

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 28, 2004 at 8:30 AM.

SUPERVISORS PRESENT

Dallas O. Jones, Chairman (Drewryville)
Walter L. Young, Jr., Vice-Chairman (Franklin)
E. Beale Carter, Jr. (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)
J. Waverly Coggsdale, III, Assistant County Administrator
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 Jones called the meeting to order at 8:30 AM, and after the *Pledge of Allegiance*, Supervisor Faison gave the invocation.

Chairman Jones sought approval of the minutes of the May 17, 2004 Public Hearing (Re: FY 2005 Annual Budget) and May 24, 2004 Regular Meeting. They were both approved as recorded, as there were no additions or corrections.

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

Mr. Johnson announced that included in the agenda was a Memorandum of Understanding with regard to debris management. It reduced to writing the responsibilities of both Southampton County and VDOT in the event of a catastrophic storm and was contingent upon adherence to a mutually agreed upon debris management plan. He advised that he was seeking the Board's consensus in authorizing them to proceed with the development of that plan. They would bring the plan and agreement back to them for formal approval at a later date.

The Memorandum of Understanding is as follows:

MEMORANDUM OF UNDERSTANDING (MOU)

The Virginia Department of Transportation (VDOT)
Hampton Roads District
and
Southampton County

RE: Coordination of Emergency Debris Management Activities

THIS MEMORANDUM OF UNDERSTANDING, executed in duplicate, made and entered into this 28th day of June, 2004, by and between Southampton County, hereinafter called the "County" and the Commonwealth of Virginia, Department of Transportation, Hampton Roads District, hereinafter referred to as the "VDOT".

WITNESSETH:

THAT WHEREAS, the County and the VDOT contemplate the coordination of emergency debris management, to include clearing roads and bridges of storm-debris, cutting and removal of storm damaged trees and limbs, and the removal and disposal of storm debris collected from within the VDOT right-of-way; and

WHEREAS, the County desires to provide “curb-side” storm-debris pickup services to their residents and assist in the general storm-debris cleanup effort on VDOT right-of-way, and acknowledging that the VDOT has maintenance responsibility for VDOT right-of-way.

NOW, THEREFORE, during major storm events affecting Southampton County, the County is hereby authorized to assist in the clearing of VDOT maintained roadways and bridges, and once all roadways and bridges are cleared of debris, the County is authorized to administer emergency debris removal contracts to cut and remove storm damaged trees and limbs, and to remove and dispose of storm-debris collected from the VDOT right-of-way.

FURTHERMORE, the authorization for the County to conduct the aforementioned debris management activities on VDOT right-of-way, is contingent on adherence to a debris management plan (Attachment 1) jointly developed and agreed upon by the County and the VDOT. The debris management plan shall be prepared prior to June 1st of the initial year in which this agreement is made. As conditions warrant and upon mutual agreement, the plan may be revised or updated to meet the needs of both the County and the VDOT. The debris management plan must include the following:

Debris Clearing Plan

1. Identification of critical routes and development of a prioritized list for scheduling of debris clearance operations.
2. Assignment of primary responsibility for debris clearance for each road.
3. Definition of debris clearing operations.
4. Communications plan for coordinating work between the County and VDOT debris clearing operations.

Debris Removal and Disposal Plan

1. Identification of critical routes and prioritization of those routes for scheduling of debris removal operations.
2. Definition of debris removal and disposal operations.
3. Assignment of primary responsibility for debris removal for each road.
4. Identification of Temporary Debris Storage & Reduction Sites intended to be used should a major storm require implementation.
5. Communications plan for coordinating work between the County and VDOT debris removal and disposal operations.

At no time, unless otherwise provided for and agreed upon by both parties in the Debris Management Plan (Attachment 1), is VDOT responsible fore reimbursements, costs or charges for work performed by the County, or contracted by the County for emergency debris clearing and removal operations on VDOT right-of-way.

This agreement may be amended at any time by mutual agreement of the parties in writing. Further, this agreement may be terminated by either party upon 60 days notice in writing to the other party.

Unless otherwise specified, this Agreement and its Attachment embody the entire understanding between the County and VDOT and any prior or contemporaneous representations, either oral or in writing are hereby suspended.

VDOT

Southampton County

Signature

Signature

Name/Title

Name/Title

It was consensus of the Board to authorize Mr. Johnson and Mr. Cook to proceed with the development of a debris management plan.

Mr. Johnson announced that as they were aware, the Commonwealth Transportation Board approved the 2005-2010 Six-Year Improvement Plan at its June 17 meeting. Funding shortfalls continued to plague the agency, the effects of which were substantial on the local level. Southampton County had no primary projects approved, and the secondary system allocation had been reduced by an average of 24% over the next 6 years, with the bulk of the reductions scheduled for 2008-2010. He noted that Mr. Cook had prepared a spreadsheet, included in the agenda, illustrating the spending reductions. He commented that preparation of the 6-year plan should not be too difficult this year, as they could not spend what they did not have.

Mr. Johnson advised that for the Board's reference, he had included in the agenda copies of the resolutions adopted last month requesting VDOT to take Hunter Point Road, Deer Trail Drive, and Jill Circle into the secondary system.

Mr. Cook informed that the Memorandum of Understanding regarding debris management came about because there seemed to be some disagreements in a lot of other counties, not Southampton, as to how debris was handled. He personally thought the way Southampton County and VDOT handled it last time worked very well and thought that was how he and Mr. Johnson would come up with a plan. Last time, they were finished before most of their adjoining counties and he did not think they had any major disputes.

Mr. Cook stated that the Six-Year Plan news was not a surprise. Since the urban, primary, and interstate projects had already been reduced, he was sure that the secondary projects would not escape. It did not look very encouraging. Dirt road projects might be the only thing they had because they could do "Rural Rustic" and would not have to pay for the right-of-ways. He commented that after Route 671 was finished, they might not see a project for the next 3 or 4 years.

Supervisor West commented that it made you wonder what it would take for the state government to wake up. They were going towards disaster. Mr. Cook stated that they would basically only be maintaining what they had. They received no additional money and maintenance costs were up 4%.

Mr. Cook advised that he talked to the railroad about the crossing at Isaac Church. They indicated that they would try to patch it and intended to replace the whole crossing eventually. Vice-Chairman Young indicated that as of yesterday, nothing had been done to it.

Vice-Chairman Young asked what about the crossing at Delaware? He was still getting calls. Mr. Cook stated that they indicated to him that the patching was temporary but they planned to replace it in July or August after the new budget took effect.

Mr. Cook reported that the request he made last month to reduce the speed on Route 742 (Old Bridge Road) due to the detour of the bridge at Hancocks had been granted.

He advised that they did get a contract pretty quick for repair of that bridge. It was a slow process but they were still looking at a completion date of no later than August 15.

Supervisor West asked about the resurfacing of New Road. Mr. Cook stated that Mr. Pair was still doing some extensive patching. Resurfacing would take place some time after that was completed.

Moving to appointments, Mr. Johnson announced that as they knew, Supervisor Sykes was the Board's representative on a number of regional Boards and Commissions, including the Hampton Roads Planning District Commission (HRPDC). That Commission met quarterly on the third Wednesday of January, April, July, and September at 10:30 AM at the regional building in the Greenbrier area of Chesapeake. The appointment would be for a 2-year term.

Supervisor West moved, seconded by Supervisor Carter, to appoint Supervisor Anita Felts to the HRPDC through June 30, 2006. All were in favor.

Mr. Johnson announced that they needed to make 3 appointments to the Southampton County Social Services Board. Those appointments were for 1 representative from the Board of Supervisors, 1 citizen representative from the Drewryville District, and 1 citizen representative from the Capron District.

Supervisor Faison stated that he would like to volunteer as the representative from the Board. Chairman Jones advised that Supervisor Wyche had already volunteered for that at the last meeting.

Vice-Chairman Young moved, seconded by Supervisor Faison, to appoint Supervisor Moses Wyche to the Southampton County Social Services Board through June 30, 2008. All were in favor.

Chairman Jones submitted the name of Ruth B. Claude as the citizen representative from the Drewryville District. **Vice-Chairman Young moved, seconded by Supervisor Wyche, to appoint Ruth B. Claude to the Southampton County Social Services Board through June 30, 2008. All were in favor.**

Supervisor Wyche submitted the name of Sharon Ricks as the citizen representative from the Capron District. **Supervisor Wyche moved, seconded by Vice-Chairman Young, to appoint Sharon Ricks to the Southampton County Social Services Board through June 30, 2008. All were in favor.**

Mr. Johnson announced that the final appointment was to fill Mrs. Sykes' unexpired term on the Board of Directors for the Senior Services of Southeastern Virginia. They met the third Thursday of March, May, July, September, and November at 1:30 PM in Chesapeake.

Supervisor Wyche moved, seconded by Vice-Chairman Young, to appoint Supervisor Carl Faison to fill Mrs. Sykes' unexpired term on the Board of Directors for the Senior Services of Southeastern Virginia, through December 31, 2005. All were in favor.

Regarding monthly reports, Mr. Johnson received various reports and provided them in the agenda. They were Financial, Sheriff's Office, Communication Center Activity Report, Traffic Tickets, Animal Control, and Building Inspections. Also New Housing Starts, Cooperative Extension, Delinquent Tax Collection, Daytime E.M.S. Contract, Public Safety Radio System Status Report, and Personnel.

In regards to the Cooperative Extension Report, Mrs. Colleen Flick of the 4-H Division of Cooperative Extension briefly addressed the Board. She advised that she was excited and wanted to share with them that she applied for and received a Virginia 4-H Foundation Local Unit Club Meeting Grant in the amount of \$250 (the most that was available). They would be using the money to present programs for children at the Courtland Community Center Building on Tuesdays and Wednesdays in the month of July and 1 week in August. The children would participate in Reading and Math in the mornings and hopefully the Boy Scouts would provide lunch. In the afternoons, they would participate in 4-H programs such as sewing and gardening.

The Board thanked Mrs. Flick for her efforts.

In reference to the personnel report, Mr. Johnson announced that Donna Newbold was hired in the Treasurer's office effective 06/23/04 at an annual salary of \$18,671. The salary of Steven W. Edwards of the Commonwealth Attorney's office was increased to \$55,729 effective 05/01/04 as the result of a promotion. The salary of Lorraine A. Bloskis of the Treasurer's Office was increased to \$24,385 effective 06/06/04 as the result of a promotion. He advised that Virginia D. Carr of the Treasurer's Office resigned effective 05/31/04 and Ronald W. Carwile of the Sheriff's Department resigned effective 06/14/04. He informed that Cynthia B. Powell of the Sheriff's Department was terminated effective 06/01/04. He noted that Raymond E. Merkh of the Sheriff's Department remained on active military leave.

Proceeding to financial matters, Mr. Johnson announced that included in the agenda was an appropriations resolution with a total appropriation of \$2,683,384.85. Of that appropriation, \$95,288.61 must come from the unappropriated general fund reserve, since the associated expenses were not included in the FY 2004 annual budget and there were no sources of identified funding. A full breakdown of those items was included with the resolution, with the vast majority associated with the County's 5% local share of the disaster recovery expenses following Hurricane Isabel. He advised that otherwise, revenue in the amount of \$2,588,096.24 had been received from the sources indicated and was available for the itemized expenditures on order of this Board.

The appropriations resolution is as follows:

APPROPRIATIONS - JUNE 28, 2004

NEW MONEY REQUIRED FOR JUNE 30, 2004 APPROPRIATION

GENERAL FUND

500.00	Board of Supervisors-March of Dimes
500.00	Board of Supervisors-Suffolk Shelter for the Homeless, Inc.
250.00	Board of Supervisors-Blackwater/Nottoway Riverkeeper Program
93,568.61	Emergency Services-5% FEMA Match-Hurricane Isabel
470.00	Mental Health Services-WTCSB Golf Tournament
95,288.61	TOTAL NEW MONEY/GENERAL FUND

APPROPRIATIONS - JUNE 28, 2004

11010 BOARD OF SUPERVISORS	(1) Funds previously approved by Board for March of Dimes match (\$500) New Money (2) Funds received for March of Dimes candy sold (\$130.60) (3) Funds previously approved by Board for Suffolk Shelter for the Homeless, Inc. (\$500) New Money (4) Funds previously approved by Board for Blackwater/Nottoway Riverkeeper Program (\$250) New Money
12410 TREASURER	Reimbursement received from towns for decals and license certificates (\$1,574.90)
12510 DATA PROCESSING	Reimbursement received from towns for forms (\$298.85)
12550 INSURANCE/COUNTY CODE	(1) 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-) (2) Reimbursement received from retirees for BCBS (\$14,684)
21100 CIRCUIT COURT	State reimbursement received for jurors & witnesses (\$7,950)
21600 CLERK OF THE CIRCUIT COURT	Refund received from Xerox (\$23.83)
31200 SHERIFF-LAW ENF	(1) Highway Safety Grant received for equipment (\$460) (2) Reimbursement received for telephones (\$121.85)

(3) Reimbursement received for extradition of inmates (\$831.90)
 (4) Reimbursement received from Crime Solvers Convention (\$158.84)
 (5) Reimbursement received from FEMA for equipment used (\$4,834.88)
 (6) Reimbursement rec'd for uniforms (\$363.92)
 (7) Restitution received from Clerk's Office for DARE (\$122.50)

32200 VOL FIRE DEPTS Reimbursement received from Drewryville & Sedley Vol Fire Depts for electrical costs (\$999.71)

33100 SHERIFF-DETENTION (1) Reimbursement rec'd from Murphy-Brown for work related injury (\$37.60)
 (2) Reimbursement rec'd from FEMA for repair and cost of running generators (\$4,781.75)
 (3) Reimbursement received from other localities for housing of inmates (\$24,765)
 (4) Reimbursement rec'd from inmate trust fund for postage (\$76.47)

33300 PROBATION Reimbursement received from Tidewater Regional Group Home (\$721)

35100 ANIMAL CONTROL Grant rec'd for Dog & Cat Sterilization--DMV funds for Animal Friendly Plates (\$151.74)

35500 EMERGENCY SERVICES (1) Funds received from fines for purchase of generator for Mobile Command (\$3,928.80)
 (2) Reimbursements from FEMA (includes state and federal funds) for debris, water distribution, emergency generators, overtime salaries & FICA, (\$2,432,083.15 federal & state) (\$93,568.61 county funds)--**New Money**

43000 BLDGS & GROUNDS (1) Reimbursements rec'd from Dept of Social Services and Health Dept for telecommunications (\$11,556.50)
 (2) Reimbursement rec'd from insurance for repair to fencing damaged during hurricane (\$18,334)

51400 SR CITIZEN HOME HEALTH SERVICE Reimbursement received from local Health Dept & SEVAMP for visiting nurse (\$26,755.65)

520000 MENTAL HEALTH SERVICES Funds previously approved by Board for WTCSB 1st Annual Golf Tournament (\$470) **New Money**

93000 TRANSFER TO OTHER FUNDS Transfer FEMA reimbursements to Enterprise Fund (\$16,174.40)

ENTERPRISE FUND Transfer In FEMA reimbursements from General Fund

At a meeting of the Board of Supervisors of Southampton County,
Virginia on Monday, June 28, 2004

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, 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:

4-100-11010-5644	March of Dimes	130.60
11010-5644	March of Dimes	500.00
11010-5675	Suffolk Shelter for the Homeless	500.00
11010-5690	Blackwater/Nottoway Riverkeeper Program	250.00
12110-2700	Worker's Compensation	891.98
12310-2700	Worker's Compensation	1,486.65
12410-2700	Worker's Compensation	891.99
12410-6001	Office Supplies	633.50
12410-6021	County License Tags	941.40
12430-2700	Worker's Compensation	891.99
12510-2700	Worker's Compensation	594.66
12510-6001	Office Supplies	298.85
12550-2300	Hospital Plan	14,684.00
12550-2700	Worker's Compensation	(33,895.60)
13200-2700	Worker's Compensation	891.99
21100-2700	Worker's Compensation	297.33
21100-3848	Jurors & Witnesses-State	3,330.00
21100-3848	Jurors & Witnesses-State	4,620.00
21600-2700	Worker's Compensation	297.33
21600-6001	Office Supplies	23.83
21700-2700	Worker's Compensation	2,973.30
22100-2700	Worker's Compensation	1,486.65
31200-1903	Grant-DMV-Selective Enf & Equip	460.00
31200-2700	Worker's Compensation	5,649.27
31200-5230	Telecommunications	113.97
31200-5240	Telecommunications-Crime Line	7.88
31200-5500	Travel Convention, Education	831.90
31200-5500	Travel Convention, Education	158.84
31200-6009	Vehicle Supplies	4,834.88
31200-6011	Uniforms & Apparel	9.00
31200-6011	Uniforms & Apparel	215.92
31200-6011	Uniforms & Apparel	58.00
31200-6011	Uniforms & Apparel	81.00
31200-6030	DARE	122.50
32200-5110	Electrical Services	222.76
32200-5110	Electrical Services	776.95
33100-2700	Worker's Compensation	13,677.17
33100-3110	Professional Health Care	37.60
33100-3310	Repair & Maintenance	471.60
33100-3800	Purchase of Serv - Other Institution	5,700.00

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33100-3800	Purchase of Serv - Other Institution	6,660.00
33100-3800	Purchase of Serv - Other Institution	8,550.00
33100-3800	Purchase of Serv - Other Institution	3,855.00
33100-5110	Electrical Services	4,310.15
33100-5210	Postal Services	54.20
33100-5210	Postal Services	22.27
33300-3166	Purchase of Serv & Home Care	721.00
34000-2700	Worker's Compensation	297.33
35100-1902	Grant-Dog & Cat Sterilization	151.74
35100-2700	Worker's Compensation	297.33
35500-1200	Salaries & Wages Overtime	5,126.20
35500-1200	Salaries & Wages Overtime	269.80
35500-1200	Salaries & Wages Overtime	55,060.54
35500-1200	Salaries & Wages Overtime	1,314.82
35500-1200	Salaries & Wages Overtime	19,600.92
35500-2100	FICA	392.14
35500-2100	FICA	20.64
35500-2100	FICA	4,312.73
35500-2100	FICA	1,499.45
35500-3192	Emergency Branchville VFD	3,856.61
35500-3198	Emergency Debris Removal	595,316.12
35500-3198	Emergency Debris Removal	26,848.52
35500-3198	Emergency Debris Removal	677,199.90
35500-3198	Emergency Debris Removal	28,216.66
35500-3198	Emergency Debris Removal	235,842.81
35500-3198	Emergency Debris Removal	10,932.04
35500-3198	Emergency Debris Removal	167,755.61
35500-3198	Emergency Debris Removal	4,157.93
35500-3198	Emergency Debris Removal	626,613.45
35500-3198	Emergency Debris Removal	19,379.79
35500-3199	Emergency Operations	1,292.67
35500-3200	Emergency Generators	3,928.80
35500-3200	Emergency Generators	33,544.18
35500-3200	Emergency Generators	1,757.69
35500-3200	Emergency Generators	412.45
35500-3203	Emergency Water Distribution	1,011.56
35500-3203	Emergency Water Distribution	42.16
35500-3310	Repair & Maintenance	1,265.28
35500-6007	Repair & Maintenance Supplies	2,609.09
42300-2700	Worker's Compensation	1,783.98
43000-2700	Worker's Compensation	891.99
43000-5241	Telecom-Soc Ser/Health	5,647.55
43000-5241	Telecom-Soc Ser/Health	5,908.95
43000-8105	County Buildings Repair	18,334.00
51400-1100	Salaries & Wages-Reg	20,525.56
51400-2100	FICA	5,148.18
51400-5510	Travel Mileage	1,081.91
52000-5620	Western Tidewater Com Serv Board	470.00
81100-2700	Worker's Compensation	594.66
93000-9245	Transfer Out to Other Fund	16,174.40
	TOTAL	2,667,210.45

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

4-500-89500-3310	Repair & Maintenance	16,174.40
	TOTAL	<u>16,174.40</u>
TOTAL APPROPRIATIONS		2,683,384.85
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REVENUE APPROPRIATION JUNE 28, 2004
 (REVENUE RECEIVED FOR ABOVE EXPENDITURES)

3-100-14010-0001	Court Fines & Fees	3,928.80
3-100-16030-0003	DARE	122.50
3-100-16040-0003	Reimbursements VFD-VRS	222.76
3-100-16040-0003	Reimbursements VFD-VRS	776.95
3-100-16050-0001	Charges for Detention	5,700.00
3-100-16050-0001	Charges for Detention	6,660.00
3-100-16050-0001	Charges for Detention	8,550.00
3-100-16050-0001	Charges for Detention	3,855.00
3-100-16090-0001	Health-Telephone/Custodial, Etc.	5,908.95
3-100-16110-0001	Soc Serv/telephone, Custodial, Etc.	5,647.55
3-100-18030-0003	Expenditure Refund	130.60
3-100-18030-0003	Expenditure Refund	1,873.75
3-100-18030-0003	Expenditure Refund	23.83
3-100-18030-0003	Expenditure Refund	9.00
3-100-18030-0003	Expenditure Refund	215.92
3-100-18030-0003	Expenditure Refund	7.88
3-100-18030-0003	Expenditure Refund	58.00
3-100-18030-0003	Expenditure Refund	54.20
3-100-18030-0003	Expenditure Refund	113.97
3-100-18030-0003	Expenditure Refund	81.00
3-100-18030-0003	Expenditure Refund	22.27
3-100-18030-0003	Expenditure Refund	158.84
3-100-18030-0003	Expenditure Refund	37.60
3-100-18030-0003	Expenditure Refund	721.00
3-100-18030-0004	Insurance Claims	18,334.00
3-100-18030-0005	Blue Cross/Blue Shield	14,684.00
3-100-23020-0007	Extradition Expenses	831.90
3-100-24040-0014	Jurors & Witnesses	3,330.00
3-100-24040-0014	Jurors & Witnesses	4,620.00
3-100-24040-0015	SEVAMP-Visiting Nurse	26,755.65
3-100-24040-0022	Highway Safety Grant	460.00
3-100-24040-0075	Animal Friendly Funds	151.74
3-100-24040-0100	State Match-FEMA	210.74
3-100-24040-0100	State Match-FEMA	123,895.95

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3-100-24040-0100	State Match-FEMA	141,083.31
3-100-24040-0100	State Match-FEMA	7,984.57
3-100-24040-0100	State Match-FEMA	50,283.57
3-100-24040-0100	State Match-FEMA	17,196.72
3-100-24040-0100	State Match-FEMA	34,382.60
3-100-24040-0100	State Match-FEMA	129,198.65
3-100-24040-0100	State Match-FEMA	5,543.58
3-100-33010-0100	FEMA-Federal Share	800.82
3-100-33010-0100	FEMA-Federal Share	471,420.17
3-100-33010-0100	FEMA-Federal Share	536,116.59
3-100-33010-0100	FEMA-Federal Share	30,341.36
3-100-33010-0100	FEMA-Federal Share	191,077.58
3-100-33010-0100	FEMA-Federal Share	66,207.37
3-100-33010-0100	FEMA-Federal Share	133,373.01
3-100-33010-0100	FEMA-Federal Share	497,414.80
3-100-33010-0100	FEMA-Federal Share	21,342.79
3-100-41050-0005	Transfer In-General Fund Reserve	250.00
3-100-41050-0005	Transfer In-General Fund Reserve	500.00
3-100-41050-0005	Transfer In-General Fund Reserve	500.00
3-100-41050-0005	Transfer In-General Fund Reserve	26,890.68
3-100-41050-0005	Transfer In-General Fund Reserve	29,974.35
3-100-41050-0005	Transfer In-General Fund Reserve	11,222.48
3-100-41050-0005	Transfer In-General Fund Reserve	1,314.82
3-100-41050-0005	Transfer In-General Fund Reserve	4,157.93
3-100-41050-0005	Transfer In-General Fund Reserve	19,379.79
3-100-41050-0005	Transfer In-General Fund Reserve	628.56
3-100-41050-0005	Transfer In-General Fund Reserve	470.00
	REVENUE GENERAL FUND	<hr/> 2,667,210.45
3-500-16100-0015	Refunds	16,174.40
	REVENUE ENTERPRISE FUND	<hr/> 16,174.40
	TOTAL APPROPRIATIONS	2,683,384.85 =====

A copy teste: _____, Clerk
Michael W. Johnson

Southampton County Board of Supervisors
June 28, 2004

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

Mr. Johnson announced that also included in the agenda was a semiannual appropriations resolution for the first half of FY 2005, with total appropriations of \$23,067,259.

The semiannual appropriations 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 28, 2004

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, 2004
through June 30, 2005 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	71,675
12110	County Administration	130,173
12310	Commissioner of Revenue	103,538
12320	Board of Assessors	81,000
12410	Treasurer	95,861
12415	Delinquent Tax Collection	28,350
12430	Accounting	75,500
12510	Data Processing	96,689
12550	Insurance/County Code	49,303
13200	Registrar	59,306
21100	Circuit Court	29,706
21200	Combined District Courts	9,762
21300	Special Magistrates	669
21600	Clerk of the Circuit Court	62,900
21700	Sheriff - Bailiff	183,212
21750	Courthouse Security	17,600
22100	Commonwealth's Attorney	172,699
31200	Sheriff	604,302
31750	School Resource Officer	16,032
32200	Volunteer Fire Departments	245,779
32300	Volunteer Rescue Squads	573,699
32400	State Forestry Service	13,257
33100	Detention	1,040,606
33300	Probation	30,583
34000	Building Inspections	25,369
35100	Animal Control	35,243
35300	Medical Examiner	750
35500	Emergency Service/Civil Defense	28,250
41320	Street Lights	20,500
42300	Refuse Collection	179,496
42400	Refuse Disposal	453,023
43000	Buildings & Grounds	197,904
51100	Local Health Department	134,067
52000	Mental Health Services	64,600
53220	State/Local Hospitalization	8,039
53240	Sr Services of Southeastern	5,265
53500	Comprehensive Services Act	30,968

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53600	STOP Organization	1,706
72000	Community Concert Series	3,500
72200	Rawls Museum Arts	10,000
72500	Historical Society	3,500
73200	Walter Cecil Rawls Library	86,094
81100	Planning/Zoning	78,154
81500	Economic Development	67,830
82400	Soil & Water Conservation District	9,410
83500	Cooperative Extension Service	23,742
91400	Non-Departmental Operating	94,000
	TOTAL	<u>5,353,611</u>

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

31400	E-911	100,755
	TOTAL	<u>100,755</u>

From the General Fund to the Water
& Sewer Fund to be expended only
on order of the Board of Supervisors:

89600	Enterprise Fund Water	235,534
89500	Enterprise Fund Sewer	426,105
89400	Enterprise Utility Extension	1,189,000
	TOTAL	<u>1,850,639</u>

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

94000	Building Fund	1,657,117
	TOTAL	<u>1,657,117</u>

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

61000	Instruction	7,490,293
62000	Administration	546,672
63000	Other Direction & Management	1,050,420
64000	Operation & Maintenance Services	1,280,198
68000	School Food Service	33,878
66000	Facilities	124,026

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67000	Debt Service	1,030,142
260	Rental Textbook	127,215
265	Technology	103,000
400	At Risk 4-Year Olds	27,209
450	Early Reading Intervention	14,957
500	Chapter I	300,750
550	Title VIB Special Ed-Flow Through	257,596
600	Title VI Innovative Educ Program	11,098
650	Substance & Drug Prevention	10,235
800	Vocational Special Education	30,168
900	Pre-School Incentive	7,721
570	Sliver Grant	9,309
625	Title II-A Training and Recruitment	78,949
660	Community Service Grant	25,000
630	Title IID Ed Tech	8,029
	TOTAL	<u>12,566,865</u>

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	528,813
	TOTAL	<u>528,813</u>

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)	298,736
310	Welfare Administration (Service)	225,171
311	Welfare Administration (Joint)	167,024
313	Benefit Programs	277,260
314	Welfare Administration (Energy)	9,456
319	Welfare Administration (VIEW)	31,812
	TOTAL	<u>1,009,459</u>

TOTAL APPROPRIATIONS

=====
23,067,259

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

06/28/04

Supervisor West made a motion to adopt the FY 2005 semiannual appropriations resolution. Vice-Chairman Young seconded the motion. All were in favor.

Finalizing financial matters, Mr. Johnson announced that bills in the amount of \$ _____ were received. **Vice-Chairman Young moved, seconded by Supervisor Wyche, that the bills in the amount of \$ _____ be paid with check numbers _____ through _____. All were in favor.**

Moving forward, Mr. Johnson announced that he was contacted earlier this month by Stacey Vargo of the J. R. Horsley Soil & Water Conservation District who was exploring means of allowing their District employees to participate in the Virginia Retirement System (VRS) and a larger group health and life insurance pool. It was his understanding that a number of Soil & Water Conservation Districts across the state had entered into agreements with one of the respective local governments that they served, providing for the locality to process their payrolls, thereby affording them an opportunity to participate in the locality's benefits program. He stated that since the agreement provided for the locality to invoice the District for the cost of employee salaries and the local share of any of the fringe benefits, there was no out-of-pocket expense to the locality, except time and effort in processing the payroll. Because the District had only two full-time employees, the time and effort involved would be minimal. He advised that included in the agenda for the Board's consideration was a copy of a proposed Memorandum of Understanding establishing the responsibilities of the respective parties, should the Board be willing to favorably consider processing the District's payroll. He informed that Ms. Vargo indicated to him that the District was also discussing this matter with Greenville County. Should Greenville and Southampton both be willing, the District would choose between the two, likely predicated upon the cost associated with the local share of the benefits.

The Memorandum of Understanding is as follows:

**MEMORANDUM OF UNDERSTANDING BETWEEN THE
SOUTHAMPTON COUNTY BOARD OF SUPERVISORS
AND
THE JOHN R. HORSLEY SOIL & WATER CONSERVATION DISTRICT**

I. Purpose of the Memorandum

To set forth mutually agreed upon and statutorily prescribed responsibilities between the Southampton County Board of Supervisors and the John R. Horsley Soil & Water Conservation District in cooperation and coordination in protecting the quality and quantity of Southampton County's natural resources.

II. Program Structure and Personnel

This program shall be conducted within an office known as the J. R. Horsley Soil & Water Conservation District. Personnel of this office are employed by the J. R. Horsley Soil & Water Conservation District, with provisions provided and/or administered by Southampton County as outlined in this document.

III. Responsibilities of the J. R. Horsley Soil & Water Conservation District

(A) Provide the following to the Board of Supervisors on an annual basis.

- i. A plan of work showing quantitative objectives, planned activities and projects, workload assignments, and manpower needs.
- ii. A budget request for necessary local operating funds to be appropriated through the normal County budget process.
- iii. A report of accomplishments, and

- iv. An audit of state and local funds expended.
- (B) Maintain, as appropriate, written personnel policies for all District employees that may follow the guidelines and policies set forth by the County for their employees. District personnel policies will be administered by a personnel committee made up of District Directors.
- (C) Provide staff to assist with special projects facing the County related to the preservation of soil and water resources.
- (D) Report to the Board of Supervisors any findings or concerns that relates to the preservation or conservation of our natural resources.
- (E) Develop and maintain Memorandum of Understanding with those federal, state, and local units of government (i.e. NRCS, FSA, Department of Forestry, County Assessor, etc.) whose actions directly affect natural resource conservation in Southampton County.
- (F) Participate as an advisory or review agency at the County's request in urban related development problems (erosion and sediment control, stormwater management, and floodplain management).
- (G) Provide information and education to local schools, civic groups, and the general public concerning the conservation of our soil and water resources.
- (H) Provide assistance in the planning and development of local legislation involving natural resource conservation efforts and in the review of State and Federal legislation to determine the impact of Southampton County.

IV. Responsibilities of the Southampton County Board of Supervisors

- (A) Provide the J. R. Horsley Soil and Water Conservation District with the opportunity for involvement in natural resource, agriculture, and land use planning issues and give due consideration to all recommendations and requests of the John R. Horsley Soil and Water Conservation District.
- (B) Support the District's working relationship with County agencies, boards, and other offices, e.g. School Board, Planning Commission, etc., and direct the County Administrator to help establish and maintain lines of communication with the appropriate County departments.
- (C) Provide the District with an annual appropriation, which is subject to available funds, within the County budget process to supplement state and other local funds necessary to carry out the local conservation effort.
- (D) Facilitate the processing of salaries and fringe benefits of District employees. The County will issue payroll checks and will allow District employees to participate in the County's health insurance, retirement, life insurance, and deferred compensation program. Any other benefits, as well as compensation provisions, are governed by the District personnel policies. The District will reimburse the County for all payroll checks issued and the local share of any associated fringe benefits, upon receipt of proper billing from the County.
- (E) Delegate a member of the Southampton Board of Supervisors as a liaison representative to the John R. Horsley Soil & Water Conservation District.

V. Terms of the Memorandum of Understanding

The term of this Memorandum of Understanding is for a one-year period, which is automatically renewed on July 1 each year for additional periods of one year. Any intention by either party to amend or terminate the agreement shall be provided in writing by the other party no later than March 31 of any given year.

VI. Signatures

Board of Supervisors, Chair

Date

County Administrator

Date

J. R. Horsley SWCD, Chair

Date

Vice-Chairman Young asked Mr. Johnson if he knew which 2 employees it would affect? Mr. Johnson replied Ms. Vargo and Woodie Walker.

Vice-Chairman Young stated that he thought it was a great idea, as they did a really good job for the County. He then **moved, seconded by Supervisor West, to execute the Memorandum of Understanding, subject to prior approval by the District. All were in favor.**

Proceeding to public hearings, Mr. J. Waverly Coggsdale, III, Assistant County Administrator and Secretary of the Planning Commission, announced that the first public hearing was to consider the following:

REZ 051304:01 Application filed by Bill T. Flowers (applicant) and S.V. Camp, II (owner) requesting an amendment to a conditional Business District (B-3) zoning district. The property is identified as Tax Map 75A, Double Circle Two, Parcels 8, 9, 10 and 11, which is located at 23141 Main Street, Courtland, Virginia. Said amendment would add the following permitted uses to this conditional zoning: car wash and restaurant, drive in or otherwise. The subject parcel is located in the Jerusalem Magisterial District and the Jerusalem Voting District.

Mr. Coggsdale advised that the Planning Commission conducted a public hearing in regard to this application at its May 13, 2004 meeting and recommended that it be approved.

Chairman Jones opened the public hearing.

Mr. Richard Railey, County Attorney, advised that although he did not represent Mr. Flowers, the L.L.C., or Mr. Camp, and did not think it was a conflict, he wanted to bring to the Board's attention that from time to time he had represented Mr. Camp and Mr. Flowers and that he set up the L.L.C. He had never had a discussion about the rezoning but thought the Board was entitled to know that he had been involved in the project.

Chairman Jones and Vice-Chairman Young clarified for Ms. Colleen Flick, member of the audience, where the business would be located.

Supervisor West noted that the application stated "permitted uses: car wash and restaurant, drive in or otherwise". He asked what "otherwise" meant? Mr. Coggsdale advised that that definition was taken directly from the zoning ordinance. He clarified that "otherwise" only applied to the restaurant and meant that it could be a drive-in or sit-down restaurant.

Ms. Flick asked if restaurant excluded bars and/or "go-go" dancing places? Mr. Coggsdale replied that in his opinion, "go-go" dancing places would come under an adult establishment, which was not included in this request. As far as a bar, he was not sure if that was defined under restaurant or not. He thought that whether or not you sold alcohol would come under ABC licensure.

Mr. Bill Flowers, applicant, approached the podium. Supervisor West asked him if he would state, for the record, what he intended to add on? Mr. Flowers replied that it would not be a drive-in. It would be a convenience store on one side of the building and a sit-down restaurant on the other side. There would be no late nights – it would close at 11:00 PM. Supervisor West asked if there was an affiliation with someone like Hardees or Burger King? Mr. Flowers replied no, it was private.

Chairman Jones closed the public hearing.

Supervisor Felts made a motion to approve the amendment to the conditional rezoning. Supervisor Wyche seconded the motion. All were in favor.

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

REZ 051304:02 Application filed by Travis Cain (applicant) and Sadie E. Chavis Pulley (owner) requesting a rezoning from Business District, (B-1) to Business District, (B-2) "Conditional". The property is identified as Tax Map 67, Parcel 43, which is located off the north side of Southampton Parkway (U.S. Route 58) approximately two hundred fifty (250) feet east of its intersection with Adams Grove Road (Rt. 615). The subject parcel is located in the Drewryville Magisterial District and the Drewryville Voting District.

Mr. Coggsale advised that the Planning Commission, at its May 13, 2004 meeting, conducted a public hearing in regard to this application and recommended its approval. The applicant had proffered the following permitted uses in the B-2 District from the Southampton County Code, with the uses he would not utilize marked through:

Sec. 18-222. Permitted uses.

In business district B-2, structures to be erected or land to be used shall be for one (1) or more of the following uses:

- (1) Any use permitted in the B-1 local business district, but subject to the development standards of the B-2 district.
- ~~(2) Animal hospital or kennel with any open pens at least two hundred (200) feet from any residential district.~~
- ~~(2.1) Auction barn, with a conditional use permit.~~
- (3) Automobile service station, so long as bulk storage of inflammable liquids is underground.
- (4) Automobile or truck, truck trailer or bus sales, service and repair including body or fender repair, but not auto salvage or junk, and any major repair or storage of equipment or materials or damaged vehicles shall be inside a completely enclosed building.
- (5) Automobile or truck parts sales, wholesale or retail, but not storage or sale of junk.
- (6) Automobile storage lot, new or used cars, but not storage or sale of junk.
- (7) Automobile used car lot, or used truck sales.
- ~~(8) Bakeries, wholesale or retail.~~
- ~~(9) Boat and boat trailer sales and storage.~~
- (10) Bottling works, dyeing and cleaning works, linen service, or laundry, furniture refinishing, plumbing, electrical and heating shop, painting shop, upholstery shop not involving furniture manufacture, shoe repair, tinsmithing shop, tire sales and service (including vulcanizing and recapping, but no manufacturing), appliance repairs, and general service and repair establishments, similar in character to those listed in this item, no limit on floor area but provided that no outside storage of material is permitted except as provided in this section.
- (11) Car wash or automobile laundry, automatic or otherwise, providing reservoir space for not less than ten (10) vehicles for each washing lane of an employee operated facility.
- ~~(11.1) Convenience store, as herein defined, with more than twenty-four (24) fuel dispensing nozzles or with any one nozzle exceeding a diameter of five eighths (5/8) of one inch, with a conditional use permit.~~
- ~~(12) Exterminating establishment.~~
- ~~(13) Facilities and structures necessary for rendering public utility service, including poles, wires, transformers, telephone booths and the like for electrical power distribution and communication service, and underground pipelines or conduits for electrical, gas, sewer, or water service, but not including buildings, treatment plants, water storage tanks, pumping or regulator stations, major transmission lines, storage yards and substations which are permitted with a conditional use permit.~~
- (14) Farm supply and service establishments, implement sales, rental and service, feed and seed store, including custom milling of grain and feed, milk depots and creameries, fertilizer storage in bags or bulk storage of liquid or dry fertilizer in tanks or in a completely enclosed building.
- ~~(15) Firewood operation as defined, with a conditional use permit.~~
- ~~(16) Fortune teller, palmist, astrologist, numerologist, clairvoyant, craniologist, phrenologist, card~~

- ~~reader, spiritual reader or similar activity.~~
- (17) Garages, parking, storage or repair.
- (18) General advertising sign limited in area to two hundred (200) square feet as a special exception.
- ~~(19) Greenhouses, commercial, wholesale, or retail.~~
- ~~(20) Hotel, motel, motor lodge or tourist home.~~
- ~~(21) Ice storage and distributing station of not more than five (5) tons capacity.~~
- ~~(22) Janitorial service establishment.~~
- ~~(23) Lawnmower, yard and garden equipment, rental, sales, and service.~~
- ~~(24) Lumber and building materials store, wholesale or retail, but not a lumber yard.~~
- (25) Material storage or sales yards, in connection with a permitted use where storage is incidental to the approved occupancy of a building, provided all products and materials used or stored are enclosed by a masonry wall, screening, fence, or hedge, not less than six (6) feet in height. Storage of all materials and equipment shall not exceed the height of the wall. Storage of cars and trucks used in connection with the permitted trade or business is permitted within the walls or screen, but not including storage of heavy equipment, such as road-building or excavating equipment.
- ~~(26) Manufactured home sales, display and storage, or sales, rental, display and storage of travel trailers, motor homes, travel vans, and campers provided that all units shall be in useable condition, none shall be placed in a required front yard, the minimum parcel area shall be one-half acre, the storage area shall be separated from the display area by a continuous visual screen with a minimum height of eight (8) feet, such screen consisting of a compact evergreen hedged or foliage screening or louvered fence or wall, and the entire area shall be similarly screened from any contiguous residential district.~~
- (27) Monument sales establishments with incidental processing to order, but not including the shaping of headstones.
- (28) Motorcycle or off-road vehicle sales and service.
- (29) Muffler sales and installation.
- (30) Outdoor sales area or flea markets, with a conditional use permit.
- ~~(31) Peanut buying station.~~
- (32) Plumbing and electrical supplies, wholesale or retail.
- (33) Printing, publishing and engraving establishments, photographic processing or blueprinting.
- ~~(34) Private club, lodge, meeting or assembly hall or fraternal organization or sorority.~~
- ~~(35) Public or governmental buildings and uses, including government offices, libraries, schools, fire stations (volunteer or otherwise), parks, parkways and playgrounds, with a conditional use permit.~~
- ~~(36) Radio and television stations and studios or recording studios, but not towers more than one hundred twenty five feet (125) feet in height except with a conditional use permit.~~
- ~~(37) Recreation facilities, indoor or outdoor, including theaters, bowling alleys, dance halls subject to applicable county regulations, skating rinks (ice skating or roller skating), swimming pools, miniature golf, billiard or pool parlors, game centers, indoor or outdoor tennis, indoor model racing tracks and similar activities.~~
- (38) Rental of luggage trailers but not including truck trailer bodies except campers and travel trailers.
- (39) Sign fabricating and painting shop.
- (40) Taxidermists.
- (41) Tire sales and installation.
- ~~(42) Wholesale brokerage or storage establishments with floor area devoted to storage or~~

~~warehousing limited to twenty thousand (20,000) square feet.~~

~~(43) Wireless communication facilities per section 18-427 of this chapter.~~

(Ord. of 6-18-90, § 19-8.2; Ord. of 12-21-92, § 3; Ord. of 10-24-94)

Chairman Jones opened the public hearing.

Mr. Travis Cain, applicant, approached the podium.

Chairman Jones clarified for Supervisor West that there was not a building presently on the property.

Supervisor West asked if they had restrictions as far as fencing and enclosures once the building was put up? Was it required for the repaired or non-repaired vehicles to be behind a fence? Mr. Johnson advised that the automobile service and repair permitted use included body and fender repair and not salvage or junk and any major repair or storage of equipment or materials or damaged vehicles shall be inside a completely enclosed building. Vehicles that had been repaired may be on the outside.

Supervisor West advised Mr. Cain that it was the desire of the Board for him to run an extremely good, clean, and aesthetically pleasing business, as it would be located on a major thoroughfare.

Chairman Jones closed the public hearing.

Vice-Chairman Young moved, seconded by Supervisor Faison, to approve the conditional rezoning in accordance with the proffered conditions. All were in favor.

Mr. Coggsale announced that the third and final public hearing was to consider the following:

REZ 061004:01 Application filed by Marks Farms Ltd. Partnership (owner) and Belmont Peanuts of Southampton, Inc. (applicant) requesting a rezoning from Agricultural District, (A-1) to Industrial District (M-1) "Conditional". The applicant has proffered that the only use permitted on the rezoned portion of the property would be in accordance with Section 18-282 (26) *Food products (cooking and processing of peanuts)*. The property is identified as Tax Map 58, Parcel 13, with one acre being included in the requested rezoning, and said property is located off the east side of Popes Station Road (Route 609) approximately 1000 feet south of its intersection with Buckhorn Quarter Road (Route 652) and bordered by the railroad to the south. The subject parcel is in the Capron Magisterial District and the Capron Voting District.

Mr. Coggsdale advised that the Planning Commission conducted a public hearing in regard to this application at its June 10, 2004 meeting and recommended that it be approved. The applicant had proffered that the only permitted use on the subject portion of the property would be the cooking and processing of peanuts.

Chairman Jones opened the public hearing.

Attorney Railey informed that he did not represent anyone on this rezoning, but he wanted to bring to the Board's attention that he had from time to time represented Marks Farms Ltd. Partnership and he did represent Belmont Peanuts.

Supervisor Carter advised that he had at times represented both Paul Camp Marks and Robert F. Marks, Jr., but he did not think there was any conflict with this application.

Chairman Jones opened the public hearing.

Mr. Bob Marks, applicant, clarified for Ms. Colleen Flick that the peanuts would not be imported.

Chairman Jones closed the public hearing.

Supervisor Wyche moved, seconded by Vice-Chairman Young, to approve the conditional rezoning in accordance with the proffered condition. All were in favor.

Moving forward, Mr. Johnson announced that included in the agenda for their consideration was a special funding request from the Southeast Rural Community Assistance Project, Inc. (Southeast RCAP). Southeast RCAP was a Roanoke-based 501 (c) (3) nonprofit organization with a mission of

helping rural people improve their quality of life by assuring access to safe drinking water and proper wastewater disposal. They worked with rural communities to repair, extend or develop drinking water or wastewater infrastructure projects. They focused primarily on low-income and minority communities, helping them to develop the capacity to revitalize themselves by engaging local community leaders. He reminded that Southeast RCAP was a catalyst in engaging the Thomaston Road community in Newsoms about five years ago that ultimately led to the “Self-Help” water and sewer extension just east of the Newsoms corporate limits. That project provided public water service for 28 homes along Thomaston Road and, sewer service for 8 of those same homes. In addition to working with the community, at that time Southeast RCAP paid for the preliminary engineering report for the project by Draper Aden Associates, which was the basis for more than \$200,000 in grant funds received for that project. He informed that they also provided Southampton County \$25,000 in grand funding in 1995 to assist with water and sewer improvements in the Boykins-Branchville-Newsoms region through what was then known as the *Virginia Water Project*. They were specifically asking for a special appropriation of \$1,000.

Supervisor Carter stated that what they did in Newsoms was great. He then **moved, seconded by Supervisor Faison, to specially appropriate \$1,000 to the Southeast Rural Community Assistance Project, Inc.**

Supervisor West advised that there was a situation with a home on Tucker Swamp Road where the water was of poor quality. He asked if Southeast RCAP assisted on an individual level? Mr. Johnson replied that it was his understanding that they had been able to assist on individual matters before. He advised that if he would get him the name and address of the party he would be pleased to forward it directly to Southeast RCAP to see what they could do.

Chairman Jones mentioned that there were several homes in his area without indoor plumbing. Mr. Johnson stated that if he would get him the names, he would be pleased to forward those as well. He noted that the STOP Organization had an indoor plumbing program in which they would pay to put indoor plumbing in houses and install septic systems. He would refer those people there first.

All were in favor of the motion.

Proceeding to polling place matters, Mr. Johnson announced that since 1995, the Newsoms District – Blackwater Precinct had been a mobile office trailer, set up a couple of weeks prior to each election, at the intersection of Routes 258 and 189 on property owned by Joe Nye and Pam Wiggins. On June 3, the Wiggins provided written notice that they desired to terminate the lease. In accordance with the 60-day notice provision of the agreement, the lease would effectively terminate on August 2, 2004 leaving the County without a polling place for the November election. Public facilities were very limited in that precinct and there were not many options. However, § 24.2-310, *Code of Virginia*, provided that a polling place should be located in the precinct *or within one mile of the precinct boundary*. He informed that the Forks of the River Community Center, which already functioned as a polling place for the Franklin District, was situated only 0.60 miles from the Blackwater Precinct line and 3.2 miles from the current precinct polling place. He and Mrs. Davis surveyed the facility last week to determine if space was adequate to function as a concurrent polling place for both precincts. With more than 1,225 square feet of open area, the facility should provide more than enough space to set up separate polling places. He had spoken with representatives of the Lions Club of Franklin, Inc., owners of the building, and they expressed no objection. He advised that because time was of the essence, included in the agenda was a copy of a proposed ordinance amendment to Sec. 5-16 (g) (2) which would provide for the Forks of the River Community Center to serve as the polling place for the Blackwater Precinct, in addition to the Forks of the River Precinct (Franklin District). This matter was subject to public hearing, U.S. Justice Department preclearance, and a minimum 14-day written notice to each registered voter in that precinct. He was seeking the Board’s consideration of a motion to advertise this matter for public hearing at the next regular session of July 26.

The proposed ordinance amendment is as follows:

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 5 OF THE SOUTHAMPTON COUNTY CODE, 1991, SO AS TO AMEND SECTION 5-16, PARAGRAPH (g) (2)

- - - - -

BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that the Southampton County Code be, and hereby is amended and reordained so as to amend Section 5-16, paragraph (g) (2) and reading as follows:

Section 5-16. Enumerated.

The precincts for each election district and the polling place for each precinct shall be set forth below:

- (g) Newsoms Election District:
 - (2) Blackwater Precinct

Polling Place – ~~Mobile office trailer on property of John B. and Joe Nye Wiggins (current owners) located on the northeast side of the intersection of Routes 258 and 189. Forks of the River Community Center.~~

All other portions of Section 5-16 remain unchanged.

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

Vice-Chairman Young moved, seconded by Supervisor Carter, to authorize the County Administrator to advertise the ordinance for public hearing at the July 26 regular session.

Mr. Johnson announced that he had a couple of polling place matters to report back on. At the April 26 regular session, the Board entertained a request to consider locating two polling places, one of which was the Newsoms District – Newsoms Precinct from the Fire Department over to the Newsoms Ruritan Club. He advised that they had surveyed the Newsoms Ruritan Club for accessibility. While the facility was very well maintained and the interior would function well as a polling place, the existing ramp exceeded the maximum slope of 1” rise per 1’ of run, as required by the *Americans With Disabilities Act*. So as presently constructed, the facility did not meet the polling place requirements of § 24.2-310 (C), *Code of Virginia*. He informed that Mrs. Davis indicated to him that representatives of the State Board of Elections were in the process of surveying all of the polling places in Virginia for accessibility and there may be limited grant funding available in the not too distant future to address such issues. After consulting with Mrs. Davis, he was recommending that the Board defer consideration of relocating the Newsoms precinct polling place until such time as the State released its accessibility findings and determined what, if any, grant funds may be made available to localities to address them.

Mr. Johnson advised that the other polling place they considered relocating was the Capron Precinct from the Fire Department over to the Capron Community Building. Their survey of the facilities at the Capron Community Building indicated a number of accessibility issues. It did not have a handicapped accessible ramp, which was not insurmountable, however a major renovation would be required to make the restroom facilities accessible. His recommendation was the same in Capron as in Newsoms – to defer consideration until further information was available from the state.

Mr. Johnson clarified for Supervisor Carter that the ramp at the Newsoms Ruritan Club was almost twice as steep as the code allowed. Vice-Chairman Young advised that Sycamore Church had some ramps if they needed one temporarily. He thought they could probably be adjusted to meet code.

Supervisor Wyche stated for the record the Capron Community Building was actually the Capron Ruritan Building.

It was consensus of the Board to follow Mr. Johnson’s recommendation and defer the matters until information was available from the state.

Moving forward, Mr. Johnson announced that included in the agenda was correspondence from Mr. Todd Christensen of the Virginia Department of Housing and Community Development (VDHCD) advising of the FY 2005 allocation of Indoor Plumbing/Rehabilitation Program (IPR) funds for Southampton County and requesting the Board’s consideration of designation of a program administrator. He reminded that for the past several years, the STOP Organization, a Norfolk-based community service agency, had served as subrecipient of Southampton County’s allocation of IPR

funds and administered the program throughout the county. With the exception of the period between FY 96 – FY 98 when the County accessed \$2.5 million in IPR funding on its own behalf to meet contractual obligations to install indoor plumbing in all the occupied dwellings within the Boykins-Branchville-Newsoms Regional Project area, the County had historically designated a subrecipient to administer the program. He pointed out that although Mr. Christensen's letter indicated that \$0 were obligated through April 30 by the STOP Organization in Southampton County, it was important to note that STOP received only 1 qualified application from local residents last year, and because that particular project required a special septic system, its start was delayed beyond the cut-off date for '04 funding. That project, located in the Capron area, would be the first to qualify in FY 05. He noted that in addition to running an annual notice in the newspaper, STOP received referrals for the program from Social Services, Health Department, Inspections Department, and any former beneficiaries, and he was sure they would welcome calls from the Board as well. He advised that unless the County notified VDHCD otherwise prior to July 1, the STOP Organization would be automatically renewed as the program subrecipient in FY 2005.

It was consensus of the Board for the STOP Organization to be automatically renewed as such.

Mr. Johnson suggested that Chairman Jones have the tenants of the houses in Drewryville that he mentioned needed assistance with indoor plumbing to contact STOP directly.

Moving on, Mr. Johnson announced that included in the agenda was a copy of Governor Warner's June 21 press release announcing the designation of enterprise zones in the cities of Danville, Lynchburg, Newport News, Roanoke and the Town of Saltville/Smyth County. Also included was a copy of a letter to Chairman Jones dated June 22, which was sort of Southampton County's "report card" in that it reported how the County's application fared as compared to the other applications that were received. He noted that the term redesignation would be more appropriate since all five of those zones were actually first designated in 1984. There were some minor changes in a number of the zone boundaries, but no community without an existing enterprise zone designation received one this year. He informed that six enterprise zone designations would become available on January 1, 2005, with zones expiring in Chesapeake, Hampton, Hopewell, Petersburg, South Hill, and Wythe-Carroll counties. Ms. Cindy Cave, Community/Economic Development Director, was planning to attend a "How-to-Apply" workshop at VDHCD on July 20 and the County intended to submit another application this year. He advised that believing there was strength in unity, they were seeking the Board's indulgence in authorizing Ms. Cave to develop this year's application jointly with the City of Franklin, provided they were amenable. With 30% of the existing zones being regional in nature, this could only enhance their chances and make them both more competitive. He added that Ms. Cave recently received a phone call from representatives of Isle of Wight County indicating that they may be interested in a joint application as well.

It was consensus of the Board to authorize Ms. Cave to develop a joint enterprise zone application with the City of Franklin and/or Isle of Wight County, subject to their concurrence.

Regarding miscellaneous issues, Mr. Johnson announced that the 2004 Local Government Officials Conference (LGOC) would be held August 1-3 in Norfolk. He needed a headcount of those who planned to attend in order to make the appropriate reservations. He noted that a tentative conference agenda was included in the agenda.

Chairman Jones and Supervisor Wyche indicated that they planned to attend. Supervisor Felts stated that she would let him know later today.

Mr. Johnson announced that the 2004 VACo Annual Meeting was scheduled for November 7-9, 2004 in Bath County. As they knew, each county was guaranteed only 3 rooms at the conference hotel, The Homestead. Based on the Board's past policy, he had already made reservations there for Supervisors Jones, Young, and Faison (being the respective Chairman, Vice-Chairman, and highest ranking member with regard to seniority.) Because other accommodations in the area were scarce, he had a "temporary hold" on up to 6 additional rooms at The Warm Springs Inn, which was subject to confirmation this week. There was a "no-cancellation" policy at most of the small inns nearby, as they had all been stuck in the past by conference attendees canceling at the last minute when rooms became available at The Homestead. An alternative was to request to be placed on the waiting list at the conference hotel and take your chances.

Chairman Jones, Vice-Chairman Young, and Supervisor Faison confirmed that they would be attending the conference and staying at The Homestead.

Supervisors Felts, West, and Wyche indicated that they would be attending the conference and would like for Mr. Johnson to confirm reservations for them at the Warm Springs Inn. Although they would rather stay at The Homestead, attending the conference was more important.

Supervisor Carter (interim representative of the Newsoms District who would not run in the November election) stated that he would really like to attend, but did not think it would be appropriate, as the election of a Supervisor for the Newsoms District would take place just a few days before the conference.

Mr. Johnson advised that included in the agenda was a copy of the response he received from the County's general liability insurer, Manry-Rawls, following their review of the MMRS Mutual Aid Agreement the Board tentatively endorsed last month. Based on their response, and the Board's direction, he had endorsed the agreements and forwarded them to the appropriate parties.

He informed that included in the agenda was correspondence serving as the County's official notice of intent to award a contract to Hughes Supply, Inc. for a radio/touch read system, equipped with GPS mapping, and 828 transceiver-equipped water meters for \$157,000. Procurement by competitive negotiation was authorized at the Board's January 28, 2004 regular session and the FY 2004 annual budget included \$163,000 for that purpose. They had notified all parties that submitted proposals and advised that they had until 5:00 PM on June 25 to file any protests. They did not receive any protests so they would go ahead and execute the contract. They hoped to have the meters installed in the next 90-120 days.

Mr. Johnson announced that included in the agenda was a copy of a recent national quality of life survey by *American City Business Journals* (ACBJ). They used 20 statistical indicators to rate living conditions in all 3,141 counties and independent cities across the nation. On the national level, Southampton County ranked 2,425th (23rd percentile) and on the state level, 101st out of 135 (25th percentile). That was very sobering but good material for discussion at future strategic planning retreats. He noted that although it was of little consolation, they ranked slightly higher than some of their neighbors, including the City of Franklin and counties of Greensville and Sussex.

Continuing with miscellaneous issues, he advised that included in the agenda was a copy of the proposed Deed of Gift to the STOP Organization for the residence at 32076 The Hall Road. The conveyance was authorized at the Board's December 15, 2003 regular session. Attorney Railey was in the process of trying to close that transaction as soon as possible.

Mr. Johnson informed that he had contracted with Howlett and Associates of Williamsburg to revise Southampton County's Emergency Operations Plan, which was last updated in 2000. The project would cost less than or equal to \$8,259 and be funded through the *Virginia All-Hazards Planning Grant Program*.

He advised that Ms. Cave had provided in the agenda a couple of recent publications by the Virginia Economic Development Partnership as they related to industrial development and growth. He noted that Henrico County recently opened its own branch economic development office in Shanghai, China.

Mr. Johnson reported that the following environmental notices were received:

- 1) From the Department of Environmental Quality, notice of a groundwater withdrawal application by Hanover County to reduce its annual withdrawal for the Hanover Suburban Water System by 84%;
- 2) From the Department of Environmental Quality, notice of a groundwater withdrawal application by Hanover County to increase its annual withdrawal for the Georgetown Subdivision Water System by 25%;
- 3) From the Department of Health, Office of Drinking Water Programs, notice of violation to the owners of the Nottoway Trailer Court waterworks for exceedance of the maximum levels of fluoride;
- 4) From the Department of Health, Office of Drinking Water Programs, a copy of their recent site visit report to the Southampton Meadows MHP waterworks;
- 5) From the City of Franklin, a copy of their annual water quality report;
- 6) From the Department of Health, Office of Drinking Water Programs, notice of violation to the owners of the Southampton Meadows MHP waterworks for construction and use of facilities prior to having a final inspection and for failure to have a licensed waterworks operator;

- 7) From the Department of Health, Office of Drinking Water Programs, notice of violation to the owners of the Darden's Mill Estates waterworks for failure to collect the required bacteriological samples;
- 8) From the Town of Courtland, a copy of their annual water quality report;
- 9) From the Department of Health, Office of Drinking Water Programs, notice of violation to Southampton County for exceeding the maximum containment levels for total coliform bacteria at the Boykins-Branchville waterworks.

He informed that the following incoming correspondence was received:

- 1) From a member of the Buck's Branch Hunt Club commending the courteous treatment he received from the Commissioner of the Revenue and his staff;
- 2) An update and status report from the Hampton Roads Partnership on their new work plan;
- 3) From Charter Communications, notice of recent programming changes;
- 4) From the Virginia Department of Housing and Community Development, copied correspondence to the STOP Organization regarding upcoming compliance reviews for a number of their IPR subrecipient contracts;
- 5) A note of thanks from Draper Aden Associates for our business over the past several years;
- 6) From Southampton County Schools, notice of the recent reappointments of Russell Schools and Becky Blackburn to the Southampton County School Board; and
- 7) From Terri Miller, Director of the Suffolk Shelter for the Homeless, a note of gratitude for your support of their recent "Night of Jazz" fundraiser.

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

Proceeding to late arriving matters, Mr. Johnson announced that they had issued a Request for Proposals for a general reassessment contract about a month ago. The evaluation committee included representatives of County Administration staff and the Commissioner of the Revenue's Office. It was his understanding that they reached consensus very late Friday or early this morning and would like to proceed with negotiating a contract with Blue Ridge Mass Appraisal Company.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to authorize the County Administrator to negotiate a general reassessment contract with Blue Ridge Mass Appraisal Company, provided that the value of the contract did not exceed the funds included in the FY 05 Annual Budget. All were in favor.

Chairman Jones advised that he was contacted by a couple of people who were complaining that they had to drive all over to sell livestock because Southampton County did not have an operator at the livestock market. Vice-Chairman Young informed that the operator that was leasing it was not coming back. Mr. Johnson advised that the Board owned the facility and subleased the livestock market to the Southampton County Fair Board. The lease with the Fair Board provided that it was their responsibility to contract with an operator to operate the livestock market. In the absence of their ability to do that, there was a provision that the Board could assume that responsibility after a certain number of months (he thought 6 months). Vice-Chairman Young stated that he thought the Fair Board was in the process of putting it up for bid to find another operator.

Supervisor Felts mentioned that she along with a couple other Board members attended the ribbon cutting for the new cell tower in the Boykins-Newsoms area. She stated that it was very nice and Mr. Johnson made them all proud by making a presentation there on the County's behalf.

Mr. Charles Turner, Superintendent of Southampton County Schools, who was in the audience, told the Board that he appreciated those who attended the graduation. The graduation was held on Saturday morning and worked out so well that the School Board had decided to hold it on Saturday morning next year also. Vice-Chairman Young stated that he attended and was very impressed with the way it was carried out. Supervisor Faison advised that he also attended and concurred with Vice-Chairman Young. He added that Saturday morning was a great time to have a graduation.

Chairman Jones announced that 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) (7) Consultation with legal counsel and briefings by staff members regarding specific legal matters (contract negotiations) requiring the provision of legal advice by counsel;

Section 2.2-3711 (A) (7) Consultation with legal counsel and briefings by staff members regarding specific legal matters (ordinance enforcement) requiring the provision of legal advice by counsel;

Section 2.2-3711 (A) (3) Discussion of the acquisition of certain real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the governing body.

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

Mr. Johnson stated that he wanted to bring something to the Board's attention. As they knew, one of the County's solid waste trucks was involved in an accident about a month ago at the Hancocks Bridge. That truck was in the repair shop getting fixed. He informed that they lost the transmission on another truck last week. They were down to 1 truck servicing 14 sites so it was taking longer than normal to get the sites cleaned up. They were looking for a loaner truck or anything they could find this week to try and get them over the hump. He wanted to bring it to their attention in case they received any calls or happened to notice that the sites were not as well-maintained as they should be.

The Board took a 5-minute break before convening the closed meeting.

Richard Railey, County Attorney, Waverly Coggsdale, Assistant County Administrator, and Cindy Cave, Community/Economic Development Director, were present in the closed meeting.

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

RESOLUTION OF CLOSED MEETING

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

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

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

**Supervisors Voting Aye: Dallas O. Jones
Walter L. Young, Jr.
E. Beale Carter, Jr.
Carl J. Faison
Anita T. Felts
Ronald M. West
Moses Wyche**

The motion passed unanimously.

Vice-Chairman Young moved, seconded by Supervisor Faison, to continue the meeting until 6:30 PM tomorrow (June 29, 2004). All were in favor.

Vice-Chairman read aloud a letter that he received from the Independence House on General Thomas Highway on behalf of the Southeastern Consumers Association. They were a non-profit organization planning a Consumer Rights Day Program on July 15, 2004. They were requesting a proclamation from the Board deeming July 15, 2004 as "Patients Rights Day".

Vice-Chairman Young moved, seconded by Supervisor Carter, to prepare a proclamation deeming July 15, 2004 as "Patients Rights Day". All were in favor.

Vice-Chairman Young advised that Harvey Umphlett of Branchville had mentioned to him at church that he had concerns about the Building Official and was considering calling Richmond. He suggested that Mr. Umphlett contact his Supervisor, Mr. Faison, as he did not think it was appropriate to discuss it with him at that time at church. Supervisor Faison advised that he had not heard from him, but would try to contact him.

There being no further business at that time, the meeting was recessed at 12:15 PM and continued until June 29, 2004 at 6:30 PM.

June 29, 2004

Chairman Jones called the meeting back to order on June 29, 2004 at 6:30 PM.

(*Note:* Julia Williams, Finance Director, Julien Johnson, Public Utilities Director, and Susan Wright, Executive Secretary, were not present.)

Chairman Jones announced that 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) (7) Consultation with legal counsel and briefings by staff members regarding specific legal matters (contract negotiations) requiring the provision of legal advice by counsel.

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

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.
E. Beale Carter, Jr.**

**Carl J. Faison
Anita T. Felts
Ronald M. West
Moses Wyche**

The motion passed unanimously.

Chairman Jones advised that a motion was needed as a result of the closed meeting.

On motion of Vice-Chairman Young, seconded by Supervisor West, the Board unanimously resolved to accept the following agreement for EMS services through September 1, 2004:

A month-to-month, not to exceed two (2) months, Agreement with the cost of each call answered to be direct-billed to the County at \$300 for Basic Life Support, \$400 for Advanced Life Support 1 and \$575 for Advance Life Support 2 (3 or more ALS skills provided). In addition to the above fee there is also imposed a fee of \$8.25 per mile from the location where pick up of the patient is made to the hospital or other institution where the patient is delivered (loaded mile). [Article III, Ambulance Services, Section 10-31.] The City will direct-bill the County for these services...not the individuals.

There being no further business, the meeting was adjourned at 7:32 PM.

Dallas O. Jones, Chairman

Michael W. Johnson, Clerk