

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 July 25, 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)
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 Regular Session of June 27, 2011.

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

Regarding highway matters, Mr. Michael Johnson, County Administrator, announced that it was his understanding that Mr. Ben Bryant and Mr. Tim Grizzard, VDOT Area Superintendents, were keeping in touch with each Supervisor regarding issues in their respective districts. He would be pleased to share with VDOT any new concerns the Board may have.

Vice-Chairman Young advised that the right-of-way on Route 671 on the west side of Hercules, that VDOT acquired a few years ago, was grown up between the road and the crop land making it hard to see.

Supervisor Brown thanked VDOT for their response to the Virginia Department of Historic Resources in Richmond pertaining to the location/placement of the Hand Site historical marker that was recently approved. The marker would be placed on the corner of Route 671 and Handsom Road.

Supervisor West advised that the ditch in front of the residence at 37132 Seacock Chapel Road was clogged up. In front of the residence at 36005 Broadwater Road, there was a bad drop-off in the pavement. There was a street light out in front of the home of Thomas and Barbara Green on Broadwater Road. Also, there were drainage issues on Atlantic Avenue, which was a side road off of Proctors Bridge Road.

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 Litter Control, Supervisor Brown commended the innovativeness of the Southampton County Litter Control Council. He noted that he and Supervisor West represented the Board on the Council.

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Also in regards to Litter Control, Mrs. Beth Lewis, Director of Community Development, read aloud the following update from Mr. John Jenkins, Southampton County Recycling and Litter Control Coordinator:

The Recycling and Litter Control Council has been hard at work since being charged with the task of stepping up county wide litter control efforts. There has been progress in several areas as a result of the combined efforts of the Litter Control Council, Southampton County Sheriff's Department. Backwater, Nottoway River Keeper, Virginia Department of Transportation and a number of citizen volunteers from the community.

Cameras have been purchased and given to the sheriff's department for their use at sites across the counties, which have been identified as spots for illegal dumping. They are in use and currently there are a number of ongoing investigations in which they are being used. Portable signs warning about littering and the penalties for being caught and the cost to the county for trash disposal have been purchased and Deputy Griggs is placing them along the roads in the county as he deems appropriate. Our local ordinance is in step with the Code of Virginia for penalties and fines for littering and illegal dumping As well. As you can see we are working more closely with local law enforcement in cleaning up the county.

Our efforts in the community and education have been very active as well. We are prepped and ready for the upcoming County Fair with our booth with the Sheriff's Department. In addition to the educational information traditionally distributed in written form. We plan to use the days at the fair to kick off a new educational program which will be available to school groups from K through 12 and will even be able to be modified to almost any civic, church group or hunt club that may want a presentation on recycling and litter control. An additional program in the works is a Litter Bug Program for the younger folks, Pre-K that hopefully will mesh with the program just mentioned. In addition The Southampton County School System has recently come on board with a representative, Mrs. Betty Mann; she will work with us and be the liaison between Southampton County Schools and the Recycling and Litter Control Council. Meherrin Elementary school has become the first school in the county to approach us and will start on the County's curb side recycling program when the teachers return to work around the middle of August.

County Employees from the Community Development Department have joined the Adopt-A-Highway Program by adopting Rose Valley Road from General Thomas Highway to Dogwood Bend Road. They have picked up the road twice since adoption and have removed a total of 36 bags of trash, 18 tires, 1 sofa, 1 chair, 1 television, 2 wood pallets, 2, and 1 mattress from the roadway and ditches.

We have been busy and we have had help, but we are not through by any stretch of the imagination. There is still work to be done and we call on all the citizens of the county to help us by not littering and if you can come out and help with the programs we have. The more hands we have the more we can accomplish together.

John Jenkins,
Recycling & Litter Control Coordinator

In regards to Cooperative Extension, Mr. Neil Clark, Interim Agricultural Agent, advised that our new (permanent) Agricultural Agent, Chris Drake, started work today.

In regards to the Treasurer's Report, Chairman Jones recognized Mr. David Britt, Treasurer.

Mr. Britt advised that from May 26 through July 22, they had collected \$293,859.27 in delinquent taxes. Of that total, \$57,276.60 was the result of the booting and/or seizure of 256 vehicles, and \$66,384.43 was the result of money collected from 531 tax liens issued. The remainder was collected via other means.

Supervisor Brown commended Mr. Britt on his collection efforts. He asked what the outstanding balance of delinquent taxes was. Mr. Britt replied approximately \$1.2 million.

In regards to Solid Waste Quantities, Supervisor Brown stated that the \$3.1 million in savings resulting from attended sites was monumental. It had saved the taxpayers an equivalent of 21¢ on the real estate tax rate.

In regards to Personnel, Mr. Johnson advised Linda S. Mitchell of Buildings and Grounds was reclassified from part-time to full-time effective 07/01/01 at an annual salary of \$18,322. Sandi

Plyler of Information Technology was reclassified effective 07/01/11 at an annual salary of \$64,012. Susan H. Wright was reclassified from County Administration to Information Technology effective 07/01/11 at an annual salary of \$44,879. Melissa L. Anderson of Accounting was reclassified effective 07/01/11 at an annual salary of \$31,336.

Supervisor Brown asked the status of the administrative assistant position being vacated by Mrs. Wright. Mr. Johnson replied that an offer was pending.

Moving to financial matters, Mr. Johnson announced that included in the agenda was a copy of the final FY 2011 appropriations resolution with total appropriations of \$7,804,166.03. The appropriation consisted of \$7,640,613.82 of revenue received in FY 2011, \$1,871.74 of revenue carried over from previous fiscal years, \$105,427.01 transferred in from the Inmate Enterprises Fund and \$56,253.46 of new money which comes from the unappropriated general fund reserve, since the associated expenses were not included in the FY 2011 annual budget. An itemized list of the new money items was included in the agenda.

The FY 2011 final appropriations resolution is as follows:

APPROPRIATIONS - JULY 25, 2011

NEW MONEY REQUIRED FOR JULY FOR JUNE 30, 2011 APPROPRIATION

GENERAL FUND

9,144.00	COMMISSIONER OF REVENUE/HOSPITAL PLAN
29,581.00	TREASURER/BANK CHARGES
2,801.32	ACCOUNTING/HOSPITAL PLAN
10,013.00	COMPREHENSIVE SERVICES ACT/AT-RISK CHILDREN/MATCH
1,914.14	VOL RESCUE SQUADS/MEDICAL TRANSPORT
2,800.00	BUILDINGS & GROUNDS/JOHNSON CONTROLS REPAIRS
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56,253.46	TOTAL NEW MONEY/GENERAL FUND

GENERAL FUND - CARRY-OVER FUNDS

1,871.74	COMMONWEALTH'S ATTORNEY/COST COLLECTIONS
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1,871.74	TOTAL CARRY-OVER/GENERAL FUND

GENERAL FUND - TRANSFER IN FROM OTHER FUNDS

105,427.01	INMATE ENTERPRISES/JAIL/BUDGET REQUIREMENT ONLY
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105,427.01	TOTAL TRANSFER IN TO GENERAL FUND

At a meeting of the Board of Supervisors of Southampton County,
Virginia on Monday, July 25, 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:

4-100-11010-1700	Compensation - County Attorney	9,583.35
11010-3150	Legal Services – OLF	(9,583.35)
12110-1100	Salaries & Wages Regular	(21,757.72)
12110-2600	Unemployment Insurance	232.80
12110-3182	Consulting Services	13,709.89
12110-3600	Advertising	2,513.35
12110-5210	Postal Svcs	2,203.08
12110-6001	Office Supplies	3,331.40
12310-2300	Hospital Plan	9,144.00
12310-2600	Unemployment Insurance	387.52
12410-2600	Unemployment Insurance	250.44
12410-3310	Repair & Maintenance	82.50
12410-3325	Contractual Services	84.11
12410-5210	Postal Service	1,146.98
12410-5230	Telecommunications	67.67
12410-5240	DMV Direct Communications	11,360.00
12410-5500	Travel Convention, Education	340.06
12410-5848	Bank Charges	4,816.64
12410-5848	Bank Charges	29,581.00
12410-6001	Office Supplies	(6,537.96)
12415-3220	Collection Fees	10,742.07
12430-2300	Hospital Plan	2,801.32
12430-2600	Unemployment Insurance	295.20
12510-2600	Unemployment Insurance	155.20
12510-8201	Equipment	2,223.31
12550-2300	Hospital Plan	8,121.00
12550-2600	Unemployment Insurance	(12,056.24)
13200-2600	Unemployment Insurance	160.03
21100-1100	Salaries & Wages Regular	(9,435.00)
21100-1300	Part-Time Salaries	9,435.00
21100-2600	Unemployment Insurance	77.60
21100-3848	Jurors & Witnesses –State	93.00
21100-3848	Jurors & Witnesses –State	66.00
21100-3848	Jurors & Witnesses –State	117.83
21100-3848	Jurors & Witnesses –State	413.00
21200-2600	Unemployment Insurance	57.62
21600-2600	Unemployment Insurance	490.22
21700-2600	Unemployment Insurance	465.60
22100-1760	Comp Cost Coll Att I & Att IV	1,566.08
22100-2600	Unemployment Insurance	512.80
22100-5835	Cost Collection Carry over Funds	305.66
31200-1300	Part-time Salaries	36,000.00

31200-1930	Grant (ARRA) - Byrne- Equipment	15,823.01
31200-2600	Unemployment Insurance	1,633.71
31200-5500	Travel Convention, Education	1,428.00
31200-6011	Uniforms & Apparel	53.59
32200-5110	Electrical Services	91.29
32200-5110	Electrical Services	353.43
32200-5843	State Funds/Fire Program Funds	4,837.00
32300-3170	Contractual Services/Daytime Operations	1,917.14
33100-2600	Unemployment Insurance	3,951.23
33100-3110	Professional Health Service	50,000.00
33100-3800	Purchase of Service - Other Institutions	15,800.00
33100-5120	Heating Services	22,077.17
33100-6002	Food Supplies	6,749.84
33100-6004	Medical & Lab Supplies	10,800.00
33100-6011	Uniforms & Wearing Apparel	86.85
34000-1100	Salaries & Wages Regular	(3,025.92)
34000-1800	Salary Supplement/Bonus	1,500.00
34000-2600	Unemployment Insurance	159.47
34000-3310	Repair & Maintenance	471.87
34000-3600	Advertising	372.21
34000-5500	Travel Convention, Education	606.45
34000-6011	Uniform	75.39
34000-5850	Surcharge Building Permit Fees	(741.88)
34000-6001	Office Supplies	741.88
35100-2600	Unemployment Insurance	79.37
41500-2600	Unemployment Insurance	77.60
42300-2600	Unemployment Insurance	2,415.22
42300-6030	Equipment	208.00
42300-6030	Equipment	144.21
42300-6030	Equipment	381.94
42300-1200	Over-Time Salaries	1,732.45
42300-1300	Part-Time Salaries - Sites	1,820.20
42300-2300	Hospital Plan	2,690.74
42300-3170	Contractual Services	2,834.00
42300-3310	Repair & Maintenance	14,894.33
42300-6009	Vehicle Supplies	14,438.18
42400-3845	Transfer Refuse to Suffolk	(38,409.90)
43000-2600	Unemployment Insurance	499.41
43000-3310	Repair & Maintenance	2,800.00
43000-3310	Repair & Maintenance	890.00
43000-3310	Repair & Maintenance	3,320.00
43000-5241	Telecom-Soc Ser/Health	319.03
43000-5241	Telecom-Soc Ser/Health	301.23
43000-5241	Telecom-Soc Ser/Health	300.62
43000-5241	Telecom-Soc Ser/Health	352.27
43000-5241	Telecom-Soc Ser/Health	335.14
53500-5667	Standard Allocation	31,000.00
81100-1100	Salaries & Wages Regular	(4,595.41)
81100-2600	Unemployment Insurance	155.20
81100-3150	Legal Services	2,827.50
81100-3600	Advertising	1,221.12
81100-5210	Postal Services	15.13
81100-5230	Telecommunications	408.72
81100-6011	Uniform	122.94
82500-1100	Salaries & Wages Regular	11,085.84
82500-1300	Salaries-Part-Time	3,093.84
82500-2100	FICA	1,066.36

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82500-2210	Retirement	1,250.48
82500-2215	Retirement – Employee	554.30
82500-2300	Hospital Plan	1,085.52
82500-2400	Group Life Insurance	997.52
82500-2600	Unemployment Insurance	46.47
93000-9220	Transfer out to Enterprise Fund	0.00
	TOTAL	<u>302,084.36</u>

From the General Fund to the Virginia
Public Assistance Operating Fund to
be expended only on order of the Social
Services Board of Southampton County:

4-201-53210-5731-313	Non-View Child Day Care	12,500.00
53210-5732-313	Independent Living	601.00
53210-5743-313	Family Preservation/Support Plan	203.00
53210-5744-313	Head Start Wrap - Around CDC	23,000.00
53100-1100-309	Salary	(38,781.00)
53100-3150-309	Professional Services-Legal	145.00
53100-3330-309	Computer Software Maint	12,031.00
53100-5110-309	Electrical Services	(2,640.00)
53100-6001-309	Office Supplies	13,149.00
53100-6002-309	Food Supplies	24.00
53100-6005-309	Housekeeping & Janitorial Service	380.00
53100-6009-309	Vehicle Supplies	2,353.00
53100-6014-309	Other Operating Supplies	2,543.00
53100-8201-309	Capital Outlay	10,796.00
53100-1100-310	Salaries	(14,000.00)
53100-2100-310	FICA	(2,346.00)
53100-2210-310	Retirement	(2,030.00)
53100-2400-310	Group Insurance	(3,240.00)
53100-2710-310	Worker's Compensation	1,003.00
53100-3310-310	Repair & Maintenance	(935.00)
53100-3320-310	Maint. Service Contracts	(471.00)
53100-3330-310	Computer Software Maint	9,235.00
53100-3600-310	Advertising	(393.00)
53100-3860-310	Labor Costs	(3,469.00)
53100-4100-310	Data Processing	19.00
53100-5110-310	Electrical Services	(2,107.00)
53100-5210-310	Postal Services	1,882.00
53100-5230-310	Telecommunications	281.00
53100-5305-310	Motor Vehicle Insurance	(154.00)
53100-5540-310	Travel Convention, Education	798.00
53100-6001-310	Office Supplies	6,469.00
53100-6005-310	Housekeeping & Janitorial Service	106.00
53100-6014-310	Other Operating Supplies	1,066.00
53100-8201-310	Capital Outlay	8,286.00
	TOTAL	<u>36,304.00</u>

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

4-205-61100-6001-003-1-100	Materials & Supplies Fresh Start	6.20
61100-1120-002-1-100	Instructional Salary-Reg	(54,000.00)
61100-1120-002-1-100	Instructional Salary-Reg	(49,000.00)
61100-1120-002-1-100	Instructional Salary-Reg	(3,300.00)
61100-1120-002-1-100	Instructional Salary-Reg	(22,000.00)
61100-1120-002-1-100	Instructional Salary-Reg	(8,500.00)
61100-1120-002-1-100	Instructional Salary-Reg	(18,000.00)
61100-1120-003-1-100	Instructional Salary-Reg	(25,000.00)
61100-1120-003-1-100	Instructional Salary-Reg	(51,300.00)
61100-2100-002 - 100	FICA Benefits	(35.00)
61100-2100-002 - 100	FICA Benefits	(100.00)
61100-2300-003- - 100	Hospitalization	(17,000.00)
61100-3000-003-9-100	Other Inst Costs District Sec	(110,000.00)
61100-6001-003-1-100	Materials & Supplies Fresh Start	12.90
61100-6008-003-1-100	Project Graduation Academy-State	12,850.00
61100-6020-003-1-100	Textbook Furnished Free-Reg	110,000.00
61310-1120-003-1-100	Supervisor Salary-Reg	45,000.00
61310-2210-003- -100	VRS Ret-Prof	6,000.00
61310-2214-003- -100	VRS Insurance	300.00
61320-1122-002- -100	Librarian Salary-Reg	54,000.00
61410-1126-002- -100	Principal Salaries - Reg	10,000.00
61410-1127-002- -100	Assistant Principal-Elem Reg	3,000.00
61410-1150-003- -100	Clerical Salaries - Reg	25,000.00
61410-1150-002- -100	Clerical Salaries - Reg	36,000.00
62110-2300	Hospitalization	676.00
62110-2300	Hospitalization	657.00
62110-2300	Hospitalization	17,000.00
62120-2100	FICA Benefits	100.00
62120-2350	Retiree Health Ins Premiums	689.00
62120-2350	Retiree Health Ins Premiums	1,316.00
62120-2350	Retiree Health Ins Premiums	5,311.00
62120-2350	Retiree Health Ins Premiums	627.00
62120-2350	Retiree Health Ins Premiums	5,996.00
62120-6000	Office Supplies	1,000.00
62160-3130	Audit Expense	500.00
62170-3180	Other Contractual Services	(1,500.00)
62220-1131	School Nurse Salaries	18,000.00
62230-2210	VRS Ret Prof	3,300.00
63100-2100	FICA	35.00
63200-1170	Operative Salaries	(19,561.65)
63200-2100	FICA Benefits	(1,411.21)
63200-2300	Hospitalization	742.00
63200-2300	Hospitalization	137.00
63200-6008	Vehicles & Powered Equip-Fuel	90,000.00
63400-1165	Mechanic Salaries-Garage	8,500.00
64100-1110	Other Direction & Management	22,000.00
64200-5100	Utilities	(50,000.00)
64200-5102	Water Services	(40,000.00)
64300-3320	Maintenance Service Contracts	51,000.00
64500-3310	Repair & Maintenance Services	(51,000.00)
	TOTAL	8,047.24

School Activity Reimbursement Accounts

4-205-69001-1140	Technical Salary – Reg	3,700.00
69001-1170	Operative Salaries	12,927.65
69001-2100	FICA Benefits	1,216.68
69002-1170	Operative Salaries	963.00
69002-2100	FICA Benefits	67.48
69003-1170	Operative Salaries	1,314.00
69003-2100	FICA Benefits	83.17
69004-1170	Operative Salaries	99.00
69004-2100	FICA Benefits	4.50
69005-1170	Operative Salaries	130.50
69005-2100	FICA Benefits	9.98
69007-1170	Operative Salaries	427.50
69007-2100	FICA Benefits	29.40

TOTAL	20,972.86
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Meherrin Day Care, Program 220

4-205-61100-1140-002-5-220	Technical Salary - Day Care	10,330.37
61100-2100-002- -220	FICA Benefits	749.65

TOTAL	11,080.02
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Capron Day Care, Program 225

4-205-61100-1140-002-5-225	Technical Salary - Capron Day Care	1,784.35
61100-2100-002- -225	FICA Benefits	126.19

TOTAL	1,910.54
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Nottoway Day Care, Program 226

4-205-61100-1140-002-1-226	Technical Salaries	3,705.56
61100-2100-002- -226	FICA Benefits	270.79

TOTAL	3,976.35
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Rental Textbooks, Program 260

4-205-61100-6040-002-1-260	Textbooks	2,926.00
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TOTAL	2,926.00
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Franklin Southampton Charities, Program 320

4-205-61100-8206-003-3-320	Capital Outlay-SHS Band (06/07)	66.90
61100-1120-002-1-320	Tutorial Salaries-Meherrin	928.00
61100-1121-002-1-320	Tutorial Salaries-Riverdale	6,024.00
61100-1122-002-1-320	Tutorial Salaries-Capron	3,694.00
61100-1123-002-1-320	Tutorial Salaries-Nottoway Elem	415.00
61100-2100-002-1-320	FICA Benefits	917.00
61100-6001-002-1-320	Materials & Supplies	(11,978.00)

TOTAL	66.90
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Franklin Southampton Charities, Program 350

4-205-61100-6000-002-1-350	Material & Supply-Reg.	1,812.10
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TOTAL	1,812.10
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At Risk - 4 year Olds, Program 400		
4-205-61100-6000-000-1-400	Materials & Supplies - Reg	(5,800.00)
61100-2210-002- -400	VRS Retirement	5,200.00
61100-2750-002- -400	Retiree Health Ins Credit	600.00
	TOTAL	0.00

Reading Intervention, Program 450		
4-205-61100-1140-002-1-450	Techn. Sal. – Reg	6,476.00
	TOTAL	6,476.00

Title I - Elementary Instruction, Program 500		
4-205-61100-1120-002-1-500	Instructional Salary - Reg	(17,000.00)
62120-1110-009- -500	Supervisor Salary - Reg	6,000.00
62120-1151-009- -500	Evaluation Secretary Salary	500.00
62120-2100-009- -500	FICA Benefits	300.00
62120-6000-009-5-500	Materials & Supplies - Parent	7,500.00
64200-6007-009- 500	Repair & Maintenance Supplies	2,700.00
	TOTAL	0.00

Title IVB Sp Ed- Flow Through-Elem, Program 550		
4-205-61100-1120-002-2-550	Instructional Salary - Reg	(9,100.00)
62120-1150- - -550	Clerical Sal. – SP.	100.00
62220-1131- - -550	Special Ed Nurse	9,000.00
	TOTAL	0.00

21st Century Community Lrn Cnter, Program 560		
4-205-61310-1120-002-1-560	Instructional Salary - Reg	(2,100.00)
63200-1170- - -560	Drivers	2,000.00
63200-2100- - -560	FICA Benefits	100.00
	TOTAL	0.00

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TOTAL SCHOOL FUND 57,268.01

From the Local Utility Tax Building Fund
to the Operating Local Utility Tax Building
Fund to be expended only on order of the
Southampton County Board of Supervisors

4-300-94000-8250	Turner Tract Development-Non-Utility	3,106,547.80
	TOTAL	3,106,547.80

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

4-500-89400-8221	Engineering/Construction	1,215.76
89400-8224	Southampton R/E LLC/Piping/Randall	7,575.25

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89400-8380	Wastewater Trtmt Fac Util Inf Proj	2,016,734.23
89400-8380	Wastewater Trtmt Fac Util Inf Proj	136,358.65
89500-3310	Repair & Maintenance	20,196.50
89500-3310	Repair & Maintenance	29,050.48
	TOTAL	<u>2,211,130.87</u>

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

4-730-22100-8299	Forfeiture Funds	847.00
31200-8298	Forfeiture Funds-Federal	31,365.00
31200-8299	Asset Forfeiture Funds	21,665.00
93000-9200	Transfer Out To Other Funds	0.00
	TOTAL	<u>53,877.00</u>

From the Special Welfare Fund to the Special Welfare Operating Fund to be expended only on order of the Board of Social Services:

4-733-53500-5720	Special Welfare	46,851.00
	TOTAL	<u>46,851.00</u>

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

4-734-91000-6001	Office Supplies	5,334.00
	TOTAL	<u>5,334.00</u>

From the Blackwater Regional Library Fund to the Blackwater Regional Library Operating Fund to be expended only on order of the Blackwater Regional Library Board:

4-735-73000-5699	Blackwater Regional Library	1,787,724.00
	TOTAL	<u>1,787,724.00</u>

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

4-736-91000-0001	Canteen	68,029.00
	TOTAL	<u>68,029.00</u>

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

4-737-92000-1300	Pt Salaries/Transportation	12,804.00
92000-2100	FICA	979.50
92000-2600	Unemployment Tax	100.89
92000-5840	Work Release Clothes Tax	67.33
92000-6011	Clothing for Work Release	2,744.52
92000-9210	Transfer Out - Gen Fund	87,034.56
92500-8201	Equipment	5,833.00
93000-9200	Transfer Out - Gen Fund	7,790.62
93500-9200	Transfer Out - Gen Fund	400.00
94000-9200	Transfer Out - Gen Fund	1,288.00
95000-9200	Transfer Out - Gen Fund	8,913.83
	TOTAL	<u>127,956.25</u>

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

4-750-92000-5848	OPEB Bank Charges/County	561.22
92500-5848	OPEB Bank Charges/Schools	498.52
	TOTAL	<u>1,059.74</u>

TOTAL APPROPRIATIONS ===== 7,804,166.03

REVENUE APPROPRIATION JULY FOR JUNE, 2011
 (REVENUE RECEIVED FOR ABOVE EXPENDITURES)

3-100-11060-0006	DMV/STP	11,360.00
3-100-11060-0010	Taxing Authority Serv/Delinq Taxes	10,742.07
3-100-14010-0001	Court Fines & Fees	36,000.00
3-100-16040-0003	Reimbursement VFD-VRS	91.29
3-100-16040-0003	Reimbursement VFD-VRS	353.43
3-100-16090-0001	Health-Telephone	319.03
3-100-16090-0001	Health-Telephone	301.23
3-100-16090-0001	Health-Telephone	300.62
3-100-16110-0001	Social Services-Telephone	335.14
3-100-16110-0001	Social Services-Telephone	352.27
3-100-16120-0001	Reimb-Soil & Water Salaries	19,180.33
3-100-18030-0003	Expenditure Refund	4,210.00

3-100-18030-0003	Expenditure Refund	2,223.31
3-100-18030-0003	Expenditure Refund	140.44
3-100-18030-0003	Expenditure Refund	208.00
3-100-18030-0003	Expenditure Refund	144.21
3-100-18030-0003	Expenditure Refund	381.94
3-100-18030-0005	Hospital Plan	8,121.00
3-100-23020-0007	Extradition Expenses	1,428.00
3-100-24040-0012	Fire Program Fund Allocation	4,837.00
3-100-24040-0014	Jurors & Witnesses	93.00
3-100-24040-0014	Jurors & Witnesses	66.00
3-100-24040-0014	Jurors & Witnesses	413.00
3-100-24040-0014	Jurors & Witnesses	117.83
3-100-24040-0052	Comp Services Act	20,987.00
3-100-33010-0820	ARRA - Byrne Grant – Equipment	15,823.01
3-100-41050-0001	Transfer In From Other Funds	105,427.01
3-100-41050-0005	Transfer In-General Fund Reserve	2,801.32
3-100-41050-0005	Transfer In-General Fund Reserve	2,800.00
3-100-41050-0005	Transfer In-General Fund Reserve	1,917.14
3-100-41050-0005	Transfer In-General Fund Reserve	29,581.00
3-100-41050-0005	Transfer In-General Fund Reserve	1,566.08
3-100-41050-0005	Transfer In-General Fund Reserve	305.66
3-100-41050-0005	Transfer In-General Fund Reserve	10,013.00
3-100-41050-0005	Transfer In-General Fund Reserve	9,144.00
3-100-41050-0009	Trans In-Gen Fund Res/for Enterprise Fund	
	REVENUE GENERAL FUND	
	TOTAL	<u>302,084.36</u>
3-201-024010-0002	VPA State Revenues	36,304.00
	REVENUE PUBLIC ASSISTANCE	
	TOTAL	<u>36,304.00</u>
3-205-16120-0010	Day Care Center	11,080.02
3-205-16120-0010	Day Care Center	5,886.89
3-205-18990-0060	School Blue Cross Blue Shield	6,672.00
3-205-18990-0060	School Blue Cross Blue Shield	1,316.00
3-205-18990-0060	School Blue Cross Blue Shield	657.00
3-205-18990-0060	School Blue Cross Blue Shield	5,311.00
3-205-18990-0060	School Blue Cross Blue Shield	742.00
3-205-18990-0060	School Blue Cross Blue Shield	627.00
3-205-18990-0060	School Blue Cross Blue Shield	689.00
3-205-18990-0060	School Blue Cross Blue Shield	137.00
3-205-18990-0100	Expenditure Refunds	12.90
3-205-18990-0100	Expenditure Refunds	66.90
3-205-18990-0100	Expenditure Refunds	6.20
3-205-18990-0100	Expenditure Refunds	12,850.00
3-205-18990-0101	Donations	1,812.10
3-205-25020-0140	Rental Textbooks – 260	2,926.00
3-205-25020-0760	Technology Plan-265	
3-205-25020-0775	Reading Intervention – 450	6,476.00
	REVENUE SCHOOL FUND	
	TOTAL	<u>57,268.01</u>

3-300-61010-0001	Reserve Funds		3,106,547.80
	REVENUE UTIL TAX BUILDING FUND	TOTAL	<u>3,106,547.80</u>
3-500-16400-0001	Utility Loan Proceeds		2,016,734.23
3-500-16100-0017	Insurance Claims and Dividends		20,196.50
3-500-41050-0007	Transfer from Reserve Bank Acct		174,200.14
	REVENUE ENTERPRISE FUND	TOTAL	<u>2,211,130.87</u>
3-730-14010-0001	Federal Forfeiture Funds		847.00
3-730-14010-0002	Asset Forfeiture Proceeds		31,365.00
3-730-14010-0003	Com Atty-Forfeiture		21,665.00
3-730-41050-0001	Transfer In From other Funds		0.00
	REVENUE FEDERAL FORFEITURE	TOTAL	<u>53,877.00</u>
3-733-24010-0001	Special Welfare		46,851.00
	REVENUE SPECIAL WELFARE	TOTAL	<u>46,851.00</u>
3-734-16010-0004	Law Library		5,334.00
	REVENUE LAW LIBRARY	TOTAL	<u>5,334.00</u>
3-735-16150-0002	Blackwater Regional Library		1,787,724.00
	REVENUE BLACKWATER REG LIBRARY	TOTAL	<u>1,787,724.00</u>
3-736-15023-0001	Canteen Sales		68,029.00
	REVENUE CANTEEN ACCOUNT	TOTAL	<u>68,029.00</u>
3-737-15030-0001	Work Release Revenue		103,730.80
3-737-15040-0001	Inmate Telephone System Revenue		5,833.00
3-737-15050-0001	Jail Prisoner Med Trtmt Revenue		7,790.62
3-737-15060-0001	Bounty for Inmates Revenue		400.00
3-737-15070-0001	Weekend Reimbursement		1,288.00
3-737-15080-0001	Jail Room & Board		8,913.83
	REVENUE INMATE ENTERPRISES	TOTAL	<u>127,956.25</u>
3-750-15010-0001	Dividends & Interest County		561.22
3-750-15010-0002	Dividends & Interest Schools		498.52
	REVENUE OPEB	TOTAL	<u>1,059.74</u>
			=====
	TOTAL REVENUE APPROPRIATION		7,804,166.03

A copy teste: _____, Clerk

Michael W. Johnson

Southampton County Board of Supervisors

July 25, 2011

APPROPRIATIONS -- JULY FOR JUNE, 2011

11010 BOARD OF SUPERVISORS	Reallocated budget to needed expenditures (-0-)
12110 COUNTY ADMINISTRATION	Reallocated budget to needed expenditures (-0-)
12310 COMMISSIONER OF THE REVENUE	Hospital Plan exceeded budget (\$ 9,144.00) New Money due to coverage changes
12410 TREASURER	(1) Adjustments to lines requested by the Treasurer (\$0) (2) DMV Stop Fees collected to cover DMV costs (\$ 11,360.00) (3) Costs charged to Treasurer's Office above budget for bank charges-- (\$ 29,581.00) New Money
12415 DELINQUENT TAX COLLECTION	Amounts collected for VA Auction & Collections (\$7,130.42 + \$3,611.65)
12430 ACCOUNTING	Hospital Plan exceeded budget (\$ 2,801.32) New Money due to coverage changes
12510 DATA PROCESSING	Insurance reimbursement for computers damaged by May 24 2011 storm (\$2,223.31)
12550 INSURANCE/COUNTY CODE	(1) Reimbursement received from retirees for BCBS (\$8,121.00) (2) Appropriation needed to allocate unemployment insurance to proper department--unemployment insurance is paid quarterly--funds are originally budgeted in one department (\$-0-)
21100 CIRCUIT COURT	(1)Reimbursement received from state for jurors (\$117.83 + \$413.00 +\$66.00 + \$93.00) (2) Reallocated budget to needed expenses (-0-)

22100 COMMONWEALTH'S ATTORNEY	Carry-over funds received for Commonwealth Attorney Delinquent Collection on Criminal Cases for equipment & office expenses (\$ 1,566.08 + 305.66) Carry-Over Funds
31200 SHERIFF- LAW ENFORCEMENT	(1) To cover part-time salaries (\$ 36,000.00) (2) Extradition funds received from state (\$ 1,428.00) (3) Reimbursement from employees for uniforms (\$ 53.59) (4) Funds received for Byrne Equipment Grant (\$15,823.01)
32200 VOL FIRE DEPTS	(1) Reimbursement received from Drewryville & Sedley Vol Fire Depts for electrical costs (\$ 91.29 + \$ 353.43) (2) Final portion of state fire program funds for FY11 (\$4,837.00)
32300 VOL RESCUE SQUADS	Costs above budget for reimbursements for Medical Transport (\$ 1,917.14) New Money
33100 DETENTION	(1) Transfer of funds from Inmate Enterprises for jail expenses (\$ 105,427.01) Transfer from Other Fund (2) Reimbursement from employees for uniforms (\$86.85)
34000 INSPECTIONS	Reallocated budget items to needed expenditure lines (-0-)
42300 REFUSE COLLECTION	(1) Transfer of funds from Refuse Disposal to Sanitation Waste Removal (\$ 38,409.90) (2) Funds received from sale of scrap metal and oil recycling (\$208.00 + \$144.21 + \$381.94)
42400 REFUSE DISPOSAL	Transfer of funds from Refuse Disposal to Sanitation Waste Removal (\$-38,409.90)
43000 BLDGS & GROUNDS	(1)Reimbursements rec'd from Dept of Social Services and Health Dept for telecommunications (\$352.27 + 335.14 + 301.23 + 319.03 + 300.62) (2) Ins Reimb for May 24 2011 storm damage to Courthouse and Fairgrounds (\$890.00 + \$3,320.00) (3) Shortage in B&G / Johnson Controls (\$2,800.00) NEW MONEY
53500 COMPREHENSIVE SERVICES ACT	Supplemental allocation from state received for at-risk children (\$20,987.00) local match (\$10,013.00) New Money
81100 PLANNING	Reallocate budget to needed line items (-0-)
82500 CHOWAN BASIN SOIL & WATER CONSE	Reimbursement rec'd for all costs related to payroll & fringes (\$19,180.33)
SOCIAL SERVICES	Increase in state revenues and request to transfer line items (see attached letter)

SCHOOL BOARD	(1) Categorical changes as requested by the School Board-- see attached letters
ENTERPRISE FUND	(1) Appropriation of reserve funds for engineering services & construction for Wastewater Treatment Facility Utility Infrastructure Project, and pipe on 58 (2) Transfer of Enterprise Reserve Cash to the Enterprise Fund to cover cost of systems (3) Insurance for Pump Station #6 (\$ 20,196.50)
FORFEITURE FUND	Appropriation of funds received & expended
SPECIAL WELFARE FUND	Appropriation of revenues and expenditures in Special Welfare Fund
LAW LIBRARY FUND	Appropriation of revenues and expenditures in Law Library Fund
BLACKWATER REGIONAL LIBRARY	Appropriation of revenues and expenditures in the Blackwater Regional Library Fund
CANTEEN FUND	Appropriation of funds received & expended
INMATE ENTERPRISES	Appropriation of funds received & expended for work release, inmate telephone funds, jail prisoner medical treatment, & bounty for inmates including funds transferred to Detention
OPEB FUND	Appropriation of revenues and expenditures in the OPEB Fund

Vice-Chairman Young moved, seconded by Supervisor Brown, to adopt the FY 2011 final appropriations resolution. All were in favor.

Mr. Johnson advised that included in the agenda was the annual salaries appropriation resolution for FY 2012. The aggregate sum of salaries for all full-time positions, including employees of constitutional offers, was \$5,580,216.

The FY 2012 salaries appropriations resolution is as follows:

At a meeting of the Southampton County Board of Supervisors held in the Board of Supervisors Meeting Room, Courtland, Virginia, on Monday, July 25, 2011.

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Southampton County, Virginia, that annual salaries of personnel be and hereby are fixed as indicated, effective July 1, 2011.

BOARD OF SUPERVISORS

Jones, Dallas O.	7,300
Young, Walter L., Jr.	6,700
Brown, Walter D., III	5,500
Faison, Carl J.	5,500
Felts, Anita T.	5,500
West, Ronald M.	5,500
Wyche, Moses	5,500

COUNTY ADMINISTRATION

Johnson, Michael W.	97,391
Mendenhall, Jon M.	65,144
Vacant - Administrative Secretary	25,780

ACCOUNTING

Lowe, Lynette C.	67,650
Steele, June W.	46,863
Anderson, Melissa L.	31,336

PLANNING

Lewis, Elizabeth H.	60,143
Jenkins, John P.	41,950

INSPECTIONS

Copeland, Lee D.	43,600
McClelland, Kenneth	34,547

DATA PROCESSING

Plyler, Sandra P.	64,012
Faulk, Christine J.	42,506
Wright, Susan H.	44,879

REFUSE COLLECTION

Council, W. Hart	44,974
Council, Jesse	33,560
Murphy, Millard, Jr.	26,296
Shearin, Michael B.	28,103
Wyche, Charlie W.	28,103
Vacant - Goodwyn	25,780

BUILDINGS & GROUNDS

Vick, Jackie D.	49,427
Mason, Gloria B.	19,974
Darden, Dorothy B.	18,688
Mitchell, Linda S.	18,322

SEWER SYSTEM

Johnson, Julien W., Jr. (1/2 salary)	33,224
Harness, M. Jeanne (1/2 salary)	20,760
Jackson, R. Keith	43,360
Christenson, Timothy A.	27,068
Hyman, Charles D.	31,336
Beale, Dennis E.	28,422
Fowler, Daniel L., Jr.	27,068
Billups, Milton A.	25,780
Whichard, Bruce W., Jr.	31,336
Griffin, S. Gerald, Jr.	31,336

WATER SYSTEM

Johnson, Julien W., Jr. (1/2 salary)	33,223
Harness, M. Jeanne (1/2 salary)	20,761
Smith, Michael D.	60,963
Bryant, Raymond L., Jr.	49,583
Holloman, Hugh R.	26,292
Pearson, Mitchell T.	25,043
Jarrett, Linwood	25,043
Joyner, David L., Sr.	27,068
Joyner, S. Lee, Jr.	23,383
Snyder, Matthew A.	25,780

REGISTRAR/ELECTORAL BOARD

Davis, Leona W.	47,175
Davis, Peggy L.	23,851
Felts, Robert M., Jr.	3,756
Sykes, Marie W.	1,878
Herring, Joan V.	1,878

COMMISSIONER OF THE REVENUE

Carr, Amy B.	65,730
Everett, Jeannette S.	33,560
Bradshaw, Jackie L.	28,990
Smith, Patricia P.	25,043

TREASURER

Britt, David K.	71,759
Griffin, Rhonda V.	33,560
Bunn, Frances H.	35,202
Horne, Rosemary B.	27,609

COMMONWEALTH'S ATTORNEY

Cooke, Eric A.	115,660
Duncan, Toni M.	59,088
Laney, Tiffany A.	46,297
Bulger, Steven	46,297
Rice, Joan P.	45,316
Gryder, Sharon F.	33,150

VICTIM WITNESS PROGRAM

Falkins, Cora L.	44,192
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CLERK OF CIRCUIT COURT

Francis, Richard L.	104,319
Beatty, Linda E.	23,851
Cross, Melanie H.	36,563
Everett, Kathleen B.	36,563
Jarratt, Dorothy U.	47,175
Kannan, Theresa L.	31,159
Simmons, Heather R.	33,623

SHERIFF - BAILIFF

Busching, Robert W.	34,626
Covington, Wanda V.	45,525
Harvey, Richard H., Jr.	34,268
Neave, Robbie Lynn	41,101
Wyche, Josh A.	47,175
Vacant - Parker	29,843

SHERIFF - LAW ENFORCEMENT

Francis, Vernie W., Jr.	99,093
Bell, Kimberly C.	27,609
Blythe, J. Michael	38,175
Carpenito, Suzette B.	42,789
Darden, Michael L.	44,631
Davis, Tryphena L.	25,043
Drewery, Gene H.	59,249
Drewery, William D.	27,068
Edwards, Donald R.	32,324
Fuller, James H.	30,863
Griffith, E. Greg	41,262
Griffith, Scott T.	32,324
Holland, William B.	40,017
Prince, Lisa C.	27,609
Ricks, Jimmie R.	55,260
Rollins, Shana P.	27,609
Rose, Teresa G.	33,304
Smith, Jerry L.	35,867
Stevens, Robert T.	41,262
Stutts, John B.	79,335
Turner, Bruce W.	29,843
Turner, Mark B.	37,426

SHERIFF - DETENTION

Angel, Joshua J.	30,863
Armbruster, Becky K.	32,324
Barksdale, Thomas D.	29,843
Barnes, Beverly A.	25,839
Bowden, Jonathan M.	38,175
Carr, Robert M.	29,843
Clasp, Nina R.	32,533
Cobb, Camden S.	30,863
Cook, Loretta B.	23,017
Davis, Waymon D.	32,533
Doyle, Scott A.	50,877
Edsall, Jeremy C.	29,843
Fancher, Evelyn	30,863
Forren, Dwayne A.	34,626
Gray, Christy J.	36,275
Griggs, John W., Jr.	34,626
Jarratt, William G., Jr.	35,867
Johnson, Matthew N.	30,863
Kindred, Jerrel J.	32,533
Lewis, Michael D.	29,843
Malcolm, Teresa L.	35,956
Olson, Jerre W.	30,863
Parker, Jeffrey W.	29,843
Parsons, Ernest L.	35,867
Patterson, Mark W.	32,324
Pearce, Robert B., Jr.	31,382
Sadler, Lundy G.	30,862
Scott, Brenda D.	22,270

Sammy and Amy Carr presented a PowerPoint presentation regarding alleged violations of Section 10-30 (Inoperable motor vehicles restricted) and Section 10-44.5 (Trash, garbage, etc.; removal) of the Southampton County Code.

Section 10-30, Inoperable motor vehicles:

It shall be unlawful for any person, firm or corporation to keep, except within a fully enclosed building or structure or otherwise shielded or screened from view, on any property zoned for residential or commercial or agricultural purposes any motor vehicle, trailer, or semi-trailer, as such are defined in Code of Virginia, § 46.2-100, which is inoperative. As used in this section, an “inoperative motor vehicle” shall mean any motor vehicle which is not in operating condition; or which for a period of sixty (60) days or longer has been partially or totally disassembled by the removal of tires and wheels, the engine, or other essential parts required for operation of the vehicle or on which there are displayed by the removal of tires and wheels, the engine, or other essential parts required for operation of the vehicle or on which there are displayed neither valid license plates nor a valid inspection decal. However, the provisions of this section shall not apply to a licensed business which on June 26, 1970 is regularly engaged in business as an automobile dealer, salvage dealer, or scrap processor.

- (1) The owners of property zoned for residential or commercial or agricultural purposes shall, at such time or times as the board of supervisors may prescribe, remove therefrom any such inoperable vehicles, trailers, or semi-trailers that are not kept within a fully enclosed building or structure.
- (2) The board of supervisors through its agents or employees may remove any such inoperative motor vehicles, trailers or semi-trailers, whenever the owner of the premises, after reasonable notice, has failed to do so.
- (3) In the event that the board of supervisors, through its agents or employees, removes any such motor vehicles, trailers or semi-trailers, after having given such reasonable notice, the county may dispose of such motor vehicles, trailers, or semi-trailers after giving additional notice to the owner of the vehicle.
- (4) The cost of any such removal and disposal shall be chargeable to the owner of the vehicle or premises and may be collected by the county as taxes and levies are collected.
- (5) Every cost authorized by this section with which the owner of the premises has been assessed shall constitute a lien against the property from which the vehicle was removed, the lien to continue until actual payment of such costs has been made to the county.

(Ord. of 7-24-89, § 11-40)

Cross references – Motor vehicles and traffic, Ch. 9; zoning, Ch. 18.

State law references – Similar provisions, Code of Virginia, § 15.1-11.1.

Sec. 10-44.5 Trash, garbage, etc.; removal.

(a) It shall be unlawful for any owner of any parcel of land in the county, excluding those parcels within the corporate boundaries of incorporated towns, to allow or permit the accumulation or storage of any trash, garbage, refuse, litter or other substances which may endanger the health or safety of other residents of the county.

(b) When any condition exists on any lot or parcel of land in the county in violation of subsection (a) of this section, it shall be the duty of the county administrator or his designee to serve or cause to be served a notice upon the owner and each lienholder, if any, requiring the owner of such lot or parcel to remove therefrom any and all trash, garbage, refuse, litter, or other substance within thirty (30) days after the service of notice upon such owner. If such owner fails to act to remove the non-compliant objects or items within the time specified in non-compliant objects or items removed from the property, and in that event the costs and expense thereof shall be chargeable to and paid by the owner of such property and may

be collected by the county as taxes and levies are collected; and further; that every charge authorized by this section with which the owner and lienholder of such property shall have been assessed and which remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid county taxes and enforceable in the same manner as proved in section 15-78 of this Code.

(Ord. of 4-26-93)

State law references – Similar provisions, Code of Virginia, § 15.1-11.

(Note: Although not expressly stated by the Carr's, the property they were referring to was that of Mr. Thurman Munford, 16248 Munford Drive, Zuni, VA.)

The Carr's indicated that their neighboring property was in violation of both Section 10-30 and Section 10-44.5. They shared pictures of the property, which included many agricultural vehicles, many of them inoperable, non-agricultural vehicles (school buses, ambulance, etc.), many of them inoperable, as well as many parts to vehicles. They stated that they had to look at the mess on that property daily and wanted the Southampton County Code to be enforced.

Supervisor West advised that he knew both the Carr's and the Munford's and was sincerely concerned for both families. Not to be cliché-ish, but he asked couldn't we all get along. He noted that he did not mind being a mediator between the two parties. He stated that he had spoken to Gary Cross earlier today and they talked about the possibility of developing a rural living advisory committee, as we needed to make this County more aesthetically-pleasing.

Supervisor Brown stated that the role of the Board of Supervisors was not that of a mediator. He informed that Virginia was a right-to-farm state and Mr. Munford had a right to do so.

Vice-Chairman stated that good fences made good neighbors, and good neighbors made good friends. He did understand, however, that the longer you farm, the more inoperable equipment you would have.

Supervisor Faison indicated that he was ok with an advisory committee, but the Board needed to look at and understand what the Southampton County Code said and enforce it properly.

Supervisor Felts commented that an advisory committee could be a good thing.

Supervisor Wyche stated that he agreed with Supervisor Brown in that the Board did not need to serve as a mediator. He agreed with Supervisor Faison in that we needed to understand the law.

Supervisor West advised that Attorney Railey needed to interpret and clarify the code.

Chairman Jones agreed but added that it also needed to go through Beth Lewis, Director of Community Development.

The Board indicated to Mr. and Mrs. Carr that they would research the code and correspond back with them.

Continuing with citizen requests to address the Board, Chairman Jones recognized Barbara E. Story, who had requested to speak regarding taxes.

Ms. Story stated that getting Supervisor Brown on the phone was like pulling eye teeth. She was totally disabled in her back. Her trailer had been stolen. She asked why some people got away with things in this County and others did not. Was this the buddy-buddy system? They needed to look over the hill at North Carolina. Taxes here were overrated.

Moving forward, Mr. Michael Johnson, County Administrator, announced that Sheriff Francis was seeking the Board's consideration in granting the requests of Lieutenant J. R. Ricks and Master Deputy Raymond Parker to purchase their department-issued handguns for \$1 upon their retirement. With 29 and 25 respective years of service as Deputy Sheriffs, both of their requests were consistent with § 59.1-148.3 of the *Code of Virginia*.

Supervisor Wyche moved, seconded by Vice-Chairman Young, to approve the respective requests. All were in favor.

Moving forward, Mr. Johnson announced that the Code of Virginia (§ 9.1-400, et seq.) required that the governing body of each locality must officially recognize by ordinance or resolution the fire company or rescue squad serving the locality in order for their members to be eligible for Line of Duty Act (LODA) benefits. Not having this ordinance or resolution in place would prevent volunteers who were otherwise eligible from receiving benefits for themselves and their families. Accordingly, he had prepared a resolution for their consideration, which was included in the agenda. He reminded that the Board opted last month to self-fund this program through the VACo Group Self Insurance Pool. He noted that Hunterdale Volunteer Fire Department was not included in our resolution because they were physically located in the City of Franklin – accordingly, their volunteers were covered by the City.

Mr. Johnson read aloud the following resolution:

RESOLUTION RECOGNIZING CERTAIN VOLUNTEER ORGANIZATIONS
AS INTEGRAL PARTS OF THE SAFETY PROGRAM
OF SOUTHAMPTON COUNTY

WHEREAS, Southampton County has long been blessed with an abundance of volunteers who give generously of their time and talents in serving as first responders to fires and medical emergencies; and

WHEREAS, Southampton County is vitally dependant upon volunteer first responders, as evidenced by their response to more than 2,300 emergency fire and rescue calls in 2010; and

WHEREAS, the Line of Duty Act (LODA) was created by in 1966 by the General Assembly of Virginia to provide a death benefit to public safety employees killed in the line of duty; and

WHEREAS, the Line of Duty Act benefits are available to members of any fire company or department or rescue squad that has been recognized by ordinance or resolution of the governing body of any county, city or town.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Southampton County that the following organizations are hereby recognized as integral parts of the County’s official safety program:

- 1) Boykins Volunteer Fire Department and Rescue Squad, Inc.
- 2) Branchville Volunteer Fire Department
- 3) Capron Volunteer Fire Department and First Aid Squad, Inc.
- 4) Courtland Volunteer Fire Department
- 5) Courtland Volunteer Rescue Squad
- 6) Drewryville Volunteer Fire Department
- 7) Ivor Volunteer Fire Department
- 8) Ivor Volunteer Rescue Squad
- 9) Newsoms Volunteer Fire Department
- 10) Sedley Volunteer Fire Department

Adopted this 25th day of July, 2011.

Dallas O. Jones, Chairman

ATTEST

Michael W. Johnson, Clerk

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

Moving forward, Mr. Johnson announced that included in the agenda was a draft ordinance which formally established the purpose, boundaries, and local incentives associated with the state designated enterprise zone. There was nothing in the ordinance that the Board had not already approved – it simply confirmed what had already been done and packaged it all in one document.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to advertise the ordinance for public comment at the August 22 meeting. All were in favor.

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

Southampton County
Enterprise Zone Ordinance

Short Title

This ordinance shall be known and may be cited as the “Southampton County Enterprise Zone Ordinance”.

Statement of Purpose

The Enterprise Zone Grant Act, Section 59.1-538, et seq. of the Code of Virginia, as amended, authorizes the establishment of Enterprise Zones. It is the purpose of the Enterprise Zone Grant Act, and of this ordinance, to stimulate business and industrial growth within the area so designated as the Southampton County Enterprise Zones by means of incentives offered to businesses and industries by the Commonwealth in Virginia Code Section 59.1-538, et seq., and separate incentives to businesses and industries offered by Southampton County as set forth in this ordinance.

Boundaries

Three separate areas of the County have been designated as enterprise zones. The boundaries of each separate enterprise zone are as set forth on the map entitled “Southampton County Enterprise Zones” which is on file in the County’s Community Development Department, in the County Administrator’s office and in the Franklin Southampton Economic Development Office. The boundaries of these three zones may be amended from time to time. The three zones have been declared enterprise zones by the Governor of the Commonwealth of Virginia for a period of ten years, ending December 31, 2019, pursuant to the Enterprise Zone Grant Act. The ten year period is subject to extension by the State for two successive five year periods.

Definitions

As used in this ordinance, the following definitions shall apply:

Enterprise Zone means the area as defined herein and declared by the Governor of the Commonwealth of Virginia to be eligible for the benefits under The Enterprise Zone Grant Act (Section 59.1-538 et seq.) and eligible for the benefits described herein as incentives offered by the County, subject to change from time to time.

County means Southampton County, Virginia.

Business firm means any business entity, incorporated or unincorporated, which is authorized to do business in the Commonwealth of Virginia and which is subject to state individual income tax, state franchise or license tax on gross receipts, or state bank franchise tax on net taxable capital.

The term “business firm” includes partnerships and small business corporations electing to be taxed under Subchapter 5 of the Federal Internal Revenue Code, and which are not subject to state income tax as partnerships or corporations, but the taxable income of which is passed through to and taxed as income of individual partners and shareholders.

The term “business firm” does not include organizations which are exempt from state and/or federal income tax on all income except unrelated business taxable income as defined in the Federal Internal Revenue Code, Section 512; nor does it include homeowners associations as defined in the Federal Internal Revenue Code, Section 528.

Existing business means a business firm that was actively engaged in the conduct of trade or business in an area prior to such an area being designated as an enterprise zone or that was engaged in the conduct of trade or business in the Commonwealth and relocates to begin operation of a trade or business within the enterprise zone.

Mixed use means a building incorporating residential uses in which a minimum of 30% of the useable floor space will be devoted to commercial, office, or industrial use. Buildings where less than 30% of the useable floor space is devoted to commercial, office or industrial use shall be considered primarily residential in nature and not eligible to receive Enterprise Zone incentives. This definition applies solely for the purpose of qualifying for Enterprise Zone incentives.

New business means a business not previously conducted in the Commonwealth that begins operation in an enterprise zone after the zone was designated. A new business is also one created by the establishment of a new facility and new permanent full time employment by an existing firm in an enterprise zone and does not result in a net loss of permanent full time employment outside the zone.

State Grant Incentives

For informational purposes, the State offers two separate and distinct grant incentives. One incentive is a job creation grant that is outlined in Virginia Code Section 59.1-547. The other incentive is a real property investment grant that is outlined in Virginia Code Section 59.1-548. Reference is made to these code sections to obtain more information. The State can amend these grant incentives without notice. Application for State grant incentives must be made within the same calendar year as the Certificate of Occupancy is issued or the final inspection is conducted. For more information an interested party can inquire at the Franklin Southampton Economic Development, Inc., office.

Local Grant Incentives

The County has created various incentives pursuant to Virginia Code Section 59.1-543 that apply to many aspects of beginning a new business or improving or expanding an existing business in the County. The incentives, subject to amendment without notice, are as follows:

(A) Discounted Purchase Price of County Owned Industrial Land

The County is the owner of the undeveloped land located in the Southampton Commerce and Logistics Center (“Turner Tract”) and the Southampton Business Park. These Industrial Parks are located in two of the three designated enterprise zones. The County will offer a discount on the purchase price of land up to a maximum of 10 acres of land by a new business or existing business provided the business makes an investment in building improvements and machinery and tools equaling \$500,000 or more as follows with example market pricing:

Investment Range	Price/Acre
\$500,000 to \$1,000,000	\$25,000/acre
\$1,000,001 to \$5,000,000	\$15,000/acre
\$5,000,001 to \$10,000,000	\$ 5,000/acre
\$10,000,001 or more	\$0/acre

(B) Building Rehabilitation Incentive

The County will offer an exemption from the increase in real estate taxes for ten (10) years for renovations in excess of \$5,000 to existing buildings over 15 years of age with no prior improvements. The County will offer a rebate equal to the initial increase in the real estate tax related to the increase in value of renovation improvements over the value of existing improvements before the renovation. The increased real estate taxes will be assessed and paid by the business when complete and the County will rebate an amount equal to the tax within 60 days after December 5th of each year provided no other taxes are owed to the County.

(C) Machinery and Tool Tax Rebate

This incentive applies to all three enterprise zones in the County. If a new business or an existing business makes an investment in building improvements and machinery and tools equaling a minimum of \$150,000 and provides hourly employment wages at an average of 150% of the federal minimum wage, then the County will rebate 50% of the machinery and tools taxes paid to the County for a period of five (5) years. The rebate will be paid annually within 60 days after December 5th of each year provided no other taxes are owed to the County.

(D) Reduced Electric Utility Tax Rebate

This incentive applies to all three enterprise zones in the County. If a new business or an existing business makes an investment in building improvements and machinery and tools equaling a minimum of \$150,000 and creates new employment for at least five (5) people. The County will provide a rebate of the utility tax in decreasing amounts for five years on the following schedule:

Year	Rebate Amount
1	100%
2	80%
3	60%
4	40%
5	20%

In order to receive this rebate the new or existing business shall provide Southampton County with a copy of the electric utility bills no later than 30 days prior to December 5th of each year. In the event of an expansion by an existing business, only the increase of the electric utility tax directly related to the expansion will be rebated. The rebate will be paid within 60 days December 5th of every year provided no other taxes are owed to the County.

(E) Rebate of Administrative Land Development Fees

This incentive applies to all three enterprise zones in the County. If a new business or existing business makes an investment in building improvements and machinery and tools equaling a minimum of \$500,000 and creates new employment for at least five (5) people, then the County will rebate certain administrative land development fees normally due to the County. The rebates will be paid within 60 days of December 5th of each year provided no taxes are owed to the County and after the certificate of occupancy or final inspection, whichever comes later, has been issued by the Director of Community Development. Fees eligible for rebate are as follows: Erosion & Sediment Control Plan Review, Stormwater Management Plan Review, Rezoning, Conditional Use Permits, Variances, Sign Permits, and all permit fees associated with the administration and enforcement of the Virginia Uniform Statewide Building Code.

(F) Fast Track Permitting Process

This incentive applies to all three enterprise zones in the County. If a new business or an existing business makes an investment in building improvements and land and machinery and tools equaling a minimum of \$500,000 and creates new employment for at least five (5) people, then the County staff will meet with the design professional to perform a fast track review of the designated project's site plan and provide written comments in not more than seven working days. This incentive is valuable to those businesses seeking to design build and begin operations as soon as possible.

(G) Temporary Office Space

This incentive applies to all three enterprise zones in the County. If a new business or an existing business intends to make an investment in building improvements and land and machinery and tools equaling a minimum of \$500,000 and intends to create new employment for at least five (5) people, then the County will attempt to provide free of charge for up to three months temporary office space for an administrative staff for up to five (5) persons while a facility is under construction or renovation. After three months a fee will be charged and a signed lease will be required. If free temporary office space is not available, then the County will assist in searching for available short term space for lease.

(I) Workforce Hiring and Screening Services

This incentive applies to all three enterprise zones in the County. The Paul D. Camp Community College Regional Workforce Development Center is located in the City of Franklin. Contained within the Workforce Development Center is the One Stop Job Center. The One Stop Job Center will provide complimentary assistance with job posting, applicant screening and testing and assistance in hiring personnel.

(J) Job Profile Assessment

This incentive applies to all three enterprise zones in the County. If a new business or an existing business makes an investment in building improvements and land and machinery and tools equaling a minimum of \$500,000 and creates new employment for at least ten (10) people, then the Paul D. Camp Community College Regional Workforce Development Center will work with qualified companies to take advantage of a reduced rate in conducting a job skills assessment and job skills level need.

(K) Welcome Wagon

This incentive applies to all three enterprise zones in the County. If a new business or an existing business makes an investment in building improvements and machinery and tools equaling a minimum of \$500,000 and creates new employment for at least five (5) people, then Franklin Southampton Economic Development, Inc., will offer complimentary and/or discounted services from local organizations and businesses at the time business operations begin.

Application Process

Any business seeking to receive local enterprise zone incentives shall make application to the enterprise zone administrator on forms provided by the administrator within sixty (60) days of the certificate of occupancy or final inspection. The enterprise zone administrator shall require the business to provide documentation establishing that it has met the requirements for the receipt of local enterprise zone

incentives. Failure to provide requested documentation shall result in a denial of the application for local incentives.

The eligible business firm must maintain all investment requirements during the incentive period including the number of jobs created and required wage rates. If, at any time and for whatever reason, the business firm eliminates or reduces the required investment the incentive will be suspended.

Moving forward, Mr. Johnson announced that included in the agenda was a capital funding request from the Branchville Volunteer Fire Department to assist them in servicing debt associated with Engine 22. 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 \$14,000 in escrow for Branchville Volunteer Fire Department. To date, we had collectively appropriated \$1,445,500 for fire and rescue improvements and were holding \$384,500 in escrow.

Supervisor Faison moved, seconded by Vice-Chairman Young, to approve the capital funding request for Branchville Volunteer Fire Department in the amount of \$14,000. All were in favor.

Moving forward, Mr. Johnson announced that as they may recall, beginning in FY 2010, the state imposed \$60 million in across-the-board budget cuts on cities and counties, requiring us to either take specific reductions in particular state aid programs or send the State a check for amounts determined by the Department of Planning and Budget. Our reductions amounted to more than \$167,000 in FY 2010 and would be almost \$210,000 in FY 2012. The reductions had been mitigated with local funds which placed an additional and substantial burden on the County General Fund. In FY 2012, it was equivalent to 1.5¢ on our real estate tax rate. Overall, state revenues had declined by 17% since FY 2009, equivalent to more than \$4.5 million annually. Included in the agenda was a resolution requesting restoration of state funding for aid to localities.

Mr. Johnson read aloud the following resolution:

Resolution In Support of Restoration of State Funding for Aid to Localities

Whereas, state financial assistance for mandated and high priority programs, including public education, health and human services, public safety and constitutional officers, is \$800 million less in FY12 than in FY09; and

Whereas, cities and counties must balance their budgets during a time in which future state assistance is unreliable, federal stimulus dollars are dwindling, and real estate assessments are declining; and

Whereas, the Appropriation Act contains \$60 million in across-the-board cuts to cities and counties for both FY11 and FY12, under which localities are required to either elect to take reductions in particular state aid programs, or to send the State a check for the amounts determined by the Department of Planning and Budget (“Local Aid to the State”); and

Whereas, the reductions are applied to essential services including law enforcement, jail administration, foster care and child protection service, election administration and social services; and

Whereas, Southampton County does not have the authority to unilaterally decide to discontinue providing services such as election administration or to refuse to house and care for State prisoners in local and regional jails; and

Whereas, the state budget cuts are not accompanied by any reductions in state-imposed mandates, standards and service requirements, nor do they provide any administrative flexibility for local agencies; and;

Whereas, Southampton County remitted \$204,584 in FY11 and will be required to remit another \$209,335 in FY12; and

Whereas, cities and counties will have provided the State with \$220 million by the close of FY12 for this "Local Aid to the State" program; and

Whereas, these reductions shift State costs to local taxpayers and artificially increases the amount of state surplus revenue; and

Whereas, State revenues have begun to recover and the State has announced a revenue surplus for the second year in a row; and

Whereas, revenue collections for Southampton County continue to reflect the struggling housing market and local economy; and

Whereas, the State should not shift its share of the costs for mandates and responsibilities to local governments.

Now, therefore, be it Resolved, that the Board of Supervisors of Southampton County respectfully requests the Honorable Robert F. McDonnell to submit a budget amendment to the 2012 session of the General Assembly to reverse the \$60 million-a-year reduction for FY12, and to eliminate the aid to localities reduction in the proposed budget for FY13 and FY14; and

Be it further Resolved that the Board of Supervisors of Southampton County requests the members of the General Assembly to support said FY 2012 budget amendment reversing the \$60 million-a-year reduction and eliminating the aid to localities reduction in the budget submitted for FY12 and FY14.

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

Moving forward, Mr. Johnson announced that last month, at the request of Mr. Rick Francis, Clerk of the Circuit Court, the Board deferred action on a proposed 3-party agreement between the Brantley Association of America, Southampton County, and FamilyLink.com to collaborate so that internet users may assess more than 50,000 Southampton County Court records that had recently been converted to digital format by the Brantley Association of America. The records included Court Order Books, Marriage Records, Minute Books, etc. from 1749 through 1880. He noted that Mr. Richard E. Railey, Jr., County Attorney, had made revisions to the draft amendment, a copy of which was included in the agenda.

The agreement is as follows:

CONTENT LICENSE AND DISTRIBUTION AGREEMENT

This Content License and Distribution Agreement (the "Agreement") made and entered into this _____ day of July, 2011, by and between **FamilyLink.com, Inc.**, a Utah corporation with a principal address of 4778 North 300 West, Suite 230, Provo, Utah 84604 ("FamilyLink"), party of the first part; **The Honorable Richard L. Francis, Clerk of the Circuit Court of Southampton County, Virginia**, who executes this agreement in his official capacity as Clerk of the Circuit Court of Southampton County, Virginia, an office established by the Constitution of the Commonwealth of Virginia ("Clerk"), party of the second part; **The Brantley Association of America**, an association with a principal address of 4750 Oakleigh Manor Drive, Powder Springs, GA 30127, ("Brantley") party of the third part; and **Southampton County, Virginia**, a political subdivision of the Commonwealth of Virginia ("Southampton"), party of the fourth part.

RECITALS

A. FamilyLink owns and operates the internet domains WordVitalRecords.com, FamilyLink.com, and GenSeek.com, which permit users to conduct family history research and to engage

in social networking with other users. FamilyLink also owns and operates one or more applications on FaceBook.com (a third party website), which applications permit users to engage in social networking and to share family history information. FamilyLink may also launch other websites and social networking tools and services. All websites, online applications, mobile applications, or other services presently owned or operated by FamilyLink and/or hereafter launched by FamilyLink shall collectively be referred to as the "FamilyLink websites".

B. The Honorable Richard L. Francis, Clerk, in his official capacity as Clerk of the Circuit Court of Southampton County is the custodian of the court records of the Circuit Court of Southampton County, or its predecessor, containing more than 900,000 names, places, and dates of historical significance (hereinafter "the content"), and possesses the right to display such records, whether electronically or otherwise.

C. Brantley, as authorized by the Clerk, has photographed certain geological court records and has converted them to a digital format at no costs to the Clerk or Southampton. Brantley's work began in February, 2009 and more than 50,000 records have now been converted to digital format. For Brantley's work to fulfill its purpose it is necessary that the parties develop a four party agreement to collaborate so that internet users may access the content and reap the harvest of Brantley's work.

D. Clerk acts as custodian on behalf of Southampton County, a political subdivision of the Commonwealth of Virginia, in protecting preserving, maintaining and securing the records generated by Southampton County in its governmental function, including, but not limited to, its courts. Southampton County joins in this agreement in order to manifest its consent to this agreement and to authorize and ratify the actions of the Clerk in entering into this agreement.

E. The parties desire to collaborate and cooperate with each other so that internet users may have access to the work of Brantley, sometimes referred to as the content.

TERMS AND CONDITIONS

In consideration of the mutual promises set forth herein, the parties, intending to be legally bound, hereby agree as follows:

1. Incorporation of Recitals. The foregoing recitals are hereby incorporated as if fully restated in this Section 1. and the parties acknowledge the correctness of said recitals.

2. Grant of Rights. Clerk and Brantley, as their interest may appear, grant to FamilyLink, a non-exclusive, worldwide, perpetual, and royalty-free (except as provided in Section 3. A. below) license to copy, publish, create derivative works thereof, republish, market, distribute and otherwise use the content, and to copy, publish, republish, market and distribute derivative works of the content, all within the limitations contained in Section 6. below. Clerk and Brantley grant to all users of the FamilyLink

websites a license to print, copy, display, and otherwise use the content and agree that FamilyLink may index the content and add to or edit any indexing provided. Clerk and Brantley acknowledge and agree that FamilyLink will need to identify the content as Southampton County, Virginia records and hereby grant permission to FamilyLink to use the names, Southampton Records Project, Southampton County, Virginia, and Southampton Circuit Court, and substantially similar derivatives thereof.

3. Use of Content.

A. The parties agree that FamilyLink or its assignees, shall promptly and continuously provide access to the content (Southampton images and indexes entirely free of charge) and that at all times that FamilyLink places the content behind any portion of a FamilyLink website that is accessible only to users who pay a subscription fee, FamilyLink shall pay Clerk or Southampton, as so designated, ten percent (10%) of all net revenues attributed to the subscription uses of the content within any FamilyLink website. FamilyLink shall pay Clerk or Southampton, as so designated, the royalties identified herein, within thirty (30) days after the close of each calendar quarter. Any quarter that is a partial quarter will be pro-rated accordingly and no royalty shall be paid if Clerk and/or Southampton require the content to be displayed free of charge.

B. Regardless of whether the content is displayed by FamilyLink for a fee or free of charge, FamilyLink shall include the index cover sheets that acknowledge the indexing work of Brantley Association of America and its volunteers. In the event that including the index cover sheets proves to be implausible for technical reasons, FamilyLink shall work together with Brantley to determine a method of acknowledgement that is acceptable to Brantley. It is the intent of FamilyLink that Brantley be credited for its extensive and substantial work.

C. FamilyLink shall provide a means whereby Clerk and/or Southampton, as so designated, shall link to the content on a FamilyLink website so that users of Clerk's and/or Southampton County's website will have free and full access to the content at all times that Clerk and/or Southampton make the content available through its website. Clerk and/or Southampton shall not charge contact fees to users of its website.

D. In the event that Clerk and/or Brantley provide updates or additions to the content, the updates and additions shall be deemed included in the grants of rights provided in Section 2. above. In the event that Clerk and/or Brantley, as their interest may appear, request that FamilyLink provide back to Clerk and/or Brantley an electric copy of all the content, FamilyLink shall promptly comply with the request.

4. Promotion. Any party may advertise, market or otherwise publicize that the content is available on one or more FamilyLink websites as it elects, so long as all such promotions remain positive and do not defame or malign another party.

5. Content Schedule. Clerk and/or Brantley will provide FamilyLink access to the content according to a schedule mutually agreeable to the parties and Clerk may provide FamilyLink new content or indexing from time to time that shall automatically be deemed part of the content under this agreement and the license provided in Section 2. above.

6. Transfer. The license granted in Section 2. above, the Content and Index may not be transferred or assigned by FamilyLink to any person or entity other than a person or entity that obtains a controlling interest in FamilyLink or an entity that results from the merger of one or more entities with FamilyLink. Clerk, Brantley and Southampton acknowledge and agree that FamilyLink shall not be responsible to protect any intellectual property rights Clerk, Brantley or Southampton may have in its content so that internet users may be able to copy some or all of the content.

7. Applicable Law. The parties agree that this agreement shall be governed by and interpreted in accordance with the laws of the Commonwealth of Virginia, even if principles of conflicts of law would apply the laws of another jurisdiction.

8. Changes to Agreement; Waiver. No changes, in addition to, or waiver of any of the provisions of this agreement shall be binding upon either party unless in writing signed by an authorized representative of each party. No waiver by either party or any breach by the other party of any of the provisions of this agreement shall be construed as a waiver of any subsequent breach, whether of the same or of a different provision of this agreement.

9. Scope of Agreement; Modification; Headings; Other. This agreement sets forth the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior negotiations and dealings, including, but not limited to, letters of intent, pertaining to the subject matter hereof. No change in, amendment of, addition to, or waiver of any of the provisions of this agreement shall be binding upon any party unless in writing signed by an authorized representative of each party. This agreement shall not be construed to constitute a joint venture, partnership or other similar business relationship between the parties. Clerk, Brantley and/or Southampton shall provide the content as an independent contractor. None of the employees of Clerk, Brantley and/or Southampton are entitled to workers' compensation benefits from FamilyLink and Clerk and Brantley are not obligated to pay any federal and state income taxes on any monies earned pursuant to this agreement. All headings of the sections of this agreement have been inserted for convenience of reference only, are not to be considered part of this agreement, and shall in no way affect the interpretation of any provision of this agreement. This agreement shall inure to the benefit of and be binding upon the successors and permitted assignees of the parties hereto. In the event any provision of this contract conflicts with the law of the Commonwealth of Virginia or any such provision is held invalid by a court with jurisdiction over the parties to this agreement, such provision shall be deleted from the contract and the contract shall be construed to give to the

remaining provisions thereof. This agreement may be signed in counterparts and copies sent via facsimile shall be deemed an original.

10. Breach. Should FamilyLink fail to provide free and full access to the content (images and index, as the index may later appear, as provided in Section 3. above) the, upon written notification by Clerk or Brantley, FamilyLink shall, within 45 days of receipt, either correct the breach or remove the content from its subscription site.

11. Venue. Should any dispute arise out of this agreement (interpretation and/or enforcement), the venue of any action for litigation purposes shall be the courts of Southampton County, Virginia.

FAMILYLINK.COM, INC.

By _____
Paul Allen, CEO

Date: _____

The Honorable Richard L. Francis, Clerk
Circuit Court of Southampton County

Date: _____

BRANTLEY ASSOCIATION OF AMERICA

By _____
Ken Brantley, its _____

Date: _____

SOUTHAMPTON COUNTY, VIRGINIA

By _____
Michael W. Johnson, County Administrator

Date: _____

Mr. Francis advised that the agreement would provide the County with a free non-exclusive listing with FamilyLink.com. He explained that if FamilyLink.com decided to put access to Southampton County Court records behind a "banner," Southampton County would get a cut of those profits. He emphasized that as long as users accessed Southampton County Court records through Southampton County or a portal through the Southampton County Clerk of the Circuit Court's Office, it would be totally free. He advised that Attorney Railey made amendments to the original agreement so that any legal issues related to the agreement could be heard in Southampton County Courts under Virginia Law. He was not sure if that would be approved by FamilyLink.com, but he was certainly going to try.

Supervisor Brown moved, seconded by Vice-Chairman Young, to authorize the Clerk of the Circuit Court to execute the agreement. All were in favor.

Moving to miscellaneous issues, Mr. Johnson announced that included in the agenda was a copy of the minutes from the June 15 Sesquicentennial Committee Meeting.

Chairman Jones was concerned that there may not be enough committee members. He asked Supervisor Brown if he would object to appointing a Board member to the committee. Supervisor Brown replied, the more the merrier. He noted that all the committee members were very active and were working hard to bring everything together. He invited Chairman Jones to the next meeting.

Chairman Jones appointed Supervisor West to serve on the Sesquicentennial Committee.

Mr. Johnson advised that included in the agenda was a copy of the 6-month attendance report from the Planning Commission and Board of Zoning Appeals.

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

Chairman Jones confirmed with Mr. Johnson that there were no late arriving matters.

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 West, 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, 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.

July 25, 2011

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 8:35 PM.

Dallas O. Jones, Chairman

Michael W. Johnson, Clerk