

August 25, 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 August 28, 2008 at 8:30 AM.

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.

Chairman Jones sought approval of the minutes of the June 30, 2008 continued meeting and July 28, 2008 regular meeting. They were both approved as presented, as there were no additions or corrections.

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

Mr. Lomax stated that he had just spent a week in Blacksburg going over emergency response for bad weather, Hazmat incidences, etc. He advised that the bridge crew would start replacing additional bridge beams and decks. They planned to work on Route 618 and Route 652 in October. He stated that grass cutting had improved. He expected to have a contractor back here very soon to begin at the Southampton County-Suffolk line again.

Vice-Chairman Young asked for an update on Edgehill. Mr. Lomax advised that they should be receiving the permits shortly. It was in the design stage and was still scheduled for spring.

Supervisor Felts stated that she has spoken with Mr. Jerry Kee, Assistant Residency Administrator, a month or so ago about cleaning out the ditches on a portion of Vicksville Road from Rosemont to Drake. Mr. Kee advised that they were waiting on the permits.

Supervisor Brown advised that Diamond Grove Baptist Church, which was located in the curve on Riverdale Road, would be doing a back-to-school youth explosion this weekend on August 30 and would be giving out school supplies to students in grades 1-5. They were expecting about 100 kids. They approached him and asked about the possibility of VDOT putting some signs up in the interim, as they were afraid that cars would not see the children crossing the road.

Mr. Lomax indicated that they would try to come up with something. They did not have any Children-At-Play signs, etc. in stock, so he would have to order them from the central office which would take 30 days to get. He would talk to Mr. Kee and Benny Necessary, VDOT Superintendent, and see if they could come up with a secondary plan.

Chairman Jones advised that the lady who resided in the first house on the right on Old Belfield Road could not see how to get out of her driveway because of the weeds. He asked Mr. Lomax to check and see if it was the responsibility of VDOT.

Supervisor Faison stated that the crops were so that you almost had to pull out in the road to make a left turn off of Cross Keys Road onto Route 671. He asked if there was an easement that should keep the crops back far enough to prevent this from happening? Mr. Lomax advised that it could be that the crops were planted in the right-of-way, as sometimes the farmers' crops did encroach. But he did not know the situation and would have to go out and take a look at it.

Mr. Johnson advised that following last month's discussion regarding possible highway abandonment of a portion of Route 622 near Zuni initiated by Tucker Swamp Baptist Church, he had placed the matter back on the agenda for follow-up.

Supervisor West indicated that they were trying to work it out so that everyone would benefit. He may have a recommendation for the Board next month.

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

In regards to the solid waste quantities report, Supervisor West commented that he was surprised and pleased at how we were mirroring last year's report, but noticed that quantities for July were up. Mr. Johnson noted that he did not know July quantities were up. Perhaps because of all the dry weather, people were cleaning up more. But one month certainly did not make a trend.

In regards to the personnel report, Mr. Johnson advised that Jerry L. Smith was hired in the Sheriff's Office effective 08/01/08 at an annual salary of \$35,867. Linda L. Cupit was hired in the Commonwealth Attorney's Office effective 08/01/08 at an annual salary of \$46,297. Brian D. Myrick was hired in the Utilities Department effective 08/07/06 at an annual salary of \$24,552. He informed that the position of Quentin J. Turner of the Utilities Department was reclassified effective 08/07/08 with an annual salary of \$25,780. He reported that the Compensation Board adjusted the salaries of five employees of the Sheriff's Office effective 08/01/08: Joshua J. Angel - \$30,863, Robert C. Inman, III - \$30,862, Lundy G. Sadler - \$30,862, Jovan S. Stith - \$30,863, and Robert C. Vaughan, Jr. - \$30,862. He stated that Keith Travis and J. Michael Blythe, both of the Sheriff's Office were on military leave effective 06/13/08 and 07/09/08 respectively.

Moving to financial matters, Mr. Johnson announced that bills in the amount of \$            had been received.

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

Moving forward to plat approvals, Mr. Johnson announced that included in the agenda was a copy of the Southampton County Planning Commission's report regarding final plat approval for the Brookview Estates subdivision. They may recall granting preliminary plat approval at their October 22, 2007 regular session. In accordance with § 15.2-2259 of the *Code of Virginia*, approval of subdivisions was classified as a ministerial act, meaning that the Board had no authority to exercise its discretion while reviewing plats. The purpose of the subdivision plat review was only to insure that the proposed development complied with all existing ordinances. If a plat was denied, the Board was required to specifically identify the requirement that was unsatisfied and explain what the applicant must do to satisfy the requirement. He stated that as they recall, Brookview Estates was located off the east side of Shady Brook Trail. The final plat included a total of fifteen (15) residential building lots, with minimum lot sizes of 20,000 square feet, acceptable standards in the Residential R-1 zoning district. Fourteen of the fifteen lots were proposed to be served by a community water system – all lots would rely on private septic systems. Final approval was subject to the posting of certain sureties by the developer for unfinished improvements and payment of certain fees, including:

- 1) Surety in the amount of \$117,600.00 for project construction including mobilization, clearing and grubbing, roadway improvements, erosion control, storm drainage facilities, water system improvements, landscaping, street signs and street lighting:
- 2) A maintenance bond for annual road maintenance until such time as the street is taken

- into the secondary system of highways;
- 3) Maintenance fee for proposed roadways;
- 4) Five-year operational expenses associated with the streetlights; and
- 5) Plat review fees of \$100.

Supervisor Brown asked if there were any residuals whereby the County could benefit from a private water system? Mr. Johnson replied no.

**Vice-Chairman Young moved, seconded by Supervisor Wyche, to approve the final plat for the Brookview Estates subdivision. All were in favor.**

Mr. Johnson advised that included in the agenda for their consideration was a copy of the plat for Village Parkway (adjacent to Riverdale Elementary School). While technically not a subdivision plat (no lots were being created), it was necessary that the Board approve the plat to provide for the dedication of right of way for the Parkway, which would facilitate acceptance in the secondary system of highways for ongoing maintenance. Also included in the agenda was a resolution officially requesting VDOT to accept Village Parkway into the state secondary system.

The resolution is as follows:

#### RESOLUTION

WHEREAS, the street described on the attached Additions From SR-5(A), fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Southampton County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street meets the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street described on the attached Additions Form SR-5(A) to the secondary system of state highways, pursuant to § 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements; and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

A COPY TESTE:

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Michael W. Johnson, Clerk

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

Moving forward, Mr. Johnson announced that included in the agenda was correspondence from the Virginia Department of Historic Resources seeking the Board's review and comment regarding their planned nomination of the Beaton-Powell House in Southampton County to the National Register of Historic Places and Virginia Landmarks Register. The Beaton-Powell House was located on the northwest corner of Main Street and Virginia Avenue in the Town of Boykins and was completed in 1857. It contained more than 4,000 square feet and was built by the town's founder, Edward Beaton. His son, William Beaton, later was the town's postmaster and first mayor. Edward Beaton was a shrewd business man with a vision that the newly chartered Portsmouth and Roanoke Railway would be his ticket to recognition and financial security. Following the death of William Beaton and his wife in 1902, the property was conveyed to

August 25, 2008

William Powell, grandfather of Jack Powell, who was formerly the Director of Instruction for Southampton County Schools. Both the Beaton and Powell families were instrumental in the development of the Town of Boykins.

**Supervisor Faison moved, seconded by Supervisor Brown, to support and endorse the nomination application. All were in favor.**

Moving forward, Mr. Johnson announced that Mrs. Leona Davis, our Voter Registrar, recently requested the Board's consideration of an ordinance, included in the agenda, which would establish a central absentee ballot precinct at the Voter Registrar's Office for all November elections. With a central precinct, all absentee ballots would be received, counted and recorded at her office, as opposed to each respective voting precinct. On election day, the central precinct was required to have at least 3 election officers present, just like other precincts. Central absentee voter precincts were authorized by Sec. 24.2-712 of the *Code of Virginia, 1950* as amended. He advised that as an ordinance, it was necessary for the Board to consider public comment prior to adoption. Once adopted, the ordinance must also be precleared through the U.S. Department of Justice in accordance with the Voting Rights Act of 1965.

Supervisor Brown if this would require additional people? Mr. Johnson replied, likely yes.

**Supervisor Wyche moved, seconded by Vice-Chairman Young, to advertise the ordinance for public comment at their next regular meeting on September 22. All were in favor.**

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

AN ORDINANCE TO AMEND AND REORDAIN SECTION 5-16 OF THE SOUTHAMPTON COUNTY CODE, 1991, SO AS TO PROVIDE FOR THE RECREATION OF A CENTRAL ABSENTEE BALLOT PRECINCT FOR ALL NOVEMBER ELECTIONS

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BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that the Southampton County Code be, and hereby is amended and reordained so as to provide for the creation of a central absentee ballot precinct for all November elections as follows:

CHAPTER 5  
ARTICLE III  
PRECINCTS

**Sec. 5-16. Enumerated.**

(h) Pursuant to Section 24.2-712, Code of Virginia, 1950, as amended, there shall be created in Southampton County a Central Absentee Ballot Precinct for all November elections, with the boundaries of the said Precinct to be inclusive of all areas within Southampton County. The polling place for the Central Absentee Ballot Precinct shall be the Southampton County Voter Registrar's Office, 22361 Main Street, Courtland, Virginia.

This ordinance shall become effective immediately upon its adoption and its approval under the provisions of the Voting Rights Act of 1965.

A copy teste: \_\_\_\_\_, Clerk  
Southampton County Board of Supervisors  
Adopted: September 22, 2008

Moving forward, Mr. Johnson announced that as they may recall, Southampton County and the City of Franklin entered into a waterline extension agreement in order to provide domestic water and fire protection for Riverdale Elementary School. The agreement included the following terms and provisions:

- Extension of the City's 12" waterline into Southampton County, along Delaware Road to Camp Parkway where it is connected to a master water meter;

- From the master water meter, Southampton County assumed ownership of a new 12” water line along Camp Parkway to Riverdale Elementary School;
- The cost of the waterline extension was borne entirely by Hampton Roads Development, LLC as part of its school site donation agreement;
- Southampton County will pay the City of Franklin for each gallon of water that flows through the master meter;
- A separate water meter was installed by Riverdale Elementary School and the school will be billed by Southampton County for water service;
- Use of the county waterline was limited exclusively to Riverdale Elementary School, unless approved in advance by both governing bodies.

Mr. Johnson advised that he was recently contacted by Mrs. Lynne Rabil on behalf of High Street Methodist Church (Franklin), which was planning to relocate its facilities and was negotiating the purchase of property on Camp Parkway (across from Riverdale Elementary School) with Dr. Aurelius Brantley. They were requesting the Board’s consideration in allowing them to connect their new facilities to the waterline. He explained that the church would be required to bear the expense of boring beneath Camp Parkway to extend the waterline to the southern side. They had also indicated a need for wastewater service – a wastewater connection could be accommodated as part of the sewerline extension for Riverdale, which was authorized in last month’s Comprehensive Agreement. He noted that he had already discussed the matter with the City of Franklin staff and they would be presenting the same request to their Council later this evening.

Mr. Johnson clarified for Supervisor Brown that the request would have to be approved by both Southampton County and the City of Franklin.

Supervisor Faison asked, why would we limit the number of connections? Mr. Johnson replied that we did not currently have a bulk water agreement with the City of Franklin. While that was not an issue now, it would become an issue.

**Vice-Chairman Young moved, seconded by Supervisor Wyche, to authorize High Street United Methodist Church to connect to the 12” waterline on the north side of Camp Parkway, at its option and expense. All were in favor.**

Regarding miscellaneous issues, Mr. Johnson announced that included in the agenda was a copy of the first annual report by the Western Tidewater Free Clinic. As you may recall, the Board included \$5,000 for them in the FY 2008 annual budget and another \$5,000 in FY 2009. The facility served 450 patients in its inaugural year.

Mr. Johnson informed that included in the agenda was correspondence from Rear Admiral Anderson advising us of the various parties that would assume responsibility for preparation of the Environmental Impact Statement associated with the OLF. They had contracted with Ecology and the Environment, Inc. (E & E) to assist them in developing the document. Southampton County staff was scheduled to meet the E & E staff on August 28 to discuss a multiplicity of things, including our comprehensive plan, zoning ordinance, economic development plans, CAFR, tax rates, parcel data and tax records, drainage, utilities, transportation plans, and emergency service capabilities.

Mr. Johnson advised that Mr. Jay Randolph has successfully passed his certification exam and was now recognized by the American Institute of Certified Planners (AICP). Jay spent much time in preparation for the exam and was to be congratulated for this significant professional accomplishment. He was the first certified planner that Southampton County had ever had on staff.

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

- 1) From the Virginia Department of Corrections, notice of a planned application of biosolids at the Southampton Correctional Center;
- 2) From the Virginia Department of Environmental Quality, a warning letter to Southampton County regarding issues associated with the daily monitoring reports for the Courtland Wastewater Treatment Plant;

August 25, 2008

- 3) From the Virginia Department of Health, Office of Drinking Water, a copy of the Notice of Violation issued to Harlan Heikens for failing to collect the bacteriological sample for the Nottoway Shores subdivision in July;
- 4) From the Virginia Department of Health, Office of Drinking Water, a copy of the Notice of Violation issued to the Department of Corrections for exceeding the primary maximum contaminant level for total coliform bacteria at the Southampton Correctional Complex in July;
- 5) From the Virginia Department of Health, Office of Drinking Water, a copy of the Notice of Violation issued to the Town of Courtland for exceeding the primary maximum contaminant level for total coliform bacteria in July;
- 6) From the Virginia Department of Health, Office of Drinking Water, a copy of correspondence to Mr. William K. Holland, rescinding a notice of violation for failure to collect the required bacteriological sample at Miss Annie's Kitchen in September 2007;
- 7) From the Virginia Department of Health, Office of Drinking Water, a notice of violation to Mr. William K. Holland for failure to collect the required bacteriological sample at Miss Annie's Kitchen in the second calendar quarter of 2008;
- 8) From the Virginia Department of Health, Office of Drinking Water, a notice of violation to Mr. Samuel Butler for failure to collect the required bacteriological sample at Jan's Country Cooking and Catering in the second calendar quarter of 2008;
- 9) From the Virginia Department of Health, Office of Drinking Water, a copy of a notice of violation issued to the Town of Courtland for exceeding the primary maximum contaminant level for fluoride for the quarter ending June 30, 2008; and
- 10) From the Virginia Department of Health, Office of Drinking Water, a notice of violation to Mr. Brian Davis for failure to collect the required bacteriological sample at the Mid-Atlantic (Courtland) Dairy Queen in the second calendar quarter of 2008.

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

- 1) From the Genieve Shelter, a note of thanks for your annual contribution;
- 2) From Mrs. Diane Kropewnicki, a Freedom of Information Act (FOIA) request for certain information associated with last month's board meeting;
- 3) From the Suffolk Blazers 13-U AAU Basketball Team, a note of thanks for your recent contribution (they finished 11<sup>th</sup> out of field of 64 teams in the national tournament);
- 4) From the Blackwater Regional Library, a matrix illustrating board member attendance over the past 11 months (in addition, we'll need to appoint someone to succeed Ms. Dorothy Harris, who recently passed away);
- 5) From the W.S. Harris, Jr., a note of thanks for the framed resolution recognizing his 30-year service as a first responder; and
- 6) From Dominique Johnson, a note of thanks for allowing him the opportunity to work as a summer intern this past summer.

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

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

REZ 2008:04 Application filed by James T. Nichols, applicant, on behalf of the Elnora H. Hill Life Estate requesting a change in zoning classification from A-1, Agricultural to C-RR, Conditional Rural Residential approximately 1.36 acres of a 126.74 acre parent tract for the purpose of (1) single family residential building lot, as conditioned. The application is subject to the standards provided under the Timed Approach, Section 18-178 of the Southampton County Code. The subject property is located on the west side of Saint Lukes Road (Rt. 633) approximately ½ mile south of the intersection with Berlin Dory Road (Rt. 636). The property is further identified as a portion of Tax Parcel 21-57A and is located in the Berlin-Ivor Magisterial District and Capron Voting District.

Mr. Richard E. Railey, Jr., County Attorney, advised that Mr. Nichols and the Hill family were represented by his law partner and son. Accordingly, he would excuse himself from any involvement in this discussion.

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 July 10, 2008 meeting and recommended approval subject to the following voluntary proffers:

- The Timed Approach option would be utilized, meaning that only 1 lot every 3 years could be applied for (to be subdivided); and
- A voluntary cash proffer in the amount of \$1,723

Mr. Randolph clarified for Supervisor Brown that 23 or 24 lots total could be subdivided from the property, but it would take 75+ years to do so with the Timed Approach.

Chairman Jones opened the public hearing.

Mr. Edward Railey, attorney representing Mr. James T. Nichols, applicant, addressed the Board. Mr. Nichols wanted to rezone the property for 1 lot in which to build a home. He was not a family member of the current owners, but he was almost like family. Although he could not speak for them, the intent they had expressed to him was not to develop this property into a subdivision or anything like that. The proposed lot would front the road, but he did not see any other practical way to do it. He had personally looked at the property. It was cutover and would not take any land whatsoever out of agricultural production. Mr. Nichols had offered the voluntary proffers and the Planning Commission had recommended that the application be approved. He respectfully asked that the Board do the same.

Chairman Jones closed the public hearing.

Supervisor West informed that he had looked at the property and it certainly fit what the Board was looking for. He also knew Mr. James Nichols and recommended that the Board grant the request.

Supervisor Brown stated that he was not against the application, but he had a concern. The property (parent tract) was 126.74 acres. The maximum lot size for each lot under the Timed Approach was 5 acres. However, this application was only requesting a lot size of 1.36 acres. With those lot sizes, there was the potential for 60-63 houses to be put on that property, albeit it may take a lifetime to do so.

Chairman Jones pointed out that in order to have that many house lots on the property, the development of cul-de-sacs, etc. would be required.

Supervisor West echoed Chairman Jones and added that there was not enough road frontage to place that many houses along the road. He also added that he believed what Mr. Railey had said that this was a one-time desire of a person who was like family to build on the property.

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

Mr. Johnson advised that the second and final public hearing was to consider the following:

A resolution releasing a 30' drainage easement on property owned by Sanzio Properties, LLC, acquired from the Board of Supervisors of Southampton County on July 21, 2005. Said property contains 1.756 acres, more or less, shown as Tract I on a plat made by S.V. Camp, III and Associates, dated February 10, 1993, recorded in the Clerk's Office of the Circuit Court of Southampton County in Plat Book 19, at page 142.

The resolution is as follows:

August 25, 2008

**WHEREAS**, § 15.2-1800 B of the 1950 Code of Virginia, as amended, provides, inter alia, that any locality may sell, at public or private sale, exchange, lease....provided that no such real property, whether improved or unimproved, shall be disposed of until the governing body has held a public hearing concerning such disposal; and

**WHEREAS**, there exists a certain 30' drainage easement, situate on property acquired by Sanzio Properties, LLC from the Board of Supervisors of Southampton County, Virginia dated July 21, 2005, and recorded as Instrument No. 050003019 in the Clerk's Office of the Circuit Court of Southampton County, Virginia; and

**WHEREAS**, said drainage easement is of no use to Southampton County and the development of its industrial park, whether now or in the future; and

**WHEREAS**, it is in the best interest of Southampton County to release all its right, title and interest in and to said easement and to otherwise convey it to Sanzio Properties, LLC; and

**WHEREAS**, the Board of Supervisors of Southampton County at their regularly scheduled public meeting, held on August 25, 2008, held a public hearing to consider the conveyance of said 30' drainage easement to Sanzio Properties, LLC;

**NOW, THEREFORE**, the Southampton County Board of Supervisors, after due consideration of the release of said 30' drainage easement by Sanzio Properties, LLC, on motion made, duly seconded, and unanimously passed, approved the sale of the hereinafter described easement to Sanzio Properties, LLC, it being in the best interest of Southampton County, Virginia:

“That certain 30' drainage easement located on property acquired by Sanzio Properties, LLC from the Board of Supervisors of Southampton County, Virginia dated July 21, 2005, and recorded as Instrument No. 050003019 in the Clerk's Office of the Circuit Court of Southampton County, Virginia”.

**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.

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

Chairman Jones opened the public hearing. No members of the public chose to speak. Chairman Jones closed the public hearing.

Mr. Johnson clarified that there was no drainage activity on the property at the present time.

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

Moving forward, Mr. Johnson announced that Mr. David Boomershine, of Boomershine Consulting Group, was a consulting actuary with extensive public sector experience. He would present the new Government Accounting Standards Board (GASB) Statement 45 requirements, particularly as they related to “Other Post-Employment Benefits,” or OPEB. All government entities providing retiree medical benefits must comply with these accounting rules.

Chairman Jones recognized Mr. David Boomershine.

Mr. Boomershine introduced himself to the Board. He distributed paper copies of his presentation. He informed that GASB was proposing a new accounting standard that all government entities providing medical benefits to retirees must comply with, effective June 30, 2009. The current accounting standards were “pay-as-you-go”, which ignored the cost while the employee rendered service, and recognized the cost only after an employee retired. GASB argued that this delayed recognition shifted the “costs” from one taxpaying generation to another. The new standard would change from “pay-as-you-go” to accrual accounting. He noted that while this was a new standard for government entities, it had been a standard for the private sector for a number of years. With the new standard, you would book actuarial cost as an expense on financial statements. Liability would be accrued on financial statements – actual contributions vs. expense (not actuarial accrued liability). There were several key financial statement components associated with the new standard:

- Annual Required Contribution (annual expense)
- Annual OPEB Cost (annual expense)
- Net OPEB Obligation (balance sheet liability)

Mr. Boomershine explained that Southampton County’s cost associated with funding this new standard was estimated at \$160,000 to be phased in \$16,000/year for the next 10 years. The funding would come from the general fund and be set up in a transfer to a trust fund.

Mrs. Julia Williams, Southampton County Finance Director, concurred that the accounting change would be reflected on the financial statements. Southampton County was prepared to phase in the required funding. She was working with Mr. Boomershine to make the transition.

Mr. Boomershine clarified for the Board that the true cost of medical benefits was higher for retirees than active employees. However, the lower premiums paid by retirees were not a reflection of the true higher cost because retirees were blended with active employees in order to keep premiums low. This was considered a benefit or perk for the many years of service a retiree had worked for the government entity.

Supervisor Brown commented that this was really an unfunded mandate.

Mr. Boomershine clarified for Supervisor West that the retiree medical coverage they were speaking of was coverage for retirees under the age of 65 before the retiree was eligible for Medicare.

Mr. Boomershine stated that the County must approve the change no later than June 30, 2009.

The Board did not see any need to wait on approving it.

**Vice-Chairman Young moved, seconded by Supervisor West, to authorize the 10-year phase-in of funding for OPEB liability. All were in favor.**

Moving forward, Mr. Johnson announced that Mr. Joe Hines of the Timmons Group was here tonight to provide a progress report on master-planning activities associated with development of the Turner Tract Industrial Park. Completion of the Phase 2 cultural resources survey was anticipated later this month. The most substantial finding thus far had been a small unmarked cemetery located approximately 400’ south of the existing residence on the site – with minor adjustments to the access road, we would be able to avoid disturbing it. We would, however, want to construct a fence around it to protect it in the future. With approval last month of the Comprehensive Agreement for Courtland wastewater improvements, we would need to discuss the proposed route for the sewer line that would serve the Park. In addition, rather than investing in additional water wells, the possibility of extending water service from the Agribusiness Park to the Turner Tract was being evaluated. If we could negotiate an increase in our permitted withdrawal from DEQ, and resolve the fluoride issue, this would provide a long-term source of water for the entire Courtland Planning area, and eliminate our future reliance on the City of Franklin and/or individual wells. Ultimately, this would depend on our ability to work it into the overall project budget, which was limited by the amount of proceeds from bonds issued in 2006. He noted that he hoped the Board was pleased with the concepts presented. We had worked very closely with the

Timmons Group staff to plan for an environmentally friendly and aesthetically pleasing project that could provide a sound economic return.

Chairman Jones recognized Mr. Joe Hines.

Mr. Hines presented a PowerPoint presentation to the Board.

Moving forward, Mr. Johnson announced that Mr. David Rose of Davenport & Company, our financial advisors, was here this morning to discuss the financing plan for the Courtland wastewater improvements.

Chairman Jones recognized Mr. David Rose.

Mr. Rose distributed paper copies of his presentation. He began with an overview of the project. He advised that the Board of Supervisors had approved using the Public-Private Education Act "PPEA" in order to build a 1.25 MGD Wastewater Treatment Plant and several additional utility related structures (i.e. pump station, gravity sewer line and force main). The project cost was approximately \$26.6 million with possible change orders which may add to that cost. However, at this level, prior to change orders, the total size of the financing would be in excess of \$31 million due to additional borrowing to fund interest during construction of the project. Davenport & Company, LLC had evaluated a series of financing options and had prepared a Plan of Finance. Mr. Rose explained that the County had approximately \$2.7 million of funds available to begin the project. However, the construction spending schedule showed that over \$5 million would be required by calendar year end. Davenport's recommended funding option, which was to utilize the Virginia Resources Authority (VRA) would provide funds on or about December 15. He noted that they evaluated all potential funding options and recommended VRA because it produced the County with the lowest all-in cost of funds with ample structuring capability. Given that more construction than the County currently had on hand would be needed prior to VRA funding becoming available, Davenport recommended that the County pursue a short-term line of credit to bridge the gap.

Mr. Rose shared the following timetable for action:

Aug. 25	Recommended Plan of Finance presented to the Board of Supervisors
Aug. 26 – Sep 9	With Board approval, set meeting with VRA to discuss the project
Sep. 3	Send out interim line of credit RFP to local/regional banks
Sep. 12	VRA application due
Week of Sep. 15-22	Due diligence by VRA
Sep. 17	Interim line of credit RFP due
Sep. 22	Formal approval of the interim line of credit financing
Oct. 27	Board of Supervisors hold public hearing for the bond issue
Late November	VRA sale of bonds
Mid-December	VRA close of bonds and payoff of interim line of credit

Mr. Rose clarified that VRA could not be utilized for projects such as schools. And that was why VRA was not used for the Riverdale Elementary School/Turner Tract project.

**Vice-Chairman Young moved, seconded by Supervisor Brown, to develop and publish a RFP for an interim line of credit and to submit an application for long-term financing to the Virginia Resources Authority (VRA). All were in favor.**

The true cost of medical benefits was higher for retirees. However, the (lower) premiums paid by retirees were not a reflection of the true higher cost, because the retirees

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

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

Section 2.2-3711 (A) (7) Consultation with legal counsel employed or retained by the governing body regarding specific legal matters related to the potential litigation associated with the siting of an outlying landing field;

Section 2.2-3711 (A) (7) Consultation with legal counsel pertaining to potential litigation associated with the processing and disposition of applications for amendments to the Comprehensive Plan; and

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

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

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

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

#### **RESOLUTION OF CLOSED MEETING**

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

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

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

Supervisors Voting Aye: Dallas O. Jones  
Walter L. Young, Jr.  
Walter D. Brown, III  
Carl J. Faison

August 25, 2008

**Anita T. Felts**  
**Ronald M. West**  
**Moses Wyche**

The motion passed unanimously.

There being no further business, the meeting was recessed at 2:45 PM and continued to June 30, 2008 at 8:30 AM where the Board would further consider the application for a Comprehensive Plan amendment by Hampton Roads Development, LLC.

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Dallas O. Jones, Chairman

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Michael W. Johnson, Clerk