

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 20TH DAY OF JANUARY AT 3:00 P.M.

PRESENT:	DONALD L. HARAWAY – CHAIR	ELECTION DISTRICT #2
	HARRISON A. MOODY – VICE CHAIR	ELECTION DISTRICT #1
	JOHN V. TALMAGE	ELECTION DISTRICT #3
	DORETHA E. MOODY	ELECTION DISTRICT #4
	MICHAEL W. STONE	ELECTION DISTRICT #5

ADMINISTRATION

PRESENT: W. KEVIN MASSENGILL, COUNTY ADMINISTRATOR
ANNE HOWERTON, DIVISION CHIEF OF FINANCE AND GENERAL SERVICES
JOHN C. BLAIR II, COUNTY ATTORNEY

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1.2.& 3. ROLL CALL – INVOCATION – PLEDGE OF ALLEGIANCE

ROLL CALL

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

4. AMENDMENTS TO AGENDA

Mr. John C. Blair II, County Attorney, stated that there was a need to amend the agenda under the closed session portion to add under §2.2-3711 (A) (1) Personnel Matters: Board of Supervisors Bylaws; and under §2.2-3711 (A) (7) Legal Matters: Consultation with Legal Counsel, Bond Viability and Legality.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the agenda is amended as stated.

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

5.A. CONSENT AGENDA: APPROVAL OF MINUTES FOR DECEMBER 16, 2008 REGULAR MEETING

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the December 16, 2008 Regular Meeting Minutes are approved.

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

CONSENT AGENDA: APPROVAL OF MINUTES FOR JANUARY 6, 2009 SPECIAL MEETING

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the January 6, 2009 Special Meeting Minutes are approved.

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

5. B. CONSENT AGENDA: CLAIMS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same.

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

CLAIMS	Dec 12 '08	Dec 19 '08	Jan 9 '09	Dec 2008 Payroll	TOTALS
	VOID 1066735	VOID 1066895	VOID 1067087	No Void	
	1066736 - 1066894	1066896 - 1067007	1067088 - 1067238	1067008 - 1067085	
101 - General Fund	\$216,298.11	\$333,370.24	\$726,618.22	\$933,309.04	\$2,209,595.61
103 - Jail Commission	\$164.97	\$89.26	\$438.31		\$692.54
105 - Playground Equipment					
202 - Medical Center					
209 - Litter Grant Fund					
210 - Community Development					
222 - E911 Fund					
225 - Courthouse Maintenance Fees					
226 - Law Library					
228 - Fire Programs & EMS	\$3,457.79	\$270.00			\$3,727.79
229 - Forfeited Asset Sharing Program		\$222.48	\$349.72		\$572.20
301 - School Construction		\$62,260.32			\$62,260.32
304 - CDBG Grant Fund					
305 - Capital Projects Fund	\$64,692.51	\$41,344.40	\$91,922.39		\$197,959.30
401 - County Debt Service		\$31,711.83	\$42,409.00		\$74,120.83
TOTALS	\$284,613.38	\$469,268.53	\$861,737.64	\$933,309.04	\$2,548,928.59

**5. C. CONSENT AGENDA: SCHOOL BOND REQUISITIONS FROM PROJECT FUND:
HS-46; ES-49; FH-03**

The Board received the following requisitions from Dr. Charles Maranzano, Jr., Superintendent of Schools. These requisitions were approved by the School Board at their meeting on Tuesday, January 13, 2009.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that a total disbursement of \$237,384.65 from the VPSA 2007 Bonds, is approved.

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

No. HS -46

REQUISITION FROM THE PROJECT FUND

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

Note/Bond Account

Industrial Development Authority of Dinwiddie County, Virginia
VPSA 2007 Bonds

TO: PFM Asset Management

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

DATE: January 13, 2009

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>
\$ 221,730.38	Kenbridge Construction Co., Inc.	Application for Payment No. 30
\$ 5,570.00	Moseley Architects	Construction Administration
\$ 533.25	Brodart Company	Equipment
\$ 535.96	VDOT	Utilities
\$ 980.69	VDOT	Utilities
\$ 7,492.23	VDOT	Utilities
\$ 292.14	VDOT	Utilities
\$ 250.00	Newmart Builders, Inc.	Engineer Building Spec Sheet
\$ 237,384.65	TOTAL OF THIS REQUISITION	

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that a total disbursement of \$46,195.70 from the VPSA 2007 Bonds is approved.

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

Nays: None

No. ES- 49

REQUISITION FROM THE PROJECT FUND

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

Note/Bond Account

Industrial Development Authority of Dinwiddie County, Virginia
VPSA 2007 Bonds

TO: PFM Asset Management

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

DATE: January 13, 2009

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>
\$ 46,195.70	Kenbridge Construction Co., Inc.	Application for Payment No. 29
\$ 46,195.70	TOTAL OF THIS REQUISITION	

CONSENT AGENDA: SCHOOL FIELDHOUSE PROJECT REQUISITION: FH-03

The Board received the following requisition from Dr. Charles Maranzano, Jr., Superintendent of Schools. This requisition was approved by the School Board at their meeting on Tuesday, January 13, 2009.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that a total disbursement of \$57,972.70 from the VPSA 2007 Bonds is approved.

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

Nays: None

No. FH-03

REQUISITION FROM THE PROJECT FUND

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

Note/Bond Account

Industrial Development Authority of Dinwiddie County, Virginia
VPSA 2007 Bonds

TO: PFM Asset Management

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

DATE: January 13, 2009

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>
\$ 57,972.70	Kenbridge Construction Co., Inc.	Architectural Services (Fieldhouse)
\$ 57,972.70	TOTAL OF THIS REQUISITION	

6. A. REPORTS: GATEWAY HOMES, INC.

Mr. Daniel Herr, Executive Director of Gateway Homes, Inc. shared the following information with the Board regarding Gateway Homes and how they may be of benefit to Dinwiddie County. The National Alliance on Mental Illness reports that the mental health system in Virginia ranks 30 out of the 50 states in per capita spending for mental illness; has over 3, 000 individuals waiting for services; has only one state run supported housing program, and individuals wait 42 months for residential services. Virginians have few options other than expensive care in private hospitals; extended care in state mental institutions; and substandard group homes with little or no treatment. Mr. Herr stated that Gateway offers an effective alternative to the limited options for adults living with mental illness. Gateway was started in 1983 by a group of family members and mental health professionals who recognized the serious lack of housing and services for their loved ones. Gateway is located on a rustic 30-acre property in southern Chesterfield County, and has evolved to become a highly revered transitional program that helps adults learn to manage their illness so they may go on to lead fulfilling lives in the greater community. Many referrals to Gateway are from the criminal justice system or community mental health centers.

6.B. REPORTS: DEPARTMENT OF TRANSPORTATION

Mr. Ray Varney, VDOT Residency Administrator, discussed the following.

1. Squirrel Level Road –Contract complete on time and on budget. Have a drainage problem that will be taken care of.
2. Lennie Road – Contractor was unable to pave. Contract Completion date – April 25, 2009. Contract remains on time and on budget.

3. Roundabout or T-Intersection.

Mr. Varney stated that he needed a decision from the Board regarding the choice between a roundabout and a T-Intersection on Ferndale.

It was the consensus of the Board of Supervisors to install a T-Intersection at the intersection of Route 226 and Ferndale Road.

Maintenance Issues:

Mr. Talmage asked whether VDOT still had the contract for picking up trash. He also asked about speed limit signs and why they didn't have to be posted on secondary or rural roads. He said there was only one sign on Smith Grove Road.

Mr. Varney responded that they no longer had the contract for trash pick up. He said that also they would not be able to do the same amount of mowing as last year. He said they would address the safety issues, but other things would be difficult to get done because of the lack of funding. Regarding speed limit signs, Mr. Varney stated that signs were posted according to traffic volume, functional classification, and a safety report on the road itself. He added that 55 M.P.H. is the statutory speed limit for any non-posted road. He stated that he would look into getting another speed limit sign posted on the other end of Smith Grove Road.

Mr. Moody stated that he had received an e-mail from NACo that some of the economic stimulus funding was supposed to be slated for bridge repair or replacement (\$30 billion for highways and bridges – with no state or local match required). He asked if Mr. Varney had heard anything about it. He added that he noticed a couple of roads that had been worked on last year (the surface had been ground up and then reapplied) seemed to be holding up pretty well. Mr. Moody stated that he had seen signs posted in Hanover County that said unless posted, on rural roads the speed limit is 45 M.P.H. He asked if that was something that Hanover County had to pass a separate law to accomplish.

Mr. Varney responded that within the department they had been going through an extensive exercise to identify bridges that had been worked on, and also a list that would meet the criteria for rehabilitation. He said it is possible that some of the bridges in the county may be on that list. Regarding the speed limit posting in Hanover County, Mr. Varney said that may be a County ordinance. He said it would surprise him if it were a publicly maintained street that the County would have the authority to post the speed limit on it. He said the statute is clear that if the speed limit is un-posted, it is 55 M.P.H. Mr. Varney stated that he would check on it for Mr. Moody.

Mr. Stone stated that he had observed that potholes on I-85 were being patched. He asked, however, that someone from the residency travel I-85 from one end of the county line to the other and see how bad many of the potholes are. He added that three bills had caught his attention – House Bill 2020 that deals with maintenance funds; House Bill 2118 and Senate Bill 1398. He said that the last two could be interesting if they make it out of Committee.

Mr. Haraway echoed Mr. Stone's remarks about I-85. He said it had become so bad in some areas that people don't even use the right hand lane.

Mr. Varney stated that he would continue to bring that issue forward.

6.C. REPORTS: MEHERRIN RIVER REGIONAL JAIL

W. Kevin Massengill, County Administrator, stated that as it had been reported in the media, the Meherrin River Regional Jail which was formed some months ago did not receive funding in Governor Kaine's upcoming budget. He said that to his understanding this is the first regional jail that has made it this far along in the process that has not received any funding through the State. He stated that he had contacted the Governor's Office and some of the explanation that was received was that the debt capacity of the State is based upon 5% of general fund revenues (mostly income tax and sales tax). The Governor's budget that was presented on January 17th assumes about 4.98% of that 5%. Also, the Governor's Office indicated that they are not looking at a large increase in sales tax. He said that \$350 million of projects that were going to be cash projects had been changed to being financed by bonds. This freed up those funds to be used for other things (specifically in education). To date Dinwiddie County has spent close to \$70,000, the Community Based Corrections Plan and the Planning Study have been completed

(which was included in some of those costs); with the approval of the governing bodies of the localities that make up the Authority, the Authority borrowed \$10 million for interim financing in order to purchase the land (which was required before they would be in a position to receive approval from the State to move forward); they have hired an architectural firm; and have started an RFP process for the jail superintendent. Plainly, the County and the Authority have a very vested interest in the regional jail. Mr. Massengill stated that he had contacted Senator Marsh and Delegate Dance, and both last week filed a budget amendment that will hopefully put the Meherrin River Regional Jail back into the Governor's budget. Mecklenburg County spoke with Delegate Clement, Delegate Wright, and Senator Ruff – all three of whom also submitted budget amendments. Brunswick County contacted Senator Lucas and Delegate Rosalyn Tyler who also submitted budget amendments. The Authority is looking at how to downsize the jail to still meet the current projections over perhaps the next five to ten years, rather than the 20 year build-out that is required by State law. The Authority had decided to try to reduce by approximately a third the core facility in Brunswick County that will serve both Dinwiddie County and Brunswick County inmates. He said they would try to demonstrate to the General Assembly that the Authority has gone through the process, has done their due diligence, and has made a financial commitment.

Mr. Stone asked whether the facility on Rt. 460 was an option.

Mr. Massengill replied that he and Mr. Moody have another meeting scheduled with Camp 27 Administration. Originally the per diem amount they quoted was even higher than that of our facility in Dinwiddie County.

7.A. ACTION ITEM: RECORDING FEE PROCEDURES

Barrett Chappell, Jr., Clerk of Circuit Court presented the following memo to the Board.

BACKGROUND: Currently each defendant is charged a fixed felony fee of \$350.00 for each felony case in the Circuit Court. Twenty dollars of the Fixed Felony Fee goes to the Commonwealth's Court Reporter Fund. If the \$20.00 is allocated to the Machine Recording Fee Fund then it would be used for the benefit of the citizens of Dinwiddie County in replacing or supplementing local electronic devices for courtroom recording. The Supreme Court of Virginia requires a resolution be passed by the locality stating its desire to collect such funds.

REQUESTED ACTION: The Clerk of the Circuit Court requests that a resolution be passed pursuant to Virginia Code Sections 17.1-275.6 and 19.2-165 to allocate the money to the Machine Recording Fee Fund under the control of the Dinwiddie County Clerk of Court.

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

WHEREAS, the Clerk of the Circuit Court of Dinwiddie County, Virginia, J. Barrett Chappell, Jr., does hereby request that the Board of Supervisors of Dinwiddie County, Virginia, adopt such a resolution so that he may collect and retain the Machine Recording Fee at the local level to directly benefit the County of Dinwiddie.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the collection and retention of the Machine Recording Fee by J. Barrett Chappell, Jr., Clerk of the Circuit Court of Dinwiddie County, Virginia, pursuant to Section 19.2-165 of the Code of Virginia, 1950, as amended, is hereby authorized and endorsed; and

WHEREAS, the Clerk of the Circuit Court of Dinwiddie County, Virginia, J. Barrett Chappell, Jr., does hereby request that the Board of Supervisors of Dinwiddie County, Virginia, adopt such a resolution so that he may collect and retain the Machine Recording Fee at the local level to directly benefit the County of Dinwiddie.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the collection and retention of the Machine Recording Fee by J. Barrett Chappell, Jr., Clerk of the Circuit Court of Dinwiddie County, Virginia, pursuant to Section 17.2-276.5 of the Code of Virginia, 1950, as amended, is hereby authorized and endorsed.

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

7.B. ACTION ITEM: PERSONNEL POLICY IMPLEMENTATION

Gail Vance, Director of Human Resources, presented the memo below to the Board.

BACKGROUND

The Dinwiddie County Personnel Manual, Section XVII, Item F., states that under certain circumstances, including economic conditions, lack of work, programmatic changes, reorganization, or position abolishment, the Board of Supervisors may decide that an adjustment necessitates a reduction in the number of employees in the County, resulting in a layoff. Due to current economic conditions it may be necessary to effect a reduction in the number of employees in the County. In accordance with Section XVII, Item F., employees will be given advanced notice of any pending layoff and the policies and procedures that will be implemented to effect the layoff.

REQUESTED ACTION

We are asking for approval of the following resolution. Authorization and direction to implement and carry out the policies and procedures and to take further action as necessary to effect such a reduction in staff in accordance with Federal, State, local laws and regulations.

W. Kevin Massengill, County Administrator, discussed how this would be carried out. He stated that efficiency reviews throughout the County had been started on this day. He said that all five constitutional officers had desired to be a part of this process as well. The process will be to look at the day-to-day operations, what factors – internally or externally – may be affecting the day-to-day, and hope to glean some efficiencies and savings through that process. The efficiency review committee consists of the three division chiefs and the director of information technology. Mr. Massengill stated that the reviews would then be given to him and to the county attorney, the director of human resources and the division chief of finance and general services. From there, they will make final recommendations to the Board of Supervisors as to where some of the reductions would take place. He said that there are core essential services, and there are other services the County has been doing because economic times suggested that there was the ability to offer and extend those services to citizens. He added that the budget situation in Dinwiddie County is very much characteristic of that in the region. The County is looking at potentially close to \$2 million in budget reduction to the County. Mr. Massengill stated that the efficiency reviews would be done first, and then as last course, a reduction in force would be enacted.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that current economic conditions necessitate a reduction in the number of employees in the County, and **BE IT FURTHER RESOLVED** that the County Administrator is hereby authorized and directed to implement and carry out the policies and procedures and to take all such further action as necessary to effect such a reduction in accordance with Federal, State and local laws and regulations.

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

Nays: None

7.C. ACTION ITEM: WATER & SEWER CONNECTION FEE WAIVER IN ENTERPRISE ZONE

Stephanie Allman, Director of Economic Development, presented the information below to the Board.

BACKGROUND

After several months of going through the site selection process and aggressive project management Dinwiddie County successfully attracted the Earl M. Jorgensen Company (EMJ) as a new corporate citizen. EMJ selected 9.15 acres of IDA property within the Enterprise Zone on Simpson Road. EMJ will move into their newly constructed 68,000 SF facility during the first quarter of 2009. The announcement represents a \$6.0 million investment and 16 new quality jobs into the County.

The Project is located within a Virginia Enterprise Zone, thus making the following local incentives available:

- Fast Tracking of Permits needed for construction and/or expansion
- Building Permit Waived (cash equivalent \$13,710.81)
- Building Trades Permits Waived (cash equivalent \$5,185.74)
- Planning and Zoning Fees Waived (cash equivalent \$1,160.00)

- Reduction of Water Connection Fees (equiv. to a 5/8 inch meter charge)
- Reduction of Sewer Connection Fees (equiv. to a 5/8 inch meter charge)
- A 7 year grant based on the value of business's certified recycling equip.
- The county will proactively protect the enterprise zone's appearance and economic viability through aggressive code enforcement

As mentioned above, a portion of the Enterprise Zone incentive includes a reduction of the Water and Sewer connection fees equivalent to a 5/8" meter charge. The total connection fee is calculated as follows:

Office area = 94' X 32' = 3,008 SF	
Water Connection fee for office area = \$759/1,000 SF (3,008 SF)	\$2,283.07
Sewer Connection fee = \$1,587/1,000 SF (3,008 SF)	<u>\$4,773.70</u>
Water and Sewer Connection fee TOTAL	\$7,056.77

The current cost of a 5/8" connection fee is (Dinwiddie County's portion):

Water Connection Fee	\$2,151.00
Sewer Connection Fee	<u>\$4,100.00</u>
TOTAL for 5/8" equivalent	\$6,251.00

The difference between the connection fees is \$805.77 (this amount is the responsibility of EMJ and is invoiced separately).

To date, the total financial impact of cost savings to EMJ from Dinwiddie County as part of the local Enterprise Zone incentive is \$26,307.55.

LAST BOARD ACTION

n/a

REQUESTED ACTION

Staff is asking for the approval of the following resolution.

Mr. Massengill, County Administrator, stated for clarity that the resolution in the Board pack stated that this would be an allocation from the undesignated General Fund balance. He said that would not occur - that the payment will not need additional appropriation.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, does hereby authorize the payment of \$6,251 to pay the current cost of a 5/8" connection fee for water and sewer provision to Earl M. Jorgensen Company in accordance with the Dinwiddie County Enterprise Zone incentive.

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

Nays: None

8. CITIZEN COMMENTS

The Chair opened the citizen comments period.

1. David Bradford – 18810 Turkey Egg Road – spoke regarding the reassessment. He stated that he had downloaded the application from the web and the instructions. However, he had concerns about the instructions and the statement about supporting appraisals submitted must be dated no later than December 31, 2007. He said the public needs it to be explained or corrected. He said he did not think the instructions were very clear.

As no one else was signed up to speak, the Chair closed the citizen comment period.

Mr. Massengill responded to Mr. Bradford's comments. He stated that this had been discussed earlier the day of this meeting. He said the Board of Equalization was appointed by the Judge, and after their training, they had requested the form as it reads. The area in question was one area the Board of Equalization had stated they wished stated as it now reads. They indicated that being as the reassessment firm used 2007 sales; they felt that they would need that same comparison. He said he has a call into the Chair of the Board of Equalization regarding clarification of the form.

9. COUNTY ADMINISTRATOR COMMENTS

W. Kevin Massengill, County Administrator, stated that the Chair had asked that he give a short briefing of the reassessment, some of the actions that have occurred, some of the background and where it goes from here. At the last regular Board of Supervisors meeting, the County Attorney had stated that the State Code requires that this Board, as the legislative arm, has the ability to set the frequency of the assessment cycle (which the Board did in 97/98 when a four-year cycle was decided on). The second thing the Board of Supervisors is allowed is to go through the process and determine, through interviews, etc., who the Board of Supervisors desires to do the reassessment. He said the Board had chosen Wingate and Associates. He said the question has become the issue with Bath County and how their reassessment was handled; as well as the legal advice that was rendered to the Dinwiddie County Board. He said that Bath County had gone through the process, had mailed their reassessment notices out, and the County Administrator had been directed on the last day of the appeals to just pay out the reassessment firm and that would complete the contract (and not to file the land book with the Circuit Court Judge) – for the firm to just leave. The debate from this is: once the contract has been severed, does it relieve the reassessment firm from their responsibility under State Code that says that they shall file the land book by December 31st of that year. The legal advice received by Dinwiddie County was no, that does not relieve them of that responsibility. That did not occur in Bath County. He said staff has contacted the State to see what would be the next steps. Those next steps are: Mr. Blair, County Attorney, has requested an administrative letter from the State Tax Department on this issue. He is also requesting an opinion from the Attorney General. Dinwiddie County's land book was filed with the Clerk of the Circuit Court on December 23, 2008. He stated that there is no debate that a reassessment is finalized once it has been filed with the Circuit Court Clerk. He said that the sales data is still suggesting that both land and homes sales are supporting the reassessment. He said that does not mean, however, that citizens should not go to the Board of Equalization if they have a case. He said the deliverable in this case is the land book which goes to the Circuit Court (even though it is paid for by the legislative body – it is a deliverable to the Court).

Mr. Massengill gave dates of some upcoming meetings: January 26th at 7:00 p.m. there will be an Industrial Development Authority meeting at the Airport; January 27th at 7:00 p.m. the Board of Supervisors will have a joint meeting with the School Board regarding the budget conditions and the 08/09 shortfall; there is a desire for an economic development workshop with the Board of Supervisors, the Industrial Development Authority and the Planning Commission – probably sometime in March; he stated that he attended a meeting the previous Thursday - in attendance were the county managers and city managers for approximately 20 jurisdictions from the Central Virginia region. He said the picture that was painted regarding budgets was probably the most grim that some of those folks had seen in over thirty years. He said that earlier a personal property reduction of approximately 8% had been expected. Those numbers now look to be extremely low and are currently being assessed.

Mr. Massengill stated that he will be meeting with staff this week to give an overview of where the County is budget wise, and what the process will be. Because of the budget situation and where the County is because of the shortfall, almost all projects have been halted. The Commerce Park Road is moving forward; however the demolition projects for the schools (significant price tags are associated with cleaning up those facilities) is on hold. Also, the gateway signage projects have been held up. The Rohoic Elementary School future use committee wishes to move forward with that discussion according to the School system (to at least come up with what the potential uses could be). Mr. Massengill asked that Mr. Blair, County Attorney, give the Board an update on the abandoned vehicle ordinance request.

John C. Blair II, County Attorney, stated that the Sheriff had said that the request that had been brought forward was not an isolated report. He stated that he has received multiple reports of vehicles being abandoned on land in Dinwiddie County. He said that the Sheriff had stated that he would like to address the Board about this issue. Mr. Blair said there will be costs associated with enactment of this proposed ordinance.

It was the consensus of the Board to have the Sheriff come before the Board at the next regular meeting regarding this issue.

10. BOARD MEMBER COMMENTS

Mr. Talmage stated that this will be one of the hardest years economically in the memory of most people. He stated that he hoped the citizens would bear with the Board and let the Board resolve these issues to the best of their ability.

Mr. Moody stated that he had the impression that some citizens thought the reassessment had been done to prop up the economic situation. He said that the reassessment had been done a long time before the economic decline. He stated that he will not vote for any increase in taxes that would take care of the decline in the economic situation. Regarding the letter he received from NACo, he stated that there were several areas where funding will be available. He named a few: approximately \$3 billion for bridges; approximately \$1 billion for wastewater treatment plants; some stimulus dollars for training police officers; \$3 billion for broadband; and some matches for community facilities. He stated that the County needs to seek out these funds, to meet with the members of the House of Representatives and our Senators to try to be one of the first in line to get on the list. He added that last week the Tobacco Commission approved \$50 million for research and development, and there is another fund they have available that will match this economic stimulus money for localities. He said that hopefully if these two could be married together, the County could get these projects done with no or minimal cost to the County.

Mr. Stone asked that Mr. Massengill send the Board Martha Burton's (of Crater District Planning) e-mail. He said that he had asked for information on the School Board's Board docs program that they had approved. He has not received that information.

Mr. Massengill stated that he would put in another request to the School system for that information.

Mr. Haraway stated that he would like to apologize to the citizens who spoke at citizen's comment at the last Board meeting. He said he was sorry to hear that some of them left the meeting and thought that the Board of Supervisors didn't have any interest in their remarks because no one had a reply to them. He said that certainly was not the case, and that the Board certainly has the citizen's interests at heart. He stated that he would have loved to have seen the reassessment discarded. He said however, when the County Attorney and the County Administrator tell him that this is not legal, he is certainly not going to suggest that the County do something that is not legal. He said he thought that most of the Board members would agree. He continued that as Mr. Moody had indicated, the only thing the Board can do now is adjust the tax rate for next year to compensate for the increase in the assessment. He said that they probably should have said something at the last meeting; and that by being silent citizens probably thought that they were not responsive to them. He said that was not the case, and that each of the Board members are very interested in this reassessment. He added that they are in the same boat as the residents are in. His land went up 84%, so he has the same interest as the average resident.

11. CLOSED SESSION:

At 4:15 p.m. upon motion of Mr. Stone, seconded by Ms. Moody,

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

- a. §2.2-3711 (A) (1) Personnel Matters
 - Personnel
 - County Administrator
 - Deputy County Attorney
 - Board of Supervisors Bylaws
 - Appointments
 - Dinwiddie County Airport Industrial Authority
 - Dinwiddie County Industrial Development Authority
- b. §2.2-3711 (A) (5) Business and Industry Development:
 - Prospective Business & Industry
- c. §2.2-3711 (A) (7) Legal Matters:
 - Consultation with Legal Counsel
 - Bond Viability and Legality

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

At 6:25 p.m. upon motion of Mr. Talmage, seconded by Mr. Stone, the Board reconvened into open session.

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

CERTIFICATION

WHEREAS, this Board convened in a closed meeting under:

- a. §2.2-3711 (A) (1) Personnel Matters
 - Personnel
 - County Administrator
 - Deputy County Attorney
 - Board of Supervisors Bylaws
 - Appointments
 - Dinwiddie County Airport Industrial Authority
 - Dinwiddie County Industrial Development Authority
- b. §2.2-3711 (A) (5) Business and Industry Development:
 - Prospective Business & Industry
- c. §2.2-3711 (A) (7) Legal Matters:
 - Consultation with Legal Counsel
 - Bond Viability and Legality

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

7:00 P.M. – PUBLIC HEARING

The Chair opened the meeting at 7:00 p.m., followed by the roll call.

ROLL CALL

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

12. A. PRESENTATION: RESOLUTION FOR HUNTUS K. DUKE

W. Kevin Massengill, County Administrator, presented on behalf of the Board of Supervisors the resolution below to Mrs. Huntus K. Duke. She was also presented with a plaque from the County in appreciation of her years of service.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the resolution for Mrs. Huntus K. Duke is approved as stated.

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

**HUNTUS DUKE
(41 Years of Service)**

WHEREAS, Huntus Kitchen Duke grew up in Sussex County and moved to Dinwiddie County in 1956; and

WHEREAS, Ms. Duke began her career in Dinwiddie County in 1968 as Secretary to the County Administrator and the Planning and Zoning Department; and

WHEREAS, in 1976 Ms. Duke became the Chief Deputy Clerk when Annie Lee Williams was elected as Clerk to the Court in the same year, and Ms. Duke and Ms. Lee were the only two employees in the Clerk's Office for 10 years; and

WHEREAS, Ms. Duke was the Courtroom Clerk from 1989 to 2004, where she was responsible for taking notes of the courtroom proceedings, preparing orders, and managing all criminal case files;

WHEREAS, during her tenure as Chief Deputy Clerk Ms. Duke accurately kept the accounting and bookkeeping records of all of the financial transactions for the millions of dollars each year that passed through that office during that time; and

WHEREAS, Ms. Duke and Ms. Annie Lee Williams indexed and recorded every deed in Dinwiddie County since 1976; and

WHEREAS, Ms. Duke has been a dedicated employee who represented the County of Dinwiddie in a professional and helpful manner, serving citizens with respect, and has served the citizens of Dinwiddie County with steadfast devotion and unwavering commitment for over forty-one (41) years;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors on this 20th day of January 2009 desires to express their appreciation to Ms. Huntus Kitchen Duke for her 41 years of loyal, dedicated service to Dinwiddie County, and to extend to her their warmest regards and very best wishes for many years of health and happiness as she enters a new phase of her life; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Ms. Huntus Kitchen Duke, and a copy spread upon the minutes of this meeting for eternity.

Ms. Duke stated that she had something that she would like to read. She read the following article that was in the newspaper on August of 1968 – the year that she started.

Another Duty for Secretary. "How do you cut the air conditioner in the Courtroom off?" Huntus Duke asked Treasurer Frank Jones. The executive secretary to the County Administrator, Terral Baskville and the Building Inspector, James Blaha, Ms. Duke is now involved with another kind of work – some of the janitorial services. The regular janitor is off from work for a few days, and Baskville is away taking reserve training, so it's up to the cheery brunette to see that air conditioners are off and doors are closed at closing time for the courtroom offices.

12. B. PRESENTATION: RESOLUTION FOR WILMA M. MASON

W. Kevin Massengill, County Administrator, presented on behalf of the Board of Supervisors the resolution below to Mrs. Wilma M. Mason. She was also presented with a plaque from the County in appreciation of her years of service.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the resolution for Mrs. Wilma M. Mason is approved as stated.

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

Nays: None

WILMA M. MASON (35 Years of Service)

WHEREAS, Mrs. Mason began her employment with Dinwiddie County working full time in the Department of Social Services, and part-time in the same department until December of 1974; and

WHEREAS, beginning in January 1975 until August of 1980 Mrs. Mason served the Town of McKenney well as Town Treasurer, and in September of 1980 returned to employment with the Dinwiddie County Department of Social Services as an Eligibility Worker until June of 1984; and

WHEREAS, in June of 1984 Mrs. Mason started her career with the Dinwiddie County Treasurer's Office as Deputy I, and after serving faithfully she was named Chief Deputy Treasurer in April of 1988. Mrs. Mason received her Certified Deputy Treasurer status through the certification program offered through the Treasurers' Association of Virginia and the University of Virginia; and

WHEREAS, Mrs. Mason is commended for her leadership, hard work, steadfast devotion and unwavering commitment to serving the citizens of Dinwiddie County for thirty-five (35) years; and her presence in the Dinwiddie County Treasurer's Office will be sorely missed; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors on this 20th day of January 2009 desires to express their appreciation to Mrs. Wilma M. Mason for her 35 years of loyal, dedicated service to Dinwiddie County, and to extend to her their warmest regards and very best wishes for many years of health and happiness as she enters a new phase of her life; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Ms. Wilma M. Mason, and a copy spread upon the minutes of this meeting for eternity.

Mrs. Mason stated that she had told the Treasurer that she doesn't do speeches. She said she would like to say, however, that she has enjoyed working for the County all these years, it has been a real learning experience and she will miss her work family now that she's retired. She said, however, that she is looking forward to doing nothing for a while. She added that as a friend of hers says, "that's all she has to say".

12.C. PRESENTATION: CUB SCOUT PACK 185 FLAG PRESENTATION

Mr. David Dudley thanked the Board for the opportunity for him to bring the young cub scouts from Pack 185 for this presentation. He stated that these are some of the County's future adults, and maybe one day one of these young men will be sitting where this Board is sitting now. He said it was a pleasure that on behalf of Henry Caffy, the Cub Master, these young men, the den leaders and the adults who help with the Pack, they are at this meeting to present a flag to the County. He said that in March of 2008 some of these young men were here to conduct a flag ceremony (which is one of their requirements to earn either a badge or bead to show they are advancing in their rank). At that time they noticed that the American flag was in need of replacement. He stated that as a result they present with pleasure to the County of Dinwiddie a United States flag that was flown over the US Capital Building on July 4, 2008. This flag was flown in honor of US military service personnel – those who had served in the past; those who are serving now; and those who will serve in the future. He stated that most importantly it is in the memory of those service members who have given their lives, or will give their lives, in the defense of our country. The flag was presented to the Chairman of the Board and the County Administrator.

13. B. PUBLIC HEARING: P-08-5, TINDALL CORPORATION REZONING REQUEST

Mark Bassett, Director of Planning, presented the information below to the Board.

The Chair opened the public hearing in this case.

As no one was signed up to speak, the Chair closed the public hearing in this case.

Planning Commission Report

File #:	P-08-5
Property Owner & Applicant:	Tindall Corporation
Rezoning Request:	Agricultural, General, A-2 to Industrial, General, M-2
Property Address:	5400 Olgers Road, Petersburg
Tax Map & Parcel #'s:	20-11-A, & Part of 20-11-C
Property Size:	12.44 acres and 10.00 acres
Magisterial District:	Namozine District
Planning Commission Mtg.:	December 10, 2008

CASE OVERVIEW

The applicant, Tindall Corporation, is requesting to rezone parcels containing approximately 22.44 acres from Agricultural, General, A-2 to Industrial, General, M-2. The

Industrial, General, M-2 zoning classification allows for concrete manufacturing. The property is located at 5400 Olgers Road, and the property is further defined as Tax Map Parcels 20-11-A and a part of 20-11-C. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Urban Planning Area, which recommends industrial development for this general area. A portion of the property further identified as Tax Map Parcel 20-11-A is currently being utilized for storing finished concrete pre-cast products. The adjoining property housing the manufacturing facility and related product storage yard was originally zoned Industrial, General, M-2, in August 1985.

LAND USE/ZONING ANALYSIS

The properties in the immediate area surrounding the two land parcels include single-family residential land uses and agricultural and open space land uses. The surrounding residential and agricultural property is zoned Agricultural, General, A-2.

The purpose of the Industrial, General, M-2, zoning district is to allow for industrial and manufacturing related development. The M-2 zoning classification allows for the existing and proposed concrete manufacturing facility and the storage of the finished concrete pre-cast products on the subject property. This rezoning will make the product storage yard on Tax Map Parcel # 20-11-A a conforming use of the property and allow for expansion, if needed, of the current use on both subject land parcels.

The subject property is located within the Urban Planning Area as defined by the Comprehensive Land Use Plan. The Urban Planning Area is expected to accommodate industrial facilities within this general area of the County.

OVERVIEW OF IMPACTS

Public Utilities, School System, Public Safety, & Land Use Impacts

The impacts of the rezoning are minimal. The proposed rezoning to M-2, Industrial, General, with proffers allows for concrete manufacturing and related product storage uses only, and water and sanitary sewer is provided using the public DCWA system, which has been upgraded as a part of the recent Tindall facility expansion project. There is no impact on the public school system. The potential impact on public safety will not be further impacted with the rezoning of the property.

Transportation Impacts

The impacts on the existing transportation network are minimal. The subject property has adequate access to Olgers Road and with the current improvements made to the commercial entrance on Olgers Road and with the signalization of the railroad crossing and Hwy. 460 intersection as proffered in a previous rezoning request by Tindall Corp. the road system in this particular area is adequate to handle the traffic generated by the current uses and the proposed manufacturing facility improvements.

PROFFER STATEMENT

The applicant, Tindall Corp., did proffer to limit the uses on the subject property to concrete manufacturing, to the storage of finished concrete pre-cast products, and for erosion and sediment controls and stormwater management structures. In addition, Tindall Corp. did proffer to ensure that security lighting is directed downward and inward to the site to avoid casting site lighting on to the adjacent properties and into the night sky.

Staff Recommendation:

The planning staff has reviewed the rezoning request and is satisfied that the applicant has addressed the impacts of rezoning the subject properties.

Staff recommends APPROVAL WITH PROFFERS of the request to rezone the subject properties based on the following reasons:

1. The zoning classification requested is compatible with the surrounding zoning pattern, and is the appropriate industrial zoning classification given the current and proposed uses located on the subject property;
2. The requested zoning classification and uses permitted by right under this classification conform with the underlying uses outlined in the Urban Planning Area in the Comprehensive Land Use Plan for this general area; and
3. The rezoning with proffers limiting the use of the subject property will not have an adverse impact on the surrounding properties.

PLANNING COMMISSION RECOMMENDATION

At the Planning Commission Public Hearing, Tim Gainey and Pat Pennell who represent Tindall Corp. spoke in favor of the application informing the Planning Commission that when an appraiser appraised the Tindall property it was found that the two subject properties were still zoned agricultural, and Tindall desires to have the property rezoned to Industrial to make the zoning uniform and conforming throughout the Tindall property. The Planning Commission unanimously recommended approval with proffers of the rezoning to the Board of Supervisors by a vote of 6-0.

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

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (7) that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, that rezoning P-08-5 is approved with proffers by the Board of Supervisors.

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

Nays: None

13.B. PUBLIC HEARING: PROPOSED ORDINANCE AMENDMENTS TO THE CODE OF DINWIDDIE COUNTY, CHAPTER 10, FIRE PREVENTION AND PROTECTION, ARTICLE 1, IN GENERAL, SECTION 10-4, AND CHAPTER, 17, SOLID WASTE, ARTICLE 1, IN GENERAL, SECTION 17-5

Fire Marshal Tony Williams presented the information below to the Board.

The Chair opened the public hearing in this case.

As no one was signed up to speak, the Chair closed the public hearing in this case.

BACKGROUND

Section 10-4 (and referenced in Section 17-5 {f}) of the Dinwiddie Code pertains to the burning restriction of brush, leaves, etc. between the hours of 4:00 pm and 12:00 midnight during certain months of the year. Currently our Code does not correlate with those months of the year as written in the Section 10.1-1142 of the Code of Virginia. The current Code of Virginia has a set fire period of February 15 through April 30 which was modified several years ago. This modification to the Code of Dinwiddie would remove the dates of March 1 through May 15 and insert those dates that are currently in the Code of Virginia.

LAST BOARD ACTION

The last action taken by the Board of Supervisors was the adoption of Chapter 10, Section 4 (Fire Prevention and Protection) of the Dinwiddie Code. (Code 1970, 9-3.1)

REQUESTED ACTION

Dinwiddie Fire Marshal's Office requests that the Board of Supervisors amend Sections 10-4 and 17-5f of the Code of Dinwiddie to reflect the correlation to Section 10.1-1142 of the Code of Virginia.

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

BE IT RESOLVED that the Dinwiddie County Board of Supervisors does hereby approve the amendments to Chapter 10, Fire Prevention and Protection, Article I, In General, Section 10-4, and Chapter 17, Solid Waste, Article I, In General, Section 17-5(f), of the Code of the County of Dinwiddie, Virginia, as presented.

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

Nays: None

14.A. OLD / NEW BUSINESS: APPOINTMENTS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Van Woodell is reappointed to the Dinwiddie County Airport Industrial Authority for a term expiring January 31, 2012.

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

Nays: None

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. David Lyle is appointed to the Dinwiddie County Industrial Development Authority for the at large position for a term expiring January 31, 2012.

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

OLD / NEW BUSINESS: RENEWAL OF CONTRACT OF EMPLOYMENT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the County Administrator is authorized to execute and sign all documents for a one year contract dated February 5, 2009 with the Dinwiddie County Deputy County Attorney. Said contract shall have a renewal period of one year.

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

OLD / NEW BUSINESS: SHOPPING CARTS AT WESTGATE FOOD LION

Mr. John C. Blair II, County Attorney, spoke to the Board regarding a citizen comment at the last Board of Supervisors meeting. He stated that Mr. Joe Hoggood commented about shopping carts in Franklin Street. Mr. Hoggood complained that the shopping carts were a product of Westgate Food Lion being located on Rt. 1 with the big "cliff" that goes over into Franklin Street. Mr. Blair stated that he had talked with the officials at Food Lion. He spoke with the Assistant Manager, Mr. Charley Baron. He asked if Mr. Baron had received any complaints about shopping carts in the road. Mr. Baron stated that Mr. Hoggood had come in the store and talked to him about that, but he had not received any further complaints. Mr. Blair asked for Mr. Baron's evaluation of why these carts were getting into Franklin Street. Mr. Baron said that when you go to the lower side of the building, next to the Chinese Restaurant, the cliff levels off to street level. There is what appears to be a walking path there. Mr. Baron stated that he thinks the carts are getting into Franklin Street because residents who live in that portion of the County are pushing the carts on that walking path to their homes. Mr. Blair said there is obviously no verification of this from either side. As part of the County's continuing efforts to try to get some resolution, there is a provision in the State Code about removal of shopping carts from a business. It is actually a crime to take shopping carts away from a business without permission of the business. He said that he and the County Administrator had discussed that they meet together with the Food Lion officials to talk with them about the possibility of putting up a sign or some sort of enforcement mechanism. He said if the Board would like, they can pursue that avenue.

As this is in Mr. Talmage's district, he requested that they follow the suggested course. He asked also while they are there, to ask them about cleaning up the mess they have on the side of the hill as well. He said it is an eyesore.

15. CITIZEN COMMENT

The Chair read the following statement before opening the citizen comment period.

The Board of Supervisors desires to provide an opportunity for citizens to express their views on matters pertaining to Board issues that are not listed under the Public Hearings portion of this meeting. It is for that purpose the citizens comment period is provided. This time is not intended to be a question and answer period or time for dialogue with Board members or staff. Citizens desiring to address the Board must sign up prior to the commencement of the meeting. Comments must be confined to matters germane to the business of the Board. Citizens should address the Board with decorum. Loud, boisterous or disruptive behavior, obscenity and vulgarity should be avoided; as well as other words or acts tending to invoke violence or deem to be a breach of the peace. Please do not forget that all comments shall be directed to the Board Chair.

The County Administrator reiterated his remarks from the 3:00 p.m. portion of the meeting regarding the reassessment.

The Chair opened the citizen comments period.

1. Vincent Lewis – 17315 Wilkinson Road – said that he was speaking for himself and several other members of the community. He gave the Board a copy of what he was

speaking about. He stated that real estate owners cannot go on supporting all the School costs. He said there must be an alternative way to receive money for the school system. Some of the issues he discussed: unemployment, the tax rate, stopping the Sports Complex project and County vehicles.

2. Edward E. Jeter – 19002 Holly Street – spoke in opposition to the reassessment. Said everyone on his street had jumped from \$14,000 to \$30,000 for unimproved lots in Dinwiddie County.

3. Anne Scarborough – Dinwiddie – stated that she agreed with what she had heard. She said not only had citizens been unfairly taxed through this reassessment, but also the citizens have been unfairly taxed on their homes and cars for many years. She said out of 95 counties in Virginia in 2007 there were only 6 higher than Dinwiddie County's \$.87. There were only 8 higher than Dinwiddie's \$4.90. She compared with surrounding jurisdictions. She also expressed concern about the Board going to The Homestead for the VACo conference.

4. Edward H. Williams – 23515 Cox Road – agreed with everyone who spoke. He said he deals with economics every day – that he works off the T.V. He spoke in opposition of the reassessment. He said that an economist is needed to deal with the reassessment. He said he gets his information from CNBC.

5. Keith Gholson -18512 Bishop Street – spoke in opposition to the reassessment.

6. Carl Nye – 14719 Wilkerson Road – DeWitt – said it wasn't that he thought the reassessment on his property wasn't fair; he thought it wasn't just. He said it was hard to justify a 35% to 40% increase.

7. Robert E. Hoyle – 22717 Old Vaughn Road – spoke in opposition to the reassessment. He said that the Board of Equalization was the citizens' last ditch effort to make some kind of "sense out of this nonsense". He said the tax valuation date for this reassessment is January 1, 2009 – which means that all sales information from 2007 and 2008 can be used. He said that if citizens can find sales in 2008 that reflect that their property has been over-assessed, and they take that information to the Board of Equalization, they will be able to use that information.

8. Chip Bain – 14608 Sleepy Hollow – Dinwiddie – spoke against Mr. Wingate and his associates. He said he sat with them, they took a lot of notes, found a lot of mistakes, there were a lot of things they agreed to do and some they said they couldn't help him any. He stated that he had examples of surrounding tracks and they said could fix it. He said when he got the second notice, nothing had been changed. He stated that they were very untruthful. He said he had showed them sales that were 30% less than what he had assessed at, and that Mr. Wingate agreed with the sales. But he did not change anything.

9. John Wamsley - 2619 Oxford Drive – Sutherland – spoke in opposition to the reassessment. He said that it appeared that what was said by the citizens at the last meeting fell on deaf ears.

As no one else was signed up to speak, the Chair closed the citizen comments period.

Mr. Haraway, Chairman of the Board, said that he agreed with the citizens. He said he had a 3 acre lot that had increased 84% and he was in the same boat as the citizens who spoke. He said he was one of those who wanted to discard this reassessment because of the reasons that had been pointed out at this meeting. He said, however, when the County Attorney and the County Administrator told him it was not legal to discard it, he felt he had to listen to them. He stated that he did not want to recommend that the County do anything that was not legal. He said that right now the only thing he knew that the Board could do was to encourage citizens to go to the Board of Equalization. He stated that the Board of Supervisors can only do one thing – to decrease the tax rate. Mr. Haraway said many people in the county had lost their jobs, their health insurance and other personal possessions. He said he felt sorry for these people and that he feels that he has a moral obligation to cut the tax rate to a point that it will not be a burden on the county's citizens.

Mr. Talmage stated that he was hit with the high reassessment as well. He said that the Board will do everything that can be done legally to help. He said he would like to lower the tax rate as much as possible without affecting essential services. He said he would also like to look at eventually changing the cycle of the reassessment so that it will not be such a burden. He said the County is required to do the reassessment but there are different timeframes that could be chosen. He said that citizens now need to go

before the Board of Equalization and take their evidence with them in order to seek that their reassessment be adjusted. He said the Board of Supervisors will assess how far they can lower the tax rate.

Mr. Moody stated that all the comments that had been made at this meeting made sense to him, and that everyone is in the same boat regarding values. He said that his reassessment went up quite a bit as well. He said there were three key points that he gleaned from all that was said. He said he thought citizens should be helped with the form if they have problems with it, as it is a complicated form. He said he does have concerns about the truthfulness of some of the comments that were made to citizens by the assessment firm. He encouraged citizens to go to the Board of Equalization hearings. He stated that he would recommend that the Board of Equalization use the sales values through 2008.

Ms. Moody stated that her property has increased from 120% to 150%. She said she is also in agreement with using 2008 sales values. She stated that she also agreed that the tax rate needs to be lowered.

Mr. Stone stated that his assessment jumped from \$44,000 to \$102,000. He said that the Board of Equalization has no one from the Commissioner of the Revenue's Office or from Wingate and Associates sitting on it. That Board is made up of county residents who have been trained by the State Tax Department. He encouraged citizens to make appointments. He echoed Mr. Haraway's comments regarding the legality of what the Board of Supervisors had done to date. He stated that he fully supports Mr. Blair's opinion and said that it was not only our County Attorney's opinion. Mr. Blair called around to several other jurisdictions and spoke with the VACo attorney as well. He said that he also would like (if it be the will of the Board) to convey to the Board of Equalization that while they set the dates, the Board of Supervisors would encourage that they use 2008 sales values as well.

Mr. Massengill, County Administrator, stated that the Board of Equalization reports to the Judge, and they have reported to the County that they take this job very seriously and that they want to equalize the property. He said that he did not feel the wishes of the Board would go on deaf ears.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia to recommend to the Board of Equalization to use the 2008 sales values for their reassessment hearings.

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

16. ADJOURNMENT

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

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

The meeting was adjourned at 8:35 p.m.

Donald L. Haraway
Chairman

ATTEST: _____
W. Kevin Massengill
County Administrator
Clerk to the Board

/wjn