

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 1ST DAY OF DECEMBER, 2009 AT 4:00 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
JOHN V. TALMAGE	ELECTION DISTRICT #3

ABSENT: DORETHA E. MOODY ELECTION DISTRICT #4

ADMINISTRATION

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

CONSTITUTIONAL OFFICERS

PRESENT: LORI K. STEVENS, COMMISSIONER OF THE REVENUE
WILLIAM E. JONES, COUNTY TREASURER

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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
Mr. Moody
Mr. Haraway

ABSENT: Ms. Moody

2. AMENDMENTS TO AGENDA

There were no amendments to the agenda.

3. PROPOSED ORDINANCE TO PERMIT WAIVER OF VEHICLE LICENSE AS TO A REPLACEMENT VEHICLE

W. Kevin Massengill, County Administrator, gave a brief background regarding the vehicle license fee. He stated that he had met with the County Treasurer and the Commissioner of the Revenue earlier in the day regarding the ordinance. He said that in 2007 the County, through an ordinance, eliminated the vehicle decal effective January 1, 2008. At that time the language in the ordinance associated with the license fee stated that any vehicle that traveled on Dinwiddie County roadways would be subject to the assessment of a license fee. In looking for potential revenue streams to help pay the \$6 million shortage in the school construction project, proration was advised. In late 2008 the Board acted to implement the proration program on personal property. The proration ordinance did not have any language or amendments to address the license fee. When the proration program began to be implemented the issue of individuals being assessed the additional \$20 surfaced. He stated that the County Attorney had worked with the County Treasurer and the Commissioner of the Revenue to develop a new ordinance. The recommendation in that ordinance was that the \$20 fee would still be issued on each new vehicle purchased during the year, but the citizen would have to ask for a refund based on vehicle trade-in. That was still a problem, so on November 9, 2009 he, Chairman Haraway, the County Attorney, the County Treasurer, and the Commissioner of the Revenue met to discuss the ordinance further. It was decided that the easiest way would be that whatever was owned by a resident in the way of vehicles on January 1 of each year would require payment of \$20 license fee for each vehicle (effective January 1, 2010).

Mr. Talmage asked if the fee would have to be paid in January or would it be on the first tax bill received by citizens.

Mr. Jones, County Treasurer, stated that it would be on the first tax bill just as it was in 2008.

Mr. Haraway stated Lori Stevens, Commissioner of the Revenue, had said that it would add an unusual amount of work on her office for this \$20 fee that would be prorated. He said that if it meant hundreds of thousands of dollars, you could justify that work. However, when you're talking about \$20 and spending extra money on clerical work it didn't make sense to him.

Ms. Stevens stated that you don't find many people adding to their fleets right now. What you do find is people buying replacement vehicles. The prior ordinance was looking to offset that for the citizens anyway. She said this ordinance makes it that much easier for the citizens. Ms. Stevens added that only one other locality prorates the license tax.

Mr. Massengill asked for direction from the Board as to whether to go forward with this ordinance at the December regular meeting.

It was the consensus of the Board to have this proposed ordinance on the agenda for public hearing at the December meeting.

Draft Ordinance:

**AN ORDINANCE TO AMEND THE
CODE OF THE COUNTY OF DINWIDDIE, 1985, AS AMENDED,
BY AMENDING
SECTION 14-17, REQUIRED; EXCEPTIONS.
CHAPTER 14, MOTOR VEHICLES AND TRAFFIC
ARTICLE II, VEHICLE LICENSES**

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County;

(1) That the code of the County of Dinwiddie, 1985, as amended, is amended by inserting the following language shown italicized and underlined:

Sec. 14-17, Required; exceptions.

(a) An annual license tax is hereby imposed upon every motor vehicle normally garaged, stored or parked in the county and operated on public roads, streets, highways and rights-of-way in the county. *Beginning with the 2010 tax year, the annual license tax shall be imposed only upon motor vehicles garaged, stored or parked in the county on January 1 of the applicable tax year.*

(b) The provisions of this article shall not apply to the following:

(1) Any vehicle exempted by the provisions of §§ 46.2-663--46.2-683 and 46.2-755 of the Code of Virginia, 1950, as amended;

(2) Any vehicle licensed pursuant to § 46.2-750 of the Code of Virginia, 1950, as amend, or,

(3) Any vehicle otherwise exempted by state law.

(c) An annual license tax shall not be charged on:

(1) Vehicles owned by volunteer rescue squads;

(2) Vehicles owned by volunteer fire departments;

(3) Any vehicle displaying special permanent plates as approved and issued by the department of motor vehicles pursuant to § 46.2-739 of the Code of Virginia, 1950, as amended, to veterans with service-connected disabilities;

(4) Any antique vehicle displaying special state license plates issued pursuant to § 46.2-730(D) of the Code of Virginia, 1950, as amended;

(5) Vehicles owned or leased by an active member or active auxiliary member of a volunteer rescue squad, or a volunteer fire department, provided that the member submits to the treasurer a certification, signed under oath by the chief or head of the member's volunteer organization, certifying the member's active membership for the six-month period prior to the registration fee being due and payable – however, only one vehicle owned by each member may qualify for the exemption provided by this subsection.

(6) Vehicles owned or leased by deputy sheriffs, police officers, officers of the state police, salaried firefighters, or salaried emergency medical technicians, providing that satisfactory evidence of employment for the six-month period prior to the registration fee being due and payable is submitted to the treasurer – however, only one vehicle owned by each aforementioned individual may qualify for the exemption provided by this subsection.

(7) Any vehicle displaying special state license plates issued pursuant to § 46.2-746 of the Code of Virginia, 1950, as amended, to former prisoners of war.

(2) That is ordinance shall become effective immediately.

4. CLOSED SESSION:

At 4:18 p.m. upon motion of Mr. Stone, seconded by Mr. Talmage,

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

§2.2-3711 (A) (5) Business and Industry Development:

- Prospective Business & Industry

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

Nays: None

Absent: Ms. Moody

At 5:28 p.m. upon motion of Mr. Stone, seconded by Mr. Talmage the Board reconvened into open session.

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

Nays: None

Absent: Ms. Moody

CERTIFICATION

WHEREAS, this Board convened in a closed meeting under:
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. Talmage, this Certification Resolution was adopted.

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

Nays: None

Absent: Ms. Moody

5. ADJOURNMENT

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

The meeting was adjourned at 5:30 p.m.

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

Nays: None

Absent: Ms. Moody

Donald L. Haraway
Chairman

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

/wjin