

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 27, 2008 at 6:00 PM.

SUPERVISORS PRESENT

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

SUPERVISORS ABSENT

None

OTHERS PRESENT

Michael W. Johnson, County Administrator (Clerk)
James A. Randolph, Assistant County Administrator
Julia G. Williams, Finance Director
Robert L. Barnett, Director of Community Development
Julien W. Johnson, Jr., Public Utilities Director
Richard E. Railey, Jr., County Attorney
Susan H. Wright, Administrative Secretary

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

Chairman Jones called for a moment of silence in remembrance of Reggie W. Gilliam, former member and Chairman of the Southampton County Board of Supervisors, who passed away.

Chairman Jones sought approval of the minutes of the April 9, 2008 budget workshop, April 16, 2008 budget workshop, April 23, 2008 budget workshop, and April 28, 2008 regular meeting. They were all approved as presented, as there were no additions or corrections.

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

Mr. Lomax advised that they put the signs up on Angelica Road, so that matter was finally closed. They would start ditch work (county-wide) after completing patching and overlay work. He knew the mowing was behind and the grass was high. He asked them to bear with them. They were concentrating on Route 58 and the primary roads first. Regarding Edgehill, they would be replacing the pipe with a box culvert and had come up with a design. However, they were waiting to see if the wetlands would need mitigating. A portion of Route 659 would be closed June 2 – June 6 for bridge rehabilitation. Notices would be placed in the newspaper.

Supervisor West asked, what about mowing on the secondary roads? Mr. Lomax advised that they were taking care of the primary roads first, but would then move to the secondary roads. They were behind but would catch up.

Supervisor Faison advised that on Clarksbury Road, towards White Meadow Road, dirt had blown out of field and into the road. It had been pushed off the road, but there was absolutely no ditch there. He did not know what would happen if they had a heavy rain. Mr. Lomax stated that they would take a look at it.

Supervisor Felts asked if centerlines had been painted on the portions of Storys Station Road that did not have them? Mr. Jerry Kee, Assistant Residency Administrator of the VDOT Franklin Residency, advised that it had not been done yet, but it was scheduled.

Supervisor Brown asked if the mowing contractor would be manned with enough staff to catch up on the mowing? Mr. Lomax replied that he believed so. He noted that our contract was awarded

last, which contributed to everything being behind.

Chairman Jones asked Mr. Lomax if he had checked on the problem the lady at Rivers Mill had? Mr. Lomax replied yes, the Superintendent went out there. The pipe was damaged and they had placed it on the schedule.

Chairman Jones advised that the shoulders on Route 58 in his area had not yet been mowed. Mr. Lomax replied that the contractor would be going back and taking care of that.

Mr. Johnson, County Administrator, advised that included in the agenda was a copy of email correspondence from Mr. Lomax regarding the bridge dedication program in memory of Trooper Robert A. Hill. The ceremony was planned for Tuesday, June 17, at 1:30 PM at the State Police Headquarters on Camp Parkway. They were seeking the County's consideration in participating in the program by offering some brief remarks at the ceremony and/or presenting a proclamation.

It was consensus of the Board to present a proclamation and to have Chairman Jones offer remarks.

Regarding reports, various reports were received and provided in the agenda. They were Financial, Sheriff's Office, Communication Center Activity Report, Traffic Tickets, Cooperative Extension, and Treasurer's Report. Also, Delinquent Tax Collection, EMS and Fire Department Activity, Solid Waste Quantities, Coalition on Illegal Aliens, and Personnel.

In regards to the treasurer's report, Mr. David Britt, Southampton County Treasurer, advised that an action/sale of delinquent tax properties in Southampton County would take place on Thursday, May 29, 2008 at 10:00 AM in the Board Room.

In regards to the personnel report, Mr. Johnson advised that there was one employee separated this month – Earle E. Skeete of the Southampton County Jail effective 05/05/08.

Moving to financial matters, Mr. Johnson announced that included in the agenda was a resolution with a total appropriation of \$114,179.92, all of which was related to school programs. Revenue in this amount had been received from the sources indicated and was available for the itemized expenditures upon order of the Board.

The appropriations resolution is as follows:

APPROPRIATIONS - MAY 27, 2008

NO NEW LOCAL FUNDS

- SCHOOL BOARD
- (1) Reimbursements received for expenditure refunds--see attached letters
 - (2) E-Rates reimbursements received-see attached letter
 - (3) Reimbursements received for retirees health insurance premiums
 - (4) Reimbursements received for Day Care and School Activities Accounts--see attached letters
 - (5) Donations received--see attached letter
 - (6) Increases in state funds--see attached letters
 - (7) Increases & decreases in Federal Funds--see attached letters

At a meeting of the Board of Supervisors of Southampton County,
Virginia on Tuesday, May 27, 2008

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Southampton County,
Virginia that the following appropriations be and hereby are made
from the Fund to the Fund for the period of July 1, 2007 through
June 30, 2008 for the function and purpose indicated:

From the General Fund to the School
Operating Fund to be expended only
on order of the Southampton County
School Board:

4-205-61100-3000-002-1-100	OTHER INSTRUCTIONAL COSTS-REG	1,150.08
61100-3000-002-10-100	NOTTOWAY ELEM GRANT	500.00
61100-3000-003-1-100	OTHER INSTRUCTIONAL COSTS-REG	4,408.25
61310-1120-003-6-100	INST SAL-SUMMER SCHOOL	3,223.62
61310-2100-003- -100	FICA BENEFITS	246.61
61320-6012-002-1-100	LIBRARY BOOKS REG ELEM	108.04
61320-6012-003-1-100	LIBRARY BOOKS REG SEC	116.80
62120-2300	HOSPITALIZATION	925.60
62120-2300	HOSPITALIZATION	964.50
62120-2300	HOSPITALIZATION	925.60
62120-2350	RETIREE HEALTH INS PREMIUM	12,456.00
62120-2350	RETIREE HEALTH INS PREMIUM	563.00
62120-2350	RETIREE HEALTH INS PREMIUM	10,723.00
62120-2350	RETIREE HEALTH INS PREMIUM	9,681.40
63200-6009	VEHICLE & POWERED EQUIP/SUPPLIES	10,065.00
63200-6009	VEHICLE & POWERED EQUIP/SUPPLIES	2,365.00
64300-3320	MAINTENANCE SERV CONTRACTS	1,604.20
64300-3320	MAINTENANCE SERV CONTRACTS	104.00
64300-3320	MAINTENANCE SERV CONTRACTS	1,827.00
	TOTAL	61,957.70

ACTIVITY
REIMBURSEMENTS

4-205-69002-1170	OPERATIVE SALARIES	882.00
69002-2100	FICA BENEFITS	61.28
69003-1170	OPERATIVE SALARIES	643.50
69003-2100	FICA BENEFITS	44.71
69004-1170	OPERATIVE SALARIES	67.50
69004-2100	FICA BENEFITS	5.17
69007-1170	OPERATIVE SALARIES	414.00
69007-2100	FICA BENEFITS	28.25
	TOTAL	2,146.41

MEHERRIN DAY CARE, PROGRAM 220

4-205-61100-1140-002-5-220	TECHNICAL SALARY-DAY CARE	6,998.58
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61100-2100-002- -220	FICA BENEFITS	508.38
	TOTAL	<u>7,506.96</u>
CAPRON DAY CARE, PROGRAM 225		
4-205-61100-1140-002-5-225	TECHNICAL SALARY-CAPRON DAY CARE	762.75
61100-2100-002- -225	FICA BENEFITS	56.25
	TOTAL	<u>819.00</u>
VA HONOR SCHOOLS, PROGRAM 250		
4-205-61100-1120-003-1-250	INSTRUCTIONAL SALARY-REG	14,000.00
61100-5500-003-1-250	TRAVEL	1,250.00
	TOTAL	<u>15,250.00</u>
TECHNOLOGY PLAN, PROGRAM 265		
4-205-61100-8250-003-1-265	INTERNET SERVICE	90,987.33
	TOTAL	<u>90,987.33</u>
LOCAL DONATIONS, PROGRAM 360		
4-205-61100-6000-003-1-360	MATERIAL & SUP - REG (MECH CORP)	5,000.00
	TOTAL	<u>5,000.00</u>
MENTOR TEACHER, PROGRAM 425		
4-205-61100-1620-003-1-425	SUPPLEMENTAL SALARY-REG	19,792.00
	TOTAL	<u>19,792.00</u>
READING FIRST GRANT, PROGRAM 525		
4-205-61100-3000-002-1-525	OTHER INSTRUCTIONAL COST-REG	(10,233.07)
	TOTAL	<u>(10,233.07)</u>
TITLE IV, PART B: 21ST CENTURY COMMUNITY LEARNING CENTERS, PROGRAM 560		
4-205-61310-1110-002-1-560	ADMINISTRATIVE SAL - REG	102,005.34
	TOTAL	<u>102,005.34</u>
TITLE IIA TRAINING & RECRUITING, PROGRAM 625		
4-205-61100-1120-002-1-625	INSTRUCTIONAL SALARIES-REG	(262.58)
61100-2100-002- -625	FICA BENEFITS	146.00
61100-2210-002- -625	VRS RET-PROF	271.00
61100-2214-002- -625	VRS LIFE	220.00
61100-2700-002- -625	WORKER'S COMP	275.88
61100-2750-002- -625	RETIREE HEALTH INSURANCE CREDIT	300.00
61100-3000-002-1-625	PURCHASED SERVICES	3,321.90
61100-4000-002-1-625	INTERNAL SERVICES	(6,387.00)
61100-5500-002-1-625	TRAVEL	1,500.00
61100-5800-002-1-625	OTHER SERVICES	1,299.03
61100-6000-002-1-625	MATERIALS & SUP-REG	980.14
61100-3000-003-1-625	PURCHASED SERVICES	500.00
61100-5500-003-1-625	TRAVEL	3,256.10

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61100-5800-003-1-625	OTHER SERVICES	1,439.98
61100-6000-003-1-625	MATERIALS & SUP-REG	1,600.00
	TOTAL	<u>8,460.45</u>
VOCATIONAL/SPECIAL EDUCATION, PROGRAM 800		
4-205-61100-8210-003-3-800	CAPITAL OUTLAY ADD'L HDWRE-VOC	1,726.25
	TOTAL	<u>1,726.25</u>
OPPORTUNITY INC, PROGRAM 850		
4-205-61210-1120-003-3-850	GUIDANCE SERVICES SALARY-VOC	(88,840.00)
61210-2100-003- -850	FICA BENEFITS	(6,797.00)
61210-2210-003- -850	VRS RET-PROF	(13,593.00)
61210-2214-003- -850	VRS GROUP LIFE	(1,004.00)
61210-2600-003- -850	VEC	(47.00)
61210-2700-003- -850	WORKER'S COMP	(374.00)
61210-2750-003- -850	VRS HEALTH INS CREDIT	(436.00)
61210-3000-003-3-850	PURCHASED SERVICES	(7,000.00)
61210-4000-003-3-850	INTERNAL SERVICES	(5,000.00)
61210-5200-003-3-850	COMMUNICATIONS	(5,000.00)
61210-5500-003-3-850	TRAVEL	(5,000.00)
61210-6000-003-3-850	INST & EDUC MATERIALS	(13,454.00)
61210-8210-003-3-850	CAPITAL OUTLAY-ADD'L HDWRE	(16,455.00)
64200-1190- -850	SERVICE SALARIES	(18,500.00)
64200-4000- -850	STUDENT INCENTIVES	(18,500.00)
	TOTAL	<u>(200,000.00)</u>
PRE-SCHOOL INCENTIVE, PROGRAM 900		
4-205-61100-1120-002-2-900	INSTRUCTIONAL SALARY-SP	6,258.55
61100-2100-002- -900	FICA	500.00
61100-5500-002-2-900	TRAVEL (MIL)-SP	2,000.00
	TOTAL	<u>8,758.55</u>
	TOTAL SCHOOL APPROPRIATION	<u>114,176.92</u> =====

REVENUE APPROPRIATION MAY 27, 2008
(REVENUE RECEIVED FOR ABOVE EXPENDITURES)

SCHOOL REVENUE
3-205-16120-0010 DAY CARE CENTER 8,325.96

May 27, 2008

3-205-18990-0032	INSURANCE CLAIMS & DIVIDENDS	13,381.60
3-205-18990-0032	INSURANCE CLAIMS & DIVIDENDS	563.00
3-205-18990-0032	INSURANCE CLAIMS & DIVIDENDS	11,687.50
3-205-18990-0032	INSURANCE CLAIMS & DIVIDENDS	10,607.00
3-205-18990-0100	EXPENDITURE REFUNDS	16,194.25
3-205-18990-0100	EXPENDITURE REFUNDS	604.00
3-205-18990-0100	EXPENDITURE REFUNDS	3,578.27
3-205-18990-0100	EXPENDITURE REFUNDS	5,342.08
3-205-18990-0101	DONATIONS	5,000.00
3-205-18990-0110	SCHOOL ACTIVITY REIMB	442.25
3-205-18990-0110	SCHOOL ACTIVITY REIMB	688.21
3-205-18990-0110	SCHOOL ACTIVITY REIMB	1,015.95
3-205-18990-0200	E-RATES REFUNDS	90,987.33
3-205-24020-0915	MENTOR TEACHER PROGRAM	19,792.00
3-205-25020-0475	HONOR SCHOOL GRANTS-250	15,250.00
3-205-33020-0025	READING FIRST NOTTOWAY SCH-PROG 525	(10,233.07)
3-205-33020-0170	VOCATIONAL/SPEC ED PROJ - 800	1,726.25
3-205-33020-0290	VIB PRE-SCHOOL INCENTIVE-900	8,758.55
3-205-33020-0320	TITLE IIA TRAIN & RECRUIT/P 625CSRI	8,460.45
3-205-33020-0360	OPPORTUNITY INC-850	(200,000.00)
3-205-33020-0370	IV B 21ST CENTURY COM LEARNING CENTER	102,005.34
	TOTAL SCHOOL FUND REVENUE	114,176.92

TOTAL APPROPRIATIONS 234,586.86
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Vice-Chairman Young moved, seconded by Supervisor Felts, to adopt the appropriations resolution. All were in favor.

Mr. Johnson advised that included in the agenda was a copy of the budget synopsis – based upon the School Board’s request, they had made minor adjustments to the categorical amounts illustrated at last week’s public hearing. The total budget for schools remained unchanged at \$31,885,575 – the adjustments simply reflected accounting changes mandated by the General Assembly (a new category 68000 had been specifically added for technology expenses, where they were previously lumped in with other instruction expenses in category 61000).

The budget synopsis is as follows:

SOUTHAMPTON COUNTY, VIRGINIA
PROPOSED BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2009

REVENUE ESTIMATES				
	2007-2008	2008-2009		
COUNTY SOURCES			BUILDING FUND	
General Property Taxes	\$ 15,677,259	\$ 16,276,857	Utility Taxes	464,000
Other Local Taxes	1,427,313	1,504,000	Transfer - Utility Reserve	1,261,861
Permits, Fees, Licenses	115,550	116,550	Rental of Property	60,556
Fines & Forfeitures	504,036	504,779	Interest Income/Trust Proceeds	549,071
Use of Money & Property	185,000	120,000	TOTAL BUILDING FUND	2,326,294
Charges for Service	374,434	355,398		
Miscellaneous Revenue	735,388	775,703	REVENUE FROM COMMONWEALTH	
TOTAL COUNTY SOURCES	19,019,780	19,712,286	Non-Categorical Aid	218,626
			Categorical Aid	3,717,363
OTHER COUNTY SOURCES			Other Categorical Aid	566,035
Transfer-in/General Fund Reserve	788,873	1,521,512	School Aid (School Operating)	14,968,205
School Funds (School Food)	527,680	527,880	School Aid (School Food)	14,500
School Funds (School Operating)	2,000	2,000	School Aid (Sales Tax)	3,220,130
TOTAL OTHER COUNTY SOURCES	1,318,553	2,051,192	Public Assistance	1,940,309
			TOTAL STATE REVENUE	24,743,228
ENTERPRISE REVENUE			REVENUE FROM FEDERAL SOURCES	
Water Service Fees	270,840	278,000	School Aid (School Operating)	11,500
Sewer Service Fees	780,800	786,500	School Aid (Federal Programs)	1,951,323
Other Fees/Contributions	87,384	94,815	School Aid (School Food)	511,820
TOTAL ENTERPRISE REVENUE	1,139,024	1,159,315	TOTAL FEDERAL REVENUE	2,474,643
			TOTAL REVENUE - ALL SOURCES	\$ 61,001,522
				\$ 64,676,371

EXPENDITURE ESTIMATES				
	2007-2008	2008-2009		
GENERAL FUND			ENTERPRISE FUND	
General Government Administration			Enterprise/Sewer	921,641
Board of Supervisors	\$ 150,724	\$ 258,540	Enterprise/Water	522,542
County Administration	320,388	342,140	TOTAL ENTERPRISE FUND	1,444,079
Commissioner of the Revenue	266,074	292,006		
Board of Assessors	8,100	8,100	BUILDING FUND	
Treasurer	247,981	286,112	Capital Projects/Debt Service	3,604,416
Delinquent Tax Collection	25,000	25,000	Transfer to School Fund	(130,332)
Accounting	221,893	232,636	TOTAL BUILDING FUND	3,474,086
Data Processing	228,280	227,529		
Insurance/County Code	128,930	142,355	SCHOOL FUND	
Registrar	147,191	161,657	Instruction	18,381,423
Judicial Administration			Administration, Attendance & Health	1,294,409
Circuit Court	71,816	73,888	Management & Direction - Transportation	2,800,323
Combined District Court	22,823	25,943	Operation and Maintenance Services	2,870,863
Special Magistrates	1,438	1,438	School Food Service and Non Operating	109,340
Clerk of Circuit Court	438,078	471,357	Facilities	204,026
Sheriff - Bailiff	358,047	432,985	Debt Service	1,839,450
Courthouse Security	67,550	68,816	Technology/School Operating	-
Commonwealth's Attorney	418,269	544,950	Rental Textbooks	204,758
Victim Witness Assistance Program	64,882	67,427	Technology	206,000
Public Safety			At-Risk 4 Year Olds	129,503
Sheriff - Law Enforcement	1,584,014	1,659,318	Early Rearing Intervention	44,274
Enhanced 911	157,853	163,899	Federal School Funds	
Wireless 911	45,924	47,568	Title I	542,771
School Resource Officer	45,584	47,573	Title VIB Flow-Through	638,018
Volunteer Fire Departments	282,344	305,030	Title VI Innovative Education Program	7,312
Volunteer Rescue Squads	620,876	627,394	Substance & Drug Prevention	12,542
State Forestry Service	13,257	18,560	Vocational Special Education	50,912
Sherrif - Detention	1,685,816	2,067,250	Pre-School Incentive	13,590
Procurement	65,196	70,140	Title IIIA Training and Recruitment	148,880
Inspections	140,984	119,237	Title IIII Ed. Tech	5,863
Animal Control	101,830	103,765	Reading First Grant	195,559
Medical Examiner	500	500	21st Century Community Learning	135,870
Emergency Services	68,400	86,488	Opportunity, Inc.	200,000
Public Works			Total School Funds	29,835,692
Streetslights	44,000	44,000		
Assign A Highway	52,255	63,415	SCHOOL FOOD	
Refuse Collection	677,656	732,723	School Food	1,054,000
Refuse Disposal	1,152,850	930,370	TOTAL SCHOOL FOOD	1,054,000
Buildings & Grounds	469,552	475,154		
Health & Welfare			VIRGINIA PUBLIC ASSISTANCE FUND	
Health Department	310,398	316,606	Eligibility Administration	676,767
WTCSS	70,056	80,637	Service Administration	401,264
State & Local Hospitalization	3,597	3,588	Joint Administration	387,805
Senior Services	14,350	14,550	Benefit Programs	719,350
Comprehensive Services Act	67,866	82,007	Energy Administration	21,550
STOP Organization	470,872	499,074	VIEW Administration	106,143
Parks, Recreation & Cultural			TOTAL VIRGINIA PUBLIC ASSISTANCE FUND	2,312,969
Community Concert Association	6,000	6,000		
Rawls Museum Arts	15,000	15,000	TOTAL EXPENDITURES - ALL FUNDS	\$ 61,001,522
Historical Society	30,000	30,000		
W.C. Rawls Library	239,910	266,772	General Fund Reserve	\$ 3,227,582
Community Development				\$ 3,335,219
Planning	232,980	252,081		
Economic Development	150,000	150,000		
Soil & Water Conservation	10,280	10,280		
Cooperative Extension	50,114	50,995		
Non-Departmental				
Non-Departmental Operating	70,000	70,000		
TOTAL GENERAL FUND EXPENDITURES	\$ 12,880,896	\$ 13,451,315		

Vice-Chairman Young moved, seconded by Supervisor Wyche, to adopt the FY 2009 annual budget as presented. All were in favor.

Mr. Johnson informed that included in the agenda was an ordinance establishing the 2008 (FY 2009) 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 2008 there is hereby levied:

1. A tax of \$0.72 per \$100.00 assessed valuation on all real estate in Southampton County, including manufactured homes.
2. A tax of \$4.00 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 \$4.00 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 levies shall be due on or before December 5, 2008.

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

Mr. Johnson stated that included in the agenda was an ordinance establishing the water and sewer fees for FY 2009.

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, 2008, 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	\$2 per 1,000 gallons or any fraction thereof

Multi-family units shall be assessed the base rate times the number of connected residential units plus \$2 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

$(50 \times \$23) + (\$2 \times 50) = \$1,250.$

SEWER RATES:

Base rate:	\$31 for the 1 st 4,000 gallons
Over 4,000 gallons	\$5 per \$1,000 gallons or any fraction thereof

Multi-family units 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 times 4,000.

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

$(50 \times \$31) + (\$5 \times 50) = \$1,800.$

NARRICOT INDUSTRIES INDUSTRIAL WASTEWATER \$1.30 per 1,000 gallons

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

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

Finalizing financial matters, Mr. Johnson advised that bills in the amount of \$2,444,644.23 had been received.

Vice-Chairman Young moved, seconded by Supervisor West, that the bills in the amount of \$2,444,644.23 be paid with check numbers 86878 through 87364. All were in favor.

Moving forward, Mr. Johnson announced that at their places was a resolution of appreciation for each 30-year first responder (36). He had already ordered the frames and had alerted the HRPDC, who printed the ceremonial resolutions, that they were forthcoming. Because next month’s meeting was a day meeting, it was his intention to wait and invite the 30-year first responders to the regular meeting in July for official presentation.

Mr. Johnson read aloud the names of the following 30-year first responders and their associated department/squad:

<u>Boykins Volunteer Fire Dept. & Rescue Squad, Inc.</u> Larry P. Felts Ronald W. Griffin	<u>Branchville Volunteer Fire Dept.</u> Arthur B. Harris, Jr. Roger A. Hinson George L. Smith Geraldine F. Smith W. Harvey Umphlett, Jr.
<u>Capron Volunteer Fire Dept. & Rescue Squad, Inc.</u> David T. Banty Vernie W. Francis, Sr. James S. Starke	<u>Courtland Volunteer Fire Dept.</u> Christ L. Erbe
<u>Franklin Fire & Rescue</u> Mark W. Carr Woodrow F. Ferguson, Jr. Vincent P. Holt	<u>Greenville Volunteer Rescue Squad</u> Samuel E. Bush, Jr. W.S. Harris, Jr.
<u>Hunterdale Volunteer Fire Dept.</u> Gene H. Drewry Richard P. Rose Jerry A. Smithwick	<u>Ivor Volunteer Fire Dept.</u> N. Frank Britt, Jr. E.P. “Buddy” Kea, Jr. Charles L. Stallard H. Massey Joyner
<u>Newsoms Volunteer Fire Dept.</u> Michael G. Drake Larry M. Fowler William J. “Bill” Fowler, Jr. Charles E. Griffith Douglas T. Prince	<u>Sedley Volunteer Fire Dept.</u> Sidney A. Brittle James A. Creasy O.J. Creasy, Jr. Robert S. Grizzard Bobby R. Harrell Alfred D. Hewett Joey E. Hewett R. Keith Rose

Mr. Johnson read aloud the following resolution:

Resolution of Appreciation

May 27, 2008

WHEREAS, Southampton County has long been blessed with an abundance of volunteers who give generously of their time and talents in serving as first responders to fires and medical emergencies; and

WHEREAS, Southampton County is vitally dependant upon volunteer first responders, as evidenced by their response to more than 1,800 emergency fire and rescue calls in 2007; and

WHEREAS, first responders sacrifice countless hours of personal time in meeting training and certification requirements, raising funds for the purchase and maintenance of buildings and equipment, and responding to fires and medical emergencies at all hours of the day and night; and

WHEREAS, first responders routinely place their personal health and safety beneath that of fellow citizens in need, demonstrating day-in and day-out the importance and nobility of serving something greater than ourselves; and

WHEREAS, first responders offer this County all that they have, putting their own life on the line, and never once asking for anything in return; and

WHEREAS, [INSERT NAME] has tirelessly and unselfishly served as a first responder in Southampton County for more than thirty (30) years as a member of the [INSERT DEPARTMENT/SQUAD NAME]; and

WHEREAS, thirty (30) years of volunteer service as a first responder is a remarkable achievement, worthy of public recognition and commendation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Southampton County, Virginia that [INSERT NAME] is recognized and commended for [HIS/HER] longstanding and devoted service to the people of Southampton County as a first responder with the [INSERT DEPARTMENT/SQUAD NAME].

IN TESTIMONY WHEREOF, it is ordered that a copy of this resolution shall be spread upon the minutes of this Board on the twenty-seventh day of May 2008, forever preserving and recording this Board's gratitude to [INSERT NAME] and, further ordered that the Seal of the Southampton County Board of Supervisors shall be hereunto affixed as visual representation of the high esteem in which [HE/SHE] is held by the people of Southampton County.

WITNESS the Honorable Dallas O. Jones, Chairman of the Board of Supervisors of Southampton County, Virginia on this twenty-seventh day of May, two thousand eight.

Dallas O. Jones, Chairman
Board of Supervisors

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

Moving forward, Mr. Johnson announced that Supervisor Brown had expressed an interest in having Chairman Jones issue a proclamation on behalf of the Board declaring Saturday, July 26, 2008 as Cheroenhaka (Nottoway) Indian Day in Southampton County, in recognition of the Tribe's annual Pow-Wow at the Fairgrounds. He noted that while the Chairman did not necessarily need Board authority to issue proclamations, they were often more meaningful when endorsed by the full Board.

Supervisor West asked what does this do? Supervisor Brown replied that it would recognize the \$100,000 in tourist dollars the event brings to the County.

Supervisor Wyche moved, seconded by Supervisor Faison, to authorize Chairman Jones to issue the proclamation on behalf of the Board of Supervisors. All were in favor.

Moving to the funding requests, Mr. Johnson announced that included in the agenda was correspondence from Ms. Denise Wlodyka, Commissioner of the Southampton County Girls' Softball League, seeking financial support from Southampton County for the upcoming season. The letter did not request a specific amount, but it itemized direct cost in excess of \$9,500. Their league was comprised of 15 teams from around the county. There were more than 160 players,

ages 7-17, and 30 or more volunteer coaches involved. The schedule consisted of more than 116 games, played in Courtland, Drewryville, Newsoms, Sedley and Wakefield. He noted that Ms. Wlodyka was present this evening.

Chairman Jones recognized Mrs. Denise Wlodyka.

Mrs. Wlodyka addressed the Board. She advised that the Southampton County Girls' Softball League had been in existence since 1984. They had more than 160 players and 30 volunteer coaches. The All-Star Tournament was coming up and 56 girls had been selected. Southampton was always one of the teams to beat. She stated that they would appreciate any assistance the Board could provide.

Supervisor Brown asked what level of funding were they requesting? She replied that \$1,000 would be very helpful. She confirmed for Supervisor Brown that they did do fundraising activities to help raise money.

Vice-Chairman Young commented that the softball games were good entertainment.

Supervisor Wyche advised that he was in favor of it, but the Board needed to be mindful of the County's financial situation.

Supervisor Faison stated that he was not discouraged when volunteer groups/organizations came before them – he was encouraged.

Supervisor Wyche advised that this group had more Southampton County residents than any of the other teams that had come before them requesting assistance.

Supervisor Felts stated that the volunteers with this organization were very steadfast, as it had been in existence since 1984.

Supervisor Brown moved, seconded by Supervisor Felts, to sponsor the Southampton County Girls' Softball League at the \$1,000 level. All were in favor.

Mr. Johnson advised that included in the agenda was correspondence from Mr. Keith Doyle, a Courtland resident and father of one of the players on the Suffolk Blazers 13-and under boys' basketball team. According to Mr. Doyle, there were 2 Southampton County players on the team. The team had earned the privilege of competing in a national tournament in Memphis, Tennessee from June 29 through July 6. The anticipated travel/food/lodging/rental car expenses equated to roughly \$1,300 per player. He noted that Mr. Doyle was present this evening.

Chairman Jones recognized Mr. Keith Doyle.

Mr. Doyle addressed the Board. He stated that the players on the Suffolk Blazers team were middle school students excelling in academics and athletics. He and the coaches and parents were very proud of them. They had qualified to go the nationals for the 3rd year in a row. They were doing fundraisers, but would fall short of what they needed without some assistance. They were requesting a monetary donation from the Board of Supervisors, but would also accept donations of snacks, water, etc. There were 2 players on the team from Southampton County. They had to go to Suffolk in order to get the participation needed.

Ms. Jane Brigg, the team mom, spoke. She stated that the 2 players from Southampton County had really added to the team. The recreation association in Suffolk had supported them in the past, but could not this year, as they supported certain teams every other year.

Supervisor Brown asked if they had approached the Suffolk City Council? Mr. Doyle replied yes – they referred them back to the recreation association.

Vice-Chairman Young advised that he was in favor of supporting them to a point.

Supervisor West stated that he respected them and was in favor of supporting them

proportionately (based on 2 players being from Southampton County).

Supervisor Wyche indicated that he was in favor of supporting them.

Supervisor Faison advised that he was in favor of supporting them. He had two sons who played in these leagues, and he knew the impact it had on their lives. If it kept one child out of the court system, it would pay for itself.

Supervisor Faison moved, seconded by Vice-Chairman Young, to sponsor the Suffolk Blazers at the \$500 level. All were in favor.

With permission of Chairman Jones, Supervisor West advised that at their places was a copy of a letter he received from Tara Kea and Jay Billups of Ivor Youth Baseball seeking financial support from Southampton County. He noted that Ms. Kea and Mr. Billups were present this evening.

Chairman Jones recognized Ms. Kea and Mr. Billups.

Ms. Kea and Mr. Billups thanked the Board for the opportunity to address them. Ms. Kea advised that it had been 25 years since Ivor had a Little League, and they were very excited about Ivor's return to Youth Baseball. A lot of the kids had never played before. They were not winning, but the kids had the best attitudes. The expenses for this start up season had been great. They did charge a registration fee of \$80/child and local businesses in Ivor had supported them. But they were still in need of some assistance.

Vice-Chairman Young asked if all of the kids were from Ivor? Ms. Kea replied yes. She noted that they played against kids in Sedley and Wakefield.

Ms. Kea clarified for Supervisor Brown that so far their expenses had been about \$9,000.

Mr. Billups advised that the parents and the Town of Ivor had carried this league.

Supervisor West stated that he highly recommended that they provide support, and would recommend doing so at the \$1,000 level.

Ms. Kea clarified for Supervisor Wyche that they still needed to purchased a batting cage and pitching machine.

Supervisor Felts advised that the \$80 registration fee typically only covered uniforms, balls, and umpires.

Supervisor Brown stated that we were in dire need of recreation in this County and he was in favor of supporting them.

Supervisor West moved, seconded by Supervisor Wyche, to sponsor Ivor Youth Baseball at the \$1,000 level. All were in favor.

Mr. Johnson advised that

Moving to the status report regarding the proposed Carson-Suffolk 500 kV transmission line, Mr. Johnson announced that included in the agenda was a copy of the report of Howard P. Anderson, Hearing Examiner for the State Corporation Commission. The report included a description of the proposed projects, a summary of the comments offered at 3 separate public hearings, and a summary of the hearing record. After surveying the entire proposed route and meeting with a number of aggrieved property owners, Mr. Anderson reached a number of findings, including:

1. There was a need for the proposed transmission lines;
2. The company's proposed route (adjacent to the existing transmission line, as modified slightly) should be approved because it minimized the impact upon scenic and historic assets, and the environment, and it utilized existing rights-of-way to the fullest extent practical; and

3. The proposed transmission line should be built utilizing overhead construction.

Mr. Johnson advised that in addition to the findings, Mr. Anderson had recommended to the SCC that it adopt the findings in his report, grant the company's application to construct the overhead transmission line, amend the company's certificate of public convenience and necessity to authorize construction of the proposed transmission lines and dismiss the case from the docket. The SCC would accept comments on the report until May 22, 2008. Once the Commission made its final decision, aggrieved parties had up to 4 months in which to appeal to the State Supreme Court, provided that an appeal bond was filed, conditioned upon the payment of all damages, costs, and fees incurred.

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

REZ 2008:01 Application filed by Clarke Fox, owner, requesting a change in zoning classification from A-1, Agricultural to C-RR, Conditional Rural Residential approximately 3.00 acres of a 97.7 acre parent tract for the purpose of (3) single family residential building lots, as conditioned. The application is subject to the standards provided under the Sliding Scale, Section 18-179 of the Southampton County Code. The subject property is located on the west side of Medicine Springs Road (Rt. 757) approximately ¼ mile north of the intersection with Indian Town Road (Rt. 652). The property is further identified as a portion of Tax Parcel 58-30 and is located in the Capron Magisterial District and Capron Voting District.

Mr. Jay Randolph, Assistant County Administrator and Secretary to the Planning Commission, advised that the Planning Commission held a public hearing on this application at its April 10, 2008 meeting and recommended approval, subject to the following voluntary proffers submitted by the applicant:

- The Sliding Scale Option would be utilized, meaning that based on the acreage of the parent tract, 3 lots (which was being requested) was the maximum number of subdivisions that could occur in perpetuity; and
- A voluntary cash proffer in the amount of \$1,723 per lot.

Mr. Randolph pointed out that the applicant had mentioned that there was a state right-of-way in between lots 1 and 2 to provide access to the farm and enable him to get farm equipment in and out.

Chairman Jones opened the public hearing.

Mr. Clarke Fox, owner/applicant, addressed the Board. He advised that he was a farmer, not a developer. The lots were divided in the 1970s. He was requesting to rezone the property from A-1 to C-RR for the purpose of 3 single family building lots. All 3 lots would fit in nicely into a pre-existing neighborhood. He was trying to preserve the farmland behind the lots.

Chairman Jones closed the public hearing.

Supervisor Wyche moved, seconded by Vice-Chairman Young, to accept the Planning Commission's recommendation and approve the conditional rezoning, subject to all voluntary proffers. All were in favor.

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

COMP 2008:01 Application filed by Hampton Roads Development LLC, owner, requesting a change to the Comprehensive Plan of approximately 26.4 acres for the purpose of amending the future land use map, Courtland Planning Area Map 8-2b, from its future designation as Single Family Residential to a revised designation of Commercial and to request a change to the Comprehensive Plan of approximately 87.3 acres for the purpose of amending the future land use map, Courtland Planning Area map 8-2b, from its future designation as Single Family Residential to a revised designation of Multi-Family

May 27, 2008

Residential. The subject areas are portions of Tax Parcels 77-38 and 77-43 and are located on the east and west sides of Delaware Road (Rt. 687), north of Camp Parkway (Rt. 58 Business). The purpose of the application is to amend the Comprehensive Plan in order that future rezoning applications for the Villages of Southampton, a mixed-use master planned subdivision, will remain consistent with the future land use maps of the Comprehensive Plan.

The property is

Mr. Jay Randolph, Assistant County Administrator and Secretary to the Planning Commission, reported that the Planning Commission held a public hearing on this application at its April 10, 2008 meeting and recommended denial on a 5-3 vote.

Mr. Randolph advised that when the Comprehensive Plan was developed, it was done so with growth in mind. Growth was earmarked around the Towns and where utilities would be available. The subject property was 2/3 zoned R-1, so it made sense to designate the remaining 1/3 as R-1. He stated that commercial and residential development did not always mix well, but it did make sense to have them close together. Multi-family designations needed to be looked at carefully, as potential problems with noise, etc. could arise.

Chairman Jones opened the public hearing.

Mr. George Fiscella, owner of Hampton Roads Development LLC, addressed the Board. He advised that he thought the requested amendments to the Comprehensive Plan would be a win-win for everyone. The majority of the property, 2/3, was already zoned R-1. The remaining 1/3 of the property was zoned A-1, but was designated in the Comprehensive Plan as Single Family Residential. Thus, you could end up with about 750 single-family homes on the property with little proffers. They were requesting that in addition to allowing for single-family residential, that the Comprehensive Plan be amended to allow for small neighborhood shops along the front of the property, which would include a medical center and retail shops. He noted that these shops would not be big box stores such as Wal-Mart. They were also requesting that the Comprehensive Plan be amended to allow for multi-family residential options, which would include quad-plexes for persons age 55 and over, an assisted living facility, and a nursing home. The proposed development would produce tax revenue that would exceed expenditures. If the property were developed as currently zoned and designated, expenditures would exceed revenues. He stated that there was a big step from a Comprehensive Plan amendment, which they were requesting tonight, to a rezoning. With rezoning, proffers would be put on the table and the County could set forth controls. They believed in this project. That was evident in the couple million dollars they had put into the land they donated to the school, the retention pond, etc. He pointed out that because the citizens and County were not very receptive to the townhouses and apartments, they had omitted them from the proposed development, even though they believed those housing options would add to a community.

Supervisor Brown asked, if the proposed development came to fruition, what could the County expect to gain? Mr. Fiscella replied that the net fiscal revenue for the County, over and above expenses, was projected at \$1.3 million.

Mr. Douglas Koehn of Camp Parkway spoke. He stated that he had seen the work of Hampton Roads Development LLC. They were a class act and asset to the community. He thought the County could benefit from the housing options and small retail shops.

Reverend Freeman, Pastor of Pleasant Shade Baptist Church on Delaware Road spoke. He advised that it appeared that the developer was trying to satisfy the people. The school facility on the property was a very fine facility. The people in his church could not wait for their children to attend school there. He stated that church brings about change. He was asking the Board of Supervisors to bring about change by approving this development. He admired Hampton Roads Development LLC and had never seen a finer plan presented.

Mr. Larry Whitley spoke. He advised that he was a farmer and a homeowner and had been in Southampton County all his life. He commended the County for the Comprehensive Plan. Community meetings were held and the public provided input on the Comprehensive Plan. Mr. Fiscella had the opportunity to provide input, but he did not. He asked the Board not to change the Comprehensive Plan at this point. If they did so, the public would lose faith in them and the Plan.

He pointed out that for every \$1 received from residential development, the County would spend \$1.30, so he did not see how the County would gain anything from this development.

Mrs. Gail Phillips spoke. She stated that she admired Mr. Fiscella for his persistence. She stated that the Board of Supervisors had told others requesting to change the Comprehensive Plan that it was too new of a plan to change. She thought they should tell Mr. Fiscella the same thing.

Mr. Nunzio Miserri spoke. He advised that he was all for Mr. Fiscella's project. The project looked very good and would create a lot of jobs. He admired his commitment to the County.

Mr. Ash Cutchin of 29018 Darden Point Road spoke. He advised that he originally chose to remain quiet on this issue. He stated that no plan was cast in concrete and a good plan should be flexible. Mr. Fiscella did remove some of the multi-family housing (townhouses and apartments) because it was not well accepted by the citizens. He did think that a large scale residential development could support some retail shops. He stated that since 2/3 of the property was already zoned R-1, he did not understand why Mr. Fiscella did not go ahead and start building and then come back at a later date. Mr. Cutchin confirmed with Mr. Fiscella that he still planned to build houses on ¼ acre lots. Mr. Cutchin advised that most people were opposed to residential lots any smaller than ½ acre. Mr. Cutchin asked them to take a drive and look at some of the other developments already in place in the County with ½ acre lots, then imagine another house in between those lots.

Mr. Jimmy Lee spoke. He asked the Board to deny this request. He advised that he respected the Board and Mr. Fiscella, but he was passionate about Southampton County. Southampton County was the envy of the Tidewater area – we had what they wanted. He hoped he would not live to see the day where he had to go through 37 stoplights in the County. Amending the Comprehensive Plan may open the flood gate for others wanting to do the same thing. The Comprehensive Plan was developed with taxpayer money by the Board of Supervisors, Planning Commission, and with citizen input. Why did we need to change it for one person, especially an outsider? The Courts had always backed the Comprehensive Plan. If they changed it, they would lose leverage and lose their defense. The problem we were facing with the OLF was the result of Virginia Beach not saying no to developers. Now they wanted Southampton County to solve their problems. He stated that the Planning Commission voted down this proposed development twice. A proffer today may not be worth 5 cents 10 years from now. We may be selling ourselves out for 10 cents on the dollar. They would be opening the flood gate for issues we may not be ready for. As mentioned at other meetings, with high density development comes crime. And there was a school right there. That needed to be considered. He had not heard anything to prove that this development would be a good thing. If there was something the public did not know, please inform us. Dr. Alan Edwards, Chairman of the Planning Commission, said at the Planning Commission public hearing that citizens had little input with federal and state government, but every month the public had the opportunity to provide input at the local level. That was a privilege we often took for granted. The vote was 5-3 at the Planning Commission to recommend denial. He asked the 3 commissioners who did not vote against the application why they voted that way because they were supposed to vote the way the people wanted them to vote. He stated that the risks were too great and the profits were minimal. He asked the Board to deny the request.

Ms. Phylise Hancock of the Sedley area spoke. She stated that Southampton County had been nominated to the APBA in an effort to keep the OLF out of here. She did not want anything to jeopardize that.

Mr. Larry Cumming, attorney representing Hampton Roads Development LLC spoke. He stated that someone mentioned that residential development would cost the county money. He clarified that was correct, but what they were proposing would be a revenue generator for the County. He also clarified that with this development, they were attempting to consolidate and keep people in this area and keep them off of the road and traveling all over the County. According to County statistics, 130 new houses were built in the County every year. Where would they like those houses to be? Scattered throughout the County or consolidated in an area where services were available. It really was a question of which development was better – the single family development that could occur and was designated to occur on the property, or the proposed development? The residential development horse was already out of the barn.

Supervisor Brown asked about the projected build-out of the development? Mr. Cumming replied that an aggressive estimate would be 20 years, and a conservative estimate would be 30-40 years.

Mr. Larry Whitley spoke again. He stated that they realized that part of the property was already zoned R-1 and the remainder was designated as R-1, but Mr. Fiscella wanted to rezone to R-2, which was a big difference.

Dr. Alan Edwards spoke. (Note: Dr. Edwards is Chairman of the Southampton County Planning Commission.) He stated that they were not voting on plans – they were voting on changing the Comprehensive Plan. He had been involved in the development/updating of 5 Comprehensive Plans, and this was the first one in which citizens were involved. We all knew that growth was coming. They had 2 basic tools to govern growth – the Comprehensive Plan and the Zoning Ordinance. In the Courts, since 1976, whoever stuck with their Comprehensive Plan won their cases. If they changed the Comprehensive Plan, they would be diminishing the value of their best resource. If 10 years from now, this proposed development looked like the best thing since sliced bread, then rezone the property. Each Board member represented about 2,500 citizens. This was the citizens' only personal contact with any level of government. He asked them to vote not to change the Comprehensive Plan.

Mr. Glenn Updike spoke. He stated that for every rose there was a thorn. Who was going to pay the bills for the next 30 years? The developer was not going to build the commercial part until the houses were there. And 30% of the revenue from the commercial would go to the City of Franklin (per the revenue-sharing agreement). He agreed with Mr. Jimmy Lee and Dr. Alan Edwards. If they approved this, they would be opening the door to disaster. He asked all those in the audience in opposition to the application to stand.

Mr. Jim Hart spoke. He advised that he lived in the City of Franklin but owned property in Southampton County in view of the proposed property. He did not know how you could compute future dollars. You could approve something today, but you would not get paid until the future. At a previous meeting, it was said that people coming to this development would come from elsewhere and that this development would not benefit the local people. The Comprehensive Plan was approved without bias and personal gain. Now they were considering changing it for someone's personal gain. The developer said at a previous meeting that this was the "best plan" for the County. After being met with resistance, he came back with another "best plan" for the County. The value of property was based on its location and uses. Rezoning the property to allow for commercial development would line the pockets of the developer and sell out the citizens of Southampton County. He stated that he thought the integrity of Mr. Fiscella was good, but they may not be dealing with him throughout this project. He had already bailed out on a development in the City of Franklin. It was all about the money for the developer. We had a vision and a Comprehensive Plan in place. This decision would be likely be the biggest decision they would face. Their decision would send a message to developers east of us and would set precedence. He asked the Board to vote no.

Chairman Jones closed the public hearing.

Supervisor Brown stated that he had heard all sides. Over the next 40 years, based on past County statistics, they would be looking at a population of 25,000 people and 4,000 homes built in this County. How much farmland would that eat up? Everyone was talking about not wanting to change the Comprehensive Plan. But this Board had already changed the Comprehensive Plan. They changed it a few months ago for another developer wanting to develop property in Edgehill. He personally voted against that because utilities were not available and he did not see where the County would benefit. So the Comprehensive Plan had already been changed. There was legislation by the General Assembly stating that counties with a population of at least 20,000 with a growth rate of at least 5% would be REQUIRED to have an urban development. Southampton County was well on its way to meeting that criteria. If they turned down this development, what would they do down the road when they were required to have such a development? And he keeps hearing about outsiders. He was certain that everyone in this room was not from Southampton County or at least their ancestors were not from Southampton County. He was looking at this development in terms of a long-term investment on our dollars. He wanted the benefits this

development would provide. He wanted to talk about how this development could assist with a wastewater treatment plant that was needed in Courtland.

Supervisor Faison stated that this developer was coming in and trying to partner with the County. He donated the school site. He did not see this developer as any developer. If this development set precedence, that was good.

Vice-Chairman Young advised that he was in favor of following the Planning Commission's recommendation.

Supervisor West stated that he understood that 600-700 homes could be built there now. He was concerned about the intended market of the proposed development. He agreed with Dr. Alan Edwards in maybe they could look at this in 10 years and see if we needed it then. The citizens put in a lot of time in contributing to the Comprehensive Plan. However, we needed Mr. Fiscella in the future for infrastructure development. We needed to see how we could work with him. But we needed to hear from our financial advisors first.

Supervisor Wyche stated that it was a good project and Mr. Fiscella was willing to work with the County. However, the Comprehensive Plan was up for review in 2012, and he had to stick with the Comprehensive Plan right now.

Supervisor Felts stated that this was a wonderful plan. She helped with the update of the Comprehensive Plan, a lot of citizens put in a lot of hours in contributing to the Plan, and they spent a lot of money on the Plan. There were other properties along Camp Parkway designated as commercial. She wondered how those properties would be affected if they changed the Comprehensive Plan to allow for commercial development on the subject property. As a result, she would like for the planning department, and/or the new planner when he/she is hired, to do a study on such.

Supervisor Brown asked, what was the purpose of a study? Did they do such a study when they changed the Comprehensive Plan a few months ago for the Edgehill development? No. The other commercial properties were unaffected by the Comprehensive Plan amendment for Edgehill and they would be unaffected with this Comprehensive Plan amendment. And furthermore, the owners of the other properties designated as commercial along Camp Parkway have not come forward and asked for a commercial rezoning.

Supervisor Faison stated that the County wanted to save as much agricultural land as possible, and this development would help to do that. Putting houses in one place was good. The Comprehensive Plan was a *plan*. He did not see changing it as destructive. He listened to what the citizens had to say, but he did not have to agree with them.

Supervisor West remarked that he thought it was premature to vote on this tonight.

Vice-Chairman Young made a motion to deny the application. Supervisor West seconded the motion but noted that he did not want to. Vice-Chairman Young voted in favor of the motion. Supervisors Brown, Faison, Felts, West, and Wyche voted in opposition to the motion. (Chairman Jones did not vote.) The vote was 1-5, thus the motion failed.

Supervisor Faison made a motion to approve the application. Supervisor Brown seconded the motion. Supervisors Brown and Faison voted in favor of the motion. Vice-Chairman Young and Supervisors Felts, West, and Wyche voted in opposition to the motion. (Chairman Jones did not vote.) The vote was 2-4, thus the motion failed.

Supervisor Faison moved, seconded by Supervisor Brown, to table the application for 6 months. Vice-Chairman Young and Supervisors Brown, Faison, Felts, West, and Wyche voted in favor of the motion. (Chairman Jones did not vote.) The vote was 6-0 in favor of the motion, thus the motion passed.

The Board recessed for 5 minutes.

Upon returning to open session, Mr. Johnson, County Administrator, announced that the third public hearing was to consider the following:

A proposed ordinance to exempt certain real property owned by The Young Farmers Club of Ivor, Inc., a cultural and recreational non-profit organization, from local real estate taxation. The affected real property is located at 36102 Seacock Chapel Road, identified as tax parcels 24-33A, 24-33B, and 24-33D, and used by such organization for cultural and recreational purposes directly related to its mission of encouraging and stimulating persons, families, and groups to work together for the development, expansion and improvement of the community. The property has a current assessed value of \$101,400 and the real estate tax for 2007 was \$689.52.

Mr. Johnson advised that before adopting any such ordinance the governing body should consider the following questions:

1. Whether the organization is exempt from taxation pursuant to § 501 (c) of the Internal Revenue Code of 1954;
2. Whether a current annual alcoholic beverage license for serving alcoholic beverages has been issued by the Virginia Alcoholic Beverage Control Board to such organization, for use on such property;
3. Whether any director, officer, or employee of the organization is paid compensation in excess of a reasonable allowance for salaries other compensation for personal services which such director, officer, or employee actually renders;
4. Whether any part of the net earnings of such organization inures to the benefit of any individual, and whether any significant portion of the service provided by such organization is generated by funds received from donations, contributions, or local, state or federal grants. As used in this subsection, donations shall include the providing of personal services or the contribution of in-kind or other material services;
5. Whether the organization provides services for the common good of the public;
6. Whether a substantial part of the activities of the organization involves carrying on propaganda, or otherwise attempting to influence legislation and whether the organization participates in, or intervenes in, any political campaign on behalf of any candidate for public office;
7. The revenue impact to the locality and its taxpayers of exempting the property; and
8. Any other criteria, facts and circumstances that the governing body deems pertinent to the adoption of such ordinance.

Chairman Jones opened the public hearing.

Mr. John Scott, President of the Young Farmers Club of Ivor, Inc., addressed the Board on behalf of the Club. He advised that he appreciated the Board's consideration in exemption their organization from real estate taxation.

Mr. Scott clarified that the organization had been in existence for 44 years. They were in the process of becoming a 501 (c) 3 organization, but was not recognized as such yet. They had not yet had an internal audit performed.

Supervisor West advised that the organization served the community very well. Sometimes things fall through the cracks, such as the fact they had not applied to be a 501 (c) 3 organization all these years. He certainly supported their request.

Vice-Chairman Young suggested that they defer action until the organization obtained 501 (c) 3 status. Supervisor Faison agreed.

Supervisor West moved, seconded by Vice-Chairman Young, to table this matter for 6 months. All were in favor.

Mr. Johnson announced that the fourth and final public hearing was held pursuant to § 33.1-70.01, *Code of Virginia* as amended to receive public comment on the Priority List for Proposed Improvements to the Secondary and Unpaved Roads of Southampton County and the FY 2009

Secondary and Unpaved Road Construction Budget.

Mr. Joe Lomax, Residency Administrator of the VDOT Franklin Residency, and Mr. Jerry Kee, Assistant Residency Administrator of the VDOT Franklin Residency, presented the following:

Secondary System Southampton County Construction Program Estimated Allocations							
Fund	FY2005	FY2010	FY2011	FY2012	FY2013	FY2014	Total
Secondary Unpaved Roads	\$88,911	\$84,110	\$86,644	\$50,538	\$52,707	\$36,483	\$343,353
TeleFee	\$51,469	\$63,589	\$63,589	\$63,589	\$63,589	\$63,589	\$569,414
STP Converted from IM	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Federal STP - Bond Match	\$70,013	\$69,494	\$70,612	\$71,749	\$72,903	\$74,077	\$428,848
Formula STP	\$32,195	\$10,093	\$6,425	\$3,687	\$7,894	\$6,632	\$75,216
MG Formula	\$62,194	\$61,721	\$60,260	\$75,684	\$71,579	\$72,731	\$404,169
BR Formula	\$62,740	\$0	\$0	\$0	\$0	\$0	\$62,740
Formula STP - Match	\$36,282	\$17,954	\$17,421	\$21,063	\$19,896	\$19,915	\$135,532
State Funds	\$298,643	\$363,949	\$350,322	\$332,516	\$318,080	\$209,833	\$1,879,523
Federal STP	\$280,053	\$277,974	\$282,448	\$286,964	\$291,613	\$286,305	\$1,715,368
Total	\$965,500	\$928,884	\$922,721	\$910,950	\$898,201	\$781,967	\$5,408,223

Board Approval Date:	_____	Date
Residency Administrator	_____	Date
County Administrator	_____	Date

District: Hampton Roads
 County: Southampton County
 Board Approval Date: 2009-10 through 2013-14

Route	Road Name	Estimated Cost	Traffic Count
PPMS ID	Project #		Scope of Work
Accomplishment	Description		FHWA #
Type of Funds	FROM		Comments
Type of Project	TO		
Priority #	Length	Ad. Date	
0571	GEN. THOMAS HWY	PE \$869,000	5100
17661	0671087264	RW \$273,665	RECONSTRUCTION
CONTRACT	RTE 671 - 5 LANES WITH TURN LANE	CON \$5,395,119	14003
STP	ROUTE 650	Total \$6,537,804	
SECONDARY - ONE HEARING DESIGN	ROUTE 657		
0001.00	0.9	3/8/2011	
0657	OLD PLACE ROAD	PE \$50,800	55
57355	0657087P73	RW \$40,640	RECONSTRUCTION
CONTRACT	RTE 657 - RECONSTRUCT & SURFACE TREAT NON-HARDSURFACED ROAD	CON \$829,056	16003
S	EAST ROUTE 658	Total \$920,496	
NO PLAN,SECONDARY	ROUTE 653		
0001.00	2.5	7/11/2011	
0654	RAWLINGS ROAD	PE \$26,735	110
1787	0654087P69	RW \$10,025	RECONSTRUCTION
SAAP CONTRACT	RTE 854 - RECONSTRUCT & SURFACE TREAT NON-HARDSURFACED ROAD	CON \$401,018	16003
S	ROUTE 509	Total \$437,778	
NO PLAN,SECONDARY	ROUTE 58		
0002.00	0.9	8/29/2014	
0743	FULLERS MILL RD	PE \$380,000	360
57325	0743087267	RW \$497,300	RECONSTRUCTION
CONTRACT	RTE 743 - RECONSTRUCTION	CON \$2,209,328	16003
S	ROUTE 671	Total \$3,086,628	
MIN PLAN,STATE,SECONDARY	0.7 MILE SOUTH ROUTE 671		
0002.00	0.7	6/30/2017	

0651 1949 CONTRACT S NO PLAN/SECONDARY 0003.00	INDIAN TOWN RD 0651037P82 RTE 651 - RECONSTRUCT & SURFACE TREAT NON-HARDSURFACED ROAD ROUTE 653 ROUTE 609 1.3	PE RW CON Total	\$28,060 \$11,692 \$408,215 \$446,967	5/24/2016	90 RECONSTRUCTION 16003
0646 57326 CONTRACT STP MIN PLAN/FED- AID/SECONDARY 0003.00	GOVERNOR DARDEN 0546087268 RTE 646 - RECONSTRUCTION ECL COURTLAND 2.5 MILES EAST ECL COURTLAND 2.5	PE RW CON Total	\$102,064 \$0 \$1,921,208 \$2,023,272	5/30/2017	480 RECONSTRUCTION 14003
0646 57327 CONTRACT STP MIN PLAN/FED- AID/SECONDARY 0003.00	GOVERNOR DARDEN 0646087 RTE 645 - RECONSTRUCTION 2.5 MILES EAST ECL COURTLAND ROUTE 641 2.6	PE RW CON Total	\$102,064 \$0 \$1,921,208 \$2,023,272	5/30/2017	472 RECONSTRUCTION 14003 State funds - AC for future federal conversion

Chairman Jones opened the public hearing.

Ms. Lela Warren spoke. She advised that she lived on Warrigue Road, which was not on the list. She wanted them to consider putting it on the list.

Ms. Mildred Haywood spoke. She advised that she lived on Warrigue Road. Hog trucks traveled up and down that road and the dust was ridiculous. She had been trying to get the road fixed.

Ms. Teresa Smith spoke. She advised that she also lived on Warrigue Road. The dust was a health hazard. She had emphysema and was on oxygen. Whenever they graded the road, they made it worse.

An unidentified gentleman spoke. He advised that he lived on Rosemont Road on the Corner of Peachtree. A Mr. Pair, who was no longer with the highway department, had said that they were going to pave Warrigue Road. Only ¼ mile needed paving and he was in favor of paving it.

Mr. Phil Bain spoke. He advised that he was a landowner of property on Warrigue Road. He

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clarified that one end of Warrigue Road had been paved – the other end needed paving.

Supervisor West stated that only a small amount of paving was needed to help these residents of Warrigue Road.

Mr. Jerry Kee advised that the traffic count on Warrigue Road was 300+ cars.

Mr. Joe Lomax clarified that paving Warrigue Road was secondary construction. As a result, they must put it on the list, then it must go on the 6-year plan.

Ms. Haywood spoke. She stated that a Mr. Wells lived in a house further down Warrigue Road. They probably should pave in front of his house as well.

Mr. Phil Bain spoke. He advised that Mr. Wells was a resident in his house and they did not wish for the road in front of their house to be paved.

Supervisor West stated that he would like for Warrigue Road to be paved via the Rural Rustic designation.

Supervisor Felts asked if there was anything that could be done to the roads in her area to help with the dust, other than to go the Rural Rustic route, etc.? Mr. Kee advised that they could look at applying calcium chloride to those roads.

Supervisor West made a motion to move Warrigue Road (Rt. 617) to Priority # 2 behind Old Place Road. Vice-Chairman Young seconded the motion. Chairman Jones, Vice-Chairman Young, and Supervisors Brown, Faison, Felts, and West voted in favor of the motion. Supervisor Wyche voted in opposition to the motion. The vote was 6-1 thus the motion passed.

Supervisor Wyche advised that he voted against the motion because there were unpaved roads in his District that needed attention – some of which had been on the list for a while.

Mr. Johnson read aloud the following Rural Rustic resolution:

Supervisor West moved, seconded by Vice-Chairman Young, to adopt the Rural Rustic resolution. Chairman Jones, Vice-Chairman Young, and Supervisors Brown, Faison, Felts, and West voted in favor of the motion. Supervisor Wyche voted in opposition to the motion. The vote was 6-1 thus the motion passed.

Mr. Johnson advised that they still needed to approve the rest of the priorities. The resolution is as follows:

**BOARD OF SUPERVISORS
SOUTHAMPTON COUNTY, VIRGINIA**

RESOLUTION 0508-10D

At a meeting of the Board of Supervisors of Southampton County, Virginia, held in the Southampton County Office Center, Board of Supervisors' Meeting Room, 26022 Administration Center Drive, Courtland, Virginia on Tuesday, May 27, 2008 at 6:00 p.m.

(yet), it had been problematic in other Virginia counties in which protests or marches had been organized. He advised that the ordinance, included in the agenda, was worded almost identically to Chesterfield County's except that it used the term "Sheriff", where their ordinance used the term, "Chief of Police." It basically gave the Sheriff complete authority and control over all parades and marches. It would, however, also require organizations like the Drewryville Women's Club to obtain a permit for their Christmas parade – it was just \$10, but they would have to apply at least 60 days in advance.

The proposed ordinance is as follows:

AN ORDINANCE TO AMEND CHAPTER 2.5 OF THE SOUTHAMPTON COUNTY CODE
BY ADDING A NEW ARTICLE III, TITLED PARADES, PROCESSIONS

BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that the Southampton County Code be, and hereby is, amended by adding a new Article 3 to Chapter 2.5 as illustrated herein below:

ARTICLE III. Parades, Processions.

Sec. 2.5-50. Purpose; definition.

(a) The purpose of this article is to protect the public health, safety and welfare of county citizens by providing reasonable regulations for conducting processions and parades within the county.

(b) The terms "procession" or "parade" as used in this article shall mean any group of individuals moving along on foot and/or in vehicles, or assembling in an orderly, ceremonial way.

Sec. 2.5-51. Permit required.

It shall be unlawful for any procession or parade, except the armed forces of the United States, the military forces of the state, the police, fire and rescue forces of the county, and funeral processions, to occupy, march or proceed along any street or highway right-of-way in the county without first obtaining a permit from the Sheriff.

Sec. 2.5-52. Same--application; fee.

(a) Application for a permit under this article shall be made in writing and filed with the Sheriff at least 60 days prior to the date of the parade or procession.

(b) Each application for a permit under this article shall include the following:

- (1) The name and address of the applicant.
- (2) The names of all persons or organizations who are responsible for organizing or sponsoring the parade or procession.
- (3) A detailed description of the nature, type and size of the parade or procession.
- (4) A statement specifying the proposed date, location, route and estimated duration of the parade or procession.
- (5) A plan designating provisions for adequate crowd and traffic control in the area of the parade and procession. The Sheriff shall review such plan and shall be the sole judge of the adequacy thereof.
- (6) A statement that the applicant has applied for a permit or written permission from the Virginia Department of Transportation to conduct the parade or procession.

(c) Each application shall be accompanied by an application fee of \$10.00.

Sec. 2.5-53. Same--Issuance or denial; revocation.

(a) The Sheriff shall act on the application within 21 days of the filing of the application and shall not issue a permit unless (i) the requirements of this article have been met, and (ii) he determines that adequate crowd and traffic control can be provided for the parade or procession to protect the public health, safety and welfare. The Sheriff may include restrictions or conditions in the permit as he deems advisable to protect the public health, safety and welfare. In addition, the Sheriff may require the applicant to deposit with the Sheriff's Office a sum which the Sheriff determines based on his estimate of the cost of additional

county services which are necessitated by the parade or procession, including, but not limited to, additional deputy sheriffs necessary for traffic or crowd control. Whether or not such deposit is required, the applicant shall be responsible for paying to the county the actual cost of such additional services.

(b) The Sheriff may either refuse to issue a permit or may require an applicant to modify or amend the application if the Sheriff determines that adequate crowd and traffic control cannot be provided for the parade or procession. Each denial of an application and the reasons for such denial shall be in writing and mailed to the applicant at the address indicated in the application.

(c) The Sheriff may revoke any permit issued under this article for failure to comply with any of the provisions of this article or for failure to comply with any conditions or restrictions contained in the permit.

Sec. 2.5-54. Additional requirements.

Nothing in this article shall be construed to relieve an applicant of the responsibility to obtain permits or permission from the Virginia Department of Transportation, or any other applicable agency, prior to conducting a parade or procession.

A copy teste: _____, Clerk
Southampton County Board of Supervisors
Adopted : June 23, 2008

Attorney Railey advised that although he understood the intended purpose of the ordinance, it would prohibit a spontaneous parade to celebrate something because you would have to have an advance permit. Something like this would have prevented any civil rights protests in the past. He stated that he would like the opportunity to continue to do research to see if he could come up with something more acceptable.

It was consensus of the Board to take this matter under advisement.

Continuing with first readings, Mr. Johnson advised that they may recall adopting the flow control ordinance last September which, in addition to requiring all waste to be delivered to SPSA facilities, also required all solid waste collection businesses operating within the county to first obtain a permit from the county administrator. However, the ordinance included no specific requirements for the application, or provisions for issuance or revocation. He stated that the ordinance, included in the agenda, was modeled almost identically to the City of Norfolk's. It was his understanding that all eight SPSA member communities would be considering similar ordinances.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to advertise the ordinance for a public hearing at next month's meeting. All were in favor.

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

AN ORDINANCE TO AMEND CHAPTER 13 OF THE SOUTHAMPTON COUNTY CODE
BY ADDING NEW SECTIONS 13-12 THROUGH 13-15 AS IT RELATES TO
SOLID WASTE COLLECTIONS BY A PRIVATE SERVICE PROVIDER

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

Sec. 13-12. Permit--application.

Application for a permit required by Sec. 13-11 herein above shall be submitted to the county administrator or his designee and shall include:

- (a) The private collector or contractor's name.
- (b) The address and telephone number of the applicant.
- (c) The address and location of the solid waste containers to be serviced.

- (d) The character and description of material to be collected.
- (e) The equipment to be used, including the location and type of receptacle.
- (f) Such other requirements as the county administrator or his designee deems necessary.
- (g) The applicant shall pay the established permit fee and post a deposit when required.

Sec. 13-13. Same--Issuance and revocation.

(a) The county administrator or his designee may authorize the private collection and disposal of solid waste by private collectors or contractors, and issue a permit applied for under this article, when:

- (1) The person or organization abides by rules and regulations promulgated by the county administrator.
- (2) The director of public health or his designee determines that the containers used are adequate for the quantities of waste.
- (3) The director of public health or his designee determines that the private collector or contractor has an adequate, safe and sanitary disposal site lawfully available to him which he uses.

(b) A permit may be revoked by the county administrator or his designee when any applicable law, code, ordinance regulation is not complied with, or when any of the permit conditions or requirements are not complied with.

Sec. 13-14. Hours of operation near residential zones.

No person shall operate a private collection business within the county within six hundred (600) feet of any area zoned residential within the terms of the zoning ordinance of the county, except between the hours of 7:00 a.m. and 5:00 p.m.

Sec. 13-15. Frequency of collections.

The frequency of collections by private collectors shall be at least once per week or as often as deemed necessary by the county administrator or his designee for the protection of public health or the prevention of the public nuisance.

A copy teste: _____, Clerk
Southampton County Board of Supervisors
Adopted : June 23, 2008

Moving forward, Mr. Johnson announced that Mrs. Barbara E. Story had requested time on the agenda this evening to address the Board. However, Mrs. Story was not present.

Regarding miscellaneous issues, Mr. Johnson announced that he was pleased to inform that Mr. Dominique Johnson, a rising junior at Norfolk State University (NSU), would be employed with us as a summer intern over the next 10 weeks. Dominique was an honor graduate of Southampton High School and currently maintained a 3.785 grade point average as a political science major at NSU. He came very highly recommended from their Director of Career Services. He resided in the Ivor area and would be tasked with working with the Ivor community in planning and organizing an adaptive reuse of the former Ivor Elementary School.

Mr. Dominique Johnson introduced himself to the Board and advised that he looked forward to serving as a summer intern, and especially working to find a reuse of the former Ivor Elementary School. The Board advised that they were pleased to have him and welcomed him aboard.

Mr. Johnson advised that included in the agenda was a copy of the inaugural newsletter from Franklin-Southampton Economic Development, Inc. It included features on the recent Feridies expansion as well as information regarding the Turner Tract.

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

- 1) From the State Corporation Commission, a copy of the order establishing the 2008-09 Fuel Factor Proceeding for Dominion Virginia Power;
- 2) From the Virginia Department of Health, Office of Drinking Water, a response to VDOT regarding potential impacts that the widening of Rt. 671 may have on water supplies or wastewater systems;
- 3) From the Virginia Department of Environmental Quality, notice of a groundwater withdrawal application from Industrial Power Generation Company in Charles City County;
- 4) From the Virginia Department of Health, Office of Drinking Water, a copy of a Notice of Violation to Southampton Power Station for exceeding the primary maximum contaminant level for total coliform bacteria during the month of April;
- 5) From the Virginia Department of Health, Office of Drinking Water, a copy of a Notice of Violation to the Town of Courtland for exceeding the primary maximum contaminant level for fluoride during the period of April 1, 2007 through March 31, 2008.

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

- 1) From Isle of Wight County, a copy of their resolution supporting our position of opposition on the proposed Outlying Landing Field (OLF);
- 2) From the family of Harold West, a note of thanks for your recent prayers and thoughts;
- 3) From People for the Ethical Treatment of Animals (PETA), a request that the county consider legislation that would ban bullhooks, electric pods and other devices that inflict pain and injury to elephants;
- 4) From the Hampton Roads Economic Development Alliance, a request for input, suggestions and advice regarding their upcoming search for a new executive director;
- 5) From the Genieve Shelter, a status report on the progress building CJ's Place;
- 6) From the Virginia Department of Historic Resources, notice that their staff intends to recommend preparation of a historic register nomination for the Sebrell Historic Rural District; and
- 7) From the Southampton County Circuit Court, a copy of the order appointing Mr. James E. "Jeb" Bradshaw to the Board of Zoning Appeals.

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

Moving to late arriving matters, Mr. Johnson announced that he had been notified of a planned historical society event on Sunday, June 1 – the event was in regards to Benjamin Hicks, who had a patent on the peanut picker.

Supervisor Wyche suggested that the Board present a resolution to Mrs. Gilliam, wife of Reggie W. Gilliam, former Board of Supervisors member and Chairman who passed away. Chairman Jones stated that they would certainly do something for her a little later.

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

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

Section 2.2-3711 (A) (7) Consultation with legal counsel and briefings by staff members requiring the provision of legal advice regarding and related to the potential siting of an outlying landing field.

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

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

Richard Railey, County Attorney, Jay Randolph, Assistant County Administrator, Julia Williams, Finance Director, Julien Johnson, Public Utilities Director, and John Smolak, President of Franklin-Southampton Economic Development, Inc. were also present in the closed meeting.

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

RESOLUTION OF CLOSED MEETING

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

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

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

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

The motion passed unanimously.

There being no further business, the meeting was adjourned at 10:40 PM.

Dallas O. Jones, Chairman

Michael W. Johnson, Clerk