

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.

VIRGINIA: AT THE REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 19TH DAY OF APRIL, 2005, AT 12:30 P.M.

PRESENT: HARRISON A. MOODY – CHAIRMAN ELECTION DISTRICT #1
MICHAEL W. STONE - VICE CHAIR ELECTION DISTRICT #5
DONALD L. HARAWAY ELECTION DISTRICT #2
ROBERT L. BOWMAN IV ELECTION DISTRICT #3
DORETHA E. MOODY ELECTION DISTRICT #4

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IN RE: CLOSED SESSION

Mr. Haraway moved to close the meeting in order to discuss matters exempt under section: §2.2-3711 (A)(1) – Personnel – County Attorney; §2.2-3711 (A)(5) – Industrial;

The motion was seconded by Mr. Bowman, Ms. Moody, Mr. Bowman, Mr. Haraway, Mr. Stone, Mr. Moody, voting “Aye”, the Board moved into the Closed Meeting at 12:39 P.M.

The meeting reconvened into Open Session at 2:02 P.M.

IN RE: CERTIFICATION

Whereas, this Board convened in a closed meeting under: §2.2-3711 (A)(1) – Personnel – County Attorney; §2.2-3711 (A)(5) – Industrial;

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

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

Upon motion of Mr. Stone, Seconded by Mr. Bowman, Mr. Bowman, Ms. Moody, Mr. Haraway, Mr. Stone, Mr. Moody, voting “Aye”, this Certification Resolution was adopted.

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 2:03 P.M.

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Mr. Greg Horwedel, County Administrator, read the following tribute honoring Mr. Wayne Surdam written by Robert Wilson and Ben Jones employees of the Dinwiddie County Water Authority.

“Wayne Surdam was a dedicated employee to the water and wastewater business for over 30 years. He worked for the City of Petersburg, the South Central Wastewater Authority, and the Dinwiddie County Water Authority. His last nine years were with the Dinwiddie County Water Authority as Chief Operator for the Courthouse Wastewater Treatment Plant where he held a Class I operator’s license.

Wayne loved his job. He often volunteered to live at the Courthouse Plant to ensure its on going efficient operation and security. Even on Wayne’s days off, he would stop by the plant and discuss the plant operations with the Authority’s part time operators. Wayne also volunteered to work on holidays so part time operators could spend time with their families. Since Wayne was around the plant so often, staff nicknamed the plant “Wayne’s World”.

Wayne was quoted as saying; “I think I have wastewater running in my veins instead of blood”. This was evident from his attention to detail and outstanding effort to maintain the plant at its maximum efficiency.

Wayne was a valued member of the Authority’s family and will be sorely missed. Our regulators considered Wayne one of their best operators.

Wayne is survived by his mother, Juanita H. Surdam; sister, Valerie Reid and husband, Ronald; an aunt, Helen Henry of Michigan; cousins, Donna Pecht of Sutherland, Christine Gerbel of California, Michael Keatts of Michigan, Frank Keatts of Michigan, and Howard Dunn of Indiana.

Our thoughts and prayers are with the family.

Mr. Moody stated there would be a moment of silence held for a County Employee, Mr. Wayne Surdam who died in an accident in the County last Friday, to be followed by the Lord’s Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Alma Russell, Clerk to the Board, stated Mr. Stone emailed a request to add a letter of support for a temporary road closure from Sussex County under Action Items, number 4.

Upon Motion of Mr. Stone, Seconded by Mr. Haraway, Mr. Haraway Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody voting “Aye”, the above amendment was approved.

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IN RE: MINUTES

Mr. Stone stated one correction needed to be made to the April 5, 2005 Minutes on page 18 under Board Member Comments. Although Mrs. Russell put it in the Minutes correctly, he incorrectly stated that his District 5 meeting would be held at the Town Hall in McKenney, but the Minutes should reflect he gave the incorrect location. Also, he stated he would like to add one line to the end of his comments that was left out. "He felt the \$7,000 approved in the last consent agenda for the March special election was a waste of tax payer's dollars for a short veto session."

Upon motion of Mr. Haraway, Seconded by Mr. Stone, Mr. Haraway, Ms. Moody, Mr. Stone, Mr. Moody voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the April 5, 2005 Regular Meeting minutes are approved with the corrections listed above in their entirety.

IN RE: CLAIMS

Upon motion of Mr. Haraway, Seconded by Mr. Stone, Ms. Moody, Mr. Haraway, Mr. Bowman, Mr. Stone, Mr. Moody, 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 1048861 through 1048985, (voided check number(s) 1048750).

FY – 04/05

Accounts Payable:

(101) General Fund	\$	97,530.97
(103) Jail Commission	\$	197.95
(105) Playground Equipment	\$	
(209) Litter Control	\$	
(222) E911 Fund	\$	4,467.09
(225) Courthouse Maintenance	\$	949.56
(226) Law Library	\$	
(228) Revenue Federal	\$	
(228) Fire Programs & EMS	\$	10,833.50
(229) Forfeited Asset Sharing	\$	
(304) CDBG Grant Fund	\$	243.00
(304) Capital Projects Fund	\$	10,598.21
(401) County Debt Service	\$	<u>141,027.71</u>

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TOTAL

\$ 265,847.99

**IN RE: SHERIFF'S DEPARTMENT AUTHORIZATION TO FILL
COUNTY JAILOR POSITION – BRAD FRANKLIN MANN**

Sheriff Shands sent a memo to the County Administrator requesting authorization to fill a vacant County Jailor position. Mr. Brad Franklin Mann was previously employed by the County as a jailor from April 2003 until he resigned in August 2004. His certification to execute the jailor duties is still valid. If approved, his start date will be April 19, 2005 with an annual salary of \$26,000.

Upon motion of Mr. Haraway, Seconded by Mr. Stone, Ms. Moody, Mr. Haraway, Mr. Bowman, Mr. Stone, Mr. Moody, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that authorization is granted for the hiring of Mr. Brad Franklin Mann to fill the position of County Jailor at an annual salary of \$26,000.

**IN RE: SCHOOL BOARD REQUISITIONS HS#5 & ES #6 & – IDA
SERIES 2004-B**

To: Gregory S. Horwedel
From: Dr. Charles Maranzano
CC: Christie Fleming, Anne Howerton
Date: 4/13/2005
Re: Requisitions for Elementary and High School Projects

Attached you will find requisitions for both the elementary and high school projects. These items were approved by the Dinwiddie School Board at their meeting on April 12, 2005, and are being forwarded to you for Board of Supervisors approval and payment.

No. HS-4

REQUISITION FROM THE PROJECT FUND

[Indicate whether from Note Account or Bond Account of Project Fund by marking a line through incorrect account]

Note/Bond Account

Industrial Development Authority of Dinwiddie County, Virginia
~~\$15,000,000 Lease Revenue Notes, Series 2004A and~~
\$41,040,000 Lease Revenue and Refunding Bonds, Series 2004B

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TO: SunTrust Bank
FROM: The Industrial Development Authority of Dinwiddie County, Virginia,
Project Fund
DATE: 2/28/2005

The undersigned Authorized County Representative requests that you make the following disbursements from the referenced Project Fund:

<u>AMOUNT</u>	<u>TO</u>	<u>PURPOSE</u>
\$4,790	Moseley Architects	Design Development Invoice # 441100-00005
\$8,502	Moseley Architects	Environmental Services Invoice # 441100-00005
\$13,802.40	Moseley Architects	Surveying Services Invoice # 441100-00005
TOTAL OF THIS REQUISITION		\$27,094.40

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No. ES-5

REQUISITION FROM THE PROJECT FUND

[Indicate whether from Note Account or Bond Account of Project Fund by marking a line through incorrect account]

Note/Bond Account

Industrial Development Authority of Dinwiddie County, Virginia
~~\$15,000,000 Lease Revenue Notes, Series 2004A and~~
\$41,040,000 Lease Revenue and Refunding Bonds, Series 2004B

TO: SunTrust Bank
FROM: The Industrial Development Authority of Dinwiddie County, Virginia,
Project Fund

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DATE: 2/28/2005

The undersigned Authorized County Representative requests that you make the following disbursements from the referenced Project Fund:

<u>AMOUNT</u>	<u>TO</u>	<u>PURPOSE</u>
\$30,308	Moseley Architects	Design Development Invoice #441080-00006
TOTAL OF THIS REQUISITION		\$30,308.00"

Upon motion of Mr. Haraway, Seconded by Mr. Stone, Mr. Haraway, Ms. Moody, Mr. Stone, Mr. Moody voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number HS #5 for the High School in the amount of \$27,094.40 and Requisition Number ES #6 for the Elementary School in the amount of \$30,308 be approved and funds appropriated for expenses from the Dinwiddie County IDA Lease Revenue and Refunding Bonds, Series 2004-B.

IN RE: REAPPROPRIATION OF GRANT FUNDS FOR EMERGENCY SERVICES

"Date: April 1, 2005
To: Dinwiddie County Board of Supervisors
From: Dennis Hale, Division Chief of Public Safety
Subject: Appropriation of Grant Funds for Emergency Services

In March of 2003 Dinwiddie County received a grant allotment from the All-Hazards Emergency Operations Planning Grant and from the Emergency Management Block Grant. These two allotments totaled \$15,498.00. The purpose of these two allotments was to assist the county with developing, updating or revising the Emergency Operations Plan or other related Emergency Services functions.

These two allotments were to be obligated by the county before June 30, 2004. In researching these grants, it has been found that the funds were not obligated before that deadline and have been placed in the general fund. I have spoken with the state VDEM representative for this grant program and composed a letter to her asking for an extension, in order to use these grants for the intended purpose. She has given me the go ahead to expend these funds as needed.

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In response to this, the request is made to the Board of Supervisors to re-appropriate these grant monies from the general fund to the Division of Public Safety/Emergency Services budget so that they can be expended for the designated purposes. If there is any additional information I can provide please let me know. Thank you.”

Upon motion of Mr. Haraway, Seconded by Mr. Stone, Mr. Haraway, Ms. Moody, Mr. Stone, Mr. Moody voting “Aye”,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Staff is hereby authorized to re-appropriate \$15,498.00 of grant monies from the general fund to the Division of Public Safety/Emergency Services budget for the purpose of developing, updating or revising the Emergency Operations Plan or other related Emergency Services functions.

IN RE: APPOINTMENT OF COUNTY ATTORNEY – MICHAEL DREWRY

The County Administrator stated under the consent agenda there is listed an appointment for the new County Attorney, Mr. Michael Drewry. He currently works for James City County as the Assistant County Attorney. Staff interviewed 6 candidates and he rose to the top of the list. He came highly recommended by Jeff Mincks from Chesterfield County. Mr. Drewry is a 1999 graduate of William and Mary School of Law, receiving his Juris Doctor and graduating with *Honors in Legal Skills*.

Upon motion of Mr. Haraway, Seconded by Mr. Stone, Mr. Haraway, Ms. Moody, Mr. Stone, Mr. Moody voting “Aye”,

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia appointed Mr. Michael H. Drewry as the County Attorney with an effective date of June 1, 2005.

IN RE: DINWIDDIE COUNTY WATER AUTHORITY RESOLUTION AND SUPPORT AGREEMENT

Mr. Robert Wilson, Executive Director, Dinwiddie County Water Authority, informed the Board of Supervisors that a copy of the Resolution and Support Agreement to finance the Courthouse Wastewater Treatment Plant expansion was included in their Board packages. Mr. Wilson said that he and Ms. Howerton, Director of Finance, determined that a municipal loan was more economical than a municipal bond and that Staff was able to perform the calculations and develop the necessary documentation justifying the selection of a municipal loan for financing.

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Mr. Wilson also told the Board that the Resolution and Support Agreement have a figure of \$1.75 million as the loan amount. The engineer's estimate is from \$1.6 million to \$1.75 million. SunTrust, who is providing the municipal loan, has agreed to allow the Authority to return the difference from \$1.6 million to \$1.75 million when the bids are received without a penalty. This means if the bids come in at \$1.65 million, the Authority will be allowed to give back \$100,000 that will not be included in the financing.

Mr. Wilson requested that the Board of Supervisors approve the Resolution and Support Agreement. He stated that the Dinwiddie County Water Authority Board of Directors is scheduled to approve the Resolution and Support Agreement at their May 9th Board meeting. The closing on the loan is scheduled for May 16th. The Authority is on schedule to advertise this project in July.

Mr. Haraway asked for Staff's recommendation. The County Administrator said Staff's recommendation was to approve the Resolution and Support Agreement.

Upon motion of Mr. Haraway, Seconded by Mr. Stone, Mr. Haraway, Ms. Moody, Mr. Stone, Mr. Moody voting "Aye", the County Administrator was authorized to sign the following memorandum of agreement with the Virginia Center for Behavioral Rehabilitation.

MEMORANDUM OF AGREEMENT

This document (hereinafter referred to as "**Agreement**") constitutes an agreement between the COMMONWEALTH OF VIRGINIA, Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS), Virginia Center for Behavioral Rehabilitation, P.O. Box 4030, Petersburg, Virginia 23803, (hereinafter referred to as "**Facility**")

AND

The COUNTY OF DINWIDDIE, Department of Public Safety, P.O. Drawer 70, Dinwiddie, Virginia 23841, (hereinafter referred to as "**County**"), and is dated _____, 2005.

1.0 RECITALS

Whereas, Facility is responsible for the rehabilitation of a sexually violent predator population drawn from the entire State of Virginia and houses such residents in a highly secured compound, and

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Whereas, there may be times when **Facility** requires jail services from **County**, and

Whereas, **County** provides such services, with such services paid for by the local property owners within Dinwiddie County;

Now Therefore, as a result of negotiations between the parties, and for and in consideration of the respective undertakings of the parties of this **Agreement**, the following covenants are made:

2.0 PURPOSE

The purpose of this **Agreement** is for **Facility**, a State agency, to subsidize **County** costs incurred by providing local jail services for **Facility** residents.

2.0 SCOPE OF SERVICES

2.1 County agrees to provide **Facility** the following services:

- 2.1.a** Secure confinement within the County Jail for **Facility** residents accused of commission of a crime within the Dinwiddie County political subdivision limits in accordance with applicable, local, state, and federal regulations; and the Code of Virginia (1950), Title § 53.1, as amended.
- 2.1.b** Appropriate rehabilitative necessities, including medical treatment, for **Facility** residents incarcerated in the County Jail, beginning at the time of incarceration in the County Jail through day of sentencing by a Judge.
- 2.1.c** A designated **County** representative to whom any questions and concerns regarding Jail services for **Facility** residents may be directed.

2.2 In consideration of the foregoing **County** services, **Facility** agrees to provide the following:

- 2.2.a** For all **Facility** residents who are transported to the County Jail, **Facility** will provide the name of the resident's health care plan provided such is in the possession of **Facility**, social security number and such other information that may be required for **County** to obtain reimbursement from the third party payer for medical services provided.

3.0 CONSIDERATIONS, COMPENSATION AND PAYMENT

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- 3.1 **Facility** agrees to pay **County** the sum of \$60.00 per day per resident confined in the County Jail. This reimbursement shall be effective from the initial date of confinement in the Jail until a Judge sentences the resident.
- 3.2 In the event **County** is not able to obtain third party payer reimbursement for necessary medical services, **Facility** shall be responsible for any health care costs not paid for by such third party payer.
- 3.3 **County** shall bill **Facility** at the daily rate, on a monthly basis.
- 3.4 **County** shall submit invoices to **Facility**, displaying in a prominent place the agreement number assigned to this **Agreement**, description of service, name and social security number (if known) of the resident, the days of stay for each resident, the applicable per day rate, the period of time the invoice covers and invoice total.
- 3.5 Invoices shall be mailed to: Virginia Center for Behavioral Rehabilitation, Attention: Director, P.O. Box 4030, Petersburg, VA 23803
- 3.6 Increases and/or decreases in the per day per resident rate must be negotiated prior to the invoice billing date (see Section 5.1) and agreed upon in writing by both parties. Such rate changes shall take effect immediately after written approval.
- 3.7 If **Agreement** is terminated by either party, **Facility** shall be liable only for payment for services rendered before the effective date of termination.

4.0 **TERM OF AGREEMENT**

- 4.1 **Agreement** shall commence upon final execution by both parties and shall expire one (1) calendar year after the execution date of **Agreement**, unless renewed as stipulated in Section 4.3.
- 4.2 **Facility** or **County** may terminate **Agreement** upon ninety (90) days written notice.
- 4.3 **Agreement** automatically renews for two (2) successive and consecutive one (1) calendar year periods, unless either **Facility** or **County** provides written notice at least ninety (90) days prior to expiration of **Agreement** of their intent not to renew **Agreement**.

5.0 **GENERAL CONDITIONS**

- 5.1 **Changes to Agreement** – The parties may agree in writing to modify the scope of this **Agreement**. An increase or decrease in the price resulting from such modification shall be agreed to by the parties as a part of their written agreement

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to modify the scope of Agreement. Any changes to **Agreement** shall be incorporated into **Agreement** as if originally contained within said document, and shall have the full force and effect of remaining provisions in **Agreement**.

5.2 Financial Records Availability: – County agrees to retain all books, records, and other documents relative to **Agreement** for five (5) years after final payment, or until audited by the Commonwealth of Virginia, whichever is earlier. **Facility** or its authorized agent, and/or State auditors, shall have full access to and the right to examine any said material during said period.

5.3 Severability – Any provision of **Agreement** deemed unlawful and stricken from **Agreement** shall not compromise the remaining provisions of **Agreement**, which shall remain in full force and effect.

5.4 Successors and Assigns – The lawful successors and assigns of the parties to this Agreement shall be bound by the provisions of this document.

IN WITNESS WHEREOF, the parties have caused this **Agreement** to be duly executed, intending each party to be bound thereby.

COUNTY OF DINWIDDIE

By: _____
Gregory Horwedel, County Administrator

VIRGINIA CENTER FOR BEHAVIORAL REHABILITATION

By: _____
C. C. Murphy, Facility Director

IN RE: CITIZENS COMMENTS

1) David Dudley – 25907 Smith Grove Road, Petersburg, VA – made the following comments on the adoption of the FY05/06 budget and the 2005 tax rates. He stated the citizens were getting hit two times this year with the \$.10

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cent increase in the real estate taxes and the increase in the reassessments. He asked the Board to be more responsible in the way they spend the tax payer's money. He also said biosolids contractors could be charged an application fee which would be a revenue source for the County.

2) Michael Bratschi - 23500 Cutbank Road, McKenney, VA – commented on the following issues: Dr. Lanham's resignation from the School Board and if there is an investigation going on. He requested that the Board make sure the School Board budget had been justified before they adopted the budget today. He commented on the County's grant writer and pointed out she had only written two grants since she had been in the position. He said the County needed to hire someone that is intelligent and articulate that can write grants for this County and the County needs to hire people that are qualified for the jobs instead of hiring your friends and good-old-buddies. He stated the County has a nepotism policy but the son of Captain Booth has been hired to work in the Jail. If the County is going to have a nepotism policy then it needs to be followed by everyone county-wide. He said he wants to meet the County Attorney when he gets here.

3) Anne Scarborough – Boydton Plank Road, Dinwiddie, VA – commented on the \$.50 airplane tax rate. She said the Manager of the Airport wants everyone to think the reason the airport now has airplanes located in the County is because of the low tax rate. She contended that no one was going to land their plane at the Chesterfield Airport, rent a car to drive to Dinwiddie County because our tax rate may be \$1.00 or whatever. She told the Board they are being unfair to the citizens because they refuse to look at increasing the airplane tax rate but raised the resident's taxes an additional \$.10 on her house from \$.77 to \$.87 in a reassessment year. The Board is subsidizing people that don't even live in the County with that cheap rate and it is the Boards responsibility to be fair to its citizens and not just give to industry, the airport, the race track and things of that nature. She requested that the Board reconsider raising the airplane tax. She said there was an article in the newspaper with the 50 largest industries in the area, and she hoped they saw it, Dinwiddie County ranked 49th.

IN RE: VDOT REPORT

Mr. Ray Varney, Resident Engineer, Virginia Department of Transportation, provided the Board members with copies of VDOT's reorganized area headquarters and responsibilities. He told them if they had any questions to please contact him. He provided a report on the following projects:

Mr. Varney informed the Board that he had been contacted by the Sussex Resident Engineer regarding the temporary closure of Rt. 616 for approximately 8 months (Ridge Road) in Dinwiddie County (College Road) in Sussex County due to mining by Iluka. He stated 3 houses would be affected by the closure

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according to his information. Mr. Stone stated he was contacted by Mr. Romeo with Iluka and one lane would be closed for one year so they could do some mining. Mr. Stone commented Mr. Hale and the Sheriff's Department needed to check with the citizens to see how they would be affected by the closure of the road. Mr. Varney stated he would contact the resident engineer in Sussex to get any information the Board needed to make a decision. Mr. Moody instructed Mr. Hale and the Sheriff's Department to take a look at the situation and report back to the Board. The Board questioned whose responsibility it would be to make sure the road was brought up to standards once the work was completed. Mr. Varney explained that Iluka would be responsible for bringing the road back up to VDOT's standards once the work was completed and it would be enforced by VDOT.

Watch for Children signs - Mr. Varney told the Board their request regarding the Watch for Children signs for the Sentry Hill Court area is not funded by VDOT. These types of signs either have to be funded by the County or by the citizens. The county may request that VDOT install the signs by submitting a resolution to the Resident Engineer and if funds are available they will install them. The estimated cost of the two signs is \$320. The signs are \$100 each and the materials and time and equipment is \$120. The signs can either be paid for by the citizens, the County, or if it is in a subdivision by the developer. VDOT will install them but do not fund them.

No Parking Sign - Mr. Varney reported that VDOT would fund these types of signs from maintenance funds from the County. Mr. Scheid, Director of Planning, explained that the request came from residents in the Sentry Woods neighborhood because of tourist visiting the A.P. Hill Monument. Residents are complaining because tour buses and visitors are parking in front of their homes and blocking their mailboxes.

The Board requested that Staff write a letter to the developer to see if he would be willing to pay for the "Watch for Children" signs to be installed in the Sentry Woods neighborhood.

The County Administrator asked Mr. Varney instead of installing signs that would have to be cut around and look unsightly in a neighborhood; would it be legally enforceable, by law enforcement officers, if "no parking" was painted in yellow boxes on the pavement. He replied if VDOT signs it, it is enforceable. Mr. Horwedel stated he wanted to make clear to folks that if "no parking" areas are established that there would be no doubt where those areas are; and that they are enforceable. Mr. Varney stated he would check on it because he knew signs are enforceable for sure, but he didn't know if the painted areas would be.

IN RE: VDOT RESOLUTION TO ADD SAWMILL ROAD TO FY05-06 SIX-YEAR SECONDARY ROAD PLAN

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Mr. Varney requested that the Board approve the Resolution to add the remaining unpaved section of Sawmill Road to the Six Year Secondary Road Plan. The funds would come from Secondary Road money. Mr. Stone asked about the time frame for the project. Mr. Varney commented if he could get a UPC number from the District Office he could advertise the project and have it done before the next fiscal year. He commented if you recall during the public hearing for the Six Year Plan there was a citizens that requested that the Board approve adding this 3 tenths unpaved section to the Plan. This section was not paved because the owners at that time did not want to give VDOT the right-of-way that was needed to do this section of the road. All of the other property owners did and now the new owner of this section has agreed to relinquish the land that is needed for the project. Mr. Haraway asked if the costs would come from the maintenance funds. Mr. Varney said the funds would come from the County wide incidentals and there is enough excess money to cover the \$50 to \$60 thousand dollar cost.

Upon motion of Mr. Stone, Seconded by Ms. Moody, Mr. Haraway, Ms. Moody, Mr. Stone, Mr. Moody voting "Aye", the following resolution was approved.

RESOLUTION

WHEREAS, the Board of Supervisors of Dinwiddie County, Virginia held their regular meeting on April 19, 2005 in the Board Room, in the Pamplin Administration Building present were: Mr. Harrison Moody, Mrs. Doretha Moody, Mr. Michael Stone, Mr. Robert Bowman and Mr. Donald Haraway

WHEREAS, the Sawmill Road project has recently been identified as a critical need and must be added to the existing 2004 - 2005 Secondary Six-Year Plan:

Route	688 (Sawmill Road) – Dinwiddie County
From:	0.21 mi. west of Route 667
To:	Route 667
Scope of work:	Reconstruction to RRR standards, 0.21 miles of existing unpaved road.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby approves this project for addition to the Secondary Six -Year Plan for FY 2005 through 2006 so that funds can be allocated for preconstruction development.

IN RE: VDOT REPORT CONT'

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Mr. Varney informed the Board he met with the School Board regarding the new high school project and one of their recommendations was to replace the bridge on Boisseau Road. There are two ways that the replacement could be accomplished; it can be put in the upcoming Secondary Six Year Plan by adoption of a resolution to include this project; or with revenue sharing funds. He stated he was working on it and as soon as he gets the information he would share it with the Board. He also suggested that the School Board could fund the project. The Board might not want to fund the project at all. Mr. Varney commented he was letting the Board know so they could think about the project and when he gets all the information together they could make their decision.

Mr. Varney stated there was a request by some citizens in Ms. Moody District who live off Malone Road that want their road brought into the Secondary Road System. The dirt road is a private street approximately .9 tenths of a mile long. Mr. Moody stated private roads are supposed to have a sign at the beginning of the road informing the residents that no County funds will be used to upgrade the road. He asked Mr. Varney if the sign had been removed. Mr. Varney replied he didn't know but the road is very old. Rural Addition funds are available to bring subdivision streets and old streets that were built prior to 1967 up to standards. He stated this road appears to meet VDOT requirements for Rural Addition funds if the Board is in agreement with improving the road but he would make sure that it is.

Board Member Request/comments

Mr. Stone asked Mr. Varney if he had spoken with the lady that wants to get rock put on her road. Mr. Varney replied yes.

Mr. Moody said many of the pot holes in the County on Wilsons Road have been patched but are extremely rough and need to be smoothed out. Mr. Varney responded he would have someone take a look at them.

Mr. Bowman commented a citizen asked him why the County is maintaining both Route number and Road name signs for at the intersections. Mr. Varney replied that is a good question. Basically VDOT uses the Route numbers to track the projects as a business use. Most people know and remember roads by name rather than numbers. Mr. Bowman stated it was a waste of money to have two signs at each intersection. Mr. Varney agreed and commented that was a good point and maybe there is no need to have both route and road name signs to maintain and he would check on it.

**IN RE: ENTERPRISE ZONE REPORT – W. SCHEID , DIRECTOR
OF PLANNING**

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Mr. Guy Scheid, Director of Planning, informed the Board members that a copy of the Enterprise Zone map was included in their packets. He stated Dinwiddie County received Enterprise Zone designation in 1997 when Chaparral Steel announced their location in Dinwiddie County. The designation was shared with Petersburg. The legislation in effect at that time allowed the County to declare up to 6 square miles as an Enterprise Zone district. The County declared 2.79 square miles as part of the Enterprise Zone leaving 3.21 square miles for future designation. There was a restriction placed upon Dinwiddie County and Petersburg when dual designation was given. Any future expansion of the Enterprise Zone would need to be done by expanding the boundaries of the existing district with an exception. One remote designation would be permit in only one jurisdiction but in order to receive the remote designation the other jurisdiction must agree to relinquish their right to the remote designation.

The County recently purchased two land parcels for economic development. It is important to the County that Enterprise Zone designation be place upon this site. Additionally, it seems appropriate that the County consider designating a portion of the Airpark as an Enterprise Zone district. Since expansion of the existing boundary line of the Enterprise Zone district appears desirable, Mr. Scheid presented present one possible means of connecting the County property to the Enterprise Zone. This was done by coming south along Route 1 to Route 460, then go west along Route 460 to the County's property. Several land parcels were shown as being included in the Enterprise Zone as they are located along Route 1 and 460. The area included in the proposed expansion was 0.96 acres. Mr. Scheid emphasized that the Board was not being requested to take any action on this proposal but merely consider it as one possibility.

The County Administrator thanked Mr. Scheid for the report and stated there were some issues that needed more time spent on them before any action is taken by the Board. He asked the Board to formulate any questions they might have and Staff would be prepared to discuss them at the next work session.

IN RE: RECESS

The Chairman called for a recess at 3:13 P.M. The meeting reconvened at 3:18 P.M.

IN RE: ADOPTION OF FY05-06 BUDGET

Mr. Moody explained that the FY05-06 budget had been advertised for a \$.10 cents increase but some revisions were done in the budget work session this morning. He asked Mr. Horwedel to review the revisions.

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The County Administrator commented some of the agencies that requested increases in their FY05-06 budget were held to a 3% increase. He pointed out that the County is obligated by an agreement with the Library at this time, to pay its portion of their increase. However, the Board has agreed to allow staff to negotiate a revised agreement with them to reflect the number of patrons that are actually using the library; so this figure may be reduced significantly. The other major item that was discussed was the advertised \$.10 cent tax rate increase for real property. Staff asked the bond underwriters to recast the number associated with the \$55 million dollar bond issuance which was associated with the \$.10 cent tax rate increase. Their recap indicated that somewhere in the neighborhood of a \$.063 cents rate increase would be sufficient for the County to continue its existing level of service. It would also provide most of the dollars in our traditional \$1 million dollar Capital Improvement Program. He pointed out there are a number of projects that would have to be addressed in the coming years. The good news is that the Board could drop under the advertised \$.10 cent rate somewhat if it so chooses. He pointed out there would be some savings for legal services this year because the County Attorney's contract was approved today and his salary is \$83,000. Mr. Horwedel commented there are a number of organizations throughout the County or are involved in the County that should apply for grants; and the local government should be the last resort for funding sources for these agencies; the County should fund central services of the County.

Mr. Moody stated the County Administrator has given the changes that were discussed this morning. He asked the Board if they had any comments on the budget because that is what they would be voting on now not the tax rate increase.

Mr. Stone thanked Mrs. Howerton, Mr. Massengill and Mr. Horwedel for coming on board midway through the process and doing a superb job. They all put in a lot of time and effort. However, the job is not over after this vote. Obviously it is a lean budget it includes the salary survey for the county employees and he would like to see nothing more than this budget come in under budget. The County Administrator has already mentioned several of the members of the Board, what he is expecting from the department heads and division chiefs concerning grants and Capital Improvements to address the monster number that is hanging over our heads over the next five years for capital improvements; and he would like that information to be supplied to the Board on a monthly basis.

Mr. Haraway agreed with Mr. Stone regarding the great job they did with the budget. Although Mr. Massengill was here last year, he didn't really take part with the budget process. It was hard work for them but they did a great job. He commented his feelings haven't changed about the tax rate increase. He still favored a lower increase of \$.05 cents. He stated he had a difficult time

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understanding how the assessed values only increased 15.2% overall because in his district the property values increased 20% to 30% and with a \$.10 increase it would result in some district 2 property owners paying an increase of \$1,500 to \$2,000 additional taxes per year, a 50% increase. He said he was talking about an additional increase, not their total taxes. This is in addition to what they are paying now; there would be an additional \$1,500 to \$2,000. In district 2 the average value of the homes is 7% higher than district 1, in the lowest district it is 32% more. He commented to look out for the interest of the people in his district he had to vote for a \$.05 cents tax increase. He further commented he thought the County was at a point in time that the Board needed to buy some time to see what is going to happen this coming year. He said he was hopeful that they were going to see improved performance and efficiency in our government and enhanced productivity and he has that faith in the new administration. He stated he is concerned that the increase in real estate taxes will discourage people from building high dollar houses in Dinwiddie and will cause retired people on fixed incomes to move to other localities. These are the two groups of people who cost the County less; if you are going to attract two groups of people for financial reasons these are the two that the County wants to attract because they have revenue that they generate that is in excess of expense that the County pays. The retired people cost the County very little because they don't have children in the school system. He commented he would hate to see the Board raise the taxes to the point that they would move out of the County.

Mr. Stone asked if the tax rate was being discussed now. Mr. Moody stated not now.... Mr. Haraway stated when the budget is passed that basically sets the tax rate. Mr. Moody explained the way it is structured, whatever tax increase the Board sets that will affect the CIP, not the budget. He called for the motion on the Fy05-06 Budget.

Upon motion of Mr. Stone, Seconded by Ms. Moody, Mr. Haraway, Ms. Moody, Mr. Stone, Mr. Moody voting "Aye", the following budget with the changes presented by the County Administrator was adopted.

BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2005

	Fiscal Year Commencing July 1, 2005
INCOME ESTIMATES	
GENERAL FUND	
Local Sources	\$ 23,398,162.00
State Sources	6,053,891.00
Federal Funds	-
Non-revenue Receipts	400.00
SCHOOL FUND	

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Local Sources	18,000.00
State Sources	22,618,165.00
Federal Sources	1,741,545.00
Transfer from Local Funds	11,796,705.00
Restricted Funds	14,735,922.00
Less Interfund Transfers	(20,318,783.00)
FUND BALANCES - July 1	22,470,055.00
TOTAL CASH RESOURCES	82,514,062.00

CONTEMPLATED EXPENDITURES

General and Financial Administration	1,574,153.00
Judicial Administration	538,733.00
Public Safety	6,330,942.00
Public Works	2,942,836.00
Health and Welfare	3,845,163.00
Education-Schools	38,751,721.00
Community Colleges	5,600.00
Parks, Recreation and Culture	494,543.00
Community Development	507,009.00
Non-departmental	362,885.00
Capital Outlay	1,805,997.00
Debt Service	8,664,023.00
Less Interfund Transfers	(2,410,432.00)
FUND BALANCES - June 30	19,100,889.00
TOTAL REQUIREMENTS	\$ 82,464,062.00

IN RE: ADOPTION OF 2005 TAX RATES

Mr. Moody commented Staff has already provided the Board with the scenarios for the tax rate starting with a 0 to \$.10 tax increase. The advertised rate was \$.10 which is the maximum increase the Board can approve. He then asked if the Board member had any discussions on the rates. He commented Mr. Haraway has already addresses his concerns about the \$.10 increase and reassessments.

Mr. Stone stated he held the district 5 meeting last night and it was solely to address the current budget and proposed tax increase, to his disappointment 3 members of the community attended. Since the public hearing at the High School he had less than 20 phone calls running from 55% to 45% one way or the other on the budget. Regardless of which side of the scenario they discussed from 0 to \$.10 cents tax increase for real estate 100% of them said, make up your mind be able to document it, which we have with this budget, stick to it, and don't come back to me again next year or the year after. These comments were from people younger than me, my age, and seniors on fixed incomes. They want

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to know what the Board expects from them because they are trying to balance their budget. These people are on a fixed income and don't want to be in the same situation next year or two years down the road from the lack of planning. He said this is not an escape goat, last year was his first budget he asked questions, obviously not enough when it came to the bond issue, two board members told him in previous years that the windfall reassessments and we hoped that the reassessment would cover it and it will. The Capital Improvement Program for Fy04-05 through 2008-2009 that was presented to the Board that came from Planning Commission was roughly, not including inflation, \$32.4 million dollars of recognized needs this County has. He said he has mentioned it in previous meetings the 1985 tax rate was \$.81 cents; since that time it was lowered and he had gotten various reasons as to why; but he thought he knew why, some political, but for him this was not a political decision. He told the Board members if their reasons were political for 2007, not to vote. The Board needs to do what is best for the County and he felt the five of them would. One of the reasons that got him involved in 1999 when he ran was what he perceived and what people told him was the lack of planning; but to lower taxes in 1985 showed him the lack of planning. When doing budgets, even for small families, money is set aside for future needs and how this County could think that the cost would go down, was something he said he did not understand. Continuing he stated this would be the toughest vote today he has had to make, but he relished it, welcomed it. In looking at the scenario given to the Board with the \$.10 increase the bottom line would set aside \$785,000 thousand dollars, give or take for the County's future needs, regardless, if the Board goes 0 or if it goes \$.10 that's...\$33.4 million over the next 5 years. There is a referendum looming over this County's immediate future. The residents need to decide what their priorities are, even if the Board votes for the \$.10 cents today a referendum is in the County's short term future. It only makes sense from a kitchen top budget to start setting aside money in the budget for the County's future needs.

Mr. Bowman stated he agreed with Mr. Stone it is a tough decision they had to make today. He said the phone calls he received the majority have been in favor of the tax increase. Citizens have said go ahead do it and make the improvements the County needs. A lot of the problems the County has are because of the lack of planning, we knew the County was growing yet the Board didn't address the issues it needed to address. He stated he felt within the next few months the Board was going to address these issues; revisiting the Comprehensive Land Use Plan; doing some rezoning in the County; get the developers who are developing in the County creating the overpopulation in the schools back before the Board so proffers can be collected and payments can be made on the schools. Hopefully once this takes place maybe the Board can revisit the tax rate again to lower it. "If" the Board does the proper thing by getting the developers give proffers to the County to make development pay for development.

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Ms. Moody stated she had been contacted by about six citizens in her district, half of them don't want the tax rate to increase and the other half is saying the Board should and the County needs the tax increased. She said she agreed with Mr. Stone. Her desire was to see the County grow and she knew in the future there is going to be a need to have money set aside for this growth.

Mr. Haraway commented this County is in excellent financial condition there are many counties, one very close to us, that envy our financial condition. That county wishes they were in the same boat as Dinwiddie County is in. If we were in bad financial shape the County would not have been able to obtain the strong "A" rating that we were given by people in New York, Moody's, Standards and Poor's. Where the County gets into the problem is when it comes to the income statement which is the budget for this coming year, that's where the problem is. The problem is not with the balance sheet or the reserves, the County has a 15% balance and he dared anyone to come and show him another locality that has a 15% fund balance. They just do not exist. He stated he did not want the word to get put out that Dinwiddie County is not in good financial shape. The County is in a good financial condition. There may be some problems in the future; but the balance sheet analysis shows at this time, and will show when the auditor comes, and the last audit showed that we were in a good financial position.

Mr. Moody interjected that he was one of the members after a lengthy day of meetings that voted to advertise the \$.10 cent increase. He felt at the time that the County did not have the whole big picture, he was not confident enough, to go with the \$.05 cent tax increase at that time. He felt more studying had to be done to make sure all the bases were covered; since that time the Board had gotten some more information that was presented to them and he feels comfortable that a \$.06 tax increase would meet the County's needs comfortably. Davenport provided the County with a report that showed the Board that a \$.063 that is equal to \$.105. There are senior citizens in his district that he has to look out for and he also has a lot of school age children in his household that he has to look out for; but he said he felt comfortable that the County can operate in an efficient manner.

Mr. Haraway commented that the Chairman had come up with a compromise at 6 cents.....Mr. Stone asked Mr. Haraway if he could ask a question. He stated at 6 cents the bottom line would be 0 going to the general fund balance. Within the next 2 years a referendum would be brought to forefront to address the capital needs of your seniors and there are two fire trucks that are currently down and we have rescue squads that routinely break down are we going to come back within the next 2 years to the seniors on a fixed income because the County does not have enough money in the capital to fully fund. Mr. Moody replied the Board discussed this morning, there is a carry over of \$70,000. Mr. Stone said the County has equipment made in the 70's and 80's

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that can't continue to run. Mr. Moody stated there is a Capital Improvement of almost \$1 million dollars here that the County will be putting towards it with a carryover of \$400 hundred and some thousand and he felt that with the new staff on board and they have been directed to go over the budget and agencies and study it and if they do their job and the County is operated efficiently he felt there will be enough money for the CIP. Mr. Stone stated dully noted Mr. Moody, but several Board members wanted a CFO to be someone with a degree and an accounting background. Her recommendation is for a \$.10 cent tax increase.

Mr. Haraway made the motion to adopt a \$.06 cents tax increase for the fiscal year ending 2006. The Chairman called for a second to the motion, there being none called for the roll. Ms. Moody, Mr. Stone, Mr. Bowman voting "Nay", Mr. Haraway, Mr. Moody voting "Aye", motion did not carry.

Mr. Stone made the motion to adopt the advertised \$.10 cents tax increase for the fiscal year ending 2006. Ms. Moody seconded the motion. Ms. Moody, Mr. Stone, Mr. Bowman voting "Aye", Mr. Haraway, Mr. Moody voting "Nay", motion carried. The following tax rates were adopted.

FULL TEXT: Unit Levy – All Districts --\$100 Assessed Valuations

	<u>Current</u>	<u>Proposed</u>
Real Estate	.77	.87
Mobile Homes	.77	.87
Mineral Lands	.77	.87
Public Services	.77	.87
Personal Property	4.90	4.90
Personal Property – Volunteer Vehicles	.25	.25
Machinery & Tools	3.30	3.30
Certified Pollution Control	3.30	3.30
Heavy Construction Machinery	3.30	3.30
Airplanes	.50	.50

Mr. Moody thanked everyone for all the hard work they did through the whole process.

Mr. Horwedel extended his thanks to the Board, Staff and members of the public who went through the process. He stated it wasn't an easy task and he certainly could have wished for something different for his first 2 months but that wasn't the case and he appreciated all the input. Continuing he said Staff would work diligently to implement this budget and take the steps he discussed earlier to see what can be done to improve the operations and increase our efficiency; and obtain the dollars through grant funds to enable the Board to come back in a couple of years and rework the tax rates. However, there are a number of items

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that have to be addressed. He said he was confident that would be done as efficiently and effectively as possible.

IN RE: REAPPOINTMENT – MRS LYNDA CUNNINGHAM & MR. THOMAS HOOKER - SOCIAL SERVICES BOARD

Upon Motion of Ms. Moody, Seconded by Mr. Haraway, Mr. Haraway, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody voting “Aye”,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mrs. Lynda Cunningham and Mr. Thomas Hooker are hereby reappointed to the Social Services Board as the representatives for District 4, for a term of four years, term expiring June 30, 2009.

IN RE: BOARD MEMBER COMMENTS

Mr. Haraway asked for a status report on the pavilion at the recreation center. Mr. Kevin Massengill, Assistant County Administrator, commented the weather has caused yet another delay... according to the contractor doing the work as soon as the land gets completely dry the parking lot will be done. This week the panels on the pavilion should be installed. Mr. Gene Jones has been keeping an eye on the parking lot and he agreed with the contractor it is too wet to move the equipment on to the lot to do the work. Actually, they did try and the equipment got stuck and had to be pulled out. Soon as it gets completely dry there will be a parking lot.

Mr. Haraway asked if anything has been scheduled for the curfew meeting. The Assistant County Administrator informed the Board that it is tentatively scheduled for the 2nd meeting in May. He said he had spoken with Marla Decker the lady who gave the presentation at the VACo Conference in the Attorney Generals Office yesterday. She doesn't feel the County has any gangs at this point, but with the City of Petersburg and some of the jurisdictions around us that there is the probability that the County is in the initial phase. What she would like to do, and has done in other jurisdictions, is to do a 4 hour training course for law enforcement officers, which goes toward their DCJS continuation credits, so they would like to get them trained in that regard; and then perform an administrative 2 hour overview for the Board of Supervisors, School Board, Department of Social Services and any other departments we deem necessary administratively to manage the gang awareness aspect of it; then as part of her training she deals with the curfew aspect of it. Mr. Stone suggested that Staff might want to coordinate the training with Mrs. Jones, Dr. Maranzano and the school guidance counselors. Mr. Massengill said it might be good for the Commonwealth's Attorney too. Continuing he stated what is being looked at is from 4:00 to 4:30 the day of the second board meeting May 17, 2005, to have that 4 hour training for the deputies, or if that's not possible a contingent date

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could be worked out with the Sheriff, from 4:30 to 6:30 have the Board of Supervisors, School Board and whomever Staff deems necessary to be a part of that training; then from 7:00 to 9:00 P.M. have a town hall meeting at Grace Baptist Church on River Road.

Ms. Moody stated at the Board meetings during citizens comments many times say the Board does not give them answers immediately, she suggested that the citizens who have concerns to present should first write their concerns at least 7 days in advance prior to the Board meeting and give them to the receptionist in the Administrative office. This would give sufficient time to research the matter and then at the regular meeting the citizen would still present in person and there will be a solution or an answer for them at that time. Mr. Moody agreed and instructed Staff to see how that would work.

Mr. Bowman commented he thought that was an excellent idea and he was in favor of that too. He also stated it might be a good idea to get the airport manager back to explain to the Board one more time the tax collected at airport. He made a presentation at the last meeting and the way he understood it, maybe it was different than some of the citizens did; but maybe Mr. Ploeger could provide some clarification for us. The way he understood it was that the airplane tax generated went back to the airport itself; and he wanted to make sure that was correct. Mr. Stone responded that was the way he remembered it too. Mr. Bowman said if that is true he would like to clarify it; and maybe Staff could clarify it. Mr. Horwedel interjected that Staff was nodding their heads yes that is correct.

Mr. Stone stated now that the numbers are in place, he would like an updated copy of the adopted budget.

Mr. Moody commented he attended an executive meeting of the Tobacco Commission and all the grants have been put on hold for security reasons. He informed the Board members that an educational series, which is a 1-day course on "Building Partnerships: Workforce and Economic Development;" is being offered on May 18, 2005 from 8:00 – 3:30 P.M. at the Airfield 4-H Educational Center, Wakefield, VA. Lunch and a continental breakfast will be provided. It is a free course and travel expenses will be reimbursed per the state per diem. The course is for economic development professionals and local elected officials.

IN RE: ADJOURNMENT

Upon Motion of Mr. Bowman, Seconded by Ms. Moody, Mr. Haraway, Mr. Bowman, Ms. Moody, Mr. Stone, Mr. Moody voting "Aye", the meeting adjourned at 4:03 P.M. to be continued until 5:30 P.M. on Tuesday, May 3, 2005 to discuss the laundry list.

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.

Harrison A. Moody, Chairman

ATTEST: _____
Gregory Horwedel
County Administrator

/abr