

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 3rd DAY OF MAY, 2005, AT 7:30 P.M.

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

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

Mr. Harrison A. Moody, Chairman, called the regular meeting to order at 7:36 P.M. followed by the Lord’s Prayer and the Pledge of Allegiance.

IN RE: AMENDMENTS TO THE AGENDA

Mr. Moody stated the following items have been requested to be added to Agenda: Under the Consent Agenda Add: d. Resolution - Designating the County Administrator as the County’s Authorized Agent for VDEM OJP Grants; and under #5 (1) Dry Fire Hydrants Report – David Jolly

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

IN RE: CLAIMS

Upon motion of Mr. Haraway, Seconded by Mr. Bowman, 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 1048863 and 1048986 through 1049195, (voided check number(s) 1048987, 1048871, 1048632, 1048994 and 1049074).

FY – 04/05

Accounts Payable:

(101) General Fund \$ 445,375.32
(103) Jail Commission \$

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(105) Playground Equipment	\$	
(209) Litter Control	\$	
(222) E911 Fund	\$	1,827.50
(225) Courthouse Maintenance	\$	2,496.66
(226) Law Library	\$	
(228) Revenue Federal	\$	
(228) Fire Programs & EMS	\$	8,360.49
(229) Forfeited Asset Sharing	\$	
(304) CDBG Grant Fund	\$	4,952.50
(304) Capital Projects Fund	\$	26,352.55
(401) County Debt Service	\$	<u> </u>
TOTAL	\$	489,365.02

PAYROLL 04/29/05

(101) General Fund	\$	481,308.06
(222) E911 Fund	\$	46,850.47
(229) Forfeited Asset	\$	
(304) CDBG Fund	\$	<u>7,871.25</u>
TOTAL	\$	536,029.78

**IN RE: AUTHORIZATION TO NEGOTIATE GROWTH
MANAGEMENT LONG RANGE PLANNING SERVICES
CONTRACT**

**“TO: Board of Supervisors
Greg Horwedel
County Administrator**

**FROM: W. Kevin Massengill
Assistant County Administrator**

**W. C. “Guy” Scheid
Director of Planning**

**David Thompson
Director of GIS Operations**

SUBJECT: Growth Management and Planning Services

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As you are aware, the County advertised for professional growth management and planning services to assist the Planning Department and the Committee on Growth Management in implementing the recommendations outlined in the draft growth plan (RFP is attached).

The County received three proposals from the following firms:

1. K.W. Poore + Associates, Inc.
2. Commonwealth Community Consulting/The Cecil Group
3. MarshWitt Associates, P.C.

All three bids were received before the deadline of 2:00 p.m. on Tuesday, March 8, 2005. A review committee was formed consisting of Kevin Massengill, Assistant County Administrator; Guy Scheid, Director of Planning and Zoning; and David Thompson, Manager of Geographic Information Technology (GIS).

The committee was tasked with reviewing the Request For Proposal (RFP's) and evaluating the three submissions based upon qualifications of the firms and staff, work history, approach and timeframe for completing projects, and the overall price.

Upon the review of the proposal submitted by MarshWitt Associates, P.C., it was determined the proposal was non-responsive due to the omission of an hourly rate schedule as required in Sec. IV of the RFP.

The selection committee is seeking the Board's approval to enter into negotiations with the 2 (two) respondents (CCC and K.W. Poore and Associates) and as appropriate, enter into a "not to exceed" contract with the preferred firm. The contract will not exceed the budgeted FY05/06 amount of \$50,000. The selection committee will be interviewing them and selecting a firm within the next 10 business days.

I am available to answer any questions that you may have regarding this project."

Upon motion of Mr. Haraway, Seconded by Mr. Bowman, 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 Staff was authorized to enter into negotiations with the 2 (two) respondents (CCC and K.W. Poore and Associates) and to enter into a contract with the preferred firm "not to exceed" the budgeted FY05/06 amount of \$50,000.

**IN RE: EMERGENCY PROCUREMENT LEASE OF
CHESTERFIELD COUNTY FIRE TRUCK**

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“Date: April 28, 2005

To: Dinwiddie County Board of Supervisors
Greg Horwedel, County Administrator
Kevin Massengill, Asst. County Administrator

From: Dennis Hale, Division Chief of Public Safety

Subject: Leasing of Fire Apparatus from Chesterfield County

On April 27, 2005 Dinwiddie County borrowed a piece of fire apparatus from Chesterfield County Fire and EMS. This became necessary due to the fact that several pieces of our apparatus are out of service or were in need of repair simultaneously. At this time Engine 2 (Ford VFD) is out of service for 8-10 weeks for a major pump repair. Ford VFD is currently using an Engine from the McKenney fire department. This was the only piece of reserve apparatus in the county. When this was done all stations in the county was running at their minimum and McKenney was actually running below what I would like to see for that district. The older reserve that we had been using was removed from service in November due to multiple mechanical problems. Engine 12 (Dinwiddie VFD) had been awaiting repair for several weeks on damage to the body and compartments. The vendor who is doing the repairs needed the vehicle this week and had scheduled to pick it up, thus saving us approximately \$500.00. With the condition of Tanker 4 (leaking tank) as well, I felt that there was no good way to move what apparatus was left in the county to provide adequate coverage. We contacted several surrounding jurisdictions about using apparatus. We found that all wanted us to enter a lease for the apparatus.

After talking with other jurisdictions it was determined that using Chesterfields’ engine would have the least amount of impact on the jurisdictions we were working with and would be the easiest to enter the lease for a cost of \$1.00 (One dollar) per day to cover insurance requirements.

If there are any questions or additional information I can provide please let me know.”

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

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BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator was authorized to enter into the following vehicle lease agreement for a cost of \$1.00 (One dollar) per day to cover insurance requirements for the pumper truck with the County of Chesterfield.

VEHICLE LEASE AGREEMENT

This Vehicle Lease Agreement ("Lease") made this _____ day of _____, 2005, between the County of Chesterfield, Virginia ("Chesterfield") and the County of Dinwiddie ("Dinwiddie") provides as follows:

1. Dinwiddie agrees to pay Chesterfield \$1.00 per day for the utilization of the Chesterfield pumper. (A description of the vehicle is attached.)
2. Chesterfield shall retain ownership of the unit. Dinwiddie agrees to maintain insurance on the vehicle, including insurance that conforms to the requirement set forth in Code of Virginia § 46.2-920. Dinwiddie intends to have Chesterfield listed as an additional insured and additional loss payee on any insurance policy, which covers the operations of the leased vehicle.
3. The initial term of the Lease is from April 27, 2005 through May 12, 2005.
4. Chesterfield may terminate the Lease at any time pursuant to the direction of the Fire Chief. The Lease may also be terminated at any time by mutual agreement of the parties.
5. The payment under this Lease has been paid in full.
6. The provisions shall govern this Lease hereof and by the laws of the Commonwealth of Virginia. Any dispute arising out of this Lease shall be resolved solely in the Circuit or General District Courts of the County of Chesterfield depending on the amount in controversy and the jurisdiction of the respective Courts.
7. This Lease constitutes the entire agreement, understanding and representation, express or implied, between the parties. This Lease supersedes all prior written or oral agreements and proposals between the parties, which are inconsistent with the terms hereof. No other agreements, oral or otherwise, regarding the subject matter of the Lease shall have any validity or bind any of the parties hereto.

COUNTY OF CHESTERFIELD

By: _____

Title: _____

Date: _____

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Approved as to form:

Jeffrey L. Mincks
Deputy County Attorney

COUNTY OF DINWIDDIE

By: _____

Title: County Administrator

Date: May, 2005

**IN RE: RESOLUTION DESIGNATING COUNTY ADMINISTRATOR
AS THE AUTHORIZED AGENT FOR THE VIRGINIA
DEPARTMENT OF MANAGEMENT SERVICES OFFICE
OF JUSTICE PROGRAMS GRANTS**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator, Gregory S. Horwedel, is hereby authorized to execute for and in behalf of Dinwiddie County, a public entity established under the laws of the State of Virginia, this application and to file it in the appropriate State Office for the purpose of obtaining certain Federal financial assistance under the Office of Justice Programs (OJP), National Domestic Preparedness Office Grant Program(s) administered by the Commonwealth of Virginia.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Dinwiddie County a public entity established under the laws of the Commonwealth of Virginia, hereby authorizes its agent to provide to the Commonwealth and to the (OJP) for all matters pertaining to such Federal financial assistance any and all information pertaining to these Grants as may be requested.

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IN RE: DOMINION VIRGINIA POWER UPDATE – IRIS HOLLIDAY

Ms. Iris Holliday, Senior External Affairs Manager with Dominion commented she appreciated the opportunity to address the board and to re-introduce the office of State & Local Affairs. She introduced herself and her colleague Earnest Greene, External Affairs Manager.

She said their office is located at 1340 E. Washington Street, Petersburg and it was an honor to serve as the liaison between the county administrator's office-board of supervisors and Dominion.

Over the years they had developed a strong relationship with the office of the county administrator, and they were pleased to continue those ties now with Mr. Horwedel. He so generously shared his time with them during his first weeks on the job.

She stated they were also proud of their communications with the director of fire safety, Mr. Jolly and she could say that they have literally weathered many storms together.

There are many, many issues related to the energy industry today that impact our business and are of great interest to Dominion customers.

Ms. Holliday informed the Board that their goal was to address any concerns or questions that they might have regarding the company's policies, service reliability, transition to electric utility restructuring, billing, and other related matters. And they will share information about Dominion's programs that may assist in the educational initiatives of the County, such as the Dominion Educational Grant Program. Dinwiddie Public Schools have been awarded grants for outstanding projects in math, science and technology.

She commented that they do intensify communications with the County during any event, which would cause a multi-day disruption of service to Dinwiddie citizens.

Ms. Holliday said she was sorry that Mr. Kent Hill, senior economic development manager was not able to be here with them tonight. His department works with localities on marketing and site development. But that Mr. Hill has already been in touch with Mr. Horwedel.

Ms. Holliday said that Earnest Green is now a member of the team and brings a 15-year background in environmental policy. He serves on the Crater Regional Natural Hazard Mitigation Planning Committee and the Friends of the Lower Appomattox River board of directors.

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Ms. Holliday thanked the Board for allowing her to be here tonight and said they again look forward to deepening their understanding of the County's priorities and goals, and to work in partnership with Dinwiddie County.

Mr. Moody thanked Ms. Holliday for the update and asked Mr. Greene if he had anything he would like to add.

Mr. Greene stated he was glad to be a part of the Dominion Virginia Power team and looked forward to working with the Board and Staff.

IN RE: DINWIDDIE COUNTY WATER TREATMENT FACILITIES FINANCING

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

Mr. Wilson also told the Board that the Resolution and Support Agreement had a figure of \$1.75 million for the loan amount. The engineer's estimate was 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 which means if the bids come in at \$1.65 million, the Authority will be allowed to give back \$100,000 that won't be included in the financing.

Mr. Wilson requested that the Board of Supervisors approve the Resolution and Support Agreement and informed them that the Water Authority Directors are 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 what Staff recommended. The County Administrator said Staff's recommendation was to approve the Resolution and Support Agreement.

Upon motion of Mr. Haraway, Seconded by Ms. Moody, Ms. Moody, Mr. Haraway, Mr. Bowman, Mr. Stone, Mr. Moody, voting "Aye", the following resolution and support agreement was adopted.

RESOLUTION

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At a regular meeting of the Board of Supervisors of Dinwiddie County, Virginia, held on the 3rd day of May, 2005, at the time and place established by such Board for its regular meetings in accordance with Section 15.2-1416 of the Code of Virginia of 1950, as amended, at which the following members were present and absent during the voting on the resolution referred to below:

PRESENT: Mr. Harrison A. Moody – Chairman
Mr. Michael W. Stone – Vice Chair
Mr. Donald L. Haraway
Mr. Robert Bowman, IV
Ms. Doretha E. Moody

ABSENT: None

the following resolution was adopted by the affirmative roll call vote of a majority of all members of the Board of Supervisors, the ayes and nays being recorded in the minutes of the meeting as shown below:

<u>MEMBER</u>	<u>VOTE</u>
Mr. Harrison A. Moody	Aye
Mr. Michael W. Stone	Aye
Mr. Donald L. Haraway	Aye
Mr. Robert Bowman, IV	Aye
Ms. Doretha E. Moody	Aye

**RESOLUTION AUTHORIZING THE EXECUTION OF
AN AGREEMENT PROVIDING FOR A NON-
BINDING UNDERTAKING OF DINWIDDIE COUNTY,
VIRGINIA, TO CONSIDER CERTAIN
APPROPRIATIONS TO THE DINWIDDIE COUNTY
WATER AUTHORITY, AND AGREEING TO
CERTAIN MATTERS RELATED TO THE ISSUANCE
AND SALE OF REVENUE BONDS OF DINWIDDIE
COUNTY WATER AUTHORITY TO SUNTRUST
BANK**

WHEREAS, the Dinwiddie County Water Authority (the “Authority”) has been duly created by the Board of Supervisors (the “Board of Supervisors”) of Dinwiddie County, Virginia (the “County”), in accordance with the Virginia Water and Waste Authorities Act (Chapter 51, Title 15.2, Code of Virginia of 1950, as amended);

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WHEREAS, at the request of the Board of Supervisors, the Authority has agreed to finance the costs of expansion and improvements to the sewer facilities in and around the courthouse area of the County by the issuance of a water and sewer system revenue bond in a maximum principal amount not to exceed \$1,750,000 (the "Series 2005 Bond");

WHEREAS, the Authority has received a proposal from SunTrust Bank (the "Bank") for the purchase of the Series 2005 Bond, and the Bank has indicated that its agreement to purchase the Series 2005 Bond will be conditioned upon the Authority's entering into a support agreement with the County;

WHEREAS, the Board of Supervisors desires to enter into a support agreement with the Authority, providing for the Board of Supervisors to consider certain appropriations to the Authority, to reduce the Authority's cost of financing; and

WHEREAS, there has been presented to the Board of Supervisors at this meeting a draft of a Support Agreement to be dated on or before the issuance of the Series 2005 Bond between the Board of Supervisors, acting on behalf of the County, and the Authority (the "Support Agreement");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA:

1. It is determined to be in the best interests of the County and its citizens for the Board of Supervisors to enter into the Support Agreement in connection with the issuance by the Authority of the Series 2005 Bond at the request of the Board of Supervisors.

2. In consideration of the Authority's undertakings with respect to the Series 2005 Bond, the Chairman or Vice-Chairman, either of whom may act, is hereby authorized and directed to execute and deliver the Support Agreement. The Support Agreement shall be in substantially the form presented to this meeting, which is hereby approved, with such completions, omissions, insertions or changes not inconsistent with this resolution as may be approved by the Chairman or Vice-Chairman, the execution thereof by the Chairman or Vice-Chairman to constitute conclusive evidence of his approval of such completions, omissions, insertions or changes.

3. The County Administrator is hereby authorized and directed to carry out the obligations imposed by the Support Agreement on the County Administrator.

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4. As provided by the Support Agreement, the Board of Supervisors hereby undertakes a non-binding undertaking to appropriate to the Authority such amounts as may be requested from time to time pursuant to the Support Agreement, to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of Virginia. The Board of Supervisors, while recognizing that it is not empowered to make any binding commitment to make such appropriations in future fiscal years, hereby states its intent to make such appropriations in future fiscal years, and hereby recommends that future Boards of Supervisors do likewise during the term of the Support Agreement.

5. The Board of Supervisors, on behalf of the County, hereby agrees to the issuance by the Authority of the Series 2005 Bond, provided that the original aggregate principal amount of the Series 2005 Bond does not exceed \$1,750,000.

6. All resolutions or parts thereof in conflict herewith are hereby repealed.

7. This resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors of Dinwiddie County, Virginia, certifies that the foregoing constitutes a true and correct extract from the minutes of a regular meeting of the Board held on the 3d day of May, 2005, and of the whole thereof so far as applicable to the matters referred to in such extract.

WITNESS my signature and the seal of the Board of Supervisors of Dinwiddie County, Virginia, this ____ day of May, 2005.

Clerk of the Board of Supervisors,
Dinwiddie County, Virginia

(SEAL)

SUPPORT AGREEMENT

THIS SUPPORT AGREEMENT, made as of May____, 2005, between the **BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA** (the "Board"), acting as the governing body of Dinwiddie County, Virginia (the "County"), and **DINWIDDIE COUNTY WATER AUTHORITY** (the "Authority"), a public body politic and corporate of the Commonwealth of Virginia;

WITNESSETH:

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WHEREAS, the Authority was created by the Board pursuant to the Virginia Water and Waste Authorities Act (Chapter 51, Title 15.2, Code of Virginia of 1950, as amended), and owns and operates water and sewer utility facilities in the County; and

WHEREAS, the Authority owns and operates water and sewer facilities in and around the courthouse area of the County (the "Courthouse System") and desires to finance the costs of expansions and improvements to the Courthouse System (the "Project") by the issuance of a water and sewer system revenue bond in the original aggregate principal amount not to exceed \$1,750,000 (the "2005 Bond") to SunTrust Bank (the "Bank") and use the net proceeds of the 2005 Bond to finance the Project; and

WHEREAS, on May 3, 2005, the Board adopted a resolution requesting the Authority to issue the 2005 Bond and authorizing the execution of an agreement providing for a non-binding obligation of the County to consider certain appropriations to the Authority;

NOW, THEREFORE, for and in consideration of the foregoing and of the mutual covenants herein set forth, the parties hereto agree as follows:

The Authority shall use its best efforts to issue the 2005 Bond as soon as reasonably possible and use the net proceeds of the 2005 Bond to pay the costs of the Project.

No later than March 15 of each year beginning March 15, 2006, the Authority's Executive Director shall notify the County Administrator of the amount (the "Annual Deficiency Amount") by which the sum of (a) Courthouse System operating expenses, and (b) the principal of and interest coming due on the 2005 Bond and any other debt incurred in connection with the Courthouse System in the next ensuing fiscal year, is expected to exceed Courthouse System operating revenues during the County's fiscal year beginning the following July 1. The County Administrator shall include the Annual Deficiency Amount in the County budget submitted to the Board for the following fiscal year. The County Administrator shall deliver to the Bank within ten days after the adoption of the County's budget for each fiscal year, but not later than July 15 of each year, a certificate stating whether the Board has appropriated an amount equal to the Annual Deficiency Amount to or on behalf of the Authority for such purpose in the adopted County budget for such fiscal year.

If at any time revenues of the Courthouse System (the "Revenues") shall be insufficient to make the debt service payments to or for the account of the Bank, the Executive Director shall notify the County Administrator of the amount of the deficiency and shall request an appropriation from the Board in the amount

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of such deficiency to increase the amount required to be deposited with or for the account of the Bank.

Upon receipt of each request for appropriation from the Authority pursuant to paragraph 4 above, the County Administrator shall present such request to the Board, and the Board shall consider such request, at its next regularly scheduled meeting at which it is possible to satisfy any applicable notification requirement. Promptly after such meeting, the County Administrator shall notify the Bank and the Authority as to whether the amount so requested was appropriated. If the Board shall fail to make any such appropriation, the Authority shall add the amount of such requested appropriation to the Annual Deficiency Amount reported to the County Administrator for the County's next fiscal year. The County shall pay to or on behalf of the Authority the amount of any appropriation made pursuant to this Agreement. The County and the Authority acknowledge that any amounts received by the Authority from the County pursuant to this Support Agreement shall be deemed to constitute a portion of Revenues pledged to the payment of principal of and, premium, if any, and interest on the 2005 Bond.

The Board hereby undertakes a non-binding obligation to appropriate to the Authority such amounts as may be requested from time to time pursuant to paragraphs 3 and 4 above, to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of Virginia. The Board, while recognizing that it is not empowered to make any binding commitment to make such appropriations in future fiscal years, hereby states its intent to make such appropriations in future fiscal years, and hereby recommends that future Boards of Supervisors do likewise.

Nothing herein contained is or shall be deemed to be a lending of the credit of the County to the Authority or to any holder of the 2005 Bond or to any other person, and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the County. Nothing herein contained shall bind or obligate the Board to appropriate funds to the Authority for the purposes described herein, nor shall any provision of this Agreement give the Authority or the holder of the 2005 Bond or any other person any legal right to enforce the terms hereof against the Board or the County.

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The Authority agrees not to issue additional bonds relating to the Courthouse System, refunding bonds relating to the Courthouse System or subordinate debt relating to the Courthouse System, without the County's prior written consent. The Authority agrees to redeem the 2005 Bond in such amounts and at such times as permitted by its terms and as the County may request upon payment by the County of the applicable redemption price therefore.

The Authority shall deliver to the County a copy of each annual audit of the Authority's books and records promptly upon the Authority's acceptance of such audit.

The Authority shall operate and administer the Courthouse System in accordance with its generally applicable rules and regulations, as the same may be in effect from time to time, including any mandatory connection policy that may be in effect from time to time.

The County's entry into this Agreement is in partial consideration for the Authority's continued operation of the Courthouse System.

The County understands that the Authority undertook the Courthouse System and is undertaking the Project solely at the County's request, because of their importance to the economic development of the County. The Courthouse System was designed with a limited treatment capacity, and serves a limited area, consistent with its limited purpose of providing service to the County Buildings. For these reasons, the Courthouse System cannot be made self-supporting unless usage rates are set many times higher than any rates charged by the Authority or by similar bodies for similar services. Annual appropriations by the County pursuant to this Agreement will therefore be essential for the Authority to pay the Courthouse System operating expenses and debt service on the 2005 Bond. The Authority has nevertheless agreed to operate the Courthouse System because of its commitment to provide service to the County and to assist in the County's economic development efforts.

The Authority shall at all times retain its ability to set and collect rates and fees for its services. Except as the County and Authority may otherwise agree, the Authority intends to charge rates and fees for services provided by the Courthouse System not less than the rates and fees charged to customers of the Authority's other operations, as the same may be in effect from time to time. Any notices or requests required to be given hereunder shall be deemed given if sent by registered or certified mail, postage prepaid, addressed (a) if to the Authority, to 23008 Airpark Drive, Petersburg, Virginia 23803, Attention: Executive Director, with a copy to its Counsel, James F. Andrews, Esquire, at Shell, Johnson, Andrews & Baskervill, P.C., 43 Rives Road, Petersburg, Virginia 23803, and (b) if to the County, to Dinwiddie County Administration Building,

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Dinwiddie, Virginia 23841, Attention: County Administrator, with a copy to the County Attorney, at _____ . Any party may designate any other address for notices or requests by giving notice under this paragraph.

It is the intent of the parties hereto that this Agreement shall be governed by the laws of the Commonwealth of Virginia.

This Agreement shall remain in full force and effect until the 2005 Bond has been paid in full.

This Agreement may be executed in several counterparts each of which shall be an original and all of which together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have each caused this Agreement to be executed in their respective names as of the date first above written.

**BOARD OF SUPERVISORS OF
DINWIDDIE COUNTY, VIRGINIA**

By _____
Chairman

**DINWIDDIE COUNTY WATER
AUTHORITY**

By _____
Chairman

**IN RE: CONTRIBUTION REQUEST – CONFERENCE ON
AFRICAN-AMERICANS AND THE CIVIL WAR
ECONFERENCE STEERING**

Mr. A. Wilson Greene, Pamplin Historical Park stated he was here tonight representing the steering committee composed of representatives from the Petersburg National Battlefield, City of Petersburg, Virginia State University, Richard Bland College and Pamplin Historical Park to support a conference on African-Americans and the Civil War. Primarily the conference is going to be held at Virginia State University but venues will be held at the Pamplin Historical

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Park, Petersburg National Battlefield and the surrounding areas May 26-28. It will bring in nationally known scholars and speakers on the subject of the African-Americans and the Civil War and the Relationships with African-Americans and the Civil War. He said the Steering Committee asked him to approach the Board with a request for a \$500 dollar contribution that would go towards the registration for 10 Dinwiddie County students to attend the conference. The students could be selected by the School Board or anyone the Board might wish to designate as the recipients.

Mike Stone asked staff why this wasn't brought to their attention earlier. The County Administrator replied because the Board told them there would not be anymore funding for outside agencies and in the original request from Mr. Greene the contribution was to host a reception not to sponsor the student's registration. Mr. Greene stated that was correct but the committee felt the funds would be better used to give students from Dinwiddie County a chance to attend the conference.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia hereby appropriates funds from the Economic Development budget in the amount of \$500 to sponsor ten Dinwiddie County Student to attend the Conference on African Americans and the Civil War.

IN RE: APPOINTMENT – MRS. ANDREA SIMS - APPOMATTOX REGIONAL LIBRARY BOARD

Upon motion of Mr. Bowman, Seconded by Ms. Moody, 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. Andrea Sims is hereby appointed to serve on the Appomattox Regional Library Board for a term ending June 30, 2009.

IN RE: REAPPOINTMENT – SARAH O. BEVILLE– CRATER AGENCY ON AGING BOARD

Upon motion of Mr. Stone, 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 Ms. Sarah o. Beville was reappointed to serve on the Crater Agency on Aging Board for a term ending June 30, 2009.

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**IN RE: APPOINTMENT – CRATER PLANNING DISTRICT
COMMISSION (CPDC) - MR. GREGORY S. HORWEDEL**

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Gregory S. Horwedel is appointed to fill the unexpired term of Mrs. Wendy Weber Ralph to the Crater Planning District Commission (CPDC) for a term ending December 31, 2007.

IN RE: CITIZENS COMMENTS

1) David Dudley - 25907 Smith Grove Road, Petersburg, VA – commented he misspoke when he brought the issue to the Board on the fees the County could charge for Biosolids applications.

2) Michael Bratschi - 23500 Cutbank Road, McKenney, VA – praised Deputy Poarch for his professionalism when he responded to a call to his house. He commented he felt the County was singling him out because the Animal Control Officer checked on his horse and his dog license and she didn't check anyone else's on his road. He also said the Code Enforcement Officer cited him for the burnt camper in his yard. He said it was selective enforcement. Mr. Bratschi questioned Mrs. Sims appointment to the ARLB and the Boards method of making appointments to Boards, Authorities, and Commissions.

IN RE: COUNTY ADMINISTRATOR COMMENTS

Mr. Greg Horwedel, County Administrator made the following comments:

1) The County Administrator stated that Ms. Kim Willis had informed him that Crews Mobile Home Park has agreed to donate the space for the Comprehensive Mobile Youth Development Program which will free up \$9,500 dollars received from the Cameron Grant for programs for the kids. She also expects a favorable response from the Green Acres Manager on that same type of request.

2) He said he and Mr. Haraway met with the Sheriff about Mrs. Martin's complaint regarding the activities of the youth in her area. He stated he had written her a letter to let her know that he had talked with the Sheriff about the situation and also suggested that a Neighborhood Watch Program and bike patrol be implemented. The Board is also planning to meet June 13, 2005 to attend the gang related activities training which is a part of the overall effort to address some of the problems in that area. The Sheriff's Department is going to tract the calls that cane in to find out when the calls for service came in and how the situations were handled.

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3) He reported that Staff had checked with the Sheriff's Office and Public Safety regarding the closure of Ridge Road for approximately 8 to 10 months to allow Iluka to do some mining in the area and there would be no significant impact on the residents. He requested authorization to send a resolution of support to Sussex County. The Board agreed.

4) A process for citizen's comments or questions has been put into place which was suggested by Ms. Moody. A link will be added to the web site, or the person can come into the office, to fill out a form for questions or complaints so Staff can be prepared to respond to them at the Board meetings. At the last meeting a couple of questions arose during citizens comments. One was how the County grant writer was approaching her job. As he looked into the matter the grant writing activities that Mrs. Marie Grant is involved in as part of the committee, she is responsible for tracking the grants that are applied for; and he said he had given all of the department heads until July 1, 2005 to let him know what grants they will be seeking for the balance of this calendar year as well as for the following fiscal year. He said he felt it was important to identify those so performance can be measured and that is part of Mrs. Grant's job. However, she is not solely responsible for writing grants nor is it part of her job. Her job is to oversee the Juvenile Justice Program that the County funded in the past; which is now funded with Federal money that is passed through the State.

IN RE: BOARD MEMBER COMMENTS

Mr. Stone stated on Monday, May 16, 2005 the District 5 community meeting would be held here in the McKenney Town Hall from 7:00 P.M. to 9:00 P.M. The topics for discussion will be the County wide Curfew; also Mr. Tim Smith will be there to discuss the design or beginning stages of the McKenney Elementary renovation project. He requested a copy of the approved budget. He stated he had 2 calls this week concerning the County's Biosolids Ordinance. When the County Attorney gets on board he would like Staff to have a discussion of Section 23-10, storage of Biosolids. He said he wanted Staff to find out if any other jurisdiction had gone to court over the length of time it is stored on site whether it is for weather or whatever.

Mr. Bowman commented he thought the Board and the County is moving forward. He is happy with the changes that have been made in the Administrative Staff and the citizens have to keep in mind that this Board has only been here for a little over a year, the new administrator has only been here for a couple of months, working on the RFP for our long range planning services for growth management. The Board knows that the County has problems but they are being addressed and we are moving forward at a rapid pace. The Board is trying to catch up on things that should have been done years ago. The Comprehensive Plan is also going to be addressed very soon. He pointed out that Dinwiddie County still has the lowest tax rate of any of the surrounding localities, Chesterfield, Prince George and Petersburg. He said he knew it was a

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sore subject but the taxes are still lower than the other counties and he felt this County is doing a good job. Things are needed in the County no new school has been built in 26 years, even the old Board knew one was needed, this Board knew, and he thought everyone was in favor of building one. The mistake was probably made a year and a half ago when the \$.10 tax rate was not passed when Davenport advised the Board that was what it would take. The money has been borrowed and payments have to be made, that is why the tax increase was needed. He stated the Board would be addressing the increase by revisiting the Comp Plan and getting the developers back in front of the Board so the County can get proffers to fund these schools. He said he felt Dinwiddie County is headed in the right direction and if the citizens will give this Board some time the County will be in good shape.

Ms. Moody asked the Administrative Staff to research whether the County can have separate tax rates for farmers in the County who own timber land from the timber companies who don't farm or live in the County. She said she didn't feel the timber companies should get the same tax benefits or tax relief as the farmers do.

Mr. Haraway commented later this month the tax bills will be mailed out to County residents at this time the mailing will generate questions and a lot of discussion and he would hope this Board could be singing off the same page in the hymn book. He stated he would like to review the tax rate. The current tax rate is \$.77 cents and the effective rate is \$.67 cents. What is meant by the effective tax rates is if there was no tax increase any revenue then there would have been a \$.10 cents reduction. After the reassessment \$.67 cents generated the same amount of real estate tax revenue as the \$.77 did. The new rate is \$.87 which is a \$.20 increase in the tax rates and this represents a 30% increase in taxes. He asked if anyone disagreed with what he stated. The Board chose between the two tax rates \$.87 and \$.83 cent. He said he wanted to make it perfectly clear to everyone that the operating budget was the same whether the Board approved the \$.87 or the \$.83 cent tax rate; the employees were going to receive the same increase in pay regardless of the tax rate. The only two things the \$.87 tax rate does is, it increased the County Capital Projects from .9 million to 1 million so that is a .1 million increase; and it allows for a fund surplus for the CIP that goes from zero to a net increase of .8 million. So a total of .9 million is what the difference is between the \$.83 cents and \$.87 cents to go towards capital expenditures. The fund surplus for the CIP will probably be for future years like 2007 which has a large capital budget for that period of time. He said this Board of Supervisors has just completed a third of its term, 16 months each; so if there is no tax increase for the remainder of the Boards term that means there will be an average tax increase of 7.5% for each year the Board members are in office. So he hoped in the next two thirds terms they could maximize revenue and look at something else other than real estate tax rates and not have more than an average of 7.5% increase during the remainder of their term.

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Mr. Moody reminded the Board members of the 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 state per diem. If anyone is interested in going to the meeting it is for economic development professionals and local elected officials. He also informed the Board that he received a letter from Delegate Dance and she wants to meet the County Officials to discuss goals and she is willing and able to work with us. He asked the Board if any of them had any issues or goals to get them together so when they meet with her they would be ahead of the game. When she goes to Richmond for the General Assembly she would have their legislative issues in hand. He reported he attended a Virginia Tobacco Commission Meeting last Tuesday and the Executive Board voted to stop the process of up to 50% of their incoming revenue string so that's means in the middle of May when they go through the bond pricing if it is favorable, they will secure 50% of the funds and it will probably affect economic development funds from them to the County.

Mr. Bowman commented the reassessment when done every 4 years hits everyone hard. He said and John Pope wrote an article in the *Progress-Index* suggesting that the County hire a permanent assessor so reassessments could be done yearly so it wouldn't be such a surprise to the citizens. He asked the Administrative Staff to look at it and report back to the Board. The County Administrator stated that was a suggestion that Staff made during work sessions and Staff would provide the information to the Board. Mr. Haraway stated he understood that Colonial Heights has a full time assessor; however, that doesn't mean that the property is assessed every year. One third of the city is done yearly so it takes three years to get it all the reassessments done. Mr. Horwedel commented there are many ways of doing it and that's just one way of doing it. Once the properties are in the database it is easier to do them. That is part of the information Staff will have to provide and how it will work. Then the Board can make the decision as to which way you want it to be pursued. He stated they would be prepared to discuss it before the next budget sessions. Mr. Stone commented he has an assistant that lives in Colonial Heights who has done 2 improvements and renovations on his home and every time they go through the permit process and when they are finished with the improvements their home is reassessed. Their home has been reassessed three times in one year. Mr. Haraway stated they had discussed pro-rating the personal property taxes too. The County Administrator replied yes sir, that is something they had discussed and there is a variety of measures that had been outlined to the Board and Staff would be following up on them. His goal as a fiscal conservative is to run things as lean and efficiently as possible. If there is a way that it can be done with less money then he is beholding to let them know what it is; and that is his goal because he doesn't like paying taxes anymore than anybody else does. But the

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services that we get though have to be paid for. He said he could assure them that whatever Staff comes up with the Board will have the opportunity to let Staff know what way they want to go.

IN RE: ADJOURNMENT

Upon Motion of Mr. Stone, Seconded by Mr. Bowman, Mr. Haraway, Ms. Moody, Mr. Stone, Mr. Moody voting "Aye", the meeting adjourned at 8:37 P.M.

Harrison A. Moody, Chairman

ATTEST: _____
Gregory S. Horwedel
County Administrator

/abr