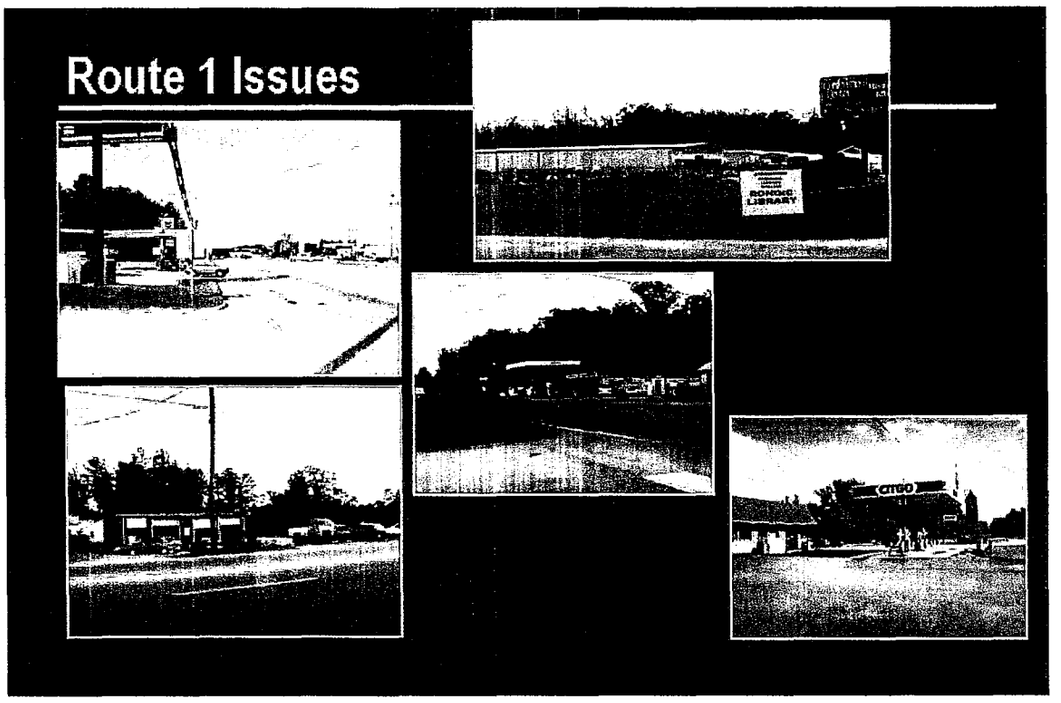
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Southern Route 1 Planning Area

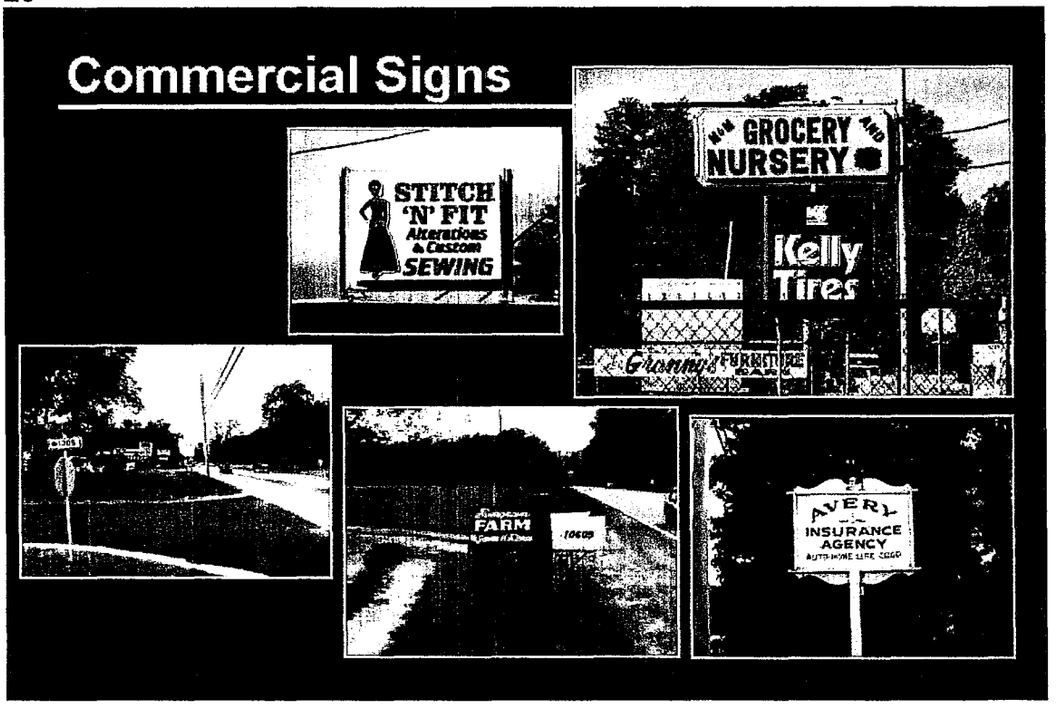
- Retain Rural Character
- Establish Guidelines for McKinley "Village Center"



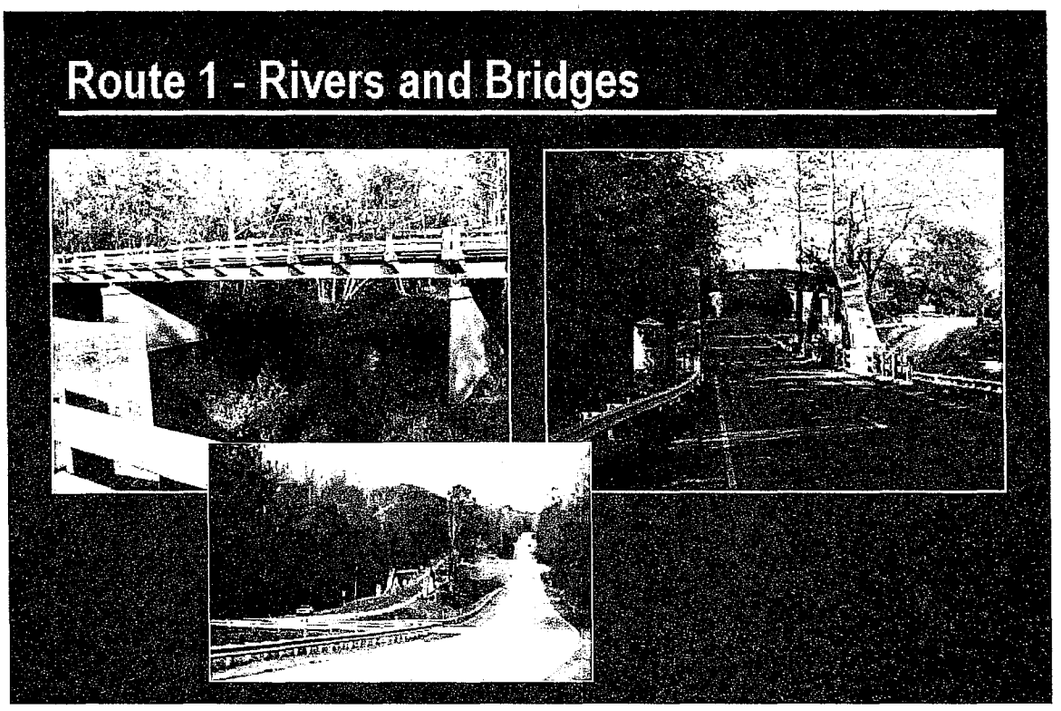
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Route 1 Issues

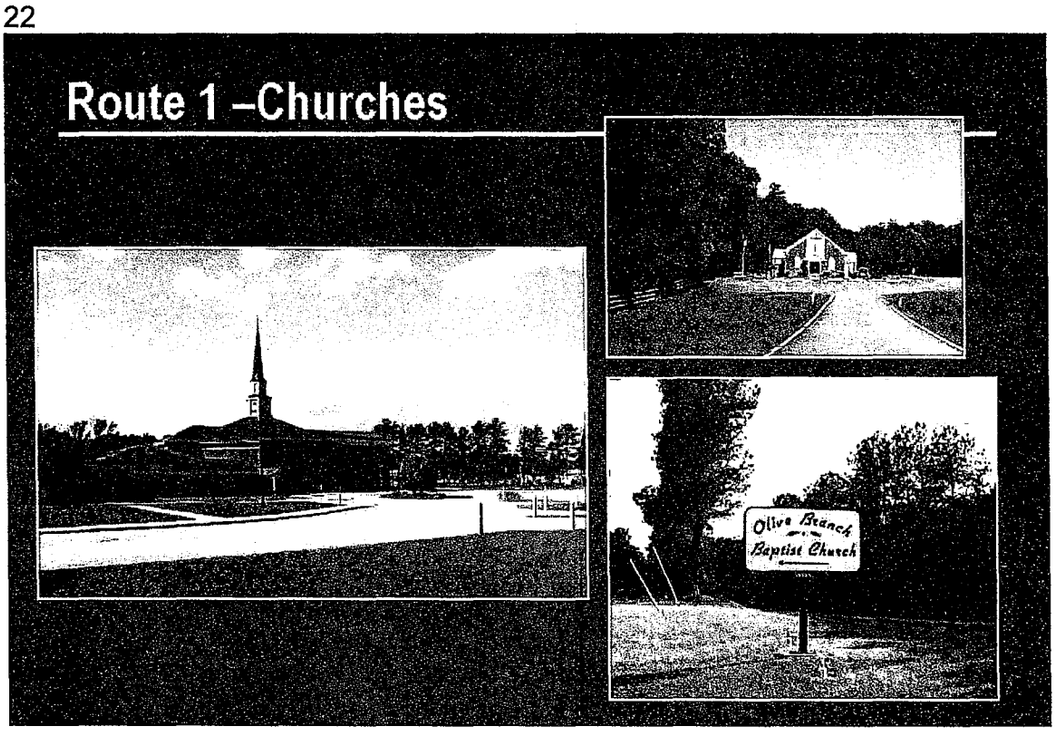
20


Commercial Signs
STITCH
'N' FIT
Alterations
& Custom
SEWING
GROCERY
NURSERY
Kelly
Tires
FARM
AVERY
INSURANCE
AGENCY

21


Route 1 - Rivers and Bridges

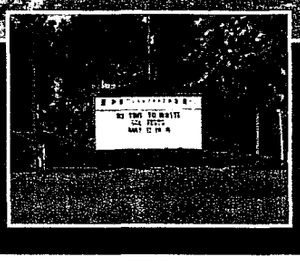
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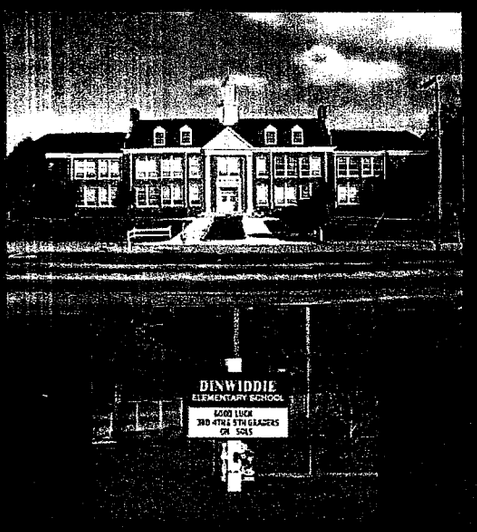

Route 1 –Churches
Olive Branch
Baptist Church

23

Route 1 - Schools



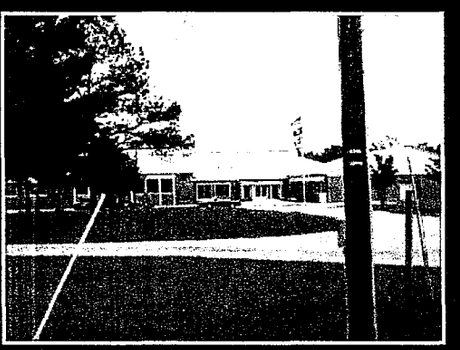




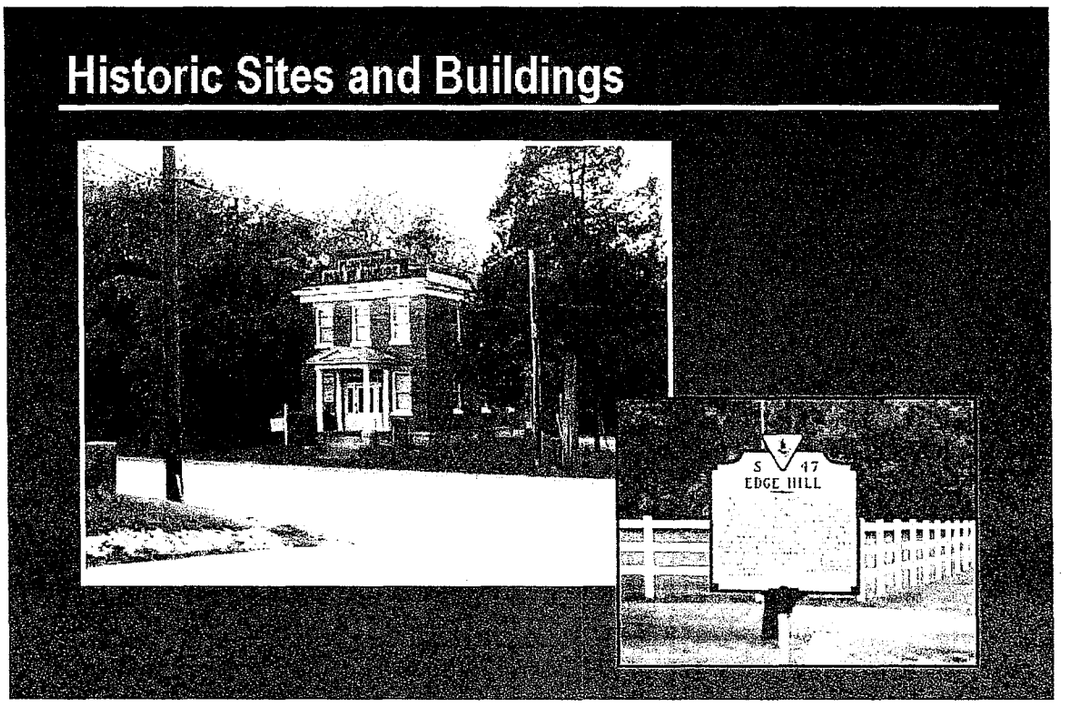
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Community Services





25



26

The presentation was followed by a question/discussion session for the citizens and Board members.

- "The correct spelling is Village of McKenney (not McKennley).
- Looking at stretch to McKenney/major gateway from 85 ? Petersburg is major connection.
- To maintain rural needs, look at opportunities for economic development & how to attract business at the same time.
- Need to clean up U.S. 1 & make it pleasant to look at. Currently no enforcement.

  LMDG - need to look at what needs to be cleaned up - i.e. removing unused signs.

- Need to include putting skirting around such uses as land fills, dump zones etc. - currently a berm along 460.

  LMDG agreed.

- One resident who lives in Section 2 and has a business along Rt. 1 – The road was washed out and they had to drive all the way back to Exit 53. Will there be recommendations of additional access points?

  LMDG - will definitely need to address. This kind of feedback very important so we know this is a problem.

- Including National Park Service during our efforts?

  LMDG – The National Park Service is definitely important because of the many historic sites. Car tours may be considered & direction signs needed.

- County borders – Need additional "Welcome to Dinwiddie" signs along Rt. 460. There is one but that may be all. Need standard welcome sign that distinguish Dinwiddie as a special place.

  LMDG - agrees; also asks if there are any other groups we need to include that are not represented.

- Lots of areas that have major safety issues i.e. for rescue access: 226, Rt. 600. Six (6) months is a long time to spend on this one study of Rt. 460 & Rt. 1. Is safety a priority & budget a priority? How does this fit into existing budget. Wants input from new board (including a list of their priorities & how this fits in & how ties into CIP Plan).

  LMDG - safety is one of the big things: extensive curb cuts, good sight (distance) etc. are all major safety issues.

- What about the Rapid Rail Plan – is LMDG looking into this?

  LMDG – We will speak with Guy on this.

- Are we making specific suggestions to the Board i.e. regarding the ordinances?

  LMDG - We will provide illustrations, etc. to specifically address i.e. w/ overlay districts vs. ordinances & what problems need addressing (we will not be writing text for the ordinance specifically).

- Are we specifying what types of businesses should go where & what is needed;

  LMDG - not completely, we'll be general; the County needs to look at in more detail ultimately (economic vision/plan); for the types of business to attract.

- Beautification Issues
  - Signs (lighted and non-lighted signs)
  - Overhead electrical lines not attractive
  - Need Virginia Power to attend a meeting
  - Incentives ordinances needed
  - Chain link fences
  - Passing on road
  - Business access (safety & visual concern)
  - Shrubbery & signs impedes vision getting on Rt. 1 (people add their own signs - need setback regulated)

  LMDG - Need to get the standards out there so people have some guidelines to follow.

- Older drivers – need guidelines for shielding lighting to keep the light glare off the road deflectors (the person who mentioned this is the same as the one above who listed the several beautification issues).

  LMDG - very good point; options are available. Also, regarding the overhead electrical lines - Putting lines underground makes a big difference but needs to be done in sections.

- Once recommendations are settled, how do you get the people to do what is recommended?

  LMDG – That is an important issue; Have to determine what you want to be guidelines vs. more of a requirement first. Once you get some people started in following the guidelines, others see this and start to follow as well. A lot of times people just need a guideline. Also incentive programs (i.e. incentive funding) for cleanup, painting, sign & other improvements. It is up to the community / Board to determine approach (guidelines vs. requirements).

- Looking at how to join the two Rt. 460's together?

  LMDG – Not part of what we are doing but not in conflict in what we're doing either. Our guidelines would be able to be implemented when this Rt. 460 issue is addressed.

- Need to show samples of various techniques / photos / ordinances as a menu of how-to for general public to see and understand better what the options will be.

LMDG agreed – We will be showing samples in the future meetings.

- A lot of Rt. 1 is 3 lanes wide. Need communication w/ VDOT, some places need 4 lanes (to accommodate right turns).

- How will schedule be broadcast & where will the meetings be presented?

  LMDG - meeting location will depend on the study area being addressed at that meeting. Meetings will be advertised in public notices, plus we have an email address where we can be reached and the information will be available on our website.

- Can the County Website link to LMDGs?

  LMDG - Yes.

- It sounds like the Corridor study is really a beautification effort?

  LMDG - We will be looking at VDOT, too, and also land use and compatibility.

- We need to add the economic study because of importance of the element.

  LMDG - would recommend such a study. It would be a helpful element but is not an essential element. The current corridor study can be still very helpful without having an economic study;

- Can we see some of the same work done for other counties that are just like Dinwiddie?

  LMDG - Each county is unique (but can compare with similar projects).

- This should be an extension of The Comprehensive Plan which had addressed zoning & land use questions. This effort seems to be more land use oriented and less transportation oriented. Will need lots of flexibility to encourage development & economic enhancement.

- Also, we haven't done a land use survey yet. That should be a priority before going further & needs to tie in the CIP and the Zoning through the County Admin Office. Need to go back to the Board to see what the next step should be.

  LMDG – I think we have made a note of that.

- Can't be too restrictive or to regulate too much what people can /cannot do with their land.

  LMDG agrees - New roads will have to deal with VDOT and standards that will have to be developed to ensure safety. With older roads, they will be able to follow new guidelines as much as possible - will have to look at how to address the older roads that do not meet the guidelines.

- Public water affects what & where to build.

  LMDG agrees – and utilities and storm water management also need to be addressed.

- Lighting along roads need to be addressed – especially when dark and/or raining.

Guy Scheid - recommend driving tour to make note of specific problems / problem areas.

- This project has been 10 years in coming; looking forward to the efforts & results of the next 6 months."

Ms. Rinner commented the Corridor Study would be a 6-month process that would include meetings with citizens for their input. She stated her email address is vrinner@landmarkdg.com and the web site for Landmark is

www.landmark.com. If anyone had any questions or comments to please contact her or Mr. Guy Scheid in the Planning Department.

RE: ADJOURNMENT

Upon motion of Mr. Moody, Seconded by Mr. Stone, Mr. Moody, Mrs. Moody, Mr. Stone, Mr. Bowman voting "Aye," the meeting adjourned at 8:47 P.M.

Robert Bowman, IV, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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, 2004, AT 7:30 P.M.

PRESENT:	DONALD L. HARAWAY –CHAIRMAN	ELECTION DISTRICT #2
	HARRISON A. MOODY - VICE CHAIR	ELECTION DISTRICT #1
	ROBERT L. BOWMAN IV	ELECTION DISTRICT #3
	DORETHA E. MOODY	ELECTION DISTRICT #4
	MICHAEL W. STONE	ELECTION DISTRICT #5
OTHER:	DANIEL M. SIEGEL	COUNTY ATTORNEY

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

Mr. Robert Bowman, IV, Chairman, called the regular meeting to order at 7:32 P.M. followed by the Lord's Prayer and the Pledge of Allegiance. He welcomed the new Board members and old members as well stating he was looking forward to working with them.

Mrs. Wendy Ralph, County Administrator, extended a welcome to the new and returning members and commented she hoped to accomplish many good things in the New Year.

IN RE: TERM OF CHAIRMAN AND VICE-CHAIRMAN

Upon Motion of Mr. Stone, Seconded by Mr. Haraway, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the Chairman and Vice-Chairman for the Board of Supervisors will serve a one (1) year term of office.

IN RE: ELECTION OF CHAIRMAN - 2004

Upon Motion of Mr. Moody, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, voting "Aye", Mr. Haraway, "Abstaining", Mr. Haraway was elected Chair for the Board of Supervisors for the year of 2004 or until his duly elected successor assumes office.

IN RE: ELECTION OF VICE-CHAIRMAN - 2004

Upon Motion of Mr. Stone, Seconded by Mr. Haraway, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Haraway, voting "Aye", Mr. Moody, "Abstaining", Mr. Moody was elected Vice-Chair for the Board of Supervisors for the year of 2004 or until his duly elected successor assumes office.

IN RE: AUTHORIZATION TO ORDER NEW SIGNATURE PLATES

Mrs. Glenice Townsend, Chief, Division of Administrative and Community Services, asked the Board if they would authorize staff to order new signature plates for the new Chairman. In the meantime allow Mr. Bowman to continue to sign checks until the new signature plates arrive.

Upon Motion of Mr. Haraway, Seconded by Mr. Moody, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to Administration to move forward on obtaining a new signature plate for the Board of Supervisors and further Mr. Bowman is authorized to continue to sign the checks until the new plate arrives.

IN RE: APPOINTMENT - CLERK TO THE BOARD – COUNTY ADMINISTRATOR & DEPUTY CLERK TO THE BOARD ADMINISTRATIVE ASSISTANT

Mrs. Ralph stated the County Administrator serves as Clerk to the Board according to State Statute; but Mrs. Alma Russell, Administrative Assistant, attends the meetings and prepares the minutes for the Board meetings. Appointments for Clerk to the Board and Deputy Clerk should be made for 2004.

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is hereby appointed Clerk to the Board and the Administrative Assistant is appointed Deputy Clerk to the Board.

IN RE: SCHEDULE OF MEETINGS AND DATES FOR 2004

Mrs. Ralph stated a proposed meeting schedule for 2004 on Tuesdays and Wednesdays had been included in the Board's packet for their review and consideration.

Ms. Moody made a motion to continue to hold the Board meetings on the 1st Tuesday at 7:30 P.M. and the 3rd Tuesday at 2:00 P.M. and to hold the Closed Session at 6:00 P.M. on the 1st Tuesday before the 7:30 P.M. meeting and at 12:30 P.M. before the 2:00 P.M. meeting for the 3rd Tuesday. Mr. Bowman seconded the motion.

Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway 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 2004 with the 8th day following the regular scheduled meetings to be used as a makeup date if the regular meeting is to be continued because the Chair or Vice-Chair find that weather or other conditions are hazardous for the Board members to attend:

THE FIRST MEETING OF EACH MONTH, HELD ON THE FIRST TUESDAY, WILL BE AT 7:30 P.M. IF A CLOSED SESSION IS NEEDED IT WILL BE HELD AT 6:00 P.M.

THE SECOND MEETING OF EACH MONTH, HELD ON THE THIRD TUESDAY, WILL BE AT 2:00 P.M. IF A CLOSED SESSION IS NEEDED IT WILL BE HELD AT 12:30 P.M.

ALL REGULAR AND MAKEUP MEETINGS WILL BE HELD IN THE PAMPLIN ADMINISTRATION BUILDING, BOARD MEETING ROOM, 14016 BOYDTON PLANK ROAD, DINWIDDIE, VIRGINIA 23841.

MONTH	*FIRST TUESDAY 7:30 P.M.*		*THIRD TUESDAY 2:00 P.M.*	
JANUARY		6TH		20TH
FEBRUARY		3RD		17TH
MARCH		2ND		16TH

APRIL		6TH		20TH
MAY		4TH		18TH
JUNE		1ST		15TH
JULY		6TH		20TH
AUGUST		3RD		17TH
SEPTEMBER		7TH		21ST
OCTOBER		5TH		19TH
NOVEMBER		2ND		16TH
DECEMBER		7TH		21ST

THE 8TH DAY FOLLOWING THE REGULAR SCHEDULED MEETINGS TO BE USED AS A MAKEUP DATE IF THE REGULAR SCHEDULED 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

IN RE: STANDARDS/PROCEDURES FOR MEETINGS

The County Administrator commented as requested, the Code of Ethics, Roberts Rules of Order, and sample By-Laws adopted by New Kent were included in their packets. Mrs. Ralph suggested that the Board hold a workshop before they made a decision to adopt standards for conducting the meetings. It was the consensus of the Board to hold a work session to discuss these issues before taking any action.

MR. HARAWAY ASSUMED THE CHAIR.

IN RE: ACCEPTANCE BY CHAIR

Mr. Haraway commented this past year was a very difficult year and he thanked Mr. Bowman for his leadership. He also thanked the Board for placing their confidence in him.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Bowman requested that Consultation with Legal Counsel for status of legal cases for the Commissioner of the Revenue and Personnel be added to the agenda for Closed Session. The County Administrator requested that # 9 Communications System – Review of Coverage Options be removed from the agenda.

Upon motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye," the above amendment(s) were approved.

IN RE: MINUTES

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", Mr. Stone voting "Nay,"

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the September 2, 2003 Regular Meeting and the December 2, 2003 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", Mr. Stone voting "Nay,"

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 1037880 through 1038037 (void check(s) numbered 1037889, and 103800)

Accounts Payable:

(101) General Fund	$ 417,480.02
(103) Jail Commission	$ 389.84
(209) Litter Control	$ 230.00
(222) E911 Fund	$ 2,019.23
(223) Self Insurance Fund	$
(225) Courthouse Maintenance	$
(226) Law Library	$ 71.80
(228) Fire Programs	$
(229) Forfeited Asset Sharing	$
(304) CDBG Grant Fund	$ 1,300.74
(305) Capital Projects Fund	$ 138,800.00
(401) County Debt Service	$ 22,935.66
TOTAL	**$ 588,412.33**

PAYROLL 12/20/02

(101) General Fund	$ 420,131.61
(222) E911 Fund	$ 3,539.66
(304) CDBG Fund	$ 7,723.32
TOTAL	**$ 431,394.59**

IN RE: CITIZEN COMMENTS

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

1. Jenny L. Gibbs – 16016 Glebe Road, DeWitt, Virginia, 23840 – expressed her concern over the litter problem on Route 1 and Glebe Road.

2. Michael W. Bratschi – 23500 Cutbank Road, – McKenney, Virginia – commented the County receives funding for litter but the County Administrator diverts those funds to other places. He stated the inmates could be utilized to pick up litter from the roads. He also requested that the Board look into the use of County vehicles for personal use. Mr. Haraway requested that Staff look into that issue. The County Administrator will supply the list of personnel who drive county vehicles under the Board's direction.

3. Anne Scarborough – Boydton Plank Road, - Dinwiddie, Virginia Welcomed the newly elected Board members. Continuing, she said she was extremely upset that the Board voted to continue meeting in the afternoon. She also commented on the following issues:

a. The pile of trash in the hallway.
b. The replacement of the ambulance, which was wrecked.
c. The consent agenda.
d. The way the Board holds their closed sessions and why the citizens couldn't get details about them.
e. The use of taxpayer's money to pay for Board meals.
f. She requested that the Board and County Administrator use their microphones so everyone could hear them.
g. Mrs. Scarborough also requested that the Board stop using consultants.

3. Kim Kristof – Smith Grove Road, Petersburg, Virginia – remarked she was very upset when she read the article in the paper regarding the dog that was shot by the Animal Control Officer. She contacted the County Administrator who told her she did not have enough information to discuss the issue. Ms. Kristof said she was very surprised when the Animal Control Officer involved in the incident contacted her. She commented it made her feel very uncomfortable to have to speak to her and she felt it was unprofessional for the County Administrator to give her name to the person involved in the incident.

5. Betty Bowen – 5120 Sterling Road, Petersburg, Virginia – she asked the Board if they were going to address "Jamestown 2007"? She stated she would like to see the Board adopt "Roberts Rules of Order" to conduct the meetings. Mr. Stone asked Ms. Bowen if the Historical Society had decided to do anything about Jamestown 2007. She replied she had not heard anything about it yet.

6. Martin Long – Midway Road, Church Road, Virginia – asked if the specific reason for going into closed session for personnel needed to be specified. The County Attorney stated generally speaking the Board doesn't need to identify the specific reason for personnel.

7. Marjorie J. Flowers – welcomed the newly elected Board members here tonight. She stated the same situation that occurred with lady and the dog happened to her too, and it was a very awkward position to be in.

IN RE: PUBLIC HEARING – A-03-8 – AMENDMENT TO BIOSOLIDS ORDINANCE CHAPTER 23, SECTION 6 (A)

This being the time and place as advertised in the Monitor on December 16, 2004 and December 23, 2004, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comment on the following matter:

A-03-8. The applicant, Dinwiddie County Planning Department, is seeking to amend Chapter 23, section 6(a), of the Dinwiddie County Code, entitled Notice and Requirements for Land Application of Biosolids, by deleting the word *only* from the existing text and adding verbiage such that the section will read as follows: **(a) Land application of biosolids is authorized in Agricultural zoning districts, in a zoning district where agricultural uses are permitted by right and/or in a zoning district when authorized as a lawful nonconforming use.**

Mr. Guy Scheid, Director of Planning, stated at the December 2, 2003 meeting the Board adopted the VACo model Biosolids Ordinance, which has already been approved by the State Attorney General's Office. However, he had two basic areas of concern in adopting the VACo model ordinance as it appeared before the Board. The first concern was found in section 23-6.a in which the biosolids use would be limited to the Agriculture zoning district, only.

There are farmers that have farmland in Residential zoning districts and the ordinance adopted would not permit them to use biosolids on their property. The Ordinance was adopted as presented; but the Board agreed with this logic and requested the amendment listed above be advertised for a public hearing for tonight.

Mr. Haraway opened the public hearing. The following citizens came forward to express their concerns or support of the amendment:

1. Geri Barefoot – Frontage Road, Petersburg, VA – opposed the amendment.

2. Mrs. Kay Winn – 244 Winnaway Lane, Rich Square, NC 27869 – stated she had no significant opposition to the amendment. However, signs should be posted when biosolids are applied and there are no requirements for them in this ordinance. She also suggested that a conditional use permit could be required for above ground storage sites and require some type of permitting for other nonconforming usages.

3. Mr. David Dudley – opposed the amendment, stating even third world countries have stopped using biosolids due to problems associated with its usage.

Mr. Haraway closed the public hearing.

Mr. Moody stated at the December 2, 2003, the Board agreed to approve this amendment. The Health Department does a good job monitoring the usage of biosolids and farmers who have been applying them for long periods of time should be allowed to continue using them in RR 1 zoning.

Mr. Scheid stated we don't address in the Ordinance the situation where you have a farm currently operating in an RR, RR-1 or R-1 district. Currently under State law a farmer is protected under the right to farm law such that he may continue using his land for farming purposes in those districts. But the County Biosolids Ordinance as adopted in December 2003 would not allow farmers to use biosolids on their farmland if they are in those zoning districts. This may cause a problem to these farmers since they cannot use the biosolids as a fertilizer when other farmers located within an Agricultural district can use the biosolids.

Mr. Bowman agreed with Mr. Moody and Mr. Scheid saying he felt it would be unfair to those farmers if they were now prohibited from using the biosolids as a fertilizer.

Mr. Stone asked if there was a map of the County to show the locations of the districts where the majority of the biosolids are applied. Mr. Scheid replied Election Districts 1 and 2 and the northern part of 3.

Mr. Haraway asked if the Board wanted to go ahead and vote on the amendment tonight?

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Bowman, Mr. Moody, voting "Aye", Mr. Stone, Ms. Moody, Mr. Haraway voting "Nay," Amendment A-03-8 was not adopted.

IN RE: DEMOCRATIC PRIMARY FUNDING REQUEST - REGISTRAR

Mrs. Linda Brandon, Registrar, stated she did not include funding in her budget for 2003/2004 for the Democratic Presidential Primary. She requested the additional funding for expenses related to the Primary as listed below:

13100-3200	Election Officials	$4,000
13100-3600	Advertising	250
13100-3500	Ballot Printing	1,000
13100-5420	Poll Rentals	400
13100-1303	Voting Machine/G. Chappell	1,000

Total funding needed is $6,650. She commented the Federal Government refunds these expenses but it would take several months to receive the reimbursements. However, in the future, she would include funding for primaries in her budget.

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Ms. Moody, Mr. Stone, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted to transfer an additional appropriation from the undesignated fund balance in the amount of $6,650 to cover costs associated with the Democratic Presidential Primary in February 2004 to the Registrar's budget.

IN RE: COUNTY ADMINISTRATOR COMMENTS

The County Administrator commented Staff and Ms. Phyllis Katz, County Attorney, met with Motorola representatives earlier today to review the information they prepared. She said information from that meeting would be ready to present to the Board, if agreeable, on January 20, 2004 if the Board would be willing to come in earlier that day. There will be a 30-day delay on the staging at this point, but that shouldn't hold up process on the rest of the project. The Board agreed to meet at 11:00 A.M. on the 20th.

Mrs. Ralph also stated a letter from the Crater Health Department is in the information section of their packets. The letter is to inform the County that effective January 15, 2004, the Health Department will implement a district policy requiring that anyone participating in a temporary food event must submit an application to sell and/or prepare food to the local health department, at least 10 working days prior to the event in which they intend to participate. The policy decision is based on workload and manpower issues placed on environmental staff. She commented this was going to affect the issuance of the Special Entertainment Permits and that was the reason she was bringing it to their attention.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody commented it was his understanding that some of the bus drivers were car-pooling to save on fuel. He stated the Board really needs to move forward with contacting the School Board members so that the school issues could be addressed. The Boards need to move forward on those situations.

Ms. Moody concurred with Mr. Moody.

Mr. Bowman welcomed the newly elected Board members and commented he was looking forward to working with everyone on the Board.

Mr. Stone requested that the County Administrator set up a workshop to re-examine proffers. He asked that staff get a list from neighboring localities for building and development fees. He also asked what clubs and organizations could do about the 10-day temporary food event application the health department was requiring? Mrs. Ralph stated she did not know but she would discuss it with the Health Department to see what could be worked out.

Mr. Haraway requested that the County Administrator get together with Ms. Gibbs regarding the litter issue. He also asked that a list be prepared showing employees who drive County vehicles home. She stated it would not be a problem to provide a list for County employees; but she would have to request that the School Board supply their list. Mr. Haraway stated he only wanted the County employees. He also requested that a letter of appreciation be sent to the ladies who helped with the reception. He commented everything looked very nice, the food was good; and it was handled extremely well. He said he didn't think it could have been done any nicer and it was a lot cheaper than any caterer.

Mr. Moody pointed out that the county E911 signs have not been replaced and suggested that a part-time person be hired to get them up. Mrs. Ralph stated that staff was preparing a job description for a monitor for biosolids and if the Board would agree they would like to add that to the job description.

IN RE: CLOSED SESSION

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

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

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

Mr. Bowman seconded the motion. Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", the Board moved into the Closed Meeting at 8:45 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:12 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under Personnel - §2.2-3711 A. 1 of the Code of Virginia - Appointments; *and* Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia – Commissioner of the Revenue;

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

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

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", this Certification Resolution was adopted.

IN RE: BOARD OF ZONING APPEALS RECOMMENDATION FOR APPOINTMENT- MR. CHUCK HORNE

Upon Motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Charles Horne is hereby approved to be recommended to the Circuit Court Judge to be appointed, to fill the unexpired term of Mr. Charles J. Friedl, on the Dinwiddie County Board of Zoning Appeals, for a term ending December 31, 2005, for Election District 3.

IN RE: APPOINTMENT - CRATER CRIMINAL JUSTICE ACADEMY - MR. WILLIAM A. KISSNER

Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. William A. Kissner is re-appointed to the Crater Criminal Justice Academy for a term ending December 31, 2007.

IN RE: APPOINTMENT – MILDRED SPIERS - CRATER DISTRICT HEALTH ADVISORY BOARD

Upon Motion of Mr. Stone, Seconded by Mr. Moody, Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Ms. Mildred C. Spiers is hereby reappointed to serve on the Crater District Health Advisory Board for a term ending December 31, 2006.

IN RE: APPOINTMENTS – DINWIDDIE COUNTY AIRPORT INDUSTRIAL AUTHORITY

Upon Motion of Mr. Stone, Seconded by Mr. Moody, Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Donald J. Hannon and Mr. John V. Mazza, Jr., are hereby reappointed to the Dinwiddie County Airport Industrial Authority, terms expiring January 31, 2007.

IN RE: APPOINTMENT – DINWIDDIE COUNTY WATER AUTHORITY

Upon Motion of Ms. Moody, Seconded by Mr. Bowman, Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Derek T. Mountford is hereby appointed to the Dinwiddie County Water Authority, term expiring December 31, 2007.

IN RE: APPOINTMENT – DISABILITIES SERVICES BOARD

Upon Motion of Mr. Stone, Seconded by Mr. Moody, Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Ms. Sandra Mason is hereby reappointed to the Disabilities Services Board, term expiring January 31, 2007.

IN RE: APPOINTMENT – DISTRICT 19 CHAPTER 10 BOARD

Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. Kimberley Willis is hereby appointed to serve on the District 19 Chapter 10 Board for a term ending December 31, 2006.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Memo from Tim A. Jones, Environmental Manager, Crater Health District – regarding change in policy for applying for a temporary food event permit.
2. Letter from Crater Planning District Commission – regarding the expansion of the Fort Lee firing range.
3. Letter from Department of Transportation – regarding the County Primary and Secondary Road Fund (Revenue Sharing Program) FY 2004-05.
4. Memorandum – Department of Transportation – Public Review – Draft Policy for Integrating Bicycle and Pedestrian Accomodations.

RE: ADJOURNMENT

Upon Motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the meeting adjourned at 10:27 P.M. to be continued until 11:00 A.M. on Tuesday, January 20, 2004 to meet with representatives of Motorola to discuss the Communications System for the Public Safety Building in the Multi-purpose Room of the Pamplin Administration Building.

Donald L. Haraway, Chairman

ATTEST:
Wendy Weber Ralph
County Administrator

/abr

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, 2004, AT 12:30 P.M.

PRESENT:	DONALD L. HARAWAY –CHAIRMAN	ELECTION DISTRICT #2
	HARRISON A. MOODY - VICE CHAIR	ELECTION DISTRICT #1
	ROBERT L. BOWMAN IV	ELECTION DISTRICT #3
	DORETHA E. MOODY	ELECTION DISTRICT #4
	MICHAEL W. STONE	ELECTION DISTRICT #5
OTHER:	DANIEL M. SIEGEL	COUNTY ATTORNEY

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Mr. Donald L. Haraway, Chairman, called the regular meeting to order at 1:14 P.M. in the Multi-purpose room of the Pamplin Administration Building.

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

Mr. Donald L. Haraway, Chairman, 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

The County Administrator requested that Motorola be added to the agenda after the Consent Agenda - "E". There is also a need to continue the Closed Session.

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye," the above amendment(s) were approved.

IN RE: CLOSED SESSION

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

Personnel - §2.2-3711 A. 1 of the Code of Virginia - *County Administration*;
Acquisition of Property - §2.2-3711 A. 3
Consultation with Legal Counsel - §2.2-3711 A. 7

Ms. Moody seconded the motion. Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", the Board moved into the Closed Meeting at 1:15 P.M.

A vote having been made and approved the meeting reconvened into Open Session in the Board Meeting Room at 2:06 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under Personnel - §2.2-3711 A. 1 of the Code of Virginia - County Administration; Acquisition of Property - §2.2-3711 A. 3; and §2.2-3711 A. 7 Consultation with Legal Counsel;

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

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

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", voting "Aye," this Certification Resolution was adopted.

IN RE; SCHOOL BOARD – FY 2004 SUPPLEMENTAL APPROPRIATION #2

Mr. Haraway asked why is there air-conditioning on one of the buses and not the other one? Dr. Lanham, Assistant Superintendent, replied he did not know but would investigate it and let the Board know.

Dr. Lanham was also asked if he was aware of any environmental issues at the Middle School? He stated the basement had been tested 3 times and there was some dust in the HVAC system but no contributing factors to cause any health problems were found. He commented steps have been taken to move the band to a trailer, which is being moved from Midway. He said the second issue was in the annex. The pneumatic controls in the HVAC system have failed 2 times due to condensation in the pipes. Johnson Controls has installed another moisture control system and they said it should take care of the problem. Two children have developed some respiratory problems in that building. One student had a severe asthma attack and one had some asthmatic symptoms in the building. Maintenance staff is doing some heavy cleaning and hopefully that will help.

"January 7, 2004

Mrs. Wendy Ralph
County Administrator
County of Dinwiddie
P.O. Drawer 70
Dinwiddie, VA 23841

Dear Mrs. Ralph:

At their meeting on December 19, 2003, the Dinwiddie County School Board authorized me to forward Supplemental Appropriation #2 to the Dinwiddie County Board of Supervisors for their approval.

We are requesting that the FY2004 budget be increased by an additional $279,809.78 in carry-over funds. These amounts are based on the final audit report recently completed by our auditors. These funds should be allocated as follows:

Head Start	$ 22,479.18
Cafeteria	$ 48,791.20
Textbooks	$206,304.53
School Capital Fund	$ 2,234.87

In addition, we are requesting that the ending balance in the School Fund of $148,608.31 be reappropriatead and allocated to Transportation for the purchase of two additional handicapped-equipped buses. Reappropriation of the ending balance in the School Fund for vehicle purchase has been the board's practice in recent years. We currently have five handicapped-equipped buses in our fleet that are used every day. We have only one spare bus with this special equipment, and it is a 1993 vehicle. We anticipate having to serve another wheelchair-bound child next year that will require a sixth bus daily. Quotes based on the Virginia State Contract are attached for your reference. The remaining $18,786.31 would be used to purchase additional cars also needed to serve a growing population of handicapped students requiring special transportation.

For your information, we have also been recently notified that the Head Start program has approved purchasing an additional bus with federal funds. That bus would be ordered with the two handicapped-equipped vehicles to increase our bus fleet by a total of three buses.

We will be present at the next Board of Supervisors meeting in January to answer any questions regarding this request. Thank you for your continued cooperation.

Sincerely,

Leland J. Wise, Jr., PhD.

December 19, 2003

SUBJECT: Audit Report/Supplemental Appropriation #2

BACKGROUND INFORMATION: Each year the school division's finances are audited as part of the annual county audit by Robinson, Farmer, Cox Associated. The final audit report was presented to the Dinwiddie County Board of Supervisors for review on December 16, 2003. After the audit report has been received, the school division must ask to have certain carry-over funds reappropriated, and has from time to time asked for any ending balance to be reappropriated as well.

ADMINISTRATIVE CONSIDERATION(S): We seek approval to have the following carry-over funds reappropriated by the Dinwiddie Board of Supervisors:

Head Start	$ 22,479.18
Cafeteria	$ 48,791.20
Textbooks	$206,304.53
School Capital Fund	$ 2,234.87

We also seek approval to request that the Dinwiddie Board of Supervisors re-appropriate the ending balance in the School Fund of $148,608.31 to be used to purchase two handicapped buses and one additional vehicle for transportation. The two buses are $60,542 and $69,406 under state contract. Both are needed because of the age of the existing handicapped buses, the need to have back-up vehicles in case of mechanical malfunction, and increasing demands to serve wheelchair-bound students.

RECOMMENDATIONS: Authorization to requests funds from the Board of Supervisors

ACTION REQUIRED: Board approval

CONTACT PERSON: Dr. James W. Lanham, III, Assistant Superintendent
Mrs. Christie Fleming, Finance Officer
Mrs. Wanda Short, Director of Transportation"

Upon motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the above supplemental appropriation #2 for FY2004 was approved.

IN RE: MINUTES

Upon motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the December 16, 2003 Regular Meeting and the January 5, 2004 Continuation Meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", Mr. Stone voting "Nay,"

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 1038041 through 1038178 (void check(s) numbered 1038040, and 1038039 through 1033550)

Accounts Payable:

(101) General Fund	$ 109,561.61
(103) Jail Commission	$
(209) Litter Control	$
(222) E911 Fund	$ 1,822.42
(223) Self Insurance Fund	$
(225) Courthouse Maintenance	$ 2,822.10
(226) Law Library	$
(228) Fire Programs	$
(229) Forfeited Asset Sharing	$
(304) CDBG Grant Fund	$ 656.47
(305) Capital Projects Fund	$ 374,475.33
(401) County Debt Service	$ 513,635.19
TOTAL	**$ 1,002,973.12**

IN RE: TRAVEL REQUEST – PUBLIC SAFETY DIRECTOR

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Public Safety Director to attend the State Fire Chief Conference in Virginia Beach, Virginia on February 25 – 29, 2004, at a cost not to exceed $630.00, from fund 101–035500.

IN RE: MOTOROLA - CHANGE ORDER #4 & #5 – COMMUNICATION TOWERS

The County Administrator informed the public that Motorola had presented a review of coverage to the Board earlier today and the Board requested that the Motorola representative provide them with some additional information regarding change order # 4 for the communications tower for the landfill site.

Ms. Barbara Toumbalakis, Project Manager, Motorola, presented the Board with a breakdown of the charges for the additional concrete needed to change the foundation design for the landfill site. She stated the soil conditions were not something that Motorola would have known about and the bid was based on normal soil conditions. However, after conducting the soil tests it was

discovered that additional concrete would be needed for the landfill tower. She presented the following breakdown for change order #4.

Material $ 987 (concrete, rebar, forms, and delivery)
Labor 5,290 (Additional day per foundation – one tower, 3 anchors)
Equipment 518

TOTAL $6,795

Mr. Bowman commented he still felt the price was excessive. The costs of the materials are not that much more to pour the piles and it would only increase the job by approximately 4 yards of concrete. Mr. Haraway pointed out this price was a 37% reduction from the price quoted earlier. Mr. Moody stated he too felt the price was excessive but he did not want to hold up the project and would make a motion to approve change order #4 to get things rolling.

The Chairman suggested voting on Change Order #5 first. The County Administrator commented this deals with additional concrete needed for the tower at Company One. During the negotiations Staff held with Motorola, they agreed to come up with $26,000 towards the cost. Therefore, Change Order #5 will not cost the county anything.

Upon motion of Mr. Moody, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the above Change order #5 was approved at no cost to the County.

Mr. Moody made the motion to approve Change Order #4 subject to review and approval by Mr. Gene Jones, Buildings and Grounds Director. Mr. Bowman seconded the motion. Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", Change Order #4 was approved at a cost not to exceed $6,795, subject to the Director of Buildings and Grounds review and approval.

IN RE: CITIZEN COMMENTS

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

1. David Dudley – Smith Grove Road, Petersburg, Virginia, 23803 – expressed his concerns regarding:
   a. An ordinance that would require all dogs and cats in the County to be under the leash law. There is a requirement in subdivisions but not in agricultural areas. He requested that the Board initiate this law for the whole County.
   b. He stated he felt Mr. Moody should not vote on Biosolids issues brought before the Board.
   c. The County should hire a County Attorney instead of using the law firm of Sands, Anderson, Marks and Miller.

2. Geri Barefoot – Frontage Road, Petersburg, Virginia, 23803 – stated she had the same concerns about hiring a County Attorney. She also asked who writes the contracts for the County.

3. Anne Scarborough – Boydton Plank Road, - Dinwiddie, Virginia - commented on the following issues:
   a. An ordinance that could be written to increase the Board members salary, which was discussed between the County Attorney and the Board members during the earlier meeting. She asked the Board to compare Dinwiddie County with like counties, not Henrico and Hanover.
   b. She said she felt the Board should have voted to go all digital with the Communications System from the beginning. However,

she knew that the citizens were overtaxed when the County Administrator came up with the funds from the undesignated fund balance in the FY 03-04 budget to upgrade the system with no problem. Out of 95 counties, there are only 20 counties in the State with a higher tax rate than Dinwiddie County.

c. She stated she was disturbed about the article she read regarding the Biosolids Ordinance that was approved January 6, 2004.
d. She remarked about Chaparral Steel not seeking out citizens in the County for employment.
e. Commented that the pamphlet sent out regarding the EMS insurance coverage had some errors in it and County Staff should make sure and proof read these items.
f. Requested a report from Staff on how much money has been paid to the County from the EMS charges for the past year. How much money Central State has paid the County for those services.
g. She also expressed concern about the lateness of the auditors financial report.

4. Michael W. Bratschi – 23500 Cutbank Road, – McKenney, Virginia
   a. He asked what happened to the generator that was removed by Wheel Service from the Administrative Building?
   b. He stated Mr. Bowman should not have voted in favor of the County paying for the reception for the outgoing and incoming county officials.
   c. He also stated Mr. Moody should not vote on Biosolids issues, he felt it was a conflict of interest and he could be prosecuted for it.
   d. Requested that the Board hire a County Attorney.
   e. Urged the Board to allow some of the citizens in the County to sit in on the panels for the hiring of employees..... Mr. Haraway interrupted and requested that Mr. Bratschi take a seat.

5. Kay Winn – 244 Winnaway Lane, Rich Square, NC 27869 – made the following request regarding the Biosolids Ordinance. a. Signs to be posted when biosolids are applied - there are no requirements for them in the ordinance. b. Require conditional use permits for above ground storage sites and require some type of permitting for other nonconforming usages.

IN RE: REPORTS – VDOT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation welcomed Ms. Moody and Mr. Stone to the Board and offered to work with them regarding any issues or concerns they might have.

He provided the following update to the Board:

1. Ferndale Road – pipe replacements at the Railroad underpass –is due in this month; work to begin in Spring.
2. The bid is due in April for the bridge on Route 600 for a complete re-decking. A signal light will be installed and one lane would be kept open to traffic during construction. There will be some public meetings to inform the public what will be happening.
3. Boydton Plank Road (bordering Petersburg and Dinwiddie) bids were sent out and right-of-ways have been finalized. Work should begin March or April and the project should be completed in August.
4. The signalization analysis requested by Mr. Haraway at the Ferndale Road and Cox Road intersections, has been initiated.

5. Interstate 85 overpass bridges (exits 63 and 61 - between Route 460 and U.S. Route 1) major repairs are needed. Re-decking and paving will be done on both bridges consequently there will be some lane closures on I-85; but traffic detours can easily be done between the interchanges. The project would take approximately 18 months to complete.
6. Utility Companies working at the intersections of Cox Road and Rt. 1 have a map, which shows more right of way than the VDOT maps show for that intersection. If this were the case, this would allow room for VDOT to do more improvements at that intersection. No work will be taken by VDOT until this information has been verified. But it would lower the costs associated with work done on this intersection if it is true.
7. Revenue Sharing Program - the County traditionally has not participated in the program, but if the Board is interested he would make sure the County Administrator gets the information. A project has been completed in Prince George County if any of the Board members would be interested in looking at it.
8. He reported less than 10% of the snow budget has been spent and if all goes well the county should be in good shape this year.

Board Member Request/comments

1. Mr. Stone asked what was happening on Route 1 just past Gatewood? Mr. Caywood stated he was not certain but he would find out.
2. Mr. Stone requested that VDOT check on the culverts at the pond near the Wainwrights on Route 40.
3. Mr. Haraway requested that the potholes on Autumn Drive be repaired.

IN RE: COMMISSIONER OF THE REVENUE – UPDATE

Mrs. Lori K. Stevens, Commissioner of the Revenue, gave the following update to the Board:

1. Personal Property tax forms – DMV deleted the 2003 vehicle files in preparation of 2004. So DMV reloaded the 2003 year which essentially duplicated everything when it was downloaded. Staff now has to delete all duplicated data and continue to do the add ons. Hopefully the personal property returns will be completed by the first of next week. She requested that the County Attorney be allowed to draft an ordinance to allow an extension of time for the citizens to file their returns by March 1, 2004 for this year.

2. The Public Service Corporation Real Estate tax bills have been sent out for 2001. The total assessments added are $23,918,600. The abatements totaled $61,447.57. Total revenue for 2001 will be $122,725.66. The Personal Property tax book was produced using the same tax ticket numbers as the real estate for public service and no tickets were ever produced. The amount of assessments for personal property public service is $231,883 with revenue generated of $11,362.27. These tickets will be done as soon as possible.

3. Documents for 2002 sent from the State Corporation Commission and State Taxation Department could not be located in the office. Some information has been faxed to the office but we are awaiting full documentation from both agencies. At this point, we are sure that some of 2002 will have to be abated or supplemented.

4. The office is ready to do 2003 tickets but the 2001 tickets must be run first. The tentative assessment amount for real estate will be $103,882,591 generating revenue of $799,895.95 and personal

property assessments will be $117,406 generating revenue of $10,511.43.

5. The prior commissioner, as a courtesy, produced the 2003 real estate assessments tickets for the Town of McKenney. However, several tickets were blank and they don't know whom the tickets were for. They have requested some assistance in determining whom the tickets belong to, but no documentation was left in the office. Staff has tried to recapture some of the data but the query doesn't appear to have any type of order as far as alpha or numeric.

6. Her department has no data for the mineral tax files and that file will have to be reconstructed. She commented she has a meeting with the County Attorney and Mr. Tom Morelli with the Tax Department next week to discuss what can be done.

IN RE: REIMBURSEMENT OF TAX ASSESSMENT FOR TAX YEAR 1998 – WILLIAM BARNES

The Commissioner stated she had a request from Mr. William Barnes to reimburse him for supplemental tax assessments issued in 2002 for taxes owed in 1998. According to the County Attorney's opinion, if the commissioner of revenue determines that any local tax has not been assessed for any tax year, the commissioner may assess the unpaid taxes and add appropriate interest and penalties, if any, *Virginia Code Ann. §58.1-3903.* In 2002, the then-commissioner of revenue determined that local taxes on certain mineral lands owned by a taxpayer had not been assessed. On June 18, 2002 (according to the taxpayer's attorney and William E. Jones, Treasurer for Dinwiddie) the commissioner made supplemental tax assessments on those mineral lands for the tax year 1998 through 2002.

"In 2002, the commissioner issued a supplemental assessment for the 1998 tax year, which was one year beyond the three-year "look-back" permitted by *§58.1-3903.* Thus, the commissioner's assessment for the 1998 tax year was made in error. The taxpayer timely filed a proper application for correction and the County Attorney advised the Commissioner to take action to return the amount erroneously paid ($35,828.14), plus interest at 10% from the date of payment which was July 24, 2002."

Mrs. Stevens commented based on that opinion she requested that Mr. Barnes be reimbursed the $35,828.14 plus the 10% interest.

Upon motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Commissioner of the Revenue is hereby authorized to reimburse Mr. William Barnes the taxes paid based on the assessment for the 1998 tax year made in error in the amount of $35,828.14, plus interest at 10% from the date of payment on July 24, 2002.

IN RE: RESOLUTION TO EXTEND DATE FOR FILING PERSONAL PROPERTY TAX FORMS – MARCH 1, 2004

Mrs. Lori K. Stevens, Commissioner of the Revenue, requested that the Board adopt a resolution to extend the filing date for the personal property tax forms to March 1, 2004. DMV deleted the 2003 vehicle files in preparation of 2004, so DMV reloaded the 2003-year that essentially duplicated everything when it was downloaded. Staff now has to delete all duplicated data and continue to do the add ons. Hopefully the personal property returns will be completed by the first of next week.

There was discussion regarding an extension among the Board members. After this discussion it was decided to grant an extension until March 1, 2004.

Upon motion of Mr. Stone, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Commissioner of the Revenue is hereby authorized to grant an extension for the citizens to file the personal property tax forms to March 1, for the 2004 tax year only.

IN RE: AUTHORIZATION TO ADVERTISE ORDINANCE TO EXTEND DATE FOR FILING PERSONAL PROPERTY TAX FORMS – MARCH 1, 2004

The Commissioner also requested that the County Attorney be allowed to draft an ordinance to allow an extension of time for the citizens to file their returns by March 1, 2004 for this year.

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Attorney is authorized to draft an ordinance to allow an extension of time for the citizens to file their personal property returns by March 1, for the 2004 tax year only.

Mr. Haraway stated he would appreciate it if staff would set up an appointment with Ms. Cathy Carwile to meet with the Board members to see if a file deletion security system could be put on the County's computer system. The County Administrator replied she would set it up. Mrs. Stevens stated Mrs. Carwile had done an outstanding job of recapturing files that had been deleted and doing back up for files.

IN RE: REVIEW OF FEE SCHEDULES – BUILDING & PLANNING DEPARTMENTS

Mr. Dwayne Abernathy, Building Inspector, commented he provided the permit fee schedules for Dinwiddie County, Chesterfield County, Prince George County, Brunswick County, Amelia County, Greensville County and Sussex County, which was requested by the Board in the their packets. He commented the last year any increases for permits in the County were approved was July 1, 1999. He provided the following proposed County building permit fee schedule:

PROPOSED PERMIT FEE CHANGES

Permit Fees were last increased on July 1, 1999.

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

Permit amendments, extensions, reinstatement and change of ownership/contract change. (Thirty Dollars)..... $30.00

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.....$10.00 ea

(C) Building Permits. Building permit fees shall be as follows:

(1) Minimum/base fee for any permit (Fifty Dollars) $50.00
Base fee added to all permits

(2) State levy on all applicable permit fees, 1.75%

(3) Single story residential dwellings, including additions, and remodeling fifteen cents per square foot + base fee..... 0.15 sq.ft. + $50.00

(4) Porches, decks, garages, carports, storage buildings, basements, churches, second and higher stories, fifteen cents per sq. ft...0.15/sq ft + $50.00

(5) Industrial buildings, schools and commercial buildings fifteen cents per square foot + base fee.....0.15/sq ft + $50.00

(6) Installation or set-up of mobile homes:

Single-wide $100.00
Double-wide..... $150.00
Triple wide ..... $ 200.00

(7) Swimming Pools .....fifty dollars.....$50.00
Fence around pool, twenty dollars $20.00

(8) Signs:

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

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 $150.00

(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% + $50.00 base fee

(14) Chimney...Thirty Dollars $50.00

(15) Roof Shingles, tin, cedar shakes....Thirty Dollars $50.00
(Only required for Commercial property not required for residential property)

(16) Tanks, removal or installation (underground or above ground):

(a) 600 gallons and under, seventy-five dollars ..... .$ 75.00
600 gallons to 1,000 gallons, one hundred dollars $100.00
1,000 gallons and over, one hundred fifty dollars.....$150.00

D. Electrical permits, Residential.
Base fee $50.00 + .05 cents per sq. ft.

E. Electrical permits, Commercial.
Base Fee $50.00 + 1% of Contract

F. Plumbing Permits, Residential
Base Fee $50.00 + .05 cents per sq ft.

G. Plumbing Permits, Commercial
Base Fee $50.00 + 1% of Contract

H. Mechanical Permits, Residential
Base Fee $50.00 + .05 cents per sq ft.

I. Mechanical Permits, Commercial
Base Fee $50.00 + 1% of Contract

J. Fire Suppression
Base fee $50.00 + 1% of contract

K. Amusement Devices.

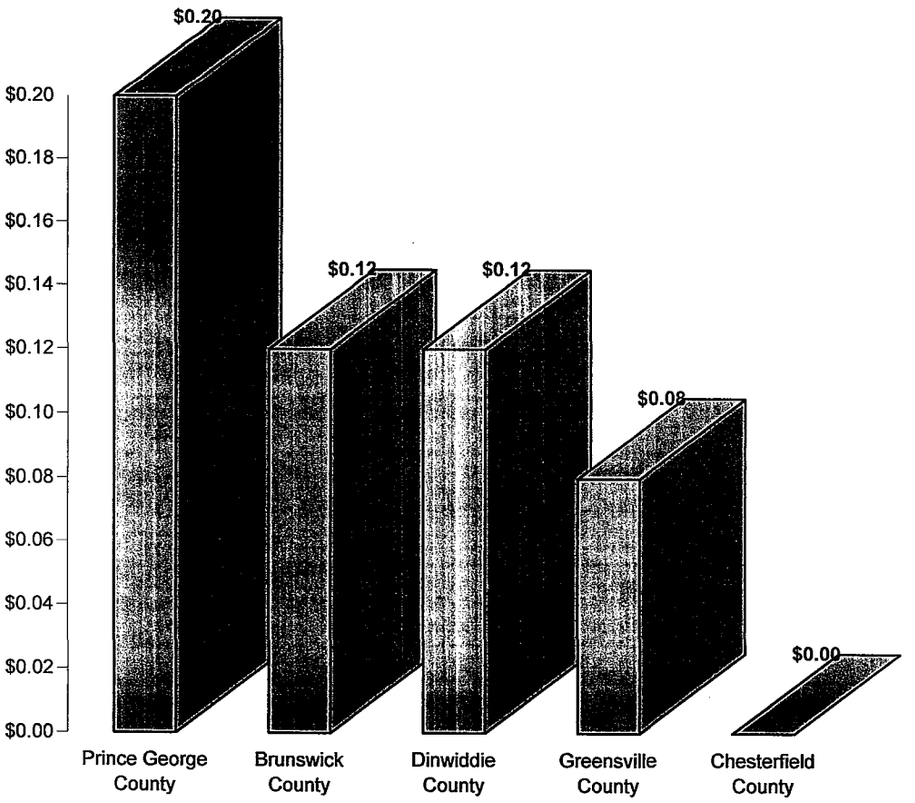
1. Kiddy Rides $20.00
2. Major Rides $30.00
3. Spectacular Rides $50.00

Section 6-22. Charge for inspection visit when building not open or job not ready for inspection.

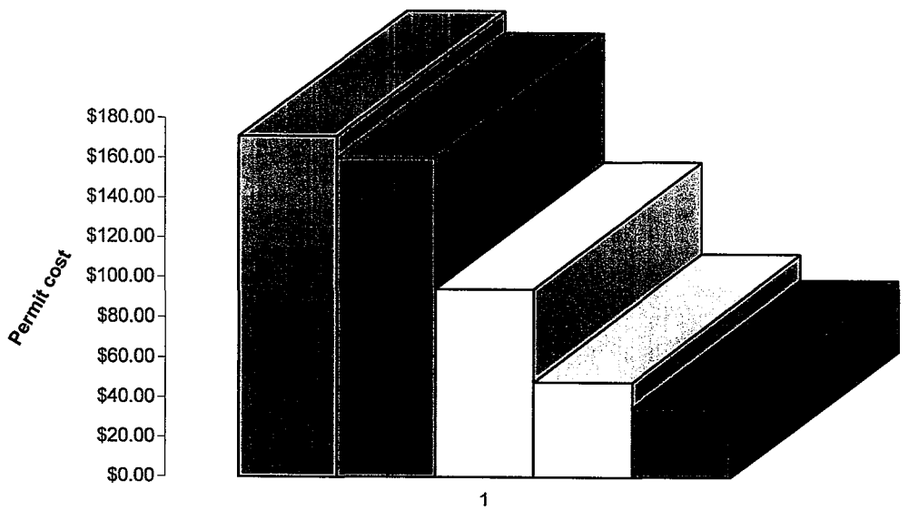
A fee of fifty dollars ($50.00) shall be charged for the re-inspection of work not completed, ready or open for access. The re-inspection fee shall be paid prior to performance of any re-inspection.

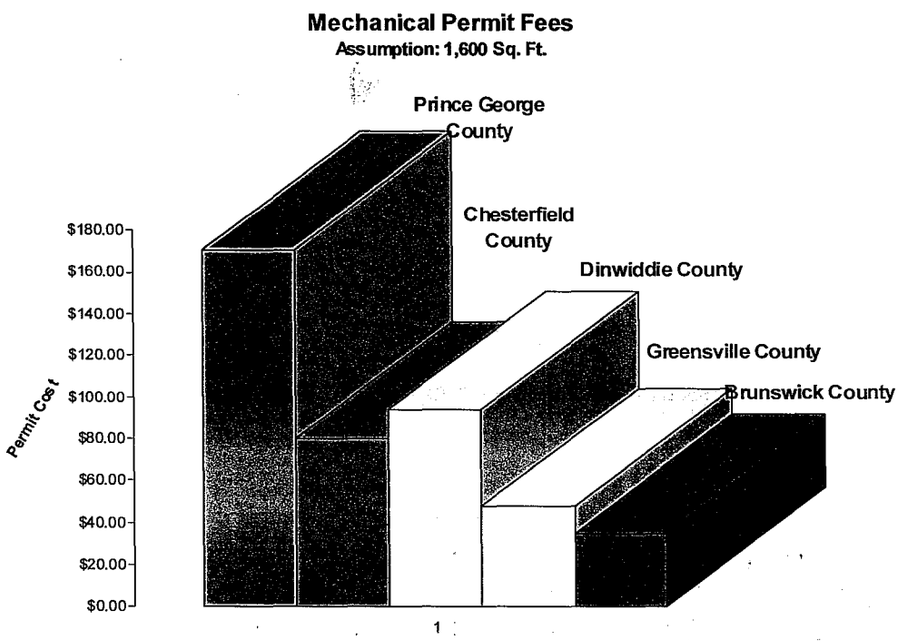
Mr. Kevin Massengill, Assistant County Administrator, provided the following graphs showing the comparisons for permit fees for the surrounding counties listed:

Building Permit: Cost per Sq. Ft.



Plumbing Permit Cost
Assumption: 1,600 Sq. Ft. home

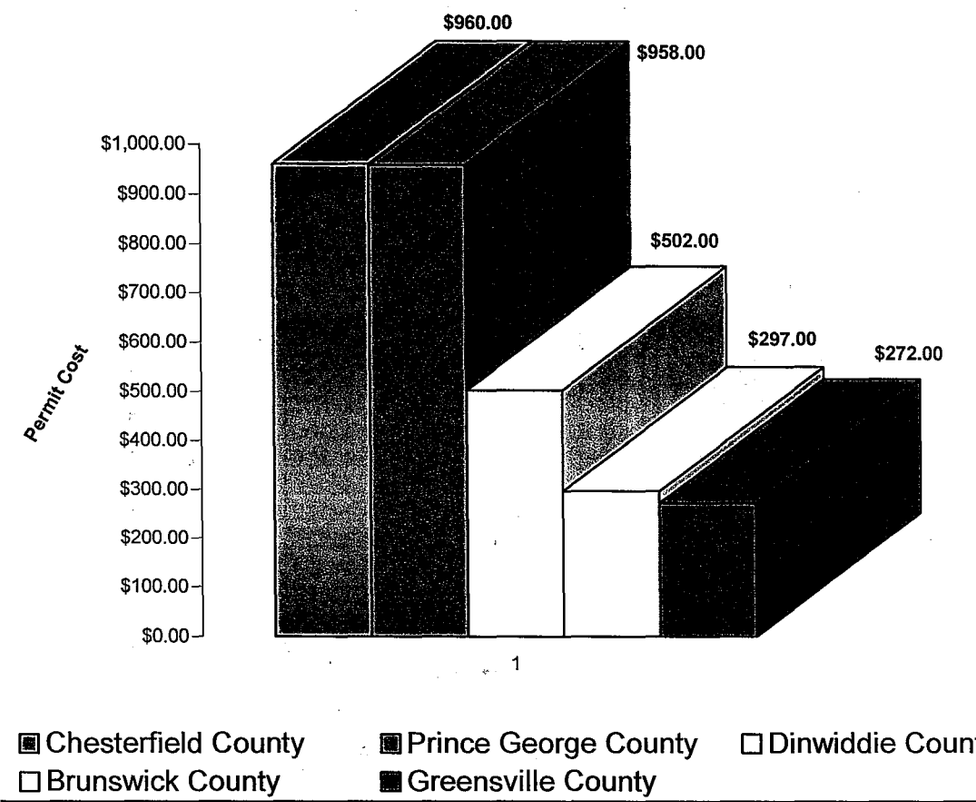




Total Single-Family Permit Cost For New Construction

Assumption: 1,600 Sq. Ft. Home

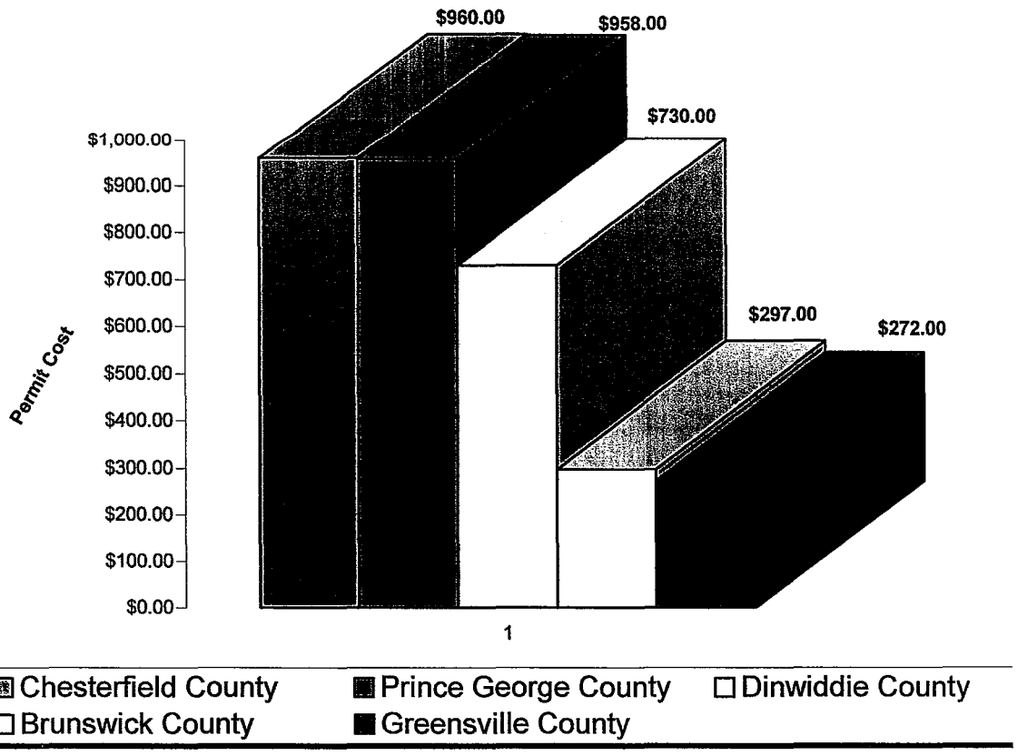
(Includes: Building Permit, Electrical Permit, Plumbing Permit, Mechanical Permit, Gas Permit)



Suggested Increase: Total Single-Family Permit Cost For New Construction

Assumption: 1,600 Sq. Ft. Home

(Includes: Building Permit, Electrical Permit, Plumbing Permit, Mechanical Permit, Gas Permit)



The Building Inspector commented it has been the practice of the County in the past to cover expenses to provide services not to provide income for the County. In keeping with those practices the fee schedules proposed should cover the cost of the services the department provides citizens. The County Administrator cautioned the Board that with an increase in fees comes an increase in the expectation for services, which will require additional resources, i.e. personnel.

IN RE: RECESS

The Chairman called for a recess at 4:11 P.M. The meeting reconvened at 4:16 P.M.

IN RE: FEE SCHEDULES – BUILDING & PLANNING DEPARTMENTS CONT'

Mr. Guy Scheid, Director of Planning, provided the following report to give the Board an overview of the Planning fees for the surrounding counties.

	Dinwiddie County	Amelia County	Brunswick County	Chesterfield County	Greensville County	Lunenburg County	Nottoway County	Powhatan County	Surry County	Sussex County	Prince George County
Plat Review	10.00	100.00-10.00 ac	75.00		150.00	25.00	n/c	n/c	n/c	300.00+3.00 lt	n/c
E & S Plans/land disturbance	100.00+ 5.00 ac	100.00-10.00 ac	n/c	attached	100.00	25.00	50.00	150.00+25.00ac 300.00+75.00ac	100.00	200.00+4.00 ac	150.00+10.00ac
Rezonings	275.00	300.00	275.00	see	300.00	50.00	50.00	200.00 (Ag) 1000.00+50.00 Rs)	150.00	300.00+4.00 ac	600.00
Variances	175.00	300.00	175.00		200.00	50.00	200.00	250.00	50.00	450.00	200.00
Special Exception	275.00	300.00	100.00		300.00	n/c	20.00	n/c	50.00	450.00	400.00
Adm. Variance	20.00	n/c	175.00		n/c	n/c	n/c	n/c	50.00	n/c	200.00
Appeals to PC	40.00	n/c	275.00		175.00	n/c	n/c	n/c	n/c	n/c	n/c
Appeal to BZA	40.00	300.00	175.00		175.00	n/c	n/c	n/c	n/c	500.00	200.00
CUP	275.00	300.00	275.00		300.00 250.00	25.00	20.00	150.00-500.00 plus 25.00 ac	150.00	300.00	500.00
Subd. Review	125.00+ 10.00 lot 250.00+ 10.00 lot	major-100.00+10.00 lot minor-100.00	<20 lot-125.00 >20 lot-200.00		15.00 +1.00 lot	10.00	50.00 +2.00 lot	n/c	15.00 + 1.00 lot 25.00 +1.00 lot	>5 lots-150.00+4 <5 lots-50.00+4	2-5 lots 150.00 >5 lots 200.00+20ac

He commented that the fees for the Planning Department have not been increased since 1999 either. But unlike the building department, fees paid to the Planning Department would never pay for administrative services provided to the public. He reviewed the proposed fee schedule changes for the Planning Department.

Mr. Haraway commented the County is going to have to build some new schools. Does the Board want to increase real estate 2 cents per $100 of the assessed value or do we want the people moving into the County to pay for the services they will demand? The Assistant County Administrator again reiterated in the past the department only generated enough funds to pay for the services provided by the building inspector's department. He pointed out if the County increased the fees too much it would be too big of an increase at once and he felt the fees should be increased in increments.

It was the consensus of the Board to review the fee increases and proffers at the budget work sessions.

Mr. Stone complimented Mr. Scheid for all the work he did regarding the Harpers Road recreational mining permit. He stated he never realized just how much time was involved in these applications.

IN RE; BIOSOLIDS ORDINANCE - AFFECT ON PERMIT HOLDERS

The County Attorney commented Mr. Chairman, we heard some bizarre remarks today from individuals who have made kind statements based on little knowledge, all regarding the Virginia Association of Counties Model Biosolids Ordinance that was adopted by the County and the subsequent proposed Amendment which was not adopted. We have always believed that the Board's actions in adopting the Model Ordinance and its decision to reject the proposed Amendment were and continue to be valid and legal. Had we thought otherwise we would have addressed that with the Board. One point, which may need clarification for the public, is that State law provides that anyone with a current State Permit to apply biosolids cannot be prohibited from proceeding under such State Permit by the adoption of the Model Ordinance, regardless of whether or not the land permitted is in an Agricultural Zoned area. If someone presently has

a State Permit issued before the effective date of the Model Ordinance, February 1, 2004, he can continue to apply biosolids under the Permit. After the Model Ordinance goes into effect, the County should be able to prohibit land application of biosolids in all zoning districts (except those zoned agricultural) by advising the Virginia Department of Health during its review process each time a permit is applied for, that the application is not in conformance with the County's land use ordinances. If the Board has any further questions, he said he would be happy to address them.

IN RE: AUTHORIZATION TO ADVERTISE – PART-TIME POSITION FOR BIOSOLIDS COORDINATOR/ENVIRONMENTAL LAND TECHNICIAN

The County Administrator advised the Board that there was a need for a part-time employee to implement and enforce the biosolids program and, the need for someone to enforce the erosion control ordinance plus investigate storm water control problems. She asked Mr. Scheid to brief the Board on the funding sources and need for this position.

Mr. Scheid pointed out he realized that cost is important to the Board and Administration when considering a new employee position. The biosolids program makes provisions for reimbursement to the County for some, if not all, of the costs associated with the program. There is the ability of the County to raise fees charged under the E&S program to capture some of the costs of this program. While there is not a current funding source for efforts related to storm water control matters, this is an area of growing concern to me. There may be future actions that can be taken by the Board to generate some funding in storm water management.

In view of the above, it appears reasonable that the County should consider an employee to monitor both the biosolids and E&S programs as well as devote some time to the storm water drainage complaints filed with the County. Primary emphasis will be placed upon the biosolids ordinance but efforts can be directed to E&S inspections when land application of biosolids is dormant.

The County Administrator also noted if the Board would allow staff to advertise for this position it would be fairly easy to incorporate all the duties in this one position. She added that the person hired would be required to work approximately 1,000 hours per year. They would also have to provide their own transportation and the County would reimburse them for mileage.

Mr. Stone pointed out to the Board that the replacement of the E911 signs had been mentioned several times before to be included in the duties of this position. He also noted that the Code Compliance Offenses listed in the report this month might be an indication that the Compliance Officer could use some help.

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye",

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes Staff to advertise for a part-time position to serve as the Biosolids Monitor/Environmental Land Technician to work approximately 1,000 hours per year at an hourly rate of $12 - $15.

INRE: DINWIDDIE COUNTY TUITION REIMBURSEMENT PLAN FOR COUNTY EMPLOYEES

Mr. Kevin Massengill, Assistant County Administrator, and Mrs. Barbara McKitrick, Human Resource Assistant, provided the following tuition reimbursement plan to the Board for their consideration:

"Dinwiddie County Tuition Reimbursement Plan
December 19, 2003
1. POLICY
The Tuition Reimbursement Plan provides eligible employees with the opportunity to obtain, maintain, or improve job-related capabilities through participation in courses of study at accredited colleges and universities and organizations specializing in job and career-related education and training.
2. GENERAL
A. Employee Eligibility

Tuition reimbursement is available to full-time, regular, benefit-based employees that are under the County's personnel policy and that are continuously employed with at least six months of services beyond the probationary period. Tuition reimbursement for graduate courses is limited to full-time, regular, benefit-based employees that are under the County's personnel policy and that are continuously employed with at least one year of service.
B. School Eligibility

Baccalaureate and graduate level courses must be taken for academic credit through colleges and universities that are accredited.
Courses leading to certification must be taken at a school or through an organization that is authorized by County Administrator and/or the Board of Supervisors to provide such educational programs. Classes offered on the Internet will be accepted as they reflect a degree program

C. Course Eligibility

(1) Programs leading to professional certification must be in a specific job-related field of professional discipline, and should provide the participating employee with skills, knowledge and competencies applicable to their current position. For participation in such programs, employees may be approved for reimbursement of tuition up to a maximum of **$400 per fiscal year ($200 per course).**

(2) Undergraduate and graduate level academic courses taken as part of a career development program should provide an employee with skills, knowledge and development plans. For undergraduate, graduate, university extension, university continuing education, and audited courses, tuition may be approved for reimbursement up to a maximum of **$400 per fiscal year ($200 per course).**
(3) Job-related graduate level academic programs, up to and including those leading to a doctoral degree, must provide an employee with skills, knowledge, and competencies that are specifically applicable to their current position classification and enhance her or his performance in that job. For participation in such graduate level courses at an accredited university, tuition may be approved for reimbursement up to a maximum of **$400 per fiscal year ($200 per course).**

D. Tuition and Fee Provisions

(1) Reimbursable
(a) For courses that are taken for credit as part of a degree program, tuition is reimbursed only for courses taken and completed with a final grade of "C" or equivalent, or higher in undergraduate work or a "B" in graduate work. For courses leading to professional certification, course registration costs will be reimbursed only after the participating employees submits evidence of having successfully completed course requirements leading to professional certification.
(b) In order to be eligible for reimbursement, first the employee's supervisor must review and certify that the program for which the employee is applying meets the specified criteria. Following certification by the employee's supervisor, the proposed course must be assessed and approved in advance by the Division Chief following the County Administrator and/or Board of Supervisors

(c) Graduate tuition reimbursement is limited to one Master's and one Ph.D. per employee.
(d) The maximum reimbursement for all courses of study, including certification, career development and job-related graduate study combined, will not exceed **$400** per calendar year.
(e) If eligible employees are laid off, their hours are reduced, or they go on a disability leave of absence, any approved course(s) in progress will be reimbursed, provided the course is completed with a final grade of "C" or equivalent, or higher, and fulfills the other provisions of this policy
E. Not Reimbursable
(a) Except for courses leading to professional certification as described above, the following do not qualify for tuition reimbursement: professional seminars and workshops, symposia, short (non-credit) courses; college/university entrance exams; review programs for entrance exams; or courses at non-accredited institutions.
(b) Itemized fees are not reimbursable to employees, such examples include application/pre-admission registration fees, transcript fees, test preparation fees, admission testing fees, placement fees, course waiver or challenge fees, book costs, travel costs (i.e., transportation, housing, meal, etc.), parking fees, equipment/kit purchase costs, tutoring fees, deferred tuition fees, registration fees, late registration fees, course addition, deletion or transfer fees, student activity fees, student union fees, petition fees, recreation fees, health coverage costs, dissertation or thesis typing fees, development or foundation fees, institution fees, alumni fees, and other similar fees.
(c) Tuition and eligible fees are not reimbursable when employees:
1) receive duplicate or comparable fees from another institution or agency, grant, scholarship, Veterans' Education Benefit, or other financial aid; or
2) voluntarily terminate employment, or are terminated for cause, prior to course completion, or
3) have not received advance approval, particularly those associated with a degree program
(d) Reimbursement Exceptions: An employee normally is not reimbursed for a course when the tuition of which was previously reimbursed under this policy. However, some courses involving research or extended study can be repeated, but reimbursement for them will require specified advance approval of County Administrator and/or Board of Supervisors
F. Tax Considerations

The taxability of payments under the tuition reimbursement plan is in accordance with current Internal Revenue Service guidelines.
G. Work Schedule Limitations

(1) Unless specific approval of both the employee's supervisor and the Division Chief or County Administrator is obtained in advance, an employee may not take a course during scheduled working hours. When the educational program requires being away from one's job during normal work hours, the employee and her or his supervisor must agree on such a schedule in advance and make necessary arrangements to assure that expectations for ongoing work assignments are met. No legal or contractual obligations for overtime premium can be incurred as a result of employees taking a course that will be reimbursed under this policy during their scheduled working hours.
(2) Participation in the tuition reimbursement program should not in any way interfere with the employee's ability to perform her or his job.
3. PROCEDURES
To apply for tuition reimbursement, an employee should complete Form 1A (Academic Program Approval for Tuition Reimbursement Plan) and submit it to their supervisor for certification that the proposed program and course(s) meet criteria for reimbursement within 60 days prior to course commencement. After obtaining supervisory approval, but prior to enrolling in the course of study, the supervisor shall forward Form 1A, along with material describing the program and course(s), to the Division Chief/County Administrator. The employee's

supervisor may include amplifying documentation in support of program or course approval.
b. Following its review of the employee's application for participation in the Tuition Reimbursement Plan, the Division Chief/County Administrator will notify the employee in writing as to whether the application has been approved. Upon written confirmation or approval, the employee must submit a copy of the course syllabus at the beginning of each term:

Within 90 days of completion of the course, the employee should also submit the following documents to supervisor, Division Chief and County Administrator:
Copy of the final grade
Copy of the tuition receipt (including the breakdown cost in tuition and fees)
Proof of payment (i.e., cancelled checks, credit card receipt)
Reimbursement will be issued within 30 days of receipt of complete documentation.
4. EXCEPTIONS
Any exception to this policy requires the approval of the Division Chief/County Administrator
5. EMPOYEE EXPECTATIONS
Each qualifying employee requesting tuition assistance agrees to continue working for Dinwiddie County for one (1) year after the completion of course work or the employee agrees to reimburse the County the tuition amount with a personal check or through the employee's final pay check.
6. FUNDS AVAILABLE
Funds for the Tuition Assistance Program will be available on a fiscal budget basis approved by the Board of Supervisors.

Tuition costs for the upcoming Spring semester for 2004:

John Tyler Community College

$62.75 per credit hour

Richard Bland

$81.00 per credit hour

Virginia State University

$95.00 per credit hour

Virginia Commonwealth University

$150.00 per credit hour

There was a short discussion between the Board members and Staff regarding the grade requirement for reimbursement for the employees and classes being offered on-line.

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Tuition Reimbursement Policy Plan is hereby adopted as outlined above.

IN RE: APPOINTMENT OF COUNTY'S PROFESSIONAL ASSESSOR – MR. THOMAS BLAND

The County Administrator informed the Board it is a requirement for the Board of Supervisors to recommend a Professional Assessor for the general reassessment, who must then be approved by the Department of Taxation. Mr. Harold Wingate has requested that the Board appoint Mr. Thomas Bland to serve as the County's Professional Assessor. He has been certified before.

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Thomas Bland is hereby recommended to serve as the County's Professional Assessor for the 2005 General Reassessment.

IN RE: BUDGET SCHEDULE ADOPTION

The County Administrator distributed a proposed budget schedule (listed below) to the Board members and requested that they adopt it if it was agreeable with them. She stated the proposed public hearing date was set for April 6, 2004 and final adoption for April 20, 2004.

2004-05 Budget Calendar

December 9th	Budget materials distributed to Agencies/Depts.
January 15th	Agencies/Departments submit Budget requests
January 30th	2003 value estimates submitted by the Commissioner of the Revenue
February 17th	Proposed Budget submitted to the Board of Supervisors
Month of March	Board of Supervisors Budget Work Sessions
April 6th	Budget Public Hearing
April 20th	Adoption of Budget

Upon motion of Mr. Stone, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", the budget schedule listed above is adopted.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator commented she was updating them on the request from the Board regarding the trash along Glebe Road. The County's Community Service Program has a clean-up day to work with Mrs. Gibbs scheduled for January 24th which will cover Glebe Road and the DeWitt dumpster site. She commended Mrs. Marie Grant for her assistance in arranging the workday.

2. Mrs. Kimberley Willis, Director of Social Service, gave an update on the use of the Parade donations for Social Services. She reported that the business community had donated $1,598. Social Services purchased 60 Walmart gift cards - 48 gift cards were distributed to 41 families. Families with 1 to 3 received $25 and families with 4 to 6 received $50. The Recreation Department sponsored a toy drive and Social Services were able to give families

with children aged 16 and under toys. She thanked the business community for their generous donations and Mr. Massengill for coordinating the event.

3. The County Administrator stated that there was an article in the paper regarding the Fairfax County jail requiring *'Inmates Contribute to their Upkeep".* She said she sent a copy of the article to Sheriff Shands to see if he could determine if that could be implemented in the jail.

4. The County Administrator stated that the Board had expressed a desire to meet with the School Board to move forward with the school improvements. As an intermediary step, Staff felt since there are new board members on both boards it would be to our benefit to have a meeting with the mediator to discuss what the individual members see as their goals, not only for the school improvements, but for educational goals as well; and to exchange information so that each board would have an appreciation for what the other board is having to face. She commented she would like to work with the same facilitator that the County used before from the University of Virginia. The only cost there would be for the County is a room for the night. She suggested that the Boards meet either on January 28th or 29th from 3:00 – 6:00 P.M. at Pamplin Park or the Airport if it could be arranged with the School Board. The Board agreed to meet with the School Board on Thursday, January 29, 2004.

IN RE: BOARD MEMBER COMMENTS

Mr. Stone commended the bus drivers and the bus garage personnel for getting everyone home safely on January 9, 2004. He stated if anyone knew of a business interested in advertising on a billboard to please get in touch with Lamar Signs to replace the distasteful almost pornographic sign on I-85.

Mr. Moody expressed his desire to have the building permits accessible on the web site for citizens and contractors. The County Administrator replied that the fees are on there now but at this time the permit form is a 3-part application but we might be able to do it in the future. He also requested that staff investigate the possibility of putting the board packets on a CD. Mrs. Ralph stated she would have the Deputy Clerk check with the Board members to see if that could be accomplished.

Mr. Haraway stated there has been a considerable amount of interest expressed in statistics in departments in the County. He requested that Staff prepare a one-page report monthly and list what each department is doing. He also requested that the department head reports be placed on the table at the back of the room and the ones with any significant changes be placed on the agenda to address that issue.

IN RE: CLOSED SESSION

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

Personnel - §2.2-3711 A. 1 of the Code of Virginia - *County Administration*;
Acquisition of Property - §2.2-3711 A. 3
Consultation with Legal Counsel - §2.2-3711 A. 7

Mr. Bowman seconded the motion. Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", the Board moved into the Closed Meeting at 5:31 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 6:29 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under Personnel - §2.2-3711 A. 1 of the Code of Virginia - County Administration; Acquisition of Property - §2.2-3711 A. 3; and §2.2-3711 A. 7 Consultation with Legal Counsel;

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

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

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", this Certification Resolution was adopted.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter from Adelphia outlining new changes in services and costs.
2. Memo from Martha Burton – regarding revisions being considered by the subcommittee to the BPOL Tax. Letter from Department of Transportation – regarding the County Primary and Secondary Road Fund (Revenue Sharing Program) FY 2004-05.
3. Memorandum – Dean Lynch, VA Association of Counties – Rural Action Caucus Dinner.
4. Letter of appreciation from Southside Center for Violence Prevention, Inc. for the County's support.
5. Appomattox Regional Library System – Report.
6. Report - Crater Planning District Commission – Denny Morris regarding PDC staff efforts during July through December.

RE: ADJOURNMENT

Upon Motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the meeting adjourned at 6:33 P.M. to be continued until 3:00 P.M. on Thursday, January 29, 2004 to have a joint meeting with the School Board to discuss common goals at Pamplin Park or the Airport Administration Building.

Donald L. Haraway, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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, 2004, AT 6:00 P.M.

PRESENT:	DONALD L. HARAWAY –CHAIRMAN	ELECTION DISTRICT #2
	HARRISON A. MOODY - VICE CHAIR	ELECTION DISTRICT #1
	ROBERT L. BOWMAN IV	ELECTION DISTRICT #3
	DORETHA E. MOODY	ELECTION DISTRICT #4
	MICHAEL W. STONE	ELECTION DISTRICT #5
OTHER:	PHYLLIS KATZ	COUNTY ATTORNEY

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IN RE: ADJOURNMENT

Upon Motion of Mr. Bowman, Seconded by Ms. Moody, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the January 29, 2004 Continuation meeting adjourned at 6:04 P.M.

Mr. Donald L. Haraway, Chairman, called the regular meeting to order at 6:04 P.M. He informed the Board and Citizens that Mr. David Pittman, Reporter, for the Dinwiddie Monitor had to have surgery and is in McGuire Hospital.

IN RE: AMENDMENTS TO THE AGENDA

The County Administrator requested that Appointments be added to the agenda under Personnel for Closed Session. Mr. Haraway also requested that Commonwealth's Attorney and Commissioner of the Revenue be added under Consultation with Legal Counsel for Closed Session.

Upon motion of Mr. Moody, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye," the above amendment(s) were approved.

IN RE: CLOSED SESSION

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

> **Personnel - §2.2-3711 A. 1 of the Code of Virginia -** *County Administration; Appointments;*
> **Industrial Development - §2.2-3711 A. 5**
> ***Consultation with Legal Counsel - §2.2-3711 A. 7- Limited Public Forum; Destruction of Documents; Commonwealth's Attorney and Commissioner of Revenue;***

Ms. Moody seconded the motion. Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", the Board moved into the Closed Meeting at 6:11 P.M.

The meeting reconvened into Open Session in the Board Meeting Room at 7:33 P.M.

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

Mr. Donald L. Haraway, Chairman, called the regular meeting to order at 7:41 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

The County Administrator stated the County Attorney has a report for the Board and public regarding the Destruction of Public Documents to add to the agenda, as 3) a, if the Board would like as and there is also a need to continue the Closed Session after the meeting and add Discussion of Industrial Prospect - §2.2-3711 A. 5.

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye," the above amendment(s) were approved.

IN RE: COUNTY ATTORNEY REPORT - RECORD DESTRUCTION COMMISSIONER OF THE REVENUE'S OFFICE

Ms. Phyllis Katz, County Attorney, reported as the former Commissioner of the Revenue was preparing to leave office, she proceeded to discard obsolete or irrelevant work papers and other printed items. Many of you have expressed concern that she may have impermissibly destroyed official records.

"There are five points to be made:

1. The Commissioner of the Revenue is an independently elected local official – the office is not under the control and direction of the Board. The courts have long recognized that the Board cannot look behind the actions that this officer may take.

2. The Virginia Public Records Act specifically allows for the disposal of public records that are obsolete or have been replaced. The Act does not require that all records be kept indefinitely – most records are kept for a period of three years; some are required to be kept for a longer period of time. Importantly, there are many records which do not have to be retained for any period – such as documents that were acquired for reference, prepared for exhibit and informational purposes, and surplus stocks of publications or forms. Therefore, the fact that a document was disposed of may not violate the Act.

3. When the obvious volume of paper being shredded by the Commissioner of the Revenue became a cause of concern, the County Administrator and her staff sought direction from the County Attorney and the State Archivist. The County Administrator persuaded the Commissioner of the Revenue to work as closely as possible with the State Archivist to confirm the types of records to be retained and the procedures for the disposal of documents that did not have to be retained. It was agreed that once the Commissioner of the Revenue identified a document for disposal, she would provide a general description of the document on the Records Destruction form (RM-3 form) and would not destroy it until the County Administrator or her staff signed the RM-3 form. The County Administrator and the Chief of Administrative Services had been designated by the State Library and Archives as the Records Officers for the County. They were told by the State Archivist that it was their responsibility to sign the RM-3 form.

4. Unlike procedures that would be used for county documents, **the County Administrator and the Chief of Administrative Services were prohibited by law from personally reviewing each file identified by the Commissioner of the Revenue on the RM-3. Taxpayer information is confidential and disclosure to the County Administrator or Chief of Administrative Services could result in a conviction for a Class 3 misdemeanor.** In signing the RM-3 on behalf of the County, the County

5. Administrator relied on the representations made by the Commissioner of the Revenue.

6. It was not until very recently that the State Archivist indicated that after additional research, he has concluded that **neither the County Administrator, her staff, nor the Board of Supervisors is responsible for the retention of records in that office. The Commissioner of the Revenue alone is responsible for the retention and disposal of the records of her office**. The State Archivist's present opinion is different from that which he gave the County in November and December of last year. The State Archivist has apologized for the error in advice and explained that State legislation is being considered to correct deficiencies in State law relating to Constitutional Officers record keeping during the end of their terms."

Mr. Bowman commented in government there is supposed to be checks and balances and he said he couldn't believe that Constitutional Officers are above those. He asked the County Attorney her legal opinion as to what the Board should do about this situation? Ms. Katz stated there are checks and balances in local government. However, the County Administrator and Chief, Administrative Officer, are not the responsible parties. Mr. Bowman said if someone has first hand knowledge that important documents are being destroyed, then shouldn't that person contact the Commonwealth's Attorney. He asked if the County should contact the State Police and request an investigation? Ms. Katz stated she did not know if the State Police had jurisdiction over this office, but a call could be made to them to see if an investigation could be done. The real dilemma she said was once a record is destroyed there is no evidence and whoever goes in to investigation would have to have some evidence that the document did exist. However, anyone who deems that there has been a violation of the law should contact the State Police or the Commonwealth's Attorney. Mr. Bowman asked legal counsel; if the penalties of the law (if the documents were destroyed) are so minute, is it best to drop the issue from this day forward and go on, because the penalties are so small; and what are the penalties? The County Attorney stated she did not know; but she could find out. Mr. Bowman suggested that Ms. Katz contact the Commissioner of the Revenue to find out if she had any evidence of documents being destroyed then make your legal recommendation to the Board. Ms. Katz stated she would assist the Commissioner of the Revenue with any legal advice she needed; but she felt it would be more helpful if Ms. Stevens would give a report to the Board if she has any evidence.

Mr. Bowman asked if there were any alternative forms of government the County might have in order to do away with the Commissioner of the Revenue and the Treasurer? The County Attorney stated yes but it would have to be done by referendum of the voters. He asked if the Board or Administration would have more access to the records or better checks and balances with that form of government? She responded the same privacy acts are in place with either form of government. Mr. Bowman commented he was not interested in looking at any ones tax forms or personal information but it is important for someone to make sure important records are not being destroyed. Ms. Katz reiterated that it is the responsibility of the elected officials to have a records officer in place in their own offices to be responsible to confirm the types of records to be retained and the procedures for the disposal of documents that do/do not have to be retained. According to the State Archivist it is not the responsibility of the County Administrator or the Chief of Administrative Services.

IN RE: MINUTES

Mr. Stone stated on page 1 of the January 6, 2004 minutes he made the motion to appoint the vice chairman and Mr. Haraway seconded the motion. He requested that the change be reflected in the minutes.

Upon motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the January 6, 2004 Regular Meeting are approved with the above amendment in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway 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 1038180 through 1038381 (void check(s) numbered 1037900, 1037902, 1037907, 1035551, 1038179, and 1038252)

Accounts Payable:

(101) General Fund	$ 442,611.26
(103) Jail Commission	$ 99.52
(209) Litter Control	$ 35.88
(222) E911 Fund	$ 318.42
(225) Courthouse Maintenance	$ 1,272.50
(226) Law Library	$ 71.15
(228) Fire Programs & EMS	$ 4,874.00
(304) CDBG Grant Fund	$ 200.00
(305) Capital Projects Fund	$ 53,200.00
(401) County Debt Service	$ 140,015.39
TOTAL	**$ 642,698.21**

PAYROLL 01/30/04

(101) General Fund	$ 422,851.32
(222) E911 Fund	$ 3,543.43
(304) CDBG Fund	$ 7,835.67
TOTAL	**$ 434,230.42**

IN RE: RESOLUTION OF APPRECIATION - EDWARD HUDSON TITMUS, III

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the following resolution was adopted:

Resolution

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

FEBRUARY 3, 2004

IN RECOGNITION OF

MR. EDWARD HUTSON TITMUS, III

WHEREAS, Mr. Edward Hutson Titmus, III served on the Dinwiddie County Planning Commission with distinction and integrity from November of 1996, to January 1, 2004; and

WHEREAS, the Board of Supervisors on this 3rd day of February 2004 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 Mr. Titmus 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 Mr. Edward Hutson Titmus, III, "Hutty" and a copy spread upon the minutes of this meeting.

Mr. Titmus thanked Mr. Moody and the Board for allowing him to serve on the Planning Commission and stated he hoped they would consider him again in the future. Mr. Haraway commented that Mr. Titmus was an asset to the County and the Planning Commission.

IN RE: CITIZEN COMMENTS

Mr. Haraway stated "the Supervisors are concerned about the behavior of a few citizens during the citizens comment period for the last few meetings. This behavior has caused embarrassment to our county. Fortunately, most of you do conduct yourself in a professional manner, you make valid points and you address items of concern that need our attention. We appreciate these comments. After all, we are all here for the same purpose - to make Dinwiddie County a better place to live within our financial means.

There are a number of options the board has:

1. Have the citizens comment period at the end of the meeting.
2. Require the speaker to write their subject on the sign-in sheet
3. Do not have a citizens comment period; the board is not required to have a comment period.

Our intent is to try to continue the Citizens Comment period, with the following rules:

1. In most cases a three-minute time period will be imposed
2. Speakers cannot make comments relating to an individual (If you wish to address someone's performance and/or behavior, you may write a letter to administration or to a board member)
3. Speakers cannot use profanity
4. Citizens Comment period, for the night meeting only, will be placed on the agenda after the County Administrator Comments

We hope to continue the Citizens Comment period as we have done in the past. However, we are not going to allow a few citizens' behavior to embarrass our county; we are going to conduct these meetings with dignity."

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

1. Gerald Rogerson – 18825 Courthouse Road, Church Road, Virginia – commented he went before the Planning Commission and requested a rezoning for a 17-acre parcel of land on Rt. 619 but they told him it was not permitted by the county code. He asked for the Board's assistance with the Planning Commissioners. Mr. Stone reported that he was on the Planning Commission and was present the night Mr. Rogerson requested their assistance. According to Mr. Scheid under the subdivision code Mr. Rogerson could not divide his property the way he wanted to because the county subdivision ordinance does not allow further division and the Planning Commission could not violate the subdivision ordinance.

2. Sabrina Weber – 23500 Cutbank Road, McKenney, Virginia – stated the Board had no right to restrict or limit citizens to 3 minutes when they want to make comments at the Board meetings. It is their Freedom of Speech right under the Constitution. She reminded the Board that they are on the Board to serve the people and some of them have lost sight of that. She also commented a person should not have to pay to get information or answers to their questions from the County. Depending on whether a person was liked or disliked regulated the amount of time they are permitted to make comments and that is not the way it should be.

3. Michael Bratschi – 23500 Cutbank Road, McKenney, Virginia – commented on the following issues:
   a) Taxpayers paying for Board meals.
   b) Former Commissioner of the Revenue being slandered.
   c) Board members responsibility to answer to the citizens.
   d) Members of the Board do not have sovereign immunity.

Mr. Haraway called Mr. Bratschi out of order and requested him to take his seat .....

2. Randy Thomas - 9702 Squirrel Level Road, Petersburg, Virginia – commented he was concerned about the amount of funds being spent by the County on law suits, legal fees, mileage for Board members, and corridor studies (beautification project); when the kids don't even have a gym or a park to go to in the county.

3. Anne Scarborough – Boydton Plank Road, Dinwiddie, Virginia - requested that the Board members make a motion to prohibit a Supervisor when he is not reelected in an election year to attend the VACo meeting at the Homestead; but rather to allow the newly elected official to attend the meeting. She also commented that the County Attorney informed her that she had no right to ask him any questions because he works for the Board. She said she thought he was supposed to work for the citizens too and she was not aware he was their private attorney.

4. Kay Winn – 244 Winnaway Lane, Rich Square, NC 27869 – requested that the Board consider an amendment for the Biosolids Ordinance to require conditional use permits for non-agricultural uses. She suggested that they might want to add a condition to the conditional use permit to require a PH sample on the land if biosolids are applied.

5. Hutty Titmus – 18810 Cox Road, Sutherland, VA – stated the county really does need to hire a medical director for Dinwiddie County that lives within the State of Virginia. He commented would it not be

appropriate to pay a doctor to oversee over 100 EMT's, Paramedics, and Cardio technicians and to be responsible for the actions of these people.

6. Marjorie J. Flowers – 14919 Wilkins Road – stated the Clerk of the Circuit Court needs a microfilm to scan deeds and other important documents just in case there is a fire or other disaster. She also requested a table to hold the deed books for the Clerk. Ms. Flowers commented the microfilm system would not be cheap but it would tie the Clerk's Office and the Commissioner of the Revenue's Office together. She stated a lot of documents had been shredded in the commissioner's office including land cards dating back to the 1950's. She stated the county needed to hire its own legal counsel instead of using the current law firm.

IN RE: SPECIAL ENTERTAINMENT PERMIT REQUEST – DUCK'S UNLIMITED

The County Administrator commented Mr. Paul Coleman with Virginia Motorsports was here tonight to request authorization to hold the Duck's Unlimited event September 13 – 19, 2004. The event was cancelled last year due to the hurricane.

Mr. Coleman reminded the Board that last year they had authorized Ducks Unlimited to forego paying the EMS and Fire Service fees and in exchange they would pay the County the 4% Admission Tax to the County. Ducks Unlimited events are a nonprofit activity, as determined by section 501-C-6 of the Internal Revenue Code, and not subject to pay Admission Taxes. However, they would again this year pay the Admission Tax in lieu of paying for EMS and Fire Rescue Service. Mr. Coleman commented if approved this event would bring thousands of dollars to the County. He requested that this exception be approved for the next 3 years for the event.

Mr. Haraway commented the 4% tax would far exceed the cost of EMS and Fire Rescue Service. He said this is a very nice event and Dinwiddie County is very honored to be able to host the event.

Upon motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", the request for the Ducks Unlimited special entertainment permit to be held at the Virginia Motorsports Park is hereby approved for September 13 – 20, 2004. The Admission Tax of 4% will be paid to the County in lieu of paying for EMS and Fire Rescue Service.

The County Administrator commented she felt the volunteer agencies should be compensated for providing the EMS and Fire/Rescue Services and she asked the Director of Public Safety to prepare a recommendation for discussion during the budget workshops.

IN RE: DUCKS UNLIMITED/PRIMEDIA – OPERATION OF TARGET RANGE PERMIT

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", the request for the Target Range Permit for the Ducks Unlimited Event is hereby approved for September 13 – 20, 2004.

IN RE: RECESS

The Chairman called for a recess at 8:56 P.M. The meeting reconvened at 9:07 P.M.

IN RE: AMENDMENT TO HUNTING LAWS – STATE GAME WARDEN - PAUL BOOTH

The County Administrator commented Paul Booth, State Game Warden, is present to request that the Board consider a change in the hunting laws for the County.

Mr. Booth stated he has been the Game Warden for 16 years in Dinwiddie County and was here tonight to request that the County Attorney draft an ordinance to allow the following changes in the hunting laws for Dinwiddie County:

1) It is lawful to hunt deer with muzzle loading rifles only from stands elevated at least 10 feet above the ground; however, this requirement shall be expressly inapplicable to all legally handicapped persons.
2) It shall be unlawful to hunt with a firearm on or within 50 feet of the center of any primary and secondary highway.
3) Discharge of firearms is prohibited within 100 yards of any public park or school.

Mr. Bowman stated he had no problem with the two amendments dealing with hunting within 50 feet of the road or 100 feet from parks or schools. But he felt if a disabled person wanted to hunt there were plenty of hunting clubs in the County that would assist them. He commented he could not see a disabled person going into the woods by themselves to hunt and he was not in favor of making any exceptions for allowing them to hunt on the ground because it was too dangerous.

Mr. Moody disagreed, stating this is the second time this issue has come up and he was felt it was wrong for the Board not to allow a handicapped person to enjoy a sport he likes. It may also become a legal issue for the County.

Mr. Bowman made the motion to have the County Attorney draft an ordinance for amendments 2 and 3 as stated above.

There was no second to the motion.

Mr. Moody offered a motion to have the County Attorney draft an ordinance for all three amendments requested by the State Game Warden. Mr. Stone seconded the motion. Mr. Stone, Ms. Moody, Mr. Moody, voting "Aye", Mr. Bowman, Mr. Haraway, voting "Nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Attorney is authorized to draft an ordinance to make the changes in the County hunting laws as presented by the State Game Warden listed below:

1) It is lawful to hunt deer with muzzle loading rifles only from stands elevated at least 10 feet above the ground; however, this requirement shall be expressly inapplicable to all legally handicapped persons.
2) It shall be unlawful to hunt with a firearm on or within 50 feet of the center of any primary and secondary highway.
3) Discharge of firearms is prohibited within 100 yards of any public park or school.

The County Attorney will provide options for the Board to consider for the definition of handicapped.

IN RE: VIRGINIA COMMUNITY DEVELOPMENT LOAN FUND – RONALD GABALDON & LOU GORR

The Assistant County Administrator introduced Mr. Lou Gorr, Extension Agent, VA Tech, and Mr. Ronald Gabaldon, Director of Business Development, VA Community Development Loan Fund, to explain to the Board the services that are being offered by VCDLF to the County.

Mr. Gabaldon stated VCDLF is a non-profit corporation, which has been authorized to market and make Small Business Administration Microloans to eligible borrowers in the County. The Microloan Program combines the resources of the Small Business Administration with those of locally based non-profit organizations to provide small loans and technical assistance to small businesses, which act as intermediary lenders. This program provides very small loans in amounts from $1,000 to start-up, newly established or growing business concerns, up to $750,000 for DEB's with contracts that involve Federal Transportation Funding, at very interesting loan rates. He stated they would need a place to meet and assistance from the County to get the information out to the citizens.

The Board requested that the County Administrator and Assistant County Administrator assist Mr. Gabaldon and Mr. Gorr to provide office space for the loan applications and assistance with distributing information that would be needed for the loans.

Mr. Tom Page, Publisher of the Dinwiddie Monitor stated he would provide a ¼ page ad to help with getting the word out to the community. Mr. Haraway thanked him for his assistance.

IN RE: AUTHORIZATION TO NEGOTIATE - COMPUTER AIDED DISPATCH SYSTEM

Ms. Denise P. Absher, Communications Manager, requested authorization to enter into negotiations with Open software Solutions Inc., (OSSI) for a computer Aided Dispatch and Mapping System. Provided in the Board packets was the following information:

"To: Board of Supervisors

From: Denise P Absher

Date: January 28, 2004

Ref: Negotiations with CAD/Mapping vendor

This memo is in reference to requesting authorization to enter into negotiations with Open Software Solutions Inc (OSSI) for a Computer Aided Dispatch and Mapping System.

Computer Aided Dispatch is essentially a database of incident data including the address, caller information, details and other information gathered by the Communications officer, prior to dispatching a call for service. E911 also interfaces with the CAD/Mapping system. The phone number and address information can be displayed and automatically transferred to the appropriate fields of the CAD system incident entry form, and trigger the display of linked information (previous incidents, medical conditions of occupants, hazardous materials stored there etc.) The CAD system also recommends which units should respond based on a built-in database of the units' geographic assignments (fire, EMS, and law enforcement run districts). The CAD system also time and date stamps to include the Communications officer's name that took the call for service, or whenever a Communications officer takes an action

(enters a new incident, dispatch a unit, units arrive on scene etc.) The mapping system shows the location of E911 calls and incidents based on the entered location.

Computer Aided dispatch and mapping is also a requirement for Phase I and Phase II wireless. As part of the requirement, an agency's CAD software has to have the ability to "map" a wireless caller. Once the call is received, it is automatically "mapped" on the display. The location of the caller is then determined by which cell tower their cell signal is coming from. The mapping portion of the system should be able to locate that caller within a certain radius of the cell tower their cell signal is coming from.

The CAD system provides for effective law enforcement, fire and EMS response. The CAD system will provide the Communications Officer an immediate visual, in reference to units that are available to respond or assist on a call, the location of ponds that may be needed for water, the location of fire hydrants where applicable and the pressure in the hydrants, etc.. It also maintains a database of information pertaining to the level of training of all personnel that may be needed to respond to calls. CAD also has safety features built in for the protection of all field units. After a unit has been on a call for a predetermined amount of time the call will turn red and flash reminding the Communications officer to check on the specific unit to make sure that they are ok and not in need of assistance.

The following vendors responded to the Request for Proposal:

Open Software Solutions Inc (OSSI)
4000 Lifestyle Court
High Point, North Carolina 27265

Interact Public Safety systems
45 Patton Avenue
Asheville, North Carolina 28801

Daypro ***did not meet mandatory requirements***
P.O. Box 20182
Roanoke, Virginia 24018

Southern Software ***did not meet mandatory requirements***
150 Perry Drive
Southern Pines, North Carolina 28387

Application Data Systems (ADSI) ***did not meet mandatory requirements***
1930 First Commercial Drive
Southaven, Mississippi 38671

Evaluations were completed on each vendor by the evaluation committee, which included: Mitchell Harris with the Sheriffs office; Charles Lewis, Fire Chief of Co.1; and David Thompson. After all evaluations were completed an average of all evaluations was determined.

OSSI is the recommended vendor to begin negotiations with.

Currently, Petersburg and Prince George are under contract to implement OSSI CAD/Mapping and Hopewell currently has OSSI in place. As a region we have the potential to have each agency's CAD system talk to the other. When a call is received in Prince George and they request mutual aid, they would be able to send the call to our CAD system and we would be able to dispatch accordingly from our own CAD system. Due to Dinwiddie County and Prince George County ultimately using a mutual fire department, this could be of great value in the

event of a large incident that may include fire, EMS and law enforcement. This is an essential part of interoperability with surrounding jurisdictions.

OSSI currently has over 30 clients in the Commonwealth of Virginia. Some of those included are: Albemarle County, Augusta County, Charlottesville, Culpeper, Falls Church, Frederick County, Faquier County, Fredericksburg, Herndon, James City County, Lynchburg, Pittsylvania, Smithfield, Suffolk, York, Warrenton and the University Of Virginia Police Department. OSSI currently has installed over 135 agencies across the United States.

OSSI met all mandatory requirements with no exceptions.

Mr. Bowman asked how much money was in the budget for this project? Ms. Absher replied around $350,000 but the State possibly would reimburse up to 50% of the costs.

There was a lengthy discussion between the Board members, and staff regarding the companies who requested the RFP's; what other systems the surrounding counties have; the cost difference in the systems; why the County does not send RFP's to reputable companies who don't request them; how long the project would be delayed if the County re-bid the project.

Mr. Moody stated he personally would like to see the documentation on how the company was selected for negotiations. Mr. Bowman said he would like that information and in the meantime would like to see the County "beat the bushes" and find out what the other localities have paid for the same system. Mr. Haraway stated he was very concerned because of the tremendous amount of money the County spends for Fire and Safety. Mr. Stone commented he would like to see someone from the State of Virginia bid on the software system.

Mr. Stone made the motion to allow staff to start negotiations with Open Software Solutions Inc., (OSSI) and requested staff gather the information requested by the Board and provide it at the next Board meeting, so the County could move forward to meet the deadline for implementation in February. Mr. Moody seconded the motion. Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", staff was authorized to start negotiations with Open Software Solutions Inc., (OSSI).

Mr. Haraway requested that staff find out why Shield Technology was dropped by Petersburg and Prince George and what the system cost them. He also asked that they find out if Colonial Heights is satisfied with Shield Technology and whether or not they are planning to change their system too.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1) The County Administrator reminded the Board that the retreat with the School Board was scheduled for Wednesday, February 4, 2004 from 3:00 - 6:00 P.M at Pamplin Park.
2) The County Administrator also requested that the Board members provide some dates for budget discussion with the department heads and staff the week of February 23rd through the 27th, 2004.
3) She also mentioned that the Board had requested a workshop to discuss Rules of Conduct and the Commissioner mentioned some items she would like to address tonight, and to discuss the second paid EMS crew. She asked if they would be available to come in at 11:00 A.M. on Tuesday, February 17, 2004. The Board members agreed.

Mr. Stone stated he wanted to call and schedule a meeting with Ms. Cathy Carwile, Information Technology, to go over IT procedures. He also said he felt it would be helpful to go over proffers and fees. The County Administrator suggested that the Board could discuss those issues when they met with the

Planner and Building Inspector during budget meetings. Mr. Stone agreed. Mr. Haraway stated he would like for the Planner to contact the nearby counties to see what the other jurisdictions have implemented for impact fees and give the Board his recommendations.

IN RE: BOARD MEMBER COMMENTS

Mr. Stone commented the biggest adjustment he is facing as a board member is going from private to the public sector and the difference in the pace. He asked the other members of the Board to be patient with him, as he goes through the learning period. He said a couple of citizens reminded him tonight of some of his campaign promises 1) the three minute time limit – District 5 is establishing quarterly meetings for the residents to be rotated among the 3 polling places 2) County Attorney – the cost comparisons between current and future are being looked at before a decision is reached; Mr. Stone said you can tell by the way he votes on issues that money is a very big issue with him and he is not going to jump until he is sure.

Mr. Bowman expressed his displeasure about not having the information in advance regarding the statement of destruction of records from the County Attorney. He requested that in the future the Board should have any information to be presented to them so they would be better prepared if they should have questions. He commented in the past it was required to be on the agenda and there was a deadline for it. If a constitutional officer wants to make a presentation to the Board, the County Administrator tells them that they can't do it because it is not on the agenda; then the Board gets blind sighted with this statement without any foreknowledge and he did not like that.

Ms. Moody commented the dumpsters in the County look shabby; the fences need to be repaired or replaced and painted; and gravel needs to be put down. A couple of weeks ago Mr. Stone and she attended a retirement for Mr. Robert Mengel who has put in 30 years of volunteer service for the County and she feels that the Board should present him a resolution of appreciation. Mr. Stone stated that was in the works.

Mr. Moody distributed copies of a report from a High Growth Coalition Meeting he attended. He commented at the meeting they talked about the importance of economic development. He said because of everyone being so busy doing everyday things there has not been enough time to do what needs to be done on economic development. A couple of things that would help is 1) have someone do a Community Assessment of the County 2) have an aggressive industry program where the county stays in touch with industries to see what they need and what's going on so we can keep the lines of communication open. He pointed out he was not faulting anyone; it is just something the County needs to work on if we want to have an economically aggressive industry program.

Mr. Haraway stated he was concerned about the number of days the county offices have been closed in January. The offices were closed for two days for the New Year and for then two days for Lee/Jackson Day and Martin Luther King Day and then for two days for snow – out of 22 possible working days in January the offices were closed 6 days, which is 27% of the time. If we were a business he said he didn't think we would be able to stay in business very long if our productivity stopped 27% of the time. Each day the offices were closed the salary cost is over $4,000 per day for county employees plus you have the salary costs for the Commissioner of the Revenue's employees and the Treasurer's Office. He commented he realized there is nothing the Board can do about the liberal holiday policy the Governor has; but as far as the snow days are concerned, he felt the Board should consider giving Mrs. Ralph the authority to purchase a snow plow to install on a piece of equipment that the County owns so

that the parking lots can be cleared. The key to snow removal is to get to it before it freezes. He stated it wouldn't take long to recoup the cost of the plow. It isn't fair to expect our employees to do their job and be away 27% of the time; nor is it fair to the citizens to find the offices closed 6 days out of 22 days. He requested that the Board authorize Mrs. Ralph to purchase a snowplow. It was the consensus of the Board to allow the County Administrator to get bids on a snowplow for the County.

IN RE: CLOSED SESSION

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

> **Personnel - §2.2-3711 A. 1 of the Code of Virginia -** *County Administration; Appointments;*
> **Industrial Development - §2.2-3711 A. 5**
> ***Consultation with Legal Counsel - §2.2-3711 A. 7- Limited Public Forum; Destruction of Documents; Commonwealth's Attorney and Commissioner of Revenue;***

Mr. Bowman seconded the motion. Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", the Board moved into the Closed Meeting at 10:25 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 10:57 P.M.

IN RE: CERTIFICATION

> **Whereas,** this Board convened in a closed meeting under:
> Personnel - §2.2-3711 A. 1 of the Code of Virginia - *County Administration; Appointments;*
> Industrial Development - §2.2-3711 A. 5
> *Consultation with Legal Counsel - §2.2-3711 A. 7- Limited Public Forum; Destruction of Documents; Commonwealth's Attorney and Commissioner of Revenue;*

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

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

Upon motion of Mr. Moody, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", this Certification Resolution was adopted.

Mr. Bowman commented the County just lost a very dear and loved volunteer, Bobby Erb, this past week to cancer; and he certainly hoped the Board would recognize his service and dedication to the County with a resolution of appreciation. Mr. Stone stated that was in the works.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Central Virginia Film Office – email regarding addition of TV-One Launch – on Comcast in Richmond.
2. Letter from Crater Regional Partnership regarding the approval of funding to help support the "Skill Streams for Success" for $90,000 for FY 2004 from the Tobacco Commission; and the spring course offerings at Rowanty.
3. Appomattox Regional Library System – Report.

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the meeting adjourned at 10:58 P.M. to be continued until 3:00 P.M. on Wednesday, February 4, 2004 for the Board to have a joint meeting with the School Board to discuss common goals at Pamplin Park.

Donald L. Haraway, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BANQET ROOM AT THE PAMPLIN PARK MUSEUM IN DINWIDDIE COUNTY, VIRGINIA, ON THE 4TH DAY OF FEBRUARY, 2004, AT 3:00 P.M.

PRESENT:	DONALD L. HARAWAY –CHAIRMAN	ELECTION DISTRICT #2
	HARRISON A. MOODY - VICE CHAIR	ELECTION DISTRICT #1
	ROBERT L. BOWMAN IV	ELECTION DISTRICT #3
	DORETHA E. MOODY	ELECTION DISTRICT #4
	MICHAEL W. STONE	ELECTION DISTRICT #5

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Mr. Will Green welcomed the Board of Supervisors and the School Board to Pamplin Park.

Mr. Donald L. Haraway, Chairman, called the continuation meeting to order at 3:04 P.M.

IN RE: JOINT RETREAT – BOARD OF SUPERVISORS & SCHOOL BOARD

Mr. Art Meade, Facilitator, welcomed the two boards and gave a brief synopsis of his background.

Mr. Meade asked that each Board member take 2 minutes to introduce themselves and state what their objective or goal was for the County.

Mr. Kevin Massengill, Assistant County Administrator, and Mrs. Wendy Weber Ralph, County Administrator, presented the *Issues Impacting the County.*

Dr. Leland Wise, Jr., Superintendent of Schools, and Dr. James Lanham, Assistant Superintendent of Schools, presented the *Issues Impacting the School System.*

Mr. Meade continued by stating the theme of the retreat was "Trust" and trust comes from good communication. He requested that the Boards pair off by districts to decide on an idea that they could agree to work for in the year 2004. He also requested that they set a day, a time, and a place to meet for lunch every month, which should not change, to meet and just talk about anything they were interested in and wanted to build good communications.

The agreed upon goal is: Develop a 10 year CIP for the School System – and finance it with building permit fees, zoning/rezoning fees and proffers "Growth to pay for Growth".

IN RE: ADJOURNMENT

Upon Motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the meeting adjourned at 6:11 P.M. to be continued to 7:30 P.M., Tuesday, February 10, 2004 to meet with the School Board in the Multi-purpose Room of the Pamplin Administration Building to discuss school improvements.

Donald L. Haraway, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

VIRGINIA: AT THE CONTINUATION MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE SCHOOL BOARD CONFERENCE ROOM IN THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 10TH DAY OF FEBRUARY, 2004, AT 6:00 P.M.

PRESENT:	DONALD L. HARAWAY –CHAIRMAN	ELECTION DISTRICT #2
	HARRISON A. MOODY - VICE CHAIR	ELECTION DISTRICT #1
	ROBERT L. BOWMAN IV	ELECTION DISTRICT #3
	DORETHA E. MOODY	ELECTION DISTRICT #4
	MICHAEL W. STONE	ELECTION DISTRICT #5

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Mr. Donald L. Haraway, Chairman, called the continuation meeting to order at 7:30 P.M.

IN RE: JOINT MEETING – BOARD OF SUPERVISORS & SCHOOL BOARD

The two Boards met to discuss a solution for the school facilities improvement program. The County Administrator reminded the members of the Boards that their main goal, which came out of the retreat last week, was to put a ten-year CIP together for the school system.

Dr. Jim Lanham. Assistant Superintendent, presented the following history and update:

A Framework for Discussing School Facilities
Joint Meeting
Dinwiddie County Board of Supervisors
Dinwiddie County School Board
Tuesday, February 10, 2004
A Framework for Discussing
School Facilities

In the discussion of facilities needs for Dinwiddie County Public Schools, there are certain central questions that can be used to frame the discussion for both the Board of Supervisors and School Board.

Central Questions

1) Are we agreed that we are developing a minimum ten-year facilities plan?
2) What enrollment figures are we using as planning numbers for the facilities plan?
3) What are the financial limitations for additional debt service for facilities?
4) Are additional operating expenses and $500,000-600,000 per year for buses a factor in the financial discussion?
5) What is the best solution for the elementary needs of the northern sector of the county? Should a 700 student elementary school be constructed immediately, or a smaller school with core facilities for 700 that could later be expanded? Should Rohoic be expanded and renovated, or simply renovated back to its original footprint? Where should a new elementary school be located?
6) What is the best solution for the county's middle school needs? Should the existing middle school facility be part of the future solution for middle school students? Should the solution be one new school, an additional middle school and the existing middle school, or conversion of the high school into a middle school?
7) What is the best solution for the county's high school needs? Can they best be accommodated by renovations of the existing high school or by constructing a new high school?

A Framework for Discussing School Facilities

How these questions are answered will determine what the school facilities plan for the county will look like. There have been several different scenarios offered to answer these questions over the past eighteen months.

The BCWH Study

The BCWH study commissioned by the School Board provided enrollment projections as well as five different building alternatives for consideration.
The enrollment projections took into account 500 new homes identified at the time of the study.
Projections did not include the Lake Jordan project or other large project planned for the Rohoic district. These additional homes and the children they would bring must be factored into any solution.
The rate of build out of these subdivisions is also a factor. Low interest rates may cause build out to be faster than originally thought.

Enrollment Projections

Year	Projected Enrollment	Actual
2002	4423	4424
2003	4463	4485 (Oct.)
2004	4485	
2005	4500	
2006	4508	

The BCWH Study
The five solutions offered in the BCWH study were comprehensive, ten-year solutions impacting all facilities and ranged in cost from $81 million to $98 million.
The former School Board examined the five solutions and endorsed Option 1.

The BCWH Study
Included in Option 1 were:

New High School	$38.7 million
HS Renovation for MS	$19.3 million
New Rohoic for 700	$14.7 million
Southside Renovation/Addition	$ 5.9 million
Sunnyside Renovation/Addition	$ 4.4 million
Midway Renovation/Addition	$ 2.5 million
MS Ren. For SBO/Alt. Ed.	$ 2.5 million
Option 1 Total	$88.0 million

Compromise Plan

No consensus emerged concerning Option 1.
As discussion continued, another set of scenarios on a smaller scale was developed, all in the $50-60 million range.
These scenarios were presented to the Board of Supervisors and at a public meeting sponsored by the School Board last October.
Of these options, Scenario I was preferred as a second choice by the former school board, although they acknowledged the plan did not address all of our long range needs.

Compromise Plan

Included in the compromise scenario were:

New 700 student Rohoic	$14.7 million
New Middle School	$29.7 million
HS Additions/Renovations	$ 6.8 million
Upgrade Rohoic Head Start	$ 1.9 million
MS Ren. For SBO/Alt. Ed.	$ 2.0 million
Total	**$55.1 million**

February 2004 – A New Beginning

Both boards have come together tonight committed to work together to find a solution for our facilities needs.

Now that we have identified the questions and looked at solutions proposed in the past, lets look at options for the elementary, middle, and high schools as well as alternative uses for existing facilities.

Framing the Elementary Issue

Focus has been on building a new elementary school to relieve overcrowding at Rohoic.
Both Southside and Sunnyside are approaching the point where they will need major renovation.
There are 18 acres of land at Midway to accommodate an addition if needed.
The School Board owns a 62-acre site at the intersection of River and Hart Roads, and has also looked at 100+ acres near the intersection of River and Olgers Roads.

The Rohoic Question

We agreed there is an overcrowding issue.
We disagreed on the best solution.
The former School Board supported construction of a 700-student replacement school.
The former Board of Supervisors favored renovating existing Rohoic and building a smaller new school in northern corridor that would be expandable to 700.

The Rohoic Question

The BCWH study indicated that to make the current Rohoic comparable to our other renovated schools would require a 14,000 square foot addition as well as full renovation of the existing plant to provide a school for 356 pupils. They also indicated that this would be a different type of renovation because there is not sufficient space to lower the ceiling to conceal new ductwork. Rather a new-sloped roof would be required to conceal new HVAC equipment and ductwork.

The Rohoic Question

Operating two schools as opposed to one would require additional operating and transportation costs.
The School Board expressed concerns about the demographic mix of both schools if Rohoic were split.
The School Board expressed concerns about the location of Rohoic on 460 and in such close proximity to the airport.

The Rohoic Question

Concerns were expressed about trying to renovate Rohoic while continuing to operate school there. A better solution might be to built a new 700 student school, then make a decision on the final use of Rohoic based upon the demand at that time. It could then be renovated without having to house pupils during renovation.

The Rohoic Question

A decision must also be made regarding whether the new school in the northern sector should be on the 62 acre site already owned by the School Board, on the 100+ acre site also on River Road, or at some alternate location closer to the existing school.

Should Northside be a part of an Elementary solution?

Northside was returned to the county for alternate use in 1989
More than $3 million would be needed to reopen Northside, and then it would serve only 240 students. Its classrooms for Kindergarten and First grade would not meet state standards. There is also no space for Art, Music or resource classes.
Extensive replacement of water and sewer systems might also be needed to reopen building. There are also environmental concerns in the building that would have to be addressed. These costs are not included in this estimate
Northside is in wrong location - we need an elementary solution where population growth exists in the Rohoic attendance zone.
The money that would be spent on Northside would be better spent on renovation/additions at Midway estimated at $2.5 million in Option 1.

The Middle School Question

There are a number of problems with the existing Middle School plant, including overcrowding, traffic pattern, location of the cafeteria, condition of the annex, and environmental concerns about the basement. The exterior appearance of the school belies its serious shortcomings as a middle school.

The Middle School Question

The former School Board, middle school staff, and numerous parents have supported the idea of replacing the middle school rather than undertaking another renovation.
The existing middle school would be an excellent site for an Alternative School, Head Start, School Board Offices, or other school or county uses.

The Middle School Question

There is concern about trying to undertake renovation or construction on the middle school site while school is in session considering how crowded the school is. Also, the middle school instructional program is already a challenge in that facility and will be negatively impacted by construction.

The Middle School Question

While the idea of two middle schools was discussed, there was a strong feeling that the best solution for Dinwiddie was one middle school in an appropriately

designed facility. Two equal middle schools would be very expensive to outfit, staff, and operate and would needlessly duplicate expensive programs and services without sufficient enrollment to justify it.

The Middle School Question

The time to consider two middle schools would be when the county begins moving towards a second high school. Research shows that students are best served when blending different elementary school students into one middle school that in turn feeds one high school. Difficulties arise when trying to blend students from different middle schools at the high school level.

The Middle School Question

Locating the middle school adjacent or closer to the high school would allow for more efficient transportation, shared staff, shared fields, and other shared resources.
There was a strong feeling that the annex portion of the middle school was beyond rehabilitation and should be torn down.
With modifications, the existing high school could be made into an acceptable middle school plant

The High School Question

The need for a new high school takes on new urgency in light of the prospect of 1000+ new homes in the county.
Any decision regarding the high school would have to factor in the role that both the Rowanty Technical Center and the Governor's School would play in the education of our students.
The current technical areas at the high school were not included in past renovations.

The High School Question

The current high school has insufficient corridor space, cafeteria space, locker room space, library space, classroom space, gymnasium space and restroom space for its current population, much less room to grow. An addition will not address these basic infrastructure issues.
Construction of a comprehensive high school adjacent to the current high school merits very serious consideration. A new school would have to be large enough to serve our needs up to the point where a second school would be warranted. It would serve as the cornerstone of our division's instructional programs and allow us to expand opportunities available for our students. The current high school could be renovated to serve the middle school population.

Viable Alternatives for Buildings

The Board of Supervisors expressed concern about abandoning any existing buildings. However, there are realistic options available for utilizing both the Middle School and Rohoic.
Alternative School is needed to deal with specific portion of population needing different programs for success in school and to ensure other schools achieve accreditation.
Current middle school, with some modification, could easily house an Alternative School (6-12), Head Start, consolidated School Board Offices, or Technology.

Viable Alternatives for Buildings

Head Start needs appropriate classroom and office space for their program.
Costs savings for program if they could move out of leased trailers.

School Board office needs to consolidate operations into one location and also provide county with needed space in Pamplin Building.
Adequate maintenance, training, and storage is also needed for school's growing technology operations.
A joint vehicle maintenance facility could be established at our existing bus garage to serve all county vehicles.

Viable Alternatives for Buildings

Rohoic could also be used for county or school needs.
Rohoic location would also make property marketable to business community to recoup some construction costs.
Rohoic could also be used for additional Social Services, Recreation, or other space, or eventually house expanded pre-school or vocational programs for the community.

Where do we go from here?

We must develop a plan that will meet elementary, middle, and high school needs that will be driven by enrollment growth and program needs. With facilities already inadequate for current enrollment, we must move as quickly as possible to formulate a plan that will serve our county's citizens for the next decade.

The members of the two boards and staff had a lengthy discussion regarding the enrollment in the middle school; the number of homes expected to be built in the county; the RFP which has already been sent out for an architect; how the facilities would be paid for; the necessity of coming to an agreement on what is needed so that structuring of figures can be worked on; having proffers and increasing fees for zoning and building permits; and how much the real estate taxes would have to be increased to finance the $88 million dollar facilities plan; the location of an elementary school in the northern end of the county; whether to build a new 700 student elementary school or renovate Rohoic and build another smaller school; the need to consider demographics when making the decision about the new elementary school; the placement of the new elementary school on Route 460; locating the new school on River Road; foreseeable traffic problems if new school is located on River Road;

The County Administrator was requested to have the financial consultants prepare a capital fund analysis for Option 1 for the school improvements as well as any innovative funding opportunities. She commented that the school board would need to provide the figures and the time line for when the money would be needed. Dr. Lanham replied he would try to get in touch with the architect and provide the updated information to her.

IN RE: MOTOROLA CHANGE ORDER # 8

The County Administrator presented change order # 8 to the Board for approval. She commented when the crew started digging the hole for the guy wire anchor they hit some mulch and organic materials, which had to be removed in order to stabilize the tower. "The scope of work would include removal of the organic material encountered at the landfill site guy anchor. The material that will be removed from the anchor hole will need to be replaced with site fill. Dinwiddie County will have to dispose of the evacuated organic material and supply the site fill. The cost is $4,889."

After a lengthy discussion, the Board requested that the County Administrator have the Buildings and Grounds Director check the site and situation and provide a report to verify the soil conditions before they authorized the change order.

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the meeting adjourned at 10:45 P.M. to be continued to 11:00 A.M., Tuesday, February 17, 2004 in the Multi-purpose Room of the Pamplin Administration Building to discuss By-Laws/Code of Ethics and the second EMS unit.

Donald L. Haraway, Chairman

ATTEST:
Wendy Weber Ralph
County Administrator

/abr

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 17TH DAY OF FEBRUARY, 2004, AT 12:30 P.M.

PRESENT:	DONALD L. HARAWAY –CHAIRMAN	ELECTION DISTRICT #2
	HARRISON A. MOODY - VICE CHAIR	ELECTION DISTRICT #1
	ROBERT L. BOWMAN IV	ELECTION DISTRICT #3
	DORETHA E. MOODY	ELECTION DISTRICT #4
	MICHAEL W. STONE	ELECTION DISTRICT #5
OTHER:	PHYLLIS KATZ	COUNTY ATTORNEY
	ADAM KINSMAN	COUNTY ATTORNEY

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Mr. Donald L. Haraway, Chairman, called the continuation meeting to order at 11:10 A.M. in the Multi-purpose room of the Pamplin Administration Building.

IN RE: DISCUSSION OF BY-LAWS

The County Administrator stated if the Board did not object she felt it would be easier if the proposed set of By-Laws were read and items that the Board felt should be changed could be discussed as they read through them. After a lengthy discussion of the by-laws and due to the limited time, the County Administrator suggested that the Board might want to compile a new list of the suggested changes and continue their discussion at their budget meeting. The Board concurred.

IN RE: AUTHORIZATION TO HIRE BUSINESS LICENSE/LAND USE PERSONNEL – COMMISSIONER OF THE REVENUE

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Commissioner of the Revenue is authorized to hire Ms. Carol Eanes to fill the County position of Business License/Land Use, at a starting salary of $21,500.00, pending satisfactory reference checks.

IN RE: COMMISSIONER OF THE REVENUE – ADOPTION OF EMERGENCY ORDINANCE TO EXTEND FILING DATE FOR TAX RELIEF FOR ELDERLY & DISABLED

Mrs. Lori Stevens, Commissioner of the Revenue, requested that the Board of Supervisors adopt an emergency ordinance to extend the filing date for the Tax Relief for the elderly and disabled to April 1, 2004. Due to the proximity of the March 1 filing deadline, there is not sufficient time to advertise an ordinance under the normal procedures; therefore, if the Board wishes to extend the filing date, it must adopt an emergency ordinance.

Upon motion of Mr. Stone, Seconded by Ms. Moody, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye", the following ordinance is hereby adopted:

AN EMERGENCY ORDINANCE AMENDING SECTIONS 19-40 AND 19-161 OF THE CODE OF DINWIDDIE COUNTY TO EXTEND THE FILING DATE FOR ELDERLY AND DISABLED TAX EXEMPTION AFFIDAVITS

WHEREAS, taxpayers seeking to avail themselves of the tax exemptions granted the elderly and disabled in the Code of Dinwiddie County must file

certain affidavits with the commissioner of the revenue on or before March 1; and

WHEREAS, the commissioner of the revenue has requested that the affidavit filing date be extended to April 1 for the calendar year 2004 only; and

WHEREAS, an emergency exists because it is anticipated that affidavits for exemptions will be submitted before the newly elected commissioner of the revenue has had an opportunity to prepare for their submission.

THEREFORE, BE IT ORDAINED, by the Board of Supervisors of Dinwiddie County, Virginia under the authority granted to it under § 15.2-1427 of the *Code of Virginia* and in order to promote the public health, safety, and public welfare, the following amendments to Chapter 19 of the Code of Dinwiddie County.

A. **§ 19-40**

The first sentence of subsection (a) shall be amended and replaced as follows:

Annually and not later than March 1, except calendar year 2004, which shall be not later than April 1, and not before January 1 of the taxable year, person or persons claiming an exemption under this article must file an affidavit with the commissioner of the revenue.

B. **§ 19-161.**

The first sentence of subsection (a) shall be amended and replaced as follows:

Annually, not later than March 1, except calendar year 2004, which shall be no later than April 1, and not before January 1 of the taxable year, the person or persons claiming an exemption under this article must file an affidavit with the commissioner of the revenue.

This Ordinance shall become effective upon adoption.

IN RE: AUTHORIZATION TO ADVERTISE - ORDINANCE TO EXTEND FILING DATE FOR TAX RELIEF FOR ELDERLY & DISABLED TO APRIL 1, 2004

The County Attorney stated the Board needed to advertise for the public hearing for the ordinance to allow an extension of time for the taxpayers to file their tax exemption affidavits by April 1, 2004 for this year only.

Upon motion of Mr. Stone, Seconded by Ms. Moody, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Commissioner of the Revenue is authorized to advertise for an ordinance to extend the filing date for Tax Relief for the elderly and disabled to file their tax exemption affidavits by April 1, 2004 for this year only.

IN RE: COMMISSIONER OF THE REVENUE - UPDATE

The Commissioner of the Revenue stated she had originally estimated that $4,000 would be spent to have past building permits input into our system by Blue Ridge Appraisal Company. The work has been completed; however, it cost $4,444 because the final count ended up being 1,111 instead of the estimated 1,000 permits.

Mrs. Stevens also stated she had an invoice from Olde Petersburg Printers, Inc., for $1,526.70. This bill was incurred for having land books rebuilt because the office copy had been shredded. She said she did not believe that

this invoice should be expended from her budget. She stated she had already incurred a cost of $3,148 for envelopes that she did not order, nor want, but she had to take because they were preprinted. She requested that if the Board decided to take these funds from her budget that consideration is given to her office for any unforeseen expenditures, which may occur during the rest of the budget year.

Mr. Haraway replied that he felt the expenditure had to be posted to the commissioner's budget but the Board would be sympathetic with her and the needs of her office.

There was a discussion concerning what information is available on how tax collections are billed and collected during the year. Mr. Haraway asked that the Commissioner and Treasurer provide a report showing what has been billed and what has been collected on a cash basis by month.

RE: ADJOURNMENT

Upon Motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the meeting adjourned at 1:03 P.M.

Donald L Haraway
Donald L. Haraway, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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, 2004, AT 12:30 P.M.

PRESENT:	DONALD L. HARAWAY –CHAIRMAN	ELECTION DISTRICT #2
	HARRISON A. MOODY - VICE CHAIR	ELECTION DISTRICT #1
	ROBERT L. BOWMAN IV	ELECTION DISTRICT #3
	DORETHA E. MOODY	ELECTION DISTRICT #4
	MICHAEL W. STONE	ELECTION DISTRICT #5
OTHER:	PHYLLIS KATZ	COUNTY ATTORNEY
	ADAM KINSMAN	COUNTY ATTORNEY

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Mr. Donald L. Haraway, Chairman, called the regular meeting to order at 1:14 P.M. in the Multi-purpose room of the Pamplin Administration Building.

IN RE: CLOSED SESSION

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

§2.2-3711 (A)(3) - Acquisition of Property
§2.2-3711 (A) 30 – Contracts - Discussion of the award of a public contract involving the expenditure of public funds
Consultation with Legal Counsel - §2.2-3711 A. 7- Security at Meetings; Limited Public Forum; and FOIA

Ms. Moody seconded the motion. Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway, voting "Aye", the Board moved into the Closed Meeting at 1:15 P.M.

A vote having been made and approved the meeting reconvened into Open Session in the Board Meeting Room at 2:06 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under Acquisition of Property - §2.2-3711 A. 3; §2.2-3711 A. 7 Consultation with Legal Counsel - Security at Meetings; Limited Public Forum; and FOIA *§2.2-3711 (A) 30* – Contracts - Discussion of the award of a public contract involving the expenditure of public funds

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

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

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway, voting "Aye", this Certification Resolution was adopted.

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

Mr. Donald L. Haraway, Chairman, 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

The County Administrator requested that the agenda be amended to add the following items: Under Action Items - #4 Resolution for Letter of Support for Nursing Homes; #5 Sheriff's Request to Hire a Courtroom Security Guard; a request from a citizen concerning a defeated elected official being allowed to attend meetings, and to continue the Closed Session for §2.2-3711 A. 7 Consultation with Legal Counsel - Security at Meetings; Limited Public Forum; and FOIA; *§2.2-3711 (A) 30* – Contracts - Discussion of the award of a public contract involving the expenditure of public funds.

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye," the above amendment(s) were approved.

The County Administrator asked where they wanted the citizen issue to be placed on the agenda. The Board agreed to handle the issue under Board member comments.

IN RE: MINUTES

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the January 20, 2004 Regular Meeting, January 20, 2004 Continuation Meeting, February 3, 2004 Regular Meeting, and the February 4, 2004 Continuation Meeting, are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway 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 1038383 through 1038777 (void check(s) numbered 1038382, 1038224, 1038543, and 1038613)

Accounts Payable:

(101) General Fund	$ 223,871.81
(103) Jail Commission	$ 64.85
(209) Litter Control	$
(222) E911 Fund	$ 2,181.91
(223) Self Insurance Fund	$
(225) Courthouse Maintenance	$ 264.25
(226) Law Library	$
(228) Fire Programs	$
(229) Forfeited Asset Sharing	$
(304) CDBG Grant Fund	$ 1,373.89
(305) Capital Projects Fund	$ 200.00
(401) County Debt Service	$ 35,908.00
TOTAL	**$ 263,864.71**

IN RE: RESOLUTION AUTHORIZING COUNTY ADMINISTRATOR TO PURSUE & SIGN VIRGINIA TOBACCO INDEMNIFICATION GRANT FUNDS FUNDING FOR YEAR 2004

"MEMORANDUM

TO: WENDY W. RALPH, COUNTY ADMINISTRATOR
KEVIN MASSENGILL, ASSISTANT COUNTY ADMINISTRATOR

FROM: WILLIAM SCHEID, COUNTY PLANNER

SUBJECT: VIRGINIA TOBACCO INDEMNIFICATION GRANT FUNDS FUNDING FOR YEAR 2004

DATE: FEBRUARY 11, 2004

In order to submit our Tobacco Grant application for the 2004 funds, it is requested that the Board adopt the following resolution authorizing the County Administrator to pursue the securing of grant funds and be authorized to sign the grant application/documents on behalf of the Board of Supervisors:

RESOLUTION

Whereas, Dinwiddie County is eligible to apply for grants funds from the Virginia Tobacco Indemnification and Community Revitalization Commission for the year 2004; and

Whereas, the County desires to pursue these grant funds to enhance the development of the County Industrial Development Park by expanding the infrastructure and park appearance, conducting an economic development and marketing study and preparing a brochure, and enhance tourism by offering recreational opportunities along the Appomattox Canal;

Now, Therefore, Be It Resolved, that the Board of Supervisors authorizes the County Administrator to pursue securing these funds through the Virginia Tobacco Indemnification and Community Revitalization Commission; and

Be It Further Resolved that the County Administrator is authorized to sign on behalf of the Board of Supervisors those documents necessary for the submittal of the application.

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye", the above resolution was adopted.

IN RE: CONGRESSIONAL APPROPRIATIONS REQUEST

"MEMORANDUM

TO: Wendy Ralph
County Administrator

CC: Dinwiddie County Board of Supervisors

FROM: W. Kevin Massengill
Assistant County Administrator

DATE: February 12, 2004

RE: Congressional Appropriations Request

As a follow-up to our February 3, 2004 meeting with Congressman Randy Forbes's Office, **I would like to receive Board approval to allow County**

Administration to submit requests, as deemed necessary by staff and approved by the County Administrator, to seek Federal funding under the upcoming Appropriations Act.

As indicated during this meeting, the annual appropriations act is comprised of (13) thirteen subcommittees. These 13 subcommittees provide funding for specific agencies and programs based on requests sent by each congressman that could fund a variety of activities and general government operations.

Congressman Forbes has been very successful in obtaining appropriations act earmarks in the following areas:

Justice Earmarks
Community Oriented Policing Services (COPS)
Local Law Enforcement Block Grants (LLEBG)
Edward Byrne Grants to States
Juvenile Justice Programs
HUD Earmarks
Economic Development Initiative (EDI)
State and Tribal Assistance Grants
Education Earmarks
Fund for the Improvement of Education (FIE)
Fund for the Improvement of Post-Secondary Education (FIPSE)
Interior Earmarks
Save America's Treasurers
Labor Earmarks
Training and Employment Services
HHS (Health and Human Services)
Health Resources and Services
Public Health Improvement
Transportation Earmarks
Bus and Bus Facilities
Intelligent Transportation System (ITS)
Surface Transportation Projects

The deadline for filing appropriations requests with Congressman Forbes is Monday, March 1, 2004. Therefore, during the next couple of weeks, County Administration will be working closely with perspective stakeholders (i.e. School Board Administration, Recreation Department, Public Safety, etc.) to compose and submit request.

Also, if requests are not funded through the Appropriations Act, Congressman Forbes's offices will assist the County in seeking and composing alternative grants to fund perspective projects."

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Administrator to submit requests, as deemed necessary by staff and approved by the County Administrator, to seek Federal Funding under the upcoming Appropriations Act.

IN RE: AUTHORIZATION FOR COUNTY ATTORNEY TO REVIEW & ADVERTISE FOR PUBLIC HEARING - FIRE LANE ORDINANCE

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Attorney to review and advertise the following Fire Lane Ordinance.

Sec. 14.6 – Parking lots; Prohibiting Parking in Fire Lanes.

a) It shall be unlawful for any person to park a motor vehicle in any lane marked and designated as a "fire lane" within or adjacent to a parking area or parking lot that is open to the public.

b) A summons or parking ticket for violation of this Ordinance may be issued by law-enforcement officers and other uniformed personnel employed by the County to enforce parking regulations without the necessity of a warrant being obtained by the owner of a private parking area.

c) Any person violating subsection (a) of this section shall be guilty of a Class 4 misdemeanor.

IN RE: AUTHORIZATION TO ACCEPT BID – 1972 AMERICAN LAFRANCE LADDER TRUCK

The following bids were received for the 1972 American La France Ladder Truck:

DINWIDDIE COUNTY INVITATION TO BID FOR A 1972 AMERICAN LAFRANCE LADDER TRUCK

BIDDER NAME/ADDRESS	DATE RECEIVED	BID AMOUNT
Hollywood Signs 23202 Airport St. Petersburg, VA	1/15/04	$500.00
Wheel Service, Inc. 2232 W. Washington St. Petersburg, VA	1/15/04	$551.83
Charles R. Johnson 23001 Williamson Road Dinwiddie, VA	1/14/04	$755.00
Douglas C. Wray 11012 Cutbank Church Road McKenney, VA	1/15/04	$550.00

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway 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 release for the title of the 1972 Ladder truck to the high bidder, Mr. Charles R. Johnson, for $755.

IN RE: AUTHORIZATION TO ADVERTISE PUBLIC HEARING - CELL TOWER EASEMENT

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the County Attorney to advertise for the public hearing for the Cell Tower Easement located behind the fire station on Boydton Plank Road in Dinwiddie County, Virginia.

IN RE: CITIZEN COMMENTS

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

1. Danny Jarrell – District 5 – expressed his concerns about the Fire and EMS response time to the Board for persons living in the southern end of the County. He commented it is the responsibility of the Board by State Code to provide the citizens these services. He requested that they provide supplemental help to alleviate the problem of non-coverage.

2. Eva Bratschi – 23500 Cutbank Road, – McKenney, Virginia – requested that the Board continue to allow citizens to express their opinions during the Citizens Comment period because the Constitution guarantees this right.

3. Michael W. Bratschi – 23500 Cutbank Road, – McKenney, Virginia – commented under State Code Section 2.23700 the Board members are required to be familiar with the code. He stated it is imperative that the Board continue to keep the Citizens Comment period on the agenda. He told the Board that they should expect to receive a certain amount of disrespect; it is a part of the job. He also said the meeting should start on time.

4. Marjorie Flowers – 14919 Wilkerson Road – distributed copies of a newspaper article and made the following comments:
   a. The County has lost almost a million dollars due to public service corporations not being billed.
   b. The money the County has lost due to the new building permits not being processed for real estate taxes.
   c. The County Attorney stated at the last meeting the County Administrator and Chief, Administrative Services are not responsible for prohibiting the past Commissioner from shredding the papers in her office. Who is responsible to maintain checks and balances if the County Administrator is not the one?
   d. Suggested that the County Administrator meet with any newly elected Constitutional Officer to orientate them on the County policies.

2. Kay Winn – 244 Winnaway Lane, Rich Square, NC 27869 – commented she did not agree with the statement made by a citizen earlier, the Board members should not be expected to take any kind of abuse or disrespect from citizens. However, they probably should expect to be criticized. She also made the following statement regarding the Biosolids Ordinance – the County should require landowners or land applicators to post signs on the property receiving biosolids to restrict persons from going on the land due to diseases that might be transmitted.

3. Anne Scarborough – Boydton Plank Road, - Dinwiddie, Virginia – had comments for the following issues:
   a. Requested that the Board make a motion not to allow any defeated elected official who has been previously registered for travel at the expense of the County between the day after the election and December 31 of the same year. The opportunity should be offered to the newly elected individual.
   b. Industrial Park – how much is it going to cost and when are the citizens going to find out what has been done.
   c. Tindall is advertising for employees with minimal requirements.

d. She commented as a result of the joint Board of Supervisors and School Board meeting her question to the Board was why don't you restrict contractors from building in the County so growth can be controlled.

2. Michael ? – 647 Old Stage Road – Dinwiddie, Virginia
   a. He asked why the Board meets at 2:00 P.M. instead of at night when citizens can attend the meetings? Mr. Haraway responded - many senior citizens don't want to go out at night.

IN RE: REPORTS – VDOT

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation provided the following project update:

1. Interstate 85 bridges – currently out to bid due back February 25, 2004. Fixed completion date is September 30, 2005.
2. Route 600 pipes – DLB Inc., is the apparent low bidder at $228,693. Work is scheduled to begin en the early spring. Completion date is April 23, 2004.
3. Squirrel Level Road project (Route 613) – Still on track for July 2004 advertisement.
4. Shady Lane (Rout 670) – To be constructed in the late spring/early summer weather permitting and State Force availability permits.
5. Boydton Plank Road (Route 142) Petersburg – Currently out for bid. Bids due back on February 25, 2004. Fixed completion date is August 1, 2004.
6. Route 600 Bridge re-decking project is scheduled for May advertisement.
7. Courthouse Road (Route 619) – Plan to begin work in late June or early July.
8. Pothole situation - He reported that VDOT could not keep up with the situation but it was his intent to begin work on them as soon as the weather permitted.
9. 65% of the snow budget for this year has been expended. He also commended the VDOT workers for all their hard work during the snow removal process.
10. Autumn Drive is on the list for pothole repairs.

Board Member Request/comments

1. Mr. Bowman – stated the blacktop needs to be put in the hole next to the RR track on Butler Branch Road.
2. Mr. Moody requested that VDOT check on the potholes in his area. Mr. Caywood said there would be some intense work done as soon as the weather permits. Mr. Haraway stated in his opinion, after the snow the streets in Dinwiddie County were in much better shape than those in Colonial Heights and Petersburg. Mr. Caywood thanked him for the compliment and replied the workers at VDOT pride themselves on that fact.

IN RE: GENERAL REASSESSMENT SALES ANALYSIS – REPORT HAROLD WINGATE

Mr. Harold Wingate introduced Mr. Thomas Bland, Project Manager, to the Board and stated he has been with his firm for about 10 years. He gave the following update for the General Reassessment to the Board:

1. Building Permits – worked on 2001-2003 which brought the County up to 2003 – approximately 1,300 permits have been processed.

2. Working on making sure all the cell towers are in the real estate tax base. If owned by corporations the State Corporation Commission taxes them, but if privately owned they are taxed locally.

3. They have also been working on properties that have been sold within the last 2 years to make sure they are in line with the market and what has been taking place in the County's real estate market. Their job is to bring each section into line so the Board can apply the rates to bring the County up to standard with the market. He stated they have also looked at the records and went through the land book for 2004.

4. The next step will be to go out to the properties to do the assessments. Each employee has an identification card and the vehicles are clearly marked to make sure the citizens know who they are.

IN RE: ROUTE 1 & ROUTE 460 ENHANCEMENT STUDY POSSIBLE STEERING COMMITTEE MEMBERS

"MEMORANDUM

TO: WENDY W. RALPH, COUNTY ADMINISTRATOR
KEVIN MASSENGILL, ASSISTANT COUNTY ADMINISTRATOR

FROM: WILLIAM SCHEID, COUNTY PLANNER

SUBJECT: ROUTE 1 & ROUTE 460 ENHANCEMENT STUDY
POSSIBLE STEERING COMMITTEE MEMBERS

DATE: FEBRUARY 11, 2004

The Route 1 and Route 460 Enhancement Studies are progressing. As noted in the beginning, it was envisioned that a Steering Committee would be developed to help guide in the development of the document. Three (3) meetings have been held. As a result of these meetings, several citizens showed an interest in the study and most expressed an interest in being involved on the committee. With this in mind, I would like to suggest that the Board of Supervisors consider the formation of a Steering Committee. If this were acceptable to them, I would mention the following individuals as candidates for membership on the committee:

Betty Bowen (lives in ED 1);
Bill Moore (owns business [Heritage Sign] in ED 4);
Chuck Johnson (owns business in ED 1) (lives in ED 4);
Geri Barefoot (lives in ED 3);
George Whitman (lives in ED 3);
Sam Hayes (lives in ED 5) (owns land on Route 1 in ED 5);
Ann Blazek (lives and owns business in ED 1);
Dale Andrews (lives in ED 5) (owns business property in ED 4 & 5);
Will Greene (lives in ED 3) (employed by Pamplin Park – ED 3); and
Dan Robbins (owns land in County).

In addition to the above, three (3) Planning Commissioners, Dean McCray, Danny Lee and Dr. Moore will also serve on the committee."

Mr. Moody stated he had a couple of people he would like to add to the list to represent the Route 460 area and he would submit them by next week.

It was the consensus of the Board to allow these people to serve on the committee.

IN RE: DISCUSSION OF VOLUNTEER APPRECIATION EVENT – PUBLIC SAFETY DIRECTOR

Mr. David Jolly, Public Safety Director, stated staff is working to provide an appreciation event for the volunteers and staff that assisted during the hurricane and many other ways during the calendar year 2003. He recommended that a banquet be held to coincide with "EMS Week" in May at the Eastside Community Center. He suggested that a committee be comprised to assist in putting the event together. He asked if a Board member would like to serve on the committee. Ms. Moody volunteered to serve on the committee.

Mr. Jolly stated Mr. Dennis Hale was the recipient of the Governor's Award for "Excellence in Fire Service" for 2003. Mr. Alvin Langley, Chief, Ford VFD submitted Mr. Hale's name for the award because of the $511,988 federal grant he was instrumental in getting for the County. Mr. Jolly pointed out this is just one example of the type of volunteers the County has. He also gave a brief report regarding the rescue of two missing teens from the Namozine area on Sunday night that were found in the Vulcan Quarry. He also praised the work of Mr. David Thompson and the GIS System for providing maps that helped with the search.

IN RE: MUZZLE LOADING ORDINANCE

The County Attorney stated she was requested to define "legally handicapped" in order to draft an ordinance to allow persons with disabilities to hunt deer with muzzle loading rifles from ground level; instead of from stands elevated at least 10 feet above the ground. She advised the Board that her recommendation would be to allow any person who has a doctor's certification indicating he/she had a disability, which would impede them from climbing, or a mobility problem that would restrict them from climbing up on the platform to be in conformity with the Disabilities Act. She stated if that was acceptable to the Board this could be used to determine if a person would be exempted from the 10' elevated requirement for Dinwiddie County. The Board members agreed with the County Attorney's recommendation and for staff to proceed with advertising the amendment.

IN RE: NAMOZINE VOLUNTEER FIRE DEPARTMENT – AUTHORIZATION TO NEGOTIATE CONTRACT

The following bids were received:

Company Name	**Bid**
Pro-Construction	$472,567
Rocky Hill Contracting	$555,000
United General	$587,190

The County Administrator commented a memo was included in your packets from Mr. David Jolly to update you on what has transpired for what appears to be a huge increase between the estimates and the final bid for the Namozine VFD project. The volunteers have done all the demolition work, which saved the County a considerable amount of money. Enclosed in your packet was also a CIP worksheet for the project indicating the cost which was estimated to be $285,193 but the actual cost for construction is now $472,567. She pointed out that the Architect, Mr. Frank DeStefano, has indicated this renovation will bring the building up to code and provide an updated facility that can be used for many years.

Mr. Moody stated he recalled some discussion about moving Namozine further into the County to provide more coverage and make it more accessible to

the citizens and he would hate to spend this much money if it is going to be moved. Mr. Haraway commented it was his understanding that it was not the intent to move it to the airport because of response times for River Road. Mr. Bowman agreed with Mr. Haraway. Mr. Jolly replied there had been some discussion about moving Namozine. However, if it were moved from its present location it would be extremely difficult to provide adequate Fire and EMS response time for coverage to the River Road area.

Mr. Moody asked if this would be a permanent location for Namozine. Mr. Jolly replied yes. Mr. Haraway asked if the volunteers were looking to move Namozine. Mr. Ronnie Erb, Chief, Namozine VFD, responded they were not planning to move the station.

The County Administrator stated the contractor's work has been looked at and has good references and restated staff would like authorization to enter into negotiation with Pro-Construction.

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Staff to enter into negotiations with Pro-Construction for this project.

IN RE: AUTHORIZATION TO NEGOTIATE CONTRACT - PROTECTIVE JACKET & HIGH BACK TROUSERS

The following companies submitted bids for the firefighting equipment:

Company Name & Address	Bid Amount
Simples Grinnell LP 510 Easpark Court Sandston, VA 23510	Jacket $ 603.34 Pants 429.37 **Total 1,032.71**
Municipal Emergency Services 3025 Military Highway Chesapeake, VA 23323	Jacket $ 550.00 Pants 400.00 **Total 950.00**

Upon motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Staff to enter into negotiations with Municipal Emergency Services for the firefighting equipment.

IN RE: AUTHORIZATION TO ENTER INTO NEGOTIATIONS – SELF-CONTAINED BREATHING APPARATUS

The following companies submitted bids for the self-contained breathing apparatus equipment:

Company Name & Address	Bid Amount
Fire Protection Equip. Comp. 7260 Impala Drive Richmond, VA 23228	$450,271.90
Municipal Emergency Services 3025 Military Highway Chesapeake, VA 23323	$484,958.00

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for Staff to enter into negotiations with Fire Protection Equipment Company for the self-contained breathing apparatus equipment.

IN RE: RESOLUTION IN SUPPORT OF ADDITIONAL NURSING HOME AND ASSISTED LIVING BEDS IN DINWIDDIE COUNTY

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye", the following resolution of support is hereby approved.

RESOLUTION

WHEREAS, the Virginia Certificate of Public Need Law Provides that only under certain circumstances will opportunities become available for new nursing home beds to be constructed in planning districts around the state; and

WHEREAS, the Commonwealth of Virginia has allocated the addition of sixty (60) nursing home beds to the jurisdictions compromising the 19th Planning District; and

WHEREAS, the greatest need for additional nursing home beds within Planning District 19 is in Dinwiddie County; and

WHEREAS, there is a significant mal distribution of nursing home beds between Dinwiddie County and the other jurisdictions in Planning District 19; and

WHEREAS, the Dinwiddie County Board of Supervisors is greatly concerned about the present and future needs for nursing home and assisted living beds for residents of Dinwiddie County; and

WHEREAS, applications will be considered by the Virginia Department of Health and the Central Virginia Health Systems Agency to construct Sixty (60) nursing home beds in Dinwiddie County; and

NOW, THEREFORE, BE IT RESOLVED, the Dinwiddie County Board of Supervisors fully support construction in Dinwiddie County of the Sixty (60) nursing home and assisted living beds in the Northeastern section of Dinwiddie County;

BE IT FURTHER RESOLVED, the Dinwiddie County Board of Supervisors support the application seeking to construct the Sixty (60) nursing home and assisted living beds in Dinwiddie County.

Adopted this 17th day of February 2004.

IN RE: SHERIFF'S DEPARTMENT– AUTHORIZATION TO HIRE GENE T. HUGHES – COUNTY COURTROOM SECURITY OFFICER

Sheriff Samuel H. Shands sent a memo stating his department had advertised, interviewed and had a recommendation for the County Courtroom Security position. This position will become vacant with the resignation of C. M. Waggie effective February 21, 2004. He requested authorization to hire Gene T. Hughes to fill the position.

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Sheriff's Department to employ Mr. Gene T. Hughes for the County Courtroom Security position, at an annual salary of $23,854.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator commented at our meeting with the School Board, she was asked to have our financial consultants to prepare a capital fund analysis for Option 1 for the school improvements. In order for them to do an analysis they need the cost and a time line for when the money would be needed. She distributed a memo from Dr. Lanham, which stated the School Board has asked the architect for updated costs and timelines on the following:

Enrollment projection update:

*Update 2002 and 2003 fall membership in database
*Rerun long-range projection (five and ten years)
*Analyze cohort survival trends, particularly as they relate to impact of new housing developments over the last 3-5 years
*Factor in additional housing starts and new birth rate information
*Review meeting prior to finalizing data report
*Prepare and submit final report

CIP Option 1 Update:

*Cost estimate change for new high school of 1,600 expandable to 1,750 as well as a high school of 1750 expandable to 2,000
*Analysis of three elementary school options: new 720 student replacement elementary school; new 472 student elementary school, expandable to 720 and full renovation of Rohoic for 356 students
*Review any needed updates of remaining projects in Option 1
*Projected implementation schedule, based on projected enrollment needs at the elementary level (3 scenarios)
*Projected yearly cost impact of implementing CIP based on 2004 dollars and inflation at a rate of 3% (3 scenarios)
*Review meeting prior to finalizing report
*Prepare and submit final report

They will not get the updated information from the architect until the week of March 2nd. Therefore, a meeting will not be scheduled to discuss the study until after that time.

2. Mrs. Ralph said at the last meeting Ms, Moody mentioned some dumpster sites that needed some attention. She commented that Mr. King sent pictures of some sites that he had done work on. He will continue to work on other sites as time permits.

3. Change Order #8 was enclosed in your packets with a breakdown of costs. The Buildings and Grounds Director met with the contractors at the site and felt comfortable with the costs. A decision had to be made by 11:00 A.M. on Wednesday, the 11th or it would have cost over $3,000 to remobilize the men and the equipment. After consultation with the Chairman, the County Administrator approved the Change Order.

4. The County Administrator asked the Board if they would be agreeable to come in early on March 2, 2004 at 1:00 to meet with the School Board and other department to continue with their discussions of their proposed budget for FY 2005. The Board members agreed.

5. The County Administrator informed the Board that a meeting needed to be scheduled during the week of February 23rd to begin the work on the County budget. It would require at least one full day (8 – 5) to meet with the Constitutional Officers and Department Heads. The Board agreed to come in at 8:00 – 5:00 P.M. on Wednesday February 25, 2004.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody expressed his appreciation to the volunteer firemen for their assistance with the silo fire at his residence. He commented he was proud of the work the volunteers have done and continue to do. He asked the County Administrator if the inmates could pick up the trash on Claiborne and Butterwood Roads off of Route 460 West. Mrs. Ralph responded she would check with the community service workers or the Sheriff's Department to see if they could take care of the litter.

Ms. Moody requested that a resolution be prepared and presented to Margarete Ragsdale, President Bush recently appointed her as Ambassador of Africa and she felt that was commendable.

Mr. Stone requested the Assistant County Administrator or County Administrator set up a meeting for him to tour the Ingram Book Company Building and the NWB Building to see if it could be used to house the Social Services Department or the School Board Office.

IN RE: REQUEST FOR ACTION – CONCERNING TRAVEL FOR DEFEATED BOARD OF SUPERVISORS

Anne Scarborough presented the following request to the Board for action:

"I am asking that you place on the next agenda (February 17, 2004) my request for a motion, by the Dinwiddie County Board of Supervisors, concerning a defeated elected official who has been previously registered (using tax dollars) to attend meetings such as VACo, etc., between the day after the election and December 31 of the same year. It should be offered to the newly elected individuals."

Mr. Bowman stated he felt it was an excellent idea because it would be a year before a newly elected Board member could go to the meetings. Mr. Haraway stated he agreed with that part of it. Mr. Moody commented he agreed that new members should be allowed to attend the meetings but he felt it was up to the defeated official whether they want to go or not. Mr. Bowman commented the Board just spent time going over policies and this is something that could be added. No action was taken.

IN RE: CLOSED SESSION

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

§2.2-3711 (A)(3) - Acquisition of Property
***§2.2-3711 (A) 30* – Contracts** - Discussion of the award of a public contract involving the expenditure of public funds
§2.2-3711 A. 7- Consultation with Legal Counsel - Security at Meetings; Limited Public Forum; and FOIA;

Mr. Bowman seconded the motion. Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway, voting "Aye", the Board moved into the Closed Meeting at 4:14 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 6:27 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under Acquisition of Property - §2.2-3711 A. 3; §2.2-3711 A. 7 Consultation with Legal Counsel - Security at Meetings; Limited Public Forum; and FOIA; *§2.2-3711 (A) 30* – Contracts - Discussion of the award of a public contract involving the expenditure of public funds

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

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

Upon motion of Mr. Moody, Seconded by Mr. Stone, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway, voting "Aye", this Certification Resolution was adopted.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter from Secretary of Transportation – update on the revamped Six-Year Improvement Program.
2. Memo from William Scheid – regarding the reason the request from Gerald Rogerson to subdivide his land was not allowed.
3. Copy of Freedom of Information request from Anne Scarborough on Revenue Recovery.
4. Minutes and Report – Virginia's Gateway Region –December – February 5, 2004.

RE: ADJOURNMENT

Upon Motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the meeting adjourned at 6:29 P.M. to be continued until 8:00 A.M. on Wednesday, February 25, 2004 for a budget work session in the Multi-Purpose Room of the Pamplin Administration Building.

Donald L. Haraway

Donald L. Haraway, ~~Chairman~~

ATTEST: Wendy Weber Ralph

Wendy Weber Ralph
County Administrator

/abr

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 25TH DAY OF FEBRUARY, 2004, AT 8:00 A.M.

PRESENT:	DONALD L. HARAWAY –CHAIRMAN	ELECTION DISTRICT #2
	HARRISON A. MOODY - VICE CHAIR	ELECTION DISTRICT #1
	ROBERT L. BOWMAN IV	ELECTION DISTRICT #3
	DORETHA E. MOODY	ELECTION DISTRICT #4
	MICHAEL W. STONE	ELECTION DISTRICT #5

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Mr. Donald L. Haraway, Chairman, called the continuation meeting to order at 8:14 A.M. in the Multi-purpose room of the Pamplin Administration Building.

IN RE: DISCUSSION OF BY-LAWS

The Board of Supervisors completed their discussion of the By-Laws and the County Administrator suggested that the Board allow staff to compile a list of the changes as directed which would be presented to them for their consideration at a future meeting. The Board concurred.

IN RE: SMALL PURCHASE PROCUREMENT POLICY

"Memo

To: Mrs. Wendy W. Ralph, County Administrator
From: Wendy Morgan, Senior Fiscal Technician
Date: 2/13/2004
Re: Small Purchase Procurement Policies

Per your request I contacted several local localities, in reference to what their procedure was, with small purchase procurements. Their response was as listed below:

Chesterfield County
For the County of Chesterfield, their purchasing procurement policy is, any purchase 30,000.00 and over you have to have written quotes for competitive sealed bids. From 29000.00 to 1000.00, you must have (3) telephone quotes. From 999.99 and under you don't need any quotes for the purchase only the department head over the department requesting the purchase has to approve and sign off on the purchase.

City of Hopewell
For the City of Hopewell, their purchasing policy is, any purchase 15000.00 and over you have to have written quotes for competitive sealed bids. From 14000.00 to 1000.00 you must have (3) written telephone quotes. From 999.99 and under you don't have to have any quotes for the purchase. Only the department head over the department requesting the purchase has to approve and sign off on the purchase.

County of Prince George
For the County of Prince George, their purchasing procurement policy is, any purchase 15000.00 and over you have to have written quotes for competitive sealed bids. From 14000.00 to 1000.00 you must have (3) telephone quotes. From 999.99 and under you don't need to have any quotes for the purchase, only the department head over the department requesting the purchase has to approve and sign off on the purchase.

City of Petersburg
For the City of Petersburg, there was no response.

I am requesting that the small purchasing policy for the County of Dinwiddie be revised and raised from 200.00 to 1000.00 before having to obtain bids for the purchase, The department head's approval is still required keeping in mind that we are still looking for the best price."

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway, voting "Aye", the following small purchase procurement policy was adopted:

1) Any purchase under $999.99 no quote is required with Department Head approval.
2) Any purchase $1,000 to $14,999.99 three (3) telephone quotes are required.
3) Any purchase $15,000 to $29,999 written quotes are required.
4) Purchases above $30,000 the law requires a formal competitive sealed bid process.

IN RE: EMERGENCY MANUAL CHECK POLICY

"Memo

To: Mrs. Wendy W. Ralph, County Administrator
From: Wendy Morgan, Senior Fiscal Technician
Date: 2/13/2004
Re: Creating an Emergency Manual Check between Board Meeting

Per your request I contacted several local localities, in reference to what their procedure was in creating an emergency manual check between their Board of Supervisors meetings. Their response was as listed below:

Chesterfield County
For the County of Chesterfield, they have check runs 3 days a week. Their Board doesn't approve the checks, if the monies have been appropriated in the budget for the fiscal year. The Department Head over the department that is requesting the manual check would be the one approving the manual, at any amount. They also authorize other employees to approve manual checks, and it changes frequently. They don't burden the Board or the County Administrator with such a minor request.

City of Hopewell
For the City of Hopewell, the Director of Finance would be the employee to approve the manual check if it is over 15,000, or if under 15,000 the Department Head would approve the request. Again if the monies have been appropriated they don't burden the Board or their City Manager.

County of Prince George
For the County of Prince George, the County Administrator approves all checks, even emergency manual checks. The Board again is not burdened, if the monies have been appropriated in the budget.

City of Petersburg
For the City of Petersburg, the Director of Finance would approve the request for the manual check.

A manual check would only be created in the event of an emergency when funds are needed between Board meetings. The request could be approved by the County Administrator upon consultation, with the chair of the Board of Supervisors.

The County Administrator stated the Board appropriates funds when it adopts the budget. A manual check would only be issued in case of an emergency between Board meetings after consulting with the Chairman of the

Board. She assured the Board that an appropriation would only be made if it is within the budget. All CIP requests would still have to be approved by the Board of Supervisors.

Upon motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is hereby authorized to approve a manual check in the event of an emergency when funds are needed between Board meetings, after consulting with the Chairman of the Board of Supervisors.

IN RE: CLOSED SESSION

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

Industrial Development - §2.2-3711 A. 5

Mr. Moody seconded the motion. Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", the Board moved into the Closed Meeting at 8:36 A.M.

The meeting reconvened into Open Session in the Multi-purpose Room at 8:53 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under **§2.2-3711 A. 5 of the Code of Virginia - Industrial Development**

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

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

Upon motion of Mr. Moody, Seconded by Mr. Stone, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway, voting "Aye", this Certification Resolution was adopted.

IN RE: BUDGET DISCUSSION

The Board met with the following Constitutional Officers and Department Heads to discuss their proposed budgets for FY 2004-05:

9:00 A. M. Commissioner of the Revenue – Mrs. Lori K. Stevens

10:06 A. M. Treasurer – Mr. William E. Jones

11:00 A.M. Commonwealth Attorney - Mr. George F. Marable, III

IN RE: DISCUSSION OF REQUEST FOR CONSTITUTIONAL OFFICERS EMPLOYEES TO BE PLACED UNDER COUNTY POLICIES AND PAY PLAN

Mr. William E. Jones, Treasurer, stated he was speaking on behalf of the Commissioner of the Revenue, Sheriff, and himself. At this point, the Clerk of the Circuit Court and the Commonwealth Attorney have not made a commitment as to whether or not they would like their employees to come under the County. Continuing he said the reason for the interceding was to request that the Board

place the employees in their offices under the County Policies and Pay Plan. The State is not keeping up with the salary scales. Mr. Haraway asked if the reason was to ensure that the employees would receive annual raises? Mr. Jones replied that was one of the reasons. One of the problems has been, they aren't classified State employees or County employees and this would alleviate that problem. Since the State is not keeping up with the salary scales and they aren't included in the County pay plan they haven't had a raise in 3-years. This would be for the betterment of their staff, and the County, and it would be good for morale. He stated once they are in there will be no backing out.

There was a lengthy discussion regarding how many counties in the State presently have placed the Constitutional Officer's employees under the County Plan; how many hours they work weekly; and how many employees would be affected by the change.

Mr. Haraway requested that Mrs. Glenice Townsend go back 10 years to compare what the differences were for increases in the State and County employee salaries and report back to the Board. Mr. Jones had compiled a list; only the County employee raises needed to be added.

IN RE: BUDGET DISCUSSIONS CONT'

The discussion of the budget with the following Constitutional Officers and Department Heads continued:

11:58 A.M. Clerk to the Circuit Court – Ms. Annie Lee Williams

Mr. Bowman left at 12:23 P.M.

IN RE: LUNCH RECESS

The Board took a lunch break at 12:35 P.M. The meeting reconvened at 1:03 P.M.

IN RE: BUDGET DISCUSSIONS CONT'

The discussion of the budget with the following Constitutional Officers and Department Heads continued:

1:03 P.M. Sheriff's Department

IN RE: AUTHORIZATION TO ENTER INTO CONTRACT WITH SOUTHSIDE REGIONAL JAIL AUTHORITY TO HOUSE INMATES

The County Administrator stated she had received the agreement to renew the contract for the housing of the inmates with the Southside Regional Jail Authority. She stated there has been an increase to $28 per day for each male prisoner (with a guaranteed usage of 25 spaces) and $30 per day for female prisoners (with a minimum of eight). We knew there would be an increase in the contract but she felt this was still a good price. The County is responsible for the medical bills incurred by the inmates but SRJA will provide transportation for medical emergencies for the inmates. She asked for authorization to enter into a contract with Southside Regional Jail Authority for a renewable term from April 15, 2004 through June 30, 2007.

Upon motion of Mr. Moody, Seconded by Mr. Stone, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway, voting "Aye",

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorized the County Administration to enter into a contract with the

Southside Regional Jail Authority to house the County inmates with the terms and conditions stated in the contract.

IN RE: BUDGET DISCUSSIONS CONT'

The discussions of the budget with the following Department Heads continued:

2:36 P.M. Information Technology Department

3:23 P.M. Landfill

RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Stone, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye", the meeting adjourned at 4:29 P.M. to be continued until 1:00 P.M. on Tuesday, March 2, 2004 for a budget work session in the Multi-Purpose Room of the Pamplin Administration Building.

Donald L. Haraway, Chairman

ATTEST:
Wendy Weber Ralph
County Administrator

/abr

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 2TH DAY OF MARCH, 2004, AT 1:00 P.M.

PRESENT:	DONALD L. HARAWAY –CHAIRMAN	ELECTION DISTRICT #2
	HARRISON A. MOODY - VICE CHAIR	ELECTION DISTRICT #1
	ROBERT L. BOWMAN IV	ELECTION DISTRICT #3
	DORETHA E. MOODY	ELECTION DISTRICT #4
	MICHAEL W. STONE	ELECTION DISTRICT #5

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Mr. Donald L. Haraway, Chairman, called the continuation meeting to order at 1:14 A.M. in the Multi-purpose room of the Pamplin Administration Building.

IN RE: PRSENTATION OF PROPOSED SCHOOL BOARD BUDGET

Dr. Leland Wise, Jr., presented the following proposed School Fund Budget for FY 2005.

Dinwiddie County Public Schools

Proposed School Fund Budget
FY 2005

School Board Budget Goals

- Maintain low pupil-teacher ratios
- Attract and retain high quality teachers and staff
- Provide competitive salary and benefits
- Offer diverse educational program that meets needs of all county students
- Provide support to students struggling to meet full academic potential
- Provide safe and efficient transportation
- Provide a safe, clean, well-maintained learning environment
- Maximize use of state funds, federal funds, and competitive Grants

Revenue Budgets FY2005

State has recalculated composite index and funding benchmarks. Dinwiddie's composite index moved from .2877 to .2844
State funding for Dinwiddie will increase$1.3 million in FY2005
Much of increase is tied to specific programs or VRS increase
Final state figures will not be available until mid-March

Federal Revenue FY2005

As in the past, we have budgeted federal funds at the same level as FY2004 as we have not yet been notified of any changes. This information will not be available until the summer.

Local Revenue FY2005

To balance this budget, an increase of $1,987,874 in local funds will be needed. However, this is a "worst case" budget, and we are anticipating some additional state funding and a somewhat lower VRS rate to come out of the General Assembly.

Expenditure Budget FY2005
Salary Increases

- Teacher salary scale restructuring has been completed
- Overall teacher increase is 5%
- Beginning teacher salary for FY2005 will be $33,500

Other employee increases range from 3-4.5% depending on scale

- Total for all raises $976,562

Expenditure Budget FY2005
Benefits Increases

- Highest VRS rate in recent memory

Increase of 4% over FY2004. Our rate changes from .0944 to .1341
Increase for existing employees at current salary is $607,176

- VRS for employee raises is $130,957
- Total VRS increase is $738,133

Expenditure Budget FY2005
Health Insurance

Employee health insurance rates will increase 11%
This budget absorbs all increase and leaves insurance rates for employees unchanged
Total health insurance increase is $120,976
We continue to experience difficulty competing with surrounding divisions because of health benefits

Expenditure Budget FY2005
Health Insurance

Employee health insurance rates will increase 11%
This budget absorbs all increase and leaves insurance rates for employees unchanged
Total health insurance increase is $120,976
We continue to experience difficulty competing with surrounding divisions because of health benefits

Expenditure Budget FY2005
New Positions

We have reduced the number of positions requested by principals and directors to the bare minimum
16.5 new positions are in the FY2005 budget, and 10 of these are in Transportation
Cost for each position includes salary (Step 5) and benefits

Expenditure Budget FY2005
New Positions

•2 High School Teachers	**$ 97,068**
•2 Elementary Teachers	**$ 97,068**
•1 Elementary Sp. Ed. Teacher	**$ 48,534**
•1 MS Guidance Counselor	**$ 54,240**
•7 Bus and Car Drivers	**$ 45,969**
•3 Bus Aides	**$ 18,021**
•.5 Driver (PT to FT)	**$ 16,970**
NEW POSITION TOTAL	**$377,870**

Expenditure Budget FY2005
New Positions - SOQ

•Six additional positions would be added if SOQ funding is approved (Senate version of budget). We would receive approx. 72% of cost and would have to provide 28% plus some benefits.

•SOQ positions include two elementary assistant principals, three elementary art teachers, and a network engineer.

•Total cost for SOQ positions would be $346,932

Expenditure Budget FY2005
Unfunded Positions

•Six additional positions are needed but not funded in this draft of the budget – five elementary aides and a K-12 Attendance/Truant officer.

•Cost to add these positions would be an additional $137,619

Expenditure Budget FY2005
Instructional Budgets

•Generally small increases. School budgets were adjusted for increased enrollment

•$25,000 increase under Special Education for tuition to other divisions

•$100,000 increase for Rowanty tuition

Expenditure Budget FY2005
Instructional Budgets

•PALS, SOL Remediation, and Bright Stars increases due to new state funding formula

•Guidance increased by $25,591 to make elementary counselors 11 month positions

•Media increased by $13,449 to make elementary librarians 10.5 month positions

Expenditure Budget FY2005
Administration and Health

•Board services budget reflects new salaries for School Board members

•Speech has been moved to a new section because of state requirements

Expenditure Budget FY2005
Transportation

•The transportation budget reflects increases for additional cameras, 2 additional cars, and new and replacement garage equipment.

•These additions total $33,000

Expenditure Budget FY2005
Maintenance

Expenditure Budget FY2005
Food Service

•Currently the School Fund does not contribute directly to the cafeteria fund budget

•This budget reflects moving salary for Director of School Food Service to the School Fund

•This change will allow additional flexibility in cafeteria fund budget to address salary issues

Expenditure Budget FY2005
Technology

Supplemental salaries and purchased services have been reduced as full-time staff assumes more responsibilities

Budgeted at essentially same as last year's proposed budget

VPSA funding is tied to secondary expenditures.

Hardware for the elementary schools and software for the division is budgeted at $180,000

Achieving Common Goals

•This proposed budget is designed to maintain the integrity of the instructional program, recruit and retain employees in a highly competitive environment, and meet the challenges of state and federal mandates as well as enrollment growth.

A work in progress...

•We will carefully monitor General Assembly action and keep the county advised of changes as soon as we know them.

•We hope that there will be sufficient funding forthcoming to meet the needs outlined in the proposed budget as well as add some of the positions that have been listed but not included in this draft.

Dr. James Lanham, Assistant Superintendent, continued the presentation and distributed copies of the School utility bills. He commented last year the Board of Supervisors agreed to reimburse the school system for any increases in their utility bills for FY 2003 – 2004 up to $100,000. He commented it doesn't appear at this time there will be a shortfall of that amount, just estimating it may be around $37,000.

Electricity	Water	Fuel Oil	
$640,000.00	$65,000.00	$229,000.00	
$30,729.67	$4,807.42	$0.00	
$67,615.04	$2,189.40	$20,953.91	
$43,687.55	$3,566.87	$2,669.84	
$85,826.12	$4,469.05	$10,814.74	
$68,132.44	$5,239.32	$7,603.68	
$53,144.03	$8,985.27	$12,700.35	
$55,734.49	$6,626.78	$30,294.56	
$58,519.82	$3,145.19	$34,806.06	
		$35,000.00 *projected*	
		$30,000.00 *projected*	
		$12,000.00 *projected*	
		$5,000.00 *projected*	
$463,389.16	$39,029.30	$119,843.14	
$61,808.50	$4,878.66		
$710,623.15	$58,543.95	$201,843.14	
($70,623.15)	$6,456.05	$27,156.86	($37,010.24)

There was a lengthy discussion between the Boards regarding salary scales for surrounding jurisdictions; what the ADM funding is per student; the increased cost for insurance; disadvantages in finding and retaining specialized teachers; the large increase in cost for travel; Federal funding for Special Education; what the differences are in the courses taught at the High School and Rowanty; un-funded mandates; how the County is going to fund the increase in the budget request and build the new schools; and how the County can have growth pay for growth.

Mr. Haraway commented this had been one of the most pleasant meetings he could remember having with the School Board. This is just proof that you can agree to disagree. But, again this year the School Board is requesting a 20% increase in local funding. However, if you recall, the Board has only approved a 6% increase in past history and he did not want them to leave with the idea that it would be approved.

Mr. Haraway left at 3:30 P.M.

IN RE: BUDGET DISCUSSIONS

The Board met with the following Department Heads to discuss their proposed budgets for FY 2004-05:

2:43 P.M. – PUBLIC SAFETY

4:38 P.M. – COMMUNICATIONS

5:15 P.M. – UPDATED SCHOOL FACILITIES PLAN

Dr. Jim Lanham, Assistant Superintendent, stated the School Board just received a copy of the Updated Enrollment Projection and Facilities Master Plan from BCWH. He distributed copies to the Board members and Administrative

Staff. There was a brief discussion of the Updated Plan. The County Administrator asked the Board what option they wanted to use so Davenport could project our debt capacity of how the County would finance the new schools. The Board members agreed to proceed with Option 1 for the analysis.

IN RE: DINNER RECESS

The Board recessed for dinner at 5:51 P.M.

Mr. Haraway returned at 6:00 P.M.

RE: ADJOURNMENT

Upon Motion of Mr. Stone, Seconded by Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the meeting adjourned at 6:11 P.M.

Donald L. Haraway, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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 MARCH, 2004, AT 6:00 P.M.

PRESENT:	DONALD L. HARAWAY –CHAIRMAN	ELECTION DISTRICT #2
	HARRISON A. MOODY - VICE CHAIR	ELECTION DISTRICT #1
	ROBERT L. BOWMAN IV	ELECTION DISTRICT #3
	DORETHA E. MOODY	ELECTION DISTRICT #4
	MICHAEL W. STONE	ELECTION DISTRICT #5
OTHER:	ANN NEIL COSBY	COUNTY ATTORNEY

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IN RE: CLOSED SESSION

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

§2.2-3711 A. 7 – Consultation with Legal Counsel *– Bio-Solids Amendments*
§2.2-3711 A. 1 – Personnel matters *– Appointments;*
§2.2-3711 A. 3 **– Acquisition of Real Property**

Ms. Moody seconded the motion. Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", the Board moved into the Closed Meeting at 6:12 P.M.

The meeting reconvened into Open Session in the Board Meeting Room at 7:38 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under:
§2.2-3711 A. 7 – Consultation with Legal Counsel *– Bio-Solids Amendments*
§2.2-3711 A. 1 – Personnel matters *– Appointments;*
§2.2-3711 A. 3 **– Acquisition of Real Property**

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

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

Mr. Moody excused himself for the discussion of the Biosolids Amendments.

Upon motion of Mr. Stone, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", this Certification Resolution was adopted.

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

Mr. Donald L. Haraway, Chairman, called the regular meeting to order at 7:39 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

The County Administrator stated there is a need to continue the Closed Session after the meeting for Personnel §2.2-3711 A. 1 for *Appointments;* and

add 6 a. Jailor Position for Sheriff's Department; 6 b. Legal Opinion for Biosolids Amendments; 6 c. Presentation by Michael Bratschi.

Upon motion of Mr. Bowman, Seconded by Mr. Stone, Ms. Moody, Mr. Stone, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the above amendment(s) were approved.

IN RE: MINUTES

Upon motion of Mr. Moody, Seconded by Ms. Moody, Ms. Moody, Mr. Stone, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the February 10, 2004 Continuation Meeting, February 17, 2004 Continuation Meeting, and the February 17, 2004 Regular Meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Moody, Seconded by Ms. Moody, Ms. Moody, Mr. Stone, Mr. Bowman, Mr. Moody, Mr. Haraway 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 1038542 through 1038777 (void check(s) numbered 1038224, 1038543, and 1038613)

Accounts Payable:

(101) General Fund	$ 129,998.17
(103) Jail Commission	$ 297.61
(209) Litter Control	$ 110.00
(222) E911 Fund	$ 2,551.26
(225) Courthouse Maintenance	$ 634.70
(226) Law Library	$ 897.10
(228) Fire Programs & EMS	$ 3,614.00
(304) CDBG Grant Fund	$ 152.80
(401) County Debt Service	$ 22,392.97
TOTAL	**$ 160,649.09**

PAYROLL 02/27/04

(101) General Fund	$ 415,896.91
(222) E911 Fund	$ 3,543.43
(229) Forfeited Asset	$ 205.46
(304) CDBG Fund	$ 7,701.86
TOTAL	**$ 427,347.66**

IN RE: AUTHORIZATION TO ADVERTISE FOR PUBLIC HEARING –TO TRANSFER PARTIAL OWNERSHIP IN CARSON ELEMENTARY SCHOOL TO PRINCE GEORGE COUNTY

Upon motion of Mr. Moody, Seconded by Ms. Moody, Ms. Moody, Mr. Stone, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Attorney is authorized to advertise for a public hearing to transfer the County's interest in the four parcels that comprise the Carson School site to Prince George County.

IN RE: APPROVAL OF CONTRACT – SCBA & TURNOUT GEAR

"**TO**: BOARD OF SUPERVISORS

FROM: David M. Jolly
Director of Public Safety

DATE: February 25, 2004

SUBJECT: Request to enter into Contract for SCBA and Turnout Gear

As authorized at the February 17th Board meeting, we have negotiated both the Self-Contained Breathing Apparatus and the Turnout Gear.

The SCBA vendor, Fire Protection Equipment, has agreed to provide additional face pieces for the SCBA's at no cost. This will allow each member of the system once trained to have his/her personnel face piece. This will be great step toward compliance with NFPA & OSHA standards. In addition, we have negotiated the ability to provide the member with the ability to convert the face pieces to also protect them from bio-hazard type concerns.

The Turnout Gear vendor, Municipal Equipment Services, has agreed to provide on-site sizing of members, the ability for us to renew this contract for up to three years with no more than a 4% increase annually, and they have agreed to deliver within 60 days of an order being placed.

Overall, I am very pleased with the outcome of the negotiations and am requesting authorization to enter into a contract with each of the above vendors. As you will recall, this project is funded through the Federal FIRE ACT grant. In order to provide the ability to purchase from both vendors I am requesting funding not to exceed $582,988 for both projects. This would allow us to complete the project with only a $71,000 commitment from County funds. These funds were approved in the Capital Improvement Program."

Upon motion of Mr. Moody, Seconded by Ms. Moody, Ms. Moody, Mr. Stone, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to sign the contract with Fire Protection Equipment for the Self-Contained Breathing Apparatus and Municipal Equipment Services for the Turnout Gear in an amount not to exceed $582,988 (funded through the Federal Fire Act Grant); with an additional funding of $71,000 from County funds from the CIP fund.

IN RE: NAMOZINE LADDER TRUCK REPAIR

"TO: BOARD OF SUPERVISORS

FROM: David M. Jolly
Director of Public Safety

DATE: February 25, 2004

SUBJECT: Repair to Ladder Truck

Chief Ronald Erb, Namozine Volunteer Fire Department, has contacted me about a needed repair to the ladder truck. The waterway that allows water to be pumped into the bottom of the ladder in order to utilize the master stream that is attached to the ladder has developed a leak. This water leaking causes the electrical wiring of the ladder to malfunction. This in turn causes serious operational problems with the ladder.

Chief Erb has received two quotes from the only two vendors that are able to repair the unit. The Singer Associates quote is the low bidder with a price of $6,460.50.

The quotes are as follows:

Company	Part	Bid
Singer & Associates	Hydromotion Swivel	$4,893.00
	Fabericated Inlet	1,567.50
		$6,460.50
American Fire Equipment	Hydromotion Swivel	$5,056.00
	Fabericated Inlet	1,738.15
		$6,794.15

I am requesting this repair be funded from the capital repair line item (101-032200-3310) from the volunteer fire budget for the repair of the ladder truck."

Upon motion of Mr. Moody, Seconded by Ms. Moody, Ms. Moody, Mr. Stone, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Namozine Volunteer Fire Department is authorized to make the repairs described above to the ladder truck in an amount not to exceed $6,460.50 to be funded from the capital repair line item (101-032200-3310) from the volunteer fire department budget.

IN RE: PUBLIC HEARING – A-04-1 – ORDINANCE TO AMEND AND READOPT SECTION 19-5 OF THE DINWIDDIE COUNTY CODE TO SET FEBRUARY 15 AS THE FILING DATE FOR ANNUAL RETURNS OF TAXABLE TANGIBLE PERSONAL PROPERTY & MACHINERY & TOOLS BEGINNING CALENDAR YEAR 2005

This being the time and place as advertised in the Monitor on February 18, 2004 and February 25, 2004, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comment on the following matter:

A-04-1 - AN ORDINANCE TO AMEND AND READOPT SECTION 19-5 OF THE DINWIDDIE COUNTY CODE TO SET FEBRUARY 15TH AS THE DATE FOR FILING ANNUAL RETURNS OF TAXABLE TANGIBLE PERSONAL PROPERTY AND MACHINERY AND TOOLS BEGINNING CALENDAR YEAR 2005.

Mr. Haraway opened the public hearing. There was no one present desiring to make any comments on the amendment. Mr. Haraway closed the public hearing.

Upon motion of Mr. Bowman, Seconded by Ms. Moody, Ms. Moody, Mr. Stone, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", Section 19-5 of the Code of the County of Dinwiddie, Virginia is hereby amended and readopted to read as follows:

WHEREAS, the date by which annual returns of taxable tangible personal property and machinery and tools must be filed in Dinwiddie County has been February 15th of each year; and

WHEREAS, the filing date for 2004 was extended to March 1 by a resolution adopted by the Board of Supervisors on January 20, 2004; and

WHEREAS, the Commissioner of the Revenue of Dinwiddie County has recommended that, other than for 2004, February 15th continue to be the filing date for such returns.

NOW THEREFORE BE IT ORDAINED, that Section 19-5 of the Code of the County of Dinwiddie, Virginia be amended and readopted to read as follows:

Sec. 19-5. *Filing Date*; failure to file return; penalty; extensions

(a) *The due date for filing annual returns of taxable tangible personal property and machinery and tools shall be February 15th, of each such calendar year.*

(b) If a person required to file a return fails to file by *the date due, February 15th*, then a penalty shall be added to such tax in the amount of ten (10) percent of the tax assessed. Penalty for failure to file a return shall be assessed on *February 16th*. No penalty for failure to file a return shall be greater than ten (10) percent of the tax assessed or ten dollars ($10.00), whichever is greater; provided, however, that the penalty shall in no case exceed the amount of the tax assessable.

(c) Notwithstanding the provisions set forth above, the commissioner of the revenue may grant an extension of time for failing to file such a return, not to exceed ninety (90) days, whenever good cause exists. The commissioner of the revenue shall keep a record of every such extension. If any person who has been granted an extension for filing his return fails to file his return within the granted time, his case shall be treated the same as if no extension had been granted.

(Ord. of 12-20-89)

Note – Similar provisions at § *13-11*.

State law reference – Authority for above section, Code of Virginia, § *58.1-3916*.

This ordinance shall become effective immediately upon its adoption by the Board of Supervisors.

IN RE: NAMOZINE FIRE STATION RENOVATIONS CONTRACT

The County Administrator commented at the direction of the Board the Architect, Frank DeStefano, David Jolly and Gene Jones have negotiated the renovation bid for Namozine with the low bidder. Mr. Jolly is here to present the results.

Mr. David Jolly distributed copies of the generator bids for the project.

"Generator for Namozine Fire Station

Vendor	Type Unit	Cost of Unit
Fidelity Engineering Corporation	100 KW	19,271.00
Cummins Power Generation	100 KW	19,375.00
Carter Cat	100 KW	26,460.00

After reviewing the bids, it is our recommendation that we enter in contract with Fidelity Engineering Corporation.

This cost has been included in the CIP Project worksheet in order to show total cost of the project."

Mr. Jolly informed the Board that Pro-Construction had reduced their fee at the time of the bid in order to win the project. They left $60K+ between the next two competitors. However, they did reduce the time of completion from 270 days to 210 days, which is important to the volunteers and reduced the project cost by $3,417 to make some minor changes. There is also a possibility of a 4-5% savings by value engineering the HVAC & plumbing cost depending on what is allowed. In addition to these savings, if the two windows in the bunk area were left out, $7,000 could also be deducted from the contract.

Mr. Haraway, Mr. Bowman, and Mr. Moody voiced their concerns about the safety of the volunteers in case of a fire or emergency if the windows were left out. The Public Safety Director stated code did not call for any windows but if the Board wanted to leave them it was up to them.

Mr. Moody stated he was the one who had initially asked for the windows but if the volunteers and code did not require them he would make the motion to accept the contract in the amount of $614,121.

Mr. Bowman commented he just could not vote to leave the windows out. The Buildings and Grounds Director, Gene Jones, suggested leaving one window in if the contractor would agree to do it for $3,500.

Mr. Moody agreed to amend his motion to include one window at an increase of $3,500 for a contract price of an amount not to exceed $617,621. Mr. Stone seconded the motion, Ms. Moody, Mr. Stone, Mr. Bowman, Mr. Moody, Mr. Haraway 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 Pro-Construction Services to renovate the Namozine Fire Station at a cost not to exceed $617,621.

IN RE: SHERIFF'S DEPARTMENT– AUTHORIZATION TO HIRE ERIC O'NEAL MABRY – COUNTY JAILOR POSITION

Sheriff Samuel H. Shands sent a memo requesting authorization to hire Eric O'Neal Mabry to fill a vacant county jailor position.

Upon motion of Ms. Moody, Seconded by Mr. Bowman, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the Sheriff's Department to employ Mr. Eric O'Neal Mabry for the County Jailor position, at an annual salary of $23,854.

IN RE: LEGAL OPINION BIOSOLIDS ORDINANCE AMENDMENT

Ms. Ann Neil Cosby, County Attorney stated she had been requested to give a legal opinion on Biosolids amendments. To date, the Virginia Supreme Court has only held that local governments may not ban biosolids when the state has granted a Biosolids Use Permit under the Biosolids Use Permit. The Court found such a ban is inconsistent with state law and held that localities may not adopt local biosolids regulations that are inconsistent with state law. (Blanton v. Amelia County)

After the Blanton decision, the Code of Virginia was amended such that localities were granted the express authority to adopt local ordinances related to the testing and monitoring of biosolids. After that statutory amendment, the Attorney General, a federal court hearing a case brought against Appomattox

County, and most recently the Circuit Court in Spotsylvania all held that the Virginia statute amendment effectively limits the authority of local governments over biosolids to the adoption of regulations related to testing and monitoring. Under these decisions, any other regulations, including zoning regulations, would likely be held invalid.

None of these decisions, nor the AG opinion, are binding in Dinwiddie, and there is a strong argument that these decisions go too far in restricting local authority over biosolids. As the Virginia Supreme Court has not directly weighed in on the issue, it is currently unclear if the Court would agree with the Attorney General and the decisions in Appomattox and Spotsylvania, or if the Court would find that state law does not limit local control over biosolids to solely testing and monitoring, but also allows localities to enact regulations pursuant to their police and zoning powers.

Until such time as the Supreme Court or the General Assembly directly addresses the issue, any regulation is subject to a legal challenge. With regard to a Conditional Use Permit requirement, in Appomattox and Spotsylvania, overlay districts (which are very similar to CUPs) were expressly challenged and struck down by the courts' decisions. Also struck down were posting, insurance and other requirements. Thus, while many biosolids regulations may reflect sound policy and good zoning practices, such regulations are all subject to a court challenge (except those related to testing and monitoring) and it is unclear; at least, what would be the result of any such litigation. The same analysis applies to sludge lagoons that are also regulated under the Biosolids Use Regulations. The Virginia Department of Health has advised that it disfavors large "routine" sludge storage facilities and has advised that it would seek input from local governments before any facility is permitted. However, it has also advised that that agency does not believe it is required to follow any recommendation from a local government as to whether a sludge storage facility should be permitted.

We believe the current ordinance is valid under existing law, but it and any amendments are subject to legal challenge. Before any changes are made, the conservative approach would be to wait until the Virginia Supreme Court or the state legislature directly addresses these issues.

IN RE: PRESENTATION BY MICHAEL BRATSCHI – DRUG PARAPHERNAILIA AVAILABILITY IN LOCAL STORE

Mr. Michael Bratschi reported on February 19, 2004 two females from Richmond were next door to his home on an empty lot at 3:00 A.M. looking for drugs. He called the Sheriff's Department and they responded to the call and investigated the incident. As a result of the incident and rumors he heard, Mr. Bratschi said he decided to investigate the availability of drug paraphernalia in a local store near him. He presented a display with the items he bought in the local stores for drug use.

He requested that the Board allow the County Administrator and Assistant County Administrator to investigate whether or not the county could adopt an ordinance with more "bite" under the "Dillion Rule" which would allow the County Code Enforcement Officer and/or Public Safety Officer power/authorization to make inspections of stores selling illegal drug paraphernalia in the County.

The County Administrator stated she would find out what authority the Board had and work with the Commonwealth Attorney and Sheriff on addressing the concerns. Mr. Bowman requested that the County Administrator contact the surrounding counties to see if they have this ordinance also.

IN RE: CITIZEN COMMENTS

Mr. Haraway stated we have a new timing device tonight, which is on the counter. When your time starts there is a green light that will stay lit for 2 minutes; then the yellow light will come on for 1 minute to allow you to conclude your comments; when the red light comes on a beep will sound indicating your time is up.

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

1. Geri Barefoot – 7411 Frontage Road, Petersburg, Virginia – commented at the February 3, 2004 meeting Mr. Bowman asked the County Attorney if anyone could contact the State Police to have an investigation of the destruction of County records. The County Attorney stated she did not know if the State Police had jurisdiction over this office, but a call could be made to them to see if an investigation could be done. However, Ms. Barefoot stated after researching the matter she found; no investigation of any elected official of the Commonwealth or any Political Subdivision to determine whether a crime violation has occurred, is occurring, or is about to occur, under the provision of 52-8.1 shall be initiated undertaken or continued except upon the request of the Governor, the Attorney General, or a grand jury. She said she didn't think any of those were present at the Board meeting. Therefore, the Board cannot request an investigation and neither can the citizens. She also stated when citizens come up and have questions for the Board they never get them answered. Mr. Haraway agreed that the questions should be answered and if they aren't let staff know.

2. Glen Alvis – 21850 Carson Road – Dinwiddie, Virginia – commented he was here for the meeting for the discussion of the Hunting Ordinance amendments and the issue came up regarding the high-powered muzzle loading rifles. The Board can adopt an amendment to control that by going back to the original rifles with a range of 75 to 100 yards. The amendment would disallow the usages of in lines and/or jacketed or sabot bullets.

3. Sabrina Weber – 23500 Cutbank Road, McKenney, Virginia – commented today 7 Middle School students were expelled or recommended for expulsion for drugs, possession of weapons, and unauthorized medications. As the school becomes more populated these things become more dangerous and common. Continuing she commented something should be done immediately and suggested staggering the bells temporarily and then build a new school.

4. Michael Bratschi – 23500 Cutbank Road, McKenney, Virginia – stated he already removed one of his children from the Middle School and home schooled her for two years because of problems there. He asked the Board to try and come together with the School Board and move forward and build a new one. He said the Board should consider offering Mr. T.O. Rainey the position of County Attorney because this County is only a number with the existing law firm; before this Biosolids ordinance becomes Bio Fuels.

5. Robert Belcher – 27516 Flank Road, Petersburg, Virginia – asked the following questions: 1) What happened to the directional signs for the County buildings that was discussed about 12 months ago? 2) When is the pavilion going to be built at Eastside? Mr. Haraway stated plans are now being done for the Pavilion and something should be forthcoming within the next month. The County Administrator

responded that the directional signs were included in the Corridor Study which they are presently working on.

Mr. Haraway reported at a meeting last month someone had asked which departments were allowed to drive the County vehicles home. At the present time 3 County vehicles are driven home – the Public Safety Director and the two Animal Control Officers.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1) The County Administrator commented that the Board had worked on the changes in the proposed By-Laws, which Staff had compiled for them. She said if the Board had any other additions or changes to please let staff know. They will be placed on the March 16th agenda for adoption.

IN RE: BOARD MEMBER COMMENTS

Mr. Stone commented he would like to set up a meeting with Ms. Cathy Carwile, Information Technology, Mrs. Ralph and Mr. Massengill to discuss IT procedures. He said he was also going to schedule a meeting with the Clerk of the General District Court to discuss the counter needs for the record books and to try to see if the records can be microfilmed. He asked the County Attorney if it would be a conflict of interest (since he works for a company who deals with towers) if he gave the County a price for a communications tower? He stated they were not doing the work just submitting a cost estimate; or would it be better, if he had another company to submit an estimate. She suggested that it would be better if he had another company to give the County an estimate. The Town Meeting for District 5 is scheduled for March 15th from 7:00 – 9:00 P.M. here in the Board Room. He commented if other citizens wanted to participate they were welcome to attend.

Mr. Bowman stated he had requested that Mr. Guy Scheid, Director of Planning, give his opinion regarding Mr. Bowman's request to reduce the number of planning commissioners from 7 to 5 and according to his memo he agreed. The County of Chesterfield only has 5 members presently. He commented he felt that there should not be a Board of Supervisor representative on that board either. He said it would help streamline things in the County and asked the Board members to think about it.

Ms. Moody asked if there was an existing ordinance, which would require that, the Quarry on Route 226 have a fence or barrier around it to protect people from getting seriously hurt or killed on that property.

Mr. Haraway requested that the Financial Officer have Davenport look at our bond issues to see if it would be advantageous to refinance since the rates are at an all time low. He also asked if the department heads would be submitting their reports in the format he requested soon? The County Administrator explained that they were working on a format, which could be used for all of the departments, and it has been difficult, but they are working on it.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Department of Environmental Quality – subject – proposed air permit application from Chaparral Steel.
2. Copy of Virginia Motorsports Park 2004 schedule of events and request for 19 Special Use Permits.

IN RE: ADJOURNMENT

Upon Motion of Mr. Stone, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the meeting adjourned at 8:41 P.M.

Donald L. Haraway, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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 MARCH, 2004, AT 12:30 P.M.

PRESENT:	DONALD L. HARAWAY –CHAIRMAN	ELECTION DISTRICT #2
	HARRISON A. MOODY - VICE CHAIR	ELECTION DISTRICT #1
	ROBERT L. BOWMAN IV	ELECTION DISTRICT #3
	DORETHA E. MOODY	ELECTION DISTRICT #4
	MICHAEL W. STONE	ELECTION DISTRICT #5
OTHER:	DANIEL M. SIEGEL	COUNTY ATTORNEY

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Mr. Donald L. Haraway, Chairman, called the regular meeting to order at 12:37 P.M. in the Board Meeting room of the Pamplin Administration Building.

IN RE: CLOSED SESSION

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

§2.2-3711 (A)(1) - Personnel - Appointments;
***§2.2-3711 (A) (7)* – Consultation with Legal Counsel** – Discussion of Legal Services; Adoption of Criminal Section of State Code; Virginia Bio Fuel Issues;
***§2.2-3711 (A) (30)* – Discussion of Award of Public Contract**

Mr. Bowman seconded the motion. Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway, voting "Aye", the Board moved into the Closed Meeting at 12:37 P.M.

A vote having been made and approved the meeting reconvened into Open Session in the Board Meeting Room at 2:04 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under §2.2-3711 A. 7 Consultation with Legal Counsel – Discussion of Legal Services; Adoption of Criminal Section of State Code; Virginia Bio Fuel Issues; *§2.2-3711 (A) 30* – Contracts - Discussion of the award of a public contract involving the expenditure of public funds; §2.2-3711 A. 1 Personnel – Appointments;

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

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

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway, voting "Aye", this Certification Resolution was adopted.

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

Mr. Donald L. Haraway, Chairman, called the regular meeting to order at 2:06 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

The County Administrator requested that the agenda be amended to delete Cad System #1 under Action Items and add the following items under Action Items - #7 (1) Appointments; move Grounds Maintenance Bids from the Consent Agenda to (2) under Action Items; and to continue the Closed Session for §2.2-3711 A. 7 Consultation with Legal Counsel - Discussion of Legal Services; and §2.2-3711 A. 1 - Personnel.

Upon motion of Mr. Moody, Seconded by Mr. Stone, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye," the above amendment(s) were approved.

IN RE: MINUTES

Upon motion of Mr. Moody, Seconded by Mr. Stone, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the February 25, 2004 Continuation Meeting, March 2, 2004 Continuation Meeting, and the March 2, 2004 Regular Meeting, are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Moody, Seconded by Mr. Stone, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway 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 1038780 through 1038957 (void check(s) numbered 1038476,1038779, 1037163, 1038700, and 1038871)

Accounts Payable:

(101) General Fund	$ 221,619.57
(103) Jail Commission	$
(209) Litter Control	$
(222) E911 Fund	$ 2,188.10
(223) Self Insurance Fund	$
(225) Courthouse Maintenance	$ 320.00
(226) Law Library	$
(228) Fire Programs	$ 1,051.62
(229) Forfeited Asset Sharing	$
(304) CDBG Grant Fund	$ 6,270.40
(305) Capital Projects Fund	$
(401) County Debt Service	$ 54,898.18
TOTAL	**$ 286,347.87**

IN RE: REIMBURSEMENT – DEBORAH M. MARSTON

"To: The Board of Supervisors

From: Glenice N. Townsend
Division of General Services

RE: Reimbursement to Deborah M. Marston

We received by fax on March 9th, the breakdown on the mileage request and the bill for having the curtains cleaned in the Commissioner of the Revenue's Office. These bills were approved by the Board at the December 17,

2003 meeting contingent on the breakdown from Ms. Marston. We have not included this payment in the claims pending your decision. If you decide to approve this payment, we will create a manual check."

The breakdown is as follows:

Mileage	$ 934.65
Clean curtains	112.85
Total	$1,047.50

Upon motion of Mr. Moody, Seconded by Mr. Stone, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye", the above claim is approved.

IN RE: ADOPTION OF APPROPRIATIONS RESOLUTION FY 2003-2004

Upon motion of Mr. Moody, Seconded by Mr. Stone, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye", the following Appropriations Resolution for FY 2003-2004 is adopted.

APPROPRIATIONS RESOLUTION

WHEREAS, the final 2003-2004 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 General Fund budget in the amount of $26,449,553 be appropriated beginning July 1, 2003; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following funds are appropriated beginning July 1, 2003:

Law Library - $6,500; Fire Programs Fund - $69,933; Virginia Public Assistance Fund - $2,572,969; CSA Fund - $785,812; E911 Fund - $457,484; Courthouse Maintenance Fees - $18,000; Forfeited Asset Fund - $37,027; Meals Tax Fund - $400,000; VJCCCA/Grants Fund - $65,136; Jail Phone Commission - $4,000; County Debt Service - $1,708,832; Head Start Fund - $300,000; School Cafeteria Fund - $1,314,374; School Capital Projects - $100,000; School Textbook Fund - $500,000; Recreation Fund - $17,300; and Litter Control - $3,313; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the CDBG Fund and IPR Fund, as State funds become available, be appropriated on a monthly basis as claims 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, and transferred on a monthly basis beginning July 1, 2003:

Instruction	$24,132,711
Administration, Attendance & Health	1,302,751
Pupil Transportation	2,069,778
Operation & Maintenance	3,459,107
Facilities	9,200
School Debt Service	2,724,824

(includes $400,000 transfer from Meals Tax); and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the FY 02 CIP fund balance in the amount of $994,775 and $1,000,000 from the FY03 undesignated fund balance be reappropriated to the CIP Fund effective July 1, 2003; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that all funding for fiscal year 2003-04 is subject to further action by the Board as dictated by the availability of State or other sources of funds.

IN RE: AUTHORIZATION TO ISSUE ERRONEOUS REFUND PAYMENT

"To: The Board of Supervisors

From: William E. Jones, Treasurer

RE: Authorization to issue an erroneous refund payment

Date: March 11, 2004

58.3981 of the Code of Virginia authorizes the treasurer to "issue any refund up to $2,500 as a result of an erroneous assessment". There has developed two paid erroneous assessments that exceed the $2,500 amount, that I would need your authorization to issue such refund. The two are as follows:

1. Vulcan Construction Materials: $17,285.39
   Corrected assessments for the 2001 and 2002 tax years on Personal Property and Machinery & Tool items.

2. Chaparral Steel (Virginia) Inc:
   You are more familiar with this one. At the time of drafting this memo, the exact amount is undetermined. Currently there is $2,242,567.00 in exonerated credits. However, the Commissioner's office is working to supplement proper assessments that will off set some of the credits. The supplemental amount is unknown at this time, but hopefully, the refund amount will be known by your meeting on Tuesday. Indications have it in the 1.9 million range."

Upon motion of Mr. Moody, Seconded by Mr. Stone, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Treasurer is hereby authorized to issue the refunds for the erroneous assessments to Vulcan Construction Materials for the amount of $17,285.39 and Chaparral (Virginia) in an amount to be determined at a later date but expected to be in the $1.9 million dollar range.

IN RE: AUTHORIZATION TO PURCHASE TRUCK FOR BUILDING INSPECTIONS OFFICE

"March 11, 2004

TO: Board of Supervisors

FROM: Dwayne Abernathy
Building Official

RE: Purchase of New Truck

The Building Inspections Department seeks your approval to proceed with the purchase of a 2004 ½ ton, 2 wheel drive, regular cab, long bed work truck from Sadler Chevrolet for $16,318.76.

The funds for this purchase was approved and included in our current 2003-2004 budget.

Wendy Morgan, Purchasing Agent, obtained three bids as listed below and are attached to this request.

Capital GMAC	$17,621.46
Dominion Chevrolet	16,898.38
Sadler Chevrolet	16,318.76

Upon motion of Mr. Moody, Seconded by Mr. Stone, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Building Inspector is hereby authorized to purchase the 2004 ½ ton, 2 wheel drive, regular cab, long bed work truck from Sadler Chevrolet in an amount not to exceed $16,318.76.

IN RE: ADOPTION OF BY- LAWS AND CODE OF ETHICS – FOR MEMBERS OF THE BOARD OF SUPERVISORS

Upon motion of Mr. Bowman, Seconded by Mr. Moody, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye", the following By-Laws and Code of Ethics are adopted.

BYLAWS

BOARD OF SUPERVISORS

DINWIDDIE COUNTY

ARTICLE I
OFFICERS AND THEIR SELECTION

A. The Officers of the Board of Supervisors shall consist of a Chairman and Vice Chairman, each of whom shall serve for a term of one (1) year.

B. Nomination of Officers shall be made from the Board at the first meeting of each calendar year. Election of Officers shall follow immediately.

ARTICLE II
DUTIES OF OFFICERS

A. The Chairman shall:

(1) Preside at all meetings;
(2) Make committee appointments;
(3) Work closely with the County Administrator on day to day matters, approve appropriate financial documents, and approve the agenda for all meetings;
(4) Serve on all standing committees of the Board;
(5) Carry out such other duties as assigned by the Board.

B. The Vice-Chairman shall act in the absence or inability of the Chairman to act.

ARTICLE III
AGENDA PREPARATION POLICY

A. The County Administrator shall prepare an agenda for each regular meeting of the Board of Supervisors. Supervisors, staff, and others may submit to the County Administrator items for the agenda at any time prior to Noon Wednesday preceding the regular meeting to which such item relates. Emergency Items will be added as an amendment to the agenda

B. Copies of the agenda shall be made available at the office of the County Administrator for each Supervisor and for members of the News Media serving the County and the public not later than close of business on Friday preceding the meeting to which it relates.

ARTICLE IV
MEETINGS

A. The time and place of Board Meetings shall be set from time to time by resolution of the Board in conformance with State Law. The regular meeting schedule shall be set at the organizational meeting held in January each year.

B. Minutes from the previous meeting shall be delivered to the Board members with the agenda prior to the next meeting. Unless requested by a Board member, the minutes will not be read and will be approved upon motion and vote of the Board.

C. ORDER OF BUSINESS

(1) Call to order
(2) Lord's Prayer and Pledge of Allegiance to the flag
(3) Roll Call
(4) Approval of minutes and consent agenda
(5) Citizens comment period (Third Tuesday meeting)
(6) Elected official's reports
(7) Staff reports
(8) Unfinished business
(9) New business
(10) Citizens comment period (First Tuesday meeting)
(11) Adjourn

Any member has the authority to alter this order of business if he deems it necessary. The Board will go into closed session one and half (1 ½) hours prior to the meeting. Public Hearings will take place at 7:30 p.m. or as immediately thereafter as practicable.

D, QUORUM AND METHOD OF VOTING

A majority of the members of the Board of Supervisors shall constitute a quorum of the Board. All questions submitted to the Board for decision shall be determined by a viva voce vote of a majority of the supervisors voting on any such questions, unless otherwise provided by law. The name of each member voting and how he or she voted must be recorded.

E, PROCEDURE FOR ROLL CALL OF BOARD MEMBERS

(1) The Chairman of the Board of Supervisors shall cast the last vote.

(2) The Members of the Board of Supervisors shall cast votes in district order on a rotating basis per meeting.

The Chairman/Clerk shall restate all motions before a vote is taken and the result of the vote shall be announced following each vote.

F. GENERAL RULES OF PROCEDURE

(1) The proceedings of the Board, except as otherwise specifically provided in these bylaws and by applicable State law, shall be governed by Chairman Rules except that no second shall be required on any motion.

(2) An appeal may be taken by any member from a ruling of the chair. A majority vote of those members present shall determine any appeal.

(3) The Chairman shall be permitted to vote on all questions.

(4) When any Board member determines, prior to the calling of any issue before the Board, that he, because of conflict or otherwise, will abstain from voting on such issue, he shall announce such intention at the time the issue comes before the Board and shall not participate in the discussion on such issue or question.

(5) In the incidence of a tie vote the issue voted upon by the Board is dead and therefore voted down.

G. MEMBER ABSENTING HIMSELF FROM MEETING PRIOR TO ADJOURNMENT

After the name of any member of the Board has been recorded as present at any meeting of the Board, he shall not absent himself previous to adjournment unless by consent of the Board.

H. BOARD TO SIT WITH OPEN DOORS

The Board of Supervisors shall sit with open doors and all persons conducting themselves in an orderly manner may attend the meetings; however, the Board may hold closed sessions as permitted by law and when deemed necessary by a majority vote of the Board.

The consent agenda shall be introduced by a motion "to approve", and shall be considered by the Board as a single item. There shall be no debate or discussion by any member of the Board regarding any item on the consent agenda. The Clerk or his/her designee shall provide a brief written summary of each item included in the consent agenda. Upon request of any Board member who wishes to question or discuss an item, that intern shall be removed from the Consent Agenda. This item shall be transferred onto the agenda for consideration under new business.

I. CITIZENS COMMENT PERIOD

RULES FOR
CITIZENS' COMMENT PERIOD

To ensure that the affairs of the Board and its committees may be conducted in an orderly manner, to ensure that all persons desiring to address the Board on matters pertinent to it are afforded an opportunity to do so, to permit persons in attendance to observe and hear the proceedings of the Board without distraction, and to permit to the fullest extent the Board to conduct County business with minimal disruption, the following rules are established.

1. Each person desiring to speak must sign up in advance of the opening of the Citizens' Comment period on the agenda.

2. Each speaker shall be limited to a period of three minutes; when two minutes have passed the speaker will be reminded the that there is one minute remaining.

3. Speakers who have signed up may use their allotted time only for themselves and may not donate their time to other speakers.

4. Speakers will not be permitted to use audiovisual materials or other visual displays, but may present written and photographic materials to the Board members.

5. Comments must be confined to matters germane to the business of the Board of Supervisors and shall not be cumulative or repetitive.

6. Speakers should address the Board with decorum – loud, boisterous, and disruptive behavior, obscenity, and vulgarity should be avoided as well as other words or acts tending to evoke violence or deemed to be a breach of the peace.

7. The Citizens' Comment period is not intended to be a question and answer period or time for dialogue with County officials. Questions which are raised during a comment period may at the discretion of the Board be responded to by County officials after sufficient time for appropriate investigation.

8. Speakers shall remain at the podium while addressing the Board.

9. Speakers shall not be interrupted by audience comments, calls/whistles, laughter, or other gestures. Individuals in the audience who do not abide by this policy after a warning will be asked to leave the meeting.

10. Expressive activities including, but not limited to, petitioning, picketing, displaying signs and posters, solicitation, demonstrating, pamphlet distribution, and conducting polls shall not be permitted within the Administration Building or at any other building that the Board is meeting.

The time allotted for Citizens' Comment period will be thirty minutes unless the agenda allots a different amount of time. Each speaker will be limited to three (3) minutes at the podium. At the Board's first meeting of each month, the Citizens' Comment period will be placed before County Administrator comments; at the second meeting of the Board the Citizens' Comment period will be placed on the agenda after consent agenda.

These rules do not preclude persons from delivering to the Board or its Clerk written materials including reports, statements, exhibits, letters, or signed petitions or to prohibit persons from presenting oral or written comments on any subject germane to the business of the Board to individual Board members or to the Board through its Clerk outside the context of the public meeting.

J. AGENDA ITEM PROCEDURE

The following guidelines shall be followed for comment addressed to specific agenda items:

(1) In order to prevent obvious questions from consuming Board Meeting time, the Chairman and/or designated person(s) will give a brief explanation of each agenda item prior to opening the floor for citizens' comments.

ARTICLE V
PROCEDURE FOR DEALING WITH ITEMS NOT ON THE AGENDA

A. All matters not on the agenda must be raised during citizens comment period. Any matter not on the agenda shall not be considered unless approved for consideration by the majority of the Board. Any matter not listed on the agenda shall not be acted upon over the objection of any three members present.

B. For any special meeting, the business to be discussed shall be stated in the call for such meeting. The Chairman or Administrator shall prepare a written agenda listing all items to be considered for every special meeting. No other business shall be discussed or acted upon over the objection of any three members present.

ARTICLE VI
PUBLIC HEARINGS

A. All public hearings will be advertised to begin at 7:30 p.m. during the regular Board Meeting and will be conducted as soon thereafter as the Board's agenda may allow. Public hearings may be postponed, continued or canceled at the discretion of the Board.

B. In addition to those required by law, the Board at its discretion may hold public hearings when it decides that a hearing will be in the public interest.

C. All public hearings, whether required or not, will be advertised according to State law.

D. The case before the Board shall be summarized by the Chairman or designated person(s). Interested parties wishing to speak must sign the register at the rear of the room prior to the start of the hearing. Each person wishing to speak will be called to the podium by the Chairman/Secretary in the order such person signed the register and must state his or her name and address for the record. Each speaker shall be limited to five (5) or three (3) minutes, unless waived by the Board.

E. Board Members shall limit their comments in public hearings to insure participation by the public without Board interference.

ARTICLE VII
APPOINTMENT OF COMMITTEES

A. The Chairman of the Board of Supervisors shall appoint committee members to any permanent or temporary committee established by the Board. The Chairman shall make his committee appointments within thirty (30) days of passage by the Board of Supervisors of a resolution creating a committee.

B. Appointments to other commissions and boards shall be approved by vote of the entire Board. Whenever possible, membership on such bodies shall be proportional by election districts. Vacancies will be filled by persons from the same districts. An individual who moves from a district to another district during his term of office shall remain in office until the expiration of his term. If any board or commission contains an odd number of members, then district under representation shall be on a rotating basis.

C. In accordance with Virginia Code section 44-146.19 (B) (2), the Board will annually appoint a member of the Board of Supervisors or the County Administrator as the Director of Emergency Management. The Director of Emergency Management will appoint a coordinator of emergency management with consent of the governing body.

ARTICLE VIII
PROCEDURES FOR FINANCIAL CONTROL

A. Annual appropriations shall be subject to the following method of internal control:

(1) The Board of Supervisors may make annual appropriations for the purpose of limiting the normal operating expenditures of the County.

(2) The County Administrator shall have the authority to transfer appropriations by line item within major categories, except for salary line items. All transfers are to be reported to the Board on a monthly basis.

(3) The County Administrator will not have the authority to transfer appropriations between major categories.

(4) The County Administrator will report to the Board in summary form all revenues and expenditures on a monthly basis.

(5) The County Administrator will report to all County Officers, by line items, expenditures every two months.

B. All normal operating expenditures of the County shall be processed in the following manner:

(1) All bills or invoices will be approved by the appropriate department head or constitutional officer, and received by the County Administrator.

(2) Checks and a check register will be prepared by the County Administrator's office.

(3) All bills, invoices, checks and check register will be reviewed by the County Administrator for approval.

(4) The County Administrator will review all invoices and submitted expenditures and initial the check register.

(5) All check registers will be presented to the Board of Supervisors for review and approval.

(6) The checks and check register will be presented to the Treasurer for review and approval.

(7) Upon approval, the Treasurer will sign all checks and keep one copy of the check register for the record.

(9) The checks will be distributed, as appropriate, by the County Administrator's office.

C. The Treasurer will submit a monthly report of financial condition on forms provided by the Board of Supervisors. The Board will consider approval of the report monthly.

ARTICLE IX
DUTIES OF THE COUNTY ADMINISTRATOR

The County Administrator shall:

A. Prepare the agenda for each meeting for approval in conformance with the agenda preparation procedure outlined in these bylaws.

B. Keep a written record of all business transacted by the Board.

C. Administer the financial control procedures of the County as set forth in these bylaws.

D. Advise and inform the Board on all matters affecting County government.

E. Execute all formal documents authorized by the Board of Supervisors.

F. Provide and supervise all staff services directly under the control of the Board of Supervisors.

G. The County Administrator shall be responsible for all personnel management of the County. Department Directors will be hired and dismissed with the consent of the Board of Supervisors.

H. Prepare an annual operating budget for the County government in accordance with guidelines established by the State auditor's office for approval by the Board of Supervisors. He shall be responsible for maintaining adequate financial and accounting records on all County business under his control.

I. Serve as the Board's representative in all circumstances where the Chairman, Vice Chairman, or a majority of the Board Members are not available.

J. Perform all other duties delegated by the Board as required by law.

ARTICLE X
AMENDMENTS

The Bylaws may be amended by a recorded majority vote of the entire membership of the Board after thirty (30) days prior written notice.

CODE OF ETHICS AND STANDARDS OF CONDUCT FOR MEMBERS OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS

CODE OF ETHICS

Recognizing that persons who hold public office have been given a public trust and that the stewardship of such office demands the highest levels of ethical and moral conduct, any person serving on the Dinwiddie County Board of Supervisors should adhere to the following Code of Ethics:

1. Uphold the Constitution, laws and regulations of the United States and of all governments therein and never knowingly be a part to their evasion.

2. Put loyalty to the highest moral principles and to the County as a whole above loyalty to individuals, districts, or particular groups.

3. Give a full measure of effort and service to the position of trust for which stewardship has been granted; giving earnest effort and best thought to the performance of duties.

4. Seek to find and use the most equitable, efficient, effective, and economical means for getting tasks accomplished.

5. Adopt policies and programs that support the rights and recognize the needs of all citizens regardless of race, sex, age, religion, creed,

country of origin or handicapping condition. Avoid adopting policies, supporting programs or engaging in activities that discriminate against or offend individuals because of race, sex, age, religion, creed, and country of origin or handicapping condition.

6. Ensure the integrity of the actions of the Board of Supervisors by avoiding discrimination through the dispensing of special favors or unfair privileges to anyone, whether for remuneration or not. A member should never accept for himself or herself or for family members, favors or benefits under circumstances, which might be construed by reasonable persons as influencing the performance of Board of Supervisors duties.

7. Make no private promises of any kind binding upon the duties of any office, since a public servant has no private word, which can be binding on public duty.

8. Engage in no business with the county government, or the school system, either directly or indirectly, which is inconsistent with the conscientious performance of Board of Supervisors duties except as may be consistent with the conflict of interest statutes in the Code of Virginia.

9. Never use any information gained confidentially in the performance of Board of Supervisors duties as a means of making private profit.

10. Expose, through appropriate means and channels, corruption, misconduct, or neglect of duty whenever discovered.

11. Adhere to the principle that the public's business should be conducted in the public view by observing and following the letter and spirit of the Freedom of Information Act using closed sessions only to deal with sensitive personnel, legal or contractual matters as provided by the Code of Virginia.

12. Avoid using the position of public trust to gain access to the media for the purposes of criticizing colleagues or citizens, impugning their integrity or vilifying their personal beliefs.

13. Make sure, when responding to the media, that a clear distinction is made between personal opinion or belief and a decision made by the Board.

14. Review orally and in public session, at the annual organizational meeting, each of these principles.

15. Pledge to honor and uphold these principles, ever conscious that public office is a public trust.

IN RE: CITIZEN COMMENTS

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

1. Michael W. Bratschi – 23500 Cutbank Road, – McKenney, Virginia – thanked Mr. Stone for holding the Town Meeting for District 5 and urged the other Board members to do the same. He requested that the Board set a policy regarding what information could be given out to the public. He had been refused information on a business license from the Commissioner of the Revenue's office. He stated Mr. Dean McCray was in conflict of interest doing business with the County because he serves on the Planning Commission. Mr. Bratschi said

there should be a Grand Jury formed to investigate the incidences, which happened in the Commissioner's Office.

2. Sergeant James Elmore, Virginia State Police, introduced 1st Sergeant Lisa Roakes to the Board. Sergeant Roakes stated she has been assigned to the County and if there was anything she could do to let her know.

3. Anne Scarborough – Boydton Plank Road, - Dinwiddie, Virginia – had the following questions and comments:
   A. Article in the Monitor – regarding the 19% "Reserve Funds" -
   a. Why do we include state and federal revenue in the fund?
   b. Have we always done it this way? If not, what year did Dinwiddie begin this?
   c. What would the percent be if the State and Federal revenue were excluded?
   A. She questioned why the bid time for the Grounds Maintenance was so short. Normally the county gives at least 2 weeks these were due back in 9 days, which is not enough time for responses from vendors.
   B. She requested that the Board members and Staff show the citizens respect by using their microphones so everyone could hear what they are saying.

1. Marjorie Flowers – 14919 Wilkerson Road – remarked that at a former meeting the issue of the State Police investigating the former Commissioner of the Revenue for the destruction of records was brought up and she questioned why the County Attorney had not followed through with the request. She commented that Mr. Harrison Moody had a Conflict of Interest if he took part or voted on issues dealing with biosolids. She asked who is responsible to follow up on the discrepancies in the auditors report for the Commissioner of the Revenue's office?

2. George Whitman –1340 Old Stage Road – Petersburg, Virginia - commented he wanted to inform the Board that the old tax cards the former Commissioner destroyed were historical documents dating back to the early 1950's. They should have been sent to the State Library to be archived instead of being destroyed.

IN RE: REPORTS – VDOT

Mr. Timothy Overton, Assistant Resident Engineer, Virginia Department of Transportation provided the following project update:

1. Route 600 pipes – Work is scheduled to begin this week.
2. Courthouse Road (Route 619) – in final stages agreeing on construction prices.
3. Shady Lane (Rout 670) – final work to begin project on going.
4. Interstate 85 bridges – bids were rejected. Bids will go out again at the end of the month.
5. Route 600 Bridge re-decking project is scheduled for May advertisement.
6. Squirrel Level Road project (Route 613) – Still on track for July 2004 advertisement.
7. Pothole situations - He reported that VDOT could not keep up with the situation but the intent is to begin work on them as soon as weather permits.

Mr. Overton informed the Board that Mr. Richard Caywood, Resident Engineer, would be transferring to another location in the near future.

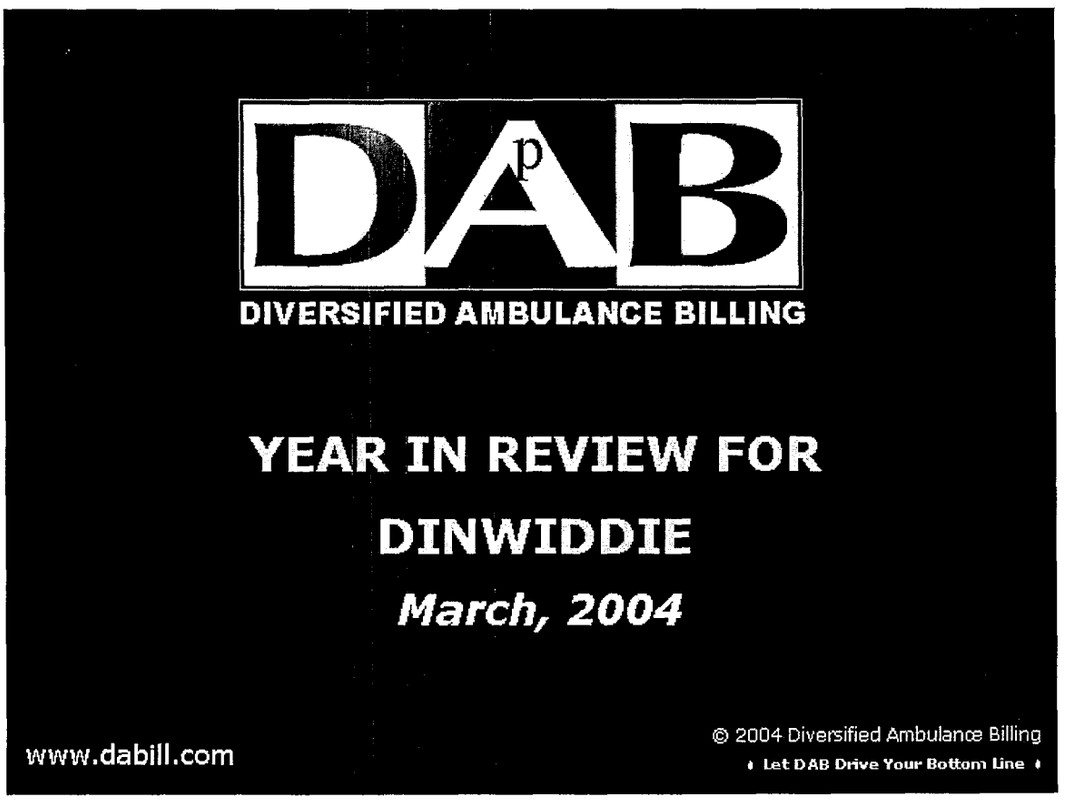
Board Member Request/comments

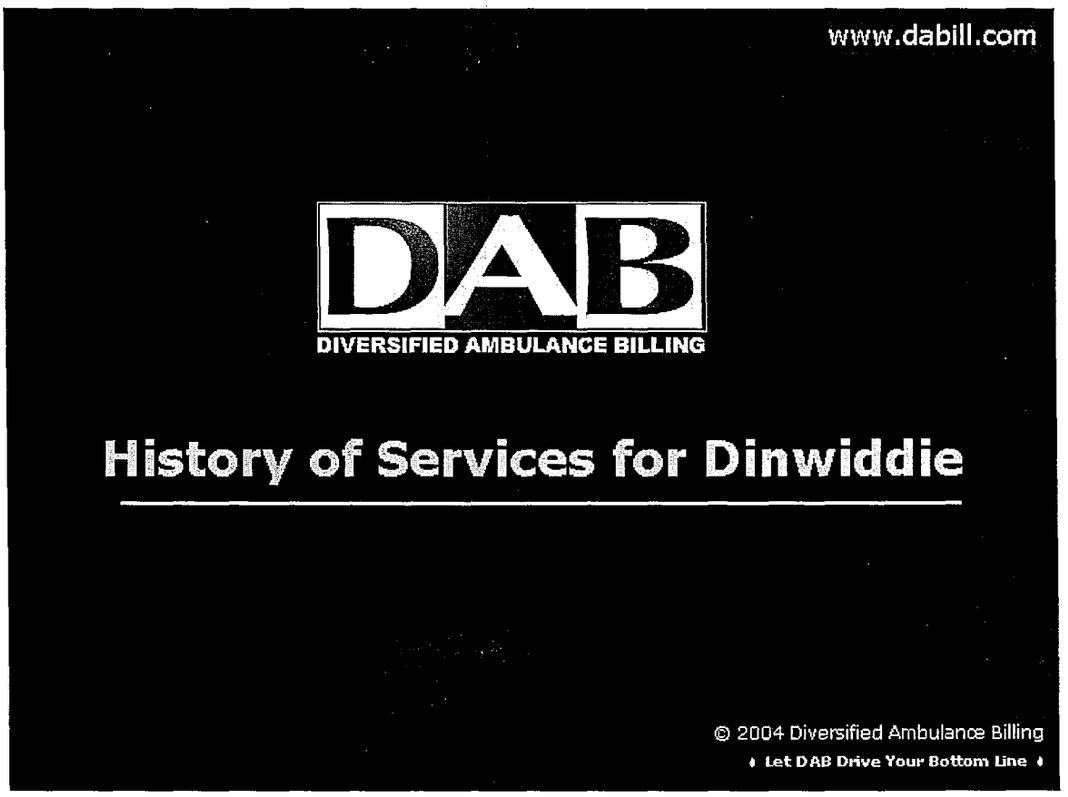
1. Mr. Bowman – stated there is a large hole at the RR crossing on Butler Branch Road that he had requested VDOT to fix. He also said the RR ties were bad. Mr. Overton stated he would check on it.

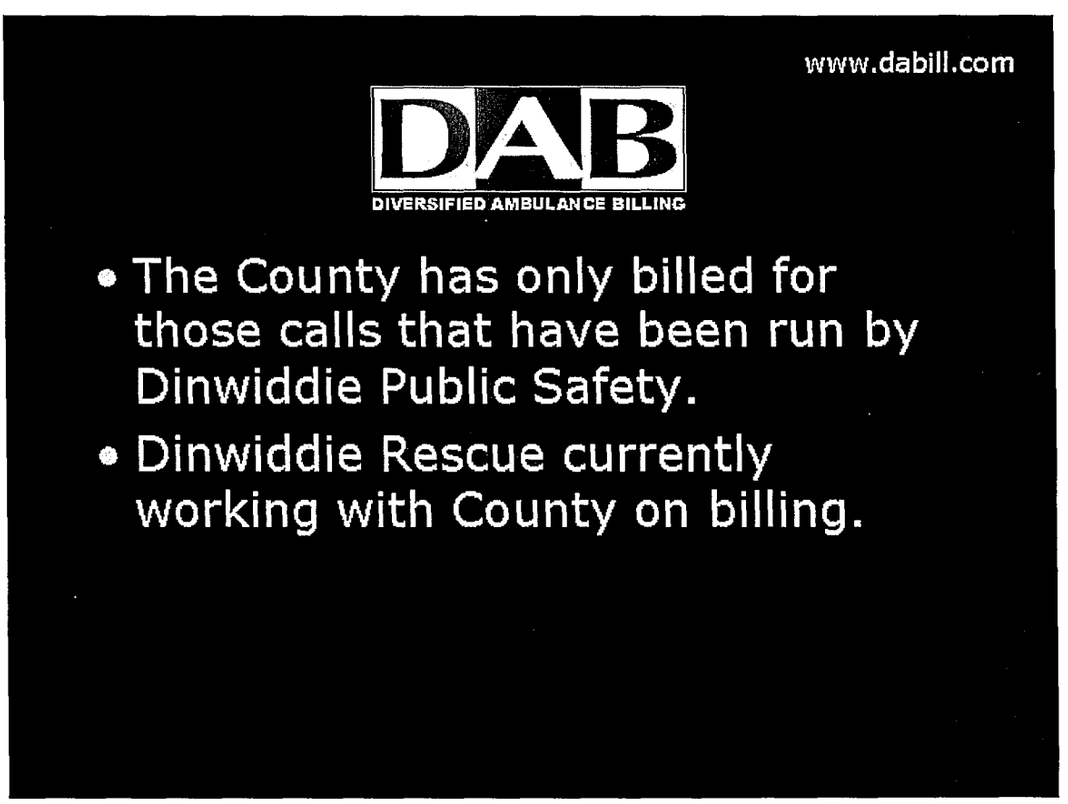
IN RE: DIVERSIFIED AMBULANCE BILLING UPDATE ON REVENUE RECOVERY

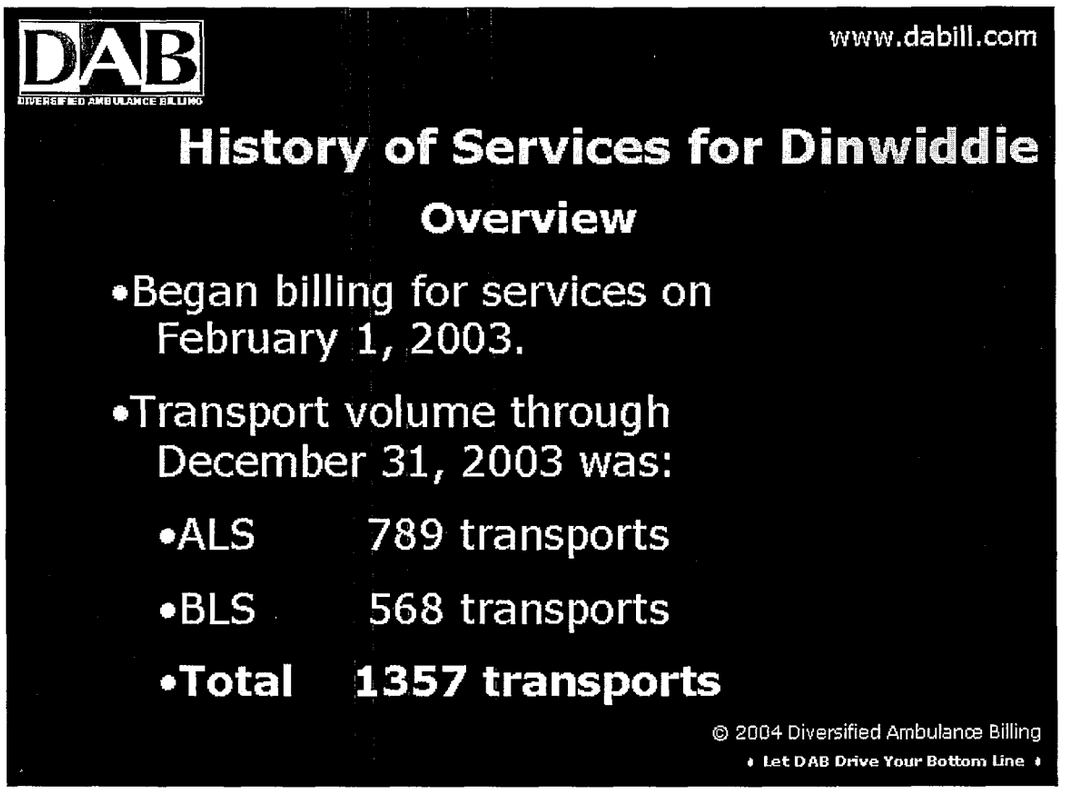
Mr. David Jolly, Public Safety Director, introduced Mr. Gary Mathews, Senior Vice-President of Marketing and Ms. Jacqueline M. Herrera, Vice President Reimbursement Services, Diversified Ambulance Billing. He commented they are here today to give the Board an update on revenue recovery.

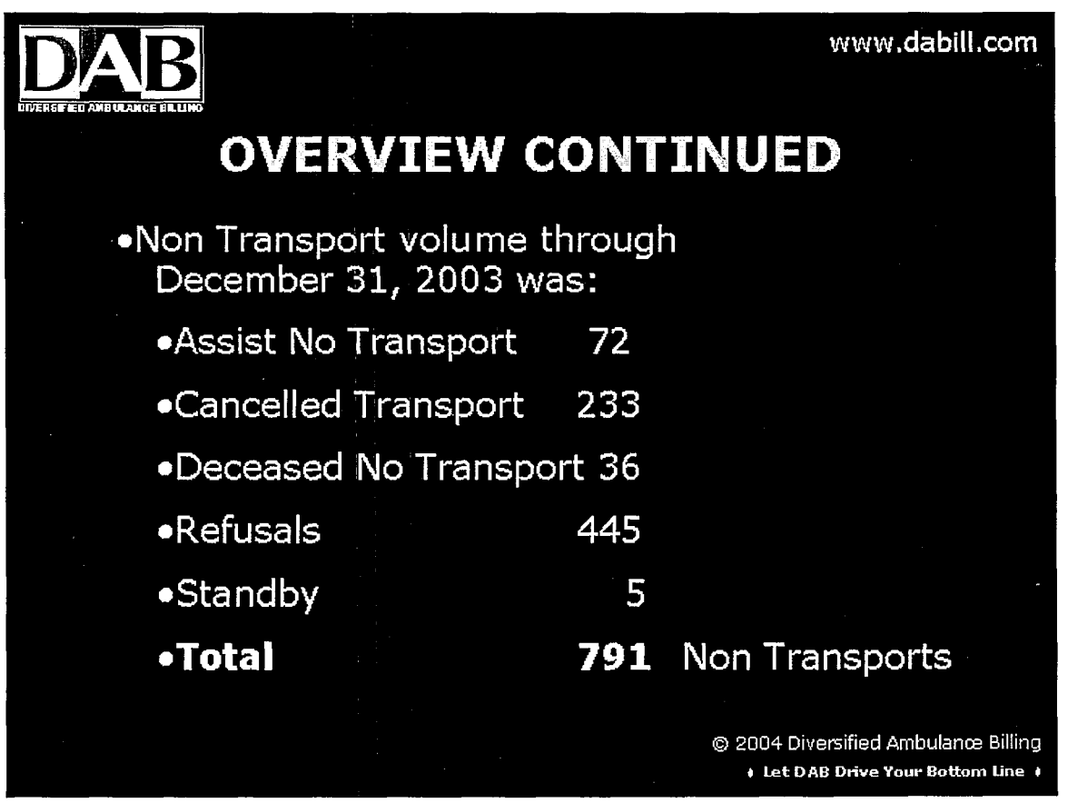
Ms. Herrera presented the following update to the Board and public:

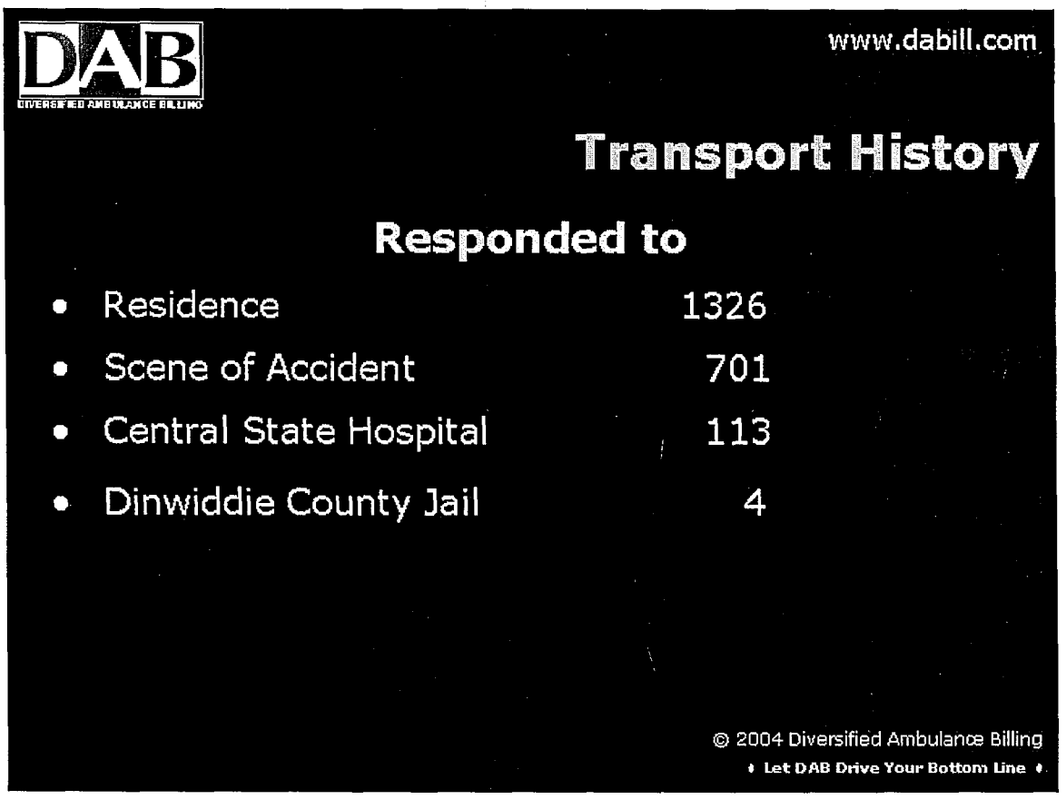


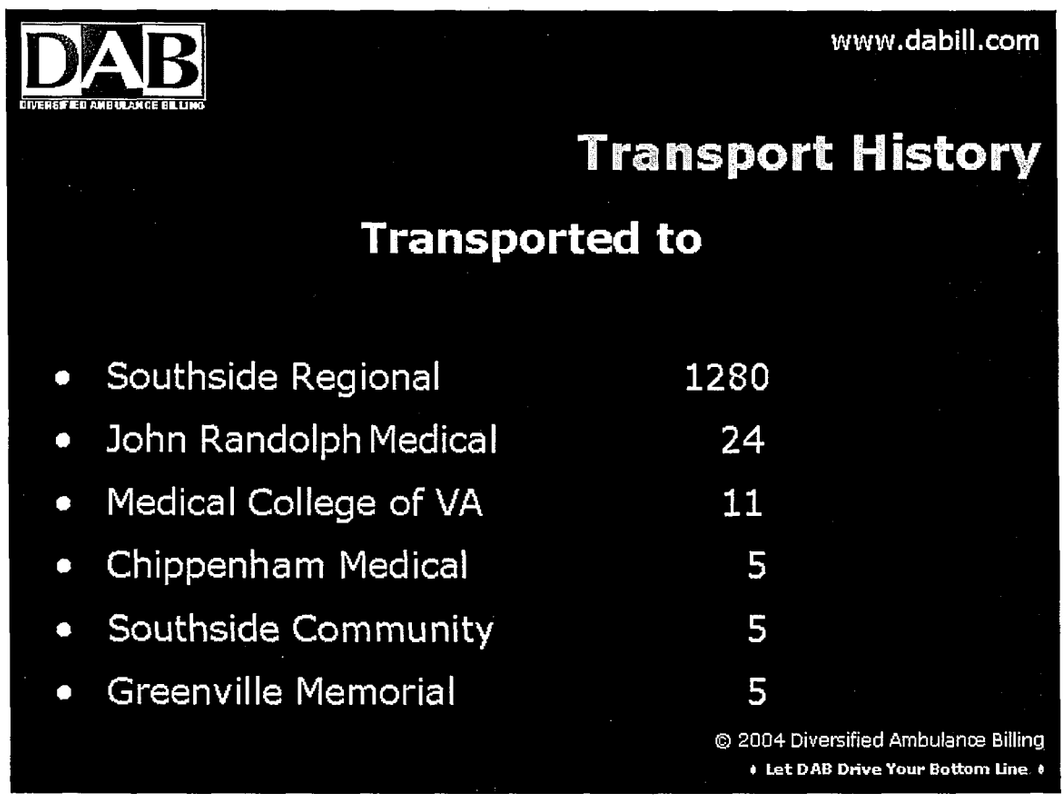

www.dabill.com
DAB
DIVERSIFIED AMBULANCE BILLING
History of Services for Dinwiddie
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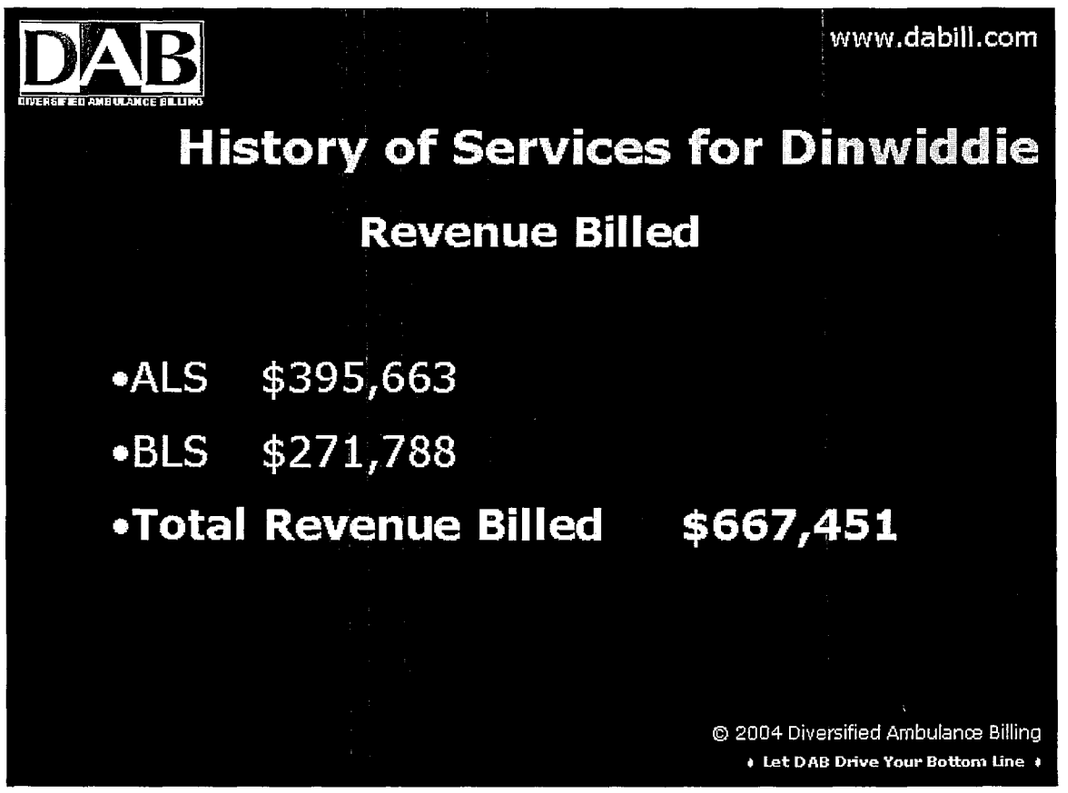

www.dabill.com
DAB
DIVERSIFIED AMBULANCE BILLING
• The County has only billed for those calls that have been run by Dinwiddie Public Safety.
• Dinwiddie Rescue currently working with County on billing.

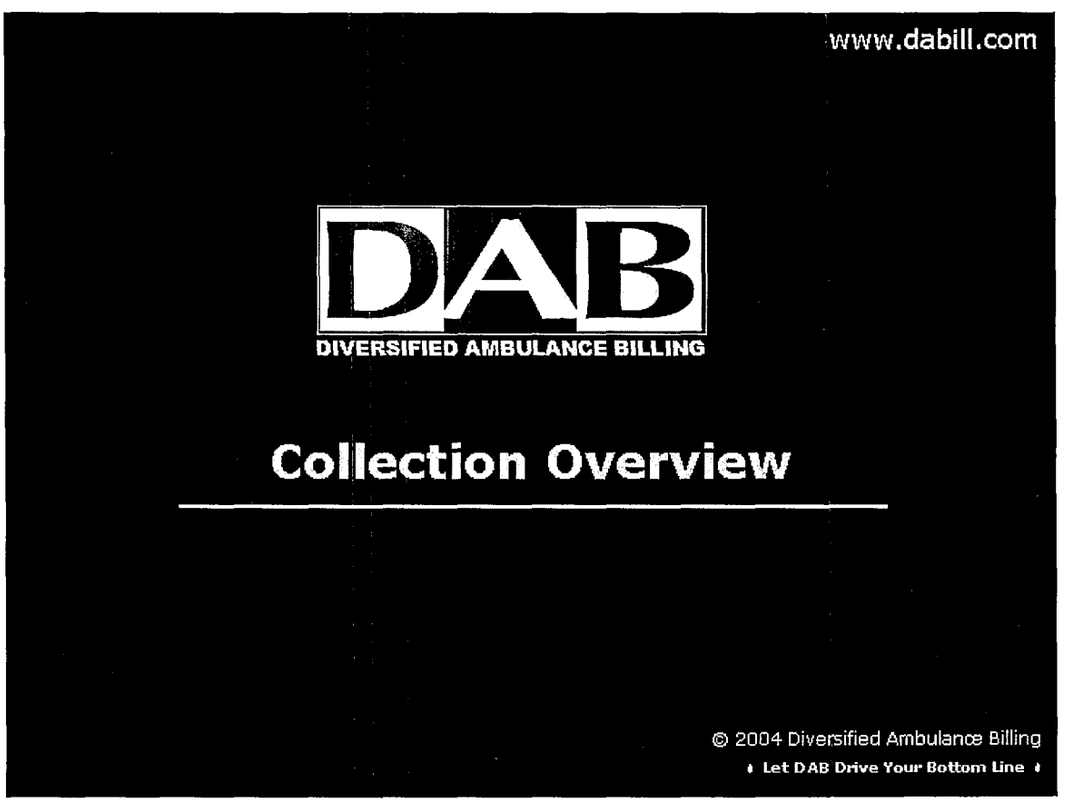

DAB
DIVERSIFIED AMBULANCE BILLING
www.dabill.com
History of Services for Dinwiddie
Overview
•Began billing for services on February 1, 2003.
•Transport volume through December 31, 2003 was:
•ALS 789 transports
•BLS 568 transports
•Total 1357 transports
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OVERVIEW CONTINUED
•Non Transport volume through December 31, 2003 was:
•Assist No Transport 72
•Cancelled Transport 233
•Deceased No Transport 36
•Refusals 445
•Standby 5
•Total 791 Non Transports
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Transport History
Responded to
• Residence 1326
• Scene of Accident 701
• Central State Hospital 113
• Dinwiddie County Jail 4
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Transport History
Transported to
• Southside Regional 1280
• John Randolph Medical 24
• Medical College of VA 11
• Chippenham Medical 5
• Southside Community 5
• Greenville Memorial 5
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History of Services for Dinwiddie
Revenue Billed
•ALS $395,663
•BLS $271,788
•Total Revenue Billed $667,451
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DAB
DIVERSIFIED AMBULANCE BILLING
Collection Overview
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REVENUE COLLECTED

Overview

- EMS Subscription Service - 2226 Citizens subscribed to the service
- Subscription Members transported 166
- 1st monies from insurance companies received April, 2003

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OVERVIEW OF COLLECTIONS

Cash Receipts

- **Collections for Year 2003 to Date :**

•Medicare	$ 135,511	48%	patients
•Insurance	$ 112,189	40%	patients
•Medicaid	$ 18,479	6%	patients
•Private Pays	$ 14,228	5%	patients
•Total Cash Receipts	**$ 279,267**		

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There was a short discussion period regarding how the 54% collections compared to other jurisdictions; how long it is between the billing cycles after the first bill went out; is there any further contact after the 4th bill; whether or not a collection agency is used to collect delinquent accounts. The County Administrator stated the Board chose not to use collection agencies.

Mr. Haraway requested that Diversified send a "hard sample collection letter" to the Board for review.

Mr. Moody asked what the contractual allowance was? Ms. Herrera replied that is governed by the State and she did not know what it was because it is preset in their system. Mr. Haraway asked if she would send the County a copy of the breakdown of the contractual allowances. She commented she would.

IN RE: COUNTY ATTORNEY REPORT

Mr. Daniel Siegel, County Attorney, gave a report on the following issues to the Board:

1. Investigation as to whether or not the county could adopt an ordinance under the "Dillion Rule" to prohibit the selling of illegal drug paraphernalia in the County. He stated unfortunately the County can not adopt that portion of the criminal code due to "Dillion's Rule" without the General Assembly's consent. However, the good news is that the Commonwealth Attorney has the ability to prosecute under State law if persons are caught selling illegal drug paraphernalia.

2. The County Attorney stated some jurisdictions their firm deals with are amending their ordinances to allow a Consumer Utilities Tax on wireless lines. This tax could possibly add $100,000 to $500,000, depending on the amount charged, for revenue to the budget, depending on the number of mobile phones in use in the County. If the Board decides to move forward with adopting the tax there is a 120-day lag time after the County adopts it before the County can collect any funds. As the Board considers the Capital Improvement

needs this could help with the funding. The Board requested that the County Attorney research the tax and report back to the Board.

IN RE: AUTHORIZATION TO ISSUE RFP TO REFINANCE IDA LEASE REVENUE BONDS, SERIES 1997 A & B

Mr. Dan Siegel reported as requested by the Board, that Davenport and he had taken a look at refinancing prior bond issues and according to the initial analysis, if the Board moves quickly, there could be significant savings if a refinancing is done on the Industrial Development Authority of Dinwiddie County, Virginia, Lease Revenue Bonds, Series 1997 A & B. With a private placement the savings could be as much as $850,000 over the next 2 years. He proposed that the Board authorize Davenport and Sands Anderson Marks & Miller to competitively secure bids to refinance the Series 1997 A & B, Lease Revenue Bonds. We would like to underscore to the County that there would be no out-of-pocket cost unless a successful refinancing/restructuring is brought to closure.

Upon motion of Mr. Moody, Seconded by Mr. Stone, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Davenport and its Bond Counsel (Sands Anderson Marks & Miller) is authorized to issue an RFP to private lenders for the refinancing of the, Series1997 A & B, Lease Revenue Bonds at no out-of-pocket cost unless a successful refinancing/restructuring is brought to closure.

IN RE: BOARD OF ZONING APPEALS RECOMMENDATION FOR APPOINTMENT- MR. GERALD MASSENGILL

Upon motion of Mr. Stone, Seconded by Mr. Bowman, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Gerald Massengill is hereby approved to be recommended to the Circuit Court Judge to be appointed, for a term of five years, on the Dinwiddie County Board of Zoning Appeals, term ending December 31, 2008, for Election District 2.

IN RE: RESOLUTION URGING HOUSE AND SENATE CONFEREES TO ADOPT A BIENNIAL BUDGET FOR FY 05 PRIOR TO ADJOURNMENT

RESOLUTION

WHEREAS, due to the failure of the General Assembly to adopt a biennial budget prior to its scheduled adjournment date, Virginia's counties are now faced with the distinct possibility of being denied necessary State revenues to provide basic, core services often mandated by the State and expected by citizens; and

WHEREAS, this impasse is occurring while local governments are trying to develop their budgets for FY05 and the lack of predictability places localities in the unenviable position of not knowing what kinds of tax and fee increases might be necessary to offset the consequences of the General Assembly's failure to act; and

WHEREAS, the Senate budget clearly provides the revenue that counties need to operate and is also more consistent with VACo's principles on tax restructuring;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of

Dinwiddie County, Virginia strongly urges the House and Senate conferees to adopt the Senate budget and associated revenue plan and further to complete their work as expeditiously as possible to provide a biennial budget that meets the needs and provides the services that all of Virginia's citizens deserve.

Upon motion of Mr. Moody, Seconded by Mr. Stone, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, voting "Aye", Mr. Haraway voting "Nay," the above resolution was adopted.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator commented at our meeting with the School Board, she was asked to have our financial consultants to prepare a capital fund analysis for Option 1 for the school improvements. She stated staff had met with the financial advisors and asked the Board if they would be agreeable to come in early on March 30, 2004 at 1:00 to meet with them and the School Board to discuss the draft plan. We should be able to finish the County budget at that time also. The County Administrator asked the Board if they would consider inviting the IDA to that meeting so they would be informed as to what is needed. The Board members agreed.

2. The County Administrator asked the Board if a meeting could be scheduled next Tuesday the 23rd for a work session from 3:00 to 5:00 P.M. for a discussion of the County's proposed FY 05 budget. The Board agreed.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody welcomed the students from Government Class from the High School to the meeting. He asked the County Administrator if we were planning any events for "Jamestown 2007"? She replied that the Director of Recreation had been requested to take the lead and work with the Dinwiddie Historical Society.

Mr. Stone distributed minutes and gave a brief report regarding his first Town Hall Meeting held last night for District 5. He also expressed his concern regarding the reimbursement for the former Commissioner of the Revenue for the mileage and cleaning of the curtains. He stated the present Commissioner has brought her concerns regarding her budget to the Board and he felt the former Commissioner should not be paid for those items until everything has been cleared up with the present Commissioner. Mr. Haraway echoed his agreement, citing in the past any travel request had to be broken down from point A to point B, stating the purpose of the mileage, not in a lump sum. Mr. Bowman said he still questioned the conference travel in which Ms. Marston made a copy of her check which had not been cancelled by the bank.

The County Attorney was asked if the Board action taken today on the consent agenda could be rescinded? He commented yes if that was the consensus of the Board.

IN RE: REMOVAL OF THE COMMISSIONER OF THE REVENUE'S (MS. DEBORAH MARSTON) REQUEST FOR REIMBURSEMENTS FROM THE CONSENT AGENDA

Upon motion of Mr. Stone, Seconded by Mr. Bowman, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Haraway, voting "Aye", Mr. Moody, voting "Nay", the request for the reimbursements for Ms. Deborah Marston was removed from the consent agenda.

Mr. Moody stated the information might not have been documented the way it is should have been done but the Board voted on December 16, 2003 to reimburse Ms. Marston for her mileage and the curtains when she submitted her documentation.

IN RE: AUTHORIZATION FOR COMMISSIONER OF REVENUE TO DEDUCT ITEMIZED BILLS FROM REIMBURSEMENT FOR MS. DEBORAH MARSTON

Upon motion of Mr. Stone, Seconded by Mr. Bowman, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Haraway, voting "Aye", Mr. Moody, voting "Nay", Administration is directed to deduct the current Commissioner of the Revenue's itemized invoices incurred by the prior Commissioner from the reimbursements for Ms. Deborah Marston.

Mr. Moody stated we have employees that make mistakes also; are we gong to hold the rest of the employees who mistakes to the same standard?

IN RE: CLOSED SESSION

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

§2.2-3711 (A)(1) - Personnel
***§2.2-3711 (A) (7)* – Consultation with Legal Counsel** – Discussion of Legal Services

Mr. Moody seconded the motion. Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway, voting "Aye", the Board moved into the Closed Meeting at 3:17 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 4:51 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under §2.2-3711 A. 7 Consultation with Legal Counsel - Discussion of Legal Services; and §2.2-3711 (A) 1 - Personnel;

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

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

Upon motion of Mr. Stone, Seconded by Mr. Moody, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway, voting "Aye", this Certification Resolution was adopted.

IN RE: DISCONTINUATION OF RETAINER FOR LEGAL SERVICES FOR COUNTY ATTORNEY

Upon motion of Mr. Stone, Seconded by Mr. Moody, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the monthly retainer OF $3,000 for the County Attorney is hereby discontinued effective April 1, 2004; at that time legal services will be paid on an hourly basis.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Briefing – Sands, Anderson, Marks, & Miller – "Emails do not Constitute a Meeting."

2. Memo from County Administrator to Sheriff/Commonwealth Attorney – regarding the Board's authority to adopt a section of code to deal with the sale of illegal drug paraphernalia.
3. Report – Appomattox Regional Library.
4. Petersburg National Battlefield New Release – Commemoration of the Battle of Five Forks.
5. Letter from Adelphia regarding emergence from Chapter 11 bankruptcy process.
6. VML's – Comparison of Tax Plans.
7. VML's – Comparison of Budget items of interest to localities.
8. VML's – Effects on local governments of budget impasse.
9. Commonwealth of Virginia Department of Health letter regarding COPN for the development of the sixty-bed nursing home.

RE: ADJOURNMENT

Upon Motion of Ms. Moody, Seconded by Mr. Moody, Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the meeting adjourned at 4:53 P.M. to be continued until 3:00 P.M. on Tuesday, March 23, 2004 for a budget work session in the Multi-Purpose Room of the Pamplin Administration Building.

Donald L. Haraway, Chairman

ATTEST:
Wendy Weber Ralph
County Administrator

/abr

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 23rd DAY OF MARCH, 2004, AT 3:00 P.M.

PRESENT:	DONALD L. HARAWAY –CHAIRMAN	ELECTION DISTRICT #2
	HARRISON A. MOODY - VICE CHAIR	ELECTION DISTRICT #1
	DORETHA E. MOODY	ELECTION DISTRICT #4
	MICHAEL W. STONE	ELECTION DISTRICT #5
ABSENT:	ROBERT L. BOWMAN IV	ELECTION DISTRICT #3

==========

Mr. Donald L. Haraway, Chairman, called the continuation meeting to order at 3:12 P.M. in the Multi-purpose room of the Pamplin Administration Building.

IN RE: REVIEW OF ESTIMATED REVENUES

The County Administrator reviewed the projected revenues for FY 04-05.

IN RE: REVIEW OF ESTIMATED EXPENDITURES

The County Administrator reviewed the projected expenditures for FY 04-05. She also supplied a copy of the breakdown of increases in the FY 2005 proposed budget. There was also a brief discussion of the School Board's request for the $1.9 million increase in their budget.

IN RE: RECESS

The Chairman declared a short recess at 4:51 P.M. The meeting reconvened at 5:03 P.M.

IN RE: AUTHORIZATION TO ISSUE TAX EXONERATION - TXI

Mr. William E. Jones, Treasurer, stated the Board voted to allow his office to refund the erroneous payment to Vulcan and Chaparral Steel at the last Board meeting. However, at that time, the amount owed to TXI (Chaparral) was unclear. The Commissioner's office worked to supplement proper assessments and now that the abatements have been researched the amount is $1,925,377.59. He requested authorization to issue the refund to TXI (Chaparral).

Upon motion of Mr. Moody, Seconded by Mr. Stone, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Treasurer is hereby authorized to issue a check for the erroneous assessments to TXI (Chaparral, Virginia) in the amount of $1,925,377.59.

IN RE: OPERATING MEDICAL DIRECTOR FOR COUNTY'S EMS SERVICES CONTRACT

The County Administrator informed the Board that the present OMD has moved out of the state and no longer wants to serve in that position. Under the EMS State regulations the doctor must be available for the EMS staff to provide medical advice. The Public Safety Director stated it would be beneficial for the

EMS staff to be able to sit down and talk to the OMD if they had any problems. He recommended that the Board allow Administration to enter into a contract with the Emergency Room Doctor at Southside Regional Hospital at an annual salary of $2,000, payable quarterly at $500.

The contract shall commence on April 1, 2004 and terminate on March 31, 2005, subject to termination by either party as provided in the agreement. This agreement shall automatically renew for a subsequent one-year term provided that it has not otherwise been terminated prior to the Termination Date.

Upon motion of Mr. Stone, Seconded by Ms. Moody, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is hereby authorized to enter into an agreement with the Emergency Room Doctor to provide the services of Operating Medical Director for the County's EMS services with the terms stated above.

IN RE: AUTHORIZATION TO HIRE 4 EMS TECHNICIANS FOR SECOND CREW

Upon motion of Mr. Stone, Seconded by Ms. Moody, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Public Safety Director is authorized to proceed with hiring 4 full time EMS Technicians to add the second crew to provide 24 hour emergency medical service in the County.

RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Stone, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye", the meeting adjourned at 5:46 P.M. to be continued until 1:00 P.M. on Tuesday, March 30, 2004; to meet with the financial advisors and the School Board to discuss the draft plan for the School Improvements and finish the FY05 County budget in the Multi-Purpose Room of the Pamplin Administration Building.

Donald L. Haraway

Donald L. Haraway, Chairman

ATTEST: Wendy Weber Ralph

Wendy Weber Ralph
County Administrator

/abr

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 30TH DAY OF MARCH, 2004, AT 1:00 P.M.

PRESENT:	DONALD L. HARAWAY –CHAIRMAN	ELECTION DISTRICT #2
Arrived 1:26	HARRISON A. MOODY - VICE CHAIR	ELECTION DISTRICT #1
	ROBERT L. BOWMAN IV	ELECTION DISTRICT #3
	DORETHA E. MOODY	ELECTION DISTRICT #4
	MICHAEL W. STONE	ELECTION DISTRICT #5

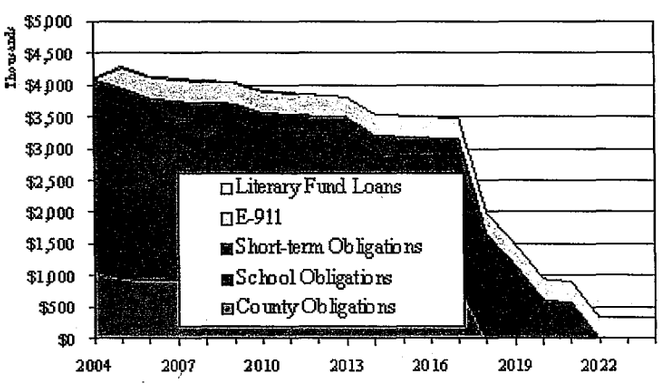
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Mr. Donald L. Haraway, Chairman, called the continuation meeting to order at 1:09 P.M. in the Multi-purpose room of the Pamplin Administration Building.

IN RE: SCHOOL CAPITAL FUNDING PRESENTATION – DAVENPORT & COMPANY LLC

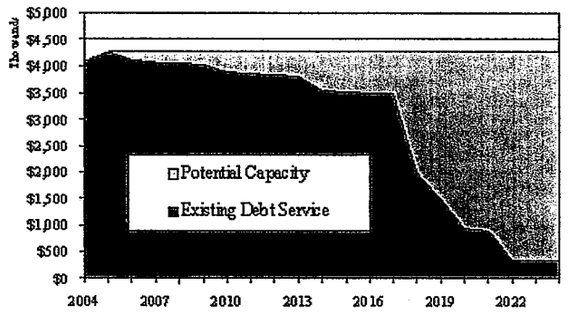
The Board of Supervisors, Industrial Development Authority and School Board members met for the presentation of the School Capital Funding Strategies prepared by Davenport & Company LLC. Mr. David Rose with Davenport presented the following School Capital Funding Strategies

EXISTING DEBT SERVICE



Existing Debt Service is Based on All Outstanding Primary Government and Component Unit School Board Obligations as of June 30, 2003.

POTENTIAL DEBT CAPACITY – Decline in Debt Service



Potential Debt Capacity is Based on Debt Service Budget for FY 2005.

Fiscal Year	Total Debt Service	Cumulative Annual Decline	Borrowing Capacity
2004	4,083,194	NA	NA
2005	4,262,768	NA	NA
2006	4,118,194	144,574	2,040,000
2007	4,070,361	192,407	2,715,000
2008	4,044,900	217,868	3,075,000
2009	4,031,006	231,762	3,275,000
2010	3,891,704	371,064	5,240,000
2011	3,860,142	402,626	5,685,000
2012	3,844,959	417,809	5,900,000

Decline in Debt Service Produces an Estimated Borrowing Capacity Assuming 28 Year Level Debt Service at 5.50%.

Page 4

KEY ASSUMPTIONS

Page 5

CAPITAL PROJECTS TO BE CONSIDERED (2005 – 2012)

Dinwiddie County School Facilities Master Plan Option 1 Prepared by BCWH.

Inflation Factor	FY 2008-2012 Totals	1.03 2005	1.06 2006	1.09 2007	1.13 2008
Phase One					
1 New Elementary School	**16,408,732**	5,362,330	11,046,401		
2 Middle - Renovate Existing H.S.	**22,295,003**	347,050	1,429,848	10,283,480	10,234,623
3 New High School	**53,420,463**	3,407,722	16,142,218	32,783,770	1,086,750
4 Consolidated Educational Fac.	**3,047,592**				3,047,588
5 Joint Vehicle Maintenance	**TBD**				
Subtotal Phase One	**95,171,790**	9,117,103	28,618,467	43,067,249	14,368,961
Phase Two					
6 Midway Additions/Renovations	**3,245,328**				
7 Southside Additions/Renovations	**7,822,279**				
8 Sunnyside Additions/Renovations	**5,754,522**				
Subtotal Phase Two	**16,822,128**	0	0	0	0
Inflation Adjusted Totals	**111,993,919**	**9,117,103**	**28,618,467**	**43,067,249**	**14,368,961**

CAPITAL PROJECTS TO BE CONSIDERED (2005 – 2012)

Dinwiddie County School Facilities Master Plan Option 1 Prepared by BCWH.

Inflation Factor	1.16 2009	1.19 2010	1.23 2011	1.27 2012
Phase One				
1 New Elementary School				
2 Middle - Renovate Existing H.S.				
3 New High School				
4 Consolidated Educational Fac.				
5 Joint Vehicle Maintenance				
Subtotal Phase One	0	0	0	0
Phase Two				
6 Midway Additions/Renovations	0	155,470	1,601,567	1,488,285
7 Southside Additions/Renovations	0	374,731	3,860,294	3,587,247
8 Sunnyside Additions/Renovations	0	275,673	2,839,855	2,638,986
Subtotal Phase Two	0	805,874	8,301,715	7,714,518
Inflation Adjusted Totals	**0**	**805,874**	**8,301,715**	**7,714,518**

TIMING OF THE PROPOSED FINANCINGS

- **Phase One - FY 2005:**
  - **$92,124,198** **New Elementary School, Middle Renovation to High School and New High School.**
- **Phase One - FY 2008:**
  - **$3,047,588** **Consolidated Educational Facilities.**
- **Phase Two - FY 2010:**
  - **$16,822,128** **Midway, Southside and Sunnyside Additions & Renovations.**

TOTAL **$111,993,914**

KEY ASSUMPTIONS – Continued...

- **Existing Debt Service has been Updated and Verified.**
- **Capital Reserve Fund Interest Earnings Assume Current Market Conditions ($10.65 Million with a 1.50% Annual Rate of Return).**
  - **Includes Impact of Restructuring – Additional $850,000 in Capital Reserve Funds**
- **Annual Lottery Monies of $300,000.**
- **Meals and Gate Revenues are Held Constant at $400,000.**
- **Value of 1 Penny on the Real Estate Tax Rate is Approximately $110,000 (FY 2005).**

VALUE AND GROWTH OF 1 PENNY

Fiscal Year	Real Estate Valuation	Growth Rate
1992	425,864,447	
1993	579,694,444	36.80%
1994	605,404,766	4.44%
1995	629,312,066	3.95%
1996	662,264,562	5.24%
1997	724,744,469	9.43%
1998	867,209,870	19.66%
1999	910,281,517	4.97%
2000	991,684,357	8.94%
2001	1,103,351,570	11.26%
2002	1,202,491,877	8.99%
2003	1,245,888,983	3.61%
2004	1,320,642,322	6.00%
2005	1,399,880,861	6.00%
2006	1,483,873,713	6.00%
2007	1,572,906,136	6.00%
2008	1,667,280,504	6.00%
2009	1,767,317,334	6.00%
2010	1,873,356,374	6.00%

Fiscal Year	Increase in Value of 1¢	Cumulative Increase in Value of 1¢
2005	110,000	NA
2006	116,600	6,600
2007	123,596	13,596
2008	131,012	21,012
2009	138,872	28,872
2010	147,205	37,205
2011	156,037	46,037
2012	165,399	55,399
2013	175,323	65,323
2014	185,843	75,843
2015	196,993	86,993
2016	208,813	98,813

Assumes Growth Rate of 6.00%

Multiply by Tax Rate of 77.0¢

Cumulative Revenues Generated	25% Allocated to Debt Service
NA	NA
508,200	127,050
1,046,592	261,723
1,617,906	404,476
2,225,160	556,790
2,864,771	716,193
3,544,857	886,214
4,265,743	1,066,437
5,028,893	1,257,473
5,839,887	1,459,972
6,698,430	1,674,620
7,608,585	1,902,147

- County Historic Real Estate Valuation Growth Rate is 10.23% Since 1992.

KEY GLOBAL PROJECT FINANCING ASSUMPTIONS

- **Maximize the Use of Literary Loan Funding. Maximum Funding Available is Approximately $20 Million at the County's 2% Literary Loan Rate.**
- **All Financings are Assumed to be Non-Bank Qualified.**
- **County would Utilize a 3-year Interim Financing at a 3.00% Rate due to Timing of Literary Loan Funds.**
- **Strategically Restructure the Series 1997 Bonds in Order to add Approximately $850,000 to the Capital Reserve Account.**
- **Strategic Structuring of All Financings to Optimize use of the $10.65 Million in the Capital Reserve Account**

EQUIVALENT TAX IMPACT

EQUIVALENT TAX IMPACT – CASE 1A – Phase One

- **Literary Loan Plus Insured Lease Revenue Transactions.**
  - **5.50% Interest Rate.**
  - **30 Year Bonds.**

A	B	C	D	E	E	G	H	I	J	K	L	M	N	O
					TOTAL REQUIREMENT		PLUS	PLUS	PLUS	PLUS	PLUS	EQUALS		
		Annual Net Debt Service Payments												
Fiscal Year	Existing Debt Service	ERU Debt Service	Channel	Estimated New Debt Service	Existing and Proposed Debt Service	Budgeted Debt Service	Capital Fund Principal Withdrawals	Incremental Growth (1)	Lottery Funds	Mello and Gate Revenues	Incremental Tax Revenues	Funds Available	Surplus (Deficit)	Estimated Incremental Tax Effect (2)
2004	3,793,194	0	290,000	0	4,083,194	3,793,194	0	NA	300,000	400,000	0	4,493,194	410,000	
2005	3,649,578	324,193	290,000	4,846,168	9,109,935	3,793,194	455,741	NA	300,000	400,000	3,960,000	8,909,935	0	36.0¢
2006	3,499,613	329,531	290,000	4,646,168	8,764,361	3,793,194	104,113	127,050	300,000	400,000	3,960,000	8,764,361	0	
2007	3,452,128	328,233	290,000	5,609,680	9,679,041	3,793,194	1,166,024	261,723	300,000	400,000	3,960,000	9,879,941	0	
2008	3,429,205	326,836	290,000	6,780,550	10,826,449	3,793,194	1,567,778	404,476	300,000	400,000	3,960,000	10,825,449	0	
2009	3,411,133	329,972	290,000	6,760,550	10,791,655	3,793,194	1,702,967	566,795	300,000	400,000	3,960,000	10,791,955	0	
2010	3,273,937	327,787	290,000	6,789,710	10,681,413	3,793,194	1,512,026	716,193	300,000	400,000	3,960,000	10,681,413	0	
2011	3,244,671	325,471	290,000	6,769,710	10,629,851	3,793,194	1,250,443	686,214	300,000	400,000	3,960,000	10,629,851	0	
2012	3,227,050	327,091	290,000	6,749,710	10,594,629	3,793,194	1,075,033	1,066,437	300,000	400,000	3,960,000	10,594,629	0	
2013	3,198,740	325,027	290,000	6,729,710	10,543,476	3,793,194	832,869	1,257,473	300,000	400,000	3,960,000	10,543,476	0	
2014	2,921,695	326,878	290,000	6,709,710	10,248,483	3,793,194	336,319	1,459,972	300,000	400,000	3,960,000	10,248,483	0	
2015	2,892,656	329,351	290,000	6,689,710	10,200,716	3,793,194	72,602	1,674,620	300,000	400,000	3,960,000	10,200,716	0	
2016	2,684,336	324,539	290,000	6,669,710	10,168,586	3,793,194	0	1,902,147	300,000	400,000	3,960,000	10,355,341	186,755	
												Total Tax Impact =		36.0¢

Notes:

(1) % of Growth Allocated to Debt Service

(2) Additional dollars needed divided by value of 1¢ in that fiscal year

- **Phase One Tax Impact = 36¢.**
- **With 15% Reassessment = 31¢.**
- **Using All Capital Reserve.**

EQUIVALENT TAX IMPACT – CASE 1B – Phases One & Two

- **Literary Loan Plus Insured Lease Revenue Transactions.**
  - **5.50% Interest Rate.**
  - **30 Year Bonds.**

A	B	C	D	E	E	G	H	I	J	K	L	M	N	O
					TOTAL REQUIREMENT		PLUS	PLUS	PLUS	PLUS	PLUS	EQUALS		
	Annual Net Debt Service Payments													
Fiscal Year	Existing Debt Service	VMI Debt Service	Chapman	Estimated New Debt Service	Existing and Proposed Debt Service	Budgeted Debt Service	Capital Fund Principal Withdrawals	Incremental Growth (1)	Lottery Funds	Meals and Use Revenues	Incremental Tax Revenues	Funds Available	Surplus (Deficit)	Estimated Incremental Tax Effect (2)
2004	3,793,194	0	200,000	0	4,093,194	3,793,194	0	NA	300,000	400,000	0	4,493,194	410,000	
2005	3,648,575	324,153	200,000	4,646,169	8,903,896	3,793,194	0	N/A	300,000	400,000	4,620,000	9,113,194	209,298	42.0¢
2006	3,490,613	329,501	200,000	4,646,169	8,764,367	3,793,194	0	127,050	300,000	400,000	4,620,000	9,240,244	475,877	
2007	3,452,128	326,253	200,000	6,309,560	9,870,541	3,793,194	506,024	261,723	300,000	400,000	4,620,000	9,879,941	0	
2008	3,429,205	326,555	200,000	6,780,550	10,735,449	3,793,194	1,307,779	404,476	300,000	400,000	4,620,000	10,025,449	0	
2009	3,411,123	329,973	200,000	6,760,550	10,791,555	3,793,194	1,122,557	556,795	300,000	400,000	4,620,000	10,791,555	0	
2010	3,378,937	327,787	200,000	7,239,434	11,626,134	3,793,194	1,726,748	716,193	300,000	400,000	4,620,000	11,626,134	0	
2011	3,244,671	325,471	200,000	7,713,431	11,573,573	3,793,194	1,674,165	806,214	300,000	400,000	4,620,000	11,573,573	0	
2012	3,227,068	327,691	200,000	7,964,784	11,609,743	3,793,194	1,630,192	1,066,437	300,000	400,000	4,620,000	11,809,743	0	
2013	3,198,748	326,027	200,000	7,944,784	11,758,553	3,793,194	1,387,883	1,257,473	300,000	400,000	4,620,000	11,753,550	0	
2014	2,921,866	328,979	200,000	7,924,784	11,453,627	3,793,194	920,391	1,459,972	300,000	400,000	4,620,000	11,453,557	0	
2015	2,892,656	328,361	200,000	7,904,784	11,415,790	3,793,194	627,976	1,674,630	300,000	400,000	4,620,000	11,415,730	0	
2016	2,884,338	324,539	200,000	7,964,784	11,383,660	3,793,194	356,319	1,932,147	300,000	400,000	4,620,000	11,383,660	0	
												Total Tax Impact =		42.0¢

Notes: (1) % of Growth Allocated to Debt Service. (2) Additional dollars needed divided by value of 1¢ in that fiscal year.

- **Phases One & Two Tax Impact = 42¢.**
- **With 15% Reassessment = 36.5¢.**
- **Using All Capital Reserve.**

EQUIVALENT TAX IMPACT – CASE 2A – Phase One

- **Literary Loan Plus:**
  - **Bond Anticipation Note @ 3.00%.**
  - **4.50% 15-Year Interest Rate/30 Year Amortization.**

A	B	C	D	E	E	G	H	I	J	K	L	M	N	O
					TOTAL REQUIREMENT		PLUS	PLUS	PLUS	PLUS	PLUS	EQUALS		
	Annual Net Debt Service Payments													
Fiscal Year	Existing Debt Service	VMI Debt Service	Chapman	Estimated New Debt Service	Existing and Proposed Debt Service	Budgeted Debt Service	Capital Fund Principal Withdrawals	Incremental Growth (1)	Lottery Funds	Meals and Use Revenues	Incremental Tax Revenues	Funds Available	Surplus (Deficit)	Estimated Incremental Tax Effect (2)
2004	3,793,194	0	200,000	0	4,093,194	3,793,194	0	NA	300,000	400,000	0	4,493,194	410,000	
2005	3,648,575	324,153	200,000	1,422,012	5,684,779	3,793,194	0	N/A	300,000	400,000	2,750,000	7,243,194	1,549,414	25.0¢
2006	3,490,613	329,501	200,000	1,422,012	5,660,206	3,793,194	0	127,050	300,000	400,000	2,750,000	7,370,244	1,710,038	
2007	3,452,128	326,253	200,000	3,967,247	7,945,627	3,793,194	432,551	261,723	300,000	400,000	2,750,000	7,937,607	0	
2008	3,429,205	326,555	200,000	4,304,630	8,649,737	3,793,194	1,222,067	404,476	300,000	400,000	2,750,000	8,849,737	0	
2009	3,411,123	329,973	200,000	4,764,630	8,815,843	3,793,194	1,016,955	556,795	300,000	400,000	2,750,000	8,815,943	0	
2010	3,378,937	327,787	200,000	5,066,559	9,078,761	3,793,194	2,018,376	716,193	300,000	400,000	2,750,000	9,978,261	0	
2011	3,244,671	325,471	200,000	5,066,559	9,035,700	3,793,194	1,797,292	806,214	300,000	400,000	2,750,000	9,936,700	0	
2012	3,227,068	327,691	200,000	5,346,558	9,291,517	3,793,194	1,531,366	1,066,437	300,000	400,000	2,750,000	9,891,517	0	
2013	3,198,748	326,027	200,000	5,326,558	9,843,325	3,793,194	1,339,563	1,257,473	300,000	400,000	2,750,000	9,840,325	0	
2014	2,921,866	328,979	200,000	5,306,558	9,545,232	3,793,194	842,169	1,459,972	300,000	400,000	2,750,000	9,545,332	0	
2015	2,892,656	328,361	200,000	5,286,558	9,497,565	3,793,194	570,751	1,674,630	300,000	400,000	2,750,000	9,437,565	0	
2016	2,884,338	324,539	200,000	5,266,558	9,465,435	3,793,194	322,384	1,932,147	300,000	400,000	2,750,000	9,465,425	0	
												Total Tax Impact =		25.0¢

Notes: (1) % of Growth Allocated to Debt Service. (2) Additional dollars needed divided by value of 1¢ in that fiscal year.

- **Phase One Tax Impact = 25¢.**
- **With 15% Reassessment = 20¢.**
- **Using All Capital Reserve.**

EQUIVALENT TAX IMPACT – CASE 2B – Phases One & Two

- **Literary Loan Plus:**
  - **Bond Anticipation Note @ 3.00%.**
  - **4.50% 15-Year Interest Rate/30 Year Amortization.**

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
					TOTAL REQUIREMENT		PLUS	PLUS	PLUS	PLUS	PLUS	EQUALS		
		Annual Net Debt Service Payments												
Fiscal Year	Existing Debt Service	ESH Debt Service	Changeover	Estimated New Debt Service	Existing and Proposed Debt Service	Budgeted Debt Service	Capital Fund Principal Withdrawals	Incremental Growth(1)	Lottery Funds	Meals and Gas Revenues	Incremental Tax Revenues	Funds Available	Surplus (Deficit)	Estimated Incremental Tax Effect (2)
2004	3,793,194	0	290,000	0	4,083,194	3,793,194	0	NA	300,000	400,000	0	4,493,194	410,000	
2005	3,648,575	324,193	290,000	1,432,012	5,694,779	3,793,194	0	NA	300,000	400,000	3,410,000	7,803,194	2,108,414	31.0¢
2006	3,490,613	329,581	290,000	1,432,012	5,542,206	3,793,194	0	127,050	300,000	400,000	3,410,000	8,030,244	2,488,038	
2007	3,452,128	326,233	290,000	3,867,247	7,935,607	3,793,194	0	261,723	300,000	400,000	3,410,000	8,164,917	227,309	
2008	3,428,205	326,695	290,000	4,804,036	8,849,737	3,793,194	542,267	404,476	300,000	400,000	3,410,000	8,849,737	0	
2009	3,411,133	329,873	290,000	4,764,838	8,815,843	3,793,194	356,955	555,795	300,000	400,000	3,410,000	8,815,843	0	
2010	3,273,957	327,787	290,000	6,858,894	10,750,637	3,793,194	2,131,311	716,193	300,000	400,000	3,410,000	10,750,637	0	
2011	3,244,671	325,471	290,000	6,833,894	10,693,035	3,793,194	1,909,427	886,214	300,000	400,000	3,410,000	10,693,835	0	
2012	3,227,068	327,891	290,000	7,099,949	10,944,908	3,793,194	1,975,277	1,066,437	300,000	400,000	3,410,000	10,944,908	0	
2013	3,193,740	325,027	290,000	7,079,949	10,893,715	3,793,194	1,733,949	1,257,473	300,000	400,000	3,410,000	10,893,716	0	
2014	2,921,695	326,979	290,000	7,079,949	10,690,723	3,793,194	1,206,557	1,459,572	300,000	400,000	3,410,000	10,690,723	0	
2015	2,832,656	328,351	290,000	7,039,949	10,550,956	3,793,194	973,142	1,674,620	300,000	400,000	3,410,000	10,550,956	0	
2016	2,684,330	324,559	290,000	7,019,949	10,518,835	3,793,194	713,455	1,902,147	300,000	400,000	3,410,000	10,518,835	0	
												Total Tax Impact =		31.0¢
Notes								(1) % of Growth Allocated to Debt Service						(2) Additional dollars needed divided by value of 1¢ in that fiscal year

- **Phases One & Two Tax Impact = 31¢.**
- **With 15% Reassessment = 26¢.**
- **Using All Capital Reserve.**

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EQUIVALENT TAX IMPACT – CASE 3 – $55 Million

- **Literary Loan Plus Insured Lease Revenue Transactions.**
  - **5.50% Interest Rate.**
  - **30 Year Bonds.**

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
					TOTAL REQUIREMENT		PLUS	PLUS	PLUS	PLUS	PLUS	EQUALS		
		Annual Net Debt Service Payments												
Fiscal Year	Existing Debt Service	ESH Debt Service	Changeover	Estimated New Debt Service	Existing and Proposed Debt Service	Budgeted Debt Service	Capital Fund Principal Withdrawals	Incremental Growth(1)	Lottery Funds	Meals and Gas Revenues	Incremental Tax Revenues	Funds Available	Surplus (Deficit)	Estimated Incremental Tax Effect (2)
2004	3,793,194	0	290,000	0	4,083,194	3,793,194	0	NA	300,000	400,000	0	4,493,194	410,000	
2005	3,648,575	324,193	290,000	2,526,990	6,789,757	3,793,194	1,741,563	NA	300,000	400,000	1,155,000	6,789,757	0	10.5¢
2006	3,490,613	329,581	290,000	2,525,990	6,646,184	3,793,194	839,940	127,050	300,000	400,000	1,155,000	6,646,184	0	
2007	3,452,128	326,233	290,000	3,091,066	7,161,426	3,793,194	1,241,510	261,723	300,000	400,000	1,155,000	7,161,426	0	
2008	3,428,205	326,695	290,000	3,861,066	7,925,966	3,793,194	1,873,295	404,476	300,000	400,000	1,155,000	7,925,965	0	
2009	3,411,133	329,873	290,000	3,861,066	7,892,071	3,793,194	1,588,083	555,795	300,000	400,000	1,155,000	7,892,071	0	
2010	3,273,957	327,787	290,000	3,841,066	7,732,729	3,793,194	1,250,383	716,193	300,000	400,000	1,155,000	7,732,769	0	
2011	3,244,671	325,471	290,000	3,821,066	7,681,207	3,793,194	1,148,799	886,214	300,000	400,000	1,155,000	7,681,207	0	
2012	3,227,068	327,891	290,000	3,801,066	7,646,025	3,793,194	931,364	1,066,437	300,000	400,000	1,155,000	7,646,025	0	
2013	3,193,740	325,027	290,000	3,781,066	7,594,832	3,793,194	629,165	1,257,473	300,000	400,000	1,155,000	7,594,832	0	
2014	2,921,695	326,979	290,000	3,761,066	7,299,839	3,793,194	191,574	1,459,572	300,000	400,000	1,155,000	7,299,839	0	
2015	2,832,656	328,351	290,000	3,741,066	7,192,072	3,793,194	0	1,674,620	300,000	400,000	1,155,000	7,322,814	70,742	
2016	2,684,330	324,559	290,000	3,721,066	7,019,942	3,793,194	0	1,902,147	300,000	400,000	1,155,000	7,550,341	530,399	
												Total Tax Impact =		10.5¢
Notes								(1) % of Growth Allocated to Debt Service						(2) Additional dollars needed divided by value of 1¢ in that fiscal year

- **Tax-Impact = 10.5¢**
- **Does Not Rely on Reassessment.**
- **Using All Capital Reserve.**

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EQUIVALENT TAX IMPACT – CASE 4 – $45 Million

- **Literary Loan Plus Insured Lease Revenue Transactions.**
  - **5.50% Interest Rate.**
  - **30 Year Bonds.**

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
					TOTAL REQUIREMENT		PLUS	PLUS	PLUS	PLUS	PLUS	EQUALS		
	Annual Net Debt Service Payments													
Fiscal Year	Existing Debt Service	PPII Debt Service	Shortfall	Estimated New Debt Service	Existing and Projected Debt Service	Budgeted Debt Service	Capital Fund Principal Withdrawals	Incremental Growth (1)	Lottery Funds	Meals and Gate Revenues	Incremental Tax Revenues	Funds Available	Surplus (Deficit)	Estimated Incremental Tax Effect (2)
2004	3,793,194	0	200,000	0	4,093,194	3,793,194	0	NA	300,000	400,000	0	4,493,194	410,000	
2005	3,648,575	324,193	250,000	2,101,335	6,324,103	3,793,194	1,530,909	NA	300,000	400,000	550,000	6,574,103	0	5.5¢
2006	3,490,613	329,561	250,000	2,101,335	6,219,509	3,793,194	1,049,209	127,050	300,000	400,000	550,000	6,219,509	0	
2007	3,452,128	328,253	250,000	2,576,151	6,646,512	3,793,194	1,341,595	261,723	300,000	400,000	550,000	6,646,512	0	
2008	3,439,305	326,695	250,000	3,176,151	7,221,051	3,793,194	1,773,321	404,476	300,000	400,000	550,000	7,221,051	0	
2009	3,411,133	329,973	250,000	3,161,151	7,192,157	3,793,194	1,533,163	555,795	300,000	400,000	550,000	7,192,157	0	
2010	3,373,157	327,767	250,000	3,146,151	7,097,555	3,793,194	1,278,463	716,193	300,000	400,000	550,000	7,037,555	0	
2011	3,244,871	326,471	250,000	3,131,151	6,991,293	3,793,194	1,063,535	838,214	300,000	400,000	550,000	6,991,293	0	
2012	3,227,008	327,861	250,000	3,116,151	6,061,110	3,793,194	651,480	1,066,437	300,000	400,000	550,000	6,061,110	0	
2013	3,189,740	326,057	250,000	3,101,151	6,914,948	3,793,194	614,281	1,257,473	300,000	400,000	550,000	6,914,948	0	
2014	2,921,995	328,979	250,000	3,006,151	6,624,925	3,793,194	121,499	1,459,572	300,000	400,000	550,000	6,624,965	0	
2015	2,832,656	326,351	250,000	3,071,151	6,582,156	3,793,194	0	1,674,620	300,000	400,000	550,000	6,717,814	135,658	
2016	2,834,328	324,539	250,000	3,056,151	6,565,028	3,793,194	0	1,902,147	300,000	400,000	550,000	6,945,341	380,313	
												Total Tax Impact =		5.5¢

Notes: (1) % of Growth Allocated to Debt Service (2) Additional dollars needed divided by value of 1¢ in that fiscal year

- **Tax-Impact = 5.0¢**
- **Does Not Rely on Reassessment.**
- **Using All Capital Reserve.**

EQUIVALENT TAX IMPACT – CASE 5 – $45 Million

- **Literary Loan Plus Insured Lease Revenue Transactions.**
  - **4.75% Interest Rate (Current Market).**
  - **30 Year Bonds.**

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
					TOTAL REQUIREMENT		PLUS	PLUS	PLUS	PLUS	PLUS	EQUALS		
	Annual Net Debt Service Payments													
Fiscal Year	Existing Debt Service	PPII Debt Service	Shortfall	Estimated New Debt Service	Existing and Projected Debt Service	Budgeted Debt Service	Capital Fund Principal Withdrawals	Incremental Growth (1)	Lottery Funds	Meals and Gate Revenues	Incremental Tax Revenues	Funds Available	Surplus (Deficit)	Estimated Incremental Tax Effect (2)
2004	3,793,194	0	200,000	0	4,093,194	3,793,194	0	NA	300,000	400,000	0	4,493,194	410,000	
2005	3,648,575	324,193	200,000	1,876,153	6,138,921	3,793,194	1,250,727	NA	300,000	400,000	395,000	6,138,921	0	3.5¢
2006	3,498,613	329,561	200,000	1,876,153	5,994,347	3,793,194	995,104	177,050	300,000	400,000	395,000	5,994,347	0	
2007	3,452,128	328,253	200,000	2,473,091	6,481,291	3,793,194	1,341,335	261,723	300,000	400,000	395,000	6,481,291	0	
2008	3,439,305	326,695	200,000	3,013,891	7,055,790	3,793,194	1,773,120	404,476	300,000	400,000	395,000	7,055,790	0	
2009	3,411,133	329,973	200,000	2,995,891	7,026,896	3,793,194	1,532,907	555,795	300,000	400,000	395,000	7,026,896	0	
2010	3,373,157	327,767	200,000	2,980,891	6,972,634	3,793,194	1,278,207	716,193	300,000	400,000	395,000	6,972,634	0	
2011	3,244,871	326,471	200,000	2,965,891	6,825,232	3,793,194	1,061,824	838,214	300,000	400,000	395,000	6,825,232	0	
2012	3,227,008	327,861	200,000	2,950,891	6,705,853	3,793,194	651,219	1,066,437	300,000	400,000	395,000	6,705,853	0	
2013	3,189,740	326,057	200,000	2,935,891	6,749,687	3,793,194	612,980	1,257,473	300,000	400,000	395,000	6,749,687	0	
2014	2,921,995	328,979	200,000	2,920,891	6,459,864	3,793,194	121,499	1,459,572	300,000	400,000	395,000	6,459,664	0	
2015	2,832,656	326,351	200,000	2,905,891	6,415,097	3,793,194	0	1,674,620	300,000	400,000	395,000	6,562,814	135,817	
2016	2,834,328	324,539	200,000	2,890,891	6,389,757	3,793,194	0	1,902,147	300,000	400,000	395,000	6,790,341	290,574	
												Total Tax Impact =		3.5¢

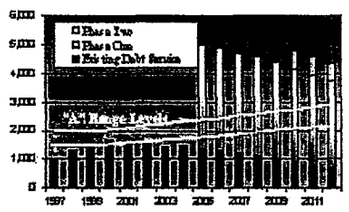
Notes: (1) % of Growth Allocated to Debt Service (2) Additional dollars needed divided by value of 1¢ in that fiscal year

- **Tax-Impact = 3.5¢**
- **Does Not Rely on Reassessment.**
- **Using All Capital Reserve.**

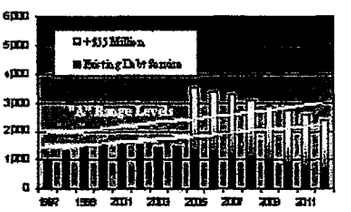
DEBT RATIOS

DEBT PER CAPITA

- Cases 1 & 2



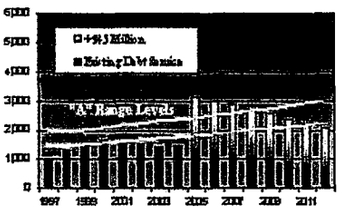
- Case 3



- **Population Growth Rate = 1.0%**
- **Borrowing Capacity:**

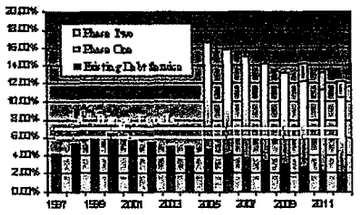
Fiscal Year	Minimum	Maximum
2005	10,395,886	25,883,843
2010	31,666,724	50,565,430
2012	41,126,622	61,591,410

- Cases 4 & 5

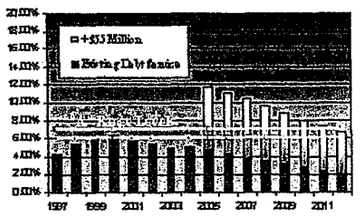


DEBT TO INCOME

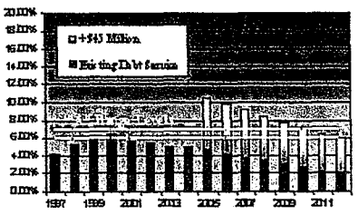
➢ Cases 1 & 2



➢ Case 3



➢ Cases 4 & 5



➢ **Income Growth Rate = 3.5%**

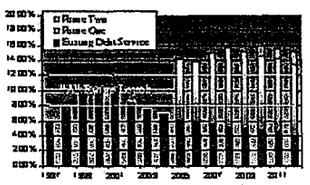
➢ **Borrowing Capacity:**

Fiscal Year	Minimum	Maximum
2005	10,490,923	18,250,741
2010	30,334,881	39,562,166
2012	39,068,423	48,957,784

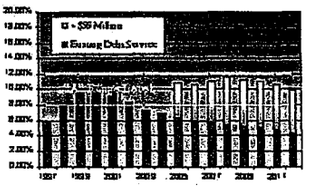
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DEBT SERVICE TO EXPENDITURES

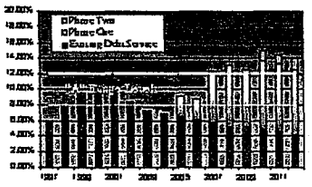
➢ Case 1



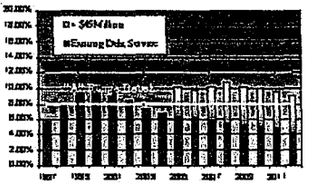
➢ Case 3



➢ Case 2



➢ Cases 4 & 5



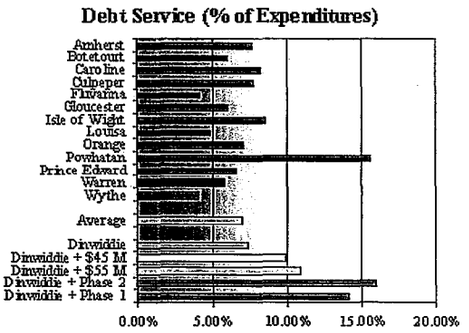
➢ **Expenditures Growth Rate = 3.25%**

➢ **Borrowing Capacity:**

Fiscal Year	Minimum	Maximum
2005	13,699,376	41,477,155
2010	26,914,526	59,521,233
2012	34,471,494	69,237,174

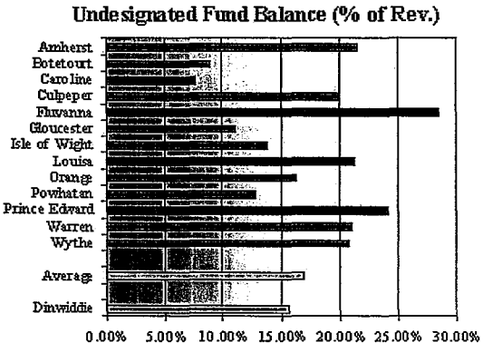
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PEER GROUP – Debt Service vs. Expenditures



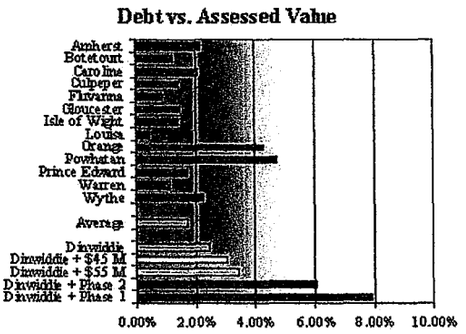
- Note Phase One Ratio is Projected for FY 2005 and Phase Two and Plus $55 M Ratios are Projected for FY 2010.

PEER GROUP – Fund Balance



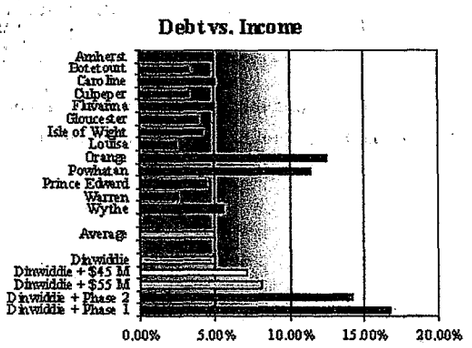
- Assumes Dinwiddie's Undesignated Fund Balance is Approximately $8.2 Million.

PEER GROUP – Debt to Total Assessed Value



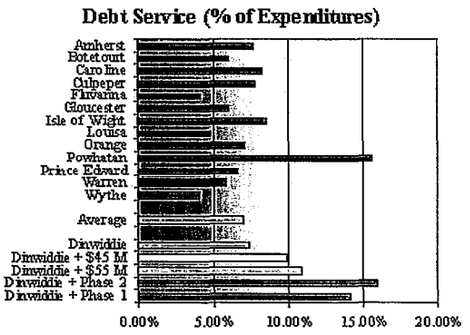
- Note Phase One Ratio is Projected for FY 2005 and Phase Two and Plus $55 M Ratios are Projected for FY 2010.

PEER GROUP – Debt to Personal Income



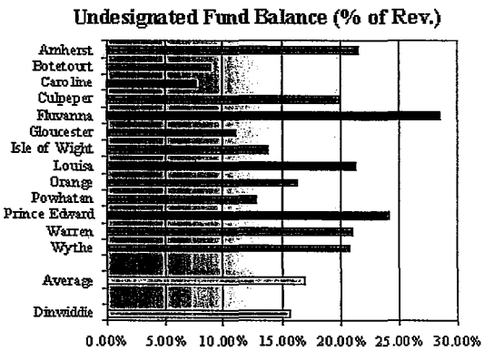
- Note Phase One Ratio is Projected for FY 2005 and Phase Two and Plus $55 M Ratios are Projected for FY 2010.

PEER GROUP – Debt Service vs. Expenditures



- Note Phase One Ratio is Projected for FY 2005 and Phase Two and Plus $55 M Ratios are Projected for FY 2010.

PEER GROUP – Fund Balance



- Assumes Dinwiddie's Undesignated Fund Balance is Approximately $8.2 Million.

OTHER LOCALITIES

APPROACH TO FUNDING CHALLENGES

FUNDING OPTIONS FOR SCHOOLS

1. **Literary Loans.**

2. **General Obligation Bonds.**

3. **Virginia Public School Authority (VPSA)**

4. **Lease Revenue Bonds.**

5. **Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA).**

PEER GROUP – School Financing Approaches

Municipality	Literary Loans	G.O. Bonds	VPSA	Lease Revenue	PPEA
Amherst	✓		✓		
Botetourt				In Progress	
Caroline(NA)					
Culpeper	✓	✓			
Fluvanna	✓			✓	
Gloucester(NA)					
Isle of Wight		✓			
Louisa	✓				
Orange	✓		✓	✓	
Powhatan	✓	✓		✓	
Prince Edward					
Warren					In Progress
Wythe	✓				
Dinwiddie	✓			✓	

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WHAT IS PPEA

- **Recently Enacted Statewide Legislation Enabling Localities to Expedite Building Process.**
- **Does not Require Voter Referendum.**
- **Does not Require Public Hearings.**
- **Issuing Conduit can be Either a Created Not-for-Profit Corporation of the County (63-20 Corporation) or the IDA of the County.**
- **Issuance of Bonds is Either Lease Revenue or Certificates of Participation ("COPs") Structure.**
- **Mortgage of the Facilities to be Built Used as Collateral.**

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POTENTIAL ADVANTAGES/BENEFITS OF PPEA

- **Ability to Steamline Process of Building School(s).**
- **No Bidding (I.e. Procurement Required for A&E, Construction or Financing).**
- **No Public Hearings Required.**
- **Financing Process Itself can be Separated from the A&E/Construction Portion of the PPEA Proposal.**

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LOCALITIES' EXPERIENCE WITH PPEA

- **Warren County** - **In Progress/Under Review; Financing Expected to be Done by County Through IDA.**
- **Stafford County** - **Financing Done Via County.**
- **City of Winchester** - **Financing Done via City.**
- **City of Virginia Beach** - **Financing Done via City.**

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IN RE: REVIEW OF ESTIMATED EXPENDITURES

The County Administrator distributed copies of the breakdown of the projected reductions in the expenditures for FY 04-05 for the Board to review. She presented several Options for the Board's consideration. There was a lengthy discussion between the Board members and Staff regarding the options.

IN RE: RECESS

The Chairman declared a short recess at 4:51 P.M. The meeting reconvened at 5:03 P.M.

IN RE: AUTHORIZATION TO ADD CONSTITUTIONAL OFFICERS EMPLOYEES TO COUNTY PAY PLAN & POLICIES

Upon motion of Mr. Moody, Seconded by Mr. Stone, Mr. Stone, Mr. Bowman, Ms. Moody, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Constitutional Officers employees are hereby authorized to come under the County Policies and Pay Plan with a 3 1/2% increase in their present salary in the FY04-05 budget.

RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Stone, Mr. Stone, Mr. Bowman, Ms. Moody, Mr. Moody, Mr. Haraway voting "Aye", the meeting adjourned at 5:46 P.M.

Donald L. Haraway, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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 APRIL, 2004, AT 6:00 P.M.

PRESENT:	DONALD L. HARAWAY –CHAIRMAN	ELECTION DISTRICT #2
	HARRISON A. MOODY - VICE CHAIR	ELECTION DISTRICT #1
	ROBERT L. BOWMAN IV	ELECTION DISTRICT #3
	DORETHA E. MOODY	ELECTION DISTRICT #4
	MICHAEL W. STONE	ELECTION DISTRICT #5
OTHER:	PHYLLIS KATZ	COUNTY ATTORNEY

==========

IN RE: CLOSED SESSION

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

§2.2-3711 A. 1 – Personnel matters *– Environmental Tech; Zoning Administrator; Commonwealth Attorney; County Administrator; and Appointments*
§2.2-3711 A. 3 – Acquisition of Real Property
§2.2-3711 A. 30 – Discussion of Award of Public Contract

Mr. Bowman seconded the motion. Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", the Board moved into the Closed Meeting at 6:14 P.M.

The meeting reconvened into Open Session in the Board Meeting Room at 7:36 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under:
§2.2-3711 A. 1 – Personnel matters *– Environmental Tech; Zoning Administrator; Commonwealth Attorney; County Administrator; and Appointments*
§2.2-3711 A. 3 – Acquisition of Real Property
§2.2-3711 A. 30 – Discussion of Award of Public Contract

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

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

Upon motion of Mr. Stone, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", this Certification Resolution was adopted.

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

Mr. Donald L. Haraway, Chairman, called the regular meeting to order at 7:37 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

The County Administrator stated there is a need to continue the Closed Session after the meeting for Personnel §2.2-3711 A. 1 - Environmental Tech; Zoning Administrator; County Administrator; and Appointments; and §2.2-3711

A. 3 – Acquisition of Real Property; add Proclamation declaring April as Child Abuse Prevention Month under the Consent Agenda; add Lawn Maintenance Contract under County Administrator Comments; and remove the Resolution for Marguerita Ragsdale.

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the above amendment(s) were approved.

IN RE: MINUTES

Upon motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the minutes of the March 16, 2004 Regular Meeting, March 23, 2004 Continuation Meeting, and the March 30, 2004 Continuation Meeting are approved in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway 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 1038959 through 1039196 (void check(s) numbered 1038958, 1039034 through 1039050)

Accounts Payable:

(101) General Fund	$ 279,989.16
(103) Jail Commission	$
(209) Litter Control	$
(222) E911 Fund	$ 3,619.90
(225) Courthouse Maintenance	$ 3,475.90
(226) Law Library	$
(228) Fire Programs & EMS	$ 1,152.22
(304) CDBG Grant Fund	$ 179.45
(401) County Debt Service	$ 13,746.00
TOTAL	**$ 302,162.63**

PAYROLL 03/31/04

(101) General Fund	$ 433,344.31
(222) E911 Fund	$ 3,542.52
(229) Forfeited Asset	$
(304) CDBG Fund	$ 7,522.71
TOTAL	**$ 444,409.54**

IN RE: COMMUNICATIONS EQUIPMENT REQUISITION #3 – DINWIDDIE COUNTY IDA PUBLIC FACILITIES LEASE REVENUE NOTE SERIES 2003

The following invoice from Watson Furniture Group, for expenses from the Dinwiddie County IDA Public Facilities Lease Revenue Note Series 2003 was submitted for Payment:

Fusion Cavity Shelf	4	$30,440.00
Rotating Resource w/Grommet	2	1,444.00

Dispatch Chairs	4	4,080.00
Installation		5,833.00
Freight		3,050.00
TOTAL DUE		**$44,847.00**

Upon motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number #3 in the amount of $44,847.00 be approved and funds appropriated for expenses from the Dinwiddie County IDA Public Facilities Lease Revenue Note Series 2003.

IN RE: PROCLAMATION DECLARING APRIL 2004 CHILD ABUSE PREVENTION MONTH

Upon motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the following Proclamation was adopted.

By virtue of the authority vested in the Dinwiddie County Board Supervisors, we hereby proclaim the month of April as Child Abuse Prevention Month in Dinwiddie County.

Whereas, every child in our great Commonwealth is a precious gift, full of promise and potential; and

Whereas, the prevention of child abuse and neglect is crucial to the preservation of the health and well-being of Virginia's families and can be accomplished by providing support and information to families as well as through increased community awareness; and

Whereas, all children learn from role models at home, at their place of worship, at school, and their communities – and all children benefit from the love and leadership displayed by caring and responsible adults; and

Whereas, children are our most precious resource and we are committed to keeping the children of this great Commonwealth safe, healthy, and happy; and

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia do hereby recognize April 2004 as Child Abuse Prevention Month and call this observance to the attention of all our citizens.

IN RE: RESOLUTION – GILBERT WOOD

Resolution

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

APRIL 6, 2004

IN RECOGNITION OF

GILBERT WOOD

WHEREAS, Mr. Gilbert Wood has served on the Board of Zoning Appeals, with distinction and integrity from December 1979, until April 2004; and

WHEREAS, the Board of Supervisors on this 6th day of April 2004 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 Mr. Gilbert Wood for his 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 Mr. Gilbert Wood, and a copy spread upon the minutes of this meeting.

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the above resolution was adopted.

IN RE: STATEMENT PRIOR TO PUBLIC HEARING

Mr. William C. Scheid, Planning Director, came forward and made 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 case(s)."

IN RE: PUBLIC HEARING – C-03-3- CONDITIONAL USE PERMIT REQUEST BY BARRY RESNICK ON BEHALF OF BARLES PARTNERSHIP TO ESTABLISH A RECREATIONAL MINING OPERATION

This being the time and place as advertised in the Monitor on March 24, 2004 and March 31, 2004, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comment on the following matter:

Mr. William C. Scheid, Planning Director, came forward and read the following excerpt.

Planning Summary Report

File:	C-03-3
Applicant:	Barry Resnick on behalf of Barles Partnership
Address:	4011 Harpers Road, McKenney, VA 23872
Acreage:	272.8 acres [a 20 acre portion thereof]
Tax Map/Parcel:	64(1)1 & 64(1)3 [15 & 5 acre portions thereof]
Zoning:	Agricultural, general A-2

The Planning Commission held it's first meeting on this request on October 15, 2003. As a result of this meeting, the Planning Commission decided to form a Recreational Mining Committee to review all of the information and make a report for the Planning Commission to assist them in rendering a recommendation to the Board of Supervisors. The Committee was composed of citizens and Planning Commission members. Many meetings were held by the Committee to include: a visit to the Morefield Gem Mine in Amelia County; a visit to Raleigh, N.C. to view a rock crusher and blasting; a visit to the Resnick site; and numerous meetings at the Pamplin Administration Building working out the language for the conditional use permit if it is to be issued by the Board of Supervisors. The Planning Commissioners discussed amongst themselves the materials presented by the Committee and formulated a final set of conditions. Upon concluding their discussions, the Planning Commission recommended on a 5-0-2 vote (Mr. Stone and Dr. Moore abstaining since they are new members of the Planning Commission and have not been involved in this case) approval of the conditional use permit with the conditions noted below.

1. The use of the property is for recreational and educational mining with associated activities;

2. The preliminary sketch of the property prepared by Townes Site Engineering, dated January 12, 2004, entitled Resnick Mine Schematic that was submitted to the County becomes part of the CUP. The sketch locates such things as: access to the property; existing structures; proposed structures; proposed interior roads and any parking areas; delineation of the pit area; delineation of the area for customer access associated with the sluicing/store operation; overburden storage from the pit, etc.;

3. The use permit limits the materials to be marketed to gems and minerals. Crushed stone, sand, overburden and large boulders are prohibited from leaving the property for commercial use. Gems and/or minerals may leave the property for commercial purposes but may not leave the property in a vehicle greater in size than a one (1) Ton Pickup truck;

4. The five (5) acre portion of the property located toward the front is dedicated to public access for activities associated with rock (gem and mineral) collecting. The existing home may be converted to a store selling gem and mineral articles produced from the site. The hours of operation for this area shall be restricted to daylight hours;

5. The fifteen (15) acre tract is where the open pit mining operation is to occur. In addition to any conditions imposed by State and Federal regulations, the following shall be adhered to:

The depth of the pit shall not exceed sixty (60) feet *as measured from the initial ground elevation above the point at the bottom of the pit*;

Blasting shall be in a grid pattern not to exceed 30'x 30'x10'(depth) with a maximum of twenty (20) holes per single blasting to the grid with each hole not exceeding the equivalent of one-half (1/2) stick of dynamite. The area will be covered with heavy mat and earth. The explosion shall be time delayed (not occurring at the same time). The blasting shall be limited to the hours between sunrise and sunset, Monday through Friday, excluding State and Federal holidays. Blasting will be limited to one (1) week per quarter of the calendar year except in the case of "pop shot" blasting which may occur between the hours of sunrise and sunset, Monday through Friday, except on State and Federal holidays. A "pop shot" blast shall refer to a grouping of closely spaced drilled holes in rock measuring 1-1/2" in diameter and not exceeding a depth of 5' per hole containing an explosive the equivalent of no more than one half (1/2) stick of dynamite with the total amount of explosive per "pop blast" not exceeding the equivalent of two (2) sticks of dynamite. The purpose of the "pop blast" is to provide a concise extraction and manageable volume of minerals to process;

All adjacent property owners shall be given a minimum notice of one (1) week prior to the date that blasting is scheduled. This does not include a 'pop shot' blast;

During the initial blasting, the applicant shall coordinate his activities with Mr. Denny d'Alelio, owner of the Harper House, such that Mr. d'Alelio can secure the services of an expert to monitor the blasting and any effects it may have on the historic home. Mr. Barry Resnick shall reimburse Mr. d'Alelio up to $350.00 of the costs associated with this expert;

If a jaw crusher is needed, it shall be limited to a maximum size of 26" x 40". Crushing operations shall be restricted to one week per quarter of the calendar year and shall run concurrent with the week of blasting. The crushing operation will be conducted between sunrise and sunset, Monday through Friday, excluding State and Federal holidays. In order to control dust, the crusher shall use a water suppression system;

No secondary breakage will be allowed except by the jaw crusher; and

Upon reaching a depth of ten (10) feet, the pit area shall be secured by a woven wire, five (5) feet in height, with a strand of barbed wire on top to preclude anyone from venturing too close to the pit;

6. Any areas on the subject property in which public access is permitted and which is in close proximity to an adjacent property owner shall have a woven wire fence, five (5) feet in height, with a strand of barbed wire on top erected near the property line to inhibit trespassing; and

7. All Federal and State permits must be obtained and filed with the Planning Department prior to the mining operation commencing.

(NOTE: After the Planning Commission vote, Mr. d'Alelio voiced concerns to me about his well water and the possible effect the recreational mining operation would have on it. This concern was mentioned to Mr. Resnick. Mr. Resnick stated that he would attempt to develop a reasonable condition to be added to the above conditions but needed the assistance of the Planning staff. Such a condition was developed with Mr. Resnick on March 30th. It is suggested that the following be added as a condition.

8. Due to the proximity of Mr. d'Alelio's potable water deep well, Mr. Resnick shall make all reasonable attempts to coordinate with Mr. d'Alelio to establish the depth, quality and flow of water from the existing deep well. In the event the quality and/or flow of the water should decrease, Mr. Resnick shall investigate the cause of the problem. If Mr. d'Alelio wishes to participate in the investigation, he may do so. If it is determined that the well was adversely impacted by Mr. Resnick's mining operation, then Mr. Resnick shall be responsible for providing Mr. d'Alelio with a new well delivering an equal or greater quality and flow of potable water.

Since this is a zoning matter, he reminded the Board that the standard statement must be read prior to making a motion. In order to assist you in this matter, the statement was included in your report.

The applicant, Mr. Barry Resnick, 204 Windmere Drive, Colonial Heights, Virginia, stated he has been working on this project for 5 years and he felt it was a wonderful discovery for the County and he just wanted to be good neighbors. Recently, due to the significance of the historical value of Mr. Denny d'Alelio's house he had planted trees along his property line. Also, he had addressed the issue of the well on Mr. d'Alelio's property by adding the 8th condition to the CUP.

Mr. Haraway opened the public hearing for C-03-3.

The following persons spoke in opposition/support of the CUP:

1) Mr. Denny d'Alelio, 4015 Harpers Road, stated that his property is adjacent to Mr. Resnick's farm and the proposed mining operation is located approximately 1,000' from his house. He read a prepared statement, which Mr. Scheid distributed to the Board. Mr. Stone asked Mr. d'Alelio if his house was on the market to be sold. Mr. d'Alelio replied it was and has been for 3 years but at this time there was no contract on it and if the CUP was approved he didn't feel it would ever be sold.

2) Mrs. Sylvia Chambers, 17517 Nash Road, Dinwiddie, Virginia commented she felt this would be a great educational asset to the County.

3) Mr. Michael W. Bratschi, 23500 Cutbank Road, McKenny, Virginia, stated the residents in the area did not want this and the Board should do the will of the people.

4) Ms. Diana Parker – 10700 Chalkley Road, Richmond, VA, stated that she was the Conservation Chair for the Falls of the James Group of the Virginia Chapter of the Sierra Club. She said she was asked by an adjacent property owner to come and speak for the Sierra Club on his behalf because he agrees with the Sierra Club that this is not a conditional use that is appropriate for the area. She said the neighbors do not want it and that DMME agrees that this is not recreational but commercial. She asked that the same type of consideration be given to this request as was given to the Tidewater request.

5) Mrs. Lena Byrd – 20803 Old Beaver Pond Road, stated she and her husband supported this request.

6) Ms. Jean Klarman – 4102 Harpers Road, McKenny, Virginia - commented she and her husband moved to the County for the peace and tranquility it provided and she was opposed to the request. She also stated she was concerned about the wells, road safety, and their health if this CUP is approved.

7) Mr. Fred Klarman – 4102 Harpers Road, McKenny, Virginia – said he did not object to the recreational mining but was opposed to any commercial mining.

8) Mr. Charles Wulf – 3509 Harpers Road, McKenny, Virginia – opposed the CUP request because he felt it was a backdoor attempt of Mr. Resnick to get a commercial mining permit.

9) Ms. Gloria Pride – 11718 Duncan Road, Petersburg, Virginia – commented her brother, Mr. Gilliam, owned property adjacent to Mr. Resnick and she was here to speak in support of the request. Both, Mr. d'Alelio's home and the recreational mining would be wonderful tourist attractions in the county.

10) Geri Barefoot – 7411 Frontage Road, Petersburg, Virginia – stated she could not see how the Board could allow this CUP without having an impact study done. The Board passed an ordinance that required the applicant to pay to have the studies done and she felt it was warranted in this case. She stated that as far as DMME is concerned, there is no difference between a recreational mining operation and a regular mining facility and there needed to be a plan of operation, environmental study, and a study on the impact of the historical buildings, etc. She said these citizens deserve the same type of consideration that the Tidewater proposal generated. The Board should not require anything less of this applicant.

11) Mrs. Eva Bratschi - 23500 Cutbank Road, McKenny, Virginia – stated how would the mining affect the wells, foundation of the houses, and environment if

the studies were not done. She felt the impact studies should be done before the CUP is approved.

12) Mr. Ed Aguirre, certified gemologist - 715 Tucker Street, Raleigh North Carolina – commented he had spoken with Mike Golf and Ray Jenkins with the Department of Minerals and Mines regarding the requirements for the permit. However, they did not want to proceed with filing for the permits until the CUP has been approved because of the expense involved. Continuing, he described the gems, which might be found in the pits and the process for retrieving them. He pointed out that a fence would surround the sluicing area for protection. A mining permit will have to be acquired and OSHA guidelines have to be followed. He said there would be security fences to protect animals from roaming in the area too.

Mr. Bowman asked several questions relating to why the rocks needed to be crushed after the blasting; would all the gems extracted be put in the sluicing area; how the public retrieved the gems; where the sluicing area would be located and would all the gems be given to the public.

Mr. Haraway closed the public hearing.

Mr. Roger Fuller owner of Eaton's Jewelers stated he has worked with Mr. Resnick setting some gems and felt this would be a great educational experience for the kids in the County to be able to discover gems in their natural environment.

Mr. Stone commented he is on the Planning Commission but he did not participate in any of the meetings or serve on the committee. However, he sent a one-page letter to the residents in his District and received 17 responses from that contact resulting in 2 ½ ratio who were opposed – to 1 who supported the CUP. Therefore, he could not vote to approve this request.

Mr. Bowman stated the County passed an ordinance, which required applicants to have impact studies done in cases like this one. He asked the Planning Director why this was not done? Mr. Scheid replied he was correct, there was an ordinance passed which gave the County the option to require an applicant pay to have impact studies done at the discretion of the Planning Department. However, in this case they did not deem it necessary.

Mr. Moody commented this is not commercial mining it is a recreational mining request and there is a magnitude of difference. The blasting is limited to one week per quarter and that equates to a month per year; but that is minimal compared to commercial mining. The use permit limits the materials to be marketed to gems and minerals that can leave the property to a one (1) Ton Pickup truckload. No crushed stone, sand, overburden and large boulders are allowed to leave the property for commercial use that would require dump trucks to haul away. He said the Planning Commission had done a good job with the research for this request and he felt it would be good for the County.

Ms. Moody stated she visited the site and felt it was very interesting and she supported the CUP request.

Mr. Haraway agreed with Ms. Moody and Mr. Moody. He commented he too supported this request.

Mr. Bowman stated the representative and citizens from this district are opposed to this request and he felt the Board should support them.

Mr. Moody stated 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 I move that conditional

use permit C-03-3 be approved, with the conditions recommended, by the Board of Supervisors.

Ms. Moody seconded the motion. Ms. Moody, Mr. Moody, Mr. Haraway voting "Aye", Mr. Bowman, Mr. Stone voting "Nay", conditional use permit C-03-3 was approved, with the following conditions:

1. The use of the property is for recreational and educational mining with associated activities;

2. The preliminary sketch of the property prepared by Townes Site Engineering, dated January 12, 2004, entitled Resnick Mine Schematic that was submitted to the County becomes part of the CUP. The sketch locates such things as: access to the property; existing structures; proposed structures; proposed interior roads and any parking areas; delineation of the pit area; delineation of the area for customer access associated with the sluicing/store operation; overburden storage from the pit, etc.;

3. The use permit limits the materials to be marketed to gems and minerals. Crushed stone, sand, overburden and large boulders are prohibited from leaving the property for commercial use. Gems and/or minerals may leave the property for commercial purposes but may not leave the property in a vehicle greater in size than a one (1) Ton Pickup truck;

4. The five (5) acre portion of the property located toward the front is dedicated to public access for activities associated with rock (gem and mineral) collecting. The existing home may be converted to a store selling gem and mineral articles produced from the site. The hours of operation for this area shall be restricted to daylight hours;

5. The fifteen (15) acre tract is where the open pit mining operation is to occur. In addition to any conditions imposed by State and Federal regulations, the following shall be adhered to:

The depth of the pit shall not exceed sixty (60) feet *as measured from the initial ground elevation above the point at the bottom of the pit*;

Blasting shall be in a grid pattern not to exceed 30'x 30'x10'(depth) with a maximum of twenty (20) holes per single blasting to the grid with each hole not exceeding the equivalent of one-half (1/2) stick of dynamite. The area will be covered with heavy mat and earth. The explosion shall be time delayed (not occurring at the same time). The blasting shall be limited to the hours between sunrise and sunset, Monday through Friday, excluding State and Federal holidays. Blasting will be limited to one (1) week per quarter of the calendar year except in the case of "pop shot" blasting which may occur between the hours of sunrise and sunset, Monday through Friday, except on State and Federal holidays. A "pop shot" blast shall refer to a grouping of closely spaced drilled holes in rock measuring 1-1/2" in diameter and not exceeding a depth of 5' per hole containing an explosive the equivalent of no more than one half (1/2) stick of dynamite with the total amount of explosive per "pop blast" not exceeding the equivalent of two (2) sticks of dynamite. The purpose of the "pop blast" is to provide a concise extraction and manageable volume of minerals to process;

All adjacent property owners shall be given a minimum notice of one (1) week prior to the date that blasting is scheduled. This does not include a 'pop shot' blast;

During the initial blasting, the applicant shall coordinate his activities with Mr. Denny d'Alelio, owner of the Harper House, such that Mr. d'Alelio can secure the services of an expert to monitor the blasting and any effects it may have on the historic home. Mr. Barry Resnick shall reimburse Mr. d'Alelio up to $350.00 of the costs associated with this expert;

If a jaw crusher is needed, it shall be limited to a maximum size of 26" x 40". Crushing operations shall be restricted to one week per quarter of the calendar year and shall run concurrent with the week of blasting. The crushing operation will be conducted between sunrise and sunset, Monday through Friday, excluding State and Federal holidays. In order to control dust, the crusher shall use a water suppression system;

No secondary breakage will be allowed except by the jaw crusher; and

Upon reaching a depth of ten (10) feet, the pit area shall be secured by a woven wire, five (5) feet in height, with a strand of barbed wire on top to preclude anyone from venturing too close to the pit;

6. Any areas on the subject property in which public access is permitted and which is in close proximity to an adjacent property owner shall have a woven wire fence, five (5) feet in height, with a strand of barbed wire on top erected near the property line to inhibit trespassing; and

7. All Federal and State permits must be obtained and filed with the Planning Department prior to the mining operation commencing.

8. Due to the proximity of Mr. d'Alelio's potable water deep well, Mr. Resnick shall make all reasonable attempts to coordinate with Mr. d'Alelio to establish the depth, quality and flow of water from the existing deep well. In the event the quality and/or flow of the water should decrease, Mr. Resnick shall investigate the cause of the problem. If Mr. d'Alelio wishes to participate in the investigation, he may do so. If it is determined that the well was adversely impacted by Mr. Resnick's mining operation, then Mr. Resnick shall be responsible for providing Mr. d'Alelio with a new well delivering an equal or greater quality and flow of potable water.

IN RE: RECESS

The Chair called for a recess at 8:59 P.M. The meeting reconvened at 9:12 P.M.

IN RE: CONVEYANCE OF EASEMENTS TO SOUTHSIDE ELECTRIC & DOMINION VIRGINIA POWER FOR CELL TOWERS

This being the time and place as advertised in the Monitor on March 24, 2004 and March 31, 2004, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comment on the following matter:

(1) The proposed conveyance of an easement to Southside Electric Cooperative across property owned by Dinwiddie County near the landfill at 10817 Wheeler's Pond Road, which property and easement are described and shown on a plat of survey by Tim Payne dated March 16, 2003; and
(2) The proposed conveyance of an ingress and egress easement to Dominion Virginia Power across real property owned by Dinwiddie County located behind the fire station at 18407 Boydton Plank Road, which property and easement are described and shown on a plat of survey dated January 28, 2004 by D. Faison.

The County Administrator commented that easements across property owned by the County needed to be conveyed to Southside Electric Cooperative, near the landfill at 10817 Wheeler's Pond Road and Dominion Virginia Power, behind the fire station at 18407 Boydton Plank Road, to allow them to install power lines to the cell towers being built for the Communications Center Dispatch System.

Mr. Haraway opened the public hearing for comments. No one spoke in opposition to/or in support of the conveyance of the easements. The Chairman closed the public hearing.

Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia authorization is granted for the County Administrator to sign easement agreements with Southside Electric Cooperative, at 10817 Wheeler's Pond Road, and Dominion Virginia Power, at 18407 Boydton Plank Road, for ingress and egress on property owned by Dinwiddie County.

IN RE: CITIZEN COMMENTS

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

1. Davis Dudley – 25907 Smith Grove Road, Petersburg, Virginia – stated he had attended several High Speed Rail meetings and he had not seen any of the Board members there. He said the Board needed to let them know that the County does not want it in the County.

2. Michael Bratschi – 23500 Cutbank Road, McKenney, Virginia – applauded Mr. Stone and Mr. Bowman for not voting for the conditional use permit for the recreational mining because the people in that area did not want it in their district. He commented he was disappointed that there was not more representation by the Board at the Town Hall Meeting held by Delegate Bland for the 63rd District in Petersburg to discuss the State's budget. He asked why the County was giving refunds to Chaparral Steel in an amount of $1.9 million dollar.

3. Eva Bratschi– 23500 Cutbank Road, McKenney, Virginia – commented she did not agree with the Board moving the citizen comment period for the first meeting to the end of the agenda. She stated she did not appreciate the fact that Mr. Moody was reading from statements prepared for him by the county attorneys, he should vote his own conscience. Mr. Moody stated the only notes he had were the ones he wrote during the meeting for his information.

4. Geri Barefoot – 7411 Frontage Road, Petersburg, Virginia – commented the Board voted to adopt the Biosolids Ordinance on December 2, 2003 to become effective on February 1, 2004 and to date the County has not hired a monitor to oversee the application of the biosolids. She said the County has been illegally permitting the application since February. Mr. Moody responded that anyone on staff can monitor the applications and the State will reimburse the County for their time if it is submitted. Continuing, he said the Planner and the Code Enforcement Officer have been doing some of the inspections.

IN RE: CENTRAL VIRGINIA FILM OFFICE UPDATE – KEN ROY

Mr. Ken Roy, Executive Director, gave a brief update for the Central Virginia Film Office. The highlights were:

The CVFO localities, which comprise the region and provide financial assistance;
The Industry in 2003;
CVFO Activities 2003-2004;
Included participation of the following films: Gods and Generals; Cold Mountain; Line of Fire; Spymaster – British Reality Show;

New Millennium Studios – Announced a deal with TV One to provide:
Three made-for TV movies
Three entertainment series
Three non-fiction series

Produced at NMS –
American Legacy; Cowboys of Color International Rodeo; Gospel Challenge; Donna Richardson, Mind, Body and Spirit

The Future
Price Waterhouse Coopers –
Global entertainment and media spending
Filmed entertainment spending in North America –7.2% growth rate
Filmed entertainment spending in United States – 6.7% annual rate
By 2010, virtually all entertainment and media will be in digital Format
The broadband universe unprecedented expansion – nearing 30% annual growth
U.S. broadcast and cable TV advertising will grow at a 5.7% average annual rate

The Bottom Line
The entertainment Industry is a continued growth industry
Entertainment Industry continues to be US' largest export
Export is on going
Indigenous stability crucial
Training future workforce critical

2004 and Beyond
The continued growth of New Millennium Studios, coupled with the efforts of the Central Virginia Film Office, is injecting tens-of thousands of dollars into the Regional economy each year.

Continued cooperation and financial support from the Region's municipalities and the private sector in supporting New Millennium's and the CVFO efforts will amplify and expand this growth through the entire region.

Mr. Roy thanked the Board for their strong support and for allowing the County Administrator to serve on the Central Virginia Film Office Board.

IN RE: APPOINTMENT – VERNITA ELLIS PERRY – JOHN TYLER COMMUNITY COLLEGE BOARD

Upon Motion of Mr. Stone, Seconded by Mr. Moody, Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Ms. Vernita Ellis Perry is hereby appointed to serve on the John Tyler Community College Board to fill the unexpired term of Ms. Sarah Clarke Gunn for a term ending June 30, 2007.

IN RE: BUILDING AND GROUNDS DIRECTOR – MAINTENANCE OF GROUNDS – BID RESULTS AND AUTHORIZATION TO PROCEED

Mr. Jones stated eight bids have been received for maintenance of grounds from the following:

Company Name Owner Name Address & Phone #	Total	Monthly Installments

A Lawn Beautician 109 Terminal Street Hopewell, VA 23860 Jerry Lang 804-452-4330	32,987.36	2748.95
Virginia Landscapers 904 Yorkshire Road Colonial Heights, VA 23834 Alan Kirks 804-640-4586	45,480.00	3790.00
Four Seasons Lawn Care/Landscaping 11750 Dance Drive Dinwiddie, VA 23841 Chris Ruddick 804-469-7755	23,110.00 cost of materials not included	1925.83
BW's Lawn Service 15202 Scotts Road DeWitt, VA 23840 Carl (Skip) Wajick 804-469-4113	19,954.31	1662.86
Doug's Lawn Care P.O. Box 416 Dinwiddie, VA 23841 Douglas Brown 804-469-7812	31,647.00	2,637.25
Loperl's Lawn Care 13506 Orchard Leaf Place Chester, VA 23836 Norris Loperl 804-530-7665	41,915.00	3492.92
Virginia Lawn & Landscaping P.O. Box 1221 Hopewell, VA 23860 Peggy Akins 804-733-7225	23,244.00	1937.00
Joyce's Maintenance Concepts, Inc. 709 East Poythress Street Hopewell, VA 23860 Joyce Williams 804-458-0070	25,317.00	2109.75

Mr. Jones commented that he and Ms. Ralph, reviewed the bids and he recommended we accept the low bid from BW's Lawn Service.

Upon Motion of Mr. Moody, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway 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

BW's Lawn Service and enter into a one-year renewable contract at a base bid price of $19,954.31.

IN RE: AUTHORIZATION FOR ADDITIONAL FUNDING FOR COMMONWEALTH ATTORNEY

The County Administrator stated the Commonwealth Attorney had met with her and discussed the need for an assistant commonwealth attorney to help staff his office. The budget was cut 11% by the State last year. At this time he feels $6,000 would take care of an assistant until July 1, 2004 to assist him with his workload. Mrs. Ralph commented there is $20,000 in the forfeited assets fund, which could be used to recruit an office assistant if the Board so desired. She stated proper records would have to be kept and he is already authorized to use the funds. She recommended that the Board 1) Authorize funding up to $6,000 for the Commonwealth Attorney to hire an Assistant Commonwealth Attorney prior to July 1, 2004; 2) Funding using the Forfeited Assets funds for an office assistant.

Upon Motion of Mr. Bowman, Seconded by Mr. Stone, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia approved the recommendation of the County Administrator as follows:

1) Authorized funding up to $6,000 for the Commonwealth Attorney to hire an Assistant Commonwealth Attorney prior to July 1, 2004; and approved
2) Funding using the Forfeited Assets funds for an office assistant.

IN RE: HIGH GROWTH COALITION FY 2005 CONTRIBUTION

The County Administrator commented that the high Growth Coalition has contacted us about our continued involvement in the Coalition. The fee will be $750, which basically covers the expenses for Roger Wiley, the attorney that handles the work for this group. Mr. Moody commented that the contributions from each member locality are based on a formula that combines a per capita payment basis with a minimum payment cap. The minimum contribution of a member locality is $750, which is far less than Chesterfield and some of the northern counties. He stated the coalition is growing and lobbying is very important to the counties and he felt it was a good investment for the County.

Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the contribution to the High Growth Coalition of $750 was approved.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1) The County Administrator stated the Board would need to adjourn the meeting tonight and continue to April 14, 2004 - from 1:00 – 6:00 P.M. to tour the County with the Planning Department, School Board and Board. The Board would then have a meal from 6:00 to 7:00 P.M. then continue to work with the School Board on their School Capital Improvement Program.
2) Mrs. Ralph commented she had provided the Board with the changes discussed in the workshop in the "Draft" Proposed Budget in their packets. She asked them to let her know right away if they wanted to make any changes. Continuing she said the budget ad has to be sent in to the newspapers by Thursday in order to have the public hearing on the 20th for the FY04-05 budget.
3) The County Administrator informed the Board that the Appomattox River Soil & Water Conservation District provided two invitations to them, which was hand delivered today. Unfortunately, both events are

scheduled on Board meeting days. The Appomattox Earth and Farm day is scheduled for April 14th and the Area VI Envirothon is set for April 20, 2004.

4) Mrs. Ralph asked the Board whether or not they wanted Administration to purchase colored County decal seals for the identification of the vehicles at a cost of $18 each; or to purchase one with a white background with a solid dark green circle, which she provided as a "sample" at a cost of $9 each. After a lengthy discussion the Board agreed that the color seal, which has been used in the past, should continue to be purchased. Mr. Stone volunteered to check with a vendor he knew to see if he could get a lower price on the seals.
5) The County Administrator commented that Mr. Mike Chandler, the facilitator for the workshop on growth issues is available for May 5 and May 19, 24, 25, 26 or 27th. She stated Mr. Chandler suggested starting at 4:00 P.M., break for 30 minutes for dinner at 6:00 P.M. and adjourn at 8:00 P.M. – which is a four-hour workshop. She said she felt it should be scheduled as soon as possible since the County has some pressing growth issues to address. She informed the Board that Phyllis Katz, the County Attorney would be working with Mr. Chandler to provide guidance on what controls the County can legally put into place and the repercussions. Mr. Haraway informed the Board that on May 19th they were going to be invited to the annual Crater meeting at the Country Club so that date wouldn't be good. Mrs. Ralph commented she would check with Mr. Chandler to see if May 5th would be suitable.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody commented one of our funding options that was presented by the financial analysis was the public/private lenders for the funding of the school projects. However, Davenport did not think too highly of it; but he said he had received a lot of emails regarding that option and he felt it should be investigated. He said the designs of the new schools should integrate energy savings features to save money also.

He stated he spoke with Mr. Resnick after the public hearing and he agreed to write the Board a letter to give the adjacent landowners the same guarantee on their wells. If adversely impacted by the mining operation, then Mr. Resnick shall be responsible for providing them with a new well delivering an equal or greater quality and flow of potable water.

He said he got the email about getting the Board packet on CD's and if the letterhead was removed it would save a lot of memory, if it is emailed. The Deputy Clerk replied that was a trial to see if it could be emailed efficiently; but in the future it would be put on a CD for the Board.

He also commented to the public "don't believe everything you read in the newspapers. Many times people are misquoted and on numerous occasions the County has tried to rebut what was in the paper but it did not get put in. The pen is a powerful thing but sometimes it is not fair; it doesn't really represent what is going on.

Mr. Moody stated Mr. Ken Roy was a prime example of a gentleman that would be beneficial to the citizens, if he had been put further up on the agenda; but since he had to wait until after Citizen's Comments a lot of people left. In the future they should be put at the beginning of the agenda. He commented he felt it was a good thing that the Board did by changing the agenda to have one at the beginning of the meeting and the other at the end of the agenda. Mr. Haraway stated he agreed and in the future the Board may want to have presentations similar to his before Citizen's Comments. Mr. Moody said the Board needed to be fair on both sides.

Continuing he commented he was concerned about people that move into the County who purchase animals, such as horses, thinking they can feed them on grass on a very small parcel of land. Once the grass is gone it not only causes a problem with the animals it is also environmental issue. He said he felt the Planning Department should get involved and investigate because of the environmental issues.

Ms. Moody stated she felt a new Animal Shelter should be built in the near future in a more conspicuous location, maybe on a main road, so citizens could see it, which might help with animal adoptions. She also commented that there are a lot of children in the Administration Building doing community service work. She asked if some of them could be sent to help clean the animal shelter.

Mr. Bowman asked what the May 5th workshop would be covering? The County Administrator replied that Mr. Chandler would be providing a broad overview of how to deal with the growth issues in the County to the Board and Planning Commission. He suggested inviting the School Board. He commented there were a lot of pictures taken at the Swearing in Ceremony and requested that the proofs be made available to the Board and Constitutional Officers so they could get copies. The County Administrator replied she would check on them.

Mr. Stone commented he received a letter from Mr. Hunter Smith from Smith-Packet and the public hearing on the nursing home is going to be held on April 20th, which is a Board meeting day. He said he felt there should be a representative from the County at the meeting and suggested that the Assistant County Administrator go to support them. He stated he spent a lot of time and effort talking to the citizens on the issues involved in the public hearing for the mining request tonight and the responses was a 2 ½ ratio who opposed it compared to 1 who supported it. He invited all of the Board members to his District 5 Town meeting which has been changed from April 19th to April 26th from 7:00 to 9:00 P.M. due to a revival at his Church. He also encouraged the Board to continue talking with their School Board member and possibly to invite their Planning Commissioner to join them for their lunch meeting. He reminded the Board that the Planning Commission is looking for guidance from them on any issues they might have. He requested that they contact Mrs. Ralph with their concerns by April 14th in time for the Planning Commission meeting.

IN RE: CLOSED SESSION

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

§2.2-3711 A. 1 – Personnel matters – *Environmental Tech; Zoning Administrator; Commonwealth Attorney; County Administrator; and Appointments*
§2.2-3711 A. 3 – Acquisition of Real Property

Mr. Bowman seconded the motion. Mr. Stone, Mrs. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", the Board moved into the Closed Meeting at 10:13 P.M.

The meeting reconvened into Open Session in the Board Meeting Room at 12:06 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under:
§2.2-3711 A. 1 – Personnel matters – *Environmental Tech; Zoning Administrator; Commonwealth Attorney; County Administrator; and Appointments*
§2.2-3711 A. 3 – Acquisition of Real Property

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

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

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", this Certification Resolution was adopted.

IN RE: ADOPTION OF RESOLUTION FOR MR. GILBERT WOOD

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", the Resolution of appreciation for Mr. Gilbert Wood was adopted.

IN RE: APPOINTMENT – DINWIDDIE COUNTY AIRPORT AUTHORITY – MR. CHRIS TAVANNIER

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Chris Tavennier is hereby appointed to fill the unexpired term of Mr. Donald Hannon on the Dinwiddie County Airport Authority, term expiring January 31, 2007.

IN RE: AUTHORIZATION TO ISSUE CHECK FOR OPTION AGREEMENT ON INDUSTRIAL SITE

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", Administration was authorized to execute and issue a check for an option agreement for a proposed industrial site in the amount of $20,000.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. A thank you note to Marie Grant from a citizen regarding the Community workers assistance in helping pick up litter on their road.

IN RE: ADJOURNMENT

Upon Motion of Mr. Stone, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway voting "Aye", the meeting adjourned at 12:11 A.M. to be continued until 1:00 P.M. on Wednesday, April 14, 2004 for a tour of the County with the Planning Commission and School Board.

Donald L. Haraway

Donald L. Haraway, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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 14TH DAY OF APRIL, 2004, AT 1:00 P.M.

PRESENT:	DONALD L. HARAWAY –CHAIRMAN	ELECTION DISTRICT #2
Arrived 7:30	HARRISON A. MOODY - VICE CHAIR	ELECTION DISTRICT #1
Arrived 6:00	ROBERT L. BOWMAN IV	ELECTION DISTRICT #3
	DORETHA E. MOODY	ELECTION DISTRICT #4
	MICHAEL W. STONE	ELECTION DISTRICT #5

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Mr. Donald L. Haraway, Chairman, called the continuation meeting to order at 1:00 P.M. in the parking lot at the Pamplin Administration Building. The Board, Planning Department, and School Board took a tour of the following areas of the County.

Driving Tour of County

- 1:00 pm – leave County parking lot
- 1:20 pm – 1:45 pm arrive at Old Hickory VFD, meet Chris Wyatt of Iluca and drive around area to view field operations.
- 1:45 pm – 2:00 pm drive from Old Hickory area to Town of McKenney
- 2:00 pm – 2:15 pm view Town of McKenney and discuss High Speed Rail impact, Route 1 Corridor Enhancement concerns and McKenney Elementary
- 2:15 pm – 2:40 pm drive Route 1 to Dinwiddie Courthouse with discussion on Route 1 Corridor Enhancement points of interest
- 2:40 pm – 3:00 pm view Dinwiddie C. H. area and discuss issues raised on Route 1 enhancement study
- 3:00 pm – 3:20 pm Food Lion site and stop at Middle School
- 3:20 pm – 3:40 pm drive Route 1 to Dinwiddie Airport Terminal bldg and stop
- 3:40 pm – 3:45 pm leave Terminal and drive to Rohoic Elem. & proposed County Industrial Park site
- 3:45 pm – 4:10 pm review Rohoic Elementary site and Industrial site.
- 4:10 pm – 4:40 pm drive to River Road via Route 226 (Cox Road), Sterling Road, Route 1, Route 226 and Route 600 (Ferndale Road)
- 4:40 pm – 5:35 pm drive River Road to view traffic conditions, subdivisions and proposed school sites
- 5:35 pm – 5:50 pm drive Route 460 and Courthouse Road (Route 627) to High School
- 5:50 pm – 6:05 pm review High School
- 6:05 pm – 6:15 pm return to Pamplin Administration Building

IN RE: RECESS FOR DINNER

The Board recessed for dinner at 6:00 P.M. The meeting reconvened at 6:52 P.M.

Mr. Stone left the meeting to meet with the Planning Commission.

IN RE: REQUISITION # 22 1998-A BOND – SCHOOL CONSTRUCTION ACCOUNT (70-02-200-7019743) – FINAL PAYMENT

Dr. James Lanham, Assistant Superintendent, stated the School Board has reached a settlement with Southwood Builders, Inc. He presented an invoice from Southwood Builders, Inc., for the final application for payment #22, for the Dinwiddie County School Project, 1998A Bond. They agreed to reduce their final invoice in the amount of $55,000 to cover the School Board's legal fees as well as the costs they incurred in hiring Whitescaver, Hurd and

Obenchain as the HVAC consultants. He explained that the HVAC system is working properly and they got the warranty from Johnson Controls, which is what they really wanted. He requested that the Board approve requisition #22 in the amount of $256,684.

Upon motion of Mr. Bowman, Seconded by Ms. Moody, Mr. Bowman, Ms. Moody, Mr. Haraway, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number #22 -1998A (70-02-200-7019743), which is the final payment in the amount of $256,684.00, was approved and funds appropriated for CIP expenses from the Dinwiddie County School Project, 1998A Bond.

IN RE: TRANSFER FUNDS TO SCHOOL CAPITAL ACCOUNT & CLOSE OUT SUN TRUST ACCOUNT FOR SCHOOL CONSTRUCTION 1998-A & 1998-B BOND

Dr. Lanham stated there are sufficient funds remaining at the School Board's disposal to complete any remaining issues at the Dinwiddie Elementary School, including landscaping and some site work. The School Board asked that the Board of Supervisors place the funds identified below in the school capital account for the school division to draw on to complete this work. The officials at SunTrust have recommended this, because an arbitrage problem would be encountered if the funds were left on deposit with them. A monthly accounting of the expenditure of these funds, and a guarantee that they will be spent only on the Dinwiddie Elementary School will be sent to the Board. The total to be deposited in the capital account will be $155,319.39, composed of the following funds:

Transfer from Dinwiddie County as payment for the generator installed at Dinwiddie Elementary County	$110,000.00
Balance remaining in 1998A Construction Bond Fund	$ 4,899.13
Balance remaining in 1998B Construction Bond Fund	$ 40,420.26
Total to be transferred to the School Capital Account	**$155,319.39**

Dr. Lanham stated if this plan is approved, the maintenance department will be authorized to proceed with completing any remaining repair issues at Dinwiddie elementary and work to complete landscaping and site work.

Upon motion of Mr. Bowman, Seconded by Ms. Moody, Mr. Bowman, Ms. Moody, Mr. Haraway, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board is authorized to transfer $155,319.39, listed above, to the School Capital Account and close out the Sun Trust Account for the Dinwiddie School Construction 1998-A & B Bond account. The School Board will provide a monthly accounting of the expenditures of the funds to Administration with a guarantee that the funds will be spent only on the Dinwiddie Elementary School project.

IN RE: RESOLUTION DECLARING ADMINISTRATIVE PROFESSIONALS WEEK - APRIL 18-24, 2004

Upon motion of Ms. Moody, Seconded by Mr. Bowman, Mr. Bowman, Ms. Moody, Mr. Haraway, voting "Aye", the following resolution was adopted.

WHEREAS, Administrative professionals including secretaries, administrative assistants, office managers and other administrative support staff represent one of the largest segments of the world's workforce, and

WHEREAS, Administrative professionals are those who master technology, effectively utilize their interpersonal and communication skills; manage projects and organize the office; apply their creativity to solve problems; and most importantly, have the willingness to learn and accept new challenges, and

WHEREAS, Administrative professionals are vital contributors in today's team-oriented work environment and are key front-line public relations ambassadors for their organizations, and

WHEREAS, Companies and organizations that invest in training and development and make a commitment toward delegating responsibilities that better utilize the skills of their administrative employees will have the best opportunity to excel in the 21st century and beyond, and

WHEREAS, Administrative Professionals week, formerly known as National Secretaries Week, was founded in 1952 to recognize the contributions of secretaries and other office support staff in business and government and to attract people to secretarial careers, and

WHEREAS, Administrative Professionals Week is sponsored by the International Association of Administrative Professionals and is celebrated worldwide, bringing together millions of people for various community events, educational seminars, and individual corporate activities, and

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby proclaim the week of April 18-24, 2004 as Administrative Professionals Week, saluting the valuable contributions of administrative professionals in the workplace.

IN RE: CLOSED SESSION

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

Industrial Development - §2.2-3711 A. 5;
Real Property Acquisition - §2.2-3711 A. 3;

Ms. Moody seconded the motion. Ms. Moody, Mr. Bowman, Mr. Haraway, voting "Aye", the Board moved into the Closed Meeting at 7:24 P.M.

The meeting reconvened into Open Session in the Multi-purpose Room at 8:01 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under **§2.2-3711 A. 5 of the Code of Virginia - Industrial Development and Real Property Acquisition - §2.2-3711 A. 3**

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

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

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Bowman, Ms. Moody, Mr. Moody, Mr. Haraway, voting "Aye", this Certification Resolution was adopted.

IN RE: DISCUSSION OF SCHOOLS CAPITAL IMPROVEMENT PROGRAM

The Board of Supervisors met with the School Board, and members of the Industrial Development Authority to continue their discussion of the School Capital Improvement Program.

Dr. Lanham distributed copies of the School Board's original goals for the building programs. He then outlined the new goals of the School Board and Staff for the building options.

1) Work within realistic financial parameters
2) Avoid building decision that is contrary to instructional goals that might endanger academic progress of the last four years

He stated rather than to continue going over the School Board's views he would like for the Board members to discuss what their ideas were for the School CIP.

Each Board member took a few minutes to express what their thoughts were for the School projects. All of the Board members felt the major issues were at the Middle School, Rohoic Elementary and the High School and agreed that the plans would have to come within a price range that the citizens could afford.

The School Board members and Staff felt it would be best to build a new High School and move the Middle School to the existing High School and renovate it. Build a new Elementary School with core facilities for 700 and renovate Rohoic Elementary for a head start program.

Dr. Lanham and Dr. Charles Maranzano presented the following scenario:

New Elementary	$12 million
New High School	$45 million
Renovate MS/HS	$ 3 million
Renovate Others	$ 1.9 million
	$62 million

Mr. Bowman presented an alternate scenario:

Renovate Rohoic	$ 2 million
New Elementary	$12 million
Renovate High School	$10 million
Improve Mid School	$30 million
	$54 million

It was the consensus of the School Board members and Staff that this plan would not facilitate the needs of the students. There was a great deal of time spent on discussing what the problems were at the Middle School, Rohoic, and High School.

Mr. Haraway commented that the Board members agreed that $55 million dollars was the maximum amount that they felt the County could afford to allocate for the projects. He asked Mr. Charles Johnson, Chairman, IDA what their feelings were since they were the ones that would be authorizing the bond. Mr. Johnson commented the IDA members needed more information before they could make any comments or decisions. He did stress the need for the School Board to get this information out to the public who would be paying the bill.

The Board of Supervisors, School Board members, IDA members and Staff all agreed there are "needs" and would work together towards finding some solutions.

There was also a discussion about the different types of bond issues available to the County for funding the School CIP.

RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Ms. Moody, Ms. Moody, Mr. Bowman, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye", the meeting adjourned at 10:28 P.M. to be continued until 11:00 A.M. on Tuesday, April 20, 2004 for a joint meeting with the IDA to discuss the Refunding of Series 1997 A&B Lease Revenue Bonds in the Multi-Purpose Room of the Pamplin Administration Building.

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Donald L. Haraway, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr

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 20TH DAY OF APRIL, 2004, AT 11:00 A.M.

PRESENT:	DONALD L. HARAWAY –CHAIRMAN	ELECTION DISTRICT #2
	HARRISON A. MOODY - VICE CHAIR	ELECTION DISTRICT #1
	ROBERT L. BOWMAN IV	ELECTION DISTRICT #3
	DORETHA E. MOODY	ELECTION DISTRICT #4
	MICHAEL W. STONE	ELECTION DISTRICT #5

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Mr. Donald L. Haraway, Chairman, called the continuation meeting to order at 11:15 A.M.

IN RE: REFUNDING SERIES 1997-A & 1997-B LEASE REVENUE BONDS – AUTHORIZATION TO ACCEPT BID

The County Administrator commented the IDA members and Board were here to receive the bids and recommendations from the Financial Advisors for the refunding of the Lease Revenue Bonds Series 1997-A (School Facilities) and 1997- B (Courts Facilities).

MEMORANDUM

FROM: Mr. David Rose
Roland Kooch, Jr.
Davenport & Company LLC

Re: Refinancing Bids for Series 1997A (School Facilities) and Series 1997B (Court Facilities) Bonds

Overview

Davenport & Company LLC ("Davenport"), as Financial Advisor to Dinwiddie County, Virginia (the "County") distributed a Request for Proposals (the "RFP") for tax-exempt refinancing of the Industrial Development Authority of Dinwiddie County, Virginia Lease Revenue Bonds Series 1997A (School Facilities) and Series 1997B (Courts Facilities) on March 29, 2004. The RFP solicited tax-exempt bids on both a bank qualified as well as a non-bank qualified basis from the following institutions:

- BB&T;
- Bank of America;
- The Bank of Charlotte County;
- Bank of McKenney;
- Central Virginia Bank;
- Citizens Bank & Trust Company;
- Community National Bank;
- SunTrust Bank; and
- Wachovia Bank

Proposals Received

On April 12, 2004, Davenport received on behalf of the County qualified proposals for a tax-exempt private placement on both a bank qualified and non-bank qualified basis from the following institutions:

- BB&T;
- Riggs Bank;
- SunTrust Bank; and
- Wachovia Bank.

Some of the proposals also incorporated either: (1) a fixed rate to maturity of the refinancing or (2) a 10-year fixed rate with a reset for the remaining three to four years. Below please find a summary table of the proposals received.

Non-Bank Qualified Bids

Institution	Rate Fixed to Maturity	10-Year Rate with Reset	Upfront Costs	Call Provision
BB&T	4.25%	NA	$20,130	101% on Any Payment Date
Community National Bank	NA	NA	NA	NA
SunTrust Bank	4.46%	4.27%	$5,000	Fixed Option -7 Years @ 101% Reset Option – 5 Years @ 101%
Wachovia Bank	4.58%	NA	$5,000	Non-Callable

Bank Qualified Bids

Institution	Rate Fixed to Maturity	10-Year Rate with Reset	Upfront Costs	Call Provision
BB&T	3.83%	NA	$20,130	101% on Any Payment Date
Community National Bank	3.63%	3.46%	None	Anytime Without Penalty
SunTrust Bank	3.84%	3.68%	$5,000	Fixed Option -7 Years @ 101% Reset Option – 5 Years @ 101%
Wachovia Bank	3.91%	NA	$5,000	Non-Callable

Summary of Results

Although the Bank Qualified Bids are approximately 60 to 80 basis points lower than the non-bank qualified bids, the County may not have the ability to take advantage of Bank Qualification given its plans to borrow well over $10 million this calendar year for the school construction program. However, the Non-Bank Qualified Bids still produce strong results. The overall best bid is the 10-year rate (with reset) from SunTrust Bank, which produces approximately $768,000 in cash flow savings ($604,000 in FY 05 and$164,000 in FY 06) for the County. This upfront cash flow savings would be realized immediately over the next two fiscal years as the County embarks on its school construction program.

Recommendation

Based on the results received and the County's current borrowing plans for this calendar year, we respectfully recommend that the County approve the SunTrust Non-Bank Qualified 10-year rate (with reset).

Mr. Rose stated although BB&T had a cheaper rate their upfront costs were considerably higher than SunTrust Bank. Additionally, SunTrust was much easier to deal with because it was a local bank and BB&T was based in North Carolina. Mr. Dan Siegel agreed and commented SunTrust was much easier to deal with. Mr. Haraway stated he had dealt with SunTrust at the hospital and they were a good company to deal with.

Mr. Siegel commented they would like for the Board to take action on their recommendation to approve the SunTrust non-bank qualified 10-year rate (with reset).

Upon motion of Mr. Stone, Seconded by Ms. Moody, Ms. Moody, Mr. Bowman, Mr. Stone, Mr. Moody, Mr. Haraway, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that based on the recommendation of the Financial Consultants the bid from SunTrust for the Non-Bank Qualified 10-year rate (with reset) was approved.

Mr. Siegel stated a resolution would be drafted for the Board and IDA's approval, which would be ready for their meeting on April 27, 2004. The Industrial Development Authority's Attorney, Mr. Samuel Johnson, stated they would like to see the resolution before they made a commitment.

IN RE: DISCUSSION OF FINANCING OF SCHOOL CAPITAL IMPROVEMENTS

The County Administrator stated the Board wanted the Financial Consultants to discuss other financing options before they made a decision on the School Capital Improvements.

The Financial Consultant, Mr. David Rose, discussed alternate ways to finance the $55 million for the School CIP. The PPEA – Public/Private Education Act was recently enacted and it allows the local government options to avoid the bidding process. It does not require a voter referendum or public hearings. The issuing conduit can either be a created Not-for-Profit Corporation of the County or the IDA. The issuance of the bonds is either Lease Revenue or Certificates of Participation ("COP'S") Structure. The facilities being built would be used as collateral, which is no different than most loans.

The County Administrator asked the Board to authorize Staff and Davenport to proceed with obtaining a bond rating for the County. If agreeable the consultants would need to go to New York and meet with the bond rating company to secure a rating for the County. If there would be no savings to the County then they would not proceed with securing it.

Upon motion of Mr. Stone, Seconded by Ms. Moody, Mr. Bowman, Ms. Moody, Mr. Moody, Mr. Haraway, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization was granted for Staff and Davenport to proceed with obtaining a bond rating for the County.

IN RE: APPROVAL OF PLANS FOR METAL ADDITION TO THE DINWIDDIE VOLUNTEER FIRE DEPARTMENT

Mr. Charles L. Lewis, Fire Chief, Dinwiddie VFD & EMS commented that at the Board meeting on November 6, 2002 authorized them to construct a metal building addition to the current facility to expand the storage space and add a kitchen and lounge area for stews and other fund raising events. The Board also included the clause that the plans would have to be approved before the addition could be built.

Mr. Lewis stated they have the plans and would like to get the Board's approval of the plans as presented and authorize them to proceed with the bid process and construction of the addition estimated to cost $100,000. He pointed out that there would be no County funding needed for the project. They will pursue a loan on their own.

Upon motion of Mr. Stone, Seconded by Mr. Moody, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the plans presented by the Dinwiddie Volunteer Fire Department and EMS were approved as presented. Authorization was also granted to enter into a contract with the successful bidder of the project with the understanding that no County funding would be requested.

IN RE: AUTHORIZATION FOR DINWIDDIE VOLUNTEER FIRE & EMS TO PURCHASE CHIEF'S VEHICLE – COUNTY TO PROVIDE INSURANCE & FUEL

The Fire Chief stated the members of the Dinwiddie Volunteer Fire Department and EMS have acquired the approval of the Apparatus/Equipment Committee and Fire Rescue Association for the vehicle. He commented the purpose of the vehicle would be to provide transportation to meetings, trainings, and use as a first responder unit.

He commented Company One would provide the funding for the vehicle if they were unable to get a donated vehicle and costs to ensure compliance of the specifications of the Apparatus/Equipment and Fire/Rescue Association and cover all costs of the maintenance of the vehicle. He requested that the Board accept title and provide insurance and fuel for the vehicle as they have done for the support vehicles currently in the system.

Upon motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Dinwiddie Volunteer Fire/Rescue Company One is authorized to purchase the vehicle for the Fire Chief with no funding from the County. The County will provide insurance, fuel and accept title to the vehicle when presented.

RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Bowman, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody, Mr. Haraway voting "Aye", the meeting adjourned at 12:39 P.M.

Donald L. Haraway, Chairman

ATTEST: Wendy Weber Ralph
Wendy Weber Ralph
County Administrator

/abr