

May 26, 2009

At a regular meeting of the Southampton County Board of Supervisors held in the Board Room of the Southampton County Office Center, 26022 Administrative Center Drive, Courtland, Virginia on May 26, 2009 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.

Chairman Jones sought approval of the minutes of the March 5-6, 2009 Board Retreat, April 8, 2009 Budget Workshop, April 15, 2009 Budget Workshop, and April 27, 2009 Regular Session.

Supervisor Brown advised that in regards to the minutes of the April 27, 2009 Regular Session, page 272, 3rd paragraph from the bottom, 4th sentence, in which Supervisor Wyche stated, "There were other tribes in the County, and as soon as word got out that they were doing so much for one, the others would come forth," was incorrect. For historical purposes, he clarified that there were no other tribes in Southampton County – the only tribe was the Cheroenhaka-Nottoway Indian Tribe. There was another group that called themselves the Nottoway Indian Tribe of Virginia, but they were housed in Surry County.

Supervisor West asked if that was a statement from Supervisor Wyche saying that apparently in his opinion, there were other tribes in the County? Supervisor Brown stated that for historical purposes, he was offering a correction to Supervisor Wyche's statement – there were no other tribes in Southampton County.

Supervisor Wyche asked if he was saying that there were other tribes, but they were not established in Southampton County? Supervisor Brown stated that if he was referring to the group that called themselves the Nottoway Indian Tribe of Virginia that came together in 2006, they were housed in Surry, not Southampton.

Supervisor West asked if Supervisor Wyche would have to make the correction or could Supervisor Brown suggest it? Mr. Michael Johnson, County Administrator, advised that he thought the statement was correct, in that it was what Supervisor Wyche said. The best way to deal with it was to correct it with the minutes of this meeting with Supervisor Brown's comments.

Vice-Chairman Young moved, seconded by Supervisor Wyche, that the minutes (4 sets) be approved, with Supervisor Brown's correction noted in today's meeting minutes. All were in favor.

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

Mr. Lomax advised that they would begin replacing 4 lines of 60-inch pipe on Farmer's Bridge Road next week. The pipes were the same size as those that were there. The pipes were

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galvanized and had been there for 30 years and needed to be replaced – they could not risk the road collapsing.

He informed that they finished the turn lane in Adams Grove.

Mr. Lomax advised Supervisor Felts that he had talked to Benny Necessary, VDOT Superintendent, about the ditches on Vicksville and Rosemont, and he thought they had been taken care of. He (Mr. Lomax) and Jerry Kee, Assistant Residency Administrator, had some discussion about the shoulders and additional ditch work. He asked if that was what she had asked about? Supervisor Felts stated that the ditch from Rosemont to Johnsons Mill had been cleaned way back – she was questioning the section from Rosemont to Drake. She noted that the day she called him, she called a resident who lived on that part of the road who indicated that it had not been done – they had done some shoulder work, but the ditches did not appear to have been cleaned out. Mr. Lomax advised that he removed the crew that was working on that area and had them start doing asphalt work in preparation for surface treatment, but they would get back to that area soon.

Mr. Lomax stated that ditching on Sandy Ridge and Riverdale Roads was on the schedule for next year. He had received complaints about a ditch on Bryant's Church Road, and they would be doing handwork in that area. They had done handwork on Tennessee Road at the crossover, but would do a full cleanout there when they finished asphalt work on some intersections on Route 58.

He stated that he had talked to Benny Necessary about the ditch on Route 684 (Delaware Road) in the curve near Route 671. Mr. Necessary would walk the ditch and try to contact the owner – they were unsure who the owner was. Vice-Chairman Young advised that the owner was Ronnie Edwards.

Mr. Lomax informed that Edgehill was still on the shelf and under design, and they had contacted a few property owners. One of the property owners downstream had done some improvements, and he did not get any complaints the month of April when we had all that rain. As a result, they were going to wait and see if they really needed to spend the extra money on Edgehill.

Mr. Lomax welcomed any concerns from the Board.

Supervisor West advised that on Doles Road, the property across from Ron Ries and Mildred McClenney flooded in a bottom between the two homes. And on Seacock Chapel Road coming from Zuni, as soon as you left the swamp on the right, there was an open field before you got to the church that was constantly in need, and it flooded into the road. He noted that it was a farmer problem with farming right up to the ditch, turning the soil, etc.

Supervisor West asked about the mowing schedule. Mr. Lomax stated that the primary roads had been mowed once, and would be mowed twice more. Secondary roads would be mowed twice. Mowing on secondary roads had begun, but there were some that had not been mowed. The crew was catching up with mowing – he'd had them working on roadways in preparation for service contracts. Supervisor West noted that mowing in his area had only taken place up to Unity Road.

Supervisor Faison advised that Shiloh Baptist Church had a driveway that was almost right at the intersection of Old Branchville Road and Shiloh Road. Could a sign saying, "Watch for Turning Vehicles" be put up? Mr. Lomax stated that they did not make specific signs for such, as normally that was a warning sign. However, they would see what could be done.

Supervisor Felts asked about the lining of Storys Station Road. Mr. Lomax stated that it was not wide enough for double yellow lines and to keep motorists on the pavement. In those cases, they did not line the road at all, which allowed people to ride over the middle. They did have a speed study currently ongoing in that area due to a citizen request after a wreck a few weeks ago.

Supervisor Brown stated that Mr. Lomax had answered his questions. He was just waiting to see what impact the budgetary constraints would have on the highway maintenance priorities.

Chairman Jones thanked Mr. Lomax for the turn lane in Adams Grove. The residents indicated that it was now much easier and safer to turn off of Route 58.

In regards to the highway abandonment of a portion of Route 622 near Zuni, Supervisor West had asked that this item remain on the agenda pending resolution of right-of-way acquisition matters between the church and affected private property owners.

Regarding reports, various reports were received and provided in the agenda. They were Financial, Sheriff's Office (Communication Center Activities, EMS and Fire Department Activities, Traffic Tickets, and Civil Papers), Animal Control, Litter Control, Building Permits, and New Housing Starts. Also, Cooperative Extension, Treasurer's Report, Delinquent Tax Collection, Solid Waste Quantities, and Personnel.

In regards to the Sheriff's Office Report – EMS and Fire Department Activities, Supervisor Brown asked Sheriff Vernie Francis, who was in the audience, if the Newsoms Volunteer Fire Department was currently or would be engaging in responding to all EMS calls? Sheriff Francis replied yes. Supervisor Brown asked if they were doing so now? Sheriff Francis replied that he thought so.

In regards to the personnel report, Mr. Johnson advised that Steven W. Edwards of the Commonwealth Attorney's Office resigned effective 05/01/09. Linda L. Cupit of the Commonwealth Attorney's Office was separated effective 04/24/09. He stated that J. Michael Blythe of the Sheriff's Office remained on active military leave effective 07/09/08.

Moving to financial matters, Mr. Johnson announced that included in the agenda was a copy of the proposed FY 2010 budget synopsis as advertised for public comment. Also included were copies of letters submitted by "Friends of the Library" at the budget public hearing on May 18.

The 2010 budget synopsis is as follows:

**SOUTHAMPTON COUNTY, VIRGINIA
NOTICE OF PUBLIC HEARING**

The Southampton County Board of Supervisors will hold a public hearing on the proposed county budget and school budget for the fiscal year beginning July 1, 2009 and ending June 30, 2010 on Monday, May 18, 2009 at 7:00 p.m. at the Southampton County Office Center, 26022 Administration Center Drive, Courtland, Virginia 23837.

REVENUE ESTIMATES					
	2008-2009	2009-2010		2008-2009	2009-2010
COUNTY SOURCES			BUILDING FUND		
General Property Taxes	\$ 16,275,857	\$ 16,914,385	Utility Taxes	454,000	464,000
Other Local Taxes	1,534,000	1,540,000	Carryover - Utility Reserve	1,924,381	3,373,079
Permits, Fees, Licenses	118,550	98,190	Rental of Property	60,556	60,556
Fines & Forfeitures	534,778	554,554	Interest Income/Note Proceeds	-	-
Use of Money & Property	120,000	87,000	TOTAL BUILDING FUND	2,448,937	3,897,635
Charges for Service	355,398	374,401	REVENUE FROM COMMONWEALTH		
Miscellaneous Revenue	773,703	783,705	Non-Categorical Aid	195,000	170,000
TOTAL COUNTY SOURCES	19,712,286	20,332,215	Categorical Aid	3,750,353	3,688,251
OTHER COUNTY SOURCES			Other Categorical Aid	640,382	585,745
Transfer-In/General Fund Reserve	1,521,512	1,102,671	School Aid (School Operating)	16,804,814	15,468,578
School Funds (School Food)	527,680	527,890	School Aid (School Food)	14,500	14,500
School Funds (School Operating)	2,000	2,000	School Aid (Sales Tax)	3,299,435	2,537,138
TOTAL OTHER COUNTY SOURCES	2,051,192	1,632,351	Public Assistance	2,149,678	2,144,041
ENTERPRISE REVENUE			TOTAL STATE REVENUE	26,854,142	24,608,253
Water Service Fees	278,000	329,000	REVENUE FROM FEDERAL SOURCES		
Sewer Service Fees	786,500	814,342	School Aid (School Operating)	11,500	1,130,721
Other Fees/Connections	94,815	54,815	School Aid (Federal Programs)	1,888,179	1,888,179
Capitalized Interest	-	-	School Aid (School Food)	550,820	550,820
TOTAL ENTERPRISE REVENUE	1,159,315	2,845,045	TOTAL FEDERAL REVENUE	2,450,499	3,569,720
			TOTAL REVENUE - ALL SOURCES	\$ 54,676,371	\$ 56,885,219

EXPENDITURE ESTIMATES					
	2008-2009	2009-2010		2008-2009	2009-2010
GENERAL FUND			ENTERPRISE FUND		
General Government Administration			Enterprise/Sewer	913,652	2,545,670
Board of Supervisors	\$ 258,549	\$ 261,563	Enterprise/Water	570,718	641,465
County Administration	342,140	334,654		1,484,370	3,187,135
Commissioner of the Revenue	292,006	274,401	BUILDING FUND		
Board of Assessors	8,100	7,800	Capital Projects/Debt Service	4,275,713	4,197,635
Treasurer	286,112	276,516	Transfer to School Fund	(34,209)	-
Delinquent Tax Collection	25,000	20,000		4,241,504	4,197,635
Accounting	232,636	233,543	SCHOOL FUND		
Data Processing	227,529	217,407	Instruction	18,746,143	18,650,917
Insurance/County Code	142,355	168,300	Administration, Attendance & Health	1,326,329	1,314,417
Registrar	151,557	151,411	Management & Direction - Transportation	2,916,251	2,745,051
	1,845,984	1,945,365	Operation and Maintenance Services	3,445,802	3,437,332
Judicial Administration			School Food Service and Non Operating	106,902	117,593
Circuit Court	73,888	72,865	Facilities	629,028	204,028
Combined District Court	25,943	24,866	Debt Service	1,768,828	2,618,154
Special Magistrates	1,438	1,366	Technology/School Operating	417,195	423,375
Clerk of Circuit Court	471,357	469,273	Rental Textbooks	246,497	-
Sheriff - Bailiff	432,985	430,556	Technology	206,000	206,000
Courthouse Security	68,816	69,008	At-Risk 4 Year Olds	138,049	138,049
Commonwealth's Attorney	544,950	509,580	Early Reading Intervention	52,374	52,374
Victim Witness Assistance Program	67,427	68,154			
	1,688,804	1,645,660	Federal School Funds		
Public Safety			Title I	513,151	513,151
Sheriff - Law Enforcement	1,659,318	1,665,882	Title VI B Flow-Through	644,836	644,836
Enhanced 911	163,689	155,513	Title VI Innovative Education Program	-	-
Wireless 911	47,568	44,375	Substance & Drug Prevention	12,308	12,308
School Resource Officer	47,573	48,482	Vocational Special Education	48,596	49,596
Volunteer Fire Departments	305,030	293,413	Pre-School Incentive	13,852	13,852
Volunteer Rescue Squads	927,394	920,879	Title IIA Training and Recruitment	146,458	146,458
State Forestry Service	18,560	23,367	Title IID Ed. Tech.	5,448	5,448
Sheriff - Detention	2,667,250	2,667,937	Reading First Grant	166,662	166,662
Probation	78,140	105,614	21st Century Community Learning	135,870	135,870
Inspections	119,237	120,838	Opportunity, Inc.	200,000	200,000
Animal Control	103,765	98,571	Total School Funds	31,885,575	31,795,467
Medical Examiner	500	500	SCHOOL FOOD		
Emergency Services	89,489	93,123	School Food	1,093,000	1,093,000
	6,227,513	6,238,294		1,093,000	1,093,000
Public Works			VIRGINIA PUBLIC ASSISTANCE FUND		
Streetslights	44,000	45,987	Eligibility Administration	1,000,762	966,750
Assign-A-Highway	53,415	53,415	Service Administration	740,595	736,250
Refuse Collection	732,773	730,810	Joint Administration	-	-
Refuse Disposal	930,370	1,065,562	Benefit Programs	779,950	793,400
Buildings & Grounds	475,154	470,848	Energy Administration	-	-
	2,235,712	2,966,722	VIEW Administration	-	-
Health & Welfare			TOTAL EXPENDITURES - ALL FUNDS	\$ 54,676,371	\$ 56,885,219
Health Department	316,606	316,606	General Fund Reserve	\$ 3,335,219	2,638,934
WTCSB	80,637	76,605			
State & Local Hospitalization	3,568	-			
Senior Services	14,550	13,825			
Comprehensive Services Act	82,007	80,882			
STOP Organization	1,705	1,821			
	499,074	489,539			
Parks, Recreation & Cultural					
Community Concert Association	6,000	5,700			
Raws Museum Arts	15,000	14,250			
Historical Society	30,000	28,500			
W.C. Raws Library	265,772	253,432			
	317,772	301,883			
Community Development					
Planning	252,081	279,376			
Economic Development	150,000	150,000			
Soil & Water Conservation	10,280	9,766			
Cooperative Extension	56,095	52,936			
	468,456	492,081			
Non-Departmental					
Non-Departmental Operating	70,000	36,000			
	70,000	36,000			
TOTAL GENERAL FUND EXPENDITURES	\$ 13,451,315	\$ 14,115,582			

This publication is intended as a brief synopsis of the proposed budget for informative and fiscal planning purposes only. Full copies of the proposed budget are available for public inspection in the County Administrator's Office, 26022 Administration Center Drive, Courtland, Virginia during normal business hours of 8:30 a.m. to 5:00 p.m. or online at www.southamptoncounty.org. All citizens of Southampton County are invited to attend this hearing and state their views thereon.

SOUTHAMPTON COUNTY BOARD OF SUPERVISORS

BY 
Michael W. Johnson, Clerk

Vice-Chairman Young moved, seconded by Supervisor Wyche, to adopt the FY 2010 annual budget as presented. All were in favor.

Mr. Johnson advised that included in the agenda was an ordinance establishing the 2009 (FY 2010) tax levy.

The ordinance is as follows:

TAX ORDINANCE

BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that for the year 2009 there is hereby levied:

1. A tax of \$0.72 per \$100.00 associated valuation on all real estate in Southampton County, including manufactured homes.
2. A tax of \$4.50 per \$100.00 assessed valuation on all taxable, tangible, personal property located in Southampton County, except household goods and personal effects.
3. A tax of \$1.95 per \$100.00 assessed valuation on all farm machinery and farm implements, save and except machinery described in paragraph 4 herein below, located in Southampton County.
4. A tax of \$1.25 per \$100.00 assessed valuation on all farm machinery designed solely for the planting, production or harvesting of a single product or commodity, located in Southampton County.
5. A tax of \$0.72 per \$100.00 assessed valuation on all real estate and \$4.50 per \$100.00 assessed valuation on all taxable, tangible personal property of public service corporations based on the assessment fixed by the State Corporation Commission of Virginia.
6. A tax of \$2.40 per \$100.00 assessed valuation on all machinery and tools.
7. A tax of \$0.50 per \$100.00 assessed valuation on merchant's capital.
8. A tax of \$2.40 per \$100.00 assessed valuation on all heavy construction machinery, including but not limited to land movers, bulldozers, front-end loaders, graders, packers, power shovels, cranes, pile drivers, forest harvesting equipment and ditch and other types of diggers.
9. A tax of \$2.40 per \$100.00 assessed valuation on all motor vehicles, trailers, and semitrailers with a gross vehicle weight of 10,000 pounds or more used to transport property for hire by a motor carrier engaged in interstate commerce.

All levis shall be due on or before December 5, 2009,

Vice-Chairman Young moved, seconded by Supervisor Felts, to adopt the ordinance establishing the 2009 (FY 2010) annual tax levy. All were in favor.

Mr. Johnson stated that included in the agenda was an ordinance establishing the water and sewer fees for FY 2010.

The ordinance is as follows:

WATER AND SEWER RATES ORDINANCE

BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia, that beginning for the billing period after July 1, 2009, the following monthly water and sewer fees are hereby prescribed for all county systems:

WATER RATES:

Base rate:	\$23 for the 1 st 4,000 gallons
Over 4,000 gallons:	\$4 per 1,000 or any fraction thereof

Multi-family units shall be assessed the base rate times the number of connected residential units plus \$4 for each 1,000 gallons (or fraction thereof) above the number of connected residential units times 4,000.

Example: 50 residential units using an aggregate of 250,000 gallons

$(50 \times \$23) + (\$4 \times 50) = \$1,350.$

SEWER RATES:

Base rate: \$31 for the 1st 4,000 gallons
Over 4,000 gallons: \$6 per 1,000 gallons or any fraction thereof

Multi-family shall be assessed the base rate times the number of connected residential units plus \$5 for each 1,000 gallons (or fraction thereof) above the number of connected residential units time 4,000.

Example: 50 residential units using an aggregate of 250,000 gallons

$(50 \times \$31) + (\$6 \times 50) = \$1,850.$

NARRICOT INDUSTRIES INDUSTRIAL WASTEWATER \$1.35 per 1,000 gallons

Any residential wastewater customers who are connected to privately-owned wells shall be assessed the base sewer rate each month.

A COPY TESTE:

Michael W. Johnson, Clerk
Board of Supervisors

Vice-Chairman Young moved, seconded by Supervisor West, to adopt the ordinance establishing the water and sewer fees for FY 2010. All were in favor.

Mr. Johnson informed that bills in the amount of \$2,743,361.30 were received.

Vice-Chairman Young moved, seconded by Supervisors Brown and Felts, that the bills in the amount of \$2,743,361.30 be paid with check numbers 92241 through 92611. All were in favor.

Moving to appointments, Mr. Johnson announced that as discussed last month, Franklin-Southampton Economic Development, Inc. was seeking the Board’s consideration in nominating three (3) candidates for appointment to their Board representing Southampton County. At last month’s meeting, two candidates were nominated – Yolanda Lee-Brown and C. Harrell Turner. Supervisor Felts agreed to nominate a third candidate this month.

Supervisor Felts made a motion to nominate Jay Travis Felts as the third candidate to be considered for appointment to the Franklin-Southampton Economic Development Board of Directors. Vice-Chairman Young seconded the motion. All were in favor.

Mr. Johnson advised that his (Mr. Johnson’s) appointment to the executive committee of the Hampton Roads Planning District Commission (HRPDC) would expire June 30, 2009. Terms were for two years and he was eligible for reappointment. This appointment had historically been included in the County Administrator’s job description.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to appoint Mr. Michael Johnson to another two-year term on the executive committee of the HRPDC. All were in favor.

Moving forward, Mr. Johnson announced that included in the agenda was an application for a fireworks display permit from Mr. Charles B. Darden, Jr., submitted pursuant to Sec. 10-73 of the Southampton County Code. The display was scheduled for June 27, 2009 at approximately 9:15 PM. The rain date was June 28. The application was in order and a draft permit was included in the agenda for their consideration.

Supervisor Brown moved, seconded by Supervisor Wyche, to approve the permit application. All were in favor.

Moving forward, Mr. Johnson announced that he had invited Ms. Patricia R. Knight, a Partnership Specialist with the Regional Census Center in Charlotte, NC to make a brief presentation regarding upcoming plans to conduct the decennial census in 2010. She would be seeking the Board's consideration in establishing a "Complete Count Committee" that would include community leaders, faith-based groups, schools, business and the media to work together to assure that everyone was counted.

Chairman Jones recognized Ms. Patricia Knight.

Ms. Knight introduced herself to the Board and presented a PowerPoint presentation entitled, "2010 Census: It's In Our Hands." She advised that every 10 years, as mandated by the U.S. Constitution, the U.S. conducted a census, which was an effort to count every living person in the U.S. Their goal was to count everyone once and in the correct place. The key was to have every household fill out and mail back a completed census form. The 2010 form had been simplified – it was 10 questions and would take 10 minutes to complete. Participation in the census was critical, as the results determined how Congress was apportioned and how federal funds were distributed annually to state, local and tribal areas. Address canvassing was taking place right now. She noted that census workers always carried identification. One way to help ensure that everyone was counted was to form "Complete Count Committees" in communities, municipalities, cities, counties, states and tribal governments across the country. "Complete County Committees" were volunteer teams consisting of community leaders, faith-based groups, schools, businesses, media outlets and others who were appointed by elected officials and worked together to make sure entire communities were counted. She concluded that the 2010 census was safe, easy (10 questions, 10 minutes), and important.

Supervisor Brown commended Ms. Knight for an outstanding presentation. He emphasized how critical it was to complete and mail back the census forms.

Supervisor Faison asked how a person would go about working for the 2010 census? Ms. Knight advised that you could call 1-866-861-2010 or go to www.2010censusjobs.gov.

The resolution establishing a "Complete Count Committee" is as follows:

A RESOLUTION ESTABLISHING A COMPLETE COUNT COMMITTEE
AND PROCLAIMING SEPTEMBER 19, 2009
AS CENSUS 2010 KICKOFF DAY
IN SOUTHAMPTON COUNTY, VIRGINIA

WHEREAS, the decennial Census serves as the basis for the reapportionment of seats in the U.S. House of Representatives and the redrawing of legislative district boundaries in the Virginia General Assembly and is the foremost method of gathering information about our nation and our community; and

WHEREAS, census population totals are used to determine the annual distribution of billions of dollars in federal, state and local funds for major programs in areas such as transportation, education, community and health services and housing; and

WHEREAS, the Census is also used to help determine where to located roads, schools, day care centers, senior citizen centers, libraries and other facilities and is used to make decisions concerning business growth and jobs; and

WHEREAS, the Census reaches every population group from long time residents to the most recent immigrants, every age group from newborn to centenarian and every social class, racial and ethnic group, and

WHEREAS, the County of Southampton hereby establishes a Complete Count Committee charged with working with community and business organizations, the faith community, and organizations serving our diverse ethnic, racial and cultural population to encourage full participation in the 2010 Census.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors, on behalf of all the

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residents of the County of Southampton, does hereby proclaim Saturday, September 19, 2009 as Census 2010 Kickoff Day in the County of Southampton and encourages all county residents to observe this day with ceremonies, activities, and programs that raise awareness of the importance of participating in Census 2010.

Adopted this 26th day of May, 2009.

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

Moving forward, Chairman Jones recognized Mr. Charles Turner, Division Superintendent of Southampton County Public Schools.

Mr. Turner advised that Nottoway Elementary School was one of two schools selected to represent the Commonwealth at the federal review of the Virginia Reading First Program in March 2009. Reading First was an outstanding reading program for elementary school students. He stated that Ms. Debra Hicks would talk more about the Reading First program and Nottoway Elementary's success with the program. He recognized Ms. Debra Hicks (Nottoway Elementary School Principal), Ms. Kelli Gillette (Nottoway Elementary Reading Coach), Ms. Laura Vick (Southampton County Schools Reading First Contact), and Ms. Lorraine Whitehead (Nottoway Elementary School Teacher).

Ms. Debra Hicks, Nottoway Elementary School Principal, presented a PowerPoint presentation. She advised that Reading First was one component of the *No Child Left Behind Act*. It was an explicit and systematic approach to differentiating Reading Instruction based on scientifically based Reading Research through whole and small group reading and literacy stations. Its purpose was to ensure that all children in America learned to read on or above grade level by the end of third grade. Nottoway Elementary School was the recipient of a Reading First grant in June 2006. She and Mr. Thomas Santangelo (Virginia Reading First Reading Specialist), Ms. Laura Vick (Local Education Agency Representative and Title I Coordinator), and Ms. Kelli Gillette (Nottoway Elementary School Reading Coach), collaborated on the implementation of the requirements for the Reading First Program.

Ms. Hicks continued that in October 2007, as a result of model leadership, the Reading Coach and Principal were invited to serve on a panel at the State Reading First Leadership and Accountability Conference. This conference highlighted the positive and productive interaction between the Principal, Reading Coach, and staff. As a result of their success, the Reading Coach and second grade teacher, Kelly Bryant, were asked to videotape planning a lesson and teaching a small group lesson. This became a professional development video and was used to train all reading coaches throughout Virginia. Two Nottoway Elementary School teachers, Christine Majette and Staci Lanier, presented a workshop entitled, "Establishing and Maintaining Dynamic Literacy Workstations" at the 2008 Virginia School Board Association Conference. Nottoway Elementary School staff provided professional development in the area of reading for Southampton County Public Schools. Teachers, principals and assistant superintendents from other school systems visited for staff development.

Ms. Hicks advised that as a result of successful implementation of the Reading First Program, Nottoway Elementary School was one of only two schools selected from the 85 Reading First Schools in Virginia to represent the state for their federal review in March 2009. In April 2009, the U.S. Department of Education Federal Review Team and the Virginia Department of Education highly commended Nottoway Elementary School for being an excellent model for the Reading First Program. In May 2009, results of the Virginia PALS (Phonological Awareness Literacy Screening from UVA) indicated that all third grade students at Nottoway Elementary, for the first time ever, were reading on or above grade level.

The Board commended Nottoway Elementary School for their outstanding accomplishment.

Mr. Michael Johnson, County Administrator, advised that included in the agenda was a resolution commending Nottoway Elementary School for its outstanding achievement.

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Mr. Johnson read aloud the following resolution:

A RESOLUTION TO COMMEND THE STUDENTS, ADMINISTRATION AND FACULTY OF
NOTTOWAY ELEMENTARY SCHOOL FOR THEIR ACCOMPLISHMENTS IN THE “READING
FIRST” PROGRAM

WHEREAS, Nottoway Elementary School was a 2006 recipient of a “Reading First in Virginia” grant, launching an ambitious initiative to help every young child become a successful reader; and

WHEREAS, Nottoway Elementary School was one of only two schools recently chosen to represent the Commonwealth of Virginia before the United States Department of Education Federal Review Team; and

WHEREAS, Nottoway Elementary School was highly commended by federal and state officials as an excellent model for their “Reading First” program and was requested to videotape certain elements of its program in order to train other participants across the Commonwealth; and

WHEREAS, as a result of this program, all third grade students at Nottoway Elementary School were now reading at or above their grade level as indicated on the Virginia Phonological Awareness Literacy Screening; and

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

NOW THEREFORE BE IT RESOLVED that the Southampton County Board of Supervisors expresses its deepest appreciation and gratefully commends the students, administration and faculty of Nottoway Elementary School for their hard work and exceptional accomplishments associated with the “Reading First” program; and

BE IT FURTHER RESOLVED that a framed copy of this resolution shall be presented to the students, administration and faculty of Nottoway Elementary School, as visual representation of the high esteem in which they are held by the Board of Supervisors.

The Hon. Dallas O. Jones, Chairman
Board of Supervisors

ATTEST

Michael W. Johnson, Clerk

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

Proceeding to the public hearings, Mr. Johnson announced that the first public hearing was held pursuant to § 33.1-70.01, Code of Virginia, 1950, as amended to receive public comment regarding the following:

Priority List for Proposed Improvements to the Secondary and Unpaved Roads of
Southampton County and the FY 2010 Secondary and Unpaved Road Construction
Budget.

Mr. Joe Lomax, Residency Administrator of the VDOT Franklin Residency, presented the following:

District: Hampton Roads
 County: Southampton County

Board Approval Date: 2010-11 through 2014-15

Road Name		Estimated Cost		Traffic Count	
Route	Project # Description FROM TO Length	Ad Date	Scope of Work FHWA # Comments	Ad Date	Scope of Work FHWA # Comments
0671	GEN. THOMAS HWY				
17661	0671087264			PE	\$917,174
CONTRACT	RTE 671 - 5 LANES WITH TURN LANE			RW	\$273,685
STP	ROUTE 650			CN	\$6,202,895
SECONDARY - ONE	ROUTE 687			Total	\$7,393,754
HEARING DESIGN	0.9				PE FOR #3 & #5 FUNDED TO DO TOGETHER
0001.00		12/10/2013			State funds - AC for future federal conversion
0657	OLD PLACE ROAD				Revised schedule required based upon available funding
57355	0657087P73			PE	\$40,000
CONTRACT	RTE 657 - RECONSTRUCT & SURFACE TREAT			RW	\$0
S	NON-HARDSURFACED ROAD			CN	\$461,992
0001.00	EAST ROUTE 658			Total	\$501,992
NO PLAN,SECONDARY	ROUTE 693				RECONSTRUCTION - SURFACE TREATMENT
0654	2.5	3/24/2009			16016
1787	RAWLINGS ROAD			PE	\$20,000
SAAP CONTRACT	0654087P69			RW	\$18,000
S	RTE 654 - RECONSTRUCT & SURFACE TREAT			CN	\$481,731
0002.00	NON-HARDSURFACED ROAD			Total	\$519,731
4009	ROUTE 58				REMOVE FROM STORAGE IN PPMS.
-3141	0.9	8/29/2014		PE	\$0
	1204009			RW	\$0
	COUNTYWIDE TRAFFIC CALMING			CN	\$0
	VARIOUS LOCATIONS IN COUNTY			Total	\$0
9999.99					\$0 TRAFFIC CALMING MEASURES AS
4008	1204008				DETERMINED BY RESIDENCY AND DISTRICT
-3140	COUNTYWIDE RIGHT OF WAY ENGR.			PE	\$0
	VARIOUS LOCATIONS IN COUNTY			RW	\$0
				CN	\$0
				Total	\$0
9999.99					USE WHEN IMPARTIAL TO OPEN A PROJECT:
					ATTORNEY FEES and ACQUISITION COST.

4007			PE	\$0	
-3139			RW	\$0	
			CN	\$0	
			Total	\$0	TRAFFIC SERVICES INCLUDE SECONDARY SPEED ZONES, SPEED STUDIES, OTHER NEW SECONDARY SIGNS
9999.99					
4006			PE	\$0	
-3138	1204006	COUNTYWIDE FERTILIZATION & SEEDING VARIOUS LOCATIONS IN COUNTY	RW	\$0	
			CN	\$0	
			Total	\$0	FERTILIZATION AND SEEDING TO IMPROVE SLOPE STABILIZATION ON SECONDARY SYSTEM
9999.99					
4005			PE	\$0	
-3137	1204005	COUNTYWIDE ENGINEERING & SURVEY VARIOUS LOCATIONS IN COUNTY	RW	\$0	
			CN	\$0	
			Total	\$0	MINOR SURVEY & PRELIMINARY ENGINEERING FOR BUDGET ITEMS AND INCIDENTAL TYPE WORK.
9999.99					
4003			PE	\$0	
-3135	1204003	COUNTYWIDE RURAL ADDITIONS VARIOUS LOCATIONS IN COUNTY	RW	\$0	
			CN	\$0	
			Total	\$0	RURAL ADDITIONS - SECTION 33.1-72.1. ROLLOVER OF FUNDS CAN BE FOR FIVE YEARS.
9999.99					
4002			PE	\$0	
-3134	1204002	COUNTYWIDE PIPE & ENTRANCE VARIOUS LOCATIONS IN COUNTY	RW	\$0	
			CN	\$0	
			Total	\$0	INSTALLATION CHARGE FOR PIPES AT PRIVATE ENTRANCES AND OTHER MINOR DRAINAGE IMPROVEMENTS.
9999.99					

Mr. Lomax noted that he and Jerry Kee, Assistant Residency Administrator, were looking to sustain the funding stream as best they could.

He advised that Route 671, General Thomas Highway, remained the priority for paved roads. The priorities for unpaved roads, in order, were Old Place Road (Rural Rustic) which would start in 60 days, then Rawlings Road, and then Indiantown Road (1 mile section). He noted that in order to improve any unpaved roads, they would have to use funding for paved roads (Route 671).

Mr. Lomax clarified for Supervisor West that there was no state money for cost centers.

Chairman Jones opened the public hearing.

Ms. Virginia Wright spoke. She stated that she was in favor of improvements to unpaved roads, especially the improvement of the 1-mile section of Indiantown Road. Homes and cars were always dusty and there were health concerns.

Chairman Jones closed the public hearing.

Supervisor West moved, seconded by Vice-Chairman Young, to adopt the priority list and secondary road construction budget. All were in favor.

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

CUP 2009:01 Application filed by Greenwood RRST, LLC, owner, on behalf of Southampton Land Holdings LLC, owner, requesting an amendment to an existing conditional use permit and issuance of a new conditional use permit pursuant to Section 18-313 (3) of the Southampton County Code. The purpose of the application is to develop an asphalt storage facility on approximately 5 acres. The property is zoned M-2, General Industrial, and is located at 32430 Moore Lane. This application involves portions of Tax Parcels 111-12A, 111-12 and 111-12A1 which are located in the Boykins-Branchville Magisterial District and Boykins-Branchville Voting District.

Mr. Jay Randolph, Assistant County Administrator and Secretary of the Planning Commission, reported that the Planning Commission held a public hearing on this application at its May 14, 2009 meeting and recommended approval, subject to the following conditions:

1. Submittal of a site plan in accordance with the Southampton County Code, Section 18-575. Plan shall be in general conformity with the exhibit plan submitted with the conditional use permit application.
2. The hours of operation of the facility shall be from 4:00 AM until 11:00 PM.
3. The days of operation of the facility shall be Monday through Saturday.
4. The conditional use permit shall be reviewed 5 years from the date of issuance.
5. Public water supply shall be made available to the site and water plans shall be included in the overall site plan. This water supply shall include features designed for public safety responders, including a fire hydrant.
6. Safety fencing consisting of a chain link fence or other suitable material shall enclose the perimeter of the site. Safety signage and labeling of safety features and devices shall be installed at the facility.
7. Conditional use permit from Southampton County, Virginia is contingent upon compliance with all applicable State and Federal permits that may be required. Permit is contingent upon local, state, and federal safety and operations inspections.

Mr. Randolph clarified for Supervisor Brown that the length of (or expiration of) the permit was open-ended, but it would be reviewed in 5 years.

Supervisor West stated that he noticed that one of the weaknesses of the application as noted in the staff report was that, "Facilities that do not undergo routine inspections and maintenance could lead to hazardous situations." He asked, was the County involved at all in the inspection process? He understood that the state would be called upon to do some inspecting – did they only come when there was a problem or what? Mr. Randolph advised that the state issued permits for the operation of the facility, specifically related to air quality. As far as the local level, the County could be part of the inspection process, as the Board could state a specific guideline for safety inspections, including fire inspections, etc.

Supervisor West asked weren't there some holding tanks involved in this operation? He had just heard about another incident in Norfolk involving fertilizer. Corrosive things would corrode. He did not think the County had any recourse. Mr. Randolph stated that Norfolk had indeed had several accidents with tanks rupturing. He thought the state had only one inspector statewide to inspect surface tanks. At the local level, we did not have any specified inspectors for surface tanks. Supervisor West stated that as much as he wanted business and jobs, that was a red flag.

Chairman Jones advised that the applicant explained to the Planning Commission that the asphalt would have to be heated to over 250° in order for it to even move.

Mr. Randolph explained that essentially the asphalt was a semi-solid material. When it was heated to a little over 250°, it became liquefied which allowed them to pump it from the rail cars into the holding tanks. Absent any heat, it would gel back together into a semi-solid material. A substantial amount of semi-solid asphalt would be stored in the holding tanks, and when it was

heated, it would become liquid. There would be thousands and thousands of potentially liquid asphalt in the holding tanks.

Chairman Jones advised that the applicant was here and would explain the operation.

Mr. Randolph reminded that the reason this permit was before them was because our Code specifically stated that anything dealing with asphalt required a conditional use permit. The property was zoned industrial, but asphalt storage was not a by-right use, even in the industrial district. The Board had the power to impose any conditions they deemed appropriate for health and safety reasons. If they wanted monthly inspections, for example, they could impose that as a condition. How they would go about accomplishing that would be a little more difficult.

Supervisor Brown confirmed with Mr. Randolph that one of the conditions recommended by the Planning Commission was that the conditional use permit was contingent upon compliance with all applicable State and Federal permits that may be required, and that the permit was contingent upon local, state, and federal safety and operations inspections.

Chairman Jones opened the public hearing.

Mr. Wood Beasley, applicant, addressed the Board. He advised that he was the owner of Greenwood RRST (Railroad Storage Terminals), LLC, which he had operated on the property since 2000. He was trying to make his property more valuable, and currently had an opportunity for J.T. Russell Company, Inc. to put an asphalt operation on his property. He distributed booklets which contained pictures of one of J.T. Russell's asphalt operations. Mr. Paul Meyers, representative of J.T. Russell, was here this evening and would speak to what was involved in the operation.

Mr. Paul Meyers of J.T. Russell addressed the Board. He stated that he wanted the project to be an asset to Southampton County. He explained the pictures in the booklet that Mr. Beasley distributed. Page 1 showed the scales and a few storage tanks. Page 2 showed a typical hot oil heater that kept the asphalt heated to a liquid. It had multiple burners and was operated with recycled natural gas or diesel fuels. Page 3 showed a typical dual load-out facility in which two trucks could load at the same time. Page 4 showed a typical rail steam-heated facility. The piping would all be insulated and covered. The steam shown in the picture was from each car that was on the heat. The large lines on the ground were hooked to the bottom of the rail cars. When the asphalt in the rail cars was heated to about 260°, it became liquid enough to where the pump could suck it off the rail cars and put it in storage. Then they put it through a heat exchanger to boost the temperature up to about 300° where it could be put on the trailers and hauled out to the contractors. Page 5 showed a typical high-efficient boiler with a water softener. Page 6 showed a 35 hp gear-driven asphalt pump. Page 7 showed a pipe bridge over the railroad. Page 8 showed a truck that had been loaded and was on the scales waiting for a ticket. Page 9 showed a chart detailing their phasing of capital investments. If they were to construct everything today, the capital investment would be \$2.2 million. Page 10 showed a survey illustrating the extra property Mr. Beasley was acquiring for this operation, depicted by the area marked with diagonal lines.

Supervisor West asked, if the conditional use permit were approved, when would they start the project? Mr. Meyers replied that they had some things ready that they could put on the ground immediately.

Supervisor Faison asked where their asphalt operation that was illustrated in the booklet located? Mr. Meyers replied Denton, NC. Supervisor Faison asked if they had ever had an accident? Mr. Meyers replied no. He added that the steam boiler would only heat to 350° - you could not overheat the rail cars.

Supervisor Brown asked if there had been any incidents in which OSHA had to get involved? Mr. Meyers replied no.

Supervisor Brown asked about the picture of the pipe bridge on page 7 of the booklet. Mr. Meyers clarified that the bridge was over the propane tanks. Mr. Meyers confirmed for Supervisor Brown that there were no wetland issues.

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Vice-Chairman Young commented that there was an abandoned asphalt plant in the County. Mr. Meyers clarified that that plant had been used for just storage. J.T. Russell would have an operation.

Mr. Wood Beasley, applicant, advised that he would like to address the following two conditions recommended by the Planning Commission:

5. Public water supply shall be made available to the site and water plans shall be included in the overall site plan. This water supply shall include features designed for public safety responders, including a fire hydrant.
6. Safety fencing consisting of a chain link fence or other suitable material shall enclose the perimeter of the site. Safety signage and labeling of safety features and devices shall be installed at the facility.

Mr. Beasley stated that regarding condition # 5, he was actually planning to put in a well. However, Mr. Randolph had indicated that municipal water was what the Planning Commission recommended. The Director of Public Utilities estimated the cost of extending public water to the site at \$50,000. Having to pay \$50,000 was very difficult for him to do. Would the County perhaps consider a cost share? Or would the Board consider changing the wording of condition # 5 to read “an adequate water supply shall be made available to the site,” and do some more research as to what the Branchville Fire Department and Southampton County would deem to be acceptable?

Mr. Beasley advised that regarding condition # 6, it would not be a problem to fence some of the property. However, to fence the rail track and for truck drivers to have to go through a gate was problematic. He would suggest that the wording be changed to read “*safety fencing shall enclose the storage facility.*”

Mr. Randolph advised that both conditions were related to safety. The water was a safety issue. The fencing was also a safety issue, as there was the potential for people to wander onto the site.

Mr. Beasley stated that he had not had any problems with trespassers.

Mr. Randolph clarified for Supervisor Faison that there had not been enough time for staff to explore an alternate water supply.

Mr. Beasley clarified for the Board that there would be fencing around the actual operation and anything with switches would be fenced – it would be problematic for the rail track to be fenced and for truck drivers to have to go through a gate.

Chairman Jones closed the public hearing.

Supervisor Brown stated that it was unfair to require public water supply at the site when there was none available. An adequate water supply should be sufficient. It was also unfair to require fencing of the entire property when the other business on the property had not been required to be fenced.

Vice-Chairman Young agreed with Mr. Beasley in that the rail tracks did not need to be fenced.

Supervisor Brown asked, regarding an adequate water supply, adequate by whose standards? Mr. Randolph replied by the standards of Southampton County and the Branchville Volunteer Fire Department.

Supervisor Faison moved, seconded by Vice-Chairman Young, to accept the Planning Commission’s recommendation and approve the conditional use permit with modifications suggested by Mr. Beasley to conditions #5 and #6. All were in favor.

Moving forward, Mr. Johnson announced that included in the agenda was correspondence from Dr. Lisa McCoy advising that the Western Tidewater Health District’s FY 2009 state appropriation was reduced by \$33,773. Since the local appropriation was a percentage-based match, Dr. McCoy

noted that the County’s FY 2009 appropriation may be reduced by \$23,409. However, she was requesting that the District be allowed to retain the County’s full FY 2009 local appropriation, with the \$23,409 considered 100% local funding to offset increased demand for clinical services in Southampton County. She noted a 10% increase in the number of “free-care” or “no-pay” patients and a 15% increase in the number of clients seeking family planning, HIV medication assistance, adult immunizations and communicable disease clinics. Mr. Johnson advised that as this money had already been budgeted and appropriated, there were no adverse financial consequences in granting Dr. McCoy’s request and it would help ensure the continued availability of health services during this economic downturn.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to grant the Health Department’s request to retain \$23,409 as 100% of local funds. All were in favor.

Moving forward, Mr. Johnson announced that one of the major provisions of the American Recovery and Reinvestment Act (ARRA) was the creation of a summer work experience program for in-school and out-of-school youth between the ages of 14 and 24, who met the eligibility requirements of the Workforce Investment Act (WIA). Opportunity, Inc., our regional Workforce Development Agency, would pass an allocated share of the ARRA funding to member jurisdictions for their use in operating a 2009 summer work experience program including recruitment, eligibility determination, worksite identification and development of job descriptions, youth and worksite supervisor orientation, time documentation and payroll, records maintenance and reporting, etc. He advised that the program would run for 8 weeks at 35 hours a week @ \$7.25/hour for a total wage of \$2,030 per youth. Southampton County expected to receive sufficient funding to enroll thirteen (13) summer youth workers in the program. Mr. Jay Randolph, Assistant County Administrator, was in the process of planning the details of the program and would assume general responsibility for running the program this summer. He informed that in order to access the federal funding for the program, Southampton County was required to enter into a Memorandum of Understanding (MOU) with Opportunity, Inc., a copy of which was included in the agenda. The MOU defined the scope of activity, reporting requirements, payment provisions and records retention responsibilities.

The Memorandum of Understanding is as follows:

MEMORANDUM OF UNDERSTANDING
AMERICAN RECOVERY AND REINVESTMENT ACT
2009 SUMMER YOUTH WORK EXPERIENCE PROGRAM

- 1) PARTIES: The parties to this Memorandum of Understanding (MOU) are Opportunity Inc. of Hampton Roads, on behalf of The Hampton Roads Workforce Development Board (HRWDB) and as the designated fiscal agent for Virginia Local Workforce Investment Area (LWIA)16, **and** the (City/County of)....., hereinafter referred to as the “Jurisdiction”.
- 2) PURPOSE: The purpose of this MOU is to provide federal funds authorized for LWIA 16 under the American Recovery and Reinvestment Act (ARRA) to the Jurisdiction to directly operate a summer work experience program for eligible youth during the period of to, in accordance with the Jurisdiction’s approved program plan, which is incorporated herein by reference. This arrangement is authorized under Section 664.610 of the WIA Regulations. The Jurisdiction will be considered a sub-recipient of federal funds for the purpose of this MOU.
- 3) PERIOD OF PERFORMANCE: This MOU is effective on and will end on September 30, 2009, unless otherwise modified or terminated.
- 4) SCOPE OF WORK ACTIVITIES: The following is a list of the work activities to be conducted by the Jurisdiction in support of the direct operation of their 2009 ARRA Summer Youth Work Experience Program:
 - A. Recruit youth for participation in the program and determine, verify and document program eligibility, in accordance with WIA youth rules, requirements and guidelines, as amended to reflect the ARRA. It is envisioned that a minimum of.....youth will participate in the Jurisdiction’s program.

B. Identify worksites, develop participant job descriptions, assign youth to specific worksites, conduct supervisor and participant orientations prior to the commencement of worksite activities and coordinate the overall program throughout the summer months.

Worksites must be safe; have adequate supervision; provide age appropriate activities and responsibilities that reinforce the rigors, demands, rewards and sanctions associated with holding a job; offer an appropriate level of work responsibilities so that the youth is not idle and that a “full day” of work is provided; and, otherwise provide a meaningful opportunity for the youth to learn “first hand” about the world of work. Worksites will primarily be arranged with Jurisdiction departments and agencies and the school system, although they may be arranged with non-profit and other employers within the community. The Jurisdiction is encouraged to develop worksites that provide exposure to “Green”, technology related and other high demand/high growth jobs, to the fullest extent possible. It is recommended that the Jurisdiction develop a worksite agreement with organizations outside of their span of control.

Worksite arrangements may not displace current employees or replace the work of employees who have experienced layoff. In addition, the ARRA stipulates that worksites are not to be located at any casino or gambling establishment, aquarium, zoo, golf course or swimming pool.

C. Conduct work readiness training and related pre and post assessments for participants, in accordance with the requirements set by Opportunity Inc. This can be conducted in conjunction with worksite activities and may be provided directly by the Jurisdiction or other qualified third party of the Jurisdiction’s choosing.

D. Maintain a payroll system and make direct payments to participants for participation in the program.

E. Develop an Individual Service Strategy (ISS) for each participant.

F. Provide reporting regarding participant and other programmatic activities.

Note: Please reference Opportunity Inc. ARRA Guidance Documents #1 and #2, with regard to the above.

- 5) **REPORTING:** The Jurisdiction will provide required participant data to Opportunity Inc. through the use of standard reporting forms, in order to meet HRWDB, State and federal reporting requirements. These forms will be provided to the Jurisdiction by Opportunity Inc. and will cover information related to participant registration, enrollment and exit transactions and will be due to Opportunity Inc. within five (5) calendar days after the transaction date and may either be submitted electronically or through hard copy. Opportunity Inc. will be responsible for entering the data into the Virginia Workforce Network (VWN) automated reporting system and for all other reporting to State and federal authorities.
- 6) **PAYMENT:** Opportunity Inc. will provide up to an overall amount of \$.....to provide for the Scope of Work Activities specified herein. Of this amount, up to \$.....is available for direct payments to youth participants, plus any additional expenditure(s) that may be required by any federal, State or local jurisdiction in regards to these payments. The remaining amount of up to \$ is available for operational costs, including participant work readiness training. The Jurisdiction will submit monthly invoices to Opportunity Inc. for the costs of work readiness training and other operational costs within twenty (20) calendar days after the end of each month. Invoices for direct payments to youth participants and related expenditures should be submitted to Opportunity Inc. based on the schedule required under Clause 4.D. of this MOU. A minimum of 30% of the payments made to the Jurisdiction under this MOU must be for services to eligible Out of School Youth, as defined in ARRA Guidance Document #1. No equipment with a unit cost of \$5,000 or more may be purchased with funds provided under this MOU. Opportunity Inc. will provide invoice forms, participant time and attendance forms and any other related forms and schedules for the Jurisdiction to use and to submit to Opportunity Inc, upon request.
- 7) **NOTICES:** All invoices for payment and other correspondence will be sent to Opportunity Inc. at the following address:

Attn: Finance Office
Suite 700
500 East Plume Street

Norfolk, Virginia 23510

All payments and other correspondence will be sent to the Jurisdiction at the following address:

Attn:
.....
.....

- 8) APPLICABLE LAWS AND RULES: This MOU will be governed by the Laws of the Commonwealth of Virginia; the Workforce Investment Act (WIA) and the American Recovery and Reinvestment Act (ARRA), as applicable; applicable federal and State requirements; and, ARRA guidance documents provided to the Jurisdiction, external to this MOU. In addition, the activities conducted under this MOU will comply with all federal and State statutes relating to equal opportunity and non-discrimination, as appropriate.
- 9) MODIFICATION AND TERMINATION: This MOU may be modified or terminated at any time with the mutual agreement of the parties hereto, in writing. This MOU may be terminated in whole or in part or may be curtailed in whole or in part by Opportunity Inc. in the event that available funding is terminated, restricted or reduced in any manner or amount by federal or State funding agency.
- 10) OVERSIGHT: Opportunity Inc. will conduct a monitoring review of the Jurisdiction's 2009 ARRA Summer Youth Work Experience Program in order to ensure basic compliance with the appropriate rules and requirements. This activity will not disrupt any programmatic activities and prior notice will be provided.
- 11) RECORDS MAINTENANCE: The Jurisdiction will retain all participant and financial records relative to this MOU for a four (4) year period following its ending date or until audited, whichever is greater. With notice, Opportunity Inc, its authorized representatives and/or State and federal auditors or monitors will have the right to examine said records during said period, should the need to do so arise.

IN WITNESS THEREOF, the Parties hereto shall set their signatures to document agreement with the aforementioned terms, conditions and stipulations and to execute this MOU, as of the date written above.

JURISDICTION

OPPORTUNITY INC.

.....
.....

.....
Judy Begland
President & CEO

Supervisor Brown asked if the criteria or eligibility requirements basically pertained to at-risk youth? Mr. Johnson replied yes. He added that they would be talking with Social Services and the School Board for recommendations. Supervisor Brown stated that they should also talk to the courts, as offender was listed as one of the eligibility requirements. Mr. Johnson clarified that Social Services had a Community Policy and Management Team that would have knowledge of youth offenders and could provide a recommendation.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to authorize the County Administrator to execute the Memorandum of Understanding. All were in favor.

Moving forward, Mr. Johnson announced that the General Assembly passed legislation effective July 1, 2007, allowing Political Subdivisions of the Virginia Retirement System to elect to provide for its law enforcement employees a retirement allowance that was equivalent to that received by members of the Virginia State Police, which equaled the amount of creditable service multiplied by 1.85 percent of average final compensation. Currently the multiplier for Deputy Sheriffs in Southampton County was 1.70%, the same ratio utilized for non-law enforcement personnel. The expense for this additional benefit for law enforcement personnel was included in the FY 2010 annual budget adopted earlier today as reflected by a small fraction of the overall 10.54% VRS

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contribution rate. In order to officially extend the benefit, it was necessary to adopt the resolution included in the agenda.

The resolution is as follows:

RESOLUTION
Political Subdivision – Section 138 Covered Employees
Retirement Multiplier of 1.85%

At the regular meeting of the Southampton County Board of Supervisors held on the 26th day of May, 2009 in the Board of Supervisors Meeting Room of the Southampton County Office Center, Courtland, Virginia:

On motion of Supervisor Young, seconded by Supervisor West, it was resolved that the Board of Supervisors adopts the following resolution:

WHEREAS, the Southampton County Board of Supervisors has elected to provide the enhanced benefits described in § 51.1-138, subsection B to selected public safety employee groups, such benefits being referred to collectively as “Section 138 Coverage”, and

WHEREAS, the Virginia General Assembly passed legislation effective July 1, 2007, allowing Southampton County to elect to provide for its employees with Section 138 Coverage a retirement allowance equal to the amount of creditable service multiplied by 1.85 percent of average final compensation as provided in clause (ii) in subsection A (1) of § 51.1-206 (the “1.85 Multiplier”); and

WHEREAS, Southampton County desires to make this irrevocable election effective July 1, 2009 and provide the 1.85 Multiplier to its employees that now have, or may in the future be given, Section 138 Coverage;

NOW, THEREFORE, IT IS RESOLVED, that Southampton County elects to establish the 1.85 Multiplier for all employees who are now, or who may be in the future, provided Section 138 Coverage; and it is further

RESOLVED, that Southampton County agrees to pay the employer cost for providing the 1.85 Multiplier to all employees who are now, or who may be in the future, provided Section 138 Coverage, pursuant to this irrevocable election; and it is further

RESOLVED that Michael W. Johnson, County Administrator, and Julia G. Williams, Finance Director, are authorized and directed in the name of the County to execute any required contract to carry out this irrevocable election, and to do any other thing, or things, incident and necessary in the lawful conclusion of this matter. The seal of Southampton County shall be affixed to any such contract and attested by the Clerk, and the Treasurer of the County is authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as may be required to be paid by Southampton County or its employees for this purpose.

Aye: Supervisor(s) Jones, Young, Brown, Felts, Faison, West and Wyche.

Nay: None.

CERTIFICATE

I, Michael W. Johnson, Clerk of the Southampton County Board of Supervisors, certify that the foregoing is a true and correct copy of the resolution passed at a lawfully organized meeting of the Board of Supervisors held at Courtland, Virginia, at 6:00 p.m. on May 26, 2009. Given under my hand and seal of the County this 1st day of June, 2009.

Michael W. Johnson, Clerk
Southampton County Board of Supervisors

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

Moving forward, Mr. Johnson announced that included in the agenda was a copy of the Southampton County Planning Commission's report regarding preliminary plat approval for a small subdivision by Ronald Parsons on Shady Brook Trail. In accordance with § 15.2-2259 of the Code of Virginia, approval of subdivision was classified as a ministerial act, meaning that the Board had no authority to exercise its discretion while reviewing plats. The purpose of subdivision plat review was only to insure that the proposed development complied with all existing ordinances. If a plat was denied, the Board was required to specifically identify the requirement that was unsatisfied and explain what the applicant must do to satisfy the requirement. He advised that this plat depicted five (5) residential building lots located just off of Shady Brook Trail, on a 22 acre parent parcel, ranging in size from a minimum of 1.038 acres to a maximum of 16.347 acres, acceptable standards in a Residential R-1 zoning district. The lots were proposed to be served by a private well and individual septic systems. The Planning Commission recommended approval of the preliminary plat. Once the preliminary plat was approved, the developer had 6 months to prepare a final plat, detailed civil drawings for site improvements, and to make satisfactory arrangements for surety to warrant installation of all improvements. The final plat was then reviewed by the Board, and, if approved, must be recorded within 60 days of final approval.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to accept the Planning Commission's recommendation and approve the preliminary plat. All were in favor.

Moving forward, Mr. Johnson announced that as shared last month, he had asked Mr. Robert Barnett, Director of Community Development, and Mr. Jay Randolph, Assistant County Administrator, to survey area localities in order to compare our current fee schedules associated with growth and development activities (building permits, planning/zoning applications, plat approval, site plan reviews, water/sewer facility fees, etc.) Not surprisingly, a number of our fees were outdated, and in some cases no longer covered our actual costs in providing the review and/or service. Included in the agenda were several ordinance amendments which, if adopted, would increase certain fees associated with new growth and development. Included were:

1. Section 4-26 to 4-34 – building, electrical, plumbing and mechanical permits;
2. Section 14-41 – subdivision plat examination and approval fees;
3. Section 18-575 – site plan review fees;
4. Section 16-213 – utility deposits;
5. Section 16-204 – water facility fees;
6. Section 16-214 – sewer facility fees.

He advised that given the slow economy, none of these amendments were expected to have a major fiscal impact in FY 2010 and no additional revenue was budgeted for these fee increases – however, adoption of the ordinances would position us to better recover our costs, once the economic climate improved.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to authorize the County Administrator to advertise the proposed ordinance amendments for public comment at the next regular meeting on Monday, June 22, 2009. All were in favor.

Accordingly, First Readings were held on the following ordinance amendments:

Section 4-26 to 4-34 – building, electrical, plumbing and mechanical permits.

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

Article II Permit Fees

For state law as the authority of the county to levy permit fees, see the Code of Virginia, Section 36-105, Section 108 of the (U.S.B.C.) Uniform Statewide Building Code.

Section 4-26 Permit Not Issued Until Fees Paid, Minimum Fee

No permit to begin work for construction, alteration, removal, installation or other building operation that requires a permit shall be issued until the prescribed fee in this article shall have been paid to the Department of Community Development.

Section 4-27 The minimum permit fee for any permit shall be twenty (\$20.00)
Proposed fee: \$25.00

Section 4-28 Fees For Construction prior to the Application for Building Permits.

Fees for work started prior to the application for any permit shall be based on the administrative cost of a minimum fee of **\$50.00 and no more than 50% percent of the total cost of the required permit which ever is greater.**

Section 4-29 **DELETED**

Section 4-30 Reinspection for any Permit Issued

Whenever the Codes Inspector shall determine that inspections, in addition to those required in this division, are necessary, due to the failure of a contractor to properly in stall work according to codes, correct faulty work, or when a contractor has requested an inspection before the work to be inspected has been completed to the degree required, or where the inspector can not obtain reasonable access to the work to be inspected, the inspector shall assess a service charge of twenty, (\$20.00) dollars **(Proposed Fee: \$40.00)** Such charge shall be chargeable to the holder of the permit covering such work and shall be paid to the County at the Department of Community Development of such work.

Section 4-31 Building Permit Fee Schedule

- | | | | |
|----|--|----------|-------------------------------|
| A. | Minimum Permit Fee | \$20.00 | Proposed Fee: \$25.00 |
| B. | Reinspection Fee | \$20.00 | Proposed Fee: \$40.00 |
| C. | Demolition Permit Fee | \$20.00 | Proposed Fee: \$40.00 |
| D. | For Each Application for a
Modification of the U.S.B.C. | \$25.00 | Proposed Fee: \$50.00 |
| E. | The Building Official may authorize the refunding of any permit fee paid pursuant to this chapter upon application by the person who paid such fee under the following provisions: | | |
| | (1.) If an applicant requests in writing the cancellation of a permit prior to the start of construction or to requesting inspection, the permit fee, less a Service Charge of twenty (\$20.00) (Proposed Fee:\$40.00) and the review fee, if applicable, shall be refunded. | | |
| | (2.) If an applicant requests in writing the cancellation of a permit after the work authorized by the permit has begun and inspections have been made, the permit fees less a \$20.00 Service Charge (Proposed Fee: \$40.00) , and a \$20.00 Service Charge (Proposed Fee:\$40.00) for each inspection made and plans review fee if applicable shall be refunded. | | |
| | (3.) The above provisions notwithstanding, no refund shall be made if six (6) months have expired since the issuance of the permit (s). | | |
| F. | For each appeal to the Building Code Board of Appeals
the fee shall be. | \$100.00 | Proposed Fee: \$300.00 |
| G. | For plan review conducted by the local building
department for residential and accessory Structures | \$10.00 | Proposed Fee: \$50.00 |
| | All Non-Residential Reviews | \$25.00 | Proposed Fee: \$200.00 |
| H. | Certificate of Occupancy Issuance | \$10.00 | Proposed Fee: \$20.00 |
| I. | Permit renewal Fee | \$25.00 | Proposed Fee: \$50.00 |

- J. Basic Permit Fee
 - 1. Usable area under the roof, per building or structure finished or unfinished for new construction and for the construction of any building or addition thereto where the floor area is increased, the fee shall be based on the floor area to be constructed as computed from the exterior dimensions.
 - (a.) All building of any construction type for the first 40,000 square feet shall be computed at **\$0.09 (Proposed Fee: \$0.12)**
 - (b.) All buildings over 40,000 square feet shall be computed at **\$0.08 per square foot (Proposed Fee: \$0.09 per square foot.)**
 - 2. All other structures not under roof - for instance - decks, patios, ramps, loading docks, etc., shall be computed as **\$0.08 per square foot. (Proposed Fee: \$0.09 per square foot)**
- K. Alterations to shell buildings, unfinished attics, tenant spaces and garages to create finished space shall be computed at **\$0.08 per square foot. (Proposed Fee \$0.09 per square foot)**
- L. All other structures as defined in the Uniform Statewide Building Code not included in the above fee schedule (includes piers, trestles, bulkheads, reroofing, exterior siding, fire damage, general repairs, below ground swimming pools, towers, steeples and alterations to any previously finished spaces: **Fee shall be \$20.00 (Proposed Fee: \$25.00), up to and including the first one thousand (\$1,000.00) valuation. Above \$1000.00 the fee shall be \$20.00 (Proposed Fee \$25.00) plus \$6.00 (Proposed Fee: \$8.00) per thousand or fraction thereof.**
- M. Structure Relocation Permit Fee
 - (a.) Relocating a structure to a location within the County - Same as Basic Permit Fee J (A)
 - (b.) Relocating a structure to a location outside of the County - \$25.00 **(Proposed Fee:\$50.00)**
- N. Modular Construction Permit Fee: Same as Basic Permit Fee - J (a)
- O. Manufactured Home Permit Fees:
(Installation or Replacement)
 - (a.) Same as Basic Permit Fee: - J (a)
- P. Tents or other Temporary Structure **Permit Fee: \$25.00 each. (Proposed Fee: \$40.00)**
- Q. Chimneys, Fireplaces, Wood and Coal Burning Stove and other Solid Fuel Burning Heaters Permit Fees:
Up to and including the first thousand dollars (\$1,000.00) the fee shall be \$20.00, (Proposed Fee: \$ 25.00) plus \$6.00 (Proposed Fee: \$8.00) per thousand or fraction thereof.
- R. Sign Permit Fee:
Base permit fee shall be \$35.00 (Proposed Fee: \$50.00)

In addition to the main sign for the address, the base fee includes all signs with a square footage sign face area of ten square feet or less for each sign (includes entrance-exit and directional signs)

For erection and relocation of signs, fee is determined by base fee plus area fee.

Area shall be determined by total square footage area of all sign faces.

0 - 25	square feet	\$10.00	(Proposed Fee: \$20.00)
25 - 49	square feet	\$11.00	(Proposed Fee: \$21.00)
50 - 74	square feet	\$13.00	(Proposed Fee: \$23.00)
75 - 99 s	square feet	\$15.00	(Proposed Fee: \$25.00)

100 - 299	square feet	\$25.00	(Proposed Fee: \$35.00)
299 & Over	square feet	\$50.00	(Proposed Fee: \$60.00)

S. Review of Application For Permit Review: **Fee: \$20.00** (Proposed Fee: \$25.00)

T. Zoning Permits for other than Residential Construction: **Fee: \$20.00** (Proposed Fee: \$25.00)

Section 4-32 Electrical Permits

- A. Temporary Service Permit Fee: \$25.00 (Proposed Fee: \$35.00)
- B. Permit Renewal Fee: \$25.00 (Proposed Fee: \$50.00)
- C. Single Wide & Double Wide Service Fee: \$25.00 (Proposed Fee: \$30.00)
- D. Energy Conservation Devices Provided by publicly owned utilities. \$5.00 Each (Proposed Fee: \$10.00 Each)
- E. New Service Permit Fees: **(New construction fees based on total ampacity of service equipment)**

0 - 125 Amps		\$35.00	(Proposed Fee: \$45.00)
126 - 150	Amps	\$40.00	(Proposed Fee: \$50.00)
151 - 200	Amps	\$50.00	Proposed Fee: \$60.00
Over 200	Amps	\$50.00	Proposed Fee: \$60.00, plus \$10.00 (Proposed Fee: \$15.00 per 50 amps or fraction thereof.

F. Relocation of Existing Services and Service Increases.

- A. Relocate or replace existing meter or service equipment. Fee: \$20.00 (Proposed Fee: \$30.00)
- B. Service Increase (Service and service equipment only)

Up to 200 Amp Increase.	Fee: \$50.00	(Proposed Fee: \$60.00)
Over 200 Amp Increase.	Fee: \$50.00	(Proposed Fee: \$60.00)

Plus \$10.00 per 50 amps or fraction thereof over 200 amps.
(Proposed Fee: \$15.00)

G. Installation of fire alarms, burglar alarms, swimming pool systems, electrical signs and sight lighting. **\$20.00, (Proposed Fee: \$25.00) for the first one thousand (\$1,000.00) valuation, plus \$6.00, (Proposed Fee: \$8.00) for each \$1,000.00 or fraction thereof.**

- H. Fixed Appliance and Equipment Connections
 - A. Domestic **\$5.00 Each** (Proposed Fee: \$ 10.00)
 - B. Commercial **\$10.00 Each** (Proposed Fee: \$15.00)

I. Power Consuming Outlets **(Receptacles & Lights)**
Fee: \$30.00 per structure (Proposed Fee: \$50.00)

J. Electric Motor Installation or Replacements:

Up to and including 3/4 H.P.	\$8.00	(Proposed Fee: \$10.00)
Over 3/4 H.P. to 10 H.P.	\$15.00	(Proposed Fee: \$25.00)
10 H.P. to 25 H.P.	\$25.00	(Proposed Fee: \$35.00)
25 H.P. to 50 H.P.	\$50.00	(Proposed Fee: \$60.00)
50 H.P. to 75 H.P.	\$75.00	(Proposed Fee: \$85.00)
75 H.P. to 100 H.P.	\$ 100.00	(Proposed Fee: \$110.00)
Over 100 H.P. Fee plus \$1.00 per H. P. over 100	\$100.00	(Proposed Fee: \$110.00)

K. Generators:

Up to 10,000 Watt	Fee: \$50.00	Proposed Fee: \$100.00
Over 10,000 Watt	Fee: \$75.00	Proposed Fee: \$150.00

Section 4-33 Plumbing Permit Fees:

- A. Permit Renewal Fee: \$ 25.00 (Proposed Fee: \$50.00)
- B. Single wide and Double wide water service and DWV hookup. Fee: \$20.00 (Proposed Fee: \$30.00)
- C. Basic Permit Fee: **Installation, Conversion Replacement**
 - 1. For each fixture, floor trap, appliance or Hose Bib: **Fee: \$5.00** (Proposed Fee: \$10.00)
 - 2. Water service and distribution system. **Fee: \$ 8.00** (Proposed Fee: \$10.00)
 - 3. DWV System **Fee: \$ 10.00** (Proposed Fee: \$15.00)
 - 4. Sewers, storm or sanitary manholes ,area drains or devices. **Fee: \$10.00** (Proposed Fee: \$15.00)
 - 5. Backflow preventors or vacuum breakers.
 - 1-5 **Fee: \$5.00** (Proposed Fee: \$10.00)
 - Over 5 **Fee: \$5.00, (Proposed Fee \$10.00 plus \$0.50 each (Proposed Fee: \$1.00 each**

Section 4-34 Mechanical Permit Fees:

- A. Permit Renewal Fee. **Fee: \$25.00** (Proposed Fee: \$50.00)
- B. Fuel Piping Permit Fee:
 - 1. L.P.G. (i.e. butane, propane, etc.) Tanks and associated piping permit fee:
 - 0 - 500 gallons **Fee: \$ 25.00** (Proposed Fee: \$50.00)
 - 501 - 2000 gallons **Fee: \$ 30.00** (Proposed Fee: \$60.00)
 - Over 2000 gallons **Fee: \$ 40.00** (Proposed Fee: \$80.00)
 - 2. Tanks and associated piping for flammable liquids permit fee: (**installation or upgrading**)
 - 0 - 10,000 gallons **Fee: \$40.00** (Proposed Fee: \$60.00)
 - 10,001 - 20,000 gallons **Fee: \$50.00** (Proposed Fee: \$70.00)
 - 20,001 - 50,000 gallons **Fee: \$60.00** (Proposed Fee: \$80.00)
 - Over 50, 000 gallons **Fee: \$70.00** (Proposed Fee: \$90.00)
- C. Fuel UST Corrective Action Permit Fee:
 - 3. Removal of UST- **Fee: \$25.00** (Proposed Fee: \$100.00)
 - 4. Temporary Closure of a UST. **Fee:\$15.00** (Proposed Fee: \$25.00)
 - 5. Permanent closure or change in service. **Fee: \$25.00 for first tank (Proposed Fee: \$100.00 plus \$20.00 for each additional tank. Proposed Fee: \$25.00**
- D. Fire Suppression System Fee:
 - Up to \$1000.00 value the fee is: \$20.00 (Proposed Fee: \$25.00)
 - Over \$1000.00 value the fee is : \$20.00 (Proposed Fee: \$25.00), plus \$6.00 (Proposed Fee: \$8.00) per thousand or fraction thereof.
- E. Elevators, Dumbwaiters, moving stairways and Conveying Equipment Permit Fee: \$20.00 (Proposed Fee: \$25.00) plus \$6.00 (Proposed Fee: \$8.00) or fraction thereof.
- F. Mechanical System Permit Fees:

Air conditioning, gas heating, oil heating and heat pumps (fees do not include electrical or fuel piping permits)

Residential- Up to and including \$1,000.00 valuation \$ 25.00 proposed Fee: \$35.00. Above \$1000.00 valuation \$25.00 (Proposed Fee: \$35.00, plus \$8.00 (proposed Fee: \$9.00 for each additional \$1,000.00 or fraction thereof.

Commercial- Up to and including \$1000.00 valuation \$40.00 (Proposed Fee: \$80.00. Above \$1000.00 valuation \$40.00 (Proposed Fee: \$80.00, plus \$8.00 (Proposed Fee: \$9.00 for each additional thousand or fraction thereof.

G. Commercial Range Hood Permits Fees:

Up to and including \$1000.00 valuation \$40.00(Proposed Fee: \$80.00). Above \$1,000.00 valuation \$40.00 (Proposed Fee \$80.00 plus \$8.00 (Proposed Fee: \$9.00 for each additional \$1,000.00 or fraction thereof.

H. Amusement Device Permit Fee:

Kiddie Rides	Fee: \$15.00 Each	(Proposed Fee: \$25.00 each)
Major Rides	Fee: \$20.00 Each	(Proposed Fee: \$35.00 each)
Spectacular Rides	Fee: \$45.00 Each	(Proposed Fee: \$55.00 Each)

Section 14-41 – subdivision plat examination and approval fees.

AN ORDINANCE INCREASING THE FEES FOR EXAMINATION AND APPROVAL OF SUBDIVISION PLATS

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. 14-41. Fees for examination and approval.

There shall be a charge for the examination and approval or disapproval of every plat reviewed by the agent. At the time of filing the preliminary plat, the subdivider shall deposit with the agent checks payable to the treasurer in the amount of ~~twenty five dollars (\$25.00)~~ *one hundred dollars (\$100.00) plus ten dollars (\$10.00) per lot* for plats containing up to five (5) lots and ~~one hundred dollars (\$100.00)~~ *three hundred dollars (\$300.00) plus ten dollars (\$10.00) per lot* for plats containing more than five (5) lots.

A copy teste: _____, Clerk
Southampton County Board of Supervisors
Adopted :

Section 18-575 – site plan review fees.

AN ORDINANCE INCREASING THE FEE FOR SITE PLAN REVIEW

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. 18-575. Site plan review required for certain uses.

For the purposes of assuring careful use of difficult topography and good arrangement, appearance, function, and harmony with surroundings and adjacent uses and the objectives of the comprehensive plan, and compliance with the requirements of these regulations, site plans for the following major uses shall be submitted and reviewed in accordance with the requirements and procedures of this article:

- (1) Uses which require approval of a conditional use permit.
- (2) Cluster subdivisions or subdivisions which average lot area or utilize flag lots.
- (3) Planned housing developments.
- (4) Manufactured home parks or subdivisions.
- (5) Multiple-family dwellings, townhouses or attached two-family dwellings.
- (6) Shopping centers.
- (7) Business buildings, office buildings, commercial buildings, or industrial buildings, if such buildings are to contain more than five thousand (5,000) square feet of floor area and/or drive-in facilities, all types.
- (8) Any parking lot or parking facility which is to contain more than ten (10) spaces.
- (9) All uses which utilize common facilities such as entrances and exits, parking and loading facilities.
- (10) Any use noted as subject to site plan review.

The fee for a site plan review is ~~fifty dollars (\$50.00)~~ *two hundred fifty dollars (\$250.00) plus ten dollars (\$10.00) per acre*; this does not apply to uses that require a conditional use permit.

A copy teste: _____, Clerk
Southampton County Board of Supervisors
Adopted :

Section 16-213 – utility deposits.

AN ORDINANCE INCREASING THE DEPOSIT FOR NEW UTILITY ACCOUNTS

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. 16-213. Same—Rate schedule, deposit.

(b) An advance, noninterest bearing, deposit of ~~seventy five dollars (\$75.00)~~ *one hundred twenty five dollars (\$125.00)* shall be made for all new accounts, for all accounts for which a different owner or tenant becomes responsible and for all accounts where water service is resumed after having been discontinued for nonpayment of sewage disposal charges. Such deposit shall be returned, upon written application of the customer, after not more than two (2) years of satisfactory credit have been established. Should an account become two (2) months delinquent, the deposit shall be forfeited in addition to other penalties described in section 16-215 herein below.

A copy teste: _____, Clerk
 Southampton County Board of Supervisors
 Adopted :

Section 16-204 – water facility fees and Section 16-214 – sewer facility fees.

AN ORDINANCE TO INCREASE WATER AND SEWER FACILITY FEES

BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that the Southampton County Code be, and hereby is amended and reordained so as to amend Article V, Chapter 16, Section 16-204, et seq. and reading as follows:

CHAPTER 16
 ARTICLE V
 Fees; Service Charges

Sec. 16-204. Water charges generally.

(d) In addition to the connection fee set forth in subsection (a), (b) or (c) of this section, at the time a building permit is obtained from the county, each applicant shall pay a facility fee to reimburse the county for system capacity that is made available for the intended use, in accordance with the following schedule:

USE	TYPE OF CONNECTION	FACILITY FEE
Single family dwelling	5/8" or 3/4" water tap	\$1,500.00 \$4,000.00
Single family dwelling	1" water tap	\$2,500.00 \$5,000.00
Mobile homes	5/8" or 3/4" water tap	\$1,500.00 \$4,000.00
Duplex, townhouse or apartment	5/8" or 3/4" water tap	\$1,500.00 per unit \$4,000 per unit
Duplex, townhouse or apartment	1" water tap	\$2,500.00 per unit \$5,000.00 per unit
Motels and hotels	varies	\$500 per unit \$1,200.00 per unit
Commercial, industrial or institutional	5/8" or 3/4" water tap	\$1,500.00 \$4,000.00
Commercial, industrial or institutional	1" water tap	\$2,500.00 \$5,000.00
Commercial, industrial or institutional	1 ½" water tap	\$5,000.00 \$7,500.00
Commercial, industrial or institutional uses	2" water tap	\$8,000.00 \$12,000.00
Commercial, industrial or institutional uses	3" water tap	\$15,000.00 \$18,000.00
Commercial, industrial or institutional uses	4" water tap	\$25,000.00 \$30,000.00

Sec. 16-214. Sewer charges generally.

(c) For residential subdivisions where sewerage collection lines have been installed at the expense of the developer in accordance with county standards, and such collection lines have been dedicated to and accepted by the county, the sewerage connection fee shall be ~~one hundred dollars (\$100.00)~~ *three hundred dollars (\$300.00)* per building lot.

(e) In addition to the connection fee set forth in subsection (a), (b), (c), or (d) of this section, at the time a building permit is obtained from the county, each applicant shall pay a facility fee to reimburse the county for sewer system capacity that is made available for the intended use, in accordance with the following schedule:

USE	TYPE OF CONNECTION	FACILITY FEE
Single family dwelling	5/8" or 3/4" water tap	\$2,000.00 <i>\$6,000.00</i>
Single family dwelling	1" water tap	\$3,000.00 <i>\$9,000.00</i>
Mobile homes	5/8" or 3/4" water tap	\$2,000.00 <i>\$6,000.00</i>
Duplex, townhouse or apartment	5/8" or 3/4" water tap	\$2,000.00 per unit <i>\$6,000 per unit</i>
Duplex, townhouse or apartment	1" water tap	\$3,000.00 per unit <i>\$9,000.00 per unit</i>
Motels and hotels	varies	\$500 per unit <i>\$1,200.00 per unit</i>
Commercial, industrial or institutional	5/8" or 3/4" water tap	\$2,000.00 <i>\$6,000.00</i>
Commercial, industrial or institutional	1" water tap	\$3,000.00 <i>\$9,000.00</i>
Commercial, industrial or institutional	1 1/2" water tap	\$5,000.00 <i>\$10,000.00</i>
Commercial, industrial or institutional uses	2" water tap	\$8,000.00 <i>\$15,000.00</i>
Commercial, industrial or institutional uses	3" water tap	\$15,000.00 <i>\$20,000.00</i>
Commercial, industrial or institutional uses	4" water tap	\$25,000.00 <i>\$30,000.00</i>

Moving forward, Mr. Johnson announced that in accordance with our adopted procedures for PPEA proposals, he had contracted with the Timmons Group and McGuireWoods, LLP to review the conceptual proposal for development, construction and operation of a wetland and stream mitigation bank by Environmental Banc & Exchange, LLC/Shamrock Environmental Corporation. He reminded that each Board member was provided a copy of the proposal at last month's meeting. He advised that a copy of the Timmons Group report was included in the agenda. They were recommending that the County advance the process by requesting submittal of a detailed proposal. In order to accomplish that, it was necessary for the Board to officially make a determination by adopting the resolution included in the agenda.

The resolution is as follows:

**BOARD OF SUPERVISORS
SOUTHAMPTON COUNTY, VIRGINIA**

RESOLUTION 0509-15

At a regular 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 Tuesday, May 26, 2009 at 6:00 p.m.

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:REQUEST FOR DETAILED PHASE PROPOSAL UNDER THE PUBLIC-PRIVATE EDUCATION FACILITIES AND INFRASTRUCTURE ACT

Motion by Supervisor _____:

WHEREAS, the Board of Supervisors published a solicitation for development, construction and operation of a wetland and stream mitigation bank encompassing approximately 230+/- acres, located off of Rose Valley Road west of the City of Franklin, Virginia; and

WHEREAS, one proposal was submitted in response to the solicitation by Environmental Banc & Exchange, LLC/Shamrock Environmental Corporation on April 24, 2009; and

WHEREAS, the Board of Supervisors accepted the proposal for conceptual phase review at its regular session on April 27, 2009; and

WHEREAS, a technical review of the conceptual proposal by The Timmons Group, dated May 21, 2009 found the conceptual proposal to be technically adequate.

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

- (1) The Board invites Environmental Banc & Exchange, LLC/Shamrock Environmental Corporation to submit a detailed phase proposal in order to better define the scope of work/services and associated costs;
- (2) The Board authorizes and directs the County Administrator to proceed in negotiating the terms and provisions of an interim and/or comprehensive agreement, subject to final approval by the Board.

Seconded by Supervisor _____.

VOTING ON THE ITEM: YES –
NO –

A COPY TESTE:

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

Vice-Chairman Young moved, seconded by Supervisor West, to adopt the resolution inviting Environmental Banc & Exchange, LLC/Shamrock Environmental Corporation to submit a detailed proposal for the improvements described above. All were in favor.

Moving to the citizen request to address the Board, Chairman Jones recognized Mrs. Jenny Bunn.

Mrs. Bunn stated that she wanted to talk to them about coyotes. She advised that 2 weeks ago, she had an encounter with a coyote that left her frightened and concerned for the safety of the citizens in the County. At 2:30 PM, a coyote came into her yard within 20 feet of her back door and took her pet duck. She witnessed the coyote toting her duck away and she shot at him. He took 5 steps,

May 26, 2009

stopped, and faced her – he was about 30 feet away. She shot again and missed. The coyote was not afraid of her. He then jogged, not ran, away. At 8:30 PM, another coyote, possibly the same one, was in their cow pasture, and her husband was able to kill it. It weighed 64 pounds. The alarming facts of this story were that the coyote was not scared of her, and that it could have been a child in her yard instead of duck. Three days later at 10:00 AM, she saw another coyote in a field north of Newsoms. Her husband was able to kill it also. Another coyote was shot by a turkey hunter within ½ mile of her house 3 days before her incident. A friend of hers had seen two different coyotes while turkey hunting in the Newsoms area this spring.

She continued that she had lived here all of her life, and had heard for the past few years that people would occasionally see or shoot a coyote. She started talking to and asking people if they had seen any coyotes. She was shocked at the number of coyotes being seen by hunters and farmers. However, the average citizen was not aware of the coyote population. People did not know what they looked like, that they would attack children, eat pet cats and dogs, that they were a nuisance species not native to Virginia and could be shot on-site, that they hunted all hours of the day, that they favored open fields to travel through and roam, and people did not know that there were no natural predators to the coyote in this area except for humans. Everyone in this County needed to know and be aware that the coyotes were here and were dangerous. The farmers and hunters already knew, but they needed to reach everyone else. They needed to do something now before a tragedy happened.

Mrs. Bunn advised that she had contacted the Department of Game and Inland Fisheries (DGIF). They said they were very sorry about her duck. They also sent her articles and information that had appeared in Virginia Wildlife magazine. She asked, how many people did they think read that magazine? Honestly, not many. The DGIF stopped tracking and counting coyotes in Virginia after they migrated into every County in the state. In her opinion, just because the DGIF did not seem concerned about the coyotes, did not mean we shouldn't be. She was not going to ask the Board to put a bounty on coyotes, because she knew they would not. She knew that the Board had met with the DGIF about bounties within the last 2 years, and the Board was told that bounties did not work. She disagreed with that thought. However, they could discuss that at another time, as she had not finished her research on that subject. She stated that if you educated the public about coyotes, the citizens would react as needed. The DGIF had a full staff of media relations people. The County could ask that they do press releases to local and regional newspapers and television stations as a public safety campaign. One biologist with the state told her that "they (coyotes) were relatively new to this area." She asked, if they were new here, what were they waiting for to get the information out?

She continued that the DGIF could come into our schools and give programs warning children that coyotes were not friendly, scraggly dogs. She lived only 1½ miles through the woods from Meherrin Elementary School. Coyotes were everywhere around that school. If they wanted to get the word out about how dangerous coyotes were, the school system was an optimal venue. The DGIF could even come during fair week and set up a booth specifically about coyotes in our County – think how many people that would reach. The County was in the position to ask these things of DGIF. The County could even join forces with our surrounding counties to be more persuasive in their request. She was sure our surrounding counties were dealing with the same issues. She would also like to urge the County to encourage the public to start reporting sightings of coyotes to the Sheriff's Department. The Animal Control officer could keep a log of these sightings, as she was sure it would be helpful to know where the highest concentration was or if they were becoming over-abundant in any one area. She noted that when she decided to speak before them tonight, she wanted to be a concerned citizen, not just with problems, but with solutions. She was not asking for any additional funds or new programs. She was only asking the County and the DGIF to use the resources they already had to educate our citizens about an extremely dangerous predator that was now upon us. We needed to be proactive to this situation, not reactive.

Supervisor Brown stated that he thought coyotes were becoming more abundant in the County. He agreed that there was a need to educate the public. He had seen 2 coyotes on his farm within the last 6 months, too far away for him to shoot. He also had some chickens disappear. However, he thought that the more coyotes you killed, the more they would produce. That was just the nature of that species.

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Mrs. Bunn advised that she agreed to a certain degree, but you couldn't not kill them either. They needed to let people know what they were seeing and how dangerous they were. A lot of people had probably seen a coyote and thought they were looking at a scraggly dog. You had to shoot them because they would take over if you didn't. She noted that she was not necessarily suggesting a bounty. If someone saw a snake, someone would get hoe and kill it. If people were educated about coyotes, they could get to that same mindset.

Vice-Chairman Young stated that Mrs. Bunn brought up a good point. He had seen more coyotes in the last month in his area than he had ever seen.

Supervisor West stated that it was scary and she raised some interesting points.

Supervisor Felts advised that education was the key. Chairman Jones agreed.

Mr. Charles Turner, Division Superintendent of Southampton County Schools, who was in the audience, indicated that he appreciated Mrs. Bunn's comments and would look into educational programs for the schools.

Mr. Richard E. Railey, Jr., County Attorney, stated that there was a fundamental misinterpretation of the study (on coyote bounties) that the DGIF did. It said there was no decrease in coyotes in areas where there were bounties, but he pointed out that there was also no increase. He stated that it was similar to, for example, that police protection may not get rid of the drug problem, but if you stopped police protection, the drug problem would increase. He did not think the DGIF study showed that bounties did not work, because the purpose of bounties was not to eliminate them. The study did not show that bounties were totally ineffective.

Supervisor Brown suggested that the County Administrator contact the DGIF and inquire about free awareness programs. The other Board members concurred.

Regarding miscellaneous issues, Mr. Johnson announced that included in the agenda was a registration form from Dr. Patsy Joyner seeking the County's sponsorship of the college's 6th annual golf tournament on August 14 at Sleepy Hole Golf Course. The County had provided a gold sponsorship each of the last several years. A contribution of \$500 provided for 4 greens fees and 1 hole sign.

Supervisor West moved, seconded by Vice-Chairman Young, to contribute \$500 to Paul D. Camp Community College to serve as a sponsor for its 6th annual golf tournament. All were in favor.

Mr. Johnson advised that he was pleased to inform that all three (3) of our employees associated with the Erosion and Sedimentation Control Program had successfully passed their recertification exams – included were Robert Barnett (Program Administrator), Lee Copeland (Combines Administrator) and John Jenkins (Inspector). They deserved a lot of credit for their study and preparation – please congratulate them.

He stated that included in the agenda were copies of the audited financial statements of Franklin-Southampton Economic Development, Inc. for the fiscal year ending June 30, 2008. The statements were audited by Cavanaugh, Nelson & Co., a Norfolk-based CPA and consulting firm and they had concluded that the statements fairly and accurately reflected the financial position of FSEDI. As of June 30, 2008, the organization had unrestricted net assets of almost \$900,000.

Mr. Johnson noted that environmental notices, incoming and outgoing correspondence, and articles of interest were also included in the agenda.

Moving to late arriving matters, Mr. Johnson announced that MidEastern Builders would be hosting a cookout at noon on Thursday, May 28, at our shop building on Old Bridge Road (former I.P. Forestry Building) for workers, suppliers, subcontractors, designers and all that were involved in our wastewater project. They would have fried chicken, BBQ, steamed shrimp, etc. and wanted to invited county staff and particularly, members of the Board of Supervisors. After lunch, they would be available to provide a tour of the new construction at the wastewater treatment plant and influent pump station. He noted that he needed to know who would attend so that he could

provide them with a final headcount. All Board members indicated that they planned to attend.

Mr. Johnson advised that Mr. Barry Steinberg, our Washington attorney, had suggested that it may be prudent to convene all three governing bodies, Southampton, Sussex, and Surry Boards of Supervisors, to evaluate the Navy's progress in preparing its environmental impact statement and discuss next steps once it was released this summer. They had reserved space at the Airfield Conference Center for Monday, June 15, and the meeting would include dinner. He noted that rather than adjourn today's meeting, it would be necessary to move to continue it to Monday, June 15, 2009 at 6:00 PM at the Airfield Conference Center.

Mr. Johnson informed that in order to settle certain issues associated with construction of the public safety communications monopole behind the Sheriff's Office, they may recall authorizing him to sign a Memorandum of Agreement with the Virginia Department of Historic Resources (VDHR) in 2006 directing us to prepare and submit an application to have the Southampton Courthouse placed on the National Historic Register to mitigate what VDHR believed to be adverse impacts on the historic view shed. He had put the project off for some time now, based on conversations he'd had with several members of the Historical Society regarding other nominations that they would like to pursue, thinking that there may be economies of scale in pursuing them all at once. While no one at VDHR had raised the issue, in good conscience, he had put it off as long as he could. Included in the agenda was a proposal from the Timmons Group (under our annual architectural/engineering contract) for the following services:

1. Completion of the Preliminary Information Forms for the Southampton Courthouse *and* The Rochelle-Prince House;
2. Completion of the NRHP Nomination Documentation for the Southampton Courthouse, Rochelle-Prince House, *and* Sebrell Rural Historic District.

Mr. Johnson noted that the Preliminary Information Form for the Sebrell Historic District was completed by Paul Simmons and others last year. Establishment of a Sebrell Historic District could only help in their efforts to steer clear of a Navy OLF at Dory.

He stated that the total cost for all work was a lump sum of \$35,750 – a cost breakdown and proposed scope of services was included in the agenda. Funding was available in the Building Fund under "Other Capital Projects" – because it was largely a mitigation measure related to construction of the public safety communications monopole, it was appropriate to utilize capital project funding for this purpose.

Vice-Chairman Young moved, seconded by Supervisor Brown, to authorize the County Administrator to accept the proposal, as outlined above. All were in favor.

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

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

Section 2.2-3711 (A) (7) Consultation with legal counsel and briefings by staff members related to actual litigation where such briefing in an open session would adversely affect the litigating posture of the public body;

Section 2.2-3711 (A) (1) Discussion of prospective candidates for employment; and

Section 2.2-3711 (A) (29) Discussion of the award of a contract involving the expenditure of public funds, including the terms and scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

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

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

The motion passed unanimously.

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

Supervisor Brown commended Mr. Johnson for being expeditious in getting the Peake Belt framed and hung on the wall. He also thanked Sandi Plyler for providing two pictures to go in the frame.

Vice-Chairman Young moved, seconded by Supervisor Felts, to continue this meeting until to Monday, June 15, 2009 at 6:00 PM at the Airfield Conference Center. All were in favor.

There being no further business, the meeting was recessed at 9:30 PM.

Dallas O. Jones, Chairman

Michael W. Johnson, Clerk