

Supervisor Porter asked what kind of exposure you think that there may be other areas of roofing tiles, other pipes.

Mr. Michael Johnson said anything that is visual right now they feel comfortable with. He said the building has been evaluated. It could only be some area that hadn't been visible such as a pipe chase a scenario that is completely enclosed that might have a pipe that is insulated. He said he didn't know that they exist, but it could be.

Supervisor Porter asked if there was a chance of a lot of those.

Mr. Michael Johnson said no.

Supervisor Porter said he didn't want to be hearing next week that it would be another \$25,000.00. Then all of a sudden we are spending a hundred thousand dollars on a piece of property that is worth \$40,000.00.

Mr. Michael Johnson said right.

Supervisor West said he and Supervisor Phillips had an opportunity to go in the building today. They didn't evaluate. They looked. He said it is an L shaped sort of structure that has a hallway with nine inch tiles and then there are twelve inch tiles on the floor. They did see a few pipes of perhaps insulated wrap around stuff. That was very limited, but that doesn't mean anything to him he doesn't know what it costs to take a little bit down or a big bit down. In the classrooms there are apparently no pipes in them. Nothing overhead they could see. The hallway apparently carried some structure to bathrooms and things of this nature. The building is rotting literally and water is lying on the floor, and the tiles are popped all off, the windows are broken out, it is boarded up and the boards are coming off. The trees are growing against the bricks on the side the building. It sits in a community of homes. It is behind R.M. Felts packing, a church which is well kept and maintained that is Mr. Felt's property. There are three or four brand new homes on the left side and three or four on the right hand side approximately a distance of a fourth of a mile; and then this structure sitting in the middle of some pretty decent homes. It is an eye sore. It is a moral issue for this board to let it sit still and do nothing. We being the person or the force in this county that says you really need to clean up this property that we have taken on. He said he had this stuck in his craw right now. It is a burrow in his saddle because those houses in Newsoms along the highway down there that had no value for us and this property does have value. And he belongs to you sir and to these taxpayers and it is a moral equal vent for us to take it and clean it up. We are going to have to do it at whatever the cost because it is only going to get worse.

Supervisor Edwards asked what the end point was. He asked if they had a goal. He wanted to know if they were going to clear it and then just let it sit there.

Supervisor West said the doors were open; correct me Supervisor Phillips. So it is obvious folks are in and out of the building. Whether it is a child hazard or not, he doesn't know. Whether people are doing any other activities in there, he doesn't know. There is a potential for something falling down. You can say well they shouldn't be in there to begin with. Children don't know that. There is potential for falling tiles and things from the ceiling. There is structure, there is glass all over the floors, and there is broken stuff that they had to walk around and through. That doesn't keep a child from walking through and doing that kind of thing. The only goal is to clean the property and make it available for someone to purchase. If you get half the money back that is better than no bucks back and if you get it all back that is really good.

Chairman Jones said he had to agree with Supervisor West. He said he has one in his district that he wished they had done something with it before they sold it.

Supervisor West stated that Supervisor Phillips made a wonderful point why didn't they do something with it eight or ten years ago when they inherited the property. It would have had some

value. He stated they did try on several occasions to meet with people to use as a food service or a business, but then as they looked at it they backed off of it. He stated he thought they had some experience with property turning over in the county for example the school along Hwy. 58 going toward Drewryville. He stated he did not know the condition of the one in Newsoms, but he suspects it is suspect. That being said they do have to be about their business.

Supervisor Porter asked if we have any other properties that we can sell before they get into this situation that we don't have a long term need for.

Mr. Michael Johnson said the old Boykins Elementary School. He asked Julian Johnson if he was still using the old cafatorium for some pipe storage. So other than that facility is not being used at all. Our Public Utilities building is immediately adjacent to it and they are using the cafatorim for storage. That is it.

Supervisor Porter stated he thought they were amiss if they don't find some alternative for a structure they don't use immediately or sell it. The longer it goes on the more costly it is going to be because you are going to be doing this with every building they have.

Supervisor West said they did try to do that, but again you had to get guarantees from people and you couldn't do that so you may end up with people holding on to it. He stated he understands one property has turned over numerous times and still is deteriorating so they are left in a catch 22 where you have a property that you know had some value but the people did not have the money to purchase it and they want us to give it to them. Then they have it and the county loses all control of it. Unfortunately, over a period of waiting and even recently they had a young man that was working in the county evaluating and seeing where something like that could be of value to the county and what potentials it had. Some funding or grant was given to him through the school and they have worked on this but it hasn't worked out. He thinks it would be a good thing for the people of the community to do that. He said he wouldn't use the usual comment about Ivor being neglected and redheaded, but he said it is a good thing in the right place.

Chairman Jones asked if there were any other comments.

Supervisor Edwards asked if there was a consideration of giving it away for somebody to clear it.

Supervisor West said he didn't know who. He called on Supervisor Phillips to help him out.

Supervisor Phillips said he didn't know how to address that. He asked Mr. Jon Mendenhall how big the oil tank is that is buried.

Mr. Jon Mendenhall said they didn't know. They had someone come out from Waverly to look at it. They think there might be two tanks; they are not sure. There may just be one tank for fueling the school buses and county vehicles. There may be one for a heating oil tank.

Supervisor Edwards said that would be a fact. There are two. Those tanks are leaking.

Supervisor Phillips said that is what their concern is. He stated \$10,000.00 is a very low estimate if that is the case.

Supervisor Updike said you could be talking about hundreds of thousands of dollars.

Supervisor Phillips asked if there was anything as far as a grant to help mitigate the cost. He said it seems to him that he needs to research more to see how big the tanks are and have somebody from an oil company check to see if there is any water in the tanks which would indicate that the tanks are leaking and then that could again be a much more expensive process.

Mr. Michael Johnson said he has already done that.

Mr. Jon Mendenhall said a man from Waverly has looked at the tanks. There is apparently a fund called a Lust Fund which is a leaking underground storage tank fund which is offered by the Commonwealth. He said the deductible he believed was \$5,000.00 for the tanks it depends on whether or not they are on two separate pits. He stated that if they are leaking the total liability to the county would be \$5,000.00 each. That is where they got the \$10,000.00 total.

Supervisor Phillips stated he was aware of that. He said that better explains the situation better.

Mr. Michael Johnson stated that also by his visual he didn't think they were leaking.

Mr. Jon Mendenhall said that is correct.

Supervisor Phillips stated there are three out buildings on this property. They are stick built or double-wides in addition to the school building itself that are also falling down.

Mr. Michael Johnson stated that the demolition contract included removal of those as well.

Supervisor Phillips said right.

Supervisor West stated that six months or six years from now the deterioration will not be any better.

Supervisor Faison asked as far as the tanks are concerned if the tanks are not leaking we wouldn't be eligible for a grant or anything right.

Supervisor Phillips said that is right.

Supervisor Faison asked what the cost would be if they were found not to be leaking.

Mr. Michael Johnson asked Mr. Jon Mendenhall if he knew the answer to that.

Mr. Jon Mendenhall said at this time we don't have that determined. We are supposed to receive an estimate sometime next week.

Supervisor Porter asked if they had any idea what the magnitude of the cost would be just to dig them up.

Mr. Jon Mendenhall stated he had no idea. That's why they were getting these quotes on what it would cost.

Chairman Jones asked if anyone had anything else. He stated they needed to do something with it.

Supervisor Updike said he thought they ought to wait until next month until they could find out what the costs to remove the tanks would be. The costs could be \$10,000.00 or it could be \$25,000.00. He said it is not that urgent that it has got to be done tomorrow.

Supervisor West said he could see that, but it was still going to be the same cost whether next month or this month. The idea is that in his opinion it needs to come up. That's his opinion, but it's not going to get any cheaper.

Chairman Jones stated the thing is they get busy then you are still waiting.

Supervisor West said fact the issue suppose children do go in there. I showed him the glass. Someone has deliberately broken out all the glass in there. There are big places of glass that starts at the top. He asked if Mr. Richard Railey could see his hand.

Mr. Richard Railey said yes.

Supervisor West said the glass comes way down four or five feet to a little point and it is pushed in where some child could touch it and uh, uh, uh.

Mr. Richard Railey stated that it is called a dangerous instrumentality or an attractive nuisance if you are in the lower south.

Supervisor West said it had all the potential in the world to hurt somebody, okay.

Chairman Jones said then we deal with it.

Supervisor Faison said he had no problem approving it tonight. Certainly we don't know the cost, but it's not going to happen until we approve to demolish the building. He wants to go ahead and approve it.

Supervisor West made a motion to have the old Ivor School Building demolished doing the best they can with the information they have acting upon the information they will be getting from the gentleman from Waverly on the tanks because we need to take it down and it gets no cheaper the month after or the month after.

Supervisor Faison seconded the motion with it carrying.

Supervisor Updike voted against.

Chairman Jones moved to item number eleven – Turner Tract Grant Opportunities.

Mr. Michael Johnson stated as you are aware, in 2006, the Industrial Development Authority of Southampton County issued Public Facility Lease Revenue Bonds in the principal sum of \$11,021,294 to acquire and develop the Turner Tract Industrial Park. The associated financing agreement legally obligated the Board of Supervisors to construct the project and repay the loan.

Combined with other sources of funding (VDOT secondary road funds, grants, etc.), the total project budget is \$13,300,657 and is illustrated below:

**TURNER TRACT PROJECT DEVELOPMENT BUDGET
January 17, 2012**

FUNDING SOURCES

| | |
|--|----------------|
| Series 2006A Public Facility Lease Revenue Bonds | \$11,021,294 |
| VDOT Industrial Access Road Grant | 650,000 |
| VDOT Secondary Construction Funds | 1,520,863 |
| VDCR LID Grant | <u>108,500</u> |
| | \$13,300,657 |

FUNDING USES

| | |
|--|----------------|
| Site Acquisition | \$ 2,209,473 |
| Rose Valley Road Improvements | 1,442,703 |
| Industrial Access Road | 733,553 |
| Compensatory Mitigation/Grading/Stormwater | 3,308,276 |
| On-Site Utilities | <u>477,352</u> |

| | |
|---------------------------------------|---------------------|
| Well/Elevated Tank | 2,617,735 |
| Off-Site Utilities | 2,249,420 |
| Mitigation Bank – Permitting & Design | 570,800 |
| | <u>\$13,609,312</u> |

Items shaded in gray are only engineer’s estimates and will be competitively bid later this year. With a highly competitive bidding environment, we remain hopeful that all the work can be completed with the allocated resources. That said, the recent announcement by Enviva to locate in the park may present some additional grant opportunities to help pay for infrastructure that will serve their project.

We are seeking your authority to pursue two specific grant opportunities:

- a. **Community Development Block Grant** – we propose to seek the maximum grant of \$700,000 to assist with the cost of on- and off-site water and sewer improvements; and
- b. **U. S. EDA Public Works and Economic Adjustment Grant** – in the event a second park tenant is unnamed, we propose to seek the maximum grant of \$1.5 million to assist with construction of the elevated water tank. If a second tenant is named prior to submittal of the grant application, the amount may be higher.

In both cases, the 2006A bond proceeds would be utilized as leverage to meet any local match requirements.

In the event that we are successful in obtaining wither or both grants, grant proceeds would be expended first, and any remaining bond proceeds would be utilized to prepay principal. The financing agreement provides that County may prepay the bonds in whole or in part, without penalty or premium, after April 1, 2009.

Separate resolutions are attached for your consideration authorizing us to file the respective grant applications.

Separate motions are required to adopt the attached resolutions authorizing the respective grant applications.

Chairman Jones asked if anyone had any questions.

Supervisor West said we have already borrowed the money and that was in 2006 is that correct. You are trying to affray some additional costs with grant availability. He asked if that was what this was all about.

Mr. Michael Johnson said you can the grant funds and use the grant funds in lieu of your bond funds and use what you save of your bond funds to simply prepay principal on it.

Supervisor West said grant money is don’t pay back money - is that correct.

Mr. Michael Johnson said grant is grant.

Supervisor West said grant is grant so he sees this as a good thing. We committed to do this in 2006. We need to do whatever it takes. He asked Mr. Michael Johnson what his feelings are about the potential for recovering.

Mr. Michael Johnson said these are competitive programs so we don’t know who the competition is and we may stack up. We feel pretty good about the community development block grant, particular in light of the recent announcement by Enviva. It has certainly got the Governor’s attention. It has the Department of Housing Community Development’s attention. They had

indicated when Enviva was looking at the first sight that they looked at; they expressed a willingness to fund cost of infrastructure to that sight. We are hopeful that that will simply move what they had planned to fund to that sight over to this sight.

Supervisor West asked if the state's contribution was \$300,000.00.

Mr. Michael Johnson said from the Governor's opportunity fund.

Supervisor West asked what it can be used for.

Mr. Michael Johnson said it can be used for anything that the company wants. It can be used for site development. It can be used for equipment purchase. That is solely at the discretion of the company. The \$700,000.00 that was also approved for that first site was for infrastructure extension. What we are trying to do is simply roll that funding over to this site.

Supervisor Porter asked if that was the \$700,000.00 grant.

Mr. Michael Johnson said that is right.

Supervisor Porter said so there is not another \$700,000.00 grant.

Mr. Michael Johnson said that is correct. There is just one.

Supervisor Porter said so the upside of this is we could defray \$2.2 million of the Turner Tract Cost. That is the upside if we get both.

Mr. Michael Johnson said correct.

Supervisor Porter said so the downside is zero.

Mr. Michael Johnson said the downside is you defray nothing and just move on as you planned to go.

Supervisor West said but we have already planned to do this.



A RESOLUTION
AUTHORIZING AND CERTIFYING A CDBG APPLICATION

WHEREAS, various State and Federal agencies provide funds for local governments to meet community and economic development needs; and

WHEREAS, the Virginia Department of Housing and Community Development provides for and administers such funds for the Commonwealth of Virginia in a program known as the Community Development Block Grant (CDBG) Program; and

WHEREAS, the Community Development Block Grant (CDBG) Program has funds available to local governments to maximize job creation and investment; and

WHEREAS, the Turner Tract is an economic development project consisting of an industrial park designed and implemented to create jobs and investment; and

WHEREAS, the Turner Tract represents a partnership between Southampton County, Franklin-Southampton Economic Development Inc., and the Commonwealth of Virginia to attract jobs and investment to Southampton County for the benefit of the county, the region, and the Commonwealth; and

WHEREAS, the Southampton County Board of Supervisors, working in partnership with regional agencies and the Commonwealth of Virginia, finding it necessary and proper to do so, further intends to develop the partnerships already fruitfully established by continuing in like fashion.

NOW, THEREFORE, BE IT RESOLVED BY THE SOUTHAMPTON COUNTY BOARD OF SUPERVISORS:

That, Southampton County will substantially comply with all Federal, State, and local laws, regulations, and ordinance pertaining to the project and to Federal and State grants pertaining thereto.

That, the County Administrator or his authorized representative is hereby authorized to develop, execute and file an application on behalf of Southampton County to appropriate Federal and State agencies to secure funds for improvements to the Turner Tract Project.

That, the County Administrator or his authorized representative is hereby authorized and directed to furnish such information as the appropriate government agencies may request in connection to the Turner Tract Project; to make assurance and certifications to the same, and to execute such other documents as may be necessary and appropriate to further the application for Community Development Block Grant (CDBG) funds.

Adopted this 23rd day of January, 2012.

BOARD OF SUPERVISORS

Dallas O. Jones, Chairman

ATTEST:

Michael W. Johnson, Clerk



A RESOLUTION
AUTHORIZING AND CERTIFYING A US EDA APPLICATION

WHEREAS, various State and Federal agencies provide funds for local governments to meet community and economic development needs; and

WHEREAS, the United States Economic Development Administration provides for and administers such funds for localities in the various states in a program known as the FY 2012 Public Works and Economic Adjustment Assistance Program (EDA Program); and

WHEREAS, the FY 2012 Public Works and Economic Adjustment Assistance Program (EDA Program) has funds available to local governments to maximize job creation and investment particularly in areas of economic restructuring and stress; and

WHEREAS, the Turner Tract is an economic development project consisting of an industrial park designed and implemented to create jobs and investment during a time of economic restructuring and in an effort to assuage economic stress; and

WHEREAS, the Turner Tract represents a partnership between Southampton County, Franklin-Southampton Economic Development Inc., and the Commonwealth of Virginia to attract jobs and investment to Southampton County for the benefit of the county, the region, and the Commonwealth; and

WHEREAS, the Southampton County Board of Supervisors, working in partnership with regional agencies, the Commonwealth of Virginia, and the Federal Government of the United States, finding it necessary and proper to do so, further intends to develop the partnerships already fruitfully established by continuing in like fashion.

NOW, THEREFORE, BE IT RESOLVED BY THE SOUTHAMPTON COUNTY BOARD OF SUPERVISORS:

That, Southampton County will substantially comply with all Federal, State, and local laws, regulations, and ordinance pertaining to the project and to Federal and State grants pertaining thereto.

That, the County Administrator or his authorized representative is hereby authorized to develop, execute and file an application on behalf of Southampton County to appropriate Federal and State agencies to secure funds for improvements to the Turner Tract Project.

That, the County Administrator or his authorized representative is hereby authorized and directed to furnish such information as the appropriate government agencies may request in connection to the Turner Tract Project; to make assurance and certifications to the same, and to execute such other documents as may be necessary and appropriate to further the application for FY 2012 Public Works and Economic Adjustment Assistance Program (EDA Program) funds.

Adopted this 23rd day of January, 2012.

BOARD OF SUPERVISORS

Dallas O. Jones, Chairman

ATTEST:

Michael W. Johnson, Clerk

11-9

- Providing timely written responses to written complaints and grievances, within 15 working days where practicable;
- Accommodating the needs of non-English speaking residents at public hearings where more than 5% of the attendees can be reasonably expected not to speak English; and,
- Adhering to the CDBG Citizen Participation Plan per the 2011 CDBG Program Design.

Chief Administrative Official

| | |
|-----------|-------|
| _____ | _____ |
| Name | Title |
| _____ | _____ |
| Signature | Date |

General Assurances and Certification

The applicant hereby assures and certifies that:

- (a) It possesses legal authority to apply for the grant, and to execute the proposed program.
- (b) Its governing body has duly adopted or passed as an official act a resolution, motion, or similar action authorizing the filing of the application including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
- (c) Its chief executive officer or other officer of applicant who has been approved by the Virginia Department of Housing and Community Development:
 - i. Consents to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969 (NEPA) and other provisions of Federal law, as specified at 24 CFR 58.5(a) through (h) which serve to further the purposes of NEPA insofar as the provisions of such Federal law apply to this Program;
 - ii. Is authorized and consents on behalf of the applicant and himself to accept the jurisdiction of the Federal and Commonwealth of Virginia courts for the purpose of enforcement of his responsibilities as such an official.
- (d) It will comply with the regulations, policies, guidelines and requirements of the Code of Federal Regulations (24 CFR Part 85), OMB Circular A-128 and Circular A-87 as they relate to the application, acceptance, and use of Federal funds under this Program; and, as applicable, all State laws and administrative requirements which may supersede them (by virtue of being more stringent).
- (e) It will comply with the provisions of Executive Order 11988, relating to evaluation of flood hazards and Executive Order 12088 relating to the prevention, control and abatement of water pollution.
- (f) It will require buildings or facilities designed, constructed, or altered with funds provided under this Program to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A-117.1-R 1980, or Uniform Federal Accessibility Standards (UFAS) in accordance with the Virginia Uniform Statewide Building Code. The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.

(g) It will not recover the capital costs for public improvements financed in whole or in part with CDBG funds through assessments against properties owned and occupied by low- and moderate-income persons nor will fees or assessments be charged to such persons as a condition of obtaining access to the public improvements. (Per section 104(b)(5) of Title I of Housing and Community Development Act of 1974, as amended).

(h) It will comply with:

i. Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), and the regulations issued pursuant thereto (24 CFR Part 1), which provides that no person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance. A recipient, in determining the types of housing, accommodations, facilities, services, financial aid, or other benefits which will be provided under any such program or activity, or the class of persons to whom, or the situations in which, such housing, accommodations, facilities, services, financial aid, or other benefits will be provided under any such program or activity, or the class of persons to be afforded an opportunity to participate in any such program or activity, may not, directly or through contractual or other arrangements, utilize criteria or methods of administration which have the effect of subjecting persons to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program or activity as respect to persons of a particular race, color, or national origin.

The project service area shall not be selected in such a manner as to provide services to a population in which the proportion of minority and other protected population groups is substantially lower than the proportion of those groups throughout the jurisdiction of the locality unless:

- the areas of disproportionate concentrations of minority and other protected population groups has already been served, or
- there are definite plans for the imminent provision of similar services to those areas, or
- there is reasonable justification for the provision of services to the selected area notwithstanding the substantially lower proportion of minority and other protected population groups.

ii. Title VIII of the Civil Rights Act of 1968 (Pub. L. 90-284), as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing; and will take action to affirmatively further fair housing in the sale or rental of housing, the financing of housing, and the provision of brokerage services.

- iii. Section 109 of the Housing and Community Development Act of 1974, and the regulations issued pursuant thereto (24 CFR Part 570.602), which provides that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or part with funds provided under this Program. Any prohibition against discrimination on the basis of age under Discrimination Act of 1975 or with respect to an otherwise qualified handicapped individual as provided in Section 504 of the Rehabilitation Act of 1973 as amended shall also apply to this Program.
 - iv. Executive Order 11063 on equal opportunity in housing and nondiscrimination in the sale or rental of housing built with Federal assistance.
 - v. Executive Order 11246, and the regulations issued pursuant thereto (41 CFR Chapter 60), which provides that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of Federal or federally assisted construction contracts. Contractors and subcontractors on Federal and federally assisted construction contracts shall take affirmative action to insure fair treatment in employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination, rates of pay or other forms of compensation and selection for training and apprenticeship.
- (i) It will comply with Section 3 of the Housing and Urban Development Act of 1968, as amended, requiring that to the greatest extent feasible opportunities for training and employment be given to lower-income residents of the project area and contracts for work in connection with the project be awarded to eligible business concerns which are located in, or owned in substantial part by, persons residing in the area of the project.
- (j) It will:
- i. In acquiring real property be guided, to the greatest extent practicable under State law, by the land acquisition policies in Sections 301 and 302 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970; and
 - ii. Pay or reimburse property owners for necessary expenses as specified in Section 303 and 304 of the Uniform Act; and
 - iii. Comply with the applicable Sections (202 through 205) of Title II (relocation assistance) of the Uniform Act in providing relocation payments and relocation assistance; and
 - iii. Comply with DOT regulations at 49 CFR Part 24 in implementing the requirements, it will:

the Department of Housing and Urban Development as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.

- (q) It will in connection with its performance of environmental assessments under the National Environmental Policy Act of 1969, comply with Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470), Executive Order 11593, and the Preservation of Archeological and Historical Data Act of 1966 (16 U.S.C. 469a-1, et. Seq.) by:
 - i. Consulting with the State Historic Preservation Officer to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the proposed activity, and
 - ii. Complying with all requirements established by HUD and the Virginia Department of Housing and Community Development to avoid or mitigate adverse effects upon such properties.
- (r) Assure upon funding, it will implement a "residential anti-displacement and relocation assistance plan," pursuant to Section 570.496a(b).
- (s) It will implement all required actions to ensure compliance pursuant to 24 CFR Part 8, Nondiscrimination Based on Handicap in Federally Assisted Programs and Activities.
- (t) The undersigned certifies, to the best of his or her knowledge and belief, that:
 - i. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee or any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
 - ii. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee or any agency, Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

11-16

- iii. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

- (u) Any survey information submitted with the application is a true representation of the data and has not been altered or fabricated. The survey was conducted and analyzed in strict accordance with the methodology stated.
- (v) The certification set out below is a material representation upon which reliance is placed by the U.S. Department of Housing and Urban Development in awarding the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the U.S. Department of Housing and Urban Development, in addition to any other remedies available to the Federal Government, take action authorized under the Drug-Free Workplace Act.

Chief Administrative Official:

| | |
|-----------|-------|
| _____ | _____ |
| Name | Title |
| _____ | _____ |
| Signature | Date |

Drug Free Workplace Assurances and Certification

The grantee certifies that Southampton County will provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing a drug-free awareness program to inform employees about -
 - i. The dangers of drug abuse in the workplace;
 - ii. The grantee's policy of maintaining a drug-free workplace;
 - iii. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will -
 - i. Abide by the terms of the statement; and
 - ii. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- (e) Notifying the U.S. Department of Housing and Urban Development within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such condition;
- (f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted -
 - i. Taking appropriate personnel action against such an employee, up to and including termination; or
 - ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

Chief Administrative Official:

| | |
|-----------|-------|
| _____ | _____ |
| Name | Title |
| _____ | _____ |
| Signature | Date |

11-20

Chairman Jones said that is right. He asked if he had a motion.

Supervisor West made a motion that we adopt both resolutions authorizing the respective grant applications.

Supervisor Faison seconded the motion with it being carried unanimously.

Chairman Jones called for item number twelve being paperless agendas.

Mr. Michael Johnson stated as requested by Supervisor Porter at the organizational meeting, we have worked to put together a brief cost-benefit analysis of converting to paperless agendas.

As you might imagine, duplication and distribution of the monthly agenda packages and annual draft budgets is expensive. A typical monthly agenda ranges from 250 to 300 pages each. We duplicate 15 copies for Board members and staff equating to roughly 50,000 copies annually. In addition, the annual draft budget typically consists of another 500 pages, adding another 7,500 pages to the total. The average cost of duplication (including paper and copier wear and tear) is roughly \$0.10 each, equating to annual costs of \$5,750 for copying, not accounting for any staff time.

Our support staff averages approximately 8 hours per month duplicating the books. With an hourly wage of \$12.39, the staff time equates to roughly \$1,200 annually. After the books are copied, they're delivered to Board members by the Department of Public Works. The route is approximately 85 miles – at a rate of \$0.555 per mile, the cost of fuel and wear/tear on the vehicle is roughly \$600.00 annually. At 3 hours per month, staff time for the delivery equates to another \$600 annually. Accordingly, the approximate annual cost to duplicate and distribute the agenda/budget books is roughly:

| | |
|-------------------------|----------------|
| Direct Costs | |
| Copies | \$5,750 |
| Transportation | 600 |
| Miscellaneous supplies | <u>100</u> |
| | \$6,450 |
| | |
| Indirect Costs | |
| Staff time for copying | \$1,500 |
| Staff time for delivery | <u>600</u> |
| | \$2,100 |
| | |
| Total | \$8,550 |

If you transition to paperless agendas, there is an initial capital cost to purchase the computers, as well as recurring costs associated with monthly internet access. Ms. Plyler has priced a variety of options ranging from notebook computers to tablets, to smart phones. A copy is attached, but several of the options (particularly the e-readers like Kindle and Nook) have very limited functionality.

For full functionality, should you decide to proceed, she is recommending a notebook computer. The screen is sufficiently large enough for your purposes and they can be easily equipped with the necessary software and other applications that are needed for email access and viewing of documents in different formats. She's recommending the Dell Latitude ST 15, which fully equipped with Microsoft Outlook and Microsoft Word software, runs about \$1,086 each. So fifteen of those equated to an initial capital cost of \$16,290, which when depreciated over a five-year period, totals \$3,258 annually.

While staff members already have internet access, Board members would need access at home. Verizon air cards can be purchased at a government rate of \$42.99 per month, equating to an annual cost of roughly \$3,600 for the seven Board members.

| | |
|---------------------|--------------|
| Direct Costs | |
| Computers | \$3,258 |
| Air cards | <u>3,600</u> |
| | \$6,858 |

In summary, transitioning to a paperless agenda is cost effective, increases staff efficiency, and greatly enhances communication between the Board members and their staff and constituents.

If the Board is so inclined a motion is required to transition to paperless agendas and direct staff to proceed with the purchase of notebook computers and air cards.

He stated that Mrs. Sandi Plyer had put together a presentation on the three different options that would best suit their needs. He asked Mrs. Sandi Plyer to walk the Board through those three options and the costs associated with them.

Mrs. Sandi Plyer stated that the Dell Tablet ran around 1,086.00 that included all the applications to make it work. The second option is a laptop from Best Buy and that was \$429.00. You would have to purchase the Microsoft bison in order to make the e-mail work. So you are looking at \$801.00 each. The third option is a little bit higher end laptop for \$798.00 and again you would have to purchase the Microsoft bison to make the e-mails and anti-virus work. She also listed some other options to look at. She stated she also did a survey to see what each member had at home as far as who had computers and what service they had. Something to keep in mind if you were to use the computers you have at home some problems that she would have would be the using of all the different types of software. There would be problems with the consistency with all the different types of software they were running one is running 2003, one 2007, and one 2010. She would have to get some consistency to make all this work for us. An older computer would probably be slower. A newer would probably be fast. She would have to get them all up to speed. It takes Adobe to get all this to work. She would have to get them all service packs. So these are the different choices just to give you something to look at.

Supervisor Porter said one of the benefits of his whole project in addition to getting rid of the books is saving a few trees and not having to build another room onto his house to put these books in. We all have different types of computers and one of the benefits will be better communication between the Board and the staff and the Board and the community by having a centralized e-mail system through the county. He stated that some of us if we have old computers would have to buy new computers to interface with your system, correct.

Mrs. Sandi Plyer stated that is correct.

Supervisor Porter said you mentioned that if we do go to different platforms that would put an additional burden on you.

Mrs. Sandi Plyer said yes.

Mr. Michael Johnson said the smartest approach is uniformity. He stated he thought what they want is for all seven of you to have the same thing. It needs to be portable because you need it at home, but you will need it here because you aren't going to have a book here. If you look at that first tablet that Sandi quoted in the book, it included 15 tablets which included staff members. Several staff members have laptops so we can figure how to deal with that. If you cut it back to seven tablets for the seven Board members you cut that capital cost back if you depreciate it over five years back to \$1525.00 per year. The big money comes from the internet access. Now some of you already pay for internet access which is great. Some of you don't. So you have got to figure out how you are going to deal with that. Is each Board member going to be responsible for their own access whether it is through Verizon, Charter, Hughes Net. He stated his point was if you have dial-up you are not going to be able to download what you need. It is just not going to work, so you need high speed internet.

Mrs. Sandy Plyer said some of these files are 30 and 40 mg. You will never get them to open up with dial-up.

Supervisor Edwards said he had never been involved in a computer situation which didn't mess up in the first four, five, or six months. He does think we need to do this. He said he thinks the timing is important. The next two or three months they are going to be loaded with this budget. He doesn't think they need to consider this until things calm down maybe in June, July, or August

when they have time to learn new tricks. He stated he doesn't think they need to bring this on right now when they are going through all these budget meetings to try to learn a new system. They do need to do it sometime this year. He stated he is really in favor of getting this entire budget behind and later on this summer when they have time and things get a little quieter take a look at it then.

Supervisor West said he agreed with that. He thinks right now the budget is priority number one. Then later on he can have his internet so he can be contacted by internet.

Supervisor Edwards said he thought it was a good thing, but to go through all that right now with what they had cut out for them in February, March, and April, and May they need to concentrate on that. Then in June, July, and August things will be a little calmer and they can put some time on this. He said he knows that we have the support staff to teach each and every one of us how to do this. We don't have to go out and find staff anywhere.

Mrs. Sandi Plyler said we are right here.

Supervisor West said he thought Mr. Michael Johnson summed it up real well. This electronic agenda is going to be cost effective, increase staff efficiency, and it will enhance communication between the Board Members and their staff and the constituents. It does pay in the long run.

Mrs. Sandi Plyler said we want to give you county e-mail which is the way of the world now so you will be able to work with the staff and other Board members.

Supervisor West said he would just like to put it off for a while, but still do it.

Supervisor Porter said it's not like we are going to make a decision and it's going to show up overnight. There is going to be an implementation period.

Mrs. Sandi Plyler said the e-mail requires a server and she already had that money allocated in a previous budget. She said she could go ahead and be working on that part of the process because it is definitely going to take her a couple of months. She said she could go ahead and be working on that process while they were working on the budget.

Supervisor Porter said so what you need from us is the decision that is going to allow us to do it because you said you couldn't give us e-mail access until June or July anyway. You have to get started working on the process so he feels that they need to make a commitment to do this so you can fit it in your schedule so when we finish the budget process in June they can get on this and take advantage of the economics of it and quit killing trees. If we don't make a decision until July, we are going to get into it this year.

Supervisor Edwards said we can make a decision and we can decide when we want it to start.

Chairman Edwards asked if anyone else had any thoughts on this.

Supervisor West said he thought they had a consensus and they could start July 1 to have it up and running. The budget would be voted on in May so they will have it done.

Supervisor Porter said if they voted to do that tonight it would take the pressure off of Mrs. Sandi Plyler and give her the time to do it right and get the best deals and make it cost effective.

Supervisor Edwards made a motion to transition to paperless agendas and direct the staff to proceed with the purchase of notebook computers and air cards to go into effect July 1.

Supervisor West seconded the motion with it being carried unanimously.

Chairman Jones called for item number 13 being miscellaneous items.

Mr. Michael Johnson stated attached for your consideration (page 13-4) please find an invitation from Ms. Stephanie Allman, Economic Development Manager for the Port of Virginia. The tour would take approximately 3 hours in addition to travel time to and from the Port (essentially, most of a day). If this is something you're interested in, we'll need to reach consensus on 2-3 dates and I will be please to get back with Ms. Allman to confirm the tour.

We'll need to reach consensus on 2-3 dates and coordinate them with the Port of Virginia.



Virginia Port Authority
600 World Trade Center
Norfolk, Virginia 23510-1679
Telephone (757) 683-8000
Fax (757) 683-8500

Jerry A. Bridges
Executive Director
ISO Certified 2001
Quality Management System -
14001 Environmental
Management System

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January 18, 2011

Mr. Michael Johnson
County Administrator
Southampton County
26022 Administration Center Dr.
Courtland, Va. 23837

Dear Mr. Johnson,

Thank you for the wonderful tour of Southampton County on November 29, 2011. I'm extending an open invitation for anyone on your staff and Board of Supervisors to visit The Port of Virginia for a tour.

If you haven't yet toured APM Terminals in Portsmouth, I would recommend a visit. It is the most automated terminal in the United State and the story of its construction from 2004 to 2007 is very interesting. Virginia Port Authority began a 20-year lease of APM in 2010, and the APM tour typically lasts an hour. If you have a longer time frame, we could tour APM Terminals and Norfolk International Terminals. With travel time and discussion, touring both facilities would take about 3 hours in addition to travel time from and back to Southampton County.

Please be aware that as a TWIC escort, I can accompany up to five people on terminal. It is no problem, but I would need other VPA staff members to participate in the tour as TWIC escorts if the tour group is larger than five.

I look forward to hosting Southampton County in 2012.

Best regards,

Stephanie S. Allman
Economic Development Manager

Chairman Jones asked if the Board wanted to go look at the Port.

Supervisor West said he went a few years ago and it was a very worthwhile trip. It also puts your name out there in front of the people that could do you some good and would keep you in their thoughts. He said it was a worthwhile trip and he would go again.

Chairman Jones asked if it was a consensus that everybody wanted to go.

Supervisor Porter stated he would like to go.

Chairman Jones called on Supervisor Updike.

Supervisor Updike said he would like to go.

Supervisor Faison asked if Ms. Allman put a limit on how many could go.

Supervisor Phillips said it was five wasn't it.

Mr. Michael Johnson said it could be more than five she just needed advance notice.

Supervisor West said he could back out and let the new members go.

Chairman Jones said no need to do that.

Mr. Michael Johnson said they just need to rearrange and have two people to guide them through. He asked if there were some days better than others.

Chairman Jones said any day was fine with him.

Mr. Michael Johnson asked if there were any days that were bad.

Supervisor Porter said the best day of the week for him was a Thursday.

Mr. Michael Johnson asked Supervisor Edwards how flexible his schedule was going to be.

Supervisor Edwards said he would bend with the wind.

Mr. Michael Johnson asked if the month of February was okay. He said he would just throw out two or three Thursdays during the month of February.

Supervisor Phillips said aren't there a lot of meetings during February.

Supervisor Edwards said you are going to have a lot of meetings February, March, April, and May.

Supervisor Porter said but none of them are on Thursday.

Mr. Michael Johnson said he would try to schedule for a Thursday in February.

Chairman Jones called for item number 13 B – Annual Statement – Department of Social Services.

Mr. Michael Johnson stated please find a copy of the annual financial statement for Southampton County DSS for FY 2011 attached (page 13-6). Please note that our local DSS administered more

than \$25 million in federal and state benefits in FY 2011. The vast majority (almost \$19 million) are Medicaid benefits. He stated he didn't know if you have any questions about it.

Chairman Jones asked if anyone had any questions on the report.

There being none, Mr. Michael Johnson stated item C. was the Annual Report – Blackwater Regional Library. Please find a copy of the annual report for the Blackwater Regional Library attached (page 13-12). The library loaned out more than 473,000 items last year, and served over 20,000 children and adults in various programs.

Mr. Michael Johnson stated item D was the Annual Summary – Hampton Roads Partnership. Please find a copy of the annual summary report for the Hampton Roads Partnership attached (page 13-14). Among other things, the HRP is facilitating discussion between Norfolk, Virginia Beach and Chesapeake to explore ways to share services and reduce costs.

Mr. Michael Johnson stated item E is Notices. Attached for your reference (page 13-19 and following) please find a variety of notices from the Virginia Department of Environmental Quality and the Virginia Department of Health.

Mr. Michael Johnson stated item F. is Incoming Correspondence. Please find various items of incoming correspondence attached (page 13-32 and following).

Mr. Michael Johnson stated item G. was Outgoing Correspondence. Please find various items of outgoing correspondence attached (page 13-36).

Mr. Michael Johnson stated item H. was Article of Interest. Please find various news articles attached which may be of interest (page 13-51 and following). He stated he would be glad to answer any questions that they may have on these items.

Chairman Jones asked if anyone had any questions.

Chairman Jones asked if they had any late arriving matters.

Mr. Michael Johnson stated yes sir they have a couple. At your places tonight you should have a small package with two resolutions that he would like you to consider. He read the resolutions.

RESOLUTION OF APPRECIATION
TO DALLAS O. JONES
for his Longstanding Service on the
Southampton County Planning Commission

WHEREAS, Dallas O. Jones has provided dedicated and distinguished service to the people of Southampton County while serving as a member of the Southampton County Planning Commission from March 1980 to December 2011; and

WHEREAS, Dallas O. Jones faithfully and diligently served as a liaison between the Board of Supervisors and the Planning Commission from January 3, 1984 to December 8, 2011; and

WHEREAS, Dallas O. Jones was among the first Southampton County Planning Commissioners to complete the Virginia Certified Planning Commissioners' Program, equipping himself with a broad background in planning law and the technical expertise necessary to render sound land use recommendations; and

WHEREAS, during his tenure, Dallas O. Jones actively participated in development of six (6) Comprehensive Plans for Southampton County as well as major revisions to both the Subdivision Ordinance and the Zoning Ordinance; and

WHEREAS, Dallas O. Jones has been a valuable and dedicated member of the Southampton County Planning Commission for more than thirty (30) years.

NOW, THEREFORE BE IT RESOLVED, that the Southampton County Board of Supervisors hereby publicly recognizes the distinguished service of Dallas O. Jones on the Southampton County Planning Commission and his contributions to Southampton County as a Planning Commissioner; and

BE IT FURTHER RESOLVED, that a framed copy of this resolution be presented to Dallas O. Jones and that this resolution be permanently recorded among the papers of the Southampton County Board of Supervisors.

Adopted this twenty-third day of January, 2012.

BOARD OF SUPERVISORS

Alan W. Edwards, Vice-Chairman

ATTEST

Michael W. Johnson, Clerk

Mr. Michael Johnson said he needed a motion to adopt that.

Supervisor Edwards made a motion to adopt the resolution for Chairman Jones in appreciation for his many years of service on the Planning Commission.

Supervisor Phillips seconded the motion.

Chairman Jones thanked the Board.

Supervisor Edwards said he spent twenty four years on the Planning Commission with Chairman Jones and he enjoyed every minute of it. They did go get their certifications in 1993 together. He stated he has sort of taken his place on the Planning Commission, but nobody will take his place on the Planning Commission. He stated Chairman Jones work there and input was invaluable.

Chairman Jones thanked Supervisor Edwards.

Mr. Michael Johnson stated they had a second resolution. This is a resolution of appreciation to Vernie W. Francis, Jr. Mr. Michael Johnson read the resolution.

**RESOLUTION OF APPRECIATION TO
VERNIE W. FRANCIS, JR.**

WHEREAS, Vernie W. Francis, Jr., a graduate of Southampton High School and Elon College, began his career in law enforcement as a Deputy Sheriff in Southampton County on June 1, 1971; and

WHEREAS, Vernie W. Francis, Jr. is a graduate of the FBI National Academy and the National Rural Law Enforcement Executive Institute; and

WHEREAS, Vernie W. Francis, Jr. was first elected Sheriff by the voters of Southampton County and the City of Franklin for a term beginning January 1, 1984, and subsequently reelected for six more consecutive terms until his retirement on December 31, 2011; and

WHEREAS, Virginia W. Francis, Jr. is a Past President of the Virginia Sheriffs' Association and Past President and former member of the Board of Directors for the Virginia Sheriffs' Institute; and

WHEREAS, Vernie W. Francis, Jr. was appointed by the Honorable L. Douglas Wilder, Governor of Virginia, to the Virginia Forensic Science Advisory Board from 1990 to 1994, where he served as Chairman; and

WHEREAS, Vernie W. Francis, Jr. was appointed by the Honorable Mark R. Warner, Governor of Virginia, to the Criminal Justice Services Board from 2002-2006; and

WHEREAS, Vernie W. Francis, Jr. is a former member of the Board of Directors of the Virginia Public Safety Foundation where he served as Secretary; and

WHEREAS, in his 28 years as Sheriff, Vernie W. Francis, Jr. developed numerous programs and initiatives to enhance public safety and create public value including implementation of the Enhanced 9-1-1 emergency response system, acquisition and development of the Southampton County Jail Farm and associated inmate work release program, oversight of animal control activities, oversight of road-name sign maintenance, development of the senior citizen call-in program, and implementation of the Code Red Instant Alert Notification System; and

WHEREAS, Vernie W. Francis, Jr. has been active in numerous community organizations including service as President of the Capron Volunteer Fire Department and First Aid Squad, Inc., Past President and member of the Board of Directors for the Franklin-Southampton Area Chamber of Commerce, President of the Franklin-Southampton Chamber Foundation, and Past President and member of the Board of Directors for the Franklin-Southampton Fair Board Foundation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Southampton County, Virginia that Vernie W. Francis, Jr. is recognized and commended for four decades of devoted service to the people of Southampton County and the City of Franklin and is presented this resolution as visual representation of the high esteem in which he is held; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this Board on the twenty-third day of January, 2012, recording and forever preserving its gratitude and appreciation.

BOARD OF SUPERVISORS

Dallas O. Jones, Chairman

A copy teste:

Michael W. Johnson, Clerk

Mr. Michael Johnson stated that if this resolution was adopted, he would like to present it to him at

his retirement party at the end of February.

Supervisor Phillips made a motion to adopt the resolution for Vernie W. Francis, Jr. in appreciation for his service as Sheriff.

Supervisor Faison seconded the motion with it being carried unanimously.

Mr. Michael Johnson stated the last late arriving matter was that he was contacted by Mayor Council in Franklin late in December with an idea that he would like to host a joint meeting with the Franklin City Council, Southampton County Board of Supervisors, and Isle of Wight County Board of Supervisors in early March. He would like to perhaps invite the school boards. He is not sure if he has done that or not. This is just to get together to get to know a number of new faces that have come on all these boards. His idea for an agenda is really just to talk about regional issues to make sure everybody has a full understanding of what agencies are out there and how they serve each of us that might include a brief presentation by Opportunity, Inc. which handles work force development. It could include our local economic development organization. It could include the Planning District Commission, Hampton Roads Partnership, as well as Smart Beginnings Western Tidewater with perhaps each of those groups taking five to ten minutes. He is also talking about bringing in a keynote speaker who he has arranged a human resources executive I think from Newport News Shipbuilding. The tentative date, which is actually firmed up now I think, is March 13th at the Workforce Development Center in Franklin. That would start at 6:00 pm. He said he would like for you all to go ahead and get it on your calendars now if you can.

Chairman Jones stated that took care of late arriving matters. He stated now they would have the public comment period.

Mr. Glenn Updike of 33335 Sand Road, Newsoms, VA spoke. He said he is bringing up the same thing he brought up last month and that is he still thinks they should request someone from the real estate assessment office to come down and talk to the citizens of the county and tell them where in the world they came up with this reassessment. Bedford County assessments went down 4% and ours went up about 5%. He has heard lots of request to find out about this; not that they are going to change anything or have another reassessment but they want to know how they went about coming up with this type of increase in reassessments. There isn't anywhere in the state that the assessments went up like this. He stated he would like to put this in the form of a motion that we get them to come down.

Chairman Jones said it wasn't going to change anything and you aren't going to get anything out of it so why do we need that.

Supervisor West said he had had time to think about it too and he agreed with him from the standpoint that it will at least give the citizens input and a feel for it if the people that were involved in the process were there because he had thought the same thing if it's not going to make any difference at least with one on one you can go to the person and say what. He said he agreed with Mr. Ash Cutchin and he thought he did a great job of explaining what overall our situation was. But then again he feels the right person there you could talk to them. We have no recourse. These people are certified. Of course the only recourse we have is with the assessment group.

Mr. Michael Johnson said the statutory process is very plain in that the taxpayer's first line of appeal is to meet directly with the assessors. Which every taxpayer that received a notice has had that opportunity. If they do not achieve satisfaction there in this particular case they could have met with the board of assessors which Supervisor Phillips formerly served on. So there was an

opportunity to go to that next appeal and meet with the board of assessors. The third line of appeal that they have is to meet with the board of equalization which has just been appointed. They will be receiving their training later this week and will be establishing their schedules and wrapping up their work before March 30, 2012. The final level of appeal is the taxpayer can go directly to the circuit court. That is the statutory process.

Supervisor Updike said this is more of an educational, public relation type of meeting rather than getting anything changed. From the newspaper on down the public is clambering for some information.

Chairman Jones asked if we could require the assessor to come.

Mr. Michael Johnson said you can ask them. You can't require them to come. The contract doesn't obligate them to come.

Chairman Jones said the contract doesn't obligation them to come tell us anything.

Supervisor Edwards said he seconded the recommendation. He thinks we ought to ask them. They can always say no.

Mr. Michael Johnson asked if they wanted them at the next board of supervisors meeting.

Supervisor Updike said he would like to see it be a public meeting and let someone like the Tidewater News moderate it with a question and answer session. If you have any questions, send them in to the Tidewater News. Don't want to have a jam session or criticism session. He didn't want it to be an open session deal. He wanted it to be more like a debate or forum in the schools where people come and listen.

Chairman Jones said do you think that is something we can ask for and try to get set up.

Mr. Michael Johnson said he supposed we can ask. His inglenation is I wouldn't expect a yes answer to that question, but we can ask.

Chairman Jones said he thought we needed to ask first whether they will do it or not.

Supervisor Updike we need to ask them and make it a formal request.

Supervisor Edwards said at the VACO meeting in Richmond they ran into a lot of counties that went down 2.3%, 3.1%, 4%; some of them ran up 1% or 2%. He stated he didn't run into anybody that went up 5%.

Supervisor West asked if any of them were on a six year schedule like we were. He said he thought that made the biggest difference. When you are like Isle of Wight and every other year you do reassessment you would have already had three opportunities to go up. We go a six year cycle so therefore we caught the low end as they were going up and you were caught on the low end. Now the return has started but had that return gotten to the low end to start with. Apparently is had not. That is what he has to assume. He doesn't believe that some of the original assessments from the prior assessments were low.

Mr. Michael Johnson said that is an important point when you talk about percent increases you have to look back at the point from which you started. He thinks most people in this room would agree that the assessment that we paid for back in 2006 may not have been the best assessment you ever got.

Chairman Jones said all we can do is ask them to come do it.

Mr. Michael Johnson asked Supervisor Updike if he had had any conversations with the paper. He wanted to know if they would be willing to do that.

Chairman Jones said he didn't think the board could demand them to come. We could just ask them if they would.

Supervisor Edwards said they could just simply say the citizens had a problem with it and an explanation may suffice.

Chairman Jones asked Supervisor if he had a question.

Supervisor Phillips said just the wording of his suggestion that we have some questions as opposed to a problem might help the temperance a little bit.

Supervisor Edwards said okay they could word it as flowery as you want.

Chairman Jones asked when they were looking at doing this.

Supervisor Updike said as soon as they were available. We need to be flexible and work with the school to use their building.

Supervisor Edwards said there is an old saying people don't expect you to solve their problems all the time just listen to them. He said he catches this in the office all the time, people call in and he likes to talk with people. You say what can we do about it. There may be nothing we can do about it but arrange to talk with them.

Chairman Jones asked Mr. Michael Johnson if he could arrange to set that up.

Mr. Michael Johnson said sure.

Mr. Richard Railey said you got to have a motion and a second.

Supervisor Edwards said he already had them.

Chairman Jones said he had a motion and a second that they would ask the assessors to meet with the county. He called for a vote which carried unanimously.

Chairman Jones called for item number 15 which is the citizens comment period.

Mr. Ash Cutchin of Darden Mills Estate spoke. He promised he would try not to speak as long as Mr. Turner. He thanked them for the opportunity to speak. He welcomed the four new Supervisors and well as the seasoned veterans to your new positions of leadership and authority. He stated he did not envy you. As you go about the business of managing our county, I beg you to preserve the public trust by observing and practicing the highest standards of personal and professional ethics. He encouraged them to continue to listen to the citizens and respect their input. He said he was sad to say that what he had seen already as he has matured over the past 70 years can best be described as a culture in transition. A culture which is changing and not always for the best he thinks. He sees a culture which has less and less of a sense of accountability both socially and in government. He seems a culture of moral and fiscal irresponsibility at both the state and national level as well as internationally. And just as Supervisor Faison prays before these meetings, he personally prays daily for our government leaders that our almighty God will give them and you the wisdom and courage to make the correct but difficult decisions on behalf of the citizens who elected you. He was taught not to spend money which he doesn't have and as a result the only things he has bought on credit is a house, a small farm, one vehicle, and this year a 42 inch TV which was financed with no interest. He pays cash for everything else. He encouraged the Supervisors to act with an urgent and renewed sense of responsibility. He thinks

we began that tonight. Treat every dollar of tax-payers money you spend as if it came out of your own wallet. We have observed all too often that if throwing money at that problem would fix that problem then we would have no unemployment, no housing crisis, no poorly educated citizens, but none of those things are true. While you as an individual or body cannot solve the national's problems or the world's problems you are presented with the possibility at the grass roots level to set an example for others to see and hopefully imitate. You can show the rest of the state and nation that fiscal responsibility starts at home and on the smallest of scales you must not be afraid to say no occasionally. In the past he suggested they had a code of conduct and he has prepared a few items that he thought ought to be in that and he would like to hand one to each of you who are interested in reading it. He thanked the Board for giving him the opportunity to speak.

Chairman Jones asked if anyone else wished to speak.

Mr. Richard Harris of 27161 Trinity Church Road spoke. Tonight the Southampton County School Superintendent treated you all and this audience to the best snow job he had heard since Barack Obama made his last state of the union address. And before Mr. Charles Turner finished (he spent over an hour up here) he really thought he was going to get his crying towel out. He begged and he pleaded for that million and some dollars and thankfully you didn't give it all to him. The four years he spent on the city council in Suffolk they heard the same song and dance every year just give me a little money, just give me a little more. It's all about the kids. It's all about the school system. He said well let me tell you something the sky wasn't going to fall tomorrow morning and the teachers weren't going home, and the kids would not have any teachers when they got to school. You did the right thing. When this Board and the school system get their funding you don't have any control over how the school system spends their money. The state law doesn't allow you to tell them how to spend the money you give them. When you get the money from the taxpayers and it gets stuck in the general fund you spend it anyway you want to. The only way any money gets spent for selective items is if you set it aside or earmark it. He heard the Superintendent make a statement that he had never heard in his four years in Suffolk. I believe he said the school system does not have a capital budget. What do you mean the school system doesn't have a capital budget? How do they appropriate for the buses he needs, for the maintenance of the schools, for the heating and air conditioning. That school system should have a capital budget and should appropriate money for the schools capital needs. That is something you all need to discuss with the school system. I'm sorry you've got buses sixteen to twenty one years old. If they had a capital budget, they would be sitting money aside each year to replace some of those buses, to maintain some of those schools, to look at the heating and air conditioning system. He did he knew what he was talking about. So these people out here in the audience are asked for money each year by an increase in taxes. What you all talked about a minute ago about Wingate and Associates that came in and did these assessments, he had already talked to them. He stated he left Suffolk to get away from the vampires. The ones you all have up here came out of the daylight. You can't even drive them with a stake through the heart. You know what that guy from Wingate told me. Wingate told me well you have got a nice home. He said well he built a nice home because he intended to retire up here. He said do you know what the comparable homes up here are. Well ask Wingate because he couldn't tell me what the comparable homes up here are. That is what he is supposed to be basing his assessments on – comparable homes; and he could not point to one comparable anywhere close to the home I built or anywhere around. He is going to the board of equalization and if necessary he and many others are going to the courts because they feel like they have been raped and he doesn't appreciate it. He thanked the board for their time.

Chairman Jones asked if anyone else wished to speak.

Mr. Bill Worsham of 12685 Appleton Road spoke. He stated that Supervisor West was the Supervisor for his area. First he wanted to echo some of what Mr. Harris said. He thought their money to withhold some of that money and not grant it all at one time was well taken. You need to do more of that. You should have done more of that in past years. The situation with you meeting with the school board is good and he thinks a lot will come out of that. He thinks they

will find out just how funding does occur in schools. He thinks they will have a better understanding when it comes to appropriating money each year. He thinks he himself would rather have had that 1.1 million dollars put towards drawing down the debt. I think there are some circumstances that would prevent that according to the type of money we are talking about and so forth. What you did tonight sent a wide message. He said he thought there was an echo in this room called accountability. He thinks if they will continue to do that he thinks this board will come out where we can avoid some of these tax increases. The second thing he wanted to talk about was the black powder. He stated he thought that was over with some years ago. It appears it is coming back. He would say to you to look at that issue hard and long as you did before. He thinks the ordinance they drew up four or five years ago is the one that is best suited for this county. He keeps hearing that we are the only county that doesn't allow it. We may be the only county that is right. The other part of it is that pretty soon you are going to hear a lot coming out of Richmond about hunting on Sundays. Categorically he is opposed to it as a citizen. He stated he would like this board to consider writing a letter to the Congressmen responsible for passage of this bill and let them know we are opposed to it for moral and ethical reasons. Sunday is a day of rest. That is the way he was brought up and that is the way it should be. He has seven churches in his area that would be affected by it. He doesn't think the ministers or members of those churches are interested in hearing dogs running, shotguns going off, and pick-up trucks running up and down the roads. That would go a long way for letting them know that the people in this county know that we do have a moral right to stop it. He feels that the issue of black powder should be tied to it also. It goes beyond the land owners right. It is a safety thing. Black powder weapons are high tech. They will kill in ranges of 250 to 300 yards or more. They are not the old black powder weapons that you prime with a rod. He thinks when that season would be going on there would be farmers out there in the fields. It would be very easy to shoot a farmer off a tractor or somebody out there loading beans or whatever. He stated he wanted to commend this board who did the right thing by taking a prudent stand. Hopefully you will continue to do that. He welcomed them all to the New Year.

Chairman Jones asked if anyone else wanted to speak.

Mr. Jimmy Lee, a lifelong resident of Southampton County spoke. You have always made the citizens of Southampton County a part of the government and he appreciates that. He is very encouraged by the last two meetings. He stated it looks like the board is going to be very transparent in the concern about fiscal matters and he applauds them for the stand they took tonight concerning the school board tonight. The issue he is bringing up tonight is that he agrees with the newspaper he thinks the assessment is off base too. He stated he wants to tell you why I think it is off. Regardless of what television program you watch or which newspaper you read he thinks it is fair to say from New York to California, down to Miami everybody's property values in this country have gone down except Southampton County. He doesn't understand that and he wants to give some reasons why he thinks it is wrong. The benchmark that we have to go by to measure real estate would be our flagship county property, and he knew it was a sore subject, but that would be our industrial park. According to Mr. Michael Johnson we have put in 13.6 million dollars and say that is going to be our cost value. We have sold half of that land for 1.3 million dollars and assuming we get 30% more for the second half than we did for the first half that would be 1.7 million more for a total of 3 million and hopefully can sell the Wellons bank for maybe another 3 million, but even the best case scenario we are only going to recoup six million dollars on a 13.6 million dollar investment. In other words less than fifty percent, so how in good conscious can we support an assessment that raises our assessment when our flagship, Cadillac property in Southampton County in the market today won't bring fifty cent on the dollar that is invested in it. He thinks it is a double standard there and he thinks some questions should be asked. He thinks they should ask Wingate and Associates if they made a mistake. It looks like it is hard to justify if our flagship property in the market won't bring back up fifty cents on the dollar invested then our assessments aren't justified. He stated he wasn't speaking for any group of people like just the farmers. He is trying to speak for the home owners, the business owners, and the land owners because he doesn't want to see anybody's taxes go up. He feels like this process is flawed and the only people we can turn to in order to make it right is the Board and they trust

the Board and consider them friends. He feels like if there is anything you can explore on this he thinks it should be done because he feels like it is a flawed process. He thanked the Board for their time.

Mr. Ernest Claude of 18312 Southampton Parkway, Capron, VA spoke. He stated Supervisor Phillips was his Supervisor. He observed with interest tonight as you approached the issue concerning the school system. He said he understands what you have to do for the citizens here. He understands accountability and he applauds all your efforts on accountability; however he arises to share with you and solicits your support as you continue to work, deliberate, and appropriate monies. He is a lifelong resident. When he left Southampton County in 1959 to go to college, he left with the understanding that he wanted to come back here to live. After four years in college and two years in the Army, he came back. The Southampton County School system gave him the opportunity to fulfill the dream to come back. They hired him and he worked in their system for thirty eight years. During that time he observed from the inside and the outside some things that people on the outside did not see. He said he stands here proud to have been part of that, but in the 60's and 70's they had several buildings that were old and dilapidated. Some of them didn't leak, it rained in them, but since that time through your efforts you built some new schools and you renovated two. I heard you say tonight that you are going to work together. He appeals that as you deliberate and work with them do not ever forget the greatest resource in any of our counties is our young people.

Chairman Jones asked if anyone else wished to speak.

Mrs. Felix Hancock from near the village of Sedley spoke. She would just like to reemphasize what they are all feeling. She stated she knew they had a tough job working on the budget and it will be time consuming. She hopes they would allow some time to consider creating a code of ethics for the Board of Supervisors. In her volunteer work, with the human entities locally, regionally, and a little state wide she has come across of some hear say that she won't go into. She will mention her own experience from October 2006 very briefing. There was a Board of Supervisors Member here called her up, telephoned her at home and proceed to threaten her job. He thought she was working and living in another county. She was volunteering in another counties public event, but she was a resident of Southampton County. His quote was I am head of this organization, but I also want you to understand I am a Board of Supervisor member in Southampton County and I'm going to tell my buds in the county all about you. So I thought my job was somewhat threatened in October 2006. Not being an Isle of Wight resident and not being paid she said she just kind of laughed it off. She mentioned it to the Sheriff's Department there and she only mentioned it to a few other people. Since that time other hear- say stories get worse and worse so she really hopes they will consider a code of ethics for yourselves so the county is not further tarnished. She said she appreciated the time for allowing her to speak.

Mr. Larry Whitley of 18508 Rosemont Road, Sedley, VA spoke. He has been living in Southampton County all his life. He stated he was going to make this brief because he knew we were all tired. First he would like to commend them for deciding to have their monthly meetings at night. He stated that would be much better for the citizens to attend and keep up with things going on. He also thanked the Board for the opportunity for the citizens to speak. He was certainly encouraged tonight to hear all the talk and way they handled the school board issue. He thanked them for the way they handled that. He looks forward to tightening the budget as things go on. He said didn't know if they had a revenue problem, but he thought they had a spending problem. He stated he thought they have had a spending problem for a long time. He sure hopes in the future we can cut out some of the spending. When he thinks about the tax bills he has received the last few years, his tax bill has gone up five out of the last six years. He is basing that on the old assessment so after hearing Mr. Michael Johnson he didn't know if they could do anything about the assessment, but they do have the authority and power to hold the tax rate down so whatever it takes, please consider the taxpayer so that our tax bill may go down one year. That would be a great thing so please consider that when you all discuss the budget and are in

deliberation with the school board. One point of interest he noticed on school buses, and he thinks he had mentioned this before but he thinks there are some things that could be cut out. When he came along the school bus took the child to school and took the child home. It seems now the school buses do that as well as take the children home after basketball practice, football practice, or reading classes. He thinks they could cut down on some need for buses if they only ran buses twice once in the morning and once at night. He thanked them for their willingness to pursue these issues for the county and they really looked forward to it.

Chairman Jones asked if there was anyone else.

Supervisor Edwards said he wanted to ask Mr. Richard Railey one thing. He asked if the Board did decide to send a letter concerning Sunday hunting who they would send it to.

Mr. Richard Railey said he would send it to everybody that represents the people in Southampton County. That would include the General Assembly which would include Blevins, Lucas; The House of Delegates which may be more important now and include Roslyn, Morris, and maybe a few more since we are close to Suffolk. He stated he has a list that he made up the other day he would be happy to share.

Supervisor West made a motion that we send a letter because it does seem to be important to the citizens of the county.

Supervisor Edwards seconded the motion.

Mr. Richard Railey said what seems to be working now is sending e-mails from every conceivable person.

Chairman Jones stated he had a motion and a second. He called for the vote which carried unanimously.

Chairman Jones stated they would have a closed meeting after a five minute recess.

RESOLUTION OF CLOSED MEETING

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

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

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

**Supervisors Voting Aye: Dallas O. Jones
Barry Porter
Glen Updike
Carl J. Faison**

**Alan Edwards
Ronald M. West
Bruce Phillips**

The motion passed unanimously.

Supervisor Porter asked if they went out of closed session yet. He asked didn't they have to have a motion.

Supervisor Edwards said he made the motion.

Mr. Michael Johnson said you don't make a motion to go out of closed session. You can't make a motion in closed session. He stated we on in open session now. This motion of certification resolution is make with the doors open.

Supervisor Porter said that is what I mean. So we are in open session.

Mr. Michael Johnson said we are in open session.

Supervisor Porter said so the certification had to be made in open session.

Mr. Richard Railey stated that you could not make any motion in closes session.

Supervisor Edwards stated that any motion about the closed session has to be in the open meeting.

Supervisor Porter said right. He didn't hear anyone say we were not back in open session.

Chairman Jones said we haven't done that yet.

Supervisor Edwards said we have been through this three times now.

Chairman Jones said we are in closed session now.

Mr. Michael Johnson said we are in open session now. You made done the certification.

Chairman Jones said we have done the certification. We did not do anything other than what was on our agenda in closed session.

Mr. Michael Johnson said the certification resolution has to be adopted in open session.

Mr. Richard Railey said yes and it needs to be adopted.

Upon returning to open session, Vice-Chairman Edwards moved, seconded by Supervisor West, to adopt the resolution.

Chairman Edwards said we are not back in open session and nothing was discussed that wasn't on the agenda.

Chairman Jones asked if there was anything else to come before the Board before they adjourn.

Supervisor Updike said one thing. He thought two of the speakers tonight brought it up about having a code of ethics. He thought maybe that should be on next month's agenda.

Chairman Jones said this is what Ash Cutchin says about our code of ethics, but what about our own. Maybe we should come up with our own.

Supervisor Porter stated they need to come up with their own.

Mr. Michael Johnson said he could come up with a draft and present it to them next month.

Supervisor Updike said maybe could use the one in the book for employees.

Chairman Jones said they needed to come up with one for their own use.

Supervisor Edwards stated they definitely needed to do that.

Supervisor Updike said he thought open session was great.

Chairman Jones asked if there was anything else to come before the Board before they adjourn.

There being no further business the meeting was adjourned.

Mr. Michael Johnson stated that they could leave their agenda books at their place. They could take the information out of them if they wanted it, but leave the binders because we would need them next month. If they wanted to take the whole book home that's fine we would just need to get the books back before next month.

Dallas O. Jones, Chairman

Michael W. Johnson, Clerk