

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 February 28, 2005 at 8:30 AM.

SUPERVISORS PRESENT

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

SUPERVISORS ABSENT

None

OTHERS PRESENT

Michael W. Johnson, County Administrator (Clerk)  
J. Waverly Coggsdale, III, Assistant County Administrator  
Richard E. Railey, Jr., County Attorney  
Julia G. Williams, Finance Director  
Cynthia L. Cave, Community/Economic Development Director  
Julien W. Johnson Jr., Public Utilities Director  
Susan H. Wright, County Administration Executive Secretary

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

Mr. Michael Johnson, County Administrator, announced that last month this community received a very somber reminder of the high price of freedom. He asked the members of Jayton D. Patterson's family who were present to come forward. He called on Chairman Jones and Supervisor Wyche to also come forward. Mr. Johnson advised that last month, the Board opened their meeting with a moment of silence and then adopted the following resolution, which he would now read aloud:

**BOARD OF SUPERVISORS  
SOUTHAMPTON COUNTY, VIRGINIA**

**RESOLUTION 0105-01**

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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 24, 2005 at 6:00 p.m.

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**PRESENT**

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

**IN RE: A RESOLUTION REMEMBERING THE GALLANT SERVICE AND  
COMMENDING THE LIFE OF SERGEANT JAYTON D. PATTERSON, A  
COMBAT CASUALTY IN OPERATION IRAQI FREEDOM**

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Motion by Vice-Chairman Young:

**WHEREAS**, on Saturday, January 15, 2005, Sergeant Jayton D. Patterson, 26, United States Marine Corps, 24<sup>th</sup> Marine Expeditionary Unit, First Battalion, Second Marine Regiment, Second

February 28, 2005

Marine Division based out of Camp Lejeune, North Carolina, was killed in the service of his country in the Al Anbar Province of Iraq; and

**WHEREAS**, Sergeant Patterson was a native of Southampton County, husband of Stephanie B. Patterson, father of Claire Michelle Patterson, son of Frank K. and Sharon W. Patterson and brother of Hunter B. and Mattie M. Patterson; and

**WHEREAS**, funeral services were held earlier this day in memory of Sergeant Patterson at Millfield Baptist Church with full military honors; and

**WHEREAS**, flags at the Southampton County Courthouse and Office Center were lowered to half-staff upon learning of Sergeant Patterson's passing until dusk this evening; and

**WHEREAS**, Sergeant Patterson loved his Creator, his family, and his country enough to sacrifice his own life for the cause of freedom; and

**WHEREAS**, while recognizing how weak and fruitless our words must be when attempting to comfort Sergeant Patterson's family from the grief of a loss so overwhelming, this Board cannot refrain from tendering to the family the consolation that may be found in the thanks of a grateful County.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Southampton County, Virginia that, it does hereby remember the gallant service and commend the life of Sergeant Jayton D. Patterson of the 24<sup>th</sup> Marine Expeditionary Unit, who was killed in action in Iraq on Saturday, January 15, 2005, and further extends its thoughts and fervent prayers to the Patterson family for having laid so costly a sacrifice upon the alter of freedom; and

**BE IT FURTHER RESOLVED**, that this resolution be presented to the surviving family of Sergeant Jayton D. Patterson in representation of this County's sincere gratitude for his service to his nation; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be spread upon the minutes of this Board on the 24<sup>th</sup> day of January, 2005, forever preserving and recording its gratitude.

Seconded by Supervisor West.

VOTING ON THE ITEM:        YES - Jones, Young, Brown, Faison, Felts, West, Wyche  
   NO - None.

A COPY TESTE:

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Michael W. Johnson, County Administrator/  
Clerk, Southampton County Board of Supervisors

Chairman Jones and Supervisor Wyche presented Sergeant Patterson's mother and father with 2 framed copies of the resolution. Sergeant Patterson's father spoke in praise of their son and thanked the Board and the County for honoring his life. Sergeant Patterson's mother advised that she would make sure that his wife, Stephanie, who could not be present this morning, received one of the framed resolutions.

Chairman Jones sought approval of the minutes of the January 13, 2005 public information session (with the School Board), January 20, 2005 public hearing (with the School Board), and January 24, 2005 regular meeting. Supervisor Brown advised that on page 178, the 7<sup>th</sup> paragraph from the bottom, Attorney Railey's name was misspelled. The minutes were approved with Supervisor Brown's correction.

Regarding highway matters, Chairman Jones recognized Mr. Randolph Cook, Resident Engineer of the Virginia Department of Transportation (VDOT).

Mr. Johnson announced that included in the agenda was a copy of Commissioner Shucet's report for the second quarter of FY 2005. He noted significant improvement from last year in hitting their targets for completing construction and maintenance projects on time and within budget.

Mr. Johnson advised that also included in the agenda was a copy of our written notice of intent to participate in the Primary Road Fund Revenue Sharing Program for fiscal year 2005-06, as directed at the December 20, 2004 session.

Mr. Cook advised that over the last couple of years, some of the Board members had changed and some of his personnel had changed, so he had placed in front of each of them, a Southampton County map that identified the VDOT areas and the VDOT superintendents that serviced those areas. He then introduced the following VDOT personnel to the Board:

Franklin Area (Area 1): Superintendent – Benny Necessary  
Maintenance Supervisor – Keith Johnson

Capron/Drewryville Area (Area 2): Superintendent – Tim Grizzard

Berlin Area (Area 3): Superintendent – Jimmy Pair  
Maintenance Supervisor – Keith Proffitt

Mr. Cook advised that they were working on another stretch of Route 58 and that bids were going out in the middle of February for (hard-surfacing of) Whitehouse Road - Route 692.

Chairman Jones informed Mr. Cook that on the westbound lane of Route 58 near the airport, there had been several accidents in the same location. There was water across the road and several vehicles had hit the water and run into the ditch. Mr. Cook advised that he would see what they could do.

Regarding monthly reports, Mr. Johnson received various reports and provided them in the agenda. They were Financial, Animal Control, Sheriff's Office, Communication Center Activity Report, Traffic Tickets, and Building Inspections. Also, New Housing Starts, Cooperative Extension, Delinquent Tax Collection, Daytime E.M.S. Contract, Reassessment, and Personnel.

In reference to the reassessment report, Supervisor West stated that he saw where 3,442 parcels had been reviewed. He asked how many parcels were there? Mr. Johnson replied 13,000-14,000.

In reference to the personnel report, Mr. Johnson advised that Lorraine Bloskis resigned from the Treasurer's Office effective 01/31/05. He informed that Raymond E. Merkh and Derek W. Ayers of the Sheriff's Office remained on active military leave.

Moving forward to financial matters, Mr. Johnson announced that included in the agenda was an appropriations resolution with total appropriations of \$1,554,722.67. The appropriation consisted of \$1,052,088.94 of revenue received thus far in FY 2005, \$437,562.22 of revenue carried over from previous fiscal years, and \$65,072.51 of new money from the unappropriated general fund reserve for items authorized by the Board following adoption of the FY 2005 annual budget. He noted that an itemized list of the new money items was included in the agenda.

The appropriations resolution is as follows:

**APPROPRIATIONS - FEBRUARY 28, 2005**

**NEW MONEY REQUIRED FOR FEBRUARY 2005 APPROPRIATION**

**GENERAL FUND**

350.00	BOARD OF SUPERVISORS/SUFFOLK SHELTER FOR THE HOMELESS
1,000.00	BOARD OF SUPERVISORS/SOUTHEAST RURAL COM ASST PROJECT
2,500.00	BOARD OF SUPERVISORS/WHRO PIONEER BANQUET
765.38	REGISTRAR/STATE BUDGET REDUCTION
57,304.00	VOLUNTEER RESCUE/CITY OF FRANKLIN/EMERGENCY MEDICAL SERVICES
4,427.13	DETENTION/SICK LEAVE/2 EMPLOYEES
(1,274.00)	COMPREHENSIVE SERVICES ACT/REDUCTION IN LOCAL FUNDS
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<b>65,072.51</b>	<b>TOTAL NEW MONEY/GENERAL FUND</b>

**GENERAL FUND - CARRY-OVER FUNDS**

1,969.31	BOARD OF SUPERVISORS/BOARD RETREAT
6,918.00	CLERK OF THE CIRCUIT COURT/COST COLLECTIONS
16,381.88	COMMONWEALTH'S ATTORNEY/COST COLLECTIONS
7,050.21	SHERIFF/CAMP FOUNDATION/EDUCATION
1,996.62	SHERIFF/DARE
7,908.26	SHERIFF/CRIME PREVENTION
45,521.43	EMERGENCY SERVICES/CAMP FOUNDATION/DISASTER PREPAREDNESS EQUIPMENT
1,225.00	BUILDINGS & GROUNDS/CAMP FOUNDATION/SIGN REPLACEMENT
21,486.06	COMPREHENSIVE SERVICES ACT/ADMIN
6,530.45	PLANNING/ZONING/LITTER CONTROL
320,574.00	ECONOMIC DEVELOPMENT/CERTIFICATE OF DEPOSIT/VDOT
<hr/>	
<b>437,561.22</b>	<b>TOTAL CARRY-OVER/GENERAL FUND</b>

## APPROPRIATIONS - FEBRUARY 28, 2005

11010 BOARD OF SUPERVISORS	<p>(1) Received reimbursement for personal expenses VACO/Supervisor Jones (\$9.91), Supervisor Wyche (\$123.83), Supervisor Young (\$66.49), Supervisor West (\$54.20; LGOC/Supervisor Felts (\$5.77)</p> <p>(2) Carry-over Camp-Younts Foundation funds from FY 04 earmarked for Board Retreat (\$1,969.31) CARRY-OVER FUNDS and new Camp funds rec'd for Board retreats (\$4,000)</p> <p>(3) Funds previously approved by Board for reception for Suffolk Shelter for the Homeless (\$350) <b>NEW MONEY</b></p> <p>(4) Funds previously approved by Board for Southeast Rural Com Asst Project (\$1,000) <b>NEW MONEY</b></p> <p>(5) Funds previously approved by Board for the WHRO Pioneer Banquet (\$2,500) <b>NEW MONEY</b></p>
12110 COUNTY ADMIN	Funds received from Camp Foundation for professional development for County Administrator (\$9,800)
12550 INSURANCE/COUNTY CODE	Reimbursement received from retirees for BCBS (\$23,441)
13200 REGISTRAR	<p>(1) Increase of 3% effective 12/1/04 for Registrar and Electoral Board--due to state budget reductions this will be county funds (\$765.38) <b>NEW MONEY</b></p> <p>(2) Reimbursement received for personal costs (\$130)</p>
21100 CIRCUIT COURT	State reimbursement received for jurors & witnesses (\$3,605.93)
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) New state funds received for office expenses (\$9,901.36)</p> <p>(2) One-half of FY 04 cost collection carry-over funds required to be returned to the state (\$15,744.03) CARRY-OVER FUNDS</p> <p>(3) Cost collection carry-over funds to be used for supplemental salaries &amp; office supplies (\$637.85) CARRY-OVER FUNDS</p>
22200 VICTIM WITNESS PROGRAM	Grant received for FY 2005 (\$51,161)

31200 SHERIFF

- (1) Reimbursement from Southampton High School for security-salaries & FICA (\$1,026.98)
- (2) Local Law Enforcement Block Grant received to reduce crime & improve public safety (\$1,696)
- (3) DCJS Special Grant Award for purchase of equipment for law enforcement (\$3,929)
- (4) Reimbursement received for comprehensive & collision claims (\$5,760.50)
- (5) Reimbursement received from Sheriff for telephone calls (\$100)
- (6) Reimbursement received for extradition of inmates (\$2,042.21)
- (7) Reimbursement from Sheriff for golf tournament fees @VA Sheriffs' Asso (\$50)
- (8) Reimbursement from Sheriff for personal cost for meals (\$65)
- (9) Camp Foundation funds earmarked for Education/ Scholarships brought forward from FY 2004 (\$7,050.21) CARRY-OVER FUNDS
- (10) Reimbursement rec'd from employees for office supplies & uniforms (\$19.79)
- (11) Refund rec'd from Quill (\$298.50)
- (12) Refund rec'd from Galls (\$239.89)
- (13) Funds earmarked for Crime Prevention brought forward from FY 2003 (\$7,908.26) CARRY-OVER FUNDS
- (14) Funds transferred from Forfeiture Fund to Sheriff's criminal investigation (\$500)
- (15) Funds earmarked for DARE Program brought forward from FY 2004 (\$1,996.62) CARRY-OVER FUNDS
- (16) Insurance received for wrecked vehicle totaled (\$10,307.50)

32200 VOLUNTEER  
FIRE DEPTS

- (1) Reimbursements rec'd from Sedley Vol Fire and Drewryville Vol Fire for electrical services (\$1,696.79)

32300 VOLUNTEER  
RESCUE SQUADS

- (1) Funds previously approved by Board for City of Franklin/Emergency Medical Services (\$57,304)  
**NEW MONEY**
- (2) Two-for-Life state funds rec'd for rescue squads (\$7,853.50)

33100 DETENTION

- (1) Employer cost of sick leave for Landers & Joseph (\$4,427.13) **NEW MONEY**
- (2) Reimbursement rec'd from other localities for housing of inmates (\$18,880)
- (3) Capital credit refund from Community Electric (\$1,023.19)
- (4) Reimbursement rec'd from inmate trust fund for postage (\$54.18)
- (5) Reimbursement from Sheriff for golf tournament fees @VA Sheriffs' Asso (\$50)

34000 INSPECTIONS	Reimbursement received from contractors for Code Seminar (\$650)
35100 ANIMAL CONTROL	Transfer \$300 from Agricultural Supplies to Veterinary Care as requested by Sheriff--required by Dept of Agriculture & Consumer Services, Office of Veterinary Services (\$-0-)
35500 EMERGENCY SERVICES	(1) Funds previously received from Camp Foundations for disaster preparedness equipment (\$4,158.05) CARRY-OVER FUNDS (2) Funds rec'd FY 03 for Domestic Preparedness Equipment (\$41,363.38) CARRY-OVER FUNDS (3) Grant funds rec'd and earmarked for Radio System (\$117,243)
42300 SANITATION WASTE REMOVAL	Reimbursement rec'd from Selective Insurance for trash truck repair (\$49,554.68)
43000 BUILDINGS & GROUNDS	(1) Funds previously rec'd in FY 04 from Camp Foundation for sign replacement (\$1,225) CARRY-OVER FUNDS (2) Reimbursement received from Dept of Social Services and Health Dept for telephones (\$12,615.99)
51400 SR CITIZEN HOME HLT SERVICE	Reimbursement rec'd for Visiting Nurse for salary, fringe benefits, & travel (\$26,656.31)
53500 COMPREHENSIVE SERVICES ACT	(1) CSA earmarked carry-over administrative funds from previous year (\$21,486.06) CARRY-OVER FUNDS (2) Reduction to CSA budget for FY 05--state funds (\$-2,670) and local funds (\$-1,274) <b>NEW MONEY REDUCTION</b>
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 2005 (\$11,251) (2) Litter Control Grant funds rec'd in FY 04 & not expended (\$6,530.45) CARRY-OVER FUNDS
81500 ECONOMIC DEVELOPMENT	(1) Reimbursement rec'd for personal expenses (\$8.82) (2) Redemption of certificate of deposit held by Southampton County & VDOT to be used to reimburse VDOT for project costs--Industrial Access Project--Southampton Business Park (\$234,204) CARRY-OVER FUNDS (3) Appropriate add'l funds from above certificate of deposit for matching funds for Virtual Building Grant (\$86,370) CARRY-OVER FUNDS (4) Appropriate Virtual Building Grant--1/2 has been received (\$15,000)

83500 COOPERATIVE EXTENTION	Grant received for pesticide container recycling program (\$1,856.28)
91400 NON-DEPARTMENTAL	Contributions rec'd from Camp Foundation, Camp- Younts Foundation, & Ruth Camp Campbell Founda- tion (\$65,000)
92000 HOME PROGRAM PROJECTS	Reimbursement received from City of Suffolk for HOME Program expenditures--managed by STOP Organization (\$61,720)
SOCIAL SERVICES	(1) Increase in state revenues (see attached letter) (2) Appropriation of deferred revenue from FY 04 for administration of disaster food stamp program
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) Appropriate funds transferred in from Wireless 911 PSAP for GIS expenditures (2) Appropriate Debt Service/Turner Tract Util Ext from FY 04 earmarked for HVAC Improvements (3) Transfer Radio System Debt Service to Other Capital Projects/HVAC Improvements
ENTERPRISE FUND	(1) Reimbursement rec'd from Water Guard for repairs (2) Reimbursement rec'd from Narricot (3) Appropriate balance of Utilities Equipment Account funds held by SunTrust (4) Appropriate FY 04 carry-over funds earmarked for Enterprise Fund--portion is insurance reimbursement for storm damage

At a meeting of the Board of Supervisors of Southampton County,  
Virginia on Monday, February 28, 2005

## 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, 2004 through  
June 30, 2005 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	123.83
11010-5500	TRAVEL CONVENTION, EDUCATION	9.91
11010-5500	TRAVEL CONVENTION, EDUCATION	5.77
11010-5500	TRAVEL CONVENTION, EDUCATION	66.49
11010-5500	TRAVEL CONVENTION, EDUCATION	54.20
11010-5510	TRAVEL BOARD RETREAT	4,000.00
11010-5510	TRAVEL BOARD RETREAT	1,969.31
11010-5675	SUFFOLK SHELTER FOR THE HOMELESS	350.00
11010-5685	WHRO PIONEER GALA	2,500.00
11010-5695	SOUTHEAST RURAL COM ASST PROJECT INC	1,000.00
12110-5500	TRAVEL CONVENTION, EDUCATION	9,800.00
12550-2300	HOSPITAL PLAN	23,441.00
13200-1011	COMPENSATION OF BOARD MEMBERS	113.22
13200-1100	SALARIES & WAGES REGULAR	652.16
13200-5500	TRAVEL CONVENTION, EDUCATION	130.00
21100-3848	JURORS & WITNESSES - STATE	3,605.93
21600-5830	COLLECTION FEE ACCOUNT	6,918.00
22100-1700	COMPENSATION-COUNTY APPEALS	369.00
22100-5230	TELECOMMUNICATIONS	1,000.00
22100-5830	REFUND-COLLECTION FEE ACCOUNT	15,744.03
22100-6001	OFFICE SUPPLIES	268.85
22100-6001	OFFICE SUPPLIES	4,518.16
22100-8201	EQUIPMENT	4,383.20
22200-1100	SALARIES & WAGES REGULAR	33,224.00
22200-2100	FICA	2,542.00
22200-2210	RETIREMENT	1,100.00
22200-2215	RETIREMENT - EMPLOYEE SHARE	1,661.00
22200-2300	HOSPITAL PLAN	3,746.00
22200-2400	GROUP LIFE	379.00
22200-2600	UNEMPLOYMENT INSURANCE	35.00
22200-2700	WORKER'S COMPENSATION	524.00
22200-5500	TRAVEL CONVENTION, EDUCATION	2,490.00
22200-6001	SUPPLIES & OTHER EXPENSES	5,460.00
31200-1901	PART-TIME/SOUTHAMPTON HIGH SCHOOL	954.00
31200-1904	LOCAL LAW ENFORCEMENT GRANT	3,929.00
31200-1904	LOCAL LAW ENFORCEMENT GRANT	1,696.00
31200-2100	FICA	72.98
31200-3310	REPAIR & MAINTENANCE	711.04
31200-3310	REPAIR & MAINTENANCE	4,646.76
31200-3310	REPAIR & MAINTENANCE	402.70
31200-5230	TELECOMMUNICATIONS	100.00

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31200-5500	TRAVEL CONVENTION, EDUCATION	134.87
31200-5500	TRAVEL CONVENTION, EDUCATION	209.28
31200-5500	TRAVEL CONVENTION, EDUCATION	50.00
31200-5500	TRAVEL CONVENTION, EDUCATION	65.00
31200-5500	TRAVEL CONVENTION, EDUCATION	247.72
31200-5500	TRAVEL CONVENTION, EDUCATION	1,450.34
31200-5540	EDUCATION/SCHOLARSHIPS CAMP-YOUNTS FD	7,050.21
31200-6001	OFFICE SUPPLIES	10.79
31200-6001	OFFICE SUPPLIES	298.50
31200-6011	UNIFORMS & APPAREL	159.80
31200-6011	UNIFORMS & APPAREL	80.09
31200-6011	UNIFORMS & APPAREL	9.00
31200-6025	CRIME PREVENTION	7,908.26
31200-6028	CRIMINAL INVESTIGATION	500.00
31200-6030	DARE	1,996.62
31200-8105	MOTOR VEHICLES	10,307.50
32200-5110	ELECTRICAL SERVICES	275.77
32200-5110	ELECTRICAL SERVICES	1,421.02
32300-3170	CONTRACTUAL SERVICES/DATYIME OPERATIONS	57,304.00
32300-5843	STATE FUNDS/TWO-FOR-LIFE	7,853.50
33100-1325	SICK LEAVE	4,427.13
33100-3800	PURCHASE OF SERVICE-OTHER INSTITUTIONS	460.00
33100-3800	PURCHASE OF SERVICE-OTHER INSTITUTIONS	1,860.00
33100-3800	PURCHASE OF SERVICE-OTHER INSTITUTIONS	2,100.00
33100-3800	PURCHASE OF SERVICE-OTHER INSTITUTIONS	4,140.00
33100-3800	PURCHASE OF SERVICE-OTHER INSTITUTIONS	270.00
33100-3800	PURCHASE OF SERVICE-OTHER INSTITUTIONS	1,860.00
33100-3800	PURCHASE OF SERVICE-OTHER INSTITUTIONS	3,690.00
33100-3800	PURCHASE OF SERVICE-OTHER INSTITUTIONS	2,325.00
33100-3800	PURCHASE OF SERVICE-OTHER INSTITUTIONS	2,175.00
33100-5110	ELECTRICAL SERVICES	1,023.19
33100-5210	POSTAL SERVICES	9.51
33100-5210	POSTAL SERVICES	7.16
33100-5210	POSTAL SERVICES	37.51
33100-5500	TRAVEL CONVENTION, EDUCATION	50.00
34000-5500	TRAVEL CONVENTION, EDUCATION	650.00
35100-6003	AGRICULTURAL SUPPLIES	(300.00)
35100-6004	VETERINARY CARE	300.00
35500-8200	DISASTER PREPAREDNESS EQUIP/CAMP FD	4,158.05
35500-8201	DOMESTIC PREPAREDNESS EQUIPMENT PRO	41,363.38
35500-8202	DOMESTIC PREPAREDNESS EQUIPMENT PRO	117,243.00
42300-3310	REPAIR & MAINTENANCE	49,554.68
43000-5241	TELECOM-SOC SER/HEALTH	7,086.76
43000-5241	TELECOM-SOC SER/HEALTH	5,529.23
43000-8105	COUNTY BUILDINGS REPAIR	1,225.00
51400-1100	SALARIES & WAGES REGULAR	19,848.77
51400-2851	FRINGE BENEFITS	5,673.95
51400-5510	TRAVEL MILEAGE	968.79
51400-5510	TRAVEL MILEAGE	164.80
53500-5666	ADMINISTRATIVE ALLOCATION	21,486.06
53500-5667	STANDARD ALLOCATION	(2,670.00)
53500-5667	STANDARD ALLOCATION	(1,274.00)
72200-5601	CONTRIBUTION-GOV'T CHALLENGE/VA COMM	5,000.00
81100-5647	LITTER CONTROL GRANT	11,251.00
81100-5647	LITTER CONTROL GRANT	6,530.45
81100-5500	TRAVEL CONVENTION, EDUCATION	8.82

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81500-8223	VDOT INDUSTRIAL ACCESS PROJECT	234,204.00
81500-8224	VIRTUAL BUILDING GRANT	86,370.00
81500-8224	VIRTUAL BUILDING GRANT	15,000.00
83500-3861	GRANT #2	1,856.28
91400-5671	CAMP CAMPBELL FUNDS	65,000.00
92000-8201	HOME REHABILITATION	61,720.00
	TOTAL	<u>1,024,412.33</u>

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

4-201-53100-1100-309	SALARIES & WAGES REGULAR	5,884.18
53100-2100-309	FICA	450.14
53100-1100-310	SALARIES & WAGES REGULAR	2,474.41
53100-2100-310	FICA	189.30
53100-1100-311	SALARIES & WAGES REGULAR	3,381.86
53100-2100-311	FICA	258.71
53100-1100-320	SALARIES & WAGES REGULAR	10.42
53100-1100-320	SALARIES & WAGES REGULAR	12,000.00
53100-2100-320	FICA	0.80
53100-2100-320	FICA	918.00
53100-6001-320	OFFICE SUPPLIES	600.00
53100-6014-320	OTHER OPERATING SUPPLIES	7,500.00
53100-8005-320	MOTOR VEHICLES	16,221.00
53210-5747-313	VIEW	48,203.00
	TOTAL	<u>98,091.82</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	30,905.00
	TOTAL	<u>30,905.00</u>

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

4-300-94000-5840	RADIO SYSTEM DEBT SERVICE	(160,000.00)
94000-8135	GIS	30,905.00
94000-8145	OTHER CAP PROJ/HVAC IMPROVEMENTS	80,815.52
94000-8145	OTHER CAP PROJ/HVAC IMPROVEMENTS	160,000.00
	TOTAL	<u>111,720.52</u>

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

4-500-89500-1320	ANNUAL LEAVE	8,086.00
89500-1325	SICK LEAVE	3,568.00
89500-2700	WORKER'S COMPENSATION	61.00
89500-3160	WASTEWATER VIOLATION ISSUES	11,000.00
89500-3190	PERMIT FEES	4,000.00
89500-3310	REPAIR & MAINTENANCE	1,995.00
89500-3310	REPAIR & MAINTENANCE	14,167.00
89500-5120	HEATING SERVICES	2,000.00
89500-5210	POSTAL SERVICES	75.00
89500-5306	INSURANCE	2,000.00
89500-6001	OFFICE SUPPLIES	200.00
89500-6004	LABORATORY SUPPLIES	1,500.00
89500-6009	VEHICLE SUPPLIES	9,000.00
89600-3120	CONTRACTUAL/LEASE OF EQUIPMENT	4,464.00
89600-3310	REPAIR & MAINTENANCE	6,000.00
89600-5210	POSTAL SERVICES	75.00
89600-5306	INSURANCE	1,000.00
89600-5500	TRAVEL CONVENTION, MILEAGE	230.00
89600-5810	DUES & MEMBERSHIP	100.00
89600-8200	WATER METER EQUIPMENT	168,199.00
89600-8200	WATER METER EQUIPMENT	7,673.00
89600-8213	CAPITAL EXPENDITURES-RESERVE	34,700.00
89600-8221	ENGINEERING/CONSTRUCTION	9,500.00
	TOTAL	289,593.00

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TOTAL APPROPRIATION 1,554,722.67

A copy teste:

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Michael W. Johnson, Clerk

Southampton County Board of Supervisors  
02/28/05

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

Mr. Johnson advised that bills in the amount of \$1,231,694.38 were received. **Vice-Chairman Young moved, seconded by Supervisor West, that the bills in the amount of \$1,231,694.38 be paid with check numbers 67663 through 68143. All were in favor.**

Moving to the streetlight request, Mr. Johnson announced that they recently received a request to evaluate the environs of 28281 Monroe Road in the Newsoms District for placement of a streetlight pursuant to the Board’s adopted policy. Included in the agenda was a copy of the field report and recommendation of Mr. Waverly Coggsdale, Assistant County Administrator, in which he concluded that placement of a light in this area was inconsistent with the Board’s adopted policy (also included in the agenda). Because the structures were concentrated primarily on one side of the highway and also located in an A-1 zoning district, with each lot at least 150’ in width, one light simply could not provide the significant lighting benefit to 5 or more residential

entrances as required by the policy. He noted that the area immediately south of this location on Monroe Road between the houses 28284-28446 may perhaps qualify since there were structures on both sides of the highway, but that area was not requested nor did they evaluate it.

Mr. Johnson clarified for Supervisor Brown that the request was specifically from the resident of 28281 Monroe Road to look at the environs of his home. A light was not requested at the intersection of Delaware, Sycamore Church, and Monroe Roads nor did they evaluate that area. The area that may perhaps qualify was actually south of "checkerboard corner".

Proceeding to the citizen request to address the Board, Chairman Jones recognized Mr. Gary Cross.

Mr. Cross advised that he wanted to begin by talking about land use taxation. He urged them to move forward in trying to implement it. He stated that they were presented with a binder from himself and the Southampton County Farm Bureau Board, and if they read it carefully, it answered most questions a person would have on land use taxation. They had an informative meeting, in which several of the Supervisors attended, and they answered a lot of questions and accomplished a lot. Land use taxation was nothing new. It had been around Virginia since 1971 and over 65 counties in the state were using it. Land taxes had always supported the County in the past and would continue to do so even with land use taxation, but it was time for all the citizens in the County to help share in the burden. When they were talking about 2-lot parcels (at the public hearing), they heard arguments that they were not allowing folks to sell property, but yet they were still taxing them. Land use taxation would give those people a break, or maybe help them to not have to sell a parcel of land if they were getting some help on their taxes. When they were talking about schools last month, most of the Board members thought they were needed, but did not think the land should pay for it. Land use taxation would help with that.

He stated that since he brought up the schools, he wanted to remind the Board that many citizens did not attend their public hearing with the School Board because of inclement weather. He advised that he questioned the fast pace that the need for new schools had been brought forward and the need for something to be done right away. This was unheard of. The last time, it took 17 months to approve 2 schools. But all of a sudden in the last 90 days they were trying to approve 2 more. It was suspicious in nature. He would like to hear more about population, where they stood with schools, and what they actually needed. He would like to see another public meeting planned before any further steps were taken. He had never seen the School Board present just 1 plan. In the past, they had always had more than 1 plan on the table in case something did not work out. He suspected that the School Board did not expect it to go through this quick and that they already had a 1 year delay built in to their project. We did not know how big to build a school around Hunterdale with all the growth there, and we did not have a handle on how to stop the growth. He would hate for them to build a school there that was too small. He noted that there was only a short report available on the reassessment right now. He would like to see them get further into the reassessment so they could see how much money would be generated. Maybe they would find that the money generated would enable them to build a bigger school and maybe it would not impact the tax rate as much as they thought it would. He did not see how they could rush into this with so many factors out there that affected each other.

Mr. Cross commended Supervisor Brown for wanting to see alternative sources of funding to build these schools. He stated that he hoped they would continue looking for something. With that, he would talk about proffers. Proffers was a bad word and impact fee was a bad word. He was not in the realm to know all the answers, but he knew that areas around Southampton were charging fees and were not being taken to court. He thought they needed to move as soon as they could toward being able to charge when a residential home was going up. He did not know the stipulations, but had been told that you could not charge unless a person had to rezone the land. Quite frankly, he did not see how anybody could just throw a home up on a piece of land zoned agricultural. To him, you were going against how the land was zoned already. The first thing he would do was to stop the building of homes on agricultural land and make it so the land had to be rezoned. You may get into other issues there, but other localities were doing this. He felt like Southampton County was falling behind in a lot of areas and this was one of them. If he had his way about it, he would backdate it and make a lot more folks pay a proffer fee.

Regarding the 2-lot parcel ordinance that many were present to hear about this morning, from the very beginning, there was great concern for an heir clause to be included. One of the Supervisors had made his comments known. He was disappointed that it was not read into the ordinance amendment at the last meeting. Attorney Railey had stated that he was going to go back and give

them an ordinance they could enforce. He hoped he had done so because an heir clause needed to be in there.

He advised that he could not tell them how excited he was when he heard that a task force was being formed. He was a farmer and long time citizen and all of his relatives as far back as you could go were from this area, and he wanted to see a successful Southampton County. Mr. Coggsdale (Assistant County Administrator and Secretary of the Planning Commission) sent him a letter saying that with the uncontrolled development that we currently had affecting agricultural land, they wished for a member of Southampton County Farm Bureau to be a representative on the Task Force. Right away he knew that was what he had been waiting for and wanted to do. But he realized that sometimes his agenda was a little more strict than others. If he had his way about it, he would stop it all together. He knew that was not right and recognized his shortcomings. So he appointed a person who had just retired from farming and was a large landowner, and he had represented them well. He stated that if they denied the request this morning (did not adopt the ordinance), they would undermine and discourage the efforts of the Task Force and Planning Commission. He could respect how much the Supervisors deliberated and talked to their constituents, as it was their job. But at the same time, putting off these issues was not going to solve them. They had been talking about this for 10-15 years. It was time to act now.

Mr. Cross informed that this Board was not the only board to have to make these kinds of decisions. South of Southampton County was Camden County, NC. They were largely agricultural, smaller in land size than us, and nearly half of the county was swampland. They had a population of about 8,000. Like us, they were about 35-40 miles outside of Chesapeake and Norfolk. And like us, developers wanted to move in, build homes, get their money, and leave. They woke up one morning and were told that they needed a new elementary school. The first thing they realized was that they needed to stop some of those houses. They invoked a moratorium – yes the M word...they might be sued – on all residential subdivisions. He did not know how far that stretched, but knew there were a lot of building permits that could not be issued under that stipulation. They had slowed it dramatically. They invoked it for 18 months, which would be up this coming May. He was told by the county administrator of Camden County that more than likely they would lengthen it for another year because they had just not figured out what to do yet. He advised that they still needed to build and finance a new school. So against the wishes of all the taxpaying citizens, they had to bring an industry into that county. That industry was a landfill, and not just any landfill. When completed, it would be the largest landfill in North Carolina. Trash to fill the landfill would come in on barges to the ports of Norfolk and Chesapeake. Those very localities, whose spillover population caused the problems in Camden County, wanted to limit the truck traffic and limit the amount of income Camden would be receiving from the landfill. He noted that the county administrator was willing to talk to anybody and he had his name and phone number. He wanted to share that there were tougher decisions being made than this little 2-lot parcel thing.

He stated that it was plain to see that neither the developer nor the person selling the land really cared how it affected others as long as they were able to profit for themselves. The ordinance to be considered this morning was not near strict enough in his opinion. But the Task Force, being compassionate and comprised of multi-talented folks, thought this was best for right now. Moving forward with land use taxation would send a signal to the landowner that the County was willing to work with them and give them the respect they deserved. Passing this 2-lot parcel thing would support the Task Force and give them the time they needed to complete their study. He pointed out that he was representing a large amount of people in the County who were tired of seeing uncontrolled growth.

Moving forward, Mr. Johnson announced that the Board would now consider an ordinance amendment to limit the number of lots in agricultural districts.

The proposed ordinance, as recommended by the Land Development Task Force and Planning Commission, is as follows:

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 18 OF THE SOUTHAMPTON COUNTY CODE, 1991, SO AS TO REGULATE THE NUMBER OF LOTS AVAILABLE FOR DIVISION IN THE AGRICULTURAL DISTRICT(S), A-1 AND A-2

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BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that the Southampton County Code be, and hereby is amended and reordained so as to provide new Section(s) 18-45 and 18-80, and reading as follows:

**Sec. 18-45. Limitation on the number of divisions of a parcel in the agricultural A-1 zoning district.**

Each tax parcel, as of the effective date of this ordinance, shall be limited to two further divisions, with said divisions complying with the minimum standards as relating to lot area, lot frontage and lot width. There shall be no further division of any parcel divided from a parent tract after the effective date of this ordinance. The provisions of Section 18-45 shall expire one year after the effective date of this ordinance.

**Section 18-80. Limitation on the number of divisions of a parcel in the agricultural A-2 zoning district.**

Each tax parcel, as of the effective date of this ordinance, shall be limited to two further divisions, with said divisions complying with the minimum standards as relating to lot area, lot frontage and lot width. There shall be no further division of any parcel divided from a parent tract after the effective date of this ordinance. The provisions of Section 18-80 shall expire one year after the effective date of this ordinance.

This ordinance shall become effective at 12:01 a.m., \_\_\_\_\_, 2005.

Mr. Johnson advised that the Board had a number of options at their disposal: 1) Adopt the ordinance as presently drafted; 2) Adopt the ordinance as may be amended; 3) Defer action; or 4) Take no action. He informed that as previously requested by the Board, Attorney Railey had drafted a provision that would exempt subdivisions of members of the immediate family. If the Board so desired, they could have the provision attached as an amendment to the ordinance.

Mr. Johnson read aloud the following provision drafted by Attorney Railey:

The provisions of this ordinance shall not apply or pertain to a single division of a lot or parcel for the purpose of sale or gift to a member of the immediate family of the property owner(s).

All such lots of less than five (5) acres shall have a reasonable right-of-way of not less than ten (10) feet or more than twenty (20) feet, providing ingress or egress to a dedicated recorded public street or thoroughfare.

Only one such division shall be allowed per grantee, and shall not be for the purpose of circumventing this ordinance.

For the purpose of this ordinance, a member of the immediate family is defined as any person that is a natural or legally defined offspring, spouse, sibling, grandchild, grandparent, or parent of the owner.

For state law authority: See §15.2-2244 of the 1950 Code of Virginia, as amended.

Attorney Railey clarified for Supervisor Brown that the 3<sup>rd</sup> paragraph of the provision was just saying that a person could only get 1 piece of land during the 12 months the ordinance would be in effect. What he was trying to do was create an exemption that would not prevent the division of family land, but at the same time, prevent someone from circumventing the very purpose of the ordinance. This would allow the division of land among family members, but would not allow it to be done time and time again. It was one cut per grantee.

Vice-Chairman Young advised that he had received a lot of calls and several visits and the response was very similar to that of the public hearing – about 50 for and 50 against. He could really relate to this as he was a landowner and farmer and he was still concerned about telling a landowner that they were going to raise his taxes, but that he could only divide his parcels twice. However, he did not think that having this ordinance in effect for 1 year would really hurt

anybody. Maybe the Task Force and Planning Commission could come up with a better plan within that year. He thought they needed to adopt the ordinance as amended.

Supervisor West stated that he too had received numerous calls from concerned citizens and overwhelmingly he had been told that they would like to see the Board enact the ordinance today. He thought this would provide additional time for them to look into other things that would help the citizenry of the County and change the tax base to where it was correct to those that were using the services and not the land. He favored the ordinance 100%.

Supervisor Faison advised he thought the time had come. He appreciated Attorney Railey's addition to the ordinance, because it did recognize an issue that was of concern to everyone. He certainly thought they needed to go forward with the ordinance.

Supervisor Felts, stated that of the people she had talked to, 2 out of 3 had been for the ordinance. The 12-months would give the Task Force time to move forward. At their meeting the other night, they already had some other things on the table.

Supervisor Wyche advised that he did not think the ordinance was what they really needed and he had heard concerns from both sides. However, he was in favor of giving the Task Force and Planning Commission 12 months to come up with a better solution.

Supervisor Brown commended Attorney Railey for the writing of the heir clause and commended the Task Force for the outstanding job they had done. He stated that he too had received a lot of calls both pro and con, but he believed that this County needed to take a hard look at residential growth in agricultural districts. He wanted to make sure that the 12-month sunset clause was enforceable and confirmed such with Attorney Railey. He stated that he was in favor of adopting the ordinance with the heir clause amendment as written by Attorney Railey.

Mr. Johnson advised that, as a procedural matter, the clause would need to be inserted twice – once under Section 18-45, which referred to the A-1 zone, and again under Section 18-80, which referred to the A-2 zone.

**Supervisor West made a motion to adopt the ordinance with the additional heir amendment. Vice-Chairman Young and Supervisor Brown seconded the motion. All were in favor.**

Moving forward, Mr. Johnson announced that as directed by the Board last month, he had set time aside to further discuss their view regarding the need for capital improvements as presented by the School Board. Chairman Jones had asked him to re-evaluate the fiscal impact of the project if the Board were to consider deferring the Capron project until a later date. He passed out a handout that he would be referring to. The first page of the handout was a spreadsheet that tabled fiscal year by fiscal year from 2005-2030. He showed that from FY 2005 – FY 2014, they had debt service payments on the high school and middle school that were built in 1993 and 1994 respectively. From FY 2005 – FY 2021, they had debt on the 2 new schools, Nottoway and Meherrin Elementary Schools, that were built in 2000. From FY 2005 – FY 2023, they had debt service payments for renovations, primarily air conditioning, to Hunterdale and Capron Elementary Schools in 2002. The third column from the right showed the total annual debt service for schools projects year by year. If they were to move ahead with the construction of a new 750-student Hunterdale Elementary School, according to School Board estimates, the project would cost about \$16 million total. The second column from the right demonstrated year by year what that would do if they were to finance that through FY 2030. The far column to the right showed the existing total debt service plus the Hunterdale debt service.

He explained that on page 2 of the handout, Column A showed what the new revised debt service would be through FY 2023. Columns B, C, D, and E showed where the money came from to pay for the debt service. Currently in FY 2005, the total school payment was a little over \$2 million. Of that amount, \$1.3 million came out of the General Fund which was primarily property taxes, \$357,000 came from the Building Fund which was primarily utility taxes, \$142,476 came from State Funding directly from the Commonwealth of Virginia for school construction, and \$219,945 also came from the State which was the County's share of lottery proceeds. In column B, the numbers with boxes around them represented the required tax rate increases or the equivalent of such if they were to move ahead immediately, beginning July 1, with construction of a new \$16 million Hunterdale school. The impact that would have on the FY 2006 budget was that they would need to raise the real estate rate or the equivalent of such by 5¢. In FY 2007, they would need to raise the real estate rate or the equivalent of such another 4¢. In FY 2008, they would need

to raise the real estate rate or the equivalent of such another 1¢. So they were looking at 10¢ over three fiscal years. He noted that that was not much different than when they looked at doing the whole project. The reason for that was primarily because the Capron school was the smallest piece of the project. It was only about \$7.4 million of the \$24 million project. It was also planned to come on the back end of the project beginning in 2008. By virtue of the fact that some of the existing debt on the high school, middle school, and 2 elementary schools would go down over the next several years, that was how they would actually save by doing the Capron project later. But it had very little impact if they wanted to move ahead with Hunterdale. There was some savings, as the financial advisors had said that maybe a 12¢ increase would be necessary, with 3¢ the first fiscal year, and 9¢ the second fiscal year, to move ahead with the whole project.

Supervisor Brown stated this his original understanding was that the total school project would be a possible 12¢ increase in taxes, with 3¢ of that going toward the public safety radio system, which left 9¢ for the whole school project. He asked Mr. Johnson if he was saying that taxes would increase 1¢ more to go with just Hunterdale than to go with the whole school project? Mr. Johnson stated that that was a good question. He then explained that the consultants from Davenport, our financial advisors, gave 2 different scenarios. One of them factored in growth in real estate revenues. They said that if the Board were to pledge 25% of the growth in real estate tax revenues just to schools every year, then they could probably do the whole project for about 10¢. The other scenario was that if they factored in no growth, it would be about 12¢. Mr. Johnson noted that in his figures, he factored in absolutely no growth. That was a conservative way to do it because they all knew they would have some growth, although they did not know how much. Whenever he did fiscal planning, he always wanted to be as conservative as he could. His figures demonstrated a worst-case scenario.

Supervisor West advised that he thought the reassessment needed to be in place first. Also, they were looking at economic development. There were too many “irons in the fire”, as far as he was concerned, to jump into this today, even downscaled at \$16 million instead of \$24 million.

Supervisor Wyche advised that he thought they really needed to do something. Hunterdale was in demand. If they could not go with both schools, he thought they should at least try to go with one.

Supervisor Felts stated that she thought the schools were needed but she was looking at the tax increase. She too thought that they needed to get further into the reassessment.

Supervisor Brown advised that there was a definite need for the schools. It was his understanding that when the 2 new schools, Nottoway and Meherrin Elementary Schools were built, they were built so they could be expanded. He would be interested in finding out to what additional capacity they could be expanded and how that would impact revenue. He thought maybe they should request that information from the School Board.

Chairman Jones informed that they could not send children from Hunterdale or Capron to Nottoway or Meherrin Elementary Schools and that was one of the reasons the School Board was asking for 2 new schools. Supervisor West asked if that was a statement that was made? Chairman Jones advised that it was said that there was concern that it was too far for the children to travel.

Supervisor Faison stated that he thought they needed to do something. To say that they were going forward with the schools today did not say what affect the assessment would have in paying for the schools. Wouldn't they just pay according to what that did at that time?

Mr. Johnson advised them to keep in mind that the reassessment, for all intents and purposes, was revenue-neutral. The tax bill that a consumer received was a 2-variable equation: (a tax rate x the assessment). When he mentioned increases, he tried to use the term *equivalent to* 5¢, 4¢, 3¢, etc. They may not have to raise the rate at all after the reassessment to generate this kind of revenue. But that did not mean that consumers would not be paying significantly higher taxes. If the reassessment generated more than 1% of additional revenue, they were required to hold a public hearing and take affirmative action to leave the rate wherever they wanted to leave it, clearly disclosing how much additional revenue was being generated.

Supervisor Faison stated that if they decided to go forward with the schools now, those things were going to happen anyway and they were going to have to make decisions on them based on what was on the table at that time. He did not see why that should impact their decision today.

Supervisor West informed that land use was going to affect the tax rate on the individual owner of a home as much as 5¢ -7¢. That was already being looked at. Was it palatable to add 10¢ more on to that? He knew that the reassessment was revenue-neutral. However, everyone in this room had to face the fact that their property was worth more than it was 6 years ago and that they were going to have to pay more. Where did the Board want this money to come from? Did they want it to come from land itself or from the residential user of the schools? He remarked that maybe industrial people were looking at Southampton County. They had an economic development potential right now that they had not had for a long time. There were many, many things that needed to be looked at. If indeed Nottoway and Meherrin could be expanded, he thought it was important that they look at that. He did not advocate at all asking the School Board to reduce a 750-student school to whatever they could afford. That was not what he was after at all. They had to be fiscally responsible all the way around.

Vice-Chairman Young advised that he knew the need for the schools was there, as he had 2 daughters that worked in the school system. But he thought the land use need was also there. The people that owned land were concerned about the increase in taxes. He did not think they needed to rush into it. It took 17 months last time, and this time it had only been a few months.

Supervisor Wyche stated that the schools were needed and whether it was today or tomorrow, the taxes were going to have to go up because it was the only source of income. They had to have somewhere to put the kids. He thought they ought to at least go ahead with one school now.

**Supervisor Wyche made a motion to proceed with Hunterdale Elementary School. Supervisor Faison seconded the motion.**

Supervisor West asked Mr. Johnson what was the breakdown of real estate taxes as far as money received from land as compared to actual homes? Was it 1/3 to 2/3? Mr. Johnson replied that he would need to refer that question to Mr. John Robert Harrup, Commissioner of the Revenue. However, he could tell him from a survey that Mr. Harrup did a few years ago that about 34% of the total revenue derived came from property that was either forestland or under cultivation.

Supervisor West commented that he still thought they were going too quickly on this. At least in the coming months, they could gather more information.

Supervisor Brown advised that Hunterdale had first priority, but in following the numbers that Mr. Johnson presented, he did not see much difference in the requirement for a tax increase for the full project, versus just Hunterdale. So if they were going to go with Hunterdale, why not do the full project? Mr. Johnson confirmed for him that the difference was 2¢-3¢.

Chairman Jones called for a vote on the motion. **Supervisors Wyche and Faison voted in favor of the motion. Chairman Jones, Vice-Chairman Young, and Supervisors Brown, Felts, and West voted in opposition to the motion. Thus the motion did not pass.**

Supervisor West thought they needed to have another public meeting as suggested by Mr. Gary Cross, who spoke earlier.

Supervisor Faison agreed and added that since they wanted to look at the possible expansion of the other schools, they could have another meeting and have all the cards on the table.

Supervisor Brown stated that it was basically the same amount of tax increase for the full project, versus just Hunterdale. He thought that if they were going to raise taxes, they should do the whole project. That was one reason he did not vote to go ahead with just Hunterdale.

Mr. Johnson asked if they wanted to meet jointly with the School Board again and discuss concerns, other options? He understood the need for another public meeting, but what did they want the public to comment on at this point?

Supervisor Felts stated that she thought they needed to have another joint meeting to gather some more information.

Vice-Chairman Young advised that he did not think they needed another public hearing due to the weather on the date of the last public hearing. He did not think the weather was that bad. People came that wanted to. But if they wanted to have another public hearing, he thought they needed to have one before they even met with the School Board again, in that order.

Chairman Jones asked what they needed to know from the School Board? Several Supervisors replied, the other options. Chairman Jones advised that he thought that Mr. Johnson could get that information from the School Board and present it to them. And then if they thought they needed a public hearing, they could have one. The Board was ok with that.

Supervisor West advised that he would also ask for the operational cost for the new school as well. He had hoped for that to be furnished to the Board.

Chairman Jones confirmed with the Board that they wanted to find out if the other 2 newest schools could be expanded.

Mr. Johnson advised them to keep in mind the distinct duties of the Board of Supervisors and the School Board. It was the function and duty of the School Board to plan the school facilities for the children of this County – not the Board of Supervisors. The Board of Supervisors' role was a fiscal one in that they had to decide what they could pay for. In that sense, it took a strong degree of cooperation. But he would caution them against beginning to dictate options to the School Board or imply that they needed to look at specific options. That was their job and the Board of Supervisors needed to leave it up to them.

Mr. Johnson stated that perhaps they should just express to the School Board concerns regarding the ability to finance what they had presented and ask them to look at other options.

It was consensus of the Board to have Mr. Johnson do just that on their behalf.

Moving on, Mr. Johnson announced that included in the agenda was a copy of the recent evaluation of our Building Inspection Program by the Insurance Services Office, Inc. (ISO). The Building Code Effectiveness Grading Schedule assessed how a community enforced its Building Codes, with special emphasis on mitigation of losses from natural hazards. ISO assigned each community a grade of 1, which was an exemplary grade, to 10. On a scale of 1 to 10, with 1 being the highest, our building code enforcement office received a grade of 4. He advised that the evaluation was quite comprehensive and took into account the levels of training and certification of our staff, administrative policies and procedures, staffing levels, and the level of thoroughness during plan review and field inspection activities. The rating of 4 was above average for a rural jurisdiction with a total staff of 3, and no design professional (architect or engineer) on staff. He informed that included in the agenda was a list of frequently-asked questions from ISO's website for their reference. In Virginia, a rating of 4 was the most common, with 45% of all localities receiving it. Thirty-four percent (34%) received a higher rating, and 20% a lower one. Based on our evaluation, rating credits may be available on individual property insurance policies for construction in Southampton County that had been issued a certificate of occupancy by our Building Official in year 2004 and forward. Two comprehensive reports were included in the agenda. One was for commercial/industrial property and the other was for one and two family residential property.

Proceeding to the request for utility extension, Mr. Johnson announced that included in the agenda was correspondence from Dan Management Corporation of Portsmouth requesting the Board's consideration in petitioning the City of Franklin to allow the extension of their utilities to support development of 27 acres located in Southampton County, just northeast of the Walmart Supercenter. He advised that Dan Management had filed an application to rezone 17 of the acres to Residential R-2 for a 120-unit apartment complex and 10 acres to Business B-2 for unspecified commercial entities. The rezoning application would be presented to the Planning Commission at its March 3 meeting. This was a bit of the proverbial "chicken or the egg" situation. The proposed development was obviously not possible without the availability of utilities, and that was the reason the developer had requested the Board's cooperation in petitioning the City of Franklin. But in seeking the City's permission, unless they stated otherwise, it may be implied that the Board was in support of the project, which at this point was obviously premature.

Supervisor Brown asked what the situation had been in the past as far as the City of Franklin extending utilities to areas in Southampton County near the border of the City? Had it been favorable?

Mr. Johnson explained that there had been a number of different arrangements made. There had not been a good way to deal with this. It was easier for commercial/industrial entities, as they had a signed growth sharing agreement that laid out the responsibility of both parties for the extension

of utilities, and it was very clear. That went into place when International Paper built the Converting Innovation Center just on the Southampton side of the bypass. In that particular case, the County paid 100% of the capital cost of extending the utilities, and the City made the utilities available. There was a master meter placed at the City limit line. The County paid per gallon for water that flowed out of the City and per gallon for wastewater that flowed back into the City. The County received 70% of the gross tax revenues that were derived from the project and the city received 30%. The County also had a perpetual immunity from annexation that was approved by the voters of Southampton County in a referendum in 1998 and also by a special prejudice annexation court a couple years after that. So it was very clear what the agreement was for commercial/industrial development. He advised that it was not clear, however, for residential development. Right now the County paid on a per gallon basis for wastewater that was pumped back to the City of Franklin from the Edgehill subdivision. With the Regency Estates subdivision, the County requested and the City just agreed to extend services into that subdivision. There was no agreement. The customer set up their account directly with the City and were billed by the City. Southampton County was not involved in any way. In the last 2 phases of Regency Estates Subdivision, because the City was beginning to be pressured in the way of capacity that may be available, they had asked the County to request specific extensions. The City had approved the development of those extensions but were still working out the details with the developer as to what kinds of improvements may be required and who would pay for what. So he did not have a good, easy answer. It had been dealt with 3 different ways.

Supervisor West asked Mr. Johnson if he had an idea of the cost that would be associated with this? Mr. Johnson replied no, he did not know any more about the project than what he had shared. Supervisor West remarked that he did not think they should get on board until they knew more information.

Members from Dan Management Corporation, who were present, advised that they were sent here first from the City of Franklin.

Mr. Waverly Coggsdale and Mr. Johnson confirmed for Supervisor West that this project would be entirely on Southampton land. Supervisor West asked if it was correct to assume that they would be going under the same 30% and 70% revenue-sharing arrangement? Mr. Johnson replied no, that was not correct. Mr. Coggsdale clarified that that applied only to commercial/industrial entities. Supervisor West asked if it was correct to assume that the County would have to pay for the cost of extending the utilities? Mr. Johnson replied no, that was not correct. Mr. Coggsdale clarified that the developer would be responsible for the cost.

Vice-Chairman Young advised that he did not have a problem with what they knew, but it was the unknown that concerned him.

Mr. Coggsdale advised that the density of this project required water/sewer and the County could not extend it on its own. The only extension was from the City. So it really was the "chicken or the egg". Did Dan Management want to rezone property if they did not know if they could get water/sewer to it, or did they want to find out whether they could get water/sewer to it before filing a rezoning application?

Mr. Johnson stated that if Dan Management came before them with a rezoning application, their first question would be, "Do you have utilities to support this development?" If they could not answer that question, there was not much to consider.

Supervisor Faison asked, since the expense of the extension would be to the developer, what expense would there be to the County? Mr. Johnson advised that it was not a fiscal issue. The issue was simply whether or not the Board wanted to make the request to the City of Franklin and whether they wanted to consider commercial and residential development of that density in that part of Southampton County.

Supervisor West asked Ms. Cindy Cave, Economic Development Director, if she thought this was in line with what had already taken place in that area? Ms. Cave replied yes. He asked if she gave her blessings to it? She replied that knowing what she knew today, she would say yes.

Supervisor Brown advised that he did not see any reason why they could not authorize the County Administrator to petition the City of Franklin for the extension of utilities now.

**Supervisor West made a motion to direct the County Administrator to petition the City of Franklin to allow extension of their utilities to support development of 27 acres located in Southampton County, just northeast of the Walmart Supercenter, subject to a disclaimer that the petition in no way indicates the Board's approval of the project. Supervisors Brown and Wyche seconded the motion. All were in favor.**

Moving forward, Mr. Johnson announced that the Virginia Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) was a tool that made possible certain public-private partnerships for designing, constructing and financing public facilities that may include schools, government buildings, utilities, technology infrastructure, etc. PPEA was available to all Virginia governmental entities including counties, cities, towns and regional authorities. It was designed to permit maximum utilization of federal tax advantages, including those through the Economic Growth and Tax Relief Reconciliation Act of 2001. Projects proposed under PPEA could be publicly or privately initiated. In a privately-initiated project, the offeror simply conceived a project on his/her own volition and submitted a proposal to the governing body for consideration. The state statute established specific criteria for what must be contained in the proposal and how the governing body must evaluate the proposal. In a publicly-initiated project, the governing body would issue a Request for Proposal or Invitation for Bids, much like it would to competitively procure any goods or services. If a proposal for a project was accepted, the two parties would then enter into a comprehensive agreement specifying the duties and responsibilities of each party.

He advised that there were a number of advantages to PPEA projects, including: 1) the delays, expense and uncertainty of public capital financing (including the requirement of public referenda for certain projects) were eliminated; 2) traditional procurement practices (low bid wins) could be avoided; and 3) private entities could make their own assessments of public needs, and without solicitation, make proposals for projects. Before a locality could accept proposals under the PPEA, it must first adopt certain procedures that it would follow to receive and evaluate the proposals. Included in the agenda was a copy of the statewide model procedures. If this were something the Board may be interested in, he would be please to develop a specific set of procedures for their consideration next month. It would provide them with yet another tool in the procurement of capital facilities and equipment.

Supervisor Faison stated that it sounded good to him in that other eyes would be looking at the County. However, he still wanted the Board to have control. Mr. Johnson clarified that the Board did not have to accept any proposal. He noted that the expansion of Deerfield was done in this manner.

Supervisor Brown stated that he would assume that this particular Act provided additional types of funding for infrastructure for schools, for example. Mr. Johnson clarified that it did not provide any funding. What it would do was allow the most creative people in the finance world to put together proposals for them to consider.

Supervisor West advised that he thought it was a good idea.

It was consensus of the Board to have Mr. Johnson develop PPEA procedures for their consideration next month.

Regarding miscellaneous issues, Mr. Johnson announced that in reference to the duct reheat coil project, included in the agenda was a copy of the executed contract and official *Notice to Proceed* that was issued February 4. The project was expected to be substantially complete by April 26, and fully complete by May 26, 2005.

He advised that included in the agenda were copies of the official closing documents and associated correspondence for the recent financing of the public safety radio system. As authorized last month, they accepted the proposal of RBC Centura to finance the project for 10 years at 3.39%. The final principal sum of the note was \$2,698,000, which included all closing costs and a modest project contingency of \$118,000. Our annual principal and interest payment was approximately \$322,000, beginning in FY 2006. He noted that also, as discussed last month, they executed a separate contract for those radio system components that would be purchased outright with grant funds, which ended up totaling \$321,000.

Mr. Johnson informed that included in the agenda was notification of the 2<sup>nd</sup> annual golf tournament hosted by the Western Tidewater Community Services Board (WTCSB). They were seeking the Board's assistance in the form of sponsorship or participation. The tournament would

be held on April 29, 2005 in Smithfield and all proceeds would benefit the agency's *Consumer Fund*, which assisted their clients with some of the basic life necessities (heat, food, medicine, etc.) Last year, the Board provided a sponsorship of \$250 and paid the entry fees for a team of 4 players to participate at \$55 each for a total contribution of \$470. Entry fees were slightly higher this year at \$70 each or \$260 per team.

Supervisor West indicated that he had a vested interest. He thought it was a worthy project for the WTCSB and enjoyment for those who participated.

**Supervisor West made a motion to support the WTCSB golf tournament with a \$250 sponsorship and \$260 for entry fees for a team of 4 players, for a total contribution of \$510. Vice-Chairman Young seconded the motion.** Supervisor Brown remarked that he played golf as well. **All were in favor.**

Continuing with miscellaneous issues, Mr. Johnson advised that as directed at the conclusion of the Board's February 15 meeting, he had informed Mr. Oliver of their intention to sponsor the WHRO Pioneer Awards Dinner at the \$2,500 level. Sponsorship at this level included 6 *Gala* and *VIP* tickets as well as complimentary parking and a half-page program ad. The event would be held on Saturday, March 26, at the Norfolk Waterside Marriott beginning at 6:00 PM.

Chairman Jones polled the Supervisors to determine interest. All Supervisors, with the exception of Supervisor Faison, indicated that they were interested in attending.

Mr. Johnson informed that included in the agenda was a copy of the annual report for the STOP Organization for FY 2004. Overall, STOP served almost 2900 consumers in Southampton County. The agency's total budget was approximately \$22.6 million.

He advised that the following environmental notices were received:

- 1) From the Virginia Department of Environmental Quality, notice of a pending groundwater withdrawal permit application from Dominion Terminal Associates to withdraw an annual average of 147,507 gallons per day for suppression of dust associated with coal piles at Pier 11 in Newport News;
- 2) From the Virginia Department of Health, a copy of a Notice of Violation sent to the 460 Café (Ivor) for failure to adequately monitor for nitrate/nitrite concentrations in 2004;
- 3) From the Virginia Department of Health, a copy of a Notice of Violation sent to the 460 Café (Ivor) for failure to collect the required bacteriological samples for the 4<sup>th</sup> quarter of 2004;
- 4) From the Virginia Department of Health, a copy of a Notice of Violation sent to Jan's County Cooking and Catering (Zuni) for failure to collect the required bacteriological samples for the 4<sup>th</sup> quarter of 2004;
- 5) From the Virginia Department of Health, a copy of a Notice of Violation sent to H.L. Heikens for failure to monitor the Nottoway Shores (Dockside) water system for inorganic/metal constituents between 2002-04;
- 6) From the Virginia Department of Environmental Quality, notice of a pending groundwater withdrawal permit application from the U.S. Department of Energy to withdraw an annual average of 19,381 gallons per day for dewatering certain soil layers around subsurface buildings;
- 7) From the Virginia Department of Health, a copy of a Notice of Violation sent to the Town of Courtland for exceeding the primary maximum contaminant level for fluoride; and
- 8) From the Virginia Department of Environmental Quality, notice of a pending VPDES permit application from the Southampton Correctional Center to expand the 0.35 MGD wastewater treatment plant to 0.45 MGD.

Mr. Johnson informed that copies of the following incoming correspondence were received:

- 1) From the City of Franklin, copied correspondence to Towne Development Corporation, rejecting its proposal for waterline improvements to planned expansions of Regency Estates Subdivision;
- 2) An invitation from the Southampton County Fire and Rescue Association to their annual meeting on 2/8 (regrettably, the same evening as the Board of Supervisors' retreat);

- 3) From the Town of Boykins, notice of its intent to make its Homeland Security grant funds available to the county for purchase of public safety radios for the Town;
- 4) From Isle of Wight County, notice of the election of Phillip Bradshaw and Thomas Wright as their Board of Supervisors' respective Chairman and Vice Chairman;
- 5) From the City of Franklin, copied correspondence to Towne Development Corporation, rejecting its appeal regarding proposed waterline improvements;
- 6) From the City of Franklin, notice of its response to our Board of Supervisors' request to make utilities available to the developer of the Brandywine subdivision;
- 7) Copied correspondence from SPSA to John E. Bryant regarding its interest in renewing and extending its lease agreement for the Boykins Transfer Station; and
- 8) From the Virginia Department of Juvenile Justice, a copy of the end of year expenditure report by the Tidewater Regional Group Home Commission.

He advised that outgoing correspondence and articles of interest were also included in the agenda.

Moving to late arriving matters, Mr. Waverly Coggsdale, Assistant County Administrator, passed out some information with regard to Hazard Mitigation activities. He advised that Southampton County had applied for and was awarded a grant totaling \$60,000 through the Federal Emergency Management Agency (FEMA) for development of a Southampton County Mitigation Plan. This plan would cover all-hazards and meet the requirements of the Disaster Mitigation Act of 2000. Development of this plan would be required for any pre- or post-disaster mitigation funding from FEMA. Southampton County worked in conjunction with the City of Franklin to develop a Request for Proposal for consultant services for this project. He clarified that the City of Franklin and Southampton County were awarded two separate grants. Both localities received four proposals and each was interviewed last week. The County interview panel consisted of himself, Greg Vick, Captain of the Courtland Volunteer Fire Department, and Captain Jim Covington of the Southampton County Sheriff's Office. He advised that the firm of PBS&J was recommended. It was anticipated that the project would be complete in 10-12 months. He was seeking the Board's consideration in authorizing a contract with PBS&J for the development of a Southampton County Hazard Mitigation Plan at a sum no greater than the grant award. He emphasized that in order to receive the money, they had to have such a plan in place.

**Vice-Chairman Young moved, seconded by Supervisor Faison, to authorize a contract with PBS&J to develop a Southampton County Hazard Mitigation Plan at a sum no greater than the grant award of \$60,000. All were in favor.**

**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 purposes:**

**Section 2.2-3711 (A) (1) Discussion of the resignation of specific public officers;**

**Section 2.2-3711 (A) (1) Discussion of the performance of specific public employees;**

**Section 2.2-3711 (A) (3) Discussion of the disposition of publicly held property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body;**

**Section 2.2-3711 (A) (3) Discussion of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body;**

**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.**

**Vice-Chairman Young moved, seconded by Supervisor West, to conduct a closed meeting for the purposes previously read.**

Richard Railey, County Attorney, Waverly Coggsdale, Assistant County Administrator, Julia Williams, Finance Director, Cindy Cave, Community/Economic Development Director, and Julien Johnson, Public Utilities Director, were present in the closed meeting.

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

**RESOLUTION OF CLOSED MEETING**

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

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

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

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

**The motion passed unanimously.**

Chairman Jones advised that a motion was needed as a result of the closed meeting.

**Vice-Chairman Young moved, seconded by Supervisor Wyche, to award a 5% annual salary increase to Raymond Bryant, Public Utilities Supervisor, in recognition of his achievement in successfully completing the Class 2 Wastewater Operator's exam. All were in favor.**

There being no further business, the meeting was adjourned at 12:20 PM.

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Dallas O. Jones, Chairman

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Michael W. Johnson, Clerk