

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 27, 2006 at 6:00 PM.

SUPERVISORS PRESENT

Dallas O. Jones, Chairman (Drewryville)  
Walter L. Young, Jr., Vice-Chairman (Franklin)  
Walter D. Brown, III (Newsoms)  
Anita T. Felts (Jerusalem)  
Carl J. Faison (Boykins-Branchville)  
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.

Chairman Jones sought approval of the minutes of the February 27, 2006 regular meeting. They were approved as recorded, 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. Michael Johnson, County Administrator, announced that included in the agenda was correspondence from VDOT advising that they intended to postpone acceptance of revenue sharing proposals this year until the General Assembly concluded its work on the state budget. It was noted that each locality would have approximately 2 months to submit its application once the state budget was adopted.

Mr. Lomax advised that that also tied into the 6-Year Plan. They had been told that the 6-Year Plan forecast for November would be reduced (from what they had already voted on) by approximately 30%. It would be interesting to see what the General Assembly would do.

He informed that Route 692 would be awarded to Rose Bros. It appeared that the work would begin in May.

Mr. Lomax stated that he wanted to pass out his schedule for April 2007 to the board members, especially Supervisor West. He advised Supervisor West that he wanted to get together with him and ride out to those areas in which he had concerns.

He advised that the work at the Food Lion intersection was about 75% complete as of Friday. It was scheduled to be asphalted today, after which it would be striped.

Mr. Lomax informed that they had received some federal money to finish the overlay of the concrete on the eastbound lane of Route 58 with asphalt. That project would end at Capron.

Mr. Johnson advised that Supervisor Brown had presented him with the petition from households on Riverdale Drive requesting installation of two "Children at Play" signs in their community. The request was wholly consistent with the policy adopted by the Board of Supervisors at its October 27, 1997 meeting. A resolution was included in the agenda for their consideration.

The resolution is as follows:

At a meeting of the Board of Supervisors of Southampton County, Virginia, held in the Southampton County Office Center, Board of Supervisors' Meeting Room, 26022 Administration Center Drive, Courtland, Virginia on Monday, March 27, 2006 at 6:00 p.m.

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

IN RE: "Watch for Children" signage request

Supervisor Brown moved that:

"The County Administrator is directed to request to the Virginia Department of Transportation to install and maintain 'Watch for Children' signage on Riverdale Drive in accordance with the attached sketch, alerting motorists that children may be at play."

Seconded by Supervisor Wyche.

Voting on the Item: Supervisors Jones, Young, Brown, Faison, Felts, West, Wyche – YES;  
None – NO.

A COPY TESTE:

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Michael W. Johnson, Clerk  
Southampton County Board of Supervisors

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

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

In regards to the new housing starts report, Supervisor Brown asked Mr. Johnson if he had the running tally for 2006? Mr. Johnson replied no – he would have to go back and compile that.

In regards to the Personnel report, Mr. Johnson advised that Donald R. Edwards was hired in the Sheriff's Office effective 03/01/06 at an annual salary of \$28,535. Robert C. Vaughan, Jr. was also hired in the Sheriff's Office effective 03/01/06 at an annual salary of \$26,104.

Moving to appointments, Mr. Johnson announced that the terms of Dr. Alan Edwards (Jerusalem District) and J. Michael Mann (Boykins-Branchville District) of the Southampton County Planning Commission would both expire April 30, 2006. Terms were for 4 years and both gentlemen were eligible for reappointment. If the Board were so inclined, both men may be contacted to determine their willingness to continue serving. If they were not, potential successors should be identified and contacted by Supervisors Felts and Faison. He noted that these appointments may be made at the April meeting.

Supervisor Faison advised that he had already contacted Michael Mann and he was willing to continue serving.

**Supervisor Faison moved, seconded by Vice-Chairman Young, to reappoint J. Michael Mann to the Planning Commission. All were in favor.**

Supervisor Felts indicated that she attempted to contact Dr. Alan Edwards last night, but was unable to reach him. She would get in contact with him and report back next month.

Mr. Johnson advised that included in the agenda was correspondence from Dr. Douglas Boyce, President of Paul D. Camp Community College, indicated that the terms of all 3 of our appointees to the Paul. D. Camp Community College Board of Directors would expire on June 30, 2006. Based on the organizational bylaws, all were eligible for reappointment, although the attendance report, also included in the agenda, indicated that some of our appointees may have ongoing conflicts. It was necessary that these 3 appointments be made no later than the June 26 session.

Supervisor Faison confirmed with Mr. Johnson that appointees could come from anywhere in the County.

Supervisor West commented that he would like to maintain the appointment on the Board from his district, but he was also looking at the attendance record.

Mr. Johnson clarified for Supervisor Brown that the seats would be open July 1. The only guidance he could give them was that they needed to make 3 appointments by June 30.

Supervisor Faison remarked that he thought the number of absences was significant.

Moving to financial matters, Mr. Johnson advised that bills in the amount of \$1,133,986.10 were received.

**Vice-Chairman Young moved, seconded by Supervisor West, that the bills in the amount of \$1,133,986.10 be paid with check numbers 74712 through 75339. All were in favor.**

Proceeding to the fire and rescue capital funding request, Mr. Johnson announced that included in the agenda was a request for capital funding in the amount of \$15,000 from the Boykins Volunteer Fire Department and Rescue Squad. They proposed to use the funding for down payment on a new 2006 ambulance. He reminded that beginning in FY 2000, the Board agreed to provide almost \$1.2 million over a 10-year period for capital improvements for fire and rescue. The allocable share for each fire department in FY 2006 was \$10,000 and for each rescue squad, \$5,000. Funds were earmarked annually for each department or squad and held in escrow pending specific approval by the Board of Supervisors. Escrowed funds would continue to accrue for each department/squad over the next ten years if not drawn down. He noted that the table included in the agenda indicated the status of capital appropriations since FY 2000. As indicated, the Boykins Volunteer Fire Department and Rescue Squad was entitled to \$15,000. The request was in order.

**Supervisor Faison moved, seconded by Vice-Chairman Young, to approve the request, \$15,000, to the Boykins Volunteer Fire Department and Rescue Squad. All were in favor.**

Moving forward, Mr. Johnson announced that he had been contacted by the Electoral Board, acting through the Voter Registrar, seeking their consideration in relocating the following two polling places:

- **Capron Precinct** – seeking to move away from the Capron Fire Department and Rescue Squad to avoid potential violations of election laws with full-time career staff now stationed at the Capron Squad building on election day(s); and
- **Forks of the River Precinct** – to resolve issues of overcrowding created when the Blackwater Precinct polling place was co-located within the same facility in 2004.

He advised that Mr. Jay Randolph, Assistant County Administrator, had worked with the Voter Registrar in identifying a couple of potential alternatives – in the case of the Capron Precinct, the Capron Town Hall may potentially function as a polling place, and in the case of the Forks of the River Precinct, the crafts building at the Southampton County Fairgrounds may work well.

Mr. Johnson informed that the process for polling place changes essentially involved the following four steps:

- 1) Contact the respective building owners to determine their willingness to consider use of the facilities as polling places;
- 2) Survey the facilities to assure that they are fully accessible in accordance with the *Virginians With Disabilities Act*;

- 3) Negotiate agreements with the respective owners for use of the facilities as polling places; and
- 4) Follow the legal process – polling place changes require a public hearing and an ordinance amendment by the Board of Supervisors. The changes were then submitted to the U.S. Department of Justice for preclearance in accordance with Section 5 of the *Voting Rights Act*, which takes up to 60 days. Following preclearance, the registrar must provide written notice to all affected voters at least 15 days in advance of any election.

He noted that while there was insufficient time to complete this process in time for the June primaries, the next general election was scheduled for November 7, 2006. If this was a matter they wished to pursue, there was ample time to make the changes.

**Supervisor Wyche moved, seconded by Supervisor Brown, to authorize the County Administrator to proceed as outlined above in negotiating agreements with the respective property owners (or lessee, in the case of the Fair Board) and advertise the proposed polling place changes for public comment as soon as agreement is reached. All were in favor.**

Moving to citizen requests to address the Board, Mr. Johnson announced that 7 citizens had each requested time to discuss contemplated changes to Section 10-26 of the *Southampton County Code*, which was the subject of tonight's first reading. Each request was consistent with Sec. 2-45 of the *Southampton County Code* and all 7 parties had been advised that their remarks would be heard. He had asked each speaker to limit his or her remarks to no more than 5 minutes.

Chairman Jones recognized Mr. Duane I. Preston.

Mr. Preston advised that he wanted to try and correct some possible misunderstandings that people had about this issue. The Constitution of **Virginia** guaranteed the right of citizens to hunt, fish, and harvest game subject to the general legislative body's rules and regulations. The definitions that were amended, effective January 1, 2003, defined a rifle as firing a fixed, metallic cartridge – Muzzleloading rifles and shotguns were loaded from the muzzle with the component separately. Section 29.1-519, *Code of Virginia*, permitted muzzleloading rifles and shotguns statewide unless shooting was specifically prohibited. Section 29.1-528, *Code of Virginia*, stated that counties may regulate or prohibit rifles larger than .22 rimfire and slugs in shotguns. It did not enable prohibiting muzzleloading rifles – it stated that counties may permit muzzleloading rifles. He stated that there had been several "Letters to the Editor" that appeared to have a misconception on him personally. He clarified that he bought his farm in Ivor **before** the muzzleloading season was an issue. When he bought his farm in 1983, Southampton County was the only county listed in the Game Digest that allowed muzzleloading rifles for hunting game species, except during the general deer and turkey season, with a ball not to exceed 45 caliber. Since that time, Southampton had changed its rules. Under the existing County Code when he bought his farm, the muzzleloading season was allowed in Southampton County. In March 1991, the Board of Supervisors voted to retain the existing ordinance. Magically, upon recodification, that ordinance had 4 words added to it. There was no advertisement, no public hearing, and no vote by the Board of Supervisors to change Southampton County Code Section 10-26. But the 4 words took away the ability to hunt during the muzzleloading season with a muzzleloading gun.

Chairman Jones recognized Ms. April Pittman.

Ms. Pittman advised that she was opposed to muzzleloader hunting. She was not a native of Southampton County, but had 2 teenage children that were. She noted that she had lived here for 24 years. Southampton County had many traditions which had given it its unique characteristics. Among them was the current hunt club style of hunting. This was the type of hunting that the traditional established landowners of this County tended to prefer. And after all, these established landowners were the backbone of this County. We needed to keep the strength to be different and not go along with the crowd. It was ok for Southampton County to be one of the few in the state that did not permit muzzleloader hunting.

Chairman Jones recognized Mr. Leonard D. Davis.

Mr. Davis stated that he was against blackpowder hunting. Hunting with dogs and shotguns had been safe in this County for all this time, but if blackpowder were permitted, he was afraid that

would change. The land here was flat as a pancake, and he saw muzzleloading as an accident waiting to happen.

Chairman Jones recognized Mr. Donald R. Raiford

Mr. Raiford advised that he was a member of Black Creek Hunt Club. Their area had been hit hard with houses going up, as they had lost approximately 3,800 acres to housing developments over the last 7 years. There was an additional 70-100 homes going up on Harris Road. It was getting dangerous for them to hunt in those areas. As a result, they were discussing whether or not they needed to downsize their club or to not let anyone else in. During hunting season, they went to their club house in the morning and when they went into the woods, they knew they had a board of directors and a fire marshall behind them. They hunted with dogs and gave the dogs a sporting chance. He was concerned about the safety issues with muzzleloading. What if a man from Virginia Beach came to the County and took out a muzzleloader designed for accuracy. What if he aimed and fired at an animal, but the animal did not fall. The bullet would continue flying to the housing development on Harris Road.

Chairman Jones recognized Mr. W. H. Gillette.

Mr. Gillette thanked the Board for the opportunity to offer some remarks. He stated that he had entitled his remarks "Time Has Honored Wisdom." He was sure that most of them had heard the phrase that hindsight was 20/20. That was exactly what he wanted to focus on. It was very rare that you could look back at decisions made 2 generations ago and come into the agreement that it was a very good decision. The decision was made long ago for rifling to be excluded from hunting in Southampton County. But not only did men before them hold and see that vision, but there was also restraint practiced. And that had brought us up to where we were tonight. There was wisdom with restraint. And it had proven to put Southampton County in a unique situation. The white tail deer was the number 1 game animal in the United States. Southampton County was unique in that one of the best herds, as backed by the Deer Management Assistance Program with the Virginia Department of Game and Inland Fisheries, existed here. He advised that decisions that would be made in the near future, maybe even tonight, were going to take us into the future. What did that future hold? From looking at the agenda tonight, it seemed that the future would hold more housing developments, which would mean more hikers, hunters, horses, and the like. The decisions we would make would affect that. Decisions were also going to affect our children. It had proven to be a very wise decision for Southampton County to prohibit muzzleloading. The majority of the people in Southampton County were against muzzleloading. Time had honored the wisdom of the Supervisors before them.

Chairman Jones recognized Mr. C. Wayne Turner.

Mr. Turner advised that he resided in Sedley and had been a resident of Southampton County all of his life. He passed out some pictures of blackpowder rifles that could be purchased anywhere. They were rifles with scopes and were designed to fire 2350 feet per second, and were designed with accuracy of 150-200 yards. He stated that people who hunted with shotguns and dogs were considered by muzzleloader supporters to be special interest groups. But those who supported muzzleloading did not consider themselves to be special interest groups. All of the hunt clubs in this County had been working with the Game Commission and had been managing the deer herds for quite a while. It seemed that the muzzleloader special interest groups wanted to change the County's laws for their own monetary gains instead of looking at the safety and the management of the deer herd. People from out of town were only interested in putting deer on the ground – they were not interested in deer management.

Supervisor Brown asked what percentage of people in the hunt clubs in Southampton County were outsiders? Mr. Turner replied that there might be a few members from out of town, but the majority of the hunt clubs in this County were community-based. He thought that if muzzleloader hunting was allowed, there would be more outsiders coming to the County, and they would not be interested in management of the deer.

Supervisor Brown stated that we needed to get a handle on this piano-key development, because if not, 20 years from now there would not be anywhere to hunt.

Chairman Jones recognized Mr. K.P. Magette.

Mr. Magette thanked the Board for the opportunity to speak on the issues involving muzzleloading. He advised that he was a member of Manry Hunt Club and was representing the hunt clubs in the County that hunted in organized groups. This County directly benefited in many ways because of the hunting methods used in the County. There was a very favorable economic impact because of the money that was spent on dog food, dog licenses, veterinary needs, ammunition, gas, land rent, etc. That amounted to well over \$1 million and it was now and it was here. Organized hunting provided good opportunities for fathers to spend quality time with their sons and daughters. It helped to bring a wholesome activity into the lives of our children and grandchildren. Organized hunting was a community activity that pulled people together with common interest and provided opportunity for interactions that were positive for the County. Organized hunting also provided a very positive influence on local hunting by establishing game management practices to promote the development of healthy deer herds, which contained a quantity of trophy bucks that were the envy of surrounding counties in Virginia and North Carolina. According to a taxidermist in Ahoskie, NC, he saw big racks coming from Canada and from Southampton County. Surrounding counties had allowed hunting with rifles for years and years and bucks in those areas simply did not have a chance to reach true trophy status.

Mr. Magette stated that he was going to cut to the heart of the issue that generated such emotions when it came to muzzleloading in the County. Organized hunt clubs that hunted with dogs did not want a muzzleloader season in the County because they were concerned that it would destroy their ability to continue to maintain deer herds containing the many trophy bucks that we were blessed with today. Muzzleloader season would coincide with the peak of the deer rut when the big bucks were on the prowl and easiest to kill. The use of muzzleloaders during this period would add significantly to the overall hunting pressure on the trophy bucks. Conservation that was practiced by most hunt clubs had very positive effects on the availability of trophy bucks on adjacent lands. But to the contrary, excessive hunting pressures on adjacent lands could have extremely negative pressures on the bucks available to the overall population. Also, muzzleloader season would take place weeks before the opening of the general season. As a result, hunt club members would not get an equal chance at luring the trophy bucks that they sacrificed so hard to preserve from the previous season. They did not object to the opening of bow season ahead of the general season because it took great skill and patience for a person to kill a trophy buck with a bow and arrow. They did not want to run the risk of becoming like the surrounding counties in Virginia and North Carolina that allowed muzzleloading or rifle hunting. They had far fewer trophy bucks than us. We had a good thing. Let's not expose ourselves to unnecessary and significant risks of undermining our good fortunes.

Mr. Magette advised that there were some in this County that would take their Board of Supervisors to court if they could find a legal basis to achieve their goals in allowing muzzleloader hunting. He was sure that the Board of Supervisors had good legal counsel on this subject. We did not need to be lectured tonight or in the local newspaper on the power granted to them by the state. There were some that had already explored the feasibility of having local control over muzzleloading taken away at the state level. Fortunately, they met with little success. But that demonstrated how far they would go to achieve their own will and impose it on the County. Now he believed it was clear that their only real option was to convince the Board of Supervisor to give in on this issue. They did not care if their actions were not appreciated by the majority of hunters in this County. They did not care if this action would have an overall negative impact on the quality of deer hunting throughout the County. They did not care if the Board members and the majority of hunters in this County were tired of having the same old issues raised year after year. He admired people who had the junction to speak up for what they believed in. He admired people that took action to achieve their goals. However, he ceased to admire people who continued to press their personal goals when it had been made abundantly clear that their positions were very divisive. Tonight, he respectfully requested that the Board of Supervisors take action to remove this issue from their agenda for the remainder of the year. And in the future when this issue were raised once again, he respectfully requested that the Board not allow it back on their agenda until they had a strong indication that the majority of hunters in their respective districts would support such a change. This would save them and their constituents a lot of heartburn. He thanked the Board for their attention to this matter and for their past support in preserving for Southampton County some of the best deer hunting available in this region.

**Vice-Chairman Young moved, seconded by Supervisor Wyche, to remove hunting with muzzleloading rifles from the docket and NOT have a public hearing to amend Section 10-26 of the Southampton County Code, and that this matter be removed from further consideration at this time.**

Supervisor Brown advised that he represented the people in both the Newsoms and Blackwater Precincts. He had received 9 calls against and 10 calls for muzzleloading, so he favored a public hearing in order to get a better understanding of what his constituents wanted. As a result, he could not go along with the motion. He remarked that if we did not get a handle on growth, we were not going to be able to hunt anywhere.

Supervisor West thanked Mr. Magette for being honest. He had been the most honest of anyone he had heard from before against muzzleloading. He respected the concerns of Mr. Wayne Cosby, (who was in the audience and had spoken with him about his concerns with muzzleloading.) But he also represented Duane and Teresa Preston and appreciated their concerns. He could see both sides and had many good friends on both sides.

Supervisor Faison advised that he appreciated the comments offered tonight. He stated that the ordinance prohibiting muzzleloading that we had presented to the state had been approved, so legality issues lied with the state. As far as safety, he did not think there would be that many more accidents. As far as the financial aspect, there was a lot of money spent in this County on dog food, dog licenses, etc. He did not think there was a right or a wrong. It was just that so many people in this County did not want it.

Supervisor West stated that there was legitimate support for muzzleloading in the Berlin-Ivor District. He respected the right of all hunters.

**Chairman Jones called for a vote on the motion. Chairman Jones, Vice-Chairman Young, and Supervisors Faison, Felts, and Wyche voted in favor of the motion. Supervisor West voted in opposition to the motion. Supervisor Brown abstained. The vote was 5-1 in favor of the motion, thus the motion passed.**

The Board took a 5-minute recess.

Upon returning to open session, the Board proceeded to the public hearings.

Mr. Johnson announced that the first 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 2007**. Interest citizens were welcome to offer their comments and recommendations on all fiscal matters.

Mr. Johnson advised that a second public hearing would be conducted prior to actual adoption of the budget, following appropriate advertisement. The final draft of the proposed 2007 budget was expected to be complete on April 26, 2006 and a full synopsis of the proposed budget and any proposed changes in the effective tax rate would be published in the *Tidewater News* on Sunday, April 30. The final public hearing for the FY 2007 annual budget was scheduled for Monday, May 15, 2006 and the Board was scheduled to adopt its final budget on Monday, May 22. He noted that in addition to its regular meeting on April 24, the Board had scheduled budget workshops on April 12, April 19, and April 26 beginning at 6:30 PM in the Board Room of the Southampton County Office Center. All meetings were open to the public.

Mr. Johnson advised that since there had been so much consternation with regard to the reassessment, a handout was available at each of the Supervisor's places and at the back of the room, which outlined the process for reassessment so people would fully understand what the alternatives were. Citizens were certainly welcome to speak on the reassessment as well as any other fiscal matter.

Chairman Jones opened the public hearing.

Mr. Ash Cutchin of 29018 Darden Point Road addressed the Board. He thanked them for the opportunity to be heard on this issue. He stated that he wanted to make a comment in regards to a recent "Letter to the Editor" submitted by Glenn Updike in which Mr. Updike indicated that he thought the County needed to downsize. He advised that he disagreed with him, particularly with regard to the number of staff in the Commissioner of Revenue's office. He informed that like most everyone else in the County and in this room, he was shocked and awed by the recent reassessment of his house and lot. So like many other citizens and taxpayers, he made an appointment and went to see the assessor. He mainly went to question his assessed lot value. Blue Ridge had assessed his 1-acre lot at \$66,000, which was an increase of 116% over the

previous assessment, and 176% of what he thought was a fair market value. He met with the assessor and tried to show him several sales of rural lots in the County that occurred during 2005, but he was not interested in seeing them. Those lots averaged \$33,000 per lot and averaged 2.298 acres in size, which was about twice the size of his lot. But his lot was assessed at \$66,000. The assessor told him that he lived on the water. He noted that he had asked the assessor if he had accessed Darden Mill Pond, so he knew where he lived. Mr. Cutchin acknowledged that he lived on a pond and tried to show him some pond sales, but he did not want to see them either. Some of the pond sales were for lots sold on Kellos Mill Pond – 2.8 acres sold for \$39,000, 2.29 acres sold for \$37,500, and 7 acres for \$45,000. With 7 acres selling for \$45,000, that was \$6,300 per acre. So he asked the assessor how could his 1-acre lot be worth 10 times 1-acre on Kellos Mill Pond? He told him that he could go to vamanet.com and compare his lot with his neighbors' assessments. He told the assessor that he had already done that, and they were all too high. The assessor's response was that he lived in an upscale neighborhood.

Mr. Cutchin advised that he asked the assessor if Blue Ridge used the market to estimate assessment values? He noted that it was his understanding that that was what the state mandated. And according to the handout at the back of the room provided by Mr. Johnson, it stated that property must be assessed at 100% of its fair market value. The assessor replied that they did use the market. He then showed the assessor a lot that had been sold in his subdivision. It was the most recent sale of a vacant lot in Darden Mill Estates. It was lot 10 at the end of Lakeside Drive and it sold on March 11, 2005 for \$37,500. This was a waterfront lot in one of the nicest subdivisions in the County – upscale as the man called it. Mr. Cutchin stated that in his mind and in the mind of most real estate appraisers he knew, that sale established the market for 1-acre lots in Darden Mill Estates. So he indicated to the assessor that he did not think they were really using the market; at least not the local market. He asked the assessor if he was an appraiser? He replied yes. He asked the assessor if he was required to comply with USPAP (Uniform Standards of Professional Appraisal Practice)? He replied that he was not a licensed appraiser, but yes, they did comply. His response to the assessor was that he was also an appraiser, a licensed appraiser.

Mr. Cutchin stated that he thought Blue Ridge violated the ethical section of appraisal standards by favoring the interest of the client. He was not trying to point fingers at the Board of Supervisors, but the client was the County. By valuing his lot and other lots in Darden Mill at \$66,000, in his way of thinking, that was favoring the client. He pointed out to the assessor that if he did that assessment for a bank and he used the comparable sale of \$37,500 and yet valued the property at \$66,000, they would bounce it right back to him. The assessor did not seem to understand what he was trying to point out. He kept using the term mass appraisal. Mr. Cutchin stated that his question to the County was how big was the mass, and where did the assessors go to find these comparable sales – they obviously were not in Southampton County. Did they get to Manhattan or Norfolk or where? The assessor could not show him a single sale of a 1-acre lot in Southampton County that sold for \$66,000. He (Mr. Cutchin) had a copy of every sale that took place since the flood, and John Robert Harrup (Commissioner of the Revenue) and Amy Carr (Deputy Commissioner) also had copies. There had not been any sales of 1-acre lots in Southampton County for \$66,000, or it certainly slipped by him.

Mr. Cutchin stated that every few years, the County brought in people from somewhere where real estate must be much more valuable than here. Mass appraisal was what they called it. And the people that performed the assessments did not seem to pay any attention to the actual local real estate market. They come up with these off-the-wall figures and then they take their money and run. By the time this came around to the Board of Equalization, they would be gone. When he told the assessor that he thought he favored the interest of the County, the assessor told him that he did not give a rat about the County. So here was a gentleman from Blue Ridge Mass Appraisal telling him that he did not give a rat about the County. He did not know how much we paid these unlicensed appraisers, but he thought the citizens of the County would be better served if we had a full-time assessor, a licensed appraiser, on County staff who investigated and tracked local sales and really knew and understood the local market and kept up with it on a continual basis. We needed someone who knew what reality was, and not someone from the twilight zone telling us that 1-acre lots were worth \$66,000. He thought they should investigate the possibility of hiring a full-time licensed certified real estate appraiser that would work for the County. He noted that he was not interested in a job and was not campaigning for the job.

Mr. Hunter Darden addressed the Board. He advised that he appreciated the opportunity to speak. He had not been able to function properly because the assessment had been on his mind for the last 10 days or so. Numerous trips and appointments with the assessors, looking at adjacent lands, and meeting and talking with other landowners and homeowners has been like a full time job. We

were all in the same boat. They did not appraise – they equalized. The Board of Equalization would have its hands full, and without the correct direction from the Board of Supervisors, people would be wasting the Board's time as well as their own. This assessment would mark the biggest issue to come before them. He read in the paper that the average increase was 60%. He wondered if that included the land increases. His house went up 34%, so he thought he was doing good in that it was below the 60%. But the land where his house was located went up 140%. So he started asking questions. He had to remember that it had been 6 years since we had had an assessment. So if you doubled his assessment, that would be 100%, which was 16.6% per year. That did not sound so bad. His wife's cottage at Nags Head on the Beach Road only went up 100% in 6 years. He stated, how about try a 273% increase, which was a 45% increase per year. He noted that he was reading all of these off of his personal assessments. How about a 795%, which was a 132.5% increase per year. How about a 869% increase, which was 144.8% per year. He saved the best for last. He received an assessment that was a 938% increase, which was a 153.6% increase per year.

Mr. Darden advised that he had 2 appointments with the assessor. He asked the assessor what was the benefit of him filling out all of the papers he was sent, listing everything that he had on every track, and nobody paid any attention to it? How do you miss 250 acres of cutover swampland on his prior assessment and come up with \$1,000/acre woods land and \$1,000/acre worth of timber? It was beyond him. He stated that his average increase without his house was 290.65%. With his house, it was 275.24%. He wanted to know what happened to the average increase of 60% and why he was singled out. In order to equalize his assessment, the real estate tax rate would need to change from the current 74¢ to 26.5¢. He really did not think that was going to happen. So without a doubt, he was going to be a victim of higher taxes. We, as an agricultural County, could not let this assessment stand as is. Changing the tax rate would only help part of the real problem. It had created estate problems for many sitting in this room. It has caused problems for his children. It had created more liabilities for both landowners and homeowners – the higher the value, the greater the risk. Insurance policies would go up, umbrella policies would need to be increased, etc. This assessment would affect a lot of us for a long time and we hoped that this Board would take control and resolve these issues. It has been necessary for he and others to retain legal counsel for guidance in the most critical time for our citizens as well as our County. Their counsel was more than willing to meet with the Board of Supervisors, the Board of Equalization, and others to go over their options and try to arrive at a fair conclusion of this assessment. His relief, as well as others in this County, rested with the Board of Supervisors. They could make it right, correct the wrongdoings of this assessment, and protect the citizens. The assessments were full of errors. The Board needed to take charge of this. The County needed their help. He appreciated their service.

Mr. Leland Beale addressed the Board. He stated that we were in a mess in Southampton County. He thought the two gentlemen who spoke before him brought that out. The conclusion that both gentlemen reached was truth. He was getting telephone calls just like they (the Board of Supervisors) were. He could not do anything about it, but they could and he felt like they would. He was confident that they would not let this travesty continue here in this County. He advised that Blue Ridge Mass Appraisal was pretty well known in certain circles. He understood that they were good in Central Virginia, Staunton, Charlottesville, and places like that. But from the figures they had heard already, and the figures they would hear from others, it was almost unbelievable. It was getting close to confiscating the property. If this assessment were to stand, you would see land coming onto the market because it would have to. Who would buy it? Developers from Virginia Beach, Norfolk, and Newport News with plenty of money and about 3 lawyers apiece. They would come down and develop it. They could have all the ordinances they could concoct, but they would develop it. We were in a bad way and he only knew of 2 things the Board could do to relieve the situation. They were: 1) Throw this assessment out. He understood that the assessment cost about \$260,000, but we had thrown away \$260,000 away before, and he thought this was a fine cause. Start over. Do it again. That would be his preference. 2) They could adjust the rate. But as Hunter Darden pointed out, they would have to make a real nose dive. He advised that 200% - 900% increases were completely absurd. The people that were before them tonight had stood by this County through the years and had been paying the larger part of the taxes and they should not be treated this way. He hoped that when the attorney representing he and others showed up, that they could sit down and come to some conclusion.

Ms. Virginia Reese spoke. She stated that she found this assessment to be one of the strangest experiences that she had ever had, and she had been dealing with real estate for 15 years. The land value at her personal residence went up 40%. She owned some houses between For Pete's Sake and the gas station and those land values went up 200%, and half of that land did not even perk. The land value of the post office in Courtland went up 110%. She guessed that the reason the

buildings across from the post office were empty and unoccupied was because they were so valuable and nobody could afford them. There was no accounting and nothing rational about the way the assessment was done. On that basis, she was asking the Board to take a hard look at this.

Mr. Larry Brown spoke. He stated that in terms of tax relief, the land use situation needed to be addressed. The land use was determined by SLEAC (State Land Evaluation Advisory Council). They took into consideration the crops we raised, which were wheat, soybeans, corn, and cotton, and the returns we expected to receive. The actual fair market value of crop land had gone down, primarily because peanuts were no longer the viable crop that they used to be in our area. As a result, the expected return was not going to be as great. He was quite sure that Isle of Wight and Suffolk were using the SLEAC values for their land use. He had heard that we may end up having a certain percentage of the fair market value of the land as the land use number. This was totally wrong – an absolute number needed to be used.

Mr. Thomas White spoke. He advised that he owned a lot at Dockside on the river maybe twice as big as this room. The assessment on his lot tripled, but that did not get the best of him. His next-door neighbor owned a lot the exact same size and it adjoined his land, but the neighbor's land was assessed \$50,000 higher than his. We had a flim-flammer doing the assessment. They did not know what they were doing.

Mr. David Edwards addressed the Board. He stated that he was a very fortunate young man. He had a granddaddy that worked behind a mule from sunrise to sunset on a farm. He left the farm to his (David's) dad that worked behind a mule, plowed the land, worked hard for it, and paid his taxes. Unfortunately, his dad died several years ago and left it to him. It was a shame to say that he would never be able to afford to buy any land because there was not a lot of profit out there farming. It would be all he could do now to save his pennies to leave the farm to his 3 girls. He knew he was in the land use program, but he had not seen it yet. All he knew was that when he received his assessment notice in the mail, he learned that the assessed value of his farm went up \$1.2 million. The value might have gone up, but it was not helping him pay his taxes. When you sit down and look at these assessments, it was really unreal. His income had not gone up. He had lost the peanut program. If you looked at commodities, his granddaddy was selling corn for \$3.25. When he left home today, it was \$2.42. Of course, he might produce more than he did, but not that much. If he had a bad year this year, he was going to have to sell something to pay his taxes, and that was a shame.

Ms. Mary Elizabeth Washington spoke. She advised that she was representing the citizens of The Town of Boykins. She was very concerned because 65% of their citizens were over the age of 65. If they did not have a 401k or anything else, they only had social security to depend on. These people were going to lose their homes because they would not be able to afford to pay their taxes.

Mr. Glenn Updike spoke. He clarified that in his "Letter to the Editor," he did not suggest cutting certain departments. He stated that the Board had heard about the burden on the elderly, but what about our grandchildren? Every time they raised taxes, they were getting hurt badly. Last year they raised taxes 7¢ for new capital improvements. Now they were looking at new schools. How were we going to pay the bills? He asked the Board to "hold the line."

Mr. Ed Seymore addressed the Board. He advised that he was from Virginia Beach but had been in Southampton County for 22 years. We were where Virginia Beach was 25 years ago. He never thought that development would catch him here. The assessments on houses went up 66% and assessments on land went up 130%. He doubted that the Board could reduce the tax rate. They needed to look after the citizens, as the burden was on the homeowner.

Ms. Virginia Reese stated that she would like to know if the assessor walked out to every property. She asked that because the assessor had assessed some lots in Shands exactly the same, but it was obvious to anyone who looked at the properties, that some of it was swampland and would not perk.

Mr. Keith Edwards spoke. He advised that he wanted to make them aware that he received 2 assessments on the same piece of property and the assessments were different. They did not get fair assessments.

Mr. Bruce Phillips spoke. He stated that he did not think that lowering the tax rate was the only answer. He thought Mr. Johnson should be directed to determine if the assessments were fair and equitable and at fair market value.

Chairman Jones closed the public hearing.

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

**REZ 2006:02** The application of Joshua Pete Fowler (representative) on behalf of Ellaree C. Hyder (owner) requesting a change in zoning classification from A-1, Agricultural to C-B2, Conditional General Business of approximately 1.7 acres. The purpose of the application is to allow for construction of a storage/warehousing facility less than 20,000 square feet in size. The property is located adjacent to 20156 Ivor Road and is further identified as Tax Parcel 60-105 and is located in the Capron Magisterial District.

Mr. Jay Randolph, Assistant County Administrator and Secretary to the Planning Commission, reported that the Southampton County Planning Commission held a public hearing on this application at its February 9, 2006 meeting and recommended approval.

Chairman Jones opened the public hearing.

Mr. Randolph clarified for Supervisor Brown that the request was for a rezoning from A-1, Agricultural to C-B2, *Conditional* General Business, in which the applicant had proffered that a storage/warehousing facility was the only permitted use he would utilize.

Mr. Joshua Pete Fowler (representative) was not present.

No members of the public desired to speak.

Chairman Jones closed the public hearing.

Mr. Randolph stated that if the Board were so inclined, since Mr. Fowler was not present, it would be appropriate to defer action on this application until next month.

It was consensus of the Board to defer action until next month.

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

**SUB VAR 2006:01** The application of Mary K. Stauffer (representative) on behalf of Cheverly Limited LLC (owner) requesting a variance to the subdivision ordinance, Section 14-122, Cul-de-sacs. The purpose of the application is to allow for a cul-de-sac length of 1200 linear feet. The subdivision ordinance provides a maximum cul-de-sac length of 400 linear feet. The variance requests an additional 800 linear feet in length of the proposed cul-de-sac. The property is currently zoned R-1, Residential and is located at the terminus of Darden Point Road in the Darden Mill Estates subdivision and is further identified as Tax Parcel 46A-5-16B & 16C. The property is located in the Jerusalem Magisterial District.

Mr. Jay Randolph advised that a variance should be granted only when unusual topography or other reasons that were not self-inflicting were the cause for the request. The Board had to determine whether or not the variance in this case was justified.

Mr. Randolph reported that the Southampton County Planning Commission held a public hearing on this application on February 9, 2006 and recommended denial.

Chairman Jones opened the public hearing.

Mr. Richard Rogers, resident of Darden Mill Estates, addressed the Board. He advised that on February 9, 2006, the Planning Commission unanimously voted to deny the request. He asked those in the audience who were opposed to the application to stand. (A large number of people stood up.) He also presented Chairman Jones with a petition with signatures of people who were opposed to the application. He asked them to consider the wise recommendation of the Planning Commission.

Mr. Robert Darden of Lakeside Drive spoke. He stated that extending the cul-de-sac would allow more housing, which would create density problems and more traffic. The volunteer fire department that served that area was struggling. The water supply was also a problem. In

addition, there were safety issues as there was only one way in and one way out of the neighborhood. He advised that he had 3 small children and enjoyed the way of life as it existed today.

Mr. Cary Moore addressed the Board. He advised that he had been a resident of Darden Mill Estates for 4 years and resided at Lot 17, next to the property in question. He stated that Darden Point Road, as it existed today, was already in violation. The primary reason 400 feet was the maximum length for a cul-de-sac was for safety reason. The home in that subdivision would go from 17 to 50. The owners of the property were aware of what they could before they bought the property. Mr. Stauffer was quoted at the Planning Commission meeting acknowledging that fact. He stated that the water system was a problem. The pressure was so low that he had a hard time taking a shower. But the main issue should be public safety.

Mr. Brian Lane, land surveyor for Cheverly Limited LLC (owner), spoke. He noted that they had met with County staff. He advised that the problems that existed in the neighborhood would be helped. The water system would be updated. Also there would be emergency access to a private road (Ward Lane). He noted that fire and rescue had used it before and there would be a knock-down barrier to prevent it from being used for anything other than emergency access. Their request was not a matter of economics. They felt that this plan would do more for the community.

Mr. Ash Cutchin of Darden Point Road addressed the Board. He stated that he was opposed to the application. He had looked at our Subdivision Ordinance and Zoning Ordinance and learned the definitions of a cul-de-sac and a variance. A cul-de-sac was a minor, terminal street. Darden Point Road and Lakeside Drive were both already a cul-de-sacs. He stated that the original lot 16, as platted by Camp Barnes in 1972, had been replatted into lots A,B, & C. He asked if the County wanted Darden Point Road piggy-backed all the way to the Sussex County line? He had talked to people and most indicated that the reason for limiting cul-de-sacs to 400 feet were for safety reasons. The gentleman that spoke before him mentioned an emergency access way (Ward Lane). He pointed out that Mr. (Ryland) Beale was the only person that maintained that access way. A decision granting a variance that would triple the permitted length of a cul-de-sac would not be a good decision. The Planning Commission unanimously opposed it. He advised that the present paved Darden Point Road was deteriorating. VDOT's method of maintaining their streets was sending someone out there with coal patch to fill potholes. He took pictures of potholes so many times and took them to Randolph Cook, former VDOT Residency Administrator, until finally something was done about it. Mr. Cook told him that the streets out there were designed for the residents. He stated that soil scientists indicated that the soil out there was slagle and oochie sand. The soil manual indicated that those types of soil were low strength and were not suitable for roads and streets. Mr. Stauffer's problem was self-inflicted. Mr. Stauffer stated at the Planning Commission meeting that he did his due diligence. He respectfully requested that they deny the variance.

Mr. Barry Pavlina addressed the Board. He passed out pictures of the what the streets in the subdivision currently looked like. He stated that the representative for Cheverly Enterprises had admitted that they had done their due diligence. He asked them to deny the variance request.

Chairman Jones closed the public hearing.

Supervisor Felts noted that she attend the Planning Commission's public hearing on this application.

**Supervisor Felts moved, seconded by Vice-Chairman Young and Supervisor West, to deny the variance request. All were in favor.**

Supervisor Brown commented that he hoped Cheverly Enterprises' "Plan B" would address safety issues.

Mr. Johnson announced that the fourth and final public hearing was to consider the following:

CUP 2006:02 The application of Thomas White (owner) requesting an amendment to an existing conditional use permit to allow for expansion of a sand extracting operation. The application seeks to allow an additional 40 acres of area to be included in the conditional use permit for the purpose of sand extraction. The property is located on the eastern side of Shady Brook Trail (Route 650) and is further identified as a portion of Tax Parcel 92-2. The property is located in the Franklin Magisterial District.

Mr. Jay Randolph, reported that the Southampton County Planning Commission held a public hearing on this application at its February 9, 2006 meeting and recommended approval.

Chairman Jones opened the public hearing.

Mr. Thomas White (owner) addressed the Board. He stated that he had worked real hard to make his sand pit look nice. He won a state award in 2002 for having the best-looking mine. He advised that he had just about dug all but a couple acres of what he had asked for to start with (with his original conditional use permit). He was now requesting permission to mine 2 additional sections – a 15-acre section and a 25-acre section.

Mr. White clarified for Supervisor Brown that regarding safety concerns, a state official inspected his operation once a month.

Chairman Jones closed the public hearing.

**Vice-Chairman Young moved, seconded by Supervisor Brown, to amend the conditional use permit. All were in favor.**

Moving forward, 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 21, 2006. The event, with an estimated attendance of 600 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 20). He advised that the application was fully consistent with the ordinance adopted at the Board's regular session of December 20, 2004, a copy of which was also included in the agenda. Their plans had been reviewed by the Southampton County Sheriff, Health Department, Building Official, and the Ivor Volunteer Rescue Squad. Alcohol was not permitted at the event. 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 tonight.

Mr. Tony Dela Cruz of the Tidewater Dirt Riders informed the Board that he was present to answer any questions.

Supervisor West advised that he had not heard any complaints.

**Supervisor West moved, seconded by Brown, to authorize the issuance of the temporary outdoor entertainment permit. All were in favor.**

Moving forward, Mr. Johnson announced that they may recall from their May 25 session, contracting with Springsted, Inc. for development of an updated pay and classification plan and long-term organizational staffing study.

He informed that their scope of work included the following:

- A. A classification and compensation study of roughly 40 different positions in Southampton County's organizational structure including a comparison of our current salary structure to that of comparable local governments and private sector organizations. Their study developed comparisons for not only the staff under this Board's direction and control, but also the respective staffs of all 5 constitutional officers and the Department of Social Services.
- B. Development of updated job descriptions for each position;
- C. Development of a classification system that keeps salaries throughout the organization in proper relation to one another;
- D. Identification of positions in our organization which are "exempt" and "non-exempt" under the Fair Labor Standards Act (FLSA); and
- E. An organizational and staffing utilization study to identify the anticipated number of additional employees required in each department (of which the Board controls) over the next 10 years.

He advised that Springsted had completed their work and John Maxwell, Senior Vice President, was here this evening to present the finding. Under separate cover with the agendas were two printed reports to which Mr. Maxwell would be referring.

Mr. John Maxwell addressed the Board. He advised that Springsted had completed their work. Regarding the pay and classification study, they had presented 36 job classes along with new class descriptions. They found that Southampton County was below other localities in terms of salaries, especially starting salaries. They recommended that the County follow their recommendations in increasing the salaries in order to be able to attract and maintain quality employees. Regarding the staffing needs analysis, Southampton County was very lean. Compared to Gloucester, Greenville, Isle of Wight, Prince George, and York Counties, Southampton County had the fewest employees in administrative support, finance, building and grounds, and code enforcement. Southampton was the only County with no human resources personnel. They recommended that the County hire a professional planner and to look at hiring a human resource specialist. They also recommended staff to man the solid waste transfer systems. He noted that in terms of technology, he thought a master technology plan needed to be created first before evaluating what was needed.

Supervisor Brown thought that it was very important for the County to look at getting a human resources specialist on board. That was a critical position and we needed someone to stay on top of FMLA and other laws.

Mr. Johnson advised that Springsted's printed report did not address implementation. He had prepared for their reference one potential plan of implementation which attached significant value to years of service to the county. Spreadsheets illustrated the individual changes for employees (names and titles omitted) if this plan of implementation were pursued. If phased in over 2 years, the incremental cost of full implementation was \$158,113 in fiscal year 2007 and approximately \$235,000 in FY 2008. After that, the plan was fully implemented and annual increases would be substantially lower.

Mr. Johnson explained the potential plan and utilized several examples for clarification purposes.

The Board was amenable to the potential plan of implementation prepared by Mr. Johnson, and it was consensus to have Mr. Johnson include the cost of such when preparing the FY 2007 budget.

Moving forward, Mr. Johnson announced that included in the agenda was a copy of Mr. Jay Randolph's written report summarizing the Planning Commission's recommendations regarding the proffer policy presented last month by Springsted, Inc. The Planning Commission recommended acceptance of the study as presented and proceeding with associated amendments to the Comprehensive Plan and Zoning Ordinance to facilitate acceptance of cash proffers based upon the Springsted model. They further recommended an update of the County's Capital Improvement Plan (CIP), beginning in FY 2007 immediately upon completion of the Comprehensive Plan update. Mr. Johnson informed that unless that Board suggested otherwise, he intended to include the necessary funding for the CIP update in the FY 2007 annual budget.

**Supervisor Wyche moved, seconded by Vice-Chairman Young, to accept the Springsted proffer report and direct county staff to prepare the necessary revisions to the County Comprehensive Plan and Zoning Ordinance to facilitate acceptance of voluntary cash proffers.**

Regarding miscellaneous issues, Mr. Johnson announced that the Board may recall from their December session adopting an ordinance to implement the upcoming changes to the Personal Property Tax Relief Act of 1998. They may further recall that in the 2004 legislative session, the General Assembly capped the Commonwealth's payment to localities for personal property tax relief at \$950 million with each locality's share to be determined by the Auditor of Public Accounts (APA). The APA had recently released its plan of allocation for tax year 2006 – Southampton County was expected to receive \$2,346,260.80, a 9.6% increase above the 2004 reimbursement.

He advised that included in the agenda was correspondence from the Virginia Department of Housing and Community Development with regard to the 2006 Section-8 limits. In 2006, a 4-person household qualified as low- and moderate-income if their annual household income was less than \$39,750.

Mr. Johnson informed that included in the agenda was a summary report of all single-lot divisions in the Agricultural A-1 Zoning District from March 1, 2005 (the day following adoption of the temporary ordinance limiting such divisions) and February 28, 2006 (the sunset of the temporary

ordinance). In the 12-month period, there were 213 new lots put to record in the Agricultural A-1 District, an average of almost 18 lots per month.

He advised that included in the agenda for their reference was the Court Order appointing the 2006 Board of Equalization.

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

- 1) From Delegate Roslyn C. Tyler, a note of thanks for providing her a copy of the Southampton County Seal for her office door in the General Assembly building;
- 2) From Richard E. Railey, Jr., copied correspondence from Richard L. Francis submitted to the Department of Justice on behalf of the Town of Branchville regarding the polling place for town elections;
- 3) From Lee D. Copeland, Building Inspector, notice of his intent to run for the Newsoms Town Council;
- 4) From WHRO, a note of thanks for the Board's recent sponsorship of the Pioneer Awards program;
- 5) From Charter Communications, an email clarifying that its recent divestiture of cable properties did not include its eastern Virginia holdings;
- 6) From Art Collins, a memo outlining the final organizational structure of the Hampton Roads Military and Federal Facilities Alliance; and
- 7) From the Office of Drinking Water Programs, a copy of a Notice of Violation issued to Valley Proteins for exceeding the maximum level of fecal coliform in its industrial waterworks.

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

Moving to late arriving matters, Mr. Johnson pleasingly reported that, for the fifth consecutive year, Southampton County employees had formed a team to raise funds for the March of Dimes in its annual Walk-America Day. June Williams had agreed to be Team Captain. Employees had raised in excess of \$1,500 each of the last 4 years utilizing fund raising activities such as raffles, candy bar sales, benefit lunches, and last year, a concert by the Hunt Family Fiddlers. In previous years, the Board of Supervisors had augmented employee's fund raising efforts, providing up to \$1,000 for this community cause. The employees had asked him to request \$1,000 in local funds again this year.

**Vice-Chairman Young moved, seconded by Supervisors Faison and Felts, to augment county employee fund raising efforts by providing a donation of \$1,000. All were in favor.**

Mr. Johnson advised that the Board may recall from their October meeting adopting an ordinance establishing the deadline for receipt of applications to the Board of Equalization by February 15, and disposition of such applications by March 15. When Blue Ridge Mass Appraisal advised them of their need for an extension, after consulting with them by telephone, a new ordinance was adopted in December with respective deadlines with respective deadlines of March 15 and April 15. Based upon further delays by Blue Ridge in mailing the notices, the latest deadlines were obviously no longer workable. He stated that in order to provide due process for aggrieved property owners, included in the agenda for their consideration was an emergency ordinance, reestablishing respective deadlines of May 1 for receipt of applications and June 1 for disposition. He noted, for their reference, that the Board of Equalization was required to give at least 10 days advance notice of its meetings by publication in the *Tidewater News* and posting at the Courthouse and Library.

The ordinance is as follows:

AN ORDINANCE TO PROVIDE FOR APPLICATION AND DISPOSITION OF REQUESTS FOR EQUALIZATION OF REAL ESTATE ASSESSMENTS BY THE BOARD OF EQUALIZATION

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BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that pursuant to Section 58.1-3378 of the Code of Virginia, 1950, as amended, that the deadline for receipt of applications to the Southampton County Board of Equalization shall be ~~March 15~~, *May 1*, 2006, and

March 27, 2006

the deadline for disposition of applications by the Board of Equalization shall be ~~April 15~~, June 1, 2006.

A copy teste: \_\_\_\_\_, Clerk  
Southampton County Board of Supervisors  
Adopted: ~~October 24, 2005~~ December 19, 2005

Supervisor Brown advised that he was concerned with whether or not the deadline of June 1 for disposition would provide the Board of Equalization with enough time to dispense with the applications, in light of the significant number of applications that were anticipated.

Mr. Johnson stated that if the Board of Equalization needed longer than June 1, he did not see any reason why that date couldn't be extended.

**Vice-Chairman Young moved, seconded by Supervisor Felts, to adopt the ordinance as an emergency measure, to be reconsidered at the April regular meeting following appropriate legal notice. All were in favor.**

Finalizing late arriving matters, Mr. Johnson informed that included in the agenda was correspondence and a proposed resolution prepared by Rufus Tyler, Executive Director of the Improvement Association, seeking support of their efforts to obtain a housing grant from the Virginia Department of Housing and Community Development to serve the homeless and low-income population in Southampton County. As he understood it, this was grant was competitive, and the resolution simply allowed the Improvement Association to serve Southampton County residents if they were successful in obtaining the grant funds.

The resolution is as follows:

**BOARD OF SUPERVISORS  
SOUTHAMPTON COUNTY, VIRGINIA**

**RESOLUTION 0306-15**

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At a meeting of the Board of Supervisors of Southampton County, Virginia held in the Southampton County Office Center, Board of Supervisors' Meeting Room, 26022 Administration Center Drive, Courtland, Virginia on Monday, March 27, 2006 at 6:00 p.m.

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**PRESENT**

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

**IN RE: A RESOLUTION SUPPORTING A GRANT APPLICATION BY THE  
IMPROVEMENT ASSOCIATION FOR HOMELESS INTERVENTION**

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Motion by Supervisor Wyche:

**WHEREAS**, the Virginia Department of Housing and Community Development is currently accepting competitive applications for the Homeless Intervention Programs; and

**WHEREAS**, funding assistance is needed to effectively and adequately address the housing needs of low-income and homeless persons in Southampton County; and

**WHEREAS**, The Improvement Association has prepared an application for funding to serve residents of Southside Virginia, including Southampton County.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Southampton County, Virginia that it authorizes The Improvement Association to apply for and accept a fiscal year 2007 Homeless Intervention Program grant from the Virginia Department of Housing and Community Development to serve residents of Southampton County; and

**BE IT FUTHER RESOLVED** that Michael W. Johnson, the Southampton County Administrator, is hereby authorized to do all things necessary and proper to facilitate the award and acceptance of the fiscal year 2007 Homeless Intervention grant.

Seconded by Supervisor Young.

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

A COPY TESTE:

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

Mr. Johnson confirmed with Chairman Jones that Mr. Tyler had discussed this matter with him and would have a representative at tonight's meeting.

Ms. Gloria Bynum, representative on behalf of the Improvement Association, was present.

Supervisor West advised that he was concerned that adopting this resolution would obligate Southampton County to provide funds to the Improvement Association and there was no mention as to how much funding that may be.

Mr. Johnson clarified for Supervisor West that it was his understanding that the resolution simply allowed the Improvement Association to serve Southampton County residents if they were successful in obtaining the grant funds.

Chairman Jones advised that that was also his understanding, in talking to Rufus Tyler.

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

The Board took a 5-minute recess.

Upon returning to open session, Chairman Jones asked if there was anything to come before this Board?

Supervisor Felts shared that she had been contacted by many, many people about the assessment. Did we need to get Blue Ridge Mass Appraisal to sit down and talk with the Board and explain how they arrived at their assessments?

The other Supervisors also thought that Blue Ridge needed to take responsibility.

Mr. Johnson advised that they could set up a meeting with Blue Ridge but he was not sure what they would hope to accomplish. He explained that the *Code of Virginia* imposed 2 requirements upon counties with regard to reassessment of real property – 1) That all property be reassessed at intervals not exceeding 6 years, and 2) That all real property be assessed at 100% of its fair market value. Determination of the assessed values of each parcel were the responsibility of the assessor, which in this case was Blue Ridge Mass Appraisal, and neither the Board of Supervisors nor the Commissioner of the Revenue's Office had any legal standing to intervene in determination of values. The *Code of Virginia* provided that property owners may appeal the values established on their properties through the Board of Equalization or by appealing to the Circuit Court. Mr. Johnson clarified for the Board that if a county failed to do an assessment within the 6-year interval, the state would withhold money associated with alcoholic beverage control, which amounted to approximately \$36,000.

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

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

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

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

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

**RESOLUTION OF CLOSED MEETING**

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

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

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

**Supervisors Voting Aye: Dallas O. Jones  
Walter L. Young, Jr.  
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 adjourned at 9:50 PM.

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Dallas O. Jones, Chairman

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Michael W. Johnson, Clerk