

VIRGINIA: AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA, ON THE 15TH DAY OF NOVEMBER 1989, AT 7:30 P.M.

PRESENT:	A. S. CLAY, CHAIRMAN	ELECTION DISTRICT #4
	HARRISON A. MOODY, VICE-CHAIRMAN	ELECTION DISTRICT #1
	EDWARD A. BRACEY	ELECTION DISTRICT #3
	CHARLES W. HARRISON	ELECTION DISTRICT #2
	GEORGE E. ROBERTSON, JR.	ELECTION DISTRICT #2
	DANIEL M. SIEGEL	INTERIM COUNTY ATTORNEY
	CLAUDE TOWNSEND	DEPUTY SHERIFF

IN RE: MINUTES

The Board had not received the November 1, 1989 Regular Meeting minutes and action is postponed until the December 6, 1989 meeting.

IN RE: CLAIMS

Upon motion of Mr. Harrison, seconded by Mr. Robertson, Mr. Bracey, Mr. Harrison, Mr. Moody, Mr. Robertson, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims be approved and funds appropriated for same, using checks numbering 6304 thru 6511: General Fund - \$126,858.20; E-911 - \$496.26; Self-Insurance - \$37,932.58; Capital Projects - \$27,932.73, for a total of \$193,219.77 (Void - Check #6303).

IN RE: CITIZEN COMMENTS

1. Mr. George Hobbs asked what was Dinwiddie going to do with the County line going through his house. Mrs. Wendy Quesenberry, Interim County Administrator, advised Prince George had not taken any action on the resurvey work and there was also a question of ownership they had requested Dinwiddie look into. Mr. Hobbs questioned the ownership and Mrs. Quesenberry stated clarification needs to be made on the ownership between the two County's records and anything that is done will go to the owner for approval, Mrs. Jacqueline Mansfield.

Mr. Hobbs asked of all the Salvage Yards operating in the County, why does he have twice as many conditions listed under the Conditional Use Permit. He stated he had ten conditions against him and he thought it was a disgrace to the County. He requested the Board waive his fee so he could refile and bring three of the conditions back to the Board to have them removed. He stated he wanted to be treated equal with Russell and Oak Hill Salvage Yards.

Mr. Harrison made the motion to waive the refiling fee on the Conditional Use Permit so Mr. Hobbs could have some of the conditions removed as he felt too many conditions were placed on him. The motion was seconded by Mr. Bracey.

Mr. Robertson asked if the Board was setting a precedence wherein if someone else wishes to appeal, their fees could be waived. Mr. Harrison stated that would depend on the circumstances. Mr. Robertson stated he knew of no circumstances other than what Mr. Hobbs had stated, and he felt the Board was opening Pandora's Box if it started waiving fees that other people are going to have to pay when appealing. He suggested Mr. Hobbs pay the fee and if he wins his appeal then have the money refunded to him. Mr. Clay agreed with Mr. Robertson. Mr. Harrison stated he had already paid one fee for the same thing and that Mr. Hobbs had too many restrictions placed on him.

Mr. Hobbs asked why should he have to pay again when other businesses the same as his are operating in the County with no permit. Mr. Clay stated Mr. Russell was covered under the Grandfather's Clause in that when he began his business there were no permits required.

Mr. Bracey stated on the night the Conditional Use Permit was granted to Mr. Hobbs, he accepted all of the conditions recommended by the Planning Commission to the Board of Supervisors. In all fairness, Mr. Bracey felt the matter should be given to the County Administrator and County Attorney with their recommendation to be given at the next meeting.

Mr. Moody stated that when the Conditional Use Permit was brought before the Planning Commission and the Board of Supervisors, Mr. Hobbs agreed with all of the conditions and nothing was said at the time and that is why they were approved. Now Mr. Hobbs is bringing the same conditions back saying he didn't like them because other Salvage Yards do not have the same conditions he did. Mr. Moody told Mr. Hobbs that as time goes on, conditions sometimes must become stricter to protect the environment. The next person may have more stipulations put on them. Mr. Moody said we are trying to protect the environment and not put undue restrictions on anyone. At the time, Mr. Hobbs agreed to the conditions, as did both Boards.

Mr. Hobbs said he stated that night that he did not want any condition against him that the other yards did not have against them. He stated he had talked with Mr. Jim Rice, Public Safety Director, who told him he could have 200 tires. Now before he can get the tires he has to go back before the Board. Mr. Hobbs stated if Mr. Rice had told him he could not have 200 tires then he could have argued the point that night. That is why he made the statement that he did not want any condition against him that the other yards did not have against them. Mr. Moody stated the conditions were listed in the permit presented to Mr. Hobbs and to the Board. Mr. Rice told Mr. Hobbs he was approached regarding the tires four weeks after the conditions were passed.

Mr. Harrison stated his motion stood as he did not feel Mr. Hobbs understood all of the conditions.

Mr. Moody asked if the Conditional Use Permit recently passed differed with Mr. Hobbs' permit. Mr. Rice stated there was one condition that they have that Mr. Hobbs does not have and that was the issue of tires. Everything else is the same.

Mrs. Quesenberry advised the majority of the fee for the Conditional Use Permit is for advertising costs for the two public hearings as it will have to go before the Planning Commission and Board of Supervisors again.

Mr. Bracey asked what was the legal responsibility for the County and Mr. Hobbs with something that has already been before the Board and passed with Mr. Hobbs agreeing to the conditions. Mr. Dan Siegel, Interim County Attorney, advised normal procedures would prevail wherein Mr. Hobbs would apply for an amendment to the Conditional Use Permit, with a Public Hearing by the Planning Commission and upon their approval being brought back before the Board of Supervisors via a Public Hearing. Mr. Siegel stated the fees are almost equal to the publication costs.

Mr. Moody asked if the Board waived Mr. Hobbs' rights, could anything legally be done if someone else came before the Board requesting the same and their request was denied. Mr. Siegel advised legally there would be no cause against the Board; however, from a practical standpoint they would ask why is this case being treated differently.

Mr. Robertson made a substitute motion that Mr. Hobbs go through the proper procedures to amend his Conditional Use Permit and if he does have a case and he wins, the Board reimburse him for the fee. There was no second. With Mr. Bracey, Mr. Robertson, Mr. Clay voting "aye", Mr. Harrison, Mr. Moody voting "no", the motion carried.

Mr. Harrison made the original motion to waive the refiling fee on the Conditional Use Permit so Mr. Hobbs could have some of the conditions removed as he felt too many conditions were placed on him. This was seconded by Mr. Bracey with Mr. Harrison voting "aye", Mr. Bracey, Mr. Moody, Mr. Robertson, Mr. Clay voting "no", the motion failed.

2. Mr. Irving F. Nicholas, Jr. stated he lived in Mansfield North Subdivision and some of the homeowners had signed a petition to have street lights put in. He stated they had received a letter from the

County asking if they did or did not want street lights and he asked why were they being charged for street lights when the other streets in the same subdivision had lights. Mr. Clay stated a moratorium was passed on street lights until a policy could be established. Mrs. Quesenberry stated at the last Board meeting, the staff was directed to send a letter to the street light petitioners to see if there was still an interest from the community if it was determined that they were going to have to pay for the street lights. She stated it was an effort by the Board to have street lights put in if the interest was still there. Mr. Nicholas stated he paid enough taxes and he would stay in the dark. Mrs. Quesenberry stated they needed to know the choice from everyone in the subdivision.

3. Mr. Theophus L. Daniel, Sr. stated he lived in Mansfield North Subdivision and paid personal property taxes and felt the street lights should be put in by his tax money. He commented about a stump dump behind Mr. Nicholas' house and nothing being done until he called and talked with Mr. Ponder. He felt the County was doing no good for any citizens in the County. He also stated he had called the dog warden and the dog warden was chased out of the neighborhood by the dogs.

4. Mr. R. N. Chambers addressed the Board regarding the tax problem with the County. He felt the tax rate was too high with what the County has to offer in return. He stated he is paying taxes on a double-wide mobile home that he paid \$33,000 for and the Commissioner of Revenue has assessed it at \$38,200. Mr. Clay asked Mrs. Deborah Marston, Commissioner of the Revenue, to answer Mr. Chambers' question. Mrs. Marston stated she had discussed the issue earlier with Mr. Chambers and he understood that a double-wide is assessed as real estate based on the square footage, as they have factors and rates to go by as set by the General Reassessment. Mr. Chambers stated he understood, but he felt the rate was too high, as was the personal property rate of \$4.90. He stated he understood that 75% of the budget was spend on education, which left another 25% that went somewhere, along with money from the State. Mr. Clay stated the County just spent \$300,000 on the jail, in the future several hundred thousand is going to have to be spent on the landfill to meet State regulations, there are six Fire Departments plus numerous other things. Mr. Clay stated the rates are trying to equal out wherein many county residents rent property and are not landowners and own three new cars; therefore, they pay personal property taxes. Mr. Chambers stated his tax money was supporting able bodied people on food stamps and welfare who don't work and they are the ones with new cars. Mr. Clay agreed and stated the Board of Supervisors did not control that as it was established on the State level. Mr. Chambers stated industries would look harder at Dinwiddie if the County had a lower tax rate.

IN RE: AMENDMENTS TO AGENDA

Upon motion of Mr. Moody, seconded by Mr. Harrison, Mr. Bracey, Mr. Harrison, Mr. Moody, Mr. Robertson, Mr. Clay voting "aye", the following was added to the agenda:

- 10.1 BOB MENGEL, DINWIDDIE VFD
- 10.2 SUPERINTENDENT OF SCHOOLS
- 10.3 LANDFILL - EXCAVATION BID
12. EXECUTIVE SESSION
  - b. Legal
  - c. Industrial

IN RE: COMMISSIONER OF REVENUE - LATE FILING FEE

Mrs. Deborah Marston, Commissioner of the Revenue, stated the County had a poor response to the personal property forms being filed by its citizens. Yearly personal property forms are sent out to the citizens that are to be filed in her office by May 1. She stated that the 58.1-39(16) of the State Code of Virginia allows localities by ordinance to establish penalties for failure to file such applications. She also read Section 58.1-35(18) wherein the State requires citizens to file personal property forms with the Commissioner of the Revenue on or before May 1 of each year. Mrs. Marston asked the Board to consider placing up

to a 10% penalty as set forth by the Code to be assessed on those who do not file by the due date. She is only seeking a greater response of the returns to aid her office. She stated that Prince George County has a 5% late filing fee for the non-filers. Mr. Harrison asked Mrs. Marston to call the other surrounding localities. She stated she would do so along with obtaining a copy of their ordinance.

Upon motion of Mr. Robertson, seconded by Mr. Moody, Mr. Bracey, Mr. Harrison, Mr. Moody, Mr. Robertson, Mr. Clay voting "aye", the County Administrator and County Attorney are authorized to draft an ordinance to establish penalties for failure to file personal property forms, which will include personal property, machinery and tools, heavy equipment and mobile homes.

IN RE: SHERIFF -- APPROPRIATION FOR NEW JAILERS

Mrs. Wendy Quesenberry, Interim County Administrator, advised the Sheriff has received approval from the Compensation Board for four (4) new jailers, effective November 1, 1989. She stated they knew at budget time they if these jailers were approved, appropriate funds for clothing and for health insurance coverage would be needed. She recommended a total appropriation of \$78,240 be added to the Sheriff's budget for these four new positions as follows:

1. Salary - \$69,108 (To be reimbursed by the State)
2. Uniforms - \$3,500
3. Health Insurance - \$5,000
4. Crater Criminal Justice Academy - Restore \$632 for training

Mr. Harrison asked what would be coming out of the General Fund. Mrs. Quesenberry advised all of the \$3,500 for uniforms and approximately \$2,000 for the Health Insurance for a total of around \$5,500.

Upon motion of Mr. Moody, seconded by Mr. Harrison, Mr. Bracey, Mr. Harrison, Mr. Moody, Mr. Robertson, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that \$78,240 be appropriated to the Sheriff's budget as follows: Salary - \$69,108 (to be reimbursed by the State); Uniforms - \$3,500; Health Insurance - \$5,000; Crater Criminal Justice Academy - \$632.

IN RE: POULTRY CLAIM -- MARY MANN

Mr. Allie Brooks, Animal Warden, presented a poultry claim for Mrs. Mary Mann for five chickens, at a value of \$5.00 each. The dog was caught and removed from the area. Mr. Brooks recommended the claim be approved.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Bracey, Mr. Harrison, Mr. Moody, Mr. Robertson, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mrs. Mary Mann, Route 739, Church Road, Virginia, is awarded reimbursement for a poultry claim for five chickens at a cost of \$5.00 each, for a total of \$25.00.

IN RE: SURPLUS VEHICLE -- NAMOZINE VFD

Mr. Jim Rice, Public Safety Officer, advised Namozine Volunteer Fire Department has received a 1986 Chevrolet Blazer surplus vehicle from Virginia Power which has approximately 60,000 miles on it. The County has to take action to accept title to the vehicle and insure it. The Fire Department has agreed to allow Mr. Rice to use the vehicle for Emergency Services. The car he is presently using will be taken out of service, which has approximately 115,000 miles on it and in need of extensive repair. He stated there is money in his budget to repair and equip the vehicle.

Upon motion of Mr. Robertson, seconded by Mr. , Mr. Bracey, Mr. Harrison, Mr. Moody, Mr. Robertson, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the County accepts title to and agrees to insure a 1986 Chevrolet Blazer from Virginia Power; and,

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Jim Rice, Public Safety Officer, is authorized to repair and equip the vehicle for use as an Emergency Services vehicle as agreed to by the Namozine Volunteer Fire Department.

IN RE: JAIL -- GAS TANK REMOVAL

Mr. Rice advised in a continuing effort to consolidate the liability, exposure and expense of upgrading the County's gas tanks to the new requirements, two gas tanks need to be removed from the jail and the tanks at the School Bus Garage had to be equipped for County use. Mr. Rice requested authorization to remove the gas tanks at the jail and proceed with the work at the School Bus Garage. This is a budgeted item and is agreeable with the Superintendent of Transportation.

Mr. Harrison asked if any bids had been received. Mr. Rice advised he has been working with Mr. Peter Baird and he is the only one within a 100 radius that does this type work. Mr. Rice stated some people dig up tanks, but there is more involved with this over at the bus garage to meet the new codes. Mr. Bracey stated he understood but requested three bids be obtained if possible. Mrs. Quesenberry, Interim County Administrator, and Mr. Rice advised they will make an effort to get other bids and if the Board knew of other individuals in the business to let her know. Mr. Bracey asked if there were specifications for this particular job. Mr. Rice stated there are specifications which includes a complete job.

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Bracey, Mr. Harrison, Mr. Moody, Mr. Robertson, Mr. Clay voting "aye", Mr. Jim Rice, Public Safety Officer, is authorized to proceed with removal of the gas tanks at the jail and proceed with the work at the School Bus Garage contingent upon seeking bids.

IN RE: E-911

Mr. Harrison asked Mrs. Wendy Quesenberry, Interim County Administrator, the status of E-911. She advised Mr. John Clark has completed the numbering for the designation of addresses on the new dwellings and new subdivisions. He is meeting with the rural route carriers now to make sure he has covered each house which has to be located on the map along with house numbers. He anticipates mailing out new addresses in January. The telephone company will not start building the data base, which goes into the E-911 program, until 95% of the citizens, or customers have notified them of the change in address. She stated that it is very important that when the citizens receive their new address that the telephone company be notified. The building of the data base by the telephone company takes approximately 18 months.

Mr. Harrison stated in the meantime people are being charged for this with nothing being done about it. Mrs. Quesenberry stated when the County first started with the program, the County advanced the E-911 program \$100,000 in General Fund money. Approximately \$45,000 is collected each year. At this point, the County has not started refunding any money to the General Fund, as the majority of it has been spent in the street naming and house numbering process, with the biggest obstacle being going to a complete set of new maps. Also, there was six month delay with someone being hired to complete the job. At this point, all of the money has not been recovered that has been put into the system. Even when the point comes that the money has been recovered from the house numbering, street numbering and the actual equipment obtained and the system is in operation, C&P will review the process again and the cost may be reduced; however, there will always be a maintenance fee. Therefore, there will never be a point where there won't be any charge.

Mr. Robertson stated the system is still approximately two years away.

Mrs. Anne Scarborough questioned the delay when in October of 1988, the consultant stated four items needed to be done.

Mrs. Quesenberry stated in the beginning no one invisioned the enormous job it was going to take in naming all the roads and assigning house numbers in a rural County. In the beginning, the tax maps were used and it is an impossibility to use the tax maps and develop an accurate grid system. The work on the tax maps was not wasted as the tax maps are in better shape than they have ever been. However, there was a tremendous cost in getting the upgraded maps. As to the lapse in time, at budget time a Planning Technician was budgeted to handle the project to make sure the letters went out and the system kept up-to-date as there was not adequate staff to handle such a task. All County positions were frozen and it was ten months before we were able to have the freeze lifted and get the help that was needed. Mr. Clarke has now brought the system up-to-date from the ten month lapse along with all the new building permits. She advised the County is anxious to get the system installed, and it has been a long hard process to this point.

Mr. Harrison asked if Mr. Clarke could update the Board at the next meeting to let the public know what is going on.

IN RE: BOB MENGEL -- DINWIDDIE VOLUNTEER FIRE DEPARTMENT

Mr. Bob Mengel advised he was asked by the members of Company 1 to make the following statement to the Board:

"At any time that policy or procedures are discussed concerning the fire companies, the Chief's Association should be consulted." Mr. Mengel stated this comes about because of the report that was given by the Safety Committee. It appears that few from the County Fire Companies were consulted on this item and this worried a lot of his members. He stated only one fire member was consulted and that was due to the fact he was running rescue squad calls. He stated there were a lot of implications in the report concerning fire companies in the county and he thinks the expertise of the Chief's Association should have been consulted.

Mr. Mengel stated he spoke to the Board on October 4, 1989, concerning the use of fire funds. He would like to see the Board take some action to set a policy in that all fire fund money should be made available to the fire companies and should not be spent by the County staff without the permission of the fire companies. Mr. Mengel stated that at times at the Chief's Association meetings some of the staff is allowed to spend some money, however, there have been some efforts to spend some without the Chief's permission. Mr. Mengel stated the money is budgeted in the Fire Departments' annual budget and when the budget is brought to the Board the money is in there. We requested that money be used as it was intended to go directly to the fire companies.

Mr. Bracey asked what has been done with the money in the past? Mrs. Quesenberry advised the State Fire Fund is budgeted with a breakdown as to the allocation available to the Fire Departments. The liability to see that the funds are spent properly lies with the Board of Supervisors. There are two important things that must be assured: (1) the money is spent on the proper purposes that are spelled out by the law; and (2) the purchasing (procurement) procedures have to be followed. She advised the first year the funds were received she worked with the Fire Departments in setting up a program and the money was passed directly to the Fire Departments. They had to go through her for the purchasing procedure. Since then, the money comes to the County and one of the duties of the Public Safety Officer is to analyze and work with the Fire Departments as to their needs and the expenditure of these funds. Mrs. Quesenberry advised it should be a cooperative effort with the Fire Departments. The main thing is to make sure that the funds are spent for those things that the law or grant requires them to be spent on. The only time it might be arbitrary on the County's part is if they are not properly equipped under the first requirement and the Department wants to buy something else.

Mr. Harrison requested the County Administrator, the Public Safety Director and Fire Chiefs get together and set up a written policy for the expenditure of the Fire Programs Fund.

IN RE: SUPERINTENDENT OF SCHOOLS -- COMPUTER EQUIPMENT

Dr. Richard Vaughn, Superintendent of Schools, requested the Board of Supervisors appropriate and authorize expenditure of an additional \$31,259 to the School Board Budget for 1989-90. This money is 100% reimbursable by the State and is another phase of the Governor's Technology Initiative. He stated in the 1986 plan adopted by the Department of Education, authorization was given to establish a Communication/Automation Transition System (SCATS) which would build a statewide education electronic communication network with standardized databases for student information, financial information, teacher certification and professional development. The equipment consists of an IBM PC or compatible microcomputers, printers, and other necessary peripherals which will be provided for the Central Office, Middle School and each elementary School.

Mr. Bracey asked Dr. Vaughn if the previous money appropriated for computers was for students only. Dr. Vaughn stated yes. Mr. Bracey asked if this was a totally different project. Dr. Vaughn stated it was another phase of the Governor's Technology Initiative. The first was for the students and he encouraged people to visit the computer room for the six graders at the Middle School to see what the money has bought. The other phase of the first project bought equipment for the High School -- the satellite, receiver dish and VCR. This is another step and different in that the money has already been appropriated.

Upon motion of Mr. Robertson, seconded by Mr. Harrison, Mr. Bracey, Mr. Harrison, Mr. Moody, Mr. Robertson, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that an additional \$31,259 be appropriated to the 1989-90 School Board budget and expenditure authorized to purchase computer equipment, which is 100% reimbursable by the State, as another phase of the Governor's Technology Initiative.

IN RE: ASBESTOS REMOVAL - SCHOOLS

Dr. Vaughn, Superintendent of Schools, advised that budgeted funds have been allocated to take care of the needed asbestos removal for the current school year and that part of the project has been completed. The School Board obtained bids for asbestos removal in McKenney, Northside and Eastside elementary schools. It is necessary to proceed with the removal from Northside and McKenney schools. The last school containing asbestos is Eastside school and his purpose was to seek the Board's advice as to what should be done with Eastside school. They have obtained bids for the removal in all three locations; however the bid for Eastside is as follows: Boiler Room - \$6,170; Main Building (pipe work, etc) \$4,867; Transite panels - \$4,549; Floor Tile - \$68,759. As a minimum, he feels the asbestos in the boiler room must be removed for the protection of the maintenance force. Completion of the other items would depend on the anticipated use of the building. Funds for all the removal, except the floor tile, are available. The total cost of asbestos removal projects will exceed the original estimates for this budget year. Dr. Vaughn requested the Board to review and advise the School Board on how to proceed with the asbestos removal project at Eastside.

Mr. Clay advised that the Board would come up with a recommendation as soon as possible.

IN RE: LANDFILL -- EXCAVATION BID

Mrs. Wendy Quesenberry, Interim County Administrator, stated the excavation bid awarded at the last meeting to Mr. William Bowen, contains an insurance requirement that Mr. Bowen did not know when he made the bid. The requirement is to name Dinwiddie as an additional insured on his insurance policy. His agent will charge him \$583.00 for this additional requirement and the contractor has agreed to split the cost with the County. She advised this was a wise investment to make and recommended the county pay the \$291.50. She advised the difference between Mr. Bowen's bid and the next lowest bid if approximately \$8,000.

Upon motion of Mr. Robertson, seconded by Mr. Moody, Mr. Bracey, Mr. Harrison, Mr. Moody, Mr. Robertson, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County Virginia, increase Mr. William Bowen's excavation bid at the Landfill by \$291.50 which would add Dinwiddie County as an additional insured to his policy.

IN RE: RETIREMENT RESOLUTION

Upon motion of Mr. Bracey, seconded by Mr. Harrison, Mr. Bracey, Mr. Harrison, Mr. Moody, Mr. Robertson, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Board of Supervisors (the "Board") of Dinwiddie County (the "County") has been notified by the Virginia supplemental Retirement System ("VSRS") that the General Assembly granted political subdivisions the authority, in advance, to allow employees to retire with unreduced benefits at age 55 with 30 years of service without additional cost to the County and without any adjustment to the County's employer contribution rates, but only if such authority is exercised prior to January 1, 1990; and

WHEREAS, the Board desires to elect to provide such early retirement benefits before January 1, 1990;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Dinwiddie County that the County Administrator is hereby authorized and directed to take all such action as may be necessary or appropriate to effect the election of such early full retirement benefits without cost to the County, including but not limited to the completion of the VSRS form certification election to provide such early retirement benefits.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Harrison, seconded by Mr. Moody, Mr. Bracey, Mr. Harrison, Mr. Moody, Mr. Robertson, Mr. Clay voting "aye", pursuant to Section 2.1-344(1), (5) & (7), of the Virginia Freedom of Information Act, the Board moved into Executive Session at 9:17 p.m. to discuss personnel, industrial and legal matters. A motion having been made and approved, the meeting reconvened into Open Session at 10:21 p.m.

IN RE: CERTIFICATION OF EXECUTIVE MEETING

Upon motion of Mr. Robertson, seconded by Mr. Harrison, Mr. Bracey, Mr. Harrison, Mr. Moody, Mr. Robertson, Mr. Clay voting "aye", the following Certification was adopted:

WHEREAS, the Board of Supervisors of Dinwiddie County convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board of Supervisors of Dinwiddie County, that such Executive meeting was conducted in conformity with the Virginia law;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies; and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors of Dinwiddie County, Virginia.

IN RE: LANDFILL OPERATOR -- REGRADE OF HEAVY EQUIPMENT OPERATOR - I POSITION

Upon motion of Mr. Bracey, seconded by Mr. Moody, Mr. Bracey, Mr. Harrison, Mr. Moody, Mr. Robertson, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the 1988 regulations governing the County's solid waste program are quite extensive and will have a tremendous impact on the operation of the Landfill; and

WHEREAS, the interim operational plan submitted to the Department of Waste Management discusses at great length the duties and importance of the Landfill Operator; and,

WHEREAS, the present Equipment Operator, Mr. Ronald Bell, has been fulfilling the duties of the Landfill Operator as described;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the position of Heavy Equipment Compactor/Operator I held by Mr. Ronald Bell be regraded to Landfill Operator, Grade 16; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Bell be placed at this grade, Step 2A, \$18,096.

IN RE: COUNTY ATTORNEY -- CONTINUATION OF PRESENT CONTRACT

Upon motion of Mr. Robertson, seconded by Mr. Harrison, Mr. Bracey, Mr. Harrison, Mr. Moody, Mr. Robertson, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, after reviewing the applications for the position of County Attorney and conducting interviews, the Board of Supervisors was unsuccessful in selecting a candidate to fill the position of County Attorney; and,

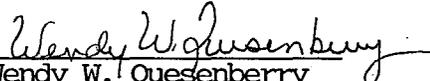
WHEREAS, 1990 will bring in a new Board as well as a new County Administrator whose participation should be included in the selection of an individual to fill this position;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, feels it is in the best interest of the County to continue the present contract with Natkin, Heslep, Siegel & Natkin for legal services until a decision is made to fill the position of County Attorney.

IN RE: ADJOURNMENT

Upon motion of Mr. Bracey, seconded by Mr. Robertson, Mr. Bracey, Mr. Robertson, Mr. Harrison, Mr. Moody, Mr. Clay voting "aye", the meeting was adjourned until 6:30 P.M., Tuesday, December 5, 1989.

  
A.S. CLAY, CHAIRMAN

ATTEST:   
Wendy W. Quesenberry  
Interim County Administrator

