

November 24, 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 November 24, 2008 at 6:00 PM.

SUPERVISORS PRESENT

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

SUPERVISORS ABSENT

Carl J. Faison (Boykins-Branchville)

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 Brown gave the invocation.

Chairman Jones and the other supervisors welcomed back Vice-Chairman Young who had been recovering from an illness/surgery. Chairman Jones noted that Supervisor Faison would not be present tonight, as he was sick with a cold/flu.

Chairman Jones sought approval of the minutes of the October 27, 2008 regular meeting. Mr. Michael Johnson, County Administrator, advised that Vice-Chairman Young had pointed out a correction on page 123, 7th paragraph from the bottom. The part of the sentence that stated "increase 1 cent to \$0.78 in 2012" should read, "increase 3 cents to \$0.78 in 2012." The minutes were approved with that correction.

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

Mr. Lomax advised that Edgehill was out of VDOT's hands – they were waiting on the permit from the Corp of Engineers.

Supervisor Brown thanked Mr. Lomax for taking care of the limb that was blocking the Chereonaka (Nottoway) Indian Tribe Adopt-A-Highway sign on Business 58.

Supervisor Brown asked how were secondary roads prioritized regarding bad weather (snow, ice)? Mr. Lomax replied that they were prioritized based on population.

Chairman Jones asked if a possible turn lane at Adams Grove had been checked into? Mr. Lomax replied that there were right of way issues – they were not sure whether or not there was enough room for a turn lane.

Supervisor West informed that regarding the possible highway abandonment of a portion of Route 622 near Zuni, it was in the hands of Mr. Jerry Kee, Assistant Residency Administrator.

Mr. Kee advised that he just received the traffic counts. He hoped to have something for Mr. West to share with them next month.

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

Delinquent Tax Collection, EMS and Fire Department Activity, Solid Waste Quantities, and Personnel.

In regards to the personnel report, Mr. Johnson advised that Daniel L. Fowler, Jr., was hired in the Utilities Department effective 10/27/08 at an annual salary of \$25,780. Timothy A. Christenson was hired in the Utilities Department effective 11/17/08 at an annual salary of \$25,780. He informed that David S. Lee was hired in the Sheriff's Office effective 11/01/08 at an annual salary of \$29,843. The salary of Dennis E. Beale of the Utilities Department increased effective 11/01/08 to \$27,068 due to reclassification. He stated that Quentin J. Turner resigned from the Utilities Department effective 10/26/08. J. Michael Blythe of the Sheriff's Office was on active military leave effective 07/09/08.

Moving to financial matters, Mr. Johnson announced that included in the agenda was an appropriations resolution with a total appropriation of \$483,194.97. This sum represented the balance of local funding budgeted for school operations in FY 2008 that was not expended by the School Board. Consistent with the Board's policy over the past 13 years, he was recommending that those funds be appropriated for the School Board's use in FY 2008. He noted that the money was divided for instructional costs for elementary and secondary schools and for textbooks.

The appropriations resolution is as follows:

At a meeting of the Board of Supervisors of Southampton County, Virginia on Monday, November 24, 2008

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Southampton County, Virginia that the following appropriations be and hereby are made for the period of July 1, 2008 through June 30, 2009 for the function and purpose indicated:

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

4-205-61100-3000-002-9-100	Other Instructional Costs-District Elem	213,057.49
61100-3000-003-9-100	Other Instructional Costs-District Sec	213,057.48
61100-6020-003-1-100	Testbooks Furnished Free - Reg	57,080.00
	TOTAL	<u>483,194.97</u>
	TOTAL APPROPRIATION	<u>483,194.97</u>

REVENUE APPROPRIATION NOVEMBER 2008
(REVENUE RECEIVED FOR ABOVE EXPENDITURES)

3-205-41050-0001	Transfer In From Other Funds	483,194.97
------------------	------------------------------	------------

TOTAL APPROPRIATION

 =====
 483,194.97

GENERAL FUND ENTRIES FOR ABOVE APPROPRIATION:

4-100-93000-9200	Transfer out to Schools	483,194.97
3-100-41050-0005	Transfer in-General Fund Reserve	483,194.97

A copy teste: _____, Clerk

Michael W. Johnson

Southampton County Board of Supervisors

11/24/2008

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

Mr. Johnson announced that bills in the amount of \$3,779,133.77 had been received.

Supervisor Brown moved, seconded by Supervisor Felts, that the bills in the amount of \$3,779,133.77 be paid with check numbers 89588 through 90155. All were in favor.

Moving to appointments, Mr. Johnson announced that as discussed last month, the term of Mr. E. Beale Carter, Jr. on the Industrial Development Authority would expire December 31, 2008. Appointments were for a 4-year term and he was eligible for reappointment. Mr. Carter had served on the authority since it was created in 1969 and currently served as Chairman. He resided in the Newsoms District.

Supervisor Brown indicated that he had spoken with Mr. Carter and he was willing to continue to serve.

Supervisor Brown moved, seconded by Vice-Chairman Young, to reappoint Mr. E. Beale Carter, Jr. to the Industrial Development Authority. All were in favor.

Mr. Johnson advised that as also discussed last month, it was necessary for the Board to appoint a successor for Mr. Richard Francis, who recently resigned his position on the Southeastern Virginia Alcohol Safety Action Program (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. Since 1987, Southampton County had participated in the program with the Chesapeake, Franklin, Portsmouth, Suffolk and Isle of Wight.

Mr. Johnson noted that Sheriff Francis may have a recommendation for their consideration.

Sheriff Francis advised that Gene H. Drewry, an employee of the Sheriff's Office, was willing to serve.

Supervisor Wyche moved, seconded by Vice-Chairman Young, to appoint Gene H. Drewry to succeed Richard Francis on the Southeastern VASAP Board of Directors. All were in favor.

Mr. Johnson informed that it recently came to his attention that the terms for two members of the

November 24, 2008

Board of Building Code Appeals had expired – Bob Edwards (Jerusalem) and E. P. “Buddy” Kea, Jr. (Berlin-Ivor). Mr. Edward’s term would run through 2012 and Mr. Kea’s through 2013.

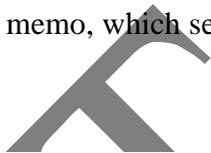
Supervisor Felts indicated that she had spoken with Mr. Edwards and he was willing to continue to serve.

Supervisor Felts moved, seconded by Vice-Chairman Young, to reappoint Mr. Bob Edwards to the Board of Building Code Appeals. All were in favor.

Supervisor West indicated that he had only exchanged messages with Mr. Kea and would report back next month.

Moving forward, Mr. Johnson announced that he had invited Mr. Rowland L. “Bucky” Taylor, Executive Director of the Southeastern Public Service Authority (SPSA) to provide a status update on the affairs of SPSA. Included in the agenda was a copy of his recent memorandum to the SPSA Board with his observations over the first 90 days of his tenure.

Mr. Bucky Taylor addressed the Board. The aforementioned memo, which served as an outline to his remarks, is as follows:



RECEIVED
NOV 18 2008

Regional Office
723 Woodlake Drive, Chesapeake, VA 23320
phone: (757) 420-4700 fax: (757) 424-4133
www.spsa.com

BOARD OF DIRECTORS

CHESAPEAKE
Bryan L. Collins

FRANKLIN
Barry Cheatham

ISLE OF WIGHT
James B. Brown, Jr.

NORFOLK
Donald L. Williams
CHAIRMAN

PORTSMOUTH
Ray A. Smith, Sr.
VICE-CHAIRMAN

SOUTHAMPTON COUNTY
Dallas O. Jones

SUFFOLK
Leroy Bennett

VIRGINIA BEACH
Michael J. Barrett

EXECUTIVE DIRECTOR
Rowland L. Taylor
SPSA

MEMORANDUM

DATE : NOVEMBER 15, 2008
TO : MEMBERS OF THE SPSA BOARD OF DIRECTORS
FROM : ROWLAND L. TAYLOR *Bucky*
REF : OBSERVATIONS DURING MY FIRST THREE MONTHS

With three months under my belt as SPSA’s Executive Director, I felt it appropriate to provide an update on where we are now and what we see coming in the near future. Below I have listed a number of my observations.

1. SPSA employees do an exceptional job of managing the solid waste for the region in an environmentally sensitive and safe manner. Employees are top notch!!
2. The downturn in the economy is one thing having a negative impact upon SPSA’s revenue streams.
3. Tonnages of certain waste types are lagging dramatically behind the budgeted estimates for this year. These include construction/demolition debris, non-contract waste, out of state waste (not receiving any) and some more minor reduction in the municipal tonnages. This equates to an estimated \$6.4 million budget shortfall (or 6% of our total budget which as a percentage of our revenue basis would far exceed percentage that the localities will likely experience).
4. Legal issues related to the enforcement of the flow control ordinances adopted by six of our eight member communities could impact our ability to reduce the municipal tipping fee to \$80 in February. If flow control cannot be enforced, the reduction in the commercial waste will cause the municipal tipping fee to increase dramatically. We are reviewing these issues with counsel and will report to you further during a closed session at our meeting on December 18. In the meantime, we continue to work with the private haulers in an effort to negotiate a new contract effective February 1, 2009 that will insure the flow of commercial waste without the risk of litigation.
5. In response to these events we have instituted a hiring freeze, eliminated most travel and training opportunities and have directed departments to hold down spending to essentials only. Departments have been directed to cut their current budgets by 4%. All expenditures are being scrutinized closely. Purchases are being held off wherever possible.

At this time, we have identified some \$3 million in combined expense reductions and revenue increases which are possible to achieve during the last 5 months of the fiscal year. Staff is looking at all types of items for reductions...nothing is being overlooked.

P.O. Box 1346
Chesapeake, VA 23320-1346



6. Even with these reductions it still leaves approximately \$3.4 million that has not been identified and will likely be extremely difficult if not impossible to come up with through the reduction in our operation's budgets without seriously affecting how, when and where municipalities and private haulers can take their waste. However, staff is determined to seek out all possibilities to keep the tipping fee increase to its lowest amount possible.
7. After all anticipated expense reductions as well as revenue enhancements, the only remaining source of additional revenue is the municipal tipping fee. This fee, instead of reducing to the projected \$80 per ton on February 1, 2009, will likely be increasing considerably above the current \$104 per ton in our CURRENT scenario if additional cuts in services cannot make up the shortfall. If commercial waste is obtained by contract rather than by enforcement of flow control, the tipping fee will be substantially higher.
8. Certain charges for services that no longer serve the best interest of SPSA will be recommended to be eliminated and other amendments in the tipping fee schedule will be recommended for increase by the end of this calendar year. The new rates will need to be set to be effective on February 1, 2009.
9. Substantial progress continues to be made on the negotiations with Covanta and Wheelabrator regarding the divesture of the RDF and WTE plants. Our hopes would be to complete this process within the first half of 2009. This is an optimistic timeline.
10. As much as we would like not to have to borrow money for capital expenditures our bond issuance for this year's capital budget was exceedingly successful in light of the national bond and stock market troubles. Had action not been taken as timely as it was, we would have likely lost our opportunity to borrow and would have certainly lost the very favorable interest rates we received.
11. Interest by the private sector has been shown in other SPSA assets and we are meeting with and discussing those opportunities with the particular parties.
12. A study of SPSA's organization, governance and planning has been conducted by the Virginia Auditor of Public Accounts. The SPSA Board of Directors has appointed a special committee to review the report and make recommendations back to the full Board by the end of August 2009. The Report will also be a topic of the SPSA Board of Director's annual Retreat in December.
13. The Hampton Roads Planning District Commission has hired SCS Engineers to work with the region's Chief Administrative Officers to take an in-depth look at "Solid Waste Management for Southside Hampton Roads Planning Horizon 2018-2047". This Report will be presented publically on Wednesday, November 19th during a joint HRPDC and SPSA Board meeting. SPSA plans to review this report and utilize pertinent items in SPSA's new strategic plan to be developed during its retreat on December 18th.



I have included only the major items in the above presentation. SPSA is faced with many challenges and opportunities at this time. By working closely together with a goal of what's best for the citizens of our entire region, SPSA will be able to meet these challenges and set itself on a path that will allow it to flourish in the years to come.

However, to do this will require changes in the current way business is conducted. There is a need to look carefully at SPSA's current business model and its effectiveness in providing the mechanisms through which SPSA can deal with the issues we are facing. Staff feels that it is past time for this model to change in order to meet the challenges which lie ahead. To this end, staff will be bringing forward our plans during the December Retreat.

Mr. Taylor stated that perhaps the most disconcerting news was the projected \$3.4 million revenue shortfall in the current fiscal year. The municipal tipping fee was previously expected to decrease from \$104 to \$80 per ton beginning in February 2009. However, with the revenue shortfall, that was no longer the case, and in fact, the municipal tipping fee would likely increase considerably. Mr. Taylor noted that \$40 million of SPSA's budget was debt service.

Supervisor Brown advised that he was concerned about the possible increase in tipping fees. Mr. Taylor stated that he shared his concerns.

Supervisor West stated that he viewed the Waste-to-Energy plant as a cash cow they should keep.

Mr. Taylor welcomed the Board to contact him at any time with any questions or concerns. If he did not know the answer, he would find out the answer and get back to them. He hoped he could come before them very soon and say he had good news.

Moving forward, Mr. Johnson announced that included in the agenda was an application for a fireworks display permit from Howard L. Vinson, Jr., pursuant to Section 10-73 of the Southampton County Code. The display was scheduled for Christmas Eve between 8:15 and 9:00 PM on the grounds of Hunterdale Baptist Church at 23099 Sedley Road, Franklin. Similar events had been held the last several years without incident. The application was in order and a draft permit was included in the agenda for their consideration.

Vice-Chairman Young moved, seconded by Supervisor Felts, to issue fireworks display permit. All were in favor.

Moving forward, Mr. Johnson announced that the Fair and Accurate Credit Transactions (FACT) Act of 2003 led to the development of what was commonly referred to as the "Red Flags Rule," which provided that financial institutions and certain other "creditors" have written identity theft prevention programs to identify, detect, and respond to activities that may lead to identity theft. Under federal law, local governments were considered to be "creditors" and accordingly, were subject to the requirements. While the law initially specified a November 1, 2008 deadline for compliance, the Federal Trade Commission recently announced that it would suspend enforcement of the rule until May 1, 2009, giving local governments additional time to put the policies in place. He advised that under the Red Flags Rules, creditors must develop a written program that identified and detected the relevant warning signs, or "red flags", of identity theft. The Virginia Municipal League developed a model policy or program, with legal assistance from the law firm of LeClair Ryan, specifically tailored for local governments. A copy of that policy was included in the agenda. The model identified five (5) base "red flags," including:

- 1) Notifications and warnings from credit reporting agencies;
- 2) Suspicious documents including those that appeared to have been altered or forged or those with an inconsistent photograph and physical description;
- 3) Suspicious personal information such as inconsistent dates of birth, fictitious addresses, social security numbers already given by another customer, etc.;
- 4) Suspicious account activity such as mail to the account holder being returned as undeliverable, payments stop on an otherwise consistently up-to-date account, etc.; and
- 5) Alerts from others that someone had opened or was maintaining a fraudulent account.

Mr. Johnson continued that the policy required our accounting personnel to check and verify certain information when new accounts were opened (DOB, address, driver's license number) and verify the customer's identity before opening the account. It further required accounting personnel to verify the identity of customers who requested account information before releasing that information. If any of the red flags described above were "triggered," depending upon the degree of risk, the staff may simply notify the customer, close an existing account, reopen an account with a new account number, notify law enforcement, or determine that no response was warranted. The policy also required that computers with access to account information be password protected and that their screens lock after a set period of time. In addition, it obligated the local government to ensure complete destruction of paper documents and computer files that contained customer information. While it would take additional time to compare our current practices and policies to the model policy and to train our staff on the model policy, he was seeking their consideration in adopting the policy as prepared by the Virginia Municipal League.

The model policy prepared by the Virginia Municipal League (VML) is as follows:

Model Policy

Identity Theft Prevention Program

Purpose

The purpose of the program is to establish an Identity Theft Prevention Program designed to detect, prevent and mitigate identity theft in connection with the opening of a covered account or an existing covered account and to provide for continued administration of the Program in compliance with Part 681 of Title 16 of the Code of Federal Regulations implementing Sections 114 and 315 of the Fair and Accurate Credit Transactions Act (FACTA) of 2003.

Definitions

Covered account means:

1. An account that a creditor offers or maintains, primarily for personal, family, or household purposes that involves or is designed to permit multiple payments or transactions. Covered accounts include utility accounts; and
2. Any other account that the creditor offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the creditor from identity theft, including financial, operational, compliance, reputation or litigation risks.

Credit means the right granted by a creditor to a debtor to defer payment of debt or to incur debts and defer its payment or to purchase property or services and defer payment therefor.

Creditor means any person who regularly extends, renews, or continues credit; any person who regularly arranges for the extension, renewal, or continuation of credit; or any assignee of an original creditor who participates in the decision to extend, renew, or continue credit.

Identifying information is any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including: name, address, telephone number, Social Security number, date of birth, government issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number, unique electronic identification number, computer's Internet Protocol (IP) address, or routing code.

Identity theft means fraud committed or attempted using the identifying information of another person without authority.

Red flag means a pattern, practice or specific activity that indicates the possible existence of identity theft.

The Program

Southampton County (name of city/town/county) establishes an Identity Theft Prevention Program to detect, prevent and mitigate identity theft. The Program shall include reasonable policies and procedures to:

1. Identify relevant red flags for covered accounts it offers or maintains and incorporate those red flags into the program;
2. Detect red flags that have been incorporated into the Program;
3. Respond appropriately to any red flags that are detected to prevent and mitigate identity theft; and
4. Ensure the Program is updated periodically to reflect changes in risks to customers and to the safety and soundness of the creditor from identity theft.

The program shall, as appropriate, incorporate existing policies and procedures that control reasonably foreseeable risks.

Identification of Relevant Red Flags

In order to identify relevant Red Flags, the locality considers the types of accounts that it offers and maintains, the methods it provides to open its accounts, the methods it provides to access its accounts and its previous experience with Identify Theft. The locality identifies the following red flags, in each of the listed categories:

- A. Notifications and Warnings From Credit Reporting Agencies

- Report of fraud accompanying a credit report;
- Notice or report from a credit agency of a credit freeze on a customer or applicant;
- Notice or report from a credit agency of an active duty alert for an applicant; and
- Indication from a credit report of activity that is inconsistent with a customer's usual pattern or activity.

B. Suspicious Documents

- Identification document or card that appears to be forged, altered or inauthentic;
- Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document;
- Other document with information that is not consistent with existing customer information (such as if a person's signature on a check appears forged); and
- Application for service that appears to have been altered or forged.

C. Suspicious Personal Identifying Information

- Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates);
- Identifying information presented that is inconsistent with other sources of information (for instance, an address not matching an address on the credit report);
- Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
- Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address);
- Social Security number presented that is the same as one given by another customer;
- An address or phone number presented that is the same as that of another person;
- A person fails to provide complete personal identifying information on an application when reminded to do so (however, by law social security numbers must not be required); and
- A person's identifying information is not consistent with the information that is on file for the customer.

D. Suspicious Account Activity or Unusual Use of Account

- Change of address for an account followed by a request to change the account holder's name;
- Payments stop on an otherwise consistently up-to-date account;
- Account used in a way that is not consistent with prior use (example: very high activity);
- Mail sent to the account holder is repeatedly returned as undeliverable;
- Notice to the locality that a customer is not receiving mail sent by the locality;
- Notice to the locality that an account has unauthorized activity;
- Breach in the locality's computer system security; or
- Unauthorized access to or use of customer account information.

E. Alerts from Others

- Notice to the locality from a customer, identity theft victim, law enforcement or other person that it has opened or is maintaining a fraudulent account for a person engaged in Identity Theft.

Detection of Red Flags

A. New Accounts

In order to detect any of the Red Flags identified above associated with the opening of a new account, the city's / town's or county's personnel will take the following steps to obtain and verify the identity of the person opening the account:

- Require certain identifying information such as name, date of birth, residential or business address, principal place of business for an entity, driver's license or other identification;
- Verify the customer's identity (for instance, review a driver's license or other identification card);
- Review documentation showing the existence of a business entity; and
- Independently contact the customer.

B. Existing Accounts

In order to detect any of the Red Flags identified above for an existing account, the city's / town's / county's personnel will take the following steps to monitor transactions with an account:

- Verify the identification of customers if they request information, whether in person, via telephone, via facsimile or via e-mail;
- Verify the validity of requests to change billing addresses; and
- Verify changes in banking information given for billing and payment purposes.

Response to suspected identity theft

In the event Southampton County's personnel detect any identified Red Flags, such personnel shall take one or more of the following steps, depending on the degree of risk posed by the Red Flag:

- Continue to monitor an account for evidence of Identify Theft;
- Contact the customer;
- Change any passwords or other security devices that permit access to accounts;
- Not open a new account;
- Close an existing account;
- Reopen an account with a new number;
- Notify the Program Administrator for determination of the appropriate step(s) to take;
- Notify law enforcement; or
- Determine that no response is warranted under the particular circumstances.

In order to further prevent the likelihood of identity theft occurring with respect to utility accounts, the city / town / county will take the following steps with respect to its internal operating procedures to protect customer identifying information:

- Ensure that its website is secure or provide clear notice that the website is not secure;
- Ensure complete and secure destruction of paper documents and computer files containing customer information;
- Ensure that the office computers are password protected and that computer screens lock after a set period of time;
- Keep offices clear of papers containing customer information;
- Request only the last 4 digits of social security numbers (if any);
- Ensure computer virus protection is up to date; and
- Require and keep only the kinds of customer information that are necessary for utility purposes.

Updating the Program

The Program shall be updated periodically to reflect changes in risks to customers or to the safety and soundness of the organization from identity theft based on factors such as:

- The experiences of the organization with identity theft;
- Changes in methods of identity theft;
- Changes in methods to detect, prevent and mitigate identity theft;
- Changes in the types of accounts that the organization offers or maintains;
- Changes in the business arrangements of the organization, including mergers, acquisitions, alliances, joint ventures and service provider arrangements.

Administration of Program

- The County Administrator (the governing body, an appropriate committee of the governing body or a designated employee at the level of senior management) shall be responsible for the development, implementation, oversight and continued administration of the Program.
- The Program shall train staff, as necessary, to effectively implement the Program; and
- The Program shall exercise appropriate and effective oversight of service provider arrangements.

Oversight of the Program

1. Oversight of the Program shall include:

- a. Assignment of specific responsibility for implementation of the Program to the city/town/county manager or administrator;
 - b. Review of reports prepared by staff regarding compliance; and
 - c. Approval of material changes to the Program as necessary to address changing risks of identity theft.
2. Reports shall be prepared as follows:
- a. Staff responsible for development, implementation and administration of the Program shall report to The Board of Supervisors (the governing body, an appropriate committee of the governing body or a designated employee at the level of senior management) at least annually on compliance by the organization with the Program.
 - b. The report shall address material matters related to the Program and evaluate issues such as:
 - The effectiveness of the policies and procedures in addressing the risk of identity theft in connection with the opening of covered accounts and with respect to existing covered accounts;
 - Service provider agreements;
 - Significant incidents involving identity theft and management's response; and
 - Recommendations for material changes to the Program.

Oversight of Service Provider Arrangements

In the event the locality engages a service provider to perform an activity in connection with one or more accounts, it will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of Identity Theft:

- Require, by contract, that service providers have such policies and procedures in place; and
- Require, by contract, that service providers review the locality's Program and report any Red Flags to the Program Administrator.

Duties Regarding Address Discrepancies

The locality shall develop policies and procedures designed to enable the organization to form a reasonable belief that a credit report relates to the consumer for whom it was requested if the organization receives a notice of address discrepancy from a nationwide consumer reporting agency indicating the address given by the consumer differs from the address contained in the consumer report.

The locality may reasonably confirm that an address is accurate by any of the following means:

1. Verification of the address with the consumer;
2. Review of the utility's records;
3. Verification of the address through third-party sources; or
4. Other reasonable means.

If an accurate address is confirmed, the locality shall furnish the consumer's address to the nationwide consumer reporting agency from which it received the notice of address discrepancy if:

1. The organization establishes a continuing relationship with the consumer; and
2. The organization, regularly and in the ordinary course of business, furnishes information to the consumer reporting agency.

This model policy was developed, based on the samples that the Kentucky League of Cities provided, along with the sample from LeClair Ryan, attorneys. In addition, several other local government associations' documents were evaluated. VML expresses its appreciation for the work of the groups to publish a program to base this model on. For questions or comments, please contact Mark Flynn at VML: mflynn@vml.org 804-523-8525.

Supervisor Wyche moved, seconded by Supervisor Brown, to adopt the model policy. All were in favor.

Moving forward, Mr. Johnson announced that included in the agenda for their consideration was a policy which addressed acceptable use of the county's computer system. Heretofore, the county

has had no written policy on use of its system, so he asked Mrs. Sandi Plyler, Information Technology Manager, to develop one. The policy was very similar to one adopted by the City of Franklin. It essentially limited use of the system to support of defined job duties and legitimate county business. It further required each employee to sign an agreement to abide by the policy. He noted that Mrs. Plyler was not feeling well and could not be here this evening.

The policy is as follows:

ACCEPTABLE COMPUTER SYSTEM USE

The purpose of telecommunications technology in Southampton County is to support research, communication, and education, and to provide access to unique resources and opportunities for collaborative work. The use of the County's computer network, including Internet access, must be in support of an employee's job and consistent with the objectives of Southampton County as set for by the Board of Supervisors. This policy applies to all users of Southampton County's electronic information, services, and networks.

The Southampton County Board of Supervisors provides a computer system, including the Internet. The term computer system includes hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape drives, servers, mainframe and personal computers, the Internet and other internal or external networks.

All use of the County's computer system must be (1) in support of defined job duties, or (2) for legitimate County business. Use of the computer system is a privilege, not a right. Any communication or material used on the computer system, including electronic mail or other files deleted from a user's account, may be monitored or read by County officials.

All employees are responsible for immediately reporting access to or receipt of any pornography, obscenities, or other illegal or inappropriate materials. These reports should be made to your immediate supervisor.

The County Administrator shall establish administrative procedures, for the Southampton County Board of Supervisors' approval, containing the appropriate uses, ethics and protocol for the computer system. The procedures shall include:

- (1) a prohibition against use by County employees of the County's computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the Internet;
- (2) provisions, including the selection and operation of a technology protection measure for the County's computers having Internet access to filter or block Internet access through such computers, that seek to prevent access to
 - (a) child pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256;
 - (b) obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and
- (3) provisions establishing that the technology protection measure is enforced during any use of the County's computers by minors;
- (4) provisions establishing that the online activities of employees may be monitored;
- (5) provisions designed to prevent unauthorized online access by employees, including "hacking" and other unlawful activities by employees online;
- (6) provisions prohibiting the unauthorized disclosure, use, and dissemination of personal information regarding employees;

Each employee shall sign the Acceptable Computer System Use Agreement, before using the County's computer system. The failure of any employee to follow the terms of the Agreement, this policy or accompanying regulation may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action.

The Southampton County Board of Supervisors is not responsible for any information that may be lost, damaged or unavailable when using the computer system or for any information retrieved via the Internet. Furthermore, the Southampton County Board of Supervisors will not be responsible for any unauthorized charges or fees resulting from access to the computer system.

Legal Refs: 18 U.S.C. §§ 1460, 2256.
47 U.S.C. § 254.

Code of Virginia, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-70.2, and 22.1-78.

ACCEPTABLE COMPUTER SYSTEM USE

All use of Southampton County's computer system shall be consistent with the Southampton County Board of Supervisors' goals facilitating resource sharing, innovation, and communication. The term computer system includes hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape drives, servers, mainframe and personal computers, the Internet and any other internal or external network.

Computer System Use-Terms and Conditions:

1. **Acceptable Use.** Access to the County's computer system shall be (1) in support of defined job duties, or (2) for legitimate County business.

2. **Privilege.** The use of the County's computer system is a privilege, not a right.

3. **Unacceptable Use.** Each user is responsible for his or her actions on the computer system. Prohibited conduct includes:

- using the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any federal, state or local law.
- sending, receiving, viewing or downloading illegal material via the computer system.
- unauthorized downloading of software.
- downloading copyrighted material for unauthorized use.
- using the computer system for private financial or commercial gain.
- wastefully using resources, such as file space.
- gaining unauthorized access to resources or entities.
- posting material authorized or created by another without his or her consent.
- using the computer system for commercial or private advertising.
- submitting, posting, publishing or displaying any obscene, profane, threatening, illegal or other inappropriate material.
- using the computer system while access privileges are suspended or revoked.
- vandalizing the computer system, including destroying data by creating or spreading viruses or by other means.

4. **Network Etiquette.** Each user is expected to abide by generally accepted rules of etiquette, including the following:

- Be polite.
- Users shall not forge, intercept or interfere with electronic mail messages.
- Use appropriate language. The use of obscene, lewd, profane, threatening or disrespectful language is prohibited.
- Users shall not post personal contact information, including names, home, work addresses, telephone numbers, or photographs, about themselves or others.
- Users shall respect the computer system's resource limits.
- Users shall not post chain letters or download large files.
- Users shall not use the computer system to disrupt others.
- Users shall not read, modify or delete data owned by others.

5. **Liability.** The Southampton County Board of Supervisors makes no warranties for the computer system it provides. The Southampton County Board of Supervisor's shall not be responsible for any damages to the user from use of the computer system, including loss of data, non-delivery or missed delivery of information, or service interruptions. The County denies any responsibility for the accuracy or quality of information obtained through the computer system. The user agrees to indemnify the Southampton County Board of Supervisors for any losses, costs or damages incurred by the Southampton County Board of Supervisors relating to or arising out of any violation of these procedures.

6. **Security.** Computer system security is a high priority for the County. If any user identifies a security problem, the user shall notify their immediate supervisor or system administrator immediately. All users shall keep their passwords confidential and shall follow computer virus protection procedures.

7. **Vandalism.** Intentional destruction of any part of the computer system through creating or downloading computer viruses, other malicious software or by any other means is prohibited.

8. **Charges.** The County assumes no responsibility for any unauthorized charges or fees as a result of using the computer system, including telephone or long-distance charges.

9. **Electronic Mail.** The County's electronic mail system is owned and controlled by the County. The County may provide electronic mail to aid employees in fulfilling their duties. Electronic mail is not private. The electronic mail of employees may be monitored and accessed by the County. Unauthorized access to an electronic mail account by any employee is prohibited. Users shall be held personally liable for the content of any electronic message they create. Downloading any file attached to an electronic message is prohibited unless the user is certain of that message's authenticity and the nature of the file.

10. **Enforcement.** Software will be installed on the County's computers having Internet access to filter or block Internet access through such computers to pornography and obscenity. **Any violation of these regulations shall result in loss of computer system privileges and may also result in appropriate disciplinary action, as determined by Southampton County Board of Supervisors policy, or legal action.**

Legal Refs: 18 U.S.C. §§ 1460, 2256.
47 U.S.C. § 254.

Code of Virginia, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-70.2 and 22.1-78.

ACCEPTABLE COMPUTER SYSTEM USE

Dear Employee:

The Southampton County Board of Supervisors offers you the use of electronic communications through Southampton County's computer system as a tool to be used for work related purposes.

It is important that you read the enclosed policies, administrative regulation and agreement form. The County takes precautions to prevent access to inappropriate material. **You are responsible for immediately reporting access to or receipt of any pornography, obscenities, or other illegal or inappropriate materials. These reports should be made to your immediate supervisor or the system administrator.**

Attached to this letter are the Acceptable Computer System Use Policy and Regulation and the Acceptable Computer System Use Agreement which you must sign before you may use the computer system. Please review these materials carefully before signing the required agreement.

Sincerely,

County Administrator

ACCEPTABLE COMPUTER SYSTEM USE AGREEMENT

Each employee must sign this Agreement as a condition for using Southampton County's computer system. Read this Agreement carefully before signing.

If you have any questions about this policy or regulation, contact your supervisor or the system administrator.

I understand and agree to abide by Southampton County's Acceptable Computer System Use Policy and Regulation. I understand that the County may access and monitor my use of the computer system, including my use of the Internet, e-mail and downloaded material, without prior notice to me. I further understand that should I violate the Acceptable Use Policy or Regulation, my computer system privileges may be revoked and disciplinary action and/or legal action may be taken against me.

Employee Signature _____ Date _____

The Board indicated that Mrs. Plyler did an outstanding job in developing the policy and they were in favor of adopting it.

Supervisor Wyche moved, seconded by Vice-Chairman Young, to adopt the policy. All were in favor.

Moving to the status report on the Virginia Resources Authority bond sale (PPEA financing), Mr. Johnson announced that at their places was a press release from Virginia Resources Authority dated November 21, 2008. Southampton County's final numbers were as follows:

SOURCES AND USES OF FUNDS
Virginia Pooled Financing Program
Southampton County
Final Numbers

Sources:	
<u>Bond Proceeds:</u>	
Gross Amount	52,060,000.00
Net Original Issue Discount	(386,407.10)
	<u>31,673,592.90</u>
<u>Uses:</u>	
<u>Project Fund Deposits:</u>	
Project Fund	26,501,358.00
<u>Other Fund Deposits:</u>	
Capitalized Interest	4,762,349.69
<u>Delivery Date Expenses:</u>	
Local Cost of Issuance	114,100.00
Cost of Issuance	92,783.73
Capital Reserve Fund - Paris Allocation	214,129.93
Underwriter's Discount	188,381.00
	<u>609,393.66</u>
<u>Other Uses of Funds:</u>	
Additional Proceeds	591.55
	<u>31,673,592.90</u>
Series 2008B VPPP Arbitrage Yield	6.8563%
Series 2008B VPPP Delivery Date	12/16/2008
First Interest Payment Date	5/1/2009
All-in True Interest Cost of Heavier Bonds	3.4443%

Mr. Johnson advised that the numbers came back a little more favorable than projected. As a result, the increases in the real estate tax were now projected to be more favorable than projected back in October. In October, he projected the real estate tax to increase 3 cents in 2011, increase 3 cents in 2012, and increase 1 cent FY 2013. Now he projected the real estate tax to increase 1 cent in FY 2011, increase 3 cents in FY 2012, and increase 2 cents in FY 2013.

Mr. Johnson announced that our auditor, Creedle, Jones & Alga, P.C., had indicated that our annual financial report presently overstated the accounts-receivable in our enterprise fund by almost \$15,000 based upon a number of old accounts for which there was little hope that we would ever collect. Included in the agenda was a spreadsheet containing approximately 75 water and sewer accounts, all of which have been disconnected for 3 years or more. Despite diligent

attempts by our staff to collect the accounts, most of them were now deemed uncollectable for various reasons (deceased, moved into a nursing home, moved out of state, moved with no forwarding address, etc.). The collective principal sum of the accounts was slightly more than \$6,000, but with the accrued penalties and interest, was reflected in our annual audit as an accounts receivable of almost \$15,000. He advised that it was the recommendation of our auditor that the Board write the accounts off as bad debt to avoid overstating the enterprise revenues in the annual audit. Notwithstanding this action, should any of these customers ever return to open another account, we would collect all charges, penalties, and accrued interest through the date the Board writes off the debt.

The spreadsheet of uncollectable accounts is as follows:

AIR WRITE-OFFS - CLOSED AND UNCOLLECTABLE FOR 3 YEARS OR MORE

CUST #	NAME	ADDRESS	CUTOFF DATE	WATER	SEWER	RECONNECT	PENALTY	INTEREST	TOTAL	NOTES
3 yrs old or older as of Oct 2008										
402464	Adams, Lanny	30465 Tuckers Drive - Boykins	07/26/99	\$27.94	\$40.03		\$14.29	\$166.76	\$249.02	bad address - mail returned
402707	Ames, Melvin G Jr	15303 Dardan Street - Branchville	06/30/02	\$34.10	\$48.85	(\$14.59)	\$10.86	\$91.62	\$170.64	moved to ME
402906	Bach, Chris	30416 Tuckers Drive - Boykins	04/04/02	\$48.13	\$68.92		\$19.38	\$172.80	\$309.23	bad address - mail returned
1182	Bamgerstock, David	18114 Virginia Avenue - Boykins	07/26/00	\$18.50	\$26.50		\$4.50	\$81.56	\$131.06	moved to OH
1148	Barnes, Garrie	18257 Deloatche Avenue - Boykins	09/30/03	\$50.01	\$72.26		\$18.87	\$120.49	\$261.63	deceased
403174	Barrett, Shahonda	18257 Deloatche Avenue - Boykins	05/01/04	\$19.34	\$28.02		\$16.23	\$46.57	\$110.16	bad address - mail returned
402516	Beale, Angela	22334 Thomaston Road - Newsoms	01/10/01	\$29.57	\$42.36		\$13.68	\$138.55	\$224.16	
402474	Bell, Johnny M Sr & Lindy D	32100 Virginia Avenue - Boykins	11/17/00	\$28.00	\$40.10		\$14.45	\$131.21	\$213.78	bad address - mail returned
1949	Benson, Ronald	26246 Moreland Street - Courtland	05/31/06	\$19.14	\$19.14	\$1.06	\$5.75	\$11.40	\$37.35	deceased
1775	Benton, Christine	17657 Green St Crescent - Branchville	11/12/04	\$34.34	\$49.66		\$13.60	\$56.78	\$154.38	disability
402773	Boyns, Mabel	17082 Pittman Road - Branchville	04/21/03	\$21.23	\$30.47	\$1.77	\$8.33	\$59.33	\$121.13	
1152	Branch, Eddie	18303 Deloatche Avenue - Boykins	04/07/05	\$67.44	\$97.70	\$11.17	\$32.37	\$112.46	\$321.14	
402628	Branch, Willie	30451 Tuckers Drive - Boykins	02/08/00	\$26.41	\$37.82		\$12.43	\$141.02	\$217.68	bad address - mail returned
403231	Byers, James D IV	22413 E Railroad Street - Newsoms	03/03/05	\$45.26	\$65.58		\$13.39	\$69.27	\$193.50	moved to PA
401878	Cole, Cargill	32282 S Main Street - Boykins	01/31/01	\$65.01	\$93.11	\$18.88	\$35.34	\$343.32	\$555.96	deceased
402210	Cooper, Darrell & Michelle	16228 Pittman Road - Branchville	02/08/01	\$36.29	\$52.00	\$34.39	\$18.33	\$234.23	\$375.24	bad address - mail returned
403165	Crowell, Debbie	20165 General Thomas Hwy - Boykins	01/08/04	\$50.34	\$72.94	(\$11.82)	\$18.56	\$104.11	\$234.13	bad address - mail returned
402574	Davis, Angela	18195 N Railroad Ave Apt A - Boykins	08/23/99	\$34.18	\$48.90		\$15.36	\$203.96	\$302.30	bad address - mail returned
402549	Davis, Lonell M	15303 Dardan Street - Branchville	08/23/99	\$31.07	\$44.49	\$17.91	\$17.98	\$229.22	\$340.67	bad address - mail returned
402732	Dunn, Timothy & Tina	22507 E Railroad Street - Newsoms	05/10/01	\$30.31	\$43.44		\$18.48	\$146.19	\$238.42	moved to NC
403016	Edwards, Fletcher H	18108 S Railroad Avenue - Boykins	11/05/02	\$34.88	\$49.97	\$31.43	\$13.30	\$131.43	\$261.01	bad address - mail returned
402829	Entrusting Hands Mortuary	18142 S Railroad Avenue - Boykins	10/29/04	\$104.54	\$129.49	\$3.13	\$33.74	\$173.84	\$444.74	bankruptcy
402865	Faison, Gloria	17453 Pittman Road - Branchville	01/09/03	\$26.06	\$37.34	(\$15.36)	\$10.78	\$75.59	\$149.77	bad address - mail returned
403100	Gaither, Nathaniel	32367 S Main Street Apt 5 - Boykins	02/29/04	\$49.32	\$53.77		\$22.67	\$98.48	\$226.53	bad address - mail returned
403257	Giles, Ryan	24272 Bream Street - Courtland	05/31/05	\$53.77	\$63.77		\$8.94	\$33.59	\$96.30	moved to AL
831	Grant, Dorothy	29154 S Main Street Dwnr - Newsoms	08/31/04	\$46.19	\$66.92		\$17.31	\$85.79	\$216.21	bad address - mail returned
401983	Grant, Reuben - Barber	32259 Queen Street - Branchville	05/31/05	\$70.79	\$102.57		\$17.38	\$98.57	\$289.31	moved to MD
402980	Hamlin, Anthony L	32090 N Main Street - Boykins	09/01/04	\$14.01	\$20.31	\$0.18	\$5.42	\$26.82	\$66.74	deceased
402526	Harris, Diane Jo	22147 High Street - Courtland	05/31/03	\$12.53	\$20.31		\$2.49	\$13.97	\$28.99	bad address - mail returned
403102	Hickard, Latoya	30416 Tuckers Drive - Boykins	01/31/03	\$24.82	\$35.88	\$3.68	\$13.08	\$78.70	\$155.86	
403237	Holland, Warren	32359 S Main Street Apt 1 - Boykins	07/10/04	\$45.06	\$65.30	\$5.01	\$13.36	\$79.50	\$203.22	bad address - mail returned
403125	Holloman, Chris	30465 Tuckers Drive - Boykins	03/31/05	\$17.11	\$24.79		\$9.34	\$30.75	\$87.00	bad address - mail returned
403021	Johnson, Nettie	32168 Broad Street Apt 3 - Boykins	11/06/03	\$45.93	\$66.51		\$22.83	\$113.42	\$248.69	incarcerated ???
402568	Jones, Annette	30418 Tuckers Drive - Boykins	11/30/02	\$46.50	\$66.60		\$11.31	\$128.10	\$262.51	disability
403228	Justice, Josephine	30418 Tuckers Drive - Boykins	08/24/99	\$26.87	\$38.49		\$11.40	\$152.03	\$228.79	SSI
403127	Kenny, George	32367 S Main Street Apt 5 - Boykins	10/07/04	\$43.76	\$63.41	\$1.77	\$26.08	\$98.76	\$233.78	
403198	Leon, Gregorio	18298 Virginia Avenue - Boykins	05/05/05	\$46.19	\$66.92		\$17.31	\$69.23	\$199.65	bad address - mail returned
403124	Leyda, Jason	30391 Tuckers Drive - Boykins	09/01/04	\$19.97	\$28.94		\$7.61	\$36.76	\$93.28	moved to NC
402753	Luick, Wanda	30430 Tuckers Drive - Boykins	09/04/03	\$39.18	\$56.87	(\$13.16)	\$20.85	\$90.94	\$194.48	self employed ???
401880	MacMillan, Jeffery & Aileen	32202 S Main St - Boykins	06/15/01	\$32.75	\$46.91		\$5.30	\$113.12	\$171.42	moved to NC
403025	MacGee, Lateisha	24264 Goose Lane - Courtland	09/30/99	\$56.89	\$53.00		\$16.47	\$134.77	\$161.47	bad address - mail returned
403229	Mattox, Bryan	11474 Old Bellfield Road - Drewryville	09/12/03	\$43.99	\$63.77	\$0.14	\$16.78	\$59.50	\$164.18	self employed ???
403223	McGuire, Willie	15303 Dardan Street - Branchville	09/08/05	\$39.13	\$29.16		\$7.69	\$40.36	\$97.34	bad address - mail returned
402795	Melison, Wendy	22154 Main Street - Courtland	05/11/01	\$20.13	\$86.80	\$29.79	\$15.23	\$195.80	\$327.62	bad address - mail returned

A/R WRITE-OFFS - CLOSED AND UNCOLLECTABLE FOR 3 YEARS OR MORE

CUST #	NAME	ADDRESS	CUTOFF DATE	WATER	SEWER	RECONNECT	PENALTY	INTEREST	TOTAL	NOTES
403377	Moore, Robin L.	21429 Main Street - Courtland	09/06/05		\$48.80		\$14.45	\$30.70	\$93.75	
402756	Murphy, Consuela	32202 S Main St - Boykins	01/31/01				\$1.52	\$54.59	\$56.11	
403137	Myrick, Shane	30391 Tuckers Drive - Boykins	12/04/03	\$30.30	\$43.93		\$14.82	\$72.74	\$161.79	
348	Peele, Ethel	25426 Bruce Street - Courtland	01/31/02		\$53.00		\$2.65	\$68.38	\$124.03	
402797	Perkins Place	21432 Main Street - Courtland	06/07/01		\$57.25		\$6.77	\$91.48	\$155.51	closed business
402910	Person, Dotson	16482 Pittman Road - Branchville	12/11/02	\$14.89	\$21.31	(\$19.19)	\$4.76	\$22.67	\$44.44	moved to CA
1491	Porter, Joseph P	22273 Thomaston Road - Newsoms	06/17/05	\$19.75	\$28.61		\$9.86	\$29.06	\$87.28	nursing home
402404	Powell, Mary B - Rental	22245 Thomaston Road - Newsoms	10/27/99	\$26.43	\$37.85		\$34.20	\$175.15	\$259.87	bad address - mail returned
1290	Richardson, Charles T	18428 No 8 Schoolhouse Rd - Boykins	09/09/04	\$73.50	\$106.50		\$9.49	\$108.43	\$181.88	
402784	Ridley, Nelson D	20206 Gen Thomas Hwy - Boykins	04/08/01	\$26.30	\$37.66		\$3.69	\$21.57	\$43.77	moved to TX
402969	Robinson, Eric S	30465 Tuckers Drive - Boykins	02/28/03	\$7.61	\$10.90		\$20.92	\$83.16	\$253.30	moved to NC
403436	Sirois, Holly & S White	22413 E Railroad Street - Newsoms	07/31/05	\$46.88	\$67.80	\$34.54	\$13.86	\$156.41	\$235.63	bad address - mail returned
402594	Smith, Jemaine D	18215 N Railroad Avenue - Boykins	10/27/99	\$26.87	\$38.49		\$15.74	\$57.77	\$209.52	deceased
402824	Southampton Co Assemb	22196 Gen Thomas Hwy - Newsoms	11/03/05	\$29.10	\$42.16	\$64.75	\$1.52	\$19.61	\$36.35	out of business
402780	Southampton Motors	27444 Southampton Pkwy - Courtland	05/31/02		\$15.22	(\$19.56)	\$14.24	\$84.43	\$156.26	
402840	Spvey, Tina G	31488 East Circle - Boykins	06/30/02	\$31.72	\$45.43		\$25.55	\$112.38	\$354.97	self employed ???
403450	Stanley, William	18298 Virginia Avenue - Boykins	10/24/05	\$88.68	\$128.38		\$9.83	\$95.53	\$150.37	
402644	Thorton, Blendia & Charles	18195 N Railroad Ave Apt D - Boykins	05/25/00	\$18.48	\$26.53		\$15.10	\$116.28	\$246.38	out of business
403099	Total Car Care	27444 Southampton Pkwy - Courtland	07/31/03		\$115.00		\$11.66	\$99.46	\$174.40	disability
402783	Tyler, McDonald	22334 Thomaston Road - Newsoms	10/19/01	\$25.99	\$37.29		\$21.53	\$224.57	\$497.79	nursing home
411	Vick, Jack	22249 Main Street - Courtland	12/04/03		\$211.15	\$21.53	\$40.54	\$224.57	\$497.79	
402577	Vincent-Walker, Tabitha Y	33323 Branch Bridge St - Branchville	04/12/01	\$26.26	\$37.62	\$4.66	\$14.45	\$123.06	\$206.05	bad address - mail returned
402272	Webb, Joyce A	32235 S Main Street Apt C - Boykins	03/01/00	\$56.60	\$81.06		\$22.74	\$287.69	\$448.09	bad address - mail returned
403359	Welch, Jody	30391 Tuckers Drive - Boykins	03/09/05	\$8.36	\$12.08		\$2.04	\$7.80	\$30.28	bad address - mail returned
403244	Whitfield, Terry	28015 Florence Street - Courtland	06/30/05	\$71.49	\$71.49		\$12.14	\$47.58	\$131.21	
403341	Williams, Kioka	20190 Gen Thomas Hwy - Newsoms	09/26/05	\$27.07	\$39.23	\$1.58	\$12.71	\$36.77	\$117.36	
402803	Williams, Michael & Sarah	23240 Thomaston Road - Newsoms	05/10/01	\$70.70	\$70.70		\$12.07	\$141.82	\$224.59	bad address - mail returned
402843	Williams, Vickie L	30431 Tuckers Drive - Boykins	02/28/03	\$26.45	\$37.87		\$10.49	\$75.29	\$150.10	bad address - mail returned
				\$2,234.35	\$3,811.88	\$193.67	\$1,055.26	\$7,462.88	\$14,768.03	

Numerous attempts have been made to collect on the above accounts. They have been deemed uncollectable for one or more of the following reasons:

Deceased; on disability or social security (cannot put lien on these funds); moved out of state; no social security number

Mrs. Julia Williams, Finance Director, clarified for Vice-Chairman Young that a lot of the accounts were those of rental properties. They had waited this long in hopes that they could collect the debt.

Supervisor West moved, seconded by Vice-Chairman Young, to write off the aforementioned accounts as bad debt. All were in favor.

Moving forward, Mr. Johnson announced that as they may be aware, the Tararra Swim Club disbanded in the mid-1990's, leaving two parcels of real property unattended in the Town of Boykins off of Bryant Avenue, adjacent to the Town of Boykins' Park. Mayor Spier Edwards had

been working with Attorney Railey for the last several years to acquire the property on behalf of the town. Prior to conveyance of the property, it was his understanding that it was necessary for the Board to abate the outstanding delinquent taxes – according to Mr. David Britt, Treasurer, the total amount on both parcels with accrued penalties and interest was \$3,188.98. A copy of the survey was included in the agenda as well as a summary of the delinquent taxes on both parcels. The town had indicated a willingness to convey an easement to Southampton County assuring our continued access to the well site on parcel 16A.

Mayor Spier Edwards advised that the Town of Boykins would pay half of the \$500 legal fees. The property was a hazard, and with this abatement of taxes, they could level the property and make it more beneficial to the Town.

Vice-Chairman Young moved, seconded by Supervisor Felts, to abate the delinquent taxes on tax map parcels 112A (5) BK 6 – 16C and 16E. All were in favor.

Regarding miscellaneous issues, Mr. Johnson announced that included in the agenda was copied correspondence from Robert Crouch, on behalf of Governor Kaine, declining the Board's request for matching state funds to assure a careful and thorough review of all potential impacts of developing an outlying landing field at any of the three potential sites in Southside Virginia.

Mr. Johnson advised that WHRO had announced the date of its 2009 Pioneer Awards banquet – February 28 at the Williamsburg Lodge. He asked those planning to attend to please mark their calendars now.

Mr. Johnson informed that on November 18, representatives of the Timmons Group, Mid-Eastern Builders, and Mr. Randolph met with the residents of Camp Parkway that would be affected by construction of the gravity sewer line to Riverdale Elementary. The purpose of the meeting was to share the project timeline, the anticipated impacts, the mandatory connection requirements for those to whom it applied, and to answer questions. Attendance was fair, with approximately 50% of the households represented.

Mr. Johnson stated that included in the agenda was a copy of the annual report for the Chowan Basin Soil and Water Conservation District.

Mr. Johnson advised that included in the agenda was a copy of the official abstract of votes for the general election of November 4, 2008.

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

- 1) From the Virginia Department of Health, Office of Drinking Water, a copy of a Notice of Violation issued to the Girl Scout Council of Colonial Coast for exceeding the primary maximum contaminant level for total coli form bacteria at Camp Darden in October;
- 2) From the Virginia Department of Environmental Quality, notice of an application by Valley Proteins to renew its permit for groundwater withdrawal for up to 27,671 gallons per day;
- 3) 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 during the last calendar year;
- 4) From the Virginia Department of Health, Office of Drinking Water, a copy of a Notice of Violation issued to the Town of Capron for exceeding the maximum contaminant level for total coli form bacteria during the month of October 2008; and
- 5) From the Virginia Department of Environmental Quality, notice of an application by Bayville Golf Club to renew its permit for groundwater withdrawal for up to 28,219 gallons per day.

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

November 24, 2008

- 1) From Regent University, a note of thanks for your support of their Salute to Teachers event in September;
- 2) From the Backwater Nottoway River keeper Program, a note of thanks for your FY 2009 appropriation;
- 3) From the Branchville Volunteer Fire Department, copied correspondence to Sheriff Francis regarding calibration of their radiological monitoring kit;
- 4) From the Virginia Department of Corrections, a note of thanks for his (Mr. Johnson's) attendance at their Community Public Safety Forum on October 21;
- 5) From SPSA, copied correspondence to the SPSA Board regarding a leach ate leak at the regional landfill on September 29, 2008;
- 6) From the Virginia Waste Industries Association, copied correspondence offering to meet informally to discuss long-term solid waste disposal options;
- 7) From Reemerge Holdings, LLC, a note of thanks to he (Mr. Johnson) and Chairman Jones for meeting with them to discuss their proposal to privatize the SPSA system;
- 8) From the U.S. Department of Justice, correspondence advising that the Attorney General does not object to our recent creation of a central absentee precinct for November elections;
- 9) From the City of Portsmouth, correspondence from Mayor James Holley expressing serious concerns regarding the Commonwealth's failure to maintain its transportation infrastructure (i.e., Jordan Bridge);
- 10) From SunTrust Bank, confirmation of collateralized security of our public deposits; and
- 11) From the Hampton Road Planning District Commission, a progress report on our Parks and Recreation Master Plan.

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

Moving to late arriving matters, Mr. Johnson announced that Section 119.1 of the Virginia Uniform Statewide Building Code (USBC) provided that whenever a town did not have a local board of building code appeals, the town council shall enter into an agreement with another local government to resolve any appeals which may arise from its enforcement of the Building Code. He advised that by letter of November 20, the Town of Boykins had requested use of the Southampton County Board of Building Code Appeals to hear and decide any appeals relating to its enforcement of Volume 3 (The Virginia Maintenance Code). The Town of Boykins would reimburse Southampton County for the cost of processing any such appeals.

Supervisor Wyche moved, seconded by Vice-Chairman Young, to authorize the Southampton County Building Code Appeals to hear and decide appeals arising from the Town of Boykins' enforcement of the Virginia Maintenance Code. All were in favor.

Mr. Johnson advised that Supervisor West had just given him a letter from the Young Farmers Club of Ivor. The letter stated that on May 27, 2008, the Board of Supervisors voted to postpone for 6 months a decision exempting the Young Farmers Club from paying real estate taxes to afford them the opportunity to obtain 501(c) 3 designations. They were asking that the Board grant them an additional 6 months.

Supervisor West moved, seconded by Supervisor Brown, to grant the Young Farmers Club an additional 6 months to obtain a 501(c)3 designation and come back and be considered for tax exemption. All were in favor.

Supervisor West advised that he was recently contacted regarding the construction of an ethanol plant in Northampton County, NC. This would be good for agriculture and he requested that the Board send a resolution of support.

Supervisor West moved, seconded by Supervisor Felts, to have the County Administrator prepare a resolution of support. All were in favor.

Chairman Jones stated that it was good to have Mrs. Judy English, Director of Social Services, back. (Mrs. English had been recovering from surgery) Mrs. English advised that it was good to be back.

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) (1) Discussion or prospective candidates for appointment to Franklin-Southampton Futures.

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

Richard E. Riley, Jr., 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
Anita T. Felts
Ronald M. West
Moses Wyche**

The motion passed unanimously.

There being no further business, the meeting was adjourned at 7:24 PM.

Dallas O. Jones, Chairman

Michael W. Johnson, Clerk

THIS PAGE INTENTIONALLY LEFT BLANK

DRAFT