

At a regular meeting of the Southampton County Board of Supervisors held in the Board Room of the Southampton County Office Center, 26022 Administrative Center Drive, Courtland, Virginia on March 24, 2008 at 6:00 PM.

SUPERVISORS PRESENT

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

SUPERVISORS ABSENT

None

OTHERS PRESENT

Michael W. Johnson, County Administrator (Clerk)
James A. Randolph, Assistant County Administrator
Julia G. Williams, Finance Director
Robert L. Barnett, Director of Community Development
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.

Mr. Johnson, County Administrator, asked Mr. Charles Turner, School Superintendent, and Mrs. Syretha Wright, Principal of Meherrin Elementary School, to join Chairman Jones and Supervisor Brown at the front of the room.

Mr. Johnson read aloud the following proclamation:

WHEREAS, Meherrin Elementary School is a 2007 recipient of the United States Secretary of Education's Blue Ribbon School Award; and

WHEREAS, the Blue Ribbon School Award honors public and private schools which are either academically superior in their respective states or that demonstrate dramatic gains in student achievement; and

WHEREAS, Meherrin Elementary School is one of only ten schools in the Commonwealth of Virginia designated as a Blue Ribbon School in 2007; and

WHEREAS, the Southampton County Board of Supervisors wishes to recognize the students and administration of Meherrin Elementary School and the Southampton County School Board for this significant and outstanding achievement.

NOW THEREFORE, BE IT RESOLVED that the Southampton County Board of Supervisors expresses its deepest appreciation and gratefully commends the students and administration of Meherrin Elementary School and the Southampton County School Board for their hard work associated with receipt of this Blue Ribbon Award.

Dallas O. Jones, Chairman
Board of Supervisors

Attest

Michael W. Johnson, Clerk

Chairman Jones and Supervisor Brown presented framed copies of the proclamation to Mr. Turner and Mrs. Wright.

Mrs. Wright stated that she appreciated the recognition by the Board of Supervisors. She was accepting the proclamation on behalf of the students and staff at Meherrin Elementary School. Mr. Turner thanked the Board of Supervisors for their support.

Chairman Jones sought approval of the minutes of the February 25, 2008 regular meeting. They were approved as presented, as there were no additions or corrections.

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

Mr. Lomax advised that there were two projects taking place on Route 58 – a paving job and a repair job. Several plant mix and surface treatment projects would be starting. Routine maintenance was being performed throughout the County.

Supervisor Brown thanked Mr. Lomax for the Adopt-a-Highway sign on Sandy Ridge Road.

Mr. Johnson, County Administrator, advised that included in the agenda was a copy of the latest transportation revenue forecast transmitted by Commissioner Ekern at the end of February. The forecast called for dramatic reductions that would seriously challenge our ability to move construction projects forward. In our case, over the next 6 years, available revenue for construction projects (including secondary roads, unpaved roads, and incidental construction) was projected to decrease by a cumulative 44%. The forecast for FY 2009 projected a 47% reduction, from \$858,000 to \$456,000.

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 and Fire Department Activity, Solid Waste Quantities, Coalition on Illegal Aliens, and Personnel.

In regards to the coalition on illegal aliens report, Supervisor Brown advised that he attended the last meeting of the coalition, and at that meeting, they defined their mission statement and objectives. A request for the Board of Supervisors to endorse the coalition along with its mission statement and objectives would be forthcoming.

In regards to the personnel report, Mr. Johnson advised that Susan M. Kaplan was hired in the Sheriff's Office effective 03/17/08 at an annual salary of \$27,068. He informed that Daniel J. Kirk resigned from Public Utilities effective 02/29/08.

Moving to financial matters, Mr. Johnson announced that bills in the amount of \$2,946,045.62 were received.

Vice-Chairman Young moved, seconded by Supervisor West, that the bills in the amount of \$2,946,045.62 be paid with check numbers 85978 through 86493. All were in favor of the motion.

Moving to appointments, Mr. Johnson announced that as discussed in January, Mr. James N. "Jim" Bradshaw resigned his appointment to the Board of Zoning Appeals (BZA) after accepting a position with Brunswick County, NC as their Economic Development Director. Supervisor Felts was seeking a nominee for recommendation to the Circuit Court for appointment. Mr. Bradshaw's term would end September 30, 2010.

Supervisor Felts presented the name of James E. "Jeb" Bradshaw.

Vice-Chairman Young moved, seconded by Supervisor Wcyhe, to recommend to the Circuit Court that James E. "Jeb" Bradshaw be appointed to serve the remaining unexpired term of

Mr. James N. "Jim" Bradshaw on the BZA. All were in favor.

Mr. Johnson advised that the terms of six of the nine Planning Commissioners were set to expire on April 30, 2008 including:

Ira H. "Pete" Barham, Capron District
Douglas A. Chesson, Berlin-Ivor District
Michael G. Drake, Newsoms District
Freeman J. Harrell, Franklin District
Oliver J. Parker, at-large
Keith Tennessee, Drewryville District

He stated that terms were for four years. With the exception of Supervisor Felts, each Supervisor should be prepared to make an appointment no later than the regular session in April.

Vice-Chairman Young indicated that he had spoken with Freeman Harrell and he was willing to continue to serve.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to reappoint Freeman J. Harrell to the Planning Commission. All were in favor.

Supervisor Wyche advised that he had spoken with Pete Barham and he was willing to continue to serve.

Supervisor Wyche moved, seconded by Vice-Chairman Young, to reappoint Ira H. "Pete" Barham to the Planning Commission. All were in favor.

Chairman Jones informed that he had spoken to Keith Tennessee and he was willing to continue to serve.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to reappoint Keith Tennessee to the Planning Commission. All were in favor.

Supervisor Brown advised that he had been unable to get in contact with Michael Drake, but he was in the audience tonight. Supervisor Brown asked Michael Drake if he was interested in continuing to serve on the Planning Commission? Mr. Drake replied yes.

Supervisor Brown moved, seconded by Supervisor Felts, to reappoint Michael Drake to the Planning Commission. All were in favor.

Supervisors Faison and West advised that they would each be prepared to make an appointment next month.

Moving to the citizen requests to address the Board, Mr. Johnson announced that included in the agenda was correspondence from three (3) citizens, each requesting time this evening to discuss the pending Camp Oasis proposal and the associated application for a conditional use permit, action on which was tabled by the Board following the closing of the public hearing on December 17, 2007. All three requests were consistent with Sec. 2-45 of the *Southampton County Code* and all parties had been notified that their remarks would be heard. Speakers in the order their requests were received were:

- A. Rev. William T. Smith, Pastor, Ebenezer Baptist Church
- B. Ms. Mary M. Nichols
- C. Ms. Nancy L. Stephenson

Chairman Jones recognized Rev. William T. Smith.

Supervisor West asked Rev. Smith if he had talked to Mr. Richard Warren? *(Note: Mr. Richard Warren's son, Jonathan Warren, filed the application for the pending Camp Oasis proposal, but Richard Warren was an essential party of this endeavor.)* Rev. Smith indicated that they had

asked Mr. Warren to come and talk to the church, but he never showed up.

Supervisor Brown asked if the church had any future plans to do something recreational for the kids? Rev. Smith replied that they hoped to provide some recreational opportunities, but not with the buildings and such as proposed with the Camp Oasis proposal.

Supervisor Wyche advised that he was originally in favor of the proposal, but he had since gained another understanding.

Rev. Smith stated that he and members of the church had some concerns. They did not have a clear understanding as to whether the kids who would attend the camp would be from Southampton County, not from Southampton County, or what. He thought that if Mr. Warren was going to have a Southampton County, it should benefit the people in Southampton County.

Chairman Jones recognized Ms. Mary Nichols.

Ms. Nichols of 10466 Ivor Road spoke in opposition to the proposed camp. She advised that she had lived at that address since 2001 when she retired from the federal government. She stated that the purpose of an agricultural district was to enhance future agriculture and forestry uses, and to reduce conflicts with residential development. Would the proposed Camp Oasis alter her quality of life? Would it compromise her peace of mind and security? Would traffic be a problem? Would construction cause discomfort and cause her to stay inside? A realtor indicated to her that the proposed camp had the potential to negatively affect the value of her property. If that happened, what would the County do about it? She stated that she enjoyed the wonderful rural life she had discovered.

Chairman Jones recognized Ms. Nancy Stephenson.

Ms. Stephenson spoke in opposition to the camp. She informed that over 3 years ago, Camp Oasis was proposed. At the first meeting there were a lot of people in attendance who did not want it. Mr. Warren stated that if the people did not want it, he did not want it. He subsequently withdrew his application. A few years later, Mr. Warren revived the Camp Oasis proposal and held a community meeting at Nottoway Elementary to try and explain what he wanted to do and address community concerns. There was a pregnant teacher there that mentioned that she would like for the camp to offer daycare. Mr. Warren quickly stated that they could look into offering that. She advised that this proposed camp would be an expansion of Mr. Warren's camp in New York. At a public hearing for this proposed camp, Mr. Glenn Updike stated that he was all for helping youth, but asked, would Southampton County kids be able to use the camp? Mr. Warren replied, for a fee. Planning Commissioner Michael Drake asked Mr. Warren, since he was proposing a camp in Southampton County, what about the kids at the camp in New York? Mr. Warren replied, forget New York. She advised that Mr. Warren had indicated that he had the support of Ebenezer Baptist Church, when in fact Rev. Smith, pastor of the church, had signed a petition opposing the camp. She read somewhere that Mr. Warren wanted to offer after-school tutoring at the camp. It seemed as though he would have talked to Mr. Charles Turner, School Superintendent, about that first. She stated that the taxpayers of this County paid the salaries of both the Board of Supervisors and Planning Commission members. The taxpayers had circulated petitions, sent hundreds of letters, and voiced their opposition to this proposed camp for 3 years. She hoped they would find it in their hearts to oppose this camp. She asked all of those in the audience who opposed the camp to stand.

Moving to old business, Mr. Johnson announced that following the close of the public hearing at the December 17, 2007 regular session, the Board deferred action on the application of Jonathan D. Warren for a conditional use permit to develop and operate a youth camp on the west side of Ivor Road, approximately one-half mile north of its intersection with Millfield Road, and tabled the matter until March 2008.

Vice-Chairman Young advised that he had received 124 letters, as well as a few visits and calls in opposition to the camp.

Supervisor Faison stated that he always got excited whenever someone wanted to help our young

people, but there was just so much opposition.

Supervisor West stated that he was pleading to his fellow Board members on behalf of his constituents to deny this request. There were so many concerns and unanswered questions, including where the kids would be coming from. He asked them to please support the citizens of Southampton County.

Supervisor Felts advised that she agreed with what had been said. She too had received letters and calls in opposition.

Supervisor Wyche stated that he could not support it.

Supervisor Brown advised that there was a lot of opposition, but they needed to be careful about setting precedence for recreational facilities in Southampton County. He sent his child to camp in Wakefield for 4 years, and there were children there from all walks of life. We needed to get along with everyone.

Supervisor West moved, seconded by Vice-Chairman Young, to deny the application. Chairman Jones, Vice-Chairman Young, and Supervisors Faison, Felts, West, and Wyche voted in favor of the motion. Supervisor Brown abstained. The vote was 6-0 in favor of the motion, thus the motion passed.

Moving forward, Mr. Johnson announced that included in the agenda was a FY 2008 capital funding request from the Boykins Volunteer Fire Department and Rescue Squad. They intended to apply the proceeds towards their 2006 ambulance and their 2008 Brush Truck. As they knew, beginning in FY 2000, the Board agreed to provide more than \$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 2008 was \$13,000 and for each rescue squad, \$6,500. Funds were earmarked annually for each department or squad and held in escrow pending specific approval by the Board of Supervisors. Escrowed funds continued to accrue for each department/squad if not drawn down. The table included in the agenda indicated the status of capital appropriations since FY 2000. Boykins Volunteer Fire Department and Rescue Squad was entitled to \$19,500. Through March 19, 2008 they had collectively appropriated \$977,000 for fire and rescue improvements and were holding in escrow an additional \$153,000. He noted that the request was in order.

Supervisor Faison moved, seconded by Vice-Chairman Young, to approve the FY 2008 capital funding request of the Boykins Volunteer Fire Department and Rescue Squad in the sum of \$19,500. All were in favor.

Moving forward, Mr. Johnson announced that included in the agenda was an application for a fireworks display permit for three (3) separate events on property owned by Powell Farms, LLC, pursuant to **Sec. 10-73** of the *Southampton County Code*. The first display was scheduled for Friday, July 4, 2008, the second on Saturday, July 5, 2008 and a repeat performance on Monday, July 7. All three displays would take place on the grounds of Elm Grove Farm, 30161 The Hall Road, Branchville. He advised that Mr. Powell was granted fireworks permits each of the last two years, and subsequently conducted the displays without incident. The application was in order and a draft permit was included in the agenda for their consideration.

Supervisor Faison moved, seconded by Vice-Chairman Young, to issue the fireworks permit. All were in favor.

Moving forward, Mr. Johnson announced that Supervisor Brown emailed him last month regarding his interest in recognizing firefighters in the Newsoms Volunteer Fire Department with 30 or more years of service. As they discussed the matter, he (Mr. Johnson) suggested that it had been 6 years since we last honored all of our volunteers with an appreciation dinner at the Southampton Fairgrounds, and the Board may wish to consider doing that again. As part of that event, all county volunteers with 30 or more years of service could be recognized and presented with a certificate of appreciation. The cost of the event would obviously depend on actual attendance. With 13 squads and departments with primary responsibility in Southampton County, we were blessed with more than 400 volunteers, including those in Greenville County and the

City of Franklin. He stated that a self-service buffet dinner at the Southampton Fairgrounds would likely run between \$3,000 and \$4,000, again depending on actual attendance. Subject to availability of the Fairgrounds and a caterer, the first or second week of May might be ideal.

Vice-Chairman Young, who was also a member of the Southampton County Fair Board, provided Mr. Johnson with a tentative list of dates that the Fairgrounds were available. He remarked that he thought an appreciation banquet was a great idea.

Supervisor Faison commented that he was very admirable of our volunteers.

Supervisor Brown advised that he would like a proclamation, not just a certificate, to be presented to each member with 30 or more years of service.

Supervisor Wyche moved, seconded by Supervisor Felts, to direct the County Administrator to proceed in planning and organizing an appreciation dinner for firefighters and emergency medical services personnel. All were in favor.

Proceeding to the public hearings, Mr. Johnson announced that the first public hearing was to consider the following:

CUP 2008:01 Application filed by Hampton Roads Development LLC, owner, requesting a change to the Comprehensive Plan of approximately 26.4 acres for the purpose of amending the future land use map, Courtland Planning Area map 8-2b, from its future designation as Single Family Residential to a revised designation of Commercial and to request a change to the Comprehensive Plan of approximately 118.9 acres for the purpose of amending the future land use map, Courtland Planning Area map 8-2b, from its future designation as Single Family Residential to a revised designation of Multi-Family Residential. The subject areas are portions of Tax Parcels 77-38 and 77-43 and are located on the east and west sides of Delaware Road (Rt. 687), north of Camp Parkway (Rt. 58 Business). The purpose of the application is to amend the Comprehensive Plan in order that future rezoning applications for the Villages of Southampton, a mixed-use master planned subdivision, will remain consistent with the future land use maps of the Comprehensive Plan. The property is located in the Franklin Magisterial District and Franklin Voting District.

Mr. Jay Randolph, Assistant County Administrator and Secretary to the Planning Commission, reported that the Planning Commission held a public hearing on this application at its January 14, 2008 meeting and recommended denial. He noted that this was a request to amend the Comprehensive Plan – it was not a rezoning request.

Chairman Jones opened the public hearing.

Mr. Larry Cumming, attorney representing Hampton Roads Development LLC (HRD), owner/applicant, addressed the Commission and presented a brief PowerPoint presentation. He advised that part of the property was zoned Residential R-1 and they could develop 475 residential building lots by right. The remaining property was zoned Agricultural A-1, but was designated in the Comprehensive Plan as Residential R-1. In which case, you could end up with 700+ single family residential lots. What they were requesting was not a substantial change to what was designated in the Comprehensive Plan. They were requesting that 26.4 acres designated as Single Family Residential be changed to a designation of Commercial. They were proposing to put some small commercial shops on the property to serve the residents. They were also requesting that another 87.3 acres designated as Single Family Residential be changed to a designation of Multi-Family Residential. They were proposing to develop a multi-family active adult community to provide persons 55 and over with a quadplex housing option. He stated that they had originally requested that 118.9 acres designated as Single Family Residential be changed to a designation of Multi-Family Residential, but they got the message at the Planning Commission public hearing that the Commission and the citizens were not in favor of the apartments and townhouses that were originally proposed, so they removed those from the plan.

Mr. Cumming advised that about 524 dwelling units had been constructed in Southampton County

over the last 4 years, and were spread out throughout the County. The County recognized that and indicated that it wished for development to be placed in certain areas where the County could better serve the development and protect the rural nature of the majority of the County. He informed that in order for this project to be built out in 20 years, 1 out of every 3 or 4 houses built in the County would have to be built in this development, which was an optimistic view, but not likely to happen. In order for the project to be built out in 40 years, 1 out of every 10 houses built in the County would have to be built in this development, which was a more realistic view.

Mr. Cumming clarified for Supervisor Brown that the commercial and active adult community would definitely result in a net gain for the County, but exactly how much of a net gain would depend on what exactly would be built and when. In today's dollars, they were estimating that construction cost for the commercial would be about \$15 million, and the market value would be about \$23 million. They were estimating that the houses would generate \$124,000 in real estate tax revenue and the commercial would generate about \$423,000 in tax revenue.

Mr. Blake Blythe spoke. He advised that he was very impressed with the school that was on the property. This project was well thought out and would take 20-25 years to fully develop, and it would depend on if people come here or not. He was in favor of it.

Mr. Jay Randolph advised that the public hearing held at the Planning Commission was based on the applicant's request to change 26.4 acres designated as Single Family Residential to a designation of Commercial, and to change 118.9 acres designated as Single Family Residential to a designation of Multi-Family Residential, which would include quadplexes, apartments, and townhouses. The Commission considered and made a recommendation on those specifics. Those specifics were also advertised in the paper for tonight's public hearing. The applicant had made a substantial change to the application, in that the apartments and townhouses were removed and the acreage requesting to be changed from Single Family Residential to Multi-Family Residential subsequently reduced from 118.9 acres to 87.3 acres. As a result, it was improper to hold a public hearing this morning.

Mr. Richard E. Railey, Jr., County Attorney, advised that Mr. Randolph was absolutely correct.

Chairman Jones closed the public hearing.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to send the application back to the Planning Commission and have the Commission hold another public hearing based on the revised information submitted by the applicant. All were in favor.

Mr. Johnson announced that the second and final public hearing was being held for the following purpose:

To receive advance citizen comment regarding the FY 2008-09 annual budget. This hearing is intended to provide interested citizens an opportunity to make their views known prior to preparation of the county administrator's draft budget. Interested citizens are invited to offer their comments and recommendations on any and all fiscal matters. A second public hearing will be scheduled for Monday, May 19, 2008 to provide all citizens an opportunity to comment on the final draft of the proposed budget.

Mr. Johnson presented a brief PowerPoint presentation. He advised that regarding the current FY 2008 adopted budget of \$51,101,522, revenues consisted of \$24,737,228 in state revenue, \$2,474,653 in federal revenue, and \$23,883,651 in local revenue. Expenses consisted of General Fund - \$13,880,696 (or 25% of the total budget), Social Services - \$2,312,969 (5%), Schools - \$29,935,692 (58%), School Food - \$1,054,000 (2%), Building Fund \$3,474,086 (7%), and Water & Sewer - \$1,44,079 (3%). Schools was the largest expense portion of the budget, as with most localities. He stated that per the FY 2007 Superintendent's Annual Report for Virginia, Southampton County's average daily membership or enrollment was 2,777. Total expenditures per student were \$10,060, with \$3,068 being Southampton County's local cost. He noted that the total expenditures per student were purely operational expenses – capital improvements were not included. The FY 2008 average teacher salary as budgeted for Southampton County was \$44,347, which was below the state average of \$50,660, but in the middle of our surrounding localities. He

informed that that revenue was only expected to grow from \$15,269,259 in FY 2008 to \$15,317,258 in FY 2009, an increase of only \$47,999. He noted that revenue growth in FY 2008 was \$483,420. He shared the following new requests and considerations for FY 2009, highlighting those that the Board had already committed to:

Additional School Funding Request	\$ 762,227
Additional Debt Service (School & Industrial Park)	690,000
State Revenue Reductions (General Fund)	229,761
Increase in VRS Contribution Rate (5.93% to 9.70%)	205,189
State Revenue Reduction (School Fund)	132,604
Legal Defense (OLF)	100,000
Building Maintenance Code	93,086
Fire & Rescue	70,772
New Position Planner (Salary & Fringes)	54,000
New Position Deputy Treasurer I (Salary & Fringes)	35,100
Library Contract	26,862
Court Appointed Special Advocate	18,000
Courtland Community Center	15,000
Planning/Redevelopment Study – Ivor Elementary	15,000
Courthouse Security Improvements	??
TOTAL	\$ 2,447 601

Mr. Johnson advised that the big picture was that new revenue without raising taxes = \$47,999, the requested expenditure increases = \$2,447,601, which was a variance of -\$2,399,602. Each 1¢ on the real estate tax rate = \$137,163. If the Board were to fully fund all of the requests listed above, the real estate tax rate would have to be increased by 17.5 ¢ (\$2,399,602 / \$137,163). He advised that a 4¢ tax rate increase was necessary to fund the items highlighted above that the Board had already committed to. The impact of a 4¢ tax rate increase would be \$40/year on a \$100,000 home, \$60/year on a \$150,000 home, \$80/year on a \$200,000 home, and \$200/year on a \$500,000 farm. Southampton County currently ranked 73rd among Virginia counties and cities in terms of tax rates with a tax rate of \$0.68. The lowest was Grayson County with a \$0.30 tax rate, and the highest was Portsmouth with a tax rate of \$1.36. In FY 2009, Southampton County would rank 84th with a \$0.72 tax rate, assuming a 4¢ increase in the tax rate. He noted that the rankings were estimates at this time, as the ranks of other cities and counties would also change as their tax rates changed. He stated that it was impractical to fully fund all requests. He encouraged them to tighten the belt on operating expenses, defer funding new programs, minimize new positions, consider using a portion of the unappropriated general fund reserve balance for one-time expenses, but not operating expenses, and to seek to maximize the necessary tax rate increase to 4¢.

Supervisor Brown asked, what caused the slow growth in revenue of only \$47,999? Mr. Johnson replied that there was virtually no growth in machinery and tools.

Supervisor Brown asked, why wasn't the new wastewater treatment plant being considered? Mr. Johnson replied that they would not likely pay debt on that in FY 2009.

Chairman Jones opened the public hearing.

Mr. Ash Cutchin spoke. He asked, regarding the 5% of the budget being spent towards social services and the 60% towards schools and school food, did anyone keep a record on whether any of those funds were spent on illegal aliens, and if so, how much? Mr. Johnson replied that he did not think such records were kept. Mr. Cutchin asked if teacher salaries included administration salaries, such as that of the Superintendent? Mr. Johnson replied no – it was strictly teachers. Mr. Cutchin stated that regarding the budget request received to provide funds for a court appointed special advocate, what would that person do? Mr. Johnson replied that a special advocate would work with certain children in trouble with the courts to try and help get them back on the right track. He noted that Isle of Wight County already had the actual program in place. Mr. Cutchin stated that several months ago, the subject of the Board of Supervisors using taxpayers' money to pay for their medical insurance was brought up. Was this expense buried somewhere in the budget or did each of them stand by their pledge not to use County money for such an expense? Chairman Jones replied that it was too expensive and he was not interested in it. Supervisor Felts agreed. Mr. Johnson advised that there was no funding for Board member insurance in the draft budget at this time. He noted that unless he received direction otherwise, he did not intend to put it in the budget. Mr. Cutchin stated that it seemed as though the cities and/or counties with the highest tax rates seemed to be those that had experienced a lot of residential growth. So it seemed to him that approving a 400-700 unit housing development would only increase the taxes for everyone in Southampton County.

Mr. Mike MacManus of Boykins spoke. He asked, what did the \$93,086 associated with the consideration of adopting the Building Maintenance Code include? Mr. Johnson replied that it included the salary and fringe benefits of an additional inspector, a vehicle, gas, computer, legal support, etc. Mr. MacManus asked if citation fees that would be collected had been factored in? Mr. Johnson replied no. Mr. MacManus asked if the additional inspector's duties would be strictly to enforce the Building Maintenance Code? Mr. Johnson replied yes.

Mr. Charles Turner, School Superintendent, spoke. He advised that a lot of factors affected per pupil expenditures. You had to consider that Southampton County Schools operated 70 buses and 30 cars across 600 square miles, which impacted operational expenses. Average teacher salary was an interesting statistic. The salaries of the veteran teachers caused the average to go up, but the teachers in the middle were getting lost in this. He advised that the State of Virginia had indicated that Southampton County Schools had a stellar program. He remembered what the test scores were when he came here, and look at what they were today. He often received calls asking why teachers were not paid more. Parents expected the schools to be effective. He explained why sometimes the schools had carry-over funds, or funds that were not expended in a fiscal year. The money they received from the state was based on a formula that utilized the state sales tax figures, which were unpredictable. In December, if sales tax figures were off, the state would offset it with direct aid. The second time around with sales tax, you were on your own. Southampton County Schools could spend and then come back and ask the Board of Supervisors for more money, but they did not like to operate that way. The funding request made to the Board included enough money to cover them if the sales tax were down. He advised that they could not predict what would happen to their facilities. They almost had an emergency situation at Capron Elementary School due to a problem with the water. Gas prices were through the roof which impacted the transportation portion of their budget. The school system had come a long way – we did not need to go backwards.

Mrs. Judy English, Director of Social Services, spoke. She clarified that their biggest programs were temporary assistance to needy families, Medicaid, and food stamps. Persons had to prove they were citizens of the United States to be eligible for any of those programs. As a result, she was not aware of any illegal aliens receiving services.

Mr. David Edwards of Sedley spoke. He advised that he lived in the Capron District and had a farm in Ivor. A 4¢ tax rate increase would mean he would have to pay an increase of \$800/year in taxes. If they kept raising taxes, he did not know how he would be able to keep his farm.

Mr. Glenn Updike spoke. He agreed with the advice of Mr. Johnson, County Administrator, to try

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to keep the budget within reach. But we had department heads making \$80,000 - \$125,000 a year plus fringe benefits. The amount of spending affected everyone.

Mr. Jimmy Lee spoke. He commended Mr. Johnson for recommended that that Board only raise the taxes the 4¢ that was absolutely necessary. He also commended Mr. Turner for a school system we could all be proud of. In a perfect world, he wished that everyone's budget and salary could increase, but we were in unusual financial times and needed to hold the line.

Ms. Cynthia Rydell spoke. She stated that everyone could help the County by buying more goods and services here. She agreed that they needed to tighten the belt on spending.

Mr. Jamie Lee spoke. He thanked Mr. Johnson for bringing attention to the financial situation. He stated that Southampton Academy's per pupil expenditure was \$6,000. He thought that perhaps Southampton County Public Schools could do the same.

Chairman Jones closed the public hearing.

Moving forward, Mr. Johnson announced that Mr. Charles Turner, School Superintendent, had requested a few moments this evening to discuss the possibility of utilizing any proceeds that might be remaining from the Riverdale Elementary School project budget to acquire property in the Capron area for a new school. Included in the agenda was the project budget which was slightly less than \$15.4 million. The project had been on-time and under-budget from the start.

Chairman Jones recognized Mr. Charles Turner.

Mr. Turner advised that what they were requesting was if funds were left over. The project was on-time and under-budget at the present time, but you never knew what you might run into with construction projects. They would do everything to make sure Riverdale Elementary was complete. If money was left, they would like to use it to acquire property in the Capron area for a new school.

Mr. Johnson clarified for Supervisor Brown that any funds that were left would have to be used for a capital school project or the Turner Tract because they were both financed together.

Supervisor Felts asked, couldn't any funds left over be applied to the debt service? Mr. Johnson replied that he thought yes, but that would be a question for bond counsel.

Supervisor West asked, wasn't it maybe premature to make a decision on this now? We were in terrible financial times, and as Supervisor Felts mentioned, perhaps we could apply any funds left over to the debt service.

Vice-Chairman Young stated that he thought they needed to wait a little longer.

Supervisor Brown advised that they needed to be clear on what any leftover money could be used for. He had asked that question before and remembered the response being that it could only be used for capital purposes.

Mr. Johnson advised that he would have bond counsel address that in a letter.

It was consensus of the Board to not make a decision on Mr. Turner's request at this time.

Moving forward, Mr. Johnson announced that included in the agenda was a proposed amendment to the Southampton County Emergency Operations Plan, adopted by the Board on August 22, 2005. The amendment was a new supplemental Annex H, as it related to pandemic influenza. While the "flu season" occurred each year in the U.S., this plan was primarily in response to the Avian flu. Since 2003, there had been poultry outbreaks in numerous countries in Asia, Indonesia, Europe, the Middle East and Africa. Through December 2006, there had been 256 human cases in 10 countries with a 59% mortality rate. While there was no current pandemic, health experts generally agreed that it was simply a matter of time until the virus would change to increase human-to-human transmission and set up the potential for a historically unprecedented event. He

advised that the 18-page Annex was jointly developed by staff from the City of Franklin and Southampton County, who had been meeting regularly over the course of the past 15 months with Health Department officials, local hospital officials, and representatives from the local school systems. The Annex included morbidity and mortality projections for our region, defined the 6 different phases of an influenza pandemic and suggested appropriate emergency responses at each of the 6 phases. The Annex further included management guidelines for caring for influenza patients at home and in health care settings. He noted that based upon mortality rates from the last pandemic in 1918, Southampton County might expect up to 129 influenza-related deaths over a 6-month period.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to approve the Annex H: Pandemic Influenza. All were in favor.

Moving forward, Mr. Johnson announced that as directed last month, he and Sheriff Francis met with Moseley Architects to discuss a proposal for a security improvements study at the Courthouse. A copy of their proposal was included in the agenda. They proposed to:

- Observe existing conditions at the Courthouse;
- Review the floor plan and site plan drawings provided by the County;
- Develop specific recommendations for improvements (including a primary security checkpoint at the lobby entrance with metal detector and X-ray capability, paved parking access and secure parking at the rear of the building for the Judges and other personnel, a closed-circuit television surveillance system, an intrusion alarm system, and a secure means of egress and ingress from the rear of the building for Judges and other personnel);
- Document all recommendations in schematic floor plans, site plans and a narrative report; and
- Prepare preliminary and final cost estimates for each proposed improvement.

He advised that the cost of their professional services was \$13,931. Moseley Architects had extensive experience in 5th Judicial Circuit, as the architect of record for the Mills E. Godwin Courts Building in Suffolk, and the new Courts Building in Isle of Wight County. They also had extensive experience in Southampton County as the architect for Southampton High School, Nottoway and Meherrin Elementary Schools, and Riverdale Elementary School.

Mr. Johnson clarified for Supervisor Brown that the \$13,931 was just for the study itself.

Vice-Chairman Young moved, seconded by Supervisors Felts and West, to authorize the County Administrator to accept the proposal from Moseley Architects with funding to be specially appropriated from the unappropriated general fund reserve. All were in favor.

Moving to continued discussion regarding adoption of the Building Maintenance Code, Mr. Johnson announced that the County currently had two tools to address building maintenance:

- Section 10-6 of the Southampton County Code provided that it was unlawful for the owner of any building or structure to permit or allow the condition of such building or structure to endanger the public health or safety of other residents of the county. It further empowered the county, after due notice to the owner, to remove, repair, or secure the unsafe building or structure and attach a lien to the property – this provision of the County Code was *not applicable* with the corporate limits of incorporated towns; and
- Part I of the Virginia Uniform Statewide Building Code (Virginia Construction Code) included a provision for addressing unsafe conditions in residential rental property. Specifically, Sec. 104.1 of USBC provided that, “Upon a finding by the local building department, *following a complaint by a tenant of a residential unit* that is the subject of such complaint, that there may be a violation of the unsafe structures provisions of the code, the local building department shall enforce such provisions.”

Mr. Johnson advised that beyond this authority, **Section 36-105** of the *Code of Virginia* allowed the County to adopt an ordinance regulating building maintenance under Part III of the USBC, entitled the Virginia Maintenance Code. The Virginia Maintenance Code incorporated by

reference Chapters 2 through 8 of the 2003 International Property Maintenance Code (IPMC) which provided the technical guidance for determining whether or not buildings were being properly maintained. The IPMC was rather exhaustive – following were some examples of its building maintenance provisions:

- Sec. 304.2 – Peeling, flaking and chipped paint on exterior surfaces shall be eliminated;
- Sec. 304.3 – Buildings shall have approved address numbers placed in a position to be plainly legible from the street;
- Sec. 304.7 – Gutters and downspouts shall be maintained in good repair and free from obstructions;
- Sec. 304.12 – Every handrail and guardrail shall be firmly fastened and maintained in good condition;
- Sec. 304.14 – From April 1 to December 1, every door and window shall be supplied with tight fitting screens of not less than 16 mesh per inch;
- Sec. 307.3.2 – The operator of every establishment producing garbage shall utilize leakproof containers provided with close-fitting covers.

Mr. Johnson informed that a recent survey indicated that only 18 of 95 counties (19%) in Virginia had adopted the Virginia Maintenance Code. Many of those counties were urban counties including Chesterfield, Henrico, Fairfax, Hanover, Loudoun, and Prince George. Some were not, including Greensville, Sussex, and Isle of Wight. By far, its adoption was much more prevalent in towns and cities.

Mr. Johnson stated that as discussed last month, Part III could not be enforced without additional personnel and support. Following was an initial cost estimate:

Inspector’s salary	\$34, 547
Fringe benefits	10,364
Training and certification	1,500
Vehicle	22,000
Vehicle fuel, maintenance, etc.	6,000
Legal support (8 hours/month)	14,400
Books and equipment	775
Office equipment (desk, chair, phone, etc.)	2,000
Computer, printer, etc.	<u>1,500</u>
	<u>\$93,086</u>

Supervisor West stated that perhaps adopting Part III, the Virginia Maintenance Code, would be biting off more than they could chew at this time.

Supervisor Brown advised that he was curious about the unknown return on investment as far as revenue from citations, etc. Also, perhaps we could partner with another locality through a memorandum of agreement to try and enforce Part III.

Supervisor West wondered why Greensville and Isle of Wight Counties had adopted Part III.

It was consensus of the Board to have Mr. Johnson contact some localities who had adopted Part III, including Greensville and Isle of Wight Counties, to find out why they adopted Part III and how it was working for them.

With the permission of Chairman Jones, Mr. Spier Edwards, Mayor of Boykins, (who initially requested that Southampton County consider adopting Part III), advised that he did not ask for all of this. They just wanted the County to provide an inspector. If the County could not do that, they may look at hiring their own.

With the permission of Chairman Jones, Mr. Mike MacManus of Boykins advised that he looked

at this as a revenue generator. Rental property would have to be inspected every 4 years and the owner must pay a fee for the inspection. Also citations would result in \$35 for each citation given.

Moving forward, Mr. Johnson announced that included in the agenda was an unsolicited request for funding by the Courtland Community Center, a 501 (c) (3) nonprofit corporation located at 25499 Florence Street, Courtland. They were requesting \$15,000 to help maintain, develop and expand their indoor and outdoor facilities. In their request, they cited the prevalence of obesity in our population and the positive impact that adequate physical activity could have upon all ages. Their request did not specifically say what they intended to do with the money. It was his understanding that Supervisor Felts had already met with this group and may have additional comments.

Supervisor Felts informed that she had met with the group a few times. They had a very nice facility on Florence Street. They asked her what the County could do for them. She explained to them that the County currently had a Recreational Task Force looking at recreational needs and opportunities in the County. She noted that they did not indicate exactly what the \$15,000 being requested would be used for. She stated that while it may be a worthwhile cause, it may open the door for a lot of other small organizations to make funding requests.

Supervisor Felts clarified for Supervisor West that the organization had received some grant funding. Supervisor Brown remarked that a block grant would likely be available to them as well.

It was consensus of the Board to not include the requested funding in the FY 2009 draft budget.

Moving forward, Mr. Johnson announced that included in the agenda was a proposed resolution supporting the use of dogs for hunting in the Commonwealth of Virginia as prescribed by existing laws. The request was being made by Mr. Richard E. Railey, Jr., but not in his capacity as County Attorney. Similar resolutions had been considered and approved by the Board of Supervisors in eighteen Virginia counties, including Charlotte, Brunswick, Mecklenburg, Lunenburg, Caroline, Spotsylvania, Charles City, New Kent, King and Queen, King William, Page, Isle of Wight, Northumberland, Essex, Nottoway, Prince George, Goochland and Dinwiddie.

The resolution is as follows:

**SUPPORT OF USING HUNTING DOGS IN THE
COMMONWEALTH OF VIRGINIA**

WHEREAS, Southampton County has a long standing tradition of hunting with dogs and, specifically, hounds that is as old as Southampton County; and

WHEREAS, the Southampton County tradition of hunting with dogs provides significant economic benefit to the county and her people; and

WHEREAS, the Southampton County tradition of hunting with dogs significantly contributes to the public safety by controlling excess wildlife population that would otherwise increase automobile collisions, crop and other property damage, and disease; and

WHEREAS, the Southampton County tradition of hunting with dogs, especially hounds, is practiced on the vast majority of land in Southampton County and is a source of revenue and a major renewable resource management tool; and

WHEREAS, the Southampton County tradition of hunting with dogs, especially hounds, is a family oriented heritage that teaches self-reliance, individual responsibility, and the values of community stewardship of our God given natural resources; and

WHEREAS, the Board of Supervisors of Southampton County recognizes the potential negative impact of significant changes to the use of hunting with dogs for many of its citizens, including landowners and sportsmen.

March 24, 2008

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Southampton County does hereby support the use of dogs for hunting in the Commonwealth as prescribed by existing laws; and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Southampton County supports our heritage of hunting with dogs, especially hounds, and opposes any actions on the part of the Virginia Department of Game and Inland Fisheries and the General Assembly of Virginia that are detrimental to that tradition.

Dallas O. Jones, Chairman
Southampton County Board of Supervisors

Attest:

Michael W. Johnson, Clerk
Southampton County Board of Supervisors

Attorney Railey advised that he wanted the record to reflect that he was not soliciting this as County Attorney or as Vice-Chairman of the Virginia Department of Game and Inland Fisheries (VDGIF) Board, but he was soliciting it as a VDGIF Board member because he needed all the ammunition he could get.

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

Moving forward, Mr. Johnson announced that in accordance with our adopted procedures for PPEA proposals, he contracted with Hazen and Sawyer, environmental engineers and scientists from Raleigh, NC, to review the conceptual proposal of Southampton County Infrastructure, LLC for design and construction of a new wastewater treatment plant, influent pump station and associated sanitary sewer linework. Each Supervisor was provided a copy of the 2-volume proposal last October. At each of their places this evening was a copy of Hazen and Sawyer's report. The cost of their review and report was borne by Southampton County Infrastructure, LLC in accordance with our adopted guidelines. Hazen and Sawyer found that the proposal was technically adequate. He stated that it was necessary for the Board to make a determination that it wished to proceed to the detailed phase of review with the original proposal (no competing proposals were submitted). A copy of adopted guidelines were included in the agenda.

Supervisor Brown moved, seconded by Supervisor Wyche, to invite Southampton County Infrastructure, LLC to submit a detailed proposal for the improvements described above. All were in favor.

Moving forward, Mr. Johnson announced that included in the agenda was a copy of the Southampton County Planning Commission's report regarding final plat approval for the Brandywine subdivision. They may recall granting preliminary plat approval at their May 22, 2006 regular session. In accordance with § 15.2-2259 of the Code of Virginia, approval of subdivisions was classified as a *ministerial act*, meaning that the Board had no authority to exercise its discretion while reviewing plats. The purpose of subdivision plat review was only to insure that the proposed development complied with all existing ordinances. If a plat was denied, the Board was required to specifically identify the requirement that was unsatisfied and explain what the applicant must do to satisfy the requirement. He advised that as they may recall, Brandywine subdivision was located due west of Queens Lane off the south side of Clay Street, Franklin. The final plat included a total of twenty four (24) residential building lots in Southampton County (an additional 34 lots were in the City of Franklin), with minimum lot sizes of 20,000 square feet, acceptable standards in the Residential R-1 zoning district. Lots were proposed to be served by public water and sewer systems. He stated that final approval was

subject to the posting of certain sureties by the developer for unfinished improvements and payment of certain fees, including:

- 1) Surety in the amount of \$836,435.80 for project construction including mobilization, clearing and grubbing, roadway improvements, erosion control, storm drainage facilities, waterline improvements, sanitary sewer construction, street signs and street lighting.
- 2) A maintenance bond for annual road maintenance until such time as the street is taken into the secondary system of highways;
- 3) Maintenance fee for proposed roadways;
- 4) Five-year operational expenses associated with the streetlights; and
- 5) Plat review fees of \$100.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to approve the Brandywine subdivision final plat. All were in favor.

Regarding miscellaneous issues, Mr. Johnson announced that Supervisor Felts recently informed him that she had been contacted by a number of constituents in her District with an interest in establishing a continuous open season to trap beaver in Southampton County. The game regulations currently limited the open season in Southampton County from December 1 through the last day of February each year. Property owners may also obtain a special permit from the Virginia Department of Game and Inland Fisheries to trap at other times throughout the year, if necessary. He informed that there was presently a continuous open season to trap in all cities and towns in Virginia and in certain urban counties including Arlington, Chesterfield, Fairfax, Henrico, James City, Loudoun, Prince William, Spotsylvania, Stafford, Roanoke and York. Attorney Railey was checking with VDGIF officials regarding the criteria necessary to establish a continuous open season here. If that were possible, the action would have to be taken by the VDGIF Board, not our local Board of Supervisors.

Attorney Railey advised he learned in his conversations with the Biologist, that establishing a continuous open season to trap beaver would have a detrimental effect on otters. However, a person could request a damage permit if they were having problems with beavers. He noted that he would like to be made aware of any situations in which a person had a specific problem and was unable to get a damage permit.

Mr. Johnson stated that included in the agenda was a copy of the turnover audit for the Clerk of the Circuit Court's office, prepared by the auditor of public accounts. The purpose of the audit was to determine the accountability of the former Clerk at December 31, 2007 and to turn over the assets, accounts, and records to the new Clerk on January 1, 2008. The statement of all assets and liabilities was included in the agenda.

Mr. Johnson reminded that each Supervisor had been registered to attend the VACo Region I meeting on March 31 at 6:00 PM in Wakefield (Supervisor Wyche had since indicated that he had a conflict). They would need to further continue their continued meeting on March 28, by motion, in order to comply with open meeting requirements.

Mr. Johnson advised that included in the agenda was a copy of the 2008 Section 8 Income Limits for each locality in the Commonwealth. In Southampton County, a family of 4 making less than \$41,600 would qualify as low and moderate income (LMI). A single individual making less than \$29,100 would qualify.

Continuing with miscellaneous issues, Mr. Johnson stated that included in the agenda was a copy of the Abstract of Votes for the February 12 Presidential Primary, certified by the Southampton County Electoral Board.

Mr. Johnson informed that they received one proposal (from the Timmons Group) in response to the Request for Proposals (included in the agenda) for consulting engineering services for development of the Turner Tract. He would be negotiating an agreement for services over the course of the next several weeks and bring it back for their consideration at a later date.

Mr. Johnson reported that included in the agenda were copies of the following environmental public notices:

- 1) From the Virginia Department of Environmental Quality, notice of a draft groundwater withdrawal permit for New Kent County to withdraw up to 156,208 gallons per day from the Chickahominy-Piney Point Aquifer;
- 2) From the Virginia Department of Environmental Quality, notice of a draft groundwater withdrawal permit for Virginia Department of Corrections to withdraw an average of 328,767 gallons per day from the Middle- and Lower-Potomac Aquifers in Southampton County;
- 3) From the Virginia Department of Health, Office of Drinking Water, copy of a notice of violation issued to the Town of Capron waterworks for failing to collect the required bacteriological samples in the month of February;
- 4) From the Virginia Department of Health, Office of Drinking Water, copy of a notice of violation issued to Southampton County for exceeding the maximum contaminant level for total coliform bacteria at the Edgehill subdivision during the month of February;
- 5) From the Virginia Department of Health, Office of Drinking Water, copy of an amended waterworks operation permit for Southampton Correctional Center based upon construction of a new well source;
- 6) From the Virginia Department of Environmental Quality, notice of a draft groundwater withdrawal permit for Williamsburg Country Club, Inc. to withdraw an average of 19,178 gallons per day from the Upper Potomac Aquifer in Your County;
- 7) From the Virginia Department of Environmental Quality, notice of a draft groundwater withdrawal permit for Isle of Wight County to withdraw an average of 19,822 gallons per day from the Middle Potomac Aquifer for the Carrsville community;
- 8) From the Virginia Department of Environmental Quality, public notice regarding Southampton County's application to modify its VPDES permit at the Courtland, Wastewater Treatment Plan to increased the discharge from .303 MGD to 1.25 MGD.

Mr. Johnson advised that included in the agenda were copies of the following incoming correspondence:

- 1) From WHRO, a note of thanks for the Board's recent gold sponsorship of their 5th Annual Pioneer Awards;
- 2) From David Fuller, New CEO at Southampton Memorial Hospital, a letter of introduction;
- 3) From Irene Ballard, a response to the Parks and Recreation Community Survey that appeared in *The Tidewater News*;
- 4) From Carl and Hilda Harmon, a copy of a note of appreciation to the Hunterdale Volunteer Fire Department for their response to a woods fire in Carrsville on February 10;
- 5) From Todd Christensen, Deputy Director of the Virginia Department of Housing and Community Development, official notice that Franklin and Southampton County were not selected for Enterprise Zone designation;
- 6) From Mark Allan, Director of Elementary Instructional Services with the Virginia Department of Education, a request to allow an agency employee to park his state assigned vehicle overnight in the Southampton County Office Center parking lot.

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

Moving to late arriving matters, Mr. Johnson announced that at the conclusion of today's session, it would be necessary to continue the meeting, by motion, until Friday, March 28, 2008 at 10:00 AM, when the Board would have an opportunity to meet in closed session with Barry Steinberg, a managing partner of Kutak Rock, the firm engaged by the Crater District Planning District

Commission to provide legal representation for the counties of Southampton, Sussex, Surry and Greensville as related to the siting of an outlying landing field by the United States Navy. He noted that Mr. Steinberg would be meeting with the Surry County Board of Supervisors on March 27 and with the Sussex County Board of Supervisors on March 28 at 2:00 PM.

Mr. Johnson advised that Delegate Roslyn Tyler had confirmed that the meeting with Senator Jim Webb had been scheduled in Washington, DC for April 10, 2008 at 1:30 PM. He would be making transportation arrangements and needed to know who planned to attend.

All Board members indicated that they planned to attend, with the exception of Supervisors Faison and Young, who indicated that they would let Mr. Johnson know in a few days.

Mr. Johnson stated that at the Virginia Rural Water Association Conference, water from 14 localities was tested and tasted, and he was pleased to inform that the Boykins-Branchville water was deemed to have the best test and would move on to a national taste test.

Mr. Johnson advised that he had been contacted by AARP. They had hoped to invite the Board to a luncheon on April 10, but that was the same date as the meeting with Jim Webb. They had, however, provided him with some cards that simply were cards that would endorse the position of the AARP – basically that the Board would pledge to vote for candidates that would ensure that Americans had access to affordable and quality healthcare, to vote for candidates who would ensure that all Americans had peace of mind about lifetime financial security, and to vote for candidates who were specific about what they would do and how and stop speaking in generalities. They asked him to distribute the cards and have the Board members sign them, if they were willing to do so, and return them back to him. They planned to send them to Washington, DC.

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) (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 and briefings by staff members requiring the provision of legal advice regarding and related to the potential siting of an outlying landing field.

Section 2.2-3711 (A) (7) Consultation with legal counsel and briefings by staff members requiring the provision of legal advice regarding and related to subdivision matters.

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

Richard Railey, County Attorney, Jay Randolph, Assistant County Administrator, Julia Williams, Finance Director, Julien Johnson, Public Utilities Director, and John Smolak, President of Franklin-Southampton Economic Development, Inc. 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.
Walter D. Brown, III
Carl J. Faison
Anita T. Felts
Ronald M. West
Moses Wyche

The motion passed unanimously.

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

Supervisor Brown informed that regarding the Civil War sesquicentennial celebrations to take place from 2011-2015, he had the opportunity while at the Virginia Association of Museums Conference at The Homestead, to attend a 2 ½ hour session presented by Sheryl Jackson, Project Director. He picked up a package for each Board member, but forgot to bring them this evening. He had already provided Mr. Johnson with a package. Ms. Jackson had offered to come down and give a presentation to our local committee, once that local committee was in place. One of the things they were looking at was how Native Americans fit into the overall picture.

Mr. Johnson reminded that a motion was needed to continue this meeting until Friday, March 28, 2008 at 10:00 AM, when the Board would have an opportunity to meet in closed session with Barry Steinberg, as previously mentioned.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to continue this meeting until Friday, March 28, 2008 at 10:00 AM. All were in favor.

There being no further business, the meeting was recessed at 9:45 PM.

Dallas O. Jones, Chairman

Michael W. Johnson, Clerk