

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 20, 2004 at 8:30 AM.

SUPERVISORS PRESENT

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

SUPERVISORS ABSENT

None

OTHERS PRESENT

Michael W. Johnson, County Administrator (Clerk)
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
Julien W. Johnson Jr., Public Utilities Director
Susan H. Wright, County Administration Executive Secretary

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

Chairman Jones sought approval of the minutes of the November 22, 2004 regular meeting. Supervisor Brown advised that regarding the discussion of SPSA and the very high solid waste tonnage for Southampton County, he had indicated that this was a serious issue and needed to be addressed, and there was no mention of that in the minutes. The minutes were approved with Supervisor Brown's requested amendment.

Regarding highway matters, Mr. Jones noted that Mr. Randolph Cook, Resident Engineer of the Virginia Department of Transportation (VDOT), was not present this morning.

Mr. Johnson announced that included in the agenda was correspondence from Michael Estes, Director of VDOT's Local Assistance Division, regarding their revenue sharing program for primary and secondary roads. Under the terms of the program, the state would match local funds for approved highway projects dollar for dollar. Based on the Board's direction last February, \$100,000 was being held in escrow for this program, to be applied towards the East Courtland interchange project on Route 58. He advised that if they had continued interest in the project, they might wish to consider another local appropriation in FY 2006. If so, he would need to notify VDOT by March 1, 2005, and include the specified level of funding in the FY 2006 annual budget. He noted that funding in FY 2005 was derived from the County Building Fund (utility taxes).

Supervisor Felts and Vice-Chairman Young indicated that they thought it was a good idea to participate in the program.

Supervisor West asked Mr. Johnson, since it was their money, if the Board could change its mind at any time even if they notified VDOT that they would participate? Mr. Johnson advised that the Board would hold the money, as you do not send the money when you participate in the program. However, when you make the commitment, VDOT would be escrowing state funds at the same time, so there was a moral obligation to follow through.

Supervisor Faison stated that if the Board had continued interest in the project (East Courtland interchange), then he thought they needed to participate in the program. His only concern was the money. He recognized that funds last year were derived from the Building Fund (utility taxes). As long as they had the money, he was in favor of it. Supervisors West and Wyche agreed.

Supervisor Brown agreed and added that the Courtland Interchange provided a serious hazard.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to direct the County Administrator to notify VDOT of its intent to further participate in the Revenue Sharing Program in FY 2006, and to escrow an aggregate sum of \$200,000 (\$100,000 each from FY 05 and FY 06) in the FY 2006 budget for this purpose. All were in favor.

Mr. Johnson advised that included in the agenda was confirmation that Hunter Point Road had been officially accepted into the secondary system of highways in response to the Board's resolution of May 24, 2004.

Chairman Jones asked if any of the Supervisors had any concerns about the roads in their districts?

Supervisor Brown informed that he had received a call from a constituent regarding Everett Road in Newsoms. He thought that something about Everett Road had been mentioned in the past. Chairman Jones advised that he would need to get with Mr. Cook on that. Supervisor Brown then mentioned that he was concerned about the speed limit in the residential area of Sandy Ridge Road, as most of the trucks that came through there ran 60-65 mph. Chairman Jones advised that VDOT would need to do a study on that.

Supervisor West informed that he was very concerned about outflow ditches. It was a problem that VDOT could not handle, or at least that was what he had been told. It seemed that the Environmental Protection Agency (EPA) was controlling the removal of dirt from ditches, etc. He stated that ditches that flowed through the woods and dumped into creeks were blocked due to the hurricane, and there had been no effort to fix them, so the water was backing up on the roadways. He thought the Board needed to go on record and inquire if there was anything that could be done by VDOT to open up outflow ditches. The problem created water standing on the roadways, from even a small rain, and it was a hazard to Southampton County citizens. He stated that if it were EPA's problem, then they needed to send a letter to the folks at EPA who did not know what a ditched looked like and ask them to come down. He thought the Board should address this problem directly to VDOT, specifically Mr. Cook.

Vice-Chairman Young advised that he had talked to Mr. Cook about the very same thing and Mr. Cook told him that there was nothing they could do. However, he agreed that the Board needed to do something, perhaps send a letter.

Supervisor West thought that they needed to at least find out from Mr. Cook if it were EPA's concern and have that person stand before the Board and tell them verbatim that they could not do that, and that you had to get a permit and do this, etc. They needed to have that person stand before them and be accountable.

Mr. Johnson advised that he would share that with Mr. Cook and see what he could do for January as far as addressing it himself or bringing someone to address it.

The other Supervisors indicated that they had informed the proper VDOT officials presiding over their respective districts of their highway concerns.

Moving to appointments, Mr. Johnson announced that as discussed last month, Ms. Barbara J. Greene had resigned from the Board of Directors for the Suffolk Shelter for the Homeless due to a scheduling conflict with her continuing education activities. Supervisor West was seeking a successor.

Supervisor West advised that his candidate, Mrs. Florence Reynolds, also a member of the School Board, was out of town and wanted to talk to the people at the Suffolk Shelter for the Homeless first. Hopefully, he would be prepared to recommend her for appointment next month.

Mr. Johnson advised that also as discussed last month, Mr. E. Beale Carter, Jr.'s term on the Industrial Development Authority would expire December 31, 2004. He was eligible for reappointment and appointments were for 4-year terms. He noted that Mr. Carter had served on the Authority since it was created in February 1969 and currently served as Chairman.

Supervisor Brown advised that he had spoken with Mr. Carter who indicated that it would be an honor to continue serving.

Supervisor Brown made a motion to reappoint Mr. E. Beale Carter, Jr. to the Industrial Development Authority. Supervisor Wyche seconded the motion. All were in favor.

Regarding monthly reports, Mr. Johnson received various reports and provided them in the agenda. They were Financial, Sheriff’s Office, Traffic Tickets, Communication Center Activity, Building Inspections, and New Housing Starts. Also Cooperative Extension, Delinquent Tax Collection, Daytime E.M.S. Contract, Public Safety Radio System Status Report, and Personnel.

In reference to the Cooperative Extension report, Mr. Wes Alexander, Cooperative Extension Agent, who was in the audience, informed that the new 4-H agent, Cyndi Estienne, would begin January 10, 2005, and his secretary, Loretta Artis, would be leaving that same day.

In reference to the Public Safety Radio System Status Report, Mr. Johnson advised that they intended to have a firm recommendation for the Board’s consideration at the January meeting. They had been working very closely with the Fire and Rescue Association and had narrowed it down to 1 provider, but they were still in the negotiation phase.

In reference to the personnel report, Mr. Johnson announced that Robert R. Nance, Jr. was hired in the Sheriff’s Office part-time effective 11/17/04 and Carlton L. Edwards was hired in the Public Utilities Department (Courtland Wastewater Treatment Plant) effective 11/29/04 at an annual salary of \$39,000. He advised that Susan Story of the Sheriff’s Office resigned effective 12/31/04. He stated that Raymond E. Merkh and Derek W. Ayers of the Sheriff’s Office remained on active military leave, effective 1/24/03 and 9/1/04 respectively.

Proceeding to financial matters, Mr. Johnson announced that included in the agenda was the semiannual appropriations resolution for the second half of FY 2005 in the amount of \$21,754,984.

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 20, 2004**

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, 2004
through June 30, 2005 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	71,674
12110	County Administration	130,173
12310	Commissioner of Revenue	103,537
12320	Board of Assessors	81,000
12410	Treasurer	95,861
12415	Delinquent Tax Collection	28,350
12430	Accounting	75,500
12510	Data Processing	96,689
12550	Insurance/County Code	49,302
13200	Registrar	59,306
21100	Circuit Court	29,705
21200	Combined District Courts	9,761
21300	Special Magistrates	669
21600	Clerk of the Circuit Court	62,899
21700	Sheriff - Bailiff	183,211

December 20, 2004

21750	Courthouse Security	17,599
22100	Commonwealth's Attorney	172,699
31200	Sheriff	604,301
31750	School Resource Officer	16,032
32200	Volunteer Fire Departments	-
32300	Volunteer Rescue Squads	-
32400	State Forestry Service	-
33100	Detention	1,040,606
33300	Probation	30,582
34000	Building Inspections	25,369
35100	Animal Control	35,242
35300	Medical Examiner	750
35500	Emergency Service/Civil Defense	-
41320	Street Lights	20,500
42300	Refuse Collection	179,496
42400	Refuse Disposal	453,022
43000	Buildings & Grounds	197,904
51100	Local Health Department	134,066
52000	Mental Health Services	-
53220	State/Local Hospitalization	-
53240	Sr Services of Southeastern	-
53500	Comprehensive Services Act	30,967
53600	STOP Organization	-
72000	Community Concert Series	-
72200	Rawls Museum Arts	-
72500	Historical Society	-
73200	Walter Cecil Rawls Library	86,094
81100	Planning/Zoning	78,154
81500	Economic Development	67,829
82400	Soil & Water Conservation District	-
83500	Cooperative Extension Service	23,741
91400	Non-Departmental Operating	-
	TOTAL	4,292,590

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

31400	E-911	100,755
	TOTAL	100,755

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

89600	Enterprise Fund Water	235,533
89500	Enterprise Fund Sewer	426,105
89400	Enterprise Utility Extension	1,189,000
	TOTAL	1,850,638

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

94000	Building Fund	1,657,117
		TOTAL
		1,657,117

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

61000	Instruction	7,490,293
62000	Administration	546,671
63000	Other Direction & Management	1,050,420
64000	Operation & Maintenance Services	1,280,198
68000	School Food Service	33,878
66000	Facilities	-
67000	Debt Service	1,030,141
260	Rental Textbook	-
265	Technology	103,000
400	At Risk 4-Year Olds	27,208
450	Early Reading Intervention	14,957
500	Chapter I	300,750
550	Title VIB Special Ed-Flow Through	257,596
600	Title VI Innovative Educ Program	11,097
650	Substance & Drug Prevention	10,235
800	Vocational Special Education	30,168
900	Pre-School Incentive	7,721
570	Sliver Grant	9,308
625	Title II-A Training and Recruitment	78,948
660	Community Service Grant	25,000
630	Title IID Ed Tech	8,028
		TOTAL
		12,315,617
		12,315,617

**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	528,812
		TOTAL
		528,812

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)	298,736
310	Welfare Administration (Service)	225,170
311	Welfare Administration (Joint)	167,023
313	Benefit Programs	277,260
314	Welfare Administration (Energy)	9,455
319	Welfare Administration (VIEW)	31,811
	TOTAL	1,009,455
		<hr/>
	TOTAL APPROPRIATIONS	21,754,984
		<hr/> <hr/>

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
 12/20/04

Supervisor West moved, seconded by Vice-Chairman Young, to adopt the semiannual appropriations resolution. All were in favor.

Mr. Johnson announced that included in the agenda was a salary appropriations resolution in the amount of \$2,992,078 providing for salary adjustments for employees of constitutional officers, the electoral board, and visiting health nurse. He stated that as they may remember from budget deliberations last spring, effective December 1, 2004, the State Compensation Board approved 3% salary adjustments for employees of the Commissioner of the Revenue, Treasurer, Commonwealth’s Attorney, Clerk of the Court, and Electoral Board. Non-deputized employees of the Sheriff’s Office were slated to receive 3% increases and Deputy Sheriffs, 4.82% increases.

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 20, 2004.

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, 2004.

COMMISSIONER OF THE REVENUE

Harrup, John Robert	57,413
Carr, Amy B.	26,259
Everett, Jeannette S.	21,494

TREASURER

Britt, David K.	57,413
Bloskis, Lorraine A.	25,117
Bunn, Frances H.	22,978
Horne, Rosemary B.	19,231

COMMONWEALTH'S ATTORNEY

Cooke, Eric A.	101,745
Edwards, Steven W.	57,401
Randall, John T.	40,193
Pitts, Sharon F.	23,550
Rice, Joan P.	33,633

REGISTRAR/ELECTORAL BOARD

Davis, Leona W.	38,401
Felts, Julian A.	3,327
Felts, Robert M., Jr.	1,663
Sykes, Marie W.	1,663

HEALTH DEPT/SENIOR SERVICES

Bowden, Amy R.	40,685
----------------	--------

SHERIFF - BAILIFF

Busching, Robert W.	28,575
Darden, Michael L.	30,547
Davis, Benjamin G.	27,332
Neave, Robbie Lynn	27,332
Parker, Raymond K.	35,694
Ricks, Jimmie R.	41,711
Stivers, Wanda V.	39,017
Wyche, Josh A.	38,158

SHERIFF - LAW ENFORCEMENT

Francis, Vernie W., Jr.	72,483
Bailey, Douglas G.	33,389
Blythe, J. Michael	27,946
Carpenito, Suzette B.	30,669
Covington, James E., Jr.	46,618
Drewery, Gene H.	39,017
Dunn, Mary J.	21,010
Felts, J. Travis	21,010
Francis, Kenneth W.	60,885
Griffith, E. Greg	30,547
Holland, William B.	34,142
Modlin, James F.	46,618
Rose, Teresa G.	21,966
Smith, Jerry L.	21,010
Stutts, John B.	45,593
Taylor, Valerie B.	21,010
Turner, Mark B.	27,332
Walker, Richard A.	27,332
VACANT - Deputy	37,318
VACANT - Secretary	19,221

SHERIFF - DETENTION

Aleshire, Jimmy L.	27,332
Armbruster, Becky K.	25,004
Ayers, Derek W. ON MILITARY LEAVE	25,004
Barnes, Beverly A.	20,094
Barry, Robert M., II	27,946
Bowden, Jonathan M.	31,234
Byrum, William C.	30,547
Clasp, Nina R.	27,332
Cook, Loretta B.	19,221
Darden, Jonathan P.	27,332
Darden, Phillip G.	28,575
Davis, Waymon D.	27,332
Doyle, Scott A.	28,575
Eaton, McCoy L.	27,332
Forren, Dwayne A.	27,946
Garriss, Marcia L.	30,547
Gentry, Billy B.	49,836
Gray, James A.	27,332
Griggs, John W., Jr.	27,332
Holt, Merle R., Jr.	27,332
Jarratt, William G., Jr.	27,332
Jenkins, Gloria J.	20,094
Kindred, Jerrel J.	27,332
Magette, John N.	30,547
Malcolm, Teresa L.	30,547
Merkh, Raymond E. ON MILITARY LEAVE	27,332
Morris, Richard T.	28,575
Necessary, Joni N.	25,004
Ottmers, Douglas N.	27,332
Parsons, Ernest L.	27,332
Patterson, Mark W.	25,004
Skeete, Earl E.	25,004
Smith, Brenda S.	27,332
Stapleton, William D.	27,332
Story, J. Kevin	27,332
Story, Susan C.	30,547
Vance, Billy G.	27,332
Vick, Jim I., Jr.	27,332
Vinson, William C., Jr.	27,332
Watson, Stanley E.	29,215
Wilson, Ricky H.	27,332
Woodard, Dennis M.	27,946
Xinos, Vicki L.	30,547
Joyner, Sheril J.	25,123
VACANT - Deputy/Medical	24,570
VACANT - Deputy/Medical	24,570
VACANT - Deputy/Medical	24,570
VACANT - Deputy	26,143
VACANT - Deputy	25,567
SHERIFF - COURT SECURITY	
Griffith, Scott T.	27,332
SHERIFF - SCHOOL RESOURCE OFFICER	
Allmond, William E., III	25,004

SHERIFF - ANIMAL CONTROL	
Cooke, James T., Jr.	27,332
SHERIFF - E911	
Bryant, Tryphena L.	21,010
Howell, Christie M.	21,010
TOTAL	
	\$2,992,078

A copy teste: _____

Michael W. Johnson, Clerk
 Southampton County Board of Supervisors
 12/20/2004

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

Mr. Johnson announced that bills in the amount of \$1,065,095.01 were received. **Vice-Chairman Young moved, seconded by Supervisor West, that the bills in the amount of \$1,065,095.01 be paid with check numbers 66459 through 67045. All were in favor.**

Moving forward to recognition of distinguished service, Mr. Johnson asked Mr. Jesse W. “Bill” Vick to come forward. He advised that on November 1, 2004, Mr. Vick concluded twenty-three years and eight months of service to Southampton County. He stated that many of you may not have seen Mr. Vick, as his position at the Courtland Wastewater Treatment Plant was not one where he was always out in the public eye. But on nights, weekends, and any time there was a problem, Mr. Vick was always on top of it. He was called out many times in the middle of the night, Saturdays, and Sundays, and they could not have asked for a more faithful employee.

Mr. Johnson stated that it was his honor and privilege to present the following plaque to Mr. Vick:

In recognition of his dedicated service to the people of
 Southampton County as a Chief Utility Systems Operator
 for Twenty-Three Years, Eight Months
 March 16, 1981 – November 1, 2004

Presented to

Jesse W. Vick

as representation of the high esteem in which he is held by the
 Board of Supervisors
 of Southampton County, Virginia
 December 20, 2004

Mr. Vick thanked Mr. Johnson and the Board. He stated that he was thankful to a lot of people who deserved this more than he did. They went through a hurricane and a flood and people with the National Guard and Sheriff’s Office made his job a lot easier. He advised that fortunately he had the opportunity to serve under 3 county administrators, and you might say that all got better. They stood by him. He stated that he certainly appreciated this and there were 4 or 5 men that worked under him who were still in the occupation and that made him feel real good. He remarked that they had a lot to look forward to because there were a lot of new houses and water systems were getting bigger. He looked forward to seeing what Southampton County does in the next several years.

Chairman Jones advised that they would go on to the next item and come back to this item, as Mr. E. Beale Carter, Jr., who would also be recognized for distinguished service, was not yet present.

Regarding 2005 organizational matters, Mr. Johnson announced that § 15.2-1416, *Code of Virginia*, required each Board of Supervisors to meet at a public place in January of each year to organize itself by electing a Chairman and Vice-Chairman and setting the days, times and places of regular meetings to be held during the ensuing months. The employee holiday schedule for the coming year was also typically adopted at the organizational meeting. He advised that historically (up until 1999), the Board met on the first working day each year at 9:00 AM for this specific purpose. Since 1999, with the exception of last year when the chairman and vice-chairman both concluded their service on December 31, organizational matters had been deferred until the regular January meeting. If the Board would prefer not to have a special meeting simply to resolve organizational matters, a motion was needed to establish Monday, January 24, 2005 at 6:00 PM as the annual/organizational meeting. Otherwise, a motion was needed to establish the date and time for a special organizational meeting.

Supervisor Brown advised that he thought a special organizational meeting should be set aside. He did not want organizational matters to take away time from any constituent who may come on January 24, 2005 wanting to bring issues before the Board.

Chairman Jones informed that they normally dispensed with organizational matters at the regular meeting right after the meeting was called to order. Vice-Chairman Young commented that it took less than 5 minutes. Chairman Jones stated that he had never stopped anyone at any time from addressing the Board.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to establish Monday, January 24, 2005 as the date for the 2005 Annual Meeting. All were in favor.

Mr. Johnson advised that if the Board chose to keep with past traditions and allow the local holiday schedule to remain consistent with that of the Commonwealth, a motion was needed to set aside the following two legal holidays which would occur prior to the Organizational Meeting:

- Friday, January 14, 2005 – Lee-Jackson Day; and
- Monday, January 17, 2005 – Martin Luther King, Jr. Day

Vice-Chairman Young moved, seconded by Supervisor Wyche, to establish and set aside those two holidays for county employees. All were in favor.

Moving to the citizen's request to address the Board, Chairman Jones recognized Mr. Dave Copeland. Mr. Copeland stated that he had a lot at Dockside on Canal Drive. He advised that he would like for Waverly Coggsdale, Assistant County Administrator, to speak to the Board first, as he had been working with him for the last 2 years in trying to find funding for erosion of the shore line on his lot and the lot beside him that the County currently owned, which was getting worse.

Chairman Jones advised that they would go on to the next item and come back to this item so that Mr. Coggsdale, who had momentarily excused himself from the meeting, could address the Board as requested by Mr. Copeland.

Continuing on, Mr. Johnson announced that included in the agenda was correspondence from the Surry County Board of Supervisors seeking the Board's consideration of a resolution to support the construction and commissioning of a new ferry between Jamestown and Scotland Wharf. They were concerned that the increased tourism associated with Jamestown's 400th anniversary in 2007 would overburden the existing ferry fleet, resulting in long lines and frustration for tourists and local commuters alike. He advised that they had forwarded a copy of the resolution that was adopted by their Board and asked that this Board consider adopting a similar one that may be sent to the Governor, members of the General Assembly, and members of the Commonwealth Transportation Board. He noted that he also received follow-up telephone calls from a member of the Surry County Chamber of Commerce and the County Administrator's office encouraging him to place the matter on the December agenda.

Mr. Johnson read aloud the following resolution:

WHEREAS, the Jamestown–Scotland Ferry is an important and vital part of the transportation network and the economy of both sides of the James River, with the number of vehicles using the ferry currently averaging 3,000 per day; and

WHEREAS, there are not sufficient ferries to handle the existing number of vehicles in an efficient manner, resulting in long lines and frustrating delays for persons waiting to ride the ferry; and;

WHEREAS, this situation will only become more aggravated with the 400th anniversary of Jamestown in 2007 and with the general population growth in the area; and

WHEREAS, a new ferry would help to alleviate the current problem and would also allow visitors to the area for the Jamestown 2007 Commemoration to have a quality experience visiting historic areas and sites on both sides of the James River; and

WHEREAS, in order for a new ferry to be built and ready for use in time for the Jamestown 2007 Commemoration, it is necessary that a decision to build a new ferry and fund the cost of construction be made immediately.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Southampton County, Virginia that it is of vital importance for the citizens of Southampton County, the surrounding jurisdictions and the Commonwealth of Virginia to build and finance a new ferry for the Jamestown-Scotland Ferry and that such ferry be placed into service in time for the Jamestown 2007 Commemoration.

Supervisor West pointed out that the last paragraph of the resolution stated "...it is of vital importance for the citizens of Southampton County, the surrounding jurisdictions and the Commonwealth of Virginia to build **and finance** a new ferry...". He asked if that was saying that Southampton County was willing to participate in the payments of building this ferry? Mr. Johnson replied that he did not think so.

Vice-Chairman Young moved, seconded by Supervisors Felts and Wyche, to adopt the resolution. All were in favor.

Going back to the previous item (Mr. Dave Copeland's request to address the Board), Mr. Waverly Coggsdale spoke to the Board per the request of Mr. Copeland. Mr. Coggsdale advised that the County had acquired the Dockside property (previously known as the Cliff Barnes Parcel) through the Hazard Mitigation Grant Program (HMGP). Mr. Copeland owned the property adjacent to this property. There were major shoreline erosion problems with both properties. He stated that he had been working with Woodie Walker of the Natural Resource Conservation Service (NRCS) in trying to obtain funding to do an erosion project along that stretch of the Nottoway River, but had been unsuccessful. The cost estimate (done by a state agency) was \$30,000. He advised that Mr. Copeland had suggested, from time to time, that perhaps the County could pay for the project and enter into a long-term lease (with him) of the property. Mr. Coggsdale stated that he thought it would be better if they could find funding to do the project and not enter into a long-term lease, as this was a very valuable piece of property in regard to future use for recreational purposes, etc. He noted that Mr. Copeland had proposed several options to the Board, as explained in his letter.

Mr. Copeland's letter to the Board is as follows:

To: Southampton Board of Supervisors

From: T. Davis Copeland

I was approved at the September 23rd, 2002 meeting to lease the Dockside property (previously known as the Cliff Barnes Parcel) acquired thru the HMGP program. I own the lot right beside this parcel; since FEMA purchased this lot I have been cutting the grass and maintaining this parcel.

There exist a shoreline erosion problem that has been getting worse with the old wooden bulkhead completely deteriorated. Waverly Coggsdale has investigated and applied for funding to fix the shoreline erosion problem over the last two years with no success.

The cost estimates to construct a riprap (Large Rock) or bulkhead structure range \$30,000.00 to \$60,000.00. Permits from State and Federal agencies are going to be required for this shoreline modification.

I am asking you the Board of Supervisors:

- A.) To fund this project.
- B.) To have the funding provided by myself the lessee in consideration of a long-term lease (50 years) being offered.
- C.) To sell this parcel to me with the understanding that I bare the cost of this shoreline erosion modification and the rules that FEMA put in place would be honored.

I ask for you to act on this request so that this shoreline erosion problem can be resolved.

Supervisor Brown asked if there were any caveats as to what could be built on the property or the type of lease that could be used? Mr. Coggsdale replied yes; he could not quote them but could get him a copy. He did note that you could not build on it. The intent of the program was for FEMA not to have to pay flood insurance claims on that piece of property again. Supervisor Brown commented that if you could not put up a structure, then the only use for that property was basically for recreational purposes or for the extension of another person's lot. Attorney Railey remarked that it could be used for a parking lot, for example. Mr. Coggsdale clarified that there were provisions whereas if you used the land for recreational purposes, you could put up a restroom facility or something like that. When he stated there could be no construction, he was basically referring to residential construction. There were potential uses for property such as this.

Supervisor West asked if there were other lots that may have erosion problems? Mr. Coggsdale replied that he was pretty sure there were. Supervisor West asked, if they ended up helping in this particular case, where was the stopping point as to doing the same along the entire riverbank? Mr. Coggsdale pointed out that in this case, the County owned the property. Supervisor West commented that he knew that Virginia Beach was getting tremendous funds from wherever for reestablishing the beach and sand along their shoreline and beach properties. He wondered if there would be anything available for the County in that particular fund source. Mr. Coggsdale advised that Woodie Walker had been a great resource and had tracked down leads, but nothing had really

matched up for funding of this project. He stated that he thought it was a time factor. The question was how long the Board was willing to wait to try and get the funds to do the project.

Mr. Coggsdale clarified for Supervisor West that there was currently no lease on the County-owned property.

Supervisor Brown asked, when was the cost estimate made, as the erosion was continually occurring? Mr. Coggsdale replied about 9 months or so ago. He noted that erosion was indeed occurring but not at a rate where every year the cost would double.

Supervisor Brown asked if there were stipulations as to how many years a lease on the property should be? He thought that would be up to the Board. Chairman Jones stated that it would indeed be up to the Board, as they owned the property.

Supervisor West remarked that it was a problem trying to control the riverbank. He could appreciate Mr. Copeland's concerns.

Mr. Copeland addressed the Board. He advised that Mr. Barnes (the previous owner of the County-owned property) had put in a bulkhead in the 1970's or 80's and it deteriorated away. But where he put it along the side of the canal still existed. It was probably 12 feet from where it originated to where it was back now. In the last 2 years, just from progress, 5 or 6 feet had come off of that. He had already talked to the Corps of Engineers, as you could not just put it in without all the different agencies involved. That was why it would take him 3-4 months to do his own lot. And if he were going to do his own lot, it would be good to do the whole stretch at the same time. He stated that he understood the funding situation. That was why he had come forward saying that it needed to be resolved. He was willing to fund it himself. The cheapest way to do it was to construct a riprap (large rock). But the problem with that was that he had two 1-year olds and a 6-year old and he did not care for the snakes. He would rather have the bulkhead. Of course that would bring the price up. He advised that the lot was a buffer zone for him. He had no intention of doing anything but cutting the grass and looking at it for the beauty of the Nottoway River. He noted that this thing was approved in September 2002 and we were going into 2005. (In September 2002, the County Administrator was given the authority to dispose of twenty-four parcels of property acquired through HMGP through lease agreements with eleven specified individuals for uses that were compatible with open space, recreation, or wetland purposes. Mr. Copeland, who was one of those individuals, was approved to lease one of the parcels, which was the subject parcel.) He was asking for a business consideration for him to invest the money himself. He was asking for a long-term lease or for the County to sell him the property.

Supervisor West stated that he thought Mr. Copeland was a viable person who would take care of it and follow FEMA guidelines and he trusted his ability to do so. However, he thought they needed more information. He did not think it was a decision that needed to be made this morning until Mr. Coggsdale could find out what was available and perhaps have the bulkhead reinspected.

Vice-Chairman Young asked Mr. Johnson if a 50-year lease was feasible? Mr. Johnson replied that he could not remember the specifics but seemed to remember that the County could not sell the property. Attorney Railey confirmed that that was correct.

Supervisor Brown advised that the amount of funding they could get should not be the only factor. They needed to look at all the options and determine the return on investment. He also noted that erosion of the shoreline was continuously occurring.

It was consensus of the Board to talk to Mr. Coggsdale and get more information and place the item back on the agenda in January.

Moving forward, Mr. Johnson announced that over the course of the past 6 months, he had had the privilege of meeting with the Southampton County EMS Advisory Committee on a monthly basis to develop ideas and recommendations to improve the levels of emergency medical services (EMS) in Southampton County. Members of the Committee were Paul Kea (Ivor Rescue), James Starke (Capron Rescue), Terry Bolton (Boykins Rescue), Timmy Moore (Courtland Rescue), and Ed Tuck (Sedley Fire), who were all first responders. As President of the Southampton County Fire and Rescue Association, Chief Holt (Franklin Fire and Rescue) had sat in on a number of the committee meetings as well as Russ Blow, representing Medical Transport, our daytime EMS contractor. He informed that notwithstanding the significant improvements seen in EMS beginning in 2002 with the advent of our daytime contract, the unanimous consensus of the

committee was that, oftentimes, the volunteer rescue squads struggled to respond to night and weekend calls. In fact, as could be noted from this month’s report (agenda item 4), 9 calls were unanswered during the month of November. He explained that “unanswered” did not mean that no one responded. It meant that the squad paged for the initial response was unable to respond, and an alternative squad was dispatched in accordance with their mutual aid agreements. For instance, Boykins Rescue may answer a call for Courtland Rescue and that would be considered as “unanswered” by Courtland Rescue. However, it did mean that response was delayed. He advised that at the heart of the matter was the overall decline in the numbers of volunteers. Courtland and Capron Rescue Squads were now dangerously thin to the point that just one person out-of-town or with a prior commitment may mean that a call goes unanswered. Despite the wonderful mutual aid given, time was precious in EMS. The time it took for Boykins to respond to Courtland, or Courtland to Ivor, or vice-versa, could be the difference in life and death. Accordingly, the Committee had two specific recommendations for the Board’s consideration. Both were presented to a full meeting of the Southampton County Fire and Rescue Association on December 14, and received their unequivocal, unanimous endorsement.

He explained the following 2 recommendations:

- 1) **Amend the existing contract with Medical Transport to provide for one fully staffed Advance Life Support (ALS) ambulance in Southampton County 24 hours per day/365 days per year.** The crew would be staged from the Courtland Volunteer Rescue Squad and be dispatched as primary responders to all calls in Courtland Rescue’s first response area, augmented by assistance from volunteers. In addition, the ALS provider staged at Courtland on nights and weekends [Paramedic, EMT-Shock Trauma (ST), or EMT-Cardiac Tech (CT)] would be dispatched to respond to **all** EMS calls in the county on nights and weekends in a zone car, not an ambulance, concurrently with the respective volunteer squad. The idea was that qualified personnel would be en route within seconds of any medical emergency. If the respective volunteer squad arrived on scene first, the ALS provider would be cleared to return to Courtland. It was important to note that the respective volunteer squads would remain responsible for patient transport, as the ALS provider would be responding individually in a zone car only to provide critical medical attention on the scene until the transport crew arrived. That level of staffing would require 4 additional personnel, who would rotate on a fluctuating workweek schedule. The additional cost to the County would be \$233,600. He pointed out that they would not be county employees, as they would be contracted through medical transport.

- 2) **Authorize service fees for emergency ambulance transport.** The cost of providing emergency medical and ambulance transport services was significant. If the Board chose to proceed with recommendation number 1, the cost of EMS in Southampton County’s budget would exceed \$800,000 annually, making it one of the most significant investments the Board would make. Based on trial data collected by the Committee over the past 6 months, they estimated that proposed service fees would generate between \$190,000 to \$250,000 annually. It was certainly not the full cost of the service, but it could offset the expense associated with recommendation number 1. If a fee-for-service program were initiated, they estimated that 70% of the revenue would be derived from Medicare, Medicaid, and private insurance, all presently untapped sources. In addition, the Rescue Squads would offer a voluntary subscription service for \$59 annually (for a household) to help citizens defray out-of-pocket expenses for uninsured portions of charges such as insurance co-pays or deductibles.

Mr. Johnson noted that included in the agenda was a copy of the Committee’s full recommendation, in the form of frequently-asked questions, for the Board’s review. If the Board were interested in proceeding with this matter, an ordinance amendment, a copy of which was included in the agenda, (and public hearing), was necessary to authorize the service fees.

The proposed ordinance amendment is as follow:

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 7 OF THE SOUTHAMPTON COUNTY CODE, 1991, SO AS TO PROVIDE A NEW ARTICLE V, ESTABLISHING SERVICE FEES FOR EMERGENCY AMBULANCE TRANSPORT

- - - - -

BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that the Southampton County Code be, and hereby is amended and reordained so as to provide a new Article V, Chapter 7, Section 7-80, et seq. and reading as follows:

CHAPTER 7
ARTICLE V
EMERGENCY AMBULANCE TRANSPORT

Sec. 7-80. Service fees for emergency ambulance transport.

(a) Pursuant to Va. Code § 32.1-111.14, it is hereby determined and declared that the exercise of the powers and duties set forth herein is necessary to assure the provision of adequate and continuing emergency services and to preserve, protect, and promote the public health, safety and general welfare.

(b) Definitions. The following definitions shall apply to ambulance charges:

Basic life support (BLS): Services shall be medical treatment or procedures provided to a patient as defined by the National Emergency Medicine Services (EMS) Education and Practice Blueprint for the Emergency Medical Technician (EMT)-Basic.

Advanced life support level 1 (ALS-1): Services shall be medical treatment or procedures provided to a patient beyond the scope of and EMT-Basic as defined by the National EMS Education and Practice Blueprint.

Advanced life support level 2 (ALS-2): Services shall be defined as advanced life support (ALS) services provided to a patient including any of the following medical procedures: (i) manual defibrillation/cardioversion, (ii) endotracheal intubation, (iii) central venous line, (iv) cardiac pacing, (v) chest decompression, (vi) surgical airway or (vii) intraosseous line, and the administration of three or more medications.

Ground transport mileage (GTM): Shall be assessed in statute mile from the location of the incident scene, or center point of a fire demand zone where an incident scene or address is located, to a hospital or other facility where a patient is transported.

(c) The schedule of rates for emergency ambulance transport services by the respective rescue squads in Boykins, Capron, Courtland and Ivor shall be as follows:

BLS	\$274
ALS-1	\$392
ALS-2	(To be determined before publication)
GTM	\$5.12 per mile in addition to transport charges.

(d) The county administrator is hereby authorized and directed to establish rules and regulations for the administration of the charges imposed by this section, including, but not limited to, a subscription program for county residents and payment standards for those persons who demonstrate economic hardship, as permitted by applicable law.

This ordinance shall become effective at 12:01 a.m., July 1, 2005.

Chairman Jones commented that they knew this was coming.

Mr. Johnson confirmed for Supervisor Felts that this would be in addition to the EMS agreement they currently had with the City of Franklin.

Mr. Johnson clarified for Supervisor West that the \$59 voluntary subscription service fees would go directly to the volunteer rescue squads. This was done to make it available to the public and give them some reassurance that they would not receive a hefty bill when an ambulance was called, if for instance, their insurance co-pay or deductible was high. This was also done because the squads were concerned about what impact this might have on donations, as they would still depend a lot on them. This was something that they could give back to the people who were willing to continue to make donations.

Supervisor Brown asked Mr. Johnson what the service fee cost per family would be?

Mr. Johnson clarified that the service fee would only apply if a transport were made. If the rescue squad responded and no transport was made, there was never any bill generated. If a transport were made, medical transport would collect the information as to whether the person was Medicare or Medicaid eligible and file the claim directly with the federal government. If the person had insurance, medical transport would collect the insurance information and file it directly with the insurance company. If the person were uninsured, he or she would receive a bill. He explained that the amounts were Medicare- and Medicaid-approved amounts and depended on the level of service rendered and the distance. They were looking for those rates to increase this week, but currently, for a basic life support service, the charge was \$274, and \$392 for an advance life support service. There was also a \$5.12/mile mileage fee.

Supervisor Brown asked if the \$274 or \$392 was a one-time charge or if it was for every call? Mr. Johnson replied that it was for each call.

Supervisor West requested clarification on how the \$59 subscription service fee would apply to an uninsured person. Mr. Johnson advised that it would not completely underwrite the cost. But the last thing they wanted was for county citizens to be afraid of dialing 9-1-1, as the patient's health, not cost, was the issue. They would make a good faith effort to collect the service fee, but if that person simply did not have the means to pay it, they would write it off just like any other bad debt. He noted that they would develop policies and guidelines for what those criteria were. The last message they wanted to send was that it was all about money because it was not; it was about the medical attention. But this was one way to recover part of the cost of providing that service.

Supervisor Brown advised that as more people came into the County, the \$800,000 cost to the County for EMS would increase. He thought they needed to look at that.

Mr. Johnson informed that as far as growth in the County and the cost of EMS, the cost of EMS may not go up exponentially as you may think. He explained that there was a lot of idle time spent at the stations, and they had talked about possibly reducing the number of volunteers at the stations at any one time. But due to geography, you would run into the problem of response time. A reduced number of people could probably handle the call volume, but geographically could not respond in time. He thought the cost of the services would be stable through the next decade.

Supervisor Wyche (who served on the Capron Rescue Squad) advised that he did not agree with everything that was noted in the report. He did not think that Capron Rescue membership was dangerously thin. He also stated that if the zone car went to Ivor, for instance, and another call came in, you would still have a problem.

Supervisor Brown remarked that if each of the rescue squads were required to have a paramedic, EMT-Shock Trauma, or EMT-Cardiac Tech, perhaps the need for such a person to be staged in Courtland could be eliminated.

Mr. Johnson advised that the rescue squad members were only required to give basic life support. He noted that membership was already thin and such a requirement would make it even harder to obtain and/or keep members.

Supervisor West moved, seconded by Vice-Chairman Young, to authorize the County Administrator to advertise the proposed ordinance for public hearing at the January 24, 2005 regular meeting. All were in favor.

Proceeding to continued discussion of C.I.P. funding for Southampton County Schools, Mr. Johnson announced that as directed last month, he had placed this matter back on the agenda for further discussion. He provided the following recap:

Based on a recently conducted demographic evaluation by the School Board, projected student enrollment would exceed the rated capacity of our 4 existing elementary schools by 431 pupils over the next 5 years. In addition, based on an architectural building evaluation, Hunterdale Elementary School was now evaluated as "below average" and Capron Elementary School was "marginally average." Capron was presently 100 students above its rated capacity and Hunterdale was nearly 120 students above rated capacity. In addition, on the high school level, enrollment was expected to exceed rated capacity by 175 students in 2006-07, before receding to below-capacity enrollment in 2010.

Accordingly, the School Board had developed a 5-year priority list for capital improvements that included:

- 1) Construction of a new school to replace Hunterdale Elementary that would meet existing and future needs of eastern Southampton County and accommodate some overflow from and already-overcrowded Nottoway Elementary;
- 2) Addressing the short-term space shortage at Southampton High School with temporary mobile classrooms while considering a permanent addition to SHS sometime after 2011; and
- 3) Construction of a new Capron Elementary School in 2008.

The estimated cost of both new schools was about \$23.8 million. Based on a fiscal impact analysis by our financial advisors, Davenport & Company, LLC, the projects were estimated to impact the county's real estate tax rate by an equivalent increase of \$0.07 to \$0.09. The School Board had expressed some sense of urgency in the first priority given the already-overcrowded conditions and the predictable enrollment increases. They were awaiting direction from the Board of Supervisors before proceeding further.

Mr. Johnson advised that based on their direction last month, he was recommending that they consider organizing and facilitating two public meetings sometime during the month of January. The first would be a public information meeting where the demographic analyses, growth predictions, existing capacities, building characteristics, and estimated fiscal impact of the proposed new construction could be presented to interested citizens. They would have an opportunity to see the numbers that they had seen, question the methodology behind those numbers, and ask questions of those who put the numbers together. The second meeting, several days after the first, would be a public hearing, where interested citizens would be invited to share their comments and observations on what they had seen a few days earlier. He noted that it would be especially fitting to invite the School Board to jointly organize and facilitate those meetings. They had invested significant time and resources in bringing this matter to the forefront, and should certainly have a seat at the table while the merits and limitations were discussed. He stated that the benefit of two meetings was that it would provide sufficient opportunity for citizens to fully understand the issues *before offering their remarks*, equating to more meaningful comments and suggestions.

Mr. Johnson informed that he understood that the School Board wanted Hunterdale Elementary to be ready to be opened by September 1, 2006.

Supervisor Brown commented that he thought it was important to have the meetings at a time that would allow those citizens that worked the opportunity to attend.

After discussion, it was consensus of the Board to hold a joint public information meeting with the School Board on January 13, 2005 at 7:00 PM at the High School and a joint public hearing with the School Board on January 20, 2005 at 7:00 PM at the High School.

Moving forward, Mr. Johnson announced that as directed last month, he had solicited and received competitive proposals for certain heating, ventilation, and air conditioning (HVAC) equipment and controls to address temperature disparity and chronic humidity in the Southampton County Office Center and portions of the Southampton Courthouse. He stated that initial proposals were received from Damuth Services, Inc., Johnson Controls, and Wallace-Day, Inc. on December 13 and ranged from a low of \$197,800 to a high of \$223,404. At this point, he was conducting reference checks and still had the option of negotiating with all three vendors. He informed that notwithstanding a number of loose ends, because the scope of work would likely take 90-120 days once a contract was signed, he was reluctant to wait until the January Board meeting before moving forward. Accordingly, he was seeking the Board's authority to execute a contract with the vendor providing the most meritorious proposal, not to exceed \$200,000. He advised that rather than issue short-term debt for the project, he was suggesting that the Board consider cash-funding the project from the Building Fund from the following sources:

- 1) \$160,000 was set aside for debt service on the new public safety radio system. While they would still be moving forward with that project in January 2005, the first note payment would not occur until FY 2006, freeing up this source of revenue in '05;
- 2) Notwithstanding the Board's commitment to preliminary engineering (boundary

survey, wetland delineation, photo control and topographic survey) on the Turner Tract, approximately \$27,000 remained in the Building Fund in FY '05 for the Rt. 671 Utility Extension after those tasks were completed;

- 3) Approximately \$29,000 remained from the appropriation the Board made on April 26, 2004 for this project.

Supervisor Brown stated that he was concerned about source number 2 above, whereas \$27,000 of economic development money would be used. Mr. Johnson clarified that the \$27,000 was what was left *after* preliminary engineering of the Turner Tract had been paid for.

Vice-Chairman Young made a motion to authorize the County Administrator to competitively negotiate a contract with the most meritorious offeror, not to exceed \$200,000, and proceed with the duct reheat coil installation and automatic control upgrades in the Southampton County Office Center and portions of the Southampton Courthouse. Supervisor Faison seconded the motion. All were in favor.

Moving on, Mr. Johnson announced that included in the agenda for the Board’s consideration was a revised copy of the proposed outdoor entertainment ordinance considered last month. He noted that he had attempted to incorporate the comments and suggestions received at the public hearing.

The proposed ordinance is as follows:

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 7 OF THE SOUTHAMPTON COUNTY CODE, 1991, SO AS TO PROVIDE A NEW ARTICLE IV, REGULATING THE HOLDING OF TEMPORARY OUTDOOR GATHERINGS, FESTIVALS, OR ENTERTAINMENT IN OPEN SPACES OR TEMPORARY STRUCTURES

- - - - -

BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that the Southampton County Code be, and hereby is amended and reordained so as to provide a new article IV, Chapter 7, Section 7-61, et seq. and reading as follows:

CHAPTER 7
ARTICLE IV
OUTDOORS ENTERTAINMENT

Sec. 7-61. Purpose of Article.

This chapter is enacted pursuant to section 15.2-1200 of the Code of Virginia, for the purpose of providing necessary regulations for the holding of temporary outdoor gatherings, festivals or entertainment in open spaces or temporary structures specifically constructed for such purpose, to protect the public health, safety, welfare and property of persons attending the gathering and the citizenry in general.

Sec. 7-62. Definitions.

For the purposes of this article:

Board shall mean the County Board of Supervisors.

Civic Organization shall mean a nonprofit organization pursuant to Sec. 501 (c) of the Internal Revenue Code of 1954 and for which no part of the net earnings of the organization inures to the benefit of any private shareholder or individual.

Event shall mean any outdoor entertainment gathering regulated by this article.

Outdoor entertainment shall mean any gathering of groups or individuals as a spectator, to observe or to participate in entertainment that is conducted in open spaces not within a permanent enclosed structure to which members of the public or other than the property owners are invited or admitted for a charge or for free of charge, including, but not limited to, the exhibition riding of horses, motor bikes or bicycles, music festivals, target “turkey shoots” or which other performing arts are provided.

Temporary shall mean that no permitted event or activity may be for more than two consecutive days and no more than once in any twelve month period unless authorized and approved by the Board of Supervisors.

Temporary structure shall mean any and all ramps, stairs, platforms, stages, lighting mast, etc. that is constructed to be used for the period of time that an outdoor event has been permitted for, and that will be dismantled and removed there after.

Sec. 7-63. Exemptions.

- (1) Civic organizations, as defined, holding outdoor gatherings on property owned, rented or leased by the organization and organized and conducted by such civic groups and their members.
- (2) Events held by churches, religious associations or religious denominations, operated exclusively on a nonprofit basis for charitable, religious or educational purposes.
- (3) Activities and gatherings where the majority of participants share common ancestry.
- (4) Outdoor weddings and wedding receptions.
- (5) Activities and gatherings conducted on public property including, but not limited to, the Southampton County Fairgrounds.
- (6) Fundraising events where one hundred percent of the gross proceeds are donated to a lawfully established 501 (c) charitable organization.
- (7) Activities and gatherings of groups of less than twenty (20) participants.

Sec. 7-64. Violation of Article.

Any person that violates any provision of this article shall be guilty of a class 1 misdemeanor. Each individual violation shall constitute a separate offense. The Board of Supervisors may bring suit in the circuit court of the county to restrain, enjoin or otherwise prevent the violation of this article.

Sec. 7-65. Hours of Operation.

There shall be no activity or operation of any permitted outdoor entertainment gathering between 1:00 a.m. and 7:00 a.m.

Sec. 7-66. Permit.

No person shall stage, promote or conduct any outdoor entertainment in the unincorporated areas of the county, unless he or she first obtains a permit so to do issued pursuant to the provisions of this article.

Sec. 7-67. Application.

Application for a permit required by this article shall be in writing, on forms provided for the purpose, and submitted with the required fee of one hundred dollars (\$100.00) to the county administrator at least forty (40) days prior to the date of the proposed outdoor entertainment event. Such application shall have attached thereto and made apart thereof the plans, statements, approvals and other documents required by this article.

Sec. 7-68. Documents, plans, etc, to accompany applications.

- (1) The application shall have attached to it a copy of the ticket or badge of admission to the event, containing the date or dates and the time of the event, together with a statement by the applicant of the total number of tickets to be offered for sale and the best reasonable estimate by the applicant of the number of persons expected to be in attendance.

- (2) A statement of the name and address of the promoters of the event, the financial backing of the event and the names of all groups participating at such event.
- (3) A statement of the location of the event, the name and address of the owner of the property on which the event is to be held and the nature and interest of the applicant therein. If the applicant is not the owner of the property, a letter from the property owner must be attached to the application authorizing the use of the property for the event.
- (4) A plan for adequate sanitation facilities and garbage, trash and sewage disposal for persons at the event, including a valid letter of requirements from the state health department, the plan shall meet the requirements of all state and local regulations and will not be accepted unless approved by the health official.
- (5) A site plan illustrating the number and location of sites dedicated for temporary camping, which shall not commence more than one day in advance of the proposed activity and shall cease no more than one day thereafter.
- (6) A plan if providing food, water and lodging for the persons at the event. The plan shall meet the requirements of all state and local regulations.
- (7) A plan for adequate medical facilities for persons at the event.
- (8) A plan for adequate parking facilities and traffic control in and around the event area, including a security plan indicating the number of deputies (if required) approved by the sheriff's department.
- (9) A plan for adequate fire protection, (if required) such plan will not be accepted unless approved by the county building official.
- (10) A statement specifying whether any outdoor lights or lighting to be utilized and if so, a plan showing the location of such lights and any shielding device, such plan will not be approved unless approved by the county administrator.
- (11) A statement from the building official that all plans have been reviewed and approved. Any required permits or a letter of compliance must be attached to the application.
- (12) A statement whether alcoholic beverages will be sold or served. If alcohol will be served, a copy of the Virginia Alcohol Beverage Control license allowing alcoholic beverages to be served at the event must be attached.
- (13) A certificate of the liability insurance carrier covering the liability loss, if any, incurred in the operation of the event.

Sec. 7-69. Applicant to furnish right of entry.

No permit shall be issued under this article unless the applicant shall furnish to the county administrator permission for the administrator, his lawful agents and duly constituted law enforcement officers to go upon the property at any time such event is being conducted.

Sec. 7-70. Issuance or denial.

The Board of Supervisors shall act on an application for a permit under this article at its first regular session following the filing of the same, provided such application is filed at least six (6) calendar days in advance of such session. If granted, the permit shall be issued in writing on a form provided for the purpose, and mailed to the applicant at the address indicated. If denied, the refusal shall be in writing and the reasons for such denial stated therein.

Sec. 7-71. Revocation.

The county administrator shall have the right to revoke any permit under this article upon noncompliance with any of the provisions and conditions of the permit or the provisions of this article.

This ordinance shall become effective at 12:01 a.m., January 1, 2005.

A copy teste: _____, Clerk
Southampton County Board of Supervisors
Adopted: December 20, 2004

Supervisor Felts advised that a lady who was in charge of horse competitions for 4-H had contacted her and expressed concerns that this ordinance may hinder those activities. She was concerned that according to the ordinance, they would not be exempt and would have to pay \$100 each time they held such an activity.

There was some discussion among the Board members that perhaps there should be exceptions for community organizations such as 4-H. They agreed that it did not seem feasible for an organization such as 4-H to have to pay \$100 each time an activity, such as a horse competition, was held. Attorney Railey advised that it would be difficult to define a “community” organization and you would have applicants using that to get around the ordinance and avoid having to apply for a permit and pay the \$100 application fee.

There was discussion among the Board that perhaps the number of participants in an activity or gathering should be increased from “less than 20” to “less than 50” to qualify for exemption. (Item 7 under “Exemptions”). They thought this would provide for more organizations and/or individuals to be exempt from having to apply for a permit and pay an application fee each time they held an outdoor event, while at the same time, continuing to keep control and order over outdoor events.

Vice-Chairman Young moved, seconded by Supervisor West, to adopt the ordinance with the suggested amendment of changing the number of participants from “less than 20” to “less than 50” to qualify for exemption (Item 7 under “Exemptions” of the Ordinance). All were in favor.

Proceeding to the preliminary plat approval of Woodland Park – Section 2, Mr. Johnson announced that included in the agenda for the Board’s consideration was a copy of the Southampton County Planning Commission’s report regarding preliminary plat approval for Section 2 of the Woodland Park subdivision in Courtland. The plat depicted thirty-three (33) residential building lots, each with a minimum of 12,000 square feet in area, acceptable standards in a Residential R-2 zoning district served by public water and sewer. He advised that the Planning Commission recommended approval of the preliminary plat, subject to (7) specific recommendations, outlined in their report, which addressed provision of streetlights, and performance and maintenance bonds for roads, drainage, water, sewer, and electrical improvements. He noted that the Town of Courtland had only agreed to furnish water to 10 of the 33 lots, at least initially, but would further consider service to the other 23 lots “if and when” their groundwater withdrawal limits were increased by the Department of Environmental Quality (DEQ). Accordingly, the final plat should only illustrate the 10 lots that would be initially served. He informed that once the preliminary plat was approved, the developer had 6 months to prepare a final plat and make satisfactory arrangements for surety to warrant installation of all improvements. The final plat was then reviewed by the Board, and if approved, must be recorded within 60 days of final approval.

Mr. Johnson read aloud the following (7) specific recommendations for approval by the Planning Commission:

- 1) Submittal of a performance bond in the amount of \$195,000 for road and drainage improvements;
- 2) Submittal of a maintenance bond in the amount of \$8,000 for annual road maintenance;
- 3) Submittal of performance bonds in the amounts of \$117,140 and \$70,425 for sanitary sewer improvement and water improvements, respectively;
- 4) Agreement by developer to pay the appropriate expenses associated with installation and operation of required streetlights;
- 5) Developer be advised that the lots for which water and/or sewer service is provided may be developed as warranted by zoning regulations;
- 6) Submittal of proper environmental permits prior to development of site; and
- 7) Submittal of appropriate plat approval fees.

Supervisor Felts moved, seconded by Vice-Chairman Young, to accept the Planning Commission's recommendation and approve the preliminary plat, subject to the seven conditions outlined in their report. All were in favor.

Regarding miscellaneous issues, Mr. Johnson announced that Supervisors West and Faison were continuing to make plans to develop itineraries for quarterly, half-day work sessions beginning next year. Supervisor West advised that he and Supervisor Faison had planned for the work sessions (mini retreats) to be held the first Tuesday of each quarter beginning at 6:00 PM and ending no later than 8:30 PM at the Workforce Development Center. For the first topic, they would like for Mr. Johnson to provide "the state of the County". Other topics would be fire and rescue, land use, solid waste, schools, economic development, and any other topics the Supervisors deemed important.

Mr. Johnson advised that included in the agenda were copies of correspondence from the City of Franklin regarding the Board's request to authorize the extension of water, sewer, and electrical service to Section 5 of the Regency Estates subdivision, and a resolution adopted by their Council in support of certain goals established by the Franklin-Southampton Alliance.

He informed that included in the agenda was a report prepared by Wes Alexander, our County Extension Agent, regarding the Southampton County Stockyards.

Mr. Wes Alexander addressed the Board. He advised that he had conducted a survey of the cattle producers in Southampton County. The purpose of the survey was to identify the cattle producers in the County and get a feel for their needs. Of those responding to the survey, 69% indicated that they were satisfied with existing market options. For those producers who marketed more than 25 head per year, 87% were satisfied. The condition of the stockyards was deemed excellent. He advised that they were going to try and have special sales a few times a year.

Supervisor Brown remarked that the County was in need of economic development and a viable full-time stockyard in Southampton County would be good for the County. He expressed that he thought cattle producers outside of Southampton County who may use the stockyards should be surveyed as well as goat producers both inside and outside of Southampton County.

Mr. Alexander indicated that cattle would pay the bills.

Supervisor Faison thought that perhaps they should more aggressively advertise for a stockyard operator. Supervisor West agreed.

Mr. Johnson announced that he was pleased to confirm that the sale of the former Southampton County Training School to VDOT had finally been consummated and the sale price of \$100,000 was wired to our account on December 15.

He advised that included in the agenda for the Board's reference was correspondence from the *Competitive Carrier Coalition* regarding their continued opposition to higher basic telephone rates under the new regulatory plan filed by Verizon with the State Corporation Commission (SCC). He noted that a copy of the Order and Notice for Hearing was included in the October agenda. The SCC conducted their hearing on November 22 and testimony presented by the SCC staff indicated that the petition failed to meet any of the 4 statutory tests, including affordability and public interest. The SCC was expected to rule on Verizon's application at its January 5 meeting.

Mr. Johnson informed that included in the agenda was a memorandum from John Hadfield, SPSA's Executive Director, responding to recent allegations that SPSA improperly established rates for disposal of construction and demolition debris, was poorly utilizing municipal landfill space, and that the member communities were subsidizing the cost of private waste disposal through municipal tipping fees. The memorandum clearly articulated SPSA's response to each of those allegations and he thought would resolve any lingering questions the Board may have.

He stated that included in the agenda for the Board's reference was a copy of a notice from the Virginia Department of Environmental Quality (DEQ) regarding the public comment period associated with VDOT's permit application for stormwater discharge associated with the expansion of State Route 671 (General Thomas Highway).

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

- 1) Notice from the Auditor of Public Accounts that his audit of the Circuit Court Clerk's Office revealed no material weaknesses in internal controls and no instances of noncompliance;
- 2) From the U.S. Small Business Administration, notice that it recently approved a loan to C. L. Hill Hauling in Newsoms which resulted in the creation of 2 new jobs;
- 3) From the Office of the Governor, notice that the State and local flags shall be flown at half-staff by localities whose sons and daughters offer the supreme sacrifice in service to their Country in *Operation Iraqi Freedom*;
- 4) From the City of Virginia Beach, a copy of a recent resolution endorsed by the Southside Hampton Roads Mayors & Board Chairmen, encouraging VDRPT to expedite its high speed rail study and endorse the Southside (parallel to Rt. 460) alternative; and
- 5) Correspondence from Teresa B. Preston seeking permission for a tenant with legal domicile in the State of California, to utilize our solid waste transfer sites while residing in Southampton County (response attached).

He informed that outgoing correspondence and articles of interest were included in the agenda.

Chairman Jones asked Mr. Vernie Francis, Southampton County Sheriff, if he had any comments.

Sheriff Francis informed that there were 2 residential fires in the County and one of the homes was completely destroyed. He also informed that he had received notice from the Camp Foundations that the Sheriff's Department had received a \$15,000 grant jointly with the City of Franklin Police Department to enable them to begin putting receivers on Alzheimer's and Autistic patients in the County so they could track them and keep them safe.

Supervisor Faison, commented that he could not say enough for what Sheriff Francis did with the resources he had.

Chairman Jones asked Mr. Charles Turner, Superintendent of Southampton County Schools, if he had any remarks.

Mr. Turner stated that he would just like to thank the Board for their support.

Chairman Jones asked if any citizen had anything to bring before the Board before they went into closed session?

Mr. Glenn Updike briefly addressed the Board and expressed his continued concerns about the Southampton County stockyards. He thought that a reputable operator should be actively sought and a real effort made to get the stockyards in Southampton County back in operation full-time. Cattle producers were having to take their cattle to Blackstone, the nearest market.

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) (1) Discussion regarding a temporary work assignment for the county administrator;

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

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

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.

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

Richard Railey, County Attorney, Waverly Coggsdale, Assistant County Administrator, Julia Williams, Finance Director, Cindy Cave, Community/Economic Development Director, and Julien Johnson, Public Utilities Director, were present in the closed meeting.

Upon returning to open session, **Vice-Chairman Young moved, seconded by Supervisor Felts, 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. “Walt” Brown, III
Carl J. Faison
Anita T. Felts
Ronald M. West
Moses Wyche**

The motion passed unanimously.

Going back to recognition of distinguished service, Mr. Johnson read aloud and presented the following plaque to Mr. E. Beale Carter, Jr.:

In recognition of his distinguished service to the people of
Southampton County as a Member of the Board of
Supervisors
May 6, 2004 –November 8, 2004

Presented to

E. Beale Carter, Jr.

as representation of the high esteem in which he is held by the
Board of Supervisors
of Southampton County, Virginia
December 20, 2004

Mr. Carter apologized for not being present on time and graciously accepted the plaque. He advised that it was truly an honor for him to serve on the Board with such fine individuals. He remarked that he was sure that Supervisor Brown, representing the Newsoms District, would be an asset to the Board.

There being no further business, the meeting was adjourned at 1:30 PM.