

At a regular meeting of the Southampton County Board of Supervisors held in the Board Room of the Southampton County Office Center at 26022 Administration Center Drive, Courtland, Virginia on January 23, 2006 at 6:00 PM.

SUPERVISORS PRESENT

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

SUPERVISORS ABSENT

Walter D. "Walt" Brown, III (Newsoms)

OTHERS PRESENT

Michael W. Johnson, County Administrator (Clerk)
James A. Randolph, Assistant County Administrator
Julia G. Williams, Finance Director
Julien W. Johnson, Jr., Public Utilities Director
Richard E. Railey, Jr., County Attorney
Susan H. Wright, Administrative Secretary

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

Chairman Jones turned the meeting over to Mr. Michael W. Johnson, County Administrator, to dispense with organizational matters.

Mr. Johnson announced that as they knew, state statutes required each local governing body to resolve certain organizational matters at its first meeting each year. The first order of business was election of the chairman and vice-chairman. If the board failed to designate the term of office, it was presumed, by law, that each was elected for a one-year term or until a successor of each had been elected. Chairmen and vice-chairman may succeed themselves in office. He noted that a copy of the statute was included in the agenda.

Mr. Johnson opened the floor for nominations for Chairman. **Supervisor Young moved, seconded by Supervisor Felts, to name Supervisor Jones as Chairman. All were in favor.**

Mr. Johnson turned the meeting back over to Chairman Jones.

Chairman Jones opened the floor for nominations for Vice-Chairman. **Supervisor Faison moved, seconded by Supervisor Wyche, to name Supervisor Young as Vice-Chairman. All were in favor.**

Mr. Johnson advised that the second order of business was to establish the regular board meeting dates and times for 2006. The resolution included in the agenda was consistent with their past policy, which had been the fourth Monday of each month with the exception of December when the meeting was moved to the third Monday. Times of the meetings had previously alternated monthly at 8:30 AM and 6:00 PM.

Mr. Johnson read aloud the following resolution:

BE IT RESOLVED by the Southampton County Board of Supervisors that the following days and times are hereby prescribed for regular session meetings to be held at the Southampton County Office Center:

Monday, February 27, 2006	8:30 a.m.
Monday, March 27, 2006	6:00 p.m.
Monday, April 24, 2006	8:30 a.m.
Monday, May 22, 2006	6:00 p.m.
Monday, June 26, 2006	8:30 a.m.
Monday, July 24, 2006	6:00 p.m.
Monday August 28, 2006	8:30 a.m.
Monday, September 25, 2006	6:00 p.m.

Monday, October 23, 2006	8:30 a.m.
Monday, November 27, 2006	6:00 p.m.
Monday, December 18, 2006	8:30 a.m.

AND BE IT FURTHER RESOLVED that a regular meeting shall be continued to the next following regular business day if the Chairman, or Vice-Chairman in his absence, finds that inclement weather or other conditions are such that it is hazardous for members to attend.

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

Mr. Johnson informed that it was also necessary that the board establish the holiday schedule for county employees. The resolution included in the agenda was consistent with past policies of the board as well as with that for state employees.

Mr. Johnson read aloud the following resolution:

WHEREAS, it is the policy of the Commonwealth of Virginia to fix and set aside certain days in the calendar year as legal holidays for the people of Virginia to honor and commemorate such holidays so established; and

WHEREAS, the following days have been established by the Commonwealth as legal holidays pursuant to § 2.2-300, *Code of Virginia*.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Southampton County that the following holidays shall be recognized and observed by all county agencies:

Monday, February 20, 2006	President's Day
Monday, May 29, 2006	Memorial Day
Tuesday, July 4, 2006	Independence Day
Monday, September 4, 2006	Labor Day
Monday, October 9, 2006	Columbus Day
Friday, November 10, 2006	Veteran's Day (observed)
Thursday, November 23, 2006	Thanksgiving Day
Friday, November 24, 2006	Thanksgiving Holiday
Monday, December 25, 2006	Christmas

and any other days so appointed by the Governor of the Commonwealth or the President of the United States as a legal holiday with regard to the transaction of business.

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

Moving forward, Chairman Jones sought approval of the minutes of the December 19, 2005 regular meeting. Supervisor Wyche advised that he would like it mentioned in the minutes that his recommendation to the Board of Equalization was Mr. Ernest Claud. The minutes were approved with Supervisor Wyche's request.

Regarding highway matters, Chairman Jones recognized Mr. Jerry Kee, Assistant Residency Administrator of the Virginia Department of Transportation (VDOT) Franklin Residency.

Mr. Kee announced that he just received today their updated paving and surface treatment schedule for the spring and summer. He would make some copies and provide them to the Supervisors.

Supervisor West asked if that meant that everyone was going to have something paved in their area? Mr. Kee replied yes.

Mr. Johnson announced that included in the agenda was a petition from 10 households on Medicine Springs Road requesting installation of four "Children at Play" signs in their community. The request was consistent with the policy adopted by the Board of Supervisors at its October 27, 1997 meeting. A resolution was included in the agenda for their consideration.

The resolution is as follows:

RESOLUTION 0106-03

At a meeting of the Board of Supervisors of Southampton County, Virginia, held in the Southampton County Office Center, Board of Supervisors' Meeting Room, 26022 Administration Center Drive, Courtland, Virginia on Monday, January 23, 2006 at 6:00 p.m.

PRESENT

The Honorable Dallas O. Jones, Chairman
The Honorable Walter L. Young, Jr., Vice-Chairman
The Honorable Carl J. Faison
The Honorable Anita T. Felts
The Honorable Ronald M. West
The Honorable Moses Wyche

IN RE: Children at Play Signs - Medicine Springs Road

Supervisor Wyche moved that:

“The County Administrator is directed to request the Virginia Department of Transportation to install and maintain ‘Watch for Children’ signage on Medicine Springs Road (S.R. 757) alerting motorists that children may be at play.”

Seconded by Vice-Chairman Young.

Voting on the Item: YES - Supervisors Jones, Young, Faison, Felts, West, Wyche
NO - None

A COPY TESTE:

Michael W. Johnson, Clerk
Southampton County Board of Supervisors

Supervisor Wyche moved, seconded by Vice-Chairman Young, to adopt the resolution directing the County Administrator to request VDOT to install and maintain the signage described above. All were in favor.

Vice-Chairman Young confirmed with Mr. Kee that a tree cutting crew was going to cut some trees on Sycamore Church Road.

Supervisor West advised that the ditches on Seacock Chapel Road and Warrique Road still needed attention.

Chairman Jones informed that he had received several calls about the poor condition of driveways coming out onto the highway (Route 58) in the western part of the County.

Supervisor West mentioned that 2 or 3 months ago, they had talked about the mailboxes on Seacock Chapel Road and Tucker Swamp Road. Mr. Kee advised that in order for the mailboxes to be off of the road, they would be in the ditch. They could not put them behind the ditch because then the mailman could not reach them. They were trying to come up with a solution. Supervisor West stated when meeting another vehicle, your mirror was in danger, the mailbox was in danger, and there were any number of hazards. It was important.

Moving to appointments, Mr. Johnson announced that as discussed last month, Vice-Chairman Young agreed to seek a successor for Mrs. Joy Collier who recently resigned from the Board of Trustees of the Blackwater Regional Library Board of Trustees. This appointment was for the balance of Mrs. Collier's unexpired term, which ran through June 30, 2006. He noted that other current members of the Library Board of Trustees from Southampton County were Alice Joyner (Berlin-Ivor), Dorothy Harris (Jerusalem), Paige Sturdifen (Capron), and Mary Mason (Boykins).

Vice-Chairman Young submitted the name of Betty L. Young.

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Vice-Chairman Young moved, seconded by Supervisor Wyche, to appoint Betty L. Young to the Blackwater Regional Library Board of Trustees to succeed Joy Collier. All were in favor.

Mr. Johnson advised that the respective terms of Arthur Harris and Walt Brown, III on the Board of Directors for the Senior Services of Southeastern Virginia expired December 31, 2005. Both were eligible for reappointment to another 2-year term. He noted that Mr. Harris was slated to serve as that Board's Second Vice President in 2007.

Supervisor Faison advised that Arthur Harris was willing to continue to serve.

Supervisor Faison moved, seconded by Vice-Chairman Young, to reappoint Arthur Harris to the Board of Directors for the Senior Services of Southeastern Virginia. All were in favor.

Supervisor Wyche advised that Walt Brown, III had indicated that he was willing to continue to serve.

Supervisor Wyche moved, seconded by Supervisor West, to reappoint Walt Brown, III to the Board of Directors for the Senior Services of Southeastern Virginia. All were in favor.

Regarding reports, various reports were received and provided in the agenda. They were Financial, Sheriff's Office, Animal Control, Communication Center Activity Report, Traffic Tickets, Building Inspections, and New Housing Starts. Also Cooperative Extension, Treasurer's Report, Delinquent Tax Collection, EMS & Fire Department Activity, Reassessment, and Personnel.

In regards to the Sheriff's Office report, Chairman Jones recognized Mr. Vernie W. Francis, Jr., Southampton County Sheriff.

Sheriff Francis addressed the Board. He stated that they may have noticed the radar speed indicator in the front parking lot when they came in. He distributed photos of the speed indicator for those who may not have seen it. They may have seen them in other localities. He advised that they would start using it throughout the County after today. The purpose of it was to educate motorists of the posted speed and the speed they were actually traveling according to radar. The normal cost of a radar speed indicator such as this was \$8,000-\$10,000. They had less than \$1,500 in this one. Deputies Jarratt, Cook, and Allshire made it using a radar they already had. It looked really good and they were all proud of the work those deputies had done.

Sheriff Francis called Corporal Josh Wyche and Deputies Davis and Harness to the front. He advised that they were wearing new uniforms. They were a cotton/wool blend and would be warm in the winter and cool in the summer. In the past, individual Sheriff's Offices were not given the authority to choose and purchase uniforms of their choice from the vendor of their choice. They had to purchase polyester uniforms from a specific vendor. The quality seemed to decrease while the price increased. They could now purchase uniforms of their choice from the vendor of their choice. They had a vendor come in with samples of uniforms. The uniforms the deputies were wearing were chosen as a result of employee input.

In regards to the Personnel report, Mr. Johnson advised that Dorothy V. Augustine was hired in the Sheriff's Office effective 12/16/05 at an annual salary of \$20,067. S. Kelly Bowles was hired in the Sheriff's Office effective 01/02/06 at an annual salary of \$21,934. James C. Bryant was hired in Public Utilities effective 01/03/06 at an annual salary of \$19,611. He informed that the salary of Michael A. Clouse of the Sheriff's Office increased to \$28,535 effective 01/01/06 as the result of a 12-month regrade. Pamela L. Markham resigned from the Sheriff's Office effective 12/13/05. He stated that Derek W. Ayers of the Sheriff's Office remained on active military leave in Iraq.

Moving forward to financial matters, Mr. Johnson announced that under separate cover with the agenda was a copy of the FY 2005 Comprehensive Annual Financial Report prepared by Creedle, Jones, and Alga, P.C., Certified Public Accountants. The schedule of findings and questioned costs appeared on page 73 of the report. He noted that the report included an unqualified (clean) opinion with no reportable conditions, no instances of noncompliance, and no findings. He reminded that the audit was only a snapshot of the County's financial position on June 30, 2005 – there had been a number of changes since that time which were not reflected in the audit.

He advised that major items to note for FY 2005 were as follows:

- In the general fund, we received \$1,060,729 more revenue than budgeted (page 46);
- In the general fund, we spent \$778,284 less than budgeted (page 48);
- The school board underspent its local budget by \$291,639 (page 47). He noted that these funds were subsequently re-appropriated back to them for use in FY 2006 by resolution adopted last October;
- The end of year general fund balance (\$4,496,704) is generally within guidelines for a healthy organization; remember, however, that the balance is always a little deceptive; there are already more than \$1.7 million of encumbrances against this balance in FY 2006;
- The FY 2006 budget calls for more than \$768,000 from the unappropriated general fund reserve to balance (included in the \$1.7 million above).

Chairman Jones recognized Mrs. Robin Jones, Accountant with Creedle, Jones, & Alga, P.C.

Mrs. Jones addressed the Board. She advised that Mr. Johnson covered everything she was going to say. As Mr. Johnson stated, the County received a “clean bill of health” and there were no findings. She informed that the cash balance for the year was about \$8 million. Debt for the year was about \$22 million. She pointed out that a schedule of debt could be found on pages 37-39. The financial position of the County was good and that was something to be proud of.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to receive and accept the FY 2005 annual audit. All were in favor.

Continuing with financial matters, Mr. Johnson advised that included in the agenda was a FY 2007 proposed budget calendar and memorandum calling for estimates from various agencies, departments and organizations.

The proposed budget calendar is as follows:

FY 2007 BUDGET CALENDAR

Wednesday, February 1, 2006	Budget request forms issued to agencies, departments and organizations
Friday, March 3, 2006	All budget requests due back to the County Administrator
Monday, March 27, 2006 7:00 p.m.	Public comment regarding the annual budget received during regular session
Wednesday, April 12, 2006 6:30 p.m.	Draft budget presented to the Board of Supervisors during initial budget workshop
Wednesday, April 19, 2006 6:30 p.m.	Departmental presentations to the Board of Supervisors during budget workshop (limited to 20 minutes each)
Monday, April 24, 2006 8:30 a.m.	Work continues on draft budget following regular session
Wednesday April 26, 2006 6:30 p.m. (If necessary)	Draft budget finalized
Sunday, April 30, 2006 Sunday, May 7, 2006	Advertise Notice of Public Hearing for proposed FY 2006-07 budget in Tidewater News
Monday, May 15, 2006 7:00 p.m.	Public Hearing
Wednesday, May 17, 2006 6:30 p.m. (If necessary)	Budget Workshop to discuss public input
Monday, May 22, 2006 6:00 p.m.	Adoption of the budget during regular session

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The memorandum calling for estimates is as follows:

MEMORANDUM

TO: Departments, agencies and organizations requesting county funding
BY: Mike Johnson, County Administrator
DATE: February 1, 2006
RE: Call for estimates – FY 2007

During its regular session on January 23, 2006 the Southampton County Board of Supervisors directed me to issue this call for estimates for FY 2006-07 from each agency, department and organization which has historically received funding from Southampton County.

Please find a computer spreadsheet attached which details your respective FY 04 and FY 05 expenditures by line item, your FY 06 budgeted funds, and your FY 06 actual expenditures through December 2005. After careful and thoughtful consideration, please complete the column which is headed **“DEPARTMENT REQUEST.”** **Any request for increases should include a complete explanation of why the increase is necessary.**

If your agency or organization receives a lump-sum appropriation and funds are not appropriated by line item, you do not need to complete the form; a simple letter of request returned to my attention will suffice.

Please note that all funding requests are due back to me by close of business on **Friday, March 3, 2006.**

For your reference, I am attaching a FY 2007 budget calendar. The board of supervisors will listen to oral presentations from departments/agencies/organizations on Wednesday, April 19 beginning at 6:30 p.m. **Please notify Mrs. Julia Williams at 653-3015 by close of business on April 17 if you wish to make a presentation.** Oral presentations are not required but provide an opportunity for dialogue with the board.

If you have any questions or if I may be of assistance, please advise.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to adopt the budget calendar and direct the call for estimates. All were in favor.

Mr. Johnson advised that included in the agenda was an appropriations resolution with total appropriations of \$3,527,837.05. The appropriation consisted of \$2,920,956.72 of revenue received thus far in FY 2006, \$282,336.26 of revenue carried over from previous fiscal years, and \$324,544.07 from the unappropriated general fund reserve for items authorized by the Board following adoption of the FY 2006 annual budget. An itemized list of all items approved by the Board following adoption of the FY 2006 budget was also included in the agenda.

The appropriations resolution is as follows:

APPROPRIATIONS - JANUARY 23, 2006

NEW MONEY REQUIRED FOR JANUARY 2006 APPROPRIATION

GENERAL FUND

2,500.00	BOARD OF SUPERVISORS/WHRO PIONEER BANQUET
51,397.28	REFUSE COLLECTION/HANCOCK SITE ACQUISITION
271,380.00	NON-DEPARTMENTAL/NARRICOT
(733.21)	COMPREHENSIVE SERVICES ACT/REDUCTION
_____	IN LOCAL FUNDS
324,544.07	TOTAL NEW MONEY/GENERAL FUND

GENERAL FUND - CARRY-OVER FUNDS

5,352.93	BOARD OF SUPERVISORS/BOARD RETREAT
40,300.00	BOARD OF SUPERVISORS/PAY & CLASS PLAN
68,181.89	BOARD OF ASSESSORS/REASSESSMENT
6,918.00	CLERK OF THE CIRCUIT COURT/COST COLLECTIONS
17,679.02	COMMONWEALTH'S ATTORNEY/COST COLLECTIONS
12,162.59	COMMONWEALTH'S ATTORNEY/CITY OF FRANKLIN
7,050.21	SHERIFF/CAMP FOUNDATION/EDUCATION
2,146.62	SHERIFF/DARE
7,908.26	SHERIFF/CRIME PREVENTION
9,459.00	SHERIFF/PROJ LIFESAVER
1,059.05	EMERGENCY SERVICES/CAMP FOUNDATION/DISASTER
	PREPAREDNESS EQUIPMENT
22,984.37	COMPREHENSIVE SERVICES ACT/ADMIN
11,134.32	PLANNING/ZONING/LITTER CONTROL
70,000.00	NON-DEPARTMENTAL/VALLEY PROTEIN E & S BOND

282,336.26	TOTAL CARRY-OVER/GENERAL FUND

APPROPRIATIONS - JANUARY 23, 2006

11010 BOARD OF SUPERVISORS	<p>(1) Received reimbursement for floral arrangement for funeral (\$43.75)</p> <p>(2) Received reimbursement for personal expenses VACO/Supervisor Jones (\$42.18), Supervisor Young (\$278.95), Supervisor West (\$83.56)</p> <p>(3) Received reimbursement for golf shirts w/ county logo (\$96.00)</p> <p>(4) Carry-over Camp-Younts Foundation funds from FY 05 earmarked for Board Retreat (\$5,352.93) CARRY-OVER FUNDS</p> <p>(5) Carry-over Pay & Classification Plan funds from FY 05 (\$40,300) CARRY-OVER FUNDS</p> <p>(6) Funds previously approved by Board for the WHRO Pioneer Banquet (\$2,500) NEW MONEY</p>
12110 COUNTY ADMIN	<p>(1) Received reimbursement for golf shirt w/county logo (\$24.00)</p> <p>(2) Refund received for registration for VACO (\$220.00)</p> <p>(3) Refund received for lodging for VACO (\$160.50)</p> <p>(4) Refund for copies for FOIA request (\$277.95)</p>
12320 BOARD OF ASSESSORS	Carry-over funds not expended in FY 2005 for reassessment (\$68,181.89) CARRY-OVER FUNDS
12550 INSURANCE/COUNTY CODE	Reimbursement received from retirees for BCBS (\$21,100)
21100 CIRCUIT COURT	State reimbursement received for jurors & witnesses (\$6,000.00)
21600 CLERK OF THE CIRCUIT COURT	Cost collection carry-over funds to be used to supplement deputy clerks' salaries (\$6,918) CARRY-OVER FUNDS
22100 COMMONWEALTH'S ATTORNEY	<p>(1) Cost collection carry-over funds to be used for supplemental salaries & office supplies (\$1,334.00) CARRY-OVER FUNDS</p> <p>(2) Refund received from VA State Bar (\$150)</p> <p>(3) Carry-over funds received FY 05 from City of Franklin for Commonwealth Attorney's office (\$12,162.59) CARRY-OVER FUNDS</p> <p>(4) One-half of FY 05 cost collection carry-over funds required to be returned to the state (\$16,345.02) CARRY-OVER FUNDS</p>
22200 VICTIM WITNESS PROGRAM	Grant received for FY 2005 (\$52,202)
31200 SHERIFF LAW ENFORCEMENT	<p>(1) Reimbursement from Franklin-Southampton County Fair for security-salaries (\$1,500.00)</p> <p>(2) Highway Safety Grant received for 6 radar units (\$10,000)</p> <p>(3) Reimbursement received for comprehensive</p>

	& collision claims (\$8,331.71)
	(4) Reimbursement received from Sheriff for telephone calls (\$75)
	(5) Reimbursement received for extradition of inmates (\$2,448.92)
	(6) Camp Foundation funds earmarked for Education/Scholarships brought forward from FY 2005 (\$7,050.21) CARRY-OVER FUNDS
	(7) Reimbursement rec'd from employees for office supplies & uniforms (\$382.05)
	(8) Refund rec'd from Bob's Gun Shop (\$250.00)
	(9) Funds earmarked for Crime Prevention brought forward from FY 2005 (\$7,908.26) CARRY-OVER FUNDS
	(10) Funds earmarked for DARE Program brought forward from FY 2005 (\$2,146.62) CARRY-OVER FUNDS
	(11) Restitution rec'd earmarked for DARE Program (\$179.52)
	(12) Insurance received for wrecked vehicle totaled (\$9,832.67)
	(13) Grant received from Franklin Southampton Charities for portable thermal imaging search device (\$12,379)
31600 SHERIFF PROJECT LIFESAVER	(1) Carry-over donations from Camp/Campbell Funds earmarked for Project Lifesaver (\$9,459.00) CARRY-OVER FUNDS (2) Contributions received for Project Lifesaver (\$750)
32200 VOLUNTEER FIRE DEPTS	(1) Reimbursements rec'd from Sedley Vol Fire and Drewryville Vol Fire for electrical services (\$2,126.72) (2) Fire Program funds received for Volunteer Fire Departments (\$28,926.09)
33100 DETENTION	(1) Insurance claim received for wind damage to Jail Farm (\$2,900.00) (2) Reimbursement rec'd from other localities for housing of inmates (\$8,430) (3) Rebate received (\$25.00)
35500 EMERGENCY SERVICES	(1) Funds previously received from Camp Foundations for disaster preparedness equipment (\$1,059.05) CARRY-OVER FUNDS (2) Funds rec'd for Domestic Preparedness Equipment (\$35,227.00)
42300 SANITATION WASTE REMOVAL	Funds previously approved by Board for purchase of Hancock transfer site (\$51,397.28) NEW MONEY
43000 BUILDINGS & GROUNDS	Reimbursement received from Dept of Social Services and Health Dept for telephones (\$10,527.25)
51400 SR CITIZEN HOME HLT SERVICE	Reimbursement rec'd for Visiting Nurse for salary, fringe benefits, & travel (\$22,764.03)

53500 COMPREHENSIVE SERVICES ACT	(1) CSA earmarked carry-over administrative funds from previous year (\$22,984.37) CARRY-OVER FUNDS (2) Reduction to CSA budget for FY 06--state funds (\$-1,536.79) and local funds (\$-733.21) NEW MONEY REDUCTION
72200 RAWLS MUSEUM ARTS	Local Government Challenge Grant received for Rawls Museum Arts (\$5,000)
81100 PLANNING & ZONING	(1) Litter Control Grant funds received for FY 2006 (\$14,583) (2) Litter Control Grant funds rec'd in FY 05 & not expended (\$11,134.32) CARRY-OVER FUNDS
82500 SOIL & WATER CONSERVATION	Reimbursement rec'd for personnel costs (\$28,673.37)
83500 COOPERATIVE EXTENTION	Grant received for pesticide container recycling program (\$1,875.00)
91400 NON-DEPARTMENTAL	(1) Contributions rec'd from Camp Foundation, Camp-Younts Foundation, & Ruth Camp Campbell Foundation (\$61,000) (2) Funds previously approved by Board for incentive grant to Narricot (\$271,380) NEW MONEY (3) Carry-over funds received in FY 05 from Valley Proteins Inc. for Erosion and Sediment Control Bond (\$70,000) CARRY-OVER FUNDS
92000 HOME PROGRAM PROJECTS	Reimbursement received from City of Suffolk for HOME Program expenditures--managed by STOP Organization (\$30,938)
WIRELESS 911 PSAP FUND	Refund from Wireless Board for previous GIS expenses--to be transferred to Building Fund for GIS
LOCAL UTILITY TAX BLDG FD	(1) Carry-over loan proceeds from FY 05 for radio system capital cost (\$2,423,905) (2) Carry-over GIS funds from FY 05 (\$22,272.97) (3) Appropriate funds transferred in from Wireless 911 PSAP for GIS expenditures (\$1,475) (4) Carry-over HVAC Improvement funds from FY 05 (\$24,527.48)
ENTERPRISE FUND	(1) Reimbursement rec'd from Bituminous Ins Co for damage to county vehicle (\$2,424.44) (2) Safety grant received from VML (\$440.00) (3) Appropriate FY 05 carry-over funds earmarked for Enterprise Fund (\$64,164.00) (4) Reimbursement received for scrap brass meters (\$2,006.40)

At a meeting of the Board of Supervisors of Southampton County,
Virginia on Monday, January 23, 2006

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Southampton County,
Virginia that the following appropriations be and hereby are made
from the Fund to the Fund for the period of July 1, 2005 through
June 30, 2006 for the function and purpose indicated:

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

4-100-11010-5500	TRAVEL CONVENTION, EDUCATION	43.75
11010-5500	TRAVEL CONVENTION, EDUCATION	42.18
11010-5500	TRAVEL CONVENTION, EDUCATION	278.95
11010-5500	TRAVEL CONVENTION, EDUCATION	83.56
11010-5500	TRAVEL CONVENTION, EDUCATION	96.00
11010-5510	TRAVEL BOARD RETREAT	5,352.93
11010-5654	PAY & CLASSIFICATION PLAN	40,300.00
11010-5685	WHRO PIONEER GALA	2,500.00
12110-5500	TRAVEL CONVENTION, EDUCATION	24.00
12110-5500	TRAVEL CONVENTION, EDUCATION	220.00
12110-5500	TRAVEL CONVENTION, EDUCATION	160.50
12110-6001	OFFICE SUPPLIES	277.95
12320-3170	APPRAISAL FIRM	68,181.89
12550-2300	HOSPITAL PLAN	21,100.00
21100-3848	JURORS & WITNESSES - STATE	6,000.00
21600-5830	COLLECTION FEE ACCOUNT	6,918.00
22100-1700	COMPENSATION-COUNTY APPEALS	369.00
22100-1760	SUPPLEMENT-ATTY I & OTHERS	12,162.59
22100-5810	DUES	155.00
22100-5810	DUES	150.00
22100-5830	REFUND-COLLECTION FEE ACCOUNT	16,345.02
22100-6001	OFFICE SUPPLIES	810.00
22200-1100	SALARIES & WAGES REGULAR	34,024.00
22200-2100	FICA	2,603.00
22200-2210	RETIREMENT	1,127.00
22200-2215	RETIREMENT - EMPLOYEE SHARE	1,702.00
22200-2300	HOSPITAL PLAN	4,250.00
22200-2600	UNEMPLOYMENT INSURANCE	225.00
22200-2700	WORKER'S COMPENSATION	321.00
22200-5500	TRAVEL CONVENTION, EDUCATION	2,490.00
22200-6001	SUPPLIES & OTHER EXPENSES	5,460.00
31200-1200	OVER-TIME SALARIES	1,500.00
31200-1903	GRANT-DMV-SELECTIVE ENFORCEMENT & EQUIP	10,000.00
31200-3310	REPAIR & MAINTENANCE	1,291.65
31200-3310	REPAIR & MAINTENANCE	4,799.50
31200-3310	REPAIR & MAINTENANCE	863.73
31200-3310	REPAIR & MAINTENANCE	1,376.83
31200-5230	TELECOMMUNICATIONS	75.00
31200-5500	TRAVEL CONVENTION, EDUCATION	528.66
31200-5500	TRAVEL CONVENTION, EDUCATION	1,624.44
31200-5500	TRAVEL CONVENTION, EDUCATION	295.82

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31200-5540	EDUCATION/SCHOLARSHIPS CAMP-YOUNTS FD	7,050.21
31200-6001	OFFICE SUPPLIES	15.65
31200-6001	OFFICE SUPPLIES	5.50
31200-6011	UNIFORMS & APPAREL	69.95
31200-6011	UNIFORMS & APPAREL	141.00
31200-6011	UNIFORMS & APPAREL	69.95
31200-6011	UNIFORMS & APPAREL	80.00
31200-6023	AMMUNITION/WEAPONS	250.00
31200-6025	CRIME PREVENTION	7,908.26
31200-6030	DARE	2,146.62
31200-6030	DARE	179.52
31200-8105	MOTOR VEHICLES	9,832.67
31200-8205	EQUIP/HAZMAT-FRANK-SOUTH CHARITIES	12,379.00
31600-5510	TRAINING/EQUIP PROJ LIFESAVER	9,459.00
31600-5510	TRAINING/EQUIP PROJ LIFESAVER	525.00
31600-5510	TRAINING/EQUIP PROJ LIFESAVER	75.00
31600-5510	TRAINING/EQUIP PROJ LIFESAVER	25.00
31600-5510	TRAINING/EQUIP PROJ LIFESAVER	25.00
31600-5510	TRAINING/EQUIP PROJ LIFESAVER	100.00
32200-5110	ELECTRICAL SERVICES	1,849.78
32200-5110	ELECTRICAL SERVICES	276.94
32200-5843	STATE FUNDS/FIRE PROGRAM FUNDS	28,926.09
33100-3310	REPAIR & MAINTENANCE	2,900.00
33100-3800	PURCHASE OF SERVICE-OTHER INSTITUTIONS	1,150.00
33100-3800	PURCHASE OF SERVICE-OTHER INSTITUTIONS	1,440.00
33100-3800	PURCHASE OF SERVICE-OTHER INSTITUTIONS	5,420.00
33100-3800	PURCHASE OF SERVICE-OTHER INSTITUTIONS	420.00
33100-6002	FOOD SUPPLIES	25.00
35500-8200	DISASTER PREPAREDNESS EQUIP/CAMP FD	1,059.05
35500-8202	DOMESTIC PREPAREDNESS EQUIPMENT PRO	35,227.00
42300-8200	SITE ACQUISITION	51,397.28
43000-5241	TELECOM-SOC SER/HEALTH	5,926.05
43000-5241	TELECOM-SOC SER/HEALTH	4,601.20
51400-1100	SALARIES & WAGES REGULAR	16,952.10
51400-2851	FRINGE BENEFITS	5,087.90
51400-5510	TRAVEL MILEAGE	724.03
53500-5666	ADMINISTRATIVE ALLOCATION	22,984.37
53500-5667	STANDARD ALLOCATION	(1,536.79)
53500-5667	STANDARD ALLOCATION	(733.21)
72200-5601	CONTRIBUTION-GOV'T CHALLENGE/VA COMM	5,000.00
81100-5647	LITTER CONTROL GRANT	14,583.00
81100-5647	LITTER CONTROL GRANT	11,134.32
82500-1100	SALARIES & WAGES REGULAR	22,265.17
82500-2100	FICA	1,678.42
82500-2210	RETIREMENT	736.97
82500-2215	RETIREMENT-EMPLOYEE	1,113.26
82500-2300	HOSPITAL PLAN	2,800.00
82500-2700	WORKER'S COMPENSATION	79.55
83500-3861	GRANT #2	1,875.00
91400-5671	CAMP CAMPBELL FUNDS	61,000.00
91400-5690	NARRICOT INDUSTRIES	271,380.00
91400-5700	VALLEY PROTEINS EROSION & SED BOND	70,000.00
92000-8201	HOME REHABILITATION	30,938.00
	TOTAL	<u>985,146.76</u>

From the E-911 Fund to the E-911 Operating
Fund to be expended only on order of the
Board of Supervisors:

4-280-93000-9200	TRANSFER OUT TO BUILDING FUND	1,475.00
	TOTAL	<u>1,475.00</u>

From the General Fund to the Local
Utility Tax Building Fund to be expended
only on order of the Board of Supervisors:

4-300-94000-5835	RADIO SYSTEM CAPITAL COST	2,423,905.00
94000-8135	GIS	22,272.97
94000-8135	GIS	1,475.00
94000-8145	OTHER CAP PROJ/HVAC IMPROVEMENTS	24,527.48
	TOTAL	<u>2,472,180.45</u>

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

4-500-89500-3190	PERMIT FEES	4,000.00
89500-3310	REPAIR & MAINTENANCE	2,424.44
89500-6007	REPAIR & MAINTENANCE SUPPLIES	440.00
89500-6009	VEHICLE SUPPLIES	16,000.00
89500-8213	CAPITAL EXPENDITURES-RESERVE	19,624.00
89600-3190	PERMIT FEES	12,000.00
89600-6007	REPAIR & MAINTENANCE SUPPLIES	2,006.40
89600-8221	ENGINEERING/CONSTRUCTION	12,540.00
	TOTAL	<u>69,034.84</u>

TOTAL APPROPRIATION ===== 3,527,837.05

REVENUE APPROPRIATION JANUARY 2006
 (REVENUE RECEIVED FOR ABOVE EXPENDITURES)

GENERAL FUND

3-100-16030-0003	DARE CONTRIBUTIONS	179.52
3-100-16040-0003	REIMBURSEMENT VFD-VRS	276.94
3-100-16040-0003	REIMBURSEMENT VFD-VRS	1,849.78
3-100-16050-0001	CHARGES FOR DETENTION	1,150.00
3-100-16050-0001	CHARGES FOR DETENTION	1,440.00
3-100-16050-0001	CHARGES FOR DETENTION	2,340.00
3-100-16050-0001	CHARGES FOR DETENTION	3,080.00
3-100-16050-0001	CHARGES FOR DETENTION	420.00
3-100-16090-0001	HEALTH-TELEPHONE	5,926.05
3-100-16110-0001	SOCIAL SERVICES-TELEPHONE	4,601.20
3-100-16120-0001	REIMB-SOIL & WATER SALARIES	28,673.37
3-100-16170-0001	PROJECT LIFESAVER	525.00
3-100-16170-0001	PROJECT LIFESAVER	75.00
3-100-16170-0001	PROJECT LIFESAVER	25.00
3-100-16170-0001	PROJECT LIFESAVER	25.00
3-100-16170-0001	PROJECT LIFESAVER	100.00
3-100-18030-0003	EXPENDITURE REFUND	43.75
3-100-18030-0003	EXPENDITURE REFUND	42.18
3-100-18030-0003	EXPENDITURE REFUND	278.95
3-100-18030-0003	EXPENDITURE REFUND	83.56
3-100-18030-0003	EXPENDITURE REFUND	120.00
3-100-18030-0003	EXPENDITURE REFUND	220.00
3-100-18030-0003	EXPENDITURE REFUND	160.50
3-100-18030-0003	EXPENDITURE REFUND	277.95
3-100-18030-0003	EXPENDITURE REFUND	15.65
3-100-18030-0003	EXPENDITURE REFUND	250.00
3-100-18030-0003	EXPENDITURE REFUND	69.95
3-100-18030-0003	EXPENDITURE REFUND	25.00
3-100-18030-0003	EXPENDITURE REFUND	141.00
3-100-18030-0003	EXPENDITURE REFUND	75.00
3-100-18030-0003	EXPENDITURE REFUND	1,500.00
3-100-18030-0003	EXPENDITURE REFUND	69.95
3-100-18030-0003	EXPENDITURE REFUND	5.50
3-100-18030-0003	EXPENDITURE REFUND	80.00
3-100-18030-0004	INSURANCE CLAIMS & DIVIDENDS	1,291.65
3-100-18030-0004	INSURANCE CLAIMS & DIVIDENDS	4,799.50
3-100-18030-0004	INSURANCE CLAIMS & DIVIDENDS	863.73
3-100-18030-0004	INSURANCE CLAIMS & DIVIDENDS	1,376.83
3-100-18030-0004	INSURANCE CLAIMS & DIVIDENDS	9,832.67
3-100-18030-0004	INSURANCE CLAIMS & DIVIDENDS	2,900.00
3-100-18030-0005	HOSPITAL PLAN	21,100.00
3-100-18030-0095	REIMB HOME PROGRAM FUNDS	30,938.00
3-100-18990-0025	CAMP/CAMPBELL FOUNDATION	61,000.00
3-100-18990-0036	FRANKLIN-SOUTHAMPTON CHARITIES	12,379.00
3-100-23010-0006	COMMONWEALTH ATTORNEY OTHER COSTS	150.00
3-100-23020-0007	EXTRADITION EXPENSES	528.66
3-100-23020-0007	EXTRADITION EXPENSES	1,624.44
3-100-23020-0007	EXTRADITION EXPENSES	295.82
3-100-24040-0002	VICTIM WITNESS ASSISTANCE GRANT	52,202.00
3-100-24040-0010	DOMESTIC PREPAREDNESS EQUIP PROG	35,227.00
3-100-24040-0012	FIRE PROGRAM FUND ALLOCATION	28,926.09
3-100-24040-0014	JURORS & WITNESSES	6,000.00

3-100-24040-0015	SEVAMP-VISITING NURSE	22,764.03
3-100-24040-0022	HIGHWAY SAFETY GRANT/DUI	10,000.00
3-100-24040-0020	LITTER CONTROL GRANT	14,583.00
3-100-24040-0052	COMPREHENSIVE SERVICES ACT	(1,536.79)
3-100-24040-0056	VA COM FOR THE ARTS-RMA	5,000.00
3-100-24040-0065	RECYCLE GRANT-EXTENSION	1,875.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	51,397.28
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	271,380.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	2,500.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	12,162.59
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	6,918.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	369.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	155.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	810.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	16,345.02
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	11,134.32
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	1,059.05
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	2,146.62
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	7,908.26
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	7,050.21
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	22,984.37
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	(733.21)
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	5,352.93
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	40,300.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	68,181.89
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	9,459.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	70,000.00
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	REVENUE GENERAL FUND	985,146.76
		<hr/>
3-280-24040-0001	WIRELESS E-911 PSAP FUNDS	1,475.00
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	REVENUE WIRELESS E-911 PSAP FUNDS	1,475.00
		<hr/>
3-300-41050-0001	TRANSFER IN FROM OTHER FUNDS	1,475.00
3-300-61010-0001	RESERVE FUNDS	22,272.97
3-300-61010-0001	RESERVE FUNDS	24,527.48
3-300-61010-0001	RESERVE FUNDS	2,423,905.00
		<hr/>
	REVENUE LOC UTIL TAX BLDG FD	2,472,180.45
		<hr/>
3-500-16100-0015	REFUNDS	2,006.40
3-500-16100-0017	INSURANCE CLAIMS	2,424.44
3-500-16100-0018	ENTERPRISE RESERVE FUNDS	64,164.00
3-500-16100-0025	MATCHING SAFETY GRANT PROGRAM	440.00
		<hr/>
	REVENUE ENTERPRISE FUND	69,034.84
		<hr/>
	TOTAL APPROPRIATION	3,527,837.05

A copy teste: _____, Clerk

Michael W. Johnson

Southampton County Board of Supervisors

01/23/06

Finalizing financial matters, Mr. Johnson advised that bills in the amount of \$1,632,642.06 were received.

Supervisor West moved, seconded by Vice-Chairman Young that the bills in the amount of \$1,632,642.06 be paid with check numbers 73606 through 74259. All were in favor.

Moving to the citizen request to address the Board, Chairman Jones recognized Mr. Larry Rose.

Mr. Rose advised that he addressed the Board earlier last year pertaining to the track at Southampton High School and had not heard much back about it. He rode around to surrounding localities to see if he was being fair in asking for a paved track. He learned that Isle of Wight County had 2 paved tracks, Sussex County had 1, Greensville County had 1, and the City of Franklin had 1. He stated that our kids had absolutely nothing in this County in terms of recreation. His wife was advised to walk for exercise due to a heart condition and she did not have anywhere to walk. We needed this track. He noted that he worked for Southampton County Schools but was not here on their behalf.

Mr. Charlie Williams spoke. He advised that he was with Mr. Rose when he addressed them earlier last year. He had been in this County for 60 years. He was concerned about the kids. If he heard the budget report correctly, he did not think money was the problem.

Chairman Jones advised that they would take the request into consideration during the upcoming budget deliberations.

Moving forward, Mr. Johnson announced that included in the agenda was an application for a fireworks display permit from Powell Farms, LLC (Robert H. Powell, III) pursuant to **Sec. 10-73** of the *Southampton County Code*. The display was scheduled for either July 1 or July 8, 2006 at approximately 9:00 PM on the grounds of Elm Grove Farm at 31061 The Hall Road, Branchville. The application was in order and a draft permit was included in the agenda for their consideration.

Supervisor Faison moved, seconded by Supervisor West, to issue the fireworks permit. All were in favor.

Moving forward, Mr. Johnson announced that as they may recall, they were notified last April by the Virginia Public School Authority (VPSA) that it had issued a series of school refunding bonds to advance-refund several outstanding bond issues, including three (3) that involved Southampton County in the early 1990's. As a participant in the bond pool, Southampton County was due to receive a distribution of allocable lump sum savings derived from the refunding – in our case, a one-time windfall of \$274,512.83. In order to meet IRS regulations, however, the savings must be used for additional public school capital purposes, and to avoid arbitrage rebate penalties, the proceeds must be spent within 6 months of receipt. He had discussed this matter with Mr. Charles Turner, Superintendent of Southampton County Schools, and the School Board was in the process of identifying eligible capital projects. He informed that in order to move ahead with the distribution of savings, it was necessary that the Board adopt the resolution included in the agenda, which was drafted by VPSA's bond counsel, Sidley Austin, LLP. The resolution authorized the execution and delivery of a continuing disclosure agreement and accompanying use of proceeds certificate, both of which were also included in the agenda for their reference. He advised that in order to avoid time constraints associated with the 6-month requirement, it was his intention to delay the actual distribution of funds until the school board had identified the specific project to which these proceeds would be applied.

The resolution is as follows:

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE ISSUANCE BY THE VIRGINIA PUBLIC SCHOOL AUTHORITY OF ITS SCHOOL FINANCING BONDS (1997 RESOLUTION) REFUNDING SERIES 1992B, SERIES 1993 AND REFUDNING SERIES 1994 A; AND AUTHORIZING ANY OTHER ACTIONS NECESSARY TO ACHIEVE THE OBJECTIVES CONTEMPLATED HEREBY

WHEREAS, the Virginia Public School Authority (the "Authority") pursuant to (i) a bond resolution adopted on August 13, 1987, as amended and supplemented (the "1987 Resolution") and (ii) a bond resolution adopted on October 23, 1997, as amended, restated and supplemented (the "1997

Resolution”) issued bonds (respectively, the “1987 Resolution Bonds” and the “1997 Resolution Bonds”) for the purpose of purchasing general obligation school bonds of certain cities and counties within the Commonwealth of Virginia;

WHEREAS, the Authority used a portion of the proceeds of certain 1987 Resolution Bonds to purchase certain duly authorized and issued general obligation school bonds of the County of Southampton, Virginia (the “County”) designated the County of Southampton General Obligation School Bonds, Series 1991B and Series 1992A (“Prior Local School Bonds”);

WHEREAS, the Authority has issued under the 1987 Resolution several series of 1987 Resolution Bonds designated as “School Financing Bonds (1987 Resolution) 1992 Series B” (the “Series 1992 B Bonds”), “School Financing Bonds (1987 Resolution) 1993 Refunding Series B” (the “Series 1993 B Bonds”) and “School Financing Bonds (1987 Resolution) 1993 Series C” (the “Series 1993 C Bonds”);

WHEREAS, the Authority refunded certain 1987 Resolution Bonds with a portion of the proceeds of its Series 1993 B Bonds and, in connection therewith, the County exchanged its Prior Local School Bonds with a duly authorized and issued general obligation school bond designated the County of Southampton General Obligation School Bond, Refunding Series 1994 A (the “1994 A Local School Bond”);

WHEREAS, the Authority used a portion of the proceeds of the Series 1992 B Bonds and Series 1993 C Bonds to purchase certain duly authorized and issued general obligation school bonds of the County designated as the County of Southampton General Obligation School Bonds, Series 1992B and Series 1993C (together with the 1994 A Local School Bond, the “Local School Bonds”);

WHEREAS, the Authority refunded its Series 1992 B Bonds, Series 1993 B Bonds and Series 1993 C Bonds (“Refunded Bonds”) with a portion of the proceeds of its Virginia Public School Authority School Financing Bonds (1997 Resolution) Refunding Series 2003 D (the “Refunding Bonds”) issued pursuant to the 1997 Resolution;

WHEREAS, the Authority in refunding the Refunded Bonds has pledged the Local School Bonds for the benefit of the holders of bonds issued under its 1997 Resolution;

WHEREAS, the Authority is required to assist the underwriters (the “Underwriters” of the Refunding Bonds with their duty to comply with Securities and Exchange Commission (“SEC”) Rule 15c2-12 (the “Rule”);

WHEREAS, the Authority has requested the County to execute a Continuing Disclosure Agreement in order for the Authority to assist the Underwriters in complying with the Rule, and;

WHEREAS, the Board of Supervisors of the County of Southampton, Virginia considers it to be advisable for the County to fulfill the request of the Authority to execute a Continuing Disclosure Agreement;

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

1. Continuing Disclosure Agreement.

The Chairman of the Board of Supervisors, the County Administrator and such officer or officers as they may designate are hereby authorized to enter into a Continuing Disclosure Agreement substantially in the form attached as Appendix A hereto, containing such covenants as may be necessary in order for compliance with the provisions of the Rule, and any other documents the Authority deems necessary to comply with the SEC rules and any Internal Revenue Service rules and regulations regarding maintaining the tax-exempt status of the bonds.

2. Use of Proceeds Certificate.

The Chairman of the Board of Supervisors, the County Administrator and such officer or officers as they may designate are hereby authorized to enter into a Use of Proceeds Certificate substantially in the form attached as Appendix B hereto, containing such covenants as may be necessary in order for compliance with any Internal Revenue Service rules and regulations regarding maintaining the tax-exempt status of the bonds.

3. Further Actions.

The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the execution and delivery of the Continuing Disclosure Agreement and the Use of Proceeds Certificate and maintaining the tax-exempt status of the bonds, and any such action previously taken is hereby ratified and confirmed.

4. Effective Date.

This resolution shall take effect immediately.

* * * *

Supervisor Wyche moved, seconded by Supervisor Faison, to adopt the resolution. All were in favor.

Moving to preliminary plat approval, Mr. Johnson announced that included in the agenda for their consideration was a copy of the Southampton County Planning Commission's report regarding preliminary plat approval for Country Roads – Phase 2. Phase 2 of the Country Roads subdivision was located east of Courtland just off of Storys Station Road. It included twenty-four (24) residential building lots, each with a minimum of 40,000 square feet in area, acceptable standards in an Agricultural A-1 zoning district. The lots were proposed to be served by individual wells and septic systems subject to Health Department approval. The Planning Commission recommended approval of the plat, subject to the following three (3) specific recommendations, which addressed performance and maintenance bonds for road and drainage improvements:

- 1) Surety in the amount of \$475,000.00 in accordance with Section 14-102(a) of the Southampton County Code;
- 2) A maintenance bond for annual roadway maintenance in the amount of \$10,000.00 in accordance with Section 14-102(b) of the Southampton County Code; and
- 3) Maintenance fee for the proposed roadways in the amount of \$3,900.00.

He advised that once the preliminary plat was approved, the developer had 6 months to prepare a final plat and make satisfactory arrangements for surety to warrant installation of all improvements. The final plat was then reviewed the Board, and if approved, must be recorded within 60 days of final approval.

Mr. Jay Randolph, Assistant County Administrator and Secretary of the Planning Commission, noted that this was one of the last projects already "in the pipeline" at the time the ordinance was adopted limited the subdividing of agricultural land.

Mr. Randolph confirmed for Supervisor West that there were no additional accesses onto Storys Station Road.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to approve the preliminary plat for Country Roads – Phase 2 with the 3 recommendations of the Planning Commission. All were in favor.

Moving forward, Mr. Johnson announced that as discussed last month, please be advised that, since 1999, § 15.2-926.1, *Code of Virginia*, had authorized localities to adopt an ordinance permitting the killing of coyotes and establish a bounty for each coyote killed within its boundaries. Coyote bounty programs were intended to reduce the number of livestock kills in a locality. He informed that currently, coyote bounty programs existed in 15 of 95 Virginia counties, including Augusta, Bath, Brunswick, Charlotte, Giles, Halifax, Lee, Lunenburg, Mecklenburg, Nottoway, Page, Prince Edward, Pulaski, Tazewell, and Warren counties. Coyote bounties were considered and defeated in Cumberland County and tabled with no action in Henry County. Scott County rescinded its program after one year. He noted that he had not been able to identify any potential source of state or federal funding for the bounties – the programs above appeared to be 100% locally funded. Many counties had limited the total dollar amount that would be paid out in any fiscal year – for instance, Augusta had limited the total bounty program to \$5,000 and Pulaski to \$2,500. He stated that included in the agenda for their reference was a number of newspaper articles as well as a copy of the ordinance recently adopted by Augusta County, which became effective January 1, 2006. Augusta had had 16 coyotes killed in the first two weeks of the program. He pointed out that the state wildlife biologist indicated that bounty

programs were largely ineffective in reducing coyote populations and preventing livestock kills.

Supervisor Faison asked if this was a problem in Southampton County?

Chairman Jones asked Mr. Wes Alexander, Cooperative Extension Agent, who was in the audience, to address that.

Mr. Alexander advised that he had not had any reports of livestock kills.

Vice-Chairman Young remarked that the hunting clubs killed some coyotes during hunting season.

Since this did not seem to be a problem in Southampton County, it was consensus of the Board to keep this matter under advisement. They could do something about it if it became a problem.

Moving forward, Mr. Johnson announced that included in the agenda for their consideration was correspondence from Charter Communications alerting them to the fact that several telephone companies were currently approaching counties and cities along the east coast, attempting to negotiate cable franchises on terms and conditions that, at least according to some, may have a negative impact on consumers. He informed that they had included a number of recent news articles from The Wall Street Journal, Washington Post, and Yahoo business page which summarized their concerns. According to the WSJ, Verizon had recently initiated negotiations for cable franchise agreements in more than 300 communities from Maine to Florida. Because the process of negotiating with local governments was often slow, Verizon was spending millions of dollars lobbying state governments to require only a single statewide franchise. In a similar vein, the Bell companies were lobbying Congress to repeal the anti-discrimination rules of the 1984 Cable Act, setting the state for them to provide video and broadband service in more affluent neighborhoods without the obligation of serving the less affluent ones, drawing criticism from many civil rights leaders. He advised that Charter had prepared and asked that they consider a resolution which strongly supports the anti-discrimination provisions of the 1984 Cable Act, opposes the abolition of local authority in granting cable franchises, and supports fair competition for providers of video and broadband services.

The resolution is as follows:

**RESOLUTION IN SUPPORT OF
VIDEO COMPETITION EVERYWHERE**

WHEREAS, it is the mission of the County of Southampton, Virginia to preserve and protect the rights of all its citizens;

WHEREAS, the existing federal and local video franchising rules have resulted in a \$100 billion investment in advanced telecommunications services nationwide and formed the basis for a national policy of broadband;

WHEREAS, public policies that encourage the deployment of broadband everywhere could result in a \$500 billion boost to the economy and 1.2 million jobs at a time when municipal budgets and economic opportunities are lean;

WHEREAS, the County of Southampton, Virginia strongly supports the anti-discrimination provisions of the 1984 Cable Act that have ensured against a 19th century world of digital haves and have-nots and ensured that Americans of all incomes, races and backgrounds can have equal access to television and broadband service as the information and communication that it provides becomes more essential in our daily lives;

WHEREAS, because this bipartisan anti-discrimination provision has been effective in ensuring the robust build-out of broadband networks, and in protecting against cherry picking of communities, the provision should be preserved by Congress and the States applied both to existing video service providers and new entrants into the video marketplace;

WHEREAS, some telecommunications companies that now seek to enter the video marketplace are attempting to gain competitive advantage through federal and state preemption of local authority and are seeking to undermine the anti-discrimination and build-out requirements that have been a bipartisan cornerstone of our telecommunications laws for decades;

WHEREAS, the County of Southampton, Virginia wants to encourage competition for telephone, broadband, and video services, recognize that competition for such services is growing rapidly, and ensure that these new competitive services are available to all its citizens;

WHEREAS, new entrants into the video marketplace face no unreasonable barriers to entry as federal law expressly provides that video franchises are not exclusive and municipalities have franchised numerous second video providers throughout the country;

WHEREAS, excluding local elected officials from the franchise process as some telecommunications carriers suggest would be harmful to county residents who use local franchise rules to ensure that video services are provided to everyone and that public safety and other community needs are met;

WHEREAS, the County of Southampton, Virginia agrees that government policies should not determine winners and losers in the marketplace and thus the rules governing local franchises, including rules regarding the build-out of networks, should apply to all video providers equally; and

WHEREAS, the 109th United States Congress is currently considering various legislative proposals that would drastically limit or abolish the important role of local government franchising and the non-discrimination provisions of the 1984 Cable Act; and

WHEREAS, the State of Virginia is considering various legislative proposals that would also limit or abolish the important role of local government franchising and the non-discrimination provisions of the 1984 Cable Act; and

NOW, THEREFORE, BE IT RESOLVED that the County of Southampton, Virginia urges Congress to reject the intentions of such legislative proposals, including S. 1349 and H.R. 3146, the "Video Choice Act of 2005";

BE IT RESOLVED, that the County of Southampton, Virginia urges state legislatures to reject legislative proposals that limit or abolish the role of local government franchising and the ability of local governments to protect all its citizens, impose build-out requirements that will ensure that the non-discrimination provisions of the 1984 Cable Act are met and promote competition for all its citizens;

BE IT RESOLVED, the County of Southampton, Virginia supports legislation which would promote competition in broadband and video services for everyone, recognizes and preserves local community needs, preserves local control over franchising, and prohibits redlining and other discriminatory practices;

BE IT RESOLVED, that in enacting new legislation, Congress and the State of Virginia should ensure that the current anti-discrimination provisions in the 1984 Cable Act are preserved, and should ensure that any and all new entrants abide by the same standards that current multichannel video providers live by; and

BE IT RESOLVED, that any new legislation with respect to existing multichannel video service providers, enacted by Congress and/or the State of Virginia should permit local franchising authorities to require all new entrants in the video marketplace to offer their broadband and video services to consumers within their service territory to offer their broadband and video services to consumers within their service territory on a non-discriminatory basis, just as the law permits them to do so today.

County Official

Date

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

Regarding miscellaneous issues, Mr. Johnson announced that he was pleased to report that the U.S. Department of Agriculture had officially designated Southampton County as a primary disaster area caused by drought and high temperatures last summer. Accordingly, qualified farmers were eligible for emergency loans for the next 8 months to help cover part of their actual losses. The designation was in response to a resolution adopted by this Board on August 22, 2005.

Mr. Johnson advised that included in the agenda was an invitation to the Southampton County Fire and Rescue Association's annual dinner on February 14, 2006 at 6:30 PM at the Boykins Volunteer Fire Department and Rescue Squad building. All 6 Board members present tonight indicated that they planned to attend. Mr. Johnson stated that he would check with Supervisor Brown.

Mr. Johnson informed that he was pleased to report that three of our staff members had successfully completed their classroom instruction requirement for erosion and sediment control certification. Participating employees were Robert Barnett, Lee Copeland, and John Jenkins. All three gentlemen would sit for their respective certification exams later this year (2 in May, 1 in November).

Mr. Johnson advised that included in the agenda were a number of items of correspondence related to biosolids applications in Southampton County. First was a response from the Virginia Department of Health regarding Synagro's recent request to modify its permit application to include an additional 159.3 acres tended by Flaggy Run Farms on County Club Road (Storyst Station/Flaggy Run) and 553 acres tended by Peter Copeland on New Market Road, Southampton Parkway, Smiths Ferry Road, Brookside Drive, Bethany School Road and South Quay Road. Based upon our comments to VDH, Synagro withdrew its plans to apply biosolids on one of the Copeland fields on New Market Road based upon its industrial zoning classification. Otherwise, their application was consistent with state regulations and other modifications were approved. Second, Synagro had provided him with statutorily-imposed 100-day advance notice that it may apply biosolids to one or more of 94 permitted sites in Southampton County between April 7, 2006 and October 6, 2006. Finally, included in the agenda was an email where he had requested that Southampton County be notified by VDH of any biosolids training opportunities. It was his understanding that they were in the process of putting together a training program for local monitors. He noted that he was not sure who we would send, but we would have a representative at the next session.

Mr. Johnson reported that the following incoming correspondence was received:

- 1) From VDOT, notice that the public right-of-way use fee imposed upon telephone subscribers across the commonwealth will be increased to \$0.64 beginning in July 2006, an increase of \$0.03;
- 2) From Isle of Wight County, notice that Thomas J. Wright, III has been elected Chairman of their Board of Supervisors for 2006; and
- 3) From Virginia Department of Health, a copy of a Notice of Violation for failing to collect the appropriate number of lead and copper samples in the summer of 2005.

He informed that outgoing correspondence and news articles of interest were also in the agenda.

Moving to late arriving matters, Mr. Johnson announced that included in the agenda was a request for capital funding from the Ivor Volunteer Fire Department in the amount of \$30,000. Beginning in FY 2000, the Board agreed to provide almost \$1.2 million over a ten (10) year period for capital improvements for fire and rescue. The allocable share for each fire department in FY 2006 was \$10,000 and for each rescue squad, \$5,000. Funds were earmarked annually for each department or squad and held in escrow pending specific approval by the Board of Supervisors. Escrowed funds would continue to accrue for each department/squad over the next ten years if not drawn down. He advised that included in the agenda was a table indicating the status of capital appropriations since FY 2000. As they could see, Ivor Volunteer Fire Department was presently entitled to \$30,000 – \$10,000 from FY 2006 and \$20,000 which accrued from FY(s) 2004 and 2005.

Supervisor Wyche moved, seconded by Supervisors Faison and West, to approve the request, \$30,000, to the Ivor Volunteer Fire Department. All were in favor.

Mr. Johnson advised that as they knew, the Board resolved last month to again sponsor WHRO's Pioneer Awards Banquet. At the \$2,500 level of sponsorship, admission was offered to 6 county representatives. The banquet would be held the evening of Saturday, February 4, 2006 at the Norfolk Waterside Marriott. They would not be issuing tickets this year – they had instead asked him to provide a list of the 6 attendees from Southampton County. It was consensus of the Board that Chairman Jones and Supervisors Felts and Wyche (along with their spouses) would attend.

Mr. Johnson informed that included in the agenda was a copy of SJR. No. 152, co-patroned by Senator(s) Lucas and Quayle, seeking official state recognition of the Cheroenhaka Indian Tribe.

The resolution is as follows:

2006 SESSION

INTRODUCED

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SENATE JOINT RESOLUTION NO. 152

Offered January 18, 2006

Extending state recognition to the Cheroenhaka (Nottoway) Indian Tribe.

Patrons—Lucas, Blevins, Norment, Quayle, Ruff and Stolle; Delegates: Barlow, Jones, S.C., Oder, Spruill and Tyler

Referred to Committee on Rules

WHEREAS, the Cheroenhaka (Nottoway) Indian Tribe (the Cheroenhaka) made first ethno-historic contact with the English during 1608 in what is now Nottoway County, Virginia; and

WHEREAS, in 1608, the Cheroenhaka were called Man-goak or Men-gwe by the Powhatan Confederation's "Algonquian Speakers" and further listed on John Smith's 1607 map of Virginia by the same name; and

WHEREAS, the Colonials gave names to other Indian tribes based on what the Indians they had first contact with called other tribes and as such, the Algonquian speakers called the Cheroenhaka NA-DA-WA or Nottoway, as perceived by the Colonials; and

WHEREAS, in the seventeen century, Virginia Indians were divided into three language groups: Algonquian speakers, Siouan speakers and Iroquoian speakers. During this period, the Iroquoian-speaking tribes occupied lands east of the Fall Line on the inner coastal plains of Southeastern Virginia, and these tribes were the Cheroenhaka, the Meherrin and the Tuscarora; and

WHEREAS, in 1650, according to the diary entries of James Edward Bland, the Nottoway Indians were called NA-DA-WA by the Algonquian speakers, which the Colonials interpreted as to Nottoway. Also in 1650, Bland encountered two Cheroenhaka villages, one in Sussex County near present-day Homeville and the other in Drewryville, Virginia, in Southampton County; and

WHEREAS, the true name of the Tribe is Cheroenhaka (Che-ro-en-ha-ka), which means "People at the Fork of the Stream," based on the Tribe's lodging area, which was where the Nottoway River forks with the Backwater River to form the Chowan River; and

WHEREAS, the Cheroenhaka were signers to the Treaty of 1647 and the Treaty of 1677; and WHEREAS, the tribal warriors of the Cheroenhaka (Nottoway) Indian Tribe joined forces with Nathaniel Bacon in what became known as Bacon's Rebellion of May 1676; and

WHEREAS, in the mid 1680s, the Cheroenhaka (Nottoway) Indian Tribe, due to encroachment by the Colonials and to avoid war with other tribes, moved from the Nottoway Town of Ta-ma-hit-tion in Sussex County to the mouth of the Assamoosick Swamp in what is now present-day Courtland and Sebrell in Southampton County, Virginia; and

WHEREAS, in 1705, the House of Burgess granted two tracks of land to the Cheroenhaka - the Circle and Square Tracks consisting of some 41,000 acres of reservation land. The tracks of land fell within the confines of what was then Isle of Wight County and what is now Southampton and Sussex Counties; and

WHEREAS, in 1711, Colonial Lieutenant Governor Spotswood met with the Cheroenhaka offering forgiveness of treaty tribute if the Cheroenhaka would send their sons to the "Brafferton," a school for Indians at the College of William and Mary; and

WHEREAS, though the Cheroenhaka (Nottoway) were fearful that their sons would be sold into slavery, ethno-historic records document that Colonial Lieutenant Governor Spotswood reported in November 17, 1711, that two sons of the Cheroenhaka Chief's men were, in fact, attending the Brafferton school. Cheroenhaka "Surnames" continued to appear on the enrollment roster of the Brafferton school throughout the 1750s and 1760s; and

WHEREAS, the Treaty of 1713-1714, a third treaty signed by the Tribe, included a "Successor Clause," which has the effect of continuing the relationship that the Tribe had with the Colonials from 1713 to 1775 and with the Commonwealth beginning in 1776 to the present time; and

WHEREAS, on February 7, 1713, Colonial Lieutenant Governor Spotswood signed a treaty that included a Successor Clause with the Cheroenhaka's Chief Ouracoorass Teerheer, who was also known as William Edmund/Edmond; and

WHEREAS, on November 24, 1735, the "first" of many land transfer deeds for the "Circle Tract of Land" transpired between the Colonials and the Cheroenhaka Chief and would continue until the 1880's until both the Circle and Square Tract of Lands, totaling 41,000 acres of reservation lands, were in the hands of the Europeans; and

WHEREAS, in 1808, the Governor of the Commonwealth of Virginia mandated a Special Nottoway Indian Census to be taken of those Indians living on the remaining lands of the Nottoway Indian

INTRODUCED

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58 Reservation in what is now Courtland, Virginia, which then totaled approximately 3,000 acres; and
 59 WHEREAS, the Special Census was conducted by non-Indian Tribal Trustees Henry Blow, William
 60 Blow, and Samuel Blunt; and
 61 WHEREAS, in 1820, President Thomas Jefferson recorded the language of the Cheroenhaka; in the
 62 same year he stated in a Petersburg newspaper that the only remains in the state of Virginia of the
 63 formidable tribes are the Pamunkeys and Nottoways and a few Mattaponies; and
 64 WHEREAS, between 1823 and 1824, William Bozeman, also know as Billy Woodson (the name
 65 listed in the Special Nottoway Indian Census of 1808) filed a petition in the Southampton County to
 66 have remaining Nottoway reservation lands divided "free and simple" between the Nottoway Indians;
 67 and
 68 WHEREAS, in 1849, the Cheroenhaka filed suit in Southampton County against Jeremiah Cobb over
 69 a land dispute. The lawsuit was filed by the tribe's non-Indian Trustees, James W. Parker, G.N.W.
 70 Newsom, and Jessie Parham; and
 71 WHEREAS, on November 8, 1850, Judge Rich H. Baker ruled in favor of the Cheroenhaka and
 72 awarded them \$818.80 with interest from June 1, 1845. This successful lawsuit is further indication of
 73 the recognition of the tribal status of the Cheroenhaka by the Commonwealth of Virginia; and
 74 WHEREAS, in the 1850's, as the final bits of reservation lands disappeared into the hands of
 75 Europeans, many tribal members relocated to what became known an "Artist Town," near what is now
 76 Riverdale Road in Southampton County. These tribal members continued to live there as a tribal
 77 communal group up until the late 1990s sharing their Native American traditions and customs - hunting,
 78 trapping, fishing the Nottoway River, farming, and raising livestock; and
 79 WHEREAS, the excavation of the Hand Site Settlement in Southampton County, Virginia, between
 80 1965 and 1966 and in 1969, resulted in the skeletal remains dating back to 1580 of approximately 132
 81 graves of Cheroenhaka Indians being removed and taken to the Smithsonian National Museum of
 82 Natural History in Washington, D.C.; and
 83 WHEREAS, in February 2002, the historic Cheroenhaka Indian Tribe reorganized by bringing
 84 together family clusters of Cheroenhaka Indian descendants still living in Southampton County, Virginia;
 85 and
 86 WHEREAS, in May 2002, a tribal government was in place with the election of a chief and council
 87 members and the first Pow Wow and Gathering took place on July of the same year; and
 88 WHEREAS, this Pow Wow and Gathering has continued since then on the fourth weekend of July
 89 each year as a celebration of the "Green Corn Harvest"; and
 90 WHEREAS, on December 7, 2002, the Cheroenhaka Indian Tribe filed a letter of intent with the
 91 Bureau of Indian Affairs announcing that it would be filing for federal recognition; and
 92 WHEREAS, on July 29, 2003, the Circuit Court of Southampton County, Virginia, issued a license
 93 to Chief Walter David "Red Hawk" Brown III of the Cheroenhaka, with all rights to perform the rites of
 94 matrimony for the Tribe in accordance with its customs and traditions; and
 95 WHEREAS, in February 2004, the Cheroenhaka Tribal Shield and Heraldry was copyrighted with the
 96 Library of Congress; and
 97 WHEREAS, on July 24, 2004, the elected official body of Southampton County, Virginia, the
 98 Southampton County Board of Supervisors, issued under its seal, a Proclamation of Recognition of the
 99 Cheroenhaka proclaiming July 24 of said year as "Cheroenhaka Day"; and
 100 WHEREAS, on June 3, 2005, the Waccamaw Indian tribe of South Carolina enacted a Joint
 101 Resolution recognizing the sovereignty of the Cheroenhaka; and
 102 WHEREAS, in June of 2005, the Cheroenhaka (Nottoway) Indian Tribal Heritage Foundation was
 103 incorporated as a nonprofit corporation titled the Cheroenhaka (Nottoway) Indian Tribe; and
 104 WHEREAS, the Cheroenhaka of Southampton, Virginia has an ongoing documented and continual
 105 relationship with the Commonwealth of Virginia dating to the first ethno-historic contact with English
 106 settlers in 1608; now, therefore, be it
 107 RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly of
 108 Virginia recognize the existence within the Commonwealth of the Cheroenhaka (Nottoway) Indian Tribe.
 109 RESOLVED FURTHER, That the Clerk of the Senate transmit a copy of this resolution to the Chief
 110 Walter David "Red Hawk" Brown III, requesting that he further disseminate copies of this resolution to
 111 his constituents so that they may be apprised of the sense of the General Assembly of Virginia in this
 112 matter.

Mr. Johnson recognized Mr. Ellis Wright of the Cheroenhaka Indian Tribe.

Mr. Wright stated that of course they maintained that they had never lost recognition, but the new procedure for all tribes was to petition the legislators to be recognized. That was what they planned to do at this time. Senator Lucas along with Senator Quayle would be co-sponsoring this. Support from the Board of Supervisors would certainly help to say that at least their own County recognized them.

Vice-Chairman Young moved, seconded by Supervisors Felts and Wyche, to endorse the passage of SJR No. 152 and direct the County Administrator to transmit a copy of the Board's endorsement to members of the Senate Committee on Rules. All were in favor.

Chairman Jones asked if there was anything to come before this Board?

Supervisor Felts advised that the Jamestown 2007 Committee met again the other night. They decided to order Christmas ornaments/sun catchers. They planned to contact the schools to see if the advanced art class could design a logo based on criteria they would provide to them. They were going to contact Southampton High School, Southampton Academy, and Franklin High School, if the City of Franklin decided to bring someone on board their Committee. She had contacted City Manager, Bucky Taylor, but had not heard back from him. She stated that they were going to need some money. There was a convention to be held in Richmond next February

and hopefully they would be sponsoring one of the buses that would be going from Richmond to Williamsburg. They would need some money when they got ready to order the ornaments, which would be by mid-March. She thought they would need roughly \$600 for the ornaments. The Committee had selected a fairly inexpensive but attractive ornament. She would try to provide a more accurate figure and perhaps submit a formal letter of request at the next meeting.

Mr. Johnson clarified that the Board had not appropriated any money towards the Jamestown 2007 Committee or celebration, so the Board would need to specially appropriate any money.

Supervisor Wyche recognized Mrs. Judy English, Director of Social Services.

Mrs. English thanked Supervisor Wyche for giving her an opportunity to speak. She stated that he was held in high regard as a member of the Board of Social Services. She advised that she briefly spoke to them several times before when she was so concerned about the high cost of energy and heating. We were all grateful for the warm temperatures. She informed that they had a special pot of money they had been accumulating from community donations for emergency assistance, only to be used when there were no other sources of funding to be used. Because of this emergency fund, she was not so worried anymore.

Mr. Glenn Updike, a Southampton County citizen, spoke. He stated that he would like for them to reconsider the coyote bounty. He had lost 2 calves to wild dogs. We needed to control it now and be ahead of the game. He advised that in the next couple of months we would be looking at proffers on development. We needed to increase proffers based on budget increases. He informed that the next item he wanted to talk about was a pet peeve of his. They were letting VDOT off with silk gloves. He was surprised that the school administration was not up here tearing the podium up. A school bus recently hydroplaned due to water standing in the road. He had asked Chairman Jones about having a Planning Commission public hearing on safety, and he said our hands were tied. Mr. Updike stated that our hands were not tied. The cities were getting all of the money. We had soft shoulders and water standing in the road and we were not getting anything. We needed to get the senators behind this. He advised that a tree fell across the road last Sunday. They called the police because VDOT was closed. A citizen moved it out of the road and it was now in the ditch. VDOT had not shown up yet. We needed to have a public hearing.

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

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

Section 2.2-3711 (A) (7) Consultation with legal counsel regarding specific legal matters requiring the provision of advice by counsel.

Vice-Chairman Young moved, seconded by Supervisors Faison and Felts, to conduct a closed meeting for the purpose previously read.

Mr. Richard Railey, County Attorney, Mrs. Julia Williams, Finance Director, Mr. Jay Randolph, Assistant County Administrator, and Mr. Julien Johnson, Public Utilities Director, were also present in the closed meeting.

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

RESOLUTION OF CLOSED MEETING

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

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

NOW, THEREFORE, BE IT RESOLVED that the Southampton County Board of

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

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

The motion passed unanimously.

Supervisor Felts brought up the problems that were going on in the Sedley Fire Department and inquired if the County could get involved?

Supervisor West advised Supervisor Felts that he had had 3 calls and 1 call placed to a mutual friend that hangs out at the coffee shop. It was concerning what was going on in the Sedley Volunteer Fire Department and the allegations that all of its people were not being fully trained. There was basically a split of 17-16 within the department. He stated that we, as a County, had no standards as far as requirements for fire departments. The fire departments had to meet state standards. Until there was any other standard, he did not think that the County could get involved even though we contributed money annually to the fire departments. He had been told that the problems in the Sedley Volunteer Fire Department had come down to a fight between the "been here's" and "come here's". The "come here's" wanted to change things and make the fire department better and more advanced.

Supervisor Felts advised that there had been an underlying problem for a number of years and she had been aware of that. When they had their election a couple months ago, she was asked to help count the ballots. She should have asked for the bylaws at that point to make sure that everyone that voted was eligible to vote. She did not do that. They only asked her to help count the ballots and that was what she did. She gave a mini speech afterwards because you could almost feel the tension there. Then after all of this transpired and she had people calling her and stopping her in the grocery store, she called Mr. Johnson. He advised that until it became a safety issue, there was nothing we could legally do because they were self-supporting. A lot of the "come here's" that wanted to upgrade and have more training were not all "come here's." Some of them were born in Sedley. As said in the paper, it was kind of like a family feud, and until they decided to sit down and hash it out and talk to each other, she did not think they were going to settle the problem.

Supervisor West asked if we could offer any mediation? Supervisor Felts stated that Mr. Johnson had said yes, but the fire department had to request it.

Supervisor Felts advised that what she said to the department came from the heart because she lived there and had lived there all of her life. If someone's house caught on fire, she was concerned about the safety of the people, but also the firemen. When you went to fight a fire, you not only had to trust your training, but the training of the people that were backing you up. Some people told her that her speech was nice but she did not need to worry because they had it under control.

Supervisor West stated that there was some concern that the older one's were going to die out and they were going to get to a point where they were unable to respond.

Supervisor Felts advised that there were a lot of older one's now that had not actively fought a fire in years, and in terms of health, were probably not sure-footed enough nor quick enough to fight a fire. Supervisor West agreed. Supervisor Felts added that they did not have the training to fight a fire. Their safety concerned her as much as anything.

Supervisor Wyche stated that it was an issue because you could not expect volunteer firefighters to do the things that professional, paid firefighters did.

Supervisor West stated that some firefighters had been there a long time and put their whole life into it, and they were not as likely to change. We were making a donation each year, but we were

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enjoying the fruits of cheap protection. Some of the members of that fire department were paid firefighters in Chesapeake and Suffolk and were extremely well trained, and were concerned about the lack of training of the other members of the department because they could get hurt in a fire.

In regards to the attended trash sites, Mr. Johnson reported that we did close on the Hancock site in Courtland, so we now owned 3 sites – Courtland, Sebrell, and Newsoms. The next step was to try and finalize lease agreements with the balance of the sites, and then proceed with the plan. He hoped to be able to include it in the FY 07 budget and try and implement it in July.

Supervisor Faison mentioned that the water in Courtland had high levels of fluoride and was perhaps a health hazard. He asked what was the County's responsibility?

Supervisor West advised that the Town of Ivor was facing problems with their water system as well. Several businesses were very concerned and they were having a town meeting tonight.

Mr. Johnson advised Supervisor Faison that he would defer the legal answer to his question to Mr. Richard Railey, County Attorney. However, the Town of Courtland was the owner/operator of the waterworks in the town. They were the permittee according to the state, so any legal obligation to provide water that meets federal drinking water standards was the Town of Courtland's. He knew they were working with the health department to try and resolve the issue. He heard that they were drilling a new well with the intent to mix water from an aquifer with less concentrations of fluoride with the existing water, in hopes to bring the total amount of water under the threshold. If the Town had to get into expensive treatment options, such as reverse osmosis, he would expect that we would be hearing from the Town in that they would want us to take over the system.

Supervisor Felts informed that they did not have water in Sedley the other night. The (Village of Sedley) committee that was going to buy the system did not buy it because it was more than it was worth. They found out that the gentleman that owned the system did not have a maintenance crew – he had to call somebody else, and if they chose not to come, the residents went without water.

Supervisor Felts clarified for Vice-Chairman Young that they were without water for a few hours. She commented that she did not know whether this gentleman would eventually be willing to donate the system to the County or not.

Mr. Johnson reminded that the Timmons Group looked at the systems and indicated that if they gave them to us, we could take over a number of them cost effectively and operate them. If we had to buy them, we would never break even.

Supervisor West advised that he would like us to explore opportunities that may exist with the Sussex Service Authority (SSA). There could be opportunities for Route 460, especially in the future. From conversations at the Homestead, it seemed that SSA would love to have us on board.

Supervisor West stated that he thought we needed to continue having quarterly workshop meetings/mini retreats to be able to informally discuss matters such as this.

Mr. Johnson advised that it would be helpful if they would let him know a specific topic they would like discussed at each mini retreat.

Supervisor West suggested that each Supervisor call Mr. Johnson in the next day or so with 1 topic. If there were repeats, we would know that topic was a high priority. The Supervisors were amenable to that.

There being no further business, the meeting was adjourned at 8:30 PM.

Dallas O. Jones, Chairman

Michael W. Johnson, Clerk