

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 March 26, 2007 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.

Supervisor Felts, who was Chairman of the local Jamestown 2007 committee, announced that they held a poster contest and opened it to all 4th graders in Southampton County Public Schools, Southampton Academy, and the Rock Church. They asked the students to draw a poster depicting what America’s 400th Anniversary meant to them. She noted that the students were asked to follow certain rules/regulations. The Rock Church had one entry but it was disqualified because the rules were not followed. The winners were here tonight and they would like to recognize them and present them with their awards. She asked Chairman Jones and members of the local Jamestown 2007 committee who were present to join her. The following students were recognized and received awards:

Capron Elementary

- 1st Place – Tiara Wiggins
- 2nd Place – Sierra Johnson

Hunterdale Elementary

- 1st Place – Jason Rivers
- 2nd Place – Darroll Hill

Nottoway Elementary

- 1st Place – Mary Alexis Gilliland
- 2nd Place – Kali Regula

Southampton Academy

- 1st Place – Paige Parker
- 2nd Place – Julie Russo

Best Overall – Tiara Wiggins of Capron Elementary

Supervisor Felts advised that the 1st place award was \$50, graciously provided by Bronco Federal Credit Union (BFCU), and a certificate. The 2nd place award was a certificate. The award for best overall was \$100, also graciously provided by BFCU, and a certificate.

The Board of Supervisors commended the students for their achievements.

Chairman Jones sought approval of the minutes of the February 26, 2007 Regular Meeting. They were approved as presented, as there were no additions or corrections.

Regarding highway matters, Mr. Johnson announced that as previously advised, an Independent Review Panel (IRP) was appointed by the Secretary of Transportation to review the three (3) recently submitted conceptual proposals to design, finance and construct a new Rout 460, offered pursuant to the Public-Private Transportation Act (PPTA). The IRP would ultimately provide its report and recommendations to the Commonwealth Transportation Board and VDOT

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Management. The IRP conducted its first meeting on March 21st in Prince George County. While this meeting was open to the public, time was limited to receipt of presentations from each of three competing teams, and there was no opportunity for public comment. They had, however, scheduled three additional meetings: April 9 in Suffolk, April 30 in Windsor, and May 23 in Prince George County. Our written comments regarding the necessity of an interchange at Ivor Road (Route 616) were expected to be presented at the April 9 meeting in Suffolk.

Mr. Johnson advised that included in the agenda was a copy of the preliminary secondary construction allocation, released earlier this month by VDOT. In the absence of approval of a final transportation funding plan by the General Assembly and Governor Kaine, the allocations were based on the December 2006 revenue forecast, and reflected reductions in excess of 20 percent (20%). While they were clearly subject to change, depending upon the ultimate fate of HB 3202, it was the best we had to go on. He noted that the plan approved by the Board in January included \$1,019,462 in total funding for FY 2008 – this estimate was 20% less at \$814,000.

Mr. Johnson informed that included in the agenda was a copy of email correspondence from Sandon Rogers, a staff member in Isle of Wight County, regarding our interest in two highway-related matters. The first item related to a potential prohibition of truck traffic along Route 620, from Ivor to Smithfield. The second item related to the cooperative purchase of an excavator specifically designed to clean outfall ditches. He noted that he placed this matter on the agenda to gauge their interest, if any, in either of these matters, before responding.

Supervisor West advised that his son traveled Route 620 twice a day and it was dangerous to the general public because trucks did take advantage of the road.

Supervisors Faison and Felts were concerned about businesses that may be affected by prohibiting truck traffic on Route 620. Supervisor Brown was concerned about what impact prohibiting truck traffic on Route 620 would have on the new Route 460.

Vice-Chairman Young and Supervisors Faison and Felts indicated that they thought the purchase of an excavator was a good idea. Mr. Jerry Kee, Assistant Residency Administrator of the VDOT Franklin Residency, clarified for Supervisor Brown that VDOT leased an excavator.

It was consensus of the Board to have Mr. Johnson invite a representative from Isle of Wight County to a future meeting and elaborate on the 2 aforementioned ideas.

Chairman Jones recognized Mr. Jerry Kee.

Mr. Kee advised that crews had been working on ditches on Routes 658, 611, 650 (Storys Station Road), and Monroe Road. They had also cut some trees.

He advised that some of the problems in Edgehill were downstream where trees were blocking the flow of water – there were 4 beaver dams in the back. They had contacted the appropriate person that handled beaver damage and he would start working on that soon.

Mr. Kee informed that regarding the Adopt-A-Highway program, 25 groups had picked up 125 bags of trash recently. He attributed the activity to the warm weather.

He advised that everything had to be out of the Berlin Area Headquarters, which was closed, by April 1. The Capron and Franklin Area Headquarters would split taking over the roads previously handled by Berlin. He noted that Route 616 was the divider.

Supervisor Brown thanked the Franklin Area Residency and Benny Necessary for allowing Keith Johnson to ride with him around the Newsoms and Blackwater areas so he could point out some concerns. Outfall ditches were a problem – a lot of loggers had plugged them up.

Mr. Kee advised that their crews were going into outfall ditches throughout the County and removing trash.

Supervisor Felts stated that she had talked to several people in Sedley who were concerned about ditches and water standing in the roads in Sedley. They wanted to know if they needed to write Richmond? Mr. Kee advised that he had met with a few people in Sedley and they were trying to take care of several ditches – one was near the ball park.

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, and Personnel.

In regards to new housing starts, Supervisor Brown asked Mr. Johnson what he thought the trend was? Mr. Johnson advised that it was a definite turn downward. The first few months of this calendar year were among the slowest in a long time. But this was a national problem/issue.

In regards to solid waste quantities, Mr. Johnson advised that implementation of the attended sites was continuing to make a difference. Tons disposed of in February were 585, down from 955 tons in March. Avoided cost so far totaled \$128,691 and implementation costs totaled \$123,523, resulted in a net of \$5,158 for the first 8 months.

Supervisor Faison advised that he had received several complaints about people dumping trash on the highways since the attended sites were implemented. He thought it was important for people to understand that something was in the works to address that.

In regards to the personnel report, Mr. Johnson advised that Randal L. Bailey was hired in the Sheriff's Office effective 03/01/07 at an annual salary of \$28,974. Shana P. Rollins was hired in the Sheriff's Office effective 03/01/07 at an annual salary of \$24,709. M. Evelyn Fancher was hired in the Sheriff's Office effective 03/01/07 at an annual salary of \$24,709. He informed that the annual salary of A. Harrison Jamison of the Inspections Department increased effective 03/01/07 as the result of a 6-month increase. He stated that Crystal A. Joyner was terminated from the Clerk's Office effective 02/09/07.

Moving to financial matters, Mr. Johnson announced that bills in the amount of \$1,709,265.94 were received.

Vice-Chairman Young moved, seconded by Supervisor West, that the bills in the amount of \$1,709,265.94 be paid with check numbers 80601 through 81087. All were in favor.

Moving to the streetlight request, Mr. Johnson announced that staff was recently requested to evaluate the environs of 21337 Black Creek Road to determine if it qualified for a streetlight under the County's adopted policy. Based upon the staff review, a streetlight at this location was warranted and would provide significant lighting benefit to at least 5 residential entrances. He noted that a sketch was included in the agenda for their reference.

Vice-Chairman Young moved, seconded by Supervisors Felts and Wyche to authorize installation of the streetlight. All were in favor.

Moving forward, Mr. Johnson announced that he was contacted by Lynda Updike, President of the Southampton County Historical Society, back in early January regarding a couple of ongoing initiatives. Because of scheduling issues, he had been unable to coordinate their presentation until this month. He advised that Mrs. Updike was present and would share those initiatives with them.

Chairman Jones recognized Mrs. Lynda Updike.

Mrs. Updike advised that as they were aware, over the years, the Historical Society had focused on the historical aspects of our County. Tonight they wanted to talk about the Rebecca Vaughan House project. She asked members of the Historical Society who were present to please stand. She advised that they had hired John Quarstein to help them with this project. Mr. Quarstein was a civil war historian, a director of the Virginia War Museum in Newport News, and author of 9 books. He had created or revitalized 15 museums. He was the winner of the President's award for historic preservation presented by Governor Bush, Sr. He was the Emmy award-winning writer and narrator of the PBS Series Here and Then, Civil War in Hampton Roads Series, and Jamestown Foundations of Freedom Documentary.

Mrs. Updike introduced Mr. John Quarstein.

Mr. Quarstein advised that he appreciated the opportunity to address them. He was here to talk to

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about a great initiative that the Southampton County Historical Society was undertaking, which was trying to tell the truth about a very critical part of our nation's history – the 1831 Southampton County Insurrection, also referred to as the Nat Turner Story. The Historical Society had recently acquired the Rebecca Vaughan House which was on the National Register of Historic Places and was connected to the insurrection. The Historical Society was able to bring together a wide variety of messages and those messages were very important in preserving local history. But in some cases, your local history had such an important message that it reached out throughout the Nation, and such was the Nat Turner story. The Nat Turner Story was in every 8th grade history book throughout the nation. It was a critical element that brought our nation to the Civil War, and was part of this great course of our nation's history and how we qualified continually the meaning of freedom. In saving the Rebecca Vaughan House, the Historical Society recognized that it was a unique object and was all about the Nat Turner Story - a story of retribution, rebellion, and revenge that was linked in such a powerful way to the Civil War. It was in every 8th grade history book, but those reading it did not have a place to go and understand that history. When you could take a step into a real historic place where history really took place, that history became a part of you and became a message. It made you want to understand the truth and make it a part of you.

Mr. Quarstein stated that he and the Historical Society were trying to 1) recognize that the Rebecca Vaughan House was just one element of the Southampton County Museum, and 2) that it had a very important message that touched education - the Standards of Learning (SOLs) for the United States and Commonwealth of Virginia all mentioned Nat Turner and yet there was no place for us to go and understand the meaning of who he was, who were the people caught up in it, why that event happened, and what that event's meaning was, not only in the 19th century, but what it meant today. Nowhere in the United States was there that type of place. As a result, they felt that it was very important that the Rebecca Vaughan House be preserved. They realized that the insurrection was an event that struck horror and fear throughout America, but the Rebecca Vaughan House was forever linked to that event. What made it so powerful was that it was linked to the Civil War and the course of events that brought us to that great turning point in our nation's history. He advised that the Rebecca Vaughan House was a part of the Commonwealth of Virginia's second largest industry – a tremendous industry known as Heritage Tourism. Because we had this tremendous link to a tremendous piece of history, the Historical Society and Southampton County needed to take advantage of this history and present it in a powerful way. There were people who called them from California and New York that wanted to know about this history because it was such a critical element of who we were today as Americans. Although it was a very hard history, it was something that was so compelling to learn about. If you approached it from a factual, truthful, and interactive fashion, it was something that would help bring us all together and understand how our nation had changed.

Mr. Quarstein advised that in December, he and the Historical Society started to write some grants. In just 3 months, they had been able to raise \$75,000. They were getting ready to write several more grants. They were asking the following of Southampton County:

- 1) To consider identifying the Southampton County Historical Society as the official organization to present the 1831 Southampton County Insurrection/Nat Turner Story;
- 2) To consider being the fiscal agent for state and federal grants; and
- 3) To submit certain federal grants that were specifically oriented towards the restoration of a nationally significant historical event that took place at a National Register of Historic Places property. They could only write those grants through their local government. He noted that they would write the grants and do everything they were supposed to do, but they needed Southampton County to act as a pass-through organization.
- 4) To assist them in placing a trail throughout the County. He was the historian for the Virginia Civil War Trails, an award-winning and very successful program. They wanted to put in a walking trail in Courtland and a driving trail throughout the County. The idea of Heritage Tourism was all about keeping someone in your community for more than 5 hours. If someone stayed more than 5 hours, they would buy lunch and gas, and those were the types of revenues generated by Heritage Tourism. Not to make history something that made money, but preservation and education were expensive things.
- 5) To assist them in hiring an architect to meet National Register of Historic Places standards.

Mr. Quarstein advised that it would cost \$650,000 to restore the Rebecca Vaughan House. They were asking that the County contribute \$25,000 towards that effort.

Supervisor Brown advised that he thought the presentation was great and the marketing of this was

overdue. He informed that Peter Rogers Brown done a thesis on the theology of Nat Turner in 1949 at Vanderbilt University in Tennessee – that may be of interest to them.

Supervisor Faison applauded the Historical Society for wanted to take an objective approach in telling the Nat Turner Story.

Mr. Quarstein clarified for Supervisor West that the timetable for this project was about 5 years start to finish and he was here for the duration.

It was consensus of the Board to support the Historical Society and provide them with \$25,000.

Chairman Jones recognized the Girl Scout Council of Colonial Coast who had arrived.

The Girl Scout leader that was present advised that she was told by the Girl Scout Council of Colonial Coast to show up tonight at 7:00 PM and that the Board of Supervisors would be presenting them with a proclamation recognizing the 95th anniversary of Girl Scouts.

Mr. Johnson, County Administrator, advised that there was some miscommunication. He was told that the Girl Scout Council of Colonial Coast would conduct a flag ceremony at the beginning of the meeting, after which, they would share Girl Scout cookies with the Board.

The Girl Scout Leader advised that they were not prepared to do a flag ceremony but they did have Girl Scout cookies to share. She and the Girl Scouts who were present gave boxes of cookies to the Board and staff. She noted that their troop sold over 5,200 boxes of cookies.

The Board commended the Girl Scouts. Supervisor Faison personally thanked the leader for volunteering her time.

Chairman Jones advised that Mr. Johnson would get them a proclamation.

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

CUP 2007:02 Application filed by Roy F. Kinlaw and Patricia L. Cohan-Kinlaw, owners, requesting a conditional use permit for a Commercial Dog Kennel pursuant to Section 18-37 (21) of the Southampton County Code in order to keep more than five (5) adult dogs. The subject property was currently zoned A-1, Agricultural and contains approximately 29.12 acres and is further identified as Tax Map Number 25-5-1. The property is located at 10790 New Road (Rt. 622) approximately ½ mile west of the intersection with Tucker Swamp Road (Rt. 635) in the Berlin Ivor Election 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 meeting on December 14, 2006 and recommended approval, subject to the following five (5) conditions:

- The fence be adequate to confine the dogs in the specified 4- or 5-acre area
- No more than 20 dogs
- Breeds limited to Great Danes
- Fencing to be completed by March 26 and inspected by dog warden to ensure it is adequate
- Review the application in one year

Chairman Jones opened the public hearing.

Supervisor Brown asked if this kennel would be used for breeding? Mr. Randolph replied yes, from time to time. He added that there were no concerns brought up about breeding.

Supervisor Felts asked, regarding the condition that the fencing be inspected by the dog warden, did we have a report from the dog warden? Mr. Randolph replied that the dog warden was not here tonight and he had not spoken with him.

Supervisor West advised that he attended the Planning Commission's public hearing and there was some opposition to this application.

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Mr. Moses Saunders of New Road spoke. He advised that in the past, the Kinlaw's had not kept their dogs contained. The first couple of months after the Kinlaw's moved there, the dogs kept getting out. Approximately 3 weeks ago, one of their dogs attacked his Pekinese. Mrs. Kinlaw paid the veterinarian bill, but still. The noise from the dogs was very annoying at times. He had never had any problems with the dogs biting humans, but you did not ever know.

Mr. Bob Orr of New Road spoke. He asked, if it was restricted to 20 dogs, and they already had 20 dogs, and they planned to breed from time to time, wouldn't they sometimes have more than 20 dogs? He stated that the noise was too much at times and he had seen the dogs running loose.

Mr. Lewis Coates of New Road spoke. He was not in favor of granting the Kinlaw's any kind of permit. Their dogs were coming in his yard crapping again and the dogs barked a lot. The Kinlaw's were not responsible people. Their horses tore up his and Moses Saunders' yard last year and the court ordered them to pay for damages.

Mr. Ricky Roberts of New Road spoke. He advised that the Kinlaw's dogs came in their yard and his wife was scared of dogs. And Great Danes, which were the type of dogs the Kinlaw's had, were very big dogs.

Mrs. Patricia Cohan-Kinlaw, co-owner/co-applicant, addressed the Board. She advised that every single one of her dogs were confined in her yard. The animal control officer came to their house at about 3:00 PM today to inspect the fencing, and he found it to be adequate. Some of her dogs were old, some were young, and some were show dogs. She had 18 dogs right now. She explained that an incident with Moses Saunders' dog occurred when Moses' dogs came out of his yard and into the road where she was walking with one of her dogs. His dog snapped at her dog and her dog picked his dog up with its mouth. Her dog did not hurt his dog – it could have if it had wanted to. She stated that the fence around the property was hot-wired all the way around and their gate was electric. She explained that the incident with the horses that Mr. Coates mentioned occurred when a storm took out the front gate on their property which allowed the horses to get out. The horses had not gotten out since. She stated that they had problems with foxes and her dogs would bark at the foxes. They did not bark unless they had a reason to bark. They were protective but not aggressive dogs. She and her husband had made sure that their dogs did not run free. However, other dogs in the neighborhood did run free. They recently purchased the property next door, so now the dogs would have an additional 7 acres in which to run.

Mrs. Kinlaw clarified that when they did breed the dogs, the puppies went out in 8 weeks. Mr. Jay Randolph clarified that puppies under the age of 4 months were not counted in the total number of dogs and were not subject to the conditional use permit process.

Supervisor West advised Mrs. Kinlaw that there were clearly neighbor concerns. The neighbors had stated that they had problems containing their dogs. He had visually seen the damage to Mr. Coates' yard and he trusted Mr. Saunders, as he had known him a long time. In addition, the dog warden had not provided any documentation. They turned down a permit for a dog kennel last month because the dogs were attacking hunting dogs. He commented that it looked like 20 dogs was not touching the actual number of dogs on the property.

Mrs. Kinlaw advised that her dogs did not attack. And she had paid Mr. Coates and Mr. Saunders and had made arrangements to fix their yards. Her husband just had back surgery so he could not help with that right now.

Supervisor Brown asked if her dog was on a leash when the incident with Mr. Saunders' dog occurred? She replied no, but neither was his. His dog ran out of his yard and into the road and snapped at her dog. What if his dog had been a Rottweiler? She clarified that when she walked, she usually only took 1 dog with her.

Mrs. Kinlaw clarified that her property was 1/3 mile off of the road.

Mr. Roy Kinlaw, husband of Mrs. Kinlaw joined her at the podium. He stated that the fencing was electric and had electric strands hanging down like a blanket. He clarified for Vice-Chairman Young that the type of fencing and wire was plug-in box and they had a backup generator.

Mrs. Kinlaw remarked that her dogs were very well trained.

Chairman Jones closed the public hearing.

Supervisor West stated that he was not comfortable with granting this permit – the dogs were still supposedly getting out and the dog warden had not certified that the fencing was adequate to contain them.

Supervisor West moved, seconded by Supervisor Wyche, to deny the request for the conditional use permit.

Supervisor Brown stated that a critical report from the dog warden was missing. In all fairness to everyone involved, he thought they should table it.

Supervisor West stated that the neighbors had problems with it and they were being subjected to very large dogs.

Supervisor Faison advised that they had a history of approving these types of permits, and he would like to see that continue, but it did not appear that this one conformed.

Supervisor Brown again stated that in all fairness, they needed to hear from the dog warden.

Supervisor West amended his original motion and moved that the application be tabled (for 60 days). Supervisor Faison seconded the motion. All were in favor.

Mr. Johnson announced that the second public hearing was to consider the following:

COMPREHENSIVE PLAN: Vision 2020, The Southampton County Comprehensive Plan, update 2007. This document provides an overview of physical, social, economic and demographic factors that affect Southampton County and provides maps, figures, exhibits and general policy statements that can be used to influence future land use decisions. The comprehensive plan is prepared with the purpose of guiding and accomplishing a coordinate, adjusted and harmonious community in accordance with present and probable future needs and resources to best promote the health, safety, and general well being of the citizens of Southampton County.

Mr. Johnson recognized Mr. Jay Randolph.

Mr. Randolph advised that on behalf of the Southampton County Planning Commission, it was with great pleasure to forward them a final draft of the updated comprehensive plan entitled "Vision 2020: The Southampton County Comprehensive Plan." This plan was the subject of a public hearing by the Planning Commission on February 8, 2007. After receiving comments, the Planning Commission recommended some revisions to the draft plan including reducing the size of the Sedley Community Area and the Courtland Planning Area, and to include a reference to the number of people employed with the State Department of Corrections. Those changes had been incorporated into this final draft and the Planning Commission recommended approval of the comprehensive plan.

Mr. Randolph stated that when beginning the update of the comprehensive plan, an important consideration was given to including a wide range of opportunities for citizens to participate in the planning process. By including the public in an open process that promoted free discussion and the exchange of ideas, they were able to develop effective strategies on how to address future development in Southampton County. Several themes were noted during the public involvement process, including many of the perceived strengths of the county. Those included the rural nature, quality schools, historical significance, natural environment and the people. Weaknesses were also noted including the lack of jobs, few recreational facilities, poor communication with citizens, poor drainage, increasing government debt load and limited public utilities. Threats to the County most often mentioned included the loss of agricultural lands, environmental degradation, loss of community character, increasing tax burdens, increased regulations, and influence from outside interest. However, many opportunities still existed for Southampton County. There was still time to manage growth, preserve the environment, improve communications, make sound financial decisions and promote positive economic initiatives.

Mr. Randolph presented a PowerPoint presentation entitled Vision 2020: The Southampton County Comprehensive Plan. He advised that comprehensive planning were statements of long

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range policies concerning future changes and development to the physical landscape. The Code of Virginia required each locality to have a comprehensive plan and to review it every 5 years. He stated that Southampton was one of 16 localities forming Hampton Roads. We were near the Port of Virginia and military installations and enjoyed a temperate climate. Regions would begin to compete for future shares of the emerging global market and Hampton Roads was well positioned. We enjoyed below average unemployment rates. Our current population was 18,000, but was expected to increase to 21,494 by 2020 and 23,500 by 2030. There would be an estimated 1581 new homes in the County over the next 13 years.

Mr. Randolph advised that Southampton County was expected to grow over the next two decades, and new people meant new homes. We had opportunities for new industry and business, which could broaden the tax base and create jobs. Currently, almost 60% of Southampton County's residents were employed outside of the County. He stated that tools for managing growth were the Comprehensive Plan, Subdivision Ordinance, Zoning Ordinance, and Capital Improvement Plan. He explained the following key elements of the Comprehensive Plan:

- Planning Areas: Designated areas of future public infrastructure improvements, primary roads, business and employment centers, educational facilities
- Community Areas: Limited public infrastructure & roadways, business & employment centers
- Designated areas devoted to Agriculture/Forestry/Open Space and limited low density residential development
- Linking transportation, environment, economics, housing and education to provide a desirable quality of life for our citizens

Mr. Randolph shared the projected future land use map of the Comprehensive Plan and pointed out the 3 major planned development areas – Ivor, Courtland, and Boykins/Branchville/Newsoms. They were situated around our Towns where utilities were available, which was better suited for high density development. Sedley, Capron, and Drewryville were community areas. The remainder represented open space, agricultural, and forestry land suited for low density development.

Mr. Randolph announced that with us tonight were Claire Jones and Eric Wahlberg of the Hampton Roads Planning District Commission (HRPDC) who had worked very hard on our Comprehensive Plan update. He turned the PowerPoint over to them.

Ms. Jones and Mr. Wahlberg noted that this was the first time that the mapping contained in the Comprehensive Plan was digital. The digital files would be turned over to the County. They advised that from 2010 – 2030, Southampton County was projected to grow 34%. The City of Franklin, the City of Suffolk, and the County of Isle of Wight were projected to have substantial increased growth. Southampton County was on the edge of that growth and it was still time to manage and prepare for that growth. The housing stock in Southampton County had increased 22% since 1980 and it was mainly mobile homes. They shared a pie chart illustrating existing land uses in the County. Only 1% of the County was developed. Most of the land was forestry and agricultural land. Approximately 15% of the land in the County was wetlands.

Chairman Jones opened the public hearing.

Mr. Ash Cutchin of 29018 Darden Point Road spoke. He advised that he spent 28 years in military and commercial aviation and they were told to always “plan your flight and fly your plan.” He thought that was good advice for the County. He attended a seminar recently in which a lady from Chesapeake spoke about their growth. He asked her how she would rate their growth. She never gave him a direct answer. A gentleman from Virginia Beach spoke next and answered his question. He stated that Chesapeake and Virginia Beach had a miserable plan over the last 20 years for managing growth. Mr. Cutchin asked Southampton County not to beat our plan to death so that in 20 years we did not recognize it.

Mr. Jim Bradshaw of Courtland spoke. He commended the Comprehensive Plan. Regarding future economic development, he asked them to look at what was best for the entire County. There were always going to be 15-20 people in opposition to something. He was glad to read in the *Tidewater News* that the County was thinking about forming a recreational task force. He and others formed a small recreational group a couple years ago but they could not undertake it and got absorbed into the Futures Group.

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Mr. Hunter Darden spoke. He advised that it was good news that building (construction of new homes) was down in the County. He stated that he thought the Comprehensive Plan was too big. He would always be against a lot of development. He was tired of his taxes going up. He would like for all the development to be stopped until they could eliminate all of the problems that came along with it. He could not believe that they spent 45 minutes tonight talking about a dog kennel. Had the lady been from Southampton County, would it have been an issue?

Mr. Glenn Updike spoke. He stated that he agreed with Hunter Darden 100 percent – the Comprehensive Plan was too big. Last month at the Planning Commission, 60 new homes were proposed in Newsoms, but the County did not have the sewer system to support it.

Chairman Jones closed the public hearing.

Vice-Chairman Young stated that it was the best plan they had had. There were some things he did not like about it, but it was a start. Supervisors Felts and Wyche agreed. Supervisor Wyche added that no matter what they did, some people were not going to be happy.

Supervisor Faison advised that the problems were recognized in the plan, whether we liked the problems or not.

Supervisor Brown advised that he thought it was a super plan. He commended the staff, Planning Commission, and HRPDC.

Vice-Chairman Young moved, seconded by Supervisors West and Wyche, to adopt the following resolution:

**RESOLUTION OF THE BOARD OF SUPERVISORS OF
SOUTHAMPTON COUNTY, VIRGINIA
TO ADOPT THE COMPREHENSIVE PLAN**

WHEREAS, the Planning Commission of Southampton County, Virginia, with assistance from the Hampton Roads Planning District Commission and additional contributions by William R. Turner, Jr., Community Planning Collaborative Inc., has prepared and recommended to the Board of Supervisors a Comprehensive Plan for the physical development of Southampton County, Virginia, pursuant to Title 15.2, Chapter 22, Article 3 of the Code of Virginia; and

WHEREAS, the Board of Supervisors of Southampton County, Virginia has given notice and held a public hearing on the Comprehensive Plan on March 26, 2007 in accordance with Section 15.2-2204 of the Code of Virginia.

NOW, THEREFORE BE IT RESOVED by the Board of Supervisors of Southampton County, Virginia, that the Comprehensive Plan entitled “VISION 2020: The Southampton County Comprehensive Plan, March 2007” with accompanying maps, charts, and literary descriptions, is hereby adopted by the Board of Supervisors as the Comprehensive Plan pursuant to Section 15.2-2226 of the Code of Virginia.

Adopted this 26th day of March, 2007.

Dallas O. Jones, Chairman

ATTEST:

Michael W. Johnson, Clerk

All were in favor of the motion.

Mr. Johnson announced that the third public hearing was to consider the following:

ORDINANCE AMENDMENT: An ordinance to amend and reordain Section 10-6 of the Southampton County Code as it related to removal or repair of structures that may endanger the public health and/or safety of Southampton County residents.

The ordinance amendment is as follows:

Sec. 10-6. Buildings, other structures; Removal, Repair, etc.

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

Sec. 10-6. Buildings, other structures; Removal, Repair, etc.

(A) The owners of property in Southampton County, Virginia shall at such time or times as the Board of Supervisors, through its agents or employees, may prescribe, remove, repair, or secure any building, wall or any other structure that might endanger the public health or safety of the other residents of Southampton County, Virginia;

(B) Southampton County, through its agents or employees, may secure any building, wall or other structure that might endanger the public health or safety of other residents of Southampton County, Virginia, if the owner and/or lien holder of such property, after reasonable notice and a reasonable time to do so, has failed to remove, repair or secure the buildings, walls or other structure.

For the purpose of this section, repair may include maintenance work to the exterior of a building to prevent the deterioration of the building or other adjacent buildings.

For the purpose of this section, reasonable notice includes a written notice (i) mailed by certified or registered mail, return receipt requested, sent to the last known address of the property owner, and (ii) published once a week for two (2) successive weeks in a newspaper having general circulation in the locality.

No action shall be taken by Southampton County to remove, repair or secure any building, wall or other structure for at least thirty (30) days following the latter of the return of the receipt or newspaper publication, except that the locality may take action to prevent unauthorized access to the building within seven (7) days of such notice if the structure is deemed to pose a significant threat to public safety and if such fact is stated in the notice;

(C) In the event Southampton County, Virginia, through its agents or employees, removes, repairs or secures any building, wall or any other structure after complying with the notice provisions of this section, the costs or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected by Southampton County, Virginia as taxes are collected;

(D) Every charge authorized by this section with which any such property has been assessed and that remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid real property taxes and enforceable in the same manner as provided in Articles Three (§ 58.1-3965 et. seq.) of Chapter 39 of Title 58.1 of the 1950 Code of Virginia, as amended;

A locality may waive such liens in order to facilitate the sale of such property. Such liens may be waived only to a purchaser who is unrelated by blood or marriage to the owner and who has no business association with the owner. All such liens shall remain a personal obligation of the owner of the property at the time the liens were imposed; and

(E) It shall be unlawful for any owner of any parcel of land within Southampton County, Virginia to fail to remove, repair or secure the building, wall or other structure after reasonable notice and a reasonable time to do so, as provided herein above. In addition to collection of the costs or expenses, as provided for above, the County Administrator may order a civil penalty in an amount not exceeding ONE THOUSAND DOLLARS (\$1000.00) for each violation of this ordinance.

The effective date of this ordinance shall be April 1, 2007.

State law reference: §15.2-906

Chairman Jones opened the public hearing. No members of the public desired to speak. Chairman Jones closed the public hearing.

Supervisor West moved, seconded by Supervisor Felts, to adopt the ordinance. All were in favor.

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

As a means to solicit public input **prior to preparation of the initial draft budget for fiscal year 2008**. Interest citizens were welcome to offer their comments and recommendations on all fiscal matters.

Mr. Johnson presentation a brief PowerPoint presentation in which he provided a broad and general outline of anticipated revenue sources and expenditure estimates. He advised that per the FY 2006 Superintendent's Annual Report for Virginia, Southampton County's average daily membership or enrollment was 2,819. Total expenditures per student were \$8,991, with \$2,811 being Southampton County's local cost. Our numbers were about in the middle of those of surrounding localities. He stated that revenue was expected to grow from \$14,243,719 in FY 2007 to \$14,727,139, an increase of \$483,420. A big part of that revenue growth was personal property. The Board implemented the land use value taxation program last year. The impact of the land use assessment was \$1.7 million or 11¢ on the tax rate. The impact of the exemptions for the elderly and handicapped, effective July 1, 2007 that the Board authorized, was \$14,240 or 0.12¢ on the tax rate, which was fairly insignificant. He shared the following new requests and considerations for FY 2008, highlighting those that the Board had already committed to:

Additional School Funding Request	\$ 1,105,632
Additional Debt Service (School & Industrial Park)	544,848
Water/Sewer Capital Improvements (Rehab & I/I)	200,000
Continued Implementation of Pay & Classification Plan	169,410
Tax Rate Relief for Boats and RV's (\$2/\$100)	107,662
Additional Funding Request for Fire/Rescue	84,000
Jail Farm Renovations	75,000
Office Center Renovations	75,000
New Position Planner (Salary & Fringes)	58,500
Assign-a-Highway Program Expenses	52,355
Local Match for Restoration of Rebecca Vaughan House	50,000
New Library Contract	46,962
Additional Radios/Pagers for Fire & Rescue	24,000
Additional Funding Request for Social Services	20,000
Transition Part-Time Accounting Position to Full-Time	15,000
TOTAL	\$ 2,628,369

Mr. Johnsons stated that the big picture was that new revenue without raising taxes = \$483,420, the requested expenditure increases = \$2,628,369, which was a variance of -\$2,144,949. Each 1¢ on the real estate tax rate = \$136,773. If the Board were to fully fund all of the requests listed above, the real estate tax rate would have to be increased by 16 cents (\$2,144,949 / \$136,773).

Supervisor Brown asked if the water/sewer figures included a new wastewater treatment plant? Mr. Johnson replied no.

Chairman Jones opened the public hearing.

Mr. Mark Thompson of Main Street Ivor spoke. He purchased a motor home and was horrified that the County wanted \$200/month in taxes. A motor home, classified as Class A, had a stand up shower, kitchen, etc., which defined a house. He did not view it any different than a house. He

recommended that the County reduce the tax rate on such motor homes.

Ms. Susan Francis of downtown Handsom spoke. She advised that she was representing Southampton County Schools, specifically a group of parents and teacher's assistants. Like others, she did not want her taxes to go up, but you could not afford to skimp on education. Teachers of dual credit courses were required to have a Master's Degree or to have completed at least 18 hours towards a Master's Degree. Southampton had been providing dual credit courses for years. Those teachers needed to be fairly compensated. Her daughter graduated from Southampton County Public Schools and received an excellent education. She was accepted at all the prestigious colleges in Virginia to which she applied. The teachers and teacher's assistants needed a pay increase. They had to pay them fairly to keep them and to attract others. A teacher's assistant made about \$9,000/year. She asked that the Board vote in favor of the increase requested by Southampton County Schools.

Mr. Ash Cutchin spoke. He advised that he was in favor of education. He was at Monticello, the home of Thomas Jefferson, yesterday. As he listened to Mr. Quarstein talk about the Rebecca Vaughan House, he thought of what if nobody preserved Monticello? They needed to preserve the Rebecca Vaughan House. They would be better off taking \$25,000 out of the industrial park and using that to support the Rebecca Vaughan House.

Chairman Jones closed the public hearing. (No motion was necessary.)

Moving to the applications for special permits, Mr. Johnson announced that pursuant to Chapter 2.5 of the *Southampton County Code*, included in the agenda was an application from the Tidewater Dirt Riders for a temporary outdoor entertainment permit for a motorcycle competition on Sunday, May 20, 2007. The event, with an estimated attendance of 550 participants and spectators, would be held on property owned by the T.L. Bain, L.P. on Warrigue Road and would include overnight camping for approximately 75 campers for one night (May 19). He advised that the application was fully consistent with the ordinance adopted at their regular session of December 20, 2004, a copy of which was included in the agenda. Their plans had been reviewed by the Southampton County Sheriff, Southampton County Health Department, Southampton County Building Official, and the Ivor Volunteer Rescue Squad. Alcohol was not permitted at the event. He stated that in accordance with Sec. 2.5-40 of the Southampton County Code, it was incumbent upon the Board of Supervisors to act on the application this evening.

Chairman Jones recognized Mr. Tony Dela Cruz of the Tidewater Dirt Riders.

Mr. Dela Cruz advised that he was present to answer any questions.

Supervisor West asked if the Tidewater Dirt Riders was a 501 (c) 3 organization? Mr. Dela Cruz replied that he was unaware.

Sheriff Vernie Francis, who was present, clarified for Supervisor West that they did not place an officer at the event, but there were officers in and out of the event. He stated that the Tidewater Dirt Riders had done a great job with this event.

Supervisor West moved, seconded by Supervisor Wyche, to authorize the issuance of the temporary outdoor entertainment period. All were in favor.

Mr. Johnson advised that included in the agenda was an application for two (2) fireworks display permits from Powell Farms, LLC (Robert H. Powell, III), pursuant to Sec. 10-73 of the *Southampton County Code*. The first display was scheduled for Wednesday, July 4, 2007, and a repeat performance on Saturday, July 7. Both displays would take place on the grounds of Elm Grove Farm, 31061 The Hall Road, Branchville. Mr. Powell was granted a fireworks permit last year, and subsequently conducted the display without incident. The application was in order and draft permits were included in the agenda for their consideration.

Supervisor Faison moved, seconded by Vice-Chairman Young, to authorize the issuance of the fireworks display permits. All were in favor.

Moving forward, included in the agenda was a capital funding request from the Boykins Volunteer Fire Department and Rescue Squad, to be applied towards debt associated with their 2006 E-450 Ambulance. As they knew, beginning in FY 2000, the Board agreed to provide more than \$1.2

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million over a ten (10) year period for capital improvements for fire and rescue. The allocable share for each fire department in FY 2007 was \$12,000 and for each rescue squad, \$6,000. 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. He advised that included in the agenda was a table indicating the status of capital appropriations since FY 2000. Through March 20, 2007, they had collectively appropriated \$788,500 for fire and rescue improvements and were holding in escrow an additional \$179,000. The request was in order – they were presently holding a total of \$18,000 in escrow for Boykins Volunteer Fire Department and Rescue Squad.

Supervisor Faison moved, seconded by Vice-Chairman Young and Supervisor Brown, to approve the capital funding request, \$18,000, to the Boykins Volunteer Fire Department and Rescue Squad. All were in favor.

Moving to requests of the Cheroenhaka (Nottoway) Indian Tribe, Mr. Johnson announced that included in the agenda was correspondence from Mr. Ellis Wright, Vice-Chairman of the Cheroenhaka (Nottoway) Indian Tribal Heritage Foundation, Inc., seeking the Board's consideration of a joint sponsorship of the Sixth Annual Indian Powwow on July 21-22, 2007 at the Southampton County Fairgrounds. He stated that the event was hosted daily from 10:00 AM to 7:00 PM and drew numerous vendors, spectators and visitors. Mr. Wright's request did not specify a particular level of sponsorship. Public appropriations were statutorily authorized pursuant to § 15.2-953 (B) to non-profit organizations that commemorated historical events. He noted that Mr. Wright was present.

Chairman Jones recognized Mr. Ellis Wright.

Mr. Wright provided Mr. Johnson documentation that they were a 501 (c) 3 organization. He advised that they were expecting additional visitors to the Powwow this year due to the Jamestown 2007 celebration. It would cost about \$12,000 to put on the event.

Vice-Chairman Young asked if he had a sponsorship level in mind? Mr. Wright advised that he did not know what sponsorship level they were willing to provide – if they wanted to fund the entire Powwow, that would be ok.

Supervisor West asked if the tribe was fully recognized by the State of Virginia? Supervisor Brown stated that he was about to speak for discussion purposes only. (Supervisor Brown was Chief of the Cheroenhaka (Nottoway) Indian Tribe.) He stated that it was irrelevant whether or not the tribe was fully recognized by the State of Virginia – we were talking about a 501 (c) 3 contribution. The Powwow would bring thousands of tourist dollars to the County. They could talk to For Pete's Sake and Pinos, as their restaurants were full for the duration of the Powwow. The Powwow was advertised on both the VA Tourism and Jamestown 2007 websites. He noted that Surry County was fully sponsoring the Powwow in their county. He stated that on average, the Cheroenhaka (Nottoway) Indian Tribe paid out about \$13,800 to put on the Powwow. They "gifted" hotel rooms to the drummers, etc.

Mr. Wright advised that if someone visited the Powwow once, they would revisit it. It was a great return on investment. If the County sponsored the Powwow, it would bring in even more people.

Supervisor Wyche advised that he had attended the Powwow the last several years and enjoyed it, but he did not want every 501 (c) 3 organization to come in and ask for money.

Supervisor West moved, seconded by Vice-Chairman Young, to provide a \$1,000 contribution. 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.

Mr. Johnson advised that included in the agenda was correspondence from Chief Walt "Red Hawk" Brown to Queen Elizabeth, requesting the privilege of allowing him to make a presentation of three arrows to her when she visits Jamestown later this year. According to Chief Brown, the gesture symbolized the original tribute required by the Treaty of 1713. Chief Brown was seeking their endorsement of the letter, included in the agenda, and asked that they authorize the county administrator to offer a written endorsement on behalf of Southampton County.

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Supervisor Brown stated that the Queen was coming to Jamestown on May 4 or 5. Even if she did not come to Southampton County, she may send a representative. They needed to seize the tourism opportunities resulting from the Jamestown celebration.

Vice-Chairman Young moved, seconded by Supervisor Faison to endorse the letter. Chairman Jones, Vice-Chairman Young, and Supervisors Faison, Felts, West, and Wyche vote 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 some of them may recall enacting Section 1-13.1 of the Southampton County Code (2002), which imposed a \$5 assessment on each and every criminal and traffic case in order to defray the costs associated with furnishing courthouse security. In FY 2006, the \$5 assessment generated slightly more than \$71,000 in revenue. He advised that the state enabling legislation was amended during this year's session of the General Assembly with the passage of Senate Bill 1082, providing that the assessment may be increased up to \$10 per case. Sheriff Francis was seeking their consideration in amending the county code to provide for the increased assessment, which was expected to generate an additional \$65,000 - \$70,000 annually. All such assessments must be used expressly for the funding of courthouse security personnel or equipment used in connection with courthouse security. An ordinance amendment had been prepared for their consideration.

Supervisor Wyche moved, seconded by Felts, to advertise the ordinance amendment for public hearing at the regular session of April 23, 2007.

Accordingly, a First Reading was held on the following ordinance amendment:

AN ORDINANCE TO AMEND SECTION 1-13.1 TO ASSESS A FEE
OF TEN DOLLARS (\$10.00) IN ALL CRIMINAL AND TRAFFIC CASE CONVICTIONS
FOR THE FUNDING OF COURTHOUSE SECURITY PERSONNEL

- - - - -

BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that the Southampton County Code be, and hereby is, amended by adding the following Section to Chapter 1, as Section 1-13.1:

Sec. 1-13.1. Assessment for the funding of Courthouse Security Personnel.

It is hereby assessed the sum of ~~FIVE DOLLARS (\$5.00)~~ *TEN DOLLARS (\$10.00)* costs in each every criminal and traffic case in which the defendant is convicted in the Southampton County General District Court, the Southampton County Juvenile and Domestic Relations Court, and the Circuit Court of Southampton County, Virginia, which shall be collected by the Clerk of the court in which the case is heard and remitted to the Treasurer of the County of Southampton to be held by said Treasurer subject to appropriation by the Board of Supervisors of Southampton County for the funding of Courthouse Security Personnel.

The assessment provided for herein shall be in addition to any other fees prescribed by law.

The provisions of this ordinance shall be effective ~~July 1, 2002~~ 2007.

For state law authority, please see § 53.1-120 of the 1950 Code of Virginia, as amended.

A copy teste: _____, Clerk
Southampton County Board of Supervisors
Adopted: ~~May 28, 2002~~ April 23, 2007

Moving forward, Mr. Johnson announced that as part of their FY 2008 budget request, Senior Services of Southeastern Virginia (SSSEVA) would be requesting an additional \$7,000 from us to expand its para-transit services in Southampton County. Presently, SSSEVA operated a fleet of five (5) fourteen-passenger vans out of the City of Franklin. Transportation was limited to senior citizens (age 60+), and on Tuesdays and Thursdays ran from Boykins to the Martin Luther King Center in Franklin. On Mondays, Wednesdays, and Fridays, the services ran from Courtland to the King Center. The Martin Luther King Center functioned as a hub where senior citizens

regularly congregated for social and recreational opportunities in addition to being provided with periodic well-balanced nutrition. The service was not operated on a fixed route, but rather as a demand/response (basically, dial-a-ride).

Mr. Johnson advised that SSSEVA reported that that service was underutilized with an average of 5 unfilled seats on each trip. If their request was funded, they were proposing to expand and enhance the service in the following ways:

- Conduct focus groups and surveys to determine other destinations that may increase senior ridership (e.g., hospital, downtown, WalMart, library, Community College, etc.);
- Open the service up to non-seniors on a space-available basis;
- Evaluate the feasibility of establishing fixed route service within the City of Franklin to the destinations identified in the focus groups and surveys;
- Expand the demand/response service by adding a “Boykins” and “Drewryville” route to intersect with the fixed route service in Franklin.

He stated that the additional funding was necessary to transition the driver from a 30-hour week to a full-time position. Users would pay a fare of \$1 per trip to cover the additional cost of fuel. If implemented, residents in southern and western Southampton County would be able to call and schedule an appointment for pickup after which they would be transported to Franklin, where they could transfer to a fixed-route van that would circle the commonly-used destinations. So theoretically, one could go to a doctor’s appointment, stop by the pharmacy to fill a prescription, checkout a book or video from the library, pick up a few odds and ends from WalMart before returning home. Mr. John Skirven, SSSEVA’s Executive Director was present this evening.

Chairman Jones recognized Mr. John Skirven.

Mr. Skirven thanked the Board for the opportunity to address them. He recognized Mr. David Price, citizen representative from Southampton County who served on the SSSEVA Board, who was present. He advised that Supervisor Brown was the Board of Supervisors member that currently served on the SSSEVA and that Supervisor Faison had served in the past. He stated that there was no public transportation west of Suffolk. They wanted to establish routes that would benefit people. For so long, they did not allow people under the age of 60 on the bus. Now they could allow anybody as long as they did not displace any senior citizens. SSSEVA provided the vehicles and they wanted to expand the Courtland route and add a Drewryville route. They wanted to make their 30-hour a week driver full-time. They thought that more people would use the service if they could go where they wanted to go. With what they were trying to implement, once a person arrived in Franklin, they could get on a fixed route. They were asking Southampton County to consider providing \$7,000 towards this project.

Supervisor West asked about an Ivor route? Mr. Skirven advised that an Ivor route was not in the plan right now. Supervisor West stated that he would not vote for it unless an Ivor route was put in the plan. Mr. Skirven advised that if they ran a route in Ivor, they would need another \$23,000 and he did not know where to get the money.

Supervisor Brown asked how much Isle of Wight contributed? Mr. Skirven replied about \$22,000. They were going to request \$25,000 from them this year.

It was consensus of the Board to support the endeavor and include the additional \$7,000 that was requested in the FY 2008 budget.

Moving forward, Mr. Johnson announced that last month, Supervisor West raised the issue of appointing a recreational task force to begin examining recreational needs within the county. The Board directed him to put some thought into the matter and develop a process or framework for the project. Accordingly, if this were something they were serious about, he would respectfully recommend that the Board consider developing a supplement to our most recent Comprehensive Plan that specifically addressed parks and recreation. As he envisioned it, the Parks and Recreation Master Plan had the following three major components:

- 1) An inventory of existing assets, resources and recreational opportunities (facilities and programs);
- 2) A needs assessment that considered the recreational needs of all ages, all interest, and all locations within the county. The needs assessment would be the product of a citizen survey and four citizen input workshops conducted in each of the

- elementary schools (Capron, Newsoms, Berlin, Hunterdale); and
- 3) An implementation strategy that describes a phased approach to development of recreation programs (let's walk before we try to run), quantifies the cost of proposed programs and facilities, and identified grants and other revenue streams to fund the programs and facilities. The implementation strategy would also integrate and coordinate other recreational programs and opportunities already available in the region (Virginia Outdoors Plan, and the respective recreational programs in Franklin, Isle of Wight, Greensville/Emporia, and Sussex County.)

Mr. Johnson advised that he would further recommend that we utilize the professional planning expertise of the Hampton Roads Planning District Commission (HRPDC) in coordinating the project. The HRPDC staff had the ability to do the following:

- develop the existing inventory of assets and programs;
- meet with a local Recreational Task Force to discuss needs and facilitate development of an appropriate survey instrument;
- conduct the citizen survey/needs assessment;
- facilitate the 4 citizen input workshops;
- develop a draft needs assessment for presentation to and discussion by the Recreational Task Force;
- once needs were identified, develop a draft implementation plan for presentation to and discussion by the Recreational Task Force; and
- present the final draft of the implementation plan to the Planning Commission for their consideration and recommendation.

Mr. Johnson informed that he had requested the HRPDC to develop a proposal for these services which may be presented for their consideration next month. With regard to appointment of a Recreation Task Force, he would suggest no more than 2 citizen representatives from each district, as a larger group may become unwieldy when trying to achieve consensus. It would be important for the group to be diverse – all ages, races, and genders. It should include volunteers from existing recreational programs, representatives of athletic associations, civic groups, and special interest groups (i.e., senior citizens, women's club, etc.) He also thought that the task force should include one member of the School Board (school facilities would likely be a major theme, Planning Commission and Board of Supervisors. The task force would likely meet 4 times in a 12-month period, beginning this summer. In addition, task force members may choose to attend one or more of the citizen input sessions.

Supervisor Brown asked if the Futures Group would be included? Mr. Johnson replied that he did not suggest it, but they may wish to appoint someone from that group.

Supervisor West stated that hunters spend lots of money on their own personal recreation but did not want to pay taxes for the well-being of everyone's recreation.

Supervisor Felts commented that some communities in Southampton County had nice recreational areas, but some did not, so she would be in favor of it.

It was consensus of the Board to move ahead and have Mr. Johnson share the proposal from HRPDC with them next month.

Moving forward, Mr. Johnson announced that they may recall that the contract associated with the sale of property in the Southampton Business Park provided that the buyer, Southampton Terminal, LLC, would invest at least \$2,700,000 in real estate improvements within 30 months of the date of closing (March 2006). While their project was underway, the pace had been slower than expected, and Southampton Terminal, LLC was respectfully requesting that the timeline for their investment be expanded from 30 to 48 months. They had further indicated that their total investment would like exceed their original estimates, but had not provided a specific figure. He noted that a copy of the sales contract was included in the agenda for their reference. The performance requirements were illustrated on pages 2 and 3.

Supervisor Faison asked if this was a sign of a problem with the project or the project not going forward? Mr. Johnson replied not. Mr. Julien Johnson, Director of Public Utilities, advised that Southampton Terminal, LLC had hooked up to the water and sewer lines and had paid all associated fees.

Supervisor Brown moved, seconded by Supervisor Wyche, to amend the performance agreement and expand the timeline from 30 months to 48 months. All were in favor.

Mr. Johnson advised that the covenants, conditions and restrictions (CCR's) for the Southampton Business Park provided that the Board of Supervisors should review and approve all building and landscaping plans for projects within the park. He stated that Southampton Terminal, LLC received its permits to begin site work and construction of the building foundations, but had not yet obtained its final building permit, awaiting an architectural review by the Board. The purpose of the architectural review was to insure that the external design and finish generally conformed with the CCR's and was in harmony with the other projects in the park. He informed that included in the agenda, for their reference, was a fully copy of the CCR's and a color rendering of their proposed project, provided by the applicant. While the rendering was helpful in visualizing the project, it was insufficient for a full review in accordance with Section O of the CCR's. Nonetheless, he was sharing this with them today as a preliminary review to allow for feedback. He planned to meet with the applicant to clarify the requirements for official submittal.

Supervisor West advised that he did not wish to provide any feedback because we had a staff capable of overseeing this. The other Board members agreed.

Regarding miscellaneous issues, Mr. Johnson announced that the School Board officially received bids for the new Riverdale Elementary School on March 20. The apparent low bidder was Blueridge General, Inc. at slightly less than \$12.5 million, including all alternate items. He was pleased to report that their bid was almost 20% less than the architect's estimate of \$15.5 million, a savings of more than \$3 million. A copy of the bid tabulation was included in the agenda.

Mr. Johnson advised that included in the agenda was information regarding the Annual Conference and Exposition of the National Association of Counties (NACo). This year's event would be in Richmond, VA on July 13-17. While board members had rarely attended this national conference in the past because of travel expenses, it was uniquely affordable this year, being hosted in Richmond. While he had a personal conflict, he would be pleased to register any Board members that would like to take advantage of this special opportunity.

Chairman Jones and Supervisors Brown, Felts, and Wyche indicated that they wished to attend.

Mr. Johnson stated that he wanted to confirm that each Board members was registered to attend the meeting of the Virginia Association of Counties (VACo), Region I, on the evening of March 29 in Wakefield. A copy of the invitation and agenda was included in the agenda. He noted that tonight's meeting would need to be continued to this date.

Mr. Johnson informed that included in the agenda was correspondence from the Colonial Virginia Council of Boy Scouts of America seeking their consideration in an appropriation of \$250 to their annual campaign. He noted that he was open to their direction.

Vice-Chairman Young moves, seconded by Supervisor Felts, to support the campaign. All were in favor.

Mr. Johnson advised that included in the agenda was a copy of our corrective action agreement (CAA) with the Department of Conservation and Recreation (DCR) regarding administration of our Erosion and Sediment Control program. DCR advised that the CAA was approved and our program remained provisionally consistent with state requirements.

Mr. Johnson stated that included in the agenda were notes of gratitude from Allene Atkinson, Principal at Southampton County High School, and Mr. Turner, Division Superintendent of Southampton County Schools, relative to completion of the bleacher replacement project at Southampton High School. He reminded that this project was funded with proceeds derived from a refund associated with a 2005 VPSA bond refinancing. In order to comply with IRS regulations, use of the refund was specifically restricted to a capital school project. The refund amounted to slightly more than \$274,000.

Mr. Johnson informed that included in the agenda was a copy of the most recent quarterly newsletter from the Western Tidewater Community Services Board.

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

1. Copied correspondence from WHRO thanking them for sponsoring their 4th Annual

- Pioneer Awards banquet on February 3;
2. Copied correspondence from Rawls Museum Arts thanking them for their continued support of the arts in Southampton County;
3. Copied correspondence from Congressman Randy Forbes providing a status report on his quest for funding of the Chowan River Basin study; and
4. Copied correspondence to Richard E. Railey, Jr., County Attorney, from the Army Corps of Engineers relative to the proposed high voltage power line from Carson to Suffolk.

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

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) (3) Discussion or consideration of 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 Felts, to conduct a closed meeting for the purposes previously read.

Mr. Richard Railey, County Attorney, Mrs. Julia Williams, Finance Director, Mr. Jay Randolph, Assistant County Administrator, Mr. Robert Barnett, Director of Community Development, and Mr. 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 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. Brown, III
Carl J. Faison
Anita T. Felts
Ronald M. West
Moses Wyche**

The motion passed unanimously.

There being no further business, the meeting was recessed and would continue on March 29, 2007 at 6:00 PM at the Airfield Conference Center in Wakefield.