

VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA ON THE 19TH DAY OF JANUARY, 1983 AT 8:00 P.M.

PRESENT: STEVE WEBER, CHAIRMAN	ELECTION DISTRICT #2
G.S. BENNETT, JR., VICE-CHAIRMAN	ELECTION DISTRICT #1
G.E. ROBERTSON, JR.	ELECTION DISTRICT #2
M.I. HARGRAVE, JR.	ELECTION DISTRICT #3
A.S. CLAY	ELECTION DISTRICT #4
L.G. ELDER	COUNTY ATTORNEY
T.E. GIBBS	DEPUTY SHERIFF

IN RE: INVOCATION

The Reverend Russell Freeman, Pastor, Bloomfield Baptist Church, delivered the Invocation.

IN RE: MINUTES

Mr. Robertson asked that his comments about putting the Circuit Court Clerk's records on microfish be added to the minutes under the discussion on improvements to buildings and grounds.

Upon motion of Mr. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Bennett, Mr. Robertson, Mr. Weber voting "aye", the minutes of the January 5, 1983 meeting were approved with the one addition as noted.

IN RE: CLAIMS

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

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

General Fund checks-numbering 83-7 through 83-139 amounting to \$102,323.35; Law Library Fund checks-numbering LF-83-1 and 2 amounting to \$193.44.

IN RE: LAND USE DISCUSSION

Mr. Robertson stated that he had requested that Land Use be placed on the agenda. He said for the past couple of years, he had heard different questions about Land Use and had attempted to find out the impact on the County. He stated the only information he had seen was from the Commissioner of Revenue and a seminar he attended at Longwood. He stated that Mr. Bolte indicated due to Land Use, the County was deferring \$300,000 in taxes and he felt this was passed on to the homeowner who must pick it up for a period of time. He realized there is a rollback tax which allows the County to recoup those taxes. However, Mr. Robertson did not feel the Land use tax is benefitting the homeowner. He felt they had reached a point where they should discuss Land Use in a public hearing. He indicated that the meeting at Longwood College was effective and interesting. The different things brought up were voted on by those there, which was a good amount of people. He stated one issue was that the number of acres allowed under Land Use should be limited. A small majority voted that the number of acres be limited but no acreage was mentioned. To get this before the Board and the public, he had called the County Administrator on Monday of last week and requested an ordinance be drafted to limit the number of acres allowed under Land Use to 750 acres. He did not intend that it be an exact figure, merely a starting point, which could be based on the feelings of the citizens. On Thursday, he indicated he received a call from the County Attorney stating the Board could not limit the number of acres allowed under Land Use. Therefore, he was left with a couple of alternatives. He was dismayed and disappointed that the Board does not have that authority, but it is according to State law.

The two alternatives were: 1. Reintroduce the amendment he presented last year, limiting Land Use to agricultural use only. 2. To have a public hearing inviting citizens to discuss Land Use and take whatever action comes out of this meeting. Perhaps, the citizens would have input to guide them in which area to go or acreage to limit. He further hoped the Board would adopt a resolution and advise legislators in Richmond to pursue allowing Boards throughout the State to limit the acreage in Land Use.

He stated if citizens do not feel the acres should be limited, and if they feel Land Use is a good thing, they can lay Land Use to rest until someone tells them different. They have not done anything with Land Use recently. He indicated when they adopted the ordinance, members stated they would be willing to discuss it again in a year or biannually. Mr. Robertson asked if the public session could be a discussion without being an official public hearing. The County Attorney stated it could be an information session without advertising for a public hearing. Mr. Robertson stated then looking at the two alternatives, he would like to have the citizens input on Land Use at a hearing held on Tuesday, prior to the February night meeting, February 15, 1983 at 7:30 P.M. He would like to advertise through the news media and by word of mouth. He felt there should be a meeting of the citizens with the Board to discuss Land Use to see what the citizens want. He said the reason he was bringing it up now was they were going into the budget session and the County will need all the income they can get. If it will help them not to have to raise taxes, he felt they should take action now. He said also if they wanted to do anything, it had to be done by June 1 of this year to be effective January 1, 1984.

Mr. Robertson moved that a public input session be held February 15, 1983 at 7:30 P.M. to hear comments from the citizens concerning Land Use. There was no second.

Mr. Weber asked if anyone in the audience would like to make a statement on Land Use. Mr. George Robinson stated that he has always been against taking any person or parties and treating them special. He stated if you give someone a special favor, you sell yourself out. The County is losing and he felt all should be treated equally. He indicated that rural land can be appraised at a reasonable value if done properly. It can be taken care of in established values.

Mr. Hargrave stated that if you put 1,000 people together and 900 could find a method to tax 100, that 800 would probably agree and maybe find some fairness. Too many people feel the only good tax is one on someone else. He felt Land Use is a very fair tax. He said people need to read and understand the premise of the State law. Assessments do not take care of equitability. What the property will sell for is not value of what it is used for. The Land Use law passed by the State enables localities to choose for those people near growing area where development has caused the apparent values to be higher. The market value is higher than what property is actually used for. If you can get away from the pressure of that development, values will come down to Land Use value which is what it will produce. Inflated value is pressed on it by sale of land in area for other uses. He added the Board held extensive public input sessions before the ordinance was adopted with representatives from other localities and State agencies for the public to be informed. He felt the County is the same and the law is the same. He had seen no surprise in the way Land Use was functioning. He stated the Board's responsibility is to see taxing is done in a fair manner, and he felt Land Use was doing that. He said he was sure every homeowner's tax is a little higher. Agricultural land may be lower as to value it can produce. He felt there was no need to change. He also felt there was no need to arouse a lengthy input since there was no difference and no change.

Mr. Robertson stated that as elected representatives of the citizens, they should be willing to sit and listen to anything the citizens have to say. He said he had heard enough comments to feel justified to listen. He indicated he did not feel the homeowner

can continue to bear the load. He also felt things have changed, and he was willing to listen. He was asking that the Board consider a public meeting and go along with listening because certainly things have not stayed status quo. He was in favor of allowing the citizens to have input.

Mr. Hargrave stated he hears pro and con all the time on this matter. He felt the members can individually receive input without inviting the public to expect a change.

Mr. Robertson stated the input should be able to develop into a meeting of the people to discuss the subject. He stated Mr. Bolte had presented a \$300,000 figure. At the budget session, a figure of \$1400 to \$1500 was presented for Land Use due to two more timber companies applying. He wondered what effect that will have on taxes. He didn't know the size of the companies but things have changed. He again stated that in the minutes prior, members had expressed a willingness to get input on an annual or biannual basis.

Mr. Hargrave commented that 75% of the timber land is owned by individuals. The amount of land subject to Land Use has been there all the time. That has remained unchanged.

Mr. Larry Elder stated that he remembered the debate about Land Use. He added he has always been a proponent of Land Use. He had mentioned it nine or ten years ago. He indicated he had heard comments that probably 30% to 40% of the cost of Land Use as it related to timber land can be attributed to fewer than 20 individuals or entities. He felt Land Use should benefit the whole county, and it should be looked into if only a few are benefitting. As to timber land, the agricultural category would allow 20 acres of timber land exclusive per parcel. Most of farmers would be able to exempt some timber per acre. He felt it was a good concept but there were a lot of questions unanswered that could be answered by the records of the Commissioner of the Revenue. He was not sure timber was fair for all the county. The average citizen does not benefit from timber.

Mr. Robertson stated that Mr. Hargrave mentioned 25% of the timber land in the County was owned by timber companies. He indicated that there were 328,000 acres in the County and if 25% was correct, 80,000 acres is in timber.

Mr. Bennett stated he was at the Farmville meeting. He felt Land Use is good for the majority of the people. The majority of the people at the meeting did feel a limit of acres on timber land would be good, and they should take it to the legislators this year. He did not know who was going to take it upon themselves to take it to the General Assembly. He stated that he favored limiting the number of acres an individual could have under Land Use. He felt there were a lot of questions they should know that public input wouldn't answer. He indicated he favored pursuing this option with the legislators allowing localities to have a limited number of acres per owner in Land Use.

Mr. Robertson stated if they don't take action now, how would they get the information to the General Assembly. He felt they were a government of the people and the people have a right to tell them what they want. He hoped they would adopt a resolution afterwards for the General Assembly. He stated unless they passed a resolution tonight, they won't get action. They would probably be through with Land Use and there would be no need for him to pursue it after tonight. He indicated he would abide by the Board's decision after the vote. It would not be his wish but he had made the effort. He felt they needed the citizen input and their backing to approach the General Assembly and say we want your support in giving Boards of Supervisors authority to limit the number of acres per owner in Land Use.

Mr. Hargrave stated that every year, the Board meets with their representatives and he felt the legislators value the Board's feelings whether unanimous or individually. That is another level of input. He felt they didn't need a large room full of people and

a popularity contest. He felt they had plenty of time and they should make it their business to have this exchange with the Legislators.

Mr. Clay stated that he was in favor of limiting land in Land Use. He was willing to listen to the citizens but he wondered if it was needed. He didn't see a lot of change.

Mr. George Robinson stated that use value is market value if it is done right. Mr. Hargrave said it could not be done that way. You have to put value in reassessing based on market value. The County Administrator reiterated that State law requires them to use 100% valuation based on market value. Mr. Robinson then asked how you would value an apartment building with rental value. Mr. Hargrave stated that it is built for a price and the rent is set to return it and that is its use value. But, for example, land on U.S. #1 near the Rescue Squad building, that is near the road is valued higher than the land behind it. He added that the same criteria is used for assessing a small fine house as a large house of the same construction. He stated it is easy to pick on a few. They probably care less because it is not as important to them. He stated that the fact is that things in the assessment are not valued by use.

Mr. Robinson stated that use value is in the appraisal. It depends on the attitude. Mr. Hargrave indicated that the State doesn't allow that option. Mr. Robinson added that the County is losing because of administrative costs.

Mr. T.E. Gibbs asked about assessments on timber land and asked why the assessment for a timber company was lower than a private timber owner next to it. Mr. Robertson stated one reason may be that the timber company is a better manager and has a better inventory of trees, where the individual may not know about his own property and has to rely on the judgment of the assessor. Mr. Clay stated that the question deals with the assessment and not Land Use. Mr. Hargrave stated that when the reassessment was done before, the Board heard a lot about this exact inequity. They saw it happening not because of good records. The State stopped the reassessment and let the individual go. He said he wasn't saying that it might not look that way, but the Board has made every effort to see that it wasn't done with the last reassessment. He felt they should always strive for equitability.

Mr. Elder stated that he felt there were some misunderstandings and a lot of misinformation. He said all farmers seemed to be for Land Use. But when you talk about categories, people don't know timber can be included under the agricultural category. He stated that he didn't see where the County was making use of the information they ought to have. He felt if the information were put before the Board and public that 10 to 20 individuals or companies were taking \$75,000 a year, and could explain that taking timber out of land use would not have that much of an effect, they would have a larger sentiment expressed and considerably different input. But they don't know the facts.

Mr. Hargrave stated he was not adverse to acquiring the information and understanding it.

Mr. Weber stated he had never been in favor of Land Use and he felt the County didn't need it. He went along with Mr. Robertson's motion for agricultural land only and would agree today. He felt they were losing money each year and they owed it to the public to let them come and have input on changes since Land Use went into effect. He felt it would help the Board and the public.

Mr. Bennett stated he had been hearing comments about the County losing money. He said they were losing money on personal property and real estate by not having higher rates too.

There was no second to Mr. Robertson's motion to have a public input session. In a roll call vote, Mr. Bennett, Mr. Clay,

Mr. Hargrave voted "nay", Mr. Robertson, Mr. Weber voted "aye". The motion was defeated.

Mr. Robertson moved that a public hearing be held February 15, 1983 at 7:30 P.M. in the Dinwiddie Government Center to consider for adoption an ordinance to amend Chapter 8, Article 8 of the Code of Dinwiddie, Virginia, dealing with deleting special assessments for horticultural, forest or open space real estate. There was no second. On a roll call vote, Mr. Bennett, Mr. Clay, Mr. Hargrave voted "nay", Mr. Robertson, Mr. Weber voted "aye". The motion was defeated.

Mr. Weber stated that he felt a roll call vote on important matters was beneficial.

Mr. Hargrave stated that he would like to see the information suggested by Mr. Elder collected. He felt the Board could see more clearly where they are and what the questions raised have done. He moved that this information be gathered and then a work session be held to discuss it. He felt that each Board member should request the pieces of information he needs and feels he has a lack of understanding in. Mr. Bennett seconded the motion. Mr. Robertson asked for a clarification of the motion. Mr. Hargrave answered stating apparently there was a lack of clarity of those taking advantage of Land Use and if any member feels a lack of understanding, they can derive this information from the Commissioner of Revenue. Mr. Robertson asked if it would be a work session open to the public. Mr. Hargrave stated anything the Board does is public. Mr. Robertson stated he wanted to make sure they received public input. Mr. Hargrave stated he could get all the input he needed from talking to people. Mr. Robertson then asked if he intended not to invite the public. Mr. Hargrave stated his intention was to get information. Mr. Robertson said he agreed with getting the information. He wanted to get it to the public. He felt they needed to meet with the citizens to get the information to them. Mr. Hargrave indicated the people can help them on how the business is working, but they need facts to take action. Mr. Weber felt the information would be helpful. Mr. Hargrave, Mr. Bennett, Mr. Clay, Mr. Robertson, Mr. Weber voted "aye".

IN RE: PETERSBURG JAYCEES ANNUAL PIG-NIC--APPROVAL OF PERMIT FOR 1983

The County Administrator presented an application for a Special Entertainment permit for the Petersburg Jaycees Annual Pig-Nic to be held May 4, 1983 at the Petersburg Airport. Attendance of 3500 is expected. He stated there were no major changes from the previous Pig-Nics held and he recommended approval.

Upon motion of Mr. Clay, seconded by Mr. Bennett, Mr. Clay, Mr. Bennett, Mr. Hargrave, Mr. Robertson, Mr. Weber voting "aye", the application for a Special Entertainment Permit for the Petersburg Jaycees Annual Pig-Nic to be held May 4, 1983 was approved with the conditions as stated therein.

IN RE: SHOOTING RANGE PERMIT--AMERICAN LEGION BASEBALL COMMITTEE

The application for a shooting range permit for the American Legion Baseball Committee was submitted at the December 15, 1982 meeting. Since by county ordinance, it must lie for 28 days before being considered, action was scheduled at this meeting. The County Administrator reported that the range was going to be taken down and put up again in the Fall at which time it would be inspected. Action was postponed.

IN RE: RADIO MAINTENANCE CONTRACT BID AWARD

The following information was submitted to the Board to make a decision on a radio maintenance contract for the County:

Expenses on radio repair for the last two and one-half years.

SEE BOARD REPORT

2. Bid proposals in these forms: A. Fire, Rescue and Sheriff's Communication Equipment - maintenance on a monthly basis. B. Fire, Rescue and Sheriff's Communication Equipment - cost to inspect the equipment twice each 12 months. The bids submitted were as follows:

1. Land Air Communications & Elec. Corp. - A. \$933.25; B. \$3394.00
2. Superior Communications Services, Inc. - A. \$955; B. \$5,488
3. Comm-Tronics - A. \$1,7110.03; B. \$10 in shop; \$25 out of shop.

Mr. Robertson stated the expenses for the past 2½ years were for repairs, not maintenance. It does not attest to the state of the equipment now. A maintenance contract would maintain the equipment in 1st class working condition at no more than the cost of the bid. The County Administrator said the only cost to the County as outlined in the three proposals to bring the equipment up to first class condition and maintain it in that condition is the monthly maintenance charge. The condition of the units is not known at this time.

Mr. Harvey Lowe, Superior Communications Services, Inc., stated that they didn't know how many units had been worked on, and this was not a good situation for an emergency basis. He added if you keep up the equipment, it lasts longer.

Mr. Robertson stated he is unable from the bids to ascertain if the repair to mobiles is to be done in the shop or on location. He indicated if the units are to be taken to LaCrosse, he has concerns about the added cost and lost time of the deputies, fire and rescue people. He also feels the time and material rates are rather stiff for a one time charge.

The County Administrator said usually work on mobiles, portables, pagers and plectrons is done in the shop. Mr. Robertson stated in the case of Land Air, the units will be carried to LaCrosse.

Mr. Clay asked why there was such a big jump in expenses for the last six months of 1982. It was explained part of this amount were bills held by the Rescue Squad for a long period of time and paid in November of 1982. The County Administrator stated that there had been alot of repairs on the base station.

Mr. Hargrave asked if the six month inspections included satisfying the requirements of the FCC. Mr. Lowe stated they did.

Mr. Robertson moved that the Board of Supervisors accept the bid of Superior Communications Services for full maintenance at a monthly cost of \$955. He understood installation and acts of God would be extra.

Mr. Hargrave stated he knew if the equipment was maintained, it would hold up better and the cost of repair seemed to be doubling. But he debated the manner in which they were handling it now. He wondered if the equipment was hurting enough to be worth the extra \$4,000 to \$6,000 a year. Mr. Lowe advised that the County was going to gain that much in service. He further stated that the repairs in the past have been done on a break down basis. With a maintenance contract, availability of the equipment would be improved and time on the road would be less.

Mr. Robertson added that now they did not know how many radios have been worked on. With a maintenance contract, they would know all of them. Mr. Hargrave stated that the cost of repairs was rising.

Mr. Bennett asked Mr. Lowe if after looking over the console, did he think maintenance was going to cure the problems they were having with it. Mr. Lowe stated that in his opinion, the

console has been poorly maintained. It has been repaired on a patch work basis. He added that it will not eliminate all the problems, but much has been caused by poor maintenance, because it is basically good equipment. Mr. Bennett asked if \$955 a month will put the console in good shape. Mr. Lowe advised him it would. Mr. Bennett asked what the life expectancy was. Mr. Lowe stated 10 years normally, and probably another ten years. He did not feel the equipment had become obsolete for the county's needs.

Mr. Clay seconded the motion. Mr. Robertson, Mr. Clay, Mr. Hargrave, Mr. Weber voting "aye", Mr. Bennett abstaining, the contract for maintenance service on the fire, rescue and Sheriff's radios and communications equipment was awarded to Superior Communications Services, Inc. for \$955/month, effective February 1, 1983.

Mr. Bennett asked how long the bid was good for. He stated the Board was beginning to work on the budget now. He felt they were always spending money not in the budget and wondered if the County could afford it.

Mr. Robertson stated that the cost was reimburseable from the State. The County Administrator indicated money was budgeted to cover the cost. Mr. Hargrave said they had been laboring over it six to eight months. It had not been dropped on them at this meeting.

The County Administrator stated that the people doing the repair work during the past several years, Comm-Tronics, have been doing an outstanding job. They only responded to the County's call when there was a problem because the County was not under a contract with them. He stated that the County was very happy with their service.

IN RE: BID PROPOSALS--VEHICLE REPAIR; PEST CONTROL; CABLETELEVISION CONSULTANT

1. The County Administrator distributed bids received on repairing county vehicles. He stated there was additional information he needed to gather, and recommended they be placed on the February 2, 1983 agenda.

2. The County Administrator distributed bids received on pest control for the county buildings and recommended they be placed on the February 2, 1983 agenda.

3. The County Administrator distributed proposals received for a cabletelevision consultant. He indicated that cabletelevision bids are due January 25, 1983. He stated he sent Invitations to Bid to five firms and received two. He stated they could wait until the February 2, 1983 meeting and they would have the benefit of having the cabletelevision proposals before them. He felt they could make a selection in two to five days and have a firm on board. He added that he had not had time to check references. Also, he had a meeting scheduled to discuss the proposals earlier in the day and the other party had to cancel, so he was not as prepared to discuss the proposals as he had planned.

Mr. Robertson moved that action on the cabletelevision consultant be postponed until the February 2, 1983 meeting to allow the County Administrator time to examine the proposals and check their references. Mr. Hargrave seconded the motion. Mr. Robertson, Mr. Hargrave, Mr. Clay, Mr. Bennett, Mr. Weber voted "aye".

IN RE: INFORMATION DISTRIBUTED TO THE BOARD

The following information was distributed to the Board for this meeting:

1. Legislative report on the General Assembly.
2. Memo from Gloucester County concerning proposed certification and licensing of soil scientists.

3. Letter and resolution from Washington County on the method of electing Boards of Supervisors.

IN RE: EXECUTIVE SESSION

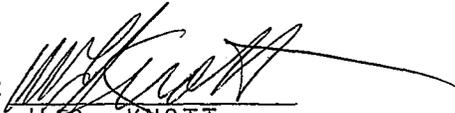
Upon motion of Mr. Clay, seconded by Mr. Bennett, Mr. Clay, Mr. Bennett, Mr. Robertson, Mr. Hargrave, Mr. Weber voting "aye", pursuant to Sec. 2.1-344(6) of the Virginia Freedom of Information Act, the Board moved into Executive Session at 9:30 P.M. to discuss legal matters. The meeting reconvened into Open Session at 10:05 P.M.

IN RE: ADJOURNMENT

Upon motion of Mr. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Bennett, Mr. Robertson, Mr. Weber voting "aye", the meeting adjourned at 10:06 P.M.



STEVE WEBER, CHAIRMAN

ATTEST: 

W.C. KNOTT