

At a regular meeting of the Southampton County Board of Supervisors held in the Board Room of the Southampton County Office Center at 26022 Administration Center Drive, Courtland, Virginia on August 28, 2006 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  
Robert L. Barnett, Director of Community Development  
Julien W. Johnson, Jr., Public Utilities Director  
Richard E. Railey, Jr., County Attorney  
Susan H. Wright, Administrative Secretary

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

Chairman Jones sought approval of the minutes of the July 24, 2006 regular meeting. They were approved as recorded, 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. Joe Lomax advised that the stoplights on Route 58 would begin operating today. He intended to make a request for another speed study to be done on that stretch of Route 58.

Mr. Lomax reported that maintenance operations, including cleaning out ditches, mowing/removal of brush, and patching of roads was ongoing throughout the County. The paving of Route 692 had been completed 14 days ahead of schedule and under budget. In response to the concerns that Mrs. Barbara Story expressed at last month's meeting about the road she resided on, Monroe Road, they had put up advisory signs (curve warnings) on that road. They were working on placing children-at-play signs on Route 622. They were also working on a sidewalk in Boykins as requested by Mr. Spier Edwards, Mayor of Boykins. He advised that Mr. Benny Necessary, VDOT Superintendent for the Franklin Area, was washing the wall barrier on Route 58. It was labor intensive but would save a lot of money.

Supervisor Wyche presented Mr. Lomax with a letter and petition signed by residents of Buckhorn Quarter Road requesting a reduction in speed, children-at-play signs, or any other signage that would be helpful in that area. He noted that a lot of new houses had been constructed on that road. Mr. Lomax indicated that he would look at that.

Supervisor West thanked Mr. Lomax for asphaltting New Road. He stated that if it could be striped, that would be great, as that road was extremely dark at night. Mr. Lomax advised that he did not think striping the road would be a problem.

Supervisor West asked Mr. Lomax to look at whatever could be done on Route 635 (Tucker Swamp Road) at a sharp, blind curve near his home. There were no warning signs at all. A family with children had recently moved into a home right at that curve and there would be a school bus stop there. Mr. Lomax advised that he would be glad to look at that.

Vice-Chairman Young stated that Route 687 had been black-topped and they did a very good job.

Chairman Jones asked Mr. Lomax if he would look into fixing the driveway on the west side of the cemetery on Old Church Road, as they had to pull several cars out. Also, there were some bad places on Route 722. The worst places were near where the houses started. Mr. Lomax indicated that he would look at that.

Mr. Johnson advised that in accordance with the resolution adopted by the Board last month, he submitted our completed application to VDOT on August 4 for Industrial Access Road Funds to construct a 0.16 mile access road, known as Mill Creek Drive, in the Southampton Business Park. He remained optimistic that the application would work its way through VDOT's environmental and staff review process in time to be placed on the Commonwealth Transportation Board's agenda for September 20-21, 2006.

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 Inspections. Also New Housing Starts, Cooperative Extension, Delinquent Tax Collection, EMS & Fire Department Activity, and Personnel.

In regards to the personnel report, Mr. Johnson advised that Dominique A. Mills was hired at the Sheriff's Office effective 08/01/06 at an annual salary of \$24,709. Jeannette Keffer-Cessna was hired at the Sheriff's Office effective 08/15/06 at an annual salary of \$24,709. Charles D. Hyman was hired at the Boykins Treatment Plant effective 06/26/06 at an annual salary of \$26,280.

Moving to appointments, Mr. Johnson announced that as they recalled from last month, Mrs. Alice Scott recently resigned from the Local Welfare Board due to increasing demands on her time – Supervisor West was seeking her successor. In addition, Ms. Norma Jean Jones (Boykins-Branchville) recently completed her term of service – she was eligible for reappointment and had indicated a willingness to continue. Once reappointed, Ms. Jones' term would expire on June 30, 2010. Mrs. Scott's successor would fill the balance of her unexpired term through June 30, 2007.

**Supervisor Faison moved, seconded by Vice-Chairman Young, to reappoint Norma Jean Jones to the Local Welfare Board. All were in favor.**

Supervisor West advised that he was still seeking a successor for Mrs. Alice Scott. He had made 2 contacts and both declined. He would be prepared next month.

Mr. Johnson announced that at its meeting on July 26, the SPSA Board of Directors established a public comment process on future options for disposal of the region's solid waste. The Mayor or Board Chairman from each of the 8 participating localities had been asked to appoint 2 citizen representatives to serve on an advisory committee which would meet with SPSA staff two to four times over the next several months. This committee would receive information regarding the current status of the region's waste disposal capacity, future disposal options that had been preliminarily explored, and a summary of all future disposal options. The committee would be asked to make specific recommendations to the SPSA Board of Directors. Suggested qualifications of potential appointees are as follows:

- Be a minimum of 18 years old;
- Be a registered voter of Southampton County;
- Possess relevant knowledge, skills and experience;
- Possess community and civic interest;
- Be willing to attend and participate in meetings;
- Be willing to serve on the committee for a minimum of 2 years;
- Serve voluntarily and independently (not representing any specific group);
- NOT an elected official or employee of Southampton County; and
- Have no conflict of interest or vested interest in future waste disposal needs of the region.

He noted that he was sure Chairman Jones would welcome suggestions for potential appointees to this advisory committee. Chairman Jones advised that he would appreciate any suggestions.

Chairman Jones commented that SPSA was in a mess right now. The tipping fee was going to temporarily increase to \$117/ton over the next several months just to pay the bills. SPSA was unable to borrow money at this time due to litigation brought on by the City of Chesapeake.

Supervisor Brown asked when the appointments needed to be made? Mr. Johnson advised that they had asked for them to be made by the end of this month, so they needed to be made as soon as possible.

Supervisor Brown asked if the qualification of not being employed by Southampton County would negate members of the Board of Equalization from serving on this committee? Mr. Johnson replied no.

Supervisor Brown indicated that he had someone in mind, and if this individual was willing to serve on the committee, he would contact Chairman Jones.

Moving to financial matters, Mr. Johnson announced that bills in the amount of \$1,433,912.95 were received.

**Vice-Chairman Young moved, seconded by Supervisor West, that the bills in the amount of \$1,433,912.95 be paid with check numbers 77461 through 77866. All were in favor.**

Moving to the citizen request to address the Board, Mr. Johnson announced that Mr. James Green had requested to address the Board, but wished to do so at an evening meeting. He apologized for inadvertently placing this item on the agenda this morning and would place it on September's agenda.

Proceeding to old business, Mr. Johnson announced that as they recalled, in the absence of the applicant, the conditional use permit application by Joseph Gizara for a commercial dog kennel on Whitley Branch Road (Newsoms Magisterial District) was carried over following the close of their public hearing last month. Mr. Gizara had been requested to attend the meeting this morning. He reminded that the Southampton County Planning Commission recommended that this application be approved, subject to the following three conditions:

- No more than 20 dogs may be kept on the site;
- There shall be no commercial selling or breeding on the site; and
- This permit shall be reviewed in 10 years.

Mr. Gizara came forward to answer any questions, if any.

Supervisor West confirmed that there had not been any complaints or concerns.

Chairman Jones and Vice-Chairman Young advised that Mr. Gizara had had the dogs on the property for some time and wanted to become legal.

**Supervisor Brown moved, seconded by Vice-Chairman Young and Supervisor West, to accept the Planning Commission's recommendation and approve the conditional use permit subject to the 3 aforementioned conditions. All were in favor.**

Continuing with old business, Mr. Johnson advised that as discussed and directed last month, he had again included correspondence in the agenda from the Community Design Assistance Center at Virginia Tech regarding their plans to publish a *Lost Communities of Virginia* book, which would feature the Town of Branchville, along with 29 other communities across the Commonwealth. He reminded that they were raising the funding to publish the book through chapter sponsorship and asked that they consider sponsoring the chapter that would cover the Town of Branchville. The cost of full chapter sponsorship was \$1,400.

Supervisor Faison advised that recognition of any area in the County was good and he was all for publicity, but wondered if dying communities was the publicity we wanted.

Supervisor West suggested turning this over to the Southampton County Historical Society. Supervisor Brown agreed.

**Supervisor Faison moved, seconded by Supervisor West, to turn this matter over to the Southampton County Historical Society. All were in favor.**

Moving forward, Mr. Johnson announced that included in the agenda was a petition filed by Steven and Wanda Powell to abandon a certain alleyway which bisected their property at 17473 Johnsons Mill Road, Sedley. State statutes required that the Board give at least 30 days notice of its intention to abandon an alleyway by posting notice at the front door of the Courthouse, posting notices on at least three places along and on the alleyway proposed to be abandoned and by publication of its intention to do so at least twice in a newspaper having general circulation in the county (§ 33.1-158, *Code of Virginia*). He advised that historically, they had required the petitioners to bear the expense and assume responsibility for meeting the public notice requirements. Accordingly, he had prepared a draft letter, included in the agenda, to the Powells denoting their responsibilities. Because there were less than 30 days between the August and September board meetings, this matter would need to be scheduled for the October 23 regular session. This would also allow sufficient time for the Planning Commission to consider the petition as it related to the County's Comprehensive Plan pursuant to § 15.2-2232 (C), *Code of Virginia*.

**Supervisor Felts moved, seconded by Vice-Chairman Young, to establish October 23, 2006 as the date the Board would consider the petition and further authorize the county administrator to send the draft letter to Steven and Wanda Powell, petitioners, denoting their responsibility. All were in favor.**

Moving to the discussion of the project budget for a new Hunterdale Elementary School, Mr. Johnson announced that in response to the School Board presentation of August 15, he had placed this matter on the agenda for discussion and disposition. The final parameters of the project must be resolved by the end of this month for two reasons – first, in order to open the new school by September 2008, architectural design must soon begin. In addition, as they recalled from the Davenport & Company presentation last month, the public sale of bonds was scheduled for mid-October, meaning that the principal sum to be financed must be finalized by early-September for publication in a preliminary official statement (POS). He stated that as they recalled, the FY 2007 budget included \$16 million for this project, all of which was to be derived from the issuance of new debt. As they may further recall from budget deliberations, the estimated fiscal impact of this project, when combined with acquisition and development of the Turner Tract, already equated to a real property tax rate increase of up to 15¢ in FY 2008. It was his understanding in developing the draft FY 2007 budget that \$16 million would be sufficient to construct a 750-pupil school. That was based on the January 2005 school board estimate of \$15.9 million, which included site acquisition and utility infrastructure (see "Appendix C" included in the agenda). That fact notwithstanding, what they heard last week was that, given the current construction bidding climate, \$16 million would construct only a 600-pupil school.

Mr. Johnson continued that looking strictly at the numbers, there were 407 students enrolled last year at Hunterdale. Accordingly, a 600-pupil school would accommodate 193 more students than enrolled last year, a 47% increase. Assuming a conservative average of 0.65 school age children per rooftop, 43% of whom were enrolled in grades K-5, a 600-pupil school would support the future growth generated by 690 new homes in the Hunterdale school district. Using the same assumptions, a 750-pupil school could be expected to support the future growth generated by 1,227 homes. He advised that last year, we issued permits for 164 new homes, countywide. We were on pace to issue another 150 permits this year. If assuming (again, conservatively) that 40% of all new housing stock would be constructed somewhere in the Hunterdale school district, and a brisk annual growth rate of 3%, a 600-pupil school would meet their needs for 8-10 years and a 750-pupil school for 14-16 years. He noted that those estimates were ultra-conservative. Our current demographics yielded only 0.38 school age children per rooftop with 41% enrolled in grades K-5. While we did not track new housing starts by school district, 33% of all elementary school children were presently enrolled in Hunterdale. He stated that if the project budget went up 12.5% (the difference in \$16 million and \$18 million), the debt service would rise proportionally. At the end of the day, that was the equivalent of another 1.5¢ on the tax rate. He advised that the School Board was awaiting their direction. He noted that Mr. David Watkins, School Board Member, and Mr. Billy Grizzard, Director of Operations, were present this morning.

Supervisor Felts advised that she recently read an article in the *Suffolk Sun* that a new 800-student school was being built in Suffolk for \$15.9 million. She wondered how that could be when the land prices in Suffolk were so high and our land was donated.

Supervisor Wyche commented that every school that had been built recently in the County was not built big enough. He did not want us to build a new Hunterdale school that we would have to build onto later.

Supervisor West advised that he saw the same article as Supervisor Felts. He was greatly concerned because we were in a tight spot right now. We were facing substantial increases and taxes had already gone up.

Supervisor Faison stated that our children were our most important investment. We needed to do everything we could to take care of them. He understood what we facing with the cost of trash removal and everything else, but if we did not take care of this now, we would have to do it later.

Vice-Chairman Young commented that he did not understand why building permits were steadily being issued in this County, but our population was not going up. Supervisor Brown noted that the census was not an exact measurement because many people did not return census forms, etc.

Supervisor Brown asked about the extra 2¢ that the Board imposed on the tax rate. (*Note: The initial proposed FY 2007 budget recommended a tax rate of 62¢. The Board ultimately adopted a tax rate of 64¢.*) Mr. Johnson advised that the extra 2¢ went to the unappropriated general fund reserve. It was not budgeted to go anywhere specifically. The purpose of the Board imposing the extra 2¢ was due to the uncertainty with the work of the Board of Equalization and its affects on our revenue stream.

Mr. David Watkins, School Board Member, clarified that the school in Suffolk referenced in the article that Supervisor Felts mentioned was bid 2 years ago, so that was a 2005 figure. Also, most of the time the figures listed in an article like that did not include the price of the land. In addition, we had to pay a premium to get a big contractor out here because we were not located in the prime, urban areas. He reminded that the additional \$2 million that the School Board was asking for was all bricks and mortar. They still felt that it was in the best interest of the County to build a 750-student school.

Supervisor Brown advised that he did not want to run into problems with this school 5 or 6 years from now as was the case with Nottoway and Meherrin.

Supervisor Faison added that it would cost more to add onto it 5 years from now.

Supervisor Felts stated that she was not against building a 750-student school. It was that \$2 million was a lot to ask of our taxpayers.

Supervisor West stated that he thought we should hold the line now and look at this several years down the road. We were assuming that all new development would occur in the Hunterdale area, when in fact, it would occur in other places throughout the County. Years from now, an addition to Nottoway Elementary in Ivor, for example, may be needed.

Chairman Jones pointed out that we were getting ready to have to pay an additional \$1 million for trash disposal, as SPSA's tipping fee was getting ready to more than double.

Supervisor Brown advised that the extra 2¢ was still in the Reserve Fund. He understood that it may have been put there because of the uncertainty with the work of the Board of Equalization, but that 2¢ still had to come into play.

Supervisor Faison stated that he understood what Supervisor Brown was saying. Using the 2¢ in the Reserve for the school would negate raising taxes.

Chairman Jones asked Mr. Johnson what getting 2¢ out the Reserve now for the school would do? Mr. Johnson replied that he could tell them what it would do next year, but not over the next 19 years.

Supervisor Brown stated that people were being taxed for that 2¢ and it was not being used.

Supervisor West stated that the 2¢ was put aside for the unknown and there still was an unknown.

With the permission of Chairman Jones, Mr. Hunter Darden, a member of the audience, asked if this was a \$2 million or a \$3 million issue? The School Board was asking for an additional \$2 million for the school, and Chairman Jones stated that trash removal was going to cost an additional \$1 million, so was this a \$2 million or \$3 million issue?

**Supervisor Wyche moved, seconded by Supervisor Faison, to honor the School Board's request and provide them with an additional \$2 million to enable them to build a new 750-student Hunterdale Elementary. Supervisors Brown, Faison, and Wyche voted in favor of the motion. Vice-Chairman Young and Supervisors Felts and West voted in opposition to the motion. The vote was tied 3-3. Chairman Jones cast the deciding vote and voted in favor of the motion. The final vote was 4-3 in favor of the motion, thus the motion passed.**

Moving forward, Mr. Johnson announced that he and Mrs. Julia Williams, Finance Director, accompanied our financial advisors, Davenport & Company, to New York on August 23 and 24 to make credit presentations to two primary rating agencies (Moody's and Standard & Poor's), as well as three potential bond insurers (AMBAC, FSA and CIFG). He stated that he would have Mr. David Rose and Mr. Courtney Rogers of Davenport & Company present to them next month a recommended Plan of Finance for the Hunterdale Elementary School and Turner Tract Development projects. He advised that the presentations went very well. He noted that there were some things that the rating agencies and potential bond insurers looked at that they had no control over, such as population, etc., but the things they could control were presented very well.

Proceeding to the capital funding requests for fire and rescue, Mr. Johnson announced that included in the agenda were the following three requests for capital funding:

- 1) Courtland Volunteer Rescue Squad - \$6,000 to be used for a note payment on their newest ambulance;
- 2) Drewryville Volunteer Fire Department - \$12,000 to be used for a note payment on their 2004 tanker; and
- 3) Courtland Volunteer Fire Department - \$12,000 to be used for a note payment on their newest fire engine.

He advised that 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 2007 was \$12,000 and for each rescue squad, \$6,000. Funds were earmarked annually for each department or squad and held in escrow pending specific approval by the Board of Supervisors. Escrowed funds continued to accrue for each department/squad if not drawn down. He stated that the table included in the agenda indicated the status of capital appropriations since FY 2000. Through August 21, 2006 they had collected appropriated \$746,500 for fire and rescue improvements and were holding in escrow an additional \$221,000. All three of the requests were in order – for an aggregate sum of \$30,000.

Supervisor Wyche commented that Courtland had 24-hour paid service. Drewryville had gotten a new fire truck but Capron had to respond 99% of the time because they did not have enough members. We were providing this money but it was going to eventually fall back on the County because volunteers were getting scarce.

**Supervisor Wyche moved, seconded by Supervisor Felts, to approve the capital funding requests - \$6,000 for the Courtland Volunteer Rescue Squad, \$12,000 for the Drewryville Volunteer Fire Department, and \$12,000 for the Courtland Volunteer Fire Department. All were in favor.**

Moving forward, Mr. Johnson announced that included in the agenda for their consideration was a copy of the Southampton County Planning Commission's report regarding final plat approval for The Pines of Ivor. They may recall granting preliminary plat approval at their August 22, 2005 regular session. As they knew, the Pines of Ivor was located adjacent to the southern corporate

limits of the Town of Ivor and included a total of thirty-five (35) residential building lots, each with a minimum of 20,000 square feet in area, acceptable standards in a Residential R-1 zoning district served by a public water system (Town of Ivor). Lots were proposed to have individual septic systems. He advised that 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 \$297,655 for water and roadway improvements;
- 2) A maintenance bond for annual roadway maintenance in the amount of \$25,000;
- 3) A \$3,900 roadway maintenance fee;
- 4) Streetlight installation fees and 5-year streetlight operational expenses; and
- 5) Plat review fees of \$100.

He informed that 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 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.

Supervisor West advised that he thought the need for recreation (i.e. playground, green space) for those 35 homes needed to be addressed. He asked representatives in the audience from the Pines of Ivor to address that.

Mr. Fred Slade, representative of the Pines of Ivor, advised that they would be happy to meet that need and they were ok with that being a condition of final plat approval. They had actually already talked about that internally.

**Supervisor West moved, seconded by Vice-Chairman Young, to approve the final plat of the Pines of Ivor, subject to the aforementioned posting of sureties and payment of fees, and subject to the condition that recreational space would be provided. All were in favor.**

Moving forward, Mr. Johnson announced that he was contacted earlier this month by Clifford Hoffman, Director of the Southeastern Virginia Alcohol Safety Action Program (VASAP), asking that the Board consider reaffirming its participation, and appointing Richard L. Francis to represent Southampton County on the Southeastern VASAP Board of Directors. Under Virginia statutes, any person convicted of a first or second offense of driving while intoxicated was required by the Court to successfully complete an alcohol safety action program. VASAP offered a number of programs, depending upon the nature of the offense and the offender, including a 20-hour class on substance abuse and driving, an intensive 20-hour program for probationers at risk of addiction, alcohol and drug treatment programs, and programs for young offenders, habitual offenders, and first time drug offenders. Programs were funded without state or local government tax dollars – each probationer was required to pay a participation fee and their own cost of treatment. He advised that since 1987, Southampton County had participated in this program with the cities of Chesapeake, Franklin, Portsmouth and Suffolk as well as Isle of Wight County. Included in the agenda was a resolution, prepared by VSAP, reaffirming their continued participation and formally appointing Mr. Francis to the Board. Also included, for their reference, was a copy of the 1987 resolution adopted by the Board, and relevant program information gleaned from the VASAP website.

The resolution is as follows:

**BOARD OF SUPERVISORS  
SOUTHAMPTON COUNTY, VIRGINIA**

**RESOLUTION 0806-13**

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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, August 28, 2006 at 8:30 a.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: SOUTHEASTERN VIRGINIA ALCOHOL SAFETY ACTION PROGRAM**

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Motion by Supervisor Young:

**WHEREAS**, the Commonwealth of Virginia, in the interest of highway safety, has provided by law programs for probation, education, and rehabilitation of persons charged with driving motor vehicles under the influence of alcoholic beverages and other self-administered drugs, such programs being collectively known as Virginia Alcohol Safety Action Program or VASAP; and

**WHEREAS**, since 1975, one of those programs known as SOUTHEASTERN ASAP has been serving the Cities of Portsmouth, Chesapeake, Suffolk and Franklin; the Town of Smithfield; and the Counties of Southampton and Isle of Wight, providing probation, education, and rehabilitation of persons charged in violation of Virginia Code Section 18.2-266; and other services approved by the Commission on VASAP; and

**WHEREAS**, Section 18.2-271.1 and Section 18.2-271.2, Code of Virginia, establishes a Commission on VASAP, said Commission to establish procedures for the operation of local VASAP programs, and on April 3, 1987, said Commission issued directives that all local VASAP programs would establish and implement an independent Policy Board, representative of localities served, to operate the program.

**NOW, THEREFORE, BE IT RESOLVED** that Southampton County hereby becomes a participating locality in the Southeastern Alcohol Safety Action Program, pursuant to Virginia Code Sections 15.2-1300 and 18.2-271.1, endorsing the establishment of an independent Policy Board, and agreeing to the following:

1. The Board may consist of up to fifteen (15) members. One person shall be appointed by the governing body of each participating jurisdiction for a term of at least three (3) years;
2. Other members of the Board shall be selected by majority vote of appointed members to serve terms of two (2) years each and shall include persons representing education, police, courts and citizens;
3. The Program shall be operated by the Board in compliance with the VASAP Commission Policies and Procedures and in conjunction with requirements of the local administrative and fiscal agency;
4. Each fiscal year, the Program Director shall prepare a budget and submit it for approval to the Board and the Commission on VASAP. The VASAP Commission shall be responsible for funding any deficit occurring in the operation of the Southeastern VASAP Program;
5. This agreement shall remain in effect continuously from year to year until termination either by the Policy Board, local jurisdiction, or the Commission on VASAP. Participating cities or counties may withdraw at any time by official action of its governing body and appropriate notice to the Policy Board. If a locality withdraws, its representatives shall no longer serve on the Policy Board;
6. Title to property acquired by the Board shall be vested with the Board as long as two or more local jurisdictions continue to participate in its operation. In the event that all local units of government withdraw and the Commission on VASAP withdraws its endorsement, the property owned by the Board shall be sold at public auction and the proceeds of such sale shall be apportioned and paid to those units of local government which have participated since September 1, 1987, each to be paid an equal percentage of the proceeds; and

**AND BE IT FURTHER RESOLVED** that the Southampton County Board of Supervisors hereby appoints Mr. Richard L. Francis to serve as a regular member of the Southeastern Alcohol Safety Action Program (ASAP), his term effective immediately, serving at the pleasure of the Board.

Seconded by Supervisor Faison.

VOTING ON THE ITEM: YES – Jones, Young, Brown, Faison, Felts, West, Wyche.  
NO – None.

A COPY TESTE:

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Michael W. Johnson, County Administrator/  
Clerk, Southampton County Board of Supervisors

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

Moving to the streetlight request, Mr. Johnson announced that he was recently contacted by a resident of the Kingsdale community, asking that Pretlow Road, near its intersection with Mosely Drive, be evaluated for potential installation of a streetlight. Based upon the field investigation, staff believed that installation of a new light on the existing pole between the residences at 28198 and 28216 Pretlow Road would provide significant lighting benefit to 6 residences. He noted that a summary report and sketch illustrating the proposed location were included in the agenda along with a copy of the Board's streetlight installation policy.

**Vice-Chairman Young moved, seconded by Supervisor Faison, to authorize installation of the streetlight. All were in favor.**

Moving forward, Mr. Johnson announced that they may recall from their March 2006 session adopting a resolution authorizing *The Improvement Association* to apply for and accept a Homeless Intervention Program Grant from the Virginia Department of Housing and Community Development to serve low-income residents of Southampton County. He advised that he was contacted earlier this month by Barbie Wilson, a Program Technician with *The Improvement Association*, advising that they were successful in obtaining the grant and that either she or Mr. Rufus Tyler would like to be placed on this morning's agenda to provide an overview of the program, and how they intended to serve residents of Southampton County.

Chairman Jones recognized Mr. Rufus Tyler.

Mr. Tyler advised that this initiative was targeting self-sufficient individuals that may become at risk for homelessness (i.e. becoming unemployed). Those individuals could apply for temporary assistance. Should they receive assistance, they would be required to attend workshops on budgeting. He informed that Ms. Gloria Bynum, a Southampton County resident, would be the representative for Southampton County. He thanked the Board for their support.

Supervisor Brown confirmed with Mr. Tyler that the workshops were free.

Proceeding to the discussion of paperless agendas, Mr. Johnson announced that Supervisor Brown asked that this matter be placed on the agenda this morning for discussion. As they may or may not be aware, board meeting agenda development was both labor and time intensive, and consumed reams of paper each month. He would estimate our direct cost to copy and distribute the notebooks each month to be roughly \$400, or \$4,800 annually. Some communities had begun to leverage the power of the internet and develop web-based solutions for dissemination of meeting materials. In its simplest form, the costs of paper, duplication and delivery were eliminated – the agenda and all accompanying documents were simply published to the internet for viewing by anyone with internet access. He advised that to support a fully paperless environment,

board members would need internet-connected notebook computers at home, which they would also bring with them to Board meetings. The Board meeting room would also need to be wired to provide internet access for each board member. If this was something they believed was worthy of further evaluation, he would be pleased to contact service providers to obtain cost estimates. He was not convinced that economics alone would justify the expense, but there was no question that it would move government closer to the people – at least those with internet access. He noted that included in the agenda for their reference was information from two service providers – BoardDocs (Emerald Data Solutions) and MCCi (Municipal Code Corporation).

Supervisor Wyche stated that he was from the old school and liked the paper agendas. He did not consider himself to be computer literate.

Vice-Chairman Young advised that he agreed with Supervisor Wyche.

Supervisor Faison stated that it was a beautiful idea, but he lived in Boykins and the only choice was dial-up internet service unless you went with one particular provider which was very expensive.

Supervisor Brown advised that he was at the meeting in which BoardDocs made a presentation to the School Board. They brought people that were not computer literate up to speed very quickly. He thought it was worth entertaining a briefing on it before they made a decision.

Supervisor West stated that he could work with it either way.

It was consensus of the Board to entertain a presentation from a service provider at one of their quarterly mini retreats.

Moving forward, Mr. Johnson announced that the Board of Equalization had requested a few minutes on the agenda this morning to provide an update of their activities.

Chairman Jones recognized Mr. Ash Cutchin of the Board of Equalization.

Mr. Cutchin advised that to date, they had reviewed 1,550 tax parcels. Of those, they made changes to 1,206 including about 20 in which they increased values. Some 344 tax parcels were unchanged. He noted that they were mostly single-family dwellings. He stated that no decision had been made on 130 tax parcels which included several commercial properties. They had called Blue Ridge Mass Appraisal to try and get some clarification on some things and they had not returned their calls. He advised that he discovered that the duty of the Board of Equalization was to correct known erroneous assessments even when no complaint had been filed. He asked Mr. Morelli of the Department of Taxation if they could consider a magisterial district a neighborhood or if they would have to look at individual parcels when exercising that duty? Mr. Morelli advised that they could consider a magisterial district a neighborhood. Mr. Cutchin stated that in order to fulfill that duty, they were reviewing another 2,000 parcels. The source of most complaints was the assessed flat rate of \$3,000/acre for all open land in the County. By the time they were done, they would have looked at 3,680 tax parcels. He advised that Suffolk and Dinwiddie recently completed a reassessment. Suffolk's Board of Equalization was done with their work in 5 days and Dinwiddie's Board of Equalization received very few complaints. They were in their 17<sup>th</sup> week. The City of Franklin paid their Board of Equalization members \$20/hour, which was about 3 times what they getting. He commented that Suffolk had its own assessment department that kept up with sales and what was going on in Suffolk on a continual basis.

Supervisor West stated that the people here had had a tax break for 6 years. Mr. Cutchin advised that they shared with every person that came to see them that it had been 6 years since Southampton County had done a reassessment. But that still did not justify the many erroneous assessments.

Moving forward, Mr. Johnson announced that the Hampton Roads Mayors and Chairs Caucus had encouraged each community in the Hampton Roads region to join the "America Supports You" campaign by setting aside September 11, 2006 as "Walk for Freedom Day." The day would be a time to reflect on the tragedy of lives lost five years ago on September 11, to renew our commitment to freedom, and to honor our veterans, past and present. A number of events had

been organized throughout the Hampton Roads region including the Franklin-Southampton area. He advised that the Chamber of Commerce was taking the lead in planning the Franklin-Southampton walk which would begin at 6:00 PM on September 11 at the Franklin City Hall and conclude at Barrett's Landing with a brief ceremony and appropriate remarks from local elected officials, including Chairman Jones. It was expected that the Freedom Walk would become an annual tradition that may be rotated between the City and County. He asked the Board to mark their calendars and honor our veterans, public safety officials, and victims of September 11, with their presence and participation.

Regarding miscellaneous issues, Mr. Johnson announced that included in the agenda was copied correspondence from Mr. Charles Turner, Southampton County School Division Superintendent, relative to opening day activities at Southampton High School on August 28. While the activities did conflict with our meeting this morning, he had invited us to join the school board, administration, faculty and staff for lunch at 11:15 AM, if our session had concluded by that time.

Mr. Johnson advised that in accordance with the terms and provisions of our May 24, 2005 performance agreement, Narricot Industries had submitted its 12-month progress report. As of June 30, Narricot had already substantially achieved its employment goal by adding 123 net new jobs, and had achieved roughly 60% of its investment goal with \$3.8 million in new or relocated equipment.

He informed that included in the agenda was correspondence from the U.S. Department of Justice, which raised no objection to the polling place changes approved by the Board on May 22. He had already entered into agreement with the Fair Foundation and had forwarded a copy of the agreement to the Town of Capron for their consideration.

Mr. Johnson reported that effective July 1, our mileage reimbursement rate was increased to 44.5¢ per mile to mirror the state rate.

He advised that he had satisfactorily completed FEMA's IS-700 Course on the National Incident Management System. As the appointed Director of Emergency Services, this was a federal and state requirement.

Mr. Johnson informed that included in the agenda was a copy of the most recent meeting notice of the Board of Equalization.

Continuing with miscellaneous issues, Mr. Johnson advised that included in the agenda was an itinerary and related materials for the Virginia Association of Counties (VACO) Annual Conference on November 12-14. He had made reservations for Supervisors Jones, Young and Faison at the conference hotel (The Homestead), and at the Comfort Inn, Covington for all others – he regretted that they were unable to reserve additional rooms in Warm Springs – they would be forced to make the daily commute up and down the mountain. Supervisor West had informed him that he had a conflict and would be unable to attend; it was his understanding that everyone else planned to attend.

Supervisor Faison advised that he would be unable to attend.

Mr. Johnson informed that included in the agenda was notice from the Greater Hampton Roads Coalition on Aging regarding its Annual Legislative Event on October 30 in Suffolk. Tickets were \$15 and reservations may be made by contacting Mary Dean at 757-393-9333.

He advised that he had received a multitude of voluminous notices from the State Corporation Commission, which he did not bother to copy but wanted to make them aware of. One was from Columbia Gas seeking approval of a performance-based rate regulation methodology, and the others were from various electric cooperatives regarding the establishment of generation market pricing methodologies relating to wire charges for Dominion Virginia Power. Copies were available if anyone was interested.

Mr. Johnson informed that a number of environmental notices and various articles of incoming correspondence were included in the agenda for their reference.

He advised that various articles of outgoing correspondence and various news articles of interest were also included in the agenda for their reference.

Chairman Jones advised that he had tickets for the Genieve Shelter's Roast of Attorney General Bob McDonnell. Vice-Chairman Young requested 2 tickets and Supervisor Brown requested 1 ticket.

Moving to late arriving matters, Mr. Johnson announced that at their places was a resolution for their consideration recognizing local businessman, Mr. Willie Allgood.

Mr. Johnson read aloud the following resolution:

### **Resolution**

**WHEREAS**, Mr. Willie Allgood first apprenticed as a shoe repairman in Boykins, Virginia under the tutelage of S. J. Branch some 72 years ago, beginning in 1934; and

**WHEREAS**, upon completing his apprenticeship, he continued to diligently practice his craft while managing and operating the shoe repair business of Mr. H. F. McCoy; and

**WHEREAS**, Mr. Willie Allgood purchased the business from H. F. McCoy in 1961 and has continuously operated it ever since, becoming a fixture of Main Street, Boykins for the past 45 years; and

**WHEREAS**, his sound judgment and warm personal demeanor have facilitated the longevity of his business and earned for him the respect and admiration of generations of customers and friends; and

**WHEREAS**, Mr. Willie Allgood is universally recognized by those that know him as a talented craftsman, tireless worker and devoted friend to mankind.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Southampton County, Virginia that Willie Allgood is recognized and commended for his longstanding and devoted service to the people of Southampton County.

**IN TESTIMONY WHEREOF**, it is ordered that a copy of this resolution shall be spread upon the minutes of this board on the twenty-eighth day of August 2006, forever preserving and recording this Board's gratitude to Mr. Willie Allgood 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 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-eighth day of August, two thousand six.

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Dallas O. Jones, Chairman  
Board of Supervisors

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

Mr. Johnson advised that he planned to invite Mr. Allgood to next month's meeting and present him with a framed copy of the resolution.

Mr. Johnson distributed copies of 2 separate articles entitled "Double-talk on SPSA from Chesapeake" and "SPSA Stalemate Spirals Out of Control," gleaned from the *The Virginian Pilot* online on August 23, 2006 and August 25, 2006 respectively. He stated that he wanted them to have a balanced perspective in regards to Chesapeake's law suit against SPSA. He and Chairman

Jones attended SPSA Board of Directors' meetings regularly and had not witnessed any management wrongdoing. He was confident that in the end, SPSA would be the victor.

Chairman Jones concurred.

Supervisor West commented that the situation was hitting us in our pocket.

Mr. Johnson remarked that, unfortunately, the situation was costly for everyone concerned.

Mr. Johnson shared a thank-you note received from the Wakefield Hornets thanking the Board for their donation. The note was signed by all of the members of the team.

Supervisor Wyche recognized Mrs. Judy English, Southampton County Social Services Director. Mrs. English advised that she appreciated the Board's attention in trying to appoint someone to the Local Welfare Board as soon as possible.

**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 businesses or industries where no previous announcement has been made of the business' or industry's interest in locating its facilities in the community;**

**Section 2.2-3711 (A) (3) Discussion concerning the acquisition of certain property in which discussion in an open meeting could affect the bargaining position of the governing body; and**

**Section 2.2-3711 (A) (7) Consultation with legal counsel regarding legal matters association with delinquent tax collection requiring the provision of legal advice by counsel.**

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

Mr. Richard Railey, County Attorney, Mrs. Julia Williams, Finance Director, Mr. Jay Randolph, Assistant County Administrator, Mr. Robert Barnett, Director of Community Development, and Mr. Julien Johnson, Public Utilities Director, were also present in the closed meeting.

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

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

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

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

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

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

August 28, 2006

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

**The motion passed unanimously.**

There being no further business, the meeting was adjourned at 11:45 AM.

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Dallas O. Jones, Chairman

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Michael W. Johnson, Clerk