4. MEETING MINUTES

Attached for your consideration please find a copy of the Board of Supervisor's meeting minutes for the regular session of March 25, 2013.

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

At a regular meeting of the Southampton County Board of Supervisors held in the Board Room of the Southampton County Office Center, 26022 Administration Center Drive, Courtland, Virginia on March 25, 2013 at 7:00 PM.

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

SUPERVISORS ABSENT

OTHERS PRESENT
Michael W. Johnson, County Administrator (Clerk)
Beth Lewis, Director of Community Development
Lynette C. Lowe, Finance Director
Julien W. Johnson, Jr. Public Utilities Director
Richard E. Railey, Jr., County Attorney
Cynthia J. Edwards, Administrative Secretary

OTHERS ABSENT

Chairman Jones called the meeting to order.

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

Chairman Jones stated that he was glad to see everybody here tonight.

Chairman Jones sought approval of the minutes of the regular session of February 25, 2013. There being no corrections the minutes were approved as presented.

Chairman Jones stated that we would go to item 2 - Highway Matters.

Mr. Michael Johnson said the first item – item A is in regards to the Route 35 Bridge over the Nottoway River. You see correspondence in your agenda packages from Mr. Adam Jack, P.E., Assistant District Administrator for VDOT. He indicates that they're working with a local Business Advisory Committee comprised of local business leaders to coordinate advertising, award and construction of the replacement bridge. The purpose of the advisory committee is to mitigate business impacts to the maximum extent possible, expedite construction and rebuild public trust between the community and VDOT.

Chairman Jones asked if there were any questions on that. There being no questions Chairman Jones moved to item B – monthly concerns. He called on Supervisor Updike.

Supervisor Updike stated that he had mentioned the last three months he guessed and he had very poor or no reaction to his request. The shoulders on Statesville where the tractor-trailers have been in ditch there are absolutely no shoulders and if you around a curve and run off the road you will be in a three foot ditch and the road is breaking up. A half of dozen trailers have been in the ditches and where they have been in the ditches it has stopped up all the drains.

Mr. Michael Johnson asked Supervisor Updike if anybody had contacted him from VDOT or if anybody had ridden with him.

Supervisor Updike said no.

Chairman Jones called on Supervisor Phillips said he didn't have anything, but if any of the

citizens in the Capron District have anything to please let him know. As far as he knows everything is good.

Chairman Jones called on Supervisor Porter.

Supervisor Porter said there was nothing right now.

Chairman Jones called on Supervisor Faison.

Supervisor Faison stated that on Three Bees, and he didn't know if it was Road or Lane, but about a half of mile from General Thomas Highway road right in the center there is broken up.

Mr. Michael Johnson said about half way down from General Thomas Highway.

Supervisor Faison said no about a half of mile down Three Bees from General Thomas Highway.

Chairman Jones called on Supervisor West.

Supervisor West said just a comment that VODT has been very responsive to his request. Any problems that he had he reported to them and he had very good success. He stated that it is wet beyond the norm and you can't do anything about that.

Chairman Jones called on Supervisor Edwards.

Supervisor Edwards said there were no complaints in his district.

Chairman Jones said he was having the same problems as Supervisor Updike was. He stated that they were cutting timber on Adams Grove Road and the trucks are running off the road into the ditches on both sides and there is nothing we can do about it. He said he has asked for rock for the last three months and he still hasn't gotten any so you are not the only one. He said I still need some rock.

Chairman Jones stated that the next item was 3 – Monthly Reports. The reports were Financial Report, Sheriff's Office, Animal Control, Litter Control, Building Permits, Cooperative Extension, and Treasurer's Report. He asked Mr. David Britt if he had anything.

Mr. David Britt addressed the Board. He stated that he wasn't here with us last month because he was under the weather. He stated that he had placed reports and updates at each of the Board Members places. He said he thought the last reports that they had were from October. He said he updated the reports and highlighted them so they would have an idea of how they are basically coming along with their collection efforts. Also, you have a report there as to where our delinquencies stood one year ago as of the 22nd of March and also where they stood Friday which was the 22nd of March. If you notice there what we have outstanding in personal property as of right now is $958,000 and what we have outstanding is real estate is $1,005,000. Our numbers, pretty much as far as collections, are running the same as last year. He said he thought we were .05 percent from where we were last year. Also just kind of wanted to let you all know that the deadline for the Solid Waste Management Fee falls on Sunday, March 31st and when the deadline falls on Sunday we do give the tax payers the next business day to come in and pay. With that being said there is a lot of money that needs to be collected. We have got about half of our money collected right now. We got about $671,000 of the $1.3 million collected. He said he had tried to get out reminders to put in the newspaper as well as to the radio station to try to remind people that the due date is coming up. He asked if anyone had any questions.

Chairman Jones asked if anyone had any questions for Mr. David Britt.

Chairman Jones stated that the other reports were New Housing Starts, Solid Waste Quantities, and Personnel. He asked Mr. Michael Johnson if we had anything as far as personnel.

Mr. Michael Johnson stated he didn't have anything.

Chairman Jones stated the next item was number 4 – Financial Matters. He asked if anyone had

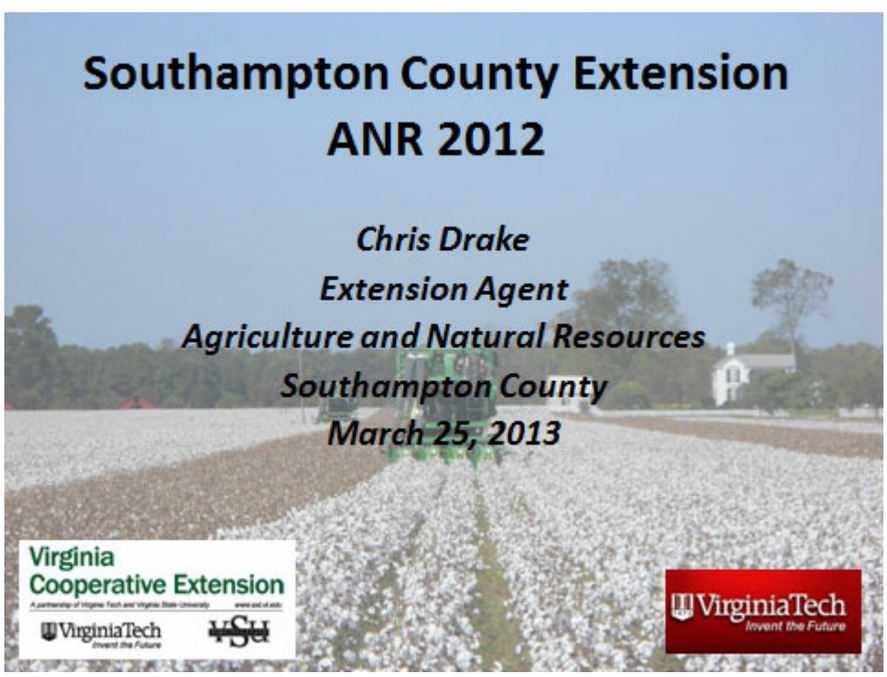
any problems with the bills. He stated if not he needed a motion to pay the bills.

Supervisor Edwards made a motion, seconded by Supervisor Faison to pay the bills in the amount of $3,105,022.94 to be paid by check numbers 130050 through 130386. The motion carried unanimously.

Chairman Jones stated that we would go to item number 5 – Presentation by Virginia Cooperative Extension.

Mr. Michael Johnson stated that we have with us tonight Mr. Chris Drake, our local Extension Agent, who would like a few minutes of your meeting to discuss some of his ongoing work and programs with agricultural producers in Southampton County. Among other things, one of Chris's major responsibilities is to work closely with producers, agri-business and community leaders to identify and resolve issues and problems that may confront them. He's able to meet their needs by providing current research-based information through meetings/workshops, short courses, field days, tours, on-farm research, demonstrations, and other appropriate teaching methods. I know you'll join me in welcoming Chris and hearing what he has to share.

Mr. Chris Drake said he would like to thank everyone who was here to listen to him this evening, but he knew there was a lot of other pressing matters so he would move through this as quickly as possible. He said he would like to give you guys a snapshot of what they had done this past year. He said it was hard to compress what you had done in a year's time into five or ten minutes, but he was going to read though it as quickly as possible while giving you an idea of the programming we have done this year. He gave the following presentation:



Southampton County 2012 Snapshot

- Covers 600 square miles
- ~ 93000 acres in row crop production
- Major crops for 2012 were
  1. Cotton (33,920) 2. Soybeans (30,162) 3. Wheat (8,523) 4. Corn (9,797) 5. Peanuts (6,824) 6. CRP (~3,000)
- Agricultural sales of nearly $ 50 million

Current Issues??

- Loss of government direct payments
- Price swings/profitability/long term planning
- Transition Planning
- Feeding 9 billion people on less land
- Palmer Amaranth

2012

- Record breaking cotton and peanut crop
- Yield levels of both unprecedented
- Excellent soybean crop
- Above average corn crop with a few exceptions
- Southampton # 1 in terms of acres of cotton and peanuts, # 2 in soybeans

Looking at 2013

- More grain (14,472 acres wheat) 68% increase
- Less cotton (10-15%)
- Less peanuts (35%) ? $700/ton in 2012, $ 540/ton in 2013, record carryover
- Sorghum ??
- Farm Bill ????

What are we doing ??

- Cotton Variety Trials (4)
- Corn Variety Trials
- Wheat Variety Trials
- Soybean Variety Trial
- Beet Armyworm Monitoring
- Newsletters (did 16 in 2012) .. 131 recipients
- Soil Sampling !!
- Corn Earworm Monitoring
- Plastic Pesticide Container Recycling and applicator recertification
- Sorghum and Peanut Variety Trials
- Field Crop Tour, Scouting Clinics, PRODUCTION MEETINGS
- Cotton/Peanut Awards Banquet
- Southampton County Fair Field Crops and Horticulture

1 Goal for ANR Extension ?

- Agricultural profitability/sustainability
- Most programming efforts center around providing producers with information to increase the bottom line
- Research based information is conveyed from campus/ARECS to the farm
- 1,847 direct contacts, 2,178 newsletter, 785 email, 653 calls

Corn Variety Trial

Tested 18 corn hybrids with on-farm cooperator to determine highest yielding varieties

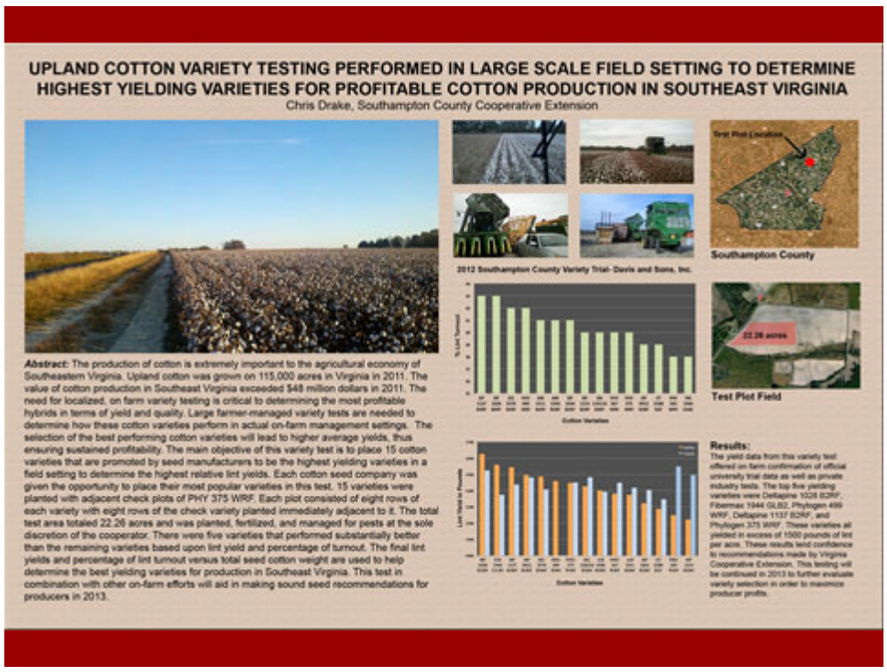
Soybean Variety Trial

Tested 14 varieties of MG 5 soybeans for yield and quality traits

Cotton Variety Trials

Two variety trials, two conventional hybrid trials, one insecticide efficacy trial
Great data was produced to aid in variety selection

More Variety Trial Work



UPLAND COTTON VARIETY TESTING PERFORMED IN LARGE SCALE FIELD SETTING TO DETERMINE HIGHEST YIELDING VARIETIES FOR PROFITABLE COTTON PRODUCTION IN SOUTHEAST VIRGINIA

Chris Drake, Southampton County Cooperative Extension

Abstract: The production of cotton is extremely important to the agricultural economy of Southeastern Virginia. Upland cotton was grown on 115,000 acres in Virginia in 2011. The value of cotton production in Southeast Virginia exceeded $48 million dollars in 2011. The need for localized, on farm variety testing is critical to determining the most profitable hybrids in terms of yield and quality. Large farmer-managed variety tests are needed to determine how these cotton varieties perform in actual on-farm management settings. The selection of the best performing cotton varieties will lead to higher average yields, thus ensuring sustained profitability. The main objective of this variety test is to place 15 cotton varieties that are promoted by seed manufacturers to be the highest yielding varieties in a field setting to determine the highest relative lint yields. Each cotton seed company was given the opportunity to place their most popular varieties in this test. 15 varieties were planted with adjacent check plots of PHY 375 WRF. Each plot consisted of eight rows of each variety with eight rows of the check variety planted immediately adjacent to it. The total test area totaled 22.26 acres and was planted, fertilized, and managed for pests at the sole discretion of the cooperator. There were five varieties that performed substantially better than the remaining varieties based upon lint yield and percentage of turnout. The final lint yields and percentage of lint turnout versus total seed cotton weight are used to help determine the best yielding varieties for production in Southeast Virginia. This test in combination with other on-farm efforts will aid in making sound seed recommendations for producers in 2013.

2012 Southampton County Variety Trial- Davis and Sons, Inc.

Southampton County

Test Plot Field

Results:

The yield data from this variety test offered on farm confirmation of official university trial data as well as private industry tests. The top five yielding varieties were Deltapine 1028 B2RF, Fibermax 1944 GLB2, Phytogen 499 WRF, Deltapine 1137 B2RF, and Phytogen 375 WRF. These varieties all yielded in excess of 1500 pounds of lint per acre. These results lend confidence to recommendations made by Virginia Cooperative Extension. This testing will be continued in 2013 to further evaluate variety selection in order to maximize producer profits.

Wheat Variety Trial

Tested 12 varieties of wheat for yield and quality traits.. Very important for seed selection considering the growing acreage of wheat

Field Plot Weigh Trailer

Trailer in Action

- Offers flexibility to conduct multiple on farm tests with various commodities on a "moments notice"

Beet Armyworm Monitoring

Economic Impacts …

- 225 acres of watermelons in 2012
- Average yield of 35,000 pounds per acre
- Average Price of 12 cents per pound
- Reduce damage by 10% from rindworms equates to $ 94,500 income
- IPM (integrated pest management) reduces unwarranted sprays without sound info

Soil Sampling

- **Va. Tech processed 4,464 soil samples from Southampton County in fiscal 2012**
- **We send more samples than any county in state**
- **Reduces arbitrary applications of lime or fertilizer**
- **Critical to implement precision application technology**

Waste Oil Recycling

- **FCC Environmental collected over 1,750 gallons of used motor oil from county farmers**
- **750 gallons has been collected thus far for 2013**

Corn Earworm Monitoring

Pesticide Container Recycling Program

Pesticide Granulation

We recycled 11,950 pounds of containers this year, which is approximately 18,000 individual units, which accounted for 14% of the state total !!

VDACS issued grant funds

SWCD Farm Day

Spoke to over 200 elementary school children about the production of pumpkins and fall produce

Fair Days

Field Crops Contest

NEIL Performing Official Unit Coordinator Duties at the Fair

Peanut/Cotton Production Awards Banquet

- Huge Event, 96 attended
- In collaboration with cotton awards banquet
- 16 Two Ton winners in 2011, 5 growers made 5000 pound club
- 28 growers received certificate for 2-bale /acre average production

Peanut Production Champs

Cotton Production Winners

Sorghum Hybrid Variety Trials

- Dr. Maria Balota and her staff planted trials in Boykins, VA with cooperator H. Carter Worrell
- Evaluating sorghum hybrids to determine high yielding varieties
- Develop an alternative, more drought tolerant rotational crop for peanuts

Pod Blasting Clinic

42 samples from 18 growers analyzed in late September 2012 for maturity and harvest timing decisions

Well attended and received by local producers

Production Meetings
Cotton, Peanut, Grains, Weed Control

PALMER AMARANTH

Bad News!

Chairman Jones asked if anyone had any questions for Mr. Chris Drake.

Supervisor Phillips thanked Mr. Chris Drake and stated that he had been a big help to him.

Chairman Drake stated the next item of business was number 6 – Presentation by PMA Architecture Courthouse Security Improvements.

Mr. Michael Johnson stated that as you may recall, at your September 24, 2012 meeting, you authorized me to contract with PMA, Inc. for architectural services associated with the Courthouse security improvements. In the six months since, PMA has facilitated a number of meetings with the Circuit District and J&DR Court Judges, the Sheriff, the Commonwealth's Attorney, and the respective Clerks of each court to discuss their specific needs. After meeting with them, PMA prepared a preliminary design for the security improvements and then conducted follow-up meetings with the stakeholders to obtain additional feedback. Thereafter, PMA has worked to finalize the design and would like to present their plan to you at Monday's meeting. Once the Board signs off on the plan, PMA will spend roughly 45-60 days developing the drawings, specifications and bid documents that are necessary to competitively bid the work. Once the documents are complete, the project will be advertised and bids accepted roughly 30 day thereafter. The bid results will then be presented to the Board to consider award of the contract (June/July timeframe). You will need to achieve consensus on the plan for security improvements in order for the architect to proceed with development of the drawings, specifications and bid documents. We have with us tonight Mr. Jeff Stodghill with PMA and at this time I'll turn it over to him.

Mr. Jeff Stodghill, with PMA stated that was a pretty good introduction so he was going to dive right into this. He gave the following presentation:

Architectural Services for Courthouse Security Improvements

Southampton County, Virginia

SCOPE OF WORK

1. **Create Secure Main Entry** – Expand under the Colonnade and create screeening area.
2. **Add Closed-Circuit TV**
   - Exterior Doors
   - Courtrooms, Clerk Counters, Evidence & Detention
   - Lobby
   - Corridors
   - Exterior Areas
3. **Intrusion Detection**
4. **Evaluate Existing Systems**

Architectural Services for Courthouse Security Improvements

Southampton County, Virginia

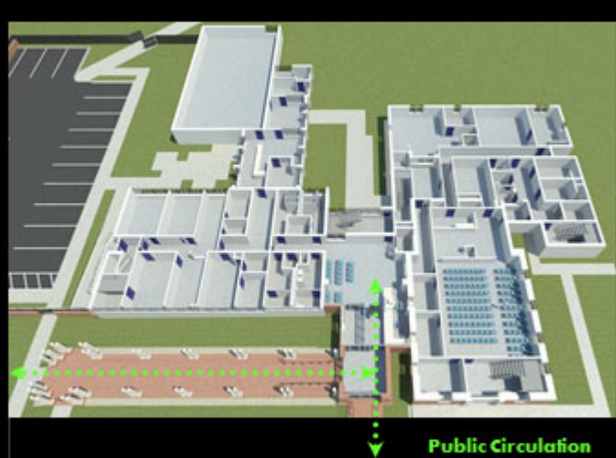
CONCEPT

SECURE MAIN ENTRY

Architectural Services for Courthouse Security Improvements

Southampton County, Virginia

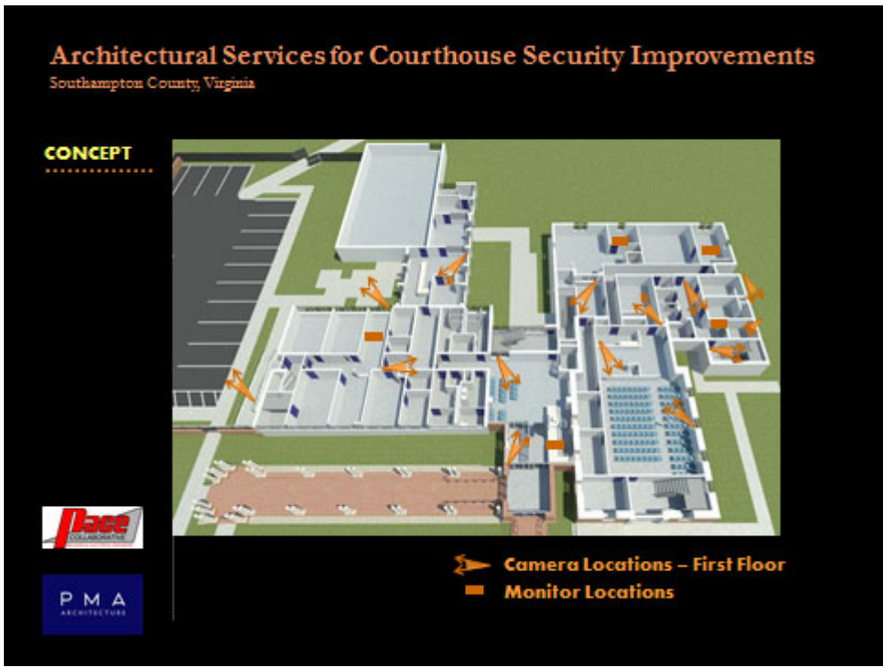
CONCEPT



Architectural Services for Courthouse Security Improvements
Southampton County, Virginia
CONCEPT
Staff Circulation
P M A

Architectural Services for Courthouse Security Improvements
Southampton County, Virginia
CONCEPT
Prisoner Circulation
P M A

Architectural Services for Courthouse Security Improvements
Southampton County, Virginia
CONCEPT
Access Controlled Doors – First Floor
P M A


Architectural Services for Courthouse Security Improvements
Southampton County, Virginia
CONCEPT
Camera Locations – First Floor
Monitor Locations
PMA

Architectural Services for Courthouse Security Improvements
Southampton County, Virginia
CONCEPT
Access Controlled Doors – Second Floor
PMA

Architectural Services for Courthouse Security Improvements
Southampton County, Virginia
CONCEPT
Camera Locations – Second Floor
Monitor Locations
PMA

Architectural Services for Courthouse Security Improvements
Southampton County, Virginia
SECURE PARKING CONCEPT
PMA

Architectural Services for Courthouse Security Improvements
Southampton County, Virginia
SECURE PARKING CONCEPT
PMA

Architectural Services for Courthouse Security Improvements
Southampton County, Virginia
SECURE PARKING CONCEPT
PMA

He asked if there were any questions that he could respond to he would be happy to try.

Chairman Jones asked if anyone had any questions for Mr. Jeff Stodghill.

Chairman Jones said as you know we don't have any money. You are going to have to go back and sharpen your pencil and see can't you get us something a little tighter than that. He asked Mr. Jeff Stodghill if he thought he could do that.

Mr. Jeff Stodghill said he well he thought there were some things here that any self-respecting architect is not going to come in and present a budget so thin that he can't make it work. Having said that I think we can approach this and try to skinny it down. On the other hand I've been before your Board and other Boards and when we get the number wrong and we don't show you the picture up front that is an even tougher situation so at the point I would say to get the basics here that you are looking at $700,000 to $750,000 before we talk about a generator.

Chairman Jones asked if anyone else had any questions.

Supervisor West said I guess this had a good feel by the Sheriff's Office, the Commonwealth Attorney, and all of those affected parties that would be involved in the Courthouse – is that correct.

Mr. Jeff Stodghill said he met with everybody and he hasn't finished meeting with the Clerk of Court. He said he had a little bit of catch up to do there, but he will be doing that.

Supervisor West said so have you received endorsement from the ones you have spoken to.

Mr. Jeff Stodghill said absolutely.

Supervisor West said absolutely. This is not a commitment tonight to one million dollars to pay for a generator down there, but it is a commitment to look forward to proceed with the development of the drawing and then come back with more detail.

Mr. Jeff Stodghill said we can approach it that way and one of the things we can do is develop a series of alternatives in the bidding so that you will have some choices when the bids come in.

Chairman Jones asked if there were any other questions. He stated that now is the time. It's no need to wait until the time he comes back to go over them. We need to bring it all up front so he will know what we want him to do.

Supervisor Faison said he thought what Mr. Jeff Stodghill presented would take care of the problem. It seems like a good plan, but financially we don't have it.

Supervisor West said but we have known for a long time this was coming down the pipe though. This is not anything that we have been trying to hide. After an emergency or some catastrophe takes place then you don't have the option to turn back and say we should have done this.

Chairman Jones said that is right – right now we have the chance to do it. If we wait and not do it the Judges can come back on us and make us do it.

Supervisor Updike said he thought we had to have some alternatives and some new plans to make it workable at the least costs. As far as he is concerned the budget is tight and we don't have any extra money. We don't know where this million dollars is going to come from. It is really going to put the citizens in this county in financial stress so we need some real sharp pencil work. This looks like a Cadillac plan to him and he thinks they need to do a whole lot of cutting on this plan.

Chairman Jones asked if anyone else had any questions.

Supervisor West said he can't see the cameras in place and no wiring going to them – okay. I think it needs to be hooked and he thought state of the art was the way to go. There is a way to define this. He said he thought it needed to be looked at a little more than tonight. He stated that he didn't have this document before tonight. He said he would like to have a month to think about it and see what our financial situation is as we approach the budget season. He said he did think that we needed to do that and we need to go to the fullest extent to do the right thing.

Chairman Jones said we need to give him some direction to go in; that's what he is here for. We need to start drawing up the plans so we can summit them to the folks that are going to do the work.

Supervisor West said he would like to go through the budget process, take the time to look at that and then see how this can fit in and this is a preliminary only correct.

Mr. Jeff Stodghill said well we have developed this scope to address the needs of the Courthouse.

Supervisor West asked what were the disadvantages to putting it on hold for 60 days.

Mr. Jeff Stodghill said he thought we could do that.

Supervisor West said then he thought we needed to put it on hold for 60 days then and go from there. He said he didn't think the decision needed to be made tonight.

Chairman Jones called on Supervisor Phillips.

Supervisor Phillips said the note on his agenda said we needed a consensus. He said he believed we needed the security measures as presented. We need cameras. We need a better security system and we need a backup generator in case the power goes off. We are also heading into a budget process so he feels that what Supervisor West said would be the perfect decision at this point. That will give us time to review the paper that we have received tonight, but I feel that we are facing this; there is a need for it we just need to see what the most economical choices are fur us to do that.

Supervisor Faison said he thought that was the consensus that something has to be done, but we want to do it in the least expensive way we can do it, but something has to be done so I guess you can use that consensus to move forward with some plan.

Mr. Jeff Stodghill said he thought the consensus that he needed to proceed with the design to the point where they can explore the detailed design and let's try to find a way to make it the least costly and proceed on so we can get some pricing then you can look at what your options are going to cost you. Right know he felt it was important to give you a picture of what we are looking at. He said he wasn't saying this is what it is going to costs, but in order for us to get to that point in several months we have to finish our work and then go out and get some prices. We didn't bring you a picture here that was a Cadillac solution. He said he had been working with Accomack County, Northampton County, and we have typically been able to find less expensive solutions to these big problems. Having said that once you do this you need to make sure the Courthouse is secure, that if somebody comes in and tries to get through the security system he isn't going to succeed and that the court business can be conducted in a safe environment. As an expert in that area I'm just trying to bring you the straight up picture of what we are trying to deal with.

Supervisor Edwards said I can tell you right now from the way I look at it this is Cadillac and we need a Model T. We are going to need basic security and I see a lot of frills here and I'll just tell you tonight we are just not going to be able to afford it. We may as well look at the reality of it right from the beginning; we need basic security but to sit here and think we can afford $1.1 million dollars is not reality.

Chairman Jones called on Supervisor Porter.

Supervisor Porter said he can't tell whether this is basic security or Cadillac and he didn't know what we needed to do to get to the point where he can make that assessment. Maybe the next step is to look at the hard specifics that you are recommending and the cost of those specifics. That is an awful lot of money and we have to figure out in the next thirty to sixty days before we approve something as to where we are going to get the money and that is an issue for us to deal with. I don't know what we can give you tonight. I think there is a lot of apprehension to give you a green light tonight, yet I don't think we want to do anything to put a damper on you or to slow you down in your process and I don't know how we do that. Do you have any suggestions for that?

Mr. Jeff Stodghill said his suggestion would be let's wait for thirty days and the county administrator and I can figure how to get back with you as to what your questions are and let's make sure we get this right.

Supervisor Porter said he agreed we need to get it right. He said he needed to understand whether it is Cadillac or whether it is basic.

Supervisor West asked if there were any requirements by the state to upgrade to certain standards or any mandates state wide that are based upon the request of the staff.

Mr. Michael Johnson said correct.

Chairman Jones said so is it a consensus to hold off on this until after the budget.

Mr. Michael Johnson said so are you saying thirty days.

Supervisor Porter said let's put it on the agenda for the next meeting if that is okay and maybe in the meantime we can get some questions answered.

Chairman Jones thanked Mr. Jeff Stodghill.

Chairman Jones stated that we would move to item number 7 – Public Hearings.

Mr. Michael Johnson stated that tonight we have five public hearings scheduled the first of which is related to the Sale of Publicly-Owned Real Property Former Ivor Elementary School. This public hearing is held pursuant to 15.2-1800, Code of Virginia, 1950, as amended to receive public comment on an ordinance providing for the sale of 8.02 acres of publicly-owned real property located at 7486 Proctors Bridge Road, Ivor, Virginia, site of the former Ivor Elementary School, now vacant. The Board of Supervisors may sell or otherwise dispose of the aforesaid real property, at public or private sale, after holding a public hearing regarding such disposal. The notice of this public hearing was published in the Tidewater News on March 10 and March 17, 2013 as required by law. After conclusion of tonight's public hearing, the Board of Supervisors will consider the comments offered and may act upon the ordinance or defer action until such time as it deems appropriate. There is a copy of the proposed ordinance on the second page in your agenda if you would like to refer to that after receiving the public comments.

WHEREAS, the County of Southampton is the owner of 8.02 acres of real property on Proctors Bridge Road, formerly utilized as an elementary school facility known as Ivor Elementary School; and

WHEREAS, the County of Southampton has demolished all of the former school buildings and the property is currently vacant; and

WHEREAS, the property no longer serves a public purpose; and

WHEREAS, § 15.2-1800, *Code of Virginia*, provides broad authority for counties, cities and towns to sell real property after holding a public hearing regarding its disposal; and

WHEREAS, a public hearing was duly advertised and held on March 25, 2013.

NOW, THEREFORE, BE IT ORDAINED that the County Administrator is hereby authorized to advertise the sale of the aforementioned real property through competitive sealed bids, subject to a minimum reserve price of $; and

AND BE IT FURTHER ORDAINED that the County of Southampton shall, by deed, convey the aforementioned property to the bidder submitting the highest bid; and

BE IT FURTHER ORDAINED that the proceeds from the sale of this real property shall be deposited in the county Building Fund and utilized for a capital project to be later identified by this Board.

Adopted, this 25th day of March, 2013.

BOARD OF SUPERVISORS

_____

Dallas O. Jones, Chairman

ATTEST:

_____

Michael W. Johnson, Clerk

Chairman Jones opened the public hearing and asked if there was anyone for or against the selling of this property in Ivor.

Supervisor West stated that he would start if off. He said it was eight acres. It is zoned residential. The school property has been cleared. It is open. It is not hazardous in any way. The fuel tanks, asbestos, and everything have been removed. It is an area now decent to build homes or for some form of business. He said he had two personal contacts recently who said they would be interested in purchasing it. He said he thought they needed to offer it for a sealed bid sale and he would like to say that we start at the minimum which the county would have the right to bid back or keep the property if we did not receive the minimum bid of $60,000.00 that has been tied in the asbestos abatement, the clean-up of the lot and the things that have been done. I think it needs to be put back on the tax rolls as soon as possible and with the interest that I think is out there I think we could sell it pretty quickly and we have the right to deny or not take any bid under any of those circumstances so that gives you the option of not knowing what the other ones are bidding or if you are bidding against yourself whether good or bad, but he thinks that would work in his opinion.

Chairman Jones asked if there was anything else.

Supervisor Porter said he supports his proposal. Under the current market sealed bid is probably the way we are going to get the highest value for the property. He said he would like to clarify one thing though, he doesn't think we should specify that we would accept anything over $50,000. We need to say that we reserve the right to reject any and all bids. If the bid comes in too low for what we think the property is valued at then we have the right to reject that. I don't think we are being unreasonable because we do want to see someone use that land and it get back on the tax roll and it would be a benefit to the county, but we need to reserve that right to reject any bid.

Supervisor West said thank you and I agree.

Chairman Jones asked if anyone else had any questions or comments.

Supervisor Edwards said he thought Supervisor West said it all.

Chairman Jones stated that he needed a motion to accept this ordinance.

Supervisor Updike made a motion to adopt the ordinance providing for the sale of publicly-owned real property of the former Ivor Elementary School site.

Supervisor Porter seconded the motion.

Supervisor West said what he was hearing that is that you don't want a minimum reserve price; you want to reserve the right to reject any and all bids.

Supervisor Porter said yes we reserve the right to reject any and all bids.

Chairman Jones called for the vote which carried unanimously.

Chairman Jones sated that we would go to item 7 B.

Mr. Michael Johnson stated that 7 B was the consideration of an ordinance vacating a portion of the certain "Plat Showing Sub-division of property of Mrs. W. S. Deloatch. He stated that this public hearing is held pursuant to 15.2-2204, Code of Virginia, 1950, as amended to receive public comment on an ordinance vacating a portion of that certain "plat showing sub-division of property of Mrs. W. S. Deloatch", recorded in Plat Book 5, Page 76 on September 2, 1949 in the Office of the Clerk of the Circuit Court. The aforesaid ordinance vacates only that 30' strip of real property between lots 24 and 25, shown as "reserved for street", pursuant to the provisions of $15.2-2272 (2) of the Code of Virginia, 1950, as amended. Approval and recordation of the aforementioned ordinance shall operate to destroy the force and effect of that part of the plat so vacated, and shall vest fee simple title to the centerline of the 30' "reserved for street" section to the owner of abutting lots free and clear of any rights of the public. The notice of this public hearing was published in the Tidewater News on March 10 and March 17, 2013 as required by law. After conclusion of tonight's public hearing, the Board of Supervisor will consider the comments offered and may act upon the ordinance or defer action until such time as it deems appropriate. If approved the ordinance would read as follows:

AN ORDINANCE TO VACATE A PORTION OF A "PLAT SHOWING SUB-DIVISION OF PROPERTY OF MRS. W.S. DELOATCH," RECORDED IN PLAT BOOK 5, PAGE 76 ON SEPTEMBER 2, 1949 IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT

WHEREAS, recordation of the aforementioned plat operated to transfer, in fee simple, that certain 30' strip between lots 24 and 25 that is shown as "reserved for street," to the Board of Supervisors of Southampton County; and

WHEREAS, came Wallace Robert Simmons, Jr. by memorandum dated January 26, 2013 to the County Administrator, seeking vacation of the portion of plat containing the aforesaid 30' strip pursuant to **§ 15.2-2272 (2)**, *Code of Virginia*, 1950, as amended; and

WHEREAS, public notice has been duly given by the Board of Supervisors regarding this matter pursuant to **§ 15.2-2204,** *Code of Virginia;* and

WHEREAS, a public hearing was conducted with regard to this matter on March 25, 2013.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Southampton County:

1. Subject to the receipt of $150.00 as prescribed by **§ 15.2-2273,** *Code of Virginia,* that certain 30' strip between lots 24 and 25 on the "PLAT SHOWING SUBDIVISION OF PROPERTY OF MRS. W.S. DELOATCH," recorded in Plat Book 5, Page 76 is hereby vacated;

2. That this Ordinance shall take effect thirty days following its adoption;

3. On or after April 25, 2013, a certified copy of this ordinance shall be provided to Wallace Robert Simmons, Jr. for recordation in the Office of the Clerk of the Circuit Court;

4. Recordation of this ordinance shall destroy the force and effect of that portion of the plat vacated, and vest fee simple title to the 30' strip between lots 24 and 25 to Wallace Robert Simmons, Jr., free and clear of any rights of the public or other owners of lots shown on the plat.

Adopted this 25th day of March 2013.

A COPY TESTE:

_____

Michael W. Johnson, Clerk

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

Mr. Charles Hood of Boykins addressed the Board. He stated that he is a citizen of Boykins and he has a farm in Branchville and he uses this road to access his farm on a weekly or daily basis. He uses it as a matter of safety because a lot of times when he is going through the Branchville Community house parking area there are a lot of people there and it is not as safe to use that route. We have used it for other activities such as the Fire Department and the Sheriff's Department to reach the adjoining land. Thank you.

Chairman Jones asked if anyone else wanted to speak.

Mrs. Nancy Barrett of Branchville addressed the Board. She stated that she was on the Board of Directors for the Community Building which is also used as the disaster assembly building. She

said it was in her opinion that leaving the road open would not only benefit the Fire Department and Mr. Charles Hood, but also the building as a safety issue. When the Community Building is in use the members park very close to the access from Darden Street which also goes to the same piece of property, but that goes in through Darden Street and cuts back around on Whitehead Road. There is a possibility that you could have to go through the street with equipment and it would be a danger in hitting someone's vehicle because they are not very careful where they park at the Community Building. Sometimes they park too close to that Darden Street entrance and there are all these kids running around in that area. If the Fire Department has any training to do they can go back there on that property. She stated that she thought it would be good to have the road open to Whitehead Road so that the equipment could go in and out. She stated that she also had a letter that was written from the Fire Department which stated To Whom It May Concern. This is a letter of recommendation that a road be put from Whitehead Road through the property that belongs to Mr. Charles Hood. This road would benefit the Branchville Volunteer Fire Department greatly because it will give us access to a water source and also to property in an emergency, and access to property to exercise training drills. I cannot list all the benefits that this will give to the Fire Department, surrounding Fire Departments, and the community. I hope this letter will benefit these concerns. Thank you. Chris Fatherly, Assistant Chief of Branchville Volunteer Fire Department. I think he has already requested putting a fire hydrant back there in that area after Floyd flooded because water was five feet deep and they use the community building for the disaster assembly building and if anybody and couldn't get out and was locked out the National Guard has to come in and get the people out and they could take that route to get through and the water wouldn't be a factor.

Mr. Preston Futrell of Branchville addressed the Board. He stated that he was a neighboring land owner and it gives him access to his property and he is appreciative that the road is there and he hopes that they would leave it that way. He said he had also witnessed people walking their dogs and things in the community and they use that road as a way of going around the block so to speak. So he thought it was a benefit to the community.

Chairman Jones asked if there were any questions.

Mr. Hank Fuller of Boykins addressed the Board. He said he was the Assistant Fire Chief of Boykins Volunteer Fire Department and he stated he was speaking on behalf of Mr. Charles Hood. He said that Mr. Charles Hood has been in the process of clearing this property for some time now and in doing so he has created large debris piles at times and when he has done so he will contact the fire department for us to come and burn it. Not only does this benefit Mr. Charles Hood, but it benefits the Fire Department as well. We use it as a training opportunity in training our newer members in the operation of fire trucks and also some hose line advancement technics. As was said before when they have an event at the Community Center sometimes it is hard to get to the property or the property is inaccessible when the right of way is blocked. There have been materials purchased to put a fire hydrant in on the property and the access point that we would like to use would be the right of way that is in question. Again if the other right of way is blocked with the agricultural equipment being moved there is the opportunity that there would be farm accidents and if the access is impassable it would be hard for them to gain access to help someone in need on their property. Thank you.

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

Mr. David A. Stiglitz addressed the Board. He stated that he was here at the last meeting when the individual brought up why this was being brought up tonight and he would just like to say a few words about his opinion. He said he liked the idea about heritage; he thought it was important. Some of you people do know that. He brought that up because his family in 1949 owned all this land. Now he owns both parcels on both sides of this road. He said he was sure he was a very honorable man and if it was his property he would like to have it back; he personally would, but there is more to it than that. He said he was not particularly a friend of Mr. Charles Hood, but he knew he was a resident and had been here a long time and was an outstanding citizen. This road has been used by many people in this community and it would be nice for all of us to get our heritage back, but that is never going to happen. It has been in use by this community; people have had it in their life. You stated that you just received notice that the road was used; there is no way of telling when a buggy first went down there or when a four wheeler first went down that trail. This man has spent a lot of money on this road though and again if I owned the land on both

sides of the road I would love for somebody to put a road in here for me and then see if I can get it. Now I'm not saying that is the reason, but I think we should take it all into consideration and ask the persons in this community. Thank you very much.

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

Mr. George Rawlings of Boykins addressed the Board. He stated he was here on behalf of Mr. Charles Hood. He stated that he had been around Branchville and Boykins all his life and some of you know me. The path that is there now not only benefits him it benefits like he said the Fire Departments, and he had been a member there for a great long time there and they also use it for people that are deer hunting and he knew some people in there didn't want to hear him saying deer hunting, but it is a good thing. He said he certainly hopes tonight that you will consider keeping that road open.

Mr. Robert Simmons addressed the Board. First of all Mr. Charles Hood's property doesn't touch this particular path and he has plenty of land and his farm equipment can stay over where he has the land. I think he purchased his property back in 2005. This path was cut through, as he mentioned in the last meeting, somewhere around 2009 or after. As he had mentioned the trees planted there by his family over thirty some years ago were removed from this section and along the canal and a pipe was placed in the canal and now encroaches. Environmental and significant topography and sight changes were made in order to reach this subdivision which falls in the jurisdiction of various regulatory agencies. The individual who cleared this path was not part of the subdivision and had no rights to do this. Actually activity is occurring as a result of this path in an area which is sub place in a sub-division which is zoned R-1 with lots 60 foot wide or so are a nuisance and actually a public welfare risk. Some of these risks include the pipes collapsing in the path. Somebody mentioned hunting. Well there are some activities with firearms in no safety zones despite notices that are posted. There are vehicles which are passing through with trash and debris to be dumped on huge piles over there – construction debris, building materials, tires, and general trash. There are also activities late at night and early in the morning. All this is occurring while the individual who created the access to this path has proper access to his property while his gate is closed. Based on the stature cited by Southampton County, it supports vacating the reserved area so safety would be better served. Again it is a sub-division zoned R-1with lots 60 foot wide. The sub-division and reserved area does not cross the canal or creek. All parcels on the other side of the canal have public road access. Statute 50.2-2265 indicates nothing in the statute shall affect the right to a sub-divided validated reserve. The property was sub-divided by his relative and the property has remained among family members of the sub-divider since 1949. Part of his ownership has come through inheritance and part through the purchase from other relatives. No one else here is part of the sub-division with land running along the way of the path. He stated he is the only owner of sub-division land along this path in accordance with statute 15.2-2272 and finally what is dedication perceived by the county under statute 15.2-2265 is the lack of the desire of the property by the county. The county has not used the property in sixty three years. The county has done nothing regarding any of the actions by the individual making changes to the path despite his notice over a year ago and the county has no plans for future use. The vacating perceived dedication based on the statute cited by the county again 15.2-2265 all he needs to convey is the apparent abandonment by the government – nothing related to anybody else who has gone through and created a path that did not have a right to do so. All this supports in the vacating of the reserved area of his plat. Thank you.

Chairman Jones asked if anyone had any questions for Mr. Robert Simmons. He thanked Mr. Robert Simmons.

Chairman Jones asked if anyone else wished to speak. There being no one else wishing to speak Chairman Jones closed the public hearing. He asked the Board what they had to say. He said Supervisor Faison this is in your district.

Supervisor Faison said he understood what he wants his decision to be, but he wanted to ask Mr. Richard Railey if there were some legal issues that we need to look at.

Mr. Richard Railey said it was pretty well set out in the statute when you record a sub-division plat and a path is there then the path is dedicated and it becomes the property of the county. There is a procedure that has been cited 15.2-2272 which gives you the right if it is not used and I think the

words are if nobody objects and you are supposed to hold a public hearing to see if nobody objects to giving the property back that has already been deeded to you and if somebody objects or if somebody is harmed then you have to consider that. The statute even goes further, and this has been the law in Virginia for a long time, that if you give it back somebody who is affected or harmed has a right to go to circuit court and the circuit court makes a determination if somebody is going to be harmed thereby, then the circuit court has a right to overturn you giving the property back. In his tenure on the Board this Board has given back a lot of property specifically in Sedley and also in Sebrell, and also in Drewryville, but in every case there was no objection by anybody. Now you have objection so it is your determination under the statute whether somebody is going to be harmed by it because what you are doing is giving back something that has already been given to you.

Supervisor Faison said the property already belongs to Southampton County that is in question.

Mr. Richard Railey said that is correct.

Supervisor Faison said some improvements have been to that property because he had visited it and he was impressed by the work that has gone into it. It seems to be an improvement in terms of the drainage and also the road that has been prepared through there and it does belong to Southampton County and persons have come forward tonight expressing their use of that land and that they are using that road. He thinks that the desire or need and interest of that number of persons outweigh the interest of Mr. Robert Simmons so he would say that we should leave that path through there.

Chairman Jones asked if anyone else had anything.

Supervisor Updike said he thought it was a “no-brainer” that this belongs to the county and this property is being used by the citizens of the county – the road to and from. For us to even consider denying the citizens the use of it would be as far as he is concerned criminal. He thinks we should definitely deny the request and leave it like it is.

Chairman Jones called on Supervisor Porter.

Supervisor Porter said he had a question for Mr. Michael Johnson. He asked if Mr. Charles Hood followed proper procedures. He asked if Mr. Charles Hood was in contact with him when he put the path in.

Mr. Michael Johnson stated that Mr. Charles Hood contacted him and advised that he had interest in developing the path and he referred him to Mr. Richard Railey and I think he had some conversations with Mr. Richard Railey. Are you asking if I gave him permission?

Supervisor Porter said I’m trying to see if he followed proper procedures.

Mr. Michael Johnson said he contacted and he asked.

Supervisor Porter said did he follow the proper procedures Mr. Richard Railey.

Mr. Richard Railey said he was told and read the statute just like I would read it to anybody in this room. That property is dedicated to Southampton County. Now to have people voluntarily to take Southampton County land and improve upon it is something that I have never faced before, but maybe we need more volunteers I don’t know. Is there a procedural way – no?

Supervisor Porter said but did he do anything improper.

Mr. Richard Railey said no because the property belongs to the county.

Supervisor Porter said that was my question and he didn’t do anything improper. That is all I wanted to ask.

Chairman Jones asked Supervisor West if he had any comments.

Supervisor West said well reflecting on the comments of Supervisor Updike I don't know about the words "no-brainer" or "criminal". I do think there are places in this county that are needed places for recreational activities as we certainly don't have enough and I feel certain that the ones that are enjoying this area should – that's good. Hunting is not his deal, but so be it. With that being said he stated he was in favor of the county keeping the property with the improvements, thank you Mr. Charles Hood, and whoever else wants to jump on in there. We appreciate it a whole lot. I'm not willing to turn it loose.

Chairman Jones called on Supervisor Phillips.

Supervisor Phillips said with the comments of the county attorney and the questions that Supervisor Porter asked and the comments of the citizens of the Branchville area he would be in favor of the continued use of the road.

Chairman Jones called on Supervisor Edwards.

Supervisor Edwards said he didn't differ with anybody. I think it is a benefit; to close it would be a mistake.

Chairman Jones said he needed a motion that we leave it like it is.

Supervisor Faison moved that we leave the road open.

Mr. Robert Simmons asked if he could speak again.

Chairman Jones stated that he would have to take his issues to Mr. Richard Railey and Mr. Michael Johnson. He stated that he had a public hearing and you made your comments and we heard that so that is where I have to go from here now.

Supervisor West said he would second the motion in case it wasn't properly seconded.

Chairman Jones said it was seconded.

Supervisor West said he didn't hear it; he was sorry.

Chairman Jones said it has been moved and seconded that it would remain the same. He called for the vote which passed unanimously.

Chairman Jones stated the next item was 7C.

Mr. Michael Johnson stated that item C is the public hearing regarding an ordinance regulating wastewater discharges. This public hearing is held pursuant to 15.2-1427, Code of Virginia, 1950, as amended to receive public comment on an ordinance to amend Chapter 16, Article IV, Division 3 of the Southampton County Code as it relates to wastewater discharges. Among other things, the aforementioned ordinance defines the terms, "infiltration" and "inflow" prohibits the use of dilution as a partial or complete substitute for adequate treatment or pretreatment of industrial wastes, and requires wastewater users to promptly repair or remove any conditions that directly contribute to inflow or infiltration following written notice by the County. The notice of this public hearing was published in the tidewater News on March 10 and March 17, 2013 as required by law. After conclusion of tonight's public hearing, the Board of Supervisors will consider the comments offered and may act upon the ordinance or defer action until such time as it deems appropriate.

AN ORDINANCE TO AMEND CHAPTER 16, ARTICLE IV, DIVISION 3
AS IT RELATES TO WASTEWATER DISCHARGES

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

Sec. 16-1. Definitions.

Add the following definitions:

Infiltration means water that enters a sewer system from the ground by such means as defective pipes or pipe joints and leaking manholes, etc. and occurs during periods of saturated soils and high ground water levels.

Inflow means water that is discharged to a sewer system from such sources as a roof, basement or area drains, defective manhole covers, or cross connections between storm and sanitary sewer systems after precipitation events.

Sec. 16-147. Admission of industrial wastes into public sewer.

Add Number 3:

(3) No user shall ever increase the use of process water or, in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant-specific limitation developed by Southampton County or the Commonwealth of Virginia.

Sec. 16-148. Prohibited discharges.

Add the last sentence to paragraph (a) as written herein below:

(a) No person shall discharge or cause to be discharged any storm water, ground water, roof run-off, subsurface drainage, down spouts, yard drains, yard fountain and ponds or lawn sprays into any sanitary sewer. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the county. Unpolluted processed water may be discharged upon prior written approval of the county to a storm sewer or natural outlet or into the sanitary sewer system by an indirect connection whereby such discharge is cooled, if required, and flows into the sanitary sewer at a rate not in excess of three gallons per minute, provided the waste does not contain materials or substances in suspension or solution in violation of the limits prescribed herein. Any person discharging waste of any type into a storm sewer or natural outlet shall first obtain the written permission of the county who shall designate the point of discharge, whether it be sanitary sewer, storm sewer, or natural outlet. *Upon written notice by the County, all users shall promptly repair or remove any conditions that directly contribute to inflow or infiltration.*

A copy teste:_____, Clerk
Southampton County Board of Supervisors
Adopted : March 25, 2013

Chairman Jones opened the public hearing. He asked if anyone wanted to speak for or against it.

Chairman Jones closed the public hearing as there was no one wishing to speak for or against the ordinance.

Chairman Jones asked the Board what they had to say.

Supervisor Edwards said it is the law of the land.

Supervisor West said it is.

Chairman Jones stated he needed a motion to adopt the ordinance.

Supervisor West made a motion to adopt the ordinance as presented.

Supervisor Phillips seconded the motion which carried unanimously.

Chairman Jones stated that we would go to item D.

Mr. Michael Johnson stated that item D was the public hearing ordinance providing for the hunting of coyotes with rifles larger than .22 caliber rim fire between March 1 and August 31. This public hearing is held pursuant to 15.2-1427, Code of Virginia, 1950, as amended to receive public comment on an ordinance to amend Section 10-26 of the Southampton County Code to provide for the hunting of coyotes with rifles larger than .22 caliber rim fire between March 1 and August 31. The notice of this public hearing was published in the Tidewater News on March 10 and March

17, 2013 as required by law. After conclusion of tonight's public hearing, the Board of Supervisors will consider the comments offered and may act upon the ordinance or defer action until such time as it deems appropriate.

AN ORDINANCE TO AMEND CHAPTER 10 OF THE SOUTHAMPTON COUNTY CODE
BY REVISING SECTION 10-26 TO PROVIDE FOR THE HUNTING OF
COYOTES WITH RIFLES LARGER THAN .22 CALIBER RIM FIRE
BETWEEN MARCH 1 AND AUGUST 31

- - - - -

BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that the Southampton County Code be, and hereby is, amended by revising paragraph (a) of Section 10-26 to provide for the hunting of coyotes with rifles larger than .22 caliber rim fire between March 1 and August 31:

Sec. 10-26. Hunting weapons restricted.

(a) It shall be unlawful to hunt with a rifle larger than twenty-two one hundredths of an inch (.22) caliber rim fire except rifles of a larger caliber may be used for hunting groundhogs *and coyotes* between March 1 and August 31;

(b) It shall be unlawful to hunt with a muzzle-loading rifle at any time;

(c) It shall be unlawful to hunt with a muzzle-loading shotgun loaded with slugs or sabot slugs; and

(d) Any person violating the provisions of this section, upon conviction, shall be guilty of a Class 3 Misdemeanor and shall be punished accordingly.

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

Chairman Jones opened the public hearing.

Mr. Ed Knight addressed the Board. He stated that he spoke with us last month on this same issue and he thinks some wording got changed. It was going to be outside of the general firearms deer season not March 1st to August 31st. Did you reword that or change that?

Mr. Michael Johnson said yes.

Mr. Ed Knight said so you all changed that.

Mr. Michael Johnson said yes.

Mr. Ed Knight said well you all know that the coyote breeding season starts in February and in January the male coyotes start splitting up for the groups in pursue of the females so between January, February, and March especially January and February are the most critical times to be out there with rifles to get them because breeding season is just about over right now. They start breeding around the second week of February and on into about the middle of March or end of March and then they start holding on and having their litters so you are not going to have much access to them during that time. Also, he knew in the past hunting groundhogs with rifles there has never been any kind of accident or incident and that echoes right on through turkey season and everything else so it has never been an issue as far as safety. It is very important that we be able to hunt them during the prominent months when they are breeding and also when the pups start splitting up later on in the fall on through December. If we only go March 1st through August 31st it really doesn't help that much. I think it needs to be reworded like it was before like you introduced last year outside the general fire arms season.

Chairman Jones said I think we can clear up something for you if we hear from the Game Warden. He asked the Game Warden to come up to the podium.

Supervisor Phillips asked the gentlemen addressing the Board to please state his name for the record.

The gentlemen stated that his name was Mr. Ed Knight.

Mr. Tim Worrell stated he is a Sergeant with the Department of Game & Inland Fisheries and he covers the area from Hopewell to the North Carolina line. He stated he is the Supervisor over District 14. He has been speaking with Supervisor Bruce Phillips over the past year on this issue and he hopes that maybe he can answer some questions tonight that you may have over the specifics of passing this ordinance. In response to the gentlemen who was just up here, you can hunt coyotes during that time the only problem is you can't use a caliber larger than a .22 rim fire.

Mr. Ed Knight asked if Mr. Tim Worrell had ever caught one in that firing range.

Mr. Tim Worrell said yes he had. He said you can hunt them with a .22 or you can hunt them with a .22 magnum during that time frame. The issue with changing the time from March 1st to August 31st is that that is a code set by the General Assembly under 29.1-528 which would require a legislative change on the General Assembly level to change those dates. He stated that he could report to the Board that their Board of Directors just this past Thursday passed a proposal to make a change in the model ordinance that you guys currently have and they are going to add to hunting groundhogs the term coyotes which is what I think you had proposed to work with tonight. That will go up for public opinion and during our June Board meeting it will be voted on by the Board. We do have public opinion on that which will take place in Franklin, Virginia on April 3rd at Paul D. Camp Community College. It is going to be a public hearing on all of our proposed changes for this year. He said he would be happy to address any questions.

Chairman Jones asked if anyone had any questions.

Supervisor West said if we adopted this ordinance tonight would that ordinance automatically become our language at that time or would it have to be restricted for one more year

Mr. Tim Worrell said well here is the key. If you adopt the ordinance you have, take your current ordinance and put coyotes behind groundhogs which is what the proposed model is you can report that to our Board by May 1st which is the requirement and then if it passes our Board in June you will get it on the books for this year.

Supervisor West said well I am looking at it and it says "hunting groundhogs and coyotes between March 1 to August 31" so that is sufficient is what you are saying and then would automatically grandfather us.

Mr. Tim Worrell said if it is passed by our Board; I cannot tell you it will be passed or what the public opinion or opposition will be on this matter.

Supervisor Edwards said sir you are saying you don't have a problem with this ordinance as we read it tonight.

Mr. Tim Worrell said he would refer that to your county attorney and your administrator.

Supervisor Porter said so this proposal is consistent with your proposal.

Mr. Tim Worrell said yes sir it is.

Supervisor Porter said so if your proposal passes then this should be the ordinance.

Mr. Tim Worrell said yes then that would be the model ordinance at 29.1-528 that allows counties to adopt.

Supervisor Faison said nothing we are talking about will change the time frame. We are still

looking at March 1st to August 31st.

Mr. Tim Worrell said yes that is what you guys are working with.

Supervisor West said that is with the larger caliber only.

Mr. Tim Worrell said yes sir, but during those other periods you can use a .22 rim fire which would be a .22 magnum or a .22 long rifle to hunt coyotes. When you get into your center fire rifles, your larger caliber rifles you could only do that between March 1st and August 31st.

Chairman Jones called on Supervisor Phillips.

Supervisor Phillips thanked Officer Worrell for coming tonight. He said we have talked going on a year on this issue. Just to reiterate, currently the people who live in Southampton County can shoot coyotes with .22 rim fire. There are new rifles now that shoot a little bit more powerful rim fire cartridge and they can shoot these coyotes at night so the law is already in place and I think some people don't realize that.

Mr. Tim Worrell said yes sir that is correct.

Supervisor Phillips said all we are doing tonight though is we would be adding coyotes and creating to the current law with being able to use a larger caliber than a .22 rim fire during that March 1st through August 31st time frame. He said he would call to the interest of the people that Mrs. Lisa Caruso is the game representative from this district and she also works out of the Commonwealth Attorney's Office in Dinwiddie. You can either call me as I am going to find out how to get in touch with her, but they are going to have a public hearing just like was said previously and if you want to discuss the breeding season of the coyote and if that would have some impact we would certainly change our ordinance, but as it is presented tonight I think we need to go ahead and he would be in favor of passing it as we have presented it, but I would also urge people if you have a concern to make those concerns known to the Game Commission during the public hearing process. Thank you.

Mr. Ed Knight asked if he could ask one more question.

Chairman Jones told Mr. Ed Knight he could come back up to the podium.

Mr. Tim Worrell said he had an answer.

Mr. Ed Knight started asking Mr. Tim Worrell a question.

Chairman Jones said sir you are not talking to Mr. Tim Worrell you are talking to us.

Mr. Ed Knight said you said the General Assembly had to be involved with the state ordinance.

Mr. Tim Worrell said yes sir in regard to the dates on the state statute on section 29.1-258.

Mr. Ed Knight now the other counties in the state you can hunt with a high powered rifle in every other county in the state for coyotes.

Mr. Tim Worrell said if it is a rifle county you can; you are allowed to.

Chairman Jones said it is a little different.

Chairman Jones asked if there was anyone else wishing to speak. There being no one he closed the public hearing. He asked the Board what they had to say.

Supervisor Porter moved that we adopt the ordinance.

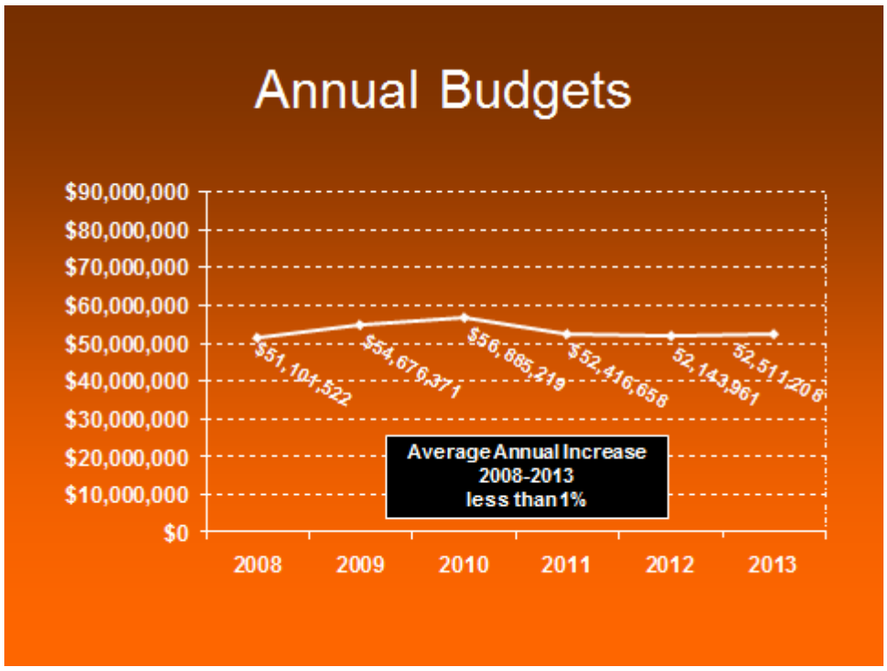
Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones stated the next item was 7E.

Mr. Michael Johnson stated that tonight's final public hearing is a means of soliciting public input prior to completion of the initial draft budget for fiscal year 2014. Interested citizens are invited to offer their comments and recommendations on any and all FY 2014 budgetary matters. Please note that a second public hearing will be scheduled for Monday, May 20, 2013 to provide interested citizens an opportunity to comment on the final draft of the proposed budget. As a way of beginning, I'll take just a few minutes to outline the budget adoption process and provide a broad and general outline of anticipated revenue sources and expenditure estimates. He gave the following presentation:

Budget Approval Process

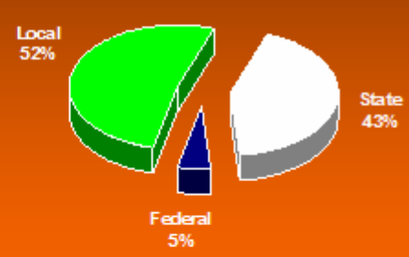
February 8, 2013	Budget request forms issued
February 27, 2013	Budget request forms returned
March 25, 2013	Advance public comment received
April 10, 2013	County Administrator's draft budget presented
April 17, 2013	Budget work session – department presentations
April 24, 2013	Budget work session
April 29, 2013	Budget work session (draft budget finalized)
May 20, 2013	Public hearing on proposed budget
May 22, 2013	Budget work session (if necessary)
May 28, 2013	Board adopts FY 2014 budget
May 28, 2013	Board adopts CY 2013 tax rates and fees



Fiscal Year 2013 Budget

Revenue Sources

State	$22,573,431
Federal	2,720,043
Local	27,217,734
TOTAL	$52,511,208



Fiscal Year 2013 Budget

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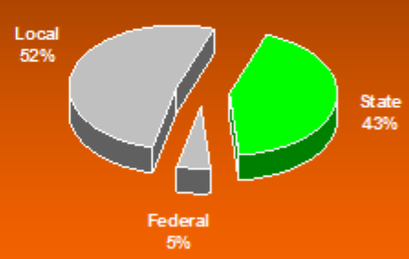

Types of State Aid

- Categorical Aid (No Discretion)
  - Sheriff
  - Commonwealth's Attorney
  - Clerk of the Court
  - Treasurer
  - Commissioner of the Revenue
  - Registrar/Electoral Board
  - Jails
  - CSA
- Non-Categorical Aid
  - State Motor Vehicle's Carrier's Tax
  - Mobile Home Titling Tax
  - Local Recordation Tax on Deeds
- Public Assistance (No Discretion)
- Aid for Education (No Discretion)

State Revenue Estimates FY 2014

	FY 13 Budget	FY 14 Projection	Growth/(Decline)	% Change
Categorial Aid				
Sheriff	$ 2,523,966	$ 2,590,508	$ 66,542	2.64
Jail Operations	245,000	231,116	(13,884)	(5.67)
Commonwealth Attorney	353,220	374,345	21,125	5.98
Clerk of the Court	291,702	302,225	10,523	3.61
Treasurer	74,523	79,540	5,017	6.73
Commissioner of the Revenue	90,115	94,086	3,971	4.41
Electoral Board	35,902	34,036	(1,866)	(5.20)
Other	311,307	337,764	26,457	8.50
	3,925,735	4,043,620	117,885	3.00
Non-Categorial Aid	190,000	193,000	3,000	1.58
Public Assistance	2,068,332	1,937,065	(131,267)	(6.35)
Aid for Education				
SOQ Accounts	14,085,636	14,123,144	37,508	0.27
Incentive Accounts	326,599	550,405	223,806	68.53
Categorical Accounts	17,514	18,030	516	2.95
Lottery-Funded Programs	1,959,615	1,897,307	(62,308)	(3.18)
	16,389,364	16,588,886	199,522	1.22
TOTAL STATE REVENUE	$ 22,573,431	$ 22,762,571	$ 189,140	0.84

State Revenue Estimates FY 2014

Includes $196,745 for Raises

	FY 13 Budget	FY 14 Projection	Growth/(Decline)	% Change
Categorial Aid				
Sheriff	$ 2,523,966	$ 2,590,508	$ 66,54[illegible]	2.64
Jail Operations	245,000	231,116	(13,8[illegible])	(5.67)
Commonwealth Attorney	353,220	374,345	21,[illegible]	5.98
Clerk of the Court	291,702	302,225	1[illegible]	3.61
Treasurer	74,523	79,540	[illegible]17	6.73
Commissioner of the Revenue	90,115	94,086	[illegible]971	4.41
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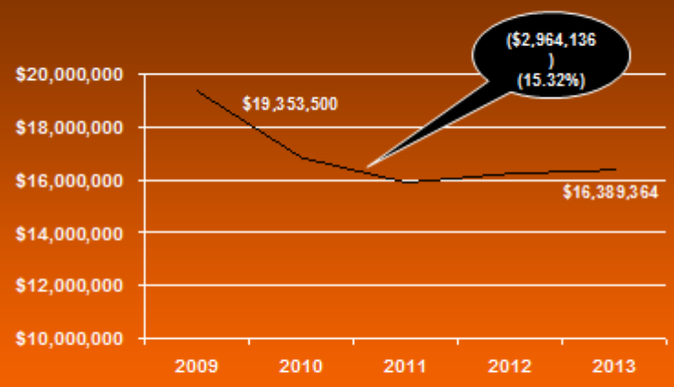
State Trend For Education



Local Trend For Education

Sources of Local Revenue

- General Property Taxes
  - Real Estate
  - Public Service Corps.
  - Merchants Capital
  - Personal Property
  - Machinery/Tools
- Other Local Taxes
  - Sales Tax
  - Business Licenses
  - Vehicle License Tax
  - Transient Lodging
  - Utility Taxes
  - Franchise Fees
  - Recordation & Wills
  - Food & Beverage
- Permits & Licenses
- Fines & Forfeitures
- Charges for Services
  - Ambulance Fees
  - Reimbursements
  - PILOT
- Use of Money & Property
  - Interest
  - Sale of Public Property
  - Rental Income
- Miscellaneous
  - City of Franklin Shared Costs (Courts, Constitutional Officers)
  - City of Franklin Shared Revenue (Industrial Corridor)

Local Revenue Estimates FY 2014

	FY 13 Budget	FY 14 Projection	Growth/(Decline)	% Change
Real Estate				
Current Year	$ 9,882,747	$ 9,854,029	$ (28,718)	(0.29)
Public Service Corporations	844,799	1,007,731	162,932	19.29
Delinquent Taxes	361,636	371,000		
Personal Property				
Current Year	5,955,138	6,110,931	155,793	2.62
Public Service Corporations	3,072	4,356	1,284	41.80
Delinquent Taxes	192,421	200,000	7,579	3.94
Other				
Contractors Equipment	136,493	103,257	(33,236)	(24.35)
Mobile Homes	52,896	55,165	2,269	4.29
Farm Implement	402,241	422,181	19,940	4.96
Farm Machinery Seasonal	31,141	38,136	6,995	22.46
Machinery & Tools	355,260	347,678	(7,582)	(2.13)
Merchants Capital	50,850	51,175	325	0.64
Penalties & Interest	286,000	286,000	-	0.00
	$ 18,554,714	$ 18,851,639	$ 297,581	1.55

Local Revenue Estimates FY 2014

	FY 13 Budget	FY 14 Projection	Growth/(Decline)	
Other Local Taxes	1,683,155	1,851,457	168,302	10.00
Permits	116,530	114,230	(2,300)	(1.97)
Fines & Forfeitures	597,250	597,250	-	0.00
Use of Money/Property	4,000	2,000	(2,000)	(50.00)
Charges for Services	1,790,546	1,700,837	(89,709)	(5.01)
Miscellaneous	824,693	850,370	25,677	3.11
	$ 5,016,174	$ 5,116,144	$ 99,970	1.99
TOTAL LOCAL REVENUES	$ 23,570,888	$ 23,967,783	$ 396,895	1.68

Early Observations

- While state revenues still aren't growing, they appear to have stabilized – at least the bleeding is stopped
- The jury is still out on collection of the solid waste management fee
- Local tax revenues are projected to grow modestly (1.7%) – roughly $400,000 more to work with than last year
- Despite a modest overall reduction in annual debt service, roughly $241,000 more will be required from the General Fund because funds are no longer available for transfer from the Building Fund – leaving net new revenue growth of only $159,000

Mr. Michael Johnson asked if there were any questions on the revenue piece.

Supervisor Phillips asked what he used for the waste management fee number.

Mr. Michael Johnson said for next year.

Supervisor Phillips said yes.

Mr. Michael Johnson said currently he reduced it by $100,000 in that number you see there of $1.2 million. That may be high; we will know in the next few weeks.

Supervisor Phillips said okay.

Supervisor Updike stated that another question he would like to know is if he took in Valley Protein's leaving shortening the revenue collection.

Mr. Michael Johnson said he didn't take in Valley Protein leaving nor did he factor in any new revenues from Enviva or the conversion of the Dominion Virginia Biomass Project. I suspect all of those will affect our fiscal year's 2014 budget, but I didn't want to count on those. He asked if there were any other questions.

Supervisor West said that is for AMAC Corporation.

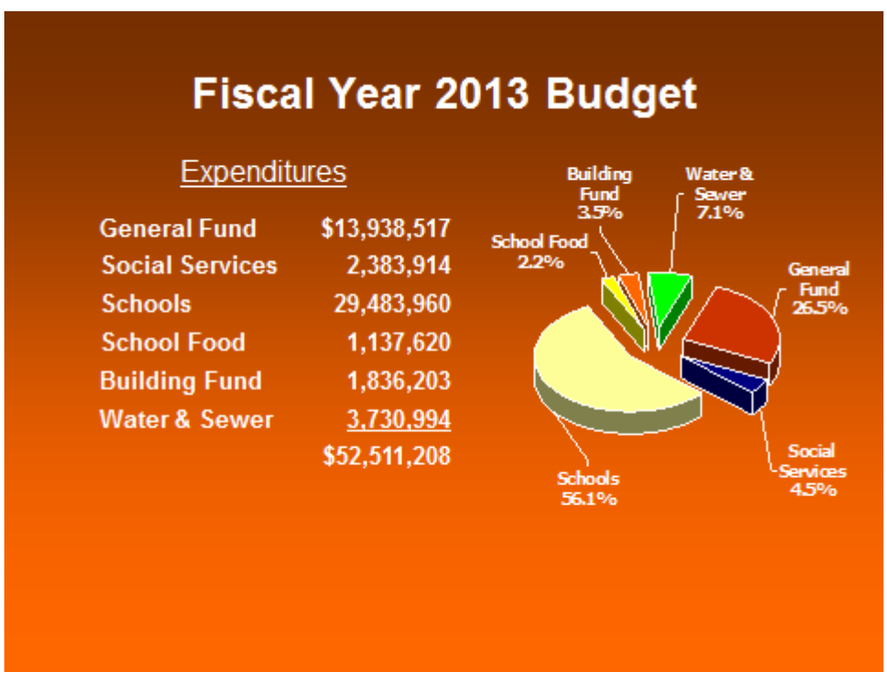
Mr. Michael Johnson stated that AMAC was not factored in there either.

Supervisor Edwards said no speculation.

Mr. Michael Johnson said he didn't want to speculate. He will count the chickens after they hatch.

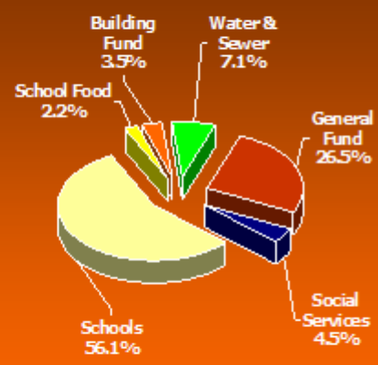
Chairman Jones said okay.

Mr. Michael Johnson moved to the expenditure side.



Fiscal Year 2014 Budget

What would you cut?



Fiscal Year 2014 Budget

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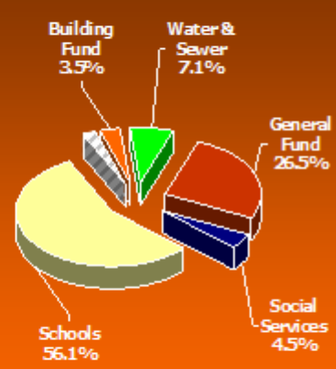

Fiscal Year 2014 Budget

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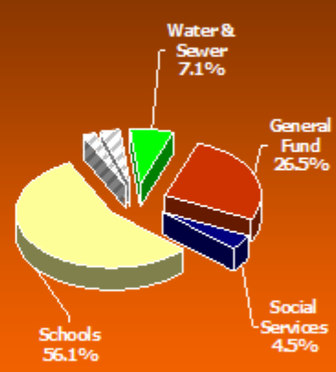

Fiscal Year 2014 Budget

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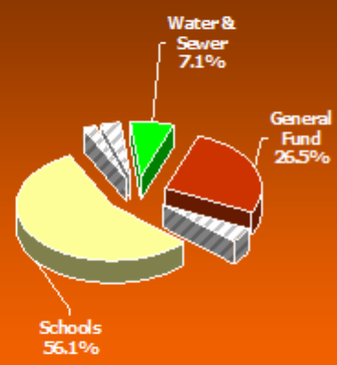

Fiscal Year 2014 Budget

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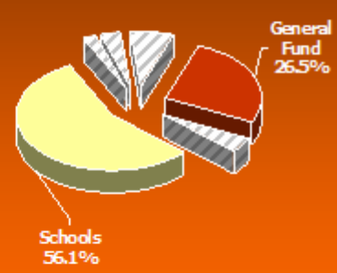

Fiscal Year 2014 Budget

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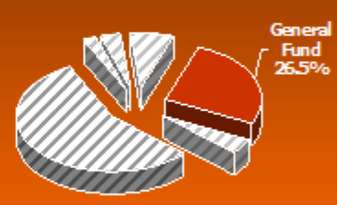

Fiscal Year 2014 Budget

General Fund	
General Government	$ 2,109,948
Judicial Administration	1,696,581
Public Safety	6,369,725
Public Works	2,429,635
Health & Welfare	663,715
Recreation & Culture	269,568
Community Development	380,187
Non-Departmental	19,158
	$ 13,938,517

Fiscal Year 2014 Budget

General Fund	
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Recreation & Culture	269,568
Community Development	380,187
Non-Departmental	19,158
	$ 13,938,517

Sheriff's Office $4,799,608

Fiscal Year 2014 Budget

General Fund	
General Government	$ 2,109,948
Judicial Administration	1,696,581
Public Safety	6,369,725
Public Works	2,429,635
Health & Welfare	663,715
Recreation & Culture	269,568
Community Development	380,187
Non-Departmental	19,158
	$ 13,938,517

Fire & Rescue $1,243,338

Fiscal Year 2014 Budget

General Fund	
General Government	$ 2,109,948
Judicial Administration	1,696,581
Public Safety	6,369,725
Public Works	2,429,635
Health & Welfare	663,715
Recreation & Culture	269,568
Community Development	380,187
Non-Departmental	19,158
	$ 13,938,517

Solid Waste
$1,877,714

Fiscal Year 2014 Budget

General Fund	
General Government	$ 2,109,948
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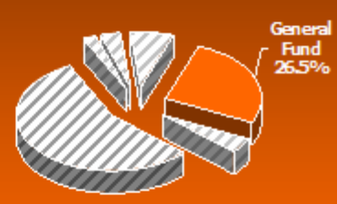
Public Safety	6,369,725
Public Works	2,429,635
Health & Welfare	663,715
Recreation & Culture	269,568
Community Development	380,187
Non-Departmental	19,158
	$ 13,938,517

Facilities
O&M
$498,732



Fiscal Year 2014 Budget

General Fund	
General Government	$ 2,109,948
Judicial Administration	1,696,581
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Public Works	2,429,635
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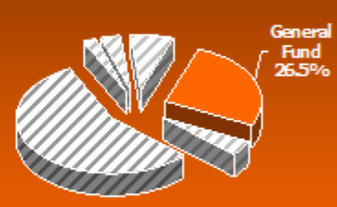
Recreation & Culture	269,568
Community Developme	380,187
Non-Departmental	19,158
	$ 13,938,517

Commonwealth'
s Attorney
$584,346



Fiscal Year 2014 Budget

General Fund	
General Government	$ 2,109,948
Judicial Administration	1,696,581
Public Safety	6,369,725
Public Works	2,429,635
Health & Welfare	663,715
Recreation & Culture	269,568
Community Developme	380,187
Non-Departmental	19,158
	$ 13,938,517

Clerk of the Court
$499,583

Fiscal Year 2014 Budget

General Fund	
General Government	$ 2,109,948
Judicial Administration	1,696,581
Public Safety	6,369,725
Public Works	2,429,635
Health & Welfare	663,715
Recreation & Culture	269,568
Community Developme	380,187
Non-Departmental	19,158
	$ 13,938,517

Court security
$554,900

Fiscal Year 2014 Budget

General Fund	
General Government	$ 2,109,948
Judicial Administration	1,696,581
Public Safety	6,369,725
Public Works	2,429,635
Health & Welfare	663,715
Recreation & Culture	269,568
Community Development	380,187
Non-Departmental	19,158
	$ 13,938,517

Mandated CSA
$288,146

Fiscal Year 2014 Budget

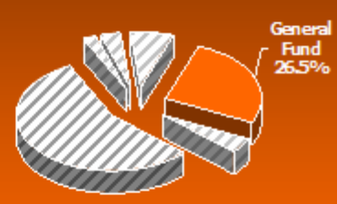
General Fund	
General Government	$ 2,109,948
Judicial Administration	1,696,581
Public Safety	6,369,725
Public Works	2,429,635
Health & Welfare	663,715
Recreation & Culture	269,568
Community Development	380,187
Non-Departmental	19,158
	$ 13,938,517

Local Health Department $294,880

Fiscal Year 2014 Budget

General Fund	
General Government	$ 2,109,948
Judicial Administration	1,696,581
Public Safety	6,369,725
Public Works	2,429,635
Health & Welfare	663,715
Recreation & Culture	269,568
Community Development	380,187
Non-Departmental	19,158
	$ 13,938,517

WTC SB $66,876



Fiscal Year 2014 Budget

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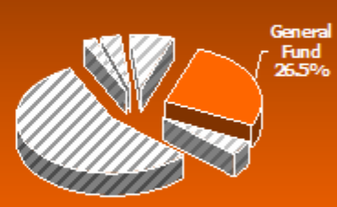
	$ 13,938,517

Blackwater Regional Library $227,197



Fiscal Year 2014 Budget

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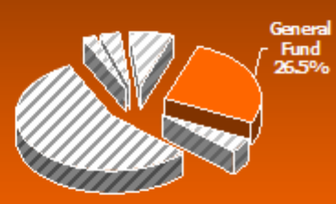
Recreation & Culture	269,568
Community Development	380,187
Non-Departmental	19,158
	$ 13,938,517

Historical Society $23,500

Fiscal Year 2014 Budget

General Fund	
General Government	$ 2,109,948
Judicial Administration	1,696,581
Public Safety	6,369,725
Public Works	2,429,635
Health & Welfare	663,715
Recreation & Culture	269,568
Community Development	380,187
Non-Departmental	19,158
	$ 13,938,517

RMA & CCA $18,871



Fiscal Year 2014 Budget

General Fund	
General Government	$ 2,109,948
Judicial Administration	1,696,581
Public Safety	6,369,725
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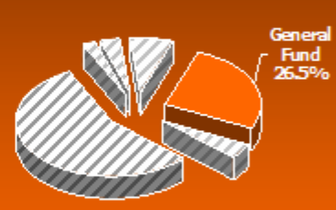
Recreation & Culture	269,568
Community Development	380,187
Non-Departmental	19,158
	$ 13,938,517

Planning $224,758



Fiscal Year 2014 Budget

General Fund	
General Government	$ 2,109,948
Judicial Administration	1,696,581
Public Safety	6,369,725
Public Works	2,429,635
Health & Welfare	663,715
Recreation & Culture	269,568
Community Development	380,187
Non-Departmental	19,158
	$ 13,938,517

FSEDI
$100,000

Fiscal Year 2014 Budget

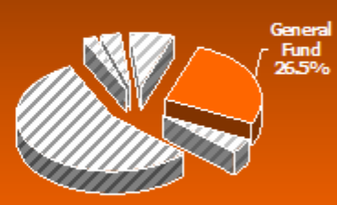
General Fund	
General Government	$ 2,109,948
Judicial Administration	1,696,581
Public Safety	6,369,725
Public Works	2,429,635
Health & Welfare	663,715
Recreation & Culture	269,568
Community Development	380,187
Non-Departmental	19,158
	$ 13,938,517

Extension &
Soil/Water
$55,429

Fiscal Year 2014 Budget

General Fund	
General Government	$ 2,109,948
Judicial Administration	1,696,581
Public Safety	6,369,725
Public Works	2,429,635
Health & Welfare	663,715
Recreation & Culture	269,568
Community Development	380,187
Non-Departmental	19,158
	$ 13,938,517

Treasurer &
Commissioner
$601,040



Fiscal Year 2014 Budget

General Fund	
General Government	$ 2,109,948
Judicial Administration	1,696,581
Public Safety	6,369,725
Public Works	2,429,635
Health & Welfare	663,715
Recreation & Culture	269,568
Community Developmen	380,187
Non-Departmental	19,158
	$ 13,938,517

County Admin.
$365,369

Fiscal Year 2014 Budget

General Fund	
General Government	$ 2,109,948
Judicial Administration	1,696,581
Public Safety	6,369,725
Public Works	2,429,635
Health & Welfare	663,715
Recreation & Culture	269,568
Community Developmen	380,187
Non-Departmental	19,158
	$ 13,938,517

I.T.
$341,243

Fiscal Year 2014 Budget

General Fund	
General Government	$ 2,109,948
Judicial Administration	1,696,581
Public Safety	6,369,725
Public Works	2,429,635
Health & Welfare	663,715
Recreation & Culture	269,568
Community Developmen	380,187
Non-Departmental	19,158
	$ 13,938,517

Accounting
$225,597

Fiscal Year 2014 Budget

General Fund	
General Government	$ 2,109,948
Judicial Administration	1,696,581
Public Safety	6,369,725
Public Works	2,429,635
Health & Welfare	663,715
Recreation & Culture	269,568
Community Developmer	380,187
Non-Departmental	19,158
	$ 13,938,517

Property Insurance
OPEB (Mandate)
Line of Duty (Mandate)
$296,203

Early Observations

- The School Board is requesting an additional $564,797 in new local revenue which includes the local cost of the 2% raises ($163,236), but not the new buses
- The estimated annual debt service for 5 new buses is approximately $55,500
- The annual cost of providing a 2% raise for other local staff is roughly $150,000
- Medical insurance premiums increased by 11.2% for county employees - the estimated employer share is approximately $25,000

Chairman Jones asked if there were any questions.

Supervisor Phillips said in last year's budget we had an item that was unrecognized savings that we needed and were hoping to locate or find – how are we on that?

Mr. Michael Johnson said he didn't have a final tally for you, but obviously there are six positions that you see vacant which helps contribute to that and we have done some things with recycling and looked at some other areas, but at this time I don't have a total tally for you right now.

Supervisor Phillips thanked him.

Chairman Jones asked if there were any other questions. He thanked Mr. Michael Johnson for his presentation.

Chairman Jones opened the public hearing. He asked if anyone had anything to say regarding the budget.

Mr. Christopher Smith addressed the Board. He stood before us this evening as Chairman of the School Board and he would like to thank his School Board Budget Committee who had worked very diligently on this budget and the Superintendents, staff, principals, teachers, and parents to present a tight budget to you. He said he wanted to speak this evening in favor of the School Board budget. He said he is mindful of the fact that this is not just the School Board's Budget; it is your budget as well. It is a budget that reflects what he thinks would be a shared vision that you have as well as the School Board in terms of the citizens of Southampton County. It is indeed a shared budget and a shared vision that we all have for Southampton County. It is a shared investment that we affirm for our young citizens of this county. We are all in this together; we must take this time as an opportunity to create a stronger and more responsibility shared vision; a vision that helps to move this county forward with the school system that can stand as a beacon of light in the foundation of which this county can grow and prosper. Thank you for the opportunity to speak tonight.

Chairman Jones asked if there was anyone else who wished to speak.

Mrs. Lindsay Barnes addressed the Board. She stated that she is a 2000 graduate of Southampton County High School and she also has four girls currently in the county system. She is currently the PTO President at Capron Elementary School. I stand before you tonight to ask you to really take a look at this year's budget. She stated that she spoke to you last year and asked you to not cut our budget and we ended up losing a good number of our staff. Now in her opinion Southampton County Schools are one of the best in the state and the reason for that is our Administrator and our Staff - it doesn't get any better than them and they do it without asking for much. As a matter of fact they do it in the face of challenges that are beyond our control. Right now our farmers in the area are getting ready to plant their seeds for the upcoming harvest. Every September our teachers plant seeds as well - these students. For the past few years our administrators and staff have had to tend to those seeds with a decade of old products to help them grow. Now this becomes a problem because it is out dated and it doesn't address the problems we face in education today so I am asking you to please look at our budget and approve our budget for this year and help us create a new generation of children that are smarter and can figure out better ways to end these long meetings. Thank you.

Mr. Dan Harmon addressed the Board. He stated that he is an eighteen year old resident from the Berlin/Ivor District and we are here again trying to finalize the fiscal budget. How will we do that? Well I am confident that in our county we will probably have to raise our revenue which means we will probably have to raise taxes and fees. Last year we thought of a very unique new way to raise fees with our garbage of $2,000.00 per household.

Supervisor West stated that is was $200.00.

Mr. Dan Harmon stated that he was not sure that was a good idea to call it a fee because if you called it a tax, which it really was, I would have been able to take it as a deduction on my income tax which he wasn't. Even now it is not completely due until March 31, 2013 and we recognize that we only have taken in half of the $1.3 million so it was a very difficult thing to adjust to and for a lot of people to pay. In Southampton County the school program, the pushed protection scares along with the courthouse security alarm scares, all of them will be in the newspaper headlines saying we have to cut 25 teachers and 25 of the people who work in law enforcement and it is really a lot of scare tactics that are dumped on us like it was last year dumped on us and we did what we had to do to find a way to cover our expenses. However, I would like to say with the passage of one year I am confident that we will hear that we have to raise revenue again for us that will mean more taxes and fees. This is unlike other responsible counties who have said that they plan to reduce their budget by 5%. I don't know how they can do that, but I wonder if we could seriously look at our ability to do the same thing. We will again respond that we are highly absorbed in debt and our school systems and benefits and salaries and we have to look at that carefully. In consideration of that I would ask that the Board of Supervisors to ask the School Board especially, but all of the departments, to provide them with organization charts so that for the first time the Board of Supervisors could look carefully at just who is in fact identified in every one of the departments and how much it is we are spending in each one of those departments and how much we are spending in each one of those departments on our people. I would like to see organization charts, names of the organization, names of the persons, classification titles, salary grades so that at least we can have at least the ability for the first time I think ever to understand just how our government is organized. In that regard if you ask for that I think you would be very much enlightened and provide for a better idea of where we might be able to expect some efficiencies and do it on a prompt basis so we can get it done before we have to finalize our next budget. Thank you very much.

Mr. Chris Detar addressed. He stated he is the Princiapl of Riverdale Elementary School and he is here asking for your support in the approval of the next year's school budget as set out by the School Superintendent. Riverdale Elementary School is currently accredited with a warning in Mathematics. They have changed some areas in testing and we had to meet those needs. In a time when more resources are needed in order to be successful and become fully accredited again we actually cut positions in last year's budget. This school year the staff has worked twice as hard not just to maintain, but to get back on top. I think that you see here tonight a third of his staff, just his staff, not counting other schools is here not because we are getting paid here, but to show our support. Mandates have increased, but funding has not. Last year some of you who were new to the Board asked for time to get acclimated to the process and to do your homework. Well it is a year later and I as well as the 475 employees of the county and 2,800 students of Southampton County Public Schools look forward to working with you and for your support because as you have seen tonight our students are worth the investment. Thank you.

Mr. Walt Brown of 33334 Sandy Ridge Road, Franklin, Virginia addressed the Board. He said he looked around and he sees twenty to twenty-five years from now everybody back there will be deceased in heaven or some place. I'm not lying okay. So I say that to say that what you do as a Board member must impact positively on the future of our community – again it must impact positively on the future of our young men and young women and young boys and girls who are getting a strong education here in Southampton County, Virginia. These teachers, principals, and administrators are growing not only community leaders; they are growing lawyers, doctors, and who knows perhaps even see a President of the United States from Southampton County one day. He said he wasn't here to give accolades on behalf of the School Board because you know the great job they are doing. I'm here to tell you how you can provide support to our children in this county. I been through this when I was on the Board and I have approached this Board with this three times. We are looking at $1.5 to $1.7 million dollars in revenue that this county is losing because the backs of big timber bearers are stealing the education here in Southampton County, Virginia. That is $1.5 to $1.7 million dollars. This Board has the option to do land use on timber land or on wood land. I have asked you before to take a hard look and bite the bullet and just do open land so these billionaire timber bearers will not continue to suck up the revenue this county and to take the education of our children in this county. That is $1.5 to $1.7 million dollars – you do the research; you do the mathematics okay – it's not a good deal so cough it up and say we are just going to do land use or open land and not woodland. I know that some of you on this Board have a lot of timberland and you are going to have to pay the bill on that, but this is a small tax when considering the fact that timber companies in Alabama, Georgia, North Carolina and all the

way in California. We are giving them land use and they are billionaires and making billions of dollars in profits every year so that is the how gentlemen. Thank you very much.

Mrs. Lindsay Drake of Newsoms addressed the board. She stated that she is a resident of Newsoms, Virginia and had been a resident there for twenty two years. She said I stand before you tonight wearing many hats, first and foremost a parent of two students in the Southampton County School System. She said she is very proud of the work they have done at school, but she is more proud of the education that the teachers have provided for her children. This Board having worked on their budget before to provide access for what their students, teachers, and Board members need to make that happen. Secondly, I am a proud teacher of sixteen years of Southampton County Public Schools. I am fortunate that I get to see your tax money at work five days a week, a good ten hours a day. I work with the at risk four year old program so I get the first students that walk in the school – the nervous, the scared, the excited – that is what I get to see every year. I watch them fall in love with school because we have provided a strong educational environment for our children. This love for the school system continues throughout their school education. These children – there is something about this county - I haven't been able to put my finger on it yet, but I'm working on it – these kids want to come back and live in this county. My children – I'm 100% sure this is where they will be and to provide my children with what they need to be successful in the future is what this county has given my children. Thirdly I am a business owner and a land owner in this county and I cannot imagine my tax money working better than being invested in the future of our children. This is our future. What our children do and bring back to this county is our future. I think we cannot better invest our money than what we are doing with this educational system. I am lucky that I see this in the school system when she works with these children five days a week. She said I employ you - this is your biggest investment. You need to get in your schools and see your investment at work. I think you would be very proud to see what this school system does for these children. Yes, we lost some jobs, but our teachers didn't lose their enthusiasm and encouragement for taking our children from where they are and providing them with a very strong educational background. We have a lot to be proud of in this school system, but most of all our students. Thank you for your time and I would appreciate you looking at this budget and approving it for this county.

Mrs. Sandra Lindsay of Courtland addressed the Board. I am here tonight not just the parent of two children attending Southampton County Public Schools, but also a proud teacher of Meherrin Elementary and I have a wonder teaching partner in Mrs. Lindsay Drake who you just heard from. There are a couple of points I would like to address in the School Board's Budget. First of all is the addition of new staff. Because of last year's budget cuts we lost over forty positions in the school system. Even though those positions were eliminated the work the people did was not eliminated. The staff that this budget is proposing to add is not in effort to replace those positions but it is an effort to address specific needs within the schools for example for students to be successful in the current economy and job market we need to provide those with the opportunities to acquire marketable skills. Another foreign language teacher and another math teacher at the high school level will allow more students to graduate with the skills they need to be successful in this changing world and economy. Second is the acquisition of new buses. We have a large number of buses that are fifteen years old and older in this county. We live in a large county and some of our students ride for over an hour just to come to school on these buses. If we are going to provide transportation to and from school it should be safe and reliable. All of the buses with high mileage often are neither. New buses would provide more cost savings because of the reduced need for maintenance and increased fuel efficiency. Third is a 2% pay raise for all school employees. Right now Southampton County can boast that all of our schools are accredited by the state of Virginia. We can boast of a 98% senior graduation rate as of the 2011-2012 school year. We can boast about our AC and DC courses in our high school. We can boast that 44% of our seniors graduated with an advanced diploma in 2011-2012 school year. We can boast of these achievements because you have a dedicated staff and I'm not talking just about your teachers. I'm talking about our teaching assistants, our bus drivers, our custodians, our nursing staff, and all of our administrators. Every school employee in every school is an educator. Of the surrounding counties including the Richmond and Hampton Roads areas Southampton has one of the lowest average teacher's salaries. We will not be able to continue to boast about our achievements if we do not continue to try to recruit and retain the most talented staff. The children in this county are one of your most important investments. They are our future. Show them that you care about the future. Support the School Board Budget. I invite and encourage each of you to come visit our schools. Come and see for yourself the challenges that our schools are facing and the

accomplishments that our students are making just as Supervisor Faison does often at Meherrin Elementary. I believe that we as a school system and you as the Board of Supervisors can work together as a single unit with the goal of providing the best education possible for the children of this county.

Mr. Leroy Holloway addressed the Board. He stated that he was a part of the school transportation system and he would like to say along with providing an excellent education and ensuring the safety of our children is our number one priority. Bus drivers are an intrical part of ensuring our children's safety. A Southampton County school bus driver must drive on back roads that are barely wide enough for two cars to safely pass each other. Bus drivers stop and drop off and pick up children on U.S. Highway 58 on which most cars are traveling at speeds in excess of 60 miles per hour. Sometimes on U.S. Highway 58 vehicles will speed pass buses when they see that they are going to stop in order not to get caught behind the bus. You should ride with a suitable school bus driver on some of these dangerous roads to see for yourself what we are up against and appreciate the diligent efforts that we make every day trying to ensure the safety of the county children. In addition to the sometimes impossible driving weather there are problems with trying to keep the children fairly quiet all while watching the traffic pattern and maintaining safe driving practices. Driving a school bus is not as simple as just getting on the bus and driving it. A school bus driver must be aware of the driving conditions including traffic patterns, making sure the children remain in their seats and keeping the noise at a level so that they will not become a driving distraction. When was the last time you tried to keep between 30 to 50 children fairly quiet and orderly and at the same time trying to clean up behind the children who have gotten sick on the bus, wipe running noses, and even helping young children try to blow their nose if necessary. We remind them to keep their coats on when it is cold and rainy. We are more than just a bus driver we care about the children and act as a servant, a grandparent and a mentor. We are sometimes verbally abused by angry parents and who think nothing of cursing at us and making false accusations. Thank God for the bus camera that tells the real story. I'm not sure that you all know the full story of what the bus drivers go through to ensure the safety of the children riding the buses. We understand that the citizens understand what all the bus drivers go through to ensure the safety of the children riding the buses. We understand that the decision places a large financial burden on the citizens and it will negatively impact the budget. You get what you pay for. Southampton County cannot expect to hire and retain qualified well-trained school bus drivers who will remain committed to safely transporting county children while continuing to pay low salaries. The salary of the drivers must reflect the importance of the work we do which will guarantee they get to and from school safely every day. With that being said on behalf of the school bus drivers I respectfully request that you approve the budget as submitted by Southampton County School Board. Thank you.

Mrs. Holly Giles addressed the Board. She stated that she is a life-long resident of Southampton County by choice. She said she chooses to live here and to rear her children here and she is getting emotional. She said she has been a registered voter since she was eighteen and she was a Southampton County tax payer. She stated that she was here tonight as the parent of two children first in Southampton County schools – one at the elementary level and one at the high school level, but she has also had the privilege to teach in Southampton County for the past twelve years. She stated that her children had received a great education here so far. Her high school student is currently enrolled in dual education courses so she can compete with students from larger localities when applying to colleges and becoming a vital part of a community, possibly this one. The class sizes in the college bound classes are 32 students and that tells us that we have students willing to put forth the extra effort and that should make us all proud – county residents, community leaders, and tax payers. She stated that she would like her elementary student to be afforded the same opportunities and to be able to compete when he is applying to colleges nine years from now. I'm asking you to support the recommended county school budget to keep the students who are the leaders of the future in mind. I'm also asking that you are informed and do your homework as Mr. Michael Johnson has already started for you. Just like we expect from students, talk to parents, talk to teachers in your district, do the research, understand the budget mandates that are set forth at the state and local levels. As a parent, taxpayer, and teacher I am confident that Dr. Parrish has done her homework in preparing an acceptable budget.

Mrs. Casey Keech addressed the Board. She stated that she lives in Sedley and she has been a county resident for the past ten years. I'm here tonight first as a parent. I have one child who is a student at Riverdale Elementary and then I have another child who is a future student to of

Southampton County public schools. I am also currently a fifth grade teacher at Riverdale Elementary. I have been concerned with my children's education since before they were born and Southampton County Public Schools has always been her first choice as to where to send them to school. That said in a time of increased workloads and responsibilities that are placed on teachers with fewer resources available I want to continue to feel confident that my children's educational future is secure. As a parent of an academically strong student I worry that larger classroom sizes and reduced staff could impact her progress. No student high or low performing or average performing should be deprived of the best that schools have to offer in order for other students to be met first. On the other hand as a teacher I am constantly questioning myself. Am I providing quality of education to all of my students that is appropriate with class sizes that are increasing and resources that are decreasing. As a parents or teachers Southampton County residents should feel secure in knowing that our children are getting the very best. As both a parent and a teacher in a school that is accredited with warning these issues become even more real to me every day. I encourage you tonight to support the Superintendent's proposed budget for Southampton County Public Schools. Our students truly are a worthy investment and we must invest accordingly. As with financial investments you reap what you sow so we must invest so that our investment comes out positively.

Mr. William Overstreet addressed the Board. He stated that he comes to us tonight as the parent of three children in the school system. First I want to thank you for providing funding thus far that has allowed Southampton High School to offer his daughter the most rigorous course schedule. Over the past two years she was able to take eight advance placement and dual credit courses. He said he knew this played a key role in her early action admission to the University of Virginia where she will be attending this fall. His concern tonight is for his other two children. His younger daughter will be beginning ninth grade at SHS this fall and his son will be a sixth grader at Southampton Middle. I wonder if the same opportunities will be available to them as they go along in their education. As the budget gets cut these courses may not be offered in the future. As we have been going through the college application process this year we have learned that high level classes are not the exception, but the expectation. On researching our requirements for admission to colleges, college after college indicated the most important factor is a rigorous schedule. These are schools like Virginia Tech, UVA, and JMU. Our students must be given the opportunity to take classes that will give them competitive applications to colleges and universities. If the budget isn't funded it puts these rigorous courses at risk to be discontinued. Southampton County Public Schools needs the funds to insure that my younger daughter and son have every opportunity to be successful now and as they prepare for college. Thank you.

Mrs. Lynn Berry of Harris Road in Southampton County addressed the Board. She stated that she is also the music teacher for Meherrin and Nottoway Elementary Schools. She stated that she is speaking on behalf of the teachers in Southampton County Public Schools in support of the Southampton County School Board's budget and the 2% pay increase for all of our educational family. Like many of her colleagues she is attending graduate school in pursuit of her Masters in Music and Music Education Degree to mold her into a more effective and highly qualified educator within this fine school system. This continuing education comes at a steep price; one of which I must pay on my own. My colleagues and I also contribute a fair amount of our own money into educational materials for our classrooms to diversify and differentiate the education that we provide to our students. I personally believe that the students deserve the very best education that I can provide to them and know that if that means that I must incur some of these costs myself that I am willing to do that. I know that my fellow educators share my sentiments. I also work part time in addition to my full time teaching responsibility to supplement the income of my household in order to help with the cost of the aforementioned expenses. A 2% salary increase would be sincerely appreciated and it would certainly go towards the educational benefits of the children in our great schools. On behalf of my colleagues, I ask tonight that you genuinely consider investing in the educational personnel of Southampton County Public Schools. An investment in us is most assuredly a worthy investment in the children that we serve every day. Thank you for your time, your attention, and the opportunity to speak.

Mr. John Burchett addressed the Board. He stated that he was not in too good of a mood after standing for 2 ½ hours, but as an old guy I do what I've got to do. I've got two granddaughters at Radford, both of them honor students, both graduated from Southampton High School. I've got one granddaughter, Olivia, at Riverdale and I asked her the other day "How is school?" and she said "alright". I said well do you like it and she said "Yes sir, I love it" and that is great. If you

don't think I'm a proud granddaddy you are wrong, but it is a sad situation when our school teachers and administrators have got to come here and beg for money to operate. We have got the best school systems or one of the best in the State and the best do doubt in this area. You all should be ashamed of yourselves if you don't support them. I can't believe you denied me my right to speak. I stood out there for almost two hours and nobody came out there and said the public hearing is on – you denied me my right to speak. I am going to wait here if I can stand here for another hour until we get to number sixteen and I get a chance to tell you what I think.

Mrs. DeVonda Gary of Barrow Road, Capron, Virginia addressed the Board. She said she actually has four children, two of which had already matriculated through the Southampton County Public School System and have gone on to do very well. My son is actually working for the DIA in Arlington and it is all because of the work the teachers here have invested in them. He was an investment and I am proud that they had the opportunity and I am proud that they did that for him. There were times when he wasn't always the best student, but there were people, there were teachers, who took him under their wing and supported him and encouraged him and helped him to become the person that he is. I also have a daughter and she is working as a librarian in Newport News and she also did very well. She was able to take dual enrollment courses while she was at the high school which helped her with her college when she applied at colleges and things of that nature. I have two younger children - one is in the sixth grade at Southampton Middle School and she is doing very well and has always done well. She is an honor roll student and had been on the honor roll and principal's list since entering Southampton County Public Schools. She has always made advanced or 600's on all of her SOL's including this past semester where she made a 600 and a 587 on her SOL's. I have a son that is in the second grade so it gets harder and harder every year because the things that my older children were offered I am seeing that they are not being available for my younger children. There are courses that have been taken away that benefit children – not just my children but all of the children in the community. I think that you should look in depth at the budget as to where you can cut funds. I do understand that it is tough. I do understand that is cost all of us. I work here. I pay taxes here. I educate here and I shop here. All of my money comes right back here. So when you raise taxes my taxes are being raised as well, but I will do that for my children because if we do that for our children and other children because if we educate them then that is one less child that we have to worry about getting a security system for at the court house. Survival is the number one thing; we are going to do what we have to do to survive and if we aren't educated then we find other means to survive. My son has also done very well and I see in my children is they enjoy school. They never come home and say anything bad about their teachers. They have larger class sizes, but for some reason and I know that reason is the dedication and commitment of the teachers and staff, they are still able to get it. The course work is much more rigorous than what it was. We live in a global economy. Kids need more. There is more technology. We need more foreign language as one in five children speaks two languages. Most of our children only speak one. If they are going to be able to compete and I need for my children to be able to compete because I need them to be able to go out into the world and get a job and support themselves and hopefully when I get older because retirement isn't that great they will give me a little kick back. I need them to be able to do that, but they can't do that if they don't have the means. So I really need you to support the budget – to look at getting the high school a Spanish teacher so that children can take Spanish. That is the second largest language – Spanish. So you need these things - Math and Science. They need to be able to compete in this world and it is all about Math and Science. There are kids in other places that they start in foreign language in the 5th grade and complete it all the way through high school so they can be fluent so when they go out into the workforce they should actually be competitive. We need to offer our children all of things and I know that it is hard and I know that it is tough. I know that we have to look at various things and everyone isn't always going to like the outcome of everything. Do I like always like the outcome? No. I didn't like the $200.00 fee, but I paid it. You know I know what I have to do for my children. I am proud of my older two children and I know it was because of what they were able to gain as students because they spent more time at school than they do anywhere else. My kids right now leave home at 6:55 AM to be at school by 8:50 AM. They go down that dangerous Highway 58. I say a prayer every morning because as the bus driver said there are people on the road going in excess of 60 mph and God forbid if a bus just broke down. God forbid we have an accident and children's lives are put in danger. So I just ask that you think about it, that you support the budget, and I do understand that it is hard and that you have a tough job. No one is making light of the situation that your job isn't tough. We do understand that, but our children are our future. They are an investment - one of the best investments – above Apple investments. They are. So please support the budget. As someone

said talk to the parents. Talk to the children. The children write essays every year as to why their school is the best as compared to this one or that one. Why do they feel this way – because they love their schools. They love their teachers. It is rewarding. It is beneficial. I thank you for your time and again I ask that you really look at the budget and do the best that you can to support the schools budget. Again thank you.

Mrs. Latrina Bynum addressed the Board. She stated that she is the President of Southampton Education Association. She stated that we are here to plead with you Board Members to support our School Board. We need the help. We need to educate our children the best we can. The 2% raise – well okay – we have teachers who are constantly spending their money to buy supplies for the students to educate our children the best that we can so Board Members please help us to educate our children because they are our future. I also had three children to go through Southampton High School and they were fine, but as a parent said before the things that they had aren't being offered any more because of the budget cuts. Please help all the children have the opportunity that our other children did. Thank you.

Mrs. Christy Sutton of Cedar Court in the Franklin District addressed the Board. I am before you tonight as a parent and as Nottoway Elementary School's PTA Vice-President to speak to you on the Southampton County School Board's proposed budget. Both of my children have attended Nottoway Elementary under the outstanding leadership of Mrs. Debra Hicks since they were in Pre-School. Walker is currently in Mrs. Rachel Dole's third grade class and Garrett is in Mrs. Rebecca Johnson's Kindergarten Class. I have experienced first- hand the magnificent impact on a child when you have highly qualified teachers combined with a stellar staff in Administration and in a nurturing and academic stimulating environment. I am proud to say that Walker has made Principal's List each nine weeks and Garrett is on or above grade level in all academic areas. It is the outstanding academic programming and the unrelenting support and commitment to excellence by all that makes Nottoway Elementary so special. Each and every student is provided with not only an exceptional academic foundation, but also with reinforcement of the morals and values that will prepare them for their middle and high school years and further as they develop into kind and responsible citizens in school and in the community. Please support the Southampton County Public Schools proposed budget so the students of Southampton County can continue to have highly qualified teachers and the academic programming and supports necessary for continued academic excellence. The students of Southampton County are our best valuable asset and deserve your support. Thank you.

Mr. Larry Rose addressed the Board. He stated that he had been a resident of Southampton County now for 37 years and he has had time to watch the Board and to watch the last couple of elections and a lot of you came here with the idea with a knife in your hand towards the School Board budget. That is a known fact that you ran on that. We know that some of you have a staunch attitude towards the school system. Why – we don't understand it. He stated that he had been with the school system for twenty years and he worked with discipline. He said he hadn't seen some of your faces in the high school. He said let's be frank about it. Do you really care about what we do? Do you really care? We work hard – hard – don't say money because we work for salaries compared to what our neighbors make right there in Franklin, which don't compare. We work for you. We work for you Board to make your county a better county. Because as one person said if they aren't in this room; they will be in the courtroom. I love Southampton County. I love Southampton High School and I hope that you will stop by. I understand the toughness of a budget. Like the gentlemen said about the $200.00 tax fee if it means that for the school system I don't have a problem with it. Like I said I have paid taxes here for thirty seven years and hope to continue for many, many more. I think you need to search your own souls – search your own souls and if you ever see me again let me know what you think about Southampton County Schools and why you think it. I pray to God, the Almighty One, that you think about those children who are riding those buses that look like they could break down any second. There is danger when you put them out there on these buses because if something should happen they will look back at Southampton and who runs Southampton County – you do. May God bless you and his face smile upon you.

Mrs. Linda Vick of Newsoms addressed the Board. She stated that Chairman Jones and members of the Board have her sympathy. You have been elected to do something and what your job is you give the money to the School Board. The School Board then has the discretion as to how they are going to spend that money. Every year my tax dollars are given to you to give to the School

Board. The School Board gets 56.1 percent of every dollar you are given and so then it is to their discretion as to how the money is going to be spent – whether the teacher's get the raise, whether the school buses are bought, and so on down the line so do not take the School Board's job that is not your job. Your job is to give the money to the School and after they get it then it is their money to spend like they want to. We cannot help it if they do not spend it wisely. We cannot help it if they decide to fix floors at the school in the gym instead of buying a school bus. Now we all agree – everybody here agrees that this county needs school buses. The School Board has been given money I know for ten years to buy school buses with and we have not seen a school bus so I am asking you as the Board of Supervisors do not take the School Boards job. Do not take if upon yourselves to buy their school buses; let that be in their budget and not a line item for the Board of Supervisors because once you take that position to buy their school buses are you going to take the position to buy cars for Social Services, for the Sheriff's Department, and the other departments in the county. Now assume your job and let the School Board assume their job.

Mr. David Edwards of 29273 Unity Road, Sedley, Virginia addressed the Board. He stated that he graduated from Southampton High School in 1979. He said he had been here a while. He stated that he wasn't here to talk about school budget; he was here to talk about our whole budget. Things are tight. I won't say you all have an easy job; it is a tough job. I feel a little bit disrespected in a way that a lot of people feel about land use. I deal with land owners who do not live in Southampton County. They do not put a financial burden on Southampton County, but yet they do pay taxes to Southampton County. They don't have children. The only time they use the county is for fire departments or something, yet you want to go after them and make them pay more taxes by doing away with land use, yet you have got 50% of the citizens of Southampton County that haven't paid their $200.00 trash fee. That is where I feel disrespected. I pay my taxes on time. I paid my $200.00 trash tax or whatever you want to call it. I don't have any children in Southampton County any more. Mine are grown and gone. When I hear from them, they want something. Go after these delinquent taxes. Nothing tickles me more when I come out of Lowe's and I see a $50,000 dollar truck with a boot on it. I laugh. He knows he has got to pay taxes. What you are doing with the taxes - well you know Southampton has got a great school. I graduated from there. I didn't want to go to school. I didn't like school, but anyhow I went. Daddy made me. Anyhow I will say you all have a tough job. I pay my taxes. I pay above what a lot of people pay in this room and I don't use the facilities that I used to use. I hate to see our kids go without no doubt. I remember my school bus broke down one day and it was during deer season. It was cold. It was about 7:00 AM in the morning because I got usually got picked up about 6:30 so I was just sitting down the road and I saw my Daddy coming. I thought well I'm going to get to go deer hunting today – well no he picked me up and carried me to school. I know you all have a tough job. Land use is one of the best things that we have. I know that you have big people like IP and Westinghouse, but they don't use our facilities and schools. As a tax person in Southampton County I don't mind paying my taxes. I don't mind paying my $200.00. It has already been paid back in October. Go after these people for the taxes. That's all I say. Thank you.

Chairman Jones asked if anyone else wished to speak.

Mr. Carl Garner, Chief of Ivor Fire Department and President of Southampton County Fire & Rescue Association addressed the Board. He said he had heard a lot tonight about schools, about 2% raises, about investing in our children, but you have got to remember I'm not here to ask for a 2% raise because I don't get paid anything to protect your family and your life as it is so I'm not going to ask for a raise. Our fire departments receive about $29,000.00 a year to operate off of. We protect the investments that you spend – the money that you spend on your children, the buses, the schools and everything else in this county. We are the ones that protect it to make sure that it is there tomorrow. I listened to all the numbers in the budget and like I say we receive $29,000 a year per department to operate on and that is to buy fire trucks, that is to buy equipment, that is to buy personal protective equipment to protect our fire fighters lives so that we can protect you. I can't cut personnel to save money. I can't eliminate jobs to save money because everything is free. We save this county so much money that it is unbelievable what we do. It is heartbreaking sometimes because you never hear anybody say anything about fire and rescue and what we do for this county. I'm not talking about just the Board in general I'm talking about the citizens of this county. I don't think they realize the service that we give them for no more money than we get out of it. I'm not here to downplay what the School Board needs, I'm just here to ask you to consider the fire and rescue in your budget. We don't ask for a lot because we know we won't get a lot, but

we will appreciate anything that you can give us.

There being no one else wishing to speak Chairman Jones closed the public hearing.

Chairman Jones stated that at this time we would take a five minute break.

Chairman Jones stated at this time we are back in open session. He stated we would now go to item number 8.

Mr. Michael Johnson stated that number eight is a consideration of a resolution to add certain subdivision streets to the Virginia secondary system of highways. In November 2006, you all approved the final plat for Sandy Creek Subdivision located off the north side of Harris Road in the Jerusalem, Magisterial District (Franklin Election District), containing 97 residential building lots. The plat was recorded in the Clerk's Office in December 2008, subject to the developer posting sufficient surety to maintain the subdivision streets until such time as they were accepted into the Virginia Secondary System of Highways. In late February, we received correspondence from VDOT advising us that two of these subdivision streets (Pebble Brook Drive and Meadow Brook Court) now qualify for inclusion into the secondary system. Several exhibits are attached illustrating the streets proposed for acceptance in addition to the remaining streets that aren't yet eligible based on their limited numbers of occupied residential units that have been constructed. It is necessary for the Board to adopt the attached resolution in order to have these two streets added to the secondary system of highways for perpetual maintenance by VDOT. I was looking for Mr. Joe Wharton with Towne Development Corporation, but I think Joe has probably gone; so he is not here to answer any questions.

The Board of Supervisors of Southampton County, in regular meeting on the 25th day of March, 2013, adopted the following:

RESOLUTION

WHEREAS, the street described on the attached Additions Form SR-5(A), fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Southampton County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street meets the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street described on the attached Additions Form SR-5(A) to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Recorded Vote
Moved By:
Seconded By:
Yeas:
Nays:
A COPY TESTE:

_____
Michael W. Johnson, Clerk

Chairman Jones asked if anyone had any questions.

Supervisor West said he just saw that this was mandatory that we go ahead and approve it.

Supervisor Edwards made a motion that we go ahead and move on that matter.

Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones stated that we would move to item number 9.

Mr. Michael Johnson stated that item is a couple of matters regarding the Courtland youth athletic association. The first one is consideration of an open space use agreement. In March 2012, the Courtland Youth Athletic Association (CYAA) acquires 30.201 acres of real property on Plank Road (Rt. 35) just south of Sebrell from Gene and Ruth Ann Story to develop athletic fields for local youth to play baseball and softball. Because this parcel was split off of a parcel of property that has previously qualified for land use taxation under the agricultural classification, it is subject to the roll-back taxes that are imposed pursuant to Section 15-101 of the Southampton County Code. However, because the CYAA now intends to devote this property to recreational use, it will continue to qualify for the special land use assessment under the open space classification provided they enter into a recorded commitment with the Board as prescribed by Sec. 19-98 (C) (3) of the Southampton County Code. Accordingly, please find a draft agreement attached for your consideration that preserves and protects the open space use of the property, and paves the way for CYAA to qualify for the special land assessment and avoid the roll-back taxes. Please note that the language in the agreement is prescribed by the Department of Conservation and Recreation, and we have no latitude to modify or amend it on the local level.

OPEN-SPACE
USE AGREEMENT

THIS AGREEMENT, made this _____day of_____,
20_____ between the COURTLAND YOUTH ATHLETIC ASSOCIATION, INC.,
hereafter called the "Owner," and the COUNTY OF SOUTHAMPTON, a political
subdivision of the Commonwealth of Virginia, hereinafter called the "County."

WITNESSETH:

1. The Owner is the owner of certain real estate, described below, hereinafter called the Property; and

2. The County is the local governing body having real estate tax jurisdiction over the Property; and

3. The County has determined:

A. That it is in the public interest that the Property should be provided or preserved for use as a park for recreational purposes; and

B. That the Property meets the applicable criteria for real estate devoted to open space use as prescribed in Article 4 (§ 58.1-3229 et seq.) of Chapter 32 of Title 58.1 of the Code of Virginia, and the standards for classifying such real estate prescribed by the Director of the Virginia Department of Conservation and Recreation; and

C. That the provisions of this agreement meet the requirements and standards prescribed under § 58.1-3233 of the Code of Virginia for recorded commitments by landowners not to change an open-space use to a nonqualifying use; and

4. The Owner is willing to make a written recorded commitment to preserve and protect the open-space uses of the Property during the term of this agreement in order for the Property to be taxed on the basis of a use assessment and the Owner has submitted an application for such taxation to the assessing officer of the County pursuant to § 58.1-3234 of the Code of Virginia and Section 15-98 (c) (3) of the Southampton County

Code; and

5. The County is willing to extend the tax for the Property on the basis of a use assessment commencing with the next succeeding tax year and continuing for the term of this agreement, in consideration of the Owner's commitment to preserve and protect the open-space uses of the property, and on the condition that the Owner's application is satisfactory and that all other requirements of Article 4, Chapter 32, Title 58.1 of the Code of Virginia and Section 15-98 (c) (3) of the Southampton County Code are complied with.

NOW THEREFORE, in consideration of the recitals and the mutual benefits, covenants and terms herein contained the parties hereby covenant and agree as follows:

1. This agreement shall apply to all of the following described real estate:
"All that certain lot, piece or parcel of land lying, situate and being in the Jerusalem Magisterial District in Southampton County, Virginia and being known as a PORTION OF T.P. 44 – 13 containing an AREA of 30.201 AC. as shown on that certain plat entitled "BOUNDARY SURVEY SHOWING A PORTION OF TAX PARCEL 44-13 SURVEYED FOR COURTLAND YOUTH ATHLETIC ASSOCIATION, INC. LOCATED ON PLANK ROAD JERUSALEM MAGISTERIAL DISTRICT SOUTHAMPTON COUNTY, VIRGINIA", dated February 22, 2012 and prepared by J.D. Vann – Land Surveying and duly recorded in the Clerk's Office of the Circuit Court of Southampton County, Virginia in Plat Book 33 at Page 176 and reference is made thereto for a more complete and particular description of the property herein conveyed."
It being the same real property conveyed to Courtland Youth Athletic Association by deeds dated March 7, 2012 from Ruth Ann Edwards Story and Samuel Eugene Story, wife and husband, and duly recorded in the Clerk's Office of the Circuit Court of Southampton County, Virginia as Instrument Number(s) 120000594 and 120000595.

2. The Owner agrees that during the term of this agreement:
A. There shall be no change in the use or uses of the Property that exist as of the date of this agreement to any use that would not qualify as an open-space use.

B. There shall be no display of billboards, signs or other advertisements on the property, except to (i) state solely the name of the Owner and the address of the Property; (ii) advertise the sale or lease of the Property; (iii) advertise the sale of goods or services produced pursuant to the permitted use of the Property; or (iv) provide warnings. No sign shall exceed four feet by four feet.

C. There shall be no construction, placement or maintenance of any structure on the Property unless such structure is either:
(1) On the Property as of the date of this agreement; or
(2) Related to and compatible with the open-space uses of the Property which this agreement is intended to protect or provide for.

D. There shall be no accumulations of trash, garbage, ashes, waste, junk, abandoned property or other unsightly or offensive material on the Property.

E. There shall be no filling, excavating, mining, drilling, removal of topsoil, sand, gravel, rock, minerals or other materials which alters the topography of the Property, except as required in the construction of permissible buildings, structures and features under this agreement.

F. There shall be no construction or placement of fences, screens, hedges, walls or other similar barriers which materially obstruct the public's view of scenic areas of the Property.

G. There shall be no removal or destruction of trees, shrubs, plants and other

vegetation, except that the Owner may:

(1) Engage in agricultural, horticultural or silvicultural activities, provided that there shall be no cutting of trees, other than selective cutting and salvage of dead or dying trees, within 100 feet of a scenic river, a scenic highway, a Virginia Byway or public property listed in the approved State Comprehensive Outdoor Recreation Plan (Virginia Outdoors Plan); and
(2) Remove vegetation which constitutes a safety, a health or an ecological hazard.

H. There shall be no industrial or commercial activities conducted on the Property, except for the continuation of agricultural, horticultural or silvicultural activities; or activities that are conducted in a residence or an associated outbuilding such as a garage, smokehouse, small shop or similar structure which is permitted on the property.

I. There shall be no separation or split-off of lots, pieces or parcels from the Property. The Property may be sold or transferred during the term of this agreement only as the same entire parcel that is the subject of this agreement; provided, however, that the Owner may grant to a public body or bodies open space, conservation or historic preservation easements which apply to all or part of the Property.

3. This agreement shall be effective upon acceptance by the County; provided, however, that the real estate tax for the Property shall not be extended on the basis of its use value until the next succeeding tax year following timely application by the Owner for use assessment and taxation in accordance with Section 15-98 (c) (3) of the Southampton County Code. Thereafter, this agreement shall remain in effect for a term of ten (10) consecutive tax years.

4. Nothing contained herein shall be construed as giving to the public a right to enter upon or to use the Property or any portion thereof, except as the Owner may otherwise allow, consistent with the provisions of this agreement.

5. The County shall have the right at all reasonable times to enter the Property to determine whether the Owner is complying with the provisions of this agreement.

6. Nothing in this agreement shall be construed to create in the public or any member thereof a right to maintain a suit for any damages against the Owner for any violation of this agreement.

7. Nothing in this agreement shall be construed to permit the Owner to conduct any activity or to build or maintain any improvement which is otherwise prohibited by law.

8. If any provision of this agreement is determined to be invalid by a court of competent jurisdiction, the remainder of the agreement shall not be affected thereby.

9. The provisions of this agreement shall run with the land and be binding upon the parties, their successors, assigns, personal representatives, and heirs.

10. Words of one gender used herein shall include the other gender, and words in the singular shall include words in the plural, whenever the sense requires.

11. This agreement may be terminated in the manner provided in § 15.2-4314 of the Code of Virginia for withdrawal of land from an agricultural, a forestal or an agricultural and forestal district.

12. Upon termination of this agreement, the Property shall thereafter be assessed and taxed at its fair market value, regardless of its actual use, unless the County determines otherwise in accordance with applicable law.

13. Upon execution of this agreement, it shall be recorded with the record of land titles in the Clerk's Office of the Circuit Court of Southampton County, Virginia, at the Owner's expense.

14. When the open-space use or uses by which the property qualified for assessment and taxation on the basis of use changes to a non-qualifying use or uses, or when the zoning for the property changes to a more intensive use at the request of the owner, the property, or such portion of the property which no longer qualifies, shall be subject to roll-back taxes in accordance with § 58.1-3237 of the Code of Virginia. The owner shall be subject to all of the obligations and liabilities of said code section.
(SEAL) COURTLAND YOUTH ATHLETIC ASSOCIATION
_____
BY: _____
ITS: _____
(SEAL) SOUTHAMPTON COUNTY, VIRGINIA
_____
BY: Dallas O. Jones
ITS: Chairman, Board of Supervisors

Sec. 15-96. - Findings.

The County of Southampton finds that the preservation of real estate devoted to agricultural, horticultural, forest and open space uses within its boundaries is in the public interest and, having heretofore adopted a land use plan, hereby ordains that such real estate shall be taxed in accordance with the provisions of Article 4 of Chapter 32 of Title 58.1 of the Code of Virginia, the standards prescribed by the Director of the Virginia Department of Conservation and Recreation, the Virginia Commissioner of Agriculture and Consumer Services, the state forester and this division.
(Ord. of 6-27-05)

Sec. 15-97. - Application for special assessment; fees.

Applications for taxation of real estate on the basis of use assessment shall be submitted to the commissioner of the revenue on forms provided by the Virginia Department of Taxation and supplied by the commissioner of the revenue. The application shall include such additional schedules, photographs, and drawings as may be required by the commissioner of the revenue. Applications shall be submitted:

At least sixty (60) days preceding the tax year for which such taxation is sought; or
In any year in which a general reassessment is being made, until thirty (30) days have elapsed after the notice of increase in assessment has been mailed to the property owner in accordance with § 58.1-3330 of the Code of Virginia, or sixty (60) days preceding the tax year, whichever is later.
The application shall be signed by all owners of the subject property. An owner of an undivided interest in the property may apply on behalf of owners that are minors or that cannot be located, upon submitting an affidavit attesting to such facts. A separate application shall be filed for each parcel or tract shown on the land book. An application fee of twenty dollars ($20.00) shall accompany each application. An application shall be submitted whenever the use or acreage of such land previously approved changes; provided, however, that no application shall be required when a change in acreage occurs solely as a result of a conveyance necessitated by government action or condemnation of a portion of any land previously approved. If any tax on the land affected by an application is delinquent when the application is filed, then the application shall not be accepted. Upon payment of all delinquent taxes, interest and penalties relating to such land, the application shall then be treated with the provisions of this section. Such property owner must revalidate every sixth year with the commissioner of the revenue any application previously approved. An application fee of twenty dollars ($20.00) shall accompany each revalidation.
(Ord. of 6-27-05; Ord. of 1-28-08(2))

Sec. 15-98. - Determination of use value and assessment.

Promptly upon receipt of any application, the commissioner of revenue shall determine whether the subject property meets the criteria for taxation under this division, the provisions of Article 4 of Chapter 32 of Title 58.1 of the Code of Virginia, and the applicable standards prescribed by the Director of the Virginia Department of Conservation and Recreation, the Virginia Commissioner of Agriculture and Consumer Services, and the state forester. Minimum acreage requirements: Real estate devoted to: Agricultural or horticultural use shall consist of a minimum of five (5) acres; and Forest uses shall consist of a minimum of twenty (20) acres. Open-space use shall consist of a minimum of five (5) acres, except that real estate adjacent to a scenic river, a scenic highway, Virginia Byway or public

property shall consist of a minimum of two (2) acres. A scenic river, scenic highway, Virginia Byway or public property under this paragraph means those which are listed in the State Comprehensive Outdoor Recreational Plan, also known as the Virginia Outdoors Plan.
The foregoing requirements for minimum acreage shall be determined by adding together the total area of contiguous real estate excluding recorded subdivision lots in the same ownership. For purposes of this section, properties separated by only a public right of way are considered contiguous. In addition to meeting the foregoing requirements for minimum acreage, real estate devoted to open-space use shall be: Within an agricultural, a forestal, or an agricultural and forestal district entered into pursuant to Chapter 43 of Title 15.2 of the Code of Virginia, or Subject to a recorded perpetual easement that is held by a public body, and that promotes the open space use classification as defined in Code of Virginia, § 58.1-323, or Subject to a recorded commitment meeting the standards prescribed by the director of the department of conservation and recreation and entered into by the landowner and the County of Southampton. If the commissioner of the revenue determines that the property does meet such criteria, he shall determine the value of such property for its qualifying use, as well as its fair market value. In determining whether the subject property meets the criteria for "agricultural use" or "horticultural use" the commissioner of the revenue may request an opinion from the commissioner of agriculture and consumer services; in determining whether the subject property meets the criteria for "forest use" he may request an opinion from the state forester; and in determining whether the subject property meets the criteria for "open space use" he may request an opinion from the director of conservation and recreation. Upon the refusal of the commissioner of agriculture and consumer services, state forester, or the director of the department of conservation and recreation to issue an opinion, or in the event of an unfavorable opinion which does not comport with standards set forth by the respective director, the party aggrieved may seek relief from any court of record wherein the real estate in question is located. If the court finds in his favor it may issue an order which shall serve in lieu of an opinion for the purposes of this division.
(Ord. of 6-27-05)

Sec. 15-99. - Taxation based on qualifying use.

The use value and fair market value of any qualifying property shall be placed on the land book before delivery to the treasurer, and the tax shall be extended from the use value. Continuation of valuation, assessment and taxation based upon land use shall depend on continuance of the real estate in a qualifying use, continued payment of taxes as required in § 58.1-3235 and compliance with the other requirements of Article 4 of Chapter 32 of Title 58.1 of the Code of Virginia, the applicable standards prescribed by the director of the department of conservation and recreation, the commissioner of agriculture and consumer services, the state forester, and this division and not upon continuance in the same owner of title to the land.
(Ord. of 6-27-05)

Sec. 15-100. - Delinquent taxes.

If on April 1 of any year the taxes for any prior year on any parcel of real property which has a special assessment as provided for in this division are delinquent, the county treasurer shall send notice of that fact and
the general provisions of Code of Virginia, § 58.1-3235, to the property owner by first-class mail. If after sending
such notice, such delinquent taxes remain unpaid on June 1, the treasurer shall notify the commissioner of the
revenue who shall remove such parcel from the land use program. Such removal shall become effective for the
current year.
(Ord. of 6-27-05)

Sec. 15-101. - Change in use, zoning or area; roll-back taxes.

There is hereby imposed a roll-back tax, and interest thereon, in such amounts as may be determined under Virginia Code, § 58.1-3237, on real estate which has qualified for assessment and taxation on the basis of use under this division, upon one or more of the following occurrences: When the use by which it qualified changes to a more intensive use; When it is rezoned to a more intensive use, as described in Code of Virginia, § 58.1-3237; or When one or more parcels, lots or pieces of land are separated or split off from the real estate, as described in Code of Virginia, § 58.1-3241. The application of roll-back taxes shall not apply to a subdivision, separation, or split-off of property that results in parcels that do not meet the minimum acreage requirements of this chapter, provided that title to the parcels subdivided, separated, or splitoff is held in the name of an immediate family member for at least the first sixty (60) months immediately following the subdivision, separation, or split-off. An "immediate family member" means any person defined as such in section 14-3(6)(c) of the Southampton County Code.
(Ord. of 6-27-05; Ord. of 8-24-09(3))

Sec. 15-102. - Failure to report changes; misstatements in application.

The owner of any real estate liable for roll-back taxes shall, within sixty (60) days following a change in use, report such change to the commissioner of the revenue on such forms as may be prescribed. The commissioner of the revenue shall forthwith determine and assess the roll-back tax, which shall be paid to the treasurer within thirty (30) days of assessment. On failure to report within sixty (60) days following such change in use and/or failure to pay within thirty (30) days of assessment such owner shall be liable for an additional penalty equal to ten (10) per centum of the amount of the roll-back tax and interest, which penalty shall be collected as a part of the tax. In addition to such penalty for failure to make the required report, there is hereby imposed interest of one-half (½) per centum of the amount of the roll-back tax, interest and penalty, for each month or fraction thereof during which the failure continues. Any person making material misstatement of fact other than a clerical error in any application filed pursuant hereto shall be liable for all taxes, in such amounts and at such times as if such property had been assessed on the basis of fair market value as applied to other real estate in the taxing jurisdiction, together with interest and penalties thereon, and he shall be further assessed with an additional penalty of one hundred (100) per centum of such unpaid taxes. The term "material misstatement of fact" shall have the same meaning as it has under Code of Virginia, § 58.1-3238.
(Ord. of 6-27-05)

Sec. 15-103. - Applicability of state provisions.

The provisions of Title 58.1 of the Code of Virginia applicable to local levies and real estate assessment and taxation shall be applicable to assessments and taxation hereunder mutatis mutandis including without limitation, provisions relating to tax liens and the correction of erroneous assessments, and for such purposes the roll-back taxes shall be considered to be deferred real estate taxes.
(Ord. of 6-27-05)

Sec. 15-104. - Effective date.

This division shall be effective for all tax years beginning on and after January 1, 2006.
(Ord. of 6-27-05)

Chairman Jones asked if there were any questions on this.

Supervisor Edwards said he thought it was a very good thing. Four ball fields will be there. We don't have the money for a recreation association in this county so every little neighborhood comes up with their own ball park. There will be four ball parks there and I think it is a tremendous thing. I spent the weekend talking with the attorney who handles all of this and I think they have all of their stuff in line.

Supervisor Phillips said the location of this is in the Capron Magisterial District. I have talked with Mr. Lance Simms and I have kind of followed this process as it has moved forward. I would say that I am in favor of this and I think we need to thank everyone that works in this county from the first responders to the people who are helping with our athletetics and if it is appropriate I make a recommendation that we accept this resolution authorizing you to execute the open space agreement.

Supervisor Edwards seconded the motion which carried unanimously.

Chairman Jones stated that we would move to item B.

Mr. Michael Johnson stated that the second part of that is a request from the same organization the Courtland Youth Athletic Association for a request for a tax-exempt status. Please find in your agenda a request submitted pursuant to Section 58.1-3651 (B) of the Code of Virginia, 1950, that seeks your cooperation in approving an ordinance to exempt real property owned by the Courtland Youth Athletic Association from local real estate taxation in accordance with the provisions o Article X, 68 (a) (6) of the Constitution of Virginia. The affected real property is located on Plank Road, identified as Tax Map $44-13A, and used by the aforementioned organization for public park and playground purposes. The property is assessed by Southampton County at $74,400 and the associated real estate tax in 2013 is estimated at $558.00. Before adopting any such ordinance the governing body must conduct a public hearing and consider the following questions that must be asked before you conduct that hearing. You can see they have already been asked these questions and their answers are highlighted in yellow in your agenda packages. At this point what they are seeking is your permission to go ahead and advertise the public hearing for next month.

Supervisor West stated that he had a question. He wanted to know if a current alcoholic beverage license had been issued. Is there anything in there will it ever be.

Mr. Michael Johnson stated that language comes right out of the statute. They were asked the question.

Supervisor West said that is a sly from the way I consider it and I don't care if you drink or not I am opposed to it tee totally and I don't think around children it would be.

Supervisor Edward said I don't think you are going to run into that. I would be extremely shocked.

Supervisor West said well that would be good. I just don't want to see that.

Supervisor Faison said well the answer to these questions determine whether or not they are qualified for that status so if they stop and these questions change then they could lose their status.

Supervisor Phillips said they could lose their exemption.

Supervisor West asked is that it if they change that.

Mr. Richard Railey stated that he had not known a lot of people to lose their tax free status.
I think if you saw it and you were disturbed by it you could go and say look you all said this and now your circumstances have changed. Whether I have witnessed anybody losing their tax free status is immaterial, there is a possibility.

Supervisor Porter stated that he had a different question. His question was on the estimated taxes for this year. Isn't it really more like $130.00 after you apply land use taxation to it and not $575.00?

Mr. Michael Johnson said yes.

Supervisor Porter said so it's more like $130.00 and not $600.00.

Mr. Michael Johnson said correct.

Chairman Jones asked if there were any other questions.

Supervisor Phillips made a motion to authorize a public hearing.

Supervisor Edwards seconded the motion which carried unanimously.

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

Mr. Michael Johnson stated that item ten is consideration of a resolution creating lines to secure expenses associated with grass cutting. You see a resolution prepared by Mr. Richard Railey which asserts liens on seven (7) parcels of property that were the subject of enforcement actions last summer and fall by the Department of Community Development for violations of Section 10-48 of the Southampton County Code (Weeds, Grass and Unhealthy Growth). Following due notice, the owners failed to respond and Southampton County contracted to have the work performed, the cost of which is now chargeable to the owners of the property.

RESOLUTION AS **TO CREATION OF LIENS SECURING EXPENSES OF ENFORCEMENT OF THE GRASS CUTTING ORDINANCE, SEC. 10-48 OF THE SOUTHAMPTON COUNTY CODE**

WHEREAS, Sec. 10-48 of the Southampton County Code, entitled Weeds, Grass and Unhealthy Growth, provides in pertinent part "A. It shall be unlawful for any owner, lessee or occupant, or any agent or representative, or employee of such owner, lessee or occupant, having control of any parcel of land in the County to allow, permit, or maintain any growth,

weeds, grass or unhealthy growths thereon or along the sides thereof within the boundaries of platted subdivisions or any other areas zoned for residential, business, commercial or industrial use in the County to a height exceeding twelve (12) inches." **And**

WHEREAS, said Sec. 10-48 further provides that 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 a designee, as determined by the Board of Supervisors, to serve or cause to be served notice upon the owner, lessee, or occupant of such lot or parcel of land, requiring the owner, lessee or occupant of such lot to cut and remove the weeds, grass, or unhealthy growths existing upon such lot or parcel within ten (10) days of service of such notice upon such owner, lessee or occupant; and

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WHEREAS, said Sec. 10-48 further provides that if such owner, lessee or occupant fails to act or remove the weeds, grass, or unhealthy growth within the time specified in such notice, the Board shall, through its agents or employees, have such weeds, grass or unhealthy growth cut, 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

WHEREAS, Beth Lewis, Community Development Director, acting on behalf of the Southampton County Board of Supervisors, has provided notice to the below listed landowners, in Schedule "A" attached hereto and made a part hereof, in accordance with the provisions of Sec. 10-48, as to their violations of said Sec. 10-48; and

WHEREAS, the owners listed on Schedule "A" attached hereto and made a part hereof have failed to respond to said notices and have failed to cure such violations; and

WHEREAS, in accordance with the provisions of said Sec. 10-48, said Community Development Director has contracted for such weeds, grass or unhealthy growth to be cut so as to bring such lots into compliance with paragraph A of said Sec. 10-48; and

WHEREAS, in cutting said weeds, grass or unhealthy growth, Southampton County has incurred costs and expenses that shall be chargeable to and paid by the owners of such property, and collected by the County as taxes and levies are collected, in accordance with the provisions of Sec. 10-48; and

WHEREAS, in accordance with §15.2-104 of the 1950 Code of Virginia, as amended, such lien securing the costs and expenses of such grass cutting shall not bind or affect a subsequent bona fide purchaser of the real estate for valuable consideration without actual notice
of the lien unless, at the time of the transfer of record of the real estate to the purchaser, a statement containing the name of the record owner of the real estate and the amount of such unpaid charges, as entered in the Judgment Lien Book in the Clerk's Office where deeds are recorded, or is contained in the records maintained by the Treasurer for real estate liens, pursuant to §58.1-3930 of said Code; and

WHEREAS, in accordance with §15.2-104 of the 1950 Code of Virginia, as amended, it is necessary that a statement containing the name of the record owner of the real estate and the amount of such unpaid charges be entered in the Judgment Lien Book in the Clerk's Office of the Circuit Court of Southampton County and in the Southampton County Treasurer's Office.

NOW, THEREFORE, be it therefore resolved by the Board of Supervisors of Southampton County, Virginia, that in accordance with Sec. 10-48 of the Southampton County Code and §§ 15.2-901 and 15.2-104 of the 1950 Code of Virginia, as amended, a lien is hereby asserted against each lot or parcel of land identified herein in Schedule "A" attached hereto for the amount identified beside said parcel or tract of land; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Southampton County, Virginia, that notwithstanding said lien hereby asserted, the amount secured by said lien shall continue to be the obligation of the owner of such real estate at the time said costs and expense are incurred; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Southampton County, Virginia, that the said Beth Lewis, Community Development Director, acting on behalf of the Southampton County Board of Supervisors, shall cause a statement as provided by §15-104 of said Code, containing the name of the record owner of the real estate, the amount of such unpaid charges, and such other information as may be pertinent in identifying such real estate, to be entered in the Judgment Lien Book in the Clerk's Office of the Circuit Court of Southampton County and in the Southampton County Treasurer's Office, as provided by §15.2-104; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Southampton County, Virginia, that all actions taken by the said Beth Lewis, Community Development Director, acting on behalf of the Southampton County Board of Supervisors, in accordance with the provisions of Sec. 10-48 are hereby **RATIFIED, CONFIRMED and APPROVED.** The undersigned Clerk of the Board of Supervisors of Southampton County, Virginia certifies that the foregoing constitutes a true, complete and correct copy of the Resolution adopted at a regular meeting of the Board of Supervisors of Southampton County, Virginia held on March 25, 2013.

Chairman Jones asked if there were any questions. He stated that this was for folks who have neglected their yards.

Supervisor West stated that he had a couple of questions. He stated that this is only for failure to maintain the cutting of the grass – is that correct?

Mr. Michael Johnson said correct.

Supervisor West asked if any town in the county that is struggling to get bad structures torn down failure to have people to come forward and specifically on Main Street in Ivor – does the county have any authority to step in at the request of the town.

Mr. Michael Johnson said his recollection is, which is not always good, is our ordinance that deals with derelict buildings does not apply within the incorporated limits of any of the towns.

Supervisor West asked if they could give any authority.

Mr. Richard Railey said that is correct and the other side of it is haven't we in the past when Boykins just wanted some leadership about doing it I believe at some time or another I told them how to do it. We couldn't do it for them, but it is a simple process.

Supervisor West said so you could say we can use the county attorney and use that process and he would give legal advice.

Mr. Richard Railey said he would be happy to show anybody.

Supervisor West said hush.

Supervisor Edwards said I don't think we have to go that far.

Mr. Richard Railey said well how far are you asking me to go?

Supervisor West stated that he needed to know because there are a number of structures obviously in the county and in the towns as well that certainly need some attention and then we are able to send a crew out to cut the grass and we send a bill and they ignore the bill and apparently it was repeatedly done.

Mr. Richard Railey said but you understand the process is the same as the principal. Demolition is far more expensive than cutting somebodies grass.

Supervisor West said I know that.

Mr. Richard Railey said demolition could overwhelm the value of the property that is left. Cutting the grass we have been fairly successful when somebody sells the property or refinances or something of that nature of collecting it, but we are talking about nickels and dimes versus thousands of dollars.

Supervisor West said yes some of these were a hundred and something, two hundred and something, and five hundred so they are minimal costs.

Supervisor Phillips said right. He said when the discussion about Boykins came up I thought there was a discussion about we would have to hire someone and create an ordinance that and then it became a question of who decided this building was in such a state of disrepair and then it came up to the question if you are riding through the country and saw an old house sitting in the field and somebody could call about that. Once you create an ordinance then it goes on.

Supervisor Porter said let's just take care of this issue. That is really a separate issue.

Mr. Michael Johnsons said correct.

Supervisor Porter said let's just take care of this issue and then if you want we can discuss that.

Mr. Richard Railey said that is correct.

Supervisor Porter made a motion to adopt the ordinance.

Supervisor West seconded the motion which carried unanimously.

Chairman Jones asked now if they wanted to discuss the other thing.

Supervisor West stated he was just trying to get help for small towns.

Chairman Jones said well they have to ask for it.

Supervisor West said right and if they have gone through the process and had little success in taking down the structure is there anyway the county can assist or step in or take over that process and the answer was no to the best of our knowledge, but we would provide legal advice.

Mr. Michael Johnson said when you say take over I'm not sure I understand what you are asking. Number one the town has to already have an ordinance on the books that they can enforce as a town ordinance. Number two if they choose to enforce that and it is ignored by the property owner then the question will become who is going to pay for the demolition. Are you are asking for the county to pay for the demolition for the structures?

Supervisor West said then that will be part of it. I understand and I really don't want to go there with that okay.

Mr. Michael Johnson said that is the next step. Somebody has to pay.

Supervisor West said will the county send a letter then over top of what the town has already sent to maybe reinforce it? Is that worthwhile?

Mr. Richard Railey said he was perfectly willing to do what they wanted him to. He said he was willing to explain the process to any town in Southampton County as to how you would do it. He said that is not a big problem. I really think before they go into it; demolition is expensive and maybe that is not even in my perimeter of authority, but they probably need to get somebody of their own to go through the process.

Supervisor Edwards said this comes up time and time again for years and years and we hear it at the Planning Commission a lot and I think we ought to do something to finally put it to rest and I don't know how we do that.

Supervisor West said well Supervisor Edwards look at it like this the county gets $0.75 cents for real estate tax so then the town levies eight cents or five cents or whatever it makes no difference don't tell me that you don't have an issue there. You have some vested interest because you are taxing the property and it is in shambles and the roof is caving in and it is deteriorate and trees are growing up through it and everything else so I would assume an assessment was made on that property. We have an interest in it and it is something that needs to be addressed.

Mr. Richard Railey said his point is simply this and it is more policy than legality, but you have to look at the practicalities of it; supposed the lot is worth $7,000.00 and to take the house down it costs $20,000.00.

Supervisor West said that was done not so long ago; go ahead I understand all of that.

Mr. Richard Railey said that is his only point.

Supervisor Phillips said let the fire department burn it down.

Supervisor Edwards said he suggest that Mr. Michael Johnson and Mr. Richard Railey look into this and draft something that would settle this so it wouldn't keep coming up every now and then.

Supervisor West said he did think the small towns did need some help sometimes. Even though they have a taxed jurisdiction so do we. We have a vested interest and so do they and no one is really gaining the benefit of what can be. Maybe the lot could be sold and maybe a new structure built on that will be a better tax benefit for everyone. I do think that it needs to be looked into and at least put to rest. If we can renew the commitment, look at it, Supervisor Porter talk on this.

Chairman Jones said we can get Mr. Richard Railey to look at this he did some stuff in Boykins. Let's see what we can do about it. We will move to item number eleven.

Mr. Michael Johnson stated that number eleven is consideration of agreement to serve as fiscal agent for the Blackwater Regional Library. The 2007 contract between the County and the Board of Trustees for the Blackwater Regional Library provided that the Library Board would designate a fiscal agent to maintain custody of their undesignated funds. At the time of the agreement, the Southampton County Treasurer was serving as fiscal agent and the contract stipulated that the parties would enter into a supplemental written agreement setting forth the duties, compensation and term for the fiscal agent. Attached for your consideration, please find a copy of the proposed agreement (the current agreement expires June 30, 2013), which runs through June 30, 2016. The contract is quid pro quo – our services as fiscal agent in exchange for their payment of annual utility expenses for the Walter Cecil Rawls Branch Library (which are our financial responsibility under the terms of our contract). The value of the agreement is estimated at $16,000 annually. In addition, the Library is also requesting Chairman Jones to consider appointment of a two-member committee to work with them in administering the 2007 Contract (copy attached).

THIS CONTRACT is made and entered into this 17th day of March, 2013, by and between **SOUTHAMPTON COUNTY, VIRGINIA** ("Southampton"), and the **BOARD OF TRUSTEES FOR THE BLACKWATER REGIONAL LIBRARY** ("Board of Trustees").

RECITATIONS:

R-l Southampton and the Board of Trustees make and enter into this contract to acknowledge and approve the services to be provided by Southampton as Fiscal Agent for the Regional Library from July 1, 2013, through June 30, 2016.

R-2 Southampton and the Board of Trustees make and enter this contract to evidence the terms and conditions on which Southampton will serve as Fiscal Agent for the Regional Library from July 1, 2013, through June 30, 2016.

WITNESSETH: That for and in consideration of the mutual and reciprocal benefits inuring to the parties hereunder, and in further consideration of the duties imposed upon by the parties hereby, the parties covenant and agree as follows:

1. The Board of Trustees hereby designates Southampton as Fiscal Agent for the Regional Library.

2. Southampton's term as Fiscal Agent shall continue upon execution hereof by both parties, or on July 1, 2013, whichever comes last, and extend thereafter thru June 30, 2016.

3. Southampton, as Fiscal Agent, shall have custody of those Regional Library funds which are not designated or set aside in specific Regional Library funds (the Board of Trustees shall retain custody of those Regional Library funds which are designated or set aside in specific Regional Library funds). The duties of the Fiscal Agent shall include the following:

a. Receive all non-designated funds paid to the Regional Library, or paid for its benefit.

b. Disburse all Regional Library funds held by the Fiscal Agent pursuant to direction of the Regional Library, by action of the Board of Trustees. The Regional Library shall appoint two persons authorized to sign, and Southampton shall designate two persons authorized to sign. All checks issued for payment of Regional Library costs shall require any two of those four signatures.

c. Maintain current and accurate records of all receipts and disbursements made on behalf of the Regional Library.

d. Make available to the Regional Library all records pertaining to the funds which the Fiscal Agent manages for the Regional Library.

4. The parties shall have until March 31, 2016, to finalize a contract for Southampton to continue its service as Fiscal Agent for the Regional Library. If such contract has not been finalized by March 31, 2016, then effective April 1, 2016, the Board of Trustees shall be entitled to enter into a contract with any third party for any such services.

5. As compensation for the services rendered by it hereunder as Fiscal Agent for the Regional Library, Southampton shall be paid $16,000.00 per year by the Regional Library. The $16,000.00 owed by Southampton each year for utilities will be paid by the Library in lieu of Southampton receiving payment for its service as Fiscal Agent.

IN WITNESS WHEREOF, this contract is executed on behalf of Southampton County, Virginia, by its duly authorized representative, and on behalf of the Board of Trustees for the Blackwater Regional Library by its duly authorized representative.

SOUTHAMPTON COUNTY, VIRGINIA
By:
Title:
BOARD OF TRUSTEES FOR THE
BLACKWATER REGIONAL LIBRARY
By:

Chairman Jones stated that he had asked a couple of members to do this and Supervisors Faison and Porter have agreed to fill those positions. He said Supervisor Phillips do you have something to say.

Supervisor Phillips said he had got some more information on that and he was willing if necessary to serve.

Chairman Jones asked Supervisors Faison and Porter if either one was willing to give up their spot.

Supervisor Faison said he would be glad to give his spot up.

Supervisor Edwards said don't you guys fight over it now.

Chairman Jones stated that Supervisor Phillips could take Supervisor Faison's place.

Mr. Michael Johnson said so it will be Supervisors Porter and Phillips.

Chairman Jones said Supervisor Phillips had told him earlier that he couldn't fill the position.

Supervisor Phillips said he had found out that the meetings would be here as opposed to being hither and yonder.

Chairman Jones said that is okay.

Supervisor Phillips thanked him.

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

Mr. Michael Johnsons said he needed a contract.

Chairman Jones said he was sorry.

Supervisor West asked how long does this contract stay in effect.

Chairman Jones said two years.

Supervisor West said overall.

Mr. Michael Johnson said the current contract runs in three year periods.

Supervisor West asked how long this had been going on since the beginning.

Mr. Michael Johnson said since 2007.

Supervisor Phillips asked if this was something for shared services.

Supervisor Porter moved that we approve the contract.

Supervisor Phillips seconded the motion which carried unanimously.

Chairman Jones stated we would move to item number twelve.

Mr. Michael Johnson stated that item twelve is the consideration of a resolution approving the issuance of a revenue refunding bond by the IDA for the Village at Woods Edge. On March 12, the Southampton County Industrial Development Authority convened a public hearing to consider issuing a Revenue Refunding Bond in a maximum amount not to exceed $5 million to facilitate the refinancing of some of the Village at Woods Edge's existing debt, which paves the way for them to construct a new $2.89 million memory care unit for their patients with advancing dementia. While the facility is located in the City of Franklin, because of some refinancing that the City is planning in 2013, the City of Franklin IDA was unable to fully accommodate the Village without exceeding the $10 million annual cap imposed by the IRS for qualified tax exempt obligations. Accordingly, the Village approached us to see if we'd be willing to assist. They intend to issue the financing for their new facility ($2.8 million) through the City's IDA and refinance their existing debt ($4,992,000) through the County's IDA. The savings from their

refinancing will help pay the additional debt service on their new memory care unit. A copy of the IDA's certification attached, which includes a summary of their public hearing, a fiscal impact statement and a copy of the resolution they adopted following their hearing. Before they can proceed in issuing the bond, it is necessary for the Board of Supervisors to adopt a resolution that permits them to issue it. A copy of the resolution is attached herewith for your consideration. In accordance with state law, these bonds will not pledge the credit or taxing power of the County or its IDA and will be payable solely from revenues derived from the Village at the Wood Edge. You have copies of the resolution that you are being asked to consider tonight along with the IDA Certificate of Public Hearing, as well the Draft Bond Purchase and Loan Agreement.

RESOLUTION OF THE BOARD OF SUPERVISORS OF SOUTHAMPTON COUNTY, VIRGINIA

WHEREAS, The Village at Woods Edge, a not-for-profit Virginia nonstock corporation (the "Corporation"), owns and operates a facility for the residence and care of the elderly (the "Facility") in the City of Franklin, Virginia, which serves the residents of Southampton County, Virginia (the "County");

WHEREAS, the Industrial Development Authority of the County of Southampton, Virginia (the "Authority"), has considered the application of the Corporation for the issuance of the Authority's revenue refunding bond (the "Bond") pursuant to Title 15.2, Chapter 49 of the Code of Virginia of 1950, as amended, in one or more series, in a total amount now estimated not to exceed $[4,992,000], the proceeds of which are expected to be used to (a) refinance a portion of the Corporation's $9,165,000 promissory note dated June 28, 2006, in connection with the refunding of (i) the outstanding portion of the Residential Care Facility First Mortgage Revenue Note (The Village at Woods Edge), Series 2006A, issued by the Industrial Development Authority of the City of Franklin, Virginia (the "Franklin Authority"), and (ii) the outstanding portion of the Residential Care Facility First Mortgage Revenue Refunding Bonds (The Village at Woods Edge), Series 2002, issued by the Franklin Authority; and (b) pay certain expenses of issuing the Bond and other bonds issued to finance additional projects at the Facility;

WHEREAS, the Authority on March 12, 2013, has held a public hearing on the issuance of the Bond;

WHEREAS, the Authority has requested the Board of Supervisors (the "Board") of the County to approve the issuance of the Bond to comply with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), and Section 15.2-4906 of the Code of Virginia of 1950, as amended (the "Virginia Code"), and to concur with the Authority's expectation that the County, the Authority and all subordinate issuing entities or authorities do not reasonably expect to issue in calendar year 2013 any other tax-exempt obligations (not including "private activity bonds" other than "qualified 501(c)(3) bonds," as those terms are defined in the Code), that when aggregated with the Bond for purposes of Section 265(b)(3)(B) of the Code will be in excess of $10,000,000, in order that the Authority may designate the Bond as a "qualified tax-exempt obligation" under Section 265(b)(3)(B) of the Code; and

WHEREAS, a copy of the Authority's resolution approving the issuance of the Bond, subject to terms to be agreed upon, and a record of the public hearing including the notice thereof and a "fiscal impact statement" with respect to the issuance of the Bond have been filed with the Board and are hereby incorporated by reference;

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

1. The Board hereby approves the issuance of the Bond by the Authority for the benefit of the Corporation, as required by Section 147(f) of the Code and Section 15.2-4906 of the Virginia Code, to permit the Authority to issue the Bond for the purpose set forth above.

2. Approval of the issuance of the Bond, as required by Section 147(f) of the Code and Section 15.2-4906 of the Virginia Code, does not constitute an endorsement of the Bond or the creditworthiness of the Corporation. As required by Section 15.2-4909 of the Virginia Code, the Bond shall provide that neither the County nor the Authority shall be obligated to pay the Bond or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor, and neither the faith and credit nor the taxing power of the

Commonwealth of Virginia, the County or the Authority shall be pledged thereto.

3. The County [having not previously issued] in calendar year 2013 any tax-exempt obligations (not including "private activity bonds" other than "qualified 501(c)(3) bonds," as those terms are defined in the Code), which are required to be aggregated with obligations issued by the Authority for purposes of Section 265(b)(3)(B) of the Code, and the County, the Authority and all subordinate issuing entities or authorities not reasonably expecting to issue in calendar year 2013 any other such obligations that when aggregated with the Bond will be in excess of $10,000,000, the County concurs with the Authority's intention to designate the Bond as a "qualified tax-exempt obligation" under Section 265(b)(3)(B) of the Code.

4. This Resolution shall take effect immediately upon its adoption.

Chairman Jones asked if anyone had any questions.

Supervisor Faison asked how this would affect the county.

Mr. Michael Johnson said the only impact that it has is that the IRS imposes a $10 million annual cap on you issuing debt yourself that would be bank qualified tax exempt or other non-profit issuances, so this takes $4,992,000 of that annual cap for your ability to do it. Unless you are planning to issue new debt this year or there are other non-profits within the county which plan to issue new debt through our IDA.

Supervisor Updike said he thought this project would be a great service to the citizens of Southampton County instead of having to go fifty to a hundred miles to visit loved ones. It is no responsibility for the county and it is a wonderful idea and he made a motion that we do adopt the resolution.

Supervisor Faison seconded the motion which carried unanimously.

Supervisor West said it is also a good neighbor thing.

Chairman Jones stated that we would go to item number thirteen – Litter Control.

Mr. Michael Johnson stated as you may recall from Late Arriving Matters last month, we reported that we are working diligently to reorganize and reenergize the Litter Control Council. Their organizational bylaws provide that 7 members shall be appointed by the Board of Supervisors, 6 members by the 6 respective Town Councils, and up to 6 additional members may be selected to serve at large by these 13 members. In addition, VDOT, Southampton County Public Schools, the Southampton County Sheriff's Office and the Department of Public Works are to be represented ex-officio. After surveying the membership, I have determined that vacancies exist for 6 of our 7 election districts (Drewryville is the only district with a board-appointed member) and 3 of our towns (Boykins, Newsoms and Capron are represented). Accordingly, with the exception of Drewryville, I am seeking your corporation in appointing a district representative to serve on the Litter Control Council. Terms are for a 3 year period. The Council currently meets on the first Wednesday of each month at 4:00 p.m. in the Southampton County Office Center. Prospective appointees should have strong interest in at least one of the following: a) development of a litter control communications program; b) development and promotion of educational programs; c) organization of litter clean-up projects; d) expansion of countrywide recycling programs; or e) development of an effective and practical littering enforcement program.

Chairman Jones asked if anyone had any questions for Mr. Michael Johnson. He stated that you have heard the time and place and some of the requirements.

Supervisor Phillips said he sat in on the meeting earlier in the month and we have some real opportunities to help this county, cut the cost, recycle, numbers of different things that can be done and I have someone I'd like to appoint from the Capron District and that would be Mr. Allen Applewhite. Mr. Allen Applewhite in the past had represented DOC, but he said he would continue and he would retire from DOC in August; so he has previous experience for you.

Supervisor West said he had spoken with someone and will have someone at the next meeting. He

said he had spoken with Mayor Sandi Vick in Ivor and she too has been talking with someone to get the answer back and we hope to be able to respond at the next meeting.

Chairman Jones asked if anyone else had anybody.

Supervisor Edwards stated that from the Jerusalem District Mrs. Kim Marks has expressed an interest to me to be on this.

Chairman Jones asked if there was anyone else.

Supervisor Faison stated that from Boykins Mr. Charles Hood. He asked if they needed his address.

Mr. Michael Johnson stated no he would be able to find it unless he already had it.

Supervisor Faison stated that Mr. Charles Hood's address was P. O. Box 62, Boykins, VA 23827.

Chairman Jones called on Supervisor Updike.

Supervisor Updike said from Newsoms he was glad to pull across the line but Blair Bunn has proven his leadership as far as litter control in the county so I would like to appoint Blair Bunn to represent the Newsoms District.

Supervisor West asked if they needed to be voted on individually or as a group.

Mr. Michael Johnson said all in a bunch is fine.

Chairman Jones asked if he had a motion for these respective appointments.

Supervisor West made a motion that we accept these respective appointments.

Supervisor Phillips seconded the motion which carried unanimously.

Chairman Jones stated we would go to item fifteen – Miscellaneous.

Mr. Michael Johnson stated that one real item was that Down Home Day is coming up on April 20 at the Southampton Heritage Village. If you all are able, I hope you'll support the Southampton County Historical Society. There are also several notices attached and there is a letter of correspondence from Mrs. Virginia Cutchin relative to raises for school board employees in FY 2014.

Chairman Jones asked if there were any late arriving matters.

Mr. Michael Johnson said no sir.

Chairman Jones stated the next item was the citizens comment period.

Mr. Bill Worsham of 12685 Appleton Road in the Ivor District addressed the Board. He stated that Supervisor West was the representative for the area. He said tonight when he got ready to come to this meeting he came with a great deal of excitement because I knew it was going to be a public hearing on different items and there were two or three different items that I wanted to speak to, but I was caught up with another 70 to 100 people in the hallway out there. We had no idea that the public hearing had started. No one announced it to us or anything else. I think last year this group decided that if the room was filled to capacity they would move to the high school. My question is why couldn't you do it this time? It is almost as if it is an amount of exclusiveness and inclusiveness. Those people out there had no idea what was being said in here. Nobody could hear. Nobody thought of putting up a sound system so we could hear? Nobody thought about coming out and announcing what was happening in here? I don't think that is the way you treat taxpaying citizens. If it is I probably need to make some corrections. The point of the matter is a lot of those people out there had things they wanted to say in here and they didn't get an opportunity to. I'd gladly come in here and stood by the wall to be a part of the meeting, but to be

out there when things are going on and you don't have any idea what is going on is totally wrong and you all need to know and next year I hope that you will plan to move that meeting to a place where we can accommodate the citizens of this county. Now there are several things I want to talk about. Budget time always creates anxiety in everyone. You have various departments in the county that are asking for this, that, and the other. Everybody wants a piece of the pie and I wish that you guys could give everybody a piece of the pie, but I'm smart enough to know that it is not going to happen. The resources and funds are not there; however, what we do have is the $70 million dollar debt and somewhere along the way we have got to start chewing away at that debt or we are not going to be able to sustain this county and the means that we need to sustain it to. The answer is not a tax increase. The answer is not to borrow more money like we did back in September to pay the bills to the end of the month. Now I know you paid that money back because it was a line of credit. It was a 90 day to a 120 day line of credit, but that is not the solution. The solution is for you guys to sit down and look deep inside this budget and do what you are supposed to do. My hats off to you to do the job that you are doing; it is tough. It is hard to make a decision to suit the three or four thousand people in this county and to be right all the time, but it is also your responsibility that the tax paying citizens in this county are well served and well served does not mean taxed to death. You also have the responsibility to see that each and every citizen gets to come to meetings like this and at least get to hear what is going on. Tonight several of us didn't get that opportunity. I ask you to look at that to see if there is any way we can come to another venue that will house all the people that need to come; I'd like to see you do it. I think the people that stood out in that hall would like to see you do it. No one gave us the time of day or the courtesy to come out and say we are doing this in the agenda. No one did. No one gave us the time of day or the courtesy to set up a sound system. That was the least you could do – why this is the 21st century. It is easy to do. You have people here who are technological resource people that could have done it. Is the money so tight that you can't do it? If that is a problem you need to look at that because that is a small problem when you look at the overall problem you have got in this county and the overall problem in this county is the indebtedness. You have got to face that fact; it is there and you have got to get rid of it; and gentlemen taxing is not the way to do it and borrowing is not the way to do it. Thank you very much.

Mr. John Burchett addressed the Board. He stated that when he read the advertisement for the public hearing in the paper and it had said John you are going to have to come and stand in the hallway for two hours I would have gladly done it. When the game warden came out after the public hearing he said "It passed" and I said what passed. I take my rights very seriously; if you doubt it ask Mr. Richard Railey - he knows me. I feel cheated. I fought in Vietnam and I know the proper order and we got spit on when we came back, but I believe in this country. I know you didn't intend to do this; at least I hope not, but you didn't look out for us. You failed us. I hope you all will take the advice and run a speaker out in the hallway. If you all don't have the money, I can run a speaker for you. I am serious; I would be glad to. If you don't mind I am going to make a comment on one of the public hearings which was on hunting with hi-powered rifles. I don't know what was said but I think you all need to hear what I've got to say and it is too late I understand, but I want you all to know what responsibility you all have taken by allowing this to happen. I am here to oppose using high-powered rifles to hunt coyotes in Southampton. I do not have a hidden agenda. I have no reason to oppose it other than what I am telling you right now. The fact is it is not safe because it will put our citizens at risk. It is our responsibility, especially the Board of Supervisors responsibility to protect our citizens. As I rode on Highway 671 going from Newsoms to Franklin I speculated on how far a bullet would travel over this flat land and it would go a long, long ways. I just can't believe that we would even consider the expanding use of these rifles. While we are considering this some want to allow rifle hunting at night. Now I don't even know what you all passed tonight but I hope to God it wasn't passed to be allowed at night too. A person could not possibly see what is beyond what they are shooting at using a spot light in the dark. You know what it is like driving on a country road at night beyond the headlight beam it is pitch, black dark. The same thing applies to the spot light shooting of a coyote. You would not be able to see beyond what you were shooting and wouldn't have a clue where that bullet went after you shot. I have lived in the county for 33 years and I cannot recall anyone being shot with a rifle in a hunting accident. Why? - Because of the restrictions on hunting with high-powered rifles. I do not know how long this ordinance has been on the books, but I think the leaders back then acted to protect the citizens of the county. I do not know why the ordinance was enacted the way it was whether it was just in an instance or it was just good common sense on the part of the county leaders. Now on this coyote problem – I would like to be there when the last coyote dies. I have not sympathy for the animal. They are devastation to the deer herd and if they can they will

kill every piece of livestock in the county. I would like to see every one of them dead, but they are here. Coyotes are a real problem to farmers and hunters. Every state and legal means including bounties needs to be used to control their numbers. This is my last statement. I would be opposed to a bounty if high-powered rifles are allowed. If high-powered rifles are allowed and there is no bounty on them that is going to bring more and more rifle shooters in here. Tell you what I thank to God that I'm not responsible and I pray to God that nobody gets hurt and I'll pray for you all if they do. Thank you.

Chairman Jones asked if anybody else had anything.

Mrs. Linda Vick stated that she wanted to ask a question about an item that was on the budget tonight. What was the amount that you said would be used to buy school buses with in the budget.

Mr. Michael Johnson said if you borrow $450,000 for 5 buses @ $90,000 each for over a ten year period the annual debt service would be $55,500.

Mrs. Linda Vick said that would be added to your budget each year. Is that correct? She said the cost would be $450,000, but it would actually add up to $505,500.

Mr. Michael Johnson said if you finance the bus payment the payment is $55,500 per year.

Mrs. Linda Vick said that $55,000 next year would be a $110,000.

Mr. Michael Johnson said if you bought five more that's right.

Mrs. Linda Vick said well I think that should have been explained to the public as to how much that is putting us in debt each year and that is why I am asking that it be a line item in the School Board Budget and not the Board of Supervisor's Budget. That money should come out of the School Board Budget because that is a School Board expense not a Board of Supervisors Budget.

Mr. Michael Johnson said that would go through the school budget.

Mrs. Linda Vick said I know, but we are still paying it and it has got to come from somewhere. When you keep borrowing money it has to come from somewhere and that somewhere is tax payers. So I think the School Board and the citizens in this county need to realize that you are going in debt that much more. They don't see it like that, and I do. I do not think it is fair to now put that back on the citizens of the county when we have already appropriated. I gave the scenario one time and I want each one of you to think about it and some of you have probably heard it before. If you went to your father and you asked him for a $1,000 to buy a set of tires with it and you decided to take that $1,000 and take a vacation with it and didn't use it for the tires, and the next month you came up and you still needed those tires and you asked your daddy again for that $1,000 to buy the tires with what do you think his answer would be. One person told me his dad would tell him to get a good pair of tennis shoes and start walking. Well, we don't need to keep doing this. We have given it to them, and given it to them, and given to them and now we have a new superintendent of schools, a new school board, and we are hoping that they will have the forethought to buy what their children need; so, let them do their job. Don't take their job away from them; let them do their job.

Mr. Joe Vick of Capron addressed the Board. He stated that he wanted to speak about what Mr. John Burchett had to do. It's a damn shame to be here for a public hearing and you can't get in the building. There were over 70 people in the hallway. I counted them when the meeting started. They were in the hallway because they couldn't get in here. After 35 minutes I counted again and there were still 56 people still out there in that hall and knowing that they couldn't get in here they stayed. I ask you not to wait until next year to try to fix this. Tonight you can schedule another public hearing on the budget at least. It is too late for Mr. John Burchett. It is too late for some of these other public hearings. I don't even know what they were; we couldn't get in here. I don't know how many people came to the door opened it and had to leave. They just thought there was no need to be here around the corner where you couldn't even see. Somebody made a mistake tonight scheduling a budget hearing in a small room. I don't think it is too late to schedule one more budget hearing, a public comment period – maybe on the 22nd of April or perhaps during one of your budget workshops. You have been accused in the past of not allowing the citizens

proper opportunity to speak on the budget; tonight you can correct that and I hope that you will. Thank you.

Chairman Jones asked if anyone else wished

Supervisor West asked if he could make a comment please. In some defense we scheduled public hearings in the larger setting and we will in April for the budget hearing. We have never had a regular monthly meeting scheduled moved to a larger setting because we have close session and we have nowhere for a closed session to take place there and the equipment has to be moved. This was an additional comment period. I will grant you the fact that tonight people did speak on the budget and they would because the opportunity was available, but the real public hearing will take place at the high school in April as scheduled.

Mr. Joe Vick asked what day the public hearing was.

Mr. Michael Johnson stated May 20th.

Mr. Joe Vick stated that was his point people who didn't get to speak tonight and the next time they get to speak will be on May 20th and you are going to vote on it that night. That is my point. It's too late for them now.

Chairman Jones said he was going to take the blame for this. He said he was asked about it and in the past we haven't had a lot of people like this and it happened and I will take all the blame because I said I don't think we need it.

Mr. Joe Vick asked who will take the blame for not having another public meeting.

Chairman Jones said I'm just telling you what happened and if need be we can have another public hearing. All we have to do is schedule one.

Supervisor Edwards said he thought that was a question that came up last year. This is going to be another difficult year we all know that. He said he didn't mind spending another night over here or wherever we have to go, but I think we ought to bend over backwards if people feel like they have been slighted to go ahead and do whatever we need to do.

Chairman Jones stated that he would be glad to schedule another public hearing on the budget, gladly. He said he hoped that if they had another one they weren't just going to get beat up with people telling us what we are not doing, but bring something concrete that we can use to help us out. I can call a meeting.

Mr. Michael Johnson stated that you are only required by statue to have one public hearing. The fact is that you are having two public hearings you have exceeded the statue, but if you have a third you can certainly do that. I would suggest that you not do it at your regular April meeting because we will probably have the same problem we had tonight. So if you want to consider moving your budget workshop on April 29th to the high school and receiving public input that night.

Chairman Jones stated that would be fine. Let's do that.

Supervisor Edwards said do you think that would be acceptable to everybody.

Mr. John Burchett said well why not cancel the May meeting because it is too late. He stated last year he was there and everybody got up and talked, but it was too late. We don't have time to change anything then why not just cancel the May public hearing and do it next month.

Mr. Michael Johnson stated that the last public hearing is the one required by the statute. In order to have that hearing you have actually got to actually publish your draft proposed budget in the newspaper line by line. You won't have that paper and what I'm hearing is that you input before you get to that point.

Chairman Jones said this way you can have some suggestions if you have a meeting in April

because we aren't going to do anything until May.

Supervisor Faison said until May it is a draft budget not the final budget.

Supervisor Porter asked if it could be at one of the earlier workshops. I mean only of the earlier ones not April 29th.

Mr. Michael Johnson stated another thing you could do if you wanted to is have public comments at all of your workshops. It doesn't have to be a public hearing; you can just receive public comments.

Supervisor Faison asked how people would know where it is going to be or are we going to automatically schedule it at the high school.

Supervisor Edwards said I think that would be the best thing to do. If we have a small crowd fine; if we have a large crowd then we are prepared. Hope for the best and prepare for the worst. That is what this year is going to be.

Mr. Bill Worsham stated that he had a question. This is in regard to the coyote ordinance that was passed tonight and I've already made it clear I think that I wasn't able to be in here and see what was the results were other than someone came pass me and said it passed. I would like to direct this question to Mr. Richard Railey if I could to you. The county right now has a ban on rifle hunting for deer hunting and they have a ban on muzzle loading during deer season – is that correct?

Mr. Richard Railey said that is correct. That is absolutely correct.

Mr. Bill Worsham said my question is in anyway conflict the words in the banning of rifle and muzzle loading during deer season. He said he had a reason for asking that.

Mr. Richard Railey said I'm sure you do. Said what we are doing is in 49.548 in the code of Virginia gives the counties under the Dillon Rule the authority to prescribe ammunition to abolish muzzle loading to control the weapons. As an exception under that it says "however counties may allow high-powered rifles, if they don't allow rifles otherwise for ground hogs during that period from March through April.

Supervisor Phillips said August.

Mr. Richard Railey said August, yes excuse me. What we have done is follow the pattern of Louisa County which was the first county in Virginia to do it. All we did was take groundhogs and coyotes during that specified period, but I took the position initially, just to give you the history on it, under the Dillon Rule that if you look at the statute literally and very conservatively that perhaps that was the only thing you could do on it, but they didn't check it with the county attorney in Louisa and with the people in the game department and I became convinced that I was being too conservative and you could expand it just as we did. The only thing different about the ordinance that we passed tonight from what existed before was adding "coyotes".

Chairman Jones said we just added coyotes.

Mr. Richard Railey said coyotes were given the same treatment as groundhogs.

Mr. Bill Worsham said the reason for him asking the question is that the language that is in the ban or the provision is in that for making rifle hunting more or less illegal in Southampton County. Is there any language in there tonight that is going to conflict with what you did tonight in case there is a matter of litigation?

Mr. Richard Railey said I don't think so because I think we as far as our ordinance has been tested under the Circuit Court of Southampton County on two violations. It has been argued that it is invalid in front of the DGIF Board and the Attorney General took the position and the only thing that we put in there is "coyotes". There is a practical consideration, but no I don't think it will jeopardize it at all. Now I could be wrong, but between you and me I have thought about that

ordinance from a technical legal point a lot of times and consulted every source of information that I had.

Mr. Bill Worsham said just to let you know where I'm coming from I would have spoken against it tonight just like years ago I spoke against muzzle loading for the same reason; it is a safety issue.

Chairman Jones said we understand that, but we just added coyotes tonight; that is all. It still has the same meaning.

Mr. David Edwards made a motion to adjourn.

Chairman Jones said I wish we could, but we cannot do that.

Chairman Jones stated that at this time it was necessary to have a closed meeting.

He stated that he needed a motion to go into closed session.

Supervisor Porter made a motion to go into closed session.

Supervisor Edwards seconded the motion which carried unanimously.

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

RESOLUTION OF CLOSED MEETING

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

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

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

Supervisor West made a motion to go back into open session.

Supervisor Porter seconded the motion which carried unanimously.

There being no further business the meeting was adjourned.

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Dallas O. Jones, Chairman

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Michael W. Johnson, Clerk