

and not being listened to. He thinks the Board should have the guts enough to stand up and say this is enough we will cut. This is a position that can be cut and should be taken over by some department and individual that we already have on the payroll.

Chairman Jones asked if there were any other questions or comments.

Supervisor Porter said he didn't vote on this because he wasn't comfortable with how things were going. He thought they were moving too fast. He didn't vote against it because of maybe some miscommunication because he had thought that Sheriff Stutts was going to come and talk to them about it. Sheriff Stutts hadn't come so he didn't vote against it for that reason. Looking into that he knew there was some miscommunications and there were different reasons that he didn't come. The problem that he has and he expressed his concern he thought it was back in March. He is not concerned so much about the same concerns that Supervisor Updike has on this job. He stated that he was concerned that there was no back up. He said that he had asked Sheriff Stutts if he could provide backup for the job and he said he was willing to do that on an as needed emergency basis and try to get someone trained for that. Right now some people think that anyone can step into this job and they can't. The county has 1,500 radios and beepers. This position is responsible for maintaining every one of those. There radio towers require twenty four hour seven day a week operations. This person is responsible for maintaining those towers. This job has the responsibility for maintaining those towers. That is 24 hours a day. This person can be called any time day or night if a tower fails or if a generator doesn't come on when the power goes out. Not everybody can do that. Not everybody is dedicated enough to do that. Not everybody will sit down and go and make sure the tower gets up and running so that our 911 system works. After all he knows about the system, and he felt this way at the last meeting too, he doesn't think we can put the full responsibility of the maintenance system on the Sheriff's Department. It is not their system. It is the emergency system. Looking into it he has been advised that it takes about 25 hours a week to do that. Well if we took it and put it back in the Sheriff's Department and they had a deputy to do it that means it would take half of a deputy's job to do it. Then that deputy would be on call 24 hours a day not just any deputy could do that. Then what does that mean. It means you would take a deputy off the street. Everywhere he goes people tell him they don't have enough coverage by the Sheriff's Department especially at night. We have the allocated staffing that the state allows us to pay and that they will subsidize in the Sheriff's Department. If we want to add another deputy then we have to subsidize it 100%. The cost of a deputy is about \$35,000.00 a year and then you add the benefits to that and we are talking about \$45,000.00 to \$50,000.00 a year. If you take that person half the time then the cost is \$25,000.00 to \$30,000.00 a year. It is a real job guys and people are acting like it is not a real job. Who does it has to be a person that is qualified to do it. Ex Sheriff Francis knows how to do it. He said he wasn't sure anyone else in the county knew how to do it right now. If something had happened when he was on vacation I suspect we would have been in trouble. It is a real job. We can't just cut it off or ask Mr. Michael Johnson so that when the tower goes down the 911 people are going to call him and then he is going to have to go out there and fix that problem. If you go out there (and I'm really not trying to prejudge you) but you probably wouldn't know what you were looking at because you haven't been trained in the operation of the equipment of these towers. He said he thinks this is a serious issue and he thinks the Board made a mistake by voting to eliminate the contract before they had an alternative plan in place. When you do something like that all you do is shoot yourself in the foot. He said he was a member of the 452 committee that you mentioned and they are looking at every job in the county. Supervisor Updike thinks that someone else who works for the county can take this job over. He said he didn't know if that was true, but if we have someone in the county who doesn't have a full time job we are going to recommend getting rid of those jobs. That is the way it is. Does it matter whether you get rid of a job here or maybe if we do get rid of a job we can find someone who has the skills and education, and training and dedication because it takes a lot of dedication to commit to a job when you might be called at 2:00 in the morning and you don't have a choice because if you don't get up and get that tower going somebody could die. That is what we are talking about. We are not talking about an inconsequential job. This is a real job and from everything he sees right now we are going to pay a minimum of what we are paying now to get this thing done. How we pay it or who we may pay it to might change in the future, but it is a job that requires a high level of dedication and skill and we can't act to hastily to get rid of it.

Chairman Jones asked if anything else had any comments.

Supervisor Edwards said he voted to end the contract last month but not to end it to interfere with public safety but to get people to the table to find out what is going on because he didn't think they any of them knew what was going on. It worked people came to the table and they had had some very successful meetings. He stated that Supervisor Updike had some points. This contract never came to the Board. He thinks if this contract had come to the Board there wouldn't have been a lot of questions. He didn't know anything about this contract and he didn't think that anybody did. In the future these contracts need to come to the Board. He thinks they ought to be very thankful for former Sheriff Francis for what he is doing. We all owe him a debt for doing this, but then on the other hand we also need to make sure that whoever is doing this makes some plans for the future so that we don't have any gaps or lapse in service and that is what worries him the most. He thinks that reinstating the contract is the right thing to do but with that we need to make sure that there are ongoing plans and he didn't know who was responsible for that. He said Supervisor Phillips may have some thought on that, but they need to come up with a manual and a way to make sure in the future that this system is upheld and maintained and there it a backup, etc.

Chairman Jones asked if anyone else had anything.

Supervisor West said he had heard everything. He said he thought if you hadn't heard of the 452 committee you need to know what that is if you are not aware of.

Supervisor Edwards said he thought it was 451.

Supervisor West said close enough. He said the 451,000 or 452,000 dollars is being taken out of the reserve fund this year to operate the county. We are trying to find ways that would reduce that 452,000 down to zero literally and to work hard to establish what can be saved and how this savings can come about. There have been meetings with various areas in the county and outside the county and a lot of things have taken place that are very positive that you will hear the results from soon and he wanted you to know that. He said he is in favor of this and he does not think it is fair that they leave the rescue, fire, and Sheriff's Department in limbo. Volunteers are invaluable to us without any question. To have one department doing this one that, well we have gotten away from that and we have a great system. He said he would allude to the same thing he did last month and that is he received a call letting him know an inmate was out. Thank you for that. He thought that was pretty neat. We have advanced a great deal. Then he also received another call on his phone when he was taken in.

Sheriff Stutts said he was going to remind him of that.

Supervisor West said that is a good thing. He said I tell you we acted too hastily. Sometimes you can hold an opinion and spend a dollar in the wrong direction. He said we can do better and we will.

Chairman Jones said he wasn't going to repeat what Supervisor West just said, but that is the reason he asked this be put back on the agenda because they acted too hastily. We need someone to look after the radios. We have \$2.4 million dollars tied up in them and we don't need to let them go. You wouldn't put me in a \$100,000 dollar cotton picker because I wouldn't even know how to get in it to drive it. So that is where we are right now. We don't have anyone to look after the radios – nobody.

Supervisor Updike said he would have to go back to his question – who looked after the radios for almost the whole month of July when Mr. Vernie Francis was on vacation.

Chairman Jones said he was still on call.

Supervisor West said Supervisor Updike we can look at these issues. Sheriff Stutts has already alluded to the fact that he is willing to work with us. The fire and rescue people are willing to work with us and we will be meeting on this, but right now we need continuation past August 30, 2012 midnight and that is bearing down right upon us so we have to move forward. He said he thought these were wonderful issues that Supervisor Updike brought up and our eyes are being opened. Thank you for getting the information, but sometimes we get false information passed

around in the county and he is not talking about staff or anyone else but information in general from people who know things that they don't know. They pass this information around as gospel and then it becomes fact here and it is not.

Supervisor Edwards said he really wanted to emphasize that we need some follow up as to a permanent plan for this situation.

Supervisor Phillips said if we weren't in this position tonight of having to back up we could be in the position of further correcting it so he thinks we have to be cautious about how fast we move and he thinks we moved too fast. We have to ask Mr. Vernie Francis to come back and he was doing the job. He was the last person there in the Sheriff's Office that was there in management so to speak when this system was put in. He has an understanding of it. You can't say anybody, Mr. Jon Mendenhall, our Assistant County Administrator, or Mr. Michael Johnson would be qualified to do the job. It may take some time for us to better understand what is required of the job, but at this moment tonight we have got four days before the first of the month. We need a plan and this is it he believes.

Chairman Jones said that the first thing he needs is a motion to reinstate the contract.

Supervisor Phillips made a motion to reinstate the contract with Mr. Vernie Francis.

Supervisor West seconded the motion.

The motion carried 6 to 1 with Supervisor Updike voting nay.

Chairman Jones said we need to discuss what we are going to do to keep the communication system going after this contract is up.

Supervisor Edwards said that he wanted to say that Sheriff Stutts had been very helpful in this and met them more than half way. He has shown an obligation to help us out with the problem and we appreciate that.

Chairman Jones asked Sheriff Stutts to come up front and the Board could ask him any questions they may have.

Chairman Jones said first off he would like to ask if Sheriff Stutts had a deputy that could do this job.

Sheriff Stutts said he had a deputy that is training to be the back-up to Mr. Vernie Francis. He is in the process of learning it. A manual is being prepared. It will include photographs of all the equipment with explanations. The second back up would be Gately Communications. That is expensive because you are paying from the time they leave Newport News and get here and fix it and go back, but it is the third option. Mr. Vernie Francis can do some of the requirements over the phone if he wasn't in Southampton County, but most of the time he is right here.

Chairman Jones said it has been taken care of all the time anyhow.

Sheriff Stutts said yes sir.

Chairman Jones asked if anyone had any questions for the Sheriff.

Supervisor Faison said you are training a deputy for back-up right.

Sheriff Stutts said yes.

Supervisor Faison said as Supervisor Porter pointed out this is a real job so when you have back-up you still need a person to be overall in charge.

Sheriff Stutts said we are training one of the deputies to fill gaps when Mr. Vernie Francis is out of town or became ill.

Supervisor Faison said but not to replace him.

Sheriff Stutts said no sir. He said he really didn't have someone with 80 or 90 hours a month of time or he would have corrected that a long time ago.

Chairman Jones asked if there were any other questions.

Supervisor Updike said there were seven years of service by deputies. He said he had talked with a few of them which had served in this capacity. They didn't think that it was that complicated to do the job and that it did not take near the time that was reported according to them. This has been going on for seven years and now all of a sudden we have got to hire a new person and we are desperately, financially strapped. It doesn't look like the departments whether your department or the county departments want to cooperate in getting our spending under control. We are kicking the tax payers in the teeth every day saying you don't count. We are not going to cooperate with the tax payers in the county so he is saying this is being over sold on how complicated it is. He doesn't think the people he has talked with would like to come up and dispute what has been said but they probably would tell you that.

Chairman Jones asked Supervisor Updike if he could identify these people that are saying that it is not that complicated.

Supervisor Updike said they wouldn't unless he asked them, but he would ask them so they could come in before you.

Chairman Jones said that would be fine. If they think they can do it and would be willing to do it then maybe we could hire them.

Supervisor Updike said one of them was a former deputy.

Chairman Jones said we need a back-up so at least we can hire them if they say it's not that complicated.

Supervisor Updike asked why wasn't the job open to the public for the contract. He asked why wasn't the Board informed of the contract. These questions go on and on. They are making deals under the table.

Supervisor Porter said first of all this contract was negotiated in 2010 with Mr. Covington. It was not negotiated with Mr. Vernie Francis. It was a contract that he took over and did for eleven months and from what he understands it just wasn't worth his time for the money he was getting paid and he wanted to get out of it. He asked if that was right.

Sheriff Stutts said to the best of his knowledge.

Supervisor Porter said like Supervisor West said he had heard information at this Board meeting that when he checked it out it wasn't right.

Sheriff Stutts said there was only one other person that ever did the job. He did know that.

Supervisor Porter said when he left the Sheriff's Department kind of filled in as back-up to fill the gap. Then when Sheriff Francis who was the most knowledgeable person in the system retired he was asked if he would take over the same contract that was negotiated in July of 2010 with Captain Covington.

Sheriff Stutts said yes sir.

Supervisor Porter said that is the information he is working off of right now and the more he digs into it he doesn't know how you put it out for bid per say when you want to pay a part time person with no benefits and they have full responsibility for their gasoline and all the expenses on their own vehicles and traveling around. His calculation is that if he does indeed work an average of 25

hours a week he makes about \$16.50 an hour which includes benefits, travel costs, everything and he didn't know for that kind of money who they could hire to do the job. If you want to do it for that and you are willing to learn and if you put it out for bid you have got to spend some money training the person before they can do the job. He said if he was Mr. Vernie Francis he wouldn't want it.

Chairman Jones thanked Sheriff Stutts for coming tonight. He said and you do have someone training for this right now and that's going to be our back-up until we can get someone else trained.

Sheriff Stutts said he and Gately Communications.

Chairman Jones thanked Sheriff Stutts again for coming.

Sheriff Stutts said he was glad to do it.

Supervisor West said he assumed that Former Sheriff Francis was willing to continue in the capacity.

Sheriff Stutts said he believes he is.

Supervisor West said because we are saying it effectively ended at 12:00 midnight on August 31, 2012.

Supervisor Porter said we haven't gotten there yet.

Supervisor West said right I just wanted to let you know that sometimes word gets out and he could say you can have your job I don't need that and he didn't want that to be what happened. He thanked Sheriff Stutts for his time.

Supervisor Phillips said just to make it clear we have reinstated the contract and it will run at least until our budget hearings next time unless Mr. Vernie Francis decides to terminate it. What we will do in the meantime is try to achieve a better understanding. We don't want to make the same mistake again.

Chairman Jones said no we don't. He said he didn't think that Mr. Vernie Francis was going to act like we did. He is a better man than that.

Chairman Jones stated we would move on to item number 8 – Request for Tax Exempt Status – Cheroenhaka (Nottoway) Indian tribal Heritage Foundations, Inc.

Mr. Michael Johnson stated that in your agenda you will find 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 Cheroenhaka "Nottoway" Indian Tribal Heritage Foundation of Courtland from local real estate taxation in accordance with the provisions of Article X, 6 (a) (6) of the Constitution of Virginia. The affected real property is located on Old Bridge Road, identified as Tax Map # 75-12E, and used by the aforementioned organization for educational, cultural, and religious activities which are indigenous to the native people of Southampton County. Property improvements include Interpretive Trails, a Palisade, and Pow-Wow Grounds. Current property photographs are attached for your reference. The property is assessed by Southampton County at \$100,000 and the associated real estate tax in 2012 is calculated at \$750. Before adopting any such ordinance the governing body must conduct a public hearing and there is a list of questions that are specified in the Code of Virginia. There are eight of them which are included in your agenda packages. You also have in your packages a number of attachments which included their letter of application, the state enabling legislation, a copy of the property assessment, photographs, and the last exhibit is a copy of the proposed ordinance. Again the only action you can take tonight is to schedule a public hearing for next month.



**CHEROENHAKA (NOTTOWAY) INDIAN TRIBAL
HERITAGE FOUNDATION, INC
P.O. Box 297
Franklin, Virginia, 23851**

501 (c) (3) Effective June 13, 2005
EIN: 34-2005753

August 7, 2012

SUBJECT: Request For Tax Exempt Status of 100 Acres of "Tribal Land" known as Cattashowrock Town

To The Honorable Board of Supervisors, Southampton County, Virginia

Dear Sir (s):

1. Reference(s): Section 58.1-3651 (B) Code of Virginia; Article X, §6 (a) (6) of the Constitution of Virginia

2. On behalf of the Cheroenhaka (Nottoway) Indian Tribal Heritage Foundation, Inc., let me thank you for your committed support to the goals of our Foundation as it applies to bringing to the at-large community and visiting tourist, in country and from over seas, enlightenment on Education, Culture, Traditions and Religion of the first indigenous people of Southampton County. Our foundation is the 501 (c) 3 Non-profit arm of the Cheroenhaka (Nottoway) Indian Tribe of Southampton County Virginia. EIN: 34-2005753.

As such; the Board of Directors of the Cheroenhaka (Nottoway) Indian Tribal Heritage Foundation, Inc, owners of 100 acres of Tribal Land, located on Old Bridge Road, Courtland, Virginia, Parcel 1 – PT BLK #16-Tract 311, (Map # 75 12E) do hereby request your consideration in exempting our ethno-historical real estate, known as *Cattashowrock Town*, from Southampton County's real estate taxes as provided under Reference 1 above.

The Cheroenhaka (Nottoway) Indian Tribal Heritage Foundation, Inc., was formed on June 13, 2005 with the purpose of fostering Education, Culture and Religious activities indigenous to the original people of Southampton County – Cheroenhaka (Nottoway) Indians. On March 20, 2009 the foundation purchases 100 acres of land on Old Bridge Road, Courtland, VA with the vision of fostering tourism by way of Native Interpretative Trails with Native Flora; to include, a Palisade Native American Village, with replica 1580s Iroquoian "Long Houses" call Cattashowrock Town. The real estate will also be used for our Annual Cheroenhaka (Nottoway) Indian Tribe Powwow and Gathering. Please note that over the past "Eleven Years" our educational and cultural Powwows here in Southampton County, on the fourth weekend of July, have attracted visiting tourist and VIPs to Southampton County from across the United States and overseas – London England, Germany, Austria, Australia, Russia, Philippines, France, Switzerland, Puerto Rico, and Viet Nam..

Our foundation does not have an alcoholic beverage license and prohibits the use of or serving of alcohol on said land or at any powwow festival. Our directors and volunteers do not serve in a paid capacity, nor does anyone receive any personal gain from any activities we sponsor. We do seek donations from the general public and businesses, sponsor fund raising events, and seek grants from local, state, and federal entities in order to promote and foster the mission of our foundation. Said monies are also used to conduct ethno-historic educational, traditional and cultural Native American Programs for the public. Our Articles of Incorporation and By-laws prohibit the use of any propaganda or otherwise attempting to influence any political legislation. Nor do we participate in or intervene in any political campaign on behalf of any candidate for public office.

The loss of real estate taxes from the land belonging to the Cheroenhaka (Nottoway) Indian Tribal Heritage Foundation – Cattashowrock Town, will have an insufficient impact on Southampton County’s Budget; however, Cattashowrock Town, will have a tremendous, positive impact on the amount of visiting tourist and tourist dollars coming into Southampton County annually and will complement other tourist sites in the county.

It is our understanding that this request requires a public hearing and that said hearing must be advertised in our local paper. We will accept responsibility for all cost associated with the advertising of the Public Hearing.

Thank you so very much for your consideration and cooperation germane to this request.

Respectfully Yours,



Chief Walter D. Brown, III, Chairman
Cheroenhaka (Nottoway) Indian Tribal Heritage Foundation, Inc.
P. O. Box 397
Franklin, VA 23851
Email: wdbrowniii@aol.com
Tribal Website: <http://www.cheroenhaka-nottoway.org>
Email: wdbrowniii@aol.com
Tel #: 757-562-7760 home; 757-334-5510 cell

Encl as,
- Sample Interpretative Trail Signage
- Cattashowrock Town Sign

Board of Directors: W.D. Brown III, Chairman; Ellis Wright, Vice Chairman; Cynthia Brown, Secretary; Teressa Basher, Treasurer; Teressa Proctor, At Large; William Lamb Howell; Angus Hines; Deborah Motshin; Beverly El. Telephone #: (757) 562-7760

Ordinance Exempting from County Real Estate Taxation Certain Real Property Owned by the Cheroenhaka "Nottoway" Indian Tribal Heritage Foundation, Inc.

WHEREAS, § 58.1-3651 of the Code of Virginia, 1950, as amended, authorizes localities to adopt ordinances, after holding a public hearing with respect thereto, exempting from taxation the real property owned by a nonprofit organization that uses such property for religious, charitable, patriotic, historical, benevolent, cultural, or public park and playground purposes;

WHEREAS, the Cheroenhaka "Nottoway" Indian Tribal Heritage Foundation, Inc. is a non-profit organization whose mission is to educate the public about the historical, cultural and religious activities that were indigenous to the native people of Southampton County;

WHEREAS, the Cheroenhaka "Nottoway" Indian Tribal Heritage Foundation, Inc. of Courtland owns real property located on Old Bridge Road, Courtland, Virginia, that is used for the educational, historical, cultural and religious purposes described hereinabove;

WHEREAS, the Cheroenhaka "Nottoway" Indian Tribal Heritage Foundation, Inc. requests exemption from real estate taxation on the above-mentioned property, identified as tax map parcel #75-12E beginning with the 2012 tax year and continuing so long as the property is used in accordance with the historical purposes for which the Cheroenhaka "Nottoway" Indian Tribal Heritage Foundation, Inc. is designated;

WHEREAS, the real property located on Old Bridge Road in Courtland, Virginia has an aggregate County-assessed value of \$100,000 and the real estate tax for the 2012 year is calculated at \$750.00;

WHEREAS, a public hearing was duly advertised in accordance with the provisions of § 58.1-3651 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors of Southampton County, Virginia, has given due consideration to the questions set forth at § 58.1-3651(B) of the Code of Virginia, 1950, as amended.

NOW, THEREFORE, BE IT ORDAINED, that in accordance with the provisions of § 58.1-3651 of the Code of Virginia, 1950, as amended, the following Ordinance be, and the same hereby is, adopted:

That certain real property, with improvements thereon, located on Old Bridge Road, Courtland, Virginia, and identified as tax map parcel 75-12E, owned by the Cheroenhaka "Nottoway" Indian Tribal Heritage Foundation, Inc., a non-profit organization, and used by such organization for historical, cultural and religious activities that were indigenous to the native people of Southampton County, shall be exempt from County real estate taxation so long as the Cheroenhaka "Nottoway" Indian Tribal Heritage Foundation, Inc. is operated not for profit and the property so exempt is used in accordance with the organization's stated purpose. Such exemption shall become effective with the 2012 tax year.

The vote was _____:

- Aye:
- Nay:
- Abstain:

[This uncodified ordinance was adopted by the Board of Supervisors on _____]

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

Chairman Jones called on Mr. Walt Brown.

Mr. Walt Brown said he was going to entertain the request, but first of all on behalf of the 324 tribal members of the Cheroenhaka "Nottoway" Indian Tribe and their tribal government and Board of Directors they thanked the Board for the proclamation for the Cheroenhaka Day, July 28, 2012 which your Assistant County Administrator so eloquently presented to us. He said they really appreciated that. He said it was great seeing Supervisor Porter out there with his hat. He appreciated him coming out and joining in with their pow-wow. He stated that they had been working very hard on this property since they acquired it in March 20th of 2009. It is 100 acres. Since that time they have invested more than \$275,000 out of their pocket on raising money, etc. They have put in for a number of grants and some of them are still pending. He said they had actually put up the palaside and he thought the county administrator had had a chance to go out there and take a few pictures of what they were doing. They are in the process now of putting up the round houses. We are putting up this palisade village as a facsimile of the village of William Burgh Esquire who was involved in the dividing line between Virginia and North Carolina when he came to Southampton County on April 8, 1728. They put up a facsimile and that is the way

they are marketing that. They envision that once they get the palisade built they will have an opening out there on November 16, 2012 which is a school day and on November 17, 2012 for a Cheroenhaka "Nottoway" Indian Fall Festival Corn Harvest Pow-wow. In marketing this with the Virginia Tourist Society they are looking for an additional 150,000 to 200,000 tourists over a two year period to Southampton County. He believes that the revenue generated by the additional tourist's dollars that we will bring into this county will far out way the \$750.00 in real estate taxes that they will be paying on the property. In the August 7, 2012 letter that is before you we addressed those stated points of the Code of Virginia as the County Administrator just addressed. He thinks they have answered all the questions that need to be answered. He said they do not have an alcohol license nor would they ever serve alcohol on the property. They would never support any propaganda or campaign pertaining to it. He said they were also aware that should they approve this request there will be a public hearing and that they would be required to pay for the public hearing and they have consented to do that. He stated that he would be glad to entertain any questions that they may have.

Chairman Jones asked if there were any questions.

Supervisor Porter said he had a question just for Mr. Michael Johnson. The last time he came he had some questions and he just wanted to make sure everything was in order and that the conditions were met for it. He said he thought from the information that they have been given to them today that these conditions have now been met.

Mr. Michael Johnson said the question when Mr. Walt Brown was here in February was is the property currently being used for the tax exempt purpose and that is the purpose of the photographs here. You can see that they have developed a number of interruptive trails. You can see the palisade is under construction and they have a number of signs, picnic areas, and those types of things.

Mr. Walt Brown said that those signs are in the eurocorn language as recorded by John Woods in 1820 here in Southampton County a former mathematics professor at William & Mary. So we have it in the Eurocorn language and also in our English language. Everything that is going out there is SOL specific also for fourth graders.

Chairman Jones thanked Mr. Walt Brown. He asked the Board what they had to say.

Supervisor Porter made a motion to schedule a public hearing for September 24th.

Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones stated the next item of business was number 9 – Capital Funding Request – Sedley Volunteer Fire Department.

Mr. Michael Johnson stated that you will find in your agenda a capital funding request from the Sedley Volunteer Fire Department to make a payment on engine 81, a 2008 Pierce Engine. Capital funding in specified amounts has been set aside annually for each fire department and rescue squad since FY 2000. These funds are held in escrow until a request to draw them down is approved by the Board of Supervisors. Escrowed funds continue to accrue for each department/squad if they are not drawn down on an annual basis. The attached table indicates the status of capital appropriations since FY 2000. As you can see, we are holding \$14,000 (FY 2013) in escrow for the Sedley Volunteer Fire Department. To date, we've collectively appropriated \$1,647,500 for fire and rescue improvements and are holding \$357,500 in escrow.

SEDLEY VOLUNTEER FIRE DEPARTMENT

August 9, 2012

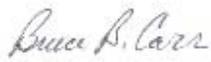
Mr. Michael W. Johnson
Southampton County Administrator
P.O. Box 400
Courtland, VA 23837

Dear Mr. Johnson,

Sedley Volunteer Fire Department's Engine 81 is a recently purchased 2008 Pierce Fire Truck, which serves our first run area in the event of a structure fire.

At this time, the department owes approximately \$33,000 on this unit. We would now like to request our capital improvement funding to assist us with this debt.

Sincerely,



Bruce B. Carr
Assistant Fire Chief

STATUS OF CAPITAL APPROPRIATIONS
 Fire & Rescue
 August 21, 2012

	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Boykins Fire & Rescue	\$ 12,000	\$ 13,000	\$ 14,000	\$ 14,500	\$ 15,000	\$ 15,000	\$ 15,000	\$ 18,000	\$ 19,500	\$ 21,000
Branchville Fire	8,000	8,500	9,000	9,500	10,000	10,000	10,000	12,000	13,000	14,000
Capron Fire & Rescue	12,000	13,000	14,000	14,500	15,000	15,000	15,000	18,000	19,500	21,000
Courtland Fire	8,000	8,500	9,000	9,500	10,000	10,000	10,000	12,000	13,000	14,000
Courtland Rescue	4,000	4,500	5,000	5,000	5,000	5,000	5,000	6,000	6,500	7,000
Drewryville Fire	8,000	8,500	9,000	9,500	10,000	10,000	10,000	12,000	13,000	14,000
Franklin Fire & Rescue	12,000	13,000	14,000	14,500	15,000	16,000	14,000	18,000	19,500	21,000
Hunterdale Fire	8,000	8,500	9,000	9,500	10,000	10,000	10,000	12,000	13,000	14,000
Ivor Fire	8,000	8,500	9,000	9,500	10,000	10,000	10,000	12,000	13,000	14,000
Ivor Rescue	4,000	4,500	5,000	5,000	5,000	5,000	5,000	6,000	6,500	7,000
Newsoms Fire	8,000	8,500	9,000	9,500	10,000	10,000	10,000	12,000	13,000	14,000
Sedley Fire	8,000	8,500	9,000	9,500	10,000	10,000	10,000	12,000	13,000	14,000
	\$ 100,000	\$ 107,500	\$ 115,000	\$ 120,000	\$ 125,000	\$ 126,000	\$ 124,000	\$ 150,000	\$ 162,500	\$ 175,000

	FY 2010	FY 2011	FY 2012	FY 2013	Appropriated	Escrow
Boykins Fire & Rescue	\$ 21,000	\$ 21,000	\$ 21,000	\$ 21,000	\$ 220,000	\$ 21,000
Branchville Fire	14,000	14,000	14,000	14,000	146,000	14,000
Capron Fire & Rescue	21,000	21,000	21,000	21,000	138,000	105,000
Courtland Fire	14,000	14,000	14,000	14,000	132,000	28,000
Courtland Rescue	7,000	7,000	7,000	7,000	53,000	28,000
Drewryville Fire	14,000	14,000	14,000	14,000	160,000	-
Franklin Fire & Rescue	27,500	14,500	21,000	21,000	184,500	55,500
Hunterdale Fire	14,000	14,000	14,000	14,000	146,000	14,000
Ivor Fire	14,000	14,000	14,000	14,000	148,000	14,000
Ivor Rescue	7,000	7,000	7,000	7,000	74,000	7,000
Newsoms Fire	14,000	14,000	14,000	14,000	104,000	56,000
Sedley Fire	14,000	14,000	14,000	14,000	146,000	14,000
	\$ 181,500	\$ 168,500	\$ 175,000	\$ 175,000	\$ 1,647,500	\$ 357,500

 Held in escrow pending request

Supervisor Edwards said he didn't think there was a whole lot of discussion needed here. He made a motion to approve the capital funding request for Sedley Volunteer Fire Department in the amount of \$14,000.

Supervisor Phillips seconded the motion which carried unanimously.

Chairman Jones stated they would move to item number 10 – Streetlight Request – Riverdale Road.

Mr. Michael Johnson stated that Supervisor Updike recently received a request to evaluate the residential area on Riverdale Road located 0.25 miles west of Route 258 to see if it qualifies for additional streetlights under the Board's policy (copy attached). In May 2006, the Board approved the installation of 1 light in the middle of the development on an existing pole in front of the residence at 3203 Riverdale Road. There were 10 residences in the area at the time, 5 of which were located in relative close proximity. There are now 13 residences in the general area. On the western end of the development, there is a private light (turned inward away from the road) in front of the residence at 32007 Riverdale Road. There are no lights on the eastern end of the development. In order to adequately light the street in front of this development, a new light should be installed on the existing pole in front of the residence at 32111 Riverdale Road and the existing private light in front of 32007 Riverdale Road should be redirected to the roadway. Since this light is currently privately funded, that would obviously be subject to concurrence from the residents of 32007 Riverdale Road. The monthly cost of a streetlight is \$7.67, so the fiscal impact, should you decide to precede both lights, is roughly \$184 annually. You can see in your agenda packets an aerial photography that illustrates the area. There are ten residences on the north side

of the highway and three residences on the south side of the highway. He showed where the existing light is and if you propose to locate another light on the eastern end and the light on the western end which is directed inward toward the residences would be turned around and point toward the road.

SOUTHAMPTON COUNTY, VIRGINIA

Street Light Policy

Street lights shall be provided in the unincorporated areas of Southampton County along streets in the secondary system of highways within residential subdivisions of record at locations designated on an approved street lighting plan developed for the subdivision.

Said light(s) shall be installed when the street servicing the residential subdivision has developed with occupied residential units so situated that the installation of the light(s) will provide significant lighting benefit to the *street* serving the units.

The county administrator, or his representative, will be charged with the responsibility of presenting each request to the Board of Supervisors for its approval.

Typically, "significant lighting benefit" is construed to apply to street intersections, cul-de-sacs and straight stretches of roadway where five (5) or more residential entrances will benefit from the installation thereof.

Chairman Jones asked if there were any questions.

Chairman Jones stated that he needed a motion.

Supervisor Updike said as much as he disagrees he thinks they deserve the same privileges as the

rest of the county is operating under so under those circumstances he made a motion to authorize installation of the streetlights as described.

Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones stated they would move to number 11 – Consideration of a Resolution Opposing Tolls on I-95.

Mr. Michael Johnson stated that attached for your consideration please find a request form the Southampton County Planning Commission seeking your consideration in adopting a resolution of opposition to the installation of toll collection facilities on I-95 in Southside Virginia. The Virginia Department of Transportation's plan, backed by Governor McConnell, is to put a toll operation just north of Emporia, a little more than 20 miles from the North Carolina line, and charge \$4 for cars and \$12 for trucks each way, raising \$35 million to \$40 million per year. Opposition to tolls on the interstate has been growing all summer. Sixteen localities have formally stated opposition – Hanover, Dinwiddie, Greensville, Sussex, Prince George and Spotsylvania counties and Ashland, Petersburg, Hopewell, Colonial Heights, Emporia, Dumfries, Jarratt, Stony Creek, Wakefield, and Waverly. U.S. Representative Randy Forbes, R-4th, has also asked Governor McDonnell to halt the toll proposal.

MEMORANDUM

TO: Michael Johnson, County Administrator
FROM: Beth Lewis, AICP, Community Development Director
DATE: August 17, 2012
RE: Tolls on I-95

At their August 9, 2012 meeting the Planning Commission approved a motion requesting that the Board of Supervisors adopt a resolution expressing the County's concerns about the prospect of tolls on I-95 from the North Carolina state line north to the Stony Creek exit, Exit 31. The Planning Commission feels that instituting tolls on I-95 in the Greenville County area will negatively impact economic development in Southampton County. An excerpt from the minutes follows:

Commissioner Tennessee said there was one thing he would like to bring to their attention tonight. He stated he did not know how much attention was being paid to what was going on in the western part of the county. He stated that in Greenville County they are talking about putting tolls on each exit all the way up to exit 31 and he feels like that affects Southampton County as well. We have a lot of people in the county that have to travel that route to go to work. That will be increasing their cost by \$8.00 per day to go to work. Also, if you look at it from an economic development standpoint that might hinder someone from wanting to locate in Southampton County because if they have to use Interstate 95 below exit 31 that will be an added expense to them as well. Being as we have a few of our Supervisors here tonight he would like to see this county get behind and support our neighboring counties in an effort to try to get those tolls moved a little farther north where the people actually need the roads and not affect the people here who are traveling up and down the highway every day just trying to make a living.

Chairman Drake said you have a valid point.

Commissioner Edwards said that would be nice, but he didn't think that was in our jurisdiction. He said if you look at Highway 460 everything is pretty much set in stone.

Commissioner Tennessee said what he was saying was just more or less for moral support to know that we don't approve of the location of it. We can express the fact that it will affect us and well as the other counties.

Chairman Drake asked if they knew if the Board of Supervisors had mentioned any of this or how it would affect the county or of any kind of resolution.

Mrs. Beth Lewis said she didn't recall anything about it.

Supervisor Phillips said not at this point.

Commissioner Edwards said that is a good idea if you want to send that to the Board and ask them for some sort of resolution or comment. That would be very appropriate from this committee.

Chairman Drake said if there were any pros at all he thought we should if he could get a motion.

Commissioner Tennessee made a motion that we ask the Board of Supervisors to send a letter of support towards the county as far as not having the tolls located right next to Greenville County.

Chairman Drake asked if he had a second.

Commissioner Edwards seconded the motion.

Chairman Drake called for discussion. He asked Commissioner Tennessee if he knew how Greenville, our next door neighbor, felt about this.

Commissioner Tennessee said it was in the paper last week that Greenville County, Sussex County, City of Emporia, the Township of Jarratt, and he thought Stony Creek as well all got together against the toll. He said if you are up there any time you will see "No Toll" signs all up and down Interstate 95. The way it is proposed he thought the toll was supposed to be located somewhere below Skippers and every exit from that point to exit 31 which is Stony Creek it will cost you \$4.00 to get on so you will have to pay that going and coming so you will have to add \$8.00 a day to a person's cost of getting to and from work as he did travelling to Petersburg when the mill was shut down. There are several people in the western part of the county that he knows it will affect and it will also affect people coming out of North Carolina going to Deerfield Correctional Center to work. So it can be a burden on people in the county and the people that are coming to this county to work; and looking at it from an economic development standpoint you have to factor that in as well.

Chairman Drake asked Mrs. Beth Lewis if they were in line with this motion.

Mrs. Beth Lewis said certainly.

Commissioner Pope said she attended a meeting in Sussex County about that. She was asked to come up there because of her involvement with the correctional center and it is really going to be a burden on those people if they do that. She agrees she doesn't understand why they started as far down as they did instead of going up with it. She said those people are really working to try to get something done about it.

Chairman Drake asked if there was any other discussion. He called for the vote on the motion which was to request that the Board of Supervisors send a resolution about our concerns regarding the toll to be placed on Interstate 95 from the North Carolina line up to exit 31 at Stony Creek. The motion carried unanimously.

Chairman Drake asked Mrs. Beth Lewis to take care of this for them.

B4 THURSDAY, AUGUST 16, 2012 ***

Locality leaders gather to shout down plan for I-95 tolls

BY RANDY HALLMAN
Richmond Times-Dispatch

Standing in front of an 18-wheeler painted bright yellow with dark 4-foot-tall capital letters shouting "NO TOLLS," more than a dozen government officials from Virginia localities vowed Wednesday to fight to prevent tolls on Interstate 95.

Virginia is one of three states that can take advantage of a federal pilot program that would allow interstate tolls. The Virginia Department of Transportation's plan, backed by Gov. Bob McDonnell, is to put a toll operation just north of Emporia, a little more than 20 miles from the North Carolina line, and charge \$4 for cars and \$12 for trucks each way, raising \$35 million to \$40 million per year.

Emporia Mayor Samuel W. Adams III summed up Wednesday's message. He said Southside Virginia has been pushed around before because it lacks political and economic clout, "but this time we're going to fight it and fight it to the end."

Peggy R. Wiley, chairwoman of the Greensville County Board of Supervisors, said, "Virginia has transportation problems, but the solution is not tolls. There is nothing about this plan that makes sense. It is a waste of taxpayer dollars."

VDOT has estimated that building the toll operation will cost \$50 million. Wiley said that cost plus the maintenance and operating costs would drain about 38 percent of the first six years of toll revenue.

She said tolls would drive I-95 traffic to other highways, creating safety issues and maintenance costs on those roads.

Rufus E. Tyler Sr., chairman of the Sussex County Board of Supervisors, said, "This train is moving fast and

Comments on the plan

If you want to voice your opinion:

A petition is available at www.VirginiaTollFree95.com

Virginia Secretary of Transportation Sean T. Connaughton

Phone: (804) 786-8032
Email: Sean.Connaughton@Governor.Virginia.gov

Gov. Bob McDonnell

Phone: (804) 786-2211
Email: Link to form available at www.governor.virginia.gov/CommunityRelations/

we need to take a stand now."

Opposition to tolls on the interstate has been growing all summer and not just in Southside. Fifteen localities have formally stated opposition — Hanover, Dinwiddie, Greensville, Sussex, Prince George and Spotsylvania counties and Ashland, Petersburg, Hopewell, Emporia, Dumfries, Jarratt, Stony Creek, Wakefield and Waverly.

The Richmond Area Metropolitan Planning Organization and the Crater District Planning Commission both oppose tolls, said group spokesman Casey Werderman.

Trucking groups have joined the opposition.

U.S. Rep. J. Randy Forbes, R-4th, who has asked McDonnell to halt the toll proposal, was not at Wednesday's gathering in Petersburg, but during a visit to Fort Lee he said the proposal would put an undue hardship on residents near the toll plaza.

"While it is true that we have many people coming from other

parts of the country that will be traveling through, they are only going through one time," Forbes said. "Whereas these individuals have to do it on a daily basis, so they are going to be bearing that burden every single day. That's why we're fighting hard to make sure we can try to stop it."

A frequently mentioned alternative to tolls is to raise Virginia's gas tax, which has not been done in 25 years. The current tax is 17.5 cents per gallon. Only 10 states have lower gas taxes and Virginia's is less than half North Carolina's.

McDonnell's office referred questions Wednesday to Virginia Secretary of Transportation Sean T. Connaughton. He said that a decision to proceed with tolls ultimately lies with the governor.

"We are pursuing tolling not because we want to," Connaughton said, "but because we have to."

VDOT calculates Interstate 95 will need \$12.1 billion in work over the next 25 years, but only \$2.5 billion will be available during that time, leaving \$9.6 billion unfunded.

Connaughton said more efficient vehicles and alternate-fuel vehicles cut into gas tax revenue and inflation means the money doesn't go as far as it once did.

"I cannot overstate the fact that tolling is going to become a reality in Virginia and around the country, given the dilemma we are facing," he said.

Emporia's Adams said the General Assembly needs to take responsibility for the shortfall.

"The legislature needs to face reality," he said, "and get off this no-tax-increase kick."

rhallman@timesdispatch.com
(804) 649-6844
Staff writer Jeremy Slayton contributed to this report.

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Opposition grows to I-95 toll proposal

Published: August 26, 2012

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The group of those opposed to a state proposal to place a toll booth on Interstate 95 near the North Carolina border is growing.

In recent days, the local governments of Petersburg, Hopewell and Prince George counties have all passed resolutions opposing VDOT's proposed toll plan for I-95. Dinwiddie County officials have been critical of the project and the region's planning group - the Tri-Cities Area Metropolitan Planning Organization - has come out against the proposal.

The Tri-Cities is joining the local governments of Emporia, Greensville County and Sussex County in adopting resolutions in opposition the proposed toll plan. Also, the trucking industry is opposing the proposed tolls, according to a media report. A multimedia campaign - including a website called VirginiaTollFree95.com and companion Facebook page - is being coordinated by the National Association of Truck Stop Operators, the American Trucking Association and the Virginia Trucking Association, according to The Virginian-Pilot.

Joining the opposition has been Republican Congressman Randy Forbes, whose Fourth District includes the I-95 corridor. Forbes sent a letter to fellow Republican Gov. Bob McDonnell and separate letter to Victor Mendez of the Federal Highway Administration expressing his "strong opposition" to the proposal, according to a statement from the congressman.

"Adding tolling stations will disproportionately burden the citizens of [the] region unable to shoulder additional economic challenges," Forbes wrote. "Many of the communities surrounded by the proposed placement of the toll facility are already identified by the Commonwealth of Virginia as 'economically stressed.'"

Forbes said he has opposed the addition of tolls to the I-95 corridor south of Richmond since 2010.

Forbes said tolls will further distress the Southside Virginia economy and discourage economic growth. He also noted it would place a strain on families traveling in the region.

Initial estimates indicate that Virginia Department of Transportation's toll will cost \$4 for cars and \$12 for large trucks each time a vehicle passes through a gantry.

VDOT has said that maintenance and upgrades to I-95 will cost an estimated \$12.1 billion over the next 25 years. The state has budgeted about \$2.5 billion of the repairs - leaving about \$9.6 billion to be filled.

State transportation officials anticipate tolls will raise \$35 million to \$40 million annually, money that can be reinvested in the highway corridor to help plug the estimated \$9.6 billion funding gap over the next 25 years.

The toll is a bad idea. It will place a burden on those already struggling economically in Southside Virginia and will not fully pay the bill for needed repairs on Interstate 95. It also sends a very poor message to those visiting Virginia. Welcome to Virginia and Virginia is for Lovers - now pay up.

S

B



MOS Va. Gov. Peters



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Chairman Jones said this is in his district and he had a lot of people who live at the edge of I-95 so they are almost in Greensville. They don't come this way. They use I-95 every day going and coming from work. It is going to put a debt on them and with gas going up and everything else having a toll put on them will be an increased burden. So it may pay them to stay at home. He said he is in favor of this resolution.

Supervisor Porter said he didn't know how he feels and the reason is because we complain about our roads. We don't have money for maintenance and building new roads yet we don't want to put tolls on, we don't want to raise the gasoline tax, and we don't want to raise the sales tax so what are we going to do. He asked if we are just going to let the roads fall apart because we can't raise the money. He understands that it is going to put a burden on some people, but somehow either locally or state we have got to break this log jam and figure how we can find a decent transportation system. He said he does know how he feels because he doesn't know the answer. He said he is struggling with it and maybe his district is probably the least affected by it because they are going to get on I-95 up off of Highway 35 going north or either we are going east.

Supervisor Edwards said he knew exactly how Supervisor Porter felt. You are asking a very small segment or region of the state to finance the rest of the state. Now if you are going to do it right

put a toll on every interstate not just a small segment up there asking those people to pay \$4.00 each way to get to and from work as that is \$8.00 a day if you work in Petersburg or where ever. Five times eight is \$40.00 and 4 times \$40.00 is \$160.00 a month. That is a pretty good chunk of change.

Supervisor Porter said I think what they are trying to do is get the people that come from North Carolina and those leaving to go to North Carolina to pay their fair share as well. There should be some way where they could work it out to give some relief to the local residents, but still get the big trucks. Right now the big trucks that come from North Carolina or come from Maryland and go through North Carolina down I-95 they are the biggest wear on the highways and they aren't paying anything. They aren't stopping to buy gas. Our gas taxes don't come close to supporting our transportation systems so it is not as easy as you say. It is a complicated issue that people are afraid to address. People want things, but they don't want to pay for them and that is the frustrating thing.

Chairman Jones said he didn't agree with where they were starting at. Let them start putting them up there in Maryland and Northern Virginia where they can get the money.

Supervisor Porter said I think if they are going to toll I-95 they should toll the whole thing.

Chairman Jones said right. Toll the whole thing.

Supervisor West said he thought we were overstepping our bounds if you really want to know the truth.

Chairman Jones said well maybe they would at least listen to it.

Supervisor West said well you are still stepping into a territory that is not ours and unless they are willing to toll I-95 from Washington to the North Carolina line he doesn't think we need to get into it at this point. It's either aye or nay and there is not money to fund anything these days. A man came in here a few minutes ago and said there are going to do a new project for the new Highway 460. Well you are going to pay to ride that one. He said it would be our choice. Well there are a lot of people traveling from to the northeast from Florida that will be paying the toll through there. He said he thinks you will have a minimal number of people that will be affected from Southampton County but he doesn't think it is our territory to go into.

Chairman Jones said yes but this is a long ways from you. It is affecting my end of the county. It's just like the water system; so let's do something with it.

Supervisor Edwards said he thought they would be in good company voting against it if you look at the list of people who did. Like he said if you are making a living in Petersburg and you are spending \$8.00 a day that is \$160.00 a month.

Chairman Jones said all their neighbors are doing it.

Supervisor Edwards said it is almost as much as another tax.

Chairman Jones said yes it is.

Supervisor Edwards said it's the trash tax.

Chairman Jones asked if he could get a motion.

Supervisor Faison said there are some valid points here with us trying to attract industry and all that we have to have highway funding, but he is concerned about the fact that it just affects a few people. He agrees that if you are going to put a toll to put it all the way so he supports this.

Chairman Jones asked if he could get a motion on this.

Supervisor Porter said he would move that we pass the resolution not voting against the tolls but

voting to toll I-95 from North Carolina to DC or to Maryland.

Chairman Jones said that is one option. He asked if that was a motion.

Supervisor Porter said that is a motion.

Supervisor West said he would support that.

Mr. Michael Johnson said he would need to prepare a draft resolution to take that language into account and put it back on your agenda for next month.

Chairman Jones said that would be good. So we will delay this until next month.

Supervisor Porter said hopefully if they do that it will be a lot smaller amount that travelers have to pay.

Chairman Jones said we would go to item number 12 – Consideration of Offer by the Virginia Department of Health to Partially Fund Certain Improvements to the Drewryville Community Water System.

Mr. Michael Johnson stated as you may recall from your March meeting, the Board authorized us to apply for a federal pass-through grant administered by the Virginia Department of Health to assist with improvements to the Drewryville community water system. While we were hoping for a fully-forgiven loan, I am pleased to report that VDH has offered us \$145,750, which consists of a \$72,875 loan at 2.5% interest for 30 years, with another \$72,875 in forgiven principal. The Drewryville system was constructed in 1972 and subsequently acquired by Southampton County in 1986. It consists of one 8-inch diameter well drilled to a depth of approximately 240 feet with a 120 gpm submersible pump. The well discharges into a 2,060 pressurized hydro pneumatic tank which flows into a distribution system consisting of 6, 4, and 2-inch waterlines. There are also eleven 2-inch blow-off hydrants on the system. It currently has 74 residential connections. In 2006, we purchased a used 20,000 gallon ground storage tank from Christian & Pugh when it was taken out of service from a Suffolk subdivision. The tank has since been stored on site in Drewryville but never placed in service due to lack of funding. In addition, in 2009, we received a \$25,000 grant from VDH to install a second well for redundancy, which was drilled in August 2010, but never placed in service due to lack of funding. This funding package would allow the county to:

1. Complete a preliminary engineering report to assess current regulatory requirements and status of the system as it exists today, and then develop specific recommendations for improvements;
2. Develop plans and specifications to place the 2010 water well into service;
3. Develop plans and specifications to place the ground storage tank into service;
4. Install all necessary pumps, piping and controls to accomplish items 2 and 3 above; and
5. Improve the site with new fencing and an all-weather access road.

Based on the terms they've offered, annual debt service would be approximately \$3,468 and the cumulative interest over the 30 year term is roughly \$31,147. The sum of principal and interest over the 30 year period is \$104,040. He stated that he was required to notify VDH no later than September 21 if you intend to accept their offer.



RECEIVED AUG 13 2012

COMMONWEALTH of VIRGINIA

DEPARTMENT OF HEALTH
OFFICE OF DRINKING WATER

Karen Bentley, MD, MBA, FAAP
State Health Commissioner

J. Wesley Kleene, PhD, PE
Director, Office of Drinking Water

Madison Building
109 Governor Street, 6th Floor
Richmond, VA 23219
Phone: 804-864-7500
Fax: 804-864-7521

August 10, 2012

Subject: Southampton County
Water – Drewryville Resiliency Improvements
WSL – 24-13

Mr. Jon Mendenhall, Assistant County Administrator
Southampton County
P.O. Box 400
Courtland, VA 23837

Re: 2013 Drinking Water Construction Assistance
DWSRF Initial Offer

Dear Mr. Mendenhall:

The Virginia Department of Health (VDH) has completed its preliminary analysis of your application for drinking water construction funds. The determination of the funding package is shown below; however, this determination and your inclusion in VDH's Intended Use Plan is contingent on the availability of federal and state funding as well as the conditions below.

Based on the information provided, VDH determined the total funding package for your project to be \$145,750. The funding package was determined using information provided in your loan application and at the initial meeting.

The funding package consists of a \$72,875 loan at 2.5% interest for a term of 30 years with \$72,875 as principal forgiveness.

The federal DWSRF appropriation for FY 2013 is not finalized. EPA has notified VDH that Buy American provisions may be included in the program requirements when the appropriation is approved. Therefore funding recipients should plan for the possibility of the Buy American requirement. VDH will assist and provide more information as it becomes available.

The funding package and loan closing are conditioned on and are subject to change based on (but not limited to) the following:

- (1) The availability of federal/state funds to support the Virginia Drinking Water State Revolving Fund (DWSRF) Program,



Mr. Jon Mendenhall, Assistant County Administrator
August 10, 2012
Page 2

- (2) New restrictions or conditions that the Environmental Protection Agency may require in the use of the SRF funds.
- (3) The approved Preliminary Engineering Report (PER) significantly changing the scope of the project as presented in your loan application,
- (4) Owner pursuing changes to an approved PER,
- (5) The financial estimates provided in your loan application changing,
- (6) Project readiness to proceed,
- (7) Owner's history of activities with the DWSRF Program,
- (8) Owner's progress to a timely closing according to a pre-negotiated construction schedule,
- (9) Owner obtaining user agreements from future water users in the project area,
- (10) Owner's ability to secure the loan,
- (11) Owner soliciting other lenders for parity on this new debt,
- (12) Owner following the DWSRF Program requirements, and
- (13) Waterworks maintaining compliance with the Virginia *Waterworks Regulations* and other applicable state/federal laws, regulations, policies, and procedures.

VDH reserves the right to by-pass any project that has not executed financial agreements or initiated construction within 12 months from the date of VDH's award letter. An acceptance of this funding offer reflects a commitment on your part to this requirement.

Please notify me in writing as soon as possible but no later than September 21, 2012 at the address above of your acceptance of this initial funding package offer or any concerns and additional factors that should be considered. Failure to notify me can be deemed as your withdrawal from this program. I can be contacted at (540) 463-7136, extension 122.

Sincerely,



J. Dale Kitchen, P.E., Acting Director
Division of Construction Assistance, Planning & Policy

cc: Steven D. Pellei, P.E., Acting Director, Office of Drinking Water
Hampton Roads Planning District Commission
S. William Berg, M.D., M.P.H., District Health Director
Dan Home, P.E., ODW Field Director, Southeast VA Field Office
H. Kent Ware, Rural Development

II. Project Scope

Overview Description

This project for the Drewryville Public Water System will correct compliance deficiencies, provide resiliency of the public water supply, and establish a baseline performance criteria on which future projects can be launched. The Drewryville Public Water System has a total of 74 connections, largely residential ($\geq 95\%$) and baseline revenue for Fiscal Year of \$23,015.50.

Project Description

1. Update PER and produce PSE Package
2. Develop the required Well #2 for the site (existing well is underperforming due to improper development)
3. Erect existing groundwater storage tank (procurement of which has already taken place, the tank is in inventory)
4. Install booster pumps and appurtenances thereto including but not limited to controls, pipes/valves, and telemetry.
5. Improve the site by constructing an all weather surface (tar and chip driveway) and erecting a security fence.

III. Project Budget

The project budget proposes the use of \$150,000.00 in FCAP funding participation with the following detailed budget below:

Drewryville PWS
 Resiliency Improvements
 Project Budget
 March 19, 2012

Item	Cost	Description
Well Development	\$ 10,000.00	Address well #2
Controls/Monitoring	\$ 45,000.00	Controls and telemetry*
Booster Pumps	\$ 25,000.00	Booster Pumps
Existing Tank Erection	\$ 25,000.00	Erect ground water storage tank
Access Road	\$ 5,000.00	Provide an all weather surface (tar & chip)
Security Fence	\$ 5,000.00	Provide security fence
PER & PSE Package	\$ 25,000.00	RFP for engineering & design
Subtotal	\$ 140,000.00	Subtotal
Contingency	\$ 10,000.00	Contingency
Total	\$ 150,000.00	Total

*The generator is 20+ years old and was moved from another site and should be evaluated with the PER on loading with new booster pumps, adequate emergency power would be a higher priority than telemetry.

Chairman Jones asked the Board what they wanted to do with this.

Supervisor Porter asked what if they don't do it.

Supervisor Phillips said we lose the grant.

Supervisor Porter asked what are the consequences if we don't do it.

Mr. Michael Johnson said you have a system that has no redundancy. If you lose your system right now, your system is dead.

Chairman Jones said that's right.

Supervisor Porter said there are 74 residences on the system.

Mr. Michael Johnson said that's correct.

Supervisor Porter asked what would be the capacity of the system if we do this.

Mr. Michael Johnson said he wasn't sure that it would boost capacity tremendously, but he was not sure that the growth around Drewryville was going to be tremendous either.

Supervisor Porter asked what is the capacity of the system now. He asked if it was at full capacity now.

Mr. Michael Johnson said yes.

Supervisor Porter said we collect about \$25,000.00 a year for that system.

Mr. Michael Johnson said he hadn't done the math but that sounds about right.

Supervisor Porter said that is roughly the number. It might be \$24,200.00 or something, but about \$25,000.00. He said he was just looking at the whole economics of the thing.

Supervisor West asked if the tank on sight was still good.

Mr. Julien Johnson said the tank just needed to be cleaned up. He said they have kept it painted on the outside and they sealed all the openings to it some time ago. He said they have all the parts. They do actually have some booster pumps which will more than likely have to be rebuilt. He called on Mr. Michael Smith to come up and address the issue. He stated that Mr. Michael Smith actually lives right in front of the well and he is his water expert.

Chairman Jones asked Mr. Michael Smith to come on up to the podium. He asked him what was going to happen if he didn't do this.

Mr. Michael Smith said you have 2,000 gallons in reserve for 74 people which really doesn't meet the Health Department requirements.

Chairman Jones asked what would happen if they had a fire.

Mr. Michael Smith said you really don't have any fire protection there at all. He stated that the fire department could fill up the tanker there but they would have to do it sparingly. You could put 20,000 more gallons in reserve which would be two days of water if you did lose a pump. He stated that was probably enough time to get some replaced.

Chairman Jones stated that the system in Drewryville had really been bad since it has been there.

Supervisor West asked hasn't there been a pressure problem

Chairman Jones said yes. He stated that folks on the end of the line hardly have any pressure at all.

Supervisor Edwards said there has got to be a pressure problem with a 2,000 gallon tank.

Chairman Jones said right.

Supervisor West said he didn't see a problem with it. He said he would approve of the recommendation.

Mr. Michael Smith said that would be a good step right there. It would get you two days reserve, but it is probably not going to fix your pressure problems. You are still going to have your old lines in the ground that won't handle any more pressure than what they are right now.

Chairman Jones said at least you would have enough water to keep running.

Mr. Michael Smith said yes sir.

Supervisor West said is that the only reason just because you want to have two days reserve.

Chairman Jones asked why have a water system that wasn't working.

Supervisor West said he was trying to weigh it. Everything else has a cost and that is the association. To him personally that \$3,468 is basically a grant and he sees it as a good thing. He sees it as a stop gap for right now.

Mr. Michael Smith said the last time the well went down it was down for three or four days and then everything you are doing is on over time so you are paying three times as much to get everything fixed.

Chairman Jones thanked Mr. Michael Smith.

Supervisor Phillips said he spoke with someone from the Drewryville Fire Department this afternoon. Currently if they are fighting fire (they have three trucks with varying capacities) or if they are fighting a fire there in Drewryville they can only open the hydrant three turns otherwise it would take all the water from the homes in the community. He knew they were looking for comments and he said if he goes to the field to spray he carries a 1,000 gallon tank with him and he has to go back. There are 74 families in Drewryville not 74 individuals on their system. He said we had already extended the money for a well and they have got a tank there. When he was doing his diligence as a new supervisor he got a tour of the Drewryville water system. We did request of them to make the study and get the grant.

Chairman Jones said we own the system; it belongs to the county.

Supervisor Phillips said it does.

Chairman Jones asked if there were any more comments.

Supervisor Updike said he just had one comment. He said it looks like we are talking about this hurting the citizens of Drewryville. He asked if they were willing to pay an extra \$8.00 a month in fees to cover these expenses. As an old country boy out here if his well goes dry you have to replace your own. In Newsoms you pay for it and this amounts to approximately \$8.00 monthly in fees so if they are willing to pay an extra \$8.00 water fee a month then it is all well and good.

Chairman Jones asked what about the other system.

Supervisor Porter said he would like to respond to that. He suspects that because the system is so old it is probably a money maker – one of the few money maker utilities that we have right now in the county. He suspects even with the additional \$3,468 that it wouldn't cost the county \$25,000.00 dollars a year. He asked does it cost us \$25,000.00 a year to operate the system.

Mr. Michael Johnson said he could not answer that definitively; but I would think the same thing that you do.

Supervisor Porter said yes in the terms that it is completely depreciated.

Mr. Michael Johnson said correct.

Supervisor Porter said so there is just a little maintenance. We have new systems in other towns that cost us more to support consequently I don't think it is a question of asking the Drewryville people to pay more if we aren't willing to ask the other towns or localities to pay what it costs to provide water service to them. You have to be fair to everybody.

Chairman Jones said that is right.

Supervisor Edwards made a motion to go with the Virginia Department of Health's offer.

Supervisor Phillips seconded the motion which carried 6 to 1 with Supervisor Updike voting nay.

Chairman Jones stated the next item of business was Requests to Address the Board.

Mr. Michael Johnson stated that we have two citizens that have requested to speak. The first came from Mrs. Linda Vick from the Citizens for Responsible Government.

Chairman Jones called on Mrs. Linda Vick.

Mrs. Linda Vick stated that Mr. Joe Vick was going to speak for them.

Mr. Joe Vick addressed the Board. He stated that he lived in the Capron District. He said tonight he was going to speak to you on behalf of the Citizens for Responsible Government. He said they had three requests tonight and that he would be brief. First they believe that well informed citizens are vital to responsible government. He said that Southampton County is lucky in that we have a lot of involved citizens in this county including your selves. We have a dedicated county administrator and staff. We have dedicated constitutional officers. We have mayors and dedicated council members. He would like to say we have some of the best looking people in the Commonwealth show up here on Monday nights. We also have many citizens who serve on various boards here in the county and the commissions. In fact according to some of the information that he had requested and received from Mr. Michael Johnson's office the citizens that service on the Boards and Commissions including the Board of Supervisors, School Board, Social Services, Zoning, Planning, etc., etc. receive compensation in excess of \$100,000 each year from the county. He stated that some of you on this Board have already made a commitment to return your compensation to the county and we thank you for that. We would ask citizens serving on all boards and county commissions to consider returning their compensation for this year and for an additional two years. This would be a possible savings of \$300,000 dollars by just a hand full of citizens who are already committed to serve the county. You don't do it for the pay to begin with we assume. Presumably you are here and they are there for the same reason we are here tonight because we care about Southampton County. Our second request and it should come as no surprise please work together to hold the line on tax increases. As you begin planning for next year's budget you all need to try to unite to hold the line on tax increases. You have to swallow that pretty nasty pill and we all swallowed it together with the solid waste management fee. Now that is not to say that we don't receive some good things regarding the taxation from the county. We would like to thank Commissioner Carr for holding the lines on land use taxation this year. They would like to thank Treasurer Britt who spoke earlier tonight on the county trying to recoup past due taxes. Both of those are good examples of how county departments should cooperate. They should go with your directions. Both of those officers should be thanked tonight. He said he didn't think you should expect anything less from the rest of your departments. Their third request is a vital one. He is going to start with a dastardly political tactic. He said he was going to use some of your own words against you. Back on May 23, 2012 was the final budget meeting. This was two days after the big meeting at the high school and this was where you decided not to make any changes having heard the public discussion. There were still no changes made to the budget. He liked what he heard at that meeting that night and he would quote what Supervisor Edwards said "we are trying to build fiscal responsibility here that is what has been lacking for the last eight to ten years" and you were referring to the Board and you said "the Board has to go through a transition period here where you have to identify things you have to do and you have to figure out how to do them better". We think that is very true because it is not going to be any different next year. Finally Supervisor Phillips you probably had the best quote of the night. I like this one. You said "We have got to be fiscally responsible; if we look at the operation of this county we can find a better way to run this county". This is what their third request has to do with. We don't believe you can run this county unless you are informed and know what agreements that you have and it seems as though we are finding more and more agreements that this county doesn't even know that they are involved in. You are not going to get the budget you want next year by using the same policies and budgets that you used last year – the same policies that you used for last year's budget talks. You painted in broad strokes last year and had no time to study the details of the budget. You also lacked the public confidence partly because the public didn't feel informed or involved in your budget process. In order that the citizens and the Board be more informed we ask that this Board adopt a policy that sets a limit – a monetary limit in which a contract cannot be written without the Board's consent. He said he had heard there was a limit that had to be approved before the money could be spent, but he didn't know if that was true or not.

Supervisor West said he hadn't heard that sir.

Supervisor Edwards said it is in the Virginia Constitution, sir.

Mr. Joe Vick said as far as he knew it was just a rumor. It's your job to figure it out – you are the one who sits on this Board.

Supervisor Edwards said it's on page 45 of the Board of Supervisors manual at the top of the page.

Mr. Joe Vick said I think every one of you should be aware of it if it is in your manual. He said he thought that the county would benefit from at least a public discussion of a policy. He asked at what point is there a threshold that a contract cannot be entered into without you knowing about it. He said he didn't think that was too much to ask. Your county needs to find a limit where the Board isn't micromanaging the county. He said if a \$500.00 dollar limit is in your handbook that is going to be difficult to keep up with he thinks. That is up to you, but we would like to have a public discussion on this so that we all know where we are going and that we are all informed. Next year going into the budget process, he thinks the most important question that is going to be before this Board is going to be does this county run the Board or does the Board run the county. He thanked the Board for their time.

Chairman Jones stated the next person to address the Board would be Mr. Richard R. Harris.

Mr. Richard R. Harris addressed the Board. He stated that he lived at 27161 Trinity Church Road. He stated that Mr. Joe Vick hit on a lot of what he was going to say, but he was going to say it again. To say, I'm upset over the taxes and fees I pay in Southampton County would be the understatement of the year. Less than a year ago, four new supervisors were elected based upon promises of real change and a pledge not to raise taxes. Webster's description of "not" means in no way, to no degree and is used to express denial, refusal, or prohibition. He said he didn't like promises because most folks can't keep them. You know you can't spend a promise. You can't wear it. You can't eat it. You can't sleep with it and it won't keep you warm on a cold winter night. He stated that his daughter lives in Washington, D.C., an area with some of the highest real estate values on the East Coast. He said that her taxes on a house with the same square footage as his in Southampton County are almost identical – dollar for dollar. She has all the amenities we are denied here. There is something wrong with this practice. How can this board continue to impose higher and erroneous assessments along with arbitrary fees just to squeeze another dollar out of already overburdened citizens? It would appear Wingate & Associates have yet to find their way to D.C. Someone on this Board mentioned perhaps I should bring some solutions instead of criticisms when I speak. In my opinion that is why you seven gentlemen were elected – to provide solutions to our problems. If it is up to me or others to provide solutions, then perhaps we should sit where you currently sit. However, I do have some suggestions for you: We can no longer let a three-member committee decide who will represent the citizens of Southampton County on our school board. To add insult to injury, while consuming 50 percent or more of the county budget, the citizens don't even have a public comment period before the Board. The citizens of the community have as much right to publicly address and bring their concerns before the school board as they do the board of supervisors. This archaic method of selecting representatives for the school board must end. The board of supervisor's job is to set policy, and the county administrator's job is to implement that policy. He works for the board, not the other way around. Next, the board needs to have some of its executive sessions with no one present, but the seven of them. No county administrator and no county attorney. They don't need anyone to hold their hand. They need time away from the influence of our county administrator and county attorney. I don't know what the board's policy is, but they need to evaluate their appointees at least annually if not semi-annually. During their next budget process, the board needs to start at the top and work its way down; they might be surprised at what they find. The majority of the business conducted in and by this county should be open to the public. There should never be any question about what the board is doing and how they're spending public funds, for it is the public money they've been entrusted with not theirs. Perception and appearance can become reality in the public's mind very quickly. Trust takes a long time to acquire and can be lost in the blink of an eye. Last but not least, it's past time to put a stop to open-ended contracts. Anytime a contract exceeds the projected cost by 5 or 10 percent, it should be mandatory that it come back before the board for

approval. Has this board not seen what has happened recently in Chesapeake? The citizens there are on the hook for millions in cost overruns on contracts. Does our board have such a policy in place? If not, it is past time to enact one. Gentlemen this is 2012, not 1912, it's time for the good ole boy network to be laid to rest.

Chairman Jones asked if anyone had any comments.

Supervisor Edwards said that he had one concerning taxation. You know we have another budget coming up next year and he doesn't think we are going to have a lot more revenue than we did this year so if we are going to keep taxes down we are going to have more cuts. Now if we have more cuts we need people like you out here supporting us. When you have to make tough decisions and cut things public support means a whole lot. So next year when it comes to cuts even if it bothers you we need the public support. He thought this past budget they could have trimmed a little bit more off, but they ran into a lot of opposition. So we all can't have it all. We all realize that revenue is probably not going to be much better next year and maybe worse he didn't know. To make these important cuts and some of them are tough cuts, we need public support.

Chairman Jones asked if there were any other comments.

Supervisor Updike said he would like to thank both of the gentlemen for their interest and support and the citizens for their actions. Thank you for your concern. Be sure to come back and let us have it. I'm willing to take it. Let us have it with both feet. Here is one thing that we would like to see and that is the citizens not being heard from after the budget is basically in concrete; they should be heard from at the beginning of the budget process.

Supervisor Phillips thanked Mr. Richard Harris and Mr. Joe Vick for their comments. He would say that we are started on that road, but somebody he knows who sat on this Board said it took them two years to get comfortable in what they were doing and tonight was a good example of that. It was a miss step but we were willing to own up to it and say we were wrong. It may well be wrong again, but we are doing our best. The process is on-going. He thanked them for their comments. He said he wrote down as many as he could while they were going through them. He said to check back with us and see how we are doing.

Chairman Jones asked if there were any other comments.

Supervisor Edwards said he wanted the Citizens for Responsible Government to keep after them. He enjoyed their input. It is very important for you to keep reminding us what we are up here for.

Chairman Jones asked if there were any other comments.

Chairman Jones stated they would move to item number 14 – Miscellaneous.

Mr. Michael Johnson said you will see in your agenda packet with regard to engineering proposals that we have a committee with Supervisors Edwards and Updike representing the Board as well as a number of citizens. We have interviews with 2 engineering firms scheduled for September 4, and three others on September 6. We will be coming back hopefully with some recommendations to you at your regular September meeting.

Supervisor Edwards said if he could he just wanted to add that the citizens who are on that are Mr. Hunter Darden, Mr. Ash Cutchin, Mr. Jack Randall, himself, and Mr. Jimmy Lee. He said I didn't miss anybody did I Supervisor Updike – Supervisor Updike and myself.

Mr. Michael Johnson said item B is in regards to a copy of the letter I just gave you in support that you directed last month for the peanut documentary. A copy of that letter was sent in. There have been some changes in the agricultural disaster designation process. Formerly that required a resolution by this Board and then it had to actually be made by the governor. The USDA has stream lined that process so that this Board is no long required to adopt a resolution, the governor is no longer required to request it, and depending on the actual characteristics of say for instance a drought this county would qualify based on the merits of the data. According to the USDA that will save a substantial amount of time, up to 40% of time in making that available to the local

farmers.

Supervisor Porter asked who would start that process.

Mr. Michael Johnson said actually it is not started by anybody other than the Secretary of Agriculture. It is entirely data driven. They published a map which shows county by county the impact of for instance the drought this year and if your county gets colored in based on the data then your folks qualify.

Supervisor Phillips asked if we were qualified for any.

Mr. Michael Johnson said not currently.

Mr. Michael Johnson stated that items D, E, F, and G are just routine notices as well as items of incoming and outgoing correspondence and articles of interest.

Chairman Jones asked if there were any questions about these items. He asked if there were any late arriving matters.

Supervisor Phillips said he would just urge our members to read the article of interest – item G concerning Goochland County.

Chairman Jones asked if there were any late arriving matters.

Mr. Michael Johnson said no.

Chairman Jones said they would move to item number sixteen – public comment period.

Mr. Ash Cutchin addressed the Board. He said he had three comments he would like to make and actually they were more like questions. He said his first question was regarding Statesville Road. He asked where do these trucks go once they come through Carolina and come into Newsoms and hit Highway 671. He asked if they turn right or left, do we know, or is there some of each. He said he was just curious.

Supervisor Updike said he didn't really know.

Mr. Ash Cutchin said if you found out if might lead a little bit more to our attempt to redirect them. If they are turning toward Franklin, then Highway 258 might not be so much of a burden to them. His next comment is regarding delinquent taxes that Mr. David Britt mentioned. He said he was sorry that he left because he wanted to ask him a question. He stated that he thought he heard him say that so far this year we had collected \$18,000 in delinquent taxes. He asked if anybody remembered.

Supervisor Porter stated that was last month.

Mr. Ash Cutchin said he did do the math and when he added the delinquent real estate taxes of 706,000 and the delinquent personal property taxes of 550,000 he got a figure of \$1,256,481 dollars. That is 1 ¼ million dollars that the citizens of the county owe the rest of us who are paying their taxes. He thinks that ought to be at the forefront of some effort to try to convince those people to pay their fair share. The term fair share he hears on television every day until he is sick of it. This is a case here where it means something to him and it should mean something to Supervisor Faison, and you Supervisor Porter, because I am assuming that you are like me you pay your taxes. We need to get these people who aren't paying to cough it up.

Supervisor Porter said that approximately 50% of this is from this past year.

Mr. Ash Cutchin said the past year being 22.

Supervisor Porter said yes. So it is accumulating.

Mr. Ash Cutchin said so it is accumulative.

Supervisor Porter said so what we had the previous ten years is equal to the past year; so it tells you the kind of progress we have made over the prior years.

Mr. Ash Cutchin said in a couple of months we are going to have taxes due again. We have already gotten our real estate taxes and if it is accumulative it's going to be \$2 million dollars.

Supervisor Porter said it is regressive.

Mr. Ash Cutchin said he hoped he wasn't the only one concerned about it. He said his third comment regards the radio maintenance contract with former Sheriff Vernie Francis. He thinks the citizens deserve to be informed of exactly what is required. He asked if something goes out at 2:00 am on Sunday morning does Mr. Vernie Francis have to go out and climb some tower with a flashlight and a screwdriver and fix something or does he just pick up the phone and call some technician and say you come fix it. Everybody keeps on about it takes some qualified people to fix all these 1500 radios. He asked that when we bought these 1500 radios didn't the manufacture provide some kind of service contract. He asked didn't we get a warranty.

Mr. Michael Johnson said we did get a one year warranty.

Mr. Ash Cutchin said and that has expired. So what does Mr. Vernie Francis do when something goes wrong?

Supervisor Phillips said depends on what it is.

Mr. Ash Cutchin said well let's suppose a transmitter on a tower blows a fuse – does he climb the tower and fix it or does he call somebody to do it.

Mr. Michael Johnson said it depends. If the fuse is in the equipment room down low he would probably do that.

Mr. Ash Cutchin said so he doesn't climb towers.

Mr. Michael Johnson said no; he doesn't.

Mr. Ash Cutchin said he thought the public deserved to know exactly what Mr. Vernie Francis does for this \$1,800.00 dollars a month which totals around \$22,000.00 a year. It is an important job. He said he couldn't do it. He didn't know how to do it, but we all need to know what he does in a little more detail.

Mr. Michael Johnson said a whole copy of the contract has been on line and is still on line for anybody who would like to see it.

Mr. Ash Cutchin said he probably wouldn't understand it, but he would read it.

Mr. Micahel Johnson said sure.

Mr. Ash Cutchin thanked the Board.

Mr. Richard Harris of Trinity Church Road addressed the Board. He said it seemed like this communication contract had drawn a lot of fire. What he is hearing is that we have got someone who is totally indispensable. We had four Board of Supervisors members who weren't indispensable. The President is not indispensable every four or eight years. He asked if they had ever heard of Gately Communications, Motorola, and Bearcat. They are technical people. Mr. Vernie Francis is not climbing a tower so evidently he is calling someone to come in and take care of the problems that he can't. He suggests that they call Gately or someone who is capable of taking care of these problems because Mr. Vernie Francis is not indispensable. He said he was not indispensable. He said the little business that he has got will either get closed up or somebody will take over. He said he had two children either they will take it over or they will close the door.

Supervisor West said he thought they are the ones that are on call from Newport News and we do call them for something that Mr. Vernie Francis can't handle.

Mr. Richard Harris said you might want to find out how much it would cost to get them to take care of it all the time. He said you may have he didn't know.

Supervisor Phillips said it's \$75.00 an hour.

Mr. Richard Harris said the next thing he wanted to bring to their attention under the freedom of speech that we are entitled to is that he finds it demeaning that he has to write a week ahead of time and tell the county administrator and Board what he wants to talk about. He said if he wasn't down here making threats or talking obscene he didn't think it was anybody's business what he wanted to come down here and talk about. If he wanted to spend several minutes talking about the weather or the clothes he was wearing what difference did it make?

Supervisor Edwards said Richard you are doing it right now and you haven't let anybody know about it.

Mr. Richard Harris said that is exactly right, but he had the right to come down here with what was in his mind as early appearances and wait until 10:00 PM to come down here because you all put it two thirds of the way down on the agenda. He said he thinks that is wrong. So if he is coming for early appearances he wanted to know why he wasn't up towards the front of the agenda so that he and the other person who wanted to speak so they didn't have to stay down here until 10:00 at night and he could go on home and eat some dinner.

Supervisor West asked him wasn't he interested in all the county business.

Mr. Richard Harris said that if was he would stay the whole time. What he heard tonight on the communication system tonight they sounded like the Buster Keeton and the Keystone Cops. Some of you all know what I'm talking about.

Supervisor Edwards said we put it last because you might hear some things in the meeting that you want to comment on.

Mr. Richard Harris said he thought he had commented enough.

Chairman Jones asked if anyone else wished to speak.

Mr. Bill Worsham of 12685 Appleton Road in the Ivor District addressed the Board. He stated that back in June he spoke about the possibility of the Board meeting with the various departments to access the financial situations. You seemed to be pretty receptive to that. He was just wondering if anything had been done along those lines to meet with those departments.

Supervisor West said yes. They were working with each department. He said yes there will be things coming out.

Mr. Bill Worsham said he thought it would just make the budget season a little easier if you knew what you were going into and what you are facing. He said that was his purpose for asking that and making that request.

Supervisor West said these are additional meetings and times without compensation. He said I think we get free lunches. He asked do we get free lunches.

Chairman Jones said no.

Supervisor Porter said they get to pay for their lunch.

Supervisor West said it's my car, my gas, my insurance, and my taxes. I pay taxes too.

Mr. Bill Worsham said with the other thing he had to talk about you may think he is pushing a panic button but he's really not. This past week and a half he had consciously read the paper because he wanted to find out what Virginia Tech was doing. When he read the paper the last time he found out that Virginia Beach is requesting a possible professional team to come in for either hockey or basketball. They had some quotes and figures on an arena down there. What normally happens in a situation like that is once the sports authority is appointed a lot of times the city will go to outlying areas and ask for donations. If that should happen with this Board he would hope that they would turn it down because there are very few people here who are going to be affected by that arena down in Virginia Beach. He said if they do ask for money you really need to think about it because like he said very few people in this county are going to be affected by that arena. It is not going to bring any more revenue to this county, but it is going to bring an awful lot to Virginia Beach and he didn't think we needed to serve them any more than what we already are. It's just something to think about because down the road it's going to happen. Keep in mind that where this team is coming from is Sacramento, California. He said he thought there were three cities in California that are bankrupt and Sacramento is on the verge. They are not able to provide for the teams so the teams are looking elsewhere. Virginia Beach has just indicated that they are interested, but he didn't think we needed to be.

Supervisor West thanked Mr. Bill Worsham for his thoughts.

Mr. Carl Gardner addressed the Board. He stated he was from the Ivor/Berlin District. He wanted to speak to you so you could hear things from the fire and rescue side of this whole issue in communications – budgeting, funding, and everything else. He stated that he was the fire chief of Ivor Volunteer Fire Department and Vice-President of the Southampton Fire and Rescue Association. His number one concern for this radio contract is the safety of their first responders. They have over 400 fire fighters and ems providers in this county that are dedicated, highly trained, professionals that give their time freely, unselfishly to protect the life and property of the citizens of this county. They protect the family and loved ones of everyone sitting in this room tonight. They do not discriminate because of race, age, sex, religion, rich or poor. They lay their lives on the line every day for all involved. Each department is independently operated by their members, but yet we join as a fire and rescue association for the common good of the citizens and first responders. As chiefs and officers of these appointments it is our responsibility to insure our first responders are properly trained, equipped, and prepared to respond to the call for help in a moment's notice. It is also our responsibility to insure the safety of our personnel as well as the citizens we serve. It is also our responsibility to make split second decisions that may have an effect on the safety and well-being of our response. Communications over the radio system not heard or delayed can send one of our first responders home in a casket. We are unable to share the same opportunity that you do to be able to sit face to face in an air-conditioned, well lit, safe environment to research, debate and decide issues that can affect the lives of so many. When they respond to an emergency you have to make a split second decision and assign duties using the radio system that affects the lives of all involved. They depend on the approximately 1500 piece radio system to perform their job. They depend on this radio system to receive the call for help from dispatch and to request additional resources when it is sitting in a console over twenty-five miles away. They depend on the radio system to stay in contact with their firefighters when they are on the second floor of a burning building searching for a lost child that couldn't find their way out. They depend on their radio system to call for help when one of our ems providers is out at 2:00 in the morning staring at the blade of a knife fearing for their life. They depend on their radio system to call for a firefighter that just fell through the floor who is trapped in the basement of a house, pitch black, filled with smoke, pinned under rubble hoping someone hears his call for help and wondering if he will see his unborn child. We depend on this radio system for all involved. Somebody has got to perform these tasks and many more to keep this radio system going at a moment's notice. Someone has to be responsible as if their life depended on it. You can be sure of one thing your life does depend on it. The citizen's lives depend on it and our first responders lives depend on it. He said he didn't know about you, but he wasn't comfortable putting his life in the hands of just anyone. It is the responsibility of the commission to ensure the safety of the citizens of this county and the first responders. They as fire fighters and ems providers are doing a hard work for you. They risk their lives on a daily basis to ensure that you and all citizens have a safe place to live, work, and play. They leave their jobs, family, and friends not knowing if they will see them again. They do all this for you with no questions asked. All they ask from you in return is some appreciation and support and the funding they need to provide the service to the

citizens of this county. To answer a couple of questions that were asked earlier about what they did before, well back in 1981 they went to a paging system in this county. The only thing that the county owned was the base station and the paging console that was in the Sheriff's Department. All other hand helds and the pagers were owned, operated, and maintained by the individual fire departments. This system was much better than a CB radio. They were lucky if they could talk from one end of the county to the other. They still provided the service and made do the best they could and luckily no one was killed. The system they have today is owned and operated by the county. They are given a lot more advanced equipment. They can talk from hand held to hand held from Smithfield, VA to near Como, NC. They can provide the services that are needed in a safe manner. They maintained the old equipment. There wasn't much to it; they didn't have a whole lot, but he had a person who was responsible for just sending pagers out for repair and he sent anywhere from five to six pagers a month out just for repair. Right now in this county we are sending out anywhere from ten to twenty pieces of equipment out for repair every day. Mr. Vernie Francis doesn't sit there and turn the screws on every piece of equipment, but somebody has got to manage this system. Somebody has got to be there to make sure they get the best bang for their buck and that Gately Communication isn't pulling the wool over our eyes and coming back with problem after problem and not getting the problem solved and charging us money needlessly because they do charge \$75.00 an hour. As he said they will continue to be here for you. They will continue to make the sacrifice to protect the citizens of this county. All that they ask is that you show us the support.

Supervisor Edwards said we do appreciate everything that you guys do without any question. He asked if they were satisfied with the present system as far as the upkeep of the communication system.

Mr. Carl Gardner said yes sir we are. As far as the fire and rescue association they have a communications committee of five members throughout the county. What that committee does is work closely with Mr. Covington when he was on and now they work closely with Mr. Vernie Francis to make sure that any issues are resolved. They are the committee that works with the county, the Sheriff's office, the Dispatch office that takes care of any issues and SOP's. They make changes to their response plans to make sure the citizens get the best protection that they can get. Right now they are very satisfied with it. Like he said he didn't want to put his life in just the hands of anybody.

Supervisor Edwards asked if there was anything that he suggest they do to improve that.

Mr. Carl Gardner said having a backup plan in place in the system is definitely an important part of this. Open communications is going to be another part. They will continue to look for ways they can improve what they are doing and make it better. He said they save the taxpayers millions and millions of dollars right now by what they do. He said they don't feel that the little bit of money that is being put into this radio system is that great. He knows that his life is worth more than \$22,000.00 a year and he thought every one of their first responders lives are.

Supervisor Edwards said he agreed.

Mr. Carl Gardner said they would continue to do everything they could to make this fire and rescue association system better, the process smoother and if there is anything that you need to know (he knows they aren't ask and don't receive a whole lot of comment about things) but they are there for you. He said he knows you don't hear a lot of comment about fire and rescue. He said you hear a lot about appreciation for what they have done, but you don't hear a lot about the fire and rescue. He said they are here for you. If you have any questions, please call them and they will be glad to answer your questions. They would give suggestions and they are willing to work with you any way they can.

Supervisor Edwards said he would also suggest that if they have problems to come to them.

Mr. Carl Gardner said we will.

Chairman Jones said he would like to thank him again for coming and explaining this to them and letting us know that you appreciate what we have done.

Mr. Carl Gardner said yes they do appreciate it. It will make him able to sleep a lot better come September 1 he could assure them of that.

Chairman Jones asked if anyone else would like to speak.

Mr. John Burchett of Sebrell said #6 was a recess for closed meeting and then you go down here to #17 which is recess for closed meeting, to him instead of keeping 50 people sitting here for 15 to 20 minutes while you go out for a closed meeting if you could combine the two as the last item. He said he liked to attend the meeting, but he really didn't like to sit here for 15 to 20 minutes while they have a closed meeting when they could have combined them together. He asked if that made sense.

Chairman Jones said he understood exactly what he was saying. He said that Mrs. Amanda Jarratt had a newborn baby and they did that for her convenience for tonight.

Mr. John Burchett said he hoped everything was alright.

Chairman Jones said everything is fine. We will be going back to having it combined probably next month.

Supervisor West said as a usual thing we do have the closed meeting set at the end of the meeting so you don't have to stay. He said it may have been an inconvenience for you for Mr. John Burchett, but it was an opportunity to help the young lady.

Mr. John Burchett said that was fine. He said item number seven was what really brought him up here – the public safety communication system. He said what Mr. Carl Gardner just said the Lord knows he appreciates it, but the way it was done he doesn't appreciate it. He said perception is what we are talking about. He told Supervisor Updike he appreciated what he was doing because he was fighting to bring everything to the front and that is what they needed to do to bring it all to the front. He said he thought it was great when they went back and reinstated it. He said the first thing he thought about when he heard about it was that it was a gold parachute and he called Supervisor Phillips and relayed it and that he thought Mr. Vernie Francis was getting a gold parachute but he was wrong. You all were wrong and you fixed it. He said he wasn't wrong about the perception though. What was perceived was that it was under the table and it wasn't brought up for bid, but if it had of been Mr. Vernie Francis would have been number one on the list because he knows. If someone else would have come up and bid on it and proved that they could to do the job for less, then they would have gotten it. So he would appreciate that you keep in mind that perception is everything. Trust is everything. He said he didn't have anything against the people at Drewryville and their water system but they in Sebrell have a similar water situation with ten houses, a community center, and a church. They don't get a penny. He said their well had been in for 30 some years. He stated that J. P. Simmons and Willie Whitehead put it in some 30 years ago and were nice enough to ask the rest of us if we wanted in on it. They are looking at replacing their well which had been in for 33 years he believed. They are going to have to pay for it and he didn't think that it was too much to ask the 74 people on the Drewryville water system to pay their fair share of \$8.00 a month he thought Supervisor Updike said. Three thousand dollars is a whole lot because if you have \$3,000.00 here and \$3,000.00 there it all adds up and it had got to come out of somebody's pocket. He said he appreciated their time.

Chairman Jones thanked Mr. John Burchett.

Supervisor Porter said he just wanted to make it clear that they are paying \$26.00 a month right now. Everybody in the county is paying \$26.00 a month.

Mr. John Burchett said right that is what we pay to maintain ours.

Supervisor Porter said yes and we spend less than \$25,000.00 a year to maintain their system. We are still going to be paying less than \$25,000.00 a year maintaining their system and we are going to spend less than \$25,000.00 after we add the \$3,000.00 to it.

Mr. John Burchett asked what about the people at the end of the water line where the pressure is not making it, when are you going to get the money to pay for that.

Mr. John Burchett said you see Supervisor Porter you can always come up with a reason.

Supervisor Porter said no the reason is to be fair. You can't treat people in Drewryville different from people in Newsoms or Boykins that are also on a water system.

Mr. John Burchett said we all are paying for their sewage system you built.

Chairman Jones hit the gavel and asked if anyone else wanted to speak tonight.

Mr. Hunter Darden from Sedley in the Jerusalem District addressed the Board. One comment was made about when you all start working on your budget. He said he had brought it up to two or three people about the fact that their work sessions for the budget needed to have a comment session just like this meeting because there are things they are said in the budget sessions that people need to comment on before they get to the public hearing because everybody knows at that point it is too late. He said the people need to be able to make some comments ahead of time so they could be considered. The other thing is that he is on the Citizens for Responsible Government and that he is on the Industrial Committee and he went out to the Turner Tract on Monday which was the day that Enviva started moving equipment. He said he met both of the foremen on the job, the one from Enviva and also the one from Crowder & White, who have the contract to build their pad. He stated that he was a little disappointed that they knew nothing about Franklin. They didn't know anything about where to stay. They didn't know anything about where to go to eat. They didn't know where to buy a bucket of hydraulic oil. They didn't know where their fuel was going to be coming from. He said he thought the county missed an opportunity to support their own people here to let them know that we have motels and give them a list of them and they may have done this, but the men on the job sites didn't have a clue. The only thing the Enviva foreman told him was that he couldn't find anywhere to hook up his trailer cheaper than \$700.00 a month. He said I don't want to live here; I just want to stay. He claimed he couldn't find anywhere to hook his camper up. He also didn't know anything about any motels where he could stay or whether or not if Mr. Charlie Edge would give them a discount if his people stayed there a month or two months. These people are here looking to spend money here and we missed an opportunity to let them know we have extra surveyors if they need them. We have extra contractors if they need them. We have got sand pits in the county. He said the county needs to support the people who are buying their business licenses in this county. He said this is an opportunity for the county to support us because these people are going to spend some money here. He said it just bothered him a little bit that these people didn't have an idea where you could go and eat lunch. He said he thought we dropped the ball on that part. He thanked the Board for their time.

Chairman Jones asked if anyone else wished to speak. There being no one else he closed the public comment period.

Chairman Jones stated the meeting was adjourned.

Supervisor Edwards stated that they had another closed session.

Mr. Michael Johnson stated that it is necessary for this Board to now conduct a closed meeting in accordance with the provisions set out in the Code of Virginia, 1950, as amended, for the following purpose: In accordance with 2.2-3711 (A) (29) Code of Virginia, 1950, as amended to discuss the terms of a contract for the Boykins Wastewater Plant improvements where discussion in an open meeting would adversely affect the negotiating strategy of the Board; and In accordance with 2.2-3711 (A) (1) Code of Virginia, 1950, as amended to discuss performance of certain departments where such evaluation will involve discussion of specific individuals.

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

Supervisor West seconded the motion which carried unanimously.

**Supervisors Voting Aye: Dallas O. Jones
Barry Porter
Glen Updike
Carl J. Faison
Alan Edwards
Ronald M. West
Bruce Phillips**

Supervisors Voting Nay: None

Upon returning from closed session, Vice Chairman Edwards made a motion to advertise a public hearing next month on the proposed issuance of additional water and wastewater revenue bonds through the Virginia Water Facilities Revolving Fund to finance additional costs associated with the removal of excess quantities of sludge at the Boykins Wastewater Treatment Plant.

Supervisor Phillips seconded the motion which carried unanimously.

Supervisor Phillips made a motion authorizing a voluntary early retirement incentive program directing the County Administrator to extend offers to all employees who qualify under the program guidelines.

Vice Chairman Edwards seconded the motion which carried unanimously.

There being no further business the meeting was adjourned.

Dallas O. Jones, Chairman

Michael W. Johnson, Clerk