

March 22, 2010

At a regular meeting of the Southampton County Board of Supervisors held in the Board Room of the Southampton County Office Center, 26022 Administration Center Drive, Courtland, Virginia on March 22, 2010 at 6:00 PM

SUPERVISORS PRESENT

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

SUPERVISORS ABSENT

None

OTHERS PRESENT

Michael W. Johnson, County Administrator (Clerk)
James A. Randolph, Assistant County Administrator
Julia G. Williams, Finance Director
Beth Lewis, Principal Planner
Robert L. Barnett, Director of Community Development
Sandi Plyler, Information Technology Manager
Julien W. Johnson, Jr. Public Utilities Director
Richard E. Railey, Jr., County Attorney
Susan H. Wright, Administrative Secretary

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

Chairman Jones sought approval of the minutes of the February 22, 2010 regular meeting. They were approved as presented, as there were no additions or corrections.

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

Mr. Lomax advised that they were repairing potholes throughout the County – some of the repairs were permanent while others were temporary. He noted that there were over 800 potholes in the County. They were also continuing to work on drainage issues throughout the County.

Vice-Chairman Young asked if Mr. Jerry Kee, Assistant Residency Administrator, was going to contact the residents of Champs Drive? Mr. Lomax replied yes. He noted that Mr. Kee was out sick, but he would remind him when he returned to work.

Mr. Lomax advised that Ben Bryant, VDOT Superintendent, walked the ditch on Route 687 and determined that the problem was beavers. He would talk to some of the property owners about working on the dam and trying to do some trapping. Beavers had also built dams under the railroad. Last week they took the dam down about 6 inches, and the water on Route 58 dropped about 1 foot. Mr. Lankford showed up immediately. He would get back in touch with Mr. Lankford this week. He had already sent two emails to CSX. He noted that the Rail Master had changed. He hoped VDOT, Mr. Lankford, and CSX could collaborate to help address this issue.

Supervisor Felts thanked Mr. Lomax for the great work they did on Drake Road.

Supervisor West asked if dead trees along the side of the road that were not on VDOT's right-of-way, but were leaning toward the road, of VDOT's concern? Or did they have to hit the road first? Mr. Lomax replied that they were of VDOT's concern. He hoped to have a contractor working on this issue soon. He did notice a couple dead trees along Route 616 in the Ivor area that stood out. He asked Supervisor West and the other Supervisors to let him know of any specific dead trees that needed addressing and he would put them on a list to give the contractor.

Supervisor Brown advised that there were some drainage problems in the area of Thomaston Road, as water was being backed up. He would appreciate it if VDOT would check into that.

March 22, 2010

Supervisor Brown asked Mr. Lomax about cleaning out the ditch on Bishop Poquoson Road. Mr. Lomax advised that he could not clean out the ditch. They had agreed to have the surveyor do a drainage and elevation analysis and see if anything could be done. He was waiting on the surveyor to do that. He noted that the surveyor had just gotten back to the area today – he had been in Suffolk for the past 3 months.

Supervisor Brown asked if the cleaning out of private outfall ditches, particularly those that were impacting state roads, was a dead issue? Mr. Lomax replied, as discussed at the retreat, VDOT was not going to clean them out unless it was an emergency situation and the road was going to give in. Water standing in the road was not classified as an emergency.

Supervisor Wyche indicated that he would like VDOT to evaluate the possibility of lowering the 55 mph speed limit on Route 35 at the School Board office.

Mr. Lomax clarified for Chairman Jones that they planned to overlay the area of Route 58 in front of Valley Proteins.

Regarding reports, various reports were received and provided in the agenda. They were Financial, Sheriff's Office (Communication Center Activities, EMS and Fire Department Activities, Traffic Tickets, Civil Papers), Litter Control, Building Permits, and New Housing Starts. Also, Treasurer's Report, Solid Waste Quantities, Fire and Rescue Financial Reports, and Personnel.

In regards to Litter Control, Mr. Michael Johnson, County Administrator, clarified for Supervisor Brown that the Sheriff's Office chose areas, usually close to where the probationers lived, for them to pick up litter. However, they could put together a group to address "hot spots." Supervisor Brown stated that Old Bridge Road needed to be addressed, as it was a dumping ground.

In regards to Solid Waste Quantities, Supervisor Brown pointed out that the attended sites had resulted in over a million dollars in savings.

Mr. Johnson indicated that there were no personnel changes to report.

Moving to financial matters, Mr. Johnson announced that bills in the amount of \$2,801,171.33 were received.

Vice-Chairman Young moved, seconded by Supervisor Wyche that the bills in the amount of \$2,801,171.33 be paid with check numbers 96319 through 96711. All were in favor.

Moving to appointments, Mr. Johnson announced that as discussed last month, Mr. Walter L. Young, III's term on the South Centre Corridors Resource Conservation and Development Council expired in 2009. Vice-Chairman Young was seeking to identify a successor.

Vice-Chairman Young made a motion to appoint Ronnie West (Supervisor) as Mr. Young's successor on the South Centre Corridors RC&D Council for a 3-year term beginning on January 1, 2010. All were in favor.

Mr. Johnson reminded that Supervisor Brown was appointed to head up and direct the organization of a local Sesquicentennial committee to participate in the historic commemoration of the 150th anniversary of the American Civil War. He had asked each Board member to assist him by appointing a member from their respective district(s).

The following names were submitted:

Richard Francis	(submitted by Supervisor Faison)
Rod Phelps	(Vice-Chairman Young)
Jay Felts	(Supervisor Felts)

Chairman Jones and Supervisors West and Wyche indicated that they did not yet have appointees.

Supervisor Brown advised that they wanted to make the celebration of the Civil War here in Southampton County more inclusive to also include Native Americans and African Americans who fought in the War. This celebration could bring in hundreds of thousands of tourist dollars.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to appoint Richard Francis, Rod Phelps, and Jay Felts, to the local Sesquicentennial Committee. All were in favor.

Mr. Johnson announced that as briefly discussed at the Board's retreat, he was contacted earlier in the month by Lonnie Johnson, District Director with Virginia Cooperative Extension, regarding a plan to share Extension Agents (one Agriculture/Natural Resources position and one 4-H position) with Isle of Wight County. Their intention was to physically place one agent in each county, but have them serve consumers in both counties. The one-third local share of funding would be borne equally between the counties. He advised that they had already posted the positions for internal transfer, but he was unsure if any agents elsewhere in the Commonwealth had expressed interest in the positions. He noted that Lonnie Johnson was scheduled to attend tonight's meeting, but he had a conflict and was unable to attend.

Mr. Johnson clarified for Supervisor Faison that if there was no interest in internal transfer, they would still look to fill the positions.

Mr. Johnson announced that included in the agenda were capital funding requests from the Courtland Volunteer Fire Department in the amount of \$14,000 to assist them in servicing debt associated with Engine 42, and the Boykins Volunteer Fire Department & Rescue Squad in the amount of \$14,000 to assist them in servicing debt on their 1999 Pumper, 2006 Ambulance, and 2008 Brush Truck. Capital funding in the amount of \$14,000 had been set aside for each fire department in FY 2010 and \$7,000 had been budgeted for each volunteer rescue squad. Funds were earmarked annually for each department or squad and held in escrow pending specific approval by the Board of Supervisors. Escrowed funds continued to accrue for each department/squad if not drawn down. The table included in the agenda indicated the status of capital appropriations since FY 2000. As they could see, the request was in order. Through March 17, 2010 they had collectively appropriated \$1,233,500 for fire and rescue improvements and were holding in escrow an additional \$260,500.

Supervisor Wyche moved, seconded by Vice-Chairman Young, to approve the capital funding requests of the Courtland Volunteer Fire Department in the amount of \$14,000, and the Boykins Volunteer Fire Department and Rescue Squad in the amount of \$21,000. All were in favor.

Moving to the citizen request to address the Board, Chairman Jones recognized Ms. Ida Spruill.

Ms. Spruill advised that she resided at 23180 Thomaston Road, Newsoms. She wanted to talk to them regarding water problems and regarding an abandoned house next door. Loggers had clogged up the ditches and water was backing up into her yard and her neighbor's yard. Her neighbor had mold inside her home due to the water coming up to the house and seeping under it, and there was a 10-month old living in the house. Whenever it rained, she (Ms. Spruill) could not use the TV, Internet, or phone. She shared numerous slide photos, which showed the water standing in her yard, in her neighbor's yard, the water coming up to her neighbor's house, and the mold inside of her neighbor's house caused by the water. She advised that there was also an abandoned house on property next to her house. The house was falling down, the grass and weeds were grown up, etc. She had contacted the owners of the house, but because it was heir property, nobody wanted to take responsibility for it. She thanked the Board for listening and indicated that she hoped they could help her.

Mr. Robert Barnett, Director of Community Development, advised that Ms. Spruill had filed a complaint with his office regarding the abandoned structure and they were looking into that. He noted that they may have to use some County funds, as they had done in the past, to have the structure removed.

Supervisor Brown thanked Ms. Spruill for sharing her concerns. He stated that there was a serious problem with outfall ditches in this County. He remembered reading something in the newsletter put out by the Riverkeeper, Jeff Turner, about a code Southampton County used to have that held loggers responsible for making sure they did not clog up outfall ditches when cutting timber. He did not know if that code was still in place.

Mr. Johnson advised that his assumption was that would have been a state statute – he was unaware of any local regulation or the authority to impose any such local regulation.

March 22, 2010

Supervisor Brown stated that although he may stand corrected, he thought it was a local regulation. He asked Mr. Johnson to check on that. He added that until someone was held responsible for clogging up outfall ditches, the problem was going to continue.

Supervisor West stated that a VDOT environmentalist came to the retreat and indicated that VDOT was no longer taking care of outfall ditches. There were environmental permits that had to be obtained in order to clean out outfall ditches, and the responsibility was that of the landowner, but the process may be too expensive for the landowner to afford.

Mr. Richard E. Railey, Jr., County Attorney, advised that the remedy was for the landowner to seek an injunction against the person whose property was causing the problem.

Chairman Jones encouraged Ms. Spruill to talk with Attorney Railey.

Mr. Johnson announced that as they recalled from last month, the Board adopted a resolution authorizing the guaranty of the timely payment of a portion of principal and interest on certain debt that SPSA would have remaining with VRA following the sale of its waste-to-energy plant. Since the guaranty agreement was still being developed at the time of their approval last month, he represented that it would be substantively in the same form as the 2009 document and the Board approved the resolution based upon that representation. While it may be debated whether changes in the 2010 Guaranty Agreement were substantive or not, there were changes, and he would prefer to err on the side of caution and ask them to consider readopting the resolution this month with the Guaranty Agreement and Reimbursement Agreement (included in the agenda). The most substantive change was removal of the condition from the Guaranty Agreement that all eight member communities must approve any additional indebtedness by SPSA – that provision was now contained in a separate reimbursement agreement between SPSA and the owner communities. The fundamentals of last month's approval were unchanged. They were still providing their non-binding (moral obligation) pledge to guarantee up to \$1,050,000 of the remaining debt that SPSA would have with VRA, subject to their release of their April 2009 pledge, which guaranteed up to \$4.9 million of remaining debt at that time. The new amount was based upon the percentage of municipal waste that Southampton County contributed to SPSA's system (2.1%). He noted that all seven of the other SPSA member communities would consider similar resolutions.

Mr. Johnson continued that as they recalled, the sale of SPSA's Waste-to-Energy (WTE) Plant would allow SPSA to retire roughly \$142 million of its \$220 million in debt and reduce its annual debt service requirements by roughly 60%. In addition, the sale would allow SPSA to forgo more than \$50 million in capital expenditures (Cell VII and 2 transfer stations in Suffolk) over the next 8 years. The sale was expected to save Southampton County more than \$6 million in increased tipping fees over the next 8 years. Proceeds from the sale would be used to proportionally reduce SPSA's debt among its three creditors (VRA, Wachovia, and Ambac), so that their respective risk was not substantively changed by the transaction. SPSA would also utilize a portion of the sale proceeds to repay the City of Virginia Beach its obligation under the forbearance agreement approved last year, and the City of Virginia Beach would assume its pro-rata share of the guarantee to VRA. He noted that included in the agenda was a copy of the complete, amended, and restated resolution, along with copies of the Guarantee Agreement and Reimbursement Agreement.

Supervisor West asked, what if one of the member communities did not approve the debt? Mr. Johnson clarified that the provision in the Reimbursement Agreement indicated that all eight member communities must approve any additional indebtedness by SPSA.

Supervisor Faison asked why Southampton County had a moral obligation, and the other seven member communities had a general obligation, to guarantee a portion of SPSA's debt? Mr. Johnson explained that counties in Virginia did not have the statutory authority to provide a general obligation pledge without a voter referendum. The six cities had that statutory authority. Isle of Wight County did also because it had special legislation introduced about 10 years ago that provided them the same status as cities with regard to the issuance of debt.

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

Mr. Johnson announced that included in the agenda was a Cooperation Agreement between the County of Southampton and the Southampton County Industrial Development Authority (IDA)

that simply provided for the IDA to transfer all lease payments it received from Bunrootis back to the County to defray its expenses in acquiring and developing the industrial park on behalf of the IDA. He reminded that the IDA was the owner of the park property, now known as the "Southampton Commerce and Logistics Center," and leased 240.1 acres to Bunrootis, LLC for 15 years (January 2010 – January 2025). Bunrootis would pay base rent totaling \$1.75 million dollars based on a schedule contained in the lease, beginning in 2013 and ending in 2022 and additional rent in an amount equal to twenty-eight percent (28%) of the net revenue generated from the sales of credits from the property, minus the base rent paid for that lease year, starting in 2015 and continuing for each year thereafter. The additional rent, while not guaranteed, was estimated at an additional \$1.75 million.

The Cooperation Agreement is as follows:

COOPERATION AGREEMENT BETWEEN THE COUNTY OF SOUTHAMPTON, VIRGINIA AND THE SOUTHAMPTON COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY

THIS COOPERATION AGREEMENT (this "Cooperation Agreement") is made as of this ___ day of _____, 2010, by and between **THE COUNTY OF SOUTHAMPTON, VIRGINIA** (the "County"), a political subdivision of the Commonwealth of Virginia, and the **SOUTHAMPTON COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY** (the "IDA").

Recitals:

- A. Following the procedures set forth in its adopted "Public-Private Education Facilities and Infrastructure Act of 2002 – Procedures for Southampton County, Virginia," (the "Implementing Procedures") the County published a solicitation for conceptual phase proposals under the Public-Private Education Facilities Infrastructure Act of 2002 (Title 56, Chapter 22.1 of the Code of Virginia 1950 as amended) (the "PPEA") for certain site development work associated with development of an industrial park, including compensatory mitigation in the form of forested and emergent wetlands and relocated/restored stream, and development, financing, construction and sponsorship of a wetland and stream mitigation bank (collectively, the "Project").
- B. Following acceptance of the conceptual proposal made by Bunrootis, LLC ("Bunrootis"), the only response to the solicitation, by the Board of Supervisors (the "Board"), the County selected Bunrootis to submit a detailed phase proposal in accordance with the Implementing Procedures.
- C. After reviewing the detailed phase proposal submitted by Bunrootis, the County selected Bunrootis for negotiation of a comprehensive agreement based upon its proposals, and proceeded to negotiate with Bunrootis.
- D. On January 25, 2010, the County approved the comprehensive agreement (the "Comprehensive Agreement") between itself and Bunrootis, which was executed by the County Administrator on behalf of the County and by the managing member of Bunrootis on behalf of Bunrootis as of January 28, 2010.
- E. As required to fulfill the terms and purposes of the Comprehensive Agreement, the IDA approved the lease of approximately 240 acres from the IDA to Bunrootis (the "Lease") for Bunrootis to use to develop and operate a wetland and stream mitigation bank (the "Cheroenhaka Wetland and Stream Mitigation Bank") on January 25, 2010, which Lease was executed by the secretary of the IDA on behalf of the IDA and by the managing member of Bunrootis on behalf of Bunrootis as of January 28, 2010.
- F. In order to reimburse the County for its expenses in acquiring the leased property and the proposed industrial park site on behalf of the IDA, and for its costs related to development of infrastructure for the industrial park, the County and IDA wish to enter this Cooperation Agreement pursuant to which the IDA will pay to the County the funds it receives as rental payments from Bunrootis under the Lease.

Agreements:

NOW, THEREFORE, for and in consideration of the mutual promises, conditions and covenants set forth herein, the County and the IDA agree as follows:

March 22, 2010

1. The IDA agrees to transfer to the County all funds paid to it as either "Base Rent" or "Additional Rent" under the Lease, as those terms are defined in the Lease. The IDA shall make such transfers of funds received from Bunrootis as payment toward Base Rent or Additional Rent within thirty (30) days after receipt of such payments.

2. The County agrees to use the transferred funds to help defray its expenses incurred in the acquisition and infrastructure development of the industrial park site on behalf of the IDA.

3. This Cooperation Agreement and the performance thereof shall be governed, interpreted, construed and regulated by the laws of the Commonwealth of Virginia.

4. Any notices required to be given under this Cooperation Agreement shall be sufficient if in writing and sent by first class, registered or certified mail, return receipt requested, as follows:

To the County: County Administrator
County of Southampton
26022 Administration Center Drive
P. O. Box 400
Courtland, VA 23837

To the IDA: Southampton County Industrial Development Authority
26022 Administration Center Drive
P. O. Box 400
Courtland, VA 23837

5. This Cooperation Agreement shall be binding upon and shall inure to the benefit of the successors and permitted assigns of the parties hereto; provided, however, that in no event may this Cooperation Agreement or any of the rights, benefits, duties or obligations of the parties hereto be assigned, transferred or otherwise disposed of without the prior written consent of the other, which consent neither party shall be obligated to give.

6. It is understood between the parties that no third party rights are created by this Cooperation Agreement.

7. This Cooperation Agreement constitutes the entire, full and complete understanding and agreement of the parties with respect to the subject matter discussed herein, and it shall not be modified, altered or amended except by written agreement executed by the parties hereto with the same formality as this Cooperation Agreement.

IN WITNESS WHEREOF, the parties have executed this Cooperation Agreement as of the day and year first written above.

COUNTY OF SOUTHAMPTON, VIRGINIA

By: _____
Name: _____
Title: _____

Approved as to form:

County Attorney

SOUTHAMPTON COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY

By: _____
Name: _____
Title: _____

Approved as to form:

Attorney for the IDA

Vice-Chairman Young moved, seconded by Supervisor Wyche, to approve the Cooperation Agreement. All were in favor.

Mr. Johnson announced that transmitted under separate cover prior to their retreat, each Board member received a copy of the Strategic Tourism Plan for Franklin and Southampton County. Another copy was included in this agenda. The plan was put together by a local steering committee which included a cross section of local business people in the city and county, who believed that there was a substantial benefit in focusing on tourism as a major economic engine in our region. The plan provided background information including a discussion of past tourism efforts, a situational analysis to identify goals and objectives, Mission and Vision Statements, as well as identification of targeted customers. They had prepared a resolution for their consideration this evening, which officially sanctioned the Tourism Steering Committee and approved the Tourism Strategic Plan as the guiding document for their efforts. Mr. Tommy Miller of Franklin-Southampton Economic Development Inc. would present the plan.

Chairman Jones recognized Mr. Tommy Miller.

Mr. Miller gave the following PowerPoint presentation:

FS Franklin Southamton
ECONOMIC DEVELOPMENT, INC.

**Southampton County
Board of Supervisors
March 22, 2010**

FS

**Franklin - Southampton
Tourism Initiative**

FS Franklin Southamton
ECONOMIC DEVELOPMENT, INC.

Background **FS**

- First Tourism Committee Created in 2000
 - Post Flood of 1999
- Creation of Southside of the James
 - Regional Tourism Group
 - First Marketing Brochure 2002
- Second Tourism Committee Created in 2008
 - Tourism Introduction Workshop, Wired Program, Risk Analysis, Asset Inventory, Tourism Planning Workshop

Tourism Vision **FS**

Develop, attract, promote, and elevate the experience for visitors in the Franklin-Southampton area while maintaining our quality of life.

Tourism Goals **FS**

1. **Establish Tourism as an Economic Development Program for Growth**
2. **Create Financial Support for Tourism Initiatives**
3. **Improve, Enhance, and Promote Quality of Life**
4. **Improve Marketing Efforts**

What is Tourism In Our Area **FS**

We often associate travel and tourism as large resort areas or major attractions.

What is Tourism In Our Area



In reality, our visitors are travelers from outside a 50 mile radius who are here for

- Friends
- Family
- Reunions
- Graduations
- Weddings
- Christenings
- Hunting/Fishing
- Business
- Conferences
- Concerts
- Attractions
- Festivals
- Shopping
- And much more

Virginia Tourism Revenue



Virginia generates almost 19 billion dollars in tourism funds from visitors and Franklin-Southampton is poised to increase our piece of the tourism revenue stream.

Franklin Southampton Tourism Revenue



Franklin - Southampton's travel related businesses, employ over 250 people, supported by \$24 million which travelers spend in our communities.

Rose Show Impact Study



October 2008

Revenue for Local Businesses

Number of persons at the special event	690
Number of non-resident persons at the special event	305
Number of non-resident hotel parties	163
Mean average non-resident spending per party in the area	\$200
Spending by hotel company (VA Rose Show)	\$11,000
Total non-resident spending	\$43,600

Revenue for Local Community

% of spending subject to local taxes	80%
Average tax rate on items subject to local taxes	5%
Approximate tax revenue to area:	\$17,408

Franklin Tourism Revenue



According to the VTC the direct economic impacts of domestic travelers' spending for our community 2008 :

Travel Impacts	
Expenditures	\$11,934,009
Payroll	2,148,722
Employment	123
State Tax Receipts	693,557
Local Tax Receipts	485,297
Excise Tax Collections	
Lodging Excise Tax Collected (8%)	191,575
Food Service Excise Tax Collected (6.5%)	1,089,906

- 123 employees are the direct result of tourists coming to Franklin; not the overall number of people employed in the hospitality area.
- Expenditures – how much travelers spent on food, retail, gas, amusements, all encompassing – from 50+ miles.

Southampton Tourism Revenue



According to the VTC the direct economic impacts of domestic travelers' spending for our community 2008 :

Travel Impacts	
Expenditures	\$12,557,905
Payroll	2,558,023
Employment	142
State Tax Receipts	629,792
Local Tax Receipts	252,560
Excise Tax Collections	
Lodging Excise Tax Collected (0%)	0
Food Service Excise Tax Collected (0%)	0

- 142 employees are the direct result of tourists coming to Franklin; not the overall number of people employed in the hospitality area.
- Expenditures – how much travelers spent on food, retail, gas, amusements, all encompassing – from 50+ miles.

Southampton Tourism New Revenue



Meals & Lodging Tax Revenue

Lodging Tax 2%
\$9,000 collected

Food Service Tax 4%
\$150,000 projected

Businesses that Rely on Tourism



Hotels



Restaurants



Attractions



Retail



FS

Support Tourism

Support and promotion of these businesses makes good economic sense. As they thrive so does the local economy.

More Travelers =
More Goods & Services Sold =
More Employment =
Larger Local Tax Base

FS

Support Tourism

Recognize the importance of travel and tourism as an economic development initiative, a catalyst for job creation and new tax revenue easing the burden on the traditional tax base.

FS

Support Tourism

This vision must be supported by our citizens and community leaders.

Thank You for Your Time & Consideration

FS

Thank You, From Our Steering Committee

First Name	Last Name	Company	Specialization
LesAnn	Alexander	Southern Bites / County Fair	Restaurants/Chefs
David	Benson	Hickman Peanut Co.	Retail
Bill	Billings	Photographer	Artist
Carl	Brinkley	Design by Sables	Retail
Mike	Case	Compton Inn / Courtyard Inn	Accommodations
Mike	McMinnis	Reynolds Beers & Ice Cream	Restaurant
Clyde	Perry	Bob & Doreen's	Accommodations
Bruce	Phelps	Recession Great Spots	Hunting/Historic/Overnight/Events
Mark	Pope	Pope Farms	Hunting/Accommodations
Teresa	Prentiss	Cherokeelake Tribal Heritage Foundation	Native American/Museum
Marshall	Rebel	Traveler	Culinar/Recreation
Raynelle	Reidick	Royal Tours	Events
Jude	Reidick	Fountains / Peanut Pans	Retail
Alice	Scott	Avor Furniture	Retail
Warren	Shay	Super 8 Hotel	Accommodations
Jeff	Turner	River Keeper	Recreation
Lynda	Urbine	Southampton County Historical Society	Museum
Bill	Vick	Agriculture & Forestry Museum	Agriculture
Bill (aka Chad)	Wright	Cherokeelake (Pottery), Indian Tribe	Native American/Museum

Mr. Miller asked the Board to consider adopting the following resolution:

A RESOLUTION
 ENDORSING THE STRATEGIC TOURISM PLAN &
 TOURISM STEERING COMMITTEE FOR
 FRANKLIN SOUTHAMPTON'S TOURISM INITIATIVE

WHEREAS, the mission of Tourism is to enhance and diversify Southampton County's economy and tax base through increased visitor expenditures, increased employment, and increased tax revenue; and

WHEREAS, it is the desire of the Board of Supervisors of Southampton County, Virginia to improve its overall tourism program, in cooperation with the Virginia Tourism Corporation, through the development of a Tourism Strategic Plan; and

WHEREAS, the creation of a Tourism Steering Committee made up of representatives from the local travel and tourism industry, would assist in keeping the process manageable and measurable; and

THEREFORE, BE IT RESOLVED that the Tourism Steering Committee, under the direction of Franklin Southampton Economic Development, Inc., Franklin Southampton Chamber of Commerce, Downtown Franklin Association, be composed of representatives from local attractions, accommodations, dining and retail establishments or any individual possessing expertise in the travel and tourism fields.

BE IT FURTHER RESOLVED that Southampton County Board of Supervisors accepts and supports the Tourism Strategic Plan and the creation of the Tourism Steering Committee with adoption of this resolution.

Adopted this 22nd day of March, 2010.

Board of Supervisors

 Dallas O. Jones, Chairman

ATTEST

 Michael Johnson, Administrator

Supervisor Brown commended Mr. Miller and the Tourism Steering Committee for their efforts.

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

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

Request by Oscar R. McClenney, Jr., for William and Joann Griggs for Conditional Use Permit. The request seeks to revise conditions associated with Conditional Use Permit # 09082005:03, granted in November 2005, to remove the requirement that requires “townhouses to be sold by the developer, not rented”. The parcel is located on Jerusalem Road at William Court, and is also known as Tax Parcel 75-34F. The property is approximately 2.21 acres in size, and is in the Jerusalem Magisterial District and the Jerusalem Voting District.

Mrs. Beth Lewis, Principal Planner and Secretary to the Planning Commission, reported that the Planning Commission held a public hearing on this application at its February 11, 2010 meeting and unanimously recommended denial of the request.

Mrs. Lewis pointed out that the *Code of Virginia* did not give counties the authority to regulate whether a home was sold or rented – they were given the authority to regulate use. A townhouse was a type of structure, and not a type of use. The use of the property would remain residential regardless of whether the townhouses were rented or sold. She noted that the current condition stated that the **developer** could not rent the townhouses. As a result, once the developer sold them, the new owners could rent them out.

Chairman Jones opened the public hearing.

Mr. Don Lee spoke. He advised that he was a part-time resident of Courtland and owner of one of the townhouses in this development. He would not have purchased it if he knew there was a chance the development could be turned into rental property. The developer initially indicated that he did not want to rent the townhouses. He thought he was misrepresented.

Mr. Tom McClenney, applicant, spoke. He clarified that he did not request the condition that the townhouses could not be rented. Mr. James Greens’ daughter (who lived across from the subject property) was against the development. In an effort to appease her, Attorney Railey suggested the condition. He went along with it, because at the time, the economy was good. Now the economy was such that it would be financially advantageous for him to rent the townhouses until they were sold. He noted that he would keep the townhouses on the market for sale. He asked Attorney Railey and the Board of Supervisors, what was wrong with renters? He personally was not a renter, but he did not think he was better than anyone who rented.

Mr. Glenn Updike spoke. He stated that the Planning Commission and Board of Supervisors spent hours discussing this application when it first came before them a few years ago. He did not think the Board should overturn the condition.

Chairman Jones closed the public hearing.

Supervisor Brown stated that he did not see anything wrong with granting the applicant’s request and removing the requirement that the townhouses could not be rented.

Supervisor Faison advised that he personally was ok with it. However, decisions had been made based on that condition. And for that reason, he would have to vote against it.

Supervisor Felts moved, seconded by Vice-Chairman Young, to accept the Planning Commission’s recommendation and deny the request to amend the conditional use permit. All were in favor.

Mr. Johnson advised that the second public hearing was being held for the following purpose:

To receive public comment with regard to the proposed Capital Improvements Plan for FY 2011-2016.

The proposed Capital Improvements Plan is as follows:

FY 2010-2016 Capital Improvements Plan
Project Ranking Score Sheet

Department	Project	Ranking (FY 2010-2012)	Total Estimated Cost	Possible Funding Source
School Board	Capron Elementary School	High	\$10,504,691	Low Interest Literary Loan Fund
Sheriff	Replace jail	High	\$ 4,600,000	General Assembly reimbursement
Library	Expand/renovate building	High	\$ 3,058,218	
Sheriff	Animal pound	High	\$ 500,000	
School Board	Replacement school buses	High	\$ 455,000	
Sheriff	Radio system repeaters	High	\$ 300,000	
Sheriff	Courthouse security improvements	High	\$ 300,000	Courthouse security fees
Utilities	Slip line sewers, Edgehill	High	\$ 261,000	
Buildings and Grounds	Replace HVAC, two pipe system, Courthouse	High	\$ 125,000	
Utilities	Pump station #6, Grant Street	High	\$ 105,100	Benson Woods facility fees
IT	AS400, Windows server upgrade	High	\$ 100,000	
Administration	Funds for PDR/open space/conservation easement	High	\$ 100,000	
Public Works	Two 4x4 pick-up trucks	High	\$ 55,000	
Utilities	Pump station #10, Pino's	High	\$ 52,500	
Utilities	Pump station #5, Shands Drive	High	\$ 52,500	
Utilities	Pump station #9, Bill Vick's house	High	\$ 52,500	
Utilities	Pump station #4, behind jail	High	\$ 52,500	
IT	BAI.NET for e-government	High	\$ 50,000	
Library	Public area lighting	High	\$ 50,000	
Building and Grounds	Seal courthouse water intrusion	High	\$ 35,000	
Building and Zoning	Building renovation	High	\$ 32,000	
Administration	Admin building generator	High	\$ 30,000	
Administration	Admin building security	High	\$ 25,000	
Administration	Vehicle	High	\$ 22,000	
Utilities	Slip line sewer Beaton Avenue, East St. to Main Street, Boykins	High	\$ 21,000	
Public Works	Replace four red boxes	High	\$ 20,000	
Building and Zoning	"Toughbook" computers	High	\$ 20,000	
Building and Zoning	Replace GPS tablet	High	\$ 15,000	
Utilities	Install manhole, South Main at East Street, Boykins	High	\$ 12,000	
IT	Server for PEG channel TV	High	\$ 10,000	
Public Works	RCS upgrades	High	\$ 10,000	
IT	Annual computer replacement	High	\$ 8,000	
Building and Zoning	Update tax maps	High	\$ 5,000	
IT	Annual printer replacement	High	\$ 2,000	
Total High Priority			\$21,041,009	

March 22, 2010

Department	Project	Ranking (FY 2013-2014)	Total Estimated Cost	Possible Funding Source
School Board	Bus garage	Medium	\$ 1,696,689	
School Board	HVAC replacement, Career Tech	Medium	\$ 600,000	
Utilities	Water main extension, Agribusiness center	Medium	\$ 410,000	Tap/facility fees
Sheriff	Security, Sheriff's office	Medium	\$ 150,000	
Public Works	Replace three compactors/trash disposal improvements	Medium	\$ 120,000	
Administration	Parks/Recreation: Parkland acquisition and development	Medium	\$ 100,000	
Building and Grounds	Maintenance/storage shop	Medium	\$ 75,000	
Utilities	Pump station #2 Florence Street	Medium	\$ 52,500	
Utilities	Pump station #8 Steven Woods	Medium	\$ 52,500	
Administration	Campus landscaping/lighting	Medium	\$ 50,000	
IT	Fiber options, Admin/Community Development buildings	Medium	\$ 50,000	
Building and Zoning	Two vehicles	Medium	\$ 40,000	
IT	Board meeting room video equipment	Medium	\$ 37,000	
Building and Grounds	Courthouse window replacement	Medium	\$ 35,000	
Building and Grounds	Courthouse roof replacement	Medium	\$ 35,000	
Administration	Entry "Welcome" signs	Medium	\$ 30,000	
IT	Board room audio equipment	Medium	\$ 26,000	
IT	Data storage	Medium	\$ 25,000	
IT	Vehicle	Medium	\$ 20,000	
Building and Grounds	Judges' parking lot	Medium	\$ 20,000	
Public Works	Red box replacement	Medium	\$ 20,000	
Public Works	RCS upgrades	Medium	\$ 10,000	
Building and Grounds	Courthouse parking lot seal/paint	Medium	\$ 10,000	
IT	Annual computer replacement	Medium	\$ 8,000	
IT	Bandwidth distribution solution	Medium	\$ 8,000	
IT	Data processing room security	Medium	\$ 4,000	
IT	Annual printer replacement	Medium	\$ 2,000	
Total Medium Priority			\$ 3,686,689	

Department	Project	Ranking (FY 2015-2016)	Total Estimated Cost	Possible Funding Source
Utilities	Pump station, force main, gravity sewer, Scottswood	Low	\$ 3,700,000	
School Board	SHS track	Low	\$ 323,000	
Public Works	Tractor and trailer	Low	\$ 150,000	
Public Works	Roll off truck replacement	Low	\$ 130,000	
Administration	Fairgrounds improvements	Low	\$ 100,000	
IT	Paperless agenda hardware/software	Low	\$ 65,000	
IT	Admin building wireless solution	Low	\$ 55,000	
Building and Grounds	Wood Building upgrade (IP building on Old Stage Road)	Low	\$ 50,000	
Utilities	460 area study for sanitary sewer	Low	\$ 50,000	
Building and Grounds	School Board building roof	Low	\$ 40,000	

IT	Server, in-house email/web hosting	Low	\$ 25,000	
Administration	Office furniture	Low	\$ 20,000	
Public Works	Red box replacements	Low	\$ 20,000	
Buildings and Grounds	Admin building parking lot seal/paint	Low	\$ 20,000	
Building and Grounds	Extension office parking lot seal/paint	Low	\$ 20,000	
Building and Grounds	Front end loader, used	Low	\$ 20,000	
Building and Grounds	Voter Registration HVAC upgrade	Low	\$ 18,000	
Public Works	RCS upgrades	Low	\$ 10,000	
IT	Annual computer replacement	Low	\$ 8,000	
IT	Tag process to track assets	Low	\$ 8,000	
IT	Annual printer replacement	Low	\$ 2,000	
Total Low Priority			\$ 4,834,000	
Total CIP			\$29,561,698	

Mrs. Beth Lewis, Principal Planner and Secretary to the Planning Commission, advised that the proposed Capital Improvements Plan (CIP) was as amended by the Planning Commission at their regular meetings, and as amended by the Board of Supervisors at their Retreat. The CIP was essentially a shopping list or wish list for the County. There may be little or no money to actually fund the requests. She noted that the CIP had been called the Building Fund in prior budgets.

Chairman Jones opened the public hearing.

Mr. Glenn Updike spoke. He stated that there was only one project they needed to work on and that was SPSA, and what we were going to do with our trash after 2018.

Supervisor West commended Mrs. Lewis for a great job. He noted that the CIP was a plan or at least a starting point.

Chairman Jones closed the public hearing.

Supervisor Wyche moved, seconded by Vice-Chairman Young, to accept the Planning Commission’s recommendation and approve the FY 2010-2016 Capital Improvements Plan. All were in favor.

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

Advance citizen comment regarding the Fiscal year 2010-2011 annual budget. This hearing is intended to provide interested citizens an opportunity to make their views known prior to preparation of the county administrator’s draft budget. Interested citizens are invited to offer their comments and recommendations on any and all fiscal matters. A second public hearing will be scheduled for Monday, May 17, 2010 to provide all citizens an opportunity to comment on the final draft of the proposed budget.

Mr. Johnson presented a PowerPoint presentation. He advised that regarding the current FY 2010 adopted budget of \$56,882,229, revenues consisted of \$24,628,263 in state revenue, \$3,569,720 in federal revenue, and \$28,707,246 in local revenue. He shared a comparative report of local government revenues and expenditures, comparing the localities of Greenville County, Southampton County, Isle of Wight County, Sussex County, City of Suffolk, City of Franklin, and Surry County.

Mr. Johnson advised that overall, state revenue would be reduced dramatically in FY 2011. Funding for K-12 Education would be reduced by more than \$2.3 million. Categorical aid would be reduced substantially: Commissioner of the Revenue (14.8%), Treasurer (18.7%), Commonwealth Attorney (3.9%), and Clerk of the Circuit Court (1%). Per Diem rates for inmates would be reduced 35-40%. State library funding would be reduced by 15%. State funding for the Electoral Board and Registrar would be reduced 20%. State funding for public assistance had been reduced by \$4.6 million statewide. He stated that local revenues were expected to yield almost \$1 million less in FY 2011. Personal property values were down almost 12% (almost \$690,000 less

March 22, 2010

in revenue). Enrollment of property in the land use program had increased by 12%, while tax relief for the elderly and handicapped had more than doubled. Idle machinery at the International Paper Converting Innovation Center would drastically affect machinery tax received.

Mr. Johnson continued that there were some unavoidable expenses in FY 2011:

- Debt service would be \$272,441 higher
- Property reassessment could not be deferred (\$180,000 +/-)
- New Courtland WWTP would require greater staffing levels to conform to VDEQ staffing requirements (\$175,000 +/-)
- 10% increase in health insurance premiums equated to \$95,000 increase in employer share

Mr. Johnson stated that the FY 2011 budget would be a challenging budget. He recapped the following:

- State revenue cuts likely in excess of \$2.5 million overall
- Local revenue reductions of roughly \$1 million
- Unavoidable expenditures of almost \$725,000

He stressed that continued reliance on the Reserve Fund as a substantial source of revenue was unsustainable. The balance was projected at \$5 million at the close of FY 2010.

Chairman Jones opened the public hearing.

Ms. Lorraine Whitehead spoke. She asked the Board to support the budget presented by the School Board – they could not afford not to.

Ms. Lyn Varian spoke. She stated that she taught music in Southampton County Public Schools. She asked the Board to support the School budget.

Mr. Barry Pavlina spoke. He advised that he was representing his neighbor, Ash Cutchin, who was out of town and unable to be here tonight. Mr. Cutchin was concerned about County debt and expenses. He reminded the Board of the presentation Mr. Cutchin presented in December, in which he asked the Board to adopt the following resolution:

WHEARAS, we are duly elected Supervisors of Southampton County, Virginia; and

WHEREAS, we have sworn to represent our constituents' best interest, and;

WHEREAS, we are aware of the worsening financial crisis both locally and nationally;

WE DO HEREBY RESOLVE to do the following:

1. Practice fiscal discipline;
2. Institute a moratorium or freeze on new county spending and hiring;
3. Re-examine all county expenses;
4. Suggest that all department heads voluntarily contribute 5% of this years' pay back to the county's general fund;
5. As a good faith gesture in the name of leading by example, that we, the supervisors do voluntarily give back to the county's general fund 10% of our pay as a supervisor;
6. We demand our Congressmen and women, and our President, to do the same (to the U.S. Treasury);
7. Congress should voluntarily return ALL of their 2009 pay raise and then 10% of their annual salary and other compensation until we have a balanced budget; and

Congress shall make no law that applies to the citizens of the United States that does not apply equally to the Senators or Representatives, and vice-versa.

March 22, 2010

Ms. Stacy Dempsy spoke. She asked the Board to fund the School budget. Dual-credit classes were a potential budget cut. The students needed those high-level classes. We needed to do whatever it takes.

Ms. Diane Vick spoke. She advised that she was a concerned parent. Our students would be dealing with trillions of dollars of national debt. The only way they could make it was through higher education.

Ms. Sandra Herring spoke. She stated that her child attended Riverdale Elementary. If the education budget were cut, the budget for social services would go up.

Ms. Maria Frazier spoke. She advised that she was a junior at Southampton High School. She was in the band and excelled in art. Music and art were often cut first from a budget. She did not want them to be totally cut from the budget because she wanted other students to have the same opportunities she had.

Mr. Larry Demetrius spoke. He stated that he was a proud Vietnam Vet. What did we fight for? There wasn't anyone in here that had not been blessed by Almighty God. Congress was out of control. Children were our responsibility. We were the most powerful country in the world, and we were saying we could not educate our children? To God be the glory.

Mrs. Mullen spoke. She advised that she moved here 6 years ago. She was raising her 9-year old grandson who attended Southampton County Schools. She had been a farmer all of her life. Her father died when she was young and she was pulled out of school to work on the farm. She was illiterate. Education was very important.

Ms. Denise Bunn, School Board member, spoke. She stated that she was losing an income in her household and she had to look at needs vs. wants. Regarding the school budget, track, JROTC, and teacher raises were wants. Dual-credit classes and career tech were needs. Those programs could not afford to be cut now and then brought back 5 years later.

Ms. Aileen Atkinson, Principal of Southampton County High School, spoke. She advised that she had been working with kids for 35 years. She had never seen a time like this, and she was sure the Board of Supervisors had never seen a time like this. The seniors right now were well prepared. She asked the Board to help them continue the excellence.

Mr. David Edwards spoke. He stated that he thought the County had done a good job with the schools over the years. He understood that this year's County budget called for a 3¢ tax increase just to take care of debt. The Board of Supervisors had had their hand in the cookie jar for the past 5 years that he had been coming to meetings, and they kept spending money.

Mr. Steven West spoke. He advised that he was a chorus teacher with Southampton County Public Schools. His wife was from here and he was from Georgia. He asked the Board to support the School budget.

Mrs. Linda Drake spoke. She stated that she was a business owner in the County, Pre-K teacher with Southampton County Schools, and mother of 2 children in the School system. She asked the Board to please fund the School Board's requested budget. Pre-K was such an important program, as it helped get children prepared for Kindergarten.

Mr. Marshall Rabil spoke. He stated that \$2.3 million in cuts were going to happen. Everyone should use the passion and energy they had to help raise money.

Mr. Glenn Updike spoke. He advised that County employees making over \$100,000 should take a 10% salary cut, and those making \$50,000-\$100,000 should take a 5% salary cut. He was very disturbed by the amount of debt we had. The Board was going to tax themselves out of jobs here. As far as the School budget, the Schools had to have Riverdale Elementary, but yet they were still using Hunterdale. And how could the Schools justify educating students that did not reside here?

Mr. Charles Turner, Division Superintendent of Southampton County Public Schools, spoke. He stated that 10 years ago, only one of our schools was fully accredited, and today, all of them were fully accredited. He asked supporters of Southampton County Schools who were in the audience to please stand.

March 22, 2010

Mr. Turner advised that Walter Francis won the Virginian Pilot Spelling Bee. He would compete in the National Spelling Bee in Washington, DC. Competition now was not local, but national and global. Out of 220,000 students who participated in this year's WorldMasters Challenge, a national language arts competition, two of our students made perfect scores. Those students were Carolynn Bonham (fourth grade) and Hannah Overstreet (fifth grade), both of Nottoway Elementary School. In addition, three others were also recognized. Those students were Matthew Schuback and Jeremy Edwards (both fourth grade of Nottoway Elementary), and Aidan Fosser (fifth grade of Nottoway Elementary). Mr. Turner recognized those students who were present. He remarked that some of the finest teachers were in this room tonight. Southampton County Public Schools had made great strides in the past 10 years.

Mr. Turner advised that the funding for schools in the Commonwealth had gone back to 2006, but the mandates were still 2010. They were cut \$2.3 million in state funding. The only area the Schools could cut was personnel. Teachers were very important. If they were to lay off teachers, the sales tax would go down because they would not be spending money in the community. That would in turn negatively affect the school system because sales tax was a factor in the formula used to determine their state funding. If we all worked together, we could keep people working. The budget submitted by the School Board contained no fat and no luxuries. They were coming to the Board of Supervisors for help because they did not have any choice. He noted that he would be making a presentation at their second budget workshop.

Chairman Jones stated that they were going to do the very best they could.

Supervisor Brown remarked that he hoped excellence was never negated by a lack of funding.

Mr. Johnson announced that included in the agenda was a resolution declaring certain property owned by the county as surplus and ordering it to be sold or otherwise disposed of. The list consisted of one 1987 Roll-Off Trash Truck and one 1991 trailer that was previously used to haul the tractor to the solid waste convenience centers (it was replaced when it began to go through wheel bearings). He intended to dispose of these items through Blythe Auctioneers' Spring Consignment Sale on March 27 and would also like the Board's approval to dispose of items previously declared surplus last June in the same manner.

The resolution is as follows:

WHEREAS, § 15.2-951, Code of Virginia, provides broad authority for counties, cities and towns to acquire and dispose of personal property for the purpose of exercising their powers and duties; and

WHEREAS, the following listing of personal property items owned by Southampton County no longer serve any useful purpose.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Southampton County that the following items are hereby declared surplus property:

- A. 1987 Freightliner Roll-Off Truck – 1FVUZKYB9HH404960
- B. 1991 Lee Trailer – 1L9AF1627LS1L9177

AND BE IT FURTHER RESOLVED that the County Administrator is directed to proceed with the sale of the aforementioned items by placing them for public auction at Blythe Auctioneers' Spring Consignment Auction on March 27, 2010; and

AND BE IT FURTHER RESOLVED that those items previously declared surplus on June 22, 2009 (Items A-G) also be placed for public auction at Blythe Auctioneers' Spring Consignment Auction on March 27, 2010; and

AND BE IT FURTHER RESOLVED the County Administrator is directed to dispose of any such property which may remain after the sale in the most cost-effective manner; and

BE IT FURTHER RESOLVED that the proceeds from the sale of this property shall be deposited in the county General Fund.

Adopted this 22nd day of March, 2010.

BOARD OF SUPERVISORS

Dallas O. Jones, Chairman

ATTEST:

Michael W. Johnson, Clerk

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

Regarding miscellaneous issues, Mr. Johnson announced that the Sheriff's Office had applied for \$25,114 in federal grant funds through the U.S. Department of Justice for certain equipment purchases to enhance their operations. The purchases would include 20 digital cameras for crime scene photographs, 10 personal video recorders to routinely video traffic stops to provide the courts and prosecutors a clear description of events as they unfold, 20 gun racks to ensure that officer's weapons were secure in their vehicles, 15 push bumpers to allow deputies to clear disabled vehicles from the roadway, and various tactical holsters and uniforms for the Critical Response Team. One of the requirements of the grant was for the local governing body to review the grant application. A full copy of the grant application was included in the agenda.

Supervisor Brown moved, seconded by Vice-Chairman Young, to authorize submittal of the grant application. All were in favor.

Mr. Johnson advised that included in the agenda was correspondence from Mrs. June Fleming regarding the City of Franklin's interest in establishing a regional committee to begin to plan for post-2018 refuse disposal. They asking the Board to consider appointing one Board member to serve on a committee that would also include representation from Isle of Wight County.

Supervisor West indicated that he was willing to serve on the committee.

Supervisor Wyche moved, seconded by Vice-Chairman Young, to appoint Supervisor West to serve on the regional solid waste committee. All were in favor.

Mr. Johnson informed that included in the agenda was information regarding VACo's planned Regional Spring Meeting on Friday, April 16, 2010 at 6:30 PM at the Airfield 4-H Center in Wakefield. Because the meeting would include a buffet dinner, they had asked for a response with our planned number of attendees no later than April 1.

All seven Board members indicated that they planned to attend.

Mr. Johnson stated that the following environmental notice was received:

- 1) Notice of Permit Revocation to Jan's Country Cooking on March 4 based upon the fact that there were less than 15 connections to the system and less than 25 people served by the waterworks.

Mr. Johnson advised that incoming correspondence, outgoing correspondence, and articles of interest were also included in the agenda.

Moving to late arriving matters, Chairman Jones recognized Ms. Cynthia L. Brown, Secretary of the Cheroenhaka (Nottoway) Indian Tribal Heritage Foundation.

Ms. Brown advised that the Cheroenhaka (Nottoway) Indian Tribal Heritage Foundation was applying for a Language Preservation and Maintenance Grant. She introduced Ms. Laura Ray who would speak to the application.

Ms. Laura Ray stated that she was a faculty administrator at Old Dominion University (ODU) and worked with the Cheroenhaka (Nottoway) Indian Tribe as a volunteer. She was assisting them

March 22, 2010

with applying for a Language Preservation and Maintenance Grant through the American Association of Native Americans. The grant would enable them to do research on their language. They were requesting a letter of support from the Board of Supervisors to accompany their grant application.

Supervisor Wyche moved, seconded by Vice-Chairman Young, to authorize the County Administrator to provide a letter of support. All were in favor.

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

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

Section 2.2-3711 (A) (7) Consultation with legal counsel and briefings by staff members related to actual litigation where such briefing in an open session would adversely affect the litigating posture of the public body;

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

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

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

RESOLUTION OF CLOSED MEETING

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

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

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

**Supervisors Voting Aye: Dallas O. Jones
Walter L. Young, Jr.
Walter D. Brown, III
Carl J. Faison
Anita T. Felts
Ronald M. West
Moses Wyche**

The motion passed unanimously.

There being no further business, the meeting was adjourned at 9:30 PM.

Dallas O. Jones, Chairman

Michael W. Johnson, Clerk