

The minutes of Board of Supervisors meetings contained within this website are **unofficial** and are provided solely for the convenience of the website user. The **official** minutes of Board of Supervisors meetings are maintained on paper, bound and are available to the public Monday through Friday 8:30 a.m. - 5:00 p.m. in the office of the County Administrator, located in the Pamplin Government Center, 14016 Boydton Plank Road, Dinwiddie, Virginia. For further information, please contact the Clerk of the Board of Supervisors at (804) 469-4500 or by e-mail at arussell@dinwiddieva.us.

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 AUGUST, 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: DANIEL SIEGEL COUNTY ATTORNEY

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

Mr. Edward A. Bracey, Jr., called the regular meeting to order at 7:37 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 for – Legal – Livestock Claim

Upon Motion of Mr. Clay, Seconded by Mr. Moody, 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. 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 minutes of the July 10, 2002 Continuation Meeting, July 17, 2002 Regular Meeting and the July 31, 2002 Continuation Meeting are 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",

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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 1031503 through 1031748 (void check(s) numbered 1031502, 1031678 and 1031683) for:

**Accounts Payable:
FY 01-02**

(101) General Fund	\$ 16,162.38
(103) Jail Commission	\$.00
(104) Marketing Fund	\$.00
(222) E911 Fund	\$.00
(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	\$ 2,339.60
(305) Capital Projects Fund	\$.00
(401) County Debt Service	\$ <u>.00</u>
TOTAL	\$ 18,501.98

PAYROLL 07/31/02

(101) General Fund	\$ 407,616.43
(222) E911 Fund	\$ 3,456.44
(304) CDBG Fund	\$ <u>3,373.95</u>
TOTAL	\$ 417,063.63

(101) General Fund	\$ 211,436.19
(103) Jail Commission	\$ 55.18
(104) Marketing Fund	\$.00
(222) E911 Fund	\$ 2,339.80
(223) Self Insurance Fund	\$ 96.50
(225) Courthouse Maintenance	\$ 2,115.88
(226) Law Library	\$ 1,375.00
(228) Fire Programs & EMS	\$.00
(229) Forfeited Asset Sharing	\$ 362.23
(304) CDBG Grant Fund	\$ 2,339.60
(305) Capital Projects Fund	\$ 76,242.78
(401) County Debt Service	\$ <u>567.10</u>

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TOTAL

\$ 294,559.72

IN RE: CITIZEN COMMENTS

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

The following citizens came forward to address the Board:

1. Paul Coleman, Boydton Plank Road, Petersburg, Virginia, came forward to give a brief report on two significant activities, which took place at the Virginia Motorsports Park within the past few weeks. The Grand Opening for the Motor-Cross facility was held on Saturday, July 20, with practice starting at 9:00 A.M. – 3:00 P.M. Sunday practice started at 9:00 A.M. and the racing was over around 8:00 P.M. The National Bikers Roundup was held July 31 - August 3, 2002. There were about 28,000 participants. We had two incidences; one was major; a 33-year old female from Ohio was shot in the leg and was taken to John Randolph Hospital. She was treated and released from the hospital. Mr. Coleman stated he felt both events were very profitable for the county. He thanked the Board for allowing them to have the events.
2. Geri Barefoot, 7411 Frontage Road, Petersburg, Virginia, stated she was appalled with the way the Board has treated the citizens in the County when their only interest is their own well-being in regard to the Comprehensive Land Use Plan. We are only questioning the Comp Plan because it is the most powerful tool the County has in deciding its growth. Mrs. Barefoot questioned why the County pays a law firm \$117,000 a year, when we have a Commonwealth Attorney who could represent us cheaper. If water and sewer is to be extended in the County shouldn't funds be set aside for repairs She also commented, how much money has been spent on our GIS? When will it be implemented?
3. Mike Gunn, 4020 Whitmore Road, McKenney, Virginia, commented he didn't understand why anyone should be complaining about the Comprehensive Land Use Plan. There were 21 public meetings held on this issue. He said he felt if anyone has any complaints about it; they shouldn't be coming to the Board, they should be looking in the mirror. Unless the citizens do their civic duty and attend the meetings, then he didn't feel anyone had the right to complain. Continuing, he

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complimented the Board of Supervisors, and the County Planner for the excellent job they did. There was a lot of confusion in the meeting last week as to what is a Comprehensive Plan map as opposed to what is a zoning map. He stated he hoped that the Board approves the plan and will not waste any more of the County's money.

INRE: RESOLUTION OF SUPPORT – SUSSEX COUNTY
INDUSTRIAL ACCESS FUNDING

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, introduced Mr. David Steele, Resident Engineer for Sussex County. He stated Mr. Steele will handle the work and funding for the improvements to Route 665 in Sussex and Dinwiddie Counties.

“Mr. Caywood stated he met with Mr. Charles “Chee” Saunders, III P.G. from Iluka resources. We toured the current titanium mining operations in Dinwiddie and Sussex Counties as well as the new initial processing facility in Sussex County. As was discussed at the last Dinwiddie Board of Supervisor’s Meeting, a resolution of support for this project is being sought from Dinwiddie for highway improvements associated with the new processing plant. Support for this project will not impact any potential funding for access projects in Dinwiddie County.

Specifically, improvements to Route 665 in both Dinwiddie and Sussex Counties are proposed. The portion in Dinwiddie is from the County line to the intersection of Route 617. While I do not have final details on the proposed work, it is my understanding that a heavy overlay is to be applied to support the increased truck traffic that will travel from the processing facility to Route 40.

Based on my review of this project and given the fact that much of the raw product is being mined in Dinwiddie County, I recommend that Dinwiddie County support this project. This project should result in an improved route 665 and the proposed volume of additional trucks is relatively small given the overall size of the mining operation. The current estimate is that there will be 40 trips per day between the new processing facility and the secondary processing facility located off of Route 40 in Sussex County.”

Mr. Caywood stated the reason for the Resolution is to acknowledge that part of the project is located in the county. However, it will not have any financial impact on road funding for Dinwiddie County.

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

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Be It Resolved that the Board of Supervisors of Dinwiddie County, Virginia supports the Resolution from Sussex County Board of Supervisors for the Industrial Access funding for pavement improvement for the hauling route for Iluka Resources; and

Be It Further Resolved by the Board of Supervisors of Dinwiddie County, Virginia that support of this Resolution is contingent upon the fact that it will not affect future requests for industrial access road funding for Dinwiddie County.

IN RE: SCHOOL BOARD REQUEST – EDUCATIONAL FACILITY STUDY PHASE II

Dr. Leland J. Wise, Jr., Superintendent of Schools, “stated the Dinwiddie County Public School Division requests the approval of the use of \$79,340 from the 1999B School Construction Bond funds (Dinwiddie Transferred Proceeds Project Account #70-02-200-7033387), for the purpose of completing Phase II of the “Educational Facility and Attendance Zone Revision Study” by the architectural firm: BCWH.

On March 20, 2002, the Dinwiddie County Board of Supervisors approved \$133,210 of bond money for Phase I so that the school system could move forward with the Attendance Zone Revision. The remainder of the proposal would be delayed until the Board of Supervisors and citizens could see the results of the study and how the completion of the remainder of the study would be beneficial. Phase II of this study will include:

\$41,800	Total Facilities study (electrical, plumbing, HVAC, structural, etc)
\$19,180	Middle School Capacity Study*
\$13,560	High School Capacity Study
<u>\$ 4,800</u>	Presentations and final Ten Year Building Maintenance Plan
\$79,340	TOTAL

*Due to a change in the Commonwealth of Virginia’s Procurement Act (July 1, 2002), and under advisement of the School Board Attorney, this fee for the middle school study may not be deferred beyond the contracted scope and sequence of this study.

Mr. Doug Westmoreland has agreed to include a review of the old Northside Elementary School building in this amount as you informally indicated you would like to have done.”

Dr. Wise requested authorization to move forward with phase II of this study.

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Mr. Moody commented he had spoken with a couple of the Supervisors on this issue and there seems to be some un-readiness to take action right now. He stated he felt it would be a good idea for a couple of the Board members to meet with Dr. Wise and the County Administrator to see if they could get a little better understanding before we take any action. Mr. Moody asked the County Administrator if she could work that out for them. The County Administrator replied a meeting could certainly be set up in a relatively short time to help the Board members to get more comfortable with the process that they went through; and exactly what will be accomplished in this phase of the study. She stated a meeting hopefully could be arranged before August 21st, so we could decide if they are ready to move ahead or not. Mrs. Ralph commented it would be a good idea to meet with some of the people that were involved with the committee process and a couple of our Board members rather than belaboring the meeting tonight. Then it could be put back on the agenda on the 21st of August, if that would be agreeable with the Board. Dr. Wise stated it is important to move as promptly as possible on the study. Mr. Moody and Mr. Haraway agreed to meet with Dr. Wise and the County Administrator.

IN RE: APPOINTMENT – SOCIAL SERVICES BOARD

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 Mrs. Diane Galbreath and Mrs. Pauline Bonner, are hereby appointed to the Social Services Board, for a four-year term expiring June 30, 2006.

IN RE: DISTRICT 19 COMMUNITY SERVICES BOARD – FY 2003 PERFORMANCE CONTRACT

Mrs. Ralph stated she had also included a letter from Joseph E. Hubbard, Executive Director of the District 19 Community Services Board. The letter stated that in accordance with Section 37.1-198 of the Code of Virginia, it was requested that Mrs. Ralph submit the FY 2003 performance contract to the Board, for their approval, on or before September 15, 2002. Mr. Hubbard indicated this contract did not reflect any significant changes from the language contained in the FY 2002 Contract and that the proposed contract was approved by the District 19 Board of Directors on June 27, 2002. Mrs. Ralph stated she had the complete contract in her office should any Board member wish to see it.

Upon Motion of Mr. Clay, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting “Aye”, the County Administrator is

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authorized to sign the District 19 Community Services Board State Fiscal Year (SFY) 2003 Performance Contract.

**IN RE: COMMUNICATIONS CONSULTANT RADIO SYSTEM -
AUTHORIZATION TO NEGOTIATE PRICE**

Ms. Denise Absher, Communications Manager, stated the interviews for the radio consultant were conducted on July 25, 2002. After all the interviews were completed, David Jolly, Aubrey Clay, Mel Sheridan and I, agreed the best selection for a consultant was, L. Robert Kimball & Associates for our radio consulting needs. She asked for authorization to enter into negotiations with the consultant.

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye", Administration is authorized to enter into negotiations with L. Robert Kimball & Associates for the radio system for the Communications Center.

**IN RE: AUTHORIZATION TO SUBMIT GRANT APPLICATION TO
STATE WIRELESS BOARD**

Ms. Denise Absher, Communications Manager, commented she met with Mr. Mel Sheridan with the State Wireless Board on August 6th, in reference to completing the County's application for a grant, which would pay the County \$147,197 if approved by the State. The application must be processed as soon as possible, to receive approval for funding during the August meeting of the State Wireless Board. If funding is approved the County will receive our first pay out of 50% of the total funding approved in October. The first pay out of 25% has already been received by agencies that completed their application by the March 2002 deadline. Completing this application also indicates to the Virginia General Assembly that we are making a conscious effort to be compliant with Phase I and Phase II wireless. She requested authorization to submit the application for the grant to the State Wireless Board for \$147,197 for startup costs.

Upon Motion of Mr. Bowman, 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 Communications Manager is authorized to submit the application to the State Wireless Board for the grant for startup costs for the Communication Center.

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**IN RE: AUTHORIZATION TO PURCHASE COPIER -
ADMINISTRATIVE OFFICES**

Mrs. Ralph commented we have been having problems with the copier for all of the administrative offices for quite some time. It has around 2,000,000 copies on it. We found a Pitney Bowes copier on State contract that has all of the features we need on it at an outright purchase of \$7,757. There is a lease option available for 36 months at a 9.7% interest rate, which would cost us around \$9,504. It is our recommendation to purchase the copier at a cost of \$7,757. The funds are in the budget. The old copier will be moved to the Public Safety Building for their use until it stops working or they are able to purchase a new one.

Upon Motion of Mr. Bowman, 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 Administrative Staff to enter into a contract to purchase the Pitney Bowes copier off the State contract at a cost not to exceed \$7,757.

Mr. Haraway asked how much the maintenance contract was for the old copier per month. Mrs. Glenice Townsend stated the amount is around \$164 per month and that includes all the supplies except paper. Mr. Haraway remarked because of the age of the copier he would not be in favor of spending a large sum of money to keep the copier operating. The County Administrator replied only the maintenance fee would be paid on the copier. Mr. Bracey inquired if all the departments used the copier and if they shared in the costs. Mrs. Ralph replied it was charged back to the departments.

IN RE: COUNTY ADMINISTRATOR COMMENTS

1. The County Administrator commented we have to move on with the RFP's for the proposed Industrial Site selection. We received 11 proposals. She asked the Board if any of them would be interested in being involved in the interviews. Mr. Bowman and Mr. Clay agreed.
2. Chesterfield County has already taken action on restricting water usage in the County due to the drought and low water levels in the Appomattox River and Lake Chesdin. Mr. Dee Hartman of the Appomattox River Water Authority said the Dinwiddie Water Authority is considering placing water restrictions on their customers. Right now they are asking us to remind our citizens to conserve water because it is a serious situation.

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IN RE: COMPREHENSIVE LAND USE PLAN APPROVAL

The County Administrator commented on June 5, 2002, the Board of Supervisors tabled the adoption of amendments to the Comprehensive Land Use Plan to allow time for the citizens to receive copies of the plan and to set up meetings to be held in each district or “**combined**” districts. On July 3rd, the Board agreed to hold an informational meeting on August 1, 2002. This meeting was held and citizen comments were received.

The Board could decide to:

- Vote to approve the amendments to the plan
- Leave the amendments to the plan on the table in order to have additional informational meetings.
- Leave the amendments to the amendments to the plan on the table with no further meetings but with a date established for a vote.
- Vote to disapprove the amendments to the plan and send them to the Planning Commission for it to assess identified issues.
- Vote to approve the amendments to the plan and concurrently recommend to the Planning Commission that additional issues be studied further. For example, requesting the Planning Commission to determine what degree of specificity for designated industrial areas is appropriate. This happens to be a timely topic because just last Wednesday, the Board attended an educational session on economic development hosted by the State. As a result, the process of establishing economic development goals for the County is underway and the County is looking at various sites for a proposed industrial park. This is something that would be appropriate for the Planning Commission to review and to make a recommendation.

If the Board chooses to place the plan on the agenda at a future date, what would that date be? With planned vacations, the next night meeting where all members would be present will be October 2nd. This date would coincide with the original motion to table action for four months. If no additional informational meetings are scheduled, the citizens could still submit their questions about the proposed amendments to the plan in writing to the Planning Department for a written response.

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To date, we received one letter, which we are responding to and will provide copies to everyone who requested a copy and provided us with their name and address.

Mr. Haraway stated he was in favor of approving the amendments to the plan tonight and sending it to the Planning Commission with the recommendation that additional issues be studied further.

Mr. Bowman commented he was not in favor of this Plan. The industrial areas need to be shown on the maps. He stated, as a matter of fact, he looked it up in the State Code and it is required by law to be shown on the plan. We are here to protect the citizens of the County and he couldn't see passing a plan that is half way done. The old plan does show the industrial areas but it is not included in the updated plan. Mr. Bowman said he called some of the surrounding areas and they do show the industrial areas on their maps. What is going on in the County that we don't want to list the proposed industrial areas on the maps? What are we trying to hide?

The County Administrator commented that industry does not always locate only in industrial areas as shown on the map. The Wal-Mart distribution warehouse is an example of that.

Mr. Bowman read the paragraph dealing with what the requirements are in the State code for the Comprehensive Land Use Plan. He asked if State Law requires this, then why are we fighting so hard not to do it? Mrs. Ralph replied she thought the industrial sites are shown in the plan.

Mr. William C. Scheid, Director of Planning, came forward stating the industrial areas are shown on the maps and perhaps he did not explain it well enough. He displayed the map and showed the area designated for industry on page X-2. The insert is located on the side of the map but it is rather small. He went to great lengths explaining the difference between the 1996 plan and the proposed plan. He commented the plan is generalized.

Mr. Bowman stated he felt it would help a lot for people to understand if the insert could be blown up so that you could tell where it stops and starts on roads. Mr. Moody responded that even if it is shown on the map, this plan is general and not site specific. When industry does come in, it may overlap into the green areas that are shown on the map. Mrs. Ralph commented that the plan is not going to be site specific. If that is something that the Board wants to do then we will have to work on it. But it is not going to show on this general map now. Mr. Scheid apologized to the Board for not being more specific in the informational meeting last week.

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Mr. Moody stated the fine-tuning would be done with the zoning maps. That is where the defining points will be made. The plan needs to be sent to the Planning Commission so they can get to work on the specifics.

There was a lengthy discussion about zoning issues, the reason an area has industry, the reasons others don't, and protecting the citizens.

The Board members concurred that the County needed to move forward with the plan.

Mr. Moody reiterated there are a lot of issues that need to be dealt with including the corridor studies for Routes 460 and U.S. Route 1, and the zoning issues.

Mr. Bowman asked if we could possibly get the earthworks off Frontage Road in the plan. Mr. Scheid replied he would check with the National Parks Service to see if they have any maps for the earthworks.

Mr. Bracey voiced his concern about being in compliance with the plan. The County Attorney stated as long as the County is working on the plan we are in compliance with State law.

Mr. Bracey called for a motion.

Mr. Haraway made the Motion to remove the Comprehensive Land Use Plan from the table. Mr. Clay Seconded the Motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey voting "Aye" the Comprehensive Land Use Plan was removed from the table.

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 Comprehensive Land Use Plan update is hereby approved with the recommendation to the Planning Commission that additional issues be studied further and to make recommendations to the Board if additional amendments are needed.

IN RE: BOARD MEMBER COMMENTS

There were no comments by the Board members.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

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1. Letter from Granville Maitland recommending the reappointment of Michael Parrish to the Appomattox River Soil and Water Conservation District Board.
2. Appomattox River Soil and Water Conservation District - Annual Plan of Work
3. Crater Planning District - Commission's report on staff's recent work efforts – during January through June, 2002.
4. Flyer from the Friends of the Lower Appomattox River
5. Request from the Mecklenburg County Board of Supervisors for a Resolution to continue reciting the Pledge of Allegiance as it currently written
6. A request from the Isle of Wright County Board to endorse a Resolution to support enabling legislation for counties to impose a cigarette tax.

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 - Assistant County Administrator
Legal - §2.2-3711 A. 7 of the Code of Virginia – Livestock Claim
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 8:46 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 11:02 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel - Assistant County Administrator; § 2.2-3711 A.7 Legal – Livestock Claim; § 2.2-3711 A.5 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.

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

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 11:03 P.M.

Edward A. Bracey, Jr., Chairman

ATTEST: _____
Wendy Weber Ralph
County Administrator

/abr