

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 May 23, 2011 at 6:00 PM

SUPERVISORS PRESENT

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

SUPERVISORS ABSENT

Walter L. Young, Jr., Vice-Chairman (Franklin)

OTHERS PRESENT

Michael W. Johnson, County Administrator (Clerk)  
Jon Mendenhall, Assistant County Administrator  
Lynette C. Lowe, Finance Director  
Beth Lewis, Director of Community Development  
Sandi Plyler, Information Technology Manager  
Julien W. Johnson, Jr. Public Utilities Director  
Richard E. Railey, Jr., County Attorney  
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 for the Budget Work Sessions of April 6, April 13, and April 20.

The minutes were approved as presented, as there were no additions or corrections.

Regarding highway matters, Mr. Michael Johnson, County Administrator, announced that he would be pleased to take any concerns to share with VDOT.

Supervisor Faison advised that the railroad crossing on The Hall Road was in poor condition. He was not sure if it was a VDOT or railroad issue. Also, there was still a steep drop-off on Number 8 Schoolhouse Road near Brookside Apartments.

Supervisor West asked if mowing had started. Mr. Johnson replied yes, on primary roads, but he was not sure about secondary roads. Supervisor West commented that mowing on secondary roads needed to start very soon. He advised that on Routes 635 and 620, there were drop-offs of payment. Also on Route 635, bushes had grown onto the right-of-way.

Supervisor Felts advised that Johnsons Mill Road north of her home now had a “washboard effect.” Every time a car passed by, it sounded like the raised grid lines on highways used to alert motorists of a speed reduction.

Supervisor Brown stated that the tall grass was a big problem and he agreed with Supervisor West in that the mowing needed to start soon. He advised that the shoulders on Monroe Road and Sunbeam Road were very soft and there were no signs indicating such.

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 the Treasurer’s Report, Mr. David Britt addressed the Board regarding delinquent taxes. He advised that as of April 30, 2009, delinquent taxes were \$1.7 million. As of April 30, 2010, delinquent taxes were also \$1.7 million, but the assessment or total taxes to be collected was

higher. Since that time, they had collected \$926,000 in delinquent taxes, implemented 600 DMV stops, set up 350 payment plans, and issued 382 tax liens. Most recently, they implemented the license tag reader program in which a boot was placed on the car of a person who was delinquent in paying personal property taxes.

Supervisor Brown commended Mr. Britt for his efforts in collecting delinquent taxes. However, he would like to see real estate property (that had not sold at previous tax sales) sold at a reduced rate so the County could begin to get a little tax revenue from the property.

Mr. Britt explained that they did an analysis on each property put up for auction at the tax sales to determine the minimum bid necessary to make it worthwhile to sell the property.

In regards to Solid Waste Quantities, Supervisor Faison asked why the tons diverted to Waste Management (for recycling) was 0 for the month of April. Mr. Johnson explained that we could not send over 5% of our solid waste to third parties per the agreement with SPSA, and we were running way ahead of that for the year.

Supervisor Brown commended the savings resulting from the attended sites, which was pushing \$3 million. There was a lot to be said about the vision of this Board.

Supervisor West asked why the tonnages were down in April. Mr. Johnson replied that it was due to Green Waste Recycling.

In regards to Personnel, Mr. Johnson advised that Jon M. Mendenhall was hired in County Administration effective 04/25/11 at an annual salary of \$65,144. Elizabeth A. Croak was hired in the Sheriff's Office effective 05/16/11 at an annual salary of \$27,068. He informed that Robert M. Carr of the Sheriff's Office was reclassified from Dispatcher to Deputy and his salary increased to \$29,843 effective 05/01/11. David L. Joyner, Sr. of the Sheriff's Office was reclassified from Trainee to Operator 4 and his salary increased to \$27,068 effective 05/01/11.

Moving to financial matters, Mr. Johnson announced that included in the agenda was a copy of the proposed budget synopsis:

The proposed budget synopsis is as follows:

**SOUTHAMPTON COUNTY, VIRGINIA  
PROPOSED BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2012**

**REVENUE ESTIMATES**

	2010-2011	2011-2012	%▲		2010-2011	2011-2012	%▲	
<b>COUNTY SOURCES</b>					<b>BUILDING FUND</b>			
General Property Taxes	\$ 17,324,205	\$ 18,154,870	4.79	Utility Taxes	464,000	490,000	5.60	
Other Local Taxes	1,552,849	1,594,349	2.67	Carryover - Utility Reserve	1,340,823	970,031	(27.65)	
Permits, Fees, Licenses	112,690	105,050	(6.78)	Rental of Property	60,556	60,556	0.00	
Fines & Forfeitures	560,238	589,000	5.13	Meal Taxes/Refunds	154,920	124,920	(19.36)	
Use of Money & Property	45,000	35,000	(22.22)	<b>TOTAL BUILDING FUND</b>	<u>2,020,299</u>	<u>1,645,507</u>	(18.55)	
Charges for Service	413,526	396,664	(4.08)	<b>REVENUE FROM COMMONWEALTH</b>				
Miscellaneous Revenue	751,612	979,128	30.27	Non-Categorical Aid	185,000	190,000	2.70	
<b>TOTAL COUNTY SOURCES</b>	<u>20,760,120</u>	<u>21,854,061</u>	5.27	Categorical Aid	3,456,946	3,460,396	0.10	
<b>OTHER COUNTY SOURCES</b>					Other Categorical Aid	462,864	467,554	1.01
Transfer-In/General Fund Reserve	867,861	1,400,777	61.41	School Aid (School Operating)	14,263,175	13,435,907	(5.80)	
Transfer-In/Inmate Enterprise	145,380	160,000	10.06	School Aid (School Food)	14,000	21,000	50.00	
School Funds (School Food)	523,000	401,600	(23.21)	School Aid (Sales Tax)	2,416,685	2,603,739	7.74	
School Funds (School Operating)	2,000	2,000	0.00	Public Assistance	2,153,576	2,125,253	(1.32)	
<b>TOTAL OTHER COUNTY SOURCES</b>	<u>1,538,241</u>	<u>1,964,377</u>	27.70	<b>TOTAL STATE REVENUE</b>	<u>22,952,246</u>	<u>22,303,849</u>	(2.82)	
<b>ENTERPRISE REVENUE</b>					<b>REVENUE FROM FEDERAL SOURCES</b>			
Water Service Fees	326,700	305,000	(6.64)	School Aid (School Operating)	11,500	11,500	0.00	
Sewer Service Fees	795,000	774,000	(2.64)	School Aid (Federal Programs)	1,759,849	1,762,408	0.15	
Other Fees/Connections	49,815	49,815	0.00	School Aid (School Food)	556,000	650,000	16.91	
Capitalized Interest	1,646,888	823,444	(50.00)	<b>TOTAL FEDERAL REVENUE</b>	<u>2,327,349</u>	<u>2,423,908</u>	4.15	
<b>TOTAL ENTERPRISE REVENUE</b>	<u>2,818,403</u>	<u>1,952,259</u>	(30.73)	<b>TOTAL REVENUE - ALL SOURCES</b>	<u>\$ 52,416,658</u>	<u>\$ 52,143,961</u>	(0.52)	

**EXPENDITURE ESTIMATES**

	2010-2011	2011-2012	%▲		2010-2011	2011-2012	%▲	
<b>GENERAL FUND</b>					<b>ENTERPRISE FUND</b>			
<b>General Government Administration</b>				Enterprise/Sewer	2,746,777	2,840,840	3.42	
Board of Supervisors	\$ 205,636	\$ 188,732	(8.22)	Enterprise/Water	739,102	713,028	(3.53)	
County Administration	308,486	307,871	(0.20)	<b>TOTAL ENTERPRISE FUND</b>	<u>3,485,879</u>	<u>3,553,868</u>	1.95	
Commissioner of the Revenue	259,968	286,717	10.29	<b>BUILDING FUND</b>				
Board of Assessors	180,000	211,212	17.34	Capital Projects/Debt Service	2,585,763	2,210,971	(14.49)	
Treasurer	271,389	274,817	1.26	<b>TOTAL BUILDING FUND</b>	<u>2,585,763</u>	<u>2,210,971</u>	(14.49)	
Delinquent Tax Collection	5,000	5,000	0.00	<b>SCHOOL FUND</b>				
Accounting	220,007	211,721	(3.77)	Instruction	15,994,521	15,950,784	(0.27)	
Data Processing	208,081	312,012	49.95	Administration, Attendance & Health	1,127,693	1,220,657	8.24	
Insurance/County Code	177,820	227,800	28.11	Management & Direction - Transportation	2,769,046	2,818,191	1.77	
Registrar	146,515	174,462	19.07	Operation and Maintenance Services	3,384,271	3,392,690	0.25	
<b>TOTAL GENERAL FUND</b>	<u>1,982,902</u>	<u>2,200,344</u>	10.97	School Food Service and Non Operating Facilities	133,888	129,818	(3.04)	
<b>Judicial Administration</b>					Debt Service	154,026	154,026	0.00
Circuit Court	64,771	34,890	(46.13)	Technology/School Operating	2,889,828	2,524,381	(12.65)	
Combined District Court	22,166	22,839	3.04	Rental Textbooks	401,967	409,236	1.81	
Special Magistrates	658	908	37.99	Technology	104,509	78,175	(25.20)	
Clerk of Circuit Court	467,645	472,498	1.04	At-Risk 4 Year Olds	206,000	206,000	0.00	
Sheriff - Bailiff	378,194	388,181	2.64	Early Reading Intervention	200,333	200,333	0.00	
Courthouse Security	70,154	239,975	242.07	<b>Federal School Funds</b>				
Commonwealth's Attorney	481,781	497,105	3.18	Title I	578,416	658,276	13.81	
Victim Witness Assistance Program	69,211	70,091	1.27	Title VIB Flow-Through	605,504	604,750	(0.12)	
<b>TOTAL JUDICIAL ADMINISTRATION</b>	<u>1,554,580</u>	<u>1,726,487</u>	11.06	Vocation Special Education	48,597	53,052	9.17	
<b>Public Safety</b>					Pre-School Incentive	12,898	12,897	(0.01)
Sheriff - Law Enforcement	1,642,095	1,647,790	0.35	Title IIA Training and Recruitment	150,436	153,574	2.09	
Enhanced 911	162,433	163,880	0.89	Title IID Ed. Tech.	5,998	4,859	(18.99)	
Wireless 911	45,256	46,022	1.69	21st Century Community Learning	175,000	175,000	0.00	
School Resource Officer	49,656	50,528	1.76	Opportunity, Inc.	183,000	100,000	(45.36)	
Volunteer Fire Departments	281,790	301,647	7.05	<b>TOTAL SCHOOL FUNDS</b>	<u>29,177,735</u>	<u>28,892,027</u>	(0.98)	
Volunteer Rescue Squads	914,799	929,278	1.58	<b>SCHOOL FOOD</b>				
State Forestry Service	23,367	21,730	(7.01)	School Food	1,093,000	1,072,600	(1.87)	
Sheriff - Detention	2,565,629	2,657,239	3.57	<b>TOTAL SCHOOL FOOD</b>	<u>1,093,000</u>	<u>1,072,600</u>	(1.87)	
Probation	104,472	102,701	(1.70)	<b>VIRGINIA PUBLIC ASSISTANCE FUND</b>				
Inspections	122,253	131,379	7.46	Eligibility Administration	968,540	1,004,788	3.74	
Animal Control	99,988	98,031	(1.96)	Service Administration	697,750	714,376	2.38	
Medical Examiner	500	500	0.00	Benefit Programs	806,550	727,342	(9.82)	
Emergency Services	113,033	113,073	0.04	<b>TOTAL EXPENDITURES - ALL FUNDS</b>	<u>\$ 52,416,658</u>	<u>\$ 52,143,961</u>	(0.52)	
<b>TOTAL PUBLIC SAFETY</b>	<u>6,125,271</u>	<u>6,263,798</u>	2.26	<b>General Fund Reserve</b>	\$ 2,719,069	\$ 2,242,422	(18.35)	
<b>Health &amp; Welfare</b>					<b>Community Development</b>			
Health Department	304,000	304,000	0.00	Planning	281,388	202,319	(28.10)	
WTCSB	68,944	68,944	0.00	Economic Development	100,000	100,000	0.00	
Senior Services	13,000	13,000	0.00	Soil & Water Conservation	9,911	9,768	(1.44)	
Comprehensive Services Act	117,159	180,147	53.76	Cooperative Extension	42,165	41,015	(2.73)	
STOP Organization	1,540	1,540	0.00	<b>TOTAL COMMUNITY DEVELOPMENT</b>	<u>433,464</u>	<u>353,102</u>	(18.54)	
<b>TOTAL HEALTH &amp; WELFARE</b>	<u>504,643</u>	<u>567,631</u>	12.48	<b>Non-Departmental</b>				
<b>Parks, Recreation &amp; Cultural</b>					<b>Non-Departmental Operating</b>			
Community Concert Association	5,500	5,400	(1.82)		34,000	19,100	(43.82)	
Rawls Museum Arts	13,787	14,000	1.54		34,000	19,100	(43.82)	
Historical Society	24,750	24,750	0.00	<b>TOTAL GENERAL FUND EXPENDITURES</b>	<u>\$ 13,601,441</u>	<u>\$ 13,967,989</u>	2.69	
W.C. Rawls Library	252,897	228,686	(9.57)					
<b>TOTAL PARKS, RECREATION &amp; CULTURAL</b>	<u>296,934</u>	<u>272,836</u>	(8.12)					

The following changes, directed by the Board at their May 18 Budget Work Session, were included in the proposed budget synopsis:

- 1) A 2 ¢ reduction in the proposed real estate tax rate, reducing general property tax revenues by \$280,444;
- 2) A \$227,073 increase in Miscellaneous Revenue, derived from growth in the shared tax revenues from the City of Franklin in the Armory Drive commercial corridor;
- 3) A \$3,617 decrease in the amount of revenue budgeted for Transfer-In from the General Fund Reserve;
- 4) A \$43,488 decrease in the Animal Control budget by eliminating the proposed Animal Control Officer position; and
- 5) A \$13,500 decrease in the Buildings and Grounds budget by eliminating contractual grass cutting services at properties acquired by the County under the Hazard Mitigation Grant Program – these duties would be assumed by the Department of Public Works.

Supervisor West stated that we were proposing a 2% raise for employees, but he thought a one-time bonus to employees would be more cost effective because it would be a one-time expense, whereas a 2% raise would be a recurring cost each year.

Supervisor Felts indicated that she had the same question as Supervisor West.

Mr. Johnson explained that when he did the cost analysis, the 2% raise would cost less than a bonus.

Supervisor West remarked that he did not understand that, as a 2% raise would be a recurring cost.

Supervisor Faison asked if we were to give employees a bonus this year, would we also give them a bonus next year. Mr. Johnson replied no.

Supervisor Brown stated that he was in favor of a 2% raise for employees, as our employees deserved it. We had to motivate our people. It was important for us to take care of our own.

Supervisor West stated that with the drought last year, a lot of farmers did not receive an increase in pay. And he still could not understand how a 2% raise was cheaper than a one-time bonus. He hoped the Turner Tract would be successful, but right now we needed to tighten our belt.

Mr. Johnson clarified for Supervisor Felts that even with the 2% raise, the employees' paychecks would not be increased by 2% due to increases in the cost of health insurance.

**Supervisor Wyche moved, seconded by Supervisor Faison to adopt the FY 2012 budget as presented this evening. All were in favor.**

Mr. Johnson advised that included in the agenda was an ordinance establishing the 2011 (FY 2012) annual tax levy.

Mr. Johnson read aloud the following ordinance:

#### TAX ORDINANCE

BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that for the year 2011 there is hereby levied:

1. A tax of \$0.77 per \$100.00 associated valuation on all real estate in Southampton County, including manufactured homes.
2. A tax of \$5.00 per \$100.00 assessed valuation on all taxable, tangible, personal property located in Southampton County, except household goods and personal effects.
3. A tax of \$1.95 per \$100.00 assessed valuation on all farm machinery and farm implements, save and except machinery described in paragraph 4 herein below, located in Southampton County.
4. A tax of \$1.25 per \$100.00 assessed valuation on all farm machinery designed solely for the planting, production or harvesting of a single product or commodity, located in Southampton County.

- 5. A tax of \$0.77 per \$100.00 assessed valuation on all real estate and \$5.00 per \$100.00 assessed valuation on all taxable, tangible personal property of public service corporations based on the assessment fixed by the State Corporation Commission of Virginia.
- 6. A tax of \$2.40 per \$100.00 assessed valuation on all machinery and tools.
- 7. A tax of \$0.50 per \$100.00 assessed valuation on merchant's capital.
- 8. A tax of \$2.40 per \$100.00 assessed valuation on all heavy construction machinery, including but not limited to land movers, bulldozers, front-end loaders, graders, packers, power shovels, cranes, pile drivers, forest harvesting equipment and ditch and other types of diggers.
- 9. A tax of \$2.40 per \$100.00 assessed valuation on all motor vehicles, trailers, and semitrailers with a gross vehicle weight of 10,000 pounds or more used to transport property for hire by a motor carrier engaged in interstate commerce.

All levis shall be due on or before December 5, 2011.

Supervisor Felts suggested that they perhaps look at lowering the tax on heavy construction machinery from \$2.40 to \$1.95 to keep it in line with the tax on farm machinery.

Supervisor Brown indicated that he would like to revisit the tax on equipment used for harvesting.

It was consensus of the Board to discuss those items during budget deliberations next fiscal year.

**Supervisor Faison moved, seconded by Supervisors Felts and Wyche, to adopt the ordinance establishing the 2011 (FY 2012) annual tax levy. All were in favor.**

Mr. Johnson stated that included in the agenda was an ordinance establishing the water and sewer fees for FY 2012.

Mr. Johnson read aloud the following ordinance:

WATER AND SEWER RATES ORDINANCE

BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia, that beginning for the billing period after July 1, 2011, the following monthly water and sewer fees are hereby prescribed for all county systems:

WATER RATES:

Base rate:	\$24 for the 1 <sup>st</sup> 4,000 gallons
Over 4,000 gallons:	\$5 per 1,000 or any fraction thereof

*Multi-family units shall be assessed the base rate times the number of connected residential units plus \$4 for each 1,000 gallons (or fraction thereof) above the number of connected residential units times 4,000.*

Example: 50 residential units using an aggregate of 250,000 gallons

$(50 \times \$24) + (\$5 \times 50) = \$1,450.$

SEWER RATES:

Base rate:	\$32 for the 1 <sup>st</sup> 4,000 gallons
Over 4,000 gallons:	\$7 per 1,000 gallons or any fraction thereof

*Multi-family shall be assessed the base rate times the number of connected residential units plus \$7 for each 1,000 gallons (or fraction thereof) above the number of connected residential units time 4,000.*

Example: 50 residential units using an aggregate of 250,000 gallons

$(50 \times \$32) + (\$7 \times 50) = \$1,950.$

NARRICOT INDUSTRIES INDUSTRIAL WASTEWATER . . . . . \$1.40 per 1,000 gallons

Any residential wastewater customers who are connected to privately-owned wells shall be assessed the base sewer rate each month.

A COPY TESTE:

---

Michael W. Johnson, Clerk  
Board of Supervisors

**Supervisor West moved, seconded by Supervisors Brown and Felts, to adopt the ordinance establishing the water and sewer fees for FY 2012. All were in favor.**

Mr. Johnson informed that included in the agenda was a resolution with a total appropriation of \$379,551.94. The appropriation was related to the General Fund and consisted of a myriad of expenditure refunds, insurance reimbursements, and grants. All of the associated funding had been received from the sources indicated and was available for the itemized expenditures upon order of the Board. Of the total sum, \$114,611.42 would be appropriated from the General Fund Reserve – the vast majority of which was a mandated local match requirement for provision of services delivered under the Comprehensive Services Act. Additional state funding of \$234,972.48 was received from the Commonwealth to cover their share of the expense.

The appropriations resolution is as follows:

**APPROPRIATION - May 23, 2011**

**NEW MONEY REQUIRED FOR MAY 2011 APPROPRIATION**

**GENERAL FUND**

112,106.52	COMPREHENSIVE SERVICES ACT/LOCAL MATCH FOR STATE FUNDS
2,504.90	ACCOUNTING/ANNUAL LEAVE/J. WILLIAMS
<b>114,611.42</b>	<b>TOTAL NEW MONEY/GENERAL FUND</b>

**APPROPRIATION - May 23, 2011**

12110 COUNTY ADMINISTRATOR	(1) Reimbursement for cost of redistricting map (\$12.00) (2) Move money from salary to sick leave for J. Randolph ( \$-3,574.57) (\$3,574.57)
12410 TREASURER	Reimb of R/E and PP forms used by Town of Newsom (\$29.40)
12430 ACCOUNTING	Annual leave for J. Williams (\$2,504.90) <b>NEW MONEY</b>
12415 DELINQUENT TAX COLLECTION	Move money from compensation other to postal services (\$-2,500.00) (\$2,500.00)

21100 CIRCUIT COURT	State reimbursement received for jurors & witnesses (\$66.00)
22100 COMMONWEALTH ATTORNEY	(1) Revenue budgeted by Comp Board after FY2011 budget was adopted (\$9,285.00) (2) Move funds due to vacancy savings moved from salaries to office supplies(\$-5,501.20) (\$5,501.20)
31200 SHERIFF LAW ENFORCEMENT	Reimbursement from Selective Ins for vehicle that was involved in an accident (\$955.72)
32200 VOLUNTEER FIRE DEPTS	Reimbursements rec'd from Sedley Vol Fire and Drewryville Vol Fire for electrical services (\$250.32+\$62.94)
32300 VOLUNTEER RESCUE SQUADS	State Funds/Four-for-Life (\$18,053.01) Boykins, Capron, Courtland, and Ivor Rescue Squads
34000 INSPECTIONS	Move funds from salaries and wages to annual leave for A. Johnson (\$-440.44) (\$440.44)
42300 REFUSE COLLECTION	(1) Funds received from sale of auctioned crown vic from admin (\$382.50) (2) Funds received from recycled oil (\$33.92) (3) Funds received from sale of scrap metal (\$183.60)
43000 BUILDINGS & GROUNDS	Reimbursement received from Dept of Social Services and Health Dept for telephones (\$359.58+\$294.05)
53500 COMPREHENSIVE SERVICES ACT	Increase to mandated CSA budget- new state funds (\$234,972.48) and required new local funds (\$112,106.52) <b>NEW MONEY</b>
81100 PLANNING	Move funds from salaries and wages regular to annual leave and sick leave for R. Barnett (\$-13,553.60)(\$8,553.60)(\$5,000.00)

At a meeting of the Board of Supervisors of Southampton County, Virginia on Monday, May 23, 2011

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, 2010 through June 30, 2011 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:

4-100-12110-1100	SALARIES & WAGES REGULAR	(3,574.57)
12110-1325	SICK LEAVE	3,574.57
12110-6001	OFFICE SUPPLIES	12.00
12410-6001	OFFICE SUPPLIES	29.40
12415-1700	COMPENSATION OTHER	(2,500.00)
12415-5210	POSTAL SERVICES	2,500.00
12430-1320	ANNUAL LEAVE	2,504.90
21100-3848	JURORS & WITNESSES - STATE	66.00
22100-1100	SALARIES & WAGES REGULAR	(5,501.20)
22100-6001	OFFICE SUPPLIES	5,501.20
22100-6001	OFFICE SUPPLIES	9,285.00
31200-3310	REPAIR & MAINTENANCE	955.72
32200-5110	ELECTRICAL SERVICES	62.94
32200-5110	ELECTRICAL SERVICES	250.32
32300-5843	STATE FUNDS/FOUR-FOR-LIFE	18,053.01
34000-1100	SALARIES & WAGES REGULAR	(440.44)
34000-1320	ANNUAL LEAVE	440.44
42300-6030	EQUIPMENT	33.92
42300-6030	EQUIPMENT	183.60
42300-6030	EQUIPMENT	382.50
43000-5241	TELECOM-SOC SER/HEALTH	294.05
43000-5241	TELECOM-SOC SER/HEALTH	359.58
53500-5667	STANDARD ALLOCATION	347,079.00
81100-1100	SALARIES & WAGES REGULAR	(13,553.60)
81100-1320	ANNUAL LEAVE	8,553.60
81100-1325	SICK LEAVE	5,000.00
		=====
	TOTAL APPROPRIATION	379,551.94

REVENUE APPROPRIATION May 23, 2011  
 (REVENUE RECEIVED FOR ABOVE EXPENDITURES)

GENERAL FUND		
3-100-16040-0003	REIMBURSEMENT VFD-VRS	62.94
3-100-16040-0003	REIMBURSEMENT VFD-VRS	250.32
3-100-16090-0001	HEALTH-TELEPHONE	294.05
3-100-16110-0001	SOCIAL SERVICES-TELEPHONE	359.58
3-100-18030-0003	EXPENDITURE REFUND	382.50
3-100-18030-0003	EXPENDITURE REFUND	12.00
3-100-18030-0003	EXPENDITURE REFUND	29.40
3-100-18030-0003	EXPENDITURE REFUND	183.60
3-100-18030-0003	EXPENDITURE REFUND	33.92
3-100-18030-0004	INSURANCE CLAIMS & DIVIDENDS	955.72

3-100-23010-0006	COMMONWEALTH ATTORNEY OTHER COST	9,285.00
3-100-24040-0014	JURORS & WITNESSES	66.00
3-100-24040-0016	EMERGENCY MEDICAL SERVICE	18,053.01
3-100-24040-0052	COMPREHENSIVE SERVICES ACT	234,972.48
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	2,504.90
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	112,106.52
		=====
	TOTAL APPROPRIATION	379,551.94

A copy teste: \_\_\_\_\_, Clerk  
 Michael W. Johnson

Southampton County Board of Supervisors  
 05/23/2011

**Supervisor Wyche moved, seconded by Supervisor Felts, to adopt the Appropriations Resolution. All were in favor.**

Mr. Johnson advised that bills in the amount of \$1,512,716.51 were received.

**Vice-Chairman Young moved, seconded by Supervisor West, that the bills in the amount of \$1,512,716.51 be paid with check numbers 120784 through 121198. All were in favor.**

Moving forward, Mr. Johnson announced that included in the agenda was a capital funding request in the amount of \$100,000 from Franklin Fire and Rescue to assist them with the purchase of a 2011 Pierce Contender Custom Pumper. Capital funding in specified amounts had been set aside annually for each fire department and rescue squad since FY 2000. These funds were held in escrow until a request to draw them down was approved by the Board of Supervisors. Escrowed funds continued to accrue for each department/squad if they were not drawn down on an annual basis. The table included in the agenda indicated the status of capital appropriations since FY 2000. As they could see, we were holding \$114,500 in escrow for Franklin Fire and Rescue since they had not drawn down any funding since FY 2005. To date, we had collectively appropriated \$1,345,500 for fire and rescue improvements and were holding \$309,500 in escrow. The FY 2012 budget included another \$175,000 for fire and rescue capital expenditures.

**Supervisor Felts moved, seconded by Supervisor Brown, to approve the capital funding request for Franklin Fire and Rescue in the amount of \$100,000. All were in favor.**

Moving forward, Mr. Johnson announced that included in the agenda were the following two applications for fireworks display permits, requested pursuant to Section 10-73 of the Southampton County Code:

- 1) **Sedley Recreation Association** for a planned display on Monday, July 4, 2011 at dusk. The rain date was Tuesday, July 5. Permits had been granted annually since 1991 (with the exception of 2008) without incident; and
- 2) **Charles B. Darden, Jr.**, for a planned display on Saturday, July 9, 2011 at dusk. The rain date was Sunday, July 10. This was a private party that Mr. Darden hosted for family and friends each year. Permits had been granted annually since 2004 without incident.

He noted that both applications were in order and draft permits were included in the agenda.

**Supervisor Wyche moved, seconded by Supervisor Faison, to issue the fireworks display permit to Sedley Recreation Association. All were in favor.**

**Supervisor Brown moved, seconded by Supervisor Felts, to issue the fireworks display permit to Charles B. Darden, Jr. All were in favor.**

Moving forward, Mr. Johnson announced that included in the agenda was a proposed ordinance amendment to Section 14-76 of the Southampton County Code as it related to the time for filing for subdivision plats. Our current ordinance provided that the developer must file a final plat within 6 months of preliminary plat approval, which was inconsistent with Section 15.2-2260 (F) of the *Code of Virginia*. The enabling legislation provided that preliminary plat approval was valid for 5 years provided that the developer submitted the final plat within 1 year and diligently pursued final approval. He noted that the Planning Commission conducted its public hearing on April 14 and unanimously recommended approval.

**Supervisor Wyche moved, seconded by Supervisor Faison, to advertise the proposed ordinance amendment for a public hearing on June 27, 2011.**

Accordingly, a First Reading was held on the following ordinance amendment:

SCC. 14-76. TIME FOR FILING

**BE IT ORDAINED** by the Board of Supervisors of Southampton County, Virginia that the Southampton County Code be, and hereby is, amended as follows:

SCC.14-76. TIME FOR FILING

Once a preliminary subdivision plat is approved, it shall be valid for a period of five (5) years provided the subdivider (i) submits a final subdivision plat for all or a portion of the property within one (1) year of such approval, and (ii) thereafter diligently pursues approval of the final subdivision plat.

However, no sooner than three (3) years following such preliminary subdivision plat approval, and upon ninety (90) days written notice by certified mail to the subdivider, the planning commission may revoke such approval upon a specific finding of facts that the subdivider has not diligently pursued approval of the final subdivision plat.

“Diligent pursuit of approval” means that the subdivider has incurred extensive obligation or substantial expenses related to the final subdivision plat or modifications thereto.

The effective date of this ordinance shall be June 1, 2011.

For state law authority please see § 15.2-2260 (F) of the 1950 *Code of Virginia* as amended.

Moving forward, Mr. Johnson reminded that, beginning in FY 2010, the Board developed an annual grant application process for organizations that provided or supported youth recreational opportunities. The FY 2011 budget allocated up to \$5,000 for this purpose. The 2011 applications were made available on the county website in mid-March and applications were due on April 29. Four applications were received, requesting aggregate funding in the amount of \$8,500. A review committee appointed by the Board, including Supervisors Felts and Young, and 3 county staff members (Mr. Mendenhall, Mrs. Lewis and Mrs. Lowe), reviewed the applications and offered the following recommendations:

<b>Organization</b>	<b>Requested</b>	<b>Recommended</b>
Courtland Youth Athletic Association	\$ 2,000	\$ -
Courtland Community Center	3,000	1,000
Newsoms Athletic Association	1,500	-
Sedley Recreation Association	<u>2,000</u>	<u>1,000</u>
	\$ 8,500	2,000

Mr. Johnson continued that while the state enabling legislation provided that a locality may make donations to nonprofit recreational associations, the committee had exercised an abundance of caution in its recommendation. Non-profit status was a state law concept which may make an organization eligible for certain benefits, such as state sales, property, and income tax exemptions. Although most federal tax-exempt organizations were non-profit organizations, organizing as a non-profit organization at the state level did not automatically grant the organization exemption from federal income tax. To qualify as exempt from federal income taxes, an organization must

meet certain requirements set forth in the Internal Revenue Code. Notwithstanding the fact that the Courtland Youth Athletic Association and Newsoms Athletic Association both received funding last year, neither had obtained their 501 (c) (3) certification from the IRS. The committee had suggested that the Board defer consideration of their requests until such time as they achieve 501(c)(3) status. Alternatively, provided the respective towns in which these associations were located were willing to function as a funding conduit, the Board may wish to consider making an appropriation to the Towns of Courtland and Newsoms with specific instructions that the funding was to be directed to the respective Athletic Associations (similar to the way the Camp Foundations utilized Southampton County as a conduit to fund certain Volunteer Fire Departments). He noted that copies of all the applications were included in the agenda for their review. We had indicated on the grant application forms that we would notify all applicants by June 1.

Mr. Richard E. Railey, Jr., County Attorney, concurred with the recommendations of the committee.

Supervisor Brown thought they should provide funding to the Newsoms Athletic Association through the Town of Newsoms. He also commented, however, that there were other entities in the County that were non-profit and tax-exempt, but had not obtained 501(c) status.

Supervisor West pointed out that neither the Town of Newsoms nor the Town of Courtland had been asked to serve as a conduit, and neither the Newsoms Athletic Association nor the Courtland Youth Athletic Association had been asked if they would be amenable to such.

Supervisor Brown advised that he would be glad to contact the Newsoms Athletic Association and the Town of Newsoms.

Supervisor Felts indicated that she would contact the Courtland Youth Athletic Association and the Town of Courtland.

**Supervisor Wyche moved, seconded by Supervisor West, to accept the committee's recommendations and award \$1,000 each to the Courtland Community Center and Sedley Recreation Association, and tentatively award \$1,000 each to the Newsoms Athletic Association and Courtland Youth Athletic Association, provided the respective Towns agreed to serve as a conduit for funding. 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:

CPA 2011:02 – Request by R. Edward Railey, III, applicant, for James R. and Valerie M. Prosize, owners, requesting a change in Comprehensive Plan designation from Single Family Residential to Industrial in the Courtland Planning Area for a tract of approximately 2.0 acres. The tract is located on Meherrin Road (US Route 35) approximately 1,800 feet northeast of its intersection with Southampton Parkway (US Route 58). The property address is 23245 Meherrin Road, Courtland, VA 23837. The applicant seeks to establish a trucking terminal and office using the existing building. The property is known as Tax Parcel 74-17B and is located in the Capron Voting District and the Capron Magisterial District.

Attorney Railey indicated that he would not participate in the discussion as to avoid a conflict of interest.

Chairman Jones gave Attorney Railey permission to remain in his seat.

Mrs. Beth Lewis, Director of Community Development and Secretary to the Planning Commission, advised that the property consisted of a brick building that had been used for a variety of vehicle and industrial uses over the years, including the Chemical Leaman Company. The property still retained a Comprehensive Plan designation of Single-Family Residential, and a zoning designation of A-1, Agricultural. This Comprehensive Plan amendment would enable the building to be renovated, reused, and to become a contributing part of Southampton County once again. She noted that this property perhaps should have been designated as Industrial in the Comprehensive Plan, but it was a small parcel and it was difficult to designate every piece of

property in the County entirely correct. This was the first of a two-step process. This first step was the Comprehensive Plan amendment to change the designation to Industrial to permit this type of use. The second step was a zoning map amendment, which included specific conditions offered in regards to the operation of the business.

Mrs. Lewis stated that the Planning Commission held a public hearing on this application at its April 14, 2011 meeting and unanimously recommended approval.

Chairman Jones opened the public hearing.

Mr. R. Edward Railey, III, attorney/applicant representing James and Valerie Prorise, owners, addressed the Board. He respectfully requested that they approve the Comprehensive Plan Amendment.

Supervisor West asked if Mr. and Mrs. Prorise were present. Mr. Railey replied no – he was representing them.

Chairman Jones closed the public hearing.

**Supervisor Wyche moved, seconded by Supervisor Brown, to accept the Planning Commission's recommendation and amend the Comprehensive Plan. All were in favor.**

Mr. Johnson announced that the second public hearing was to consider the following:

RZA 2011:02 – Request by R. Edward Railey, III, applicant, for James R. and Valerie M. Prorise, owners, requesting a zoning map amendment from A-1, Agricultural to CM-1, Conditional Limited Industrial District for a tract of approximately 2.0 acres. The tract is located on Meherrin Road (US Route 35) approximately 1,800 feet northeast of its intersection with Southampton Parkway (US Route 58). The property address is 23245 Meherrin Road, Courtland, VA 23837. The applicant seeks to establish a trucking terminal and office using the existing building. The property is known as Tax Parcel 74-17B and is located in the Capron Voting District and the Capron Magisterial District;

Mrs. Beth Lewis advised that this zoning map amendment request was the second step of the two-step process.

Mrs. Lewis informed that the following voluntary proffers had been had been submitted:

- The use of the property will be limited to “Truck stop or truck terminal, freight”, per Sec. 18.2-282(61) of the zoning ordinance and all other uses under Sec. 18-282 shall be excluded;
- No more than ten (10) trucks will be stored on the property at any one time; and
- Entrances of the property would be brought into VDOT compliance.

She noted that because this rezoning request was for a commercial designation (rather than a residential designation) monetary proffers were not applicable.

Mrs. Lewis stated that the Planning Commission held a public hearing at its April 14 meeting and unanimously recommended approval, subject to all voluntary proffers.

Chairman Jones opened the public hearing. No members of the public desired to speak. Chairman Jones closed the public hearing.

**Supervisor Wyche moved, seconded by Supervisor West, to accept the Planning Commission's recommendation and approval the conditional rezoning, subject to all voluntary proffers. All were in favor.**

Mr. Johnson announced that the third public hearing was to consider the following:

RZA 2011:03 – Request by Southampton County Board of Supervisors, agent, requesting a change in zoning classification from M-1, Limited Industrial District, to A-1, Agricultural District for approximately 55 acres of a 238 acre parcel. The property is located at 10266 New Road, Ivor, VA and is known as a portion of Tax Parcel 24-43. The property is on New Road approximately 1.5 miles west of the intersection of New Road (Route 622) and Tucker Swamp Road (Rt. 635). The property is located in the Berlin-Ivor Voting District and the Berlin-Ivor Magisterial District.

Mrs. Lewis advised that the Planning Commission held a public hearing on this application at its May 12, 2011 meeting and voted 6-1 to recommend approval.

The ordinance to be considered is as follows:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF  
SOUTHAMPTON COUNTY, VIRGINIA INITIATING A CHANGE IN ZONING

WHEREAS, in regular session on July 28, 2008, the Board of Supervisors of Southampton County approved a change in the zoning classification of approximately 55 acres of a 238-acre parcel, identified as Tax Map Parcel Number 24-43, from A-1, Agricultural to C-M1, Conditional Limited Industrial; and

WHEREAS, said approval was subject to a signed, written, voluntary proffer by the applicants and property owners, Anthony and Victoria Scodes, expressly and exclusively limiting use of the subject 55 acres for a race track or course as permitted in Section 18-282 (a) (49) of the Southampton County Code; and

WHEREAS, Section 18-282 (a) (49) of the Southampton County Code further provides that use of any property in an Industrial District, Limited M-1 as a race track or course is subject to issuance of a conditional use permit by the Board of Supervisors; and

WHEREAS, in regular session on October 27, 2008, the Board of Supervisors of Southampton County, upon recommendation of the Planning Commission citing inconsistency of the proposed use with the Comprehensive Plan of Southampton County, denied issuance of a conditional use permit for a race track or course on the subject 55 acres; and

WHEREAS, on February 15, 2011, the Circuit Court of Southampton County, Virginia found that the change in zoning approved by the Board of Supervisors on July 28, 2008 was unreasonable, incompatible and inconsistent with the Comprehensive Plan, and clearly a case of spot zoning, and by Order dated March 24, 2011 remanded the matter back to the Board for reconsideration; and

WHEREAS, Section 18-541 of the Southampton County Code and § 15.2-2286 (7) of the Code of Virginia, provide that the Board of Supervisors may, by resolution, initiate a change in zoning, provided that such resolution specifically states the public purpose therefore.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Southampton County, Virginia finds that restoration of the zoning classification of the subject 55 acres to A-1, Agricultural follows good zoning practice and is consistent with the Comprehensive Plan of Southampton County, and

BE IT FURTHER RESOLVED that the Board of Supervisors authorizes and directs the County Administrator to initiate on its behalf, at no cost to the property owners, a change in zoning of the subject 55 acres, being a portion of Tax Map Parcel 24-43, from C-M1, Conditional Limited Industrial to A-1, Agricultural, effectively seeking to reverse the zoning change approved on July 28, 2008.

Chairman Jones opened the public hearing.

Mrs. Diane Kropewnicki spoke. She respectfully requested that they rezoned the property back to A-1, Agricultural. She noted that it should have never been rezoned to Industrial in the first place.

Chairman Jones closed the public hearing.

**Supervisor West moved, seconded by Supervisor Brown, to accept the Planning Commission's recommendation and rezone the property from M-1, Limited Industrial District, back to its original zoning of A-1, Agricultural by adoption of the Resolution. All were in favor.**

Mr. Johnson announced that the fourth and final public hearing was to consider the following:

An ordinance to enact Section 15-105 of the Southampton County Code relating to real estate tax exemption for disabled veterans.

The ordinance to be considered is as follows:

AN ORDINANCE TO ENACT SECTION 15-105 OF THE SOUTHAMPTON COUNTY CODE RELATING TO REAL ESTATE TAX EXEMPTION FOR DISABLED VETERANS

-----

BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that the Southampton County Code be, and hereby is, amended by enacting Section 15-105 as written herein below:

**Sec. 15-105. Exemption from taxes on property for disabled veterans; application for exemption.**

(a) Pursuant to § 58.1-3219.5 of the Code of Virginia, 1950, as amended, Southampton County hereby exempts from taxation the dwelling and up to one acre of land upon which the dwelling is situated, including the joint real property of husband and wife, of any veteran who has been rated by the U.S. Department of Veterans Affairs or its successor agency pursuant to federal law to have a 100 percent service-connected, permanent, and total disability, and who occupies the real property as his principal place of residence.

(b) The surviving spouse of a veteran eligible for the exemption set forth in this article shall also qualify for the exemption, so long as the death of the veteran occurs on or after January 1, 2011, the surviving spouse does not remarry, and the surviving spouse continues to occupy the real property as his principal place of residence.

(c) The veteran or surviving spouse claiming the exemption under this article shall file with the commissioner of the revenue of the county, on forms to be supplied by the county an affidavit or written statement (i) setting forth the name of the disabled veteran and the name of the spouse, if any, also occupying the real property, (ii) indicating whether the real property is jointly owned by a husband and wife, and (iii) certifying that the real property is occupied as the veteran's principal place of residence. The veteran shall also provide documentation from the U.S. Department of Veterans Affairs or its successor agency indicating that the veteran has a 100 percent service-connected, permanent, and total disability. The veteran shall be required to refile the information required by this section only if the veteran's principal place of residence changes. In the event of a surviving spouse of a veteran claiming the exemption, the surviving spouse shall also provide documentation that the veteran's death occurred on or after January 1, 2011.

This ordinance shall become effective as of January 1, 2011.

A copy teste: \_\_\_\_\_, Clerk  
Southampton County Board of Supervisors  
Adopted: May 23, 2011

Chairman Jones opened the public hearing.

Mrs. Barbara E. Story spoke. She stated that she thought this was good for our veterans, but it should also be applicable to disabled widows.

Mrs. Mary Howell spoke. She asked what if a wife co-owned a house with her husband who was a disabled veteran, and he died. Attorney Railey advised that the property would still be tax-exempt.

Chairman Jones closed the public hearing.

**Supervisor Brown moved, seconded by Supervisor Felts, to adopt the ordinance regarding tax exemption for disable veterans. All were in favor.**

Moving forward, Mr. Johnson announced that included in the agenda was a Memorandum of Understanding (MOU) with the Southampton County Historical Society that established our working relationship in moving forward with the 1831 Insurrection Trail Project. He reminded that Southampton County agreed to be Project Sponsor and Manager, but to bear no financial responsibility. The MOU addressed one item that had been, heretofore, not discussed. Because the grant was a reimbursement, project invoices would have to be paid in advance, prior to receiving the grant funds from VDOT. The Historical Society had indicated that their cash balance was insufficient to carry a project of this magnitude and they did not have an established line of credit. With this MOU, they were seeking the Board's consideration in providing them the financial bridge they would need by having the County pay the project invoices and subsequently receiving the reimbursement back from VDOT. They again agreed to assume all responsibility for the local match requirement and to reimburse the county for any expenses deemed by VDOT to be ineligible. Mrs. Lynette Lowe, Finance Director, was already functioning as the fiscal agent for their local funds and would directly recover their local match with each drawdown.

Mr. Johnson advised that he had asked Mr. Jon Mendenhall, Assistance County Administrator, to provide project oversight and coordinate all expenditures with VDOT in advance to assure that there were no eligibility issues. VDOT generally turned reimbursements around in less than 30 days, minimizing any adverse impact on cash flow. He noted that this type of relationship was not unprecedented – the county provided a bridge loan to Rawls Museum Arts when they constructed their gallery several years ago.

Supervisor Brown stated that he thought the Governor had announced there were tourism grants available. He indicated that he was in favor of the MOU with the Historical Society and was glad the Board was doing this. He hoped the Board would support other historical projects as well.

**Supervisor Wyche moved, seconded by Supervisor West, to approve the Memorandum of Understanding (MOU) with the Southampton County Historical Society. All were in favor.**

Moving forward, Mr. Johnson announced that Supervisor Felts had asked him to prepare a resolution for their consideration supporting the designation of the month of May as Military Appreciation Month.

Mr. Johnson read aloud the following resolution:

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF SOUTHAMPTON COUNTY  
SUPPORTING THE DESIGNATION OF THE MONTH OF MAY  
AS MILITARY APPRECIATION MONTH**

**Whereas** the vigilance of the members of the Armed Forces has been instrumental to the preservation of the freedom, security, and prosperity enjoyed by the people of the United States;

**Whereas** the success of the Armed Forces depends on the dedicated service of its members, their families, and the civilian employees of the Department of Defense and the Coast Guard;

**Whereas** the role of the United States as a world leader requires a military force that is well-trained, well-equipped, and appropriately sized;

**Whereas** to maintain such a force, the youth of the United States must possess a commitment to military service sufficient to achieve the levels of recruitment and retention necessary to sustain the strength, vitality, and character of the Armed Forces;

**Whereas** to foster and sustain such a commitment it is vital for the youth of the United States to understand that the service provided by members of the Armed Forces is an honorable legacy that protects the freedoms enjoyed by citizens of the United States as well as citizens of many other nations;

**Whereas** the Federal Government has a responsibility to raise awareness of and respect for this aspect of the heritage of the United States and to encourage the people of the United States to dedicate themselves to the values and principles for which Americans have served and sacrificed throughout the history of the Nation;

**Whereas** service in the Armed Forces entails special hazards and demands extraordinary sacrifices from service members and their families;

**Whereas** the support of the families of service members enhances the effectiveness and capabilities of the Armed Forces;

**Whereas** the observance of events recognizing the contributions of the Armed Forces is a tangible and highly effective way of sustaining morale and improving quality of life for service members and their families;

**Whereas** on April 30, 1999, the Senate passed S. Res. 33 (106th Congress), entitled `Designating May 1999 as `National Military Appreciation Month', calling on the people of the United States, in a symbolic act of unity, to observe a National Military Appreciation Month in May 1999, to honor the current and former members of the Armed Forces, including those who have died in the pursuit of freedom and peace; and

**Whereas** it is important to emphasize to the people of the United States the relevance of the history and activities of the Armed Forces through an annual National Military Appreciation Month that includes associated local and national observances and activities.

**Now, Therefore, Be It Resolved**, by the Board of Supervisors of Southampton County that it:

- 1) Supports the designation of a National Military Appreciation Month;
- 2) Encourages its citizens to observe National Military Appreciation Month with appropriate actions and gestures for all veterans and active military personnel; and
- 3) Encourages its citizens to pause and remember those who have died in service to the United States and those who continue to serve the Nation.

**Supervisor Felts moved, seconded by Supervisor Brown, to adopt the resolution supporting the designation of the month of May as Military Appreciation Month. All were in favor.**

Regarding miscellaneous issues, Mr. Johnson announced that included in the agenda was a Certificate of Recognition from the Virginia Scenic River Board recognizing the Board's initiative in having the remaining portion of the Nottoway River designated as a State Scenic River. Mrs. Beth Lewis represented us at the recognition ceremony.

Mr. Johnson advised that included in the agenda was notice of an awards competition created by the Tayloe Murphy Center at the University of Virginia to recognize entrepreneurial businesses that had thrived despite our local economic challenges. Nominations were due by June 30, 2011.

Mr. Johnson stated that included in the agenda was a copy of the most recent newsletter from the Chowan Basin Soil and Water Conservation District and the Annual Report from Senior Services of Southeastern Virginia.

Mr. Johnson informed that various notices, incoming and outgoing correspondence, and articles of interest were also included in the agenda.

Moving to late arriving matters, Mr. Johnson announced that as they may recall, in addition to the appointments made by the Governor, each member locality was authorized to appoint one ex officio member to the reconstituted SPSA Board of Directors. An ex officio member must be an employee of the member locality and must be appointed by the governing body. Ex officio members had full voting rights on the SPSA Board of Directors, and each locality was also authorized to appoint an alternate ex officio member. He advised that we had not reappointed an

alternate ex officio member since Mr. Randolph's departure last October. He was recommending that the Board appoint Mr. Jon Mendenhall, Assistant County Administrator, to represent our interests in his absence.

**Supervisor West moved, seconded by Supervisors Felts and Wyche, to appoint Mr. Jon Mendenhall as an alternate officio member of the SPSA Board of Directors. All were in favor.**

The Board took a 5-minute break.

Upon returning to open session, **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;**

**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; and**

**Section 2.2-3711 (A) (1) Discussion of assignment of specific public officers.**

**Supervisor Wyche moved, seconded by Supervisor Brown, to conduct a closed meeting for the purposes previously read.**

Jon Mendenhall (Assistant County Administrator), Richard Railey (County Attorney), 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, Supervisor Wyche moved, seconded by Supervisor West, 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 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 8:45 PM.

May 23, 2011

---

Dallas O. Jones, Chairman

---

Michael W. Johnson, Clerk