

VIRGINIA: AT THE SPECIAL MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 9<sup>th</sup> DAY OF AUGUST 2006 AT 3:30 P.M.

BOARD OF SUPERVISORS

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

ADMINISTRATION

PRESENT: W. KEVIN MASSENGILL, COUNTY ADMINISTRATOR  
MICHAEL DREWRY, COUNTY ATTORNEY  
ANNE HOWERTON, FINANCE DIRECTOR

Ms. Moody called the meeting to order at 3:30 p.m.

**1. ROLL CALL:**

BOARD OF SUPERVISORS

PRESENT: Mr. Moody  
Mr. Haraway  
Mr. Stone  
Ms. Moody

**2. ACTION ITEM: ACKNOWLEDGEMENT OF RESIGNATION OF 3<sup>RD</sup> ELECTORAL DISTRICT SUPERVISOR**

W. Kevin Massengill, County Administrator, stated that the Board received a letter on August 3, 2006 from Mr. Robert Bowman, IV. Mr. Massengill read the following:

August 3, 2006

*The Honorable Doretha E. Moody  
Chairman, Dinwiddie County Board of Supervisors*

*Dear Chairman Moody:*

*As you are aware, I am currently serving my seventh year as the representative of the 3rd electoral district in Dinwiddie County. Over the last seven years I have represented the interests, goals and ambitions of the citizens in my district to the best of my ability and understanding. Throughout this period of my life I have been committed and dedicated to making the necessary decisions and changes for Dinwiddie County to grow and prosper.*

*I decided to run for the Board of Supervisors because I believed that Dinwiddie County is and will continue to be one of the greatest Counties in the Commonwealth. I cannot begin to express my appreciation for having the opportunity to work with my fellow Board members, County staff, committee members, Planning Commission members, business owners, School Board members and the citizens throughout the County. Without a doubt, I have had the distinct honor and privilege to work with what is truly the finest and most professional group of individuals that Dinwiddie County has to offer.*

*I truly believe that many of the accomplishments that I set out to achieve have been accomplished. Consequently, I believe it is prudent for me to obligate my time towards my personal life and private business interests. With that said, I submit my resignation from the Dinwiddie County Board of Supervisors to be effective today, August 3, 2006. Please know that this has been one of the most difficult decisions of my personal and professional life. I have enjoyed my time on the Board and look forward to working with the County in whatever future capacity that I may be called upon.*

*Sincerely,  
Bobby Bowman, IV*

Cc: *The Honorable Michael W. Stone, Vice Chairman  
The Honorable Donald L. Haraway, District 2 Representative  
The Honorable Harrison A. Moody, District 1 Representative  
Mr. W. Kevin Massengill, County Administrator  
Mr. Michael Drewry, County Attorney*

Upon motion of Mr. Moody, seconded by Mr. Haraway,

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the resignation of Mr. Robert Bowman, IV, District 3 Representative to the Dinwiddie County Board of Supervisors, is hereby accepted effective August 3, 2006.

Ayes: Mr. Haraway, Mr. Moody, Mr. Stone, Ms. Moody  
Nays: None

**3. PROCESS & PROCEDURE FOR REPLACEMENT OF VACANCY – 3<sup>RD</sup> ELECTORAL DISTRICT**

Mr. Massengill stated that in the Virginia Code 24.2-226 Election to Fill Vacancy it is stated that if within 120 days from general election (Mr. Bowman resigned on August 3; the date from August 3<sup>rd</sup> to November 7<sup>th</sup> equals 97 days). Therefore, the Court orders that the election be held at the second general election. It goes on to state that no election shall be ordered if election is scheduled within 60 days of end of term. Thirdly, no election shall be ordered if election is scheduled in the year in which the term expired, i.e., if Mr. Bowman had resigned in 2007.

Mr. Massengill then stated Virginia Code Section 24.2-228 Interim Appointment. In this section it states that the governing body (Board of Supervisors) shall appoint a qualified voter to fill the vacancy within 45 days (August 3<sup>rd</sup> is Day 214 to September 16<sup>th</sup> is Day 259). Therefore, in this case, the Board will need to make the appointment by September 16<sup>th</sup>. If the Board of Supervisors fails to make the appointment within 45 days the Judge of the Circuit Court shall make the appointment.

The following process and timeline was presented for consideration to the Board by Mr. Massengill:

- August 9<sup>th</sup> – Accept resignation and define process
- August 25<sup>th</sup> – Advertise vacancy (2 weeks) (local paper & County website)  
- Submit letters of interest/resume
- August 30<sup>th</sup> - Interview interested candidates
- Sept 7<sup>th</sup> - Board of Supervisors make appointment

Mr. Massengill stated that applicants will submit resumes and letters of interest to the attention of the clerk of the Board. At the August 30<sup>th</sup> meeting the applicants will speak before the Board for a five minute timeframe; followed by an up to 15 minute question and answer period from the Board to the applicant. Mr. Massengill stated that he offered his services to speak with any applicants who were interested in finding out more about the County, specifically the 3<sup>rd</sup> District.

It was the consensus of the Board to meet on August 30<sup>th</sup> at 7:00 p.m. to interview the candidates and on September 7<sup>th</sup> at 8:00 p.m. for discussion and appointment. The Board agreed by consensus to the following procedures and timelines for applying and interviewing:

- Letter of interest and resume received by Dinwiddie County by no later than 5:00 p.m. on 8/25/06.
- Candidates will be required to give a 5 minute presentation before the Board of Supervisors; followed by up to 15 minutes of questions & answers on 8/30/06 at 7:00 p.m. in the Board Meeting Room of the Pamplin Administration Building, 14016 Boydton Plank Road, Dinwiddie, Virginia (Speaking order will be by lottery drawn on the night of the meeting.)
- All candidates will be subject to a criminal background check by the County.
- Any recommendations of support shall be in written form and mailed to the Board of Supervisors at the above address (to be received before 8/30/06).
- The Board of Supervisors will hold a special meeting at 8:00 p.m. on September 7, 2006 for discussion and to select a candidate.

**4. ADJOURNMENT**

Upon motion to adjourn by Mr. Stone, seconded by Mr. Haraway,

Ayes: Mr. Moody, Mr. Haraway, Mr. Stone, Ms. Moody  
Nays: None

The meeting was adjourned at 4:15 p.m.

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Doretha E. Moody, Chair

ATTEST:

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W. Kevin Massengill  
County Administrator  
Clerk to the Board

/wjn