

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 April 26, 2010 at 8:30 AM

SUPERVISORS PRESENT

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

SUPERVISORS ABSENT

None

OTHERS PRESENT

Michael W. Johnson, County Administrator (Clerk)
James A. Randolph, Assistant County Administrator
Julia G. Williams, Finance Director
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 March 4-5, 2010 Strategic Planning Retreat and March 22, 2010 regular meeting. They were approved as presented, as there were no additions or corrections.

Regarding highway matters, Mr. Michael Johnson, County Administrator, advised that the Board may recall adopting a resolution last August requesting the Commonwealth Transportation Board (CTB) to provide Economic Development Access funding to construct an adequate road in to the *Southampton Commerce and Logistics Center* (formerly, the Turner Tract) from Rose Valley Road. On November 19, 2009, the CTB approved \$650,000 in funding, subject to 4 conditions:

- 1) That all right-of-way, environmental assessments/remediation and utility adjustment be provided at no cost to the Commonwealth;
- 2) That the county would enter into a contractual agreement with VDOT to provide for:
 - a) design, administration, construction and maintenance of the road;
 - b) payment of all ineligible costs or eligible costs in excess of the allocation; and
 - c) provision of an appropriate bond providing for reimbursement to VDOT if \$3.25 million is not privately invested in the park prior to November 19, 2014;
- 3) That the county would provide \$150,000 in matching funds; and
- 4) That VDOT shall be responsible for final determination of qualifying private investment in accordance with its policies and procedures for administering the Economic Development Access Program.

Supervisor West confirmed that the county had already set aside the \$150,000 in matching funds.

Supervisor Brown moved, seconded by Vice-Chairman Young, to authorize the county administrator to execute the contractual agreement with VDOT and to administer the project. All were in favor.

Mr. Johnson advised that as they knew, the 2009 General Assembly adopted legislation that ordered a reduction of 1,100 VDOT employees by June 30, 2010. In order to meet this mandate, VDOT had worked over the last 12 months to redefine and realigns its organizational structure, which they shared with him on April 14. Many of the changes would be implemented at the close

of business on April 23 and all of them would be in place by July 1. Among the most visible changes they would notice were:

- 1) Citizens would no longer have direct access to staff at the Area Headquarters – they would be locked throughout the day;
- 2) There would be no more “walk-in” service at the local Residency Office – maintenance issues would have to be reported through a Call Center (located in Salem, VA) by calling 1-800-367-7623;
- 3) VDOT staff would no longer attend meetings of the Board of Supervisors;
- 4) All local permits, plat approvals, plan approvals, etc. would be moved from the local Residency to the District Office in Suffolk;
- 5) Local Residencies would not longer focus on new construction, six-year plans, etc. – their time and energy would be devoted entirely to maintenance;
- 6) The Waverly Residency Office would be closed and the Franklin Residency would no longer assume maintenance responsibility for Sussex and Isle of Wight counties (in addition to their current workload of Emporia, Franklin, Greensville and Southampton);
- 7) VDOT would appoint a “local liaison” to work with local governments on engineering and financial issues, such as project management, permit review and approvals, secondary six-year plan, traffic studies, etc.;
- 8) VDOT’s “local liaison” would be responsible for Emporia, Franklin, Greensville, Southampton, Surry, Sussex, and portions of James City and Williamsburg;
- 9) Town councils would no longer have direct access to VDOT and must coordinate all their issues through the county government and its designated “local liaison.”

Mr. Johnson anticipated that the call volume related to transportation issues at the county administration office would rise substantially upon implementation of the blueprint – there would no longer be a local VDOT point-of-contact and the only means by which citizens may communicate their problems or concerns would be via the 1-800 call center. Maintenance crews would no longer be dispatched for any issues unless the call center generated a work order.

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), Animal Control, Litter Control, and Building Permits. Also, New Housing Starts, Delinquent Tax Collection, Solid Waste Quantities, and Personnel.

In regards to personnel, Mr. Johnson advised the salaries of 8 employees of the Sheriff’s Office were increased as a result of Compensation Board adjustments:

<u>Effective 03/01/10</u>		<u>Effective 04/01/10</u>	
John B. Stutts	\$68,156	E. Greg Griffith	\$41,262
Gene H. Drewery	\$58,620	Billy G. Vance	\$37,426
Jimmie R. Ricks	\$55,260	Robert C. Vaughan, Jr.	\$33,147
Scott A. Doyle	\$50,877		
Robbie Lynn Neave	\$41,101		

Moving to financial matters, Mr. Johnson announced that bills in the amount of \$2,332,591.61 were received.

Vice-Chairman Young moved, seconded by Supervisor Felts that the bills in the amount of \$2,332,591.61 be paid with check numbers 96712 through 97063. All were in favor.

Regarding appointments, 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). To date, Richard Francis had been appointed to represent the Boykins-Branchville District, Rod Phelps to represent the Franklin District, and Jay Felts to represent the Jerusalem District. They were awaiting appointments from Capron, Berlin-Ivor, Drewryville and Newsoms.

Supervisor Wyche submitted the name of Mr. Gerry Green.

Chairman Jones and Supervisor West indicated that they were not yet prepared to submit appointees.

Vice-Chairman Young moved, seconded by Supervisor Faison, to appoint Gerry Green to the local Sesquicentennial Committee. All were in favor.

Mr. Johnson advised that included in the agenda was correspondence from Ms. Yvonne Hilliard-Bradley, Library Director, regarding the upcoming expiration of Mrs. Betty Sue Young's term on the Blackwater Regional Library Board. Mrs. Young was eligible to serve a second full term, had expressed a willingness to do so, and came highly recommended from Ms. Hilliard-Bradley. Also included in the agenda was a letter of resignation from Mrs. Kay N. Pope who was appointed last year. Her term would expire June 30, 2013 and the Board would need to appoint a successor.

Vice-Chairman Young moved, seconded by Supervisor Wyche, to reappoint Mrs. Betty Sue Young to another term on the Blackwater Regional Library Board. All were in favor.

Supervisor Wyche moved, seconded by Vice-Chairman Young, to appoint Mrs. Gloria Evans to fill the unexpired term of Mrs. Kay Pope. All were in favor.

Mr. Johnson informed that included in the agenda was correspondence from Dr. Douglas Boyce indicating that the terms of A. Meredith (Mert) Felts and Louis Clayton on the Paul D. Camp Community College Board would expire on June 30, 2010. Mr. Felts was eligible for reappointment. Based on the organizational bylaws, Mr. Clayton was ineligible for reappointment, having completed two full terms. His records also indicated that Mrs. Kisha Watson's term (appointed in December to complete Mrs. Alice Parker's unexpired term) would also expire on June 30, but he had not confirmed that with Dr. Boyce.

Supervisor Faison pointed out that Keisha Watford was the correct spelling. He had spoken to her and she was looking forward to continuing to serve. Mr. Johnson asked Supervisor Faison to confirm her appointment next month, as he had not officially received any correspondence from Dr. Boyce with regard to Ms. Watford.

Chairman Jones advised that Mrs. Rita Wright was willing to serve as Mr. Louis Clayton's successor.

Vice-Chairman Young moved, seconded by Supervisor Felts, to appoint Mrs. Rita Wright to succeed Mr. Louis Clayton on the Paul D. Camp Community College Board. All were in favor.

The reappointment of Mr. Mert Felts would be confirmed next month.

Finalizing appointments, Mr. Johnson stated that the terms of Dr. Alan W. Edwards (Jerusalem District) and Mr. J. Michael Mann (Boykins-Branchville District) of the Southampton County Planning Commission would expire April 30, 2010. Terms were for 4 years, and both gentlemen were eligible for reappointment. He noted that these appointments may be deferred until May if necessary.

Supervisors Faison and Felts indicated that they would confirm the appointments next month.

Moving to the citizen request to address the Board, Chairman Jones recognized Mr. William Johnson.

Mr. William Johnson spoke. He advised that he was a resident of Darden Mill Estates. He and his wife moved here about 2 ½ years ago for the peace and quiet. They were very upset about the judge's recent ruling in favor of Cheverly Limited, LLC, the developer who wanted to further develop Darden Mill Estates. They were even more upset that the County was not courteous enough to inform any of the residents of Darden Mill Estates about the law suit. The residents had showed up at meetings for years adamantly opposing this development. Had the residents known, perhaps they could have done something. He gave Mr. Michael Johnson, County Administrator, his cell phone number and asked him to please call him in the future whenever anything happened

with this development. He displayed a plat of the subdivision on an easel and pointed out his property. His driveway was 12 ft. from the right-of-way of where this development would occur. When he and his wife bought their property, they were told by the real estate agent that no more than 4 or 5 more homes could be built.

Mr. William Johnson continued that he would like some legal help from the Board of Supervisors on this issue, and would like a vote. Chairman Jones indicated that they had already spent a considerable amount of money on this lawsuit and they were represented by fine legal counsel, Mr. Richard E. Railey, Jr., County Attorney. The judge had made his ruling in the case. They did not have the money to go any further. Mr. Johnson indicated that he would seek legal counsel and push it until the end of time.

Mr. William Johnson asked Mr. Robert Barnett, Director of Community Development, the status of the development? Mr. Barnett advised that the judge had ordered them to approve the plat of Cheverly Limited, LLC as it stood today. He noted that there were some issues, including environmental issues, that had to be resolved.

Mr. William Johnson commented that it was not fair for the Board to leave it up to the citizens to take care of this issue.

Mrs. Patricia Johnson, wife of William Johnson spoke. She was concerned about the safety issues in Darden Mill Estates, particularly on her road. You could not meet a bus without pulling off the road. There were no fire hydrants. They had a small water system but the water pressure was poor. VDOT had agreed that the road was in bad condition. VDOT had told them that what Cheverly Limited, LLC had out there was not acceptable – the pipe was about to cave in. How was this developer able to get a lawyer and win this case?

Moving forward, Mr. Michael Johnson, County Administrator, announced that they may recall that the 2007 contract between the County and the Board of Trustees for the Blackwater Regional Library provided that the Library Board would designate a fiscal agent to maintain custody of undesignated funds. At the time of the agreement, the Southampton County Treasurer was serving as fiscal agent and the contract stipulated that the parties would enter into a supplemental written agreement setting forth the duties, compensation and term for the fiscal agent. Included in the agenda, was a copy of the proposed agreement (the current agreement would expire June 30, 2010), which would run through June 30, 2013. The contract was quid pro quo – our services as fiscal agent in exchange for their payment of annual utility expenses for the Walter Cecil Rawls Branch Library (which was our financial responsibility under the terms of our contract). The value of the agreement was estimated at \$16,000 annually.

The contract is as follows:

THIS CONTRACT is made and entered into this 17th day of March, 2010, by and between **SOUTHAMPTON COUNTY, VIRGINIA** (“Southampton”), and the **BOARD OF TRUSTEES FOR THE BLACKWATER REGIONAL LIBRARY** (“Board of Trustees”).

RECITATIONS:

- R-1** Southampton and the Board of Trustees make and enter into this contract to acknowledge and approve the services provided by Southampton as Fiscal Agent for the Regional Library from July 1, 2010, June 30, 2013.
- R-2** Southampton and the Board of Trustees make and enter this contract to evidence the terms and conditions on which Southampton will serve as Fiscal Agent for the Regional Library from July 1, 2010, to June 30, 2013.

WITNESSEDTH: That for and in consideration of the mutual and reciprocal benefits inuring to the parties hereunder, and in further consideration of the duties imposed upon the parties herby, the parties covenant and agree as follows:

1. The Board of Trustees herby designates Southampton as Fiscal Agent for the Regional Library.

2. Southampton’s term as Fiscal Agent shall continue upon execution hereof of both parties, or on July 1, 2010, whichever comes last, and extend thereafter thru June 30, 2013.
3. Southampton, as Fiscal Agent, shall have custody of those Regional Library funds which are not designated or set aside in specific Regional Library funds (The Board of Trustees shall retain custody of those Regional Library funds which are designated or set aside in specific Regional Library funds). The duties of the Fiscal Agent shall include the following:
 - a. Receive all non-designated funds paid to the Regional Library, or paid for its benefits.
 - b. Disburse all Regional Library funds held by the Fiscal Agent pursuant to direction of the Regional Library, by action of the Board of Trustees. All checks issued for payment of Regional Library costs shall require two signatures, one by a duly authorized agent of Southampton, and the other by a duly authorized agent of the Regional Library.
 - c. Maintain current and accurate records of all receipts and disbursements on behalf of the Regional Library.
 - d. Make available to the Regional Library all records pertaining to the funds which the Fiscal Agent manages for the Regional Library.
4. The parties shall have until March 31, 2013, to finalize a contract for Southampton to continue its service as Fiscal Agent for the Regional Library. If such contract has not been finalized by March 31, 2010, then effective April 1, 2013, the Board of Trustees shall be entitled to enter into a contract with any third party for any such services.
5. As compensation for the services rendered by it hereunder as Fiscal Agent for the Regional Library, Southampton shall be paid \$16,000.00 per year by the Regional Library. The \$16,000.00 owed by Southampton each year for utilities will be paid by the Regional Library in lieu of Southampton receiving payment for its service as Fiscal Agent.

IN WITNESS WHEREOF, this contract is executed on behalf of Southampton County, Virginia, by its duly authorized representative, and on behalf of the Board of Trustees for the Blackwater Regional Library by its duly authorized representative.

SOUTHAMPTON COUNTY, VIRGINIA

By: _____
Title: _____

BOARD OF TRUSTEES FOR THE
BLACKWATER REGIONAL LIBRARY

By: _____
Title: _____

Vice-Chairman Young moved, seconded by Supervisor Brown, to authorize the county administrator to execute the contract. All were in favor.

Mr. Johnson announced that as part of the ongoing regional economic recovery, the City of Franklin had taken the lead in submitting a \$500,000 grant funding request to the U.S. Economic Development Administration to establish a “Center for Renewable Biomass Energy Development,” that would focus on research, training, technical assistance and entrepreneurship initiatives for the local forest and wood products industry. Proposed for location in the Franklin Business Incubator, the Center would provide technical assistance to existing forest and wood products businesses in the Franklin-Southampton-Isle of Wight area to take advantage of new market opportunities in biomass energy and other products.

Entrepreneurs and emerging businesses would have access to a host of services that may include, among other things:

- Venture Capital Assistance
- Coaching/Mentoring
- Peer Networking
- R&D Grant Assistance
- Market Research
- University R&D Partnering
- Technology Translation
- Rapid Product Execution

Mr. Johnson continued that the grant required a local match, which would be met with in-kind funding from three sources. First, the Franklin-Southampton Economic Development Inc (FSEDI) would provide administrative guidance and program assistance to the Center Director (to be hired) as well as space and related office costs. FSEDI and the Isle of Wight Economic Development would provide assistance in connecting existing businesses to Center programs. These services and amenities were valued at \$59,138. Second, Old Dominion University's Virginia Applied Technology & Professional Development Center would provide \$20,000. Lastly, Opportunity Inc, the Regional Workforce Investment Board, would provide federal training funds in the amount of \$302,500. Because the deadline for submittal was April 16, he provided a letter of support on behalf of Southampton County, and indicated that we would follow-up with an official resolution of support by the Board.

The resolution is as follows:

Resolution for CTAA Grant

WHEREAS, closure of International Paper's Franklin Mill will result in over 2,500 jobs lost at the mill, area suppliers and local service and retail businesses,

WHEREAS, the federal government has established that the mill closure is the result of international trade,

WHEREAS, the US Economic Development Administration's new Community Trade Adjustment Assistance (Community TAA) Program is aimed at helping create and retain jobs by providing project grants to communities that have experienced, or are threatened by, job loss resulting from international trade impacts,

WHEREAS, Franklin City, Isle of Wight County and Southampton County (The Communities) are the heart of what is called Virginia's "Wood Basket," an area of great abundance in forest product resources,

WHEREAS, such forest products constitute a valuable source of biomass that can be used as a renewable and sustainable energy resource,

WHEREAS, the Communities, working in collaboration, seek Community TAA funding to establish a "Center for Renewable Biomass Energy Development" (The Center) to focus on research, training, technical assistance and entrepreneurship development related to renewable biomass energy industries, thereby leveraging existing capacity and expertise in agriculture and forestry to build a new regional economy and employment base,

WHEREAS, the City of Franklin, being the eligible grant recipient under the program, will be the official applicant on behalf of the Communities;

BE IT RESOLVED that [LOCALITY INFO] hereby endorses the grant request and empowers the Economic Development Director to finalize details with regard to the [CITY/COUNTY] involvement.

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

Mr. Johnson announced that as they may recall, Mrs. Lewis successfully authored an application to VDOT for an Urban Development Area Planning Grant. The grant would provide us up to \$50,000 for consultant services to analyze future growth patterns, evaluate potential locations within the county for designation as an Urban Development Area (UDA), and revise zoning and subdivision regulations to incorporate “new urbanism” principles in designated areas. “New Urbanism” focused on replacing sprawl with walkable, mixed use, transit oriented communities. A UDA was an area designated by a locality in its Comprehensive Plan that was appropriate for higher density development due to proximity to transportation facilities, the availability of a public or community water and sewer system, or proximity to a city, town, or other developed area. A UDA provided for commercial and residential densities that were appropriate for reasonably compact development, typically at a density of at least four residential units per gross acre and a minimum floor area ratio of 0.4 per gross acre for commercial development. A UDA may provide for a mix of residential housing types, including affordable housing, to meet the projected family income distributions of future residential growth.

Mr. Johnson continued that acceptance of the grant obligated the County to designate at least one UDA somewhere in Southampton County and to revise the zoning and subdivision regulations to create at least one zoning classification that would allow this type of development by-right (without conditions). Otherwise, the grant had to be repaid in full. He noted that included in the agenda was a copy of the Agreement with VDOT and a written report by Mrs. Lewis outlining the terms and conditions.

The agreement is as follows:

CONSULTANT SUPPORT TO FACILITATE DESIGNATION OF URBAN DEVELOPMENT AREAS AND APPROPRIATE ORDINANCES

This agreement, made this _____ day of _____ in the year two thousand and ten, by and between the Commonwealth of Virginia, Office of Intermodal Planning and Investment, hereinafter called the Office, and the County of Southampton, hereinafter called the County.

The County has expressed a need to utilize consultant services to provide technical assistance to facilitate the designation of urban development area(s) and revision to applicable ordinances.

The goal of this initiative is to provide technical assistance in the form of direct on-call consultant support to assist the County in one or more of the following: analyze future growth patterns, plan for and designate at least one urban development area in their comprehensive plan, revise applicable land use ordinances to incorporate the principles of new urbanism and traditional neighborhood design, assist with public participation processes, and other related tasks.

The Office agrees to provide funding not to exceed \$50,000.00 for consultant services to provide technical assistance and the County agrees to complete the following by ~~June 30~~, **SEPT. 30** 2011: JR

- Analyze future growth patterns
- Designate at least one UDA
- Revise zoning and subdivision ordinances to create at least one classification in each that incorporates the principles of new urbanism "by-right"
- Identify and describe transportation benefits that will be realized if the UDA is successfully implemented
- Create a public involvement process
- Local governments may also, grant award permitting, create a small area plan for all or a portion of the UDA

These tasks shall be accomplished through a public involvement process. Copies of all applicable documents shall be provided to the Office.

The County will work cooperatively with the Office on the above effort and make available to the Office copies of all associated agreements and timelines/schedules. The Office agrees to allow three months from the signing of this agreement for the County to initiate the use of these funds, and until June 30, 2011 for completion of all work related to these funds. Any new work initiated by the County after the three month period will not be eligible for the use of these funds.

The County will provide a quarterly progress report for this study to the Office. The first quarter will begin after the execution of this agreement. Each quarter thereafter, a

progress report will be submitted to the Office. The progress report should contain the status and expenditures for each of the tasks in the Scope of Work. The County agrees to provide the Office a final summary of the use of these funds and an accomplishment report within 30 days of the completion of the project or ~~June 30~~^{Sept. 30}, 2011, whichever is sooner. The County may also be required to make a presentation of the results upon the conclusion of the study.

The County further agrees to repay the above-referenced funds to the Office should it fail to meet its obligations under this Agreement or otherwise fails to complete the required tasks set forth in this Agreement. Such repayment shall be made within thirty (30) days of demand being made by the Office. The County may guarantee its performance under this Agreement by posting a bond or other acceptable security device which will be forfeited if the County fails to meet its obligations under this Agreement. No such forfeiture shall take place until at least ten (10) days after written notice is sent to the County by the Office so that any factual disputes or controversies may be resolved between the parties to this Agreement.

EXECUTION: The parties have caused the Agreement to be duly executed intending to be bound thereby.

County of Southampton

Date: _____

Commonwealth of Virginia
Office of Intermodal Planning and Investment

Date: _____

Mrs. Beth Lewis, Principal Planner, advised that they wanted to get the blessing of the Board before proceeding any further with the grant.

Supervisor Brown remarked that he was glad we were being proactive on this.

Supervisor West stated that it looked like, at the end of the day, they would *have* to approve this UDA. He was hesitant to support it for that reason.

Mrs. Lewis clarified for Supervisor Faison that in regards to a UDA being allowed “by-right” in at least one zoning classification, by-right meant that conditions would not be imposed – the UDA must be approved provided that it met all of the requirements. The requirements of what they may or may not want with the UDA would be specified and taken care of in the zoning ordinance.

Mrs. Lewis clarified for Supervisor Felts that the UDA had to be a minimum of 20 acres.

Supervisor Brown moved, seconded by Supervisor Faison, to endorse the agreement. Chairman Jones, Vice-Chairman Young, and Supervisors Brown, Faison, Felts, and Wyche voted in favor of the motion. Supervisor West voted in opposition to the motion. The vote was 6-1 in favor of the motion, thus the motion passed.

Mr. Johnson announced that Mr. Dana Dickens, President & CEO of the Hampton Roads Partnership, had requested a few minutes to discuss *Vision Hampton Roads*.

Chairman Jones recognized Mr. Dana Dickens.

Mr. Dickens thanked the Board for the opportunity to come before them this morning to share with them *Vision Hampton Roads*.

Vision Hampton Roads is:

- **A region-wide economic development strategy** based on the collective strengths of all localities of Hampton Roads, created with the input of business, academia, nonprofits, government, military and citizens;
- **A five-year roadmap of objectives, strategies and actions** to cultivate our region to be *the* place where people want to live, learn, work, visit, play and raise families;
- **An action plan to guide state and local governments in decision-making** toward common goals and objectives that are regionally viable, and enable us to measure our progress in terms of better, high-paying jobs, highly educated workforce, increased per capita incomes, and enhanced entrepreneurial supports for new business; and
- **A transformational process** to propel our region into the dynamic future that we collectively envision, on that benefits all of our citizens.

Mr. Dickens advised that the inaugural *Vision Hampton Roads* Regional Day was scheduled for Thursday, May 6 from 8:00-10:30 AM at the Chesapeake Conference Center. Governor Bob McDonnell would be the keynote speaker. He invited Mr. Johnson, Chairman Jones, and fellow Board members and staff to attend.

Mr. Johnson reminded that at the Board’s direction, staff had developed a formal grant application process, conducted semiannually in the spring and fall, for organizations that provided or supported youth recreational opportunities. The FY 2010 Board of Supervisors Budget included \$10,000 for this purpose. The 2010 spring cycle applications were made available on the county website in late January and applications were due by March 5. Six applications were received, requesting total funding in the amount of \$12,000.

A committee, appointed by the Board, consisting of Vice-Chairman Young and Supervisor Felts, and staff members Jay Randolph, Beth Lewis, and Julia Williams, reviewed each of the applications and offered the following recommendations:

<u>Organization</u>	<u>Requested</u>	<u>Recommended</u>
Bear Path Acres	\$ 1,000	\$ 400
Cheroenhaka (Nottoway) Tribal Heritage Foundation	3,500	-
County Soccer League	2,500	1,000
Courtland Baseball/Softball	1,500	1,000
Newsoms Athletic Association	1,500	1,000
Sedley Recreation Association	2,000	1,000

Mr. Johnson advised that if the Board accepted the committee recommendation, it would leave a balance of \$5,600 to be awarded next fall (subject to appropriation). Complete copies of all the applications were included in the agenda. It was indicated on the grant application forms that we would notify all applicants by May 1.

Supervisor Wyche stated that we were in a financial crunch and we would like to see us forgo these requests.

Supervisor West pointed out that the funds were already set aside for the current fiscal year. However, he would be in agreement to forgo the request beginning July 1, the beginning of the next fiscal year.

Vice-Chairman Young moved, seconded by Supervisor Felts, to accept the committee recommendation and award \$4,400 as outlined. Chairman Jones, Vice-Chairman Young, and Supervisors Faison, Felts, West, and Wyche voted in favor of the motion. Supervisor Brown abstained. The vote was 6-0 in favor of the motion, thus the motion passed.

Mr. Johnson announced that included in the agenda was a brochure received from the Cheroenhaka (Nottoway) Indian Tribal Heritage Foundation, seeking the Board’s consideration of sponsorship of their 9th Annual Indian Powwow on July 24-25, 2010 at the Southampton County Fairgrounds. The event was hosted daily from 10:00 AM to 7:00 PM and drew numerous vendors, spectators and visitors. He reminded that the Board had sponsored the event each of the past 3 years with a donation of \$1,000. In exchange for the sponsorship, the Foundation provided a color

advertisement on the inside cover page of their Tribal Journal, Waskehee (a copy of last's year's ad was included in the agenda. The deadline for our response was June 5. He noted that public appropriations were statutorily authorized pursuant to § 15.2-953 (B) to non-profit organizations that commemorated historical events.

Supervisor Wyche advised that it was for a good cause, but did we have \$1,000?

Supervisor West indicated that he was not in favor of sponsorship this year, as we had to watch every dollar we spent.

Supervisor Faison stated that the Powwow had economic benefits. And 800-900 kids attended the Powwow each year.

Supervisor Faison moved, seconded by Vice-Chairman Young, to sponsor the 9th Annual Indian Powwow at the \$1,000 level. Chairman Jones, Vice-Chairman Young, and Supervisors Faison and Wyche voted in favor of the motion. Supervisors Felts and West voted in opposition to the motion. Supervisor Brown abstained. The vote was 4-2 in favor of the motion, thus the motion passed.

Regarding miscellaneous issues, Mr. Johnson announced that in accordance with the Board's direction last month, they had disposed of nine (9) item of surplus property at Blythe Auctioneers' Spring Consignment Sale on March 27. The surplus property yielded net proceeds of \$6,043.75, of which \$5,692.84 had been deposited back into the General Fund and \$350.91 to the Enterprise Fund.

Mr. Johnson advised that the Franklin City Council had suggested Thursday, May 20 or May 27, to meet jointly with the FSEDI Board of Directors to discuss the course of our economic development efforts. FSEDI had responded that May 27 was preferable. He inquired as to the Board's availability that evening.

Supervisor West indicated that he was unable to attend. Supervisor Wyche indicated that he was uncertain at this time.

Mr. Johnson informed that the following notices were received:

- 1) Notice from Virginia Electric and Power Company of intent to file applications or petitions with the SCC for approval of a rate adjustment clause;
- 2) Notice by VDH of a well site inspection at the Nottoway Gardens subdivision to C & P Water Company;
- 3) Notice by VDH of revocation of the waterworks permit formerly issued to **Jan's Country** Cooking and Catering;
- 4) Notice of Violation to Aura, Inc. for failure to collect the required bacteriological sample from the Kingsdale-Moseley water system in February;
- 5) Notice from VDH reminding us of our obligations to submit an Initial Distribution System Evaluation (IDSE) Report for the Boykins-Branchville waterworks by July 1; and
- 6) Notice of a groundwater withdrawal permit application filed by Sydnor, Inc. for the Cedar Crest Subdivision in King William County.

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

The Board continued with FY 2011 budget deliberations.

Mr. Johnson advised that at the last budget workshop, it was the consensus of the Board to: 1) raise the personal property tax rate by 50¢, which would generate an additional \$545,036, 2) transfer an additional \$300,000 from the Reserve Fund, and 3) raise the real estate tax rate by an additional 1¢, which would generate an additional \$142,010. In addition, the Board directed him to further reduce General Fund expenditures.

Based on that consensus, Mr. Johnson presented the following:

CLOSING THE GAP
"THE GAP" = \$1,850,483

Additional Use of the Reserve

<u>FY 2011 CURRENT</u>	<u>NET ADDITIONAL</u>	<u>FY 2011 REVISED</u>
551,336	300,000	851,336

THE IMPACT

Reserve Fund balance could potentially fall as low as \$2,719,070 by the end of FY 2011
 May necessitate consideration of semiannual collection of taxes to assist with cash flow and bolster the Reserve Fund

50¢ Increase in the Personal Property Tax Rate

<u>FY 2011 CURRENT</u>	<u>NET ADDITIONAL</u>	<u>FY 2011 REVISED</u>
5,581,115	545,036	6,126,151

THE IMPACT

Equates to \$75 per year increase for owner of a \$15,000 vehicle
 Equates to \$150 per year increase for owner of a \$30,000 vehicle

Additional 1 ¢ Increase in the Real Estate Tax Rate

<u>FY 2011 CURRENT</u>	<u>NET ADDITIONAL</u>	<u>FY 2011 REVISED</u>
10,374,708	142,010	10,516,718

THE IMPACT

An overall increase of 4¢ increase on the Real Estate Tax Rate
 Equates to \$15 per year increase for owner of a \$150,000 home
 Equates to \$100 per year increase for owner of a \$1,000,000 farm

Additional Expense Reductions

	<u>FY 2011 CURRENT</u>	<u>ADDITIONAL CUT*</u>	<u>FY 2011 REVISED</u>	<u>% REDUCTION</u>
Schools	29,493,734	(524,020)	28,969,714	1.78%
Social Services	2,489,150	(44,208)	2,444,942	1.78%
General Fund	14,027,965	(249,274)	13,778,691	1.78%
Enterprise Fund	2,585,763	(45,935)	2,539,828	1.78%
	<u>48,596,612</u>	<u>(863,437)</u>	<u>47,733,175</u>	<u>1.78%</u>

*Distributed equally between Schools, Social Services, General Fund and Enterprise Fund by additional overall funding reductions of 1.78%

Mr. Johnson provided an outline of the additional General Fund reductions:

**GENERAL FUND
ADDITIONAL REDUCTIONS FOR FY 2011**

	<u>Original</u>	<u>Cut</u>	<u>Revised</u>
Board of Supervisors			
11010-1011 Compensation of Board Members	41,500	(3,000)	38,500
11010-5500 Travel, Convention, Education	6,900	(1,000)	5,900
11010-5642 Genieve Shelter	9,500	(475)	9,025
11010-5646 The Children's Center	4,050	(203)	3,847
11010-5619 Virginia Legal Aid Society	2,964	(148)	2,816
11010-5660 Franklin-Southampton Fair	4,750	(238)	4,512
11010-5695 Southeast Rural Com Asst Project	950	(48)	902
11010-5710 Western Tidewater Free Clinic	4,750	(238)	4,512
11010-5775 Youth Activities	10,000	(5,000)	5,000
		<u>(10,350)</u>	
County Administrator			
12110-5500 Travel, Convention, Education	2,000	(1,000)	1,000
12110-5810 Dues & Memberships Chamber of Commerce	4,988	(250)	4,738
		<u>(1,250)</u>	
Commissioner of the Revenue			
12310-1300 Part-Time Salaries	12,000	(2,000)	10,000
12310-1700 Proration/Elderly & Handicap	11,000	(1,000)	10,000
12310-5500 Travel, Convention, Education	2,500	(1,500)	1,000
		<u>(4,500)</u>	
Treasurer			
12410-3150 Legal Services	300	(150)	150
12410-3310 Repair & Maintenance	170	(170)	-
		<u>(320)</u>	
Accounting			
12430-5500 Travel, Convention, Education	125	(125)	-
12430-6001 Office Supplies	1,400	(100)	1,300
		<u>(225)</u>	
Data Processing			
12510-3325 Contractual Services	15,000	(5,000)	10,000
12510-5230 Telecommunications	1,900	(250)	1,650
12510-8201 Equipment	11,000	(2,000)	9,000
		<u>(7,250)</u>	
Registrar			
13200-5510 Travel - Board/LGOC/VEBA	1,250	(500)	750
13200-6001 Office Supplies	7,039	(1,901)	5,138
		<u>(2,401)</u>	

GENERAL FUND
ADDITIONAL REDUCTIONS FOR FY 2011

	<u>Original</u>	<u>Cut</u>	<u>Revised</u>
General District Court			
21200-1300 Part-Time Salaries	10,147	(1,500)	8,647
21200-1700 Court Appointed Attorney's Fee	4,280	(1,000)	3,280
21200-6012 Books/Dues/Subscriptions	200	(200)	-
		<u>(2,700)</u>	
Special Magistrates			
21300-3320 Maintenance Service Contracts	108	(108)	-
21300-5230 Telecommunications	1,058	(400)	658
21300-6001 Office Supplies	200	(200)	-
		<u>(708)</u>	
Clerk of the Circuit Court			
21600-3310 Repair & Maintenance	750	(750)	-
21600-6001 Office Supplies	5,500	(500)	5,000
21600-6005 Housekeeping & Janitorial Supplies	150	(150)	-
21600-8201 Equipment	1,000	(500)	500
		<u>(1,900)</u>	
Commonwealth's Attorney			
22100-5500 Travel, Convention, Education	1,500	(200)	1,300
		<u>(200)</u>	
Volunteer Fire Departments			
32200-5651 Contributions - General Fund	222,450	(11,123)	211,327
32200-6035 Hazmat Trailer	1,500	(500)	1,000
		<u>(11,623)</u>	
Volunteer Rescue Squads			
32300-5651 Contributions - General Fund	121,600	(6,080)	115,520
		<u>(6,080)</u>	
Probation			
33300-3180 Court Appointed Special Advocate	17,654	(883)	16,771
		<u>(883)</u>	
Inspections			
34000-3320 Maintenance Service Contracts	200	(200)	-
34000-5500 Travel, Convention, Education	1,200	(400)	800
34000-6014 Other Operating Supplies	1,000	(700)	300
		<u>(1,300)</u>	

**GENERAL FUND
ADDITIONAL REDUCTIONS FOR FY 2011**

		<u>Original</u>	<u>Cut</u>	<u>Revised</u>
Animal Control				
35100-1100	Salaries & Wages	65,066	(32,533)	32,533
35100-various	Fringe Benefits	34,008	(14,038)	19,970
35100-3170	Contractual Services	2,080	(100)	1,980
35100-5110	Electrical Services	3,362	(1,000)	2,362
35100-5500	Travel, Convention, Education	1,000	(250)	750
35100-5820	Claims & Bounties	1,000	(250)	750
35100-6003	Agricultural Supplies	7,400	(2,000)	5,400
35100-8201	Equipment	400	(400)	-
			<u>(50,571)</u>	
Emergency Services & Civil Defense				
35500-5500	Travel, Convention, Education	1,500	(750)	750
35500-5699	Tems Council	905	(45)	860
35500-6010	Fire & Rescue Radio Com Supplies	30,000	(1,000)	29,000
			<u>(1,795)</u>	
Assign-A-Highway Program				
41500-6009	Vehicle Supplies	8,379	(2,000)	6,379
			<u>(2,000)</u>	
Sanitation Waste Removal				
42300-5230	Telecommunications	2,040	(100)	1,940
42300-6007	Repair & Maintenance Supplies	16,300	(2,000)	14,300
42300-6030	Equipment	1,300	(600)	700
			<u>(2,700)</u>	
Refuse Disposal				
42400-3845	Transfer Refuse to Suffolk	1,611,600	(80,580)	1,531,020
42400-3846	Transfer Refuse to Waverly	-	14,230	14,230
			<u>(66,350)</u>	
Buildings & Grounds				
43000-8105	County Building Repair	57,100	(5,100)	52,000
43000-8201	Equipment	12,000	(2,000)	10,000
			<u>(7,100)</u>	
Welfare Administrative Services				
53600-5668	Contribution-STOP	1,621	(81)	1,540
			<u>(81)</u>	
Rawls Museum Arts				
72200-5604	RMA Operational/Educ Outreach	9,250	(463)	8,787
			<u>(463)</u>	
Southampton County Historical Society				
72500-5650	Rebecca Vaughan House Project	23,750	(3,750)	20,000
			<u>(3,750)</u>	

GENERAL FUND
ADDITIONAL REDUCTIONS FOR FY 2011

	Original	Cut	Revised
Planning & Zoning			
81100-5500 Travel, Convention, Education	3,000	(1,000)	2,000
81100-6014 Other Operating Supplies	1,200	(1,000)	200
		<u>(2,000)</u>	
Economic Development			
81500-7006 Economic Development Office	150,000	(50,000)	100,000
		<u>(50,000)</u>	
Coop Extension Serv Program			
83500-1100 Salaries & Wages	31,273	(7,818)	23,455
83500-2215 Retirement - Employee/Employer	11,024	(2,756)	8,268
83500-5812 4H Camp-Airfield Conf Center	3,000	(200)	2,800
		<u>(10,774)</u>	
TOTAL OF ADDITIONAL REDUCTIONS		(249,274)	

GENERAL FUND SUMMARY OF CHANGES

	2009-2010	2010-2011	Change	%
General Government Administration				
Board of Supervisors	\$ 261,563	\$ 202,636	\$ (58,927)	(22.53)
County Administration	334,654	308,486	(26,168)	(7.82)
Commissioner of the Revenue	274,401	259,968	(14,433)	(5.26)
Board of Assessors	7,600	180,000	172,400	2,268.42
Treasurer	276,516	271,389	(5,127)	(1.85)
Delinquent Tax Collection	20,000	5,000	(15,000)	(75.00)
Accounting	233,543	220,007	(13,536)	(5.80)
Data Processing	217,407	208,081	(9,326)	(4.29)
Insurance/County Code	168,300	177,820	9,520	5.66
Registrar	151,411	146,515	(4,896)	(3.23)
	<u>1,945,395</u>	<u>1,979,902</u>	<u>34,507</u>	<u>1.77%</u>
Judicial Administration				
Circuit Court	72,865	64,771	(8,094)	(11.11)
Combined District Court	24,866	22,166	(2,700)	(10.86)
Special Magistrates	1,366	658	(708)	(51.83)
Clerk of Circuit Court	469,273	467,645	(1,628)	(0.35)
Sheriff - Bailiff	430,556	378,194	(52,362)	(12.16)
Courthouse Security	69,008	70,154	1,146	1.66
Commonwealth's Attorney	509,580	481,781	(27,799)	(5.46)
Victim Witness Assistance Program	68,154	69,211	1,057	1.55
	<u>1,645,668</u>	<u>1,554,580</u>	<u>(91,088)</u>	<u>(5.54)</u>
Public Safety				
Sheriff - Law Enforcement	1,665,682	1,642,095	(23,587)	(1.42)
Enhanced 911	155,513	162,433	6,920	4.45
Wireless 911	44,375	45,256	881	1.99
School Resource Officer	48,482	49,656	1,174	2.42
Volunteer Fire Departments	293,413	281,790	(11,623)	(3.96)
Volunteer Rescue Squads	920,879	914,799	(6,080)	(0.66)
State Forestry Service	23,367	23,367	-	-
Sheriff - Detention	2,667,937	2,565,629	(102,308)	(3.83)
Probation	105,614	104,472	(1,142)	(1.08)
Inspections	120,838	122,253	1,415	1.17
Animal Control	98,571	99,988	1,417	1.44
Medical Examiner	500	500	-	-
Emergency Services	93,123	112,433	19,310	20.74
	<u>6,238,294</u>	<u>6,124,671</u>	<u>(113,623)</u>	<u>(1.82)</u>
Public Works				
Streetlights	45,987	45,987	-	-
Assign-A-Highway	53,415	52,320	(1,095)	(2.05)
Refuse Collection	730,810	677,074	(53,736)	(7.35)
Refuse Disposal	1,665,562	1,600,022	(65,540)	(3.94)
Buildings & Grounds	470,948	469,494	(1,454)	(0.31)
	<u>2,966,722</u>	<u>2,844,897</u>	<u>(121,825)</u>	<u>(4.11)</u>
Health & Welfare				
Health Department	316,606	304,000	(12,606)	(3.98)
WTCSB	76,605	68,944	(7,661)	(10.00)
Senior Services	13,825	13,000	(825)	(5.97)
Comprehensive Services Act	80,882	117,159	36,277	44.85
STOP Organization	1,621	1,540	(81)	(5.00)
	<u>489,539</u>	<u>504,643</u>	<u>15,104</u>	<u>3.09</u>
Parks, Recreation & Cultural				
Community Concert Association	5,700	5,500	(200)	(3.51)
Rawls Museum Arts	14,250	13,787	(463)	(3.25)
Historical Society	28,500	24,750	(3,750)	(13.16)
W.C. Rawls Library	253,433	257,897	4,464	1.76
	<u>301,883</u>	<u>301,934</u>	<u>51</u>	<u>0.02</u>
Community Development				
Planning	279,376	281,388	2,012	0.72
Economic Development	150,000	100,000	(50,000)	(33.33)
Soil & Water Conservation	9,766	9,911	145	1.48
Cooperative Extension	52,939	42,165	(10,774)	(20.35)
	<u>492,081</u>	<u>433,464</u>	<u>(58,617)</u>	<u>(11.91)</u>
Non-Departmental				
Non-Departmental Operating	36,000	34,000	(2,000)	(5.56)
	<u>36,000</u>	<u>34,000</u>	<u>(2,000)</u>	<u>(5.56)</u>
TOTAL GENERAL FUND EXPENDITURES	\$ 14,115,582	\$ 13,778,091	\$ (337,491)	(2.39)

Supervisor Brown stated that there was no way in the world they could live with this. The schools would still be looking at a hefty cut. Schools would be cut an additional \$524,020, on top of the \$644,000 that they needed but we were not going to fund.

Supervisor Brown mentioned hypothetically getting rid of the land use program. If they were to do so, he thought they might be able to lower the taxes for everyone.

Supervisor West advised that getting rid of the land use program would be redistributing the wealth. He could not foresee next year being any better. We all needed to cut back. He could not support getting rid of land use.

Supervisor Brown pointed out that he did not say he was in favor of getting rid of land use. He was in favor of exploring the idea. He was curious as to what the potential savings would be, and how much they would then be able to lower the tax rate to generate \$1 million.

Supervisor Faison stated that he thought they would be putting the County in a far worse position if they were to make additional cuts to the schools and social services than if they did away with land use right now. They could always bring land use back. He commented that he thought "redistributing of wealth" was an explosive term.

Supervisor West remarked that if they were to do away with land use, they would see more land for sale.

Supervisor Wyche advised that cutting the schools an additional \$524,020 was tough. If they wanted to help the schools, they had no choice but to raise taxes.

Chairman Jones commented that this was the worst budget he had ever seen. Everyone was hurting across the state and we were hurting too. It hurt him to be up here on the Board with the budget situation like this.

Supervisor Wyche stated that they had done all they could do. They were pushed for time. Mr. Johnson confirmed that he needed to publish the proposed budget ad in Sunday's newspaper.

Supervisor Faison advised that he would like Supervisor Brown's suggestion of exploring the potential savings of doing away with land use looked at.

Vice-Chairman Young stated that it would take an additional 4¢ increase in the real estate tax rate to fund the schools, without having to do anything with land use. He noted that there were a lot more real estate owners than land owners.

Supervisor Faison advised that he had heard two suggestions: 1) look at potential savings of getting rid of the land use program and determining how much the real estate tax rate could be decreased to generate \$1 million, and 2) look at raising the real estate tax rate an additional 4¢, for a total of 8¢.

Supervisor West indicated that he was not in favor of that much of a tax increase.

Vice-Chairman Young clarified that he did not suggest nor did he say he was in favor of raising the taxes an additional 4¢ - he had simply stated that an additional 4¢ increase was what it would take to fund the schools without having to look at land use.

Supervisor Brown and Faison indicated to Mr. Johnson that they would like for him to evaluate the potential savings of doing away with the land use program, and what the real estate rate could be reduced to in order to generate \$1 million.

Mr. Johnson asked if that was the consensus of the entire Board? Supervisors Felts and West indicated no.

After further discussion, it was reluctantly the consensus of the Board to have Mr. Johnson look at the land use program.

Accordingly, the Board indicated that they would hold another budget workshop on Wednesday, April 28, 2010.

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 Wyche, to adopt the following resolution:

RESOLUTION OF CLOSED MEETING

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

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

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

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

The motion passed unanimously.

Supervisor Faison advised that he had received a phone call, and Michael Mann was willing to continue to serve on the Planning Commission.

Supervisor Faison moved, seconded by Vice-Chairman Young, to reappoint Michael Mann to serve another 4-year term on the Planning Commission. All were in favor.

There being no further business, the meeting was adjourned at 12:04 PM.