

At a regular meeting of the Southampton County Board of Supervisors held in the Board Room of the Southampton County Office Center at 26022 Administration Center Drive, Courtland, Virginia on June 23, 2003 at 8:30 AM.

SUPERVISORS PRESENT

Reggie W. Gilliam, Chairman
Eppa J. Gray, Jr., Vice-Chairman
Carl J. Faison
Dallas O. Jones
Charleton W. Sykes
Ronald W. West
Walter L. Young, Jr.

SUPERVISORS ABSENT

None

OTHERS PRESENT

Michael W. Johnson, County Administrator (Clerk)
Richard E. Railey, Jr., County Attorney
Julia G. Williams, Finance Director
Cynthia L. Cave, Community/Economic Development Director
Susan H. Wright, County Administration Executive Secretary

Chairman Gilliam called the meeting to order at 8:30 AM, and after the *Pledge of Allegiance*, gave the invocation.

Chairman Gilliam sought approval of the minutes of the May 6, 2003 public information session, May 19, 2003 budget public hearing, and May 27, 2003 regular meeting. All were approved as recorded, as there were no additions or corrections.

Regarding highway matters, Chairman Gilliam recognized Mr. Randolph Cook, Resident Engineer of the Virginia Department of Transportation (VDOT).

Mr. Cook reported that they had begun working on Route 671, but had done very little since the clearing of it because of all the rain. They would, however, begin working on it again this week. He advised that they should be completing the work on Route 58 in the Drewryville area soon, as they were now working on the shoulders and restoring residents' drive ways back to their original condition.

Supervisor West commented that he noticed they were using crush-and-run at the shoulder edges instead of clay. Mr. Cook advised that the quarry must have had an overabundance, because they sold it to them for the same price as the dirt. Chairman Gilliam asked why they typically used clay instead of crush-and-run? Mr. Cook replied that their specifications would allow them to use most anything for the shoulders, but on that end of the County, clay or a clay/sand mix was usually all that was available.

Supervisor Young advised that he had received a number of phone calls regarding ditch drainage problems. Supervisor Faison mentioned that there were drainage problems on Pittman Road. Mr. Cook informed that they were indeed working on the drainage problems, but it was taking some time to due all the rain.

In regards to appointments, Vice-Chairman Gray advised that the individual he had in mind to serve on the Blackwater Regional Library Board of Trustees had decided not to serve. Thus, he had asked Supervisor Faison, whose district (Boykins-Branchville district) was not represented on that Board, to try and seek an appointee. Chairman Gilliam confirmed with Mr. Johnson that it would be ok for the name of that appointee to be submitted at next month's meeting.

Supervisor Young mentioned that Joy Collier, member of the Blackwater Regional Library Board of Trustees representing his district (Franklin district), called and informed him that Pat Ward, Director of the Blackwater Regional Library, did not receive an invitation to the budget workshop meeting (in which organization/agency representatives were invited to speak to their respective budgets) and was very concerned that their organization was cut \$7,000. Mr. Johnson and Mrs. Julia Williams, Finance Director, advised that all the information regarding their respective budget and that budget workshop meeting was sent to them.

Continuing with appointments, Mr. Johnson announced that his (Mr. Johnson's) term on the executive committee of the Hampton Roads Planning District Commission would expire June 30, 2003. Terms were for 2 years.

Vice-Chairman Gray made a motion, seconded by Supervisor Young, that Mr. Johnson be reappointed. All were in favor.

Chairman Gilliam's term on the Tidewater Regional Home Group Commission (TRHGC) Board of Directors would expire on July 31, 2003. (Chairman Gilliam would not be seeking reelection to the Board of Supervisors in November to serve another 4-year term which would begin January 2004, thus another Board member would need to be appointed to succeed him on the TRHGC Board of Directors.) Supervisor West asked Chairman Gilliam to provide some insight in regards to serving on that board. Chairman Gilliam informed that they met once a month on Mondays at 11:30 AM in Portsmouth. Occasionally they may not meet due to lack of an agenda, but on average they met at least 10 times a year. He noted that the meeting place was in a convenient location. Supervisor West asked what type of organization it was and what services they provided? Chairman Gilliam replied that their program provided services for juveniles that were alternatives to jail time. He stated that the facility that served Southampton County was in Chesapeake. Mr. Johnson noted that the number of Southampton County juveniles they served varied from year to year. Supervisor Faison commented that the TRHGC was essential for Southampton County because there was nowhere else for our juveniles to go. Supervisor West asked if there were any contributions in the budget for that organization? Mr. Johnson replied that it was not a *contribution*, as you had to pay to house juveniles. He added that it was jointly funded between the state and the county.

Supervisor Jones made a motion that Chairman Gilliam continue to serve until the end of the year (then they would revisit this appointment). Supervisor Young seconded the motion. All were in favor.

Regarding monthly reports, Mr. Johnson received various reports and provided them in the agenda. Those reports were Financial, Sheriff's Office, Traffic Tickets for 2003, 9-1-1 Sign Repair, Animal Control, Building Inspections, and New Housing Starts. Also Cooperative Extension, Treasurer's Office for March and April 2003, Delinquent Tax Collection, Daytime E.M.S. Contract, Fire/Rescue Reports, and Personnel.

In reference to the personnel report, Mr. Johnson announced that there were no personnel changes to report. He informed that J. Michael Blythe remained on active military leave and was currently in Kuwait, and the Sheriff's Office was putting together a care package to ship to him. He informed that Raymond E. Merkh of the Sheriff's Office remained on active military leave as well but was still stateside.

Proceeding to financial matters, Mr. Johnson announced that included in the agenda was the semiannual appropriation resolution for the first half of FY 2004, with total appropriations of \$20,860,351.

The semiannual appropriation resolution is as follows:

**At a meeting of the Board of Supervisors of Southampton County,
Virginia held in the Board of Supervisors Room on Monday,
June 23, 2003**

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 indicated for the period July 1, 2003
through June 30, 2004 for the function and purpose indicated:**

**From the General Fund to the General
Operating Fund to be expended only
on order of the Board of Supervisors:**

11010	Board of Supervisors	60,449
12110	County Administration	121,141
12310	Commissioner of Revenue	101,241
12410	Treasurer	89,812
12415	Delinquent Tax Collection	28,350
12430	Accounting	71,995
12510	Data Processing	94,715
12550	Insurance/County Code	46,962
13200	Registrar	57,936
21100	Circuit Court	27,263
21200	Combined District Courts	9,055
21300	Special Magistrates	669
21600	Clerk of the Circuit Court	56,926
21700	Sheriff - Bailiff	190,105
22100	Commonwealth's Attorney	164,567
31200	Sheriff	566,630
32200	Volunteer Fire Departments	237,548
32300	Volunteer Rescue Squads	566,785
32400	State Forestry Service	11,932
33100	Detention	1,007,278
33300	Probation	30,984
34000	Building Inspections	33,421
35100	Animal Control	35,128
35300	Medical Examiner	750
35500	Emergency Service/Civil Defense	24,538
41320	Street Lights	20,500
42300	Refuse Collection	160,982
42400	Refuse Disposal	391,406
43000	Buildings & Grounds	185,999
51100	Local Health Department	134,066
52000	Mental Health Services	62,116
53220	State/Local Hospitalization	8,039
53240	Sr Services of Southeastern	5,265
53500	Comprehensive Services Act	26,728
53600	STOP Organization	1,706
72000	Community Concert Series	2,500
72200	Rawls Museum Arts	10,000
72500	Historical Society	1,000
73200	Walter Cecil Rawls Library	82,782
81100	Planning/Zoning	73,750
81500	Economic Development	66,876
82400	Soil & Water Conservation District	9,410
83500	Cooperative Extension Service	25,045
91400	Non-Departmental Operating	98,461
	TOTAL	5,002,811

From the General Fund to the E-911
Fund to be expended only on order
of the Board of Supervisors:

31400	E-911	92,652
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	TOTAL	92,652
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**From the General Fund to the Water
& Sewer Fund to be expended only
on order of the Board of Supervisors:**

89600	Enterprise Fund Water	247,176
89500	Enterprise Fund Sewer	433,112
89400	Enterprise Utility Extension	1,167,950
	TOTAL	1,848,238

**From the General Fund to the Building
Fund to be expended only on order of
the Board of Supervisors:**

94000	Building Fund	514,810
	TOTAL	514,810

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

61000	Instruction	6,900,607
62000	Administration	474,657
63000	Other Direction & Management	983,330
64000	Operation & Maintenance Services	1,254,833
68000	School Food Service	33,831
66000	Facilities	124,026
67000	Debt Service	1,082,263
260	Rental Textbook	146,373
265	Technology	103,000
300	Drop Out Prevention	20,650
400	At Risk 4-Year Olds	40,149
450	Early Reading Intervention	13,005
325	Special Education/Jails	17,661
500	Chapter I	278,533
550	Title VIB Special Ed-Flow Through	235,902
600	Title VI Innovative Educ Program	12,816
650	Substance & Drug Prevention	9,901
800	Vocational Special Education	30,168
900	Pre-School Incentive	7,721
570	Sliver Grant	6,295
625	Title II-A Training and Recruitment	77,541
960	Title VIB Rural and Low Income	28,643
	TOTAL	11,881,905

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

65100	School Food Service	528,812
		528,812
	TOTAL	528,812

From the Virginia Public Assistance Fund to the Virginia Public Assistance Operating Fund to be expended only on order of the Social Services Board of Southampton County:

309	Welfare Administration (Eligibility)	295,860
310	Welfare Administration (Service)	209,846
311	Welfare Administration (Joint)	156,576
313	Benefit Programs	287,767
314	Welfare Administration (Energy)	10,955
319	Welfare Administration (VIEW)	30,119
		991,123
	TOTAL	991,123

TOTAL APPROPRIATIONS 20,860,351

BE IT FURTHER RESOLVED that the Treasurer of Southampton County shall transfer to the accounts as indicated, the funds from time to time, as the need occurs and as funds become available.

A copy teste: _____, Clerk
Michael W. Johnson

Southampton County Board of Supervisors
06/23/03

Vice-Chairman Gray moved, seconded by Supervisor Young, that the FY 2004 semiannual appropriations resolution be adopted. All were in favor.

Mr. Johnson advised that also included in the agenda was the FY 2003 regular appropriation resolution for the month of June with total appropriations of \$142,313.93. The appropriation consisted of \$130,939.49 of current revenue and \$11,374.44 carried over from cost collections in the Commonwealth Attorney’s and Clerk of the Circuit Court’s offices.

The resolution is as follows:

APPROPRIATIONS – JUNE 23, 2003

NO NEW MONEY REQUIRED FOR JUNE 23, 2003 APPROPRIATION

GENERAL FUND - CARRY-OVER FUNDS

10,713.53	CLERK'S OFFICE/COST COLLECTIONS
660.91	COMMONWEALTH'S ATTORNEY/COST COLLECTIONS
11,374.44	TOTAL CARRY-OVER/GENERAL FUND

APPROPRIATIONS - JUNE 23, 2003

12550 INSURANCE/COUNTY CODE	Appropriation needed to allocate worker's compensation to proper department--worker's comp is a one time cost--funds are originally budgeted in one department (\$ -0-)
21600 CLERK'S OFFICE	Cost collection funds received for Clerk of the Circuit Court for delinquent collection on criminal cases for office expenses (\$10,713.53) CARRY-OVER FUNDS
22100 COMMONWEALTH'S ATTORNEY	Cost collection funds received for Commonwealth Attorney for delinquent collection on criminal cases for office expenses (\$660.91) CARRY-OVER FUNDS
31200 SHERIFF-LAW ENF	(1) Reimbursement rec'd from Southampton High School for security provided by deputies--wages & FICA (\$232.52) (2) Reimbursement received for comprehensive claims (\$338.28) (3) Reimbursement rec'd from Allstate Insurance for claim (\$761.85) (4) Reimbursement received from Task Force for telephone calls (\$66.27) (5) Reimbursement received for extradition of inmates (\$1,269.91) (6) Reimbursement rec'd for uniforms (\$643.81) (7) Restitution received from Clerk's Office for DARE (\$107.50) (8) Sheriff transferred Forfeiture Funds to General Fund to pay for vehicle (\$6,445)
33100 SHERIFF-DETENTION	(1) Restitution rec'd from inmate (\$400) (2) Insurance proceeds received for comprehensive claim for deer damage (\$1,187.38) (3) Reimbursement received from other localities for housing of inmates (\$23,385) (4) Reimbursement rec'd from inmate trust fund for postage (\$149.34)
SCHOOL BOARD	(1) Transfer of funds to purchase buses as requested by the School Board--see attached letter (2) Reimbursements received for Day Care and School Activities Accounts--see attached letters

- (3) Reimbursements received for expenditure refunds--see attached letters
- (4) Decrease in state program (SVJTA) see attached letter
- (5) Increase in federal programs (see attached letters)
- (6) Adding new program (see attached letter)

At a meeting of the Board of Supervisors of Southampton County, Virginia on Monday, June 23, 2003

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, 2002 through June 30, 2003 for the function and purpose indicated:

From the General Fund to the General Operating Fund to be expended only on order of the Board of Supervisors:

4-100-12110-2700	Worker's Compensation	721.40
12310-2700	Worker's Compensation	1,202.30
12410-2700	Worker's Compensation	721.38
12430-2700	Worker's Compensation	721.38
12510-2700	Worker's Compensation	480.92
12550-2700	Worker's Compensation	(28,855.25)
13200-2700	Worker's Compensation	721.38
21100-2700	Worker's Compensation	240.46
21600-2700	Worker's Compensation	240.46
21600-5830	Collection Fee Account	10,713.53
21700-2700	Worker's Compensation	2,404.60
22100-2700	Worker's Compensation	1,202.30
22100-5500	Travel Convention, Education	300.00
22100-6001	Office Supplies	149.92
22100-8201	Equipment	210.99
22200-2700	Worker's Compensation	240.46
31200-1901	Part-time/Southampton High School	216.00
31200-2100	FICA	16.52
31200-2700	Worker's Compensation	4,809.21
31200-3310	Repair & Maintenance	278.51
31200-3310	Repair & Maintenance	59.77
31200-3310	Repair & Maintenance	761.85
31200-5230	Telecommunications	66.27
31200-5500	Travel Convention, Education	222.95
31200-5500	Travel Convention, Education	853.53
31200-5500	Travel Convention, Education	108.61
31200-5500	Travel Convention, Education	84.82
31200-6011	Uniforms & Apparel	165.99
31200-6011	Uniforms & Apparel	11.16
31200-6011	Uniforms & Apparel	177.80
31200-6011	Uniforms & Apparel	57.95

31200-6011	Uniforms & Apparel	149.97
31200-6011	Uniforms & Apparel	80.94
31200-6030	DARE	107.50
31200-8105	Motor Vehicle	6,445.00
33100-2700	Worker's Compensation	11,782.56
33100-3310	Repair & Maintenance	400.00
33100-3310	Repair & Maintenance	1,032.20
33100-3310	Repair & Maintenance	155.18
33100-3800	Purchase of Serv - Other Institution	5,115.00
33100-3800	Purchase of Serv - Other Institution	1,395.00
33100-3800	Purchase of Serv - Other Institution	9,255.00
33100-3800	Purchase of Serv - Other Institution	600.00
33100-3800	Purchase of Serv - Other Institution	6,555.00
33100-3800	Purchase of Serv - Other Institution	465.00
33100-5210	Postal Services	44.44
33100-5210	Postal Services	77.45
33100-5210	Postal Services	20.73
33100-5210	Postal Services	6.72
34000-2700	Worker's Compensation	240.46
35100-2700	Worker's Compensation	240.46
42300-2700	Worker's Compensation	1,683.22
43000-2700	Worker's Compensation	721.38
81100-2700	Worker's Compensation	480.92
	TOTAL	46,361.30

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

4-205-61100-3000-002-2-100	Other Instructional Costs-Sp	1,200.00
61100-3000-002-9-100	Other Instructional Costs-Dist Elem	(53,397.00)
61100-3000-003-1-100	Other Instructional Costs-Reg	5,717.00
61100-3000-003-1-100	Other Instructional Costs-Reg	4,799.00
61100-3000-003-1-100	Other Instructional Costs-Reg	1,002.00
61100-3000-003-1-100	Other Instructional Costs-Reg	1,555.00
61100-3000-003-1-100	Other Instructional Costs-Reg	5,083.75
61100-3000-003-5-100	Other Instr Costs-Other	11,299.60
61100-3000-003-9-100	Other Instructional Costs-Dist Sec	(53,397.00)
61100-3000-003-10-100	Partnership Grant LPG304	15,862.00
61100-6000-002-1-100	Materials & Supplies-Reg	230.00
61100-6000-002-1-100	Materials & Supplies-Reg	99.90
63200-6008	Vehicle & Powered Equip-Fuels	2.83
63200-6009	Vehicle & Powered Equip Supplies	4,419.55
63200-6009	Vehicle & Powered Equip Supplies	146.20
63200-6009	Vehicle & Powered Equip Supplies	250.00
63200-6009	Vehicle & Powered Equip Supplies	7,703.15
63400-8101	Capital Outlay Replacement-Buses	106,794.00
64200-5100	Utilities	10.00
64200-5202	Telecommunications	3.17
64200-6002	Repairs & Maintenance Supplies	738.26
64200-6002	Repairs & Maintenance Supplies	925.00
	TOTAL	61,046.41

School Activity Reimbursements

4-205-69001-1140	Technical Salaries-Reg	2,295.00
69001-1170	Operative Salaries	10,404.00
69001-2100	FICA Benefits	950.64
69002-1170	Operative Salaries	17.00
69002-2100	FICA Benefits	1.19
69003-1170	Operative Salaries	527.02
69003-2100	FICA Benefits	37.72
69004-1170	Operative Salaries	238.00
69004-2100	FICA Benefits	16.34
69005-1170	Operative Salaries	110.50
69005-2100	FICA Benefits	8.11
69007-1170	Operative Salaries	65.00
69007-2100	FICA Benefits	4.63
	TOTAL	14,675.15
Meherrin Elementary Day Care, Program 220		
4-205-61100-1140-002-5-220	Technical Salaries-Day Care	5,040.00
61100-2100-002- -220	FICA Benefits	368.96
	TOTAL	5,408.96
Capron Day Care, Program 225		
4-205-61100-1140-002-5-225	Technical Salary-Capron Day Care	1,252.00
61100-2100-002- -225	FICA Benefits	95.65
	TOTAL	1,347.65
Nottoway Elementary Day Care, Program 226		
4-205-61100-1140-002-1-226	Technical Salary	2,593.50
61100-2100-002- -226	FICA Benefits	190.95
	TOTAL	2,784.45
Technology Plan, Program 265		
4-205-61100-8250-003-1-265	Internet Services	5,548.00
	TOTAL	5,548.00
At Risk 4 Years Old, Program 400		
4-205-61100-9000-000-1-400	Parent Involvement	56.25
	TOTAL	56.25
Title IIA Training and Recruiting, Program 625		
4-205-61100-3000-002-1-625	Purchased Services	25,665.00
61100-4000-002-1-625	Internal Services	3,907.00
61100-5500-002-1-625	Travel	2,000.00
61100-5800-002-1-625	Other Services	2,900.00
61100-6000-002-1-625	Materials & Supplies-Reg	(761.00)
61100-3000-003-1-625	Purchased Services	5,000.00
61100-4000-003-1-625	Internal Services	2,428.00
61100-5500-003-1-625	Travel	1,000.00
61100-5800-003-1-625	Other Services	3,170.00
	TOTAL	45,309.00

Title IID Education Technology, Program 630

4-205-61100-3000-003-1-630	Purchase Services	3,600.00
61100-4000-002-1-630	Internal Services	2,400.00
61100-4000-003-1-630	Internal Services	3,000.00
61100-6000-003-1-630	Material & Supplies	594.19
61100-6500-003-1-630	Software	7,182.57
	TOTAL	16,776.76

Southeastern VA Job Training, Program 700

4-205-61100-1120-003-1-700	Instructional Salaries-Reg	(42,216.00)
61100-2100-003- -700	FICA Benefits	(3,230.00)
61100-2210-003- -700	VRS Ret-Prof	(3,969.00)
61100-2214-003- -700	VRS Insurance	(414.00)
-61100-2600-003- -700	VEC	(8.00)
61100-2700-003- -700	Worker's Compensation	(136.00)
61100-3000-003-1-700	Equipment Repair & Maintenance	(200.00)
61100-5500-003-1-700	Travel (Mileage)-Sp	(300.00)
61100-6000-003-1-700	Instr & Edu Materials-Reg	(4,627.00)
64200-5200-009- -700	Telecommunications	(700.00)
64200-5201-009- -700	Postal Services	(100.00)
64200-5204-009- -700	Equipment Rental	(1,100.00)
	TOTAL	(57,000.00)

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TOTAL SCHOOL APPROPRIATIONS 95,952.63

TOTAL APPROPRIATIONS 142,313.93

REVENUE APPROPRIATION JUNE 23, 2003
(REVENUE RECEIVED FOR ABOVE EXPENDITURES)

3-100-16030-0003	DARE	107.50
3-100-16050-0001	Charges for Detention	5,115.00
3-100-16050-0001	Charges for Detention	1,395.00
3-100-16050-0001	Charges for Detention	9,255.00
3-100-16050-0001	Charges for Detention	600.00
3-100-16050-0001	Charges for Detention	6,555.00
3-100-16050-0001	Charges for Detention	465.00
3-100-18030-0003	Expenditure Refund	11.16
3-100-18030-0003	Expenditure Refund	165.99
3-100-18030-0003	Expenditure Refund	44.44
3-100-18030-0003	Expenditure Refund	77.45
3-100-18030-0003	Expenditure Refund	177.80
3-100-18030-0003	Expenditure Refund	232.52
3-100-18030-0003	Expenditure Refund	57.95
3-100-18030-0003	Expenditure Refund	20.73
3-100-18030-0003	Expenditure Refund	66.27
3-100-18030-0003	Expenditure Refund	149.97
3-100-18030-0003	Expenditure Refund	6.72
3-100-18030-0003	Expenditure Refund	59.77

June 23, 2003

3-100-18030-0003	Expenditure Refund	80.94
3-100-18030-0003	Expenditure Refund	400.00
3-100-18030-0003	Expenditure Refund	6,445.00
3-100-18030-0004	Insurance Claims	278.51
3-100-18030-0004	Insurance Claims	761.85
3-100-18030-0004	Insurance Claims	1,032.20
3-100-18030-0004	Insurance Claims	155.18
3-100-23020-0007	Extradition Expenses	222.95
3-100-23020-0007	Extradition Expenses	853.53
3-100-23020-0007	Extradition Expenses	108.61
3-100-23020-0007	Extradition Expenses	84.82
3-100-41050-0005	Transfer In-General Fund Reserve	10,713.53
3-100-41050-0005	Transfer In-General Fund Reserve	660.91
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	REVENUE GENERAL FUND	46,361.30
3-205-16120-0010	Day Care	5,408.96
3-205-16120-0010	Day Care	2,784.45
3-205-16120-0010	Day Care	1,347.65
3-205-18990-0100	Expenditure Refunds	10,136.55
3-205-18990-0100	Expenditure Refunds	4,799.00
3-205-18990-0100	Expenditure Refunds	3,316.46
3-205-18990-0100	Expenditure Refunds	1,555.00
3-205-18990-0100	Expenditure Refunds	12,237.77
3-205-18990-0100	Expenditure Refunds	5,083.75
3-205-18990-0100	Expenditure Refunds	250.00
3-205-18990-0100	Expenditure Refunds	7,805.88
3-205-18990-0110	School Activity Reimbursements	69.63
3-205-18990-0110	School Activity Reimbursements	14,605.52
3-205-18990-0200	E-Rates Refund	5,548.00
3-205-25020-0768	At Risk 4 Years Old	56.25
3-205-33010-0015	School To Work Grant	15,862.00
3-205-33020-0300	Southeastern VA Job Training	(57,000.00)
3-205-33020-0320	Title IIA Train & Recruit/P 625CSRI	45,309.00
3-205-33020-0350	Title IID Ed Tech/P 630/TEDT	16,776.76
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	TOTAL SCHOOL REVENUE	95,952.63
	TOTAL APPROPRIATIONS	142,313.93

A copy teste: _____, Clerk
Michael W. Johnson

Southampton County Board of Supervisors
June 23, 2003

Supervisor Jones made a motion that the FY 2003 regular appropriation resolution for the month of June be adopted. Supervisor Young seconded the motion. All were in favor.

Bills in the amount of \$970,578.55 were received. Vice-Chairman Gray moved, seconded by Supervisor Young, that those bills be paid with check numbers 56427 through 57015. All were in favor.

Supervisor West asked if the bills were paid as they were received? Were they already paid when the Board received the itemized spreadsheets and they were just formally approving them? Mr. Johnson replied that any bills received on or before the 15th of each month were paid on the last working day of that month, after the Board's approval. Any bills received after the 15th of the month, were paid on the last day of the following month, after the Board's approval.

Supervisor Young mentioned that he noticed that 3 different departments had purchased Round Up weed killer. He remarked that he did not know if they were aware that they could purchase it in bulk for big savings; actually several dollars per gallon cheaper.

Supervisor Young noted that he saw on page 20 where 5 pounds of flat washers were purchased for \$150. He informed that he bought a lot of washers but did not pay \$30 a pound for them. He thought there could have possibly been a mistake and the invoice may be wrong. Mr. Johnson advised that he would check on it.

Moving forward, Mr. Johnson announced that included in the agenda was correspondence from Todd Christensen of the Virginia Department of Housing and Community Development (VDHCD) advising of Southampton County's FY 2004 allocation of the Indoor Plumbing/Rehabilitation Program funds. He advised that the STOP Organization had served as Southampton County's subrecipient every year, with the exception of a period between FY 1996 - FY 1998 when the County administered it itself to meet the terms and provisions of grant obligations for the Boykins-Branchville-Newsoms indoor plumbing project. He informed that the 2003 allocation was a little more than \$62,500, but Mr. Christensen's letter stated that \$0 had been obligated in the current fiscal year. Concerned about that statement, he contacted the STOP Organization and they indicated to him that the VDHCD did not issue the contract to them until December, and wet weather had prevented them from starting the projects. However, 4 qualifying families in Southampton County had been identified, all paperwork had been completed, and those projects were scheduled to begin July 1. Mr. Johnson advised that the Board did not need to do anything unless they wanted to change the STOP Organization from serving as Southampton County's subrecipient. It was the consensus of the Board to leave it as is.

Proceeding to the next agenda item, Mr. Johnson announced that as reported in *The Tidewater News*, the extent of the uninsured losses resulting from the May 9 severe hailstorm did not warrant a Presidential disaster declaration and thus, federal recovery programs administered by FEMA would not be available. However, Southampton County did qualify for some federal assistance through the Small Business Administration (SBA). He advised that no grants were available, but the SBA would lend money to homeowners and renters at very low interest rates to allow them to repair or replace their homes and personal belongings that were not covered by insurance. They would also offer low-interest loans to qualifying businesses and nonprofit organizations that suffered economic injury or physical losses not covered by insurance. They could offer interest rates around 4%, terms for up to 30 years, and in some cases refinance existing mortgages. He noted that they could only approve loans to those demonstrating an ability to repay them. He informed that SBA representatives established a temporary site at the Boykins Town Office all last week. Although that site was no longer available, applications related to the hailstorm could be submitted to the SBA through August 11, 2003. Applications from *businesses* that suffered interruptions due to the storm could be submitted through March 11, 2004. He noted that included in the agenda was a copy of frequently asked questions about SBA loans.

Regarding the public utilities building, Mr. Johnson announced that as the Board was aware, the FY 2004 budget included funds for a shop building for the new Public Utilities maintenance staff. The structure would provide space for the storage of equipment and materials, as well as office space for personnel. They were interested in a 40' x 30' pre-engineered metal shop to be constructed on the site of the old Boykins Elementary School, similar to that constructed on the Public Works site a few years ago. He stated that the *Code of Virginia* provided for construction projects to be procured by competitive negotiation as opposed to competitive bids if the project was not expected to cost more than \$500,000, and if the Board made a determination in advance that competitive sealed bidding may not be fiscally advantageous to the public. Because of the cost-savings associated with constructing a pre-engineered building, they were recommended that the Board consider utilizing competitive negotiation as the method of procurement for this project. He noted that a resolution was included in the agenda for the Board's consideration.

Mr. Johnson advised that competitive negotiation involved issuance of a Request for Proposal (RFP) describing the *general* type of building they were looking for, specifying the factors that would be involved in evaluating the proposals, and referencing applicable contract terms and conditions. They would publish the RFP at least ten (10) days in advance of receiving them and then select two (2) or

more contractors deemed to be fully qualified and best suited among those submitting proposals. Negotiations would then be conducted with each contractor. Price would be considered, but need not be the sole determining factor. After negotiations, the Board would select the contractor, which in its sole discretion, had made the best proposal and award the contract to that contractor.

The resolution is as follows:

A RESOLUTION AUTHORIZING COMPETITIVE NEGOTIATION
AS THE METHOD OF PROCURING A PRE-ENGINEERED SHOP BUILDING

WHEREAS, Southampton County has included funding in its FY 2004 annual budget for the construction of a pre-engineered shop building for its public utilities department on the site of the former Boykins Elementary School; and

WHEREAS, there are many different varieties and designs of pre-engineered buildings which may offer certain time and cost advantages; and

WHEREAS, Southampton County recognizes that prospective contractors may utilized different materials, equipment, techniques, and methods in constructing pre-engineered buildings, with equal success; and

WHEREAS, Southampton County seeks to encourage innovation, efficiency, and superior levels of performance in procurement of such building; and

WHEREAS, there are many factors in addition to price that must be considered when procuring such services, including, but not limited to the quality of materials and project personnel and a demonstrated experience in erection of pre-engineered buildings; and

WHEREAS, the process of competitive sealed bidding does not lend itself to the consideration of these and other factors when considered award of the contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Southampton County, Virginia that, in its judgment, competitive sealed bidding is not fiscally advantageous to the citizens of Southampton County for the reasons described herein above; and

BE IT FURTHER RESOLVED that this Board intends to utilize competitive negotiation to procure such services and authorizes its County Administrator to publish and distribute a Request for Proposals, with such proposals to be received and evaluated by a committee appointed by the County Administrator; and

BE IT FURTHER RESOLVED that such committee shall competitively negotiate with such offerors it deems to be fully qualified and best suited based upon the evaluation criteria contained in the RFP, and shall be empowered to contract for the aforesaid improvements provided that no contract shall exceed the amount of funding included in the FY 2004 annual budget for this purpose.

Adopted this 23rd day of June 2003.

BOARD OF SUPERVISORS

Reggie W. Gilliam, Chairman

ATTEST

Michael W. Johnson, Clerk

Supervisor West made a motion to adopt the resolution. He commented that he thought competitive negotiation would give the Board more control over the building. **Supervisor Jones seconded the motion.** He remarked that he was part of the committee that oversaw the construction of the pre-engineered Public Works building a few years ago (that was procured through competitive negotiation.) That process resulted in a better building and enabled the County to negotiate with the contractors to get the building it desired.

Supervisor Sykes commented that the property (the old Boykins Elementary School site where the building would be constructed) was a very wet piece of property. Mr. Johnson agreed and advised that it would definitely require some fill.

All were in favor of the motion.

Moving forward to the streetlight requests, Mr. Johnson announced that staff recently received a request to evaluate the area along Meherrin Road (across from the former Southampton Middle School) for a streetlight. Included in the agenda was a planimetric map of the area illustrating the placement of homes and existing poles and streetlights. He stated that the Board's policy for installation of a new light was that it should serve five or more residences, or specifically illuminate a street intersection or cul-de-sac. Based upon a field survey by Waverly Coggsdale, Assistant County Administrator, they were recommending the installation of one light on an existing pole in front of residences at 23075 and 23065 Meherrin Road.

Supervisor Jones moved, seconded by Vice-Chairman Gray, to approve the installation of the streetlight. All were in favor.

Mr. Johnson advised that staff also received a request to evaluate the area along Cabin Pond Road for a streetlight. Included in the agenda was a planimetric map of the area. Based upon the fact there were only three occupied dwellings in that area, they were not recommending installation of a streetlight at this time.

Mr. Johnson announced that in addition, staff received a request to evaluate the area along Bethany School Road for a streetlight. Included in the agenda was a planimetric map of the area. Based upon the fact that one light already existed at 29088 Bethany School Road, they thought that the density of development at this time was insufficient to warrant installation of another light. He mentioned that Mr. Coggsdale noted in his report that perhaps the other end of that development would qualify for a streetlight, but that location was not requested.

In regards to miscellaneous issues, Mr. Johnson advised that included in the agenda was correspondence from the South Centre Corridors Resource Conservation and Development Council announcing their intention to conduct a water quality assessment for underserved farmers in the region. They were looking to have 5-6 farmers per county participate, with referrals coming from the Department of Social Services. The assessment would include sampling from private wells, streams, and customers' taps, and examining of pH, turbidity, hardness, nutrients, metals, and coliforms. He noted that there was no cost for participants.

He informed that the 2003 Local Government Officials Conference (LGOC) was scheduled for August 10-12 in Norfolk. He needed to know who planned to attend, and of those, who needed overnight accommodations, in order to make the reservations. Chairman Gilliam and Supervisor Jones advised that they were planning to attend and would need overnight accommodations. Supervisor West advised that he tentatively planned to attend. He confirmed with Mr. Johnson that he could let him know definitely within a couple of weeks.

Mr. Johnson informed that the VACo Annual Meeting was scheduled for November 9-11, 2003 in Bath County. Because each county was guaranteed only 3 rooms at the conference hotel, he had already reserved four additional rooms at a bed-and-breakfast down the road from there. He advised that those reservations were tentative and he needed to know who planned to attend in order to confirm them. Chairman Gilliam and Supervisors Faison, Jones, Sykes, West, and Young advised that they planned to attend.

Continuing with miscellaneous issues, Mr. Johnson announced that included in the agenda was a copy of the full Request for Proposals (RFP) for the Courthouse windows and columns repairs the Board authorized at their April 28 regular meeting. Proposals were due July 15 and they expected to have a recommendation at the Board's July 28 meeting. The RFP was advertised in *The Tidewater News* and unsolicited copies were mailed to eight contractors/craftsmen with experience in historic restoration projects. He mentioned that a non-mandatory prep-proposal conference was scheduled for July 1 at 10:00 AM at the Courthouse.

He advised that included in the agenda were changes that Verizon intended to make to the local calling areas for customers in the Boykins and Courtland exchanges effective July 1, 2003. For Boykins, calling from Boykins to Capron and Emporia would change from toll to local, and residential charges would increase by \$1 a month for subscribers of optional local calling plans. For Courtland, calling

from Courtland to Stony Creek and Waverly would change from toll to local. There was no change in residential charges for subscribers of optional local calling plans.

Mr. Johnson stated that based on the Board's direction last month, he contacted Dr. Gatten of the local Western Tidewater AAU Basketball program and confirmed that the Girls 11 and Under team currently had two Southampton County residents playing for them. They would also be competing for a national title this summer. He advised that he forwarded them a contribution of \$750, based on the Board's donation of \$375 per Southampton resident given last month to the Boys team. Included in the agenda were copies of information and pictures that Dr. Gatten provided.

He informed that the following incoming correspondence was received:

- 1) From Richard C. Parker, Department of Correctional Education Principal at Southampton Correctional Center, thanking Mr. Johnson for remarks delivered at their commencement exercises on May 16;
- 2) Copied correspondence from Arthur B. Harris, Jr., Mayor of Branchville, to CSX regarding a blocked crossing on June 2;
- 3) From Western Tidewater Radio Association, Inc., an invitation to their annual amateur radio field day event on June 28-29 at Isle of Wight Courthouse;
- 4) A note of thanks from Dr. Terry Miller of the Suffolk Shelter for the Homeless, Inc. thanking the Board for the \$500 contribution and appointment of Mrs. Barbara Greene to their Board of Directors;
- 5) From the Southampton County Electoral Board, an abstract of votes for the June 10 Democratic Primary;
- 6) From VDH Division of Drinking Water, a copy of the Notice of Violation sent to the owners of Nottoway Trailer Court relative to exceedence of the primary maximum containment level for fluoride; and
- 7) From VDEQ, notice of an application for additional groundwater withdrawal at the Southampton Meadows Mobile Home Park.

Finalizing miscellaneous issues, Mr. Johnson advised that outgoing correspondence and various news articles of interest were included in the agenda.

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

The application of Milton Williams, Sr. (Owner) to conditionally rezone approximately 0.81 acres from Residential District (R-1) to Residential District (R-2) "Conditional" for the purpose of constructing single family dwellings on lots in accordance with district requirements. Said request is on property identified as Tax Map 60D, Double Circle One, Parcel 1, which is located off the southeast side of the intersection of High Street and Woodland Park Circle. The subject parcel is located in the Jerusalem Magisterial District and the Jerusalem Voting District.

Mr. Johnson reported that the Southampton County Planning Commission at its May 8, 2003 public hearing considered the application and recommended that it be denied.

Chairman Gilliam opened the public hearing and asked that anyone in favor of or opposed to the conditional rezoning approach the podium and state their case.

Mr. Milton Williams, Sr. stated to the Board that he would appreciate it if they would allow him to build 2 houses on the property.

Mr. Larry Rose addressed the Board. He advised that he had a petition signed by every resident of Woodlawn Park Circle that read, "We the citizens of Woodland Park Circle, Courtland, Virginia, which is located in Southampton County, are opposed to any rezoning of land in our neighborhood for building purposes. We ask that you follow the recommendation of the zoning board and deny the proposed zoning change." (Note: The zoning board was actually the Planning Commission.) He stated that the existing homes in the neighborhood had ample space between them and he wanted it to stay that way. He wanted the requirement of having to have 20,000 square feet in order to build one house to remain. He noted that he had lived there for 27 years and thought it was a good neighborhood. He presented the petition to Chairman Gilliam.

Mr. Otis Holloman briefly spoke to the Board. He stated that he was representing the Barnes' family who resided next to the said property. He advised that he and the Barnes' opposed the rezoning.

Mr. Richard Blunt addressed the Board. He advised that he was a resident of that neighborhood and also opposed any rezoning. It was a quiet neighborhood and he did not want the quality of life there to change.

Ms. Patricia Smith addressed the Board. She stated that she was a resident of Woodland Park Circle and asked that the Board follow the Planning Commission's recommendation and oppose the rezoning of the property.

Chairman Gilliam closed the public hearing.

Vice-Chairman Gray asked Supervisor Jones, who is a member of the Planning Commission, if their vote to deny the application was unanimous? Supervisor Jones replied that Commissioner Barham voted to approve it. (The vote to deny this particular application was actually unanimous. Commissioner Barham was the only Commissioner who voted against the conditional rezoning application of Birdsong Peanut Corp., whose public hearing before the Planning Commission was held the same night as that of the application being discussed.)

Vice-Chairman Gray made a motion to follow the Planning Commission's recommendation and deny the application. Supervisor West seconded the motion. All were in favor.

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

The application of G.L. Hundley, Jr. (Owner) and Michael Dunlow (Applicant) for a conditional use permit pursuant to Section 18-37(21) of the Southampton County Code to permit a "commercial dog kennel" for the breeding of dogs on property zoned Agricultural (A-1). Said request is on property identified as Tax Map 34, Parcel 23, which is located off the north side of Vicksville Road (Route 645) approximately 1800 feet west of its intersection with Johnsons Mill Road (Route 641). The subject property is located in the Jerusalem Magisterial District and the Berlin-Ivor Voting District and contains approximately 198 acres.

Mr. Johnson reported that the Southampton County Planning Commission at its May 8, 2003 public hearing considered the application and recommended its approval with the following conditions:

- 1) No more than fifty (50) dogs on the property at any one time;
- 2) Applicant shall follow the submitted site plan regarding the location of the kennel, and the size of the kennel, which was ninety feet (90') by one hundred seventy feet (170'); and
- 3) No sign shall be permitted for this use.

Chairman Gilliam opened the public hearing and asked that anyone in favor of or opposed to the conditional rezoning approach the podium and state their case.

Hearing none, he closed the public hearing.

Vice-Chairman Gray and Supervisor West remarked that they had not received any phone calls regarding this application. Vice-Chairman Gray noted that no public was present wishing to speak against the application. He and Supervisor Jones commented that the location of the kennel was back in the woods a pretty good distance. Supervisor West advised that the property was grandfathered, as far as the keeping of the 50 dogs on the property, so approval of the application would not change anything in that sense. Mr. Johnson pointed out that the only change would be that the applicant would be permitted to sell dogs commercially. Supervisor West confirmed with Mr. Johnson that the aforementioned condition stating that no sign shall be permitted meant that no advertising would be allowed on the road front. (*Note:* The applicant did not desire a sign, so rather than the Planning Commission taking the time to determine restrictions including size, lights, etc., related to a sign that the applicant did not want and would not use, they simply made it a condition that no sign shall be permitted.)

Supervisor West moved, seconded by Supervisor Young, that the application be approved. All were in favor.

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

The application of D.S. Edwards, Jr. (Owner) and James Babb (Applicant) for a conditional use permit pursuant to Section 18.72(17) of the Southampton County Code to permit a

“commercial dog kennel” (keeping of more than five dogs) on property zoned Agricultural (A-2). Said request is on property identified as Tax Map 44, Parcel 3, which is located off the north side of Plank Road (Route 35) approximately 175 feet southeast of its intersection with Farmers Grove Road (Route 713). The subject property is located in the Jerusalem Magisterial District and the Capron Voting District and contains approximately 185 acres.

Mr. Johnson reported that the Southampton County Planning Commission at its May 8, 2003 public hearing considered the application and recommended that it be approved with the following conditions:

- 1) No more than thirty (30) dogs on the property at any one time;
- 2) Site be limited to an area of sixty feet (60') by one hundred twenty feet (120') and located at least one thousand six hundred feet (1600') from the nearest residential property line (Ms. Lambdin's property);
- 3) Kennel be limited to personal use; and
- 4) Applicants should try and reduce traffic as much as possible.

Chairman Gilliam opened the public hearing and asked that anyone in favor of or opposed to the conditional rezoning approach the podium and state their case.

Ms. Barbara Nixon addressed the Board. She advised that she attended the Planning Commission's public hearing for this application and presented them with a petition signed by every resident of the neighborhood opposing the application, but she had obviously failed in her attempts to get them to understand why the residents were opposed, as they recommended approval of the application. She informed that she was not opposed to hunting or the use of dogs for the purpose of hunting, and noted that her father, two brothers, and husband were all hunters and owned dog kennels. She stated that she had yet to be told the truth regarding the number of dogs that would be housed in the kennel and the ownership of the dogs. A month ago, Mr. Babb, applicant, contacted her to discuss the kennel and indicated that he would be the only person housing dogs there, and it would be approximately 20 dogs. A few days later, Mr. Ellis, co-applicant, contacted one of her neighbors and stated that he too would be keeping dogs in the kennel. It was rumored that all the dogs belonging to a particular hunt club would be kept there. She acknowledged that the Planning Commission had placed conditions upon the application, one being the number of dogs. She asked who would enforce that condition? She was afraid if she went on the property to check on the number of dogs, she could be charged with trespassing.

She advised that the entrance to the property in which the kennel would be placed was located between the Lambdin's and the Landers', both of which had encountered problems with hunters driving erratically and speeding down the driveway during hunting season, as the hunt club hunted the said property. The Lambdins' had confronted hunters guilty of driving recklessly down the path, one of which was one of the applicants. She recognized that the Planning Commission had also placed a condition that the amount of traffic be limited. She asked who would monitor and/or enforce that condition? She informed that over the past 20 years of living in Sebrell, she had returned about 10 dogs belonging to the hunt club. She had called members to come get them and sometimes it would take several days, although they had indicated they would be right over to pick them up. She was concerned about the noise. There was a kennel about 3 times the distance from her house than the proposed kennel and she could hear those dogs barking. She advised that she was also concerned about the increased traffic on the driveway. Obviously they would have to water and feed the dogs daily. During hunting season, there was already increased traffic, but the Planning Commission did not think it was excessive since the farmers used that driveway to access the land. She noted that some of the land was not being farmed and she seldom ever saw the owners or other farmers venturing back there. She stated that if she knew that she and her neighbors would not encounter any problems, she would welcome Mr. Babb, Mr. Ellis, and their dogs to Sebrell. However, given her past experiences with them and with the hunt club, she was not receptive to their presence in her community.

Ms. Lori Lambdin addressed the Board. She stated that she lived adjacent to the path that was the entrance to the said property. Her neighbor, Ms. Nixon, had mentioned many of the residents' concerns, but she personally had concerns because of her son. She advised that the traffic on the path was excessive during hunting season and the hunters showed little regard that it was a neighborhood, as they sped up and down the path. She had stopped several members of the hunt club and asked them to slow down because they were a danger to her son and her animals. Her son rode his bike up and down the path and played with his dogs in the yard. She stated that the area in which the kennel would be situated had no running water or electricity and the path was overgrown and nonexistent in some places. Last night she attempted to drive to the spot where the kennel would be, but could not due to the mud. She got out and tried to walk back there but was sinking in mud. That area was the lowest

and muddiest part of the property. She emphasized that her biggest concern was safety. There was already too much traffic on the path and the hunters drove too fast, but those problems existed during hunting season. If the kennel was put back there, she was afraid the problems would be year around and they would lose the use of their yard. She was concerned for her son's safety and the safety of her pets and her neighbors' pets.

Mr. Terry Ellis, co-applicant, addressed the Board. He stated that he and Mr. Babb were responsible dog owners. He advised that preparation of the site would include the path and the spot where the kennel would be. Regarding the traffic, there would be no more traffic than absolutely necessary on a daily basis. He noted that he had been a principal and headmaster for private schools and understood the need for safety, especially regarding young people. As an officer of the hunt club, he would emphasize the safety aspect in regards to the use of the driveway to the members. He stated that he and Mr. Babb thought they had selected the best possible site for the kennel, as to not bother anyone, and would certainly adhere to the conditions placed upon the kennel. He noted that the kennel would be 1600 feet from the nearest property owner, which was well over 1/3 of a mile.

Ms. Lambdin informed that Mr. Ellis was one of the hunters she had stopped for driving erratically on the path.

Mr. Ellis stated that he did drive down the path too fast one morning and stopped and talked to Ms. Lambdin. Two days later he went back and apologized to her for anything that may have happened that morning and promised her that she would never have to worry about him speeding down the path again.

Chairman Gilliam closed the public hearing.

In response to an inquiry by Supervisor West regarding the utility sources, Mr. Ellis advised that there was electricity on the property and they would be putting in a well.

Supervisor West commented that he understood the first 3 conditions placed on the application, as they were typical for such applications, but asked why the Planning Commission visited the 4th condition which stated that the applicants should try and reduce traffic as much as possible? Supervisor Jones (who is a member of the Planning Commission) replied that they wanted to give some type of warning to the applicants regarding the traffic because of the residents' concerns.

Supervisor West stated that he thought Mr. Ellis was a responsible person, but he could not control the actions of others. There was certainly some strong objection to the kennel. He agreed with the homeowners and landowners, as he thought landowners should be able to use their land as they chose. He asked Mr. Ellis if he and Mr. Babb had sought another site that would perhaps be more suitable and have no opposition? Mr. Ellis replied that they had looked at other sites but were unable to buy or lease them. He pointed out that the path that was the entrance to the said property was part of the Edward's property and was used by everyone going to and from the land. Supervisor West asked whom they contacted regarding the property because he knew that Mr. Edwards was in a nursing facility? Mr. Ellis replied that they contacted Mr. Edwards' daughter. Supervisor West asked if Mr. Edwards, the actual owner of the property, knew of their plans to place a dog kennel on the property? Mr. Ellis explained that Mr. Edwards was incapacitated and his daughter was his power of attorney, thus had the authority to conduct his affairs. Supervisor Young supported Mr. Ellis' statement.

Supervisor Gray asked Mr. Ellis what hunt club he belonged to? Mr. Ellis replied Manry Hunt Club. Mr. Ellis clarified for Supervisor West that the proposed kennel had nothing to do with the hunt club. He and Mr. Babb were members of the hunt club but were individual dog owners. The kennel would not be a club kennel and only dogs belonging to himself and Mr. Babb would be kept there. Mr. Ellis then addressed the comments of Ms. Nixon regarding the ownership of the dogs. (Ms. Nixon had stated that Mr. Babb indicated to her that he would be the only person housing dogs in the kennel, then days later Mr. Ellis indicated to a neighbor that he too would be keeping dogs there.) He explained that in the initial stages of plans to put a kennel on the said property, he was undecided if he would continue in the "dog business", but ultimately decided to continue having dogs with Mr. Babb as he had for the past 20 years. Supervisor Faison asked if other hunters would be going to and from the proposed kennel site? Mr. Ellis replied yes, during hunting season, as they had always hunted that land. However, on a daily basis outside of hunting season, he and Mr. Babb would be the only 2 individuals going to and from the kennel. He did not know of any reason someone else would go there.

Supervisor West stated that the homeowners in that neighborhood had valid concerns and it was their desire to continue to live in that area, and they had a person wanting to put a dog kennel behind them.

He thought that as a minimum, a 5th condition should have been added requiring that water be provided immediately by means of a well, as to eliminate it from being hauled in. He ultimately informed that he could not support approval of the application at this time.

Vice-Chairman Gray stated that he had similar concerns. He confirmed with Mr. Ellis that there was no kennel or dogs on the property now and they would be building the kennel from scratch. Mr. Ellis added that the site consisted of an open field and cutover.

Supervisor West commented that there were a number of kennels in the County and the requests for such were ongoing. He understood the love of a dog and that everyone hunted. He pointed out that Ms. Nixon had indicated that her father, husband, and brothers hunted. However, there were places where dog kennels should and should not be permitted. This was a case where the residents had strongly objected to it. Supervisor Faison remarked that he shared Supervisor West's views.

Supervisor Young commented that he was glad the request did not involve the Franklin area (the district he represented). There had been a lot of requests for dog kennels in his district and they had all been approved. He could understand the homeowners' problems but thought that the better relationship the hunt clubs had with the homeowners, the better the County got along.

Supervisor West made a motion to deny this request for a conditional use permit. Supervisor Faison seconded the motion. Chairman Gilliam, Vice-Chairman Gray, and Supervisors Faison, Jones, Sykes, and West voted in favor of the motion. Supervisor Young voted in opposition to the motion. The vote was 6-1 in favor of the motion, thus the motion passed.

Mr. Johnson announced that the final public hearing was as follows:

This public hearing was held pursuant to the Virginia Community Development Block Grant Citizen Participation Plan to receive public comment on local community development and housing needs in relation to Community Development Block Grant (CDBG) funding for a project in Southampton County. Details of the Dry Well Replacement Program would be presented for comment along with information on projected beneficiaries, the number of low- and moderate-income residents to benefit from the project, and plans to minimize displacement. After the presentation, citizens wishing to speak to this matter may raise their hands, and upon recognition, approach the podium and address their remarks to the Board. Citizens were also welcome to comment on the county's past use of CDBG funds.

Mr. Johnson reported that Community Development Block Grants enabled localities to implement solutions to local community development problems that had been identified. Those solutions may include activities such as the acquisition of real property, the installation of infrastructure, the improvement of housing, and the construction of other improvements. He informed that currently a program entitled the Dry Well Replacement Program had \$2.5 million available statewide to provide up to \$5,000 per house to install a replacement well that went dry as a result of the drought of 2002. Those funds would be used towards permitting, drilling, installation of the well, associated costs of grouting, pumps, service lines, etc. He noted that all Dry Well Replacement Program Funds must benefit low-and moderate-income households. He stated that they did not anticipate any temporary displacement as a result of implementation of the program. Mr. Johnson advised that this was the first of two public hearings. A second public hearing specifically advertised for the Dry Well Replacement Program would be held in the future as a means of soliciting potential beneficiaries.

Chairman Gilliam commented that he did not think anyone's well was dry now (given all the rain). Mr. Johnson agreed but noted that there were problems with water quality.

No one spoke with regard to community development and housing needs.

Chairman Gilliam closed the public hearing.

Regarding late arriving matters, Mr. Johnson announced that in front of them this morning was a request for capital funding from the City of Franklin, on behalf of Franklin Fire & Rescue. They were seeking \$53,500 to be used for capital expenses associated with their acquisition of a new fire engine and rescue equipment purchased in FY 2003. He noted that beginning in FY 2000, the Board agreed to provide almost \$1.2 million over a ten (10) year period for capital improvements for fire and rescue. The allocable share in FY 2003 for each fire department and rescue squad was \$9,500 and \$5,000 respectively. Funds were earmarked annually for each department or squad and held in escrow pending specific approval by the Board of Supervisors. Escrowed funds would continue to accrue for

each department and squad over the next ten years if not drawn down. He pointed out that he had provided a chart showing the status of all appropriations since FY 2000. Assuming that the aforementioned appropriation was approved this morning, all departments and squads would have drawn down their funds, with the exception of Capron Fire & Rescue, who had not drawn down any funds, and Branchville Fire Department, who had not drawn down their FY 2003 funds.

Chairman Gilliam confirmed with Mr. Johnson that Franklin Fire & Rescue was eligible to receive the \$53,500 they were requesting this morning. Mr. Johnson added that they served a substantial portion of Southampton County.

Supervisor Young made a motion to approve the request. Supervisor West seconded the motion. Vice-Chairman Gray advised that although he supported Franklin Fire & Rescue's service to the County, he would abstain from voting because he was employed by the City of Franklin. All were in favor of the motion.

Chairman Gilliam advised it was necessary for a closed meeting to be held 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) (3) Discussion concerning the potential acquisition of a small community water system in the Franklin Magisterial District where discussion in an open meeting could adversely affect the bargaining position or negotiating strategy of the governing body; and

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

Vice-Chairman Gray made a motion to conduct a closed meeting for the purposes aforementioned. Supervisor Young seconded the motion. All were in favor.

Richard Railey, County Attorney, and Cindy Cave, Community/Economic Development Director, were present in the closed session.

Upon returning to open session, Chairman Gilliam advised that only those items previously assigned had been discussed.

Vice-Chairman Gray moved, seconded by Supervisor Young, 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: Reggie W. Gilliam
Eppa J. Gray, Jr.
Carl J. Faison
Dallas O. Jones
Charleton W. Sykes
Ronald W. West
Walter L. Young, Jr.**

The motion was approved unanimously.

Vice-Chairman Gray indicated that he would be unable to attend the Planning Commission and Board of Supervisors joint meeting on July 10, 2003, as he would be on vacation.

It was noted that the joint meeting would begin at 6:00 PM and a light dinner would be provided.

There being no further business, the meeting was adjourned at 10:30 AM.

Reggie W. Gilliam, Chairman

Michael W. Johnson, Clerk