

VIRGINIA: AT THE SPECIAL JOINT MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS, IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 6<sup>th</sup> DAY OF JULY 2006 AT 12:30 P.M.

BOARD OF SUPERVISORS

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

ADMINISTRATION

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



Ms. Moody called the Board of Supervisors meeting to order at 12:30 p.m.

**1. ROLL CALL:**

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

ABSENT: Mr. Bowman

**WORKSHOP WITH COUNTY ADMINISTRATION**

W. Kevin Massengill, County Administrator, stated there was a need for an amendment to the agenda. He asked that under Closed Session the following be added: §2.2-3711 (A) (1) Personnel, County Administration Staff; and §2.2-3711 (A) (7) Legal Matters, Waste Management RFP and Contract.

**2.A. WASTE MANAGEMENT**

Denny King, Sanitation Director, presented an overview of the Sanitation Department activities. He stated that they collect, process, and properly dispose of trash from sites 365 days a year; that there are a number of environmental issues to adhere to; they maintain the closed landfill to regulatory standards; collect, process and market recyclables; maintain fleet of trucks and equipment; maintain and clean dumpster sites (35 sites, 175 cans); maintain dumpster accounts (110 cans); greet and assist citizens at Rohoic and the landfill; and maintain other County properties and projects.

Mr. Haraway commented that he had nothing but compliments regarding the Sanitation Department operations. He said that he had heard many compliments from the residents around the Rohoic site regarding the gentlemen who work at that site.

Anne Howerton, Finance Director, discussed a Request for Proposal (RFP) that had been originated with the idea of how to make the Waste Management Services collections and disposal more efficient. Currently, once the County trucks have collected all the trash from the dumpsters and filled the trailers, the County uses Waste Management to haul the trailers away from the landfill. Virginia Waste Services is used on the afternoon and weekend run; and they also provide the rolloff containers. There are several different services being provided: the commercial dumpsters, the public dumpsters; the rollofs (which require a different truck and container to maneuver) and trash disposal. Ms. Howerton stated that the trash is currently taken outside of the County because the County does not have a working landfill. She said that the issue of curbside service has been raised and determined not to be feasible. She stated that as Mr. King had said, most other localities do not have as many dumpsters throughout their localities. Ms. Howerton expressed that staff is seeking efficiency in the whole process. An RFP was issued in April with a pre-bid meeting that had four vendors in attendance. The proposals were received the first part of May from three of those four vendors. The prices were a little higher than anticipated, and were received in lump sums instead of being split out per various services as requested in the RFP. The vendors were asked to resubmit based on the specifications: the dumpsters, the rollofs, and the disposal. Those bids were received the first part of June. Ms. Howerton stated that she and Mr. King had talked with the bidder who came in with the lowest overall bid to see what the costs would be and what changes would have to be made to County operations. She said that they felt that Virginia Waste Services would provide the best value. They would take over the front load hauling, the rolloff, and the disposal from the transfer station. In order to do this, the County would sell them one of its trucks and keep the other one because a truck would still be needed to be available for recycling, etc. She stated Virginia Waste Services had indicated that they would be interested in hiring the County's two fulltime, and possibly the part-time truck drivers and an equipment operator. They would need to pass their employment screening, etc. Ms. Howerton said that the pay rate would be better than what they currently receive, and the benefits would be comparable.

Ms. Howerton discussed the Waste Management Department budget and expenditures for the last couple of years. She said they had tried to look at what could be saved by outsourcing. She said that another truck, or possibly two, will need to be purchased in the next five years. A

new truck would cost approximately \$207,000. She said if that capital cost was considered it would mean a savings for the County to outsource. Regardless, the County has to contract with someone to take the waste out of the County; and the County has to pay either our employees or an outside vendor to collect the waste from around the county and get it to a central place; or collect it and take it out of the County. She stated that the recommendation of staff was to contract with Virginia Waste Services on the plan that had been outlined, and not to expend the additional capital for the truck. She said that the contract with Waste Management had expired on June 30<sup>th</sup>. She said she had requested renewal for the month of July until a decision could be made. She stated that there was urgency to this process, and a contract needed to be signed.

Mr. Moody asked which employees would be affected by this change.

Ms. Howerton answered: the cleanup crew would remain with the County; the two fulltime truck drivers and an equipment operator would be affected. They would be hired by Virginia Waste Services and would be doing the same jobs, initially with the same vehicles. Also, one part-time worker would be hired by Virginia Waste.

Mr. Haraway asked how long these employees had been with the County.

Mr. King answered that one had been with the County for approximately 15 years, and the other two for 10 years each.

Mr. Haraway stated that his only concern was that they were currently with the Virginia Supplemental Retirement System (VSRS), and they would be going to a retirement system that may not be as good.

Mr. King said that he had been told that they would have a 401K retirement system available with the new company.

Mr. Haraway asked what percentage contribution they currently received from the County to their VSRS.

Ms. Howerton answered 6.2%.

Mr. Haraway asked whether the employees were satisfied with this move.

Mr. King answered that the drivers would be started out at \$10,000 to \$15,000 more than they are currently making.

Mr. Haraway said they will most likely receive fewer holidays, perhaps 6 holidays rather than 12; but they will receive a substantial increase in salary. He stated that this is not unusual; that more highway departments and local governments are outsourcing because the benefit cost is so high for employees.

Mr. Moody asked if they were getting that much more salary compared to the change in benefits, were they receiving the same amount to the bottom line or more.

Mr. King answered that they are receiving approximately \$28,000 to \$34,000 with the County, and are going to receive \$45,000 to \$50,000 with Virginia Waste Services.

Mr. Massengill, County Administrator, stated that what was being sought during this meeting was for the Board to let Staff know of any concerns or issues that should be addressed. The Board was not being asked to act at this meeting. He said that Staff would like to have this item on the July 18<sup>th</sup> regular Board meeting agenda; or if additional information was needed before that time, that Staff be made aware.

Mr. Massengill stated that the Waste Management Department is the second largest department, as far as expenses are concerned per year. He said the cost of the waste disposal has increased tremendously.

Mr. Moody asked if there were any escalation clauses in the contract.

Mr. Drewry, County Attorney, stated that the County had released an RFP and the contract was based on that RFP. He said that Virginia Waste does have an escalation clause regarding fuel cost. It is based upon the CPI for fuel. He said this would have to be looked into further; but his thought on it was that the County would be incurring that escalation of fuel cost regardless. Mr. Drewry said that also there were some contractual issues that would need to be cleaned up. He said that Virginia Waste is currently doing the hauling for the County without a contract. He said there are commercial accounts with no contract either.

Mr. Stone asked what their purchase price would be for the County's truck.

Mr. King stated that they had given an offer range of \$75,000 to \$85,000 for the truck relative to the results of oil samplings. They would lease the other truck for \$3,000 per month for a couple of months until Virginia Waste purchases another new truck. He said the County doesn't want to get rid of that truck.

There was discussion regarding what it would cost the County to purchase a new truck.

Ms. Howerton stated that the County had to contract with someone in order to get the waste out of Dinwiddie County. She said that Virginia Waste is willing to collect it and dispose of it for the quoted price. She said that the County's operation can be streamlined by utilizing their service. Also, the County would not have to expend the capital that would be necessary otherwise; as well as the repairs and maintenance on that capital on a continuing basis. She said the service to the citizens would be the same.

Mr. King said if the County did not go with this RFP that a truck would be needed right

away because he had worked on the one truck every day in order to keep it going.

Ms. Howerton agreed and said that a new truck would cost approximately \$207,000; and another truck within the next five years which would be another \$207,000. She said that Virginia Waste is already doing the service on the afternoon run and the weekends, so the service the County is receiving is already service from Virginia Waste – therefore, there would not be a change for the citizens.

Mr. Massengill said that before the July 18<sup>th</sup> meeting Staff could develop a more accurate reflection of the savings over time; and look at when the second truck would need to be purchased as well as the initial one. He said the money for these is not budgeted at this time. He said there is a contract that would need to be signed regardless. He said that Staff could bring back to the Board two options: 1) remain the same, current operations as well as the additional capital cost; and 2) the cost of the recommended RFP route.

Ms. Howerton stated that the second part of this item was the approximately 110 commercial accounts. She presented the Board with an analysis of the commercial dumpster fees/ She stated that currently the County is subsidizing a great deal of the cost.

Mr. Haraway asked how the current fees compare with what private firms are offering.

Mr. King answered that everyone was higher than what the County had been charging. He said that the RFP process had brought out a lot of figures that they had not had a handle on previously. He said it helped expose how much those services were being subsidized by the County. For a 6 yd. whose service is for up to twice a week pickup the current charge is \$50.60. The actual cost for the County is \$156.00.

Mr. Massengill said that if the County was not in the trash business in regard to commercial pickups, the cost to the business would probably double. Currently citizens are subsidizing the cost of having trash removed from private businesses in the County.

There was discussion regarding the commercial dumpster service costs to the County.

## **2.B. HUMAN RESOURCES MANUAL**

Mr. Massengill stated that Staff was looking for feedback from the Board on this item. He said that over a year ago the County was working with the Constitutional Officers in developing a Memorandum of Understanding (MOU) when they came under the County payroll system. Currently under the State's system there are four steps under which they earn and accrue their annual and sick leave time. Under the County's system there are currently three steps. He said that under the County's system, when an employee gets to year 6 they would then have to wait until year 16 before they would receive a significant increase in accruing time. Currently the steps are: from 0 -5, 6-15, and then 16 up. Mr. Massengill said it was his understanding that the Sheriff's Department desires to go to the 4 step process, rather than the current 3 step process.

Staff had considered going to a 4 tier system, but falling back on 3 days of sick leave. However, that would affect all 113 employees. Adding the 4<sup>th</sup> tier would only affect approximately 11 employees.

Mr. Massengill stated that employee evaluations were in their final stages, and the new human resources manual that was completely redone and republished will be given out to employees. It currently contains the 3 tier system. He said that if the County does not go to the 4 tier system, the Constitutional Officers staff will probably request to have the MOU amended. He said that if that were approved, it would mean that the County would have to maintain two separate personnel policies.

Ms. Howerton explained some of the differences between sick leave and annual leave. She said the proposal that staff would most like to see go into effect would be to reduce the sick leave to 8 and change the tiers to 8, 10, 12 and 14 to be comparable to the School Board and a lot of other jurisdictions. She went over the numbers with the Board.

Mr. Haraway said that when the offer was extended to the Constitutional Officers, they had a choice. He said at that time they figured that higher wages was a better trade off.

Mr. Massengill stated that what had been indicated to him was that the Constitutional Officers had the understanding that the County would be amending its personnel policy to go to 4 tiers.

Mr. Haraway said he was present at that meeting, and that was not the understanding. He said there were no promises or guarantees made.

Mr. Moody said that in looking at the information provided, he would be inclined to go with the plan being recommended.

Ms. Moody said that Dinwiddie County does not have any sick time payout; and that Prince George and Brunswick do have the sick time payout.

Ms. Howerton said that normally if sick time payout is offered, it is capped. They don't pay out all the hours upon termination.

Mr. Massengill asked the Board what Staff should bring back for consideration at the July 18<sup>th</sup> meeting.

Mr. Stone said that he agreed with Mr. Haraway and Mr. Moody that the Board should follow the plan being recommended.

Ms. Moody said she would like to see a 4<sup>th</sup> tier included and to drop back to 8 hours sick leave per month instead of 10 hours.

Mr. Drewry interjected that in a desire to attract good employees to Dinwiddie County, it is important to offer what is comparable to other areas.

Mr. Moody said he agreed with the idea of going to 4 tiers, and 8 hours sick time in order to get in line with the other jurisdictions.

Mr. Drewry said that he felt it would be wise to get employee input on this issue.

**1:30 P.M.**

### **3. WORKSHOP WITH COUNTY ATTORNEY AND STAFF**

Mr. Drewry introduced Matthew Kurz, a student at William and Mary Law School, who has been working for the County this summer as legal intern. He said that Mr. Kurz has accomplished quite a few projects. Some of those projects have been Board of Zoning Appeals Bylaws, and ordinance amendments. He was a Virginia Military Institute student who graduated high in his class in economics and history. Mr. Drewry stated that the Board's input was needed on four ordinance amendments that Matthew was working on in order to see if he should continue in this direction.

Matthew Kurz spoke to the Board at this time. He discussed the following ordinances with the Board:

**Historic Overlay District:** The purpose of creating a Historic Overlay District within the County is to preserve the County's historic areas as well as encourage compatible development within historic areas. The historic overlay ordinance provides the means for creating a historic overlay district and creates an architectural review board to enforce the standards of a created district.

**Adult Business Ordinance:** The purpose of the adult business ordinance is to regulate the licensure and opening of adult businesses within the County. While this may not be a current issue within the County, taking action upon it now will prevent controversy and problems if the issue does arise.

**Indecency Ordinance:** There is currently a state statute within the Virginia Code regulating indecency and public nudity; however, the statute's language is very broad and does not cover many acts that some citizens still regard as indecent. The Virginia Code does allow for counties to enact their own ordinances with stricter language. Therefore, by enacting an indecency statute containing more strict language within the County will help prevent many of the acts not covered by the state statute, but still considered inappropriate and indecent by the citizens of Dinwiddie County.

**Commercial Vehicle Parking Ordinance:** The commercial vehicle parking ordinance is being initiated for the purpose of restricting the parking and storing of commercial vehicles in certain residential zones. The ordinance is broken into two main parts. The first prevents owners from

parking their vehicles on a public street in any of the County's residential districts. The second part of the ordinance bans the storing and parking of commercial vehicles on private property within many of the County's residential districts.

#### **4. CLOSED SESSION**

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

The Board of Supervisors of Dinwiddie County, Virginia convened in a closed meeting under:

a.) §2.2-3711 (A) (1) Personnel: County Administrator's Goals and Objectives; County Administration Staff

b.) §2.2-3711 (A) (7) Legal Matters: Waste Management RFP and Contract

Ayes: Mr. Haraway, Mr. Moody, Mr. Stone, Ms. Moody

Nays: None

Absent: Mr. Bowman

Note: Mr. Haraway left at 5:25 p.m.

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

The Board reconvened into open session.

Ayes: Mr. Moody, Mr. Stone, Ms. Moody

Nays: None

Absent: Mr. Bowman, Mr. Haraway

#### **CERTIFICATION**

WHEREAS, this Board convened in a closed meeting under:

a.) §2.2-3711 (A) (1) Personnel: County Administrator's Goals and Objectives; County Administration Staff

b.) §2.2-3711 (A) (7) Legal Matters: Waste Management RFP and Contract

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

NOW BE IT CERTIFIED, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

Upon motion of Mr. Stone, seconded by Mr. Moody, this Certification Resolution was adopted.

Ayes: Mr. Moody, Mr. Stone, Ms. Moody

Nays: None

Absent: Mr. Bowman, Mr. Haraway

### **3. ADJOURNMENT**

Upon motion of Mr. Stone to adjourn, seconded by Mr. Moody,

The meeting was adjourned at 6:00 p.m.

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Doretha E. Moody, Chair

ATTEST: \_\_\_\_\_

W. Kevin Massengill  
County Administrator  
Clerk to the Board

/wjn