

VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA ON THE 15TH DAY OF APRIL, 1981 AT 8:00 P.M.

PRESENT: A.S. CLAY, CHAIRMAN ELECTION DISTRICT #4  
G.E. ROBERTSON, JR., VICE-CHAIRMAN ELECTION DISTRICT #2  
STEVE WEBER ELECTION DISTRICT #2  
M.I. HARGRAVE, JR. ELECTION DISTRICT #3  
  
LARRY G. ELDER COUNTY ATTORNEY

ABSENT: G.S. BENNETT, JR. ELECTION DISTRICT #1  
C.L. MITCHELL SHERIFF

IN RE: MINUTES

Mr. Hargrave moved that the minutes of the April 1, 1981 meeting be approved as presented. There was no second. The County Administrator read the minutes in their entirety. Upon motion of Mr. Hargrave, seconded by Mr. Robertson, Mr. Hargrave, Mr. Robertson, Mr. Weber, Mr. Clay voting "aye", the minutes were approved as presented.

Mr. Robertson stated that he would like to make a few comments concerning the minutes. He referred to page 91 of the Virginia County Supervisor's Manual, section titled Quorum and Method of Voting which states "A majority of the members of the Board of Supervisors constitutes a quorum. With few exceptions, all matters are passed by a majority of those present and voting. However, the Constitution of Virginia requires a majority vote of all members elected to the board to pass any ordinance or resolution appropriating money exceeding the sum of \$500, imposing taxes, or authorizing the borrowing of money". He further referenced the same section reading "Abstention from voting does not constitute a negative vote; thus, a motion may pass with one affirmative vote if a quorum is present and the other members present abstain from voting." Mr. Robertson then read the section of the April 1, 1981 minutes outlining the votes cast for the nominations made for the Dinwiddie County Water Authority members. He stated that at the point at which votes were cast for Mr. John Clements, five members had been appointed to the Authority, and by appointing Mr. John Scarborough and Mr. T.J. Leftwich, the Board appointed 7 members to a five-man board. Mr. Robertson then asked for a ruling from the Chair who turned to the County Attorney for an opinion. Mr. Larry Elder, County Attorney, stated he would be glad to respond after he had an opportunity to research the issue.

Mr. Robertson then read the following statement and asked that it be incorporated into the minutes of this meeting:

"Mr. Chairman, unfortunately, with modifications, the minutes are recorded correctly. However, they do not reflect the grave injustice done to the citizens of District Two (2). By your joint action to eliminate their two (2) supervisors from making appointments to the Dinwiddie Water Authority, you have, in my opinion, disenfranchised District Two (2), this violating the one man-one vote concept set forth by the courts.

Gentlemen. It is "Clear the air and provide leadership for all of Dinwiddie County" time or it is "Hold on to your false teeth, there is a bumpy road ahead" time. I prefer the former.

You have been quoted as saying "that our appointees were picked because they were opposed to mandatory water and sewer connections." Gentlemen. Mandatory connections are behind us. Around 900 connections have been made, the General Assembly has passed legislation that may alleviate this problem in the future. Secondly, I do not require nominees to agree to support my views prior to nomination nor do I interfere with their right and obligation to perform

the duties of that office. I examine, very closely, their qualifications to perform the duties of that office and their willingness to serve. My appointee, Mr. Larry Toombs, was picked for his expertise in preparing budgets, grants, etc. in his capacity as Director of the Tri-Cities YMCA and prior experience with the City of Petersburg as Director of Recreation. Since our prime concern with the Water Authority is to provide water and sewerage for Dinwiddie County in the most cost effective way possible, these, in my opinion, are very valuable assets.

Gentlemen. When I came on the Board in 1980, I pledged to myself that I would do everything possible to serve Dinwiddie County as a whole and then your districts and our district would benefit. Apparently, I have not succeeded in convincing you that there are many concerns of all citizens besides water and sewer. Over half of the citizens of our district are not affected by the water and sewer and their concerns are with taxes, schools, roads, etc. as are all citizens. These are the areas that I feel we must work in as a team to fully represent, youth trying to obtain the best education that we can afford, the young citizen or young couple trying to make a living, the senior citizen trying to put away something for the future, the retired citizen trying to live on fixed income and last but not least, to relieve the burden on the middle aged and middle income citizens.

Sectionalization of Dinwiddie is not in the best interest of the citizens. All citizens must have equal representation in the government thru its elected officials. Without equal representation we will always be involved in procedural matters rather than putting our combined efforts towards solving the problems that affect the living standards and the growth of Dinwiddie.

Gentlemen. You set a precedent at our last meeting when you chose to nominate seven (7) names for five (5) appointments. Now. I ask you to set another precedent and rescind that action. By rescinding that action and each supervisor nominating one (1) person for each seat, you will be taking a giant step towards reuniting Dinwiddie citizens thus saying to all "this Board will in the future, be involved in the constructive development and growth of Dinwiddie."

Mr. Chairman. I move that the appointments to the Dinwiddie County Water Authority, made on April 1, 1981, be withdrawn and that each supervisor nominate one (1) person to serve on the Dinwiddie County Water Authority and then be properly elected to serve.

Mr. Weber seconded the motion, stating he had talked with the Board prior to making his nomination and they seemed satisfied with his selection. He stated he was very disappointed in their action and he felt he could not serve the people he represented if he was not allowed to make appointments as he saw fit.

Mr. Robertson and Mr. Weber voted "aye". Mr. Hargrave and Mr. Clay voted "nay". Because there was a tie vote and only four members present, this item will be placed on the May 6, 1981 agenda for action by all five members.

IN RE: CLAIMS

Upon motion of Mr. Robertson, seconded by Mr. Weber, Mr. Robertson, Mr. Weber, Mr. Hargrave, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims be approved:

General Fund-checks numbering 81-643 through 81-775 amounting to \$109,108.95; History Book Fund-check #HB-81-2 in the amount of \$1.17.

IN RE: LIVESTOCK CLAIM--VERNON RAGSDALE

Mr. Clay advised the Board that he had been contacted by Mr. Vernon Ragsdale concerning a livestock claim that had been denied at the March 4, 1981 meeting. He stated that after con-

versation with Mr. Ragsdale, he felt that the claim was justified and asked the Board to reconsider payment. Mr. Robertson stated that he was reluctant to make a motion either way, not having talked further with the Animal Warden. After a brief discussion, the County Administrator was instructed to discuss the claim with the Animal Warden for consideration at the next meeting.

IN RE: PARTICIPATION IN COUNTY HEALTH INSURANCE GROUP BY AIRPORT AUTHORITY EMPLOYEE

As decided by the Board, at the April 1, 1981 meeting, action on the request by the Airport Authority to place the Executive Director on the County's health insurance group plan was postponed for further investigation. All premiums would be paid by the Airport Authority.

The County Administrator advised the Board that the County was already providing this service to an employee of the Town of McKenney and he did not think adding another employee would pose any problem. He did state that the only exposure it would cause the County would be the effect on the County's experience rating which could be beneficial as well as detrimental.

Upon motion of Mr. Weber, seconded by Mr. Robertson, Mr. Weber, Mr. Robertson, Mr. Hargrave, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Executive Director of the Airport Authority be allowed to participate in the County's health insurance group plan; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that all premiums and costs will be paid by the Airport Authority and the check for said premiums will be delivered to the County by the 25th of each month.

IN RE: STATUS OF CONSTITUTIONAL OFFICERS IN RELATION TO THE VIRGINIA ASSOCIATION OF COUNTIES

Upon motion of Mr. Robertson, seconded by Mr. Hargrave, Mr. Robertson, Mr. Hargrave, Mr. Weber, Mr. Clay voting "aye",

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia urges the Virginia Association of Counties not to amend the By-Laws of the Virginia Association of Counties to include Sheriffs, Commonwealth Attorneys, Treasurers, Commissioner of Revenues and Clerks of the Circuit Court in the membership; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia urges the Virginia Association of Counties not to involve the Sheriffs, Commonwealth Attorneys, Treasurers, Commissioner of Revenues and Clerks of the Circuit Court in any manner in the business of the Virginia Association of Counties.

IN RE: RELOCATION OF STATE OFFICE OF THE VIRGINIA ASSOCIATION OF COUNTIES

Upon motion of Mr. Weber, seconded by Mr. Robertson, Mr. Weber, Mr. Robertson, Mr. Hargrave, Mr. Clay voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that it supports the relocation of the Virginia Association of Counties' offices from Charlottesville, Virginia to Richmond, Virginia.

IN RE: AUTHORIZATION TO PREPARE REQUEST FOR CABLETELEVISION PROPOSALS

The County Administrator requested that he and the County Attorney be authorized to prepare a document to be sent out to various firms to solicit proposals for providing cabletelevision to a portion of the County. This document will be presented to

the Board for approval before it is sent out.

Upon motion of Mr. Weber, seconded by Mr. Robertson, Mr. Weber, Mr. Robertson, Mr. Hargrave, Mr. Clay voting "aye", the County Attorney and the County Administrator were authorized to prepare the necessary paperwork for the Board's review to be sent out to solicit proposals to provide cabletelevision to a portion of Dinwiddie County.

IN RE: AUTHORIZATION TO ADVERTISE AMENDMENT TO VEHICLE LICENSES ORDINANCE

Mr. Robertson asked the County Attorney what was included under the term "vehicles" in the proposed amendment to Sec. 11-18, Vehicles Licenses Ordinance. Mr. Elder advised the Board that the term "vehicles" included all those vehicles that have to be state licensed--motor vehicles, trailers, and semi-trailers.

Upon motion of Mr. Hargrave, seconded by Mr. Robertson, Mr. Hargrave, Mr. Robertson, Mr. Weber, Mr. Clay voting "aye", the County Administrator was authorized to advertise the amendment to Sec. 11-18, Vehicle Licenses Ordinance for a public hearing on May 20, 1981.

IN RE: BINGO & RAFFLE PERMIT--DINWIDDIE JUNIOR WOMAN'S CLUB

Upon motion of Mr. Hargrave, seconded by Mr. Weber, Mr. Hargrave, Mr. Weber, Mr. Robertson, Mr. Clay voting "aye", the following resolution was adopted:

WHEREAS, the Dinwiddie Junior Woman's Club has made application to the Board of Supervisors for a Bingo & Raffle Permit for calendar year 1981; and

WHEREAS, the Junior Woman's Club meets the requirements as set forth in Sec. 18.1-340 of the Code of Virginia and has filed the required \$10.00 fee;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Dinwiddie Junior Woman's Club is hereby granted a Bingo & Raffle permit for the calendar year 1981.

IN RE: DINWIDDIE VFD--ADVANCE ON 1981-82 BUDGET

Mr. Hargrave advised the Board that he had been contacted by the Dinwiddie VFD requesting a \$2,000 advance on their 1981-82 budget towards the purchase of a used jeep for the department. He stated that their 1953 jeep was no longer operable and they were going to fix up the new jeep to be used as a brush truck.

Upon motion of Mr. Hargrave, seconded by Mr. Robertson, Mr. Hargrave, Mr. Robertson, Mr. Weber, Mr. Clay voting "aye", a \$2,000 advance was authorized to be paid to the Dinwiddie VFD from their 1981-82 budget allocation.

IN RE: ADJOURNMENT

Upon motion of Mr. Hargrave, seconded by Mr. Robertson, Mr. Hargrave, Mr. Robertson, Mr. Weber, Mr. Clay voting "aye", the meeting adjourned until 8:00 P.M., Tuesday, April 21, 1981.

APRIL 21, 1981 -- CONTINUATION OF APRIL 15, 1981 MEETING -- 8:00 P.M.

PRESENT: ALL MEMBERS

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Robertson, seconded by Mr. Weber, Mr. Robertson, Mr. Weber, Mr. Bennett, Mr. Hargrave, Mr. Clay voting "aye", the Board moved into Executive Session at 8:00 P.M. to discuss personnel matters. The meeting reconvened into Open Session

at 8:25 P.M.

IN RE: REVIEW OF 1981-82 BUDGET

The County Administrator reviewed with the Board the income and expense figures for the 1981-82 budget within the guidelines set at the last budget work session.

IN RE: REQUEST FOR COPY OF BUDGET MATERIAL

Mr. Linwood Norman, reporter for the Progress-Index, appeared before the Board to request a copy of the working papers used by the Board during the work session. He further stated that the material was public information and it was a violation of the Freedom of Information Act not to provide him with a copy.

Mr. Hargrave stated there was no finality to the figures discussed until advertised for a public hearing and at that time, copies would be available for the public. He also felt the summary figures given would present the impact of the budget discussed.

Mr. Bennett stated that there would be a presentation of the proposed budget at the public hearing but the Board needed at least one more work session.

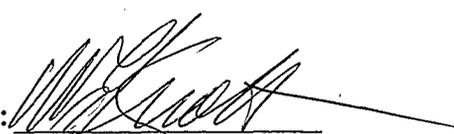
Mr. Robertson stated that he was concerned about the legal requirements as to whether the materials were actually a public document. In light of the Freedom of Information Act, he felt it prudent to seek legal advice. Mr. Weber stated that he thought the rates were too high but he felt there was little that could be cut now. Therefore, he personally felt a copy of the working papers should be provided to Mr. Norman.

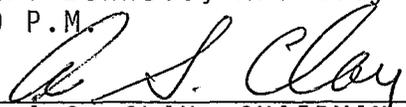
Mr. Robertson moved that the County seek a legal opinion on Mr. Norman's request. Mr. Weber seconded the motion. Mr. Robertson, Mr. Weber, Mr. Hargrave, Mr. Bennett, Mr. Clay voted "aye".

IN RE: ADJOURNMENT

Upon motion of Mr. Robertson, seconded by Mr. Weber, Mr. Robertson, Mr. Weber, Mr. Hargrave, Mr. Bennett, Mr. Clay voting "aye", the meeting adjourned at 10:10 P.M.

ATTEST:

  
W.C. KNOTT

  
A.S. CLAY, CHAIRMAN

