

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 December 15, 2003 at 8:30 AM.

SUPERVISORS PRESENT

Reggie W. Gilliam, Chairman
Eppa J. Gray, Jr., Vice-Chairman
Carl J. Faison
Dallas O. Jones
Charleton W. Sykes
Ronald M. West
Walter L. Young, Jr.

SUPERVISORS ABSENT

None

OTHERS PRESENT

Michael W. Johnson, County Administrator (Clerk)
J. Waverly Coggsdale, III, Assistant County Administrator
Richard E. Railey, Jr., County Attorney
Julia G. Williams, Finance Director
Cynthia L. Cave, Community/Economic Development Director
Susan H. Wright, County Administration Executive Secretary

Chairman Gilliam called the meeting to order at 8:30 AM, and after the *Pledge of Allegiance*, Supervisor West gave the invocation.

Chairman Gilliam sought approval of the minutes of the November 24, 2003 regular meeting. They were approved as recorded, as there were no additions or corrections.

Regarding highway matters, Mr. Michael Johnson, County Administrator, advised that Mr. Randolph Cook, Resident Engineer of the Virginia Department of Transportation (VDOT), must have gotten delayed, as he was not present this morning.

Mr. Johnson announced that they had received two requests for "Watch for Children" signs – one on Line Pine Road in Burdette and one on O'Berry Church Road north of Hunterdale. Those requests were pending, as they were awaiting submittal of the required petitions.

Mr. Johnson recognized and introduced Charlie Hunter of Crowder-Gulf. He advised that Charlie had been here since September 18 and had been personally responsible for the debris cleanup in Southampton County. He stated that Crowder-Gulf had done an outstanding job in cleaning 750 miles of roadway in this County and removing all the debris from the curbsides that residents had placed there. He advised that he invited Charlie this morning so the Board could meet him and to say thank you. The Board thanked him and told him that they were very pleased and appreciative of the job they had done. Mr. Johnson noted that the debris collection was complete, but disposal operations would be ongoing for probably another 6 weeks.

Moving on to appointments, Mr. Johnson announced that as discussed at the August meeting, each Board member agreed to seek 2 appointees from their respective districts to form a Virginia 2007 Community Program in Southampton County. That committee would promote and coordinate 2007 activities in coordination with Jamestown's 400th anniversary. The committee would be tasked with examining our own local history and developing reunions, festivals, or other special events. It was recommended that the committee include active representatives of local government, civic groups, churches, historical societies, schools, businesses, and cultural and ethnic organizations. He advised that Jim Holland from the Franklin District, Lynn Ramsey and Marilyn Tennessee from the Drewryville District, Phyllis Bradshaw and Cindy Cave from the Jerusalem District, and Elna Graves from the Berlin-Ivor District were appointed last month. They were still looking for 2 representatives from Capron, Newsoms, and Boykins-Branchville, and 1 from Franklin and Berlin-Ivor.

Chairman Gilliam (of the Capron District) informed that he had given that task to his successor, Mr. Moses Wyche. Supervisor Young (of the Franklin District) advised that he was not prepared to submit another name. Supervisor West stated that he had another potential appointee, but that person had not yet committed. Supervisor Faison (of the Boykins-Branchville District) submitted the names

of Kitty Lassiter from Boykins, and Doreen Tubbs from Branchville. Supervisor Sykes was not prepared to submit any names.

Supervisor Faison moved, seconded by Supervisor West, to appoint Kitty Lassiter and Doreen Tubbs to the Virginia 2007 Community Program. All were in favor.

In regards to the Industrial Development Authority (IDA), **Vice-Chairman Gray** advised that he had spoken with Mrs. Teresa Beale and she was willing to serve. He then **moved, seconded by Supervisor Young, that Mrs. Teresa Beale be reappointed to the IDA. All were in favor.**

Proceeding to monthly reports, Mr. Johnson received various reports and provided them in the agenda. They were Financial, Sheriff’s Office, Traffic Tickets for 2003, Animal Control, and Building Inspections. Also New Housing Starts, Cooperative Extension, Delinquent Tax Collection, Daytime E.M.S. Contract, and Personnel. The 9-1-1 Sign Repair Report for November 2003 and Treasurer’s Office Report for October 2003 were not available.

In reference to the personnel report, Mr. Johnson announced that Derek W. Ayers was hired in the Sheriff’s Department effective 12/8/03 at an annual salary of \$23,854. Loretta B. Cook was also hired in the Sheriff’s Department effective 12/6/03 at an annual salary of \$18,661. Ernest H. Darden was hired in Public Utilities effective 12/1/03 at an annual salary of \$19,611. J. Wesley Vick was hired in Public Utilities effective 11/24/03 at an annual salary of \$19,611. Kerry D. Epps was also hired in Public Utilities effective 12/1/03 at an annual salary of \$19,611. He reported that W. Jean Williams resigned from the Sheriff’s Department effective 12/5/03. J. Dale Pope also resigned from the Sheriff’s Department effective 12/4/03. Carolyn Brown resigned from the Health Department (Senior Services of Virginia) effective 12/31/03. He advised that J. Michael Blythe and Raymond E. Merkh of the Sheriff’s Department remained on active military leave. He informed that Mike Blythe was back stateside and planned to return to work at the Sheriff’s Department effective 1/1/04.

Moving forward to financial matters, Mr. Johnson announced that included in the agenda was the semiannual appropriations resolution for the second half of FY 2004 in the amount of \$19,550,683.

The semiannual appropriations resolution is as follows:

At a meeting of the Board of Supervisors of Southampton County,
Virginia held in the Board of Supervisors Room on Monday,
December 15, 2003

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Southampton County,
Virginia that the following appropriations be and hereby are made
from the Fund To the Fund indicated for the period July 1, 2003
through June 30, 2004 for the function and purpose indicated:

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

11010	Board of Supervisors	60,450
12110	County Administration	121,142
12310	Commissioner of Revenue	101,242
12410	Treasurer	89,813
12415	Delinquent Tax Collection	28,350
12430	Accounting	71,995
12510	Data Processing	94,715
12550	Insurance/County Code	46,963
13200	Registrar	57,936
21100	Circuit Court	27,264
21200	Combined District Courts	9,055

December 15, 2003

21300	Special Magistrates	669
21600	Clerk of the Circuit Court	56,927
21700	Sheriff - Bailiff	190,106
22100	Commonwealth's Attorney	164,567
31200	Sheriff	566,631
32200	Volunteer Fire Departments	-
32300	Volunteer Rescue Squads	-
32400	State Forestry Service	-
33100	Detention	1,007,278
33300	Probation	30,984
34000	Building Inspections	33,421
35100	Animal Control	35,128
35300	Medical Examiner	750
35500	Emergency Service/Civil Defense	-
41320	Street Lights	20,500
42300	Refuse Collection	160,982
42400	Refuse Disposal	391,407
43000	Buildings & Grounds	185,999
51100	Local Health Department	134,067
52000	Mental Health Services	-
53220	State/Local Hospitalization	-
53240	Sr Services of Southeastern	-
53500	Comprehensive Services Act	26,729
53600	STOP Organization	-
72000	Community Concert Series	-
72200	Rawls Museum Arts	-
72500	Historical Society	-
73200	Walter Cecil Rawls Library	82,783
81100	Planning/Zoning	73,751
81500	Economic Development	66,877
82400	Soil & Water Conservation District	-
83500	Cooperative Extension Service	25,046
91400	Non-Departmental Operating	-
		<hr/>
	TOTAL	3,963,527

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

31400	E-911	92,652
		<hr/>
	TOTAL	92,652

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

89600	Enterprise Fund Water	247,177
89500	Enterprise Fund Sewer	433,112
89400	Enterprise Utility Extension	1,167,950
		<hr/>
	TOTAL	1,848,239

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

94000	Building Fund	514,810
		514,810
	TOTAL	514,810

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

61000	Instruction	6,900,608
62000	Administration	474,658
63000	Other Direction & Management	983,330
64000	Operation & Maintenance Services	1,254,834
68000	School Food Service	33,832
66000	Facilities	-
67000	Debt Service	1,082,263
260	Rental Textbook	-
265	Technology	103,000
300	Drop Out Prevention	20,651
400	At Risk 4-Year Olds	40,150
450	Early Reading Intervention	13,006
325	Special Education/Jails	17,662
500	Chapter I	278,533
550	Title VIB Special Ed-Flow Through	235,903
600	Title VI Innovative Educ Program	12,816
650	Substance & Drug Prevention	9,901
800	Vocational Special Education	30,168
900	Pre-School Incentive	7,721
570	Sliver Grant	6,295
625	Title II-A Training and Recruitment	77,541
960	Title VI-B Rural and Low Income	28,643
		11,611,515
	TOTAL	11,611,515

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

65100	School Food Service	528,813
		528,813
	TOTAL	528,813

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

309	Welfare Administration (Eligibility)	295,860
310	Welfare Administration (Service)	209,847
311	Welfare Administration (Joint)	156,577
313	Benefit Programs	287,767
314	Welfare Administration (Energy)	10,956
319	Welfare Administration (VIEW)	30,120
		991,127
	TOTAL	991,127

TOTAL APPROPRIATIONS 19,550,683

BE IT FURTHER RESOLVED that the Treasurer of Southampton County shall transfer to the accounts as indicated, the funds from time to time, as the need occurs and as funds become available.

A copy teste: _____, Clerk
 Michael W. Johnson

Southampton County Board of Supervisors
 12/15/03

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

Mr. Johnson announced that included in the agenda was a salary appropriations resolution in the amount of \$2,725,972, which provided for salary adjustments for employees of constitutional officers, the electoral board, and visiting health nurse. He reminded that at budget deliberations last spring, increases of 2.25% were planned (though not budgeted), effective December 1, 2003, subject to a favorable revenue forecast by the Commonwealth in August. The revenue forecast was indeed sufficient enough for the Compensation Board to proceed with appropriating the funds required for these salary adjustments.

The salary appropriations resolution is as follows:

At a meeting of the Southampton County Board of Supervisors held in the Board of Supervisors Meeting Room, Courtland, Virginia, on Monday, December 15, 2003.

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Southampton County, Virginia, that annual salaries of personnel be and hereby are fixed as indicated, effective December 1, 2003.

COMMISSIONER OF THE REVENUE

Harrup, John Robert	55,741
Carr, Amy B.	25,494
Everett, Jeannette S.	20,868

TREASURER

Britt, David K.	55,741
Bloskis, Lorraine A.	18,671
Bunn, Frances H.	22,309
Carr, Virginia D.	24,385

COMMONWEALTH'S ATTORNEY

Grizzard, Richard C.	98,811
Cooke, Eric A.	55,729
Edwards, Steven W.	46,633
Pitts, Sharon F.	22,864
Rice, Joan P.	32,653

REGISTRAR/ELECTORAL BOARD

Davis, Leona W.	37,283
Felts, Julian A.	3,230
Flowers, Mary T.	1,615
Sykes, Marie W.	1,615

HEALTH DEPT/SENIOR SERVICES

Brown, Carolyn B.	40,799
-------------------	--------

SHERIFF'S DEPARTMENT

Francis, Vernie W., Jr.	69,150
Busching, Robert W.	27,261
Darden, Michael L.	29,142
Davis, Benjamin G.	26,075
Neave, Robbie Lynn	26,075
Parker, Raymond K.	31,153
Ricks, Jimmie R.	39,793
Stivers, Wanda V.	37,223
Wyche, Josh A.	36,403
Bailey, Douglas G.	31,854
Blythe, J. Michael ON MILITARY LEAVE	26,661
Carpenito, Suzette B.	29,776
Carwile, Ronald W.	35,602
Covington, James E., Jr.	44,474
Drewery, Gene H.	37,223
Francis, Kenneth W.	58,085
Griffith, E. Greg	29,142
Holland, William B.	32,572
Joyner, Mary E.	20,398
Modlin, James F.	44,474
Necessary, Joni N.	20,398
Rose, Teresa G.	21,326
Smith, Jerry L.	20,398
Stutts, John B.	43,496
Taylor, Valerie B.	20,398
Turner, Mark B.	26,075
Walker, Richard A.	26,075
Aleshire, Jimmy L.	26,075

Barnes, Beverly A.	19,509
Barry, Robert M., II	26,661
Bowden, Jonathan M.	29,798
Byrum, William C.	29,142
Clasp, Nina R.	26,075
Cribb, Mary D.	34,053
Darden, Jonathan P.	26,075
Darden, Phillip G.	27,261
Davis, Waymon D.	26,075
Doyle, Scott A.	27,261
Eaton, McCoy L.	23,854
Edwards, Charles C.	23,854
Forren, Dwayne A.	26,661
Garriss, Marcia L.	29,142
Gentry, Billy B.	47,544
Gray, James A.	26,075
Griggs, John W., Jr.	23,854
Holt, Merle R., Jr.	23,854
Jarratt, William G., Jr.	26,075
Jenkins, Gloria J.	19,509
Joseph, David L.	29,142
Kindred, Jerrel J.	26,075
Landers, Ronald E.	27,261
Magette, John N.	29,142
Malcolm, Teresa L.	27,261
Merkh, Raymond E. ON MILITARY LEAVE	26,075
Morris, Richard T.	27,261
Parsons, Ernest L.	26,075
Pope, James Dale	26,075
Powell, Cynthia B.	28,499
Smith, Brenda S.	26,075
Stapleton, William D.	26,075
Story, J. Kevin	26,075
Story, Susan C.	29,142
Vance, Billy G.	26,075
Vick, Jim I., Jr.	26,075
Vinson, William C., Jr.	26,075
Watson, Stanley E.	27,872
Williams, Wilma J.	21,326
Wilson, Ricky H.	23,854
Woodard, Dennis M.	26,661
Xinos, Vicki L.	29,142
Allmond, William E., III	23,854
Bryant, Tryphena L.	20,398
Gentry, Billy S.	20,398
Joyner, Sheril J.	24,391
Cooke, James T., Jr.	26,075
VACANT - Deputy/Medical	23,854
VACANT - Deputy/Medical	23,854
VACANT - Deputy/Medical	23,854
VACANT - Deputy/Jail	23,854

December 15, 2003

VACANT - Deputy/Jail	23,854
VACANT - Secretary	18,661
TOTAL	2,725,971

A copy teste: _____

Michael W. Johnson, Clerk

Southampton County Board of Supervisors

12/15/2003

Vice-Chairman Gray moved, seconded by Supervisors Sykes and Young, that the salary appropriations resolution be adopted. All were in favor.

Finalizing financial matters, Mr. Johnson announced that bills in the amount of \$1,804,680.22 were received. **Vice-Chairman Gray moved, seconded by Supervisor Young, that the bills in the amount of \$1,804,680.22 be paid with check numbers 59763 through 60346. All were in favor.**

Proceeding to 2004 organizational matters, Mr. Johnson advised that § 15.2-1416, *Code of Virginia*, required each Board of Supervisors to meet at a public place each January to organize itself by electing a Chairman and Vice-Chairman and setting the days, times, and places of the regular meetings to be held during the ensuing months. He noted that typically the employee holiday schedule was also considered at that time. He stated that for the past four years, the Board had deferred convening a special organizational meeting and simply dispensed with organizational matters at the regular meeting on the 4th Monday in January. However, in light of the fact that both the Chairman and Vice-Chairman were retiring from public service, he was recommending that the Board consider convening an organizational meeting on the first working day of the year, Monday, January 5, 2004. He was open to their direction on the meeting time.

After brief discussion, it was the consensus of the Board to meet at 6:00 PM. **Supervisor Jones made a motion to convene an organizational meeting on Monday, January 5, 2004, at 6:00 PM. Supervisor Young seconded the motion. All were in favor.**

Mr. Johnson advised that § 15.2-1522, *Code of Virginia*, required members of local elected governing bodies to qualify by taking the prescribed oath of office before the circuit court no later than the day of the organizational meeting. He asked them to please remember to contact the clerk and set up a time to take their oath of office. He mentioned that he needed their statement of economic interests returned to him no later than January 1.

Mr. Johnson announced that the Virginia Association of Counties (VACo) was again planning to host a two-day educational forum for county supervisors to focus on critical issues facing counties today such as financial responsibilities, schools, economic development, intergovernmental relations, and legal issues, among others. This year's event was scheduled for January 9-11 at the Omni Hotel in Richmond. He noted that a copy of the conference schedule was included in the agenda. The cost for a spouse to attend was \$100, which would include dinner on Friday night with Lt. Governor Tim Kaine as the keynote speaker, and would include several other meals. He asked the Board members to let him know if they wished to attend.

Moving forward to consideration of support for the Deerfield expansion, Mr. Johnson announced that as they may remember, the Virginia Department of Corrections (DOC) received three unsolicited proposals under the *Public-Private Education Facilities and Infrastructure Act of 2002* earlier this year in response to the statewide shortage of prison beds. It had recently completed its evaluation of those three proposals and had requested the Virginia Corrections Corporation (VCC) to proceed to the next phase of negotiations, which involved development of a detailed proposal. He advised that VCC was a consortium of firms with vast expertise in architecture, engineering and land planning, finance, and construction. In the conceptual plan, VCC proposed to build and finance two new 1,024 bed correctional facilities as well as expand existing correctional facilities at St. Brides in Chesapeake and Deerfield in Capron. Sites considered as potential sites for the new 1,024 bed facilities were sites already owned by DOC in the counties of Henry, Bland, Powhatan, Southampton, Tazewell, and Pittsylvania. He stated that it was his understanding that VCC was no longer interested in considering Southampton County for the new facilities, but remained very interested in the Deerfield expansion. He informed that the *Public-Private Education Facilities and Infrastructure Act of 2002*

provided that any private entity submitting a detailed proposal to the Commonwealth must identify any known governmental support or opposition, or general public support or opposition. Accordingly, VCC had asked him to place this matter on the agenda to determine if the Board wished to take any official position. He noted that included in the agenda were excerpts from the conceptual proposal describing the nature of the improvements for Deerfield, which were three new dormitories housing 200 inmates each (600 new inmates total), expansion of the Programs building, and expansion of the Administration Building and supporting infrastructure. Also included in the agenda were excerpts from the April 28 meeting when this matter was last discussed, and a copy of the letter the Board provided in response to their proposal last April.

Supervisor West stated that they fought to keep Southampton Correctional Center open last year and the proposal was to expand this structure that was already in place and had been accepted by the community. He thought it would create more opportunity for jobs and money coming in and was in favor of supporting it.

Supervisor Jones commented that his only concern was that if Deerfield were expanded, he would have hundreds more people in his district, as the inmates were counted in that number. Mr. Johnson advised that it would not change anything until the next census in 2010, but after that, he was absolutely right.

Sheriff Vernie Francis, who was in the audience, stated that he did not see a big impact *if* Deerfield remained a geriatric facility.

It was the consensus of the Board to write a letter in support of the Deerfield expansion. Attorney Railey advised them to incorporate Sheriff Francis' comment in the letter. The Board agreed that that was important.

Supervisor Jones moved, seconded by Supervisor West, to authorize the County Administrator to write a letter of support for the expansion of Deerfield. All were in favor.

Proceeding to the procurement of used utility excavation equipment, Mr. Johnson announced that as discussed last month, they had sought to maximize the dollars available for equipment purchases for the new Public Utilities Maintenance Division by locating and purchasing high-quality, high-value, used equipment. Because the cost of the excavation equipment would likely exceed the "small purchase" exemption in the Public Procurement Act (\$30,000), they were required to publish a Request for Proposals before purchasing that equipment. He advised that § 2.2-4303, *Code of Virginia*, provided that competitive negotiation, as opposed to competitive sealed bids, may be utilized for procuring certain goods, provided that a determination was made in advance, in writing, by the governing body that competitive sealed bidding was not practicable or fiscally advantageous to the public. He then read aloud the following resolution for the Board to consider:

A RESOLUTION AUTHORIZING COMPETITIVE NEGOTIATION
AS THE METHOD OF PROCURING
USED UTILITY EQUIPMENT

WHEREAS, Southampton County is seeking to maximize the resources available for procurement of excavation equipment for its new Public Utilities Maintenance Division by locating and purchasing high-quality, high value, used equipment; and

WHEREAS, Southampton County recognizes that prospective offerors may offer various types of excavation equipment in meeting its needs, with equal success; and

WHEREAS, there are many factors in addition to price that must be considered when procuring such equipment, including, but not limited to size, ability, age and condition; and

WHEREAS, the process of competitive sealed bidding does not lend itself to the consideration of these and other factors when considering award of the contract.

NOW, THEREFOR, BE IT RESOLVED by the Board of Supervisors of Southampton County, Virginia that, in its judgment, competitive sealed bidding is not fiscally advantageous to the citizens of Southampton County for the reasons described herein above; and

BE IT FURTHER RESOLVED that this Board intends to utilize competitive negotiation to procure such equipment and authorizes its County Administrator to accept and evaluate competitive proposals in accordance with the *Virginia Public Procurement Act*; and

BE IT FURTHER RESOLVED that the County Administrator is hereby authorized to competitively negotiate with such offerors as he deems to be fully qualified and best suited based upon the evaluation criteria contained in the RFP, and shall be empowered to contract for the aforesaid equipment provided that no contract shall exceed the amount of funding included in the FY 2004 annual budget for this purpose.

Adopted this 15th day of December 2003.

BOARD OF SUPERVISORS

Reggie W. Gilliam, Chairman

ATTEST

Michael W. Johnson, Clerk

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

Moving on to consideration of support for the WHRO celebration, Mr. Johnson announced that included in the agenda was a copy of correspondence from Jim Oliver seeking the Board's support in honoring Vincent J. Thomas and Hunter B. Andrews, founding fathers of WHRO public television in Hampton Roads. These gentlemen would be recognized at a Pioneer Awards Celebration, planned for Saturday, January 24, 2004 and hosted by Governor Gerald Baliles and Congressman G. William Whitehurst. It would be held at the Norfolk Waterside Marriott beginning with dinner at 6:30, awards at 7:30, and a special performance by Capitol Steps, a nationally acclaimed political satire group that used song parodies to take potshots at politicians in Washington. He noted that Mr. John Miller, WHRO's Chief Development Officer, was in attendance this morning and would speak to the Board. He advised that they were seeking Southampton County's sponsorship at the \$2,000 level, which would provide for a table for 10 at the event, ten invitations to a reception, a half-page ad in the program, and recognition as a sponsor at the event. At the time of Mr. Oliver's letter, the cities of Hampton, Norfolk, and Newport News had already signed on as sponsors.

Mr. Miller briefly addressed the Board. He stated that they were confident that all the surrounding localities would join them in honoring the two great gentlemen who helped start WHRO. He informed that WHRO was owned by the surrounding 14 public school systems, which included Southampton County. They were much more than a television station and two radio stations, as they helped educate thousands of children and were involved in literacy programs across Hampton Roads. He advised that they suffered, as others did, at the hands of the General Assembly with \$400,000 in budget cuts to their operating budget, and subsequently, had to lay off 20% of their workforce. Proceeds from this Pioneer Award celebration would help replenish those operation funds. He asked the Board for their favorable consideration.

Mr. Charles Turner, Superintendent of Southampton County Public Schools, who was present in the audience, spoke favorably of WHRO.

Chairman Gilliam commented that he thought WHRO did a tremendous job.

Mr. Johnson mentioned that the Board may be familiar with the piece WHRO recently produced, *The Best of Virginia Farms*, which featured, among other things, the Southampton County Agricultural and Forestry Museum. The 3 or 4-minute excerpt was available for viewing on the County website.

Supervisor Faison moved, seconded by Supervisor West, to sponsor the WHRO Pioneer Awards Celebration at the \$2,000 level. All were in favor.

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

REZ 1013:01 Application filed by James A. Bulls (applicant) and S.V. Camp, III (owner) requesting a rezoning of approximately 2.54 acres +/- from Residential District (R-1) to Agricultural District (A-2). The property is identified as Tax Map 47A2, Double Circle One, Parcel 142, and located off the north side of Sycamore Avenue (Route 632) approximately 1200 feet west of its intersection with Sedley Road (Route 641). Said property is located in the Franklin Magisterial District and the Franklin Voting District.

Mr. Coggsdale advised that the Southampton County Planning Commission held a public hearing in regards to this application at its November 13, 2003 meeting, and recommended its approval.

Chairman Gilliam opened the public hearing. No members of the public desired to speak. He then closed the public hearing.

Vice-Chairman Gray stated that it was in his district and he had not heard any opposition. He then **moved, seconded by Supervisor Young, that the application be approved. All were in favor.**

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

REZ 1013:02 Application filed by Southampton County Board of Supervisors (applicant) and Turner Land Trust (owner) requesting a rezoning of approximately 474 acres +/- from Agricultural District (A-1) to Industrial District, General (M-2). The property is identified as Tax Map 92, Parcel 18, and is located off the southwest side of Rose Valley Road (Route 688) and approximately 2500 feet south of its intersection with General Thomas Highway (Route 671). Said property is located in the Franklin Magisterial District and the Franklin Voting District.

Mr. Coggsdale advised that the Planning Commission, at its November 13, 2003 meeting, conducted a public hearing in regards to this application and recommended that it be approved.

Chairman Gilliam opened the public hearing.

Mr. Jim Bradshaw, Economic Development Director for CSX Railroad, addressed the Board. He stated that his job was to try and find sites for industrial projects. In the Hampton Roads area, they had only 7 industrial sites, and only one of those was over 100 acres. He advised that the Virginia Port Authority had expressed interest in working with CSX and Norfolk Southern in finding a site in excess of 200 acres to encourage a distribution type of industrial park. CSX was working with the Virginia Port Authority and the Virginia Economic Development Partnership in trying to find that site. They all felt that the Turner Tract would be an excellent location for this type of facility. Such distribution facilities paid \$12-\$15 an hour and invested millions of dollars in the local economy. Besides distribution facilities, this site could also attract small industries such as plastic manufacturers and food processors. There were few large manufacturers looking to locate in the United States, so small industrial plants and distribution facilities would likely locate there. He informed that this year CSX developed a new program called Parks for Growth and Virginia was the test case. Eight communities initially expressed an interest in the program, including Southampton County. To date, only Southampton County had made the cut and the deadline was December 31. He advised that the rezoning of this property was the final hurdle for the County to be recognized nationally as the first community to receive this award. With Parks for Growth recognition, Southampton County would benefit with the following: 1) CSX would market this site as a priority site when new rail-served industries were looking to locate, 2) CSX would provide a free turnout/switch to the first industry that located there, a \$85,000-\$100,000 value, 3) National recognition in magazine ads, 4) Free aerial photography, and 5) CSX would participate in the sign that would be erected on the site. He stated that he looked forward to hopefully having Southampton County recognized nationally in receiving the Parks for Growth award.

Mr. Lawrence Brown briefly addressed the Board. He stated that he had been following this development closely in the *Tidewater News*, and as a former member of the Franklin-Southampton Economic Development Commission, he thought this was one of the most wonderful opportunities that Southampton County and possibly the City of Franklin could hope to expect. He thought it was an exciting opportunity that they should pursue as diligently and graciously as they could.

Mr. Walter Beale briefly addressed the Board. He advised that he and his family were opposed to this rezoning in 1991 and were still opposed. He stated that drainage was a major concern. Sycamore Church Road was full of water and trees and everything else. They had been told that

there was no help they could get from the County, VDOT, or anybody else. He hoped the Board would look out for the adjoining landowners when looking out for these industries.

Supervisor Young stated that this was in his district and he had talked to Mr. Beale and could sympathize with his problem. He hoped the Board could honor his request and look after the neighbors. He then **made a motion to approve the rezoning request. Supervisor West seconded the motion. All were in favor.**

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

REZ 1010:03 Application filed by Phillip Darden (owner) requesting a rezoning of approximately 5 acres +/- from Residential District (R-1) to Agricultural District (A-2). The property is identified as Tax Map 62A, Double Circle One, Parcels 13, 14, 15, 20, & 21, and is located off the eastern end of Champs Drive, which intersects to the west with Sedley Road (Route 641). Said property is located in the Franklin Magisterial District and the Franklin Voting District.

Mr. Coggsdale advised that the Southampton County Planning Commission held a public hearing in regards to this application at its November 13, 2003 meeting, and recommended its approval.

Chairman Gilliam stated that Mr. Darden wanted to rezone the property for the purpose of placing a manufactured home thereon.

Chairman Gilliam opened the public hearing. No members of the public desired to speak. He then closed the public hearing.

Supervisor Young advised that this was in his district and he had not heard any complaints. He then **moved, seconded by Vice-Chairman Gray, to rezone the property.**

Supervisor West asked if the only intended use was to put one manufactured home at the end of the property? Were they talking about 5 acres and 1 home? Mr. Coggsdale, Secretary of the Planning Commission, and Supervisor Jones, who is a member of the Planning Commission, advised that that was all they were requested to look at. Mr. Johnson clarified that those lots were recorded on plats before zoning was put in place, so they were grandfathered and did not have to meet zoning requirements. If they rezoned the property to Agricultural (A-2), they would be rezoning all 5 lots A-2, essentially meaning that up to 5 manufactured homes could be placed on the property even though only 1 was requested. Supervisor West spoke about his continued concerns with land stripping.

Chairman Gilliam called for a vote. **All were in favor.**

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

An ordinance to provide for the payment of monetary bonuses for certain employees, otherwise not entitled to overtime pay, for exceptional services rendered.

He then read aloud the following ordinance:

AN ORDINANCE TO PROVIDE FOR THE
PAYMENT OF MONETARY BONUSES TO CERTAIN EMPLOYEES,
OTHERWISE NOT ENTITLED TO OVERTIME PAY,
FOR EXCEPTIONAL SERVICES RENDERED

- - - - -

WHEREAS, the employees of Southampton County have recorded in excess of 3,760 hours of overtime in response to and recovery from Hurricane Isabel; and

WHEREAS, the vast majority of county employees were entitled to overtime pay, and have since been compensated for overtime hours in accordance with the provisions of the Fair Labor Standards Act; and

WHEREAS, certain county positions are exempted from the overtime pay provisions of the Fair Labor Standards Act because their duties are genuinely executive, administrative or professional and they are compensated on a salary basis; and

WHEREAS, despite this exemption, nine (9) respective county employees placed duty first recording in excess of 350 overtime hours during and following the hurricane, performing admirably in the face of adversity without complaint; and

WHEREAS, Section 15.2-1508, *Code of Virginia*, provides that a local governing body may provide, by ordinance, for payment of monetary bonuses to its officers and employees for exceptional services rendered; and

WHEREAS, this Board had published notice of its intention to consider this ordinance in accordance with the provisions of Section 15.2-1427, Code of Virginia.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that it does hereby recognize the exceptional services rendered by the following employees and authorizes the immediate payment of monetary bonuses, based in proportion to the amount of overtime service rendered, in the following amounts:

R. Barnett, Building Official/Zoning Administrator	\$ 626.94
C. Cave, Economic Development Director	865.50
W. Coggsdale, Assistant County Administrator	973.20
J. Covington, Lieutenant, Sheriff's Office	1,129.14
K. Francis, Captain, Sheriff's Office	539.37
B. Gentry, Lieutenant, Sheriff's Office	2,385.86
S. Plyler, Data Processing Manager	304.50
J. Stutts, Lieutenant, Sheriff's Office	925.36
J. Williams, Finance Director	<u>369.90</u>
	<u>\$8,119.77</u>

Chairman Gilliam opened the public hearing. No members of the public desired to speak. He then closed the public hearing.

Vice-Chairman Gray moved, seconded by Supervisor Young, that the ordinance be adopted. All were in favor.

Chairman Gilliam announced that the fifth and final public hearing was to receive public comment on the following:

The sale of 1.271 acres of land and improvements situated at 32076 The Hall Road, Branchville, by Southampton County to The STOP Organization, a nonprofit Community Action Agency with a core mission of alleviating poverty in the Hampton Roads Region, for the sum of \$1.

He advised that after conclusion of the public hearing, the Board would consider authorizing the Chairman of the Board to finalize, execute, acknowledge, and deliver a deed to this property on behalf of Southampton County and further authorize the County Administrator to execute and approve such other settlement related documents as may be necessary to finalize the transfer and conveyance of this property to the STOP Organization for \$1.

Chairman Gilliam opened the public hearing. No members of the public desired to speak. He then closed the public hearing.

Supervisor West moved, seconded by Supervisor Faison, to authorize the Chairman of the Board and the County Administrator to carry out the aforesaid duties related to the sale of the property at 32076 The Hall Road, Branchville, to the STOP Organization for the sum of \$1. All were in favor.

Moving forward to the public radio system status report, Mr. Johnson announced that included in the agenda was a copy of the first project status report associated with the Public Safety Radio System Needs Analysis. He advised that the project officially began with a kick-off meeting between staff and Atlantic Technology Consultants, Inc. (ATC) on November 24 in the Sheriff's Office. Since that time, ATC had toured the communications center and tower site and had begun conducting field research. Representatives from ATC also met with the Communications Committee of the Southampton County Fire and Rescue Association on December 2 to discuss their concerns and

ideas. Additional meetings would be scheduled with fire and rescue representatives to keep them fully engaged in this process, with the Communications Committee serving as the primary liaison to the Association. He informed that ongoing activities by ATC for the month of December included FCC research (frequency and mode study, paging and signaling study, license review, adjacent locality license review), inventory of existing equipment, and propagation modeling.

Proceeding to miscellaneous issues, Mr. Johnson advised that included in the agenda was a copy of the annual report of the J.R. Horsley Soil and Water Conservation District. He noted that District Directors for Southampton County were Gary Cross, Wes Alexander, and M. L. Everett.

He informed that included in the agenda was a notice indicating that the "Abuse Knows No Politics" roast for Delegate Chris Jones had been rescheduled for Saturday, March 20 at the Holiday Inn in Suffolk. He reminded the Board that, at their July meeting, they agreed to sponsor this event at the \$250 level, which entitled them to a quarter-page ad and three complimentary tickets. He advised that he would let him know when he received the tickets and they could decide who wished to represent the County at the event.

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

- 1) From the Office of Drinking Water, a copy of the Notice of Violation to the Darden's Mill Estate waterworks for failing to submit a copy of the required 2002 Consumer Confidence Report (CCR);
- 2) From the Office of Drinking Water, a copy of the Notice of Violation to the Nottoway Trailer Court waterworks for exceeding the Primary Maximum Containment Level for fluoride; and
- 3) From the Office of Drinking Water, a copy of a notice to the Nottoway Trailer Court waterworks for failing to collect the appropriate number of repeat samples following a positive bacteriological sample in September.

He informed that the following incoming correspondence was received:

- 1) From the Virginia Department of Housing and Community Development, notice that the Thomaston Road Self-Help Project is officially closed out;
- 2) From the Virginia Department of Housing and Community Development, notice that the 1999 Flood Recovery Project is officially closed out.
- 3) From SPSA, a copy of a resolution opposing the Governor's proposed solid waste tipping fee surcharge and the response from the Governor's Secretary of Natural Resources;
- 4) From the City of Virginia Beach, a copy of their letter of opposition to the proposed \$2 per month water utility surcharge recommended by the Natural Resource Funding Commission.

Finalizing miscellaneous issues, Mr. Johnson advised that outgoing correspondence and various news articles of interest were included in the agenda.

Moving forward to late arriving matters, Mr. Johnson informed that the state statute required elected officials to post a public bond. He advised that public official bonds had been put at the places of those Board members who would be serving again starting January 1. He asked them to sign and return them to him this morning.

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

Section 2.2-3711 (A) (1) Discussion of a prospective candidate for promotion;

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) (3) Discussion concerning the potential disposition of property in the Franklin Magisterial District acquired through the Hazard Mitigation Grant Program.

Vice-Chairman Gray moved, seconded by Supervisor Young, to conduct a closed meeting for the purposes aforementioned. All were in favor.

Mr. Richard Railey, County Attorney, Mr. J. Waverly Coggsdale, III, Assistant County Administrator, and Ms. Cindy Cave, Community/Economic Development Director, were present in the closed session.

Upon returning to open session, **Vice-Chairman Gray moved, seconded by Supervisor Young, that the following resolution be adopted:**

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: Reggie W. Gilliam
Eppa J. Gray, Jr.
Carl J. Faison
Dallas O. Jones
Charleton W. Sykes
Ronald M. West
Walter L. Young, Jr.**

The motion passed unanimously.

Chairman Gilliam advised that as a result of the closed meeting, two items required action by the Board .

Vice-Chairman Gray moved, seconded by Supervisor Young, to officially appoint Hart Council as Public Works Director, removing the word *interim* from his title. All were in favor.

Supervisor Jones moved, seconded by Supervisor Young, to appoint Jesse Council as Hart Council's successor as Public Works Supervisor, Grade 17, at an annual salary of \$26,500 beginning January 1, 2004. All were in favor.

Supervisor Young advised that he had received a letter this week from a citizen complaining about Mr. David Britt, Southampton County Treasurer, and the way he handled a situation in which their check was returned due to insufficient funds. The citizen stated that there was a problem with the bank, as it was going through the process of being bought out by another bank, and Mr. Britt handled the situation in a disrespectful manner. (Supervisor Young read the letter aloud). The Board directed Supervisor Young to give a copy of the letter to Mr. Britt.

There being no further business, the meeting was adjourned at 10:40 AM.

Reggie W. Gilliam, Chairman

Michael W. Johnson, Clerk