

County of Dinwiddie Board of Supervisors

BOARD OF SUPERVISORS

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COUNTY ADMINISTRATOR

W. KEVIN MASSENGILL

FOUNDED 1752

March 29, 2022

Special Meeting
Public Hearings – 7:00 PM

1. ROLL CALL

2. AMENDMENTS TO AGENDA

3. REPORTS:

A. Proposed Transient Occupancy Rate Increase

Tyler Southall, County Attorney

Documents:

[Dinwiddie Occupancy Ordinance Eight Percent Rate.pdf](#)
[Occupancy Tax Language Memo.pdf](#)

4. PUBLIC HEARINGS:

A. Calendar Year 2022 Tax Rates

W. Kevin Massengill, County Administrator

Documents:

[2022 tax rate resolution \(002\).pdf](#)
[FY2023 tax rate ad.pdf](#)

5. ACTION ITEMS:

A. 2022 Personal Property Tax Assessment Ratio

Lori Stevens, Commissioner Of The Revenue

Documents:

[BOS 2022 Pers Prop Memo.pdf](#)

6. ADJOURNMENT

Notice of the public hearings can be found at www.dinwiddieva.us/984/public-notice.

Any persons having interest in the above matter are encouraged to attend the meeting at the specific time and location to express their views. Individuals desiring to attend the meeting and requiring special accommodations are requested to contact Camisha Brown at cbrown@dinwiddieva.us or 804-469-4500, option 1, extension 2103 no less than five (5) working days prior to the public hearings.

**AN ORDINANCE TO AMEND THE
CODE OF THE COUNTY OF DINWIDDIE, 1985, AS AMENDED,
BY AMENDING SECTION 19-116, ARTICLE IX – TRANSIENT OCCUPANCY TAX**

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 underlined and deleting the following language marked as strikethrough:

ARTICLE IX. TRANSIENT OCCUPANCY TAX

Sec. 19-116. Imposed; amount; exclusions.

- (a) Pursuant to the authority granted under § 58.1-3819 of the Code of Virginia, 1950, as amended, there is hereby imposed upon every hotel, motel, boarding house, travel campground, and other facility offering guest rooms located within the county which is rented out for continuous occupancy for fewer than 30 consecutive days, a transient occupancy tax of eight ~~five~~ percent of the total price paid by the customer for the use or possession of the room or space occupied in a retail sale.
- (b) The amount of tax collected in excess of two percent of the amount of charge for the occupancy of any room or space occupied shall be designated and spent solely for tourism and travel, marketing of tourism or initiatives that, as determined after consultation with the local tourism industry organizations, including representatives of lodging properties located in the county, attract travelers to the county, increase occupancy at lodging properties, and generate tourism revenues in the county.

(Ord. of 6-15-88; Ord. of 4-17-12, § 1, eff. 7-1-12, Ord. of 1-18-22, eff. 2-1-22)

(2) *That this ordinance shall become effective at midnight on the beginning of July 1, 2022.*



Dinwiddie County Attorney's Office

14010 Boydton Plank Road

Dinwiddie, VA 23841

Phone: (804) 469-4500

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To: Board of Supervisors

CC: Lori K. Stevens, Commissioner of the Revenue
W. Kevin Massengill, County Administrator
Anne Howerton, Deputy County Administrator for Finance and Gen. Svcs.

From: Tyler Southall, County Attorney

Date: March 29, 2022

Subject: Proposed Transient Occupancy Rate Increase

Background:

House Bill 1214 from the 2020 session of the General Assembly became law and removed the five percent cap on the transient occupancy tax as it applied to Dinwiddie.

I was asked to prepare an amendment to the transient occupancy tax to increase the rate to eight percent (8%). At present the ordinance would designate that any amount of the tax above two percent (2%) would be designated and spent solely for tourism and travel, marketing of tourism or initiatives that, as determined after consultation with the local tourism industry organizations, including representatives of lodging properties located in the county, attract travelers to the county, increase occupancy at lodging properties, and generate tourism revenues in the county.

Action:

If the Board desires, the attached ordinance can be advertised for public hearing at the April 19, 2022 Board of Supervisors meeting.

RESOLUTION
ADOPTION OF CALENDAR YEAR 2022 PROPERTY TAX RATES AND
PERSONAL PROPERTY TAX RELIEF RATE

WHEREAS, Section 58.1-3001 of the Code of Virginia requires that the governing body of each county fix the amount of the county taxes for the current year as soon as practicable between January and June of said year; and

WHEREAS, this imposition of taxes shall not constitute an appropriation nor an obligation to appropriate any funds for any purpose or expenditure until the Board of Supervisors of Dinwiddie County appropriates funds for that purpose or expenditure; and

WHEREAS, the Code of Virginia Section 58.1-3008 permits governing bodies to impose different rates of levy on real estate, merchants' capital, tangible personal property or any separate class thereof, and machinery and tools; and

WHEREAS, in accordance with Section 58.1-3007 of the Code of Virginia, notice of the proposed 2022 property tax rates for Dinwiddie County, Virginia has been published in a local newspaper and a public hearing held on such proposed rates;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia:

1. Property Tax Rates The property tax rates for calendar year 2022 shall be set in the amounts shown below:

<u>TAX RATES</u>	<u>Rate per \$100 of Assessed Valuation</u>
Real Estate	.79
Mobile Homes	.79
Mineral Land	.79
Public Services	.79
Personal Property	_____
Personal Property – volunteer vehicles	.25
Machinery & Tools	3.30
Heavy Construction Machinery	3.30
Airplanes	.50

2. TAX RELIEF FOR QUALIFYING MOTOR VEHICLES In accordance with the Personal Property Tax Relief Act of 1998 (Section 58.1-3523 et seq. of the Code of Virginia) and Section 19-10(c) of the Dinwiddie County Code, the personal property tax relief rate for calendar year 2022 shall be set at 30%.

NOTICE OF PUBLIC HEARING – TAX RATES FOR 2022

A public hearing will be held by the Board of Supervisors of Dinwiddie County, Virginia on the following proposed tax levies for the tax year 2022 in the Boardroom of the Dinwiddie County Government Center, 14010 Boydton Plank Road, Dinwiddie County, Virginia on the 29th day of March, 2022 at 7:00 P.M. at which time the public shall have the right to attend and state their views.

Unit Levy – All Districts --\$100 Assessed Valuations

	<u>Current</u>	<u>Proposed</u>
Real Estate	.79	.79
Mobile Homes	.79	.79
Mineral Lands	.79	.79
Public Services	.79	.79
Personal Property	4.75	4.60
Personal Property – Volunteer Vehicles	.25	.25
Machinery & Tools	3.30	3.30
Heavy Construction Machinery	3.30	3.30
Airplanes	.50	.50

TAX RELIEF FOR QUALIFYING MOTOR VEHICLES: In accordance with Dinwiddie Code Section 19-10(c), calendar year 2021 Tax Relief Rate was set at 41%. The proposed calendar year 2022 Tax Relief Rate is proposed for 30%.



County of Dinwiddie

Office of the Commissioner of the Revenue

Lori K. Stevens
Commissioner of the Revenue

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TO: Dinwiddie County Board of Supervisors

FROM: Lori K. Stevens, Commissioner of the Revenue

DATE: March 29, 2022

SUBJECT: 2022 Personal Property Tax Assessments

SUMMARY: Due to the shortage of new vehicles as a result of the economic impacts of COVID-19, vehicles have appreciated in value, rather than depreciating from the prior year's assessed value, based on the data received from the National Automobile Dealers Association (NADA) pricing guide. This valuation guide is used by every locality in the Commonwealth of Virginia. Dinwiddie County taxpayers will realize approximately a 36% increase in the assessed value of vehicles based on this guide, generally resulting in higher tax payments.

Understanding the Board of Supervisors' priorities, the Commissioner of the Revenue explored possible options to lower the tax burden for Dinwiddie County residents and businesses for this unprecedented appreciation in vehicle values. The recommended action is to establish an assessment ratio pursuant to Virginia Code Section 58.1-3503(B). The assessment ratio would apply to all asset classes set forth in Virginia Code Sections 58.1-3503(A)(3), 58.1-3503(A)(4), 58.1-3503(A)(5), 58.1-3503(A)(9), and 58.1-3503(A)(10).

PRIOR DISCUSSIONS: March 9, 2022: Board of Supervisors Advance
March 15, 2022: Board of Supervisors Meeting

IMPACT: Tax Relief for Dinwiddie County Residents and Businesses. An assessment ratio, when combined with the adopted tax rate, will produce a lower effective tax rate than would otherwise apply. In addition, the lower taxable values that result when the assessment ratio is applied will be the basis for the allocation of Personal Property Tax Relief. This will afford a greater benefit to taxpayers than if the tax rate was applied to 100% of fair market value of the vehicles.

ATTACHMENT(S):

- Resolution
- Virginia Code Section 58.1-3503

RECOMMENDATION: Adopt the following resolution regarding the 2022 Personal Property Tax Assessments.

Cc: Mr. Kevin W. Massengill, County Administrator

Mr. Tyler Southall, County Attorney

RESOLUTION:

BE IT FURTHER RESOLVED that, in accordance with Virginia Code Section 58.1-3503(B), the Board of Supervisors concurs with the Commissioner of the Revenue that an assessment ratio of [REDACTED] percent ([REDACTED]%) shall be applied to the fair market value of each of those assets assessed by the Commissioner in the classifications set forth in Virginia Code Sections 58.1-3503(A)(3), 58.1-3503(A)(4), 58.1-3503(A)(5), 58.1-3503(A)(9), and 58.1-3503(A)(10). Such ratio is being applied to offset recent and volatile appreciation in value caused by the COVID-19 pandemic.

BE IT FURTHER RESOLVED that this Resolution shall, to the fullest extent permitted by Virginia law, apply retroactively and be effective as of January 1, 2022.

BE IT FURTHER RESOLVED that this Resolution shall expire and be of no further effect on December 31, 2022.

§ 58.1-3503. General classification of tangible personal property.

A. Tangible personal property is classified for valuation purposes according to the following separate categories which are not to be considered separate classes for rate purposes:

1. Farm animals, except as exempted under § [58.1-3505](#).
2. Farm machinery, except as exempted under § [58.1-3505](#).
3. Automobiles, except those described in subdivisions 7, 8, and 9 of this subsection and in subdivision A 8 of § [58.1-3504](#), which shall be valued by means of a recognized pricing guide or if the model and year of the individual automobile are not listed in the recognized pricing guide, the individual vehicle may be valued on the basis of percentage or percentages of original cost. In using a recognized pricing guide, the commissioner shall use either of the following two methods. The commissioner may use all applicable adjustments in such guide to determine the value of each individual automobile, or alternatively, if the commissioner does not utilize all applicable adjustments in valuing each automobile, he shall use the base value specified in such guide which may be either average retail, wholesale, or loan value, so long as uniformly applied within classifications of property. If the model and year of the individual automobile are not listed in the recognized pricing guide, the taxpayer may present to the commissioner proof of the original cost, and the basis of the tax for purposes of the motor vehicle sales and use tax as described in § [58.1-2405](#) shall constitute proof of original cost. If such percentage or percentages of original cost do not accurately reflect fair market value, or if the taxpayer does not supply proof of original cost, then the commissioner may select another method which establishes fair market value.
4. Trucks of less than two tons, which may be valued by means of a recognized pricing guide or, if the model and year of the individual truck are not listed in the recognized pricing guide, on the basis of a percentage or percentages of original cost.
5. Trucks and other vehicles, as defined in § [46.2-100](#), except those described in subdivisions 4, and 6 through 10 of this subsection, which shall be valued by means of either a recognized pricing guide using the lowest value specified in such guide or a percentage or percentages of original cost.
6. Manufactured homes, as defined in § [36-85.3](#), which may be valued on the basis of square footage of living space.
7. Antique motor vehicles, as defined in § [46.2-100](#), which may be used for general transportation purposes as provided in subsection C of § [46.2-730](#).
8. Taxicabs.
9. Motor vehicles with specially designed equipment for use by the handicapped, which shall not be valued in relation to their initial cost, but by determining their actual market value if offered for sale on the open market.
10. Motorcycles, mopeds, all-terrain vehicles, and off-road motorcycles as defined in § [46.2-100](#), campers and other recreational vehicles, which shall be valued by means of a recognized pricing guide or a percentage or percentages of original cost.
11. Boats weighing under five tons and boat trailers, which shall be valued by means of a recognized pricing guide or a percentage or percentages of original cost.
12. Boats or watercraft weighing five tons or more, which shall be valued by means of a percentage or percentages of original cost.
13. Aircraft, which shall be valued by means of a recognized pricing guide or a percentage or percentages of original cost.

14. Household goods and personal effects, except as exempted under § [58.1-3504](#).
15. Tangible personal property used in a research and development business, which shall be valued by means of a percentage or percentages of original cost.
16. Programmable computer equipment and peripherals used in business which shall be valued by means of a percentage or percentages of original cost to the taxpayer, or by such other method as may reasonably be expected to determine the actual fair market value.
17. Computer equipment and peripherals used in a data center, as defined in subdivision A 43 of § [58.1-3506](#), which shall be valued by means of a percentage or percentages of original cost, or by such other method as may reasonably be expected to determine the actual fair market value.
18. All tangible personal property employed in a trade or business other than that described in subdivisions 1 through 17, which shall be valued by means of a percentage or percentages of original cost.
19. Outdoor advertising signs regulated under Article 1 (§ [33.2-1200](#) et seq.) of Chapter 12 of Title 33.2.
20. All other tangible personal property.

B. Methods of valuing property may differ among the separate categories, so long as each method used is uniform within each category, is consistent with requirements of this section and may reasonably be expected to determine actual fair market value as determined by the commissioner of revenue or other assessing official; however, assessment ratios shall only be used with the concurrence of the local governing body. A commissioner of revenue shall upon request take into account the condition of the property. The term "condition of the property" includes, but is not limited to, technological obsolescence of property where technological obsolescence is an appropriate factor for valuing such property. The commissioner of revenue shall make available to taxpayers on request a reasonable description of his valuation methods. Such commissioner, or other assessing officer, or his authorized agent, when using a recognized pricing guide as provided for in this section, may automatically extend the assessment if the pricing information is stored in a computer.

Code 1950, §§ 58-829, 58-829.3, 58-829.5; 1960, c. 418; 1970, cc. 325, 655; 1974, c. 445; 1975, cc. 47, 541; 1976, c. 567; 1978, cc. 155, 178, 656, 843; 1979, c. 576; 1980, c. 412; 1981, c. 236; 1982, c. 633; 1984, cc. 675, 689; 1985, c. 105; 1987, c. 568; 1991, cc. 253, 255; 1994, c. [827](#); 1996, c. [529](#); 1997, cc. [192](#), [250](#), [433](#), [457](#); 2006, c. [896](#); 2013, cc. [287](#), [652](#), [783](#); 2018, cc. [28](#), [292](#).