

5. MEETING MINUTES

Attached for your consideration please find a copy of the Board of Supervisor's meeting minutes for the regular session of February 24, 2014.

MOTION REQUIRED: Unless corrections or additions to the minutes are noted, they will be considered approved as presented by unanimous consent.

February 24, 2014

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 February 24, 2014 at 6:00 PM.

SUPERVISORS PRESENT

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

SUPERVISORS ABSENT

Dr. Alan W. Edwards (Jerusalem)

OTHERS PRESENT

Michael W. Johnson, County Administrator (Clerk)
Lynette C. Lowe, Deputy County Administrator/Chief Financial Officer
Beth Lewis, Community Development Deputy Director
Julien W. Johnson, Jr. Public Utilities Director
Richard E. Railey, Jr., County Attorney
Cynthia J. Edwards, Administrative Secretary

OTHERS ABSENT

Chairman Jones called the meeting to order.

After the Pledge of Allegiance, Supervisor Faison gave the invocation.

Chairman Jones stated that the first item on the agenda is a closed session.

Mr. Michael Johnson stated it is necessary for this Board to now conduct a closed meeting in accordance with the provisions set out in the Code of Virginia, 1950, as amended, for the following purpose:

- 1) In accordance with Section 2.2-3711 (A) (5), Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

A motion is required to convene a closed meeting for the purposes described above.

Chairman Jones asked if he could get a motion to go into closed session.

Supervisor Faison made a motion to go into closed session.

Supervisor Phillips seconded the motion which carried unanimously.

Chairman Jones stated that we are back in open session. He stated that at this time he needed the reading of the certification resolution to go back into open session.

Supervisor West read the certification resolution to go back into open session.

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.

Supervisor West made a motion to adopt the certification resolution.

Supervisor Porter seconded the motion which carried unanimously.

Chairman Jones stated that there was some action arising from the closed session which concerns Enviva. He stated that we would have a Power Point concerning this action and then vote on that. At this time, Mr. Michael Johnson will present a short Power Point.

Mr. Michael Johnson presented the following Power Point presentation:

- Amends the February 27, 2012 agreement between Enviva, Southampton County BOS, and the IDA of Southampton County
- Under the original agreement:
 - Enviva was obligated to extend natural gas to the site at its expense;
 - Southampton County was obligated to provide annual incentive grants of \$70,000 per year to Enviva for 10 years to offset their capital cost

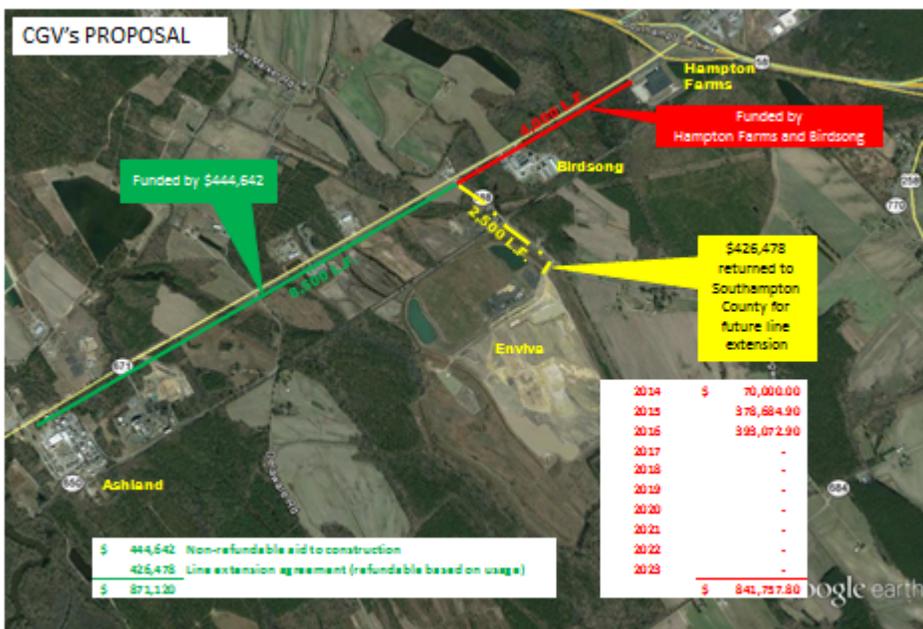
- 1/22/13 – Enviva remits \$871,120.00 to Southampton County IDA for capital costs of gas line extension
- 1/28/13 – IDA contracts with Columbia Gas of Virginia for extension
 - \$444,642 non-refundable aid to construction
 - \$426,478 commercial line extension agreement w/ rebates to accrue back to Enviva based on usage



- 3/11/13 – Enviva advises County that they may not need natural gas for their process and asks County to notify Columbia Natural Gas to cease
- 7/19/13 – Enviva provides county written notice that they will not be needing natural gas
- County, Enviva and CGV work to resolve the issue

- Under the amended agreement:
 - Enviva is relieved of obligation to extend gas to the site
 - County will utilize non-refundable aid to construction (\$444,642) to extend gas line along General Thomas Highway from Ashland (Hercules) to Hampton Farms Peanut Butter Facility
 - County will escrow the \$426,478 to be available to extend gas from Rt. 671 to Turner Tract

- Enviva will receive the following:
 - \$70,000 on 2/5/14
 - \$70,000 on 2/5/15
 - \$84,388 on 2/5/16
 - Forgiveness of principal payments for sale of the property totaling \$617,369.80



- Enviva has the option of:
 - Requesting gas service at no additional cost within 3 years
 - Requesting gas service after 3 years, but must assume responsibility for any cost above \$426,478
 - Requesting that its logo be painted on the County water tank, but if so, the incentive grant will be reduced by \$30,000

Mr. Michael Johnson said the Board will be considering in just a moment an amendment to the February 27, 2012 agreement. That is a three party agreement between Enviva, the Southampton County Board of Supervisors, and the Industrial Development Authority of Southampton County. Just to give you a little bit of background, under that original agreement Enviva was obligated to extend natural gas to their site at their own expense. And, Southampton County has agreed to provide annual incentive grants of up to \$70,000 per year for the next ten years to offset Enviva's capital expense to extend that gas. So, the way it began to play out, on January 22, 2013 Enviva actually remitted to Southampton County \$871,120 for the capital cost of the extension. You can see that is actually more than \$700,000 and that was the difference in the price of the gas between when the performance agreement was negotiated between the county and Enviva and when Enviva was actually ready to contract to extend the gas. So, they decided to work through the Industrial Development Authority because there were some tax advantages to the company doing that. So, they remitted the \$871,120 to the IDA and the IDA in turn contracted with Columbia Gas of Virginia for the extension. Now, that \$871,120 was broken down into two different sums of money. \$444,642 of that was what Columbia Gas of Virginia refers to as a non-refundable aid to construction. That is basically what it says; it is not refundable and it was to be used specifically for the construction of the gas line itself. The second component of that payment was \$426,478 and that is that was actually what they refer to as a commercial line extension agreement. And, the difference is that has the potential to generate rebates depending on the amount of gas the company would burn over the ten year period. And, those rebates would have accrued back to Enviva. Now, just to give you sort of the lay of the land you can see where Ashland, formerly Hercules, is where natural gas currently terminates. The plan was to run the gas line about 6500 feet in an easterly direction towards the City of Franklin and then come over land across property owned by Mr. Matt Crowder, underneath the railroad about 2800 feet, and into the Enviva site. Again, the county would provide \$70,000 incentive grants back to the company over ten years; so they would total \$700,000. Then last year in March, Enviva advised us that they were evaluating their process particularly the types of wood they would be procuring and depending on the portions of hardwood and softwood they may or may not have any need for natural gas in the future because the natural gas is used for some of their emissions based on their wood mix. So, Enviva took about four months to really mull through that process and they finally determined unequivocally back in July and gave us written notice that they won't be needing natural gas at the site and that they would like to basically put the gas company on notice and stop spending the money. And what hasn't already been spent we would like you all to give us the money back. That is basically what they asked for. So, we worked with Enviva and Columbia Gas of Virginia over about the last six months to figure out how best to resolve this issue. So, we have finally developed a draft amended agreement that provided a number of things. Number one it will relieve Enviva of their obligation to extend gas to the site. The county will utilize that non-refundable aid to construction, that \$444,642 which is money that was paid by Enviva, to extend the gas line along General Thomas Highway from where it currently terminates at Ashland so that it is on its way to the Hampton Farms peanut butter facility, formerly the Converting Innovation Center, located there at the intersection of Highway 58 and Route 671. The gas company will also refund to Southampton County the amount of money that was set aside for that line extension agreement. So, that \$426,478 will be refunded to the county. The county will basically put that money in escrow and that will be available to extend gas from Route 671 into the Turner Tract when gas is ultimately needed there. So, we have modified the grants that would go back to Enviva. Basically, we have indicated that we would be willing to provide them a \$70,000 rebate, which they have already received the one from calendar year 2014. They received that in February. There would be a second one in February of 2015 and a third rebate of \$84,388 in 2016. Then, the county would also forgive principal payments which were to come from the company back to the county in 2015 and 2016 for part of the property. And, those principal forgivenesses would be equivalent to \$617,369.80. So, basically what we are suggesting is this. The county would take the \$444,642 which came from Enviva and we will contract with Columbia Gas of Virginia to extend our gas line roughly 8500 linear feet from Hercules to the intersection of Rose Valley Road and Highway 671. From there the extension will actually be funded by Hampton Farms and Birdsong which are the other users of gas. They will pay for the last 4,000 foot of extension which runs from Rose Valley Road out to the Converting Innovation Center. The gas company will again send the \$426,478.00 back to Southampton County which will set in escrow to be able to make this last extension of 2800 feet when there is a gas user slated to go in the industrial park. Again, the payments have been modified to Enviva such that they will no longer get the \$70,000 a year over ten years, but they will get a total benefit of \$841,757.80. Again, that almost makes them whole from the \$871,120.00 that they had invested for the extension of the gas line. Now, Enviva has the option of letting the county know that they ultimately will need gas

February 24, 2014

service within three years then it will be done at no additional cost to the company beyond the \$426,478.00. If they wait beyond three years then they can still request the gas service, but the company has to assume responsibility of any cost above and beyond \$426,478.00. Enviva also has the option of requesting that their company logo be painted on the water tank, but if they do that the incentive grant will be reduced by \$30,000.00 which will cover the cost of having that painted on the tank. So, that concludes my remarks Mr. Chairman. I will be glad to answer any questions.

Chairman Jones asked if anyone had any questions. If not, I will need a motion.

Supervisor West said well I understand it and I hope the audience understands it. I will make a motion at this time that we adopt the amended agreement as has been presented tonight.

Supervisor Phillips seconded the motion which carried unanimously.

Chairman Jones stated that we would go to item number four – Citizens Comment Period.

Mrs. Felice Hancock addressed the Board. She stated that she wanted to take the opportunity to update you on their peanut project. She said Mr. Michael Johnson can I give you these to pass out?

Mr. Michael Johnson said they already have copies at their places.

Mrs. Felice Hancock said okay so you have already given them out. She stated that she didn't know if she was going to be able to make it tonight or not. She said what just happened a few days ago is that the Virginia Foundation for the Humanities decided to feature the fourth grant that they had given us to work on our peanut project, The Peanut Documentary. They put it on their website, and hopefully you have it on your laptops, and you can go to the working for peanuts and press that and you will get a beautiful update which is a lot clearer and friendly than I can give right now. So, what basically has happened is that we have had four small grants to the Virginia Foundation for the Humanities. They are small grants, but they are very significant because they are from the Foundation for the Humanities. You really just don't start off with many projects unless you start off with the Virginia Foundation for the Humanities. Our goal, as you all will remember, or you may not because we have been working on this for three years, this is a three year project and we have finished about a year. We are after a high quality hour long documentary working with Ms. Amy Board of Rock Eagle Productions and the WHRO film crew. So, we are working with the right film crew and right away we are pretty much such we are going to be able to have a finished project shown on television locally. And, the rate we are going and with Ms. Amy Broads track record we are pretty sure we are going to widen the project. The final film will also be put on DVD's and given to the local Historical Societies that we are working with. I just want to let you know real quickly that I am also getting the unedited oral history interviews already. We have done about twelve hours of oral interviews with a lot of local farmers, peanut product specialists, like Birdsong, etc. So, we will be giving them a copy of these oral interviews along with the written transcript. So, we are really happy to make it and to let everybody know about it. Pardon me I'm running all over the place and I'm taking up a lot, twice as much time as I should, so I apologize. Let's see, how can I end this with a little bit of dignity here. The farmers, and peanut specialists that we talked to will get a copy as well as the Historical Societies. WHRO has done a wonderful job for the Historical Society. I wanted to take advantage and again point out that the Virginia Foundation for the Humanities does have this up on their website for you all to look at. It is a lot more fun than I can give right now so I'll gladly let you have this and aren't you glad that I'm leaving. A copy will be able for anyone to see at the local Historical Society. I am going to have them ready in a few more days and they will be mailed out in a packet. Thank you for letting me update you.

Chairman Jones said yes mam; thank you very much.

Supervisor Updike said thank you all very much for all your hard work.

Mrs. Felice Hancock said we appreciate it.

Mr. John Burchett of Sebrell addressed the Board. He said "Good Evening" how are you all doing.

Chairman Jones said alright.

Mr. John Burchett said he has a couple of things. He said the first is item number eleven on your agenda, discussion regarding the former Ivor Elementary School property. Since it is not part of a public hearing, I would like to comment on that now if it is okay.

Chairman Jones said yes sir.

Mr. John Burchett said I have a suggestion. He said Supervisor West asked me last month what I thought it was worth. I don't have any idea, but I will say this. To keep even any idea of impropriety or back door deal, or buddy-buddy system that we put this piece of property in with the next tax auction. Let the Virginia Auction company auction it off for whatever it brings. We put it up for bids and somebody was interested or Supervisor West said they were, but they didn't see the need to bid on it when it came up for public bids. So, I'm suggesting that we put it up with the next county tax auction. That way it bring what it brings. And, I'll be there if you do it. And, if you give it away I'll buy it myself because eight acres of land I don't care where it is at is not worth the peanuts. So, that is my two cents on that. Last month I couldn't help but smile when I heard you all's comments on what the state did to Southampton County on the Highway 460 Project, making decisions without any knowledge of the county of any input. I said darn that sounds like me talking to Supervisor West. I just want you all to know now what it feels like to be in our shoes, to have things done that you don't know anything about. There are a couple of topics I want to mention. You said you are going to consider your schedule for a retreat to discuss the budget. Apparently, you all can't stop spending where we don't need to spend; so, the only thing that we can do, and I hope you all have got the guts to do it, is that we need to find more revenue. And, we need to do it fairly across the board not like you did last time with a \$200.00 tax fee, but do it fairly. If you are going to spend, you have got to come up with some money. You couldn't say no to the judges when they wanted a generator so they could keep their coffee hot, to county administration when they needed more people. I'm not saying that you didn't need them; I'm just saying that we didn't have the money. It seems like the only ones that you can say no to are the school children, their teachers, and the county employees. They haven't had raises in a long time. It is time to step up. The only thing that you have cut and the thing you will cut is the schools. It is time to step up and find new ways to raise revenue. There are ways out there to generate revenue. I've have mentioned some of them in the past, so I won't go into them tonight. Put when you consider your topics for the retreat I would appreciate it if you would think about more revenue instead of cutting the schools. Thank you.

Chairman Jones said thank you.

Mr. Ash Cutchin of Darden Mills Estate addressed the Board. He stated that he lived in the Jerusalem District and his Supervisor is absent tonight. He stated that he had just a couple of quick comments. He said item number 13 A is establishment of a budget retreat date which Mr. John Burchett just talked about. He said he hoped that they would consider the citizens input and have it on a day or days that are convenient for most of the citizens. Although, I realize most of them stay at home and watch television instead of coming. Then I see item six which is just a couple of minutes behind us here – highway matters. He said that he would like to point out that Darden Scout road between Sycamore Avenue and Lakeside Drive is beginning to look more and more like an unpaved portion of Darden Scout Road that goes down to Governor Darden Road. It is literally falling apart. Thank you.

Chairman Jones asked if there was anyone else wishing to speak. There being no one else to speak Chairman Jones closed the public comment period.

Chairman Jones stated that the next item was number five – approval of the minutes. He asked if anyone had any problems with the minutes. There being no corrections or additions to the minutes they were approved as presented.

Chairman Jones said we would move to item number six – highway matters.

Mr. Joe Lomax said Good Evening. He stated that he was here to give us a few updates. He said he heard what Mr. Ash Cutchin was saying; and, he would have somebody to go out and look at that. He said it had been a rough last few months with the weather and the low temps. We have

February 24, 2014

had several issues to include three of our public roads that froze completely on that minus four degree, twenty four hour period. When it thawed out with as much soil saturation as we have had the last month and a half, we pretty much had to close sections of the roads. They are Guy Place Road, Dickens Lane, and I want to say Bell Road. There are plans for us to continue to work on those as they dry off. I had a geologists to go out and look at Guy Place Road two weeks ago and it came down to the fact that the road is lower than the surrounding area so all of the drainage is going down to the road and it froze. And, even downstream the ditches are full. We just had that much moisture in the soil. They said it was super saturated. It was nothing that anybody did or didn't do; it was just a product of mother-nature. So, I just wanted to let you know that we were in close contact with the School Board to make sure the buses didn't get stuck out there. We even closed one section of the road until we worked and got it right; and we will continue to monitor that and have it in our plans. Behind that we have plan to continue to make an appearance on Route 688. We had a wreck there. A truck turned over on that road yesterday and it did right much damage. We are going to continue to monitor that road. That road is not really subject to the weights that are being distributed upon it being that it is an old, crooked road. The log trucks, until we get the project built, are going to try to deal with it until we can get some more permanent repairs and get the weight off of that road. So, that is where we are now. We have got sauter repair at the intersection of Highway 58 and Highway 258. We are working on dirt road 618. There are pot holes county wide. There are culvert pipe replacements on Highway 673. Pot holes on Route 688 where we are doing surface treatment with weather permitting on most all of these. There is dry road repair on Highway 460 and then all of our work order repairs from citizens who call in. So, those are some of the things that we have going on right now. Also, as an added note, I want to make sure I add that, Supervisor Faison, Route 665 is still on the schedule. It just came at a bad time. There were three storms and it looks like we may have something again on Wednesday and possibly another one further down the road. So, right now I just wanted to take the time to express my appreciation for the way citizens worked with us when we were out there working during traffic hours. We didn't have any problems with citizens running between the tractors and all as we were putting down the bases. I want to say that most of the people who work for VDOT in these areas are county folks; and they did a heck of a job getting black pavement, within the next morning in some cases on main line after five to eight inches of snow in some areas. So, I just want to make sure that you guys know that the gentlemen worked twelve and fourteen hour shifts to get that done three weeks in a row almost. It was quite an accomplishment and we appreciate the citizens working with us. So, right now we are willing to take any other concerns you may have.

Chairman Jones called on Supervisor West.

Supervisor West said he would like to commend him for the chemical placement and the clearing of the roads from ice and snow, specifically Mr. Ben Bryant, Sr. for his accommodation. The next day it was good. The next day you were pushing and you did a great job. I have been able to keep up and talk to him and I know the surface has begun to deteriorate on most roads now.

Mr. Joe Lomax said yes.

Supervisor West said you know the story; I don't have to tell you. By the way, he is doing a great job and I am commending him in your presence. Thank you for the good work that you have done as well.

Mr. Joe Lomax said thank you sir.

Chairman Jones called on Supervisor Faison.

Supervisor Faison said he would like to express his appreciation too and he was really pleased with the way things were handled after the snow and all. The roads were clear much sooner than I expected them to be in my area.

Mr. Joe Lomax said thank you sir.

Chairman Jones called on Supervisor Phillips.

Supervisor Phillips said he would like to thank him as well. He stated that there are some trees that need attention. He said he understands everything that is going on, but he was wondering if

he has any sense as to when he would be making some arrangements with the contractor to do some trees that are leaning across the road as a result of these storms.

Mr. Joe Lomax said right now the priority of paving is number one. He said he would talk with Staff because that is the contractor that works in our district and that is managed by the district. However, he talks to us and we get him over here when we get enough work for him. So, you give me those areas that you want me to look at; and I'll put that in the cue to be reviewed when we go out and do our review.

Supervisor Phillips said I'll get that to you.

Mr. Joe Lomax said a phone call will be fine.

Supervisor Phillips said sure.

Chairman Jones called on Supervisor Updike.

Supervisor Updike said I gave them a long list last month and they still haven't gotten to it. Of course, I realize that you can't do very much work on it right now. I mentioned trees last month also, and you all are familiar with the majority of problems that we are having over there. I'm just waiting and hoping for the weather to break. I gave you a list tonight of three or four things.

Mr. Joe Lomax said yes, I have them.

Supervisor Updike said I won't go into any more detail.

Mr. Joe Lomax said that list that you did provide we haven't done a lot on that because most of it is earth work.

Supervisor Updike said I understand. He said he wasn't going to add to the list until that gets done.

Chairman Jones called on Supervisor Porter.

Supervisor Porter said he also would just like to acknowledge the great job that you guys are doing in this difficult time. I know it is really tough and I know that you run into a lot of frustrated people, but I think most of them recognize the work that you are doing and they are doing their best to work with you even though it doesn't mean that it is going to get done today. We just want to support you and keep you going.

Mr. Joe Lomax said yes sir; thank you.

Chairman Jones said I would also like to thank you Mr. Joe Lomax for all that you do. All I have to do is look around in other areas to see how well off we are. At this time, Supervisor West has something else.

Supervisor West said traditionally, and I'll be careful how I say this, you had some maybe unfunded money (that is not appropriately said) by June 30th. Are there any surprises of money that is unspent? The roads are going to need some work done and there are some roads that are unpaved, loose gravel roads as I call them. Traditionally, in the past years you have had some funds that were not entirely committed.

Mr. Joe Lomax said we are within our spend plan which is a very good thing. I'm allowed a certain amount of money and I put a plan together and we monitor that very closely so that we don't go above or below that too far. However, the snow has pushed us a lot closer to the zero balance than I'm comfortable with right now because that takes priority. As my boss told me snow is king. So, we will adjust and we will see how the next couple of months go. But, those roads that I spoke about, especially in the Capron area which is where I had most of my problems, with complete failure on certain sections on our work schedule, we have ordered stone. And it is just a matter of a phone call and great weather to go ahead and start putting that down.

Supervisor West said you had indicated at the beginning of the year that you had more pot hole

money, I think was your wording...

Mr. Joe Lomax said yes.

Supervisor West said and you said it was more than you had in a long time.

Mr. Joe Lomax said I did.

Supervisor West said and I was just hoping that was still carrying over and was not tied up in the snow. You might need to put some of that snow back on the road or whatever it is going to take to level out those bumps.

Mr. Joe Lomax said yes sir and I do know that Highway 460, more specifically the eastern end, is on the radar for a need to put in a contract for overlay. So, I heard that came up last month when I wasn't here, but I wanted to tell you that we are well aware of it and that we are making those arrangements. Understand that we have "x" amount of dollars and we have 800 lane miles of road in this county and we have to move it around based on traffic counts, development, use, and conditions. And, sometimes those things are fluent. Sometimes with a bad winter, we have to change those priorities around a bit. But, that is a top priority for us, both Highway 460 and Highway 58.

Supervisor West said thank you.

Chairman Jones asked if there was anything else.

Mr. Joe Lomax said there is one other thing and I'll be done. As far as the bridge in Courtland, you will be seeing some surveying out there if you haven't already. We will be starting some lane closures in September and if I'm right we start closing it in December for that 300 days to be opened again by September 30, 2015. So, I just want to go ahead and put that on the radar. It is full steam ahead.

Chairman Jones thanked Mr. Joe Lomax.

Chairman Jones said let's go to item number seven – Reports. The reports were Financial Report, Sheriff's Office, Animal Control, Litter Control, Treasurer's Office. He called on Mr. David Britt for a report.

Mr. David Britt said Good Evening. He said first of all he would like to let us know that we did get the 2013 Solid Waste bills out and we are starting collections on those. We are also still doing due diligence on the 2012. Currently, we still have \$106,000 that is still outstanding which is about eight percent of what was assessed. So, we have collected about ninety two percent of what was assessed last year. By getting the new bills out, it has helped on some of the collection of the old bills. People are seeing they owe bills that are past due. That has helped bring in a few dollars, not many, but a few. I would just like to give you a run down on the delinquencies and where they were last year versus this year. Last year at this time we had \$1.1 million dollars outstanding on personal property. Currently, this year we have \$1.3 million which is right at ninety four and three quarters percent collections. Last year on the real estate we have \$1.1 million that was outstanding and this year we have \$991,000 that is outstanding which is ninety nine and a quarter percent collection. He asked if there were any questions.

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

Chairman Jones stated other reports – Cooperative Extension, Solid Waste Quantities, Fines and Forfeitures, and Personnel. He called on Mr. Michael Johnson for the Personnel Report.

Mr. Michael Johnson said that he had just a couple of items to report, Mr. Chairman. He stated that we had one new hire during the month, effective February 1st, Mr. Ian E. McNett, Jr., in the Sheriff's Office at \$34,547. We had two adjustments from the state compensation board, also in the Sheriff's Office. The first one was effect February 5th, Mr. Camden S. Cobb, with an annual salary of \$38,673.00 and the other one is Mr. John G. Avent, effective January 1st with an annual salary of \$32,628.00.

Chairman Jones thanked Mr. Michael Johnson. He asked if there were any questions on personnel.

Chairman Jones stated that we would go to item number eight – Financial Matters.

Mr. Michael Johnson stated that attached in your agenda packages you will find an appropriation resolution with total appropriations of \$414,096.02, all for the General Fund. On the revenue side, it includes a myriad of donations, reimbursements, expenditure refunds and grants – there is no new money associated with this appropriation.

At a meeting of the Board of Supervisors of Southampton County,
Virginia on Monday, February 24,
2014

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Southampton County,
Virginia that the following appropriations be and hereby are made
from the Fund to the Fund for the period of July 1, 2013 through
June 30, 2014 for the function and purpose indicated:

From the General Fund to the
General Operating Fund to be
expended only on order of the
Board of Supervisors:

4-100-12310-6014	MAPPING EXPENSES	474.00
12410-6001	OFFICE SUPPLIES	51.72
12410-6001	OFFICE SUPPLIES	14.10
12410-6001	OFFICE SUPPLIES	81.00
12410-6001	OFFICE SUPPLIES	32.10
12410-6001	OFFICE SUPPLIES	29.64
12510-8150	FY13PSAPGRNT/MAPPING UPGRDE/GIS PRJ	45,085.00
21100-3848	JURORS & WITNESSES - STATE	72.96
21100-3848	JURORS & WITNESSES - STATE	210.00
21100-3848	JURORS & WITNESSES - STATE	154.82
21100-3848	JURORS & WITNESSES - STATE	300.00
21100-3848	JURORS & WITNESSES - STATE	150.00
21600-3868	GRANT ITEMS CONSERV/2014A-24 (\$14200.00)	14,200.00
31200-3310	REPAIR & MAINTENANCE	399.60
31200-5500	TRAVEL CONVENTION, EDUCATION	253.87
31200-5500	TRAVEL CONVENTION, EDUCATION	680.15
31200-5500	TRAVEL CONVENTION, EDUCATION	39.50
31200-5500	TRAVEL CONVENTION, EDUCATION	170.45
31200-5500	TRAVEL CONVENTION, EDUCATION	175.05
31200-5500	TRAVEL CONVENTION, EDUCATION	321.45
31200-5500	TRAVEL CONVENTION, EDUCATION	978.93
31400-3320	MAINTENANCE SERVICE CONTRACTS	14,725.49
31400-8200	CAPITAL OUTLAY	135,274.51
31600-5510	TRAINING/EQUIP PROJ LIFESAVER	25.00
32200-5110	ELECTRICAL SERVICES	478.10
32200-5110	ELECTRICAL SERVICES	730.63
32200-5843	STATE FUNDS/FIRE PROGRAM FUNDS	39,904.00
32200-5843	STATE FUNDS/FIRE PROGRAM FUNDS	45,011.00
33100-5110	ELECTRICAL SERVICES	2,352.23
33100-6011	UNIFORMS	14.00
35100-1902	GRANT-DOG & CAT STERILIZATION	228.64
35100-6002	FOOD SUPPLIES	312.50

February 24, 2014

35100-6004	VETERINARY CARE	312.50
43000-1360	VDOT INMATE LABOR	3,120.00
43000-5241	TELECOM-SOC SER/HEALTH	463.29
43000-5241	TELECOM-SOC SER/HEALTH	403.11
43000-5241	TELECOM-SOC SER/HEALTH	330.27
43000-5241	TELECOM-SOC SER/HEALTH	317.09
82500-1100	SALARIES & WAGES REGULAR	23,886.27
82500-2100	FICA	1,761.84
82500-2210	RETIREMENT	3,475.44
82500-2215	RETIREMENT-EMPLOYEE	716.58
82500-2300	HOSPITAL PLAN	5,220.00
82500-2400	GROUP INSURANCE	284.25
83500-3860	PESTICIDE CONTAINER RECYCLE EXPENSE	1,874.94
91400-5671	CAMP CAMPBELL FUNDS	69,000.00
		<hr/>
	GENERAL FUND	414,096.02
		=====
	TOTAL APPROPRIATION	414,096.02

REVENUE APPROPRIATION FEBRUARY 24, 2014
(REVENUE RECEIVED FOR ABOVE EXPENDITURES)

GENERAL FUND

3-100-16040-0003	REIMBURSEMENT VFD-VRS	478.10
3-100-16040-0003	REIMBURSEMENT VFD-VRS	730.63
3-100-16090-0001	HEALTH-TELEPHONE	330.27
3-100-16090-0001	HEALTH-TELEPHONE	317.09
3-100-16110-0001	SOCIAL SERVICES-TELEPHONE	463.29
3-100-16110-0001	SOCIAL SERVICES-TELEPHONE	403.11
3-100-16120-0001	REIMB-SOIL & WATER SALARIES	35,344.38
3-100-16160-0004	SALE OF MAPS & PRINTOUTS	474.00
3-100-16170-0001	PROJECT LIFESAVER	25.00
3-100-18030-0003	EXPENDITURE REFUND	14.00
3-100-18030-0003	EXPENDITURE REFUND	2,352.23
3-100-18030-0003	EXPENDITURE REFUND	170.45
3-100-18030-0003	EXPENDITURE REFUND	625.00
3-100-18030-0003	EXPENDITURE REFUND	39.50
3-100-18030-0003	EXPENDITURE REFUND	3,120.00
3-100-18030-0003	EXPENDITURE REFUND	51.72
3-100-18030-0003	EXPENDITURE REFUND	14.10
3-100-18030-0003	EXPENDITURE REFUND	81.00
3-100-18030-0003	EXPENDITURE REFUND	32.10
3-100-18030-0003	EXPENDITURE REFUND	29.64
3-100-18030-0004	INSURANCE CLAIMS & DIVIDENDS	399.60
3-100-18990-0025	CAMP/CAMPBELL FOUNDATION	69,000.00

3-100-23020-0007	EXTRADITION EXPENSES	253.87
3-100-23020-0007	EXTRADITION EXPENSES	680.15
3-100-23020-0007	EXTRADITION EXPENSES	175.05
3-100-23020-0007	EXTRADITION EXPENSES	321.45
3-100-24040-0012	FIRE PROGRAM FUND ALLOCATION	39,904.00
3-100-24040-0012	FIRE PROGRAM FUND ALLOCATION	45,011.00
3-100-24040-0014	JURORS & WITNESSES	72.96
3-100-24040-0014	JURORS & WITNESSES	210.00
3-100-24040-0014	JURORS & WITNESSES	154.82
3-100-24040-0014	JURORS & WITNESSES	300.00
3-100-24040-0014	JURORS & WITNESSES	150.00
3-100-24040-0023	CIRCUIT CRT CLERK GRANT	14,200.00
3-100-24040-0066	PESTICIDE CONTAINER RECYCLE PROJ	1,874.94
3-100-24040-0075	ANIMAL FRIENDLY FUNDS	228.64
3-100-24040-0081	911 EDUCATION GRANT - GRANT ID 147	978.93
3-100-24040-0082	FY13 PSAP GRANT/MAPPING & GIS UPGRD	45,085.00
3-100-24040-0083	FY14 PSAPGRNT/911 CONSOLE/CPE RPLMNT	150,000.00
		<hr/>
	REVENUE GENERAL FUND	414,096.02
		<hr/>
	TOTAL APPROPRIATION	414,096.02

A copy teste: _____, Clerk
 Michael W. Johnson

Southampton County Board of Supervisors
 02/24/2014

APPROPRIATION - FEBRUARY 24, 2014

12310 COMMISSIONER OF REVENUE	Reimb of mapping expenses (50+124+300 = \$474.00)
12410 TREASURER	(1) Reimb of forms from Boykins (\$51.72) (2) Reimb of forms from Branchville (\$14.10) (3) Reimb of forms from Courtland (\$81.00) (4) Reimb of forms from Ivor (\$32.10) (5) Reimb of forms from Newsoms (\$29.64)
12510 DATA PROCESSING	PSAP FY13 grant reimbursement for mapping and GIS upgrade project (\$45,085.00)
21100 CIRCUIT COURT	State reimbursement received for jurors & witnesses (\$72.96 + 210.00 + 154.82 + 300.00 + 150.00)
21600 CLERK OF THE CIRCUIT COURT	Grant funds received for GRANT 2014A-24 (\$14,200.00)
31200 SHERIFF	(1) Reimbursement received for extradition of

LAW ENFORCEMENT	inmates (\$253.87 +680.15 + 175.05 + 321.45) (2) Reimb for travel (\$170.45) (3) Education Grant reimbursement (\$978.93) (4) Reimb from VACORP for vehicle repairs (\$399.60) (5) Reimb for travel/meals (\$39.50)
31400 ENHANCED 911	Received grant in the amount of \$150,000 = 135274.51 + 14725.49)
31600 SHERIFF PROJECT LIFESAVER	(1) Donation for Project Lifesaver (\$25.00)
32200 VOLUNTEER FIRE DEPTS	(1) Reimbursements rec'd from Sedley Vol Fire (\$730.63) and Drewryville Vol Fire for electrical services (\$478.10) (2) Receipt of FY2014 Fire Program Funds (\$39,904.00) (3) Receipt of FY2013 Fire Program Funds (\$45,011.00)
33100 DETENTION	(1) Reimb of electric fees from Community Electric (\$2352.23) (2) Reimb from EE for uniform supplies (14.00)
35100 ANIMAL CONTROL	(1) Money received from sale of dogs (\$312.50 + 312.50) (2) Pass through money for dog & cat sterilization (\$228.64)
43000 BLDGS & GROUNDS	(1) Reimbursement received from Dept of Social Servcies (463.29 + 403.11) and Health Dept (330.27 +317.09) for tele svc (2) Reimb from VDOT for Inmate Labor (\$1152.00 + 1248.00 + 720.00 =3120.00) July, Aug, Sept 2013
82500 SOIL & WATER CONSERVATION	Reimbursement rec'd for personnel costs (\$35,344.38)
83500 EXTENSION OFFICE	Reimbursement received for pesticide container recycling expenses (\$1874.94)
91400 NON-DEPARTMENTAL OPERATING	Donations from Camp Foundations totaling \$69,000.00 for Fire and Rescue Departments

Chairman Jones asked if he had a motion to approve this appropriation.

Supervisor West made a motion to adopt the appropriation resolution.

Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones stated that next is item B – bills. He asked if anyone had a problem with the bills. Is there anything that jumped out at you, if not I need a motion to pay the bills.

Supervisor Porter made a motion seconded by Supervisor Faison to pay the bills in the amount of

\$1,547,678.51 to be paid by check numbers 134776 through 135137. The motion carried unanimously.

Chairman Jones said we will go to number nine – The STOP Organization.

Mr. Michael Johnson stated that tonight we have with us Mrs. Regina P. Lawrence who is President and CEO of the STOP Organization and she also has with her Mr. George Reid who is Chairman of their Board and Mr. Ernest Claude who is the Southampton County local representative on that Board. Mrs. Regina Lawrence wants to talk to you all a little bit about some changes in the organization assistance program and then also plant some seeds with you all in regards to a budget request that will be forthcoming.

Chairman Jones said Mr. Ernest Claude I think you had a request that you wanted to make before Mrs. Regina Lawrence comes up.

Mr. Ernest Claude said thank you Mr. Chairman and Board. We thank you for giving us this opportunity. Again, I'm Mr. Ernest Claude from the Capron District. And, I'm with Mrs. Regina Lawrence and others. For people who may not know, just a brief history here, Southampton County has been part of the partnership with STOP since 1965 when it was formed. It was actually a charter member and Southampton County has been an active member through the years. For various reasons, the last few years there has been some inactivity and in addition to what Mrs. Regina Lawrence, Mr. George Reid and Mr. Tyrone Sessoms will share we hope to reestablish that active part again with the other seven agencies in this group – Virginia Beach, Norfolk, Portsmouth, Chesapeake, City of Suffolk, City of Franklin, Isle of Wight, and Southampton. We know that a lot of good is done and a lot of good is done here in Southampton. As I said Mr. George Reid, who is President of our Board of Directors and represents the City of Chesapeake is with Mrs. Regina Lawrence, the CEO, and Mr. Tyrone Sessoms, at this time we will begin to share. So, at this time Mrs. Regina Lawrence will come forward to share.

Chairman Jones thanked Mr. Ernest Claude.

Mrs. Regina Lawrence said thank you all very much for allowing us this opportunity to speak before you tonight and especially want to thank County Administrator, Johnson for the invitation. I hope all of you have had a chance to review the materials which we prepared for you. The STOP Organization was birthed in 1965 as Mr. Ernest Claude said and the Southampton County District was a charter member. What has transpired over the last several years as I'm sure all of you know so many programs, federal and state funded, are out for reapplication because so many people are vying for the same dollars. They feel like it is a more appropriate and fair process when you put things out for bid. We are not indifferent to that particular process. We have performed weatherization since 1976 in six cities and two counties. And, in recent years we were able to operate in the City of Hampton also. So, over the course of just the last five years alone, we have had about \$95 million dollars to come into this region called South Hampton Roads. In the county of Southampton alone it has been over \$232,000 and we have weatherized over 50 homes. The reason that we are here tonight is to ask for your support to continue to provide weatherization services in Southampton County. We are having some of the very same conversations and dialogues in the other jurisdictions which we serve. The Department of Energy decided about three years ago that they were going to put this process out for bid and that is why we are here tonight. So, there are competitors, but the thing that we know first and foremost, is that any competitor who can come into this area can only do weatherization. We perform weatherization and the wrap around services that are needed in your community. And, we have done that for over the course of almost forty years. Well, it is over forty years because we will be celebrating our fiftieth anniversary in 2015. So, our primary purpose here tonight is to get your letter of support and vote of confidence so that we can continue to provide weatherization services in your area. Again free of charge, and contingent upon funding we may be able to do more. What I would also like to indicate which has nothing to do with weatherization is that the STOP Organization wants to have a greater presence in the rural communities or in the western region of the areas that we serve. We have applied for a \$1.5 million dollar grant to service only Southampton, Franklin, Suffolk, as well as Isle of Wight County. That particular grant would allow us to provide transportation services for veterans to insure that they can get to their benefits. We understand that the current administration is very much aware of how we need to incorporate more services for the western region. So, I just wanted to let you know. That is not in your package. We have not heard from that grant. It is a two year opportunity. And, what we do know is that the deadline

February 24, 2014

was extended three, maybe four times which means that not very many people applied because transportation is a very difficult thing to offer. But, the STOP Organization has provided transportation services for the City of Chesapeake and the City of Norfolk over the course of the last eighteen years. That is the first piece and we hope that you will give us a good consideration for that letter of support. The other issue is that we will also need additional funding. I know that everyone is asking for money, but with our particular funding sources they will no longer allow us to continue to provide emergency services at the level that we may have provided them in the past. We do not anticipate the outcomes that are there or the kinds of outcomes through emergency services that is why we can't continue to get the funding. That is why we need your help in order to provide your citizens with utility payments, with mortgage payments, and also with rental payments. We use the poverty guidelines for what we do as a screening process for eligibility for services. But, we have many more request than what we have the ability to fulfill in your area. Housing counseling is very big for us. We have six certified counselors and we are working with some of your local banks with some of your local homeowners as we speak to try and resolve some foreclosure issues. Another item that we are very, very mindful of is that employment is very, very cheap. We have a cooperative relationship with Training Solutions who is housed in our headquarters in Norfolk. And, they provide Certified Nursing Assistant Training. They have a 98% placement rate for their graduates. And a class would only cost a very few dollars out of your budget and we could provide a class right here in your jurisdiction. STOP proposes to pay one third of the cost for any participant that you decide to send through that training. With that being said if you have any questions, the Chairman is here to provide you with answers from a governance standpoint. Mr. Tyrone Sessoms is here to provide any answers to your questions regarding weatherization. And, I will answer any other questions that I can.

Chairman Jones asked if anyone had any questions.

Supervisor West said "Good Evening" and thank you Mrs. Regina Lawrence.

Mrs. Regina Lawrence said thank you for having me sir.

Supervisor West stated that he had mixed emotions with what you are presenting and what you are requesting. And, the mixed emotions simply say this, I understand it is going to be up for competitive bid and we only have your proposal tonight asking for support. I do not know who the other bid participants are number one. Number two would be that I see over the last five years that you have been able to obtain and spend \$232,000 in weatherization improvements in the county, could you give me some feel, Mr. Tyrone Sessoms, for salary and benefits and things like that which have been spent to spend \$232,000.

Mr. Tyrone Sessoms said that \$232,000 equates to services only.

Supervisor West said my question would be for salaries and those people that are in the STOP Organization doing the same businesses and services and things, what does it cost personnel wise to distribute \$232,000.

Mr. Tyrone Sessoms said right now we have downsized based upon funding cuts. Right now we have two, three person crews. We have one energy order and an alternate energy order, two staff people, and my self. What is it that we usually get 12% of the total grant for administration purposes?

Mrs. Regina Lawrence said and that is budgeted. You cannot spend more than 12%.

Supervisor West said so you are telling me if that is \$12,000 on a \$100,000 that is \$24,000 so that is about \$30,000 that would be in salary to distribute this \$232,000 over the past five years.

Mr. Tyrone Sessoms said yes sir, roughly.

Then we have alternate funding sources where we have to use.

Mrs. Regina Lawrence said that none of her salary came out of that grant.

Supervisor West said well I could go deeper into that. Who are the other competitive competitors?

Mrs. Regina Lawrence said it is an open bidding process sir; we have no idea who all of them might be. It can be out of state providers, in state providers, but we are not given a list and we are not provided each other's names. It is just whoever decides that they want to come before you and ask for that support.

Supervisor West said I feel comfortable with you having done what you have done over this period of time, but I'm still concerned about who can do best for the bang if you know what I'm saying.

Mrs. Regina Lawrence said I absolutely do sir that is why we came before you tonight to try to tell you the bang for the buck that you will get with us.

Supervisor West said you used the word indifferent about the process. And, I didn't know if that meant indifferent to you or if you are not in the agreement with the bidding process or if you are in agreement.

Mrs. Regina Lawrence said we decided to proceed with a different process, with a different process.

Supervisor West said with a different process. I'm sorry that is my misunderstanding.

Mrs. Regina Lawrence said through the years we have performed weatherization services since 1976.

Supervisor West said right.

Mrs. Regina Lawrence said my supervisor and I wrote the original weatherization agreement and that was 35 years ago.

Supervisor West asked when do you need this agreement or this report or this endorsement.

Mrs. Regina Lawrence said the weatherization application is actually due in by March 31st, but it is our intention, as it always is, to get ours in by the 14th which is on a Friday. That way if there is anything else that we can come up with or think of we still have an opportunity to amend our original application. So, we don't want to go to the 31st. We want to have everything in and uploaded through their system by Friday, March 14th.

Supervisor West said Board members help me out on this.

Chairman Jones asked Supervisor Faison if he had anything on this.

Supervisor Faison said I know your track record. I've been familiar with this organization for years and what you have done, but I do share Supervisor West's concern. You were saying you are asking for a letter of support.

Mrs. Regina Lawrence said yes sir.

Supervisor Faison said stating for...

Mrs. Regina Lawrence said for us to continue what we have always done in your area at no charge to the county.

Supervisor Faison said I just wonder if you have other persons competing with you.

Mrs. Regina Lawrence said in this process there will always be people in competition sir because they opened it up to the general public. But, if you have not been contacted, we are here. We have contacted you.

Mr. Michael Johnson said if you will look at page three of your agenda materials. There is a service provider map.

Mrs. Regina Lawrence said we cover of 2,011 square miles in our service delivery area, plus Hampton.

Supervisor West said I see that, but...

Mr. Michael Johnson said the only other provider that has contacted us in any way in the Williamsburg/James City County Community Action Agency.

Supervisor West said that is kind of what I'm getting at. I didn't know if they were going to make a plea or stand before us, or...

Mr. Michael Johnson said they just indicated that they would be interested in talking to you if you want to talk to them.

Mrs. Regina Lawrence said you don't want to do that.

Supervisor West said wait a minute...

Mrs. Regina Lawrence said please ask us any questions sir. That is why we came. We want you to drill us.

Supervisor Porter asked what are the terms of this agreement. Is it one year?

Mr. Tyrone Sessoms said we just got the...

Mrs. Regina Lawrence said the RFP.

Mr. Tyrone Sessoms said about a week ago and they have not specified what the term of that agreement will be at this time.

Mrs. Regina Lawrence said but it will be no less than one year. Nothing is ever less than a year. So, it could be a year or five years and we really don't know because this was ordered by the Department of Energy to handle this open bid process. So, our state organization which is the Department of Housing and Community Development still has unresolved questions themselves.

Mr. Tyrone Sessoms said this is not official, but the DOE is considering having the state do this every five to seven years; so it could be five to seven. But that hasn't been said officially though. It has been more than twenty years since it has been put out as it is being done now so they were doing initially five to seven year periods, but that hasn't been said officially.

Supervisor Porter said well let me ask you another question. Would you be open to a non-exclusive letter of support? All I'm saying is we know your track record. We don't know who else is coming before us, but we need to treat them fairly if they come as well. All I'm saying is that we can comment on what you have done for us but, I think what we have right now is concern. We have concern because you are the only horse, and we don't know who the other horse is.

Mrs. Regina Lawrence said it is such a good horse.

Supervisor Porter said I don't know that you are my best horse. Everybody tells me that you are a good horse; so, I can say you are a good horse. But, if a better horse comes along...

Mrs. Regina Lawrence said then you are supposed to look at how the ride will go.

Supervisor Porter said then I may say gee whiz I chose another pony even though that pony is going to lose I put my money on it. That is our concern.

Mrs. Regina Lawrence said we understand.

Supervisor Porter ask Supervisor West if that was what he was saying.

Supervisor West said that was what he was saying.

Supervisor Porter said I think we agree that we can endorse you, but that doesn't mean that we

can't come up and support someone else if we think they are equally as good.
Mrs. Regina Lawrence said yes sir.

Supervisor Porter asked is that a fair statement?

Supervisor West said it is too open ended, with not enough information, for me to make that decision right now. I feel the need because you have a good track record. However, I'm suspicious of some government spending programs period. With that being said, when you asked, you are doing a great job I suppose. Well, anyway, the \$232,000 I hope has been well used in Southampton County. I hope.

Chairman Jones called on Supervisor Updike.

Supervisor Updike said I think they covered the basis fairly well. I hope that you would not think too hard of us...

Mrs. Regina Lawrence said absolutely not sir.

Supervisor Updike said to delay our decision to after the next meeting until so if another horse wants to enter the race so be it.

Mrs. Regina Lawrence asked when do you meet next sir.

Supervisor Updike said you have done a good job, but like the rest of us we need all the information we can possibly get before we endorse anyone or any group.

Mrs. Regina Lawrence asked again when do you next meet.

Supervisor Phillips said the 24th.

Mrs. Regina Lawrence said of March.

Supervisor Phillips said it would be close to your deadline. It would not be before the 15th unless you make an addendum to your application.

Supervisor Porter said I think what I'm saying is that we can do a letter of support, but not exclusive endorsement.

Supervisor Phillips said right. I think that would give us...

Supervisor Porter said it may be the only letter we do if no one else comes forward, but we need to be fair to everyone who makes a request. That is all.

Mrs. Regina Lawrence said yes sir. It is your call.

Chairman Jones asked Mrs. Regina Lawrence if she was okay with that.

Mrs. Regina Lawrence said we need to put our application in by the 14th.

Mr. Tyrone Sessoms said we need to put our application in on the 14th.

Supervisor Phillips said right.

Mrs. Regina Lawrence said I am agreeable.

Mr. Tyrone Sessoms said I hope you will consider it. There may be some new dogs on the block, or whatever you want to call them; but, we have been doing weatherization here since 1976. This is just a thumbnail sketch of the amount of money not only in the sense of helping save homes from fires, improving health, and the economic and direct impact. And what is generated from that has a multiplier effect. We have done an excellent job in this county and I would think that too would carry a lot of weight versus someone who has never done work in this county, not only weatherization, but training, and emergency services. We leverage whatever dollars we get from

February 24, 2014

you with other dollars from the state and federal government to make these things go further, not only here, but in all the jurisdictions that we serve. So, I hope you will take that record of the number of years that we have provided these services in a stellar manner at no cost to you to help the citizens of this county.

Chairman Jones asked Supervisor Phillips if he had anything else.

Supervisor Phillips said he had heard the concerns that have been voiced. He said he would be comfortable with the motion to follow up on what Supervisor Porter had said about a resolution of support for what the STOP Organization has done in the past. The term that you used was an open ended resolution of support.

Supervisor Porter said yes an open ended resolution of support for STOP's application, but with them knowing that if for some reason that someone else came along that we felt like deserved an equal letter of support that we may do that also for them. It may not be; we may not have anybody else.

Mrs. Regina Lawrence said I understand.

Supervisor Porter said but we don't feel comfortable giving our sole endorsement at this point.

Mrs. Regina Lawrence said I think we understand.

Supervisor Porter said I don't think there is enough support on the Board to give you that tonight, but I'm hoping there should be enough support to offer you a letter of resolution of support for your application.

Mrs. Regina Lawrence said and we will accept that sir.

Supervisor Porter asked if he was over stating things.

Supervisor West said no. That is exactly what we are saying. He said the word endorse is quite different than a support letter. You have done a good job and we are recognizing that track record. We feel comfortable. And if someone else comes our way, we should listen and that is fair. And, they obviously have the same requirements for filing that you do.

Mrs. Regina Lawrence said yes sir.

Supervisor West said we would like to have that privilege as well because we have just had this information very shortly and we have to make a decision tonight. From what he said, I'm in total agreement with it when he puts the motion on the floor.

Supervisor Faison said what we really want don't want to do is write a letter that gives other bidders the feeling that they are not being considered by us. But, we would have a look at whoever would submit a bid.

Chairman Jones said your track record to me has surpassed everyone else. They would have to prove to us that they can do a better job than what you have already done. We know what you have done.

Mrs. Regina Lawrence said absolutely.

Chairman Jones said I've been here quite a few years and I've seen what you have done in certain areas of the county. So, anyone else that comes in is going to have to prove to me that they can do a better job than what you have already done.

Mrs. Regina Lawrence said and all we want is a fair assessment. We want to stand on our track record.

Chairman Jones said if anyone else comes before the Board to ask I will tell them about your letter of support. He asked if there were any other questions.

Supervisor Phillips said I would just like to say again we thank you for what you do.

Mrs. Regina Lawrence said thank you for acknowledging

There are needs that are being filled in the county and we appreciate that and Mr. Ernest Claude for what you do sir on our behalf. I'm comfortable with what Supervisor Porter has said.

Chairman Jones asked Supervisor Porter if he would state his motion. He said we have to vote on that.

Supervisor Porter said Mr. Chairman I move that we provide the STOP Organization with a letter of support for the application for the weatherization program.

Mrs. Regina Lawrence said thank you.

Supervisor West seconded the motion which carried unanimously.

Mrs. Regina Lawrence said thank you so much for your consideration.

Chairman Jones stated that now we can go to item B. Are you going to talk about that now?

Supervisor West said Mrs. Regina Lawrence are you still going to have the floor.

Chairman Jones said are you still going to have the floor Mrs. Regina Lawrence.

Mrs. Regina Lawrence said can I still have the floor sir.

Supervisor Phillips said for your request.

Chairman Jones said for your budget request.

Supervisor Phillips said this is just to take a look at your request.

Mrs. Regina Lawrence said I forgot about the budget request. I thought I had alluded to that and kind of tied it in. I'm so sorry sirs. We are asking for your support for emergency services for our CAN Nursing Program and that is what I was asking for as far as the amount. It is an amount which is much more than you had allocated for us and we understand that. But, it is our intent to aggressively seek other funding to support those things that we know your citizens have requested from us. What we are trying to do is bring services to the area instead of having people trying to come all the way to Norfolk or call Norfolk to get screened for eligibility; we want to have a presence in your community, one much greater than what we have now. That presence has dissipated over the years and we want to make sure that we restore that presence and that we restore our partnership with this Board and this county so that we can provide what is necessary for your residents. We have a lot of request for emergency services and not enough funding to serve those requests. This is the reason for the amount of money that we are requesting. We have broken it out by category from mortgages, rental assistance, utility assistance, and training. We know that the Certified Nursing Program is a good horse sir, Supervisor Porter. It is a good horse because of the 98% placement rate for everyone who goes through that program. We would like to have training in your jurisdiction, but the only way I can do that is to have eight participants. So, of those eight participants STOP is willing to pay one-third of the cost for each one of those participants. What we are asking you to do is provide the other two-thirds of the cost or require that each student provide one-third of their own costs. So, between the three of us as partners, the participant, the county, and STOP we can insure that these residents get a good living wage in employment in Certified Nursing Assistant training.

Chairman Jones asked if there were any questions on this.

Supervisor Phillips said Mrs. Regina Lawrence my understanding is that the community college has a RN and LPN course currently.

Mrs. Regina Lawrence said yes sir.

February 24, 2014

Supervisor Phillips said is this more like a scholarship we would be providing.

Mrs. Regina Lawrence said yes sir for entry level. And, the participants enrolled in this particular curriculum could go then on the LPN and then Registered Nurses training. What we have found is that once they get in the entry level situation they have a tendency to look at themselves and want to do more.

Supervisor Phillips said understood. Do I remember the entry level class is about six weeks, or how long is that?

Mrs. Regina Lawrence said eight weeks.

Supervisor Phillips said so from what I'm reading here, you all are requesting for us to increase your funding from \$1,494.00 to \$15,319.00.

Mrs. Regina Lawrence said yes sir.

Supervisor Phillips said we will certainly have to look at that during our budget process.

Mrs. Regina Lawrence said it can be a derivative of that; we can grow to it. We just needed to let you know what is going on. And we again are aggressively seeking other funding to leverage whatever we can get from you and whatever we can get from our core funding source.

Supervisor Phillips said right; grants are now the way we have to work.

Mrs. Regina Lawrence said but leveraging those grants is the key. Everyone is looking for partnerships and collaborations, and that is what we do very, very well.

Supervisor Phillips said thank you.

Chairman Jones asked if there were any other questions on this.

Supervisor Porter said this is just a comment, but on your tuition. From my experience from dealing with this, the student should have something vested in the experience. So, maybe something like a third should be paid by the students so that they don't come in, go halfway through the course and then drop out.

Mrs. Regina Lawrence said and that is why we worked it out in thirds.

Supervisor Porter said by definition no matter what happens, I hope that you will consider them having something invested so that they have an incentive to get the certificate.

Mrs. Regina Lawrence said we provide the same scholarships, matter of fact we have a partnership with OASIS Opportunity Center in Portsmouth, where we do pay the entire tuition because these people are homeless. Every single person that we have funded over the last two years has gone on to further their education because we screen them very, very stringently. But, all of the other jurisdictions including Southampton, it is a shared cost. Only for the homeless population do we fund them totally.

Supervisor Phillips said there is an equity contribution too that they could have some responsibility.

Mrs. Regina Lawrence said they are required to come back and do mentorships for people who come in.

Supervisor Porter said okay.

Chairman Jones asked if there were any other questions for Mrs. Regina Lawrence. He thanked her very much and said we will consider this in our budget.

Mrs. Regina Lawrence said thank you so much sir.

Chairman Jones stated that we would move to item number ten – Public Hearings.

Mr. Michael Johnson said item 10A is the first public hearing on tonight's agenda. It is being held pursuant to § 15.2-2204, Code of Virginia, 1950, as amended to receive public comment on a request by Linda N. Vick, owner, for a zoning map amendment from A-1, Agricultural District, to CB-2, Conditional General Business District, for a 1.68 acres parcel known as Tax Parcel 100-49B. The property is located at 20257 General Thomas Highway, Boykins, located at the southwest corner of the intersection of General Thomas Highway (Rt. 671) and Cross Keys Road (Rt. 665). The notice of public hearing was published in the Tidewater News on February 9, and February 16, 2014 as required by law. After conclusion of the public hearing, the Board of Supervisors will consider the comments offered this evening and will proceed to approve, deny or defer action on the proposed application. He said he would like to ask Mrs. Beth Lewis who is Secretary to the Planning Commission to come forward and provide you with recommendation from the Planning Commission.

Mrs. Beth Lewis said "Good Evening". She stated that this is personal property that the Planning Commission considered and made a unanimous recommendation of approval for a change from Agricultural to Conditional General Commercial District. The applicant has submitted a list of uses in both the B1 and B2 zoning district that she would exclude and those are the ones that are more intrusive into the neighborhood – automobile or truck repair, bottling works, hotels, adult establishments, billiards, pool halls, and those types of thing the applicant is not seeking to put on this piece of property. This piece of property has been developed in a commercial or non-residential manner since it was developed which was probably before the adoption of the zoning ordinance. So, this may very well be a clean-up that should have been recognized perhaps in 1968; but, regardless, over the years the property has gotten building permits and certificates of occupancy for a wide range of commercial activities. When someone came to our office and wanted a new certificate of occupancy we said um... the zoning is wrong; we need to clean this up. So, this property has a building on it. I think as it is configured now it is two store fronts. It has parking. It is accessed by both Cross Keys Road and General Thomas Highway. The building is in good shape. The property is well taken care of. It is not really suitable for any agricultural use because it is separated from all the other properties around it by roadways. There was no one that spoke at the Planning Commission meeting that was in opposition to this and the applicant requests your consideration for a zoning map amendment. This 1.68 acre may be considered spot zoning if it wasn't already in commercial use and it has been that way for 50 years. But, this is in effect a clean-up that will permit the property owner to be able to make improvements to this property and continue to use it in a non-residential or non-agricultural way. And, the applicant is here if you have any questions.

Chairman Jones asked if there were any questions.

Supervisor West asked didn't they use to sell peanuts there.

Chairman Jones said yeah.

Supervisor West said he had eaten peanuts there.

Chairman Jones opened the public hearing. He asked if there was anyone for or against this application.

Mr. Ash Cutchin of Darden Mill addressed the Board. He stated that he was familiar with the property. He said he appraised it many years ago and he had been in the building several times. Even though it would be considered spot zoning, I think that is a situation we have to look at on an individual basis; and, I recommend that you approve it. Thank you.

Chairman Jones asked if there was anyone else who wished to speak. There being no one else wishing to speak Chairman Jones closed the public hearing. He said what say ye Board.

Chairman Jones said Supervisor Updike this is in your area.

Supervisor Updike said well first of all I would just like to thank Mrs. Linda Vick for going this route to clean up the zoning that should have been done fifty years ago. Even though it costs her a fortune to do it, I thank her for doing it. Even though it is not in my district I will be glad to

recommend that it be approved.

Chairman Jones said it is in your district Supervisor Faison. I misquoted that this time.

Supervisor Faison said he certainly agreed to do it because ever since he had lived in Boykins there had been some establishment for some commercial use whether a restaurant or store or whatever. And, I would certainly agree to this. So, I would like to make a motion that we approve this amendment.

Supervisor Porter seconded the motion which carried unanimously.

Chairman Jones stated that we would move to item B.

Mr. Michael Johnson said item B, Mr. Chairman, is a second public hearing on an ordinance amendment related to telecommunications towers. This public hearing is held pursuant to § 15.2-1427, Code of Virginia, 1950, as amended to receive public comment on an ordinance amending Sec. 18-427(f) of the Southampton County Code, as it relates to the General Standards for wireless telecommunication facilities, and in particular, the height limits of antennae support structures. The notice of public hearing was published in the Tidewater News on February 9, and February 16, 2014 as required by law. After conclusion of the public hearing, the Board of Supervisors will consider the comments offered this evening and will proceed to approve, deny or defer action on the proposed ordinance. Again, I would ask Mrs. Beth Lewis to come forward and provide the report and recommendation of the Planning Commission.

Mrs. Beth Lewis said this was a consideration that was brought before the Planning Commission and this body when a cell tower applicant applied to put a cell phone tower on Millfield Road. It is now limited to 199' in height. The discussion that took place at the time was if the tower could be somewhat taller the range that service could be provided would increase somewhat. In Southampton County there are a number of places that there is little to no cell service. All new cell towers require a conditional use permit. So, they all require two public hearings, one before the Planning Commission and one before this Board. The Planning Commission spoke about it and when it came to this body, this body requested that the Planning Commission consider eliminating the height limit and permitting it all to be part of the discussion during the conditional use process. The Planning Commission discussed this over several meetings and in the end made a recommendation to do away with the height limit and let it all be a part of the conditional use process. A representative from the cell tower industry is here if you have any questions, as well.

Chairman Jones asked if anyone had any questions for Mrs. Beth Lewis. He said Supervisor Updike have you got one.

Supervisor Updike said not a question, but a statement. He said he would like to make it a part of it where they can do one application and one advertisement for all the towers in one advertisement so that it can be beneficial to the county and to them.

Supervisor West said he was not going to go for that.

Supervisor Updike said each tower would be reviewed separately, but it would save the applicants and the county a lot of money and time if you would allow this to take place.

Mrs. Beth Lewis said regardless of whether a payment is made for each request or a payment is made for five or ten towers in one application each request for a new tower or a request for an increase in height would have its own separate public hearing. So, there would be advertised public hearing notices to the surrounding property owners and a decision would need to be made on each tower separately. But, certainly the fees involved are up to this body.

Supervisor Phillips said Supervisor Updike you were saying I think that if there is any interest among the cell tower providers or owners that if they chose to look at adding some height to their cell towers, at this point you would say they would have an opportunity to make a blanket request for their towers.

Supervisor Updike said but each cell tower will be reviewed by the Planning Commission and they can approve or disapprove any one tower. If they want to keep it at 199' they can if the Planning

Commission so desires.

Supervisor Phillips said you are just trying to facilitate the process. I got you.

Supervisor Porter said I think what he is making is a process recommendation which is separate from the decision on the changing of the statute.

Mrs. Beth Lewis said right.

Supervisor Porter said what I think he is saying is that if someone wants to change multiple towers I think we as a Board have the authority to put those request together, is that right already.

Mrs. Beth Lewis said yes and charge one filing fee.

Supervisor Porter said that is a process issue.

Mrs. Beth Lewis yes and that would not be a part. And, any existing tower that is now up to 199' should they want to go taller they would need a new conditional use permit to install a 250' tower or whatever the request is. But, each tower would be reviewed separately.

Chairman Jones asked if everybody understands that now.

Supervisor West said is that to be considered? It's not a part of the plan is it?

Supervisor Phillips said that's not part of this plan.

Mrs. Beth Lewis said no; this request is only to do away with the height permit and permit each tower to be considered on a site by site permit through the conditional use permit for height issues. The setbacks from the property lines are based on the height of the tower so should towers get taller, setbacks would be increased without any change to the ordinance.

Chairman Jones asked if there were any other questions. Chairman Jones opened the public hearing and asked if there was anyone for or against this application.

Mr. Drew Patterson said Mr. Chairman and members of the Board "Good Evening". My name is Mr. Drew Patterson and I am a zoning consultant for Verizon Wireless. It was an original request for a tower that brought this discussion up. I would just like to say that we are in support of this ordinance amendment. It is a common misperception that cell tower companies always want to go as high as they can go. That is actually not the case. Different technologies operate differently at different heights. We support the ordinance amendment because we would like for it to be dealt with on a case by case basis. Like I said different technologies, different heights, and a lot of other things affect how well a cell tower operates and how well the wireless service is. You have topography. You have urban versus rural areas. You have tree canopy that can affect it. In Southampton County which is primarily rural, it is more beneficial for companies such as Verizon to build a taller tower that can serve more people. These towers are very expensive to build. It is not cost effective for us to come into a very rural area and put up several different towers to serve only a few people. That is why we have to build a taller tower and fill in those search rings. The other thing with taller towers, and we just dealt with it in Lunenburg County, our equipment might operate at one height, but the E911 equipment generally operates at a higher height than our equipment does. So, when counties come in they generally like as a condition of approval to place their 911 equipment on our tower. The counties generally need a taller tower for their own equipment. In Lunenburg County we just dealt with two towers and they were both 299' towers. They took the top spot. They needed it; we didn't. That was just a condition of approval that we get a taller tower for them. And, the other part of this is that you have a consultant, your own telecommunication consultant that the county has worked with for a long time. We have dealt with them in the past on other sites. They are very experienced and very capable. So, every tower request that comes to you, you can evaluate individually. I feel like he could evaluate each site and tell you whether the request is appropriate or not. For those reasons, again we support the request and I'd be happy to answer any questions that you may have.

Chairman Jones asked if there were any questions.

February 24, 2014

Supervisor Phillips asked Mr. Drew Patterson if he could give them an update as to the process that you and I talked about. There are some people who are interested in how the Millfield Church Road Tower process is and when we can hope to see some enhanced internet service out in that area.

Mr. Drew Patterson said there are a couple of different pieces to the puzzle when you put up a tower. One of them is that the State Historic Preservation office has to sign off on it; and we also have to get a geotechnical report. That was a part of the approval of the conditional use permit. We just got that geotechnical report completed. Now, we can proceed with the building permit, basically when Verizon gives us the go ahead. I think this is going to be a 2015 site. The limits of the conditional use permit do require that we build within a certain amount of time. We will comply with that. I believe it was possible one year that we have to start construction. I may be wrong; I can't remember that exact condition. But, we do have a priority list. Now that we have zoning approval it moves it up on the priority list.

Supervisor Phillips said thank you.

Chairman Jones asked if there were any other questions. Thank you very much. He asked if there was anyone else for or against this application. There being no one further to speak, Chairman Jones closed the public hearing. He asked what say ye Board?

Supervisor West said he was going to make a motion that we approve this recommendation from the Planning Commission.

Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones stated that we would go to item C.

Mr. Michael Johnson said item C., Mr. Chairman, is a third public hearing on an ordinance amendment that is related to weeds, grass, and unhealthy growths. This public hearing is held pursuant to § 15.2-1427, Code of Virginia, 1950, as amended to receive public comment on an ordinance amending Sec. 10-48 of the Southampton County Code, as it relates to the maximum height of weeds, grass, and unhealthy growths in areas zoned for residential, business, commercial, or industrial use. The notice of public hearing was published in the Tidewater News on February 9, and February 16, 2014 as required by law. After conclusion of the public hearing, the Board of Supervisors will consider the comments offered this evening and will proceed to approve, deny or defer action on the proposed ordinance. I would suggest, Mr. Chairman, since Mr. Richard Railey was the author of this ordinance that he would like to make some introductory remarks that may be helpful.

Chairman Jones called on Mr. Richard Railey.

Mr. Richard Railey said I think the most significant thing about the ordinance as amended is number one we conformed completely to the state enabling legislation. And, that is just something that we need to do from time to time. The second thing is, and this is a money saver, under the state statute we are authorized for a repeat offender, somebody who has abandoned property for example who doesn't cut it all summer, and we cut it several times. Then we advertise one time; we don't have to advertise every time. And, that saves us a substantial amount of money and that is very important with this program because this is something that we do aesthetically for Southampton County. I'll get into how we collect the money, but we will do a magnificent job of getting reimbursement for what we do. Some of it is abandoned property and some of it is a lien against the property and we pick up when somebody refinances or sells the property, but that doesn't happen as often as perhaps we would like. What I did add to the ordinance, and I feel like we can do this, is if you owe for this it is added on to your tax bill. It is an itemized part of it, not only do you owe for your taxes, but you owe for \$200.00 in grass cutting. For example, and I've been told and our experiences in some cases people pay their taxes, but don't reimburse us for the grass cutting. So, this is to try to recoup that money. Hopefully, it will be put right on the tax bill.

Chairman Jones asked if there were any questions for Mr. Richard Railey on this ordinance.

Supervisor West said I would assume with that being said you have the same authority that Mr. David Brit mentioned a few minutes ago to go after that person.

Mr. Richard Railey said absolutely. You have the same authority and the code is very plain; you have the same authority as you do with the collection of taxes. So, consequently you have the authority to have a delinquent tax sale. You have the authority to perhaps have a civil suite and you have the same authority if somebody refinances or sells the property. It is a lien against the property and you need to make sure they pay you.

Supervisor West said for general information I know that there are some habitual offenders that do not maintain the property and it is a real process to start this and then wait, then finally go through the process, and then go back and cut again. We spend all summer for a couple of cuttings when it really needs to be maintained if you follow the ordinance of twelve inches.

Mr. Richard Railey said once you put the ad in the paper one time and give them the notice then after that you are in the clear.

Supervisor West said well I think it is fair; I really do for people that have unsightly, un-kept, and uncared for you have the people who do care and I think we need to protect their property.

Chairman Jones asked if there were any other comments.

Chairman Jones opened the public hearing. He asked if anyone was for or against this ordinance.

Supervisor West said it's something else we get to do for free.

Chairman Jones called on Mr. David Britt.

Mr. David Brit said he heard Mr. Richard Railey's comments and he had no problem with collecting these fees and all, but his point, as far as things that we need to look at, is how we are going to put it on the tax bill. Our software doesn't provide that right now and I don't know the cost of the software to put it on the tax bill. That is my point; is it going to be worthwhile to go through this and spend all this money to try to get it associated with your real estate tax bill.

Mr. Richard Railey said what you are saying makes sense to me, but how would it be if you have a separate bill with the tax bill like they do with the solid waste fee.

Mr. David Britt said well we would have to create another program to do that because we had to create a program to do the solid waste.

Mr. Richard Railey said alright so you are saying that idea may well be cost prohibitive.

Mr. David Britt said yes. That would be something that we would need to look at as far as if you want to pursue this.

Mr. Richard Railey asked him how long it would take him to look at it.

Mr. David Britt said he could talk to Mrs. Sandi Plyler tomorrow and see.

Mr. Richard Railey said then I would suggest that you close the public hearing and just hold it until the next meeting.

Supervisor West said that makes sense.

Mr. David Britt said I see the point that you are making, but at the same time we need to look at the whole big picture.

Mr. Richard Railey said and I see your point because \$10,000 to collect \$1,000 is not very good business.

Chairman Jones said okay thank you Mr. David Britt.

Chairman Jones closed the public hearing. He said we need to look at this a little bit further, so we will table this grass cutting until the next meeting.

February 24, 2014

Supervisor Porter said before you move on, does the provision require us to put it on the tax bill or just say that we have the ability to.

Mr. Richard Railey said no I put it in the revised ordinance now you could say we don't need to have Mr. David Britt to check on it.; you could just strike that part from the ordinance right now.

Supervisor Porter said I wouldn't strike it; what I would say is can you make it an option for us to do that instad of making it mandatory for us to do that.

Mr. Michael Johnson said in other words in the paragraph that says "Every charge authorized by this section with which the owner of any such property shall have been assessed and which remains unpaid at the time or preparation of Southampton County real property tax statement, be added" add the word may before be added.

Supervisor Porter said "may be added".

Mr. Michael Johnson said then it permits it.

Mr. Richard Railey said that is fine.

Supervisor Porter said that way we can do it if it is cost effective and if not we can just do it manually.

Supervisor West said then we can go back and do it tonight.

Supervisor Porter said yes we can do it tonight if that is the case.

Mr. Richard Railey said I think that you are fine on that. I think Mr. David Britt's points are well taken on that. I'm interested in his information.

Supervisor Porter said we want to do it the most effective way, but I don't see it necessary to delay the changing of the ordinance for that one reason if we can make it an option to do it and not mandatory to do it. He asked Mr. David Britt if he was fine with that.

Mr. David Britt said that was fine.

Supervisor West asked Supervisor Porter if he was making a motion that we change the ordinance.

Supervisor Porter made a motion to adopt the ordinance with the change that "may" be inserted in line...

Mr. Richard Railey said line three, between "statement" and "be" just put "may".

Supervisor Porter said yes just put "may". He said Mr. Michael Johnson isn't that what you concluded.

Mr. Michael Johnson said yes.

Supervisor West said he would second that.

Mr. Michael Johnson said if you look at the last page of the handout it would be on line 39.

Supervisor Porter said that is what he is looking at.

Mr. Richard Railey said I called it line 3, but its line 39.

Supervisor Porter said yes that is where I'm looking at it.

Mr. Richard Railey said I think that makes sense.

Mr. Ash Cutchin, of the audience, asked if the public hearing was still closed, Mr. Chairman.

Chairman Jones said it is reopened.

Mr. Ash Cutchin of Darden Mill Estates addressed the Board. He said the reason he asked that is because he lives in a subdivision of mixed vacant lots, not very many vacant lots, but a couple or three that are grass and several that are woodland. He asked who decides when it meets this criteria. That is one question that I have and the second question is, is it a big financial burden on the county on an annual basis the way it is done right now. I'm curious and I think maybe the people behind me might be also. Are you talking \$3,000 or \$4,000 or \$100,000, or somewhere in between to mow the grass for people who don't mow their own?

Mr. Michael Johnson said it's in between.

Mr. Ash Cutchin said so it's in between.

Mr. Michael Johnson said it's less than \$100,000 but it's more than \$3,000 or \$4,000. I don't know that number right off the top of my head.

Mr. Richard Railey said we do recoup some.

Mr. Ash Cutchin said what about the natural wooded areas versus vacant lots that are just grass.

Mr. Michael Johnson said it is typically enforced on a complaint basis, so when our office of code enforcement receives a complaint they will go out and respond to it. Typically, with the wooded lots, you don't get the complaints.

Chairman Jones asked if there was anyone else wishing to speak.

Chairman Jones closed the public hearing again. He stated that he had a motion on the floor.

Supervisor West said he had seconded the motion.

Chairman Jones asked if everyone understood Supervisor Porter's motion?

Supervisor Updike said he just had one question.

Chairman Jones said yes sir.

Supervisor Updike said suppose you have got a neighbor, that every time a weed gets six or eight inches tall, you hear them complaining, just because of one weed. A weed will grow eight to ten inches in just a couple of weeks. You are talking about that busy neighbor saying that weed doesn't look right so is the neighbor going to call five or six times. What is to stop her...what is to stop her or him, I don't want to leave it all on the ladies because we have got some men that will do the same thing. I don't like my neighbors so I will complain about that one weed getting six inches tall.

Supervisor Porter said I want to make one statement. That is not relevant to what we are trying to do; that is already in the code. What we are trying to do is we are trying to eliminate doing multiple advertisements and multiple notifications to the person before we cut the grass...

Supervisor West said correct.

Supervisor Porter said we are adding the option of billing them through the taxes. So, I understand your concern, but that is an issue with the current law and not the change that we are trying to make.

Chairman Jones said we do have someone to go out and check the property before we send anybody out to cut it anyway. Chairman Jones stated that if there were no other comments he would call for the vote which carried unanimously.

Chairman Jones stated that we would go to item 10 D.

Mr. Michel Johnson said item D., Mr. Chairman, is our fourth public hearing to receive advanced citizen comment on the fiscal year 2015 annual budget. This is something that we traditionally do very early in the budget process each year to solicit public input prior to the development of an initial draft budget for Fiscal Year 2015. Interested citizens are invited to offer their comments and recommendations on any and all Fiscal Year 2015 budgetary matters. We will have a second public hearing that is scheduled for Monday, May 19th to provide interested citizens an opportunity to comment on the final draft of the proposed budget. Just as a way to begin I will take a moment to outline the budget adoption process if that is okay.

Chairman Jones said okay.

Mr. Michael Johnson said our budget process actually began this month on February 4th when we had our first budget liaison meeting with the School Board Budget Committee. As a follow up to that on February 7th all of the budget request forms were sent out to the Departments and Agencies that are historically funded by the Board. Tonight of course is our advanced public comment period where we solicit public input before there is even development of an initial draft budget and in fact even before we got the budget request forms turned back to us. Tomorrow night we will actually have our second meeting with the School Board Budget Committee and that will involve the Board Liaison Supervisor Faison. And, I might add, Mr. Chairman, you might want to appoint someone to take Supervisor Edwards' place tomorrow night.

Chairman Jones said I appoint Supervisor Phillips to fill position.

Supervisor Phillips said I can make that meeting.

Budget Approval Process

February 4, 2014	Liaisons meet with School Board Budget Committee
February 7, 2014	Budget request forms issued
February 24, 2014	Advance public comment received
February 25, 2014	Liaisons meet with School Board Budget Committee
February 28, 2014	Budget request forms returned
April 9, 2014 (6:30 p.m.)	County Administrator's draft budget presented
April 16, 2014 (6:30 p.m.)	Budget work session – department presentations
April 23, 2014 (6:30 p.m.)	Budget work session
April 30, 2014 (6:30 p.m.)	Budget work session (draft budget finalized)
May 19, 2014 (7:00 p.m.)	Public hearing on proposed budget
May 21, 2014 (6:30 p.m.)	Budget work session
May 27, 2014	Board adopts FY 2015 budget
May 27, 2014	Board adopts CY 2014 tax rates and fees

Mr. Michael Johnson said so on February 28th the budget request forms will be returned back to our office and from there we will be able to assemble and put together the initial draft of the FY 2015. That first draft will be available to you all on the 9th at your first budget workshop which is a Wednesday night at 6:30 PM. Then we have scheduled budget workshops for each Wednesday night thereafter in the month of April. On the 16th we will receive the department presentations. On the 23rd we have got a work session scheduled. On the 30th we have got a final work session scheduled. What we hope to accomplish by that point is that we will have a draft budget that is finalized that can be advertised for public comment. We will advertise that in the Tidewater News and then receive public comment on May 19th. We have set aside the following Wednesday night after that public hearing for a final work session so that you all can discuss the input that you received at that public hearing and then the Board will be slated for final adoption as well as the tax rates and fees at your regular meeting on May 27th which is a Tuesday night the day after Memorial Day. So, that is the schedule Mr. Chairman. As you know in miscellaneous tonight you will potentially talk about scheduling a budget retreat which would be some time during that

month of March. We will talk about that in just a little while.

Chairman Jones asked if anyone had any questions for Mr. Michael Johnson before we move on.

Chairman Jones opened the public hearing and asked if there was anyone for or against this public hearing.

Mr. John Burchett, of Sebrell, said I can't remember what we did last year, but how many of those work sessions were open to the public.

Chairman Jones said all.

Mr. Michael Johnson stated that all work sessions are open to the public.

Mr. John Burchett said I thought so, but I wasn't sure. I'm saying this during the budget comments because the retreat is only mainly concerned with the budget, I would think.

Chairman Jones said yes sir.

Mr. John Burchett said as far as last years' retreat he didn't remember seeing anything in the paper about it. And, based on the number of people there, me, two or three other people, and you all; I think maybe a lot of people didn't know about it. So, I was wondering if there was some way we could get out the word without spending a lot money to advertise in the paper for whatever thousands of dollars they get. So, maybe Mr. Michael Johnson can donate his comment article that he puts in the paper every now and then that we are having a retreat. I just wanted to throw that out there. Thank you.

Chairman Jones said thank you.

Mr. Ash Cutchin, of Darden Mill Estate, addressed the Board. He stated that he just had a couple of comments off the cuff without having written any notes, which I don't do very well. But, I think the majority of the citizens probably aren't going to come to the retreat even if we advertise it in the paper every day or on the radio every day. They just don't seem to be interested in it that much. There are a half a dozen of us who come up here and beg you all not to spend money that we don't have every year and several times a year, and the other 17,900 people stay at home. So, I don't know that what he is suggesting is going to help a whole lot. But, I do know this, that from the Federal level right on down, governments in this country continue to spend money that they don't have. They borrow it. I stood up here two or three years ago and my share of the Federal deficit was about \$40,000 and now it is about \$54,000 and it seems to go up about a trillion dollars every year and our county budget doesn't seem to do a whole lot better. And, the Congress passed something for some reason that they called sequestration, I still haven't figured out how it got that term or that name, but they just said tell all these departments to quit spending money, spend less money than we used to spend. Well, they put it into effect and now it is working. Now, it might not work to our advantage because it looks like they are going to cut the heck out of defense spending. And, a lot of people in our area here depend on defense spending for their source of income, so it is probably going to have a negative effect on South Hampton Road from the Federal sequestration and Federal defense spending. But, you all have to keep in mind that there are a few of us that actually pay our taxes that keep this county functioning. Mr. David Britt reported earlier that there is still \$1.3 million personal property taxes that are unpaid and nine tenths of real estate unpaid so that's \$2.2 million still outstanding in unpaid taxes. Those of us who support our taxes are getting tired of supporting those who don't. Just keep that in mind when you work up your budget. Everybody is going to have to give something. Mr. Rick Francis came to one our citizens for responsible government meetings and stood right here at this podium, only it was turned the other way, and told us how he cut, and cut, and cut. He doesn't spend nearly as much money as his predecessor did to run the Clerk's Office. He did it and everybody else can do it too. Thank you.

Chairman Jones asked if there was anyone else wishing to speak.

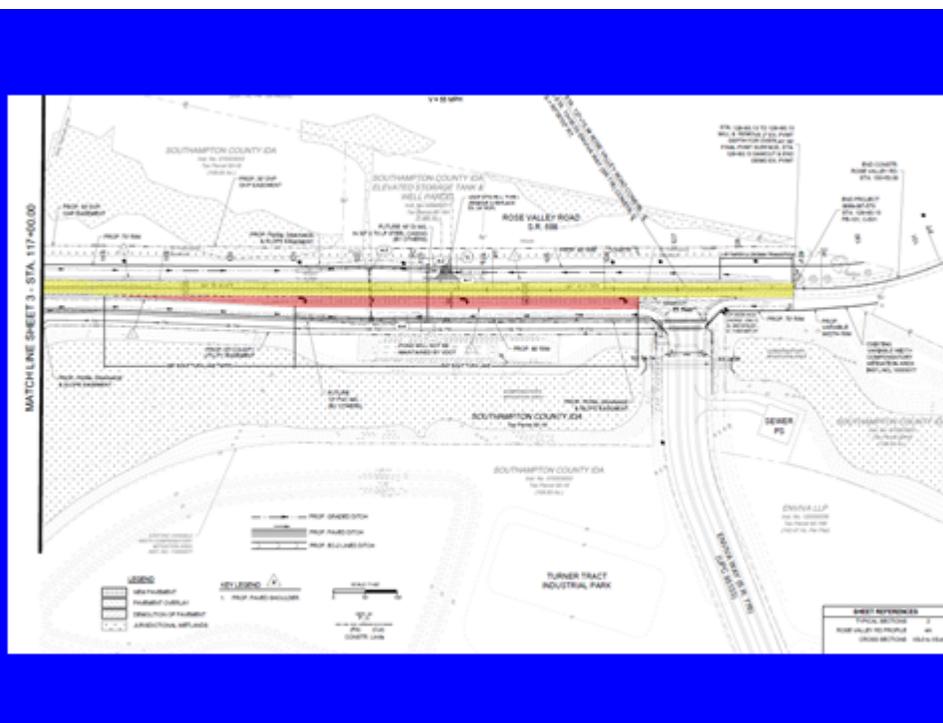
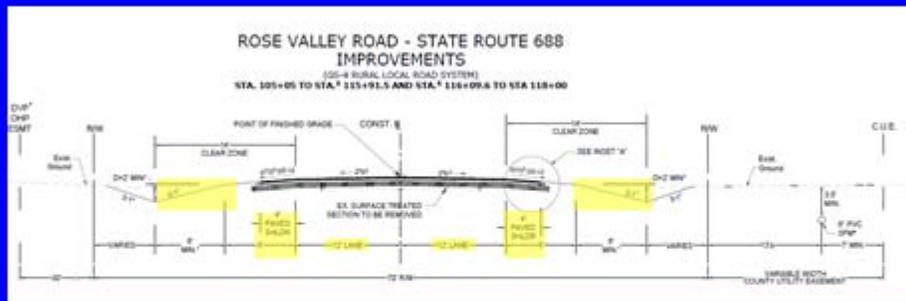
Chairman Jones closed the public hearing and stated that we didn't have to take any action on that particular item.

Chairman Jones stated that we would go to item E.

Mr. Michael Johnson stated that item E. was our final public hearing and that related to authorization to acquire certain right of way and easements for improvements to Rose Valley Road, including the exercise of eminent domain, if necessary. This public hearing is held to consider comments regarding a resolution authorizing the acquisition of certain real property in fee simple and other easements for the widening and improvement of specified portions of Rose Valley Road, including authority for the institution of condemnation proceedings, if necessary, pursuant to § 15.2-1901 of the 1950 Code of Virginia as amended, and a declaration regarding the necessity of entering upon and taking such property prior to the conclusion of condemnation proceedings as provided in §§ 15.2-1904, 15.2-1905, and 33.1-89, et. seq. of said Code, so that Southampton County will be vested with the authority to enter upon, and take possession of the real property before the institution and/or conclusion of the condemnation proceedings, as provided in § § 15.2-1904, 15.2-1905, and 25.2-200 et. seq. and/or 25.1-300 et. Seq. of said Code, Southampton County intends to acquire all such real property and easements voluntarily, but will initiate condemnation proceedings after a bona-fide but ineffectual offer to purchase the right-of-way or easement has been rejected or ignored. I would like to give you a very brief overview of the project. He gave the following Power Point Presentation.

Scope of Project





Tentative Project Schedule

- Bids due – February 18, 2014
- Notice to Proceed – March 14, 2014
- Project begins – March 24, 2014
- Substantial completion – June 6, 2014



Just to sort of give you the lay of the land, he pointed out General Thomas Highway, the old Birdsong Peanuts, and this is the Converting Innovation Center further down. He pointed out Rose Valley Road, and the Enviva site. The section of road way that we are talking about improving is 2379 linear feet in length. It begins at the intersection of General Thomas Highway and will end just about 100 feet past the entrance to the Enviva site which is named Enviva Way. To sort of give you some general perspective, he pointed out General Thomas Highway, the section of roadway, and the CSX Railway. Currently you have a 30 foot prescriptive easement and roughly 18 feet of pavement along that route. What we will be seeking to do is acquire a total width of 70 foot of right-of-way for the highway improvements that we are talking about. Now, in addition to that 70 foot right-of-way we are also going to be acquiring a utility easement for the sewer force main on the west side of Rose Valley Road which is the same side that the Elks Lodge is located. He pointed out the actual Elks Lodge Building. On the opposite side of the road we will be acquiring an easement on behalf of Virginia Dominion Power to allow for them to be able to move their utility poles out of the expanded right-of-way. Then on top of that we are also acquiring sufficient easement to be able to construct a drainage retention base in this area right across the street from the Elks Lodge and to be able to make some drainage improvements to this area that you see highlighted in green. Now, we are dealing with three different property owners. We are dealing with Carolyn and Mills Edwards who own the property located around the Elks Lodge. In fact, we have already acquired that right-of-way and closed on that last week. He pointed out that the Elks Lodge owns the two lots and we have made them an offer and they have agreed to the offer and at this point Mr. Richard Railey is in the process of taking care of some of the legal paper work and we hope to be able to set up that closing in the next week or so. The property across the street from whom we will be acquiring the area for the power line relocation, the storm drainage improvement, and also a portion of the road expansion are the Ricks family. They are actually located just across the state line, down in...what is it Ms. Cindy Edwards.

Ms. Cindy Edwards said Conway.

Mr. Michael Johnson said he wanted to say Seaboard, but its Conway, Conway, NC. We have sent them a couple of letters by certified mail. We have actually sent them the offer, and at this point they have not responded. They have not said we don't like it; or, we don't think it's fair. They just haven't responded at all. So, at some point if they fail to respond then we have no choice, but to basically move forward and initial the eminent domain proceedings. Then there will be a court hearing set up which will actually establish the final value of that property. I might add that the offer is based on an appraisal that we had done by a certified VDOT appraiser. The appraisal was reviewed by a second certified VDOT reviewer so it has sort of passed mustard through two appraisers; and we think it is a good and fair offer. I hope to hear back from the Ricks' soon, but if not we will have no choice but to move forward with the eminent domain proceedings. Just to give you an idea of the scope of the work, as I mentioned earlier currently there is about 18 inches of pavement on Rose Valley Road. The section that we will be improving will be going to a total width from shoulder to shoulder of 32 feet. That will include a twelve foot

travel lane in each direction as well as a four foot wide paved shoulder on each side of the travel lanes, and then we have got sufficient room to be able to have a very moderately sloped drainage system to a ditch, then the upslope back, and then the edge of the right-of-way. So, we will have the drainage ditches on both sides within that 70 feet and the 32 foot of pavement which is the total width. Now, this picks up from the railroad back to Enviva and the only reason I'm showing you this, because I know this is a complicated plan sheet, but we will be doing the road improvements on this side of the railroad just like we are doing on the other side, but in addition we will be adding a right turn lane which will go into the Enviva property. That is actually an additional twelve feet of pavement. The taper will begin just past the railroad and will slowly taper in and terminate right at the entrance to Enviva Way. Just to give you some perspective, he pointed to the elevated water tank location, and the compensatory wetland mitigation area which we thought we were familiar with. Now, the tentative project is scheduled, we did received bids, and we have that as a following item on your agenda. We received bids last week on February 18th. We are hopeful, but it is not confirmed yet that we will be able to issue an acceptance of the award and a notice to proceed by March 14th and hopefully begin the project by March 24th and then it would be concluded by June 6th. So, you can see here we are talking basically the last of the month of March, all of April, all of May, and then the first week of June to get the work done. That concluded my remarks, Mr. Chairman; and I will be glad to answer any questions.

Chairman Jones asked if there were any questions from anyone.

Supervisor Phillips said, Mr. Chairman, are there any other land owners that we have to get taken care of.

Mr. Michael Johnson said just us. The Industrial Development Authority of Southampton County owns everything on the...

Supervisor Phillips said there is no public right-of-way or anything on the water tower side.

Mr. Michael Johnson said only on our property.

Supervisor Phillips said good.

Chairman Jones asked if there were any other comments.

Chairman Jones opened the public hearing. He asked if there was anyone for or against this application.

Mr. Ash Cutchin of Darden Mill Estates addressed the Board. He stated that he was familiar with the property because he did some appraisal work for them several years ago. I think you have a good plan, but earlier this evening you mentioned the possibility of running natural gas and I didn't see any plan for it. Are you going to have to tear up some pavement in a couple or three years to put in natural gas or what?

Mr. Michael Johnson said it wouldn't go in the pavement. It would go in that utility easement or adjacent to one of those utility easements.

Mr. Ash Cutchin said so you may have to have another condemnation for some more land.

Mr. Michael Johnson said well the gas company actually acquires their own easement. So the gas company would have to contact the property owners at the time the gas was going to be extended.

Mr. Ash Cutchin said it is not cost effective to go ahead and plan for it now. That is my main question.

Mr. Michael Johnson said that is an expense that the gas company incurs. They probably would not incur it until they are in a position to extend the gas line.

Mr. Ash Cutchin said okay, thank you.

Chairman Jones asked if there was anybody else wishing to speak.

February 24, 2014

Mr. John Burchett said he just had one comment about eminent domain. As a land owner I have a dislike for it. I know it is a necessary thing, but I would like to know if we could possibly send a person to Conway, knock on the door, and ask these people why they haven't responded. We should go out of our way to try to get an agreement with a reasonable price before we try to take their land.

Mr. Michael Johnson said just so you all will understand, I sent them a letter back in early January offering to meet with them at their home or wherever; and I got no response from that. They got the letter because they signed for the letter. But, I got no response.

Mr. John Burchett said I don't know that they could read it for that matter.

Mr. Michael Johnson said then I followed up and sent a copy of the letter. He said I think they could read it.

Mr. Richard Railey said Mr. John Burchett you have got to remember one thing about this process because it is a partnership so to speak with VDOT. It is appraised and we send them that figure. He can't horse trade with them. If they have their own appraisal we can carry it back to VDOT. But, we don't have the authority to sit down with them and say well if you won't take \$36,000 will you take \$40,000, which seems to me to be common sense, but we can't do that on this job.

Mr. Ash Cutchin, of the audience, said it's mostly swamp anyway.

Mr. John Burchett said right. He said I don't know what the land looks like, I've only been on that road one time anyway. It doesn't matter, it's just me and my feelings about seizing somebody else's property without taking every avenue including sending somebody down there to knock on the door and say why haven't you responded. Now, you might want to send a deputy with them, but anyway...

Mr. Richard Railey said one of our deputies wouldn't have any authority in North Carolina.

Mr. John Burchett said thank you.

Mr. Ash Cutchin, of the audience, asked if he could respond to Mr. John Burchett's comment.

Chairman Jones said yes sir.

Mr. Ash Cutchin said when they widened Highway 671 a few years ago several property owners contacted me and wanted me to oppose the VDOT appraisal. They wanted to get their own appraisal because they didn't feel like VDOT was offering them enough money. And, I said to each of them do you have a copy of the VDOT appraisal and they said yes. They sent it to me and I reviewed it. And, I had to tell them I would have to use the same appraisal that VDOT uses. I couldn't stop them a penny. I couldn't support a higher appraisal so I saved them the cost of having that extra appraisal. But in my experience, VDOT doesn't steal people's property; they offer them a fair market value. Now, there may be some exceptions, but I think your understanding of the way eminent domain works coming from your point of view...

Mr. John Burchett said it's just the idea.

Mr. Ash Cutchin said I understand. I've had property taken, but VDOT paid a fair price for it. Thank you.

Chairman Jones asked if there was anyone else wishing to speak. There being no one else wishing to speak, Chairman Jones closed the public hearing. What say ye Board members?

Supervisor West said I think we have done our job and I think everything is in order and at this time I'd like to make a motion that we adopt the attached resolution as it was presented.

Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones stated that we would now go to item number 11.

Mr. Micheal Johnson said item number 11, Mr. Chairman, is disposition of the former Ivor Elementary School Property. As you all will recall, you had a public hearing last March, in which you authorized the sale of the former Ivor Elementary School through competitive sealed bids. While the sale date was duly advertised for June 14, 2013, no bids were received. Subsequently, upon recommendation from the Planning Commission, the Board initiated and approved a rezoning of the site from Residential R-1 to Agricultural A-2. At this point, the Board has several options to dispose of the property:

1. List the property with a local realtor;
2. Negotiate a private sale with an interested party;
3. Re-advertise and sell the property at public auction;
4. Authorize the Treasurer to sell the property at the next delinquent tax sale.

Chairman Jones said okay, you have hear Mr. Michael Johnson, what is your favor of one through four.

Supervisor West said he was going to favor number two; negotiate a private sale with an interested party. And, that is maybe something of a concern to some people, but there is an interest and you did say and I agree with you that initially two people who expressed interest in purchasing the property, but neither one submitted a bid. So, that would tell you maybe not. But, they were thinking in terms of \$60,000 odd dollars at the time I think. With that being said, due to the community and where I live, I know people. And, I had an interested party that expressed something. I'm not asking for any authority, okay. But, I'm saying that in effect I had someone to show some interest in it because he has built a large home very close to that property, within a half of a mile. And, he has expressed some interest in purchasing it for his own personal use with his farming operation. I think you will get the most money for it. Now, I think we had Mr. Felts, Mr. Bob Felts that is, to stand before this group and say I had a piece of property that I tried to sell for a long time and I had to practically give it away. And, he spoke in terms of quote "a thousand bucks an acre" or something like that. Did I hear that? And with that being said that is my opinion, okay.

Supervisor Porter said he thinks that we should do number three. We changed the zoning to something different than what we had it when it was advertised the last time. And, I think we need to make it available to anyone who wants to make a bid for it, even Mr. John Burchett can make a bid for it. We can take that route then we can have everything above board. This interested party is welcome to make his bid for it as well. That way no one can say we have done anything behind closed doors.

Chairman Jones called on Supervisor Phillips.

Supervisor Phillips said I'm sure there will be some costs associated with that advertisement for sale. But, if we are to be good stewards of the land that we are responsible for I would think number three as well. And, then if that doesn't work then we can put it with the next delinquent tax sale.

Chairman Jones called on Supervisor Faison.

Supervisor Faison said I agree that number three would be our best route.

Chairman Jones called on Supervisor Updike.

Supervisor Updike said he liked the idea of number three, plus putting in a minimum bid. Then if we don't get the minimum bid we can't put it up for sale at the auction.

Supervisor West said he would like to make one more comment. I do not like working under the shadow of always being accused of being a crook. I resent the fact that someone thinks you are cutting a deal every time you deal with something like this. I resent the fact that I have lived in this community 68 years and built a reputation in a church and a community of being honest. And, when I speak for you I speak in honesty to you and I do not take advantage of anyone. I do not try to take advantage, but the innuendo window is always in here. So be it, if that is the way you want to live in your community, I'm sorry, live in your community and let it be the way you live. But, I resent that. I'm sorry. I'll go with whatever the crowd feels is best.

February 24, 2014

Supervisor Updike said I don't think we are saying in any shape or form that we don't believe that you would do an honest, straightforward deal, but what I'm saying personally is that we can't afford any more innuendo or they believe that we are doing things behind closed doors. And, that is the point. I really trust and respect you and I think every member of the Board feels the same. It is not one iota that we are implying anything on you or your neighbor. It is the idea of what the public perceives as what we are up to. That is the important thing.

Supervisor Porter said his preference has nothing to do with Supervisor West. He said we have been accused of doing things behind closed doors and that is a lie! Mr. John Burchett when you get up here and state that you, you just don't have the facts. That is a lie!

Mr. John Burchett said well I ...

Chairman Jones said whoa, whoa, whoa...settle down.

Supervisor Porter said we are taking this action and we don't need that kind of feedback that is done without the benefit of the facts. People sometimes let the facts get in the way of their opinions. And, there is not a more outstanding citizen than Supervisor West.

Mr. John Burchett said...

Supervisor Porter said the point I'm trying to make is that my preference is strictly on the facts. We are trying to do the best thing for the county. Everybody up here is trying to do the best they can for the county and they keep getting beat up for it and it's not fair. I might not agree with everybody, but I have respect for everybody up here. And, I have respect for the fact that I know that they are doing the right thing in their mind and heart and you people need to appreciate that.

Mr. John Burchett said it's really your job...

Chairman Jones said hold on Mr. John Burchett. Hold on Mr. John Burchett. Hold on. I'm stopping it all right now. Just stop.

Mr. John Burchett said well he said John...

Chairman Jones said stop. Let's don't make this personal.

Mr. John Burchett said that man...

Chairman Jones said stop. Please just stop.

Mr. John Burchett said I won't be here again.

Chairman Jones said please Mr. Burchett, stop. I'm not telling you that I don't want you here again. I'm just trying to let the Board know that we are not going to make this personal.

Mr. John Burchett said I won't be here and I won't be at Courtland Baptist Church.

Chairman Jones said I'm not telling you that I don't want you here. I didn't say that. You have the opportunity to walk through that door and sit here any time you want.

Chairman Jones said let's move on. He said you are saying you want option three. He started to call for the vote.

Mr. Michael Johnson said before you actually take a vote, Mr. David Britt, can you come up a minute and talk a little bit about your agreement with the gentlemen who does the delinquent tax sale auctions for you. The only reason I'm bringing it up is that he combines a number of properties and I think you may have greater success if you have an auction that this property is included as only one piece of property at that auction as opposed to an auction specifically for this one piece of property. Do you want to talk a little bit about it?

Mr. David Britt said I can speak on the last sale that we had. It is probably the most successful

one that we have had. What Mr. Black did was to combine four localities together and it was held down at Suffolk at what was the Holiday Inn in the conference room.

Supervisor West said the Quality Inn.

Mr. David Britt said we had properties from the City of Franklin, the City of Suffolk, Isle of Wight County, and Southampton County. We had over 230 people there at that sale. As I said the properties went for higher bids than they have with us having them here in this room and only bringing in maybe two dozen people. When you get more people together it tends to run the prices up. So, again you get better prices. Mr. Black only charges a 10% auctioneers fee. It's 10% of what the bid is.

Mr. Michael Johnson said as far as the cost of advertisement he bears all of it for that 10%.

Mr. David Britt said yes; and, he could just list it with all the rest of the properties that we have. So instead of trying to sell one property, you have ten properties and that can bring in more bidders.

Chairman Jones said so in other words instead of using number three we are going to authorize you to sell this property in the next delinquent tax sale.

Mr. Michael Johnson said number three and four are very similar. That is why I wanted them to know about that process.

Chairman Jones asked if they had any problem with what Mr. David Britt was talking about.

Supervisor Porter said no.

Supervisor Phillips asked wouldn't Supervisor Porter have to withdraw his motion.

Chairman Jones said yes he would have to withdraw his motion.

Supervisor Porter said I know I can withdraw my motion and I can do that if that is what the Board wants. But, I'm trying to understand this specific piece of property in my mind. Supervisor Updike said basically let's try this first and if it doesn't work we will try the second. Well, there is some cost with that. How much does it cost us to advertise the property for sale? Do you know?

Mr. Michael Johnson said it can probably run you as much as \$1,000.00 one time in the local newspaper, if you only run it in one newspaper. If you run it multiple times or in multiple newspapers, you can spend several thousand dollars. And, then unless you have somebody who is willing to volunteer as an auctioneer, you are going to have to pay an auctioneer.

Supervisor Porter asked what did we spend last time. We didn't actually auction it, we requested...

Mr. Michael Johnson said we did sealed bids last time.

Supervisor Porter asked what did that costs us.

Mr. Michael Johnson said I will have to go back and look. We advertised in the Tidewater News. We advertised in the Sussex-Surry Dispatch. We had a sign made and put on the property. We have spent several thousands of dollars already.

Mr. Richard Railey said postage.

Mr. Michael Johnson said postage, right.

Mr. Richard Railey said staff time.

Supervisor Porter said I withdraw my motion and I'll wait for someone else.

Chairman Jones stated that Supervisor Porter's motion had been withdrawn. Now, do you want to

go with number four which would be cost positive?

Supervisor Updike said I'll make that motion to go with number four.

Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones stated so we will have the treasurer sell the property.

Chairman Jones stated that we would go to item number twelve.

Supervisor West said let's back up if I may.

Chairman Jones said go ahead.

Supervisor West said Rev. Mable Fenner has asked for the use of the property for community activities for her church during Memorial Day weekend. That typically occurs Friday, Saturday, Sunday, and Monday. There is no cost associated with it. They leave the property clean and open. But, she puts up tents for these various activities, these air whatever you call them...

Chairman Jones said blow up tents.

Supervisor West said but it is a community event and people are invited. It is a free event and there is food and it is free. And, I would like to see Rev. Mable Fenner use the property if that is possible.

Chairman Jones said you have heard the request; does anybody have any questions.

Supervisor Phillips said he had a question. I was going to ask the County Attorney a question, but... When we open our property to a public event and I've had certain things like this. To protect the County's interest does there need to be an insurance policy or a liability policy? I think an event policy for one day or whether it be two days is certainly something that would be possible. And, if so that would be something that would protect the event organizer and if the county was listed as an additional insured if that would take care of it. I am just wondering if the County Attorney has any comment.

Mr. Richard Railey said we may have coverage. I don't know that. I think it would be...

Supervisor West said we should have broad coverage

Mr. Richard Railey said we should have broad coverage.

Supervisor West on any property owned by this county there should be broad coverage on that for any activities in the county by any organization or any group whether it's the fair, the band, the ball field, even at the ball field on Friday nights. We should have a broad policy.

Mr. Richard Railey said I think it would just take a call to the agency to confirm it.

Supervisor West said yes.

Supervisor Updike said I think it was approved last year.

Chairman Jones said yes we did this last year.

Supervisor Phillips said I'm not opposed to it, I'm just wondering and I should have asked this prior to the meeting, but I just thought I'd ask.

Mrs. Lynette Lowe said last year when we checked the county was covered should something have happened, but since then we have changed insurance companies. But, I can certainly make a phone call tomorrow and make sure that we are covered. We should be. We have the same type of coverage we had last year, but just a different vendor. But, I can make sure of that tomorrow.

Mr. Richard Railey, said and go one further question. If by chance and I don't think this is going

to be the case, but if we don't have coverage, ask them how much a one or two day event coverage would be.

Mrs. Lynette Lowe said yes sir.

Chairman Jones said it looks like we are covered. We were last year anyway.

Supervisor West said we hope to be.

Chairman Jones said so what say you on this event.

Supervisor Updike made a motion that we accept the recommendation.

Supervisor Phillips seconded the motion which carried unanimous.

Supervisor Faison said I assume that we are covered, but if we aren't and we look for two days insurance would that be at the county's expense or at the user's expense.

Supervisor Updike said at the users.

Mr. Richard Railey said at the users.

Chairman Jones said we have never had this experience. We were covered last year. We haven't changed anything on our coverage have we?

Mrs. Lynette Lowe said we have not changed our coverage of items, but we have changed our vendor.

Chairman Jones said check on it. If there is any change, let us know, if not don't bother with it.

Supervisor Porter said I guess the issue is that our approval is contingent on it not costing us any money.

Chairman Jones said if it's already covered you don't have to let anybody know, but if it isn't and there is going to be a cost, let us know. Is that alright?

Supervisor West said yes sir.

Chairman Jones stated that we would move to the next item – item twelve.

Mr. Michael Johnson said item number twelve, Mr. Chairman, is widening and improvement to Rose Valley Road. As you know, we are preparing to widen and improve approximately 2,379 linear feet of Rose Valley Road from the intersection of General Thomas Highway (Rt. 671) just past the entrance to Enviva Pellets Southampton, LLC (Enviva Way). The work will include clearing and grading of additional right of way, asphalt paving, construction of a stormwater detention pond, drainage improvements, signage and pavement markings. Currently, there is approximately 18' of pavement within a 30' prescriptive right of way. The improved roadway will include 32' of pavement (2-12' travel lanes with 4' paved shoulders) and moderately sloped ditches (3:1). The project will also include grading and paving improvements across the CSX train tracks, minimizing the existing crown – this portion of the work will actually be administered by CSX, and is estimated at approximately \$100,000. It further includes a full length right-turn lane for access onto Enviva Way. Notwithstanding widespread public notice, only 1 bid was received for the project. Curtis Contracting, Inc. proposes to complete the work for a lump sum of One Million, Three Hundred Eighty-Nine Thousand Dollars (\$1,389,000.00). We had an engineer's opinion of probable cost for this portion of the project at \$1,229,829.00, the bid is roughly 13% higher than the estimate. While the County is administering the project, it is being funded with secondary road funds from VDOT. So, it will be VDOT that will ultimately make the decision on whether or not to award this bid. What we are asking for you all to consider tonight is to go ahead and provide your authority since we have signed up to locally administer this project if VDOT will accept that lone bid, we need your authority to go ahead and award that project to Curtis Contracting. I might add that there is a better than fair possibility that we will have to rebid this project, given the fact that the bid came in at more than 10% higher than the estimate and given the

February 24, 2014

fact that there was only one bidder. VDOT has sent it to their central office and they very well may say bid again. Then that is precisely what we will do. But otherwise, if they are satisfied that they have got a fair bid, we are seeking your concurrence to go ahead and award that if they give us the green light.

Chairman Jones said you all have heard Mr. Michael Johnson. What do you all want to do about this?

Supervisor Porter said if VDOT approves it, they are more of the experts than we are. I think all that they are saying is that we are passing on that we will accept in the end VDOT's decision without question.

Mr. Michael Johnson said with conduit; and, we are spending their money.

Chairman Jones said correct.

Supervisor Updike said I don't like the term "we are spending their money" because if they spend it all on one project it means that means less projects that we are going to have in the county. It is all our money; the citizens money. He said he would be hesitant to spend somebody else's money when it is over 10% above their estimates.

Mr. Michael Johnson said it's not over 10% of VDOT's estimate; it is our engineer's estimate.

Supervisor Updike said okay, over our engineer's estimate.

Supervisor Phillips said that would be the Timmons Group.

Mr. Michael Johnson said correct.

Mr. Richard Railey asked if they had ever underestimated before.

Supervisor Updike said if they go along with the Timmons Group...

Chairman Jones said alright, what do you all think.

Supervisor West said I want to weigh in again. Again, we have got VDOT making the final decision. It is the citizen's money. I agree with that. I respect that. If it is fair and it is above the normal 10% that is the operating rates, then they require a re-bid and that makes sense. But, all that you are asking for tonight is to say VDOT move forward with this bid as this is the only one that came forward, is that correct?

Mr. Michael Johnson said that is correct.

Supervisor West said and we say we follow it and you make the decision after that. That is all that we have to do.

Mr. Michael Johnson said all we are saying is you are under contract with VDOT to administer the project, so if VDOT is satisfied with the bid, it will actually be us that signs the contract. We are seeking your authority to sign that contract subject to VDOT's acceptance of the bid.

Chairman Jones asked if everybody understands that now.

Supervisor Porter said the other alternative would be to rebid it for VDOT and then we automatically add another month on to the process.

Mr. Michael Johnson said or more.

Chairman Jones said we need to do something with it.

Supervisor West said he would like to make a motion at this time that we award this project to Curtis Contracting based upon their estimate and send it on to VDOT for their approval.

Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones stated the next item was Miscellaneous.

Mr. Michael Johnson said number thirteen is the establishment of a budget retreat date. Last month, you indicated that you'd like to schedule a retreat to focus exclusively on the FY 2015 budget. At that time, I can share state and local revenue estimates, and set time aside for Dr. Parrish, each of the Constitutional Officers, and the Southampton County Fire and Rescue Association to meet with you and discuss their upcoming requests. We can have the retreat at our facility on Old Bridge Road this year (Enviva is no longer utilizing the building). As a compromise to a Saturday retreat, you may want to consider beginning at 1:00 p.m. and go through 9:00 p.m. and have dinner brought in that night to minimize lost time. That way if you have individuals or groups that are unavailable to meet in the day time, we can assign them the night time slots to participate. We won't actually have the final state revenue estimates until March 24, but I'd really prefer not to wait that late to have the retreat. What we would like to do is go ahead and get some advanced direction from you all to begin developing that draft budget. I'm just throwing out some dates – what about Wednesday, March 5, or Thursday, March 6. I ran those up the flag pole with Dr. Alvera Parrish and she has responded that she is unavailable on March 5th, but she would be available on Thursday, March 6th just so you will know.

Chairman Jones said gentlemen you see these dates, what do you have to say about them.

Supervisor West said he could accommodate Dr. Alvera Parrish either day. The 6th if that works.

Supervisor Porter said he was fine with them.

Supervisor Updike said he was very dis-hearted about the dates. We have always had it on Saturdays.

Chairman Jones said hold it Supervisor Updike. Hold it, hold it.

Supervisor Updike said we had the last couple on Saturdays.

Chairman Jones said no sir, one. And, we did it for one person. No, no, no. I've got to stop you there. We have not always had it on Saturday.

Supervisor Updike said let me finish.

Chairman Jones said yes sir.

Supervisor Updike said Saturdays the best time because we have been complaining about the citizens, even tonight, not being well informed. It can't be set up during the week when people are working and you know they can't be attending. We have got to accommodate the citizens of the county and we should have it on Saturdays when they are off from work and can come and at least listen to get the information. Like I say, they have been criticizing us tonight for not being informed. And, as far as people there are a few people on the Board who have got to work during the week. They would have to make other arrangements to be at the meetings. So, why in the world are we turning our backs on the citizens. They may not show up, but they come before us we can say you had an opportunity to attend the meeting on Saturday and you decided not to. It is their decision. Eventually, what we are saying is that we are closing the doors on you because you can't attend. So, I want a Saturday retreat and I would also like to have an agenda discussing the topic of the Boykins Sewage Plant.

Chairman Jones said I disagree with you Supervisor Updike.

Supervisor Updike said I expect that.

Chairman Jones said the last time we had that meeting, how many did we have. We had two.

Supervisor Updike said it doesn't matter if we had one or one hundred. It doesn't matter because we have provided the opportunity for them to be there.

February 24, 2014

Chairman Jones said well the opportunity is there right now; they have from 1:00 p.m. to 9:00 p.m., two days a week. And, if anybody wants to come, they will make an effort to get there. I agree whole-heartedly with what they have here. I've been to several retreats and very, very few people show up, very, few.

Supervisor Faison said he would like to have it from 1:00 p.m. to 9:00 p.m. because what we want to do is try to get input from those persons that we provide funds for and I think that those weekdays would accommodate them quite a bit. I welcome people to come. Citizens are always welcome to come, but I think we have to think about accommodating people who have to be there and those are the persons who work for the county.

Chairman Jones said right. He asked if there were any other comments on this.

Supervisor Phillips said he understood both viewpoints. We are asking Dr. Alvera Parrish to come and we are asking our staff to come. And, I will be able to make myself available at the pleasure of the Board, whether it be Saturday or on the 6th which I think is a Thursday. Is that not correct?

Chairman Jones said yes. He asked if there were any other comments on the time and date. If not I need a motion to go with the tentative dates that we already have.

Supervisor Updike said which date is it.

Chairman Jones said the 5th and 6th of March.

Supervisor West said the 5th or 6th. The 6th is the bottom line because Dr. Alvera Parrish couldn't attend on the 5th.

Supervisor Porter said it's the 5th and 6th, right?

Supervisor Updike said no.

Supervisor West said it is eight hours either day. He stated that they had four that expressed the time that I would move on the 6th at the Old Bridge Road facility from 1 p.m. to 9 p.m., which is eight hours.

Chairman Jones asked if that was agreeable with everyone.

Supervisor Updike said not with me.

Supervisor Porter said he was available.

Chairman Jones said we will move in that direction as it is agreeable with six of us.

Mr. Michael Johnson said I'm just curious. You also mentioned the wastewater treatment plant. Is there anything in particular that you want?

Supervisor Updike said right. Well, I don't know whether you want to bring it up at the retreat, but I want to know what is going on over there.

Mr. Michael Johnson said I just want to be prepared to respond.

Supervisor Updike said well Mr. Julien Johnson will be there and it will be his ball of wax for discussion.

Mr. Michael Johnson said okay. He asked Mr. Julien Johnson if he knew what he was looking for.

Mr. Julien Johnson responded he would get him whatever he needed.

Mr. Michael Johnson stated that item B. is just an update on the utility plant infrastructure grant process. The 16 member management team conducted a facilitated planning session with the Virginia Department of housing and Community Development on February 3rd at Franklin City Hall. The Project Management Plan was submitted to DHCD on February 12, and I expect to

execute the grant contract with DHCD within the week. Under the terms of the grant, we are required to conduct a community information meeting in the month of March and intend to facilitate it concurrently with the County Planning Commission meeting on March 13. Board members are welcome to attend.

Chairman Jones said okay. He stated that we would go to item C. – Community Profile.

Mr. Michael Johnson said item C. I just included in our agenda a copy which was prepared by the Virginia Employment Commission. I think there is a lot of information in there that you all will find interesting. It is chocked full of current demographic, economic, and educational data for Southampton County.

Mr. Michael Johnson stated that item D. is a copy of the winter newsletter from Southampton High School, just for your information.

Mr. Michael Johnson stated that item E. are copies of a number of environmental notices and foreclosure notices that the code of Virginia requires that you be made aware of.

Mr. Michael Johnson stated that item F. was just several items of correspondence. He stated that he would be glad to answer any questions, if you have any.

Chairman Jones asked if there were any questions.

Supervisor Phillips said he had just one question. He said the water notices that I believe are part of something that has been going on Darden Mill Estate, is there any comment on what the final outcome will be? It seems to be an ongoing process where Mr. Magette is not responding to the state. Can you give us any sense as to where we are headed with that and whether the county will be involved or whether the county will inherit this water system?

Mr. Michael Johnson said the county is not party to the violations that have been cited by the Virginia Department of Health. Darden Mill Estates water system is permitted by and regulated by VDH.

Supervisor Phillips said right.

Mr. Michael Johnson said and they have a number of ongoing chronic violations that VDH is seeking some resolution to. I can't speculate on what VDH may ultimately do, but I suspect it will involve some type of consent order which they will order the owner to do certain things that will bring that water system up to compliance. And, if he fails to do that there will be enforcement actions, but I can't tell you what they would be. But, that is a matter that is between the Department of Health and the owner of the system. Southampton County has no liability in that at this point.

Supervisor Phillips said thank you.

Chairman Jones stated the next item was Late Arriving Matters.

Mr. Michael Johnson said I do not have any late arriving matters, Mr. Chairman.

Supervisor Porter said he had one he wanted to bring up. We want to know what is required to move the Board to a staggered function. Right now all seven Board members were elected in the same year. There have been several localities which have had a 100% turnover of their Boards in one year. And, they have resulted in destructions in those localities. So, I think it is time for us to begin a discussion on this now before we get into the election next year about what it takes to move to a staggering Board of three for one election and four the next.

Mr. Michael Johnson said I will certainly update it and provide you with a report next month. But since I had the benefit of thirty minutes between your closed session and open, I went ahead and looked it up. The last time that we looked at this issue was in 2007. And, at that time 45 of the 95 Virginia Counties had staggered terms.. So 45 had staggered and 50 had all terms concurrent. There are basically two ways for a county to transition to staggered terms. The first is this Board can do it by establishing the practice by adopting an ordinance which requires you to give public

February 24, 2014

notice, have a public hearing, and then adopt an ordinance which would effectively provide for staggered terms. The second way that it can be done is that the registered voters of this county can file a petition with the circuit court requesting that a referendum be held on it, and that petition has to be signed by at least 10% of the registered voters as of January 1st of that year. Now, if you are interested in the first option for the Board to do it, basically, the way it would work, you would adopt an ordinance and the terms of the Supervisors would be established as follows: 1. Four of the newly elected Supervisors that would be elected in the next cycle will serve a full four year term. Three of the newly elected Supervisors would serve a two year term. The county electoral board would assign the individual terms by lot, in other words they draw the names out of a hat and that is done at a meeting on the day following the election, immediately after the election results have been certified. That is one method. So, the voters don't know which districts get the shorter terms. There is an alternate procedure that you could include in your ordinance that the electoral board would conduct it's drawing at a meeting that would be held prior to the deadline for the candidate filings which would be in June of next year. So, if nothing has changed in the State law, you can specify that you had rather know up front so the voters know; or, you can let's have the election, let the voters decide who they want, and the electoral board will figure out which terms are four years and which terms are two years.

Supervisor Porter said I don't expect us to take action. I just want us to start thinking about it and maybe put it on the agenda to discuss at the next meeting because I think we should seriously consider that. My preference would be to do it as soon as possible so that you would know going into the election who was going to do it two years and who was going to do it four years. But, there is no hurry. We can get into that. I don't know how the Board feels, but my preference is to move in that direction.

Mr. Michael Johnson said well if it is agreeable with everybody, I can double check the statute to make sure nothing has changed in the state law from 2007 until now as far as the process, give you an updated report next month, and then if that is something that you all are interested in pursuing we can put together a draft ordinance for you all to look at and consider.

Chairman Jones asked Supervisor Phillips if that was okay with him.

Supervisor Phillips said yes sir.

Chairman Jones asked Supervisor West.

Supervisor West said he was fine.

Chairman Jones asked Supervisor Updike if that was okay with him.

Supervisor Updike said okay, we can consider it.

Supervisor Faison said that was okay with him.

Chairman Jones asked if there was anything else to come before this Board.

Supervisor West said yes, sir. I want to apologize to each one of you, not particularly for my words, but the way I expressed myself. I want to apologize. That was not acceptable to me, but I did it and again I'm sorry. I apologize to you. I love Southampton County and the people. I respect you. I respect this job and this Board. Some things it seems like are direct attacks from time to time. I've never been in that situation. I was raised in a church and community and never had to defend myself so to speak on my decisions; and, I apologize to you tonight. Whatever the Tidewater News says, you heard what I said okay; and, I'm apologizing for that.

Supervisor Updike said they left.

Supervisor Phillips said they aren't with us.

Mrs. Linda Vick, of the audience, said Chairman Jones can I ask one question about the budget hearing. Will you have a separate time for each department to show, say for example the School Board at 1:00 on Thursday, 3:00 the Police Department, or how is that done because I've never been to it?

Mr. Michael Johnson said are you talking about the retreat.

Chairman Jones said you mean the retreat.

Mr. Michael Johnson said we will set up times and have an agenda together in advance. I don't know it tonight, but that's what we will do.

Mrs. Linda Vick asked when will you know.

Mr. Michael Johnson said he would be working on it later this week.

Chairman Jones asked if there was anything else to come before us tonight.

There being no further business the meeting was adjourned at 10:00 PM.

Dallas O. Jones, Chairman

Michael W. Johnson, Clerk