

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.

VIRGINIA: AT THE REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 18TH DAY OF DECEMBER, 2002, AT 2:00 P.M.

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

OTHER: PHYLLIS KATZ COUNTY ATTORNEY

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

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

IN RE: AMENDMENTS TO THE AGENDA

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

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

IN RE: MINUTES

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

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

IN RE: CLAIMS

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

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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 1033297 through 1033451 (void check(s) numbered 1033296) for:

Accounts Payable FY 2002- 2003:

| | |
|-------------------------------|---------------------|
| (101) General Fund | \$ 334,096.49 |
| (103) Jail Commission | \$ 203.26 |
| (104) Marketing Fund | \$.00 |
| (209) Litter Control | \$.00 |
| (222) E911 Fund | \$ 11,463.72 |
| (223) Self Insurance Fund | \$.00 |
| (225) Courthouse Maintenance | \$.00 |
| (226) Law Library | \$.00 |
| (228) Fire Programs & EMS | \$ 9.05 |
| (229) Forfeited Asset Sharing | \$.00 |
| (304) CDBG Grant Fund | \$ 689.40 |
| (305) Capital Projects Fund | \$ 4,217.00 |
| (401) County Debt Service | <u>\$ 86,826.60</u> |

TOTAL \$ 437,507.52

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

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

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

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

Dr. Morris stated these invoices are for security and computer wiring at Dinwiddie and Midway Elementary. This does complete the Midway Elementary

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School project. Mr. Bracey commented that he was assuming that all of this was taken out of the original project. Dr. Morris replied as best as he could find it was value engineered out.

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

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

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

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

| | | | |
|--|-------------------|-----------------------------|--------------------|
| School Specialty | Furnishings | Dinwiddie Elementary School | \$1654.04 |
| School Specialty | Furnishings | Dinwiddie Elementary School | \$3126.36 |
| School Specialty | Furnishings | Dinwiddie Elementary School | \$2031.64 |
| School Specialty | Furnishings | Dinwiddie Elementary School | \$1007.00 |
| School Specialty | Furnishings | Dinwiddie Elementary School | \$214.40 |
| School Specialty | Furnishings | Dinwiddie Elementary School | \$532.52 |
| School Specialty | Furnishings | Dinwiddie Elementary School | \$476.80 |
| Reed-Smith | Attorney | Dinwiddie Elementary School | \$2917.69 |
| <u>Whitescarver, Hurd, and Obenchain</u> | HVAC Consultation | Dinwiddie Elementary School | \$1740.00 |
| <u>Total</u> | | | \$13,700.45 |

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

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

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

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

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

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

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

| | | | |
|-----------------|--------------------------|------------------|-------------|
| Swartz | Furnishings/Construction | Dinwiddie County | \$25,226.00 |
| Restaurant | | High School | |
| Supply | | | |
| Sports Graphics | Furnishings/Construction | Dinwiddie County | \$2,695.00 |
| | | High School | |

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| | | | |
|---|--------------|---------------------------------|--------------------|
| <u>BCWH</u> | Architect | Dinwiddie Elementary School | \$3,261.75 |
| <u>Reed Smith</u> | Legal | Dinwiddie Elementary School | \$2,989.85 |
| <u>American Coating</u> | Construction | Dinwiddie County High School | 12,567.00 |
| <u>BCWH</u> | Architect | Dinwiddie Elem. School | 710.79 |
| <u>Whitecarver, Hurd, and Obenchain</u> | Architect | Dinwiddie Elem. School | 2752.50 |
| <u>Total</u> | | | \$50,202.89 |

The attached invoices for these expenditures have been reviewed and approved. The invoice from BCWH is a partial payment, with the balance being paid from 1999B bonds. With this request, the Dinwiddie County High School project is complete.

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

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going to let it go but sometime in the future we need to have some discussions about the situation.

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

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

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

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

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

| | | | |
|--------------|-----------|----------------------|--------------------|
| BCWH | Architect | Dinwiddie Elementary | \$88,838.25 |
| Total | | | \$88,838.25 |

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

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent. Dr. Morris stated this is for the Phase II Study. Mr. Moody

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asked if this is the final payment? Dr. Morris replied they have not completed all of the work so there will be a final payment.

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

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

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

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

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

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

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

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

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

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

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

| | | | |
|-------------------------|-----------|----------------------|--------------------|
| <u>Ballou, Justice,</u> | Architect | Dinwiddie Elementary | \$33,048.00 |
| <u>Upton Architects</u> | | School | |
| <u>Total</u> | | | \$33,048.00 |

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

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

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

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

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

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

Mr. Haraway stated he realized that a lot has taken place but he felt it was a shame that this company has been doing work for the County for at least 10 years and then you have to end up with attorneys to settle. He commented he

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felt something is really wrong when somebody has worked that long for you and it ends up like this. Mr. Bracey agreed and stated that we are going to go on and we will get it straight. He commented he would hate to pick up on projects like this when so many people have been involved and try to figure them out.

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

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

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

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

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia authorizes the issuance of a check to the Dinwiddie Airport and Industrial Authority in the amount of \$69,573.56 to be used for contractor and engineer's pay requests.

IN RE: CITIZEN COMMENTS

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

The following citizens came forward to address the Board:

1. Rev. Robert L. Rowland, III – 18404 Bonneville Lane, Dinwiddie, Virginia – came before the Board requesting that they consider changing their meeting days from Wednesdays to another day of the week to enable persons who attend church an opportunity to be involved in the County politically.
2. Mr. Michael Bratschi, 23500 Cutbank Road, McKenney, Virginia – came forward stating he supported the request from Rev. Rowland regarding the Board changing their meeting days from Wednesdays to another day of the week. Continuing, he asked that the second meeting be changed to an evening time instead

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of 2:00 P.M. He stated at the last meeting he requested that the Board member in that district consider presenting a Proclamation to the family of Megan Walker. Mr. Bracey commented he has been on the Board for a number of years and he didn't recall ever presenting a Proclamation to any family member for an incident of this nature. The Board would be placed in a difficult position if they started this practice. Mr. Bratschi also asked if the Board was interested in a referendum for a police department in the County. He requested a response in writing.

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

IN RE: RECESS

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

IN RE: VDOT – REPORT

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

1. Mr. Bracey asked if he had had an opportunity to check on Hunnicut Road at the two "S" curves? There is a terrible dip in the road and someone is going to get hurt there. Mr. Caywood replied no but he would check it.
2. Mr. Bracey requested him to check with Petersburg to see when the repairs would be done on the road at the Petersburg/Dinwiddie line, near the State Police Office.
3. Mr. Bowman stated on U.S. Route 1 it was reported that 10,000 vehicles a day was the "magic" number for VDOT to change it from two-lanes to four lanes. Mr. Caywood replied typically that is the threshold used for maximum capacity but turn lanes do help add to the capacity. Mr. Bowman said he also heard 7,000 vehicle per day was the determining number used but somewhere in that area you think. Mr. Caywood stated it depends on the configuration, somewhere in that area but again the turn lanes were used as a determining factor.

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He stated he didn't know if it was a certain number you could point to but somewhere in that range.

IN RE: COMMISSIONER OF THE REVENUE – REPORT

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

IN RE: TREASURER

Mr. William E. Jones, Treasurer, came forward and stated he mailed them his report for November 2002. He commented he would answer any questions they might have. He wished them a Merry Christmas and a Happy New Year.

IN RE: COMMONWEALTH ATTORNEY – REPORT

Mr. T. O. Rainey, III, Commonwealth Attorney, stated he had nothing to report but would entertain any questions they might have. He wished them a Merry Christmas and a Happy New Year.

IN RE: PRESENTATION OF CERTIFICATE OF 100% COMPLIANCE – JAIL

The County Administrator stated the County received a letter from the Department of Correction regarding the Jail being in compliance with the standards for jails. The facility has been approved for unconditional certification based upon excellent performance level of 100% compliance. The Sheriff's Department was presented with a Certificate of Compliance for their achievement. The Regional Compliance Officer wanted to make the presentation at the December 4th meeting but was unable to attend due to the weather. Sheriff Shands thanked the Board for funding the project and presented the Certificate to Sergeant Maitland and the Jail Staff. He invited the Board to visit the facility. Sergeant Maitland thanked the Board, Mrs. Ralph and Mr. Faison for their help.

IN RE: BUILDING INSPECTOR – REPORT

Mr. Dwayne H. Abernathy, Building Inspector came forward and presented his report for the month of November 2002. He wished everyone a Merry Christmas and a Happy New Year.

IN RE: ANIMAL WARDEN – REPORT

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Mr. Steve Beville, Animal Control Officer, was not present due to a call. The County Administrator commented if there were any questions she would get them to Mr. Beville. Mr. Bracey commented the report looked very nice.

IN RE: DIRECTOR OF PLANNING – REPORT

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

IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his November 2002 monthly report.

IN RE: CODE COMPLIANCE OFFICER

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

IN RE: SOCIAL SERVICES – REPORT

Ms. Peggy McElveen, Director, Social Services Department, came forward stating she would like to give a report on the Christmas Sharing Foundation. The citizens and businesses have been very responsive this year especially the businesses. Over \$14,000 has come in to support the program this year, which is about \$4,500 more than last year. Approximately 800 people have been served by this program that are unemployed or below the poverty level and have children, as well as, the elderly in our community who have no other way of getting any assistance for Christmas. She thanked everyone who had a part in the program.

IN RE: SUPPLEMENTAL APPROPRIATION TO THE FY2003 SCHOOL BUDGET

Dr. Morris, Assistant Superintendent of Schools, stated this is a supplemental appropriations request by the Dinwiddie County School Board. The School Board voted at its November 5, 2002 meeting to request of the Dinwiddie County Board of Supervisors supplemental appropriations to the FY2003 school budget. Most of these funds are needed to account for the federal monies received for the No Child Left Behind Act of 2001. This amount is \$381,496.00.

Also, due to the increase in enrollment, the School Board is requesting that the Board of Supervisors provide an additional supplemental appropriation of \$144,072.00. This money is state basic aid money and is due to the increased

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enrollment of students. Therefore, the total supplemental appropriation requested is \$525,568.00. None of this supplemental appropriation requires local funds.

Since we are categorically funded by the Board of Supervisors, the supplemental appropriation is proposed to be distributed in the following manner:

| Category | Original Total Appropriation (FY2003 School Budget) | Additional Requested Appropriation | Proposed New Total Appropriation (FY2003 School Budget) |
|----------------------|---|------------------------------------|---|
| Instruction | \$22,816,035.00 | \$453,532.00 | \$23,269,567.00 |
| Pupil Transportation | \$ 1,935,271.00 | \$ 72,036.00 | \$2,007,307.00 |
| TOTAL | | \$525,568.00 | |

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Supplemental Appropriations to the FY2003 school budget in the following amounts is hereby approved:

| | |
|--------------|-------------------------------|
| \$453,532.00 | Instructional category |
| \$ 72,036.00 | Pupil Transportation category |

Both of these Supplemental Appropriations are state funds and will require no additional local funds.

IN RE: PARKS AND RECREATION – REPORT

Mr. Timothy C. Smith, Director of Parks and Recreation, came forward and presented his November 2002 update. He thanked the Board for their participation in the Holiday Parade. Mr. Clay asked how many people attended the parade. Mr. Smith stated there were approximately 1,500 to 1,800. He stated the senior luncheon had to be postponed and will be held tomorrow at 11:00 A.M. at Eastside. He invited the Board to attend.

Mr. Bracey asked if the Youth Wrestling Program was a feeder for the schools or if it was just something for the kids to do? Mr. Smith stated it was something for the kids to do. It is held at Midway Elementary School and Mr. Craig Lewis is the instructor. Mr. Moody questioned why he did not have the program at Eastside. Mr. Smith replied it is because the high school wrestling team practice at Midway and we use the wrestling mats. Sometimes the rentals

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at Eastside conflict with the youth wrestling and it is easier to hold the program at Midway. Mr. Bracey commented he felt the program should be held at Eastside not Midway.

IN RE: WASTE MANAGEMENT – REPORT

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

**IN RE: WASTE MANAGEMENT DEPARTMENT -
AUTHORIZATION TO PURCHASE ¾ TON PICKUP
TRUCK**

Mr. King stated he received the following bids for the ¾ ton 4X2 diesel pickup truck:

| VENDOR | PRICE | ENGINE HEATER | LIMITED SLIP REAR | NOTES |
|--------------------|----------|---------------|-------------------|-------------------|
| Heritage Chevrolet | \$26,907 | yes | yes | |
| Owen Ford | \$21,252 | yes | +300 | |
| Whitten Bros Dodge | \$24,171 | | | formerly Triangle |
| Bill Smith Ford | \$20,800 | yes | +300 | |
| Petersburg Ford | \$21,398 | yes | | |
| Sheehy Ford | \$20,833 | yes | +300 | tires below spec |
| State Contract | \$23,654 | | yes | Capital GMC |

Mr. King stated Bill Smith Ford is the low bidder and requested authorization to enter into a contract to purchase the 2003 Ford ¾ ton 4X2 diesel pickup truck from them. He also stated he would like to add the limited slip rear option to the contract if they did not object.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Waste Management Director was authorized to purchase the 2003 Ford ¾ ton 4X2 diesel pickup truck with the limited slip rear from Bill Smith Ford at a price not to exceed \$21,100.

IN RE: PUBLIC SAFETY OFFICER – REPORT

Mr. David M. Jolly, Public Safety Officer, came forward and presented his report for November 2002. He also reported that the subscription program information would not be mailed until the first of the year. However, this should not effect the implementation date of February 1, 2003.

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IN RE: COMMUNICATIONS SUPERVISOR – REPORT

Ms. Denise Absher, Communications Supervisor, came forward and presented an update for November 2002.

IN RE: COUNTY ATTORNEY – REPORT

Ms. Phyllis Katz, County Attorney, stated she had nothing to report. She wished everyone a Happy Holiday Season and stated she was looking forward to working with the Board, County Administrator and Staff again this year.

IN RE: BUILDINGS AND GROUNDS - REPORT

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

IN RE: AUTHORIZATION TO PURCHASE THREE GENERATORS – SHERIFF’S OFFICE, JAIL & OLD HICKORY VFD

Mr. Donald Faison stated had completed negotiations with Carter Machinery Co., Inc. and would like authorization to enter into a contract with them to furnish the 50 KW (bid 55 KW) and the 125 KW generators and transfer switches to be used at the Sheriff’s Office and Jail.

| | |
|-----------------------------------|-----------------------|
| Carter Machinery Co., Inc. | |
| 55 KW (Sheriff’s Office) | \$13,314.00 - Propane |
| 125 kW (Jail) | \$22,864.00 – Diesel |
| Combined bid | \$36,178.00 |

Due to informalities in the bidding process we also sent out 4 invitations to suppliers to re-bid the 100 KW Generator for Old Hickory Fire Department. We received the two bids listed below:

| | |
|-------------------------------|-----------------------|
| Cummins Atlantic Corp. | \$20,178.00 - Propane |
| Fidelity Engineering | \$22,028.00 – Propane |

Mr. Faison requested authorization to enter into contracts with Cummins Atlantic Corporation for the 100 KW Generator for Old Hickory and with Carter Machinery Co., Inc. for the 55 KW Generator and the 125 KW Generator for the Sheriff’s Office and Jail.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Buildings and Grounds Director is authorized to enter into a contract with Cummins Atlantic Corporation for the 100 KW Generator for Old Hickory Fire Department in the amount of \$20,178; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Buildings and Grounds Director is authorized to enter into a contract Carter Machinery Inc., for the 55 KW and the 125 KW generators and transfer switches to be used at the Sheriff's Office and Jail in the amount of \$36,178.00.

IN RE: AUTHORIZATION FOR ASSISTANT COUNTY ADMINISTRATOR TO ACT ON BEHALF OF THE BOARD

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

BE IT RESOLVED, by this Board that the Assistant County Administrator is authorized to perform all official duties in the name of the Board and on behalf of the Board whenever the County Administrator is unavailable or unable to perform these duties, when such authority is delegated to the Assistant County Administrator, or in cases of emergency.

IN RE: AMENDMENTS TO THE FY03 BUDGET

The County Administrator stated the amendments to the FY 03 budget mainly deal with the changes you approved at budget time dealing with the Library and OYCS and the changes in the School Board budget due to changes in state and federal funds. The transfer they are requesting to be changed from debt service to instruction will not become a part of the base.

General Fund

1. Increase the Appomattox Regional Library contribution by \$5,976
2. Increase the transfer from the General Fund to VJCCCA by \$20,000
3. Decrease the transfer from the General Fund to OYCS by \$20,000
4. Decrease the transfer from the General Fund to the School Debt Service Fund by \$126,328
5. Increase the transfer from the General Fund to the School Fund (Instruction) by \$126,328

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Designations from Undesignated Fund Balance

1. \$9380 – Preservation Grant
2. \$4,200,000 – Economic Development
3. \$323,392 – FY01 CIP - \$148,392 – GIS; \$175,000 – Dinwiddie Elementary Generator
4. \$968,000 – FY02 CIP

School Fund – Changes from County Budget

1. Head Start – No Change
2. Instruction - \$713,708 Increase
3. Administration - \$29,634 Decrease
4. Transportation - \$44,081 Decrease
5. Maintenance - \$70,524 Decrease
6. Textbook - \$235,703 Decrease
7. Cafeteria – No Change
8. OYCS - \$56,849 Decrease
9. Capital Projects – No Change
10. Debt Service – No Change
11. Transfers from School Fund –
 - a. Textbook - \$1,147 Decrease
 - b. OYCS - \$26,550 Decrease
 - c. Debt Service - \$126,328 Increase

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the amendments, as outlined above, to the FY 2002 – 2003 Budget are approved as presented.

IN RE: APPROPRIATIONS RESOLUTION

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

WHEREAS, the final 2002-2003 budget has been adopted by the Board of Supervisors; and

WHEREAS, in order for the various departments and agencies to make expenditures within this budget, an appropriation of funds must be authorized by the Board of Supervisors;

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NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the General Fund budget in the amount of \$25,423,009 will be appropriated on a monthly basis, beginning July 1, 2002 as claims are approved; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following funds are appropriated beginning July 1, 2002:

Law Library - \$6,500; Fire Programs/EMS Fund - \$43,000; Virginia Public Assistance Fund - \$2,570,187; CSA Fund \$785,812; E911 Fund - \$440,919; Courthouse Maintenance Fees - \$0.00; Forfeited Asset Fund - \$6,000; OYCS Fund (Tobacco Commission) - \$28,862; Meals Tax Fund - \$400,000; VJCCCA - \$47,230; Jail Phone Commission - \$3864; County Debt Service - \$2,019,601; Head Start Fund - \$160,642; School Cafeteria Fund - \$1,314,374; School Capital Projects Fund - \$100,000; School Textbook Fund - \$100,000; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the CDBG Fund and IPR Fund, as State funds become available, be appropriated on a monthly basis as claims are presented; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board budget be appropriated by category as follows, and transferred on a monthly basis beginning July 1, 2002:

| | |
|-------------------------------------|--------------|
| Instruction | \$22,555,393 |
| Administration, Attendance & Health | 1,239,580 |
| Pupil Transportation | 1,935,271 |
| Operation & Maintenance | 3,409,671 |
| Facilities | 9,200 |
| School Debt Service | 2,785,454 |

(includes \$400,000 transfer from Meals Tax); and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following reappropriations to the FY03 budget from the FY02 undesignated fund balance be approved effective July 1, 2002: \$9,380 Preservation Grant; \$864,242 present balance in the Capital Projects Fund; \$323,392 from the FY01 CIP to be transferred to the Capital Projects Fund; and \$968,000 from the FY02 CIP to be transferred to the Capital Projects Fund; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that all funding for fiscal year 2002-03 is subject to further action by the Board as dictated by availability of State funds.

IN RE: RESOLUTION AUTHORIZING AMENDMENT OF THE SERVICE AGREEMENT WITH SCWA

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The County Administrator stated the South Central Wastewater Authority reorganized the reduction of interest rates several months ago and requested the Department of Environmental Quality reduce the interest rate of the construction debt. DEQ has agreed to lower the bond interest rate. Therefore, in order to reduce the interest rates, the Authority and each political jurisdiction that was a party to the agreement must agree to the revision of the debt schedule.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to execute the amendment to the service agreement between the South Central Wastewater Authority and the County of Dinwiddie.

IN RE: ADOPTION OF BUDGET CALENDAR - FY 03-04

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

2003-04 Budget Calendar

| | |
|----------------------------------|---|
| November 20 th | Budget materials distributed to Agencies/Depts. |
| January 2 nd | Agencies/Departments submit Budget requests |
| January 13 th | 2003 value estimates submitted by the Commissioner of the Revenue |
| Week of February 3 rd | Proposed Budget submitted to the Board of Supervisors |
| Months of February/March | Board of Supervisors Budget Work Sessions |
| April 2 nd | Budget Public Hearing |
| April 16 th | Adoption of Budget |

IN RE: BOARD MEMBER COMMENTS

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Mr. Haraway He stated he did not have a problem with having the Board meetings on Tuesday instead of Wednesday. We could try it for a year and see how it works.

Mr. Clay He stated he would not be opposed to meeting on Tuesday either.

Mr. Moody He stated he would have a conflict on Tuesday but Monday would be ok.

Mr. Bracey He stated he had mixed emotions about changing the meetings to another day. As long as he could remember the meetings have been held on Wednesday. So why change them to Tuesday? He commented he felt all the meetings should be held at 7:30 P.M.

IN RE: CLOSED SESSION

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

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

Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia – Meeting Schedule; Clarification of Tax/Assessment; Conditional Use Application

Mr. Clay seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting “Aye”, the Board moved into the Closed Meeting at 5:03 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 7:03 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under § 2.2-3711 A.1 Personnel – Appointments; § 2.2-3711 A.7, Consultation with Legal Counsel - Meeting Schedule; Clarification of Tax/Assessment; Conditional Use Application

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

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

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

IN RE: AUTHORIZATION TO RETAIN SERVICES OF TECHNICAL FIRM – CONDITIONAL USE PERMIT

Upon motion of Mr. Haraway, seconded by Mr. Clay, Mr. Moody, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye", authorization is granted for the Planning Department to retain the services of a technical firm to assist the Planning Commission and Board of Supervisors on a conditional use permit.

IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED

1. Letter pf appreciation from the Chesterfield County Police Department – regarding the sniper investigation.
2. Memo to Deborah M. Marston, Commissioner of Revenue from the County Administrator – requesting timely and accurate revenue projections for the FY 04 Budget.
3. Letter from Mr. Bracey to the FBI, Chesterfield Police Dept., Virginia State Police, Ashland Police Dept., Petersburg Police Dept., Henrico Police Dept., Hopewell Police Dept., Richmond Police Dept., and the Dinwiddie County Sheriff's Dept., thanking them for their work with the recent sniper investigation.
4. Virginia Gateway Region – Monthly report

IN RE: ADJOURNMENT

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 7:13.

Edward A. Bracey, Jr.

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Chairman

Wendy Weber Ralph
County Administrator

/abr