

February 28, 2011

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 February 28, 2011 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)
Lynette C. Lowe, Finance Director
Beth Lewis, Director of Community Development
Sandi Plyler, Information Technology Manager
Julien W. Johnson, Jr. Public Utilities Director
Susan H. Wright, Administrative Secretary

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

(Note: Vice-Chairman Young was not yet present.)

Chairman Jones sought approval of the minutes of the January 24, 2011 regular meeting.

The minutes were approved as presented, as there were no additions or corrections.

Regarding highway matters, Mr. Michael Johnson, County Administrator, announced that included in the agenda was a brief status report of last month's concerns which he shared with the Virginia Department of Transportation (VDOT):

1. Drewryville – sufficient right-of-way exists to install a turn lane at Green Plains Road – VDOT was now seeking to identify a source of funding;
2. Jerusalem – the ditches on Vicksville Road have been cleaned;
3. Capron – the request for a sign on Southampton Parkway (westbound) for Bryants Church Road is still under review at the District Office;
4. Newsoms – final seeding on Sunbeam and Riverdale Road will be completed as soon as the weather breaks. Included in the agenda was the information Supervisor Brown requested regarding the number of miles included in the Adopt-a-Highway Program (247.11 miles).
5. Franklin – CSX still has not cleaned the culvert beneath its tracks between Rose Valley Road and Route 58 – VDOT is calling them weekly. Beavers have been successfully trapped near Delaware Road and VDOT is working to destroy the dams they've built – once complete, it is expected to resolve the issue of ponding water on the roadway there;
6. Berlin-Ivor – included in the agenda was a schedule for work items including drainage issues.

Mr. Johnson advised that he would be please to take any new concerns to share with VDOT.

Supervisor Faison stated that he was very appreciative of VDOT's efficiency in removing a tree that had fallen across Route 35. He was also appreciative of how quickly the Sheriff's Office arrived.

Supervisor Brown thanked VDOT for the reseeding that had taken place in his district. He also thanked Mr. Johnson for providing him with the Adopt-A-Highway information he had requested.

Supervisor Brown advised that Monroe Road was black-topped on the outer edges but not the

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center of the road, thereby leaving the road uneven. He had received calls from several constituents, particular motorcycle riders, expressing safety concerns related to that.

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, Cooperative Extension, Treasurer's Report, Solid Waste Quantities, and Personnel

In regards to Solid Waste Quantities, Supervisor Brown recognized the tremendous savings resulting from the attended sites.

In regards to Personnel, Mr. Johnson advised that the salary of James H. Fuller of the Sherriff's Office increased to \$30,863 effective 02/01/11 as the result of a 12-month regrade. Jason F. Brinkley resigned from the Sheriff's Office effective 02/02/11. James Thomas Cooke resigned from the Sheriff's Office effective 02/18/11.

Moving to financial matters, Mr. Johnson announced that bills in the amount of \$2,445,289.66 were received.

Supervisor Wyche moved, seconded by Supervisor Felts, that the bills in the amount of \$2,445,289.66 be paid with check numbers 100723 through 101128. All were in favor of the motion.

Moving to appointments, Mr. Johnson announced that included in the agenda was correspondence from the Blackwater Regional Library regarding the recent resignation of Mrs. Betty Sue Young from their Board of Directors due to health issues. The Board would need to appoint a successor to fill Mrs. Young's unexpired term through June 30, 2014.

Supervisor Brown indicated that he would seek a successor for Mrs. Young from his district.

Moving forward, Mr. Johnson announced that Caroline Martin, Vice-President of the Board of Directors for the Western Tidewater Free Clinic, had requested a few moments to discuss some of their work in the region.

Chairman Jones recognized Ms. Caroline Martin.

Ms. Martin thanked the Board for the opportunity to address them this morning. She stated that the mission of Western Tidewater Free Clinic was to provide high-quality, non-emergency health care to the residents of Western Tidewater who could not otherwise afford it. They served individuals between the ages of 19 and 64 with no medical insurance and lived at or below 200% of the federal poverty level. The clinic opened in June 2007 in a modest facility, and now operated in a 2000 sq. ft. facility they called "The Help Home". Ninety-nine (99) percent of their services were treating and managing chronic illnesses, such as hypertension, cardiac disease, and diabetes. Fifty (50) percent of their services were performed by volunteers. The clinic's Medication Assistance Program had enabled patients to receive free medications with a retail value of \$1,994,537.63. In 2010, 12% of the patients they served were from Southampton County. For every \$1 they received, \$6 in services was provided. She thanked the Board for their support of Western Tidewater Free Clinic.

Supervisor West asked what percent of their budget was derived from federal funds? Ms. Martin replied none – their funds came primarily from foundations, municipalities, and grants.

The Board thanked Ms. Martin and the Western Tidewater Free Clinic for the important services they provided.

(Note: Vice-Chairman Young came in at this time – 8:54 AM.)

Moving to the citizen request to address the Board, Chairman Jones recognized Ms. Maura Britt.

Ms. Britt thanked the Board for the opportunity to speak this morning. She advised that she wanted to talk about the vacant 4-H position here in Southampton County. She moved here in 2006 and became a 4-H registered member. She owned horses and other animals and inquired in

2008 about starting a 4-H Club to get kids involved with the animals. She was told that when our 4-H agent left several years ago, she was not replaced as the result of a hiring freeze implemented by Virginia Tech (who employed our Ag and 4-H Agents), and there wasn't anyone on staff who had the authority to sign off on her application. She was concerned that nothing was being done for 4-H. For the last several years, no new clubs could be started, etc. Only those who were already registered could check out the incubators, etc. Greenville and Surry Counties both currently had 4-H agents because those agents never left. Had one of their agents left, they would be in the same position as Southampton and Isle of Wight Counties – without a 4-H agent. She suggested that the County consider hiring its own 4-H agent, at least on a part-time basis, with 100 percent County funds. We could not keep waiting to see if and when Virginia Tech was going to provide their share to help fund a 4-H agent.

Vice-Chairman Young stated that he disagreed that *nothing* was being done for 4-H.

Supervisor Brown stated that perhaps we could get involved regionally and possibly get some training from the 4-H agent in Greenville County.

Chairman Jones advised that we could discuss this at the upcoming Board retreat. Supervisor West agreed.

Supervisor Felts asked Mr. Johnson to inquire about Isle of Wight's County's possible interest in sharing a 4-H agent with us.

The Board thanked Ms. Britt for sharing her concerns.

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

Public review and comment with regard to the proposed Capital Improvements Plan (CIP) for FY 2012-2017.

Mrs. Beth Lewis, Director of Community Development and Secretary of the Planning Commission, advised that the Planning Commission held a public hearing on the proposed CIP at its January 13, 2011 meeting and recommended approval.

Mrs. Lewis advised that there were very few changes from last year – Community Development, Information Technology, and Administration changed a little – overall it was an increase of \$36,000 from last year. The total current draft CIP was \$29,597,698. The largest components were a new Capron Elementary School - \$10.5 million, a new jail - \$4.6 million, and expansion of the Walter Cecil Rawls Library - \$3 million.

The proposed FY 2012-2017 Capital Improvements Plan (CIP) is as follows:

**FY 2012-2017 Capital Improvements Plan Draft
Project Ranking Score Sheet**

High Priority

Department	Project	Ranking	Total Estimated Cost	Possible Funding Source
School Board	Capron Elementary School replacement	High	\$10,504,691	Low Interest Literary Fund Loan
	School bus replacement	High	\$455,000	
School Board High Priority total			\$10,959,691	
Utilities	Manhole, South Main Street/East Street, Boykins	High	\$12,000	
	Slip line sewer, Beaton Avenue from East Street to S. Main, Boykins	High	\$21,000	

	Slip line sewers, Edgehill	High	\$261,000	
	Pump station #6, Grant Street	High	\$105,100	
	Pump station #10, Pinos	High	\$52,500	
	Pump station #5, Shands Drive	High	\$52,500	
	Pump station #9, Bill Vick's house	High	\$52,500	
	Pump station #4, behind jail	High	\$52,500	
Utilities High Priority total			\$609,100	
Buildings and Grounds	Courthouse replace HVAC	High	\$125,000	
	Courthouse repair control system, base leaks, and seal water intrusion	High	\$35,000	
Building and Grounds High Priority total			\$160,000	
Sheriff	Animal pound	High	\$500,000	
	Courthouse security improvements	High	\$300,000	Courthouse security fees
	Repeaters for radio system	High	\$300,000	
	Replace jail	High	\$4,600,000	Reimbursement from General Assembly
Sheriff High Priority total			\$5,700,000	
Library	Building expansion and renovation	High	\$3,058,218	
	Lighting in public area	High	\$50,000	
Library High Priority total			\$3,108,218	
Public Works	Replacement of 2 4x4 pick-ups	High	\$55,000	
	Red box replacements	High	\$20,000	
	RCS upgrades	High	\$10,000	
Public Works High Priority total			\$85,000	
IT	Fiber options to Admin, Community Dev. buildings	High	\$100,000	
	AS400 and Windows server upgrade	High	\$100,000	
	BAI.NET for e-government	High	\$50,000	
	Computer replacement, 4/yr	High	\$8,000	
	Printer replacement, 2/yr	High	\$2,000	
	Server for PEG channel TV	High		
IT High Priority total			\$270,000	
Community Development	3 laptops and printers for inspectors' vehicles	High	\$3,000	
	Update tax maps	High	\$5,000	
Community Development High Priority total			\$8,000	
Administration	Admin Building security improvements	High	\$25,000	
	Generator for Admin building	High	\$30,000	

	Funds for PDR/open space/conservation easement purchase	High	\$100,000	
Administration			\$155,000	
High Priority total				
Total High Priority			\$21,055,009	

Medium Priority

Department	Project	Ranking	Total Estimated Cost	Possible Funding Source
School Board	Replace Career Tech HVAC	Medium	\$600,000	
	Bus garage	Medium	\$1,696,689	
School Board			\$2,296,689	
Utilities	Agribusiness water main extension	Medium	\$410,000	Tap/facility fees
	Pump station #2, Florence Street	Medium	\$52,500	
	Pump station #8, Steven Woods	Medium	\$52,500	
Utilities			\$515,000	
Building and Grounds	Maintenance shop	Medium	\$75,000	
	Courthouse windows	Medium	\$35,000	
	Courthouse roof	Medium	\$35,000	
	Courthouse parking lot seal and repaint	Medium	\$10,000	
	Judges' parking lot	Medium	\$20,000	
Building and Grounds			\$175,000	
Sheriff	Sheriff office security improvements	Medium	\$150,000	
Sheriff			\$150,000	
Public Works	Red box replacements	Medium	\$20,000	
	Compactor replacements	Medium	\$120,000	
	RCS upgrades	Medium	\$10,000	
Public Works			\$150,000	
IT	Computer replacements	Medium	\$8,000	
	Printer replacements	Medium	\$2,000	
	Security for data processing room	Medium	\$4,000	
	Security for tracking in-house users	Medium	\$8,000	
	Audio equipment for Board room	Medium	\$26,000	
	Video equipment for Board room	Medium	\$37,000	
	Data storage	Medium	\$25,000	
	Vehicle	Medium	\$20,000	
IT			\$130,000	
Community Development	2 replacement vehicles	Medium	\$40,000	

Community Development Medium Priority total			\$40,000	
Administration	Replacement vehicle	Medium	\$22,000	
	Funds for PDR/open space/conservation easement purchase	Medium	\$100,000	
Administration Medium Priority total			\$122,000	
Total Medium Priority			\$3,578,689	

Low Priority

Department	Project	Ranking	Total Estimated Cost	Possible Funding Source
Utilities	Pump station, force main, gravity sewer	Low	\$3,700,000	
	460 study area for sanitary sewer	Low	\$50,000	
Utilities Low Priority total			\$3,750,000	
School Board	SHS track	Low	\$323,000	
School Board Low Priority total			\$323,000	
Building and Grounds	Admin Center parking lot reseal and paint	Low	\$20,000	
	Extension office parking lot reseal and paint	Low	\$20,000	
	School Board office roofs	Low	\$40,000	
	Voter Registration HVAC upgrade	Low	\$18,000	
	Used front end loader	Low	\$20,000	
	Upgrades to Satellite Services building	Low	\$50,000	
Building and Grounds Low Priority total			\$168,000	
Public Works	Red box replacements	Low	\$20,000	
	Roll off truck replacement	Low	\$130,000	
	Tractor and trailer	Low	\$150,000	
	RCS upgrades	Low	\$10,000	
Public Works Low Priority total			\$310,000	
IT	Computer replacements	Low	\$8,000	
	Printer replacements	Low	\$2,000	
	Equipment for paperless agendas	Low	\$65,000	
	Server for in-house email/web hosting	Low	\$25,000	
	Wireless for Admin bldg	Low	\$55,000	
	Tag process to track assets	Low	\$8,000	
IT Low Priority total			\$163,000	
Community Development	2 replacement vehicles	Low	\$40,000	
	Replace GPS tablet	Low	\$15,000	

	Building renovations	Low	\$20,000	
	Copier	Low	\$10,000	
	Flat bed scanner	Low	\$15,000	
Community Development Low Priority total			\$100,000	
Administration	Tourism welcome signs	Low	\$30,000	
	Office furniture	Low	\$20,000	
	Funds for PDR/open space/conservation easement purchase	Low	\$100,000	
Administration Low Priority total			\$150,000	
Total Low Priority			\$4,964,000	
TOTAL			\$29,597,698	

FY 2012-2017 Capital Improvements Plan Summary

	High	Medium	Low	Total
School Board	\$10,959,691	\$2,296,689	\$ 323,000	\$13,579,380
Utilities	609,100	515,000	3,750,000	4,874,100
Building and Grounds	160,000	175,000	168,000	503,000
Sheriff	5,700,000	150,000	-	5,850,000
Library	3,108,218	-	-	3,108,218
Public Works	85,000	150,000	310,000	545,000
IT	270,000	130,000	163,000	563,000
Community Development	8,000	40,000	100,000	148,000
Administration	155,000	122,000	150,000	427,000
Total	\$21,055,009	\$3,578,689	\$ 4,964,000	\$29,597,698

Chairman Jones opened the public hearing.

Mr. Glenn Updike spoke. There should only be one item on this CIP and that was SPSA (Southeastern Service Public Authority). They could not keep neglecting this item.

Chairman Jones closed the public hearing.

Supervisor Brown pointed out that the increase associated with fiber optic cable was a must.

Supervisor Brown moved, seconded by Vice-Chairman Young, to accept the Planning Commission's recommendation and approve the FY 2012-2017 Capital Improvements Plan (CIP). All were in favor.

Mr. Johnson announced that the second and final public hearing was to consider the following:

An ordinance providing for the payment of monetary bonuses to county employees who obtain professional certification or licensure related to the performance of their duties. Such certification or licensure shall have resulted from a written examination administered by, or in behalf of, any state- or nationally recognized accrediting agency or professional organization.

The ordinance is as follows:

AN ORDINANCE PROVIDING FOR THE
PAYMENT OF BONUSES FOR EMPLOYEES
WHO OBTAIN PROFESSIONAL CERTIFICATION OR LICENSURE

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

WHEREAS, this Board has published notice of its intention to consider this ordinance in accordance with the provisions of Section 15.2-1427 (F), Code of Virginia on February 13 and February 20, 2011.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that any employee covered under the County's Classification and Pay Plan who obtains professional certification or licensure related to the performance of their duties shall be compensated with a five hundred dollar (\$500.00) monetary bonus. Such certification or licensure shall have resulted from a satisfactory and passing score on a written examination administered by, or in behalf of any state or nationally recognized licensing/accrediting agency or professional organization.

This policy may include, but is not strictly limited to:

- a. Administrative professional certification;
- b. Building official, construction inspector and plan reviewer certifications;
- c. Commercial drivers licenses;
- d. Computing professional certifications;
- e. Erosion and sediment control administrator, plan reviewer or inspector certifications;
- f. Herbicide or pesticide applicator certifications;
- g. Master deputy certifications;
- h. Public finance officer certifications;
- i. Recognition by the American Institute of Certified Planners;
- j. Waterworks and wastewater works operator licenses;
- k. Zoning administrator certifications.

This ordinance shall apply to all professional certifications or licenses obtained on or after January 1, 2011, but shall not apply to renewal of any previously issued license or certification.

It shall be the responsibility of any employee to provide his/her immediate supervisor with written documentation that such license or certification has been obtained prior to the payment of any such bonus. Such documentation shall become part of that employee's permanent personnel record.

Adopted: February 28, 2011
Chairman Jones opened the public hearing.

Mr. Dan Hohman of Berlin-Ivor spoke. He stated that he was not aware of such bonuses being a state thing. He thought it was a luxury. He had never heard of giving bonuses to employees before they even started utilizing their new skills.

Mr. Ash Cutchin spoke. He asked how many employees would this ordinance affect? Mr. Johnson replied not many – a maximum of 6 employees per year.

Mr. Bruce Phillips spoke. He asked, if an employee achieved certification, did he receive the bonus immediately? Also, did we pay for the employee to take the class to become certified?

Mr. Julien Johnson, Director of Public Utilities, advised that in regards to utilities, we paid for the class and for the employee to take the test one time. After that, it was the employee's responsibility.

Mr. Glenn Updike spoke. He stated that we should make the requirements and expectations part of the job description.

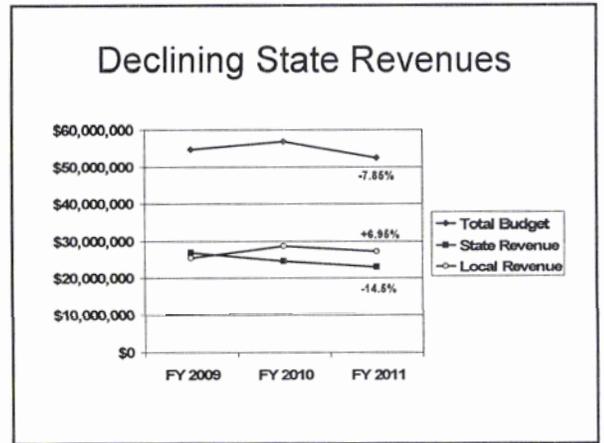
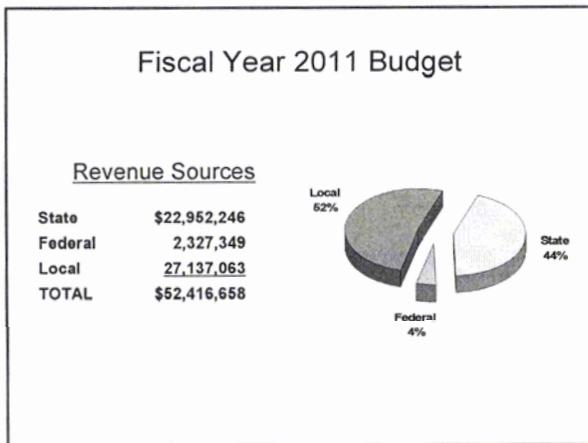
Mr. Johnson advised that the bonuses were intended to give our current employees the incentive to obtain certifications, licensures, etc. so they would have the skills required to possibly move to a higher position within their department when a position became available.

It was consensus of the Board to support the bonuses, as they shared Mr. Johnson's view. Supervisor Brown stated that it was a much-needed incentive for our employees. Supervisor Wyche commented that we needed to have something in place to try and retain our employees.

Supervisor Felts confirmed with Mr. Johnson that this would be a one-time bonus for most employees.

Supervisor Wyche moved, seconded by Supervisor Faison to adopt the ordinance. All were in favor.

Moving to preliminary FY 2012 revenue projections, Mr. Johnson presented the following brief PowerPoint presentation:



Local Revenues FY 2011 Collections Trend

Revenue Source	FY 2011 YTD	FY 2010 YTD	\$ Change	% Collected FY11 / FY10	Trend
General Property Taxes	\$ 15,783,128	\$ 14,598,562	\$ 1,184,566	91% / 86%	↑
Other Local Taxes	831,300	771,919	59,481	54% / 50%	↑
Permits/Licenses	55,764	57,042	(1,278)	49% / 58%	↓
Fees & Forfeitures	335,337	299,140	36,197	60% / 54%	↑
Use of Money & Property	14,670	26,085	(11,415)	33% / 30%	↓
Charges for Services	278,278	229,328	48,948	67% / 61%	↑
Miscellaneous	568,806	121,220	447,586	76% / 16%	↑
	<u>\$ 17,865,361</u>	<u>\$ 16,103,296</u>	<u>\$ 1,762,065</u>		

Property Taxes FY 2012 Projected Growth

Source	Revenue		Growth/Decline	% Change
	FY 11 Budget	FY 12 Projection		
Real Estate				
Current Year	\$ 9,561,019	\$ 9,685,174	124,155	1.30
Public Service Corporations	770,699	659,663	(111,036)	(14.41)
Personal Property				
Current Year	5,435,697	5,697,811	262,114	4.82
Public Service Corporations	4,299	3,401	(898)	(20.89)
Other				
Contractors Equipment	138,412	153,738	15,326	11.07
Mobile Homes	78,785	79,519	734	0.93
Farm Implement	336,799	370,825	34,026	10.13
Farm Machinery Seasonal	32,159	28,543	(3,616)	(11.24)
Machinery & Tools	421,784	392,245	(29,539)	(7.00)
Merchants Capital	46,949	52,941	5,992	12.76
Other Business Licenses	150,000	149,470	(530)	(0.35)
	<u>16,526,602</u>	<u>17,473,450</u>	<u>946,848</u>	<u>5.73</u>

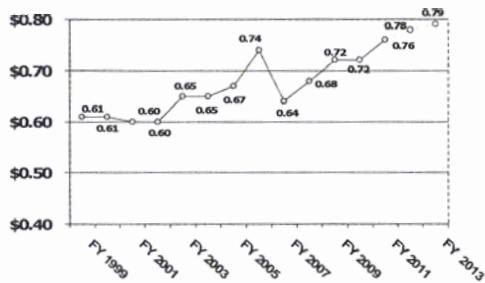
Local Revenue Estimates FY 2011

General Property Taxes	18,914,335	14,918,881	60%	18,978,190	(26,173)
Permits, Fees, Licenses	95,190	71,848	72%	98,190	(2,652)
Use of Money & Property	17,500	26,800	50%	48,600	(32,600)
Miscellaneous	743,708	114,808	15%	760,050	(13,708)

Overall

- State revenues are expected to continue to decline
- Local revenues are holding their own, but insufficient to make up for the continued loss of state revenue
- Not the "train-wreck" we experienced last year when local revenues plummeted

History and Projection of Real Estate Tax Rates - Southampton County



Mr. Johnson noted that while the projections were not great for FY 2012, they were a lot better than FY 2011.

Moving forward, Mr. Johnson announced that he had been in discussions over the last several months with Mid-Atlantic Broadband Cooperative (MBC) to furnish fiber-optic broadband services to prospective tenants at the Turner Tract Industrial Park. He reminded that they were partnering with Old Dominion University to install more than 170 miles of fiber optic broadband in southeastern Virginia, including a new line along Route 58 between Emporia and Suffolk. MBC would need roughly 2,500 sq. ft. to install a switch somewhere along the corridor in Southampton County. He had suggested that they consider a site at the Turner Tract, on the east side of Rose Valley Road, adjacent to the location of the water wells and planned overhead water tank. He noted that a survey was included in the agenda. They had indicated to him that this site meets their needs and would also insure that tenants of the new industrial park had ready access to their network. They had forwarded to him a sample instrument for the easement – he was seeking the Board’s consideration in authorizing Chairman Jones to execute a similar instrument for the 50’ x 50’ easement depicted on the survey included in the agenda.

Vice-Chairman Young moved, seconded by Supervisors Felts and Wyche, to authorize Chairman Jones to execute the 50’ x 50’ easement for Mid-Atlantic Broadband at the appropriate time. All were in favor.

Moving to voter redistricting 2011, Mr. Johnson announced that the U.S. Census Bureau released its data on February 4 and Mrs. Susan Wright, Administrative Secretary, had been evaluating the numbers prior to convening a meeting of the redistricting committee that was appointed last

month. It was already apparent that changes would be necessary in at least four (4) of the seven (7) Election Districts. Based on our total population of 18,570, the hypothetical target population in each District was 2,653. The *Civil Rights Act* provided for a maximum 5% variation above or below the mean – accordingly, the total population for each District should fall somewhere between 2,520 and 2,786. With the exception of Capron, Franklin and Newsoms, the total population of the remaining Districts was now outside the target range as indicated below:

	<u>2000</u>					<u>2010</u>				
	Black	White	Other	Total Pop	Percent Minority	Black	White	Other	Total Pop	Percent Minority
Berlin-Ivor	791	1747	35	2573	32.10	616	2266	102	2984	24.06
Boykins-Branchville	1299	1075	32	2406	55.32	1157	1150	67	2374	51.56
Capron	1169	1210	33	2412	49.83	1118	1528	103	2749	44.42
Drewryville	1490	872	28	2390	63.51	1278	982	59	2319	57.65
Franklin	599	1995	24	2618	23.80	558	2133	73	2764	22.83
Jerusalem	873	1675	32	2580	35.08	918	1846	58	2822	34.59
Newsoms	1274	1209	20	2503	51.70	1248	1233	77	2558	51.80
	7495	9783	204	17482	44.04	6893	11138	539	18570	40.02

Accordingly, at a minimum:

- Berlin-Ivor must lose at least 198 people
- Boykins-Branchville must gain at least 146 people
- Drewryville must gain at least 201 people
- Jerusalem must lose at least 36 people

Mr. Johnson advised that because Berlin-Ivor was not contiguous to Boykins-Branchville or Drewryville, it was highly likely that all seven districts would have to be modified to balance the numbers. He noted that he anticipated that the redistricting committee would spend the month of March evaluating the data and preparing alternatives for public comment by the end of April.

Moving forward, Mr. Johnson announced that at the request of the Southampton County Litter Control Council, he had drafted certain amendments to Section 13-6 of the Southampton County Code as it related to the illegal dumping of trash. The amendments would make our local ordinance fully consistent with the state enabling legislation and make it plainly clear that violation of the ordinance was a misdemeanor that was punishable by confinement in jail for up to 12 months and a fine of not less than \$250 or more than \$2,500. It would also allow the Court discretion in ordering the defendant to perform community service in lieu of any jail time. He advised that if the Board was amenable to receiving public comment on the proposed amendment, we would need a motion to advertise the ordinance for public comment at our next regular meeting.

Supervisor Wyche moved, seconded by Supervisor Felts, to advertise the proposed ordinance for public comment on March 28, 2011 at 7:00 PM. All were in favor.

Accordingly, a First Reading was held on the following proposed ordinance:

AN ORDINANCE TO AMEND CHAPTER 13 OF THE SOUTHAMPTON COUNTY CODE
BY REVISING SECTION 13-6 AS IT RELATES TO THE ILLEGAL DUMPING OF TRASH

BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that the Southampton County Code be, and hereby is, amended by revising Section 13-6 as follows:

Sec. 13-6. Dumping trash, etc., on highway, right-of-way, or private property.

(a) ~~No person shall~~ *It shall be unlawful for any person to dump or otherwise dispose of trash, garbage, refuse, litter, a companion animal for the purpose of disposal, or other unsightly matter on public property, including a public highway, right-of-way, property adjacent to such highway or right-of-way, or on private property without the written consent of the owner thereof or his agent.*

(b) When any person is arrested for violation of this section, and the matter alleged to have been illegally dumped or disposed of has been ejected from a motor vehicle *or transported to the disposal site in a motor vehicle*, the arresting officer may comply with the provisions of Code of Virginia, § 46.2-936 in making such arrest.

(c) When a violation of the provisions of this section has been observed by any person, and the matter illegally dumped or disposed of has been ejected from a motor vehicle, the owner or operator of such motor vehicle shall be presumed to be the person ejecting such matter. However, such presumption shall be rebuttable by competent evidence.

~~(d) Upon conviction of any person for a violation of this section, the court may suspend the imposition of any sentence on condition that the defendant volunteer his services for such a period of time as the court may designate to remove litter from the highway. Any such sums collected shall be paid into the court and forwarded to the state treasurer for the construction and maintenance of state highways. Any person convicted of a violation of this section shall be guilty of a misdemeanor punishable by confinement in jail for not more than 12 months and a fine of not less than \$250 or more than \$2,500, either or both. In lieu of the imposition of confinement in jail, the court may order the defendant to perform community service in litter abatement activities.~~

(e) The provisions of this section shall not apply to the lawful disposal of such matter in landfills.

~~(f) Upon conviction of any person for a violation of this section, the court may suspend the imposition of any sentence on condition that the defendant volunteer his services for such a period of time as the court may designate to remove litter from the highway. Any such sums collected shall be paid into the court and forwarded to the state treasurer for the construction and maintenance of state highways.~~

State law references: Similar provisions, Code of Virginia, §§ 33.1-346, 33.1-346.1.

A copy teste: _____, Clerk
Southampton County Board of Supervisors
Adopted : March 28, 2011

Moving forward, Mr. Johnson announced that included in the agenda was copied email correspondence from Stephanie Heintzleman, Director of Member Services with the Virginia Association of Counties (VACo) Self Insurance Risk Pool, the group that provided Southampton County's workers' compensation coverage. The workers' compensation pool was recently merged with their larger liability and property self insurance pool (VACORP), and was now provided as a separate line of business through VACORP. With this organizational change, it was necessary for the Board to adopt a resolution to join the VACO Group Self Insurance Pool and authorize him to execute the members services agreement included in the agenda. He noted that from time to time, we competitively bid our insurance coverage – we just switched our workers' compensation coverage from the VML Insurance Pool a couple of years ago. Manry Rawls had consistently provided the best proposal for property and general liability insurance for the past 20+ years.

The resolution is as follows:

February 28, 2011

AND BE IT FURTHER RESOLVED that 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 28th day of February, 2011.

BOARD OF SUPERVISORS

Dallas O. Jones, Chairman

ATTEST:

Michael W. Johnson, Clerk

Moving forward, Mr. Johnson announced that they may recall previously approving the Brookview Estates subdivision in August 2008. Because the developer failed to record the plat within 60 days of final approval, as required by Section 14-78 of the Southampton County Code, the process went back to square one. As they knew, the county subdivision ordinance was substantially revised in January 2009, so the proposed subdivision was now subject to the new standards. He advised that Brookview Estates subdivision was located off the east side of Shady Brook Trail. It included a total of fifteen (15) residential building lots, with minimum lot sizes of 20,000 square feet, acceptable standards in the Residential R-1 zoning district. The subdivision was proposed to be served by a community water system - all lots would rely on private septic systems. In accordance with § 15.2-2259 of the *Code of Virginia*, approval of subdivisions was classified as a ministerial act, meaning that the Board had no authority to exercise its discretion while reviewing plats. The purpose of subdivision plat review was only to insure that the proposed development complied with all existing ordinances. If a plat was denied, the Board was required to specifically identify the requirement that was unsatisfied and explain what the applicant must do to satisfy the requirement. He informed that the Planning Commission recommended approval of the preliminary plat. Once the preliminary plat was approved, the developer had 6 months to prepare a final plat, detailed civil drawings for site improvements, and to make satisfactory arrangements for surety to warrant installation of all improvements. The final plat was then reviewed by the Board, and, if approved, must be recorded within 60 days of final approval.

Mrs. Beth Lewis, Director of Community Development, advised the preliminary subdivision plat did meet all of the requirements of our current and updated zoning ordinance for preliminary plat approval.

Vice-Chairman Young moved, seconded by Supervisor Brown, to approve the preliminary plat for Brookview Estates subdivision. All were in favor.

Regarding miscellaneous issues, Mr. Johnson announced that The Richmond Times Dispatch recently listed the Board of Supervisors' salaries in each of the 95 Virginia counties – a copy was included in the agenda. Our Board's annual salary of \$5,500 ranked 69th out of 95 counties. The average (mean) salary in Virginia was \$10,051, and the median salary was \$7,000. Our salaries were lower than Isle of Wight (\$11,744), Greensville (\$10,217), and Sussex (\$7,200), but slightly higher than Surry (\$5,000). The last salary increase for our Board members was in 2005. In accordance with state law (§ 15.2-1414.2), a Board may consider salary increases in election years (such as 2011) provided that the increase does not take effect during the incumbent supervisors' term of office. Any resolution regarding board salaries must be adopted prior to July 1 and may not become effective until January of the following year.

Supervisor Brown stated that he was concerned that the delta between the salary of our Chairman and the salary of the rest of our Board of Supervisors was much greater than that of other localities.

Mr. Johnson noted that the Chairman had more duties such as speaking at events, ribbon-cutting ceremonies, etc.

Supervisor Wyche commented that he thought they needed a raise.

Supervisor West indicated that he would rather give the raise to the employees.

Chairman Jones suggested discussing it at the upcoming retreat. He commented that Greenville County had less population than us, their board met twice a month for 15-30 minutes, yet their board earned more than us.

It was consensus of the Board to discuss this topic at the upcoming retreat.

Mr. Johnson advised that included in the agenda was a copied email from the Dean of the College of Agriculture and Life Sciences at Virginia Tech confirming that they had suspended work on the proposed restructuring in order to better engage internal and external stakeholders. They did not indicate how they intended to engage us.

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

- 1) A Proposed Consent Order between **Courtland USA, LLC** and VDEQ with regard to specified violations of their stormwater discharge permit;
- 2) A Notice of Violation from the Department of Health, Office of Drinking Water, to **Reflections**, for failure to collect the required Nitrate/Nitrite sample in 2010;
- 3) Notice of a Groundwater Withdrawal Permit Application by **Richmond Cold Storage** for its plant in Smithfield;
- 4) Notice of a Groundwater Withdrawal Permit Application by **Aqua, Virginia, Inc.** for two subdivisions in Hanover;
- 5) Notice of a Groundwater Withdrawal Permit Application by **Elizabeth Manor Corporation** for golf course irrigation in Portsmouth;
- 6) A Notice of Violation from the Department of Health, Office of Drinking Water, to the **Town of Courtland** for exceeding acceptable fluoride levels in 2010;
- 7) Notice of a Groundwater Permit Application by **New Kent County** for reissuance of its Parham Landing/Route 33 Corridor Water System permit;
- 8) Notice from the Department of Health, Office of Drinking Water, to **Southampton County** commenting on our 2010 Consumer Confidence Reports for Boykins-Branchville, Newsoms, Drewryville, Edgehill, and the Jail Farm system(s). The reports must be sent to consumers prior to July 1;
- 9) A Notice of Violation from the Department of Health, Office of Drinking Water, to Courtland Inn for failing to collect the required bacteriological sample in November 2010;
- 10) A Notice of Violation from the Department of Health, Office of Drinking Water, to **Pino's Pizza Restaurant** for failing to collect the required bacteriological sample in the 4th quarter of 2010;
- 11) A Notice of Violation from the Department of Health, Office of Drinking Water, to **For Pete's Sake** for failing to collect the required bacteriological sample in the 4th quarter of 2010;
- 12) A Notice of Violation from the Department of Health, Office of Drinking Water, to **Kingsdale-Moseley** for failing to collect the required bacteriological sample in December 2010;
- 13) A Notice of Violation from the Department of Health, Office of Drinking Water, to **Darden's Mill Estates** for failing to collect the required repeat bacteriological sample in December 2010;
- 14) A Notice of Violation from the Department of Health, Office of Drinking Water, to **Darden's Mill Estates** for failing to meet the triggered source water monitoring requirement in December 2010; and
- 15) A Notice of Permit Reissuance from VDEQ to Dominion-Southampton Power Station for its VPDES permit.

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

Mr. Johnson clarified for Supervisor Felts that the youth activity funding applications would go out next month.

Moving to late arriving matters, Supervisor Brown addressed the Board.

Supervisor Brown apologized for the impromptu, but he just learned of this grant opportunity yesterday. The Cheroenhaka (Nottoway) Indian Tribal Heritage Foundation was seeking to apply for the “New National Endowment for the Arts Grant”, also known as the “Our Town Grant”. The amount of the Grant ranged from \$25,000 to \$250,000. A letter of interest was due tomorrow, March 1, 2011, and the cover letter must come from the local government. He was requesting that Southampton County partner as the local government entity by supporting the “Our Town Grant Letter of Interest” of the Cheroenhaka (Nottoway) Indian Tribal Heritage Foundation with providing a cover letter. He noted that additional partners included Franklin-Southampton Economic Development, Inc. (FSEDI), Department of Conservation and Recreation (DCR), Department of Forestry, Timmons Group, Southampton County Public Schools, and Grays Contracting-Landscaping. He respectfully asked that the Board honor his request.

Supervisor West asked if he needed letters from all the other partners? Mr. Brown replied no – just from the government entity.

Supervisors Felts and Wyche asked if the County had to support his organization financially if we became a partner? Supervisor Brown replied no – the County was not obligated in any way to provide any financial assistance.

Vice-Chairman Young confirmed with Supervisor Brown that the letter of interest was due tomorrow.

Supervisor Wyche stated that he was in favor of the request since the County was not obligated to provide financial support.

Supervisor Wyche moved, seconded by Supervisor Faison, to authorize the County Administrator to draft a cover letter in support of the Cheroenaka (Nottoway) Indian Tribal Heritage Foundation’s “Our Town Grant”. All were in favor.

The Board took a 10-minute break.

Upon returning to open session, 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;

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; and

Section 2.2-3711 (A) (1) Discussion of prospective candidates for employment.

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

Julien Johnson, Public Utilities Director, and John Smolak, President of Franklin-Southampton Economic Development, Inc. were also present in the closed meeting along with Mr. Johnson and the Board.

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.

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

Dallas O. Jones, Chairman

Michael W. Johnson, Clerk

February 28, 2011

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