

VIRGINIA: AT THE SPECIAL MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE MULTI-PURPOSE ROOM IN THE PAMPLIN ADMINISTRATION BUILDING, IN DINWIDDIE COUNTY, VIRGINIA, ON THE 4TH DAY OF AUGUST, 2009 AT 3:00 P.M.

BOARD OF SUPERVISORS
PRESENT:

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

Note: Doretha Moody and Donald Haraway arrived at 4:00 p.m.

ADMINISTRATION

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

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At 3:00 p.m. the Vice Chair called the meeting to order, Mr. Haraway and Ms. Moody were absent for this portion of the meeting. Mr. Moody, Mr. Stone and Mr. Talmage, along with Mr. Massengill, County Administrator, and Mr. Blair, County Attorney, toured the government owned property surrounding the Courthouse Complex.

At 3:45 p.m. the meeting was recessed until 4:00 p.m.

1. ROLL CALL

The Chairman of the Board of Supervisors called the meeting to order at 4:00 p.m., followed by the roll call.

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

2. AMENDMENTS TO AGENDA

John C. Blair II, County Attorney, stated there was a need to amend the agenda under Closed Session, to add Contract Negotiation under §2.2-3711 (A) (7) Legal Consultation.

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

3. FINANCIAL POLICIES

The Board received the information below from Anne Howerton, Division Chief of Finance and General Services. Ms. Howerton asked that the Board members review the information and let her know of any changes they would suggest. The item will be on the agenda for recommendation for adoption at the regular board meeting on August 18th.

Financial Policies & Guidelines

Promoting financial integrity is an important priority in Dinwiddie County. The following broad policies set forth guidelines against which budgetary performance can be

measured and proposals for future programs can be evaluated. The policies help to ensure that the County manages its funds in a fiscally responsible manner.

Objectives of Financial Policies

- To contribute significantly to the County's ability to insulate itself from fiscal crisis and promote long-term financial stability.
- To focus on the County's overall financial picture, while linking long-term financial planning to daily operations.
- To enhance financial credit ability by helping to achieve the highest possible credit and bond ratings.

Financial Planning Policies

Balanced Budget

The County shall prepare and approve an annual budget in compliance with sound financial practices, generally accepted accounting principles, and the provisions of the Code of Virginia which control the preparation, consideration, adoption, and execution of the County budget. The budget shall control the levy of taxes and the expenditure of money for all county purposes during the ensuing fiscal year. The County budget shall be balanced within all available operating revenues, including fund balance, and adopted by the Board of Supervisors at least 7 days after an appropriately advertised public hearing is held and before July 1st of the upcoming fiscal year.

Long Range Planning

The County shall assess the long-term financial implications of current and proposed operating and capital budgets by annually preparing a three-year cash flow projection for the General Fund, Capital Projects Fund, and the Debt Service Funds.

In order to meet debt ratio targets, to schedule debt issuances, and to systematically improve the County's capital infrastructure, each year the County shall prepare and adopt a five-year Capital Improvement Program. Capital improvement projects funding options (pay-as-you-go, grant opportunity or debt financing) will be evaluated on a project-by-project basis. As a general rule, the Capital Improvement Program should not require an annual transfer from the Undesignated General Fund Balance of more than 5% of current revenues to fund each year of the Program.

Asset Inventory

The County shall annually inventory and assess the condition of all major capital assets in conjunction with the preparation of the County budget and the Capital Improvement Program.

Investments

The Treasurer has the constitutional responsibility to invest County funds in accordance with the applicable sections of the Code of Virginia which guide investment of public funds. The Treasurer, however, may restrict investments beyond the limits imposed by the Code if such restrictions serve the purpose of further safeguarding County funds or are in the best interests of the County. The investment goal is to minimize risk and to ensure the availability of cash to meet the County's expenditures, while generating revenue from the use of funds which might otherwise remain idle. Therefore, the primary objectives of the Treasurer's investment activities are safety, liquidity, and yield.

Revenue Policies

Revenue Diversification

The County will strive to maintain a diversified and stable revenue system to shelter the government from fluctuations in any one revenue source and ensure its ability to provide ongoing service. The County intends for ongoing expenditures to be funded through ongoing revenues, not one-time revenue sources. One-time or other special revenues will not be used to finance continuing County operations, but instead will be used for special projects.

Fees and Charges

All fees established by Dinwiddie County for licenses, permits, fines, services, applications, and other charges should be set to recover all or a portion of the County's expense in providing the attendant service. These fees shall be reviewed periodically.

Tax Collections

The County shall strive to achieve an overall property tax collection rate of 100%, utilizing all available resources for collecting delinquent accounts.

Restricted Revenues

Restricted revenues shall only be used for the purpose intended and in a fiscally responsible manner.

Grants, Donations, and Insurance Payments

Upon receiving notice of grant or program opportunities offered by various federal, state, local and other outside organizations, the County Administrator or his designee is designated as the agent to execute the necessary grant or program application and other documentation unless the terms of the grant or program require specific actions by the Board; to give such assurances as may be required by the Agreement, subject to approval as to form by the County Attorney, and to provide such additional information as may be required by the awarding organization. In addition, funding awarded and any interest earned on the funds awarded shall be appropriated to the applicable functional area.

Additional funds received for various County programs, including contributions and donations, shall be appropriated for the purpose established by each program.

Funds received through insurance claims for damages incurred to County property as a result of unusual or infrequent events shall be appropriated to the applicable functional area.

Expenditures Policies

Debt Capacity, Issuance and Management

The County intends to manage cash in a fashion that will prevent any borrowing to meet daily operational needs. The County will confine long-term borrowing to capital improvements or projects that cannot be financed from current revenues except where approved justification is provided.

The County will utilize a balanced approach to capital project funding, using a combination of debt financing, draws on unreserved fund balances, and pay-as-you-go current year appropriations. Debt will be repaid within a period not to exceed the expected useful life of the project. Target debt ratios will be annually calculated and included in the review of financial trends.

The County wishes to set aside at least 25% of each year's new revenue growth for debt service obligations through a transfer from the unreserved general fund balance to the County debt service fund. This amount is calculated as the difference between the current fiscal year's actual revenue and the next year's budgeted revenue times 25%.

Reserved Funds

The larger the unreserved general fund balance, the greater the County's ability to cope with financial emergencies, fluctuations in revenues, and to maintain bond rating agencies' expectations. The County has established a target rate of 15% of total budgeted expenditures less annual debt service payments and bonds proceeds expenditures. The County does not intend to establish a trend of using the unreserved general fund balance to finance current operations.

The Board of Supervisors may, from time-to-time, appropriate undesignated fund balances that will reduce available fund balances below the 15% policy in the case of a declared fiscal emergency or other such global purpose as to protect the long-term fiscal security of the County. In such circumstances, the Board will adopt a plan to restore the fund balance to the policy level within 36 months of the appropriation.

Expenditure Accountability

The Director of Finance shall maintain ongoing contact with department managers and Constitutional Officers throughout the budget implementation and execution process. Monthly and quarterly financial reports shall be prepared to monitor budgeted and actual expenditures and revenues.

The County shall appropriate as part of its annual budget or any amendments thereto amounts for salaries, expenses and other allowances for its Constitutional Officers that are not less than those established for such offices by the State Compensation Board.

Appropriation Amendments and Transfers

Appropriation amendments to the operating budget shall be brought before the Board of Supervisors for approval throughout the fiscal year. Per the Code of Virginia, any additional appropriation which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by publishing a notice of a meeting and a public hearing once in a general circulation newspaper at least 7 days prior to the meeting date. The notice shall state the Board's intent to amend the budget and include a brief synopsis of the proposed budget amendment. The amendment may be adopted at the meeting after the public hearing.

The County Administrator shall be authorized to transfer funds and personnel from time to time within and between the offices and activities delineated in the County budget as he may deem in the best interests of the County in order to carry out the work of the County as approved by the Board of Supervisors.

All appropriations lapse on June 30th of each fiscal year for all budgets.

4. A. ACTION ITEM: UNDERGROUND UTILITIES

The Board received the memo below from Anne Howerton, Division Chief of Finance and Community Development.

BACKGROUND

Construction of a County recreation park was first authorized by the Board of Supervisors with the FY 2006 CIP budget, with additional funding provided by the FY 2009 and FY 2010 CIP budgets. Site work performed by Southside Virginia Community College has been on-going at the park, and the site is now ready for installation of the necessary underground utilities (water, sewer, storm sewer and related appurtenances).

CONTRACT NEGOTIATIONS

After review by the park engineer Vanasse Hangen Brustlin and Dinwiddie County Water Authority, we released an IFB for the installation of the underground utilities on June 21, 2009 and held a mandatory pre-bid site visit on July 7, 2009. Sixteen vendors responded to the IFB on July 24, 2009. The bid prices ranged from \$238,356 to \$96,986, with the lowest responsive and responsible bidder being Enviroscape, Inc. Enviroscape Inc., has been involved with a number of municipal utilities projects over the past ten years, and is located in Mechanicsville VA. Under the terms and conditions of the IFB, work is to begin ten days after receipt of the contract and to be completed within sixty days thereafter. Further details on this procurement can be found on the County website at www.dinwiddieva.us, under the Purchasing tab.

REQUESTED ACTION

We are asking for approval of the following resolution.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, does hereby authorize and direct the County Administrator to execute a contract for the installation of the underground utilities at the County recreation park with Enviroscape, Inc. in an amount not to exceed \$97,000.

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

Nays: None

4. B. ACTION ITEM: FORD VOLUNTEER FIRE DEPARTMENT CONTRACT APPROVAL

Before this matter was heard Mr. Stone stated the following:

"Pursuant to Sections 2.2-3112 and 2.2-3115 of the Code of Virginia, I make the following Declaration. For the purposes of the item entitled Ford Volunteer Fire Department Contract Approval on the August 4, 2009 agenda of the Dinwiddie County Board of Supervisors, I hereby declare that Harlan Construction Company is a client of my firm, Chewning and Wilmer, Inc. I do not personally represent or provide services to Harlan Construction Company. I am able to participate in this transaction fairly, objectively, and in the public interest."

Dennis Hale, Division Chief of Fire & EMS, presented the information below to the Board.

BACKGROUND

Dinwiddie County Fire & EMS began the process to replace the existing Ford Volunteer Fire Station in October 2005. This process has involved land acquisition, site planning, building design, and finally the issuance of IFB 37-09 for construction of a new fire station on May 31, 2009. After a mandatory pre-bid conference on June 10, 2009, six contractors submitted bids on July 1, 2009. After review by Division of Fire & EMS staff, County legal staff, County Administration, and the architect for the project, the lowest responsive, responsible bidder was determined to be Harlan Construction Co. Inc of Hopewell, Virginia.

LAST BOARD ACTION

Funding for the new fire station was authorized by the FY 2006, FY 2007, and FY 2010 Capital Improvement Plans for a total appropriation of \$2,300,000. However, on July 7, 2009 the Board approved a transfer of \$236,111 from this project to the Commerce Park project in the C.I.P. fund.

REQUESTED ACTION

We are requesting 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 and direct W. Kevin Massengill, County Administrator, to execute the necessary documents to award the contract for the construction of the Ford Fire Station, as specified, to Harlan Construction Co., Inc. of Hopewell, Virginia for an amount not to exceed \$1,250,000.

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

4. C. ACTION ITEM: TRANSFER OF C.I.P. FUNDS

The information below was presented by Stephanie Allman, Director of Economic Development. Ms. Allman also distributed and discussed the Dinwiddie County Commerce Park Road Project Overview and Breakdown.

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 available balance of Tobacco Commission funds that can be used for this road project is \$771,095.40. Usually, Tobacco Commission funds are to be spent within three years of the award of funds to a locality. However, in October 2008, Dinwiddie County requested and was granted an extension so that the remaining funds can be used for this project. The County match for these Tobacco Commission funds was \$257,000. 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 appropriated in the Capital Improvement Plan for road project costs. On July 7, 2009 Board approval was given to transfer \$236,111 from the Ford Volunteer Fire Station Project in the CIP funds to the Commerce Park Project to fund the design and construction of a connecting water line and for the turbidity curtain change order as part of the road construction. Total funds available for the Commerce Park project are \$1,964,206. These funds cover the F G Pruitt contract for road construction and most of the engineering and preliminary Park costs. Staff will pursue additional financial assistance from the Southside Economic Development Fund through the Virginia Tobacco Commission to assist with future site development requirements of the Commerce Park.

However, the following costs for the road and for the Park itself still need funding to bring the Park closer to being "site ready" for prospective buyers:

1. Wetlands mitigation/Stormwater Mgmt Planning	\$76,415
2. Va Power Demolition	7,030
3. Additional Engineering	30,450
4. Geotechnical services & testing	53,375
5. Dam Repair	92,000
6. Road Project Change Order Contingency Fund	\$155,730
(for potential Traffic Control Change Order, Increased Pavement Change Order and Cut/Fill Change Orders)	
Total Unfunded Project Costs	\$415,000

REQUESTED ACTION

Staff is asking for the approval.

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, does hereby authorize an appropriation transfer of \$415,000 from the Ford Volunteer Fire Department project to the Commerce Park Project in the CIP fund.

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

**Dinwiddie County Commerce Park Road
 Project Overview and Breakdown**

Step 1(Already Appropriated):

Road Construction Costs:	\$1,383,000
Water Loop and Turbidity Curtain:	\$ 236,111
Total:	\$1,619,111

Total CIP Fund Transfer Request Today

Step 2: Road Construction Project Costs	\$ 99,766.65
Step 3: Change Orders (Contingency Fund Total)	\$155,730.00
Step 4: Park Ready for Development	\$159,000.00

As outlined in detail below: \$415,000.00

Step 2: Road Construction Project Costs

1. Wetlands Mitigation – Road Crossing over Wetlands:	\$30,915.00
2. VA Power Demolition: (Required by VA Power before road construction could begin)	\$ 7,026.65
3. Additional Engineering Total	\$30,450.00
Total Includes the Following:	
a. 3 rd Party Review of 1 st Bid & Plans Causeway Design Recommended by 3 rd Party Engineer to be complete prior to 2 nd bid	\$2,325.00 \$16,000.00
b. 2 nd Bid Revisions to Plans and Assistance with Bid Process and Bid Review	\$18,000.00
c. Not used from 1 st bid process	(\$5,875.01)
4. Geotechnical Services & Testing Total	\$31,375.00
Includes the Following:	
a. Geotech Testing in Runway Protection Zone to determine if it had the proper soil to be the borrow location for fill material for the road project. Suggested by 3 rd Party Review. RPZ is being used for this purpose and the proximity of fill material is saving the County money.	\$1,375.00
b. F&R Acting at 3 rd Party Geotech to make sure County is being charged accurately for cut/fill by F.G. Pruitt Suggested by 3 rd Party Engineer. Again, this is saving the County money throughout the project.	\$30,000.00

Total: \$99,766.65

Step 3: Other Road Project Change Orders (Contingency Fund Total) – Cut/Fill not included in lump sum bid but is figured by item cost listed in bid

○ Cut/Fill Change Order- Causeway	\$14,730.00
○ Cut/Fill Change Order Contingency Fund	\$71,000.00
○ Potential Pavement Change Order per VDOT (for turn lane – 460)	\$50,000.00
○ Potential Traffic Control Change Order	\$20,000.00

Total \$155,730.00

Step 4: Costs to Get the Park Ready for Development (Does not mean “shovel ready” pad sites)

1. Dam Repair	\$92,000.00
This includes the Following:	
a. Topographic Survey	\$7,000.00
b. Geotechnical Investigation	\$30,000.00
c. Design Plans and Permitting *	\$40,000.00
d. Wetland Impact Application & Permit *	\$15,000.00
2. Storm Water Management Planning Total For Build-out of Park – required before any building construction can take place in the park	\$45,000.00
This includes the Following:	
a. Prepare SWM Analysis	\$20,000.00
b. Prepare Design Plans	\$10,000.00
c. Wetlands Impacts Application and Permit *	\$15,000.00
3. Preliminary Geotechnical Report for Entire Park (necessary for any construction in the Park)	\$22,000.00
Total:	<u>\$159,000.00</u>

Summary of Expenses

Step 1 (Already Appropriated):

Road Construction Costs:	\$1,383,000
Water Loop and Turbidity Curtain:	\$ 236,111

Step 2: Road Construction Project Costs	\$ 99,766.65
Step 3: Change Orders (Contingency Fund Total)	\$155,730.00
Step 4: Park Ready for Development	\$159,000.00

TOTAL CIP Fund Transfer Request Today **\$415,000.00**

Funds Being Requested from the Dinwiddie Allocation of the Southside Economic Development Fund of Tobacco Commission for Commerce Park Development Costs

1. Dam Repair Total (Using \$92,000 County is spending as match) Includes the Following	\$635,000.00
a. Wetlands Bank Credit Purchase *	\$200,000.00
b. Construction of Dam Repair	\$400,000.00
c. Construction Oversight and Geotech Testing	\$35,000.00
2. Permit and Mitigation for Isolated Wetlands *	\$110,000.00
3. Park Entrance Signage	\$75,000.00
4. Traffic Signal Engineering Plans (at 460 Entrance) This does not include Construction Costs of approximately \$250,000	\$30,000

Total to be Requested from Tobacco Commission on August 24
\$850,000.00

* **All wetlands costs are not verified and are contingent upon the meeting with the Corp of Engineers and DEQ that will be scheduled sometime in the next few weeks. The type of permit they recommend could increase costs.**

****Note that these costs do not include “shovel ready” pad site costs or utility extension costs to future buildings constructed in the Park.**

Tobacco Commission Grant Funds to be Requested for IDA Property

So that the County will have one pad-ready site in preparation of Rolls Royce Supplier and other interest in the County, the IDA voted at their last meeting on July 27, to spend **up to \$60,000.00** of IDA money to help get the largest final IDA-owned parcel at Simpson & Weakley Roads “shovel ready.” It is 8.116 acres and we plan to get it pad ready for an 80,000 sf facility. This is the largest building that could fit on this property.

The IDA will be paying for the following costs as a match to the Tobacco Commission request:

Boundary and Topographic Survey	\$10,500.00
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Geotechnical Preliminary Investigation	\$3,285.00
Civil Engineering Site Plans	\$17,700.00
Permit Fees (approximate range)	\$25 – \$30,000.00

The IDA will be requesting from the Tobacco Commission the following costs:

Construction Activities	\$400,000.00
Construction Administration	\$10,000.00
Total Request	\$410,000.00

Total Southside Economic Development Dinwiddie Allocation:
\$3,293,739.00

Minus Commerce Park Development Cost Application	\$850,000.00
	\$2,443,739.00
Minus IDA 8.116 Acre Shovel Ready Pad Construction	\$410,000.00
Dinwiddie Allocation Left This Year	\$2,033,739.00

5. CLOSED SESSION

At 4:50 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) (3) Real Property
 - Disposition of Government Owned Property
- b. §2.2-3711 (A) (7) Legal Consultation
 - Transportation
 - Contract Negotiation

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

NOTE: Ms. Moody left the meeting during closed session.

At 6:15 p.m. upon motion of Mr. Talmage, seconded by Mr. Moody the Board reconvened into open session.

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

CERTIFICATION

WHEREAS, this Board convened in a closed meeting under:

- a. §2.2-3711 (A) (3) Real Property
 - Disposition of Government Owned Property
- b. §2.2-3711 (A) (7) Legal Consultation
 - Transportation
 - Contract Negotiation

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

6. OLD/NEW BUSINESS: CONTRACT TERMINATION

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

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia does hereby authorize and direct the County Administrator, W. Kevin Massengill, to terminate the County's contract with Samen-Botso Construction Contractors LLC, and to execute all necessary documents to terminate the contractual relationship.

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

7. ADJOURNMENT

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

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

The meeting was adjourned at 6:30 p.m.

Donald L. Haraway
Chairman

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

/wjn