

The minutes to Board of Supervisors meetings contained within this website are **unofficial** and are provided solely for the convenience of the website user. The **official** minutes to 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](mailto: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 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	ELECTION DISTRICT #3
	(Arrived late)	
	HARRISON A. MOODY	ELECTION DISTRICT #1
	DONALD L. HARAWAY	ELECTION DISTRICT #2
	(Arrived late)	
	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. 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:**

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(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	\$ <u>84,753.23</u>

**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

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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”,

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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.

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**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**

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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:

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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.

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**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.

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**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  
OF  
DINWIDDIE, VIRGINIA TO PERMIT AN EXCEPTION FOR THE PHYSICALLY  
DISABLED TO HUNTING WITH RIFLES

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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**

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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.  |

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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

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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.

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Edward A. Bracey, Jr.  
Chairman

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Wendy Weber Ralph  
County Administrator

/abr