

At a regular meeting of the Southampton County Board of Supervisors held in the Board Room of the Southampton County Office Center, 26022 Administration Center Drive, Courtland, Virginia on January 23, 2012 at 7:00 PM.

SUPERVISORS PRESENT

Dallas O. Jones, Chairman (Drewryville)
Dr. Alan W. Edwards Vice-Chairman (Jerusalem)
Glenn H. Updike (Newsoms)
Carl J. Faison (Boykins-Branchville)
Barry T. Porter (Franklin)
Ronald M. West (Berlin-Ivor)
S. Bruce Phillips (Capron)

SUPERVISORS ABSENT

None

OTHERS PRESENT

Michael W. Johnson, County Administrator (Clerk)
Jon Mendenhall, Assistant County Administrator
Lynette C. Lowe, Finance Director
Beth Lewis, Director of Community Development
Sandi Plyler, Information Technology Manager
Julien W. Johnson, Jr. Public Utilities Director
Richard E. Railey, Jr., County Attorney
Cynthia J. Edwards, Administrative Secretary

Chairman Jones called the meeting to order. He said he was good to see so many of you. He said in all his 28 years he had never had a first meeting like this with standing room only. After the *Pledge of Allegiance*, Supervisor Faison gave the invocation.

Chairman Jones sought approval of the minutes for the Regular Session of December 19, 2011 and for the Organizational Session of January 3, 2012.

Supervisor Edwards stated that on page 006 about twelve lines down it should read "Chairman Jones" instead of "Chairman Edwards".

The minutes were approved with this correction.

Chairman Jones stated the next item of business was item two which is highway matters.

Mr. Michael Johnson stated that he had no items to report. He stated he would be glad to deliver any items of concern to the Department of Transportation.

Supervisor Faison stated that on Cross Keys road halfway between Hwy. 35 and Hwy. 671 there is a bridge there and the shoulder is washed out up to the hard surface of the road. He stated it had

been like that for a while and evidently the Department of Transportation knew about it because there was a cone there marking it. He was just wondering if they were going to do something about it or if they can do something about it.

Mr. Michael Johnson stated that he would inquire about it.

Supervisor Porter stated his only question was the status of the ditch clean out program. Especially in the last couple of weeks the ditches were full of water. The ditches are bad in his area, bad in Kingsdale, and bad in Edge Hill. He wanted to know if they were actively working on these. He wanted to know if they stopped working on these for the winter or if they were done for the year.

Mr. Michael Johnson stated he could inquire about this. He stated he did not have a current schedule. There ditch maintenance is obviously sporadic, so if you have particular areas of concern like Edge Hill, Kingsdale, and other areas, if you would let him know he will specifically ask questions about those areas.

Supervisor Updike stated he had several concerns. The first being tractor trailers using secondary roads as main drags. Statesville Road in the last couple of years has been nothing but tractor trailers cutting across from North Carolina to Newsoms. He would like the Department of Transportation to put up no through traffic signs on secondary roads. He stated that you know as well as he does that the state is not going to provide much funds for the roads. If we let our roads deteriorate by letting tractor-trailers run over them we are in trouble. There will be no way to solve the problem. As a result you have people who want the speed limit reduced between the dump and the stream to say 35 MPH at least down to 45 MPH because you know tractor trailers can't stop on a dime. These are residential areas south of the dumpster.

Mr. Michael Johnson asked if this was the area between where Mr. Hershey Bradshaw used to live and the dump.

Supervisor Updike responded yes it was. He also wanted to follow up on the ditches. He stated it was a good thing that we had a mild winter because water has been running across the road for months and nothing has been done about it. The ditches are completely full and water is running across the road. If we have a cold spell it is going to be nothing but a black sheet of ice creating a hazard for any cars or buses that come across it. All the roads between Sands and Statesville with these trailer trailers have caused people to end up in the ditches. He bet they had 15 people pulled out of the ditches in the area and the ditches are still stopped up. He stated he would be remiss if he didn't say they had to something about the ditches in Newsoms. It has been too long since they have cleaned out the ditches in Newsoms. They are filled up to the culvert pipe and noting has been done for years. It is time for them to come back over to the Newsoms area.

Chairman Jones asked if anyone else had anything. He stated they would have Mr. Michael Johnson look into the matters. He didn't know what VDOT would be able to do about it, but Mr. Michael Johnson would be sure to tell them. He stated Supervisor West had been talking about ditches for a long time.

Supervisor West said Amen.

Chairman Jones moved on to item number three being reports. Those being Financial Report, Sheriff's Office, Communication Center Activities, EMS and Fire Department Activities, Traffic Tickets, Civil Papers, Animal Control, Litter Control.

Supervisor Updike stated that Bobby Cobb lives on Sycamore Road and people have been dumping between Hwy. 58 and Sycamore Church. He stated that he had personally checked it out back in November and it was piled up high.

Mr. Michael Johnson asked if it was visible from the road right of way.

Supervisor Updike said yes sir.

Chairman Jones asked Mr. Michael Johnson to report that.

Mr. Michael Johnson stated he would report it to the Sheriff's Office.

Chairman Jones stated other reports were Building Permits, New Housing Starts, and Treasurer's Office Report.

Mr. David Britt gave an updated treasurer's report. From June 1, 2011 through January 20, 2012 they have collected \$682,000.00 in taxes in arrears. In the next week or two they will be sending out notices to those owing delinquent taxes from this past December.

Supervisor Edwards asked what percentage of citizens we are talking about.

Mr. David Britt said he could check. He is thinking 15% or maybe 10%. He stated he could get a better figure if he would like.

Chairman Jones asked what percentage of taxes had been collected this past year.

Mr. David Britt said as of this past Friday they had collected 92 ¼ percent on the Real Estate and 81 ½ percent on the Personal Property. As usual you can see that collecting on personal property is usually comes in slower than Real Estate.

Supervisor West stated he had reports through October 2011 is that the last report available to him, did he miss one, or what.

Mr. David Britt that November has just been closed out. He stated that some things have to get neglected when they are collecting taxes.

Supervisor Phillips asked Mr. David Britt how long a grace period delinquent tax payers will have and will you publicize the fact as to what action will be taken.

Mr. David Britt said the information as to what actions will be taken is stated in the delinquent notices. They are given a specific date the taxes must be paid by before they start taken legal action. They are going to try to get the people that are having tough times set up on some type of payment plan. For those that ignore the notice further action will be taken.

Supervisor Phillips thanked Mr. David Britt for the information.

Supervisor Porter asked if they were planning to do the boot program this year.

Mr. David Britt said yes they are.

Supervisor Porter asked if they could do the boot program this year on real estate as well.

Mr. David Britt said it was his understanding that they can't, but that is something he would have to look into further.

Supervisor Porter asked Mr. David Britt if he could look into that and give them an answer at the next meeting.

Chairman Jones asked if there were any further questions for Mr. David Britt.

Chairman Jones called for other reports being Solid Waste Quantities, Personnel.

Mr. Michael Johnson stated that on page 3-45 in your agenda packages you will see a summary of the personnel changes for the past month. We had one new employee hired in the voter registrar's office, Lynn H. Burgess effective January 1, 2012 as the assistant registrar. We had nine reclassifications: one of those in the registrar's office and eight are in the Sheriff's office with Sheriff Stutts and his command staff. We had one resignation in the month, Matthew A. Snyder. We had two employees to retire – Leona W. Davis and Vernie W. Francis, Jr.

Chairman Jones asked if anyone had any questions concerning personnel.

Supervisor West asked Sheriff Stutts if he was fully staffed or if he had more positions that needed to be filled. He wanted to know there status.

Sheriff Stutts said they were down to three that they needed to fill.

Supervisor West asked if he planned to fill those as soon as possible.

Sheriff Stutts said yes.

Chairman Jones asked if there were any other questions.

Chairman Jones listed other reports being Planning Commission & BZA Attendance, and Cooperative Extension.

Chairman Jones stated the next item of business was Financial Matters

Mr. Michael Johnson stated that in your agenda is Consideration of FY 2011 Schools Carryover Resolution. In accordance with Section 15.2-2506 of the Code of Virginia, funding that has been appropriated but was not expended by the end of a fiscal year reverts back to the General Fund and may not be carried over without a subsequent appropriation of the Board of Supervisors.

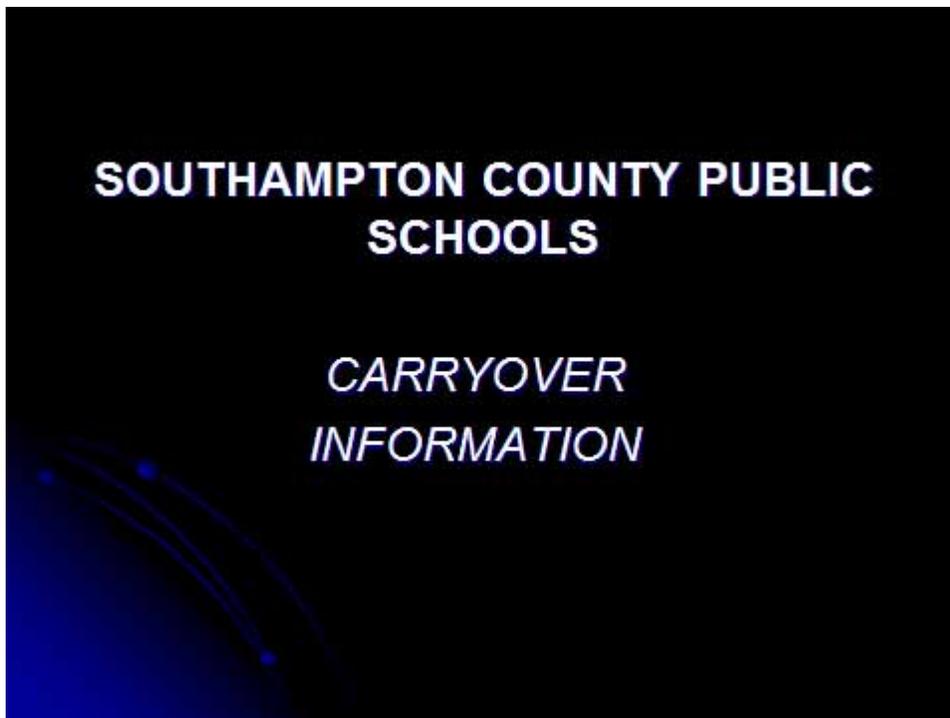
Over the course of the past 16 years, it has been the policy of the Board of Supervisors to appropriate local funds not expended by the school division in the previous fiscal year back to the School Board. The School Board is seeking your consideration of the same this year.

Unexpended local school funding in FY 2011 equaled \$1,624,780.60 and that sum is reflected in the end-of-the-year general fund balance on page 53 of your FY 2011 audited financial report (\$6,202,179).

Attached for your discussion and consideration please find an appropriation resolution (page 4-4) which reappropriates the funding back for the School Board's use in FY 2012. Mr. Turner is scheduled to make a presentation at your meeting illustrating the purpose and need for the additional funding.

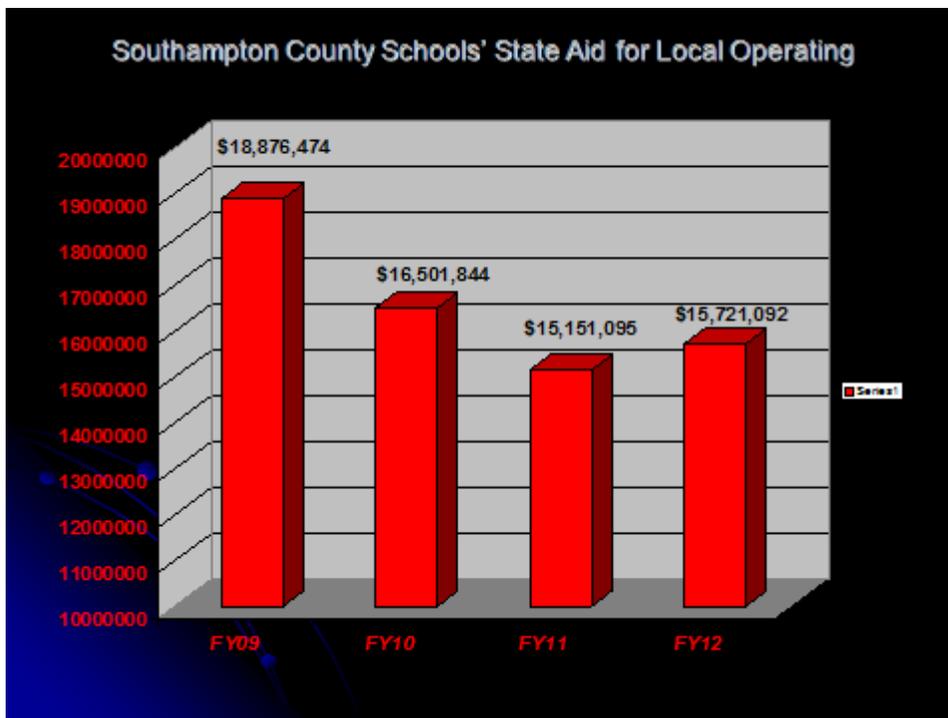
If the Board is so inclined, a motion is required to adopt the attached carry-over resolution.

Mr. Charles Turner gave a presentation concerning the need of the reappropriation of the unexpended local school finding in FY 2011. He stated that he had with him this evening the Director of Finance, Ms. Joy Carr, who would assist him, and also the Chairman of the Southampton County School Board, Mr. Russell Schools. Following is the presentation he gave:



STATE REVENUE

- State Revenue has steadily declined over the past several years. Southampton County Schools is projected to see a total loss of over **3.1 Million** from FY 2009 to FY 2012.



CARRYOVER

- For the last three years the State Department of Education has encouraged school divisions to save as much as possible and approved the carryover of state funds into the following year.
- Our local Board of Supervisors has also allowed the carryover of any unspent local funds to be used during the next budget year.

2009/2010

- Stimulus Funds Supplanted State Revenue in the budget
- Efforts made to save monies, including some stimulus funds, for 2010/2011

2010/2011

- **Fifty-one(51)** positions were cut from the 2010/2011 budget.
- **Thirty-two(32)** were funded with carryover funds and
- **Nineteen(19)** were eliminated through attrition.

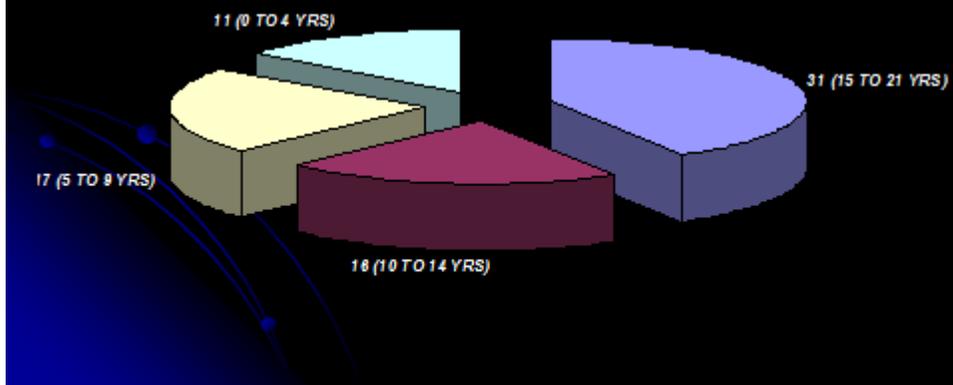
2011/2012

- For the Current 2011/2012 Year **37 positions** are projected to be covered outside the budget through the use of carryover funds and Federal Jobs Funds not expended in FY11.
- The options were to: 1) save and fund the positions 2) cut the 37 positions, or 3) ask the locality to fund the 37 positions.
- All carryover funds are requested to be appropriated to instructional line items and transportation to purchase needed buses.

SCHOOL BUSES 15 YEARS AND OLDER

NUMBER ON ROAD	AGE OF BUS (YRS)
6	15
1	16
6	17
4	19
6	20
8	21
31 TOTAL	

Number and Age of Buses in Daily Operation



SAVINGS TECHNIQUES

- Use of Federal Stimulus Funds
- Eliminated nineteen(19) positions
- Consolidated Central Office Positions
- No Salary increase from FY09 to FY11
- Decrease in Health Insurance Coverage
- Delayed Purchase of Buses & other vehicles
- Delayed Site Improvement projects (ex. HVAC at Tech Center)
- Delayed Purchase of Library Books

EXAMPLES OF UNKNOWNNS WITHIN THE BUDGET

- SALES TAX – Loss of \$331,327 in FY09 and a loss of \$135,846 in FY10 which we were able to cover without going back to county Board of Supervisors for additional funding
- FUEL – prices continue to rise and we have been able to cover the increases
- Unknown capital expenditures which we have been able to cover within our budget (ex. SHS HVAC Compressors and Control System)
- Basically we try to cover all situations without going back to the county Board of Supervisors for additional funding.

Economic Impact

- Southampton County Public Schools is the largest county employer, therefore keeping all employees working has a financial impact on the area.
- 82% of Southampton County Public School Employees live in the Southampton County/Franklin area.

OUTCOMES FROM THE BUDGET STRATEGY

- All Schools are Fully State Accredited
- We have cut no programs
- To date, no employees have been laid off

IMPACT OF NO CARRYOVER FUNDS

- It would have an adverse negative impact on the educational programs and create chaos and disruption, especially with SOL testing, where preparation is taking place and currently going on at Southampton High School.
- The opportunity to plan strategically and inform employees in advance would not be available.

REALITY

- Elimination of 43 equivalent teaching positions resulting in:
 - Increase k-12 class size
 - Class mergers
 - Loss of k-3 state funding (\$159,146)
 - Elimination of some class electives
 - Elimination of some instructional programs
 - Elimination of some extra curricula activities
 - Elimination of some Sports programs
- Inability to replace aging school buses

Chairman Jones asked if anyone had any questions.

Supervisor West said that Mr. Charles Turner listed 31 buses that were 15 years of age or older. He asked how many he had in the system.

Mr. Charles Turner stated that there were 75 in the system.

Supervisor West said so the other 44 were less than 15 years of age. He asked Mr. Charles Turner if he had any new ones at all. If asked if he had been able to purchase any new ones.

Mr. Charles Turner said he purchased two earlier. He was sending a bus to Hopewell with mileage on that bus that he could not in good conscious continue to put that bus on the road. So they had bought one handicapped bus and one regular bus this year.

Supervisor West said so you already bought one new bus this year.

Mr. Charles Turner stated that he had purchased two new buses this year – one regular bus and one handicapped bus because he had to.

Supervisor West said that Mr. Charles Turner had appropriated according to this information over the last sixteen years amounts 382K, 273K, 370K, 348K, 266K, 324K, and 483K. Then when we started in 2009 1,132K, 2010 2,468K, and tonight 1,624,780K. He asked what the difference was.

Mr. Charles Turner stated stimulus funds. He stated that over the last three years they had received stimulus funds. He stated they knew this day was going to come.

Supervisor West asked if the stimulus funds had a stipulation of time on them or what they had to be used for.

Mr. Charles Turner stated they had a time frame. They had a time frame, but some of them could be carried over. They had strategically tried to use them.

Supervisor West asked what the approximate cost of a bus was.

Mr. Charles Turner stated \$80,000.00.

Supervisor West asked didn't he read that like \$400,000 or \$500,000 was going for buses.

Mr. Charles Turner said yes the \$500,000 was going to buy about six buses. He stated one of the things they would do was make sure other things were taken care of before they spent the money for buses. They are not going to be premature in ordering buses and do something that they could not correct later. They are going to look at the entire situation, but they are talking about buying six buses.

Chairman Jones asked if anyone else had any questions.

Supervisor Porter thanked Mr. Charles Turner for his presentation. He stated he was not real comfortable with what was going on. The reason being that you have run into a brick wall this year and this comes at an inappropriate time because when he looks at next year's budget there are a lot of big holes. You have got big holes. You don't have anything for next year. This means that you are going to need at least 2 million dollars more of the county's budget than you got this year. He asked wasn't that correct.

Mr. Charles Turner said it was going to be a big joint effort.

Supervisor Porter said if you ran your school system next year like you did this year you are going to need 2 million dollars more than you did last year.

Mr. Charles Turner said yes that is correct.

Supervisor Porter stated that in addition to that he was going to need another million dollars to put into the Virginia retirement system.

Mr. Charles Turner said yes sir.

Supervisor Porter said so that is 3 million dollars above the current funding. We have another half million dollars in our budget increase in debt service. We have a hole that we filled last year by taking money out of the reserve which is quickly disappearing. We he adds all of these things together he is looking at a real estate tax increase of .40 or .50 cents. That just can't happen. We are already taxing our citizens at the max. We have a lot of retired people and when he goes around the county talking with them, he finds they are struggling to pay their taxes. Our treasurer is having a hard time sometimes collecting taxes and he knows our citizens are having a hard time paying them. Therefore, we have to balance their needs with our needs. He stated he wished that

they had unlimited funds to give him for the school system. He stated he is scared because he doesn't see an easy solution to any of these.

Mr. Charles Turner said that they realized that there had to be some adjustments. He stated that as they go through budget sessions they would discuss these things and make some adjustments. He said that is what they would do as a matter of fact.

Supervisor Porter said he had talked with Mr. Michael Johnson about doing that. He asked wasn't there anyway he could work the rest of the school year and reduce this amount so they can have some funds to fund some of those things next year strictly for your school system.

Mr. Charles Turner said if you give them the opportunity to carry over funds they will look and see how they can save money to help with next year. They will look at that and see what they can do. He stated they would be very careful in spending. They were hoping some things would happen that did not happen. That being the composite index change. They were hoping the composite index would come down, but it didn't. Another thing that would have helped him that didn't happen was that the President had a jobs fund bill that did not happen. So now they have found that they are in a position that they are going to have to take steps in order to make a reasonable decision. It is their desire to do that. He said they would do that.

Supervisor Porter asked if there was any way they can do some of this now. You have already spent 160 of the 500 that you are asking for the buses. He asked what he they delayed spending that money and let's see an orderly replacement plan for the buses that we put in place when you bring your budget in so then every year we have a plan for safe buses and don't get into this situation again in the future. Right now we don't know what the numbers are going to look like. We haven't seen them, but we know there is not a big revenue budget increase that is going to happen for the county because there is nothing to generate it.

Mr. Charles Turner stated that there are some factors they cannot control. They aren't going to order buses tomorrow. They are going to make sure other things are taken care of before they order buses. He stated that he and Mr. Grizzard had talked about this for years. They are trying to get on a schedule. They wouldn't be having this conversation if they had the funding that they needed. They have to find a solution where they can continue to fund an educational program where children can be educated in Southampton County Public Schools. So they have to balance the situation between transportation and education.

Supervisor Porter said this is one of those pay me now, or pay me later situations. It is looking like it is going to be later.

Mr. Charles Turner said if there was any other way they could have done it they would not be down here asking for the additional funding. He said they had tried to be sensitive to this county and they will continue to do that. He stated he was aware that when he approached the Board of Supervisors that they were going to have to work together. He said it was always their desire to work with them. When you look at the budget, unless you are aware of what's going on, it looks like there is not that much difference between last year's budget and this year's budget. However, when you go inside you will see that the \$900,000 that is in the budget is for retirement.

Supervisor Porter asked when he talked about this \$900,000 if it was a different \$900,000 than the one you need for next year's budget for retirement.

Mr. Charles Turner said he was talking about next year.

Supervisor Porter stated so you can manage the \$900,000

Mr. Charles Turner said we love Southampton County. We are going to work with you. That is the only way we can continue to function, we have to work together. We need to keep each other's needs in mind when working on this. You have a school system that you can be proud of. You have students who are excellent students. You have a great staff that has done everything that we have asked them to do to help us get through this situation. We have to work together.

Supervisor Porter said he appreciates that. It comes down to the fact to what our resources are and our resources are stretched already.

Mr. Charles Turner said as long as they know what the perimeters are; they can work within the perimeters. They have always, as Mr. Johnson shared with you earlier, they work within the perimeters that they are given. That is what they have done. They have been able to do what they have because of those perimeters. We are used to being given the perimeters at the beginning of a situation not in the middle of a situation.

Supervisor West stated that one of the charts that you just showed us did show an increase of approximately \$550,000 dollars more for 2012 than you received in 2011.

Mr. Charles Turner said he knew when he looked at this chart that somebody was going to ask this question. He stated they took a cut in the middle of the year that is why it looks like it went down and then came back up.

Supervisor West said it would be hard to convince him that wasn't a U. Is there a possible of use meeting with you two times in February and one time in March jointly – your board and our board together - that we hold this money – approximately 2 million dollars - until then authorizing further appropriations as needed. He stated he only had this information for four days. He stated that a schedule had been put out that apparently you have agreed to for Feb 15, and Feb. 29 as well as March.

Mr. Charles Turner said we have to operate and know where we are. We are going to operate as we always have. He is asking that they approve the resolution as proposed so that they don't have to come to the Board every single time seeking this fund or that fund. They have people working and they have responsibilities.

Supervisor West asked if this appropriation is not approved tonight will someone be laid off. He asked if that would be dire circumstances.

Mr. Charles Turner said he had a chart tonight that he preferred not to show. He said he was going to try to address it this way because he had people working. It will have an adverse impact on the school system and create kais and disruption in the middle of the school system especially with SOL testing which takes place in all schools and is currently taking place in Southampton High School. He said he does not want to show the chart. He knows what it is and this is a small

county it doesn't take long for people to figure out what you are talking about. All he is asking for is an opportunity to plan strategically. If not allowed to do so the events that will take place are will not be favorable. He said he did not want to go to the specifics. He said he had the exact chart, but he didn't want to have to put it up. He is trying to move the school system moving forward with the Boards support without creating a disruption in the middle of the school year.

Supervisor West stated that he may be withholding information. He stated that Mr. Charles Turner may not be holding it because it is provided to him, but you may be holding information that would benefit everyone in this room and us tonight in making this decision.

Mr. Charles Turner said the equal vent of 43 positions is on the line.

Supervisor Edwards asked if he didn't get this tonight was he going to terminate these people. He asked if they were all teachers or what positions.

Mr. Charles Turner said they were not all teachers. He said three teacher assistants were equivalent to one teacher. So the numbers could go much higher, but it involves termination.

Supervisor West said we didn't want to scare anyone.

Mr. Charles Turner said they are trying to teach. He wanted the opportunity to get through this year.

Supervisor Edwards asked again if they were all teachers.

Mr. Charles Turner said some were teachers and some were other positions.

Supervisor Edwards asked like what.

Mr. Charles Turner said other positions in the school system.

Supervisor Edwards said you are asking us to make a decision on this tonight and we don't have a lot of information. He stated he didn't feel comfortable making a decision on it tonight. He agrees with Supervisor Porter. He thinks the county needs to get this money back. We need to sit down in the coming months and work out a budget. Because it looks like every year we are coming up with this gap here. It has got to stop somewhere. He didn't feel good about making this decision. His decision would be that the county gets this money back. Then we set down in the next four or five sessions we have and work out this budget.

Mr. Charles Turner asked him what he didn't feel comfortable with.

Supervisor Edwards said because when he asked him questions about who was going he didn't get any answer. Everybody picks on the teachers. He is tired of the teachers getting picked on. We have others hired up there.

Mr. Charles Turner said yes there are other positions. He stated what we have is the equalivant of 43 teaching positions.

Supervisor Phillips asked how many teachers are there in our system.

Ms. Joy Carr stated there are 230 including guidance.

Supervisor Phillips said that is not aids or anything.

Supervisor Porter asked how many other employees they have.

Ms. Joy Carr said just a little over 500.

Supervisor Porter said so less than half your employees are teachers.

Mr. Charles Turner said here is what would happen. They would cut the equivalent of 43 teaching positions which would result in an increase in K-12 class sizes and class mergers. The K-12 state funding right now is \$159,146.00 which there have to have a certain teacher student ratio. There will also be some elimination of some classes, some instructional programs, some extra circular activities, eliminate some sports programs, and he would not be able to replace any of the school buses. He would have to send a letter home to the parents letting them know what the situation was and that they were starting this process. If they had had the knowledge that this would be the situation they could have worked with that in a different manner. Right now they are in the middle of a situation and it is kind of difficult. It would create kayos.

Supervisor Porter said so these 43 positions are based on what is required for the rest of the year. So if this was for the full year you could do with less than half of that.

Mr. Charles Turner said they had 37 positions, but it is 43 because they have gone this far. So you are talking about if it was for the whole year it would be half of that.

Supervisor Porter said you mentioned that if back in last July with the vision that you have today you could have used 20 positions less.

Mr. Charles Turner said yes that is correct. He stated that they had operated under the circumstances that they were asked to operate under. If they had been told they had to operate this way they wouldn't be having this conversation. They were under the impression that these funds would be returned to them so they operated this way. They would have taken a totally different approach.

Supervisor Porter said he appreciated that. He knows they are in this situation because of a stimulus approach. He stated he was very uncomfortable with that approach because when you went into the budget process it really wasn't clear what your cost providing education was because of the way the process was taken. It looks like to an outsider it looks like you tried to improve the budget, you got into the school year and now you have operated outside your budget and you need more funds to finish the year. He said he knew he didn't, but from the outside it looks like that. Now I've got to come back and I need 10% more funds.

Mr. Charles Turner said we didn't do that because we were under the assumption that we function the same way we have always functioned. It was not done arbitrarily. It was based upon the process. He stated if this is not the process they would not function under this process, but they

were under the impression that they were operating under the same process and that the funding would be returned to them. The only thing he is asking is that they let them continue to operate through the rest of the school year.

Supervisor Porter stated the real issue is the first 12 of those 15 years it was a nominal amount that was \$1,000,000.00 or something like that. Now we have got some hard decisions to make because of what is going to happen next year.

Mr. Charles Turner said the problem is there is no money from the stimulus program. He stated that he was going to retire two years ago, but he told people he would stay and try to help get through this situation. He stated he realized this day was coming, but they have worked as hard as they could through this time and they continue to work hard. He said if you tell me at the beginning of the process this is the way it is, he has no problem with it, but changing in the middle of the process creates disruption.

Supervisor Porter said he did agree with him on that, but he did attend some of the school board budget hearings last year and he heard him talking about off budget positions. He did not understand what they were at the time, but again he was looking as a new person looking in for the first time. He stated he didn't know if Mr. Charles Turner remembered or not but he made the comment back then that you have got a real problem because you are going to be asking the county for a huge tax increase to continue doing this. No one seemed to listen to me.

Mr. Charles Turner said he recognized there are some things they can do and some things they can't do. He said again he realized they were going to have to make some adjustments. Again he stated they need to be given the opportunity to continue to operate with these positions. He did not want anyone to this they function outside the perimeters they have been allowed to function in. What they have done they did in good faith. He said he understood where Supervisor Porter was coming from. He understands his point.

Supervisor Porter stated he was not attacking Mr. Charles Turner. He wants to make sure we take the right approach forward. He stated he didn't know what that is.

Mr. Charles Turner said he knows what it is. He said if he can operate to let them get through this year then they can work together to do what the Board wants them to do.

Supervisor Porter said the last thing any of the Board members wants to do was cause kayos in the schools. The last thing they want to do is see any teachers lose their jobs. They are all pro education even though it doesn't seem like it. If you speak out and ask questions you get branded as anti-education. He knows what education does for people and he feels that too few of our own students and parents realize it and consequently they waste a golden opportunity that could raise their lifestyle tremendously. Having said that in this situation he is not comfortable buying any more buses until next year. There is \$350,000.00 dollars there that should not be spent. He wishes there were a few other dollars that we could try to do it on a little bit less.

Mr. Charles Turner said that you have my word that we will do the best we can to operate in the guidelines you put before us.

Supervisor Faison said we are talking about carry over funds. He asked exactly what are we talking about - why do we have carry over funds.

Mr. Charles Turner said they didn't buy things that they could have bought. He stated they are going to have to make adjustments to keep people working.

Supervisor Faison said if this was stimulus money or where this money came from.

Mr. Charles Turner said they had strategically used the funds from the county and the stimulus funds.

Supervisor Faison said we are talking about \$1,624,000.00. He asked how much of that money was stimulus money that did not come from Southampton County.

Mr. Charles Turner said what you have to do is consider this. You have to save some. You saw on that chart the age of those buses. They could have spent more on buses, but they didn't. They were saving the money to use to keep the people working. They were trying to use the money they had to the best of their ability. That's what they tried to do. No, that is exactly what they did.

Supervisor Faison said obviously a budget this size takes considerable planning so you are saying the past returning of the funds has helped you in your planning.

Mr. Charles Turner said immensely, immensely, immensely. He said they could have spent every penny, but they saved this money to keep people working, to keep programs running, and to keep things going.

Supervisor Faison said as an incentive to have the carryover funds returned you save.

Mr. Charles Turner said they could have spent every penny without a doubt. Instead they saved money that they could have spent. They had been good stewards of the money. He reemphasized the fact that they could have spent the money, but they saved it.

Supervisor Faison said so not returning the money would be like asking you to change courses in mid-stream.

Mr. Charles Turner said yes and that is his concern. He said he had no philosophy with what Supervisor Faison and Supervisor Porter were saying. He said do not change them in mid-stream. They had planned a certain way and set up a certain way and to change now would be destructive.

Chairman Jones asked if anyone else had anything.

Supervisor Porter said he just had one last comment. He said the issue he had was could Mr. Charles Turner commit to them if they approve this money that before you spend the last half of million dollars you come to us and tell us it is absolutely necessary.

Mr. Charles Turner said he had no problem with that.

Supervisor Porter said so they would give him 1.1 million, but this last half of million would be contingent on how you operate from now out. The last thing they wanted to do was interrupt his school year.

Mr. Charles Turner said he had no problem with that. He said he was very comfortable with it. He said he was going to work with them because he had Southampton County's best interest at heart.

Supervisor Porter said they did not want to cause kayos. They want the money to be spent the most effective way. They want him to hold up the strings as best he can.

Mr. Charles Turner said they were going to do the best they can.

Supervisor Porter said he had talked too much. He wanted to hear what the other Board members had to say.

Mr. Charles Turner said he appreciated that because we have a wonderful school system here and they don't want to see it completely disrupted.

Supervisor Porter said the thing is they don't want them to spend money they don't have to.

Mr. Charles Turner said they haven't done that because they know they need it so that is not an issue for him.

Supervisor Phillips said as this conversation goes on and he has listened to it. You were using the term so many teaching positions. He asked what a teaching position is worth because some teachers are paid more and some teachers are paid less. He would appreciate it in dollars and cents so they could have a better understanding of what they are trying to do. You keep talking about conversations. We are at a point where the conversation needs to start now. It has got to start somewhere. When you mention teaching position you don't mention anything about administration and we are looking at the whole package. As Supervisor Porter stated we are going to start this process here in a couple of weeks. We are trying to get in this process with you. You have agreed to these meetings so we can see how you do what you do.

Mr. Charles Turner said he had no problem with that. He said he appreciated what Supervisor Porter said. He stated this would give them the opportunity to do two things. One thing it would give the Board an opportunity to see what they do and it would give them the opportunity to see exactly where they are in the process. He said he felt it very critical for this to happen. He said that they have the best interest of Southampton County and the school system at heart.

Supervisor Updike said he had two questions. First, last spring at your budget hearings before the Board you pushed and pushed and pulled and pulled and he couldn't see anywhere that you were anticipating a 1.6 million surplus or carryover therefore you wanted a full budget knowing that you have got this in your back pocket. His question is would this disrupt the school system if they wait a week or two and have a joint hearing and if at that joint hearing we see a need for allocating certain funds for you then okay, but not tonight when we don't know exactly what we are getting into. He thinks it should go back to the general fund until they could make a decision at the next Board meeting. It is not going to stop before the next Board meeting.

Mr. Charles Turner said I respect what you are saying. There are people in Southampton County Public Schools who are working. The children in Southampton County Schools are being educated. The parents of children in Southampton County Public Schools are looking for the children to be educated. The people who are working in the school system need to be able to concentrate on teaching the children. They don't need to be worried about what is going to happen tomorrow. They don't need to be worried about whether they are going to have a job or not tomorrow. We don't need to send a message out that we aren't working together.

Supervisor Updike said you were given money last July. You should be working within the budget.

Mr. Charles Turner said you have in your packet how the money was spent penny by penny. They spent it the way they said they were going to spend it.

Supervisor Updike said if we see a need for it we will approve it; but he wants to meet together and you show them exactly how the money is going to be spent today.

Mr. Charles Turner said you are provided that information as to how the money was spent and how it was accounted for.

Chairman Jones asked if there was any other discussion.

Supervisor Edwards said here it a list. He wanted to know what it will take to keep things from being disrupted. We talked about \$500,000. We talked about holding that back. His question is how much does it take tonight.

Mr. Charles Turner said he trust you will understand this. The message we send out needs to be that the school board has done what they need to do to keep the personnel in place. The replacement of the school buses is the number. We can deal with that. We are down to the school buses. That is exactly where they are. If the other is approved, they have no problem coming back to you and letting you know where we are.

Chairman Jones asked if there were any other questions. There being none he thanked Mr. Charles Turner. He asked the Board members if they wanted to accept the resolution or not.

Supervisor Faison in terms of accepting it he understood the resolution would include everything but the \$530,009.00.

Supervisor Porter said the resolution should be that we approve it subject to we get a second look at it before he spends the last half of million dollars. With the 1.1 million tonight you can run the rest of the school system with it then before you spend the last half million you have to come back and give him a second go ahead.

Mr. Charles Turner said that was no problem.

Chairman Jones asked if he could get that in a motion.

Supervisor Porter said yes that is in the form of a motion.

Supervisor Faison seconded the motion.

Chairman Jones asked if everyone understood the motion.

Supervisor West said 1.1 million tonight and at 600,000 spent then you come back so we can see where you stand and then it is still 500,000 out here on the plate that can be dealt with.

Supervisor Porter said he gets the 1.1 million tonight and we aren't telling him he can't have the 500,000 he has got to come back later if he needs it then we have to make a decision at that time.

Supervisor West said he understands it that way, but at the time I thought \$600,000 was talking time to see where we are standing.

Supervisor Porter said it was not automatic that he gets the \$600,000.

Supervisor Porter said he hopes that if Mr. Charles Turner sees that he is going to spend more than the 1.1 million that he comes back before he gets to 1.1 million.

Mr. Charles Turner said we are all in this together.

Supervisor Porter said if he has spent all but a couple hundred thousand dollars he hopes he doesn't come back then. He asked Mr. Charles Turner if he would be willing to come and give then an update at each of their meetings.

Mr. Charles Turner said he would do whatever.

Supervisor Porter said no let's take a look at this at the March meeting.

Mr. Charles Turner said if he says he is going to do something he is going to do it. You will find that if you go the way you are going you will not regret it. The 500,000 for the buses you will have. He stated he was a man of integrity and he knows what we are doing. He said if makes it easy the way we are going. It makes it easy for everybody.

Supervisor West said what Supervisor Porter just said was the way he interrupted it to begin with the buses are struck for the year.

Mr. Charles Turner said no sir.

Supervisor West said that is the way it sounded initially because you said you could hold off.

Supervisor Porter said it is strictly this. Approve the resolution subject to a second request is required for the last half million dollars.

Mr. Charles Turner stated that was fine because he wanted them to see how they operated.

Chairman Jones asked if everyone understand the motion.

Supervisor West said not really, but go ahead.

Mr. Michael Johnson said he needs clarity. He said he understands what Supervisor Porter is saying and if he is hearing him right what he is saying what he is really appropriating tonight is \$1,124,780.60. He is withholding the last half million.

Mr. Charles Turner said he was asking him to come back.

Mr. Michael Johnson said he wants you to come back, but either it is appropriated or it is not. What I'm hearing him say is that it is not appropriated.

Supervisor Phillips said that is what he said.

Mr. Charles Turner said that is not what he said. He said they come back and show where they are.

Supervisor Porter said before he spends any of that last half million dollars you have to have a second vote.

Mr. Charles Turner said absolutely, absolutely.

Supervisor West said he was not going to vote for this because we have a completely different understanding. You are saying you have got 1.1 million tonight. You come back and if you handle it properly you come on back and get the other 500,000. You haven't accomplished anything whatsoever except to say you only got 1.6 to begin with and you show me how you spent it and ok, ok, ok, here's your other 500,000. He stated he doesn't buy that. You only get 1.1 million tonight and if there is justification because a half of dozen buses break down and can't go to school then that is a reasonable to come back for the other 530,000 or the equivalent. He thinks they are messing up until then because you haven't accomplished anything.

Mr. Charles Turner said you don't wait for all the buses to break down. He stated they are towing them all over the place right now. He looked at the towing charges for right now. They don't want to wait until they break down because it takes a long time to get buses after they are ordered. He stated that what the gentleman is saying here is something that they are completely in agreement with. He stated he was not going to spend the money without the Board knowing where they are. He stated that is not a problem at all.

Supervisor Edwards said let's go through the motion one more time. He asked what exactly it is.

Chairman Jones asked Supervisor Porter to state his motion again even though it has already been seconded.

Supervisor Porter said his motion as he made it that we appropriate 1.1 million with no strings attached. We hold a half a million or whatever in reserve for a future appropriation if needed which requires a vote.

Chairman Jones asked if everybody understands that now.

Supervisor West said as long as he understands 1.124 is the limit tonight and no more. Then show justification for anything in the future as far as the 500,000 which requires a vote.

Supervisor Edwards said yes anything as far as the 500,000 requires a vote.

Supervisor West said Supervisor Porter said whatever, but there it is right down on a sheet of paper and that is pretty simple. His understanding is that at some point he will say yes we did spend this 800,000.

Supervisor Porter said there is another point to it that we aren't seeing and that is the rest of this budget. If he manages this budget the way I think he can he can save some money there so he doesn't need the full half of million. He is hoping that way. We can say we are spending this money because we are paying these people, but this is just part of a big pie. He has enough confidence in Mr. Charles Turner that he can manage this big pie so that he can squeeze something out of it so that we can have a little bit of money for some things that we are facing next year.

Mr. Charles Turner said they would do what they could do.

Chairman Jones asked if all minds were clear.

Mr. Michael Johnson said he wanted to make sure he had it captured right. The amount of the appropriation is 1,624,780.60 less the 530,709 that shows up in buses right now so that is a total appropriation of 1,094,071.60.

Supervisor West said he can get a period on the end of that – right.

Supervisor Porter said yes.

Chairman Jones called for a vote on this motion.

The motion was carried unanimously.

Schedule 6
Page 4

	Original Budget	Final Budget	Actual	Variance With Final Budget Positive (Negative)
Witness #11	45,258	45,258	45,175	83
Emergency services	113,853	120,267	218,887	2,296
Firefight	23,367	23,367	21,728	1,639
Detection	3,865,439	2,695,719	2,828,257	97,413
Protection	124,472	124,472	79,226	25,446
Inspection	122,253	122,211	118,472	4,138
Animal control	80,889	105,497	96,277	4,204
Medical Examiner	810	500	261	140
Total Public Safety	6,125,271	6,428,958	6,333,341	95,217
Public Works				
Maintenance of highways, streets, bridges, sidewalks	88,207	88,737	94,944	3,700
Refuse collection	877,274	726,269	726,269	-
Refuse disposal	1,424,770	1,396,302	1,348,276	138,586
Maintenance of buildings and grounds	499,494	498,494	484,525	2,237
Total Public Works	2,889,847	2,711,348	2,557,438	143,619
Health and Welfare				
Health Department	324,000	324,300	324,300	-
Mental health	65,944	65,944	65,944	-
AMRA Summer Youth	-	4,716	4,716	-
Comprehensive services	117,139	126,289	123,401	4,398
Welfare and Social Services	14,342	14,342	14,342	-
Total Health and Welfare	524,425	535,581	536,703	1,222
Education				
Appropriation to public school system	10,724,528	13,190,841	11,568,090	1,624,751
Total Education	10,724,528	13,190,841	11,568,090	1,624,751
Parks, Recreation, and Culture				
Regional library	252,851	252,851	252,851	-
Miscellaneous contributions	44,237	49,637	37,218	11,827
Total Parks, Recreation, and Culture	297,088	302,488	290,069	11,827
Community Development				
Planning and community development	281,288	286,507	281,747	34,760
Economic development	130,000	100,000	100,000	-
Recreation sharing agreement	34,000	82,200	29,887	62,313
Ball and Water Conservation District and Chesapeake Extension Program	8,211	124,287	124,287	-
Conservation Extension Program	62,160	45,817	8,388	28,239
Total Community Development	515,669	638,811	525,479	110,452
Debt Service				
	8,418	8,418	8,341	478
Total Expenditures	24,225,967	26,141,858	25,998,199	2,243,261
Excess (Deficiency) of Revenues Over Expenditures	338,903	(2,227,981)	1,211,829	3,208,916

4-8

Schedule 6

County of Southampton, Virginia
Component Unit School Board
School Operating Fund
Budgetary Compliance Schedule
Year Ended June 30, 2011

	Original Budget	Final Budget	Actual	Variance With Final Budget Positive (Negative)
Revenues				
Charges for services	\$ 2,000	\$ 29,911	\$ 60,201	\$ 50,340
Miscellaneous	-	214,599	85,159	(129,440)
Recovered costs	-	798,760	845,280	46,520
Intergovernmental				
From County of Southampton, Virginia	10,724,528	13,190,841	11,568,090	(1,624,751)
From the Commonwealth of Virginia	16,672,800	16,821,350	15,800,495	(1,027,855)
From the Federal Government	1,771,349	3,541,042	2,708,679	(832,363)
Total Revenues	29,177,735	34,968,903	31,180,724	(3,512,179)
Expenditures				
Education				
Instruction	18,267,114	23,363,326	19,967,912	3,706,014
Administration, attendance, and health	1,127,893	1,365,026	1,413,622	(14,489)
Transportation	2,702,640	2,824,744	2,850,362	4,362
Operation and maintenance	3,344,271	3,344,912	3,270,003	67,509
School food services	133,898	131,493	123,679	10,917
Facilities	154,628	154,206	87,433	66,555
Technology	401,867	582,346	887,589	(344,643)
Debt service	2,830,730	2,930,730	2,929,730	-
Total Expenditures	29,177,735	34,968,903	31,180,724	3,512,179
Net Change in Fund Balance	\$ -	\$ -	\$ -	\$ -
Fund Balance - Beginning of Year				
Fund Balance - End of Year				

4-9

Chairman Jones called for a five minute break.

Chairman Jones called the meeting back into session.

Chairman Jones asked if there were any questions.

Supervisor Edwards made a motion to approve the appropriation resolution with a total appropriation of \$1,142,009.39.

Supervisor Phillips seconded the motion with it being carried unanimously.

Chairman Jones stated we would move on to item number 4C – the FY 2013 Budget Calendar.

Mr. Michael Johnson stated that attached for your consideration please find a proposed budget calendar for FY 2013 (page 4-33). The calendar provides for a much more collaborative process than in years past and calls for no less than 12 work sessions specifically devoted to budget discussions, beginning in mid-February, three of which are joint sessions with the Southampton County School Board.

I am recommending a bifurcated approval process, separating consideration of the school division budget from the overall budget, for two reasons: first, to provide for adoption of the school division budget prior to May 1 in accordance with state law, and second, to avoid pitting scarce funding for education against other needs and programs.

A motion is required to adopt the FY 2013 budget calendar.

FY 2013 PROPOSED BUDGET CALENDAR

Month	Date	Event
January	28	Budget request forms issued to county departments, community agencies and organizations
February	16	School Board/SCS joint work session (preliminary school budget)
	17	Budget request forms due back to Finance Director
	18	School Board/SCS joint workshop (preliminary school budget presentation)
March	10	General Assembly - adjourns On/Off
	14	SCS working (continuing) meeting, proposals & discussion regarding technical solutions
	20	SCS working (discretion) meeting, agency presentations
	28	Final state revenue estimates available
	29	School Board/SCS joint workshop (final draft school budget)
April	4	SCS work session (staff of budget distributed - discussion focused on General and Finance Administration, Judicial Administration, Public Safety)
	11	School Budget synopsis published in Tidewater News
	15	SCS work session (discussion focused on Public Works, Health & Welfare, Culture, Community Development)
	18	General Assembly reconvenes for 10th session
	19	Public hearing on Special Budget
	19	SCS work session (discussion focused on Social Services)
	22	SCS regular session (discussion focused on Building Fund)
	23	SCS work session (discussion focused on Enterprise Fund - draft budget Review and ready for consideration)
	23	SCS adopts school budget
May	6	Budget Publication and Notice of Public Hearing in Tidewater News Tax Levy - Notice of Public Hearing in Tidewater News
	13	Tax Levy - Notice of Public Hearing in Tidewater News Public hearing on FY 2012-2013 annual budget and proposed tax rates
	22	Budget workshop (FY 2013)
	28	Board of Supervisors adopts FY 2013-2014 general budget
	29	Board of Supervisors adopts 2012 calendar year tax rates

Chairman Jones stated this is just for the calendar. He asked if he had a motion to approve the calendar.

Supervisor West made a motion to adopt the FY 2013 budget calendar.

Supervisor Faison seconded the motion with it being carried unanimously.

Chairman Jones stated the next item of business was 4D – Monthly Bills. He stated a motion is required to authorize payment of the monthly bills.

Supervisor West moved, seconded by Supervisor Faison, that the bills in the amount of \$1,828,150.55 to be paid by check numbers 124060 through 124584. All were in favor.

Chairman Jones called for the next item of business being number 5 – Appointments.

Mr. Michael Johnson stated that on December 31, 2011, Mr. J. Edwards Hatfield, III's (Franklin District) and Mr. Eppa J. Gray's (Jerusalem District) respective terms expired. Section 15.2-4904 of the Code of Virginia provides that both men shall continue to serve until such time as a successor is appointed and qualifies (takes the oath).

After last year's redistricting process, Mr. Hatfield now resides in the Berlin-Ivor District and Mr. Gray resides in the Franklin District.

I have contacted Supervisors Porter and Edwards alerting them to the fact that these appointments have expired.

Separate motions are required to appoint (or reappoint) representatives from the Franklin and Jerusalem Districts.

Chairman Jones asked for a motion.

Supervisor Porter stated he would like to nominate Mr. Eppa J. Gray for reappointment from the Franklin District. It's unusual that someone gets to represent two of the districts, but in this case they think he is a very good person on the board and would like to see him continue.

Supervisor Edwards seconded the motion with it being carried unanimously.

Chairman Jones asked for a nomination for the Jerusalem District.

Supervisor Edwards said he was glad to say that Mr. Ash Cutchin has agreed to serve in that purpose in the Jerusalem District. He further made it into a motion.

Supervisor West seconded the motion with it being carried unanimously.

SOUTHAMPTON COUNTY

20122 Administration Center Drive
P. O. Box 408
Courtland, Virginia 22827



757-663-3015
Fax: 757-663-0227

January 5, 2012

Mr. Barry F. Porter
21317 Waterview Lane
Fossilite, VA 23851

RE: Industrial Development Authority

Dear Mr. Porter:

On December 31, 2011, Mr. J. Edward Hatfield III's term expired on the Southampton County Industrial Development Authority (IDA). He was last appointed to a 4-year term by Mr. Young on December 17, 2007 and has been an active member since 2009. Mr. Hatfield resides at 18032 Line Pine Road (Hurdons), which, following last year's redistricting, is now in the Berlin-Box District. While there's no statutory requirement that each election district be represented, it has been customary.

Notwithstanding expiration of his term, Section 15.2-4904 of the Code of Virginia provides that Mr. Hatfield continues to serve until such time as a successor is appointed and takes the oath of office.

Just to make you aware, Mr. Elysa J. Gray's term on the IDA also expired on December 31. He was appointed on January 28, 2008, and is completing his first term. He resides at 19374 Black Creek Road, which, following last year's redistricting, is now in the Franklin District. He formerly represented the Jerusalem District.

Accordingly, I am seeking your cooperation in nominating an IDA representative, preferably at the January 23 meeting. You have three options:

1. Nominates Mr. Hatfield for another term (recognizing that he no longer resides in your District);
2. Nominates Mr. Gray to represent the Franklin District; or
3. Nominates someone else to represent the Franklin District.

Should you have interest in nominating Mr. Gray, please discuss this in advance with Dr. Edwards (he's getting a similar letter). If you have interest in nominating someone new, I'm attaching a brief one-page summary of the purpose and duties of the IDA that you can share with prospective appointees. They meet only on an as-needed basis, typically once or twice per year.

Mr. Barry T. Porter
January 3, 2012
Page 2

If you have any questions, please give me a call. Unless you direct otherwise, I
please to include this on your January 23 agenda for action.

With kind regards, I remain

Sincerely,

Michael W. Johnson
County Administrator

Cc: Dr. Alan W. Edwards

5-5

SOUTHAMPTON COUNTY

3022 Administration Center Drive
P. O. Box 400
Courtland, Virginia 22807



703-653-3025
Fax: 703-653-6221

January 5, 2012

Dr. Alan W. Edwards
29122 Millstone Circle
Courtland, VA 22807

RE: Industrial Development Authority

Dear Dr. Edwards:

On December 31, 2011, Mr. Clyde J. Gray's term expired on the Southampton County Industrial Development Authority (IDA). He was first appointed to a 4-year term by Mrs. Feltz on January 28, 2008 and has been an active member during his first term. Mr. Gray resides at 19970 Black Creek Road, which, following last year's redistricting, is now in the Franklin District. While there's no statutory requirement that each electoral district be represented, it has been customary.

Notwithstanding expiration of his term, Section 15.2-4964 of the Code of Virginia provides that Mr. Gray continues to serve until such time as a successor is appointed and takes the oath of office.

Accordingly, I am seeking your cooperation in nominating an IDA representative, preferably at the January 23 meeting. You have two options:

1. Nominates Mr. Gray for another term (recognizing that he no longer resides in your District), or
2. Nominates someone else to represent the Jerusalem District.

Should you have interest in nominating Mr. Gray, please discuss this in advance with Mr. Porter (he's getting a similar letter). If you have interest in nominating someone new, I'm attaching a brief one-page summary of the purpose and duties of the IDA that you can share with prospective appointees. They meet only on an as-needed basis, typically once or twice per year.

If you have any questions, please give me a call. Unless you direct otherwise, I please to include this on your January 23 agenda for action.

With kind regards, I remain

Sincerely,

Michael W. Johnson
County Administrator

Cc: Mr. Barry T. Porter

5-6

Chairman Jones moved to item 5B which was the Franklin Business Incubator Advisory Board.

Mr. Michael Johnson said please find an email attached from Ms. Nancy Parrish (FSEDI) seeking your consideration in appointing a representative from the BOS to the Franklin Business Incubator Advisory Board. Mrs. Felts formerly represented the Board. The advisory board meets on the second Thursday of each month at 7:30 a.m. for approximately 90 minutes. The board has this year changed their meeting date to the first Wednesday of the month at 7:30 am. Qualifications include a devoted passion for small business.

A motion is required to appoint a representative from the BOS to the Franklin Business Incubator Advisory Board.

Chairman Jones asked if anyone wanted to volunteer for this appointment.

Supervisor Porter volunteered to represent the Board of Supervisors to the Franklin Business Incubator Advisory Board.

Chairman Jones asked for a motion to appoint Supervisor Porter.

Supervisor Updike made a motion that Supervisor Porter represents the Board of Supervisors to the Franklin Business Incubator Advisory Board.

Supervisor Faison seconded the motion with it being carried unanimously.

mikejohnson

From: Nancy Parrish [mailto:nparri@franklinbusiness.com]
Sent: Wednesday, January 17, 2012 12:28 PM
To: 'mikejohnson'
Cc: Nancy Parrish; John Szwed
Subject: Appointment to the Franklin Business Incubator Advisory Board

Good morning, Mike... and, happy new year to you and yours! I pray that 2012 will be an amazing year for our region and our nation as well. Miss, Anita Felts served on the Franklin Business Incubator's Advisory Board as a result of serving on the Southampton County Board of Supervisors. We missed - and appreciate - her participation on the Board for many years, as she was very knowledgeable and a great advocate for small businesses. But, as you well know, sadly she was not re-elected to serve another term. She indicated at our last FDI Advisory Board meeting in November that she was going to inform the Board of Supervisors of the Board's and ourselves that she wanted that a replacement would need to be named to, so I took no action in this regard. Do you know if someone has been named to serve on our FDI Advisory Board? If so, can you please share their name and contact information with me? Our first meeting for this year takes place tomorrow and while it may be too late for them to attend this month's meeting, I certainly do not want to overlook them about announcements for future meetings. If a replacement has not yet been named, do you mind letting me know as soon as this has been given care of so that I can include them on our list of current Board members? It would be someone who has a big heart for small business, has some knowledge about what it takes to help grow a business/business, is willing to mentor (can be in a specific area) about the next area, and can be available for Board meetings which take place the second Thursday of every other month, starting at 7:30 AM for about 90 minutes, or so. (These meeting dates and times are subject to change, depending on what else may be going on, but, when we have to deviate from the normal times, we get a consensus of what works best for the majority of the Board members.) It should be noted that this is an Advisory Board - advisory board - a board appointed to simply advise the chief administrator.

Thank you for your time and your help in this matter, Mike. I look forward to hearing back from you soon.

Sincerely,


Nancy K. Parrish, Manager
The Franklin Business Incubator
601 N. Main Street, Suite 300
Franklin, VA 22601
757-562-1858, x 303
757-562-0488 (fax)

Chairman Jones called for item 5C which was Hampton Roads Planning District Commission.

Mr. Michael Johnson stated that the Hampton Roads Planning District Commission (HRPDC), one of 21 Planning Districts across the Commonwealth, is a consortium of 16 local governments in southeastern Virginia, established to encourage and facilitate local government cooperation and state-local cooperation in addressing on a regional basis problems of greater than local significance. Simply put, it is a forum for local and elected officials and chief administrators to deliberate and decide issues of regional importance. The HRPDC includes the Cities of Chesapeake, Franklin, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg, and the Counties of Gloucester, Isle of Wight, James City, Southampton, Surry, and York. Mr. Dwight Farmer is the Executive Director and manages the daily operations of the planning district's professional staff of over 40 people.

Membership on the 45-member Commission is based on population, with each jurisdiction having a minimum of two members. Mr. Johnson is the appointed representative to the Executive Committee, which meets on a monthly basis, and Mrs. Felts was the BOS representative to the full Commission, which meets quarterly at 9:30 a.m. on the third Thursdays of January, April, July and October in Chesapeake. It is necessary for the Board to appoint one of its members to represent the BOS on the Hampton Roads Planning District Commission.

A motion is required to appoint a representative from the BOS to the Hampton Roads Planning District Commission.

Chairman Jones asked for a volunteer for this Board. Chairman Jones said Supervisor West.

Supervisor Edwards said he said yes.

Supervisor West said he would try.

Chairman Jones asked if he had a motion to that effect.

Supervisor Faison made a motion to appoint Supervisor West from the BOS to the Hampton Roads Planning District Commission.

Supervisor Edwards seconded the motion with it being carried unanimously.

Chairman Jones called for item 5D which was the Board of Building Code Appeals.

Mr. Michael Johnson stated the Board of Building Code of Appeals is charged with hearing appeals related to the application of the Virginia Uniform Statewide Building Code (USBC) or refusal by the code official to grant reasonable modifications to certain provisions of the code. All hearings are open to the public and decisions are final unless appealed further to the State Technical Review Board. The Board meets upon notice of the chairman within thirty (30) days of the filing of a building code appeal – it has had occasion to meet only twice in the past twenty years.

That said, the most recent version of the Building Code (effective in 2011) provides that the Board shall meet at least once annually to assure a duly constituted board, appoint officers as necessary, and receive such training on the code as may be appropriate or necessary from staff of the locality. Mr. Copeland, our local Building Official, has expressed an eagerness to proceed with this organizational meeting.

The Board is a 5-member Board. With Mr. Updike's election, he is no longer eligible to serve. The Board needs to appoint a successor to fill his unexpired term through September 30, 2015. In addition, it has come to my attention that Mr. L. F. Draper's (Boykins) term expired September 30, 2011. Other members include Robert "Bob" Edwards (term expires 9/30/12), E. P. "Buddy" Kea (term expires 9/30/13), and Morgan Munford (term expires 9/30/14).

Members should be selected on the basis of their ability to render fair and competent decisions regarding application of the USBC and shall to the extent possible, represent different occupational or professional fields relating to the construction industry. At least one member should be an experienced builder; at least one member should be a Registered Design Professional, and at least one member should be an experienced property manager. Employees or officials of the locality shall not serve as members of the Board of Building Code Appeals.

Separate motions are required to reappoint (or appoint a successor to) Mr. L. F. Draper, and to appoint a successor to Mr. Glenn H. Updike.

Supervisor Updike said he had spoken with someone and should be able to announce next month.

Supervisor Faison stated he had spoken with Mr. Draper and he was willing to continue to serve.

Supervisor Faison made a motion that Mr. L. F. Draper be reappointed to the Board of Building Code of Appeals.

Supervisor Phillips seconded the motion with it being carried unanimously.

shall be used by registered or certified mail to the last known address of each person and a copy of the notice posted in a prominent place on the structure.

118.4 **Warning the unsafe building or structure.** If any portion of an unsafe building or structure has collapsed or falling, or if the building official determines there is an imminent danger of any portion collapsing or falling, and when the building official is not the occupant of the unsafe building or structure, the building official shall be authorized to order the occupants to immediately vacate the unsafe building or structure. When an unsafe building or structure is ordered to be vacated, the building official shall post notices at each entrance for such buildings.

"This Building (or Structure) is Unsafe and its Occupancy (or Use) is Prohibited by the Building Official"
After posting, occupancy or use of the unsafe structure shall be prohibited except when authorized in order to conduct inspections, make required repairs or as necessary to demolish the building or structure.

118.5 **Emergency repairs and demolition.** In the event permitted for the locality, the building official may authorize emergency repairs to unsafe buildings or structures when it is determined that there is an imminent danger of any portion of the unsafe building or structure collapsing or falling, and when the building official is not the occupant of the unsafe building or structure. The building official shall be authorized to order the occupants to immediately vacate the unsafe building or structure. When an unsafe building or structure is ordered to be vacated, the building official shall post notices at each entrance for such buildings.

In addition, whenever in course of an unsafe building or structure fails to comply with a notice to demolish issued under Section 118.7 in the time period indicated, the building official shall be permitted to cause the unsafe building or structure to be demolished. In accordance with Sections 113.406 and 113.719 of the Code of Virginia, the legal counsel of the locality may be requested to initiate appropriate action against the property owner to recover the costs incurred with any such emergency repairs or demolition and every such charge for services shall constitute a lien against the property on which the emergency repairs or demolition were made and shall be enforceable in the same manner as provided in Article 3 (Section 18.1-306) or any part of (Section 18.1-302) or any part of Chapter 39 of Title 18.1 of the Code of Virginia.

Note: Building officials and local governing bodies should be aware that other states that have enacted such laws may be found and whether the demolition order may be stayed until the owner has been given the opportunity for a hearing.

**SECTION 119
APPEALS**

119.1 **Establishment of appeals board.** In accordance with Section 18-119 of the Code of Virginia, there shall be established within each local building department a LBBCA. Whenever a county or a municipality does not have such a LBBCA, the local governing body shall enter into an agreement with the local governing body of another county or municipality or with some other agency, or a state agency approved by the Board of Professional Regulation, to establish an appeals board. The local governing body may enter into an agreement with any other agency, or a state agency approved by the Board of Professional Regulation, to establish an appeals board. The local governing body may enter into an agreement with any other agency, or a state agency approved by the Board of Professional Regulation, to establish an appeals board. The local governing body may enter into an agreement with any other agency, or a state agency approved by the Board of Professional Regulation, to establish an appeals board.

119.2 **Membership of board.** The LBBCA shall consist of at least five members approved by the locality for a specific term of office established by written policy. At least one member shall be appointed to serve in the absence of any regular members and no member shall have the full power and authority of the regular members. Regular and alternate members may be appointed. Written requests for alternate members, including a record of the current chairman and secretary shall be maintained in the office of the locality. In order to provide continuity, the term of the members may be of different length so that the term shall not expire in any one-year period. The LBBCA shall meet at least once annually to elect a chairperson, secretary, and other officers as necessary, and members shall maintain the records in any book appropriate to the locality. The chairperson shall be elected by the locality.

119.3 **Officers and qualifications of members.** The LBBCA shall annually select one of its regular members to serve as chairman. When the chairman is not present at an appeal hearing, the secretary shall serve as acting chairman. The locality or the chief executive officer of the locality shall appoint a secretary to the LBBCA to maintain a detailed record of all proceedings. Members of the LBBCA shall be selected by the locality on the basis of their ability as a public official and shall be appointed by the locality.

complaints regarding application of the LBBCA and shall, to the extent possible, represent different occupational or professional fields relating to the construction industry. At least one member shall be an experienced building official and another shall be an engineer, architect or real estate professional. Employees or officials of the locality shall not serve as members of the LBBCA.

119.4 **Conflict of interest.** No member shall have an appeal in which the member has a conflict of interest at the time of the hearing. The locality shall ensure that the locality shall appoint a secretary to the LBBCA to maintain a detailed record of all proceedings. Members of the LBBCA shall be selected by the locality on the basis of their ability as a public official and shall be appointed by the locality.

119.5 **Right of appeal; filing of appeal application.** Any person aggrieved by the local building department's application of the LBBCA or the refusal by it to grant a modification to the provisions of the LBBCA may appeal to the LBBCA. The applicant shall submit a written request for appeal to the LBBCA within 30 calendar days of the receipt of the decision being appealed. The applicant shall attach the name and address of the owner of the building or structure and the address, the name and address of the person appealing, when the applicant is not the owner. A copy of the building official's decision shall be submitted along with the application for appeal and maintained as part of the record. The applicant shall be notified by the LBBCA of the date, time and place to which an application for appeal will be heard. The time period established by this section shall constitute acceptance of a building official's decision.

Note: To the extent that a decision of a building official pertains to assessment devices there may be a right of appeal under the VADES.

119.6 **Meetings and proceedings.** The LBBCA shall meet within 30 calendar days after the filing of receipt of the application for appeal, except that a longer time period shall be permitted if agreed to by all the parties involved in the appeal. It is the responsibility of the applicant to provide the locality with the address listed on the application at least 14 calendar days prior to the date of the hearing, except that a longer time period shall be permitted if agreed to by all the parties involved in the appeal. When a person of the LBBCA is not present at a hearing to hear an appeal, any party involved in the appeal shall have the right to request a postponement of the hearing. The LBBCA shall meet at the appeal within 30 calendar days of the proceedings, except that a longer time period shall be permitted if agreed to by all the parties involved in the appeal.

119.7 **Hearings and decision.** All hearings before the LBBCA shall be open meetings and the applicant, the applicant's representative, the locality's representative and any person whose interests are affected by the building official's decision are entitled to give or represent to be heard. The chairman shall have the power and duty to direct the hearing, rule upon the competence of evidence and oversee the record of all proceedings. The LBBCA shall have the power to affirm, reverse or modify the decision of the official by a majority vote of a majority of those present. Decisions of the LBBCA shall be final if no further appeal is made. The decision of the LBBCA shall be by resolution signed by the chairman and entered as part of the record of the appeal. Copies of the resolution shall be sent to all parties by certified mail. In addition, the resolution shall remain in the following wording:

"Any person who was a party to the appeal may appeal to the State Review Board by submitting an application to such Board within 21 calendar days after receipt by certified mail of this resolution. Applications forms are available from the Office of the State Review Board, 500 East Main Street, Richmond, Virginia 23219, (804) 775-7100."

119.8 **Appeals to the State Review Board.** After final administration by the LBBCA, an appeal, any person who was a party to the appeal may further appeal to the State Review Board, in accordance with Section 18-121 of the Code of Virginia for state-owned buildings or structures, appeals by an individual state agency from the decision of the building official for state-owned buildings or structures shall be made directly to the State Review Board. The application for appeal shall be made to the State Review Board within 21 calendar days of the receipt of the decision to be appealed. Failure to submit an application within that time limit shall constitute an acceptance of the building official's decision. The applicant shall be notified by the LBBCA of the date, time and place to which an application for appeal will be heard. The LBBCA shall maintain a copy of all pertinent information from the record of the appeal. In the case of appeals involving state-owned buildings or structures, the locality shall agree to submit a copy of the building official's decision and other relevant information with the application for appeal to the State Review Board. Proceedings of the State Review Board are in accordance with Article 3 (Section 18-119) or any part of Chapter 4 of Title 18.1 of the Code of Virginia. Decisions of the State Review Board shall be final if no further appeal is made.

Chairman Jones called for item number six which was a capital funding request.

RECEIVED JAN 1 8 2012



HUNTERDALE VOL. FIRE DEPARTMENT
201 DELAWARE ROAD
FRANKLIN, VA 23851

January 17, 2012

Mr. Mike Johnson
County Administrator
P.O. Box 400
Courtland, Virginia 23037

Dear Mr. Johnson:

On behalf of the Hunterdale Volunteer Fire Department, I would like to request the CIP funds allocated for our department for budget years 2010-2011 and 2011-2012. From prior records, it looks like the amount we have funding \$14,000. It will be used to help make the payments on our trucks that are still financed.

Sincerely,

William E. Turner, Jr.
Treasurer
Hunterdale Vol. Fire Dept.

Chairman Jones asked if he had a motion.

Supervisor Edwards made a motion to approve the capital funding request for Hunterdale Volunteer Fire Department in the amount of \$28,000.

Supervisor Porter seconded the motion with it being carried unanimously.

Chairman Jones stated we would move on to item number 7 A.

Mr. Michael Johnson stated we had a request to speak from Mrs. Brenda Davis. She had called and indicated she may not be here. He asked if she was here. Mr. Michael Johnson stated he did not see her.

SOUTHAMPTON COUNTY

26022 Administration Center Drive
P. O. Box 406
Courtland, Virginia 23837



707-652-2818
Fax: 707-653-0221

January 17, 2012

Ms. Brenda Davis
22496 Story Station Road
Courtland, VA 23837

Dear Ms. Davis:

I am pleased to acknowledge receipt of your letter last week requesting time at the next Board of Supervisors meeting to discuss scavenging at solid waste collection sites.

The meeting will begin promptly at 7:00 p.m. on Monday, January 23, 2012 in the Board of Supervisors Meeting Room, Southampton County Office Center, 26022 Administration Center Drive, Courtland. This matter will appear as agenda item #7A.

Chairman Jones will call for your comments at the appropriate time.

With kind regards, I remain

Sincerely,

Michael W. Johnson
County Administrator

7-4

01/17/2012 TUE 10:42 FAX 707/653-0221 WOOD 23837VA

02/17/12

January 12, 2012

Michael Johnson
Southampton County Administrator
P.O. Box 406
Courtland, VA 23837

Dear Mr. Johnson:

I am requesting to be heard at the next Southampton County Administrative Meeting on January 23, 2012 at 6:00 p.m. regarding the Waste Stations located in Southampton County.

I spoke with one of your employees, John, who informed me of a 1990 Law in the Southampton County stating removal of items, was not allowed at any of the Waste Stations located in Southampton County. I am asking to have this Law Revised to help the unfortunate and not to be used to make a profit. Waste costs the user money and could be recycled or given to help others.

Up until now, I have obtained items from outside of the containers and given them to those who were unfortunate in income and helping those by giving items they needed when I could. I washed clothing before giving any of them away to others and washed/desinfected items before giving other items away. I do not use the Waste Stations to make a profit, but have helped others. I inquired about obtaining items on top of full containers which had no names/paperwork/identifiable items to give to others in law. I found out about the 1990 law and I understand this law has never been enforced in the past. Southampton County staff working these sites has removed items from inside and outside of the Waste Stations to benefit themselves in the past is why I questioned why I, a tax payer of Southampton County, could not also remove items to help others. I would like to suggest to the Administration suggestions of how items (toys, dresses, clothing, household items, etc.) could be not thrown away and collected for organizations to help our community. The Salvation Army, CHFD, Habitat for Humanity, Cooperative Ministries (in Frontline), Senior Services, Churches who have clothing & food banks, etc. are always in need of assistance. I am willing to help in organizing a system to obtain items before they are discarded if the Southampton County Administration would give me the opportunity.

7-5

I understand as a safety issue why items should not be removed from the containers but being brought up several times. I would in writing, not hold anyone responsible if I should scratch, cut, or injure in removing an item which was to be easily removed from the container to benefit someone else.

Items not in the waste containers cost the tax payers to remove such items which could be recycled by giving them to those unfortunate to purchase said items they need. Simple everyday items to some people mean a lot to someone who receives an item they could never afford. I was fortunate to obtain child items against the fence during this past year to give to a family who could not afford Christmas for their 3 children. The parents could not say Thank You enough to help them make their children happy with used items I had cleaned before giving to them.

A Safety issue needs to be addressed where all containers need a low fence around the cement to avoid people from falling in the container. 20W County has containers in Caroville which are very safe containers for those to use.

I look forward from hearing from you if I can be heard at the next meeting. I can be reached at (757) 666-5373.

Thank you for taking the time in regards to my letter.

Sincerely,



Brenda Davis

22496 Sturys Station Road
Courtland, VA 23837

Cc: self

7-6

January 17, 2012

Michael Johnson
Southampton County Administrator
P.O. Box 400
Courtland, VA 23837

Amendment to my letter submitted on January 12, 2012

Dear Mr. Johnson:

In regards to the letter I submitted to you on January 12, 2012, I would like to have those amendments added to my letter to correct my said request I submitted to be heard at the next Southampton County Meeting on January 23, 2012. I would like to have the revisions to my not obtaining the removable of any items from inside of the waste containers but from outside of the containers. I am asking Southampton County to post a sign at the opening of the gate and also at the fence inside the gate informing Southampton County Tax Payers of The Removal of Any Items From The Waste Containers was illegal per The Law which went into effect in 1999 and the said Penalty and also posting a separate sign informing All Southampton County Tax Payers they had the right to drop off items at the fence inside the gate for those unfortunate who could benefit the need to see these items and to also have the right to remove these items to give to those who are having hard times, removal of these items for themselves if needed by them or to give these items to other families who need the items. I have seen furniture, food, clothing, new items, and all household items which could have been recycled by giving them to another family who needed these items instead of destroying them. The sign should also state that Southampton County would not be liable for any accidents or injuries received from dropping off items by the fence or removal of these items outside of the containers to help others.

I look forward from hearing from you if I can be heard at the next county meeting. I can be reached at (757) 666-5373. Thank you for taking the time in regards to my letter.

Sincerely,



Brenda Davis

Cc: self

7-6.1

Chairman Jones stated we would move on to item number 7 B.

Mr. Michael Johnson stated that attached for your reference please find correspondence from Robert Rudzik requesting time on your agenda to discuss landowner rights and deer hunting. A copy of 29.1-528 of the Code of Virginia and 10-26 of the Southampton County Code is attached for your reference.

His request is consistent with Sec. 2-45 of the Southampton County Code and he has been advised that the matter has been placed on your agenda.

Mr. Robert Rudzik of 25482 Blackhead Signpost Road, Courtland, VA 23837 addressed the Board. He stated he was from the extreme western side of Pennsylvania on the Ohio line between Pittsburgh and Erie. He wanted to address the Board on an issue that needed to change in Southampton County. He gave the following presentation.

1/17/2012

Robert S. Rudzik

25482 Blackhead Signpost Road

Courtland, VA 23837

(757) 839-4326

To The Office of:

Michael W. Johnson

Southampton County Administrator

P.O. Box 400

Courtland, VA 23837

Mr. Johnson,

I am requesting the opportunity to address the County Board of Supervisors at the January 23rd, 2012 meeting. I believe that the previous Boards have not been following the State Law and regulations in regards to Landowner rights concerning the hunting of deer. I am asking the new County Board of Supervisors to come into compliance with the State requirements and to notify the VDIGF prior to the April deadline so that the 2012 hunting season will be conducted properly.

I will have a prepared statement to read that should take between 10 and 15 minutes. I am grateful for the opportunity to address this issue that eats at the very souls of many taxpaying landowners in Southampton County.

Regards,



Robert S. Rudzik

SOUTHAMPTON COUNTY

26022 Administration Center Drive
P. O. Box 406
Courtland, Virginia 23837



TEL: 603-3018
FAX: 757-653-0227

January 17, 2012

Mr. Robert S. Rudzik
25482 Blackhead Signpost Road
Courtland, VA 23837

Dear Mr. Rudzik:

I am pleased to acknowledge receipt of your letter earlier today requesting time at the next Board of Supervisors meeting to discuss landowner rights related to the hunting of deer.

The meeting will begin promptly at 7:00 p.m. on Monday, January 23, 2012 in the Board of Supervisors Meeting Room, Southampton County Office Center, 26022 Administration Center Drive, Courtland. This matter will appear as agenda item #7B.

Chairman Jones will call for your comments at the appropriate time.

With kind regards, I remain

Sincerely,

Michael W. Johnson
County Administrator

AN ORDINANCE TO AMEND SEC. 10-26 OF THE SOUTHAMPTON COUNTY CODE
IN RESPONSE TO CHANGES IN STATE ENABLING LEGISLATION
THAT SPECIFICALLY DEFINE A NUMBER OF WEAPONS USED FOR HUNTING

BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that the Southampton County Code be, and hereby is, amended revising Sec. 10-26 to read as follows:

1 **Sec. 10-26. Hunting weapons restricted.**
2

3 (a) It shall be unlawful for any person to hunt in the county with a rifle of a caliber larger than twenty-
4 two one hundredths of an inch (.22); provided, however, that this section shall not be construed to: *to hunt*
5 *with a rifle larger than .22 caliber rim fire except rifles of a larger caliber may be used for hunting*
6 *groundhogs between March 1 and August 31;*

7
8 (1) ~~Prohibit any person from shooting groundhogs with a larger caliber rifle between March 1 and~~
9 ~~August 31;~~

10 (2) ~~Prohibit hunting for small game animals with muzzle-loading rifles except during the general open~~
11 ~~season for the hunting of deer and turkey with firearms; and provided, further, the caliber of ball~~
12 ~~used in such muzzle-loaded rifle shall not exceed forty-five one hundredths of an inch (.45).~~

13 (b) *Any person violating the provisions of this section, upon conviction, shall be punished by a fine of*
14 *not more than five hundred dollars (\$500.00). It shall be unlawful to hunt with a muzzleloading rifle at*
15 *anytime;*

16 (c) *It shall be unlawful to hunt with a muzzleloading shotgun loaded with slugs or sabot slugs; and*

17 (d) *Any person violating the provisions of this section, upon conviction, shall be guilty of a Class 3*
18 *Misdemeanor and shall be punished accordingly.*

19 This ordinance shall be effective at 12:00 midnight March 24, 2003.

20 For state law authority, please see §§ 29.1-100, 29.1-519, and 29.1-528 of the 1950 Code of Virginia,
21 as amended.

22 A copy teste:  Clerk
23 Southampton County Board of Supervisors
24 Adopted: March 24, 2003

Bob Rudzik
Board of Supervisors Address
1/23/2012

Good evening Mr. Chairman and members of the Board. It is a privilege to be permitted to talk to you tonight about a concern that everyone in this room should have. I am speaking on behalf of multiple taxpaying landowners of this county. Allow me to offer my apologies in advance for sounding too direct. I informed Mr. Johnson when I made these arrangements that I would need 10 to 15 minutes and I have done everything in my power to keep it within those time constraints.

I have come here tonight to gain your support in correcting an error that has gone on far too long, an error that is important to the citizens of this county, an error that is important to the Commonwealth of Virginia, and an error that can be fixed in short order if I am able to explain it clearly enough.

Mr. Railey, can I ask you to read from the Code of the County of Southampton, Virginia 1991, Chapter 10, Article I – IN GENERAL, Section 10-26, and can I ask you to include the State Law references at the bottom of the Section verbatim?

I'd like to take a look at the State Law References used as the authority for the section and is referenced as the support in making this Code, which outlaws the use of muzzleloaders in Southampton County:

(See handout provided)

State Law S29.1-100 is entitled GAME, INLAND FISHERIES AND BOATING Definitions. In here we find the definitions of the "Board", "Firearm", "Muzzleloading Rifle", Muzzleloading Shotgun", "Rifle", and "Shotgun", all relevant in regards to this Code. Let me point out the definition of "Board" - it means the Board of Game and Inland Fisheries, not the Southampton County Board of Supervisors. Of additional relevance is the Definitions of Muzzleloading pistol, Muzzleloading rifle, and Muzzleloading shotgun.

State Law 29.1-519 is entitled GAME, INLAND FISHERIES AND BOATING Guns, pistols, revolvers, etc., which may be used; penalty. It begins with "All wild birds and wild animals may be hunted