

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 March 28, 2011 at 6:00 PM

SUPERVISORS PRESENT

Dallas O. Jones, Chairman (Drewryville)
Walter L. Young, Jr., Vice-Chairman (Franklin)
Walter D. Brown, III (Newsoms)
Carl J. Faison (Boykins-Branchville)
Anita T. Felts (Jerusalem)
Ronald M. West (Berlin-Ivor)
Moses Wyche (Capron)

SUPERVISORS ABSENT

None

OTHERS PRESENT

Michael W. Johnson, County Administrator (Clerk)
Lynette C. Lowe, Finance Director
Beth Lewis, Director of Community Development
Sandi Plyler, Information Technology Manager
Julien W. Johnson, Jr. Public Utilities Director
Richard E. Railey, Jr., County Attorney
Susan H. Wright, Administrative Secretary

Chairman Jones called the meeting to order. After the *Pledge of Allegiance*, Supervisor Faison gave the invocation.

Chairman Jones sought approval of the minutes of the February 28, 2011 regular meeting.

Supervisor Wyche pointed out that the minutes indicated that Mr. Richard E. Railey, Jr., County Attorney, was present, when he actually was not.

The minutes were approved with that correction.

Regarding highway matters, Mr. Michael Johnson, County Administrator, announced that included in the agenda was a brief status report of last month's concerns which he shared with the Virginia Department of Transportation (VDOT):

1. Drewryville – sufficient right-of-way exists to install a turn lane at Green Plains Road – VDOT was now seeking to identify a source of funding;
2. Capron – the request for a sign on Southampton Parkway (westbound) for Bryants Church Road was still under review at the District Office;
3. Newsoms – final seeding on Sunbeam and Riverdale Road will be completed as soon as the weather breaks;
4. Franklin – CSX still had not cleaned the culvert beneath its tracks between Rose Valley Road and Route 58 – VDOT was calling them weekly. Beavers had been successfully trapped near Delaware Road and VDOT was working to destroy the dams they had built – once complete, it was expected to resolve the issue of ponding water on the roadway there.

Mr. Johnson advised that he would be pleased to take any new concerns to share with VDOT.

Vice-Chairman Young stated that water was stopped up somewhere on Delaware Road. The ditches really needed to be cleaned. The last he heard the ditch machine was in Ivor.

Supervisor Faison indicated that his concern had been taken care of.

Supervisor Felts indicated that she had talked to Ben Bryant, VDOT Superintendent, about her concerns and she needed him to get back with her.

Supervisor West thanked VDOT for all that had been done in the Berlin-Ivor District.

Supervisor Brown thanked VDOT for all of their efforts. He noted that he was still concerned that Sunbeam Road had not been reseeded.

Supervisor Wyche stated that he was still waiting on the Bryants Church Road sign to be placed on Southampton Parkway. Also, the residents of Buckhorn Quarter Road would like to see the paving of their road moved up on the Six-Year Plan. They planned to speak to that at the public hearing later tonight.

Chairman Jones advised that from the trailer court on Route 58 (Fieldcrest) going west, there were quite a few driveways washed out. He noted that they were on VDOT's right-of-way.

Regarding reports, various reports were received and provided in the agenda. They were Financial, Sheriff's Office (Communication Center Activities, EMS and Fire Department Activities, Traffic Tickets, Civil Papers), Animal Control, Litter Control, and Building Permits. Also New Housing Starts, Cooperative Extension, Treasurer's Report, Solid Waste Quantities, and Personnel

In regards to Solid Waste Quantities, Supervisor Brown commended the \$2 million savings resulting from the attended sites.

In regards to Personnel, Mr. Johnson advised that Kenneth McClelland was hired in Inspections at an annual salary of \$34,547 effective 03/01/11. Michael D. Smith was hired in Utilities at an annual salary of \$60,963 effective 03/07/11.

Moving to financial matters, Mr. Johnson announced that included in the agenda was a resolution with a total appropriation of \$950,105.48. The appropriation was related to the School Fund and consisted of a myriad of expenditure refunds, insurance reimbursements, grants and donations. All of the associated funding had been received from the sources indicated and was available for the itemized expenditures upon order of the Board. No new local funds were required.

The appropriations resolution is as follows:

APPROPRIATIONS - MARCH 28, 2011

NO NEW LOCAL FUNDS

SCHOOL BOARD

- (1) Expenditure refunds received--see attached letters
- (2) Day Care Center funds received--see attached letter
- (3) Donations received--see attached letters
- (4) Reimbursements from retirees for health insurance premiums--see attached letters
- (5) New Federal Funds- ARRA Education Jobs Fund--see attached letter
- (6) Request to move appropriation from Materials & Supplies Other to Donations-SMS--see attached letter
- (7) E-rates refund--see attached letter

At a meeting of the Board of Supervisors of Southampton County,
Virginia on Monday, March 28, 2011

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Southampton County,
Virginia that the following appropriations be and hereby are made
for the period of July 1, 2010 through June 30, 2011 for the function and
purpose indicated:

From the General Fund to the School
Operating Fund to be expended only
on order of the Southampton County
School Board:

4-205-61100-1120-002-1-100	INSTR. SALARY REG	575,494.36
61100-1120-003-1-100	INSTR. SALARY REG	191,831.46
61100-3000-002-5-100	OTHER INSTRUCTIONAL COSTS-OTHER	2,245.80
61100-3000-003-3-100	OTHER INSTRUCTIONAL COSTS-VOC	100.00
61100-6000-003-5-100	MATERIALS & SUPPLIES-OTHER	(1,000.00)
61100-6000-003-3-100	MATERIAL & SUPPLIES VOC	81.87
61100-6001-003-1-100	MATERIALS & SUPPLIES-FRESH START	7.27
61100-6002-003-1-100	DONATION-SMS	1,000.00
61100-6003-003-1-100	DONATION-CAREER SERVICES	500.00
61100-6008-003-1-100	PROJECT GRADUATION ACADEMY-STATE	10,525.00
61100-6020-003-1-100	TEXTBOOKS FURNISHED FREE-REG	261.28
62110-2300	HOSPITALIZATION	1,073.00
62110-2300	HOSPITALIZATION	1,236.00
62110-2300	HOSPITALIZATION	1,073.00
62120-2350	RETIREE HEALTH INS PREMIUMS	5,436.07
62120-2350	RETIREE HEALTH INS PREMIUMS	10,312.15
62120-2350	RETIREE HEALTH INS PREMIUMS	1,999.00
62120-2350	RETIREE HEALTH INS PREMIUMS	7,355.00
62120-2350	RETIREE HEALTH INS PREMIUMS	10,049.00
62120-2350	RETIREE HEALTH INC PREMIUMS	627.00
63200-2300	HOSPITALIZATION	605.00
63200-2300	HOSPITALIZATION	710.00
63200-2300	HOSPITALIZATION	760.00
63200-2300	HOSPITALIZATION	879.00
64200-2700	WORKER'S COMPENSATION	11,672.00
64200-2700	WORKER'S COMPENSATION	1,867.00
64200-2700	WORKER'S COMPENSATION	872.00
68100-5001-09- -100	TELECOMMUNICATIONS	60,761.41
	TOTAL	898,333.67
MEHERRIN DAY CARE, PROGRAM 220		
4-205-61100-1140-002-5-220	TECHINICAL SALARY-DAY CARE	6,567.37
4-205-61100-2100-002- -220	FICA BENEFITS	474.53
	TOTAL	7,041.90
CAPRON DAY CARE, PROGRAM 225		
4-205-61100-1140-002-5-225	TECHNICAL SALARY-CAPRON DAY CARE	1,231.89
4-205-61100-2100-002- -225	FICA BENEFITS	86.78
	TOTAL	1,318.67

March 28, 2011

NOTTOWAY DAY CARE, PROGRAM 226

4-205-61100-1140-002-1-226	TECHNICAL SALARIES	2,401.17
4-205-61100-2100-002- -226	FICA BENEFITS	182.66
	TOTAL	2,583.83

CAMP FOUNDATION GRANTS, PROGRAM 310

4-205-61100-6004-002-1-310	EARLY CHILDREN'S LITERACY	5,150.00
	TOTAL	5,150.00

FRANKLIN SOUTHAMPTON CHARITIES, PROGRAM 320

4-205-61100-6001-002-1-320	MATERIALS & SUPPLIES	16,795.00
4-205-61100-8201-003-3-320	FACS COMPUTERS	10,000.00
4-205-61100-6046-003-3-320	T/C STUDENT COMP FEES	7,000.00
	TOTAL	33,795.00

HUNTERDALE FAMILY PRESERVATION, PROGRAM 350

4-205-61100-6000-002-1-350	MATERIAL & SUPPLIES-REG	1,882.41
	TOTAL	1,882.41

TOTAL SCHOOL FUND 950,105.48

REVENUE APPROPRIATION MARCH 28, 2011

(REVENUE RECEIVED FOR ABOVE EXPENDITURES)

SCHOOL FUND

3-205-16120-0010	DAY CARE CENTER	10,944.40
3-205-18990-0060	SCHOOL BLUE CROSS BLUE SHIELD	6,041.07
3-205-18990-0060	SCHOOL BLUE CROSS BLUE SHIELD	710.00
3-205-18990-0060	SCHOOL BLUE CROSS BLUE SHIELD	11,882.00
3-205-18990-0060	SCHOOL BLUE CROSS BLUE SHIELD	11,548.15
3-205-18990-0060	SCHOOL BLUE CROSS BLUE SHIELD	1,999.00
3-205-18990-0060	SCHOOL BLUE CROSS BLUE SHIELD	9,307.00
3-205-18990-0060	SCHOOL BLUE CROSS BLUE SHIELD	627.00
3-205-18990-0100	EXPENDITURE REFUNDS	1,967.00
3-205-18990-0100	EXPENDITURE REFUNDS	7.27
3-205-18990-0100	EXPENDITURE REFUNDS	872.00
3-205-18990-0100	EXPENDITURE REFUNDS	13,999.67
3-205-18990-0100	EXPENDITURE REFUNDS	10,525.00
3-205-18990-0100	EXPENDITURE REFUNDS	261.28
3-205-18990-0101	DONATIONS	40,827.41
3-205-18990-0101	DONATIONS	500.00
3-205-18990-0200	E-RATES REFUND	60,761.41
3-205-33010-0675	ARRA EDUCATION JOBS FUND	767,325.82
	REVENUE SCHOOL FUND	<u>950,105.48</u>

A copy teste: _____, Clerk

Michael W. Johnson

Southampton County Board of Supervisors

03/28/2011

Vice-Chairman Young moved, seconded by Supervisor Wyche, to adopt the appropriations resolution. All were in favor.

Mr. Johnson announced that bills in the amount of \$2,056,500.19 were received.

Vice-Chairman Young moved, seconded by Supervisor Wyche, that the bills in the amount of \$2,056,500.19 be paid with check numbers 101129 through 120458. All were in favor of the motion.

Moving to appointments, Mr. Johnson announced that as mentioned last month, Mrs. Betty Sue Young recently resigned from the Blackwater Regional Library Board for health reasons. Supervisor Brown agreed to seek a successor to fill her unexpired term through June 30, 2014.

Supervisor Brown submitted the name of Barbara B. Hoskie of 30487 Riverdale Drive, Franklin.

Supervisor Brown moved, seconded by Vice-Chairman Young, to appoint Barbara B. Hoskie to fill the unexpired term of Mrs. Betty Sue Young. All were in favor.

Mr. Johnson advised that he had recently been informed that Mr. David Price's term on the Senior Services of Southeastern Virginia (SSSEVA) would expire at the end of the month, and because he had served three consecutive 2-year terms, he was not eligible for reappointment per their bylaws. His successor could be an elected or non-elected official. SSEVA had indicated to him that a good Board member should first and foremost be a passionate advocate for the elderly that would give unselfishly of their time. He noted that the following economic sectors were currently not represented, or under-represented on their board: real estate, food service, hospitality and health care. Their Board met collectively 4 times per year in Norfolk and each member was assigned to a committee – some committees met quarterly and others met monthly. Accordingly, this appointment was most likely entail 8-12 meetings per year.

Supervisor Wyche indicated that he would try and seek a replacement for Mr. Price.

Moving forward, Mr. Johnson announced that included in the agenda were capital funding requests from:

- a. Courtland Volunteer Fire Department to assist in servicing debt associated with the purchase of Engine 41 (\$14,000); and
- b. Boykins Volunteer Fire Department and Rescue Squad, Inc to assist with expenses associated with their 1999 Pumper-Tanker and 2008 Brush Truck (\$21,000).

He advised that capital funding in the amount of \$14,000 had been set aside for each fire department in FY 2011 and \$7,000 had been budgeted for each volunteer rescue squad. Funds were earmarked annually for each department or squad and held in escrow pending specific approval by the Board of Supervisors. Escrowed funds continued to accrue for each department/squad if they were not drawn down. He noted that the table included in the agenda indicated the status of capital appropriations since FY 2000. As indicated, both requests were in order. Through March 22, 2011, we had collectively appropriated \$1,310,500 for fire and rescue improvements and were holding in escrow an additional \$344,500.

Supervisor Felts moved, seconded by Supervisors Brown and Wyche, to approve the capital funding request of \$14,000 to Courtland Volunteer Fire Department, and \$21,000 to Boykins Volunteer Fire Department and Rescue Squad, Inc. All were in favor.

Moving forward, Mr. Johnson announced that as briefly discussed at their recent retreat, Virginia Cooperative Extension (VCE) had determined that our vacancies were among the most critical in the Commonwealth and the Dean of the College of Agriculture and Life Sciences at Virginia Tech, Alan Grant, had authorized District staff to move forward in filling them. Mr. Lonnie Johnson, Southeast District Director, had advised that he intended to immediately re-advertise the vacant Agriculture/Natural Resources (ANR) position, specifically looking for expertise in crop/soil sciences. In addition, he had offered us an opportunity to partner with Isle of Wight County in sharing a 4-H agent. He was proposing that the full-time position be funded 1/3 by Isle of Wight, 1/3 by Southampton and 1/3 by the Commonwealth. Office space was available in both counties and the agent would maintain a physical presence in both as the needs dictated. The

Commonwealth would provide operating support to cover the agent's travel, training, communication and printing/postage expense. Mr. Michael Johnson stated that Mr. Doug Caskey, Isle of Wight County Administrator, would present this to the Isle of Wight Board on April 7 and he anticipated their full support. He noted that while we'd both like to have our own full-time 4-H agent, the likelihood of state funding for both was limited in the foreseeable future.

Vice-Chairman Young moved, seconded by Supervisor Felts, to authorize the County Administrator to communicate our support of VDE's proposal to share a 4-H agent with Isle of Wight County. All were in favor.

Moving forward, Mr. Johnson announced that they may recall from December 2009, authorizing us to apply for a federal technical assistance grant to evaluate the feasibility of expanding the current I-Ride program into a rural transit system for Southampton County and the City of Franklin. Given the early success of I-Ride, there was evidence that it had growing possibilities. Senior Services of Southeastern Virginia (SSEVA) had expressed strong interest in partnering with us to explore the potential for expansion of service throughout the region. The \$70,000 grant, which required no local match, was approved by the Commonwealth Transportation Board last May and the Virginia Department of Rail and Public Transportation (VDRPT) was preparing to engage a consultant on our behalf to prepare the report. The study may identify possible routes, hours of service, potential operators, the expected cost of operational funding and the expected capital requirements. If determined that a rural transportation system was feasible, we would be eligible to apply for a second grant to cover the cost of developing a detailed operational plan.

Mr. Johnson continued that once an operational plan was approved by VDRPT, we would be eligible to apply for federal funding that could cover 65% of the operating costs of the system and 85% to 90% of the capital costs, including purchase of vehicles, construction of a maintenance facility, shelters at bus stops, signage, etc. He was hopeful that the first study would be completed near the end of the calendar year, to be used in support of the next round of funding with submission next February. He noted that Mrs. Beth Lewis, Director of Community Development, who collaborated with SSSEVA staff in writing the grant application, had prepared a summary report for the Planning Commission, a copy of which was included in the agenda.

Supervisor Brown stated that a rural transportation system was needed in Southampton County.

Moving forward, Mr. Johnson announced that at their recent retreat, there seemed to be a consensus to provide some level of additional funding, beginning in FY 2012, to volunteer fire departments that provided First Responder Emergency Medical Services. Presently, these services were provided by the departments in Newsoms and Sedley, with each responding to more than 60 medical emergencies in 2010. The Board deferred establishing an amount, preferring to discuss it with the Chiefs from the two respective departments and basing it, at least in part, on their associated expense in providing the service. Supervisors Felts and Brown agreed to contact the Fire Chiefs in their Districts and the Board asked me to inform all departments and squads that the matter would be discussed. He advised that included in the agenda was a copy of the FY 2011 funding allocation for volunteer fire and rescue. Sedley received \$23,919.34 for operational expenses and \$14,000 for capital expenditures. Newsoms received \$24,694.30 for operational expenses and \$14,000 for capital expenditures. In addition, both departments received grants from the Camp family foundations in FY 2011, which were directed through the County to satisfy IRS requirements. Also included in the agenda was the 2010 run data for both departments – while there may be minor variation in the reported numbers, both departments responded to more than 60 medical emergencies. Both departments also responded to approximately 60 fire calls.

Chairman Jones recognized Mr. Bobby Harrell, Treasurer of Sedley Volunteer Fire Department.

Mr. Harrell thanked the Board for inviting him. He stated that essentially, a first responder was the first to arrive on the scene and would start stabilizing the victim by providing CPR or hooking up an IV, for example, preparing the victim to be ready for transport once the rescue squad arrived. There were extra expenses associated with providing first responder emergency medical services. He shared those expenses with the Board. Equipment and supplies were a big expense, as a lot of supplies had to be disposed of after each use. He indicated that they would be greatly appreciative of any additional funding the Board could provide to them for this valuable service.

Mr. Larry Fowler, Chief of Newsoms Volunteer Fire Department, thanked the Board for the invitation this evening. His department had been providing first responder emergency services for

only 1 year, and they could respect the first responder services that Sedley Volunteer Fire Department had been providing for a number of years. His department looked forward to providing many more years of first responder emergency medical services. He thanked the Board for recognizing their service and stated that any additional funding to help them offset the expenses related to providing the service would be appreciated.

The Board personally thanked Sedley and Newsoms Volunteer Fire Departments, and all the other fire and rescue squads in the County for the tremendous services they provided to our citizens.

It was consensus of the Board to establish an additional funding stipend (amount to be determined by Mr. Johnson) in the FY 2012 budget for fire and/or rescue departments that provide first responder emergency medical services (currently Sedley and Newsoms Volunteer Fire Departments, but would be applicable to fire and/or rescue departments that may begin providing first responder services in the future.) All were in favor.

Moving forward, Mr. Johnson announced that Mrs. Susan Wright, Administrative Assistant and Chairperson of the Redistricting Committee, would provide a status report on the work of the Committee and present the options they had developed thus far in the process. He noted that provided all went as scheduled, we would be publishing the Notice of Public Hearing for the regular meeting of April 25, which should allow sufficient time for candidates to file their declarations and petitions, and for the 60-day review by the U.S. Department of Justice and notification of voting changes prior to the August 23 primary election.

Mrs. Susan Wright recognized members of the Redistricting Committee:

- Sandi Plyler, Information Technology Manager
- Leona Davis, Registrar
- Peggy Davis, Assistant Registrar
- Walter L. Young, Jr., Supervisor
- Carl J. Faison, Supervisor
- Michael Drake, Planning Commissioner
- Richard E. Railey, Jr., County Attorney

Mrs. Wright advised that the Board of Supervisors was required to reapportion its election districts every 10 years based upon the most recent population figures from the U.S. Census Bureau. The U.S. Census Bureau released its data on February 4. Changes were necessary in four (4) of the seven (7) Election Districts. Based on our total population of 18,570, the hypothetical target population for each District was 2,653. The Civil Rights Act provided for a maximum 5% variation above or below the mean. Accordingly, the total population for each District should fall somewhere between 2,520 and 2,786. With the exception of Capron, Franklin and Newsoms, the total population of the remaining Districts was now outside the target range as indicated below:

	<u>2000</u>					<u>2010</u>				
	Black	White	Other	Total Pop	Percent Minority	Black	White	Other	Total Pop	Percent Minority
Berlin-Ivor	791	1747	35	2573	32.10	616	2266	102	2984	24.06
Boykins-Branchville	1299	1075	32	2406	55.32	1157	1150	67	2374	51.56
Capron	1169	1210	33	2412	49.83	1118	1528	103	2749	44.42
Drewryville	1490	872	28	2390	63.51	1278	982	59	2319	57.65
Franklin	599	1995	24	2618	23.80	558	2133	73	2764	22.83
Jerusalem	873	1675	32	2580	35.08	918	1846	58	2822	34.59
Newsoms	1274	1209	20	2503	51.70	1248	1233	77	2558	51.80
	7495	9783	204	17482	44.04	6893	11138	539	18570	40.02

Accordingly, at a minimum:

- Berlin-Ivor must lose at least 198 people
- Boykins-Branchville must gain at least 146 people
- Drewryville must gain at least 201 people
- Jerusalem must lose at least 36 people

Mrs. Wright advised that because Berlin-Ivor (who had to lose the most) was not contiguous to Boykins-Branchville or Drewryville (who had to gain the most), all seven districts had to be

modified in order to balance the numbers. She noted that with redistricting, you had to strictly look at the number of people in a district, not voters – every nursing home resident, prisoner, etc.

Mrs. Wright and Mrs. Sandi Plyler presented two (2) options that the Redistricting Committee had developed so far. The first option was developed by beginning at the far western end of the County (Drewryville), while the second option began at the northeast end of the County (Berlin-Ivor). Both options proposed to eliminate the Meherrin Precinct in the Boykins-Branchville District, which was added 10 years ago as a result of the Census numbers. Approximately ½ of the people in that Precinct would revert back to the Drewryville District (where they were moved from 10 years ago), and the other ½ would remain part of the Boykins-Branchville Voting District, but would now vote at one of the two remaining Precincts in that District. Both options proposed to move a number of peoples from the Capron District to the Boykins-Branchville District, as Capron could stand to lose a number of people, and Boykins-Branchville needed to gain. Both options also proposed to move the most people out of the Berlin-Ivor District. However, option 1 moved those people primarily to the Capron District (Sebrell), while Option 2 moved approximately 1/3 to the Capron District (Sebrell), 1/3 to the Jerusalem District, and 1/3 to the Franklin District. Because Jerusalem and Franklin could not retain the number of people they were proposed to gain from the Berlin-Ivor District in Option 2, further moving of people in the Jerusalem and Franklin Districts, and even the Newsoms District was necessary, as it created a ripple effect. She noted that in Option 1, the Jerusalem, Franklin, and Newsoms Districts were minimally impacted.

Mrs. Wright explained that per the *Civil Rights Act*, they were also charged with ensuring that the redistricting did not cause majority minority districts to no longer have that status. The Census numbers that were released February 4, 2011 (prior to any redistricting) indicated that three of our seven districts were majority minority – Boykins-Branchville, Drewyville, and Newsoms. After redistricting, with Option 1, those three districts remained majority minority. After redistricting, with Option 2, Boykins-Brachville no longer remained a majority minority District, by less than 1%. However, that fact could perhaps raise a “red flag” with the U.S. Department of Justice who had to preclear our redistricting plans.

Mrs. Wright advised that the Redistricting Committee was working on developing a third option, in addition to the two options shared this evening, to present at a public hearing on April 25, 2011. At that time, the Board of Supervisors would need to reach consensus on a preferred option to send to the U.S. Department of Justice.

The Board thanked Mrs. Wright and the Committee for their hard work and efforts.

Moving forward, Mr. Michael Johnson, County Administrator, announced that Bunrootis achieved substantial completion on their work at the Industrial Park (Turner Tract) on February 2. They may recall that their scope of work for the industrial park included demolition of structures, construction of 3 stormwater basins and appurtenant structures, construction of a landscaped berm on the eastern perimeter, and final grading of approximately 81 acres to achieve “pad-ready” status. In addition, they constructed and developed a compensatory mitigation site of approximately 18 acres to address impacts caused by development of the industrial park. The lump sum contract for the work was \$2,947,835. We were currently holding roughly \$177,000 in retainage pending completion of the final punchlist. While they were obligated to warrant their work for 12 months, since last September we had noticed an inordinate amount of erosion around the stormwater basins and the slopes of the compensatory mitigation site (CMS) following significant rain events. The subcontractor (Shamrock) had repaired the erosion each time at his own expense, and would continue to do so through the warranty period.

Mr. Johnson continued that, given the sandy nature of the site, he had become increasingly concerned that erosion around the stormwater basins would continue to be a chronic issue after the warranty period expired leaving us with a significant ongoing maintenance expense. The Timmons Group had suggested construction of a temporary slope drain system which would channel the sheet flow from the graded pad to specific locations in the stormwater basins where it was then discharged through a pipe into the basin, as opposed to simply flowing over the rim of the basin from all directions. In addition, they had suggested application of a product called Earthguard, which sprayed onto the slopes of the CMS to minimize erosion. The cumulative cost of both change orders was \$79,465. The cost of repairing the basins after one significant rain event would likely exceed the cost of the change order. Shamrock was proposing to subcontract installations of the slope drains, which was the bulk of the work, to Crowder & White. The

Timmons Group recommended both measures. He noted that funds were available from the sale of the 2006 bond proceeds which were restricted exclusively for development of this project.

Supervisor Brown asked why they were suggesting construction of a *temporary* slope drain system? Mr. Johnson clarified that the slope drain system would only be needed until the vegetations takes root.

Supervisor Wyche moved, seconded by Vice-Chairman Young, to authorize the change orders. All were in favor.

Moving forward, Mr. Johnson announced that Section 16-150 (f) of the Southampton County Code allowed for the disposal of domestic septage (as opposed to non-domestic or industrial septage which was accepted only by special agreement) at the Courtland Wastewater Treatment Plant. Until recently, there was no receiving station for convenient unloading at the Courtland Plant, so as a matter of policy, we had prohibited acceptance of septage. We now had the ability to accept it and needed the Board to establish the rate. Mr. Michael Smith, Utilities Systems Supervisor, had surveyed nearby plants regarding rates and the results were included in the agenda. If they chose to follow Greenville County’s lead of \$35 per 500 gallons, this could become a growing source of revenue for water/sewer operations, which we desperately needed.

Mr. Johnson clarified for the Board that the measurement of 500 gallons was used because it was a convenient way to measure.

Supervisor West moved, seconded by Supervisor Faison, to establish the domestic septage receiving rate at \$35 per 500 gallons. All were in favor.

Proceeding to the public hearings, Mr. Michael Johnson, County Administrator, announced that the first public hearing was to consider the following:

Priority List for Proposed Improvements to the Secondary and Unpaved Road of Southampton County and the FY 2012 Secondary and Unpaved Roads Construction Budget.

Mr. Johnson shared a few PointPoint slides that conveyed the following information:

Fiscal Year	Estimated Allocations			Total
	Incidental Construction	Regular Construction	Unpaved Construction	
2012	\$0	63,589	\$0	63,589
2013	\$0	63,589	\$0	63,589
2014	\$0	63,589	\$0	63,589
2015	\$0	63,589	\$0	63,589
2016	\$0	63,589	\$0	63,589
2017	\$0	63,589	\$0	63,589
Totals	\$0	63,589	\$0	63,589

Estimated Advertisement Dates for Current Six-Year Plan Projects

2011

- Rt. 688, Rose Valley Road, Widening, Drainage Improvements
- Rt. 651, Indian Town Road, Rural Rustic Paving

2012

- Rt. 671, General Thomas Highway – 3 Lane Widening & Paving

**Secondary Six Year Plan
Unpaved Road Priority List**

Priority	Route	Road Name	Length	Estimate
1	651	Indian Town Road	1.3 mi	\$100,000
2	654	Rawlings Road	0.9 mi	\$250,000
3	655	Brandy Pond Road	0.8 mi	\$225,000
4	687	Delaware Road	3.1 mi	\$800,000
5	646	Rosemont Road	0.8 mi	\$300,000
6	728	Guy Place Road	1.5 mi	\$375,000
7	652	Buckhorn Quarter Road	1.6 mi	\$395,000
8	617	Warrigue Road	3.6 mi	\$890,000
9	694	Old Lamb Road	1.1 mi	\$300,000

Mr. Joe Lomax, VDOT Residency Administrator, introduced Ms. Sonya Hallums-Ponton, new VDOT Project Manager. He then advised that he would be pleased to answer any questions regarding the Six Year Plan information that Mr. Johnson presented. He noted that VDOT would be doing a tremendous amount of work on Routes 58 and 460 this summer.

Chairman Jones opened the public hearing.

Ms. Sharmane Fulton of Guy Place Road spoke. She asked how was the priority list chosen?

Mr. Johnson, County Administrator, explained that it was based on need, funds, and public input.

Mrs. Patsy Marks of Buckhorn Quarter Road spoke. She stated that she would like for Buckhorn Quarter Road to be moved up on the priority list. The road often became impassable during inclement weather. She wondered why the paving of Buckhorn Quarter Road (priority number 7), at an estimated cost of \$395,000, couldn't be moved up in front of the paving of Delaware Road (priority number 4), which had an estimated cost of \$800,000.

Mr. Johnson explained that the priority list was not necessarily based on construction cost.

It was consensus of the Board to keep the priority list as it was, but they assured Mrs. Marks that they would keep her concerns in mind.

Chairman Jones closed the public hearing.

Supervisor West moved, seconded by Supervisor Brown, to adopt the priority list and the secondary road construction budget. All were in favor.

Mr. Johnson announced that the second public hearing was being held for the following purpose:

To solicit public input prior to the completion of the initial draft budget for FY 2012.

Mr. Johnson presented a brief PowerPoint presentation in which he shared financial benchmarks, summary of current debt, and FY 2012 early indicators/projections. Overall, expenses were down and revenues were up slightly. He noted that while the financial outlook was not great, it was a lot better than FY 2011.

Chairman Jones opened the public hearing.

Mr. Bill Worsham spoke. He advised that right now the General Assembly had not decided on a state budget so we didn't know what we were getting from the state. He was glad our County budget would not be approved until the latter part of May. He asked the Board to consider every dollar they received and appropriate to the departments fairly.

Mr. Larry Rose spoke. He stated that the Board of Supervisors did an outstanding job in leading the County in very difficult times. The cost associated with education was not getting easier, and they continued to lose good people to other localities paying more. The Schools needed their continued support.

Ms. Lindsey Pitts spoke. She praised the School System and stated that her daughter was halfway through Kindergarten at Nottoway Elementary School and was reading on a First Grade level.

Ms. Sonya Cronwell spoke. She advised that Capron Elementary School was the foundation for her two daughters and for herself. They must have the resources to compete internationally. She asked the Board to support the Schools.

Mr. David Edwards of the Capron District spoke. He stated that he hated paying machinery taxes. Isle of Wight County did not tax farm equipment, and he wished Southampton County would do the same. He asked the Board to be tight with their belt and wallet.

Mr. Ash Cutchin spoke. He asked how many non-resident students attended our Schools, and how much was their tuition? Mr. Charles Turner, Division School Superintendent, who was present in the audience, replied that tuition for non-resident students was \$700/year. However, the average daily membership (ADM) followed all students – both resident and non-resident. Mr. Cutchin advised that he attended a School Board meeting where Mr. Turner presented his budget to the School Board. He could not help but think of a statement he had heard Dr. Conco, President of Paul D. Camp Community College (PDCCC), once say. Dr. Conco indicated that a large percent of the first-year students at PDCCC were not prepared. Mr. Cutchin remarked that one might conclude that Southampton County High School students were not prepared when they graduated.

Mr. Charles Turner, Division School Superintendent, spoke. He clarified that he had spoken to Dr. Conco, President of PDCCC. The statement that he made was not a reflection on Southampton County High School students. First-year students at PDCCC were very diverse and came from a variety of schools and backgrounds. One had to be very careful about the context of a statement and what that statement meant. He was very proud of Southampton County Schools. Since 2009, the state had cut their budget by \$3.3 million. However, they were still doing everything they could to provide a quality education to their students. All schools were fully accredited. He asked the Board for their support of the School budget.

Ms. Shannon Hacker spoke. She stated that she was a teacher and parent of students in the Southampton County School System, and she could not say enough about the quality of education.

Ms. Connie Burgess spoke. She advised that she was an educator in Southampton County Schools and a long-time Southampton County resident and taxpayer. Education was not a magic pill, but it was a ladder that you could use to climb out of poverty, etc. Education was not just about reading and writing. Education cultivated children into individuals who could solve problems and make good choices. For every \$1 invested in education, there was a \$7 return. She asked the Board to support the School budget.

Mrs. Aileen Atkinson, Principal of Southampton County High School, spoke. She advised that all of our School Principals were here tonight and we had the best Superintendent in the state of Virginia. We also had the best School Board and Board of Supervisors. They had met all of the challenges thrown at them. Southampton High School had been accredited 9 years in a row, and there would be a 10th year. The School System provided a quality education at every level. Southampton High School focused on the total child, which included academics, sports, extra curricular activities, and community service. We love what we do. Our children were the greatest resource we had. She asked the Board to fund the School Board's budget request.

Glenn Updike spoke. He stated that the Board of Supervisors represented everyone, not just the schools. The average income of individuals in Southampton County was \$33,000, but yet they were taking from the poor and giving to the rich. Look at the citizens in the County who could not afford to buy food. Look at the vacant homes. Home values were down 30-40%. The Board of Supervisors was "high in the sky." Where else could a man get hired in at the top of the salary range? Just a few months ago, the Board voted to reappropriate \$2.4 million back to the Schools. This was money that the Schools did not spend. Where was the accountability? He remarked that he heard a rumor that the School Board was looking for land for a new Capron Elementary School.

Chairman Jones closed the public hearing.

Upon returning to open session, Mr. Johnson announced that the third and final public hearing was to consider the following:

An ordinance to amend Section 13-6 of the Southampton County Code as it relates to the illegal dumping of trash on a highway, right-of-way, or private property. Among other things, the ordinance provided that violation and conviction shall be a misdemeanor punishable by confinement in jail for not more than 12 months and a fine of not less than \$250 or more than \$2,500, either or both.

The ordinance to be considered is as follows:

AN ORDINANCE TO AMEND CHAPTER 13 OF THE SOUTHAMPTON COUNTY CODE
BY REVISING SECTION 13-6 AS IT RELATES TO THE ILLEGAL DUMPING OF TRASH

BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that the Southampton County Code be, and hereby is, amended by revising Section 13-6 as follows:

Sec. 13-6. Dumping trash, etc., on highway, right-of-way, or private property.

(a) ~~No person shall~~ *It shall be unlawful for any person to dump or otherwise dispose of trash, garbage, refuse, litter, a companion animal for the purpose of disposal, or other unsightly matter on public property, including a public highway, right-of-way, property adjacent to such highway or right-of-way, or on private property without the written consent of the owner thereof or his agent.*

(b) When any person is arrested for violation of this section, and the matter alleged to have been illegally dumped or disposed of has been ejected from a motor vehicle *or transported to the disposal site in a motor vehicle*, the arresting officer may comply with the provisions of Code of Virginia, § 46.2-936 in making such arrest.

(c) When a violation of the provisions of this section has been observed by any person, and the matter illegally dumped or disposed of has been ejected from a motor vehicle, the owner or operator of such motor vehicle shall be presumed to be the person ejecting such matter. However, such presumption shall be rebuttable by competent evidence.

~~(d) Upon conviction of any person for a violation of this section, the court may suspend the imposition of any sentence on condition that the defendant volunteer his services for such a period of time as the court may designate to remove litter from the highway. Any such sums collected shall be paid into the court and forwarded to the state treasurer for the construction and maintenance of state highways. Any person convicted of a violation of this section shall be guilty of a misdemeanor punishable by confinement in jail for not more than 12 months and a fine of not less than \$250 or more than \$2,500, either or both. In lieu of the imposition of confinement in jail, the court may order the defendant to perform community service in litter abatement activities.~~

(e) The provisions of this section shall not apply to the lawful disposal of such matter in landfills.

~~(f) Upon conviction of any person for a violation of this section, the court may suspend the imposition of any sentence on condition that the defendant volunteer his services for such a period of time as the court may designate to remove litter from the highway. Any such sums collected shall be paid into the court and forwarded to the state treasurer for the construction and maintenance of state highways.~~

State law references: Similar provisions, Code of Virginia, §§ 33.1-346, 33.1-346.1.

A copy teste: _____, Clerk
Southampton County Board of Supervisors
Adopted : March 28, 2011

Chairman Jones opened the public hearing.

Mr. Jim Crawl of Sedley spoke. He advised that he was in favor of any ordinance to control littering. Littering of trash, automobile parts, and plastic bags was a big problem in the County. The plastic bags were problems for farmers. The ordinance should have some "teeth" in it and there should be zero tolerance for littering, including uncovered trash blowing out the back of a pickup truck. In order to be successful in controlling litter: a) there needed to be a severe enough

punishment, and b) there needed to be a high degree of certainty that you would get caught and punished if you were to litter. If we could also assign community service, we should do that also. He had been invited to the next meeting of the Southampton County Litter Control Council on April 6 and he planned to share some specific recommendations with them.

Mr. Ash Cutchin spoke. He stated that he agreed with Mr. Crawl. He asked how would this be enforced? Would a deputy have to catch someone in the act of littering, or could you report your neighbor for littering?

Attorney Railey clarified that with this ordinance, littering would be a Class I Misdemeanor. And yes, you could report your neighbor for littering.

Mr. Blair Bunn spoke. He stated that he really appreciated everything they were doing to help control littering in Southampton County.

Mr. Spier Edwards spoke. He advised that the ordinance came from the Litter Control Council and he asked the Board to please support it.

Mr. Larry Fowler spoke. He stated that Southampton County was one of the most beautiful counties in the state – let's keep it that way.

Chairman Jones closed the public hearing.

Supervisor West moved, seconded by Supervisor Felts, to adopt the ordinance. All were in favor.

Regarding miscellaneous issues, Mr. Johnson announced that he and Chairman Jones met with Lt. Governor Bolling and other officials from Southside Virginia on March 16 to discuss opportunities for economic development collaboration. The consensus of the group was to have local economic development directors meet and discuss the opportunities that may exist. He noted that Mr. Johnson Smolak, President of Franklin-Southampton Economic Development, Inc. was participating with this group.

Mr. Johnson advised that included in the agenda was a copy of the FY 2011 Youth Activities Funding application. He asked the Board to please share it with local organizations in their respective districts. The deadline for submittals was April 29.

Mr. Johnson stated that Hampton Roads Partnership's upcoming Regional Day was scheduled for Friday, May 6 in Chesapeake. He confirmed that each Board member received a separate invitation. He reminded them to please RSVP.

Mr. Johnson informed that Mrs. Beth Lewis, Director of Community Development, had provided a summary report for the NACo Prescription Drug Program – 48 local citizens had used the program and saved almost \$650 in the first 8 months. He noted that was a good return on their annual dues membership investment.

Mr. Johnson advised that included in the agenda was a copied excerpt from a regional magazine featuring the Mayors and Board Chairmen from Hampton Roads – Chairman Jones was included.

Mr. Johnson stated that included in the agenda were copies of reports from Opportunity, Inc., SPSA, and the Chowan Basin Soil and Water Conservation District.

Mr. Johnson noted that incoming and outgoing correspondence and articles of interest were also included in the agenda.

Moving to late arriving matters, Mr. Johnson announced that as a precaution, the Southampton County Fire and Rescue Association maintained an inventory of medical supplies that would be readily available in the event that there was some type of mass casualty event in Southampton County. The supplies were kept in a special mobile trailer designated specifically for mass casualties. Our annual budget included up to \$750 annually for this purpose, but the funds were only periodically drawn down as needed. The Courtland Volunteer Rescue Squad had recently taken over the responsibility of maintaining the inventory and expended \$3,648.77 to restock the trailer. An itemized list was included in the agenda. They were respectfully requesting

reimbursement. Because the amount exceeded what was available in our FY 2011 annual budget, the Board would need to specially appropriate the funding.

Supervisor Wyche moved, seconded by Vice-Chairman Young, to specially appropriate \$3,648.77 to reimburse the Courtland Volunteer Rescue Squad. All were in favor.

Mr. Johnson announced that it was necessary for the Board to conduct a closed meeting in accordance with the provisions set out in the Code of Virginia, 1950, as amended, for the following purposes:

Section 2.2-3711 (A) (5) Discussion concerning prospective industries where no previous announcement has been made of the business' or industry's interest in locating its facilities in the community; and

Section 2.2-3711 (A) (7) Consultation with legal counsel and briefings by staff members related to actual litigation where such briefing in an open session would adversely affect the litigating posture of the public body.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to conduct a closed meeting for the purposes previously read.

Richard Railey, County Attorney, Julien Johnson, Public Utilities Director, and John Smolak, President of Franklin-Southampton Economic Development, Inc. were also present in the closed meeting along with Mr. Johnson and the Board.

Upon returning to open session, Vice-Chairman Young moved, seconded by Supervisor Wyche, to adopt the following resolution:

RESOLUTION OF CLOSED MEETING

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

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

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

**Supervisors Voting Aye: Dallas O. Jones
Walter L. Young, Jr.
Walter D. Brown, III
Carl J. Faison
Anita T. Felts
Ronald M. West
Moses Wyche**

The motion passed unanimously.

There being no further business, the meeting was adjourned at 9:20 PM.

Dallas O. Jones, Chairman

Michael W. Johnson, Clerk