

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 17TH DAY OF FEBRUARY 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

W. Kevin Massengill, County Administrator, stated that there was a need to amend the agenda to include the following under Closed Session: §2.2-3711 (A) (1) Personnel Matters: Personnel, County Administrator needed to be added; and under §2.2-3711 (A) (7) Legal Matters: Discussion of Possible / Probable Ligation needed to be added.

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

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

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

5.A. CONSENT AGENDA: APPROVAL OF MINUTES FOR JANUARY 20, 2009 REGULAR MEETING

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the January 20, 2009 Regular Meeting Minutes are approved.

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

5. B. CONSENT AGENDA: CLAIMS

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

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

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

CLAIMS	Jan 16 '09	Jan 23 '09	Feb 6 '09	Feb 6 '09	Jan '09 Payroll	
	VOID		VOID			
	1067239	VOID 1067345	1067477	No Void	No Void	
	1067240-1067344	1067346-1067392	1067478-1067591	1002	1067394-1067476	TOTALS

101 - General Fund	\$213,770.17	\$459,859.29	\$106,677.08		\$935,651.50	\$1,715,958.04
103 - Jail Commission	\$344.71					\$344.71
105 - Playground Equipment						
202 - Medical Center			\$7.19	\$3,750.00		\$3,757.19
209 - Litter Grant Fund						
210 - Community Develpmt		\$6,251.00				\$6,251.00
226 - Law Library						
228 - Fire Programs & EMS	\$110.68	\$114.95	\$4,668.79			\$4,894.42
229 - Forfeited Asset Sharing Program	\$128.00		\$1,024.00			\$1,152.00
301 - School Construction						\$0.00
305 - Capital Projects Fund	\$46,962.23	\$33,664.67	\$1,818.11		\$12,494.34	\$94,939.35
401 - County Debt Service		\$820,268.21	\$72,307.96			\$892,576.17
TOTALS	\$261,315.79	\$1,320,158.12	\$186,503.13	\$3,750.00	\$948,145.84	\$2,719,872.88

5. C. CONSENT AGENDA: SCHOOL BOND REQUISITIONS FROM PROJECT FUND: HS-47; ES-50

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, February 10, 2009.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that a total disbursement of \$241,695.94 from the VPSA 2007 Bonds, is approved.

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

No. HS -47

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: February 10, 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>
\$ 215,984.62	Kenbridge Construction Co., Inc.	Application for Payment No. 31

\$ 25,711.32 School Specialty Inc. Equipment

\$ 241,695.94 TOTAL OF THIS REQUISITION

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that a total disbursement of \$50,000.00 from the VPSA 2007 Bonds is approved.

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

Nays: None

No. ES- 50

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: February 10, 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>
\$ 50,000.00	Kenbridge Construction Co., Inc.	Application for Payment No. 30
\$ 50,000.00	TOTAL OF THIS REQUISITION	

6.A. REPORTS: DEPARTMENT OF TRANSPORTATION

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

1. Lennie Road – Contract Completion date – April 25, 2009. Contract remains on time but may be over budget.
2. Roundabout or T-Intersection at Ferndale/Cox – A brief discussion about time and budget.
3. SSYP Update
4. Maintenance Levels of Service
5. Maintenance Issues

Maintenance Issues:

It was the consensus of the Board to allow VDOT to present both a dual lane and a roundabout design for the Ferndale/Cox intersection.

Mr. Talmage requested that a speed study be done on Smith Grove Road to reduce the speed limit.

Mr. Varney agreed that he would look at it and see if a study was warranted.

Mr. Stone requested that the sight distance at the intersection of Whitmore Road and Route 40 be checked. He also requested that more pothole patch work be done on 1-85.

6.B. REPORTS: PROPOSED EAST COAST GREENWAY

Mark Bassett, Director of Planning, summarized the Public Meeting Notice:

Proposed East Coast Greenway Alignment Planning

The public is invited to attend a meeting and open house on Thursday February 26, 2009 at 6:30 PM at the Eastside Enhancement Center, Sutherland Ballroom to provide input into the planning for the location of a greenway/ trail to be developed along the alignment for the Southeast High Speed Rail Project. The Southeast High Speed Rail project will be constructed in the alignment of the former Seaboard Coast Line Railroad running from near Petersburg to Raleigh, NC. Preliminary planning has proposed that a ten-foot wide trail be developed in conjunction with the development of the railroad as a multi-modal transportation project. It is envisioned that the greenway/trail will be parallel to, but outside of, the existing right-of-way, thereby providing a safe setback distance for pedestrians and bicyclists using the trail. State and local government agencies from North Carolina and Virginia are working with local citizens along the corridor to identify the best location for the Greenway/trail. As envisioned, this trail will provide walking, bicycling, and equestrian opportunities for local citizens as well as persons traveling through the area on the East Coast Greenway.

Planning Commission Chairman, Samuel Hayes, presented by indicating to the Board that the aerial views of the Southeast High Speed Rail corridor are available at the following link: www.sehsr.org/ and the proposed multi-modal trail will be located adjacent to this High Speed Rail corridor in a final 30 foot easement and where the curves are too extreme within the existing High Speed Rail corridor the trail is planned to be located within the abandoned rail corridor. The recommendation is to have the proposed multi-modal trail run on the west side of the existing abandoned rail corridor to access Pamplin Park and the Appomattox River Trail in the northern end of the County and heading south to access the Village of Dinwiddie, Five Forks, and the schools. At the Town of McKenney, the trail would be located on the east side of the abandoned rail bed to access the Town and to allow the trail to follow Route 1 into Rawlings to avoid the Nottoway River bridge crossing. Mr. Hayes also spoke about the Stimulus Bill indicating that there is \$8 billion earmarked for high speed rail projects, which would apply to this project. In closing Mr. Hayes encouraged the public to attend the public input meeting on Thursday, February 26 at 6:30 PM at the Eastside Enhancement Center.

6.C. REPORTS: RECREATION DEPARTMENT – FY 08/09 OPERATIONAL CONSIDERATIONS

W. Kevin Massengill, County Administrator, stated that the Board met on February 3, 2009 and at that meeting the Board had heard a presentation regarding the budget shortfall for FY08/09 and potential cuts to the Recreation Department programs. He said they were attempting to identify those cuts before the start of the spring season (the second week in March). The understanding from that meeting was that nearly 95% of all the programs being offered for the spring season have already been booked, or met the minimum requirements to start that program.

Mr. Massengill made a recommendation to the Board that all the existing programs stay intact for the remainder of this fiscal year (until June 30, 2009). That recommendation was prefaced with the statement that as part of the County’s review on all government entities, including the County departments as well as the Constitutional Officers, there will have to be cuts in the amount of \$1.5 million in order to make budget. He stated that the County cannot spend what it does not have. With that, the Recreation Department and Administration will be looking at other areas to find potential savings. Identified so far are potential fee increases, fewer hours of operation, etc. He said next year’s budget shortfall is estimated at \$2.5 million.

It was the consensus of the Board that the recreation programs will stay intact until the end of FY08/09 fiscal year.

7.A. ACTION ITEM: GENERAL REASSESSMENT

W. Kevin Massengill, County Administrator, presented the information below regarding the general reassessment.

Legal Summary of Options:

- Pursuant to the Code of Virginia § 58.1-3252:
 - Maintain Four (4) year reassessment cycle.
- Pursuant to the Code of Virginia § 58.1-3253:

- By ordinance adopt annual or biennial assessment and equalization of real estate in lieu of the reassessment.

- Pursuant to the Code of Virginia § 58.1-3254:
 - Local Government body may call for a new reassessment

Legal Origin

There shall be a general reassessment of real estate **every four years**. Any county which, however, has a total population of **50,000 or less may elect by majority vote of its board of supervisors to conduct its general reassessments at either five-year or six-year intervals**.

Nothing in this section shall affect the power of any county to **use the annual or biennial assessment method as authorized by law**.

➤ **Annual or Biennial Assessment Method**

Tax Code of Virginia § 58.1-3253.

Notwithstanding any other provision of law, the governing body of any **county** or city **having at least one full-time real estate appraiser or assessor qualified by the Tax Commissioner** may provide by ordinance for the biennial assessment and equalization of real estate **in lieu of the reassessments required under this chapter**. Any county or city employing such method shall conduct a new reassessment of all real property biennially, but may complete such reassessment during an entire two-year period, employing the same standards of value for all appraisals made during such period.

➤ **Reassessments at the Direction of the Governing Body**

Tax Code of Virginia § 58.1-3254

Notwithstanding any other provision of this article to the contrary, **there may be a general reassessment of real estate in any county or city in any year if the governing body so directs by a majority of all the members thereof, by a recorded ye and nay vote**. If such general reassessment is conducted, further general reassessments shall be required only every fourth year thereafter for counties, or every second year thereafter for cities notwithstanding the provisions of § [58.1-3250](#) and [58.1-3252](#) to the contrary.

➤ **February 3rd BOS Workshop**

Pursuant to the Code of Virginia § 58.1-3254:

- Local Government body may call for a new reassessment

County Administrator sought authorization to start the process to conduct another reassessment at the beginning of the FY09/10 budget year. County Administrator stressed that this reassessment was not to replace the current reassessment. Current reassessment has been filed with the Circuit Court Clerk and is legal.

➤ **Rationale for Recommendation**

Listening to Citizen Concerns and Comments:

- **Frequency** – 4 year cycle is too far apart. Shorter reassessment cycles are easier for taxpayers to adjust to. More reflective of current housing market.
- **Timing & Economic Climate** – Citizens concerned that current economy not reflected in reassessment.
- **Accuracy and Consistency** - Volume of BOE applications have increased comparative to last reassessment.
- **Expectations** –Government to be reactive to concerns.
- **Cost** – worth the expenditure to do another reassessment.

Most expeditious way to legally address concerns is to authorize a new reassessment.

➤ **County Assessors Office**

County Administration was asked by Supervisor Harrison Moody to research the option of hiring a County Assessors office before the Board acted on the authorization to perform another assessment in July.

Pursuant to the Code of Virginia § 58.1-3253:

- By ordinance adopt annual or biennial assessment and equalization of real estate in lieu of the reassessment.

County Assessors Offices
Comparative Analysis

County	Population	Land Area	FY08/09	Employees	Reassessment Schedule
Prince George	36,633 (Ft. Lee)	266SM	\$536,518	6 Full Time 1 Part Time	Annual Each property physically inspected every third year
Louisa	31,415	497SM	\$453,098	6 Full Time	Annual
Gloucester	35,960	217SM	\$422,613	6 Full Time	Biennial general Assessment
Goochland	20,422	284SM	\$434,633	5 Full Time	Biennial general Assessment

➤ **County Assessors Office**

Though it is difficult to determine “start-up” costs, it appears the biggest expense is for personnel.

All assessors’ offices have:

- State certified real estate appraisers
- Real Estate Assessors
- Real Estate Technicians
- Administrative Staff
- Average department size of 6 employees.
- Internet research indicates “average” full-time salaries:
 - Appraisal Manager \$80,000; Appraiser \$38,000;
 - Real Estate Clerk \$25,000

Other cost considerations:

- Physical office space
- Initial purchase of computer and software equipment
- Vehicles
- Office Supplies

Cost analysis:

- Would need approx. \$55-\$60M in new value per year to equal cost.
- Commissioner’s record of picking up new housing

Biennial vs. County Assessors’ Office

	Biennial	County Assessors
New value needed	\$40,000,000	\$58,000,000
Operational Expense	\$350,000 Biennial	\$500,000 Annual
Office Space	N/A	\$80,000
Vehicles	N/A	\$40,000
Equipment/Software	N/A	\$50,000
	2 year: \$350,000 4 year: \$700,000	1 year: \$670,000 2 year: \$1.17M 4 year: \$2.34M

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Dinwiddie County shall conduct a general reassessment in 2010 to be completed by December 31, 2010.

Yay: Ms. Moody, Mr. Talmage, Mr. Stone, Mr. Moody, Mr. Haraway
Nay: None

8. CITIZEN COMMENTS

The Chair opened the citizen comments period.

NOTE: Due to equipment error, not all of the comments were recorded.

1. John Wamsley – 2619 Oxford Drive – Sutherland – spoke in opposition to the 2009 reassessment.
2. Robert Belcher –
3. Joe Morris –
4. Kerry Shell - 270 Carson Road – spoke in support of the Parks and Recreation Department.
5. Bill Garrett –
6. Scott Firestine – 4020 Cameron Avenue – Hopewell – spoke regarding the Appomattox Regional Library.
7. Vincent Lewis – 17315 Wilkerson Road –
8. June W. Sonney Crumpler – 15320 Boydton Plank Road – spoke regarding the high speed rail system.
9. Anne Scarborough – Dinwiddie – spoke on several issues facing the County.
10. Thelma B. Jones – 21819 Cox Road – Sutherland –
11. Pearl Bland – spoke regarding McKenney Recreation.

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

9. COUNTY ADMINISTRATOR COMMENTS

W. Kevin Massengill, County Administrator, stated that the General Assembly approved the regional jail amendment to the state budget with the following stipulations: cap cannot exceed \$100 million; Brunswick County location only, limited to 400 beds; funds from State are not available until 2013; must consider PPEA; and Department of Corrections will have to approve the plan again with these revisions.

10. BOARD MEMBER COMMENTS

Mr. Stone made another request for the BoardDoc program information from the Schools.

Mr. Moody stated the need for a recycling ad campaign.

Mr. Talmage stated that the Dinwiddie County Beautification and Litter Task Force will be picking up trash on March 7, 2009 in the Reams area.

Mr. Haraway requested a list of map numbers with street addresses; asked for a separate line item for Recreation.

11. CLOSED SESSION:

At 5:05 p.m. upon motion of Mr. Stone, seconded by Mr. Moody,

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

- a. §2.2-3711 (A) (5) Business and Industry Development:
 - Prospective Business & Industry
- b. §2.2-3711 (A) (1) Personnel Matters
 - Personnel
 - Zoning Administrator
 - County Administrator
 - Appointments
 - Dinwiddie County Airport Industrial Authority
- c. §2.2-3711 (A) (7) Legal Matters
 - Contract Negotiations

- Discussion of Possible / Probable Ligation

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

Nays: None

At 7:00 p.m. upon motion of Mr. Moody, 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) (5) Business and Industry Development:
 - Prospective Business & Industry
- b. §2.2-3711 (A) (1) Personnel Matters
 - Personnel
 - Zoning Administrator
 - County Administrator
 - Appointments
 - Dinwiddie County Airport Industrial Authority
- c. §2.2-3711 (A) (7) Legal Matters
 - Contract Negotiations
 - Discussion of Possible / Probable Ligation

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. Talmage, seconded by Mr. Moody, this Certification Resolution was adopted.

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

Nays: None

Due to the number of citizens in attendance who wished to address the Board under the Citizen Comment period, the Chair recessed the meeting until 7:45 p.m. – to be reconvened at the Dinwiddie County High School Auditorium.

7:45 P.M. – PUBLIC HEARING

The Chair reconvened the meeting at the Dinwiddie County High School Auditorium at 7:45 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 PAUL W. WALK, JR.

On behalf of the Board of Supervisors Harrison A. Moody presented the resolution below to Mr. Paul W. Walk, Jr.

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

PAUL W. WALK, JR.

WHEREAS, Mr. Paul W. Walk, Jr. has contributed greatly to the County of Dinwiddie; and

WHEREAS, Mr. Walk was first appointed by the Board of Supervisors to the Dinwiddie County Industrial Development Authority on May 18, 2004 and has served diligently since his initial appointment; and

WHEREAS, Mr. Walk has not only graced that Authority with his fine sense of humor, but has also brought to the Authority his wealth of business knowledge and keen grasp of finances as well as a deep commitment to the betterment of his community and Dinwiddie County as a whole; and

WHEREAS, he has assisted the Industrial Development Authority and Dinwiddie County with funding to construct two new schools; the growth of local business and industry and, at the same time, has sought to maintain the distinctive rural quality of Dinwiddie County; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors on this 17th day of February 2009 desires to honor Paul W. Walk, Jr. and express heartfelt appreciation for his years of service to Dinwiddie County, and his most valuable contribution to the Industrial Development Authority; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to Paul W. Walk, Jr., and a copy spread upon the minutes of this meeting for eternity.

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

Upon receipt of the resolution Mr. Walk stated that it should be him thanking the Board instead of them thanking him. He said they gave him the opportunity to serve the County and to help build the new school, recreation and other industrial development within the county. He added that only in America could a crowd gather like what was present at this meeting to say what was on their mind.

12. B. PRESENTATION: RESOLUTION FOR ROBERT A. WALLACE

On behalf of the Board of Supervisors Harrison A. Moody presented the resolution below to Mr. Robert A. Wallace.

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

ROBERT A. WALLACE

WHEREAS, Mr. Robert A. Wallace is married to Erselle Wallace and is the proud father of four children and proud grandfather of two grandchildren; and

WHEREAS, Mr. Wallace moved to the Town of McKenney in 1954 and opened his own business there in 1964, Wallace's Supermarket; and

WHEREAS, Mr. Wallace has continually contributed to his community by serving faithfully on the McKenney Town Council, one year as Mayor of the Town of McKenney, as a member of McKenney Ruritan Club, as a member of McKenney Volunteer Fire Department for over 25 years and by serving on the Bank of McKenney Board of Directors; and

WHEREAS, he was first appointed by the Board of Supervisors to the Dinwiddie County Industrial Development Authority on February 15, 1984 and has served faithfully since his initial appointment as a staunch advocate on behalf of local businessmen, as well as assisting the Industrial Development Authority with the development of business-friendly policies which have resulted in attracting and retaining businesses and industries for the betterment of the County; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors on this 17th day of February 2009 desires to honor Robert A. Wallace and express to him deep appreciation for his years of outstanding service and loyalty to this great county and for his dedication and extensive contributions to the Dinwiddie County Industrial Development Authority; and

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

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

Nays: None

Upon acceptance of his resolution Mr. Wallace stated that he thanked the Board of Supervisors for appointing him year after year to the Dinwiddie County Industrial Development Authority. He said he hoped he had made a difference in County of Dinwiddie. He stated that he appreciated the privilege to serve. He added that regarding the reassessment, he thought it was time to appoint a fulltime assessor to Dinwiddie County.

12.C. PRESENTATION: RESOLUTION FOR DINWIDDIE COUNTY HIGH SCHOOL FOOTBALL TEAM

On behalf of the Board of Supervisors Donald L. Haraway presented the resolution below to Coach Billy Mills and the Dinwiddie County High School Football Team. Mr. Haraway stated that the Board would like to thank Coach Mills for returning respectability to Dinwiddie County football. He said it goes without saying that Mr. Mills and the coaches believe in these young men and made the young men believe in themselves. He added that they had put a mark on Dinwiddie County that would last a long time.

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

DINWIDDIE COUNTY HIGH SCHOOL FOOTBALL TEAM

WHEREAS, the Dinwiddie County High School Football Team, the Dinwiddie Generals, finished the 2008 season with its second straight 9 -1 regular season, and their second straight Central District Championship; and

WHEREAS, the team captured the school's first Regional Football Championship since 2000 and the school's 4th Regional Football Championship overall; and

WHEREAS, the Dinwiddie Generals made the school's second Football State Final appearance (the first being in 2000), and finished the season with a season record of 12-2. The team outscored their opponents 566 to 248 and averaged 40 points a game; and

WHEREAS, the Dinwiddie Generals coaching staff under the leadership of Head Coach Billy Mills and Athletic Director Chad Knowles, are commended for their accomplishments, dedication and willingness to share their knowledge and inspire this team to greatness; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors on this 17th day of February 2009 desires to recognize the hard work, perseverance and athletic accomplishments of the Dinwiddie Generals Football Team; and wishes to express their heartfelt appreciation for uniting the Dinwiddie community, and proving to be an excellent example to people of all ages that hard work, dedication, and commitment are qualities that once possessed result in success; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Dinwiddie County, Virginia, that this resolution be presented to the 2008 High School Football Team, the Dinwiddie Generals, and a copy spread upon the minutes of this meeting for eternity.

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

Nays: None

Brian Mancini, Director of the Dinwiddie County Parks and Recreation Department presented a plaque to the team as well. He stated appreciation for what Coach Mills does throughout the year in the community. He said that Coach Mills runs a football camp for the Recreation Department and donates all the money from the camp to the Recreation Department in order to run a scholarship program for the youth who can't afford to sign up to play youth sports otherwise. He stated that Coach Billy Mills is the type of person who when he tells you he is going to do something, does it without strings attached.

The plaque read as follows:

The Dinwiddie County Board of Supervisors would like to recognize the achievement of the Dinwiddie County Generals High School Football Team for their success and dedication to carry them to the State Championship Game 2008.

12.D. PRESENTATION: RESOLUTION FOR MASTER GARDENERS

On behalf of the Board of Supervisors John V. Talmage presented the resolution below to the Dinwiddie County Master Gardeners.

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

DINWIDDIE COUNTY MASTER GARDENERS

WHEREAS, the Master Gardeners have contributed greatly toward the beautification of Dinwiddie County; and

WHEREAS, they designed and installed four Anniversary Gardens, two at the Dinwiddie County Office Complex, and two at the Eastside Community Enhancement Center; and

WHEREAS, they designed and installed the Virginia Department of Forestry Rain Garden Project; and

WHEREAS, the Master Gardeners assisted in conducting three Master Gardener training programs; set up and staffed information booths during the Horse and Heritage Festival, staffed four Pamplin Park Old County Fairs, staffed three Farm and Family Field Days and also assisted with the Virginia Ag Expo in 2008; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors on this 17th day of February 2009 desires to recognize the community pride and involvement, the desire to train and encourage others, and the excellent beautification work of the Master Gardeners; and

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

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

Nays: None

12.E. PRESENTATION: RESOLUTION FOR SHERRY CHANNELL

W. Kevin Massengill, County Administrator, stated that Ms. Channell is aware of this resolution being offered tonight in recognition of her efforts on behalf of the County; however, as she has moved out of the state she will not be present at this meeting. The resolution will be mailed to her.

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

SHERRY CHANNELL

WHEREAS, Sherry Channell received her undergraduate degree from the University of Tennessee and served as the 4-H Agent at Greenville-Emporia Extension Office; and in December of 2005 she began her employment with the Dinwiddie Unit of the Virginia Cooperative Extension as an Associate Extension Agent; and

WHEREAS, Ms. Channell successfully completed her Masters Degree with Liberty University and was promoted to Extension Agent; and

WHEREAS, during her tenure with the Dinwiddie Unit of the Virginia Cooperative Extension Ms. Channell started the following clubs: the 4-H Goat; 4-H Chick Chain Project and Poultry Club; the Country Side 4-H Home School Club; Midway Saddle Club; 4 Does More Junior Club; 4-H Environmental Club; 4-H Health World; the 4-H Fishing Club and an After School Club at Sutherland Elementary School. She also participated in the Mexico 4-H Exchange Program and expanded office programs to include day camps and overnights; and

WHEREAS, Ms. Channel's achievements were highly recognized through receiving two State and three District Awards for her 4-H Programming Efforts in 4-H Youth Development; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors on this 17th day of February 2009 desires to express their deep gratitude to Ms. Sherry Channell for the numerous and varied programs she initiated as vehicles to mentor and champion the young people of Dinwiddie County by increasing the number of youth by 15 to 20%, youth programs by 50% and youth participation by 50%; and the Board wishes to recognize her

for the difference she has made in those children's lives and the future of Dinwiddie County; and

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

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

Due to the number of people waiting to speak during citizen comment, Mr. Massengill asked the Board if they would be willing to move the citizen comment period ahead of the public hearing.

The Board was in agreement.

W. Kevin Massengill, County Administrator, stated that earlier there were two items to which the Board desired that he speak before the citizen comments: 1) the recreation program and proposed cuts for the 2008/09 fiscal year and the FY10 budget; 2) the reassessment item that had been acted upon earlier in the day.

Mr. Massengill stated that the Board had a meeting on February 3, 2009 and at that meeting the Board had heard a presentation regarding the budget shortfall for FY08/09 and potential cuts to the Recreation Department programs. He said they were attempting to identify those cuts before the start of the spring season (the second week in March). The understanding from that meeting was that nearly 95% of all the programs being offered for the spring season have already been booked, or met the minimum requirements to start that program. With that being said, at an earlier session today County Administration made a recommendation to the Board that all the existing programs for the remainder of this fiscal year (until June 30, 2009) stay intact. That recommendation was prefaced with the statement that as part of the County's review on all government entities including the County departments as well as the Constitutional Officers, there will have to be cuts in the amount of \$1.5 million in order to make budget. He stated that the County cannot spend what it does not have. With that, the Recreation Department and Administration will be looking at other areas to find potential savings. Identified so far are potential fee increases, fewer hours of operation, etc. The programs at this time will stay intact until the end of the fiscal year. He said next year's budget shortfall is estimated at \$2.5 million so it will be worse.

Mr. Massengill spoke about the general reassessment that had been addressed at the earlier portion of the meeting. He said the Board has the ability to act upon certain items if they so desire. If those items do not require a public hearing, they can act upon them as an administrative action item. He stated that every issue that requires public hearing is duly posted and solicited for public input. He said that the Board of Supervisors, by the Code of Virginia, is given the ability, if they so desire, to give the County Administrator authorization to conduct another reassessment. He said that in the earlier portion of the meeting the cost implications and staffing requirements were given, as well as an analysis of the expense other jurisdictions incur that have a County Assessor's Office and assess every year or every other year. The recommendation was made on February 3rd that while the County contends that the actual process of the reassessment was done legally, that due to citizen concerns regarding the four year cycle being too long and that the economy has been hit in such way that the reassessment that was done may not have reflected what that fact has done to land sales, that staff was recommending another reassessment be done. He said that 95% of sales that have come in since the reassessment, and have been identified by the Commissioner of the Revenue as arm-length transactions, have come in at or above the assessed rate. He said however, the number of home sales has dropped. He stated that he had made the recommendation on February 3rd and earlier the day of this meeting, and the Board of Supervisors voted to authorize him to move forward with a reassessment that would start July 1, 2009. The services would be procured in July with a hire date of August or September, and the chosen firm would have a year to complete their work. By September or October of 2010 that reassessment should be finished and that book would be filed with the Clerk of the Circuit Court by December 31, 2010.

Due to the number of citizens signed up to speak under the citizen comment period, the Board elected to moved that portion of the meeting before the public hearing portion.

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 Chair opened the citizen comment period.

1. Tanya Hale – 1311 Sutherland Road – Church Road – spoke as Executive Director of the Dinwiddie County Chamber of Commerce and co-owner of Hales Electrical Service. She said these improvements cost money, and when they are in jeopardy we all have moral duty to make tough choices. She stated that we all know that reassessments are a fact of life. She said that now the Board of Supervisors is left to make the tough decisions and the unpopular ones that affect the citizens. She said that if one took a snapshot of Dinwiddie County in 2006 and one in 2009, they would see the vast improvements and additions to the community. These improvements have not come with gross negligence of our Board of Supervisors and County Administrator through large pay increases like some jurisdictions and through overfunding of programs. Instead, these programs have come through the addition of key personnel and departments like our Recreation Department; our Economic Development Department and additional outside funding found available. She stated that she believes that if the tax rate remains as it stands she will have a Sheriff's Office, Fire and EMS and all of the things that the citizens have grown accustomed to including a Recreation Department. She encouraged county businesses to work with county government, and urged citizens to join her in considering their part in the Dinwiddie government decisions that are before them.

2. Cari & David Simmons and children – 14400 Gatewood Road – DeWitt – spoke on behalf of the Parks and Recreation Department. Mrs. Simmons said they stood before the Board as parents, coaches, volunteers, mentors and athletes. She said that her husband had coached t-ball, football, basketball, and helped with wrestling. She coached cheerleading and is involved with many clubs and organizations that utilize the Enhancement Center. She stated that their children have participated in all athletic activities offered by the Recreation Department. As a family, they have utilized the Enhancement Center for birthday parties, picnics, use of the playground and the library.

3. Karen Zitta – 24019 Merton Lane – Petersburg – spoke on behalf of the Parks and Recreation Department. She said the Enhancement Center does just what its name say, "it enhances our lives". She appreciated the exercise programs offered.

4. Heather Dowling – 11148 N. Halifax Road – Sony Creek - spoke on behalf of the Parks and Recreation Department. She asked that the fitness classes to continue at Eastside. She is the kickboxing instructor and has been teaching for almost six years.

5. Mike Shell – 20709 Carson Road – Dinwiddie - spoke on behalf of the Parks and Recreation Department.

6. Roger Buffalow – 13318 Cattail Lane – Dinwiddie – represented the "Glory Bound Singers" who have been performing at the Enhancement Center for four years. Attendance to their sings has grown to 100+ each month – most of whom are senior citizens who are on limited incomes. There is no charge and they look forward to getting together. He thanked Mr. Mancini and his staff for the great job they've done with the Enhancement Center.

7. Darlene Harris – 800 Campfire Lane – Petersburg - spoke on behalf of the Parks and Recreation Department. She is an aerobics instructor at the Enhancement Center; and has taught fitness classes for Dinwiddie County since 1998. She said there have been many positive changes at Eastside including new flooring and new fitness equipment. She distributed a petition to the Board asking to keep programs at the Enhancement Center.

8. Sarah Junell – 12218 Trinity Drive – Church Road – said she has been going to the Enhancement Center for almost three years, and would be very displeased to see it go. She said it serves the youth and the elderly. She said she is also a home owner in Dinwiddie County and was very upset to see her assessment go up. She said she doesn't want to see the Rec center go, but she also doesn't want to see her taxes go sky high.

9. Mary Allen – 1845 Harpers Bridge Road – Rawlings –said she belongs to the Dinwiddie Diamonds, a senior citizen group that has many activities at the Enhancement Center. She said that last year alone they gave back to the community through large amounts of food for the Food Bank plus almost \$400; \$925 benevolence and \$700 toward their furniture in the senior's room. They have three scheduled activities at the Center each month and she asked that none of these activities be deleted. She said the Enhancement Center is a smoke and alcohol free environment, and a very clean and attractive facility.

10. Kalen Allen – 9506 White Oak Church Road – Wilsons – spoke in favor of the Karate class that is offered at the Enhancement Center.

11. Gage Burke – 12208 Pearson Hardy Road - spoke in favor of the Karate class that is offered at the Enhancement Center.

12. Guillermo Lopez – Boynton Plank Road – spoke in favor of the Karate class that is offered at the Enhancement Center.

13. Morgan Smith – 5186 Midway Road – spoke in favor of the Karate class that is offered at the Enhancement Center.

14. Debra Smith – 5186 Midway Road – spoke in favor of the Karate class that is offered at the Enhancement Center.

15. Parker Haley – 20618 Old Beaver Pond Road – spoke in favor of the Karate class that is offered at the Enhancement Center.

16. Jane Byrd – 20618 Old Beaver Pond Road – spoke in favor of the Karate class that is offered at the Enhancement Center.

17. William A. Powell, Jr. – 23811 Timpam Lane – spoke in favor of the Karate class that is offered at the Enhancement Center.

18. Robert Ford – 11212 Duncan Road – Petersburg - – spoke in favor of the Karate class that is offered at the Enhancement Center.

19. Trudi Johnson – 14310 Gatewood Road – DeWitt – spoke in favor of the Karate class that is offered at the Enhancement Center.

20. Barbara Leucht – 24315 Gaydell Drive – – spoke in favor of the Karate class that is offered at the Enhancement Center.

21. Jack Collins – 207 Winston Avenue – Colonial Heights – said he recently bought some property in Dinwiddie County and hopes to move back. He spoke in favor of the Karate class that is offered at the Enhancement Center.

22. Steven Pierce – 23104 Logan Knoll Court – spoke in favor of the Karate class that is offered at the Enhancement Center.

23. James Jackson – Richmond – said he has land in Dinwiddie County and commutes at least twice a week as assistant Karate instructor. He spoke in favor of the Karate class that is offered at the Enhancement Center. He stated that he is a police officer in Richmond and sees every day the kids who don't get to participate in programs like the ones offered at the Enhancement Center.

24. Jessica Lipford – 912 O'Donnel Road – spoke in favor of the Karate class that is offered at the Enhancement Center.

25. Harry Faggett, Jr. – 1460 Johnson Road – Petersburg – spoke in favor of the Karate class that is offered at the Enhancement Center.

26. Peggy Temple – 13184 Nash Road – DeWitt – spoke in favor of the Karate class that is offered at the Enhancement Center. She said this program is pretty much self sufficient as they purchase their own uniforms, equipment, and gear. The only thing the Recreation Department provides is a place to work out.

27. Louis Clay – 12207 Hills Drive – DeWitt – said he is the Karate instructor for that program at the Enhancement Center. He said his program ran about 300 and that it is a year round program. He said that his parents and participants pay for their class, their equipment and uniforms, for their competition and for his instruction. After that, the money goes to the County as a profit.

28. Floyd Johnson – Executive Director of the Southside Virginia Family YMCA – 120 N. Madison Street – Petersburg – spoke on behalf of the Dinwiddie Parks and Recreation programs. He said they had a partnership with the Dinwiddie residents for the past two years. He said it is thriving and they are very proud of it. They have served over 250 youth in the past two seasons in soccer.

29. Andrew Hardy – read letters that had been submitted by Angela Hoffman and Michael Wilson.

Ms. Hoffman wrote that her son plays basketball through the Parks and Recreation Department. She said the staff working there are exceptional; and they really care about the children. She stated that they were concerned when they learned the County is considering cutting the Recreation Department due to funding concerns. She asked that the County put the children first, and to please not close the Parks and Recreation Department.

Mr. Wilson wrote that he was concerned that the budget cuts to the Recreation Department would hurt the social health and well being of Dinwiddie County. He said he had been part of the events held in the community room at Eastside Enhancement Center and this gives the residents a social meeting place regardless of differences. He also addressed the fact that Dinwiddie has an abundant number of socially, physically and mentally active seniors who regularly use the services provided by the Parks and Recreation Department.

30. John Wamsley – 1619 Oxford Drive - Sutherland – spoke in opposition of the 2009 reassessment. He said he felt the contents of the contract with Wingate and Associates were not fulfilled. He stated that the property records of Dinwiddie County that were submitted by Wingate and Associates have disparities even in close proximity to each other.

31. Vincent Lewis – 17315 Wilkerson Road – stated that he would like the Board to give the citizens some input on what was done on the Board's behalf to try to correct the 2009 assessments. He asked if anyone went to the General Assembly to find out if anything could be done. He requested that the Board of Supervisors go to the Board of Equalization to approach the Circuit Court to consider putting the 2009 assessments on hold until the next assessment that was just voted on to be effective 2011. He stated that he thought the County should use some of the rainy day fund to address the budget shortfall, sell some timber, sell land, and look at other options rather than make cuts.

32. Robert Hoyle – 22717 Old Vaughn Road – spoke in opposition to the 2009 reassessment. He requested that the Board of Supervisors ask legal counsel to consult the State Attorney General to find out what options are available.

33. Edward R. Spicey, Sr. – spoke for senior citizens in favor of the Enhancement Center.

34. Dewey Harrison – 9601 Boydton Plank Road – had concerns that the reassessment contract was awarded to Wingate and Associates. He said the County had some lower bids. He said that some of the senior citizens needed help with putting together information to come before the Board of Equalization. He brought signatures on a petition against the 2009 reassessment.

35. Billy Mills – Depot Road – McKenney – thanked the Board for the resolution for the football team. He said he came forward as a father, teacher and football coach to speak in support of the Parks and Recreation Department.

36. Joe Hoggood – 4306 Sunset Drive – spoke in opposition to the 2009 reassessment. He said the value of homes across the nation has dropped. He said the tax rate needs to drop to \$.52.

37. Robert Williamson – 23000 Williamson Road – spoke in support of the Recreation Department.

38. Hurley B. Wilkins – 18410 Courthouse Road – spoke in favor of the Recreation Department. He said he is with the Glory Bound Singers and Good News Gospel Group. He said he would hate to see the Enhancement Center closed and his taxes go down the drain.

39. James "Bubba" Wall – 4713 Shea Lane – said he is a member of the Dinwiddie Diamonds and plays in the band, The Antiques. He spoke in support of the Recreation Department's Enhancement Center.

40. Dale Andrews – 11636 Chigger Creek Road – spoke in favor of the Recreation Department. He spoke in opposition of the 2009 reassessment. He spoke against the School Superintendent. He stated that "green" technology should have been used when the new schools were built.

41. Donald Andrews – 19019 Carter Road – stated the power bills for the high school are astronomical – over \$70,000 per month for the high school and middle school together. He said if anyone receives a check from Dinwiddie County, their salary should be cut 10% for twelve months and then reevaluated. He said that land use is not fair.

42. Vincent Giles – 9024 Northwood Drive – Petersburg – spoke in favor of the Recreation Department. He said he had never seen an organization run like the Dinwiddie County Rec Department; and he said there is no one program more important to them than the other – that the staff gives their undivided attention to each. He said he works in Richmond and that his co-workers are paying much more to have their children involved in football.

43. Tyrique Giles – 9024 Northwood Drive – Mr. Giles' son spoke in favor of the basketball program at the Enhancement Center. He asked that it not be taken away.

44. Lance Costley – 18019 Wilkinson Road – spoke in favor of the Enhancement Center and the programs offered by the Recreation Department. His son spoke as well and asked that the Rec Department not be shut down.

45. Craig M. Lewis – 19921 Hope Drive – Sutherland – spoke in favor of the Recreation Department. He said he has been a volunteer with the athletic programs since 1996. He read a letter from a concerned father who was against cutting the recreation programs.

46. Wade Wills – Cox Road - Church Road – read a letter from a nine-year old wrestler in favor of Recreation programs.

47. Robert C. O'Day – 9202 Gibson Drive – Sutherland – echoed the remarks of Mr. Walmsley, Mr. Lewis, and Mr. Hoyle regarding the 2009 reassessment.

48. Christopher Capps, Sr. – 20120 Eugene Drive – Sutherland – thanked Mr. Massengill, Ms. Moody, Mr. Haraway and Mr. Talmage for taking time to speak with him earlier in the week regarding the Parks and Recreation program. He is one of the volunteer soccer coaches. He asked that the Board ensure that the fees are kept at a reasonable cost.

49. John Edmunds – 8510 McKenney Hwy – McKenney – spoke on behalf of the Parks and Recreation department. He said he was speaking as a coach, a parent of two and a taxpayer. He said the staff of the Enhancement Center runs it "first-class". He stated that they were professional and were doing it the right way.

50. Debbie & Jim Lamoreaux -24403 River Road – Petersburg – Ms. Lamoreaux spoke on behalf of the Enhancement Center and the Glory Bound Singers. Mr. Lamoreaux said the citizens who come to hear the gospel sings really enjoy the opportunity. He challenged someone in the meeting to come up with another idea to present to the Board that would help keep from cutting programs at the Parks and Recreation Department. He said that instead of attacking the Board, why not offer suggestions. They thanked the Board for what has been done at the Enhancement Center.

51. Toney Lee – 24808 Brickwood Meadow Lane – said he coaches and thought that not only should the Parks and Recreation not be cut; more should be done.

52. Dionca Coleman Williams; Deymian Williams – 25714 -Simmons Avenue – Petersburg – spoke in support of the Parks and Recreation Department programs.

53. TaRaessha, RaeShaun and RaeVaun Henderson – 5009 Woodstream Drive - spoke in support of the recreation programs.

54. Sue Henshaw – 12526 Siding Road – Church Road – spoke in opposition to the 2009 reassessment. She stated that the rainy day fund should be used. She said that a full-time assessor added to the County could probably be an asset. However, she thought

that what was being added was more government bureaucracy. She said the Ford Volunteer Fire Department should not be built.

55. Merritt E. Keppel – Church Road – spoke in opposition to the 2009 reassessment.

56. Judy Hoyle – 22717 Old Vaughn Road - spoke in opposition to the 2009 reassessment.

57. Jason Dean – 21004 Gray Drive – Sutherland – spoke in support of the Parks and Recreation Department. He is a volunteer coach. He said the underprivileged kids that he works with consider their time at the Rec Center the three best days of their week; and they want to spend as much time as possible there. He said that where some of those kids live, the Enhancement Center is the safest place they will be all week.

58. David Bradford – Turkey Egg Road – spoke in opposition to the 2009 reassessment. He disagreed with how the hearings of the Board of Equalization are being handled. He said he was given two different answers when he came to two different hearings with two different parcels.

59. Jonathan Taylor – Church Road – spoke in favor of the Parks and Recreation programs.

There were several citizens who had signed up to speak, but had left the meeting by this time. There was no one else present who had signed up to speak.

The Chair closed the citizen comment period.

Mr. Haraway stated that the Board of Supervisors disagrees on a lot of issues; however, for the five years they've been together they have not disagreed on recreation. He said they have made more progress in recreation in Dinwiddie County since they've been together than any other Board.

Mr. Haraway asked the County Attorney to draft a decision on the powers of the Board of Equalization, and whether they have the ability to appeal the reassessment to the Judge.

13. A. PUBLIC HEARING: PROPOSED ORDINANCE AMENDMENT TO THE CODE OF THE COUNTY OF DINWIDDIE, CHAPTER 16, PRECIOUS METALS AND GEMS

Mr. John C. Blair, County Attorney, 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. During the 2008 session, the Virginia General Assembly passed House Bill 634, *Government Data Collection and Dissemination Practices Act; disclosure of personal information*. Among the provisions in House Bill 634 is the following:

“No agency shall require an individual to furnish or disclose his social security number or driver's license number unless the furnishing or disclosure of such number is (i) authorized or required by state or federal law and (ii) essential for the performance of that agency's duties.”

Note: House Bill 634 defines “agency” to include “. . . any unit of local government including counties, cities, towns, regional governments, and the departments thereof, and includes constitutional officers, except as otherwise expressly provided by law.’

CURRENT LAW. Dinwiddie Code § 16-25, *Record of purchases*, requires a precious gems or metals dealer to maintain certain records concerning each purchase of precious gems or metals for no fewer than 24 months following the purchase date. Among the information to be obtained and recorded is the social security number or the driver's license number of the seller.

PROPOSED AMENDMENT. The proposed amendment to Dinwiddie Code § 16-25, *Record of purchases*, modifies the recordkeeping requirements of § 16-25 to be in conformity with the related provision in the Virginia Code (§ 54.1-4101) and brings § 16-25 into compliance with the requirements of House Bill 634. The proposed ordinance retains the requirement of collecting a driver's license number from the seller of precious gems because such collection is required by Code of Virginia, § 54.1-4101 and will not violate the provisions of House Bill 634.

STAFF RECOMMENDATION. As this change is mandated by action of the General Assembly, staff recommends approval of the ordinance amendment as presented.

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

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that the attached Ordinance to amend the Code of the County of Dinwiddie by amending Section 16-25, *Record of purchases*, is adopted as presented.

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

Nays: None

14.A. OLD / NEW BUSINESS: APPOINTMENTS

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that William Harry Morgan is reappointed to the Dinwiddie County Airport Industrial Authority for a term expiring on January 31, 2012.

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

Nays: None

W. Kevin Massengill, County Administrator, stated that as the Zoning Administrator has left and taken a position in Charles City County. He stated that staff recommends designating Mark Bassett, Director of Planning as Zoning Administrator for Dinwiddie County.

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mark Bassett is appointed as Dinwiddie County Zoning Administrator effective immediately.

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

Nays: None

14.B. OLD / NEW BUSINESS: AWARD OF CONTRACT FOR THE COMMERCE

PARK ACCESS ROAD

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

BACKGROUND

The Commerce Park Access Road Project is the first infrastructure project within the approximately 245 acre site that the County purchased for Economic Development purposes. This access road will be the main entrance point into the park from US. Route 460 and is directly opposite Beck-Chappell Drive. The project consists of approximately 1,200 linear feet of four-lane roadway with curb and gutter, causeway, raised grass median, multi-use path, turn lanes, enclosed storm sewer system, new sanitary sewer and waterline work. When complete, the road will open up parcels at the front of the park for retail development, in the center for office space development, and at the back of the park for light industrial development.

The County applied to the Virginia Tobacco Commission in 2003 and 2004 and was awarded funds for infrastructure development within the park. The remaining balance of Tobacco Commission funds that can be used for this road project is \$771,095.40. Tobacco Commission funds are to be spent within three years of the award of funds to a locality. In October 2008, Dinwiddie County requested and was granted an extension so that the remaining funds can be used for this project. To be compliant with the wishes of the Tobacco Commission, we must notify the Commission of the award of this project before March 2009 and must expend the funds by December 2009. The County also applied for VDOT Economic Development Access Road Funds for this project and was awarded the full amount available: \$450,000 from VDOT with a \$150,000 match from the locality for a total of \$600,000. There is also \$100,000 set aside in the Dinwiddie County Capital Improvement Plan for this road project. Therefore, the County has \$1,471,095.40 set aside for this project.

The Invitation for Bid (IFB) was posted on the Dinwiddie County website and advertised in *The Monitor* on January 28, 2009. The IFB was also posted on eVA, the Commonwealth's electronic procurement website. A non-mandatory pre-bid conference was held on Monday, February 2, 2009 at the site, and bids were due to the Dinwiddie County Administration office by 4:00 p.m. on February 11, 2009.

There were 21 plan holders and 10 bidders for the project. FG Pruitt is the lowest responsive and responsible bidder with a lump sum bid of \$1,383,000.00. VHB, the engineering firm that issued the project plans, reviewed and evaluated the bids to determine the bidders' understanding of the project and also recommended award to FG Pruitt. FG Pruitt stated in their bid that they can begin this project within one week of notice to proceed from the County and that the project will be complete within 180 calendar days.

LAST BOARD ACTION

n/a

REQUESTED ACTION

Staff is asking for the approval of the following resolution.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, does hereby authorize Kevin Massengill, County Administrator, to execute the necessary documents to award the contract of the Commerce Park Access Road project to FG Pruitt in accordance with the terms outlined in the Invitation for Bid and the bid documents provided by FG Pruitt.

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

Nays: None

14.C. OLD / NEW BUSINESS: VIRGINIA TOBACCO COMMISSION GRANT REQUEST

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

Subject: Request to Set Aside County Funds to be used as an Incentive and for Permission to Apply for Tobacco Commission Funds on Behalf of an Unannounced Economic Development Project.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County Virginia, does hereby authorize \$1 million dollars from the undesignated general fund be set aside for use as a performance-based incentive for an unannounced economic development project, not to be spent unless the prospect first makes adequate investment into the County.

BE IT FUTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, does hereby authorize County Staff to make application to the Virginia Tobacco Commission for up to \$3 million dollars from the Dinwiddie County Southside Economic Development allocation for an unannounced economic development project.

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

Nays: None

14.D. OLD / NEW BUSINESS: PIEDMONT REGIONAL JAIL CONTRACT

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

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that W. Kevin Massengill, County Administrator, is hereby authorized and directed to execute the necessary documents to obtain the services of Piedmont Regional Jail for the housing, transportation, sheltering and provisions for Dinwiddie County inmates.

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

Nays: None

Before adjourning, Mr. Stone thanked Barbara Pittman, Principal and Claude Shell, Facilities, for opening up the Dinwiddie County High School for this meeting.

16. ADJOURNMENT

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

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

Nays: None

The meeting was adjourned at 11:24 p.m.

Donald L. Haraway
Chairman

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

/wjn