

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 MAY, 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: JACK CATLETT 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. 1 of the Code of Virginia – Personnel Matters
§2.2-3711 A. 5 of the Code of Virginia – Industry
§2.2-3711 A. 7 of the Code of Virginia – Consultation with Legal Counsel – Freedom of Information Act

Mr. Stone seconded the motion. Mr. Stone, Ms. 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 of the Code of Virginia – Personnel Matters
§2.2-3711 A. 5 of the Code of Virginia – Industry
§2.2-3711 A. 7 of the Code of Virginia – Consultation with Legal Counsel – Freedom of Information Act

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 under §2.2-3711 A. 1

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) was approved.

IN RE: MINUTES

Mr. Moody stated he would like his statement which he had discussed with Ms. Russell, Deputy Clerk, be inserted on page 16 in the Minutes for the April 20, 2004 meeting. Mr. Moody commented that after just receiving a copy of Mr. Marable's opinion and having briefly looked over it he would like to comment before a vote was taken on this issue. "I, in good faith believed that any affect on me from the action taken by the board would be the same as to the general public or others in the industry. I believed after reviewing various Opinions of the Attorney General on this issue, that there was no direct conflict in my voting on an ordinance that applied to the general public. However, I did want to eliminate any further questions that might arise. Over two months ago I requested a written opinion of the Commonwealth's Attorney on the issue. To avoid any perception of conflict, I had personally determined that I would not participate in the Board taking up any issue dealing with biosolids until I received clarification from the Commonwealth's Attorney. Now that I have received the Opinion of the Commonwealth Attorney, I will follow the advice of that opinion, which is to disclose my interests. On the vote today though, I will abstain from voting until I have a formal disclosure prepared."

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 minutes of the April 14, 2004 Continuation Meeting, April 20, 2004 Continuation Meeting, and the April 20, 2004 Regular Meeting are approved in their entirety, with the above amendment.

IN RE: CLAIMS

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 following claims are approved and funds appropriated for same using checks numbered 10389392 through 1039576 (void check(s) numbered 1038173, 1039463 through 1039395)

Accounts Payable:

(101) General Fund	\$ 118,376.54
(103) Jail Commission	\$ 89.68
(209) Litter Control	\$
(222) E911 Fund	\$ 2,588.83
(225) Courthouse Maintenance	\$ 459.45
(226) Law Library	\$
(228) Fire Programs & EMS	\$ 232.10
(304) CDBG Grant Fund	\$ 845.31
(304) Capital Projects Fund	\$ 83,449.60
(401) County Debt Service	\$ 20,335.21
TOTAL	\$ 226,376.72

PAYROLL 04/31/04

(101) General Fund	\$ 431,570.90
(222) E911 Fund	\$ 3,539.66
(229) Forfeited Asset	\$

(304) CDBG Fund	\$ 7,735.02
TOTAL	\$ 444,845.58

**IN RE: COMMUNICATIONS EQUIPMENT REQUISITION #4 -
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:

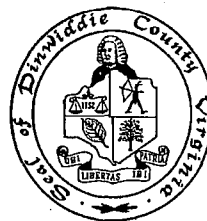
<u>Motorola</u>	Design Review	Radio System	\$2,092,615.00
<u>Total</u>			\$2,092,615.00

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 Requisition Number #4 in the amount of \$2,092,615.00 be approved and funds appropriated for expenses from the Dinwiddie County IDA Public Facilities Lease Revenue Note Series 2003.

IN RE: RESOLUTION - CHERYL L. STEWART

The County Administrator presented Ms. Cheryl Stewart with the following resolution.



Resolution

of the BOARD OF SUPERVISORS of DINWIDDIE COUNTY, VIRGINIA

MAY 4, 2004

IN RECOGNITION OF

CHERYL L. STEWART

WHEREAS, Ms. Cheryl L. Stewart has been employed by the County of Dinwiddie and served in the Planning Department from August of 1991 to April of 2004; and

WHEREAS, Ms. Stewart 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 4th day of May 2004 desires to express their appreciation to Ms. Stewart for

her many years of loyal service to Dinwiddie County and wishes her much happiness and fulfillment as she enters her new professional endeavor; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Ms. Cheryl L. Stewart, 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: PUBLIC HEARING – ORDINANCE TO AMEND AND READOPT SECTIONS 19-40 AND 19-161 OF THE CODE OF DINWIDDIE COUNTY TO EXTEND THE FILING DATE FOR ELDERLY AND DISABLED TAX EXEMPTION AFFIDAVITS FOR CALENDAR YEAR 2004

This being the time and place as advertised in the Monitor on April 21, 2004 and April 28, 2004, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comment on the following matter:

AN ORDINANCE TO AMEND AND READOPT SECTIONS 19-40 AND 19-161 OF THE CODE OF DINWIDDIE COUNTY TO EXTEND THE FILING DATE FOR ELDERLY AND DISABLED TAX EXEMPTION AFFIDAVITS FOR CALENDAR YEAR 2004

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, the Board of Supervisors determined that an emergency existed because it was anticipated that affidavits for exemptions would be submitted before the newly-elected commissioner of the revenue had an opportunity to prepare for their submission; and

WHEREAS, on February 10, 2004, the Board of Supervisors approved an emergency ordinance permitting the affidavit filing date be extended to April 1 for the calendar year 2004 only.

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 not 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.

Mr. Haraway opened the public hearing for citizen comments. There were no public comments.

Mr. Haraway closed the public hearing.

Upon motion of Mr. Stone, Seconded by Mr. Bowman, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", the above ordinance was adopted as presented.

IN RE: PUBLIC HEARING A-04-4 ORDINANCE TO AMEND SECTION 15-3 OF THE CODE OF THE COUNTY OF DINWIDDIE, VIRGINIA TO REGULATE HUNTING AND THE DISCHARGE OF FIREARMS IN THE COUNTY

This being the time and place as advertised in the Monitor on April 21, 2004 and April 28, 2004, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comment on the following matter:

AN ORDINANCE TO AMEND SECTION 15-3 OF THE CODE OF THE COUNTY OF DINWIDDIE, VIRGINIA TO REGULATE HUNTING AND THE DISCHARGING OF FIREARMS IN THE COUNTY.

The County Administrator stated the amendment to Section 15-3 of the County Code was brought to the attention of the Board by Mr. Paul Booth, Game Warden, several months ago.

Mr. Booth stated the request for the amendment was brought about after he received many complaints from citizens in the County. He said the State does not endorse changes in the County Code; it is left to the discretion of the Board.

The ordinance is as follows:

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; discharge of firearms; exceptions.

(a) 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, **(1)** 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 **(2)** "accelerator" cartridges **are** strictly prohibited from use in conjunction with said muzzle-loading weapons. **Under subsection (1) if such person is unable to walk or climb due to impaired mobility or has any other disability that prevents or severely restricts mounting such a stand as evidenced by a completed physician's affidavit provided to the County and such person holds a valid permit issued pursuant to Va. Code § 29.1-302.1(C) such person is exempted from this restriction.**

(b) It shall be unlawful and a class 3 misdemeanor to hunt with a firearm on or within fifty (50) feet of the center of any primary or secondary highway.

(c) It shall be unlawful and a class 2 misdemeanor to discharge a firearm within one hundred (100) yards of any public park or school.

This ordinance shall become effective upon the date of adoption by the Board of Supervisors.

Heard by:

Board of Supervisors:
approved

Mr. Haraway opened the public hearing for comments.

1) David Spiers, Sr. – 19516 Depot Road, McKenney, VA – stated he objected to the 50' from the center of the road requirement. His primary objection was visibility and limiting senior citizens who might want to hunt.

2) Edward Harrell – 8610 Courthouse Road, Church Road, VA – said his property runs along Hatchers Creek near the Park at Five Forks and he primarily hunts on the ridge, which is less than 100 yards from the boundary. He commented he was opposed to all 3 of the requirements.

3) Michael W. Bratschi – 23500 Cutbank Road, McKenney, VA – told the Board for years he had called the police and State troopers about the hunters lining up in front of his house during hunting season. He said he has four children that he was concerned for their safety. He commented he supported the adoption of the ordinance and it should be a class 1 misdemeanor.

4) Glen Alvis – Carson Road, Dinwiddie, VA – commented he was one of the people who contacted Mr. Booth about the problems with the hunters and he supported the ordinance.

5) Tim Claiborne – 16421 Cantree Road, McKenney, VA – said he agreed with the safety of the kids, but it was not safe for the hunters to have to stand 50' in the woods to hunt. He commented when they hunt close to the road in open sight it is a lot safer.

6) Norman Ingram – 8321 Brilles Road, McKenney, VA – stated most of the hunters use the power line right-of-ways, which have been cleared to wait for the deer to run out of the woods.

Mr. Haraway closed the public hearing.

Mr. Stone asked Mr. Booth if there were any hunting laws on the books for Dinwiddie County to disallow hunting 50' from the center of the road? Mr. Booth replied no.

Mr. Bowman asked Mr. Booth if there should be a requirement for the 100 yards for homes and businesses also, not just parks and schools. Mr. Booth stated each County has a choice... the State does not make that decision for the Board. Mr. Bowman commented it was unsafe for anyone to hunt on the ground with any rifle that could travel up to 5 miles. He also stated maybe some of the hunters in the hunt clubs could assist handicapped persons who want to hunt.

Mr. Moody made the motion to approve sub-section (a) to allow the exception for persons with disabilities or impaired mobility that prevents or severely restricts mounting a ten (10) foot elevated stand to hunt with a muzzle loading weapon. There was no second to the motion. Mr. Moody commented he did not feel this amendment would affect that many people. The muzzle-loading season only lasted two weeks in a year. He said he felt the Board should allow them this pleasure if they wanted to participate.

Mr. Bowman commented he would not object if they could hunt with shotguns, but he felt it would be unsafe to allow them to hunt with high-powered rifles.

Mr. Haraway asked if there was a second. No one seconded Mr. Moody's motion so he declared the motion dead.

Mr. Haraway called for a motion for sub-section (b) of the ordinance. There was no motion therefore the motion died.

Mr. Stone made the motion to approve sub-section (c) as stated. Mr. Moody seconded the motion. However, he felt public park should be defined and requested that Mr. Stone agree to remove "public park" from the motion. Mr. Stone agreed to the amendment. After a lengthy discussion regarding which parks should or should not be considered the Chairman called for the roll.

Mr. Stone, Mr. Bowman, Mr. Moody, voting "Aye", Ms. Moody stated she had to vote "no" because she felt "public park" should be included in the motion. Mr. Haraway stated he voted "no" for the same reason. Motion carried.

The County Administrator asked the Board if they would like to have the County Attorney get a definition for "public park"? The Board members replied yes.

IN RE: PUBLIC HEARING – CONVEYANCE OF CARSON DEED TO THE COUNTY OF PRINCE GEORGE

This being the time and place as advertised in the Monitor on April 21, 2004 and April 28, 2004, and Progress-Index April 28, 2004, for the Board of Supervisors of Dinwiddie County, Virginia to conduct a Public Hearing to solicit public comments on the proposed conveyance of four separate parcels of land commonly known as the Carson Elementary School to the County of Prince George.

The County Administrator commented this was a request from the County of Prince George to release the County's interest in the abandoned Carson School, which was shared by the two Counties. It is the proposed conveyance to Prince George County of the County of Dinwiddie's interest in four separate parcels of land generally situated in Prince George County and described in "Attachment A" as a quit claim deed dated February 9, 2004 from the Dinwiddie County School Board to the County of Dinwiddie. Said property was commonly known as the Carson Elementary School, Prince George County.

Mr. Haraway opened the public hearing.

1) Michael Bratschi - 23500 Cutbank Road, McKenney, VA – opposed the conveyance of the property.

2) George Whitman – 13010 Old Stage Road, Petersburg, VA – was opposed to the conveyance of the property. He felt we needed more information.

The County Administrator stated the public hearing could be closed and the action taken at a later meeting and she would investigate what use Prince George County had for the property and building.

Mr. Haraway closed the public hearing.

The Board members felt they should know what it was going to be used for.

IN RE: CITIZEN COMMENTS

1) Diana Parker – 10700 Chalkley Road, Richmond, VA23237- Conservation Chair, Falls of the James Group Sierra Club, distributed letters to the Board regarding the High Speed Rail Corridor and Transportation Hub for Hampton/Newport News. She stated she and other citizens hoped that Dinwiddie would send representation to the TIER II committee meeting on May 12th to request that the study include the crossover alternative from Alberta to Jarratt through Petersburg. This would be the answer to Dinwiddie's concerns for protection of it's Greenways plan, it's historic battlefields, and impacts to safety, and recreational and economic development.

2) Anne Scarborough – Boydton Plank Road, Dinwiddie, VA – commented the Board told her at the last meeting that the hourly rates for the County Attorney would be on the table but it is not. The County Administrator replied they are in the public book. Mrs. Scarborough also stated Mr. Haraway had requested that the statistical reports from the Department Heads would be on the table for the citizens too. She commented about all the job descriptions, which had been added to the requirements for the Environmental Technician who was hired to monitor the biosolids applications. She said he doesn't have the qualifications to take care of soil erosion, drainage problems and assist with code violations and monitor the applications. His job should be to monitor biosolids.

3) Michael Bratschi - 23500 Cutbank Road, McKenney, VA – commented 2 months ago he went to Mr. Lowery regarding the County negotiating the purchase of his property. He stated he sent a FOIA request to the Assistant County Administrator and Director of Planning regarding documents related to the purchase of Mr. Lowery's property. He stated he did not think FOIA guidelines are being followed by Mr. Massengill or Mr. Scheid. He commented that Mr. Bowman was in conflict for his role in the negotiations and asked him how much he stood to gain on the sale of the property. Mr. Bowman responded he did not stand to gain anything from the sale of the property and he excused himself anytime there was a discussion of the property in closed session. He pointed out that the property had been selected by an Engineer because it was a desirable location. He stated a third party made the offer for the property. He also commented that he would meet with Mr. Bratschi anytime he had questions.

4) Geri Barefoot – Frontage Road, Petersburg, VA – she gave the Chairman a copy of the Adequate Public Facilities Ordinance and asked that it be looked into for adoption. She stated she still has a problem with the County not having a biosolids monitor. Mr. Scheid and Mr. Harris are not monitoring the spreading of biosolids. The ordinance was adopted in February and no one has been monitoring anything. On March 16, 2004 the Board adopted "Code of Ethics". She said Mr. Moody was in conflict when he voted on any issues dealing with biosolids.

5) George Whitman – 13010 Old Stage Road, Petersburg, VA – stated the County needs a strong engineer in the Planning Department. There are some serious problems in the County because it does not have an engineer. He commented the subdivision developers should be made to come back and fix the roads that were not done correctly.

IN RE: COUNTY ADMINISTRATOR COMMENTS

- 1) The County Administrator stated a memo from the Director of Public Safety was enclosed in the Board packets concerning the appointment of a committee to study the provision of fire and emergency medical services in the County. The Board felt they should hold off on the appointments until someone is hired for the position over that department.
- 2) Mrs. Ralph commented Mr. Hunter Smith for Dinwiddie Health Care Center asked for representation from the County because another meeting is going to be held May 5, at 1:00 P.M. for the proposed Nursing Home. She said Mr. Scheid, and Mr. Moody are planning to attend.

- 3) The County Administrator stated Davenport representatives were making arrangements for their trip on May 13 & 14, 2004, to secure a bond rating for the County. She will be attending along with Mrs. Townsend, the Fiscal Officer and the Chairman.

IN RE: BOARD MEMBER COMMENTS

Mr. Moody commented he attended a VACo Board of Directors meeting and learned they offer different services that might provide savings for the county: a) bond financing b) lease purchasing c) health plans d) insurance.

2) He commented he had asked VDOT to check into changing a secondary road into a primary road to see if it would provide more funding to the county. Halifax Road and Zilles Road stay torn up because of the high volume of traffic on them. He said these are a couple of roads that he would like for VDOT to take a look at getting changed to primary roads to see if it would be beneficial to the County. He stated if the other members would like to add any to the list let him or Staff know so they could contact VDOT.

3) He stated he would like to respond to the citizen comment regarding the biosolids and his conflict of interest. He said he pulled out the Code of Ethics the Board adopted to make sure of what the Board had done. It states, "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." He stated he thought the key word is "consistent" with the conflict of interest statutes". He said he looked at the statutes and it was stated earlier on in the year, and everyone knew, that he was employed by a biosolids company and his wife is part owner in a biosolids company. It was very common knowledge and it was very well known by the public; so the only thing that was questionable was whether or not he disclosed it to the public or not. He commented as far as he was concerned the whole general public knew about his employment. Continuing he stated everyone on the Board has a conflict and he did not know how a county government could be run, without conflicts, unless everyone on the Board was retired. He stated Mr. Stone works for an electronics company and if any business came before the Board that was in that nature he would want his opinion on the matter so that he could help the Board make a decision and he would not see that as a conflict. Mr. Bowman has a background in agriculture and slot machines; and if a zoning issue came up about that, would he have to abstain from voting on that? He said he didn't think so. Mr. Haraway has business with the hospital and he certainly could have a conflict with some issues. But he has great knowledge that he can share with the Board on those issues. He commented that he did not see that by him sharing his ideas that dealt with his background as a conflict. It is a conflict only if a Board member gains monetarily. He said the actions he has taken on biosolids did not provide any gain monetarily for he or his wife. They actually were a hindrance because he pushed for the biosolids ordinance, which the County did not have. He commented he pushed for the ordinance because the citizens wanted one and he voted for it and his action affected him no more or no less than any other member of the Board. He stated he did not see that as a conflict and that is the way he read the Conflict of Interest statute.

Ms. Moody stated the personnel in the Sheriff's Department do not have any CPR or first aid training and she felt it should be offered to them because they are the first ones to arrive at accident scenes.

Mr. Bowman stated at the Crater Planning meeting last week they were asked to suggest alternate routes to take to the TIER II Committee for High Speed Rail to take instead of the "S" line through Dinwiddie County near Pamplin Park. He suggested that the Board endorse a different line. He suggested the one, which would travel from Alberta through Jarrett into Petersburg to Colliers Yard instead of coming into Dinwiddie County. This route would ward off the fight over the County's battlefields. He requested that the Board take action to endorse a route tonight that does not go anywhere close to Pamplin Park.

Upon motion of Mr. Bowman, Seconded by Ms. Moody, Mr. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", the Board endorsed the line which would travel from Alberta through Jarrett into Petersburg to Colliers Yard instead of coming into Dinwiddie County, and agreed to restate their position of opposing the rail line coming into Dinwiddie County at all.

The County Administrator commented the Board went on record two years ago protesting the "S" line usage for the high-speed rail coming through the County.

Mr. Bowman commented it was also brought to his attention at the meeting that a water line runs along that right-of-way from Lake Gaston to Virginia Beach. He commented he didn't feel that was too far to run a water line to McKenney, which is in dire need of water. He requested that the County Administrator investigate tapping into that line.

Mr. Stone stated at the opening ceremonies Saturday for the Dixie Youth Baseball Mr. George Perkinson was honored for 40 years of umpiring and dedicated service to the league. May 12th at 8:00 P.M. there will be a concert at Longwood College with proceeds going to the Madeline House, which serves many of the residents in the County. He commented at the April 14th Continuation Meeting the Board took action on three items after the recess for dinner and he left the meeting to attend the Planning Commission meeting. He stated after teaching Government for many years he knew that the Board could do that. However, he did have a problem with not knowing anything about the appropriation of money to the Schools until May 1st, seventeen days after the vote occurred. He said he would have appreciated it if a Board member or Administrative Staff member had informed him of the actions that were taken. He stated he would be attending a conference from the 12th – 16th and he could be reach on his cell phone. He also asked the County Administrator if she thought we would have a figure for the law firm costs for the bond refunding by the next Board meeting? She replied yes. Mr. Haraway apologized for not informing him of the actions that the Board took at the April 14th meeting. Mrs. Ralph also apologized.

Mr. Haraway encouraged the Board members to attend the Crater Planning District Commission annual meeting at 5:30 P.M. May 19th at the Petersburg Country Club.

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 and Appointments

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 9:27 P.M.

The meeting reconvened into Open Session in the Board Meeting Room at 10:39 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under:
§2.2-3711 A. 1 – Personnel matters – and 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. Stone, Ms. Moody, Mr. Bowman, Mr. Moody, Mr. Haraway, voting "Aye", this Certification Resolution was adopted.

IN RE: REAPPOINTMENT – DINWIDDIE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY – MR. WAYNE BARNES

Upon motion of Ms. Moody, 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. Wayne Barnes is hereby reappointed to the Dinwiddie County Industrial Authority, term expiring February 5, 2008.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

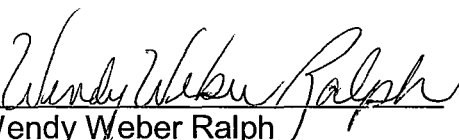
1. Letter from County Attorney to Mr. Stone regarding rates charged by the law firm for services to the County.
2. Fax from VDOT regarding criteria for transferring Secondary roads to the Primary system.
3. Letter from VDOT advising County of revised statute governing taking certain streets in to the secondary system.
4. Letter from WorldView Solutions commending David Thompson, GIS Director.
5. Letter of introduction from Michael A. Estes, P.E., Interim Director of the Local Assistance Division, VDOT.
6. Minutes of the District 5 – Community Meeting, April 26, 2004.

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 10:44 P.M. to be continued until 10:00 A.M. on Tuesday, May 18, 2004 for a Closed Session for Personnel matters.



Donald L. Haraway, Chairman

ATTEST: 
Wendy Weber Ralph
County Administrator

/abr