

July 28, 2008

At a regular meeting of the Southampton County Board of Supervisors held in the Board Room of the Southampton County Office Center, 26022 Administrative Center Drive, Courtland, Virginia on July 28, 2008 at 6:00 PM.

SUPERVISORS PRESENT

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

SUPERVISORS ABSENT

None

OTHERS PRESENT

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

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

Mr. Michael Johnson, County Administrator, announced that the thirty-six (36) first responders with thirty (30) or more years of volunteer service were invited to the meeting this evening to be presented with framed copies of the resolution adopted by the Board of Supervisors at its May 27, 2008 meeting. Mr. Johnson read aloud the following resolution:

**Resolution of Appreciation**

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

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

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

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

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

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

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

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

**IN TESTIMONY WHEREOF**, it is ordered that a copy of this resolution shall be spread upon the minutes of this Board on the twenty-seventh day of May 2008, forever preserving and recording this Board's

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gratitude to [INSERT NAME] and, further ordered that the Seal of the Southampton County Board of Supervisors shall be hereunto affixed as visual representation of the high esteem in which [HE/SHE] is held by the people of Southampton County.

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

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Dallas O. Jones, Chairman  
Board of Supervisors

Mr. Johnson read aloud the names and Chairman Jones presented each of the following first responders with a framed copy of the resolution:

1. David T. Banty, Capron
2. N. Frant Britt, Jr., Ivor
3. Sidney A. Brittle, Sedley
4. Samuel E. Bush, Jr., Greensville
5. Mark W. Carr, Franklin
6. James A. Creasy, Sedley
7. O.J. Creasy, Jr., Sedley
8. Michael G. Drake, Newsoms
9. Gene H. Drewery, Hunterdale
10. Christ L. Erbe, Courtland
11. Larry P. Felts, Boykins
12. Woodrow W. Ferguson, Jr., Franklin
13. Larry M. Fowler, Newsoms
14. William J. "Bill" Fowler, Jr., Newsoms
15. Vernie W. Francis, Sr., Capron (In Memory Of)
16. Ronald W. Griffin, Boykins
17. Charles E. Griffith, Newsoms
18. Robert S. Grizzard, Sedley
19. Bobby R. Harrell, Sedley
20. Arthur B. Harris, Jr., Branchville
21. W.S. Harris, Jr., Greensville
22. Alfred D. Hewett, Sedley
23. Joey E. Hewett, Sedley
24. Roger A. Hinson, Branchville
25. Vincent P. Holt, Franklin
26. H. Massey Joyner, Ivor
27. E.P. "Buddy" Kea, Jr., Ivor
28. Douglas T. Prince, Newsoms
29. R. Keith Rose, Sedley
30. Richard P. Rose, Hunterdale
31. George L. Smith, Branchville
32. Geraldine F. Smith, Branchville
33. Jerry A. Smithwick, Hunterdale
34. Charles L. Stallard, Ivor
35. James S. Starke, Capron
36. W. Harvey Umphlett, Jr., Branchville

Chairman Jones sought approval of the minutes of the June 23, 2008 regular meeting. They were approved as presented, as there were no additions or corrections.

Regarding highway matters, Mr. Michael Johnson, County Administrator, announced that Supervisor West had requested that the topic of possible highway abandonment of a portion of Route 622 near Zuni be placed on the agenda for discussion. Included in the agenda were a couple of aerial photographs illustrating the 1,500' section of State Route 622 that passed just east of Tucker Swamp Baptist Church. Their auxiliary parking area was situated on the eastern side, across the road from their sanctuary, Sunday school, and family life center. The Church had expressed an interest in closing the road to thru-traffic, for safety reasons and to facilitate future plans. The *Code of Virginia* outlined a process for abandonment of a section of roadway, with two related statutes – § 33.1-151 and § 15.2-2232. He advised that § 15.2-2232 related to the legal status of a Comprehensive Plan and provided that the vacation or change of use of streets or roads must be considered by the Planning Commission to determine if the vacation or change was substantially in accordance with the Comprehensive Plan. The Commission was not required, but at the direction of the Board, may conduct a public hearing. He stated that § 33.1-151 was also relevant and obligated the Board to provide public notice of its intention to abandon any section of roadway by posting signs and publishing public notice in *The Tidewater News*. After giving notice, if one or more property owners whose property abuts the roadway proposed for abandonment submitted a petition within 30 days, the Board was obligated to advertise and conduct a public hearing.

Mr. Johnson advised that at the end of the process, in order to abandon the section of roadway, the Board must conclude that: 1) No public necessity existed for continuance of the section of roadway as a public road; or 2) The safety and welfare of the public would be best served by abandoning the section of roadway. He noted that if closed, the closest alternative route for

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westbound traffic on Seacock Chapel Road to access Tucker Swamp Road would be to proceed past the church and turn right – adding 4/10's of a mile to the trip.

Supervisor West stated that Tucker Swamp Baptist Church was a growing and thriving church. The food pantry and parking lot was located on the eastern side. They would like to expand the food pantry and also put a playground on that side. There were a lot of people in the road and crossing the road, and cars travelling along it did not slow down. It was a safety hazard. He noted that the cut-through road was more of a convenience road to motorists than anything else.

Supervisor Brown stated that he understood that 750 ft. on each side was owned by the church – who owned the rest? Supervisor West replied several different owners. Supervisor Brown asked if those owners would still have access to the road? Mr. Jerry Kee, Assistant Residency Administrator of the VDOT Franklin Residency, replied yes – otherwise, it could not be abandoned.

Supervisor West clarified for Chairman Jones that they did not wish to block off the road right at the front.

Supervisor Brown noted that he was concerned about the other owners.

Supervisor Faison asked how many motorists used the road? Mr. Kee replied that he did not know right off, but could get a traffic count. Supervisor West stated that he thought a couple hundred cars a day used the road.

Vice-Chairman Young stated that it was a good problem to have (with the church growing and expanding). He asked, if the Board was amenable to considering it, should they go ahead and have a public hearing?

Mr. Johnson advised that the next step would be to have the church people meet with VDOT and define exactly what they wanted to do. The Board was amenable to that.

Continuing with highway matters, Mr. Jerry Kee of VDOT advised that the mowing cycle would begin today on the primary roads and should hopefully be completed in about 2 ½ weeks. The 2008 summer paving schedule for surface treatment (rock and tar) was scheduled to begin next week. There were about 17 routes on the schedule to be paved. They had completed the calcium chloride – they had put calcium chloride on approximately 25 miles of dirt roads over the last couple of weeks. The cost was approximately \$60,000.

Supervisor Felts thanked Mr. Kee for the calcium chloride.

Vice-Chairman Young asked for an update on Edgehill. Mr. Kee advised that they were in the design stage. They hoped to have the permit in hand soon.

Supervisor West advised that he was appreciative of the paving with plant mix on Route 614, but would love to see some lines on the road. Mr. Kee stated that he would see what they could do. Mr. Kee noted that there was one road left on the plant mix schedule, and that was the last section of Route 628. Supervisor West commented that the negative to using plant mix on the road was that it seemed to increase the speed limit. Mr. Kee agreed but pointed out that it helped the ride surface so much.

Supervisor Brown thanked Mr. Kee for the initiatives regarding the grass cutting.

Supervisor Wyche advised that he was still receiving calls/concerns regarding Medicine Springs Road. Cars were coming off of Route 58 and speeding down Medicine Springs Road and they were concerned about the children in the neighborhood. Mr. Kee stated that they did another speed study encompassing a bigger zone and it still did not warrant a reduction in speed. However, he was going to meet with the engineer next week to see if there was anything they could do, such as putting up some signs.

Chairman Jones asked about the turn lane at Adams Grove. Mr. Kee stated that it was one of the

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“hot spots” on the upcoming traffic engineering study – that whole intersection was a “hot spot”. They were also going to look at the intersection at Shady Brook Trail and look at putting some striping at the stoplight at Food Lion so people would know where they were supposed to be when they went through the stoplight.

Chairman Jones asked about the lady at Rivers Mill with the ditch problem. Mr. Kee advised that they had looked at it and were waiting on a permit.

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

In regards to the new housing starts report, Mr. Johnson clarified for Supervisor Brown that they were projecting 78 new homes for the year – there were 39 this year to date. Supervisor Brown commented that he was concerned about piano-key development.

In regards to the personnel report, Mr. Johnson advised that Mary J. Dunn resigned from the Sheriff’s Office effective 07/31/08. Adam W. Tuck resigned from the Sheriff’s Office effective 07/12/08. He stated that John N. Magette retired from the Sheriff’s Office effective 08/01/08. Phillip G. Darden retired from the Sheriff’s Office effective 08/01/08. He informed that Keith Travis of the Sheriff’s Office was on military leave effective 06/13/08. J. Michael Blythe of the Sheriff’s Office was on military leave effective 07/09/08.

Moving to financial matters, Mr. Johnson announced that included in the agenda was a copy of the final FY 2008 regular appropriation resolution with total appropriations of \$3,805,899.50. The appropriation consisted of \$3,525,067.98 of revenue received in FY 2008, \$2,935.50 of revenue carried over from previous fiscal years, \$105,048.00 transferred in from the Inmate Enterprises Fund and \$172,848.02 of new money from the unappropriated general fund reserve, since the associated expenses were not included in the FY 2008 annual budget and there were no other sources of identified funding. An itemized list of the new money items was included in the agenda.

The appropriations resolution is as follows:

**APPROPRIATIONS - JULY 28, 2008**

**NEW MONEY REQUIRED FOR JULY FOR JUNE 30, 2008 APPROPRIATION**

**GENERAL FUND**

21,659.50	BOARD OF SUPERVISORS/LEGAL SERVICES/OLF
6,428.57	BOARD OF SUPERVISORS/CHOWAN RIVER BASIN
1,444.95	TREASURER/CAREER DEVELOPMENT PROGRAM
14,082.00	INSURANCE/PROPERTY INSURANCE
830.00	DISTRICT COURT/COURT APPOINTED ATTORNEYS
930.00	VOL FIRE DEPARTMENTS/VACCINATIONS
6,970.00	PROBATION/JUVENILE DETENTION
2,585.00	EMERGENCY SERVICES/FIRE & RESCUE RADIO SUPPLIES
8,018.00	BUILDINGS & GROUNDS/PAINT-HEALTH & ADMINISTRATION
10,125.00	COMPREHENSIVE SERVICES ACT/AT-RISK CHILDREN/MATCH
99,775.00	TRANSFER OUT/ENTERPRISE/ENGINEERING/COURTLAND SEWER
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<b>172,848.02</b>	<b>TOTAL NEW MONEY/GENERAL FUND</b>

**GENERAL FUND - CARRY-OVER FUNDS**

2,935.50	COMMONWEALTH'S ATTORNEY/COST COLLECTIONS
<b>2,935.50</b>	<b>TOTAL CARRY-OVER/GENERAL FUND</b>

**GENERAL FUND - TRANSFER IN FROM OTHER FUNDS**

105,048.00	INMATE ENTERPRISES/JAIL/BUDGET REQUIREMENT ONLY
<b>105,048.00</b>	<b>TOTAL TRANSFER IN TO GENERAL FUND</b>

APPROPRIATIONS -- JULY FOR JUNE, 2008

11010 BOARD OF SUPERVISORS	(1) Funds previously approved by Board for legal services/OLF (\$21,659.50) <b>New Money</b> (2) Funds previously approved by Board for Cost Sharing Agreement associated with the Chowan River Basin study (\$6,428.57) <b>New Money</b>
12410 TREASURER	(1) State approved funding for the participation of Treasurer in Career Development Program (\$5,193.97 state share -- county share of fringes (\$1,444.95 <b>New Money</b> ) (2) Cost above budget for bank charges (\$12,695)
12550 INSURANCE/COUNTY CODE	(1) Reimbursement received from retirees for BCBS (\$16,534) (2) Appropriation needed to allocate unemployment insurance to proper department--unemployment insurance is paid quarterly--funds are originally budgeted in one department (\$-0-) (3) Cost above budget for property insurance (\$14,082) <b>New Money</b>
13200 REGISTRAR	State reimbursement for presidential primary (\$9,669.41)
21100 CIRCUIT COURT	State reimbursement received for jurors & witnesses (\$47.17)
21200 DISTRICT COURT	Local costs for court appointed attorney's fees (\$830) <b>New Money</b>

21700 SHERIFF - BAILIFF	Transfer of funds received from state for temporary positions in Sheriff-Bailiff to Sheriff-Law Enforcement-temporary (\$ -0-)
22100 COMMONWEALTH'S ATTORNEY	Carry-over funds received for Commonwealth Attorney Delinquent Collection on Criminal Cases for equipment & office expenses (\$2,935.50) <b>Carry-Over Funds</b>
31200 SHERIFF-LAW ENFORCEMENT	(1) Court Fines & Fees received above budget for part-time selective enforcement & vehicle supplies (\$76,904) (2) Transfer of funds received from state for temporary positions in Sheriff-Bailiff to Sheriff-Law Enforcement-temporary (\$ -0-) (3) Temporary position state funds received above budget (\$4,837.51) (4) DMV Grant received for equipment (\$27,289.10)
32200 VOL FIRE DEPTS	(1) Local costs for vaccinations for fire & rescue volunteers (\$930) <b>New Money</b> (2) Reimbursement received from Drewryville & Sedley Vol Fire Depts for electrical costs (\$854.34)
33100 DETENTION	(1) Transfer of funds from Inmate Enterprises for jail expenses (\$105,048) <b>Transfer from Other Fund</b> (2) State funds received above budget for contract jail beds (\$2,204.88)
33300 PROBATION	Cost above budget for Purchase of Service & Home Care for juvenile detention (\$6,970) <b>New Money</b>
35500 EMERGENCY SERVICES	Funds required for fire & rescue for radio communications supplies & maintenance (\$2,585) <b>New Money</b>
41320 STREET LIGHTS	Reimbursement received for Pines of Ivor Subdivision for installation of 5 street lights (\$12,211.50)
43000 BLDGS & GROUNDS	(1) Reimbursement received from RMS for electrical service (\$1,002.94) (2) State reimbursement received for telephone line for support enforcement (\$240) (3) Reimbursements rec'd from Dept of Social Services and Health Dept for telecommunications (\$1,627.41) (4) Reimbursement rec'd from Franklin Southampton County Fair for repairs to water leak (\$891.15) (5) Local costs for painting & repair supplies for Health Dept & Administration (\$8,018) <b>New Money</b>
53500 COMPREHENSIVE SERVICES ACT	(1) Reimbursements received for children at-risk from SSI-SSA (\$29,923.64) (2) Supplemental allocation from state received for at-risk children (\$21,221.36) local match (\$10,125) <b>New Money</b>

82500 CHOWAN BASIN SOIL & WATER CONSE	Reimbursement rec'd for all costs related to payroll & fringes (\$66,291.28)
92000 HOME REHABILITATION	Reimbursement received from City of Suffolk for HOME Program (\$117,750)
93000 TRANSFER OUT TO OTHER FUND	Transfer of General Fund Reserve Funds to the Enterprise Fund to cover cost of engineering services for Courtland Sewer Infrastructure (\$99,775) <b>New Money</b>
SOCIAL SERVICES	Increase in state revenues and request to transfer line items (see attached letter)
SCHOOL BOARD	(1) Categorical changes as requested by the School Board--includes increase in state funds and expenditure refunds and transfer of funds--see attached letters (2) Reimbursements received for Day Care and School Activities Accounts--see attached letter (3) Increase & decrease in Federal Funds--see attached letters (4) Transfer of funds from School Operating to the Food Service Fund--see attached letter
ENTERPRISE FUND	(1) Appropriation of reserve funds for engineering services for Courtland Sewer Infrastructure-Design (2) Additional revenue received above budget
FORFEITURE FUND	Appropriation of funds received & expended
SPECIAL WELFARE FUND	Appropriation of revenues and expenditures in Special Welfare Fund
LAW LIBRARY FUND	Appropriation of revenues and expenditures in Law Library Fund
BLACKWATER REGIONAL LIBRARY	Appropriation of revenues and expenditures in the Blackwater Regional Library Fund
CANTEEN FUND	Appropriation of funds received & expended
INMATE ENTERPRISES	Appropriation of funds received & expended for work release, inmate telephone funds, jail prisoner medical treatment, & bounty for inmates including funds transferred to Detention

At a meeting of the Board of Supervisors of Southampton County,  
Virginia on Monday, July 28, 2008

## RESOLUTION

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

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

4-100-11010-3150	Legal Services/OLF	21,659.50
11010-3171	City of Franklin/Chowan River Basin	6,428.57
12110-2600	Unemployment Insurance	98.40
12310-2600	Unemployment Insurance	197.67
12410-1100	Salaries & Wages Regular	5,995.91
12410-2100	FICA	125.31
12410-2210	Retirement	150.51
12410-2215	Retirement - Employee Share	299.43
12410-2300	Hospital Plan	8.00
12410-2400	Group Life Insurance	59.76
12410-2600	Unemployment Insurance	116.51
12410-5848	Bank Charges	12,695.00
12430-2600	Unemployment Insurance	125.99
12510-2600	Unemployment Insurance	65.60
12550-2300	Hospital Plan	16,534.00
12550-2600	Unemployment Insurance	(5,197.91)
12550-5304	Property Insurance	14,082.00
13200-2600	Unemployment Insurance	68.05
13200-1800	Salaries - Poll Workers	4,820.00
13200-3325	Programming Voting Machines	1,758.00
13200-8200	Capital Outlay	3,091.41
21100-2600	Unemployment Insurance	32.80
21100-3848	Jurors & Witnesses - State	47.17
21200-1700	Court Appointed Attorney's Fee	830.00
21200-2600	Unemployment Insurance	27.64
21600-2600	Unemployment Insurance	229.99
21700-1100	Salaries & Wages Regular	(7,924.00)
21700-2600	Unemployment Insurance	258.14
22100-2600	Unemployment Insurance	131.20
22100-6000	Cost Collection Expenses	50.00
22100-6001	Office Supplies	52.50
22100-6001	Office Supplies	2,833.00
31200-1300	Part-Time Salaries	48,852.00
31200-1400	Temporary Employment	4,837.51
31200-1400	Temporary Employment	7,924.00
31200-1903	Grant-DMV-Selective Enf & Equipment	27,289.10
31200-2600	Unemployment Insurance	697.52
31200-6009	Vehicle Supplies	28,052.00

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32200-2800	Vaccinations	930.00
32200-5110	Electrical Services	98.25
32200-5110	Electrical Services	756.09
33100-1200	Over-Time Salaries	50,000.00
33100-2600	Unemployment Insurance	1,747.12
33100-3110	Professional Health Service	50,000.00
33100-3310	Repair & Maintenance	2,204.88
33100-6002	Food Supplies	5,048.00
33300-3166	Purch of Serv & Hm Care - Detention	6,970.00
34000-2600	Unemployment Insurance	92.00
35100-2600	Unemployment Insurance	32.80
35500-3320	Maintenance Service Contracts	309.00
35500-6010	Fire & Rescue Radio Com Supplies	2,276.00
41320-5110	Street Lights	12,211.50
42300-2600	Unemployment Insurance	1,005.33
43000-2600	Unemployment Insurance	200.92
43000-5110	Electrical Services	308.02
43000-5110	Electrical Services	694.92
43000-5230	Telecommunications	240.00
43000-5241	Telecom-Soc Ser/Health	312.86
43000-5241	Telecom-Soc Ser/Health	320.52
43000-5241	Telecom-Soc Ser/Health	334.31
43000-5241	Telecom-Soc Ser/Health	335.77
43000-5241	Telecom-Soc Ser/Health	323.95
43000-6007	Repair & Maintenance Supplies	8,018.00
43000-8105	County Buildings Repair	891.15
53500-5667	Standard Allocation	61,270.00
81100-2600	Unemployment Insurance	69.73
82500-1100	Salaries & Wages Regular	43,052.00
82500-1300	Salaries-Part-Time	7,695.00
82500-2100	FICA	3,826.50
82500-2210	Retirement	2,794.08
82500-2215	Retirement - Employee	2,152.64
82500-2300	Hospital Plan	6,232.00
82500-2400	Group Life	430.56
82500-2600	Unemployment Insurance	108.50
83500-2600	Unemployment Insurance	0.50
92000-8201	HOME Rehabilitation	117,750.00
93000-9220	Transfer out to Enterprise Fund	99,775.00
	TOTAL	688,220.18

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

4-201-53100-1100-309	Salaries & Wages Regular	(61,000.00)
53100-2100-309	FICA	(2,750.00)
53100-2210-309	Retirement	(3,400.00)
53100-2300-309	Hospital Plan	(12,000.00)
53100-2400-309	Group Insurance	(200.00)
53100-2600-309	Unemployment Insurance	(600.00)
53100-2710-309	Worker's Compensation	300.00

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53100-3320-309	Maintenance Service Contracts	300.00
53100-3600-309	Advertising	5,000.00
53100-3800-309	Purchase of Service-Other Institutions	300.00
53100-3860-309	Labor Costs	12,000.00
53100-5210-309	Postal Services	(1,860.00)
53100-5540-309	Travel Convention, Education	2,710.00
53100-6001-309	Office Supplies	1,100.00
53100-6009-309	Vehicle Supplies	400.00
53100-6012-309	Books and Subscriptions	120.00
53100-6014-309	Other Operating Supplies	340.00
53100-1100-310	Salaries & Wages Regular	(30,000.00)
53100-2100-310	FICA	(2,000.00)
53100-2210-310	Retirement	(3,000.00)
53100-2300-310	Hospital Plan	(1,500.00)
53100-2400-310	Group Insurance	(150.00)
53100-3310-310	Repair & Maintenance	1,300.00
53100-3320-310	Maintenance Service Contracts	2,525.00
53100-3600-310	Advertising	2,020.00
53100-3860-310	Labor Costs	4,275.00
53100-5230-310	Telecommunications	832.00
53100-6001-310	Office Supplies	2,550.00
53100-6009-310	Vehicle Supplies	1,890.00
53100-6012-310	Books and Subscriptions	140.00
53100-6014-310	Other Operating Supplies	1,042.00
53100-1100-311	Salaries & Wages Regular	70,000.00
53100-2100-311	FICA	4,700.00
53100-2210-311	Retirement	6,400.00
53100-2300-311	Hospital Plan	13,500.00
53100-2400-311	Group Insurance	350.00
53100-3310-311	Repair & Maintenance	10,500.00
53100-3320-311	Maintenance Service Contracts	1,700.00
53100-3600-311	Advertising	(500.00)
53100-3860-311	Labor Costs	(4,750.00)
53100-5110-311	Electrical Services	(3,950.00)
53100-5140-311	Gas Service	1,188.00
53100-5230-311	Telecommunications	3,000.00
53100-5305-311	Motor Vehicle Insurance	(2,000.00)
53100-5420-311	Rent on Building	(1,188.00)
53100-5510-311	Travel Mileage	268.00
53100-5540-311	Travel Convention, Education	(335.00)
53100-5810-311	Dues & Membership	67.00
53100-5840-311	Non-Departmental	(1,000.00)
53100-1100-314	Salaries & Wages Regular	890.00
53100-2100-314	FICA	50.00
53100-1100-320	Salaries & Wages Regular	(6,825.00)
53100-3310-320	Repair & Maintenance	(1,000.00)
53100-3320-320	Maintenance Service Contracts	(1,400.00)
53100-3600-320	Advertising	(300.00)
53100-5110-320	Electrical Services	(542.00)
53100-5210-320	Postal Services	(32.00)
53100-5230-320	Telecommunications	(800.00)
53100-5305-320	Motor Vehicle Insurance	(1,890.00)
53100-5420-320	Rent on Building	(2,020.00)
53100-6001-320	Office Supplies	(3,000.00)
53100-6009-320	Vehicle Supplies	(1,125.00)

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53100-6012-320	Books and Subscriptions	(140.00)
53100-6014-320	Other Operating Supplies	(500.00)
53210-5706-313	ADC-FC	129,168.00
53210-5725-313	Adoption Subsidy	5,522.00
53210-5731-313	Non-View Child Care	(8,800.00)
53210-5734-313	Non-View Child Care 100% Fed	24,000.00
53210-5734-313	Non-View Child Care 100% Fed	(16,909.00)
53210-5736-313	Local Child Care Allowance 100% Fed	(24,000.00)
53210-5740-313	Working & Transitional Day Care	62,127.00
53210-5744-313	Headstart Wrap-Around CDC	10,795.00
53210-5752-313	ILP-Education & Training Vouchers	(575.00)
	TOTAL	<u>181,328.00</u>

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

4-205-61100-1120-002-1-100	Instructional Salary-Reg	(60,000.00)
61100-1120-002-1-100	Instructional Salary-Reg	(8,000.00)
61100-1120-002-1-100	Instructional Salary-Reg	(17,000.00)
61100-2300-002- -100	Hospitalization	(30,000.00)
61100-3000-002-1-100	Other Instructional Costs-Reg	(25,000.00)
61100-3000-002-9-100	Other Instructional Costs-District Elem	(7,500.00)
61100-3000-002-9-100	Other Instructional Costs-District Elem	(1,800.00)
61100-3000-002-9-100	Other Instructional Costs-District Elem	(1,000.00)
61100-3000-002-9-100	Other Instructional Costs-District Elem	(100,000.00)
61100-3000-003-9-100	Other Instructional Costs-District Secondary	(100,000.00)
61310-1120-003-1-100	Supervisor Sal-Reg	40,000.00
61310-1120-003-2-100	Supervisor Sal-Sp	20,000.00
61410-1126-002- -100	Principal Sal-Reg	8,000.00
61410-1150-003- -100	Clerical Salaries-Reg	17,000.00
62110-5500	Travel (Mileage)	7,500.00
62120-2350	Retiree Health Ins Premium	10,767.00
62120-2350	Retiree Health Ins Premium	11,313.80
62120-2350	Retiree Health Ins Premium	1,082.00
62230-5500	Travel (Mileage)	1,800.00
62240-5500	Travel (Mileage)	1,000.00
63200-2300	Hospitalization	30,000.00
63200-6008	Vehicles & Powered Equip-Fuel	200,000.00
63200-6009	Vehicles & Powered Equip-Supplies	25,000.00
64200-5100	Utilities	125,000.00
64300-3320	Maintenance Service Contracts	23,000.00
64400-3320	Maintenance Service Contracts	(8,000.00)
64500-3310	Repair & Maintenance Service	(50,000.00)
64500-6017	Vehicle Serv Operation	(15,000.00)
66200-8200	Site Improvement	(75,000.00)
93000-9200	Transfer Out to Other Fund (Cafeteria Fund)	16,000.00
	TOTAL	<u>39,162.80</u>

July 28, 2008

School Activity Reimbursement Accounts

4-205-69003-1170	Operative Salaries	1,030.50
69003-2100	FICA	66.04
69004-1170	Operative Salaries	873.00
69004-2100	FICA	57.59
69007-1170	Operative Salaries	1,003.50
69007-2100	FICA	69.37

TOTAL 3,100.00

Meherrin Day Care, Program 220

4-205-61100-1140-002-5-220	Technical Salaries	8,873.91
61100-2100-002- -220	FICA	645.31

TOTAL 9,519.22

Capron Elementary Day Care, Program 225

4-205-61100-1140-002-5-225	Technical Salaries	1,383.75
61100-2100-002- -225	FICA	101.28

TOTAL 1,485.03

Rental Textbooks, Program 260

4-205-61100-6040-002-1-260	Textbooks	314.00
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TOTAL 314.00

Technology Plan, Program 265

4-205-61100-8205-005-1-265	Capital Outlay Add'l Equip Reg Carry-Over	184,804.32
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TOTAL 184,804.32

Hunterdale Family Preservation, Program 350

4-205-61100-6000-002-1-350	Material & Supply-Reg	2,175.67
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TOTAL 2,175.67

Reading Intervention, Program 450

4-205-61100-1120-002-1-450	Instructional Salary-Reg	2,013.00
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TOTAL 2,013.00

Substance & Drug Prevention, Program 650

4-205-61100-1140-003-1-650	Technical Sal-Reg	(234.33)
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TOTAL (234.33)

Vocational Special Education, Program 800

4-205-61100-5500-003-3-800	Travel (Mileage)-VOC	1,235.00
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TOTAL 1,235.00

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TOTAL SCHOOL FUND 243,574.71

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

4-207-65100-1190	Service Salaries	7,000.00
65100-6002	Food Costs	9,000.00
	TOTAL	<u>16,000.00</u>

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

4-500-89400-8300	Courtland Sewer Infrstr-Design	99,775.00
89400-8350	Proposal Review/PPEA/Courtland WWTP	13,200.00
89500-6007	Repair & Maintenance Supplies	12,500.00
89500-8201	Equipment	21,125.00
89500-8221	Engineering/Construction	6,875.00
89600-6007	Repair & Maintenance Supplies	8,385.75
	TOTAL	<u>161,860.75</u>

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

4-730-22100-8299	Forfeiture Funds	10,200.00
31200-1300	PT Salaries/Fed Forfeiture	560.00
31200-2100	FICA/Fed Forfeiture	42.84
31200-2600	Unemployment Tax/Fed Forfeiture	2.30
31200-8298	Forfeiture Funds-Federal	17,600.00
31200-8299	Asset Forfeiture Funds	18,800.00
93000-9200	Transfer Out To Other Funds	1,057.72
	TOTAL	<u>48,262.86</u>

From the Special Welfare Fund to the  
 Special Welfare Operating Fund to be  
 expended only on order of the Board of  
 Social Services:

4-733-53500-5720	Special Welfare	10,000.00
53500-5720	Special Welfare	55,136.00
	TOTAL	<u>65,136.00</u>

July 28, 2008

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

4-734-91000-5230	Telecommunications	720.00
91000-6001	Office Supplies	3,050.00
	TOTAL	<u>3,770.00</u>

From the Blackwater Regional Library Fund  
to the Blackwater Regional Library Operating  
Fund to be expended only on order of  
the Blackwater Regional Library Board:

4-735-73000-5699	Blackwater Regional Library	2,161,000.00
	TOTAL	<u>2,161,000.00</u>

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

4-736-91000-0001	Canteen	89,300.00
	TOTAL	<u>89,300.00</u>

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

4-737-92000-5840	Work Release Clothes Tax	272.00
92000-6001	Office Supplies	267.00
92000-6011	Clothing for Work Release	7,075.00
92000-8201	Equipment	5,447.00
92000-9210	Transfer Out - Gen Fund	96,000.00
92500-1300	Part-Time salaries	625.00
92500-2100	FICA	48.00
92500-2600	Unemployment Tax	3.00
92500-3325	Contractual Services	9,725.00
92500-6001	Office Supplies	42.00
92500-8105	Motor Vehicles	6,500.00
92500-8201	Equipment	12,395.00
93000-9200	Transfer Out - Gen Fund	6,408.00
93500-9200	Transfer Out - Gen Fund	800.00
94000-9200	Transfer Out - Gen Fund	1,840.00
	TOTAL	<u>147,447.00</u>

TOTAL APPROPRIATIONS

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3,805,899.50

REVENUE APPROPRIATION JULY FOR JUNE, 2008  
(REVENUE RECEIVED FOR ABOVE EXPENDITURES)

3-100-14010-0001	Court Fines & Fees	76,904.00
3-100-15010-0002	Interest on Investments	12,695.00
3-100-16040-0003	Reimbursement VFD-VRS	98.25
3-100-16040-0003	Reimbursement VFD-VRS	756.09
3-100-16070-0001	Street Light Installation	12,211.50
3-100-16090-0001	Health-Telephone	312.86
3-100-16090-0001	Health-Telephone	334.31
3-100-16090-0001	Health-Telephone	320.52
3-100-16110-0001	Social Services-Telephone	335.77
3-100-16110-0001	Social Services-Telephone	323.95
3-100-16120-0001	Reimb-Soil & Water Salaries	66,291.28
3-100-16140-0002	Electrical - RMA	1,002.94
3-100-18030-0003	Expenditure Refund	891.15
3-100-18030-0005	Hospital Plan	16,534.00
3-100-18030-0095	Reimb HOME Program Funds	117,750.00
3-100-23020-0001	Sheriff's Office Salaries	4,837.51
3-100-23040-0001	Treasurer Expenses Salaries	4,556.90
3-100-23040-0002	Treasurer Fringes FICA	348.61
3-100-23040-0003	Treasurer Employer VRS	270.23
3-100-23040-0004	Treasurer Employer Group Life	18.23
3-100-23060-0003	Presidential Primary	9,669.41
3-100-24040-0004	Contract Jail Beds	2,204.88
3-100-24040-0014	Jurors & Witnesses	47.17
3-100-24040-0022	Highway Safety Grant	27,289.10
3-100-24040-0050	Comp Services Act-SSI	29,923.64
3-100-24040-0052	Comp Services Act	21,221.36
3-100-24040-0055	Telephone - Child Support Enf	240.00
3-100-41050-0001	Transfer In From Other Funds	105,048.00
3-100-41050-0005	Transfer In-General Fund Reserve	21,659.50
3-100-41050-0005	Transfer In-General Fund Reserve	6,428.57
3-100-41050-0005	Transfer In-General Fund Reserve	1,444.95
3-100-41050-0005	Transfer In-General Fund Reserve	14,082.00
3-100-41050-0005	Transfer In-General Fund Reserve	930.00
3-100-41050-0005	Transfer In-General Fund Reserve	102.50
3-100-41050-0005	Transfer In-General Fund Reserve	2,833.00
3-100-41050-0005	Transfer In-General Fund Reserve	830.00
3-100-41050-0005	Transfer In-General Fund Reserve	2,585.00
3-100-41050-0005	Transfer In-General Fund Reserve	6,970.00
3-100-41050-0005	Transfer In-General Fund Reserve	8,018.00
3-100-41050-0005	Transfer In-General Fund Reserve	10,125.00

July 28, 2008

3-100-41050-0009	Trans In-Gen Fund Res/for Enterprise Fund		99,775.00
	REVENUE GENERAL FUND	TOTAL	<u>688,220.18</u>
3-201-024010-0002	VPA State Revenues		181,328.00
	REVENUE PUBLIC ASSISTANCE	TOTAL	<u>181,328.00</u>
3-205-16120-0010	Day Care Center		11,004.25
3-205-18990-0032	Insurance Claims & Dividends		10,767.00
3-205-18990-0032	Insurance Claims & Dividends		11,313.80
3-205-18990-0032	Insurance Claims & Dividends		1,082.00
3-205-18990-0100	Expenditure Refunds		16,000.00
3-205-18990-0101	Donations		2,175.67
3-205-18990-0110	School Activity Reimbursement		3,100.00
3-205-25020-0760	Technology Plan-265		184,804.32
3-205-25020-0140	Rental Textbooks-260		314.00
3-205-25020-0775	Reading Intervention-450		2,013.00
3-205-33020-0170	Voc/Spec Ed-800		1,235.00
3-205-33020-0280	Substance-Drug Prevention-650		(234.33)
	REVENUE SCHOOL FUND	TOTAL	<u>243,574.71</u>
3-207-61010-0015	Transfer In From Other Fund (School Fund)		16,000.00
	REVENUE SCHOOL FOOD	TOTAL	<u>16,000.00</u>
3-500-16700-0001	Proposal Review Fee/Crtld WTPP		13,200.00
3-500-16100-0003	Facility Fees/Water & Sewer		24,340.00
3-500-16100-0009	Penalty/interest		5,861.75
3-500-16100-0015	Refunds		11,809.00
3-500-16100-0019	Permit Fees Narricot Industries		6,875.00
3-500-41050-0005	Transfer in from General Fund		99,775.00
	REVENUE ENTERPRISE FUND	TOTAL	<u>161,860.75</u>
3-730-14010-0001	Federal Forfeiture Funds		17,600.00
3-730-14010-0002	Asset Forfeiture Proceeds		18,800.00
3-730-14010-0003	Com Atty-Forfeiture		10,805.14
3-730-41050-0001	Transfer In From other Funds		1,057.72
	REVENUE FEDERAL FORFEITURE	TOTAL	<u>48,262.86</u>
3-733-24010-0001	Special Welfare		10,000.00
3-733-24010-0001	Special Welfare		55,136.00
	REVENUE SPECIAL WELFARE	TOTAL	<u>65,136.00</u>

			July 28, 2008
3-734-16010-0004	Law Library		3,770.00
	REVENUE LAW LIBRARY	TOTAL	<u>3,770.00</u>
3-735-16150-0002	Blackwater Regional Library		2,161,000.00
	REVENUE BLACKWATER REG LIBRARY	TOTAL	<u>2,161,000.00</u>
3-736-15023-0001	Canteen Sales		89,300.00
	REVENUE CANTEEN ACCOUNT	TOTAL	<u>89,300.00</u>
3-737-15030-0001	Work Release Revenue		109,061.00
3-737-15040-0001	Inmate Telephone System Revenue		29,338.00
3-737-15050-0001	Jail Prisoner Med Trtmt Revenue		6,408.00
3-737-15060-0001	Bounty for Inmates Revenue		800.00
3-737-15070-0001	Weekend Reimbursement		1,840.00
	REVENUE INMATE ENTERPRISES	TOTAL	<u>147,447.00</u>
			=====
	TOTAL REVENUE APPROPRIATION		3,805,899.50

A copy teste: \_\_\_\_\_, Clerk  
Michael W. Johnson

Southampton County Board of Supervisors  
July 28, 2008

**Supervisor West moved, seconded by Supervisor Brown, to adopt the appropriations resolution. All were in favor.**

Mr. Johnson advised that included in the agenda was the annual salaries appropriation for FY 2009. The aggregate sum of salaries for all 157 positions, including part-time employees and employees of constitutional officers, was \$5,724,782.

The salaries appropriation resolution is as follows:

At a meeting of the Southampton County Board of Supervisors held in the Board of Supervisors Meeting Room, Courtland, Virginia, on Monday, July 28, 2008.

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Southampton County, Virginia, that annual salaries of personnel be and hereby are fixed as indicated, effective July 1, 2008.

## BOARD OF SUPERVISORS

Jones, Dallas O.	7,300
Young, Walter L., Jr.	6,700
Brown, Walter D., III	5,500
Faison, Carl J.	5,500
Felts, Anita T.	5,500
West, Ronald M.	5,500
Wyche, Moses	5,500

## COUNTY ADMINISTRATION

Johnson, Michael W.	97,391
Randolph, James A.	66,447
Wright, Susan H.	34,160

## ACCOUNTING

Williams, Julia G.	96,494
Steele, June W.	46,863
Anderson, Melissa L.	26,296

## PLANNING

Barnett, Robert L.	61,778
Jenkins, John P.	41,950

VACANT-PLANNER	39,993
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## INSPECTIONS

Copeland, Lee D.	40,084
Johnson, W. Andrew	35,238

## DATA PROCESSING

Plyler, Sandra P.	58,425
Faulk, Christine J.	42,506

## CIRCUIT COURT JUDGE

Phelps, Patricia A.	38,554
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## REFUSE COLLECTION

Council, W. Hart	44,974
Council, Jesse	33,560
Goodwyn, Randolph	28,103
Murphy, Millard, Jr.	26,296
Shearin, Michael B.	28,103
Wyche, Charlie W.	28,103

## SEWER SYSTEM

Johnson, Julien W., Jr.	66,447
Jackson, R. Keith	43,360
Banks, Arthur L.	29,508
Turner, Quentin J.	25,043
Pearson, Mitchell T.	25,043
Holloman, Hugh R.	25,043
Harness, M. Jeanne (1/2 salary)	20,760

## WATER SYSTEM

Croak, Robert E.	62,182
Bryant, Raymond L., Jr.	49,583
Hyman, Charles D.	27,609
Beale, Dennis E.	26,296
Beale, Thomas E.	26,296

Bryant, James C.	26,296
Jarrett, Linwood	23,851
Harness, M. Jeanne (1/2 salary)	20,761
BUILDINGS & GROUNDS	
Vick, Jackie D.	49,427
Mason, Gloria B.	19,974
Darden, Dorothy B.	18,688
COMMISSIONER OF THE REVENUE	
Carr, Amy B.	65,730
Everett, Jeannette S.	33,560
Bradshaw, Jackie L.	28,990
Smith, Patricia P.	25,043
TREASURER	
Britt, David K.	71,759
Griffin, Rhonda V.	33,560
Bunn, Frances H.	35,202
Horne, Rosemary B.	27,609
COMMONWEALTH'S ATTORNEY	
Cooke, Eric A.	115,660
Edwards, Steven W.	70,739
Randall, John T.	60,270
Rice, Joan P.	45,316
Pitts, Sharon F.	33,150
VACANT-Asst Comm Atty I	46,297
VACANT-Paralegal	24,552
VICTIM WITNESS PROGRAM	
Falkins, Cora L.	44,192
REGISTRAR/ELECTORAL BOARD	
Davis, Leona W.	47,175
Davis, Peggy L.	23,851
Felts, Robert M., Jr.	3,756
Sykes, Marie W.	1,878
Herring, Joan V.	1,878
CLERK OF CIRCUIT COURT	
Francis, Richard L.	104,319
Jarratt, Dorothy U.	47,175
Everett, Kathleen B.	36,563
Cross, Melanie H.	36,563
Simmons, Heather R.	33,623
Kannan, Theresa L.	31,159
Beatty, Linda E.	23,851
SHERIFF - BAILIFF	
Busching, Robert W.	34,626
Davis, Benjamin G.	32,889
Neave, Robbie Lynn	38,175
Parker, Raymond K.	42,789
Ricks, Jimmie R.	49,719
Stivers, Wanda V.	45,525
Wyche, Josh A.	47,175
SHERIFF - LAW ENFORCEMENT	

July 28, 2008

Francis, Vernie W., Jr.	99,093
Bailey, Douglas G.	41,950
Bell, Kimberly C.	27,609
Blythe, J. Michael	38,175
Carpenito, Suzette B.	42,789
Covington, James E., Jr.	60,434
Darden, Michael L.	44,631
Davis, Tryphena L.	25,043
Drewery, Gene H.	52,011
Dunn, Mary J.	35,867
Edwards, Donald R.	32,324
Francis, Kenneth W.	89,183
Griffith, E. Greg	35,956
Griffith, Scott T.	32,324
Holland, William B.	40,017
Modlin, James F.	60,424
Prince, Lisa C.	27,609
Rollins, Shana P.	27,609
Rose, Teresa G.	33,304
Stutts, John B.	60,434
Turner, Mark B.	32,889
VACANT - Dispatcher	27,068
SHERIFF - DETENTION	
Angel, Joshua J.	30,440
Armbruster, Becky K.	32,324
Atkins, Dustin K.	30,440
Barnes, Beverly A.	25,839
Bowden, Jonathan M.	38,175
Cessna, Brett A.	30,440
Clasp, Nina R.	32,533
Cobb, Camden S.	30,440
Cook, Loretta B.	23,017
Darden, Phillip G.	34,626
Davis, Waymon D.	32,533
Doyle, Scott A.	42,087
Fancher, Evelyn	30,440
Forren, Dwayne A.	34,626
Garriss, Marcia L.	40,482
Griggs, John W., Jr.	34,626
Inman, Robert C., III	30,440
Jarratt, William G., Jr.	35,867
Johnson, Matthew N.	30,440
Kindred, Jerrel J.	32,533
Magette, John N.	40,482
Malcolm, Teresa L.	35,956
Morris, Richard T.	38,174
Necessary, Joni N.	32,324
Ottmers, Douglas N.	32,324
Parsons, Ernest L.	35,867
Patterson, Mark W.	32,324

Pearce, Robert B., Jr.	31,382
Sadler, Lundy G.	30,440
Smith, Brenda S.	33,947
Stapleton, William D.	34,626
Stevens, Robert T.	32,533
Stith, Jovan S.	30,440
Story, J. Kevin	32,533
Travis, Keith	30,440
Tuck, Adam W.	30,440
Vance, Billy G.	33,947
Vaughan, Robert C., Jr.	30,440
Vick, Jim I., Jr.	32,533
Vinson, William C., Jr.	32,533
Watson, Stanley E.	36,719
Whitby, Jonathan K.	32,324
Woodard, Dennis M.	34,626
Joyner, Sheril J.	31,304
Clasp, Eric C.	30,440
VACANT-Deputy	29,843
VACANT-Deputy	29,843
VACANT-Cook	22,566
SHERIFF - COURT SECURITY	
VACANT-Deputy	29,843
SHERIFF - SCHOOL RESOURCE OFFICER	
Allmond, William E., III	32,533
SHERIFF - ANIMAL CONTROL	
Cooke, James T., Jr.	32,533
SHERIFF - E911	
Kaplan, Susan M.	27,609
VACANT - Dispatcher	27,068
SHERIFF - E911 - PSAP	
Mills, Dominique A.	27,609
SHERIFF - ASSIGN-A-HIGHWAY	
VACANT-Deputy	29,843
TOTAL	
\$5,724,782	

A copy teste: \_\_\_\_\_  
 Michael W. Johnson, Clerk  
 Southampton County Board of Supervisors  
 07/28/2008

**Vice-Chairman Young moved, seconded by Supervisor Felts, to adopt the FY 2009 salary appropriations resolution. All were in favor.**

Mr. Johnson informed that bills in the amount of \$2,244,940.73 had been received.

**Vice-Chairman Young moved, seconded by Supervisor West, that the bills in the amount of \$2,244,940.73 be paid with check numbers 87764 through 88316. All were in favor.**

July 28, 2008

Moving to appointments, Mr. Johnson announced that the term of Supervisor Anita Felts on the Hampton Roads Planning District Commission (HRPDC) expired June 30, 2008. Terms were for 2 years and she was eligible for reappointment.

Supervisor Felts indicated that she was willing to continue to serve.

**Supervisor Wyche moved, seconded by Vice-Chairman Young, to reappoint Supervisor Felts to another two-year term on the HRPDC. All were in favor.**

Mr. Johnson advised that three appointments to the Social Services Board expired June 30, 2008 and were eligible for reappointment:

Mrs. Sharon H. Ricks – for term ending June 30, 2012

Mrs. Rosa S. Jones – for term ending June 30, 2012

Mr. Moses Wyche – for term ending June 30, 2012

Mrs. Judy English, Director of Social Services, indicated that all three appointees were willing to continue to serve.

**Supervisor Brown moved, seconded by Vice-Chairman Young, to reappoint Mrs. Sharon H. Ricks, Mrs. Rosa S. Jones, and Mr. Moses Wyche to the Social Services Board. All were in favor.**

Moving forward, Mr. Johnson announced that included in the agenda was a capital funding request from the Branchville Volunteer Fire Department. They intended to apply the proceeds towards retirement of debt for their new engine. As they knew, beginning in FY 2000, the Board agreed to provide more than \$1.2 million over a ten (10) year period for capital improvements for fire and rescue. The allocable share for each fire department in FY 2008 was \$13,000 and for each rescue squad, \$6,500. Funds were earmarked annually for each department or squad and held in escrow pending specific approval by the Board of Supervisors. Escrowed funds continue to accrue for each department/squad if not drawn down. He advised that the table included in the agenda indicated the status of capital appropriations since FY 2000. As they could see, Branchville Volunteer Fire Department was entitled to their FY 2008 appropriation of \$14,000. Through July 22, 2008, the Board had collectively appropriated \$1,040,500 for fire and rescue improvements and were holding in escrow an additional \$264,500. The request was in order.

**Supervisor Faison moved, seconded by Vice-Chairman Young, to approve the capital funding request of Branchville Volunteer Fire Department in the sum of \$14,000. All were in favor.**

Moving to the citizen request to address the Board, Mr. Johnson announced that included in the agenda was correspondence from Kim Clarke requesting time this evening to solicit financial support for the Hornets girls softball team.

Chairman Jones recognized Ms. Kim Clarke. Ms. Clarke informed that Mr. Cass Camp, coach, would be addressing the Board.

Mr. Cass Camp thanked the Board for their support the last couple of years. The girls on the team were a good group of girls. Their (the coaches) goal was to get the girls seen by colleges. They were sending out profile sheets of each player to colleges. If one girl received a scholarship, they would feel they had accomplished something. The team had done extremely well. They played hard and represented the community well. The girls had been selling sweet corn, doing car washes, etc. to raise money.

Mr. Camp clarified for Supervisor Brown that 12 girls were on the roster, 3 of which were from Southampton County.

Supervisor Felts asked if the girls also played in the rec. league? Mr. Camp replied no.

Supervisor Wyche stated that he was willing to support them, but the Board needed to be careful

because they could not help everybody that asked.

Supervisor Brown stated that he was in favor of any entity that supported our youth and sports 100%. This County needed a recreation department.

**Supervisor Brown moved, seconded by Supervisor Faison, to appropriate funding for the Hornets softball team at the same level as last year, \$1,000. All were in favor.**

Moving forward, Mr. Johnson announced that as they may recall from their May meeting, Mr. Dominique Johnson, a rising junior at Norfolk State University (NSU), had worked with us as a summer intern for a 10 week period that would end August 1. Domonique was an honor graduate of Southampton High School and currently maintained a 3.785 grade point average as a political science major at NSU. He resided in the Ivor area and had worked this summer with representatives of the Ivor community in planning and organizing an adaptive reuse of the former Ivor Elementary School. Dominique had facilitated a couple of community meetings this summer and developed a Business Plan and bylaws for the grassroots community organization. He would present the Board with an overview of his work.

Chairman Jones recognized Mr. Dominique Johnson.

*(Note: For the purpose of this section, Mr. Dominique Johnson will be referred to as Dominique as to not be confused with Mr. Michael Johnson, County Administrator.)*

Mr. Dominique Johnson presented a PowerPoint presentation. He advised that he had been working this summer with a grassroots organization in the Ivor community, known as the Tri-County Regional Development Commission, to develop a business plan model and bylaws for the reuse of the Ivor Elementary School. No membership fee was required and anyone was welcome to join the organization. Officers of the organization were as follows:

- Chairman – Frankie Urquhart
- Vice Chairman – Clifton Reynolds
- Secretary/Acting Treasurer – Marnita Hucks

The Business Plan model, which was also included in the agenda, consisted of the following 8 sections:

- 1.0 Executive Summary
- 2.0 Facility Summary
- 3.0 Services
- 4.0 Community Analysis Summary
- 5.0 Strategy and Implementation Summary
- 6.0 Web Plan Summary
- 7.0 Management Summary
- 8.0 Financial Plan

The bylaws of the organization, which were also included in the agenda, consisted of the following 7 articles:

- Article I Name and Location of Organization
- Article II Purpose of Organization
  - a. to follow the proper steps in transforming Ivor Elementary to a Regional Community Center
  - b. to seek to promote a better understanding of community development among its members
  - c. to promote worthwhile curricular and extracurricular activities related to community development
  - d. to advance and diffuse knowledge and interest in community development
  - e. to organize and conduct seminars, conferences, discussion groups, and recreational events, to enhance community unity and promote

	development
Article III	Membership
Article IV	Officers & Sub-Committees
Article V	Meetings
Article VI	Constitution and Amendments

Dominique stated that this project would take some time – it would not happen overnight. But with determination and perseverance, the goals could be achieved. The officers and other members of the organization were very active and passionate about the project.

Dominique thanked the Board for the opportunity to have worked as a summer intern. The Board commended Dominique for a job well and wished him well in his future endeavors.

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

A Comprehensive Agreement with Southampton County Infrastructure, LLC for the development, design, and construction of a 1.25 MGD Wastewater Treatment Plant to serve the Town of Courtland and its environs, a 1.8 MGD Influent Pump station along the Route 58 corridor between Courtland and Franklin, approximately 11,000 linear feet of 24” and 18” gravity sewer along portions of Camp Parkway and Southampton Parkway, Agripark Drive and Old Bridge Road. The proposed contract price for the design-build project is Twenty-Six Million, Five Hundred Ninety-Five Thousand Dollars (\$26,595,000.00), subject to adjustments made in accordance with the design-build contract.

Mr. Johnson presented a PowerPoint presentation. He advised that in February 2006, the Board contracted with the Timmons Group to prepare a Courtland Wastewater Master Plan. The current Courtland WWTP was constructed in 1980, there had been no significant equipment upgrades in 28 years, treatment units were near the end of their useful life, and mechanical equipment showed signs of corrosion. There were also capacity issues. The design capacity was .303 MGD. The Virginia Department of Environmental Quality (DEQ) regulations dictated that when 85% of capacity was reached (0.258 MGD), plans for expansion must be developed, and when 95% of capacity was reached (0.288), expansion construction must begin. He noted that in 2006, the average daily flow was 0.240 MGD, and in the last 90 days, the average daily flow was 0.257 MGD. The increase could be attributed to development such as the Feridies expansion, Southampton Terminal, and Palms Motel. Development in the very near future that would affect capacity would include townhouses on Business Route 58 in Courtland, Hardees on Route 58, and the new Riverdale Elementary. He noted that Riverdale Elementary would be on a temporary pump and haul permit, but must be connected to the system. Development that may further affect the capacity in the next several years included the Turner Tract, Villages of Southampton, and other residential developments. He advised that pushing us was 1) the current plant was at the end of its estimated useful life, 2) we would reach the limits of capacity in the next 2 years, 3) it would take 2 years to design, permit and build the new plant, and 4) Riverdale Elementary must connect.

Mr. Johnson advised that included in the PPEA proposal was a 1.25 MGP new WWTP, 9,000 linear ft. sewer force main, 11,000 linear ft. gravity sewer line, and 1.8 MGD sewer pump station. The tentative and aggressive timeline would be to sign the agreement in Summer 2008, complete the design in Spring 2009, have the pipelines completed in Winter 2010, and have the plant completed by Summer 2010. The design & permitting would cost \$2,798,000, WWTP - \$15,498,000, pump station - \$3,273,000, and pipelines - \$5,026,000 for a total of \$26,595,000. Facility fees were important for capital recovery. Our current wastewater facility fee was \$2,000. The projected facility fee needed for capital recovery was \$10,713. He noted that that facility fee was comparable to that of Virginia localities that had made similar investments.

Mr. Johnson advised that as Mr. David Rose of Davenport & Company, the County’s financial advisors, shared last month, Davenport had prepared six initial scenarios. Those six scenarios were as follows, with the impact on the tax rate for each scenario denoted in bold italics:

- 1A Level annual payments beginning 2010 – no additional funds available  
***(9.2 cents)***

- 1B Level annual payments beginning 2012 - \$6 million of developer funds over 10 years  
(*5.2 cents*)
- 1C Level annual payments beginning 2010 - \$9 million of developer funds over 10 years  
(*2.6 cents*)
- 2A Ramped up principal from 2012 to 2018 with level annual payments thereafter – no additional funds available  
(*6.5 cents*)
- 2B Ramped up principal from 2010 to 2018 with level annual payments thereafter – \$6 million of developer funds over 10 years  
(*2.5 cents*)
- 2C Ramped up principal from 2010 to 2018 with level annual payments thereafter – \$9 million of developer funds over 10 years  
(*1.1 cents*)

All scenarios were based upon a 30 year issuance including 2 years capitalized interest at 5.5%.

Mr. Johnson advised that he recommended that they follow scenario 2A and assume there would be no developer contributions. If in fact, there were developer contributions, that scenario would become more and more attractive.

Mr. Jim Christian of The Timmons Group advised that the building of the WWTP would be done in 3 phases – each with 1.25 MGD capacity.

Mr. Steven Brewer of Wilcox & Savage informed that the design team had stressed that in order to complete the project on schedule, they needed to have a signed contract by August 1.

Mr. Johnson advised that the first 1.25 MGD of capacity would carry them to the year 2017.

Supervisor Brown stated that he understood that DEQ mandated that when 85% capacity was reached, plans for expansion must be developed, and when 95% capacity was reached, expansion construction must begin. What would happen if you didn't follow the mandates? Mr. Johnson advised that DEQ would impose fines.

Chairman Jones opened the public hearing.

Mr. Ash Cutchin of 29018 Darden Point Road spoke. He commended Mr. Johnson for a very nice presentation. He stated that with this project, his taxes would go up. Would the facility fees even come close to paying for this? The City of Suffolk had 3 different tax rates – the lowest being in the Holland area. Perhaps Southampton could look at different tax rates for certain areas of the County. The people who would benefit from the WWTP perhaps should pay higher taxes than those who would not benefit.

Mrs. Joyce Plyler spoke. She asked what percentage of the County residents would be served by this new WWTP? What if the growth did not come? There were a lot of empty houses in the County. If the growth did not come, the residents would still be stuck paying the taxes on the project.

Mr. Hunter Darden spoke. He advised that Hampton Roads Development was supposed to pay for the sewer for the school. What would the savings be to the County if they were to put an independent sewer system at the school and at the industrial park?

Mr. Joe Hines of The Timmons Group advised that they looked at that, but they were not viable options. There were limited perc sites and regional systems were preferable. The ports would be expanding and Southampton could be in a position to capture some of that expansion.

Mr. John Burchette spoke. He asked if the \$26.5 million was for all 3 phases of the project? Mr. Johnson replied no – it was just for the first phase.

Mr. Jimmy Lee of Flaggy Run Road, Courtland, spoke. He welcomed Supervisor Wyche back and stated that he was glad he was feeling better. He advised that it looked like this public hearing came a little late – it looked like everything was set on go and decisions had already been made. Virginia Business magazine stated that Southampton County would only grow by 300+ people by 2030, but yet he had heard very different projections. He wondered who was right. He stated that he did not think the County would get any port business. Land values were down 15-30% and people had taken as big a hit on taxes as they could take. SPSA was \$240 million in debt and would never get out, businesses such as the Ford Motor Company were reporting losses, and lenders such as Freddie Mac were suffering. Chowan County, NC was in a financial crisis and there was talk that the state may come down and reorganize them. Southampton County needed to can some projects and tighten the belt. There was a financial crisis in America that most had never seen before. They needed to watch their spending and keep taxes down.

Mr. William Worsham spoke. He kept hearing that the more we spend, the better off we were going to be. Gas was \$4.00/gallon, milk by Christmas would be \$6.00/gallon, and utilities were increasing 18%. The citizens could not take any more tax increases.

Mr. Michael Johnson, County Administrator, advised that to do nothing was not an option, as DEQ required expansion of the capacity.

Mr. Worsham stated that they needed to defer action on this because it just could not be afforded right now. They needed to research this thing better and look at stand alone systems.

Mrs. Teresa Preston of Ivor spoke. She advised that it was hard to predict where sewer would be needed. But once you have a sewer line, it opened the door for growth. Perhaps they should consider different tax rates for certain areas of the County so that the people living in the country who would not benefit from this project would not have to pay for it. She also suggested that they set the connection fees higher than what a septic tank would cost to install. If they had to build a new WWTP, get on with it, because it was going to cost more in the long run.

Mr. Phil Bain of Ivor spoke. He complimented the Board on the Comprehensive Plan and designating residential growth around the Towns. However, this sewer would shift a lot of the burden to agricultural areas. He attended an informal meeting at the Virginia Diner in 2006 where they talked about putting sewer lines in Ivor. He had not heard anything about it since.

An unidentified gentleman spoke. He asked if a study had been done or if any thought had been given to overhauling the existing WWTP? Mr. Joe Hines of The Timmons Group explained that they did look at that. However, the current WWTP was deteriorating and it was better to go with a new plant.

Mr. Larry Whitely spoke. He advised that assessments had gone down in other counties, and he was sure they would probably go down in Southampton County also. DEQ thought that the best thing was to have everything in one place, but he did not think that was a good idea. He thought they should look into stand-alone systems for the school and Turner Tract.

Mr. Larry Fowler spoke. He thanked the Board for recognizing the first responders with 30 or more years of volunteer service. He was now speaking as a citizen and Vice-Chairman of Farm Bureau. He asked the Board to look at staggered tax rates and alternative solutions. There was a lot to be considered.

Mr. Glenn Updike of Newsoms spoke. He thanked all of the citizens for showing up and taking an interest in the County. There were 2 different perspectives with this WWTP – one group was looking through rose-colored glasses. He distributed the following memo to each of the Supervisors and discussed the contents of the memo:

**QUESTIONS THAT THE PUBLIC NEEDS ANSWERED**

**The Bloom Payment**

1. How much more interest will the bloom payment increase the cost when you finance by this method vs. a fixed rate loan?
2. If your estimate for the growth and usage doesn't materialize, what rate will the citizens have to pay per year in the future? By paying only 4 cents of the 9 cent cost now, you are delaying over half the cost for future generations to bear.
3. With the already decided commitments for 2009, the tax rate will already increase 10 cents plus another 4 cents for the sewage. Do our taxpayers realize this?
4. How much will the rate be when the bloom payment starts? We have deferred 5 cents every year to the next generation.
5. How much will the security bond cost?

**Septic System**

1. If the new school has its own sewage system and with the state of the economy being very weak, how many years could the Courtland sewage system plant operate before it reaches top capacity?
2. There are at least 2 or 3 septic plans that we've heard about. What are they and why haven't we heard more about them?
3. Why didn't the county insist on getting more than one bid on this project? If is very unfair to the taxpayers if you don't get the lowest contract price possible.

**The Villages**

1. We have heard much about the Villages. Why should the county fast track the sewage when the developer admitted it will be 20-30 years before the major part of his plan will be built? This will be after the county taxpayers have already paid for the system.

**Turner Tract**

We hear that we must run this line to the Turner tract.

1. How much sewage system capacity will be needed for a bunch of containers?
2. Why should a business's CEO want to come to Southampton when our tax rate is 30% higher than IOW and almost twice as high as Greenville Co, whose rate is 45 cents)?

**Hardship**

Higher taxes will hurt everyone but they are extremely hard on the poor. A 9 cent cost for 30 years will cost the people who are renting homes to others between \$3,000 and \$5,000. When you tax the landlord they must pass the increase on to the poor. All businesses have to do this on all of their customers if they want to stay in business.

**Suggestions**

1. Delay the signing of the contract.
2. Inform the citizens about the needs and how it will be financed.
3. Until the contract is signed, the county officials should look out for the taxpayers' financially and go back and re-advertise the project.
4. Set us tax user or beneficial zone in the county.
5. We must find ways to control tax rate increases in the county if we are going to be business-friendly.

Mr. Updike stated that people who had to live on \$20,000/year could not afford higher taxes. He advised that they needed to do a better job of informing the citizens.

Chairman Jones closed the public hearing.

Vice-Chairman Young stated that he was confused. He asked, could they defer action? Mr. Johnson replied yes, but it would push the schedule back. Vice-Chairman Young asked, if stand-alone systems had been looked at? Mr. Johnson asked, what would they like them to look at? Courtland had to be addressed regardless because the cup was running over.

Supervisor Faison advised that they were in between a rock and a hard place. Courtland needed to be addressed. Supervisors Felts and West agreed.

Supervisor Brown stated that he hated to raise taxes, but the system was 28 years old and needed to be addressed. In order to reduce taxes on the citizens, they needed developers to contribute their fair share.

Supervisor West agreed with Supervisor Brown and added that they had to have this project whether they wanted it or not.

Chairman Jones stated that he also hated to raise taxes, but at least they were getting something out of the \$26 million.

**Supervisor Faison moved, seconded by Supervisor Wyche, to authorize execution of the**

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**Comprehensive Agreement for wastewater improvements, included in the agenda. Chairman Jones, Vice-Chairman Young, and Supervisors Faison, Felts, West, and Wyche voted in favor of the motion. Supervisor Brown abstained. The vote was 6-0 in favor of the motion, thus the motion passed.**

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

CUP 2008:02 Application filed by Jean A. & Johnnie N. Burchett, owners, requesting a conditional use permit for a borrow pit pursuant to Section 18-313 (43) of the Southampton County Code in order to extract sand from approximately 7.43 acres of a 75 acre parcel. The property is zoned M-2, General Industrial, and is located on the north side of Meherrin Road (Rt. 35) at the intersection with Indian Town Road (Rt. 651). The property is further identified as a portion of Tax Parcel 59-45 and is located in the Capron Magisterial District and Capron Voting District.

Mr. Jay Randolph, Assistant County Administrator and Secretary to the Planning Commission, reported that the Planning Commission held a public hearing on this application at its May 8, 2008 meeting and deferred action for one month. The Planning Commission reconsidered the application at its June 12, 2008 meeting and recommended approval, subject to the following 6 conditions:

- Mining area limited to 7.43 acres as designated on site plan
- Hours of operation to be from 7:00 AM to 6:00 PM
- Days of operation to be Monday through Saturday
- (1) Commercial entrance/exit permitted from Indian Woods Trail, as shown on the site plan
- Conditional use permit from Southampton County is contingent upon compliance with all regulations associated with the Virginia Department of Mines, Minerals and Energy permit
- Conditional use permit to expire 10 years from the date of approval by the Board of Supervisors

Chairman Jones opened the public hearing.

Mr. John Burchett, owner/applicant, addressed the Board. He stated that he would be happy to answer any questions.

Mrs. Teresa Preston of Ivor spoke. She advised she was speaking as a representative of an archeological group. She was not against the borrow pit, but asked that if something of significance happens to be dug up, that they save it and notify the appropriate persons. Archeological finds were part of Native American culture and the culture of Southampton County.

Chairman Jones closed the public hearing.

**Supervisor Wyche moved, seconded by Supervisor West, to accept the Planning Commission's recommendation and approve the CUP, subject to the 6 specific conditions.**

Supervisor Brown stated that he shared the concerns of Mrs. Preston and asked Mr. Burchett to please let them know if anything of significance happens to be dug up. He knew there were Native Americans in that area.

Mr. Burchett indicated that he certainly would let them know.

**All were in favor of the motion.**

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

REZ/CUP 2008:03 Application filed by Anthony Scodes, owner, requesting a change in zoning classification from A-1, Agricultural to C-M1, Conditional Limited Industrial and requesting a conditional use permit pursuant to Section 18-282 (49) of the Southampton County Code for approximately 55 acres of a 238 acre parcel. The purpose of the application is to allow for a motorcycle and all terrain vehicle race track and course. The

subject property was located at 10266 New Road (Route 622), Ivor, Virginia, approximately 1.5 miles west of the intersection with Tucker Swamp Road (Route 635). The property is a portion of Tax Parcel 24-43 and is located in the Berlin-Ivor Magisterial District and Berlin-Ivor Voting District.

Mr. Jay Randolph, Assistant County Administrator and Secretary to the Planning Commission, reported that the Planning Commission held a public hearing on this application at its June 12, 2008 meeting, and was unable to reach consensus on any recommendation. Accordingly, by default, the application was being forwarded with a recommendation for denial.

Supervisor Brown asked if the racing facility utilized all 200 acres? Mr. Randolph replied no – it utilized 55 acres.

Supervisor West asked how close was the nearest residence from where activity on the subject property would be taking place? Mr. Randolph replied that he was not an expert, but he would guess anywhere from ¼ mile – ½ mile.

Chairman Jones asked that the speakers try and keep their comments under 3 minutes, as there were a lot of people that would like to be heard.

Chairman Jones opened the public hearing.

*(Note: Mr. Anthony Scodes was often referred to as Tony or Mr. T, and the riding facility/track located on Mr. Scodes' property was often referred to as Mr. T's Hunt Club.)*

Mr. Dan Billups of 10359 New Road addressed the Board. He stated that he appreciated the Board listening to them again as they tried to fight for something they believed in. He thanked the Board members who came out and met with him. He carried them around the property and showed them what Mr. Scodes wanted to take place. Some people here tonight were going to say that they lived 1000 feet from the track. The Board members that visited the track now knew that was not true. Some people here tonight were going to say that there was no barrier between the track and their homes. The Board members that visited the track now knew that was not true. There was some concern at the Planning Commission meeting that the road was too narrow. However, the highway department indicated that the road was 18 ft. wide. Basically it was the widest road on that end of the County – most others were 16 ft. wide. The facility that Mr. T was trying to offer to people was not going to cost the County anything. It was going to provide somewhere for people who liked to ride ATVs and motorcycles to go and take their family and have a good time. If Mr. T needed a business license, just tell him. He would do his best to comply with whatever he needed to do. He asked that whether they voted for or against it, to please vote according to the facts being presented. He asked them to give him a chance.

Mr. Billups clarified for the Board that he lived right across the road from the property.

Ms. Rebecca Matson of New Road spoke. She advised that she was Tony's neighbor. She was raising her 16-year old grandson. For years there was no place to go other than church for activities. Tony offered a lot of people around there a place to go to be together as families. Children needed a place like this to go to so they would stay out of trouble. Why not give someone the right to make other people happy.

Mr. Warren Smithhart spoke. He stated that he had known Tony as a successful business person and an incredible, gifted artist. He was a great person that you could trust with your wallet. He moved out here to retire and do something that he thought would be easy. He had been with Tony through this whole thing. He was hurt by what was happening with this project that should have been very simple. But more than anything else, what he wanted to do was something very good. He (Mr. Smithhart) had spent the night out there before in the field – it was a beautiful field of nature. He had taken his kids there. He found Ivor because of this man. Tony did incredible metal and wood work. He was not an intellectual and did not understand the legal aspects of things. If a mistake was made, it was a simple and honest mistake. It was not this man trying to take advantage or manipulate anything. He had never known anybody to care more about the land. If he was going to do something out there, it was going to be working with the land and with the

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people around it – he did not mean any harm to anyone. And as far as what he had heard about the horses somewhere close by becoming ill from this (the noise from the track), go to Oceana. He knew what the decibels were at Tony's place because he had stood right beside those motorcycles, and he lived by Oceana. The horses by Oceana thrived and were doing fine, and the decibels there were twice what you were listening to at Tony's place. When you were at Tony's home which was ¼ mile away, you did not even know there was a race track back there. The facility was not what was being portrayed by some others. He was a gentleman and a kind-hearted person. This had been painful for him. It was not reasonable for people to come up here and say things about him that did not know him.

Mr. Smithheart explained for Supervisor West that he had been right there on Tony's property many times and it was not loud – 81 decibels was allowed and Tony would not want that in his yard. What's right was right. Everything he had heard in opposition to the track was just not reasonable.

Mr. Ash Cutchin of 29018 Darden Point Road spoke. He advised that he had a farm in Isle of Wight County on the railroad track. It was true that if the young people were not riding at Mr. T's facility, they would be committing crimes. Children rode all the way from Carrsville down the railroad track to his farm, which was near the Franklin airport, and trespassed on his farm and did figure 8's in the fields, and he never could catch them. Recreation was a big concern for this County, and it had come up several times tonight.

Mr. Gordon Calhoun of 36203 Seacock Chapel Road spoke. He advised that he owned a horse farm. Plain and simple, the northern part of the County was an agricultural and farming community – a quiet farming community. It was not industrial or commercial – that was the southern part of the County, and what the southern part of the County was for. During the day he worked for the Navy as a historian, and in the evening he ran an agri-business. He ran a horse breeding business which he believed would be negatively impacted by this project.

Ms. Lisa Everette of Powhatan spoke. She stated that she was the organizer of an ATV club. She organized the club so that people wouldn't trespass on other people's property in order to ride. At Mr. T's, they rode during the day – not at night. She had witnessed Mr. T tell someone to plug their exhaust or leave.

Mr. Ricky Roberts of New Road spoke. He advised that he had nothing against Mr. Scodes, but this track was in the wrong place. The Lord said love thy neighbor.

Mr. Harvey Hubbard of Sedley spoke. He stated that he had been riding since he was 9 years old. Mr. Scodes was providing a safe place to ride.

Ms. Mary Harris of 87132 Seacock Chapel Road spoke. She stated that she had lived there for 56 years. There was peace and quiet when she moved there, and she hoped they could continue to keep the peace and quiet. The motorcycles did disturb them. They did not need the noise.

Mrs. Teresa Preston of 10457 New Road spoke. She advised that she was one of Tony's neighbors – she lived directly across the street and beside Dan Billups. She thought that recreational opportunities were needed in this County. A few months ago, she got called on a survey that was being done in the County's name asking if she thought the County needed more recreational opportunities, and she said yes. They asked if she would be willing to pay taxes to fund recreational opportunities, and she said no. She believed in the free enterprise system. What you had before you tonight was a business. It was not a traditional manufacturing business. It was taking a recreational thing that was done on farms – on the farm in which she lived, they went out and checked the crops on ATVs and used the ATVs for other farm purposes. The noise from ATVs or motorcycles were no louder than a chain saw, farm tractor, or combine when running. She didn't think there should be any problems in listening to the noise, as long as you knew that people were getting enjoyment from it.

Mrs. Preston stated that she went online today and checked to see how far these people had to ride if they wanted to ride legally. They could go to Slade's Park in Surry County, which took income out of our County and put it over there. They could go to Pittsylvania County, to Maryland, or to

Pennsylvania. Or you could travel up to where the George Washington and Thomas Jefferson National Forests were located and motorbike on those roads. But they were all a good distance away. Due to the economy, families were trying to find things to do close to home with minimal out of pocket cost. She stated that people could ride at Slade's Park, or other riding facilities in Pittsylvania County or Maryland, but families were trying to find things to do close to home. The demographics of Tony's property was good. It was located right off of Route 460. In the future, there was a road slated to go between Tony's house and the Kropenicki farm and some of the other farms back there. So it was going to be more noise, more dust and more dirt sometime down the road. Things were going to change. And our kids needed a place to play and exercise. The people who road motorcycles ATVs were active people. Those people could become the active people in our occupations, such as firefighters, policemen, and people who worked on the rescue squads. She looked at those people as adrenaline junkies.

Mrs. Preston advised that she really felt that they should give this a chance. It was a business. It was not asking for a tax increase or anything from the County. The County may actually get some tax revenue from this business. When the Dirt Riders road at her farm for 3 ½ years, they supported the upkeep of New Road. They adopted it and picked up garbage 4 times a year on New Road. She got a cease and desist order from the County saying that she couldn't do that any more. She had leased it to the Dirt Riders as a club, much like a hunt club. It was not open to the public and there were no gate fees – it was members only. Garbage was now piling up on the road, and kids had nowhere to ride, so they went back trespassing and riding illegally. Tony's facility was not going to eliminate all of that, but it was a start. It was a place to go to have a family-oriented event, and that's what memories were made of. You may not remember what you watched on TV last week, but you may remember that hunting or riding trip – something that you actively participated in. She asked the Board to give Tony a chance.

Supervisor West asked was it correct that she received a cease and desist order from the County? Mrs. Preston replied yes, about 3 ½ years ago. Supervisor West asked what did she do? She replied that she did just that. She added that she had actually ceased and desisted prior to that because they were cutting timber and it was not safe for people to ride through cutover timber. Supervisor West asked, so you obeyed the law? Mrs. Preston replied that she could not find any law in the County ordinances that actually pervaded, and when she was asked to be quoted the ordinance, it was not provided. She did not pursue it because it was not worth the legal fight at the time. She just wanted to cut some timber and get it replanted, so she just let it drop. But she was not the only one. Mr. Felts who had a farm in Ivor in which he let people ride also received a cease and desist order. These were free activities that were being utilized by clubs that rented the land and paid a small amount. She reported it on her taxes and would tell them that she received a grand total of \$3,000 from that club to rent her land – that was not a lot of money. They limited the number of members to 125. They had it 7 days a week and did not have any complaints from the neighbors. For the life of her, she could not understand why they could hear the motorcycles so loudly and why Supervisor West could hear them, when she was closer to Supervisor West, the way the bird flies, than Tony was – but she never had any complaints. She could hear the train when it rode by when there was low cloud cover, so maybe that may accompany the acoustics that Supervisor West may hear on occasion, but it was not all the time. She advised that according to the media, there were people abandoning their cars and hopping on motorcycles to go to work. If they had never rode one, they may want to come out to Tony's and try out the track in a safe place and learn how to ride the thing. One other thing that she noticed was the safety consciousness of the group that was on her farm. It was always safety first – helmets, knee pads, elbow pads, etc. They had family fun days and had grandma and grandpa, great-grandma and grandpa, and little kids that had just been hatched out there.

Mr. Tom Freda spoke. He advised that he had lived in Southampton County for 3 years and had been riding since he was 12 years old. He understood the concerns of people who lived in the area, as far as noise. The vehicles when they were stocked did not make a lot of noise. He had been to a lot of riding facilities including some in West Virginia and North Carolina. Mr. T had a very clean and safe establishment. He (Mr. Freda) was a firefighter and EMT and the first thing on his mind was safety. The place out in Surry did not make sure that everyone had helmets, goggles, etc. like Mr. T did. If it was raining, Mr. T would say that it was not safe to ride and would not let you ride. When people visited Mr. T's, they patronized local mini marts, gas stations, etc. He was representing 8 families from Virginia Beach that could not be here. What if

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people were against horses and didn't want people riding horses because of the odor. The horse riders would come out and fight too. He hoped they would vote in favor of Mr. T's.

Supervisor West asked if the rescue squad was ever on call? Mr. Freda advised that he worked for Lifestar in Courtland. It was like anything else. When you went hunting, the gun was no better than the person carrying the gun. The ATV was no better than the person driving it. As long as the person driving the ATV correctly, and the parents were watching their children, the bike was safe.

Mr. Kelly Hera spoke. He stated that Mr. T's place was a very safe place to go riding and it got parents and kids off the couches and doing something active.

Ms. Florence Reynolds of Tucker Swamp Road spoke. She advised that she was not against recreational activities, but was concerned about the location. The Comprehensive Plan did not call for an industrial zone there. She wondered if the other riding facilities people had mentioned were located in residential areas. The audience stated yes. She stated that you could not even cut out an acre of land to put a house on, but the Board was considering an industrial zone in this area. They say that they did not race, but it was called a race track. Mr. Scodes had said that he was not going to race, but he did not listen to what he was told before. Every time they got anything over in Ivor, it was always something negative. The people from Virginia Beach came and used the track and then went back home. The neighbors were left with it.

Mr. David Snyder of Sedley spoke. He advised that his parents moved to Ivor in 1983. When they moved there, there were motorcycle tracks on Doles Road and New Road. Bob Felts had races in the woods a couple of times a year. There had been motorcycle activity in that area for a long time. He stated that when Tony got shut down before Thanksgiving, he and Dan Billups had to read the court order to him because he could not read and write. Mr. Snyder had a decibel reader in his hand and showed it to the Board. He shared what the decibel readings for a motorcycle, air conditioner, and rototiller. Tony was asking for a conditional use permit in which the Board could set conditions. Decibel readings dropped the further you got away from the noise. He did not understand how people could hear the noise from such a distance. He advised that he had been riding and racing motorcycles for a long time. He could take his 6-year old son to Tony's and know that he was safe. People came out that did not ride and watched. Supervisor West's family came out and watched. He asked the Board to let Tony do this. Bring a decibel reader and measure the noise. It was not that loud. A police officer had been called to the property by a neighbor complaining about the noise, and the police officer had to search for 30 minutes for the property because you could not hear the noise. Give Tony a chance. Give the County a chance to have recreation.

Mrs. Roberts spoke. She stated that the noise was extremely loud and in the wrong place. She purchased her property in 1999 due to the tranquility. It was tranquil until Mr. Scodes came to town. He was a habitual lawbreaker. He built it illegally and had been running it illegally. He had refused to obey the law and could not be trusted to obey the law now.

Supervisor Faison asked where she lived? She replied about ½ mile from the track.

Ms. Peggy Kellar of General Mahone Blvd. spoke. She advised that she had children and they rode safely at Mr. T's. These kids needed a place to go and ride. She did not believe that children should be seen and not heard. She did not want her children out on the streets. There were a lot of children whose family did not care what they did. Mr. T's gave children a safe place to go for recreation.

Mr. David Kelly spoke. He stated that he used to ride at Mr. T's all the time, and it was a lot of fun. One time he fell, and David Snyder's 6-year old son stopped and helped him. Mr. T's was not a racetrack. It was really safe. And he could have a normal conversation there with his mom and dad without having to yell to hear.

Ms. Linda Colonna of Seacock Chapel Road spoke. She stated that she had lived there 4 years. Prior to moving there, they did a lot of research on the property and never saw anything about a racetrack being proposed right near the property. She bought the property for the peace and quiet.

With this racetrack, her property would plummet in value. She did not want to hear the noise from the motorcycles all the time. She did not buy her property for that. She was not told anything about the racetrack when she was looking at buying her property. With the racetrack, you were not talking about one sporadic thing, like hearing an airplane fly by once in a while. With this, the noise would be constant. She did not want to live here if this were approved.

Mrs. Dianne Kropewnicki of 35437 Seacock Chapel Road spoke. She presented the Board with a large packet containing a vast amount of information related to the track. She stated that she believed that the dust and noise from this track constituted a nuisance, and that the rezoning of this land for an intensive industrial application qualified as spot zoning, which was illegal in Virginia. The first page of the packet were noise levels for their reference. She understood that Barry Steinberg had shared with them that she had provided him with volumes of research on the effects of noise to assist in the fight against the OLF. Despite being denied his application in October 2003 by this Board and being under a court order, which was attachment A in the packet, not to operate or do any further construction to the track, Mr. Scodes ignored the Board and the court and was operating a commercial track called Mr. T's Hunt Club. She called their attention to attachment B in the packet showing the fee as being \$20 for a day of riding. Attachment C was from the Tidewater Dirt Riders website on August 21, 2007 in which the posting stated that "they would be going to Mr. T's on Saturday, as Mr. T had added an extra ½ mile to the track." Attachment D was a posted from Dave Vann stating that "the new part of the track was open on August 11, 2007 complete with three 8-ft. tabletops, one 4-ft. tabletop, and one jump. Attachment E was a posting from Labor Day weekend, September 4, 2007. Again, mentioning new additions to the track and ending, "I went with a couple of guys on Sunday, and there must have been a 150 people out there. It was nuts. But we had a darn good time." Now consider that all this activity was taking place while Mr. Scodes was under a court order not to operate that tract and not to do any more construction. What would he do if this track were approved? Did they really think he would abide by the terms of any conditional use permit?

Mrs. Kropewnicki continued that Mr. Scodes knew that the neighbors were complaining about the noise. Attachment F was an incident report in which a deputy went over to Mr. Scodes' on May 13, 2007 and told him that his neighbors were complaining. Note that it stated that the illegal track was under investigation. Yet in September he allowed about 150 people to ride on that track. It sounded like there were dirt bikes running on her property. The noise could be heard in every room in her home. Attachment F-2 was a posting from November 4, 2007, which was the day she went to see Supervisor West, and you could hear the bikes at his property over 2 miles away. In that posting, Dave Vann stated, "It was a big crowd. The police were called about the noise. It must not have been too loud – they stopped at the entrance, listened, and rode on. One day the police would tell that lady to not call them anymore." The dust most days looked liked a fog hanging over her property. She could not use her back pastures when that track was operating, and she had a business license for her horse farm. The noise and dust from this track were horrible and affected her ability to use her property and conduct her legal business. Her home was about 1,000 ft. from this track. She shared an aerial photograph showing Seacock Chapel Road, her home, and the track. So if Mr. Billups said there was no one within 1,000 ft. of that track, he was mistaken. And that was just the major portion of the track. There was a new part of the track that was added after that photo was taken. She passed pictures around that showed a trail that ran between the two tracks, so it was even closer to her house. She could hear it when there were just 3 bikes on the track. Attachment G was a deputy's report from April 2008 after Mr. Scodes had been found guilty of violating the court order. She called when she heard the noise of the bikes and the deputy found the gates open and 3 riders on the track, which Mr. Scodes claimed that he did not know they were there. The deputy advised Mr. Scodes to keep the gates secure. When the County raided the track on November 18, 2007, Mr. Scodes was told to shut down and he refused. On the morning of December 2, she had a friend at her house. They heard a few bikes start up, but it wasn't too loud so she didn't complain. She and her friend went inside to have lunch. All the doors and windows were closed and they had the stereo on. Apparently, more riders started up their bikes at the track, because they started hearing the noise of the bikes over the music. It was irritating and annoying. She called the Sheriff's Office. Previously, they had not wanted to go over and ticket Mr. Scodes for noise violations because they were concerned that it may hamper their investigation.

Mrs. Kropewnicki continued that she could not go outside and work in her yard or around her farm

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for any length of time because it gave her a splitting headache. They could not enjoy their property and home. The sound penetrated everywhere. Her husband was disabled – he had reflux disease. He had been operated on to try and relieve some of the pain and give him a better quality of life. Because of this disease, he was already at a higher risk for heart attack. She monitored her husband's blood pressure on a regular basis, and it elevated significantly when they could hear the noise from that track. The Journal Working Group for noise abatement concluded that with noise levels above 70 decibels, the risk of heart attack for those people increased by an additional 20%. And 70 decibels was the lowest level at which conversation was drowned out, which was most days when that track was running. Yet one of Mr. Scodes' supporters had the nerve to send her husband and son a letter threatening him with arrest if they hunted on his land with their hunt club, unless they stood up at this meeting and supported this track. Those letters were attachments I-1 and I-2. And I-3 was a letter sent to her threatening her because she had dared to oppose this track. She had turned the letters over to the Commonwealth's Attorney for possible criminal investigation. The Virginia Courts had been very clear on what constituted on a nuisance. In the case of Brad vs. Ives, the Court said, "The term nuisance embraces everything that endangers life or health or obstructs the reasonable and comfortable use of property. An activity could actually be lawful and still constitute a nuisance." From the decision in Face vs. Cherry, "When the business itself becomes obnoxious to neighboring dwellings and rendered their enjoyment uncomfortable, whether by smoke, noise, offensive odors, gases, or otherwise, the carrying on of such business was a nuisance. In a 1990 Virginia Beach case, the Court ruled that loud music coming from a restaurant was a public nuisance, as it was bothersome to not just a few property owners, but potentially to the public at large. And the sound of this motorcycle track carried a long way. Supervisor West could hear it at his house, which was about 2 miles away. She cited several court cases where practice motorcycle tracks similar to this one were found to be a nuisance.

Mrs. Kropewnicki continued that people who did not think that the noise from the track was too bad were being affected by the noise from this track whether they knew it or not. Dr. Luther Terry, former U.S. Surgeon General wrote that "Some long term effects of noise were cardiovascular constriction, elevated blood pressure, increased heart rate, more labored breathing, measurable changes in skin resistance and skeletal muscle tension, ...etc." A new study just published in February of this year linked low noise levels at 35 decibels, which was about the sound of a person softly snoring, to increased blood pressure rates. The study was conducted while people were sleeping and some of the noise exposures were so low that they did not awaken, but their blood pressure rose anyway. A researcher concluded in the *American Psychologist* that, "While people may not be consciously bothered by noise, their bodies reacted physiologically by increases in blood pressure, stress hormones, and visits to the doctor." "People adapted to air pollution, but did not tend to adapt to noise. Problems such as high blood pressure actually increased over time.

Mrs. Kropewnicki continued that Mr. Scodes wanted the Board to rezone his property to M-1, Industrial so that he could run his motorcycle track legally. She called their attention to attachment J. They should be familiar with the next 3 pages because they were from the 2007 Southampton County Comprehensive Plan. Rezoning this land to M-1, Industrial conflicted with the rural residential and agricultural uses planned for the surrounding community. Map 8-2A showed the future land use map for the Ivor Planning Area. The area of New Road was projected to be single family residential and agricultural rural residential – not industrial. In a case against the King George Board of Supervisors, the Virginia Court said, "Spot zoning was the up-zoning allowing more intensive uses of a land to a classification that was different than that of the surrounding land." The Supreme Court of Virginia had been very clear on illegal spot zoning. In a case against the Board of Supervisors of Charles City County, it said that, "Illegal spot zoning occurred when the purpose of a zoning text or zoning map amendment was solely to serve the private interest of one or more landowners, rather than to further the County's welfare as part of an overall zoning plan." This rezoning application, if approved, would constitute illegal spot zoning of the worst kind. It would benefit one landowner in the area by allowing him an intensive commercial application to the detriment of many other landowners in the community. There were other places for these people to ride. The Tidewater Dirt Riders leased 2 pieces of land for their members to ride on. There were also tracks in Surry, Disputanta, Petersburg, Gloucester, and Elizabeth City, just to name a few. She and her neighbors only had 1 home. She asked them to stay the course with the Comprehensive Plan, deny this application, and maintain the peace and

quiet they had come to enjoy again these past few months.

Mrs. Sherri McMillion of Smithfield spoke. She advised that they were in the process of building a home approximately 400 feet from Mr. Scodes' property. She had 3 concerns: 1) noise, 2) devalue of her property, 3) it was illegal to spot zone in Virginia. She liked to sit outside and read and she could not because of the noise. She consulted with an engineer who told her that in a quiet, rural environment, you would not want indoor noise to be over 40 decibels. This track was a nuisance to the surrounding property owners. Rezoning this property would only be in the interest of one landowner.

Mr. Phil Bain of 35079 New Road spoke. He stated that he did not know there were so many attorneys in the room. He was in favor of the track. He handed out 3 letters from area businesses in favor of the track who obviously recognized the need for recreation in the County. Those businesses were R.M. Felts Packing Co., Ivor General Store, and T.L. Bain. L.P. This was a no-cost recreational park for the County. He advised that his daughter and her friend went to Mr. T's track. Planning Commissioner Doug Chesson went there. Supervisor West's brother had also been to the track. He passed out signatures of the adjoining landowners who were in favor of the track. He personally had been sitting on the picnic table at the track with his girlfriend and puppy, and they could have a normal conversation and the puppy was calm. He stated that he could not hear the track at his house. The track was totally surrounded by trees. In talking about rezoning to an industrial zone, they would not be rezoning for a nuclear plant or other broad-based industrial use. If they were not going to allow this track, were they going where people could and could not farm? Drying trailers were loud and made noise. As far as the dust, Mr. Scodes had an extensive sprinkler system. He noted that he remembered motorcycles being used in that area for 38 years.

Mr. Andrew Vick of New Road spoke. He advised that his driveway was across from Tony's driveway. He sat on his first porch with no hearing protection. This was something for our youth. Tony was not asking for any money.

Ms. Valerie Ricks of 36395 Seacock Chapel Road, Zuni, spoke. She stated that she had resided there for 31 years. She agreed that we needed recreational facilities, but did not want a racetrack in her back yard.

Mr. Anthony Scodes, owner/applicant, addressed the Board. He was the one who caused all the commotion here. But he really wanted them to look at a lot of things that everybody seemed to have come down on him about him violating the law and everything. When he went down to get permits, he did sign something which he didn't understand was so serious because it was in a back room. Nobody told him to hold his hand up or swear under oath, and all that, so it did not seem very serious to him. He did get permits. He and wife got licenses from the state of Virginia to do all the land disturbance, build everything, dig ditches, etc. They needed to understand where he was coming from. He did not know all the rules. Each time he went down and talked to everybody at City Hall, he asked them could he do this? They said no. He said well it was a hunt club and they rode 4-wheelers. He thought he could have a private hunt club and do it. When nobody came out and arrested you and you did it for 2 years, it seemed like you were doing things right. Then he went down there and kept wanting to build his track and do all this stuff. Each time he went to the City and he approached anybody at City Hall and told them what he was doing, not one person came down to his farm for 6 years now and said Tony, you cannot do this. Your permit said that can't do this. You're making a race track. He never made a race track. When he applied from day 1, they said he couldn't do it. He asked, well why can hunt clubs ride? They said hunt clubs could ride. So he called the state up. The state came down there and walked around his property. They would not believe the people that came down. They told him that they did not see any problems. They thought he was doing something right. So everybody gave him the notion that he was doing everything.

Mr. Scodes continued that he was lucky to end up with this piece of property and he just wanted to do one thing. He was too old to do anything else. He wanted to do one thing for the kids. To give something back, like everybody here was going to give something to church or something. He wanted to do something for these kids who rode 4-wheelers and dirt bikes. When you saw what they enjoyed with their family – life goes too fast. He's spent 6 years in the blink of an eye and here we are. Those kids had been coming out for 2 years. He asked if he could make this private,

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and they said he couldn't. He told them that well there were other private facilities. He asked if he could have a private hunt club and ride bikes? They said no. Others did not have to go through this stuff. And they just told him all this recently. Nobody ever told him in 6 years that he was doing something wrong. So they looked at him like he was some kind of criminal and that he did all this stuff illegal. If he did something illegal, he would have thought that everybody in the world would have been out there the first month he was doing it and locked him up. When he went down to the judge and he got him for the nuisance of the property, he told him he could get within 200 feet of any dwelling and have all the noise he wanted back there and the County could not say anything. The judge, who now wanted to lock him up, saying he could do all this stuff. So he really did not understand where everybody was coming from. One said that you could have all the noise they wanted back there, one said he could have a hunt club and ride 4-wheelers. When you open up a hunt club magazine, there was a 4-wheeler and shotgun and somebody riding through the woods. What was he doing wrong? He just wanted to give something to some of these kids. He bought property near Route 460 in Isle of Wight County and wanted to do the same thing, and that was in the middle of nowhere. Isle of Wight told him real nice that they did not want him in their neighborhood. At least they told him. So he packed out of the property. When people came to this County, people told him come to our County. We want you to keep your money here. Well he spent it. He told the Board if they did not want this, to vote it. But they were the ones who were going to lose out, because he gave everything he could inside him to give back.

Mr. Burton Presson of Seacock Chapel Road spoke. He stated that he could hear the noise and it was offensive. How could consideration be given to legalizing this track now? There were other places these people could go and ride their bikes.

Ms. Donna Harris spoke. She advised that she lived in Smithfield, but she was a 4-H leader alongside Dianne Kropewnicki and had spent the last year at the Kropewnicki farm. They were not able to ride the horses because of the noise. Last year when this track was operating, the horses had colic. Now they didn't since the track wasn't operating. Do not be taken in that Mr. Scodes doesn't know the law.

Mr. David Edwards of Sedley spoke. He stated that he was not for or against the track. But he wanted to know what would happen to the property down the road? Could it only be used for a racetrack?

Ms. Diane Harris spoke. She advised that in 2003, the Board voted it down. Now the Board was considering saying it was ok. Then why did we even have laws? She was against it and it was noisy.

Chairman Jones closed the public hearing.

Supervisor West stated that this was a lose-lose for everyone in this room. Everyone was not going to leave here happy. Mr. Scodes had told him that he did not need him, which was disrespectful. Ms. Diane Harris just summed it up best. At the Planning Commission meeting, a respectable gentleman indicated that he had been offered money to support the track, and he believed that gentleman. It came down to disrespecting the County. And if we permitted this tonight, we were telling the OLF we did not care about the noise.

Vice-Chairman Young advised that he viewed it differently. He thought that Mr. Scodes may have been misled. He received a lot of personal calls and 14 visits, of which only 2 people were not in favor of it.

Attorney Railey and Mr. Jay Randolph clarified for Supervisor Faison that the property could only be used for a racetrack, per the proffer letter submitted by the applicant proffering to only utilize the use which permitted a racetrack.

Supervisor Brown stated that this was not a racetrack – it was a riding facility.

Mr. Randolph clarified that the definition in the code was that of a racetrack.

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Attorney Railey clarified that this application was a 2-step process: 1) conditional rezoning, and 2) conditional use permit.

Supervisor Felts stated that she received a lot of calls and a lot of visits. She went out the track and there were picnic tables, grills, pond, and a sprinkler system. She thought that Mr. Scodes was trying to rectify a situation with the help of friends for the kids' sake. She noted that her boys raced motorcycles when they were young and got a lot of enjoyment out of it.

Supervisor Wyche stated that he could not support this.

Supervisor Brown stated that he was in favor of recreation in this County. But he had some concerns. Perhaps they could require a dirt buffer to try and reduce some of the noise.

Supervisor West advised that his was not a "Driving Miss Daisey" course. We did not have enough rescue volunteers in the County as it was.

Attorney Railey pointed out that the first time Mr. Scodes applied for this, he was represented by competent legal counsel. When Mr. Scodes went to court, he was represented by legal counsel.

Supervisor Faison stated that he just could not vote against this. If this were something we could make work, it could be very positive for the County.

**Supervisor West moved, seconded by Supervisor Wyche to deny the rezoning request. Chairman Jones and Supervisors West and Wyche voted in favor of the motion. Vice-Chairman Young and Supervisors Brown, Faison, and Felts voted in opposition to the motion. The vote was 3-4, thus the motion failed.**

**Supervisor Brown moved, seconded by Supervisor Felts, to approve the rezoning request. Vice-Chairman Young and Supervisors Brown, Faison, Felts voted in favor of the motion. Chairman Jones and Supervisors West and Wyche voted in opposition to the motion. The vote was 4-3 in favor of the motion, thus the motion passed.**

**Supervisor Brown made a motion to send the CUP portion of the application to the Planning Commission and have them come up with a list of recommended conditions including looking at the possibility of bringing in dirt buffers, and to also have them look at this as not a racetrack, but a riding facility. Supervisor Felts seconded the motion. Vice-Chairman Young and Supervisors Brown, Faison, and Felts voted in favor of the motion. Chairman Jones and Supervisors West and Wyche voted in opposition to the motion. The vote was 4-3 in favor of the motion, thus the motion passed.**

Moving forward, Mr. Johnson announced that included in the agenda was an application for a fireworks permit from Mr. Charles B. Darden, Jr., submitted pursuant to **Sec. 10-73** of the *Southampton County Code*. The display was schedule for August 23, 2008 at approximately 9:15 PM. The rain date was August 24. Given the dry conditions, he noted that this was a low-altitude display and was planned to be discharged directly over a small pond. Mr. Darden had indicated that he would contact him one week prior to the display to make a final decision whether to proceed.

**Supervisor Brown moved, seconded by Supervisor Felts, to approve the fireworks permit application. Chairman Jones, Vice-Chairman Young, and Supervisors Brown, Faison, Felts, and Wyche voted in favor of the motion. Supervisor West abstained. The vote was 6-0 in favor of the motion, thus the motion passed.**

Moving forward, Mr. Johnson announced that in response to a recently-issued ruling by the Internal Revenue Service, the Virginia Retirement System (VRS) had contacted all participating members and asked them to adopt resolutions reaffirming their intention to "pick up" the employee contribution to VRS, which allowed it to be treated on a pre-tax basis. The request had been made by VRS so that they would fully comply with IRS regulations and have on file an executed resolution in proper form. There was no additional cost associated with the request – it merely formalized by resolution what had been a longstanding county policy and was already a

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budgeted expense. It was necessary for the Board to adopt the resolution, included in the agenda, prepared by the legal staff of VRS, and return it no later than September 30.

The resolution is as follows:

**RESOLUTION**  
**Affirmation of Authorization to Pick-up the Employee's Contribution to**  
**VRS for Southampton County, 55187**  
**Under § 414(h) of the Internal Revenue Code**

WHEREAS, SOUTHAMPTON COUNTY provides its employees with tax deferral pursuant to § 414(h) of the Internal Revenue Code with respect to their member contributions to the Virginia Retirement System (referred to as VRS) by picking up member contributions to VRS;

WHEREAS, VRS keeps track of such picked up member contributions, and treats such contributions as employee contributions for all purposes of VRS;

WHEREAS, the Internal Revenue Service in Notice 2006-43 had provided transition relief for existing pick up arrangements provided that an authorized person takes formal action to evidence the establishment of the pick-up arrangement no later than January 1, 2009;

WHEREAS, in order to avail itself of the protection given under Notice 2006-43, SOUTHAMPTON COUNTY desires to affirm its intention to establish and maintain a pick-up arrangement through formal action by its governing body.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the existing member contribution pick-up arrangement is hereby affirmed as it relates to salary reduction elections in effect prior to the date of this Resolution, and it is further

RESOLVED that effective the first pay day on or after \_\_\_\_\_, \_\_\_\_\_ shall pick up member contributions of its employees to VRS, and such contributions shall be treated as employer contributions in determining tax treatment under the Internal Revenue Code of the United States; and it is further

RESOLVED that such contributions, although designated as member contributions, are to be made by SOUTHAMPTON COUNTY in lieu of member contributions; and it further

RESOLVED that pick up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and it is further

RESOLVED that member contributions made by SOUTHAMPTON COUNTY under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement; and it is further

RESOLVED that nothing herein shall be construed as to permit or extend an option to VRS members to receive the pick up contributions made by SOUTHAMPTON COUNTY directly instead of having them paid to VRS; and it is further

RESOLVED that notwithstanding any contractual or other provisions, the contributions of each member of VRS who is an employee of SOUTHAMPTON COUNTY shall be picked up either through a reduction in the current salary of such employee or as an offset against future salary increases of such employee or as a combination of both at the option of the employer by SOUTHAMPTON COUNTY on behalf of such employee pursuant to the forgoing resolutions.

Adopted in Courtland, Virginia this 27<sup>th</sup> day of July, 2008.

\_\_\_\_\_  
Name & Title    Printed

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 Authorized Signature    Title

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

Moving to matters concerning regional cooperation, Mr. Johnson announced that by letter of July 1, he officially requested Isle of Wight County's consideration in financially supporting our fight against the OLF, noting Greensville County's support as an affected adjacent jurisdiction. He received a prompt reply indicating their willingness to contribute \$20,000 to the cause in FY 2009, subject to our participation in the Court Appointed Special Advocate Program (CASA), for which the Board opted to defer during budget deliberations this past spring. The cost of participation in the program was \$18,000. The CASA program provided the Fifth District Juvenile and Domestic Relations Court with a cadre of volunteers that would advocate for the children, investigating their needs and reporting their findings. While the CASA program relied heavily on volunteers, local contributions were pooled with funding from DCJS to pay the salaries for the Program and Volunteer Coordinator(s), training and office expenses, and travel. Isle of Wight County and the City of Franklin included funding in their FY 2009 respective budgets. He stated that while support with no strings attached may have been better, the offer was still attractive – we would end up with a net positive of \$2,000 plus the benefits of a program that would advocate for a safe environment for abused and/or neglected children in Southampton County.

**Vice-Chairman Young moved, seconded by Supervisor Felts, to accept Isle of Wight's offer to fund the CASA program in exchange for their financial support in our fight against the OLF. All were in favor.**

Mr. Johnson advised that on July 2, he was invited to a meeting at the Franklin Municipal Airport by officials from Isle of Wight County and the City of Franklin to discuss the regional significance of the facility and explore ways we might collaborate to ensure its long-term viability and success. As they probably knew, the airport was physically located in Isle of Wight County, but owned, operated and maintained by the City of Franklin through a city department. It was clearly a jewel in Western Tidewater's crown and was frequently the first impression that visiting businesses and industries had of the region. Mr. Jimmy Gray, the airport manager, indicated that the facility was used by residents of all three localities, perhaps with a preponderance of users from Southampton County. According to Mr. Gray, over the past 12 months, the most frequent user had been Southampton Terminals, LLC. Mr. Johnson stated that other than gaining a better perspective of the significance of the facility, the sole outcome of the meeting was that he agreed to share with the Board the nature of their discussion and seek the Board's interest and direction in participating in future meetings to discuss potential means of collaboration. He noted that if the Board was so inclined to participation in future discussions regarding the airport, Chairman Jones may wish to appoint a Board member to join him at future meetings.

Supervisor Felts volunteered to join Mr. Johnson at future meetings.

Moving forward, Mr. Johnson announced that as they may recall, the terms and provisions of their agreement with the Sedley Volunteer Fire Department for property leased for the refuse convenience center on Johnsons Mill Road obligated them to purchase the site by July 31, 2008 for a sum of \$50,000 (funding included in the FY 2009 budget.) The *Code of Virginia* required that every deed conveying real estate to a local governing body be in a form that was approved by the county attorney. Accordingly, Mr. Railey had prepared for their consideration a resolution which authorized him to accept title to the property on behalf of Southampton County and approve the form of the deed.

The resolution is as follows:

**WHEREAS**, the Board of Supervisors of Southampton County, Virginia on July 28, 2008, held a public meeting to consider the acquisition by Southampton County, Virginia of certain property belonging to the Sedley Volunteer Fire Department, Inc.; and

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**WHEREAS**, said real property is the present site of the transfer station operated by Southampton County, Virginia, and the real property to be acquired and on which said transfer station is presently operated is leased by Southampton County, Virginia from the Sedley Volunteer Fire Department, Inc. with the lease term expiring on July 31, 2008; and

**WHEREAS**, it is necessary and proper that Southampton County continue its operation of the Sedley transfer station and that Southampton County acquire fee simple title to the real property on which said transfer station is situate.

**UPON CONSIDERATION THEREOF**, the Board of Supervisors of Southampton County, Virginia, upon due consideration, after their July 28, 2008 public meeting, on motion made, duly seconded, and unanimously passed, approved the acquisition of said real property to be used in the operation of the Sedley transfer station for the sum of FIFTY THOUSAND DOLLARS (\$50,000); and

**BE IT FURTHER RESOLVED**, in accordance with the provisions of § 15.2-1803 of the 1950 Code of Virginia, as amended, the title to said real property and the deed conveying same shall be accepted by the Board of Supervisors of Southampton County by Richard E. Railey, Jr., County Attorney for Southampton County; and

**BE IT FURTHER RESOLVED**, that prior to accepting title to said real property and the deed conveying same, the said Richard E. Railey, Jr., shall approve the form of the deed conveying said property and shall examine the title and determine that said deed conveys a fee simple interest in said real property, subject to no liens, encumbrances or other defects in title.

**BE IT FURTHER RESOLVED**, by the Board of Supervisors of Southampton County, Virginia:

That Richard E. Railey, Jr., County Attorney of Southampton County, is further authorized to do all things necessary and proper to carry out these transactions.

\_\_\_\_\_  
Michael W. Johnson, Clerk  
Board of Supervisors of Southampton  
County, Virginia

**Supervisor Felts moved, seconded by Supervisor Brown, to adopt the resolution. All were in favor.**

Moving forward, Mr. Johnson announced that they may recall that the Board of Directors of SPSA agreed to provide, at SPSA's expense, the legal defense of any litigation that challenged the adoption of enforcement of flow control ordinances by member localities. Included in the agenda was the "Joint Flow Control Defense, Enforcement and Payment Agreement," which provided the legal terms and provisions. The agreement had been reviewed by each member's local attorney and SPSA's General Counsel. By resolution of April 23, SPSA authorized its Executive Director to execute the agreement on behalf of SPSA – the action they were seeking today would authorize the County Administrator to execute the agreement on behalf of Southampton County. He noted that Mr. Railey had reviewed the agreement and was prepared to answer any questions they may have.

The agreement was as follows:

**JOINT FLOW CONTROL ORDINANCE DEFENSE,  
ENFORCEMENT AND PAYMENT AGREEMENT**

WHEREAS, on July 25, 2007, the Board of Directors of the Southeastern Public Service Authority of Virginia (“SPSA”) adopted a resolution requesting that its member localities, including the cities of Chesapeake, Franklin, Norfolk, Portsmouth, Suffolk and Virginia Beach and the counties of Isle of Wight and Southampton (each a “Member Locality”; collectively “Member Localities”), consider the adoption of ordinances to require delivery to SPSA of all or substantially all of the solid waste generated within the SPSA Member Localities, said ordinances being commonly known as “Flow Control Ordinances” (each, a “Flow Control Ordinance”); and

WHEREAS, the resolution referenced above specifically provides that, in furtherance of SPSA’s regional constitution and mission and for the benefit of its Member Localities and their citizens, SPSA agrees to provide at its expense the defense of its Member Localities in the event of any litigation challenging the adoption or enforcement of Flow Control Ordinances adopted in furtherance of the resolution and to accept as a cost to be borne by SPSA any liability resulting from adoption of such ordinances; and

WHEREAS, the Council of the City of Chesapeake, Virginia (“Chesapeake City Council”), adopted a Flow Control Ordinance by amending Article 2, Chapter 62 of the Chesapeake City Code to Section 62-66 thereto and to provide for the disposal of garbage, refuse and trash at transfer stations and final disposal facilities owned or leased and operated by SPSA; and

WHEREAS, the Council of the City of Franklin, Virginia (“Franklin City Council”), adopted a Flow Control Ordinance by amending Chapter 13 of the Franklin City Code; and

WHEREAS, the Council of the City of Norfolk, Virginia (“Norfolk City Council”), adopted a Flow Control Ordinance by amending Sections 41-15 and 41-23 of the Norfolk City

Code so as to require disposal of all solid municipal waste collected in the City of Norfolk at SPSA facilities or other facilities authorized by state law; and

WHEREAS, the Council of the City of Portsmouth, Virginia ("Portsmouth City Council"), adopted a Flow Control Ordinance by amending Chapter 16 of the Code of the City of Portsmouth; and

WHEREAS, the Board of Supervisors of the County of Isle of Wight, Virginia ("Isle of Wight Board of Supervisors"), adopted a Flow Control Ordinance by amending the Isle of Wight County Code to require the disposal of solid waste collected or generated in the County at facilities designated by the County, including SPSA facilities or other facilities authorized by state law; and

WHEREAS, the Board of Supervisors of the County of Southampton, Virginia ("Southampton Board of Supervisors"), adopted a Flow Control Ordinance by amending the Southampton County Code to require the disposal of solid waste collected or generated in the County at facilities designed by the County, including SPSA facilities or other facilities authorized by state law; and

WHEREAS, neither the Council of the City of Suffolk, Virginia ("Suffolk City Council") nor the Council of the City of Virginia Beach, Virginia ("Virginia Beach City Council") has adopted a Flow Control Ordinance; and

WHEREAS, each Member Locality that adopts a Flow Control Ordinance (each, an "Adopting Member"; collectively, "Adopting Members") has an interest in sharing information concerning the enforcement and defense of the Flow Control Ordinances without jeopardizing privileges that may attach to said information and SPSA has an interest in the enforcement and defense of the Flow Control Ordinances by its Adopting Members; and

WHEREFORE, SPSA and its Adopting Members hereby agree as follows:

A. Enforcement of Flow Control Ordinances

1. During the ordinary course of its business, SPSA will monitor the flow of solid waste within its service area for purposes of determining any violation of the Flow Control Ordinances and, either independently or at the request of any Adopting Member, will investigate the suspected violation of any Flow Control Ordinance.

2. To the extent possible, each Adopting Member will monitor the flow of solid waste within its boundaries for the purpose of determining any violation of its Flow Control Ordinance, will notify SPSA of suspected violations of any Flow Control Ordinance, and will cooperate fully with SPSA to investigate suspected violations of any Flow Control Ordinance.

3. Upon determining that a violation of a Flow Control Ordinance may have occurred, SPSA will notify and provide to the Adopting Member whose Flow Control Ordinance may have been violated sufficient information to confirm the violation.

4. Upon receipt of sufficient information to support its own determination that its Flow Control Ordinance has been violated, the Adopting Member shall take reasonable steps to address the violation and prohibit future violations, including, but not limited to, revoking any permit that may have been issued to operate a private solid waste collection business or seeking and obtaining injunctive relief from a court of competent jurisdiction to prevent violations of the Flow Control Ordinance.

5. SPSA agrees to cooperate with and assist any Adopting Member in its effort to address a violation of Flow Control Ordinance or prevent a future violation of a Flow

Control Ordinance, said assistance to include, if requested by the Adopting Member, legal assistance provided by counsel retained by SPSA on behalf of the Adopting Member.

**B. Defense of Challenges to Flow Control Ordinances**

1. In the event of any legal challenge to the Flow Control Ordinances passed by Adopting Members, the Adopting Member whose ordinance is being challenged shall notify SPSA of the challenge and thereafter SPSA shall assume the defense of the Flow Control Ordinance that is challenged and, upon assumption of the defense, SPSA will be responsible for retaining and paying counsel to defend the challenge to the Flow Control Ordinance.

2. Upon SPSA's assumption of the defense of a challenge to the Flow Control Ordinances, the Adopting Members agree to fully cooperate in the defense, and SPSA's obligation to provide a defense shall be conditioned upon such cooperation. While SPSA will retain and pay counsel to defend the Flow Control Ordinances, Adopting Members that retain their own counsel will be solely responsible for paying such counsel's fees and costs.

**C. Joint Defense and Enforcement Agreement**

1. SPSA and its Adopting Members having an interest in the enforcement of the Flow Control Ordinances agree that information relating in any way to Flow Control Ordinances shared either between SPSA and its Adopting Members or between the various Adopting Members will not lose any privilege protection afforded under the laws of the Commonwealth of Virginia, whether pursuant to the attorney/client privilege, the work product doctrine or otherwise, by virtue of sharing such information.

2. SPSA and its Adopting Members having an interest in the defense of the Flow Control Ordinances agree that information relating in any way to Flow Control Ordinances

shared either between SPSA and its Adopting Members, or by the various Adopting Members, will not lose any privilege protection afforded under the laws of the Commonwealth of Virginia, whether pursuant to the attorney/client privilege, the work product doctrine or otherwise, by virtue of sharing such information.

D. Cost of Liability

1. In the event of any legal challenge to the Flow Control Ordinances passed by Adopting Members and SPSA's assumption of the defense of the Flow Control Ordinance that is challenged, SPSA agrees to accept and pay the cost of any liability imposed as a result of the litigation challenging the Flow Control Ordinance.

2. SPSA's agreement to accept and pay the cost referenced in paragraph 1 of this Section D is conditioned upon the Adopting Member's notifying SPSA of the challenge as required by Section B, paragraph 1 and the Adopting Member's full cooperation in the defense of the case.

3. SPSA's agreement to bear the cost of liability referenced in paragraph 1 above does not cover liability imposed as a result of provisions included by a Adopting Member in a Flow Control Ordinance that differ from the form ordinance recommended by SPSA's counsel, a copy of which is attached hereto as Exhibit A and made a part hereof.

4. The cost which SPSA agrees to accept, as referenced in paragraph 1 above, does not include (a) costs, including attorney's fees, separately incurred by the Adopting Member in defending any legal challenge to Flow Control Ordinances, or monitoring SPSA's defense of any legal challenges to Flow Control Ordinances or (b) sums due by reason of any

settlement of litigation made by any Adopting Member without the approval of SPSA, which approval SPSA may withhold in its sole discretion.

E. Termination and Expiration of Agreement

1. Except as provided in the next sentence, all of the obligations and duties of the parties hereunder shall expire on January 23, 2018. Notwithstanding the foregoing, the duties and obligations of the parties under Sections B and C above shall remain in effect until the statute of limitations expires for claims arising prior to January 23, 2018 and SPSA's liability under Section D shall be limited to claims for damages occurring prior to January 23, 2018.

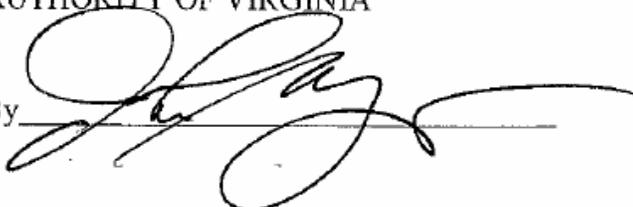
2. SPSA may terminate this agreement with respect to any Adopting Member that repeals its Flow Control Ordinance unless the repeal occurs because it is ordered by a court of competent jurisdiction.

F. Execution by Less than All Member Localities. At the time this agreement was approved by SPSA's Board, neither Suffolk City Council nor Virginia Beach City Council had adopted a Flow Control Ordinance. Notwithstanding that fact, the other Member Localities desire to enter into this agreement as evidenced by their execution below. If either Virginia Beach or Suffolk adopts a Flow Control Ordinance, then the other Member Localities invite each to enter into this agreement and upon execution each will become an Adopting Member, and a party to this instrument with SPSA and the other Adopting Members.

WITNESS the following signatures on behalf of SPSA and the Adopting Members with this Agreement being effective as to each Adopting Member on the date of execution as evidenced by the date printed next to each Adopting Member's signature line.

SOUTHEASTERN PUBLIC SERVICE  
AUTHORITY OF VIRGINIA

Date: 4/23/08

By 

**Vice-Chairman Young moved, seconded by Supervisor Brown, to authorize the County Administrator to execute the agreement on behalf of Southampton County. All were in favor.**

Regarding miscellaneous issues, Mr. Johnson announced that included in the agenda was correspondence from The Geneive Shelter regarding their upcoming benefit auction and gala. They had recently received a \$75,000 grant from the Cabell Foundation, subject to their ability to raise \$75,000 in matching funds. The proceeds would be applied to construction of their transitional housing project, which was expected to begin in late 2008. They had several levels of sponsorship – \$100, \$250, \$500, \$1,000, \$2,500, and \$5,000. Or a table of tickets could be

purchased for \$400. They were seeking a response by August 15. He noted that our FY 2009 budget already included an appropriation to the Geneive Shelter in the sum of \$10,000.

It was consensus of the Board to just keep with the \$10,000 already appropriated in the current budget.

Mr. Johnson advised that included in the agenda was correspondence from Synagro regarding their intention to again land apply biosolids on certain farms owned by J.H. Lee & Sons, Robert H. Pope, Virginia B. Daughtrey, Dr. Norman Thornton, Cathy Bradshaw, Flaggy Run Farms, Peter Copeland, Graham and Ann Copeland, and Dorothy Cotton. State law required that they provide the local governing body with 100 days advance notice.

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

- 1) From the Virginia Department of Environmental Quality, notice of a draft hazardous waste permit for corrective action for International Paper; and
- 2) From the Virginia Department of Health, Office of Drinking Water, a notice of violation to D.C. Magette for failure to collect required lead and copper samples at the Darden Mill Estates subdivision.

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

- 1) From the Hampton Roads Planning District Commission, a progress report for the Parks and Recreation Plan;
- 2) From Franklin-Southampton Futures, notice that Kay Pope had been hired as Executive Director and a copy of a recent letter to the editor which described the purpose and intent of their organization;
- 3) From Eastern Virginia Health Systems Agency, Inc., notification of a certificate of public review for 4 projects: a new 90-bed hospital in Virginia Beach, a new 48-bed hospital in northern Suffolk (relocated from Maryview), a replacement hospital for DePaul Medical Center, and a new hospital replacing certain facilities at Sentara Bayside;
- 4) From the Virginia Department of Housing and Community Development, information regarding the Emergency Home Repair Program (administered by the STOP Organization);
- 5) From Senior Services of Southeastern Virginia, a note of thanks for allowing them to utilize our fleet fueling facilities in Courtland and a solicitation to other Hampton Roads communities allowing them to do the same;
- 6) From the Virginia Commission for the Arts, notice that our FY 2009 local government challenge grant for Rawls Museum Arts has been approved; and
- 7) From Ron and Diane Kropewnicki, a Freedom of Information Request regarding the application of Anthony Scodes. (already responded within the statutory time frame).

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

Moving to late arriving matters, Supervisor Brown thanked the Board for their support of the Cheroenhaka-Nottoway Indian Tribe Pow-Wow that took place this past weekend. He noted that the bottled water at their places tonight was marketed at the Pow-Wow.

Mr. Johnson announced that Sheriff Vernie Francis was seeking the Board's considering in granting Corporal(s) Douglas G. Bailey's and John N. Magette's requests to purchase their department-issued service handguns upon their retirement. Cpl. Magette was retiring on July 31 and Cpl. Bailey was retiring on November 1. With 21 years as a Deputy Sheriff, the state statute provided that Cpl. Bailey was entitled to purchase his handgun for \$1. With 18 years of service, Cpl. Magette was entitled to purchase his handgun for fair market value on the date of his retirement, estimated by the Sheriff at \$50. Both requests were consistent with § 59.1-148.3 of the *Code of Virginia*, a copy of which was included in the agenda.

**Vice-Chairman Young moved, seconded by Supervisor Brown, to approve the request of Corporal(s) Bailey and Magette. All were in favor.**

July 28, 2008

Mr. Johnson advised that our legal counsel in our fight against the OLF had suggested that they seek funding from Governor Kaine to assist with the identification of issues and evaluation of impacts associated with and OLF in Southside Virginia. A resolution making that request was at their places for their consideration. He noted that similar resolutions would be considered by the Board of Supervisors in Surry and Sussex.

Mr. Richard E. Railey, Jr., County Attorney, asked what was this going to accomplish? The Governor was not going to give us any money. This would just put us further against the Governor.

The resolution is as follows:

**BOARD OF SUPERVISORS  
SOUTHAMPTON COUNTY, VIRGINIA**

**RESOLUTION 0708-17B**

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At a meeting of the Board of Supervisors of Southampton County, Virginia, held in the Southampton County Office Center, Board of Supervisors' Meeting Room, 26022 Administration Center Drive, Courtland, Virginia on Monday, July 28, 2008 at 6:00 p.m.

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**PRESENT**

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

**IN RE: Outlying Landing Field (OLF)**

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Motion by Supervisor \_\_\_\_\_:

WHEREAS, the Commonwealth of Virginia, at the request of the United States Navy, and without the consent of or knowledge by the affected communities, identified multiple sites in the Commonwealth of Virginia for an outlying landing field to support field carrier landing practice for carrier-based aircraft squadrons homebased and transient to Naval Air Station (NAS) Oceana and Chambers Field, two sites of which are partially situated in Southampton County; and

WHEREAS, in July 2007, representatives from the Office of Commonwealth Preparedness and the Department of the Navy publicly and privately acknowledged their intention to refrain from development of an outlying landing field on any of the proposed sites without the support of community and local officials; and

WHEREAS, in January 2008, the United States Navy reduced the number of potential alternatives to three sites in Southside Virginia and two sites in Northeastern North Carolina, and has further continued to pursue its evaluation of these five sites for the placement of an outlying landing field, despite fervent and sustained local opposition; and

WHEREAS, The United States Navy is presently preparing an environmental impact statement (EIS) for the purpose of evaluating the aforementioned sites for an outlying landing field in accordance with the National Environmental Policy Act (NEPA); and

WHEREAS, an outlying landing field is noisy and disruptive, reduces the local tax base, introduces an element of risk that does not presently exist, depresses the value of adjacent real estate, disrupts a sensitive and fragile ecosystem, threatens and endangers the peace and tranquility of rural Southside Virginia, and provides virtually no local economic benefit; and



July 28, 2008

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