

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 October 22, 2012 at 7:00 PM.

SUPERVISORS PRESENT

Dallas O. Jones, Chairman (Drewryville)
Dr. Alan W. Edwards Vice-Chairman (Jerusalem)
Glenn H. Updike (Newsoms)
Carl J. Faison (Boykins-Branchville)
Barry T. Porter (Franklin)
Ronald M. West (Berlin-Ivor)
S. Bruce Phillips (Capron)

SUPERVISORS ABSENT

OTHERS PRESENT

Michael W. Johnson, County Administrator (Clerk)
Jon Mendenhall, Deputy County Administrator
Beth Lewis, Director of Community Development
Lynette C. Lowe, Finance Director
Richard E. Railey, Jr., County Attorney
Cynthia J. Edwards, Administrative Secretary

OTHERS ABSENT

Julien W. Johnson, Jr. Public Utilities Director

Chairman Jones called the meeting to order. He stated that Girl Scout Troop # 1595 was here tonight and was going to lead us in the *Pledge of Allegiance*. Supervisor Faison gave the invocation.

Chairman Jones welcomed everyone tonight. He thanked the Girl Scout Troop for coming and giving the pledge and coming to see how our county is run.

Chairman Jones sought approval of the minutes for the Regular Session of September 24, 2012.

There being no corrections or additions the minutes were approved as presented.

Chairman Jones stated the next item of business was item 2 - Highway Matters.

Mr. Michael Johnson stated that item A relates to the Route 35 Bridge over the Nottoway River. He stated that as of early today the date for that public hearing is still pending. He said that he did speak late last week with Mr. John Harmon who is the project engineer and he advised him that the hearing date would likely be pushed back yet another month. He is thinking late November or very early December but that has not yet been confirmed. The delay results from an ongoing internal discussion at VDOT regarding the merits of designing the project in-house or whether they want to solicit proposals for a turn-key design-build project from the private sector. According to Mr. John Harmon they have now settled on the design-build option and intend to proceed accordingly.

Chairman Jones asked if there were any questions on the building of the Highway 35 Bridge.

Chairman Jones stated that we would move on to item B.

Mr. Michael Johnson stated that item B is a through truck restriction on Statesville Road. He said he did hear back from NCDOT and they have advised that they do not object to the second alternative route presented (Highway 258) and agrees to install signage on their end of Statesville Road if the Commonwealth Transportation Board agrees to close it to through trucks. The next step is to conduct the public hearing that is required by statute and I intend to advertise the matter for public comment at your next regular meeting on November 26.

Chairman Jones asked if anyone had any questions on item B. He stated that we would move on to item C.

Mr. Michael Johnson stated that item C was additional speed limit signs – town of Ivor. He stated that Mr. Jon Mendenhall has been contacted by the Town of Ivor regarding their interest in having VDOT install additional speed limit signs on Rawls Drive, Gale Avenue, Bell Avenue, Church Street, and Babb Drive. VDOT requires this request to be funneled through the Board of Supervisors because the funding comes from your secondary road maintenance funds. If the Board is so inclined, a motion is required to request VDOT to install the additional signs.

Chairman Jones asked Supervisor West if he had any comments.

Supervisor West stated that one comment specifically and that is that on Rawls Drive where the ball field backs up to it there are a lot of children and a lot of activities. He said people totally disregard a small town and drive through it and run 35 or 40 mph when there are children on the side of the road and running across the road. It is well lit, but this is a great thing and we need to go ahead and do this for the Town of Ivor.

Chairman Jones asked if there were any questions on this before he called for the vote.

Supervisor Phillips made a motion to request VDOT to install the additional signs.

Supervisor Edwards seconded the motion which carried unanimously.

Chairman Jones stated we would move on to item D.

Supervisor Edwards said he's like a broken record, but they still don't have a stripe at Nottoway Chapel hill. He said maybe he and Supervisor West could get them some paint and go up there and do it.

Mr. Michael Johnson said he volunteered to go and do that last week. He stated that Mr. Jerry Kee promises him that he is coming. He said he wasn't sure about the line itself but he was certain about the signage on both sides of that hill. The concern about the line was the width of the pavement there so he has not been back through traffic engineering as to whether they were going to be able put a single line or a double line, but certainly they wanted to put something so that people know to be careful and stay on their side of the road.

Supervisor West said they extended the shoulders from the original width probably a good 12 or 16 inches on both sides which is good because you can easily cross over and stay on your side but for whatever reason people do not so they need some guidance. It is important and he asked for that.

Supervisor Edwards said it sounds like they are working on it.

Supervisor Faison said he didn't have a problem, but this week he called Mr. Michael Johnson about a situation on a bridge and he said he was amazed at how quickly they got to it.

Supervisor West said one of his thoughts is coming up under late arriving in a few minutes and he would like to ask VDOT if they would close off part of New Road for Halloween evening for the Tucker Swamp Baptist Church Harvest Festival. He said they had provided signs in the past and they have installed them and removed them so that the road could be open to traffic afterwards. He said they had been real helpful in doing this in the past and he said he would appreciate it again.

Chairman Jones called on Supervisor Updike.

Supervisor Updike said he had a repeat from the last couple of months. He stated that the shoulders on Rudy Swamp Road and Sandy Ridge Road where they put additional pipes in the pipes haven't been covered up.

Mr. Michael Johnson asked Supervisor Updike if Mr. Ben Bryant had met with him.

Supervisor Updike said one of the three they took care of yesterday, but the other two are still uncovered. He stated that another thing if at all possible before the next public hearing he would like to meet with Mr. Michael Johnson and Mr. Jerry Kee or somebody with his concerns on through truck traffic on Statesville Road.

Chairman Jones called on Supervisor Phillips.

Supervisor Phillips said his only concern and he had spoken with Mr. Michael Johnson on this, Cary's Bridge Road has a very narrow spot just before you get to the bridge along where the high water signs are there someone ran off the road there this weekend and there is no shoulder left there. If you get off the pavement you are going to be in the ditch, and in fact there is still dirt in the road from where they were towed out.

Chairman Jones said he didn't have any concerns for VDOT.

Chairman Jones stated the next item was item 3 – reports. The reports were Sheriff's Office, Animal Control, Litter Control, Building Permits, Cooperative Extension, New Housing Starts, Solid Waste Quantities, and Personnel. He called on Mr. Michael Johnson for the personnel report.

Mr. Michael Johnson stated that he only had two items to report. We had one resignation during the month Mr. Quentin M. Livingston in the Sheriff's Office effective October 14, 2012 and then we had one new hire in the month which was also in the Sheriff's Office Ms. Serena C. White on October 15, 2012 at an annual salary of \$33,300.

Chairman Jones asked if there were any questions on personnel.

Chairman Jones stated we would move on to item number 4 – financial matters.

Supervisor Updike said he would like to be updated on a couple of items and one item of concern. He said he would just take one item at the time. He said the first item was that he noticed that the bill from Patterson was over \$200,000. He asked how many tons had they cleaned out, how many more tons they had to go, and what is the financial situation with the Boykins Treatment Plant. He said his biggest concern is that if something happens to that lining. He asked who is responsible if they tear holes in it and destroy it who is responsible for replacing it.

Mr. Michael Johnson said as far as the total volume of sludge we still don't have the final quantity. They finished that work last week but because they have to send it off to a lab to get the moisture content analyzed we don't have the final volume. The best estimate that he has is about 70 dry tons out of that second basin which is about twenty dry tons less than what came out of the first one. We should be fine. We should be better than we looked at last month, but we are still waiting on the lab analysis to get that back. As far as the liners, part of the project is the replacement of the liners in both the digester basins and the aeration basins. So the new liners are actually going in on top of the old liners once they have been cleaned out.

Supervisor Updike said the next thing was that he wanted an update on the Turner Tract. He wanted to know if any additional funds were going to be needed for the Turner Tract and number two are there any changes in fees and things like that. He wanted to know the financial outlook for the Turner Tract as far as keeping in with the budgets with what has already been planned for and how much more money are we going to be looking at to complete it.

Mr. Michael Johnson said at this point we have every indication that the project will come in under budget. Of course we still have a number of items left to bid and until we bid those items we won't have any degree of certainty, but at this point we believe this project will come in under budget. The things that you have left that we have to bid out are the structural access road going into the site, the improvements to Rose Valley Road, the water and sewer improvements on the site, construction of the sewer pump station, and then the sewer force main from that pump station back to the intercept pump station on Route 58. All of those will be bid in the next few months so once those bids come in we will have a much clearer picture. At this point we believe

based on engineer's estimates that the funding we have on hand is sufficient to complete those improvements.

Supervisor Updike asked about the gas line.

Mr. Michael Johnson said the gas line remember under the agreement with Enviva is that is their responsibility and what the county agreed to do was to reimburse them up to a maximum of \$70,000.00 a year for over a ten year period up to \$700,000.00. So at this point the capital cost of constructing that gas line will be up to Enviva.

Supervisor Edwards said he thought if every month we had a short report just like we did tonight to keep us up on these things and make that part of the agenda.

Mr. Michael Johnson said sure.

Chairman Jones asked if there was anything else.

Supervisor Updike said the other thing looking over the bills and I'm probably the only one who is disturbed about it but he noticed that we bought almost a five year old car – a Jeep Liberty – for \$16,500.00. He stated that he had two or three concerns. Right now we are financially strapped. Couldn't we have had mileage reimbursements to cover this transportation for a short term rather than going out and buying a new vehicle. The second concern is that we could have bought an economical car or pickup for almost the same price or less and the upkeep and maintenance would be a whole lot less and it wouldn't be a gas guzzler. He just couldn't believe that this was top priority to buy a Jeep Liberty at this time.

Chairman Jones asked where he was at in the agenda now.

Supervisor West asked Supervisor Updike if he was just questioning the cost because it was a Jeep Liberty or do you just think something else would be more economical.

Supervisor Updike said both.

Mr. Michael Johnson said he couldn't speak to that directly. He said that particular vehicle was purchased by the Sheriff's Office so he wasn't involved directly in that transaction.

Chairman Jones said we don't have any control over that.

Mr. Michael Johnson said no sir.

Chairman Jones said they buy what they think they need and that's in their budget not ours.

Supervisor West said it is a four wheel drive vehicle.

Chairman Jones said yes. He asked if there were any other questions on the bills, if not he would need a motion to pay the bills.

Supervisor Edwards made a motion, seconded by Supervisor West to pay the bills in the amount of \$1,744,888.54 to be paid by check numbers 127901 through 128251. The motion carried unanimously.

Chairman Jones said we would move to item five – appointments.

Mr. Michael Johnson stated that we have three members of the Board of Zoning Appeals whose terms expired on September 30, 2012. They are from the Boykins-Branchville District, Mrs. Elma A. Brown; from the Franklin District, Mr. Peter F. Copeland; and from the Newsoms District, Mr. Brian Darden. As you know, appointments to the BZA are made by the Circuit Court upon recommendation from the Board of Supervisors. Terms are for five years meaning that these three terms will run from October 1, 2012 to September 30, 2017. While all three are eligible for reappointment, it is important to note that Ms. Brown no longer resides in the Boykins-Branchville District – the latest redistricting moved her to the Drewryville District. Also note that the statute

below provides that Board members shall continue to serve until a successor is appointed by the Court, regardless of the expiration of their term.

Chairman Jones asked if anybody had any questions on these three people.

Supervisor Phillips said so therefore you are saying that the BZA representative has to live in the district that they represent.

Mr. Michael Johnson said not necessarily.

Supervisor Edwards said only the county. The code says only the county.

Supervisor Phillips said they have to be in the county.

Mr. Michael Johnson said that's right.

Supervisor Phillips said thank you.

Chairman Jones asked if there were any other questions on this. He said he needed a motion.

Supervisor Porter said wait a minute now before we appoint these people. He said shouldn't we talk to the people.

Mr. Michael Johnson said yes.

Supervisor Porter said he had been trying to talk to Mr. Peter F. Copeland for the last couple of days and he hadn't been successful yet. We don't know if they would want to be reappointed yet.

Mr. Michael Johnson said it is no rush. They continue to serve until a successor is appointed so if you need to put it off a month that is fine.

Supervisor Edwards made a recommendation that they put this off for a month and get in contact with them and see if each individual person wants to continue to serve or not.

Supervisor Faison said he wanted to reappoint Mrs. Elma A. Brown. He said he realized she was in a different district but that is because of the redistricting that changed her district. He stated that she had been very committed to this Board. He said he could wait and appoint her next month if necessary.

Supervisor Edwards said the code only says they only have to live in the county.

Chairman Jones said so we will just wait and do this at our next meeting.

Supervisor West said he thought they had been contacted.

Chairman Jones said the only one that had been contacted was Mrs. Elma A. Brown.

Chairman Jones stated the next item was number 6 – Tidewater Youth Service Commission.

Mr. Michael Johnson stated that we have Ms. Linda Filippi, Executive Director of the Tidewater Youth Services Commission here with us tonight. She has requested a few minutes on your agenda to provide you a brief report on her agency's activities.

Ms. Linda Filippi addressed the Board. She said she really appreciated the opportunity to just address you briefly to give you an overview of their agency and make you aware that Southampton County is a charter member of the Tidewater Youth Services Commission. She said they were founded to meet the needs of youth before the Juvenile and Domestic Relations Court. She stated that this organization was formed in 1977 as a public regional commission whose mission is to provide community based services for youth before the Juvenile and Domestic Relations Court. They were originally known as the Tidewater Regional Group Home Commission. They were formed by a charter agreement which is now thirty five years old. They operate as a political

subdivision licensed by the Department of Juvenile Justice. They have seven members in their commission. They are Southampton County, Portsmouth, Chesapeake, Virginia Beach, Suffolk, Franklin, and Isle of Wight County. She stated that it is a great example of regional cooperation because there is no way this many services could be available to the county without a cooperative arrangement. She said they are governed by a commission board and your representative in Southampton County is Mr. Carl Faison and he was kind enough to arrange for me to meet with you tonight. This is a policies and governing board and they approve all the policies and expenditures of the Youth Services Commission. She said they operate both residential programs and non-residential programs. They have three group homes; two of those are in Virginia Beach and one is in Portsmouth. She said Westhaven Boys Home is the facility most often used by Southampton County and that is located in Portsmouth. She said they provide an emergency shelter and shelter for children who need longer term care as well. They have non-residential programs and that means that the services come to the youth in the community. These programs that she is going to tell you about their staff come to the home and meet with the family in their own community and environment. Challenge outreach for youth is an alternative to detention. She said she wanted to talk to you just a little bit about that because this service saves the county quite a lot of money in regard to an alternative to security detention at the Tidewater Detention Home. They have challenge outreach for the youth. They have community based clinical services that provide services in the home for the family to prevent out of home placement and also to treat specific problems such as substance abuse services, sex offender services, and gang intervention services. They have community based diversion services in Southampton County as part of the cooperative with the 5th Judicial District. They have a Juvenile Conference Committee for juvenile first offenders. Community volunteers hear these cases and work out the consequences without them having to go to court, so our first offense youth can go to the conference committee without having to have a court record and they have an immediate sanction. Businesses really like it because they don't have to spend all day in court to get the cases heard. Just briefly challenge outreach for youth is an alternative to detention where they do intense supervision and use electronic monitoring. If a youth has been charged with a crime and they are eligible to go to detention they can supervise them in their home so they can go to school, but they also have a high bar for public safety so they have many face to face contacts a week and they do 24/7 monitoring through GPS so they have live monitoring to know their whereabouts at all times. So the cost savings is great. The cost for intensive supervision and electronic monitoring is \$54.50 a day. If you had to place the same youth in the Tidewater Detention Home it is \$190.00 per day. Last year they provided 21 days of outreach. They actually only had one client from Southampton County last year, but that saved the county for that one child \$2,846.00 over that 21 day period. They do care very much about preserving the county's safety so 98 percent of the youth that attend this program without incurring further charges and 79% complete the program without having to be placed in secure detention. Again they are a community based service. All of these services are available in the county. Even though there are very few service providers who will come to Southampton County they are providing some valuable services such as intensive home based treatment, substance abuse treatment, sex offender services, specialized groups such as gang intervention, aggression replacement training, and girls circle. If there are only one or two girls from the county they will combine them with other localities and they will come and pick them up and provide them with transportation to all the services they provide. They try to make it very user friendly for all the member localities. She stated that she did mention the Juvenile Conference Committee. It was designed for the 5th Judicial District Community and uses community volunteers and provides an alternative to juvenile court involvement. Through the Juvenile Conference Committee 92% of the youth completed their 90 day contracts; and 78% of the youth who successfully completed the program did not have further contact with the court for one year following program completion. The funding for their services comes from the Virginia Juvenile Community Crime Control Act. Their commission acts as the fiscal agent for the county. At this time the annual allocation is \$10,485.00 and there is a local match required a maintenance effort of \$6,340.00. They also provide services using funding from Comprehensive Services Act, Medicaid/Family Access to Medical Insurance Security (FAMIS), Parole Transition Funds, and Tidewater Youth Services Foundation. This will give you an idea of over the years the General Assembly has made quite a few cuts to the juvenile justice funding. Ten years ago the county's allocation was almost \$30,000.00 in state funds and now it is just a little over \$10,000.00 so we have had quite a number of reductions which has reduced the number of youth that they are able to serve from the county. They also have the Tidewater Youth Services foundation as they have found the public funding does not do everything that they need so they formed a foundation in 1991 to assist with this. They do much in the way of family support if families have specific

needs that the state funding can't provide such as clothing, medication, food, and other basic necessities. They also provide a great deal of auxiliary services to youth in their programs that are not funded by public money. The Franklin/Southampton Charities are very actively involved in their foundation and have helped to develop academic support and literacy. The literature tells them that 85% of youth in the juvenile delinquent adjudication are functionally illiterate so they are doing a great deal of work in academics towards illiteracy which is a large underlying factor in crime. They have an after-care program because they hear all the time what good does it do when they go right back into the same environment so they have after-care which means someone actually goes into the home and works with family to maintain the gain they had in their program. The program they have for maintenance is a three tiered approach to anger management which teaches social skills, anger control, and moral reasoning. They are really trying to get at the thinking values and attitudes that result in committing crimes. They have gang intervention services, outdoor adventure programs, and they do any number of cultural enrichment activities. Their main fund raising events are the Santa Claus Shuffle, a 5K Race held in Olde Towne Portsmouth which will be held December 15, 2012. She said that the 2011 race brought 1500 people to Olde Towne, many for the first time. She said it is a lot of fun so she encourages the folks of Southampton County to come out. Every year they also do a cultural arts night and youth recognition. She shared some pictures from the event. She stated that Chris O'Neal was from Franklin. She said that one of the scholarships that they provided was the trumpet when he was in middle school. He went on to be the drum major at Franklin High School and now he is under a music scholarship at Hampton University. She shared some pictures of an annual fishing trip event also. She stated that she would be happy to answer any questions that you may have.

Chairman Jones asked if anyone had any questions.

Supervisor Updike said he had one question. He said he would like to know how many youth were participating in the program from each county and city. He asked if she had a break-down of who was using their facilities.

Ms. Linda Filippi said yes they do and for the last year there were seven youths that they provided services to. There were fifty Southampton County youth that are before the juvenile court. Fifteen of them are on probation and the other 35 awaiting adjudication so that is the primary population. She said it depends from year to year based on what the needs are because sometimes they will have a much more need for detention alternatives so regional they serve over 1500 youth a year. How they charge the county for service is that they do it on a fee for service basis. Southampton County only pays for what services they actually use. So there is not an upfront investment in the commission until you actually use the services so it is very cost effective. She asked if that answered his question.

Chairman Jones asked Supervisor Updike if that answered his questions.

Supervisor Updike said yes.

Supervisor Edwards said keep up the good work. If you turn one around, you have done your job.

Ms. Linda Filippi said yes that is the way they feel too.

Chairman Jones said they were doing a great job and he thanked her for coming tonight.

Supervisor Faison said he certainly would like to thank her.

Ms. Linda Filippi said for many years Supervisor Faison has served on their commission and she thanked him very much.

Chairman Jones stated we would move to item number seven – public hearings.

Mr. Michael Johnson said the first public hearing tonight is related to a conditional use permit from Mr. Matthew W. Crowder. He stated that this public hearing is held pursuant to 15.2-2204, Code of Virginia, 1950, as amended to receive public comment on a request by Matthew W. Crowder, applicant, on behalf of FIATP Timber LLC, owner, for a Conditional Use Permit for the extraction and processing of sand on property known as Tax Parcel 92-93. The land is 424 acres

in size and is located approximately 630' west of Delaware Road (Rt 687) and approximately 1,500' south of General Thomas Highway (Rt. 671). The notice of this public hearing was published in the Tidewater News on October 7 and October 14, 2012 and all adjacent property owners were notified in writing by first class mail as required by law. Following its public hearing on September 13, 2012, the Southampton County Planning Commission voted unanimously to recommend approval of the request, subject to twelve conditions offered by the applicant. After conclusion of tonight's public hearing, the Board of Supervisors will consider the comments offered and may act upon the matter or defer action until such time as it deems appropriate. Mrs. Beth Lewis, our Director of Community Development and Secretary to the Planning Commission will provide introductory remarks after which all interested parties are invited to come forward and express their views. If the Board is so inclined, a motion is required to accept the Planning Commission recommendation and issue the conditional use permit.

Mr. Richard Railey said at the threshold because his law firm represents the applicant he must recuse himself because it would certainly constitute a conflict of interest to participate. So I cannot participate. I'm sorry.

Chairman Jones thanked him and said they understand.

Mrs. Beth Lewis said this first request is for a conditional use permit to operate a mining operation on about 400 acres of property that abuts the river and is behind the Ashland Chemical plant. It was an area that was used by IP for many years for sand mining for their purposes. Now Crowder and White would like to operate a sand mine for commercial purposes on the same property. The blue part of the property is the part that will not be used for mining. It is swampy and the soils are not appropriate for mining. The eastern part of the property is about 150 acres is now in use in some part for sand mining and those areas will be enlarged. The property is accessed from Shady Brook Trail. You go south on Shady Brook Trail south of Highway 671 and just before you go over the railroad tracks there is a little gravel path off to the right and it follows the fence line and you go over the railroad tract into this piece of property. The applicant has offered a number of conditions one of them is a 50' buffer around the property to protect all of the abutting property owners. You can see the buffer from the river. It is quite extensive. The Department of Transportation commented that they will require a commercial driveway where the existing gravel path meets Shady Brook Trail; otherwise they have no comments. The scenic river group asked that there be a 100' buffer along the river, but as you can see from this map that that even at its narrowest point it is over 200' from the orange shaded area to the edge of the river. The comments that were offered included hours of operation, that no blasting would take place on site. With the comprehensive plan you can see that the property is in large part designated as agricultural, forest, open space, and rural residential. The northeastern corner has a commercial designation. The conditions that were accepted by the Planning Commission included the request of one of the abutting property owners on changing the hours of operation from 6:00 AM to 8:00 PM to 7:00 AM to 7:00 PM. The applicant was very quick to offer that amendment. That was the only comment from any of the abutting property owners that was received at the Planning Commission meeting. Once the mining activity is completed the site will be refurbished under various stringent rules from the Department of Mines, Minerals, and Energy. There were questions about access to the site and keeping unauthorized persons from accessing the site. It is about 400 acres and one side of it is abutting the river so fencing would not be an economically feasible way to keep people off the site. The only vehicle access to the site will be gated and marked as required by the Department of Mines, Minerals, and Energy. The potential owner will not have to have any offices on this site because they have offices on the opposite side of Highway 671. The applicant and his representative are here tonight if you have any questions. There won't be any permanent structures on the site. There won't be any fuel storage on site either since their office is located so close to the site. It has been used as a mining operation for a number of years. The only thing that is changing is the scale of it and the use of the sand which was used by International Paper for their use and Crowder and White will be using it as a commercial operation. There is some level of protection for the abutting property owners because the 50' buffer along the eastern part of the property where the mining will take place there is a large wooded area between the mining operation and the residences and the Planning Commission through their knowledge of the forestry industry know the property was a cutover about 15 years old and that it wouldn't be harvested for another 15 to 20 years and this mining operation would be done in 15 to 20 years so by the time those trees are ready to harvest this operation will be done. So there would not be any impact on the neighbors. The need for the products that would be mined here is growing for both public and

private needs in the area and the fact that we didn't have a local business person provide this product is an economic boom for the county.

Chairman Jones asked if there were any questions for Mrs. Beth Lewis.

Supervisor Updike said he had two. The first one is about the entrance to the property. He asked if they got approval by the railroad to cross and so forth.

Mrs. Beth Lewis said the access that is there now is a dedicated easement that has been in place for thirty or so years to go into this property by crossing the railroad tract. The applicant and his representative have checked into that.

Supervisor Updike said he was in favor of it but he just wanted to make sure.

Mrs. Beth Lewis said the Department of Transportation said if there are issues with the railroad tract that is their issue not theirs. She said that was one of her questions for the Department of Transportation as well but there is a dedicated easement there and any problems there are between the property owner and the railroad.

Supervisor Updike said his second question is the actual acreage. He said the shaded area that is not telling him where it starts and where it stops. There is no indication as to where this mining is actually going to take place. From the shaded area on the map you can actually go in either direction.

Mrs. Beth Lewis said the application indicates that the area to be mined is approximately 150 acres. Before any mining can take place a site plan will need to be submitted. The municipal code requires that site plans under the conditional use permit come back through the Planning Commission and the Board of Supervisors so you will get a chance to see another site plan. That is a 400 acre site and they hadn't had it completely surveyed yet but the area to be mined is about 150 acres.

Supervisor Updike said that is the reason for the question but he didn't think these questions had been answered at the planning stage. The facts and figures they have so far sound good.

Chairman Jones opened the public hearing. He said please let your comments be to this application only.

Mr. Edward Railey addressed the board. He stated he was here on behalf of Crowder and White Contracting, LLC. He said Mrs. Beth Lewis was a hard act to follow as she did a good job in describing the project. He stated at the Planning Commission hearing a question came up concerning the relationship between F.I.A.T.P Timber, LLC and Crowder and White Contracting, LLC. He said that Crowder and White Contracting, LLC has a contract to purchase the property from F.I.A.T.P which is a timber and land holding company based in Delaware. The actual acreage is 384.5 acres based upon the meets and bounds. Currently we don't have a physical survey prepared. We intend on having one prepared so we had a surveyor look at it just to give us the natural boundaries and existing boundaries to say where the property is which is sufficient for this. He said he was going to give an introduction and excuse him if he sounds like a broken record for those who were at the Planning Commission meeting. Crowder and White, LLC has been in business since 2003 which was a continuing interest of T. W. White, Inc. which was in business since 1972. It is a very well respected and thought of company in this area. Since its inception Crowder and White, LLC has not had any accidents whatsoever. They have operated dump trucks, heavy equipment, road tractors, and trailers and have had a successful business in doing that and have not had a single accident. With that record he thinks it is fairly safe to say that they will continue to operate their business in the same manner with respect and concerns for the traffic. The prior use of this property was a sand mining operation by International Paper and it hasn't been used in some time, but that was the prior application of the property. With respect to the physical aspects of the property there was a question raised, which he believes Supervisor Updike raised, the 150 acres on the east portion of the property east of the Nottoway River for mining only approximately 100 acres of that portion are suitable for mining. As Mrs. Beth Lewis pointed out we will have to file a preliminary site plan and mining plan with the county prior to the commencing of the operation. That plan will also have to be approved by the Department of

Mines, Minerals, and Energy. He said they had an application almost ready to file with that group for a mining permit. He said he had spoken with the engineer and Mr. Matt Crowder has worked with the engineer and they don't see any problems with the application. On the entrance access he believed that someone raised a question last time about the truck traffic on Highway 671. There should be no net increase to the truck traffic. The access to that is on Hwy. 671 and the access to this parcel joins a limited access road which is an extension from Shady Brook Trail which actually goes through the Hercules Plant so it is not a use that is outside of the adjoining uses. He said he believes that there was a question raised at the Planning Commission about an adjoining property owner being a church and he said that one of the conditions that they had proffered was not to operate on Sunday. He said he believed the church would be in business on Sunday, but Crowder and White won't be doing any mining on Sunday. He stated that Mr. Matt Crowder had spoken with representatives from that church and they had no objection. Mr. Matt Crowder had also done a very good job of speaking with all the other adjoining owners and no one has any objection. He said he believed one property owner had asked that they need a natural buffer. This property is suitable for leaving a natural timber buffer and Mr. Matt Crowder has proffered as a condition of having his permit approved a natural buffer and is more than willing to do so. The Planning Commission unanimously recommended that this application be sent to the Board of Supervisors for approval. He said he would ask that they approve it. He stated that if they had any questions he would be glad to answer them and if you have any technical questions, Mr. Matt Crowder is here and he would be better suited to answer any technical questions than he would.

Chairman Jones asked if there were any questions. He thanked Mr. Matt Crowder.

Chairman Jones closed the public hearing as there was no one else wishing to speak. He asked the Board what they had to say.

Supervisor Edwards said well as he said at the Planning Commission meeting he thought this conditional use permit was put together as well as any he had seen in his twenty six years. He said he really didn't see any problems with it at all.

Chairman Jones asked if anyone else had anything.

Supervisor Porter said he thinks it is an ideal use of the land and the plan was put together very well. He said he thought the land was very suitable for this application.

Chairman Jones asked if he wanted to make a motion based on the Planning Commission's recommendation.

Supervisor Porter said absolutely. He moved that they approve the recommendation of the Planning Commission.

Supervisor Phillips seconded the motion which carried unanimously.

Chairman Jones called for item B.

Mr. Michael Johnson stated that item B is a rezoning request by Damian Dwyer. He stated that this public hearing is held pursuant to 15.2-2204, Code of Virginia, 1950, as amended to receive public comment on a request by Damian P. Dwyer, applicant, for Ronald L. Parsons, owner, for a Zoning Map Amendment from A-1, Agricultural to CM -2, Conditional General Industrial district. The parcel is approximately 20.86 acres in size and is known as Tax parcel -20C. The parcel is located on the south side of General Mahone Boulevard (US 460) approximately 1,400 feet northwest of its intersection with Drews Avenue (Rt. 751). The notice of this public hearing was published in the Tidewater News on October 7 and October 14, 2012 and all adjacent property owners were notified in writing by first class mail as required by law. Following its public hearing on October 11, 2012, the Southampton County Planning Commission voted unanimously to recommend approval of the request, subject to the proffered conditions. After conclusion of tonight's public hearing, the Board of Supervisors will consider the comments offered and may act upon the matter or defer action until such time as it deems appropriate. Mrs. Beth Lewis, our Director of Community Development and Secretary to the Planning Commission will provide introductory remarks after which all interested parties are invited to come forward and express their views. If the Board is so inclined, a motion is required to accept the Planning Commission

recommendation and approve the conditional rezoning.

Mrs. Beth Lewis stated that this is the first part of a two part application. This is a zoning map amendment. The property now has a zoning designation of A-1, Agricultural. It has been noted as industrial on Southampton County's comprehensive plan since at least 1988. That is the oldest map that she could find. This property is in the middle of an area that has an industrial zoning designation. The applicant proffered to eliminate more than half the uses in the industrial zoning designation and retain the more construction related types of uses. The applicant proffered to take out the types of uses that cause a lot of traffic – drive thru restaurants, drive thru banks, and most types of retail stores that would require a lot of in and out traffic from General Mahone Highway. She stated that the applicant took out more than half of the permitted uses and far more than half permitted by the conditional use permit. Those were the only conditions offered with this request for the zoning map part of it they limited those uses. The Planning Commission held a public hearing on this and there was one citizen who spoke and brought up the fact that there were concerns within the town of Ivor for the water use of this property. That it would affect Ivor's well. The applicant provided that this application would require 750 gallons of water a day and that is between one and a half and two single family homes water use which is less than two single family homes water use a day which on a twenty acre piece of property is not a big impact. The Department of Transportation has requested that they look at the need for a left turn lane. The Department of Transportation will look at the site plan when it gets to that point. They are allowed to have one drive way each seven hundred and fifty feet along a US Highway. That would mean they could have up to three drive ways on this piece of property depending on where the driveways are located. The Department of Transportation will look at that site plan and make those determinations at that point. There was a conceptual site plan provided that more closely aligns with the conditional use permit request rather than the zoning map amendment request. Should this zoning map amendment request be approved any of the remaining uses left in the list of activities that are allowed under a conditional use permit in an industrial district would be allowed on this property. They did not conditional them all away. They didn't condition to only be an asphalt plant; they left some other uses. This zoning map amendment by itself would permit any of the remaining uses to be developed on this piece of property. Since this has been part of an area with an industrial comprehensive plan designation since at least 1988 it is a long narrow piece of property wedged between a U.S. Highway and a railroad track. They are planning to install railroad spurs on this property to keep the traffic on the railroad track moving. This is another chance for the county to have economic development especially in the Ivor area as there isn't a lot of economic development happening in the northern end of the county. There are not a lot of industrial users that can operate without municipal water and sewer and this is one of them. So this piece of property in this location with the thought that this land has had an industrial comprehensive plan designation since at least the 80's would seem to be an appropriate amendment to the zoning map which would make the zoning of this property comply with the comprehensive plan.

Chairman Jones asked if there were any questions for Mrs. Beth Lewis.

Mrs. Beth Lewis stated that the applicant and various representatives are here.

Chairman Jones opened the public hearing for anyone wanting to speak for or against this application.

Mr. Damian Dwyer addressed the Board. He thanked the Board for the opportunity to speak this evening. He said he thought everyone knew him, but if they didn't he was Mr. Damian Dwyer an attorney from Boykins. He said he was the applicant director for both the rezoning request and the conditional use permit. He stated that also with him tonight is Mr. Andy Curtis who is managing member of AMAC Leasing, LLC and Mr. Steven Quinna who is a senior engineer with the Timmons Group who is assisting with this project. This property is currently owned by Mr. Ronald L. Parsons although it is under contract for sale to AMAC Leasing, LLC and that sale is conditional upon approval of the rezoning request and the conditional use permit. This site is approximately twenty acres and it is located to the south of Highway 460, north to the Norfolk Southern Railroad and about two miles west of Ivor. This whole area is zoned A-1 currently; however as Mrs. Beth Lewis indicated this property has been in the comprehensive plan designation for industrial use for twenty plus years. Mr. Michael Johnson previously had up there a map of the area that very well graphically demonstrated that this particular twenty acre tract is in

the middle of approximately fifteen hundred acres that are all zoned for industrial use. The residential population density is very light. There are a few houses, but they are to the western end of the property on the other side of Highway 460. The concentrated use of this property is for the receipt and distribution of commercial aggregates, asphalt paving materials, and ready mix concrete. What you have in front of you tonight in your package is a conceptual plan which is merely for the purpose of the Planning Commission. If in fact these two applications are approved, we will provide you with a site plan with additional details to be approved by the Planning Commission and to be ultimately approved by the Board of Supervisors. As Mrs. Beth Lewis eluded to more than four fifths of the potential uses under the conditional use permit have also been conditioned away. He stated that again he was going to go ahead and speak to both of these applications. With regard to the conditions other than the ones which have been conditioned away all operations there would be carried on under any local, state, and federal regulations. The hours of operation at the site would be limited from 6:00 AM to 7:00 PM with the possible exception of infrequent nighttime operation necessitated by VDOT projects involving lane closures. There will be no operations on Sunday. The site will be posted to deter trespassing and twenty-four hour security monitoring of the facility through the use of on-site personnel during operating hours and security cameras during non-operating hours. Local law enforcement, fire, and rescue authorities will be contacted to ensure coordinated safety efforts. Vehicular access to the site from Route 460 will be limited to gated entrances. Any other vehicular access will be prevented by earthen berms and/or fencing. Dust allayment will be conducted at the site to minimize airborne particulates. Within the 20 foot facility screening zone paralleling Route 460, a combination of landscaped earthen berm, fencing, and vegetation will be used to minimize an adverse aesthetic impact of the facility. Of course based on your comments this evening if there are other conditions which are deemed necessary by the Planning Commission they will certainly be considered by the parties involved. In summation what we have is a facility that is obviously industrial in nature. A number of uses that permitted in an industrial zone area have been conditioned away as have most of the uses permitted under the conditional use permit. This project if approved will generate approximately 25 to 50 jobs here locally. In addition there would be a capital investment of \$4 to \$6 million dollar investment. He said he thought both parties agree this was a great use in a great place with great ownership. He stated that all around this is a very positive facility to add to the county with the job creation, with the tax rate, and it will have a very limited adverse impact use to the county. He stated that if anyone had any questions he would be glad to answer those. Obviously the applicant and other representatives here can answer any technical questions better than he could.

Chairman Jones asked if there were any questions for Mr. Damian Dwyer.

Mrs. Amanda Jarratt addressed the Board. She stated that as you all know she is President and CEO of Franklin/Southampton Economic Development. She said she was happy to be here tonight. She said she was here to speak in favor of this economic project for Southampton County. She said as you are aware our main purposes for economic development are to attract additional capital investments for our community and create employment opportunities for our areas. She stated that they had successfully competed against several other localities those being James City County, York County, Suffolk, Isle of Wight, and Sussex for this project. However, it is critical that the rezoning request and the conditional use permit be issued tonight. The two keys that will make this project successful are the direct access to Highway 460 and the access to the Norfolk Southern railroad. As mentioned earlier the twenty acre parcel currently owned by Mr. Ronald L. Parsons meets both of these criteria and is a perfect fit. As was stated by Mrs. Beth Lewis and Mr. Damian Dwyer this property has been designated as a future industrial site in the Southampton County comprehensive plan as well as the entire strip on either side of Highway 460 to the Sussex County line. The capital investment of this project is estimated to be between \$4 to \$6 million dollars resulting in approximately \$86,000 in tax revenue in year one. The estimated tax revenue over a ten year period would be approximately \$585,000.00 for Southampton County. The project is projected to generate up to 50 jobs over a period of time with wages ranging from approximately \$10.00 per hour for laborers to \$75,000.00 to \$100,000 for upper management staff. With an August unemployment rate of 7.75% in Southampton County and 11.2% in the City of Franklin, employment opportunities are desperately needed in our community. As was referenced the company will be constructing a 1,700 foot rail spur to rail in the raw materials for the concrete production which utilizes our rail resources and limits our truck traffic from hauling in raw material making the project cost efficient. Rarely does an economic development project present itself which does not require the extension or construction of public water and sewer. This one

can however be developed with the use of a private well and septic tank. This project is a very positive investment with a solid tax revenue generation for our county as well as potential employment opportunities for our citizens. AMAC is a quality company who she is confident will be a quality corporate citizen for our community. On behalf of Franklin Southampton Economic Development she would ask that this rezoning application be approved. In addition Mr. Michael Clarke who is President of the Franklin area Chamber of Commerce had a conflict to arise this evening and is unfortunately unable to attend but asked that she submit his written comments for the record and conveys the Chambers support of the project as well. She said she would be happy to answer any questions.

Chairman Jones asked if anyone had any questions.

Mr. Warren Beale, Chairman, of Franklin/Southampton Economic Development addressed the Board. He said he was here to speak in favor of this project. As has been alluded to earlier we are talking about up to 50 jobs. We are talking about tax revenue for Southampton County of close to \$580,000 or \$600,000 dollars for the county or a ten year period. He said working on this project he got to know Mr. Andy Curtis. He has a reputation of having a family business. He is very family oriented. They have a quality business. If you look at their current business which is on Route 33 going into West Point (they say a picture is worth a thousand words) that is the type business any area would want. We would be proud to have it in Southampton County. He thinks the company would be a quality asset in our community. He said he hopes the Board will support this project. Thank you.

Chairman Jones asked if there was anyone else wishing to speak.

Mr. Randolph Cook addressed the Board. He said he was so pleased tonight to come and support Mr. Andy Curtis. He said they had worked together on a number of projects while he was with VDOT. He said I think it was fifteen years or so wasn't it Mr. Andy Curtis.

Mr. Andy Curtis said it was for about twenty years.

Mr. Randolph Cook said since he retired from VDOT he has worked with Mr. Andy Curtis on the private side. He was one of the first contractors he had hired on the project he had in Williamsburg so he wanted to offer his support and he hoped this Board would move this forward. He stated that Mr. Andy Curtis was a good business person and he would be an asset to Southampton County. As Mrs. Beth Lewis and others said this is a great site for what he wants to do being bordered by the railroad and Highway 460. He said he just hopes the Board will go along with it.

Chairman Jones thanked Mr. Randolph Cook. He asked if there was anyone else wishing to speak.

Mr. Andy Curtis addressed the Board. He said he had met most of the Board members previously. He said a couple of things that they bring to the work place that have always worked good for them are honesty and quality of work. To him a man's word is golden. He said as Mrs. Amanda Jarratt stated they had looked at several different counties and several different cities for this venue. He said he picked Southampton County over everybody. He said in front of everybody he would like to applaud Mr. Michael Johnson as he and his staff were just so welcoming when they first met. They didn't know who he was; they just knew project access, but his highest compliments Mr. Michael Johnson.

Mr. Michael Johnson said thank you.

Mr. Andy Curtis said they look forward to the Board's consideration tonight. He said if you have any technical questions they are here to answer them and if you have any concerns he would like to get them addressed also.

Chairman Jones asked if anyone had any questions. He thanked Mr. Andy Curtis. He said we just welcome you.

Chairman Jones closed the public hearing. He asked what the Board had to say.

Supervisor West said this is a no brainer and there are a lot of people in Ivor who would like to see jobs and he would like to say a lot of nice things, but he can't out say what has already been said. Welcome aboard. We are glad to have you brother Andy Curtis. He made a motion to accept the Planning Commission's recommendation and approve the conditional rezoning. He thought it was a right fit, a right location, the right people, and the right time for Southampton County.

Supervisor Edwards seconded the motion which carried unanimously.

Chairman Jones said we have approved item B and item C goes right along with it. He asked if there were any questions about C the conditional use permit. He stated you can't do one without the other.

Supervisor Phillips stated that we still had to have the public hearing.

Chairman Jones opened the public hearing. He asked if anyone was for or against this conditional use permit.

Mrs. Beth Lewis said she would just like to offer that there are conditions that they have offered and one of them is a twenty foot screen along Highway 460 which will be a combination of landscaping, fencing, berms, or something to limit the visual impact along Highway 460. You can see here the types of uses. This most northwest area is the storm water management area. There are USGS screens over here and it is typical to put the storm water management in that area. Next to that would be the sales office. That is the end of the property where there are two residences now so the industrial type uses are at the far end of the property. They are as far away as possible from the residences that are out there right now. This conditional use permit includes this conceptual plan. When they get ready to submit a preliminary plan it will include building footprints, and driveways, but it will generally look like this. It will go to the Planning Commission and then come again to this Board.

Supervisor West said just for general information in here Highway 460 is four lanes. The eastbound lanes which include the shoulder are a hundred and fifty yards to the railroad tract which is actually below the surface of the ground and there is a lot of noise. There is a train coming by every thirty or forty minutes and there is a lot of tractor and trailer traffic and a lot of noise. It is a great location for the type of business this man will bring in. It just fits. There is easy access to Highway 460 and perhaps for the future Highway 460 and in addition you have a location with 1700 people in that area with businesses in there which they will put the new trestle in there for loading and unloading material on site. He stated that they had already proffered the things that we need to hear. He stated that he thought they would be a good neighbor and again as far as conditional use, talk to him one time and you will like him.

Chairman Jones closed the public hearing as there was no one else wishing to speak.

Supervisor Updike made a motion that we accept the Planning Commission's recommendation.

Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones told Mr. Andy Curtis welcome aboard and we are glad to have you.

Chairman Jones stated that we would move on to item number eight.

Mr. Michael Johnson said item number eight is related to a street light request for Darden Mill Estates along Lakeside Drive. He stated just to give you some background, in accordance with the subdivision regulations at the time, the developers of Darden Mill Estates installed streetlights in the back part of their subdivision in the late 1970's when their plat for that section was first approved, but because the front section of the subdivision was developed in piece-meal fashion, with most lots platted separately, lights were never installed by the developers in the front part of the subdivision. Back in June 2002, the Board of Supervisors authorized installation of up to five (5) new streetlights along Lakeside Drive, but for reasons that are unclear to me, the installation never proceeded. Perhaps it was cost, perhaps it was lack of communication, or perhaps it was something else; regardless, the area remains dark. Earlier this year, after being contacted by one of his constituents, Supervisor Edwards asked us to look into the matter and Mr. Jon Mendenhall

requested Dominion Virginia Power to provide us a cost estimate. Late, last month, they responded with the attached proposal. They are proposing installation of five new lights, two of which will be mounted on existing wooden poles and three on new fiberglass poles. The cost of installation is \$13,354.93. With no funds budgeted for this purpose, if the Board wishes to proceed, the funding will need to be specially appropriated from the unappropriated general fund reserve. If the Board is so inclined, a motion is required authorizing the installation of the streetlights, subject to appropriation of funds from the unappropriated general fund reserve.

Chairman Jones asked if anyone had any questions on this.

Supervisor Edwards stated that this is the area on your map where the entrance is not lighted at all. It is a highly used area as it is a common way in and out for vehicles and pedestrians. A lot of families get out and walk at night and a lot of kids ride their bikes up and down there at night so it is maybe somewhat of a safety issue also. It is the only part of the 1.7 miles which is not properly lighted.

Chairman Jones asked if there was anyone else who wanted to comment on this.

Supervisor Porter said his concern is the cost. He stated that we really don't have money enough in the unappropriated reserve right now. We really don't have the money to take out. We are still looking for ways to mitigate some of our budget items. He said he could see the need for this, but unfortunately he can't support it at this time. He thinks it is a bad time to make a pull.

Supervisor West stated that he was in agreement with what he had heard. He stated that Supervisor Porter was right on that this is not a good time to spend \$13,354.93. He said he could not at this time in good faith support this request.

Supervisor Faison said this was approved back in 2003 and that has been a long time. He asked if there had been any accidents or anything along there as a result.

Supervisor Edwards said there had not been any accidents there that he knew of, but there had been some close calls.

Supervisor Faison asked if that was due to no lighting or just in general.

Supervisor Edwards said he didn't know if you could blame it on the lighting or not, but it was a safety issue.

Supervisor Faison said he recognized that also but the financial situation we are in right now he can't support putting them in.

Chairman Jones asked if anyone else had anything.

Supervisor West said he didn't want to do away with this thought, but he thought at this time it wasn't a good time to bring it to fruition. He thought we needed to keep it on the back burner for some time out and if funds become available at another time we could do this, but at this time he wasn't going to support it. He said he does know where you are talking about there where you drive in, but this is true of any place in the county that you go in the countryside folks. It is dark driving in; when you turn in it is a dark road and you turn left and you go down. That's good. The bottom line is that he is not in favor of paying for it. That is a biggie of a price and we just don't need to spend that \$13,000 dollars; he had rather put it in the library.

Chairman Jones asked if anyone else had anything.

Supervisor Phillips stated they he feels as the rest of the Board members that we are in a tough financial situation and approximately \$2,600 dollars a light is a very expensive proposition at this point. He said he was not in the mood to vote for something like this at this time with our budget constraints.

Chairman Jones said why don't we put this off for right now and look at it at budget time and see what we can come up with at that time.

Supervisor Edwards said he agreed with looking at this at budget time. He just wanted Mr. Michael Johnson to remind them to bring this up when budget time rolls around again.

Mr. Michael Johnson said yes he would.

Supervisor Phillips said he was considering to add because of our budget constraints to discontinue with this policy until we feel like we can afford that. With the economic development that is coming into this county hopefully it may not be that long. He said he could put this in the form of a motion if necessary but to discontinue this policy and if necessary grandfather this request so that if we do go back into the policy that these people would get the lights to begin with.

Supervisor Porter asked Supervisor Phillips if he meant discontinue or suspend.

Supervisor Phillips said it was just a policy for putting them in.

Supervisor Porter said it sounds like you want to suspend it until we are in a better financial situation.

Chairman Jones said you mean delay.

Supervisor West said well the policy is that if there is an area in the county with five or more homes in an unlit area along any street in a certain given distance then it is available for a night light paid for by the county.

Supervisor Edwards said but we are going to grandfather this section.

Supervisor West said at this particular entrance there are no houses there are there.

Supervisor Edwards said oh yes.

Supervisor West said right there at that entrance.

Supervisor Edwards said oh yes; every lot is gone except for those on the swamp.

Supervisor Faison the reason we aren't going along with this tonight is because it is not cost prohibitive. Not all of the request would be of this nature so there may be some that we could accommodate. He said he was going to recommend that they continue to look at them on an individual basis.

Supervisor West said well the budget restraints will keep up from doing this for a while. He said he wasn't disagreeing but in another sense he was disagreeing. He said let's just hold on and get some footing in place and come budget time look at it. He said there may not be any potential then for any, but he thought they needed to draw a line and say stop – we can't do any right now. This is a policy that we have been doing in the county let's don't do it for a while and we will revisit this when we feel like we are more able to pay for it. He said if people are willing to jump up and pay \$0.01 tax increase that will give us \$140,000.00 then we can put up all the lights you want.

Supervisor Phillips said right after some other things.

Supervisor Porter said he agrees with Supervisor West. He thinks we have to suspend the policy for everyone. Whether it cost us \$10.00 a month to put lights on some other street or it cost \$10.00 a month plus \$13,000.00 for these lights he still thinks that we can't give lights to anybody if we are going to deny anyone. At this point in our financial situation he favors suspending the policy.

Supervisor Edwards said he would still like to see these folks grandfathered as this goes back to June ten years ago, which was 2002. This is ten years that it has not been done. He thinks the only fair thing to do would be to make sure that it is grandfathered when we do have the money. He said he was in favor of suspending it too, but this thing has been put off since ten years ago.

Supervisor Porter said we can put them number one on the list once we reinstitute the policy. He said grandfathering to him means something else. Grandfathering to him means to him that even if we suspend the policy we still put lights in for these guys. That is the definition of grandfathering. What he is saying is that if we suspend the policy these guys are put at number.

Chairman Jones said what he is hearing is that we will suspend the policy as of tonight as to the installation of street lights until our finances get in better shape. He asked wasn't that what he was hearing.

Supervisor Edwards said he would like to add to that that these people would be number one on the list.

Chairman Jones said when we go back Supervisor Edwards has requested that these people at Darden Mill Estates (Lakeside Drive) be at the top of the list if and when we go back to this policy. He asked if they were in agreement.

Supervisor Phillips said yes sir.

Chairman Jones asked if he had a motion.

Supervisor Porter moved that the street light policy be suspended until we are more financially able and that Darden Mill Estates (Lakeside Drive) would be at the top of the list when and if the policy is reinstated.

Supervisor Phillips seconded the motion which was carried unanimously.

Chairman Jones stated we would move on to item number 9 – Miscellaneous.

Mr. Michael Johnson stated that under item A you have included with your agenda packages a copy of the latest annual report from the Blackwater Regional Library. He encouraged them to look at that at their leisure. Item B you see correspondence that we received last week from Mr. Neil Clark relative to the recent resignation of Mr. Terry Patterson as the 4-H Coordinator for Southampton and Isle of Wight Counties. He is seeking your approval to refill that position as soon as they can get it advertised and interview candidates. It would have no adverse impact on the budget as these are funds they you already have budgeted; this is just to refill that position.

Supervisor Updike said he hopes this would be a plus on our budget because a new person would not be worth the same price as a person with many years of experience so he would think the position could be filled at a lesser salary. If the position had been paid at \$50,000.00 dollars a year a new person coming out of college should be able to start at \$40,000.00 or even \$35,000.00, or something like that. There is no reason to start them at \$50,000.00. He said he would like to see the appropriate experience paid for or not paid for.

Mr. Michael Johnson said the Virginia Cooperative Extension has asked for a representative from this Board to serve on the interview panel and be involved in that process. If you would like to appoint someone maybe Supervisor Updike with his interest would be willing to serve in that capacity.

Chairman Jones said he would like to ask Supervisor Updike to volunteer for that.

Supervisor Updike said he would volunteer.

Chairman Jones said Supervisor Updike has volunteered to help find a replacement for this job.

Supervisor West said he didn't think just because somebody has been in a job for thirty years that they are outstanding. Some people are in the same job for year after year after year and some people are crackerjack and ready to go and you need to recognize that and pay for it.

Supervisor Porter asked if Mr. Terry Patterson was new to that position.

Mr. Michael Johnson said he was new to that position, but he was not inexperienced.

Chairman Jones said he needed a motion to be able to advertise for this position.

Supervisor Porter made a motion authorizing VCE to advertise for the vacant position.

Supervisor Faison seconded the position which carried unanimously.

Supervisor Phillips stated that concerning the Blackwater Regional Library two months ago the director of the library requested that he get in touch with Ms. Gloria Evans and he had done that and talked to her. The director and her assistant both said she is a fine member she just hasn't been able to attend all the meetings. She is willing to continue her term. Her term expires June 2013. We will visit that again at that point; at this point she is more than willing to continue to serve in this position. He said this does require quite a commitment. These meetings are during the day and they rotate between the different regional libraries and then they are appointed to several different committees which again meet during the day so we thank those who are continuing to serve on that committee.

Chairman Jones thanked Supervisor Phillips.

Chairman Jones stated the next item was number 10 – late arriving matters.

Mr. Michael Johnson stated there were two items at their places that were brought to his attention. The first is an item that Supervisor West has raised. Supervisor West contacted him on Friday regarding interest in requesting VDOT to install signs on Route 58 between Drewryville and Popes Station to alert motorists to be on the outlook for slow moving farm vehicles. He stated he had placed a map at their stations which illustrates the location for proposed signs, with two signs each in the east and westbound lanes. With a corridor of roughly 7.5 miles in length, I'm suggesting a sign at the beginning of the corridor and another at the mid-point. The eastbound signs would be installed just west of Drewry Road with the second sign just west of Angelico Road. The westbound signs would be installed just east of Popes Station Road and west of Angelico Road. A motion is required to request VDOT to install the Slow Moving Vehicle Signs as described above.

Supervisor West said the request was made of him and he knew from over the years from working with Farm Bureau Insurance Company, a number of vehicles were run up upon – those being farmers with slow moving vehicles and tractor and trailers were knocking them off the road. He said he knew that Jeanette and M. L. Everette have a concern on that and he knows that it is a safety issue. They go 60 miles an hour through there and they don't regard slow moving vehicles.

Supervisor Phillips said they may not realize those vehicles are traveling that much slower until they are right on top of them.

Supervisor West said if this helps to prevent one accident or save one life you can't help but putting them down there.

Chairman Jones asked if there was anything else to come before them.

Supervisor West said he wanted to thank Mr. Michael Johnson for locating these areas between Drewryville and Popes Station and he hoped this fit the needs and if it needs to be expanded we may need to look at that later.

Chairman West asked if he wanted to make a motion.

Supervisor West made a motion to request VDOT to install these slow moving vehicle signs.

Supervisor Phillips seconded the motion which carried unanimously.

Chairman Jones stated that we would move to item B.

Mr. Michael Johnson stated that item B is a request for shared services meeting with Delegate

Rick Morris. He stated that he was contacted by Delegate Morris' legislative assistant requesting assistance in coordinating a joint meeting with our School Board to discuss shared services (he did something similar in Isle of Wight last month). His assistant has suggested a morning meeting on Monday, November 5, Thursday, November 8, or Wednesday, November 14. It's my understanding that Delegate Morris intends to introduce a bill in January that would provide localities in his district with a consultant to look at the best options for consolidating services, with the state picking up half the tab. He plans on creating a pilot program that can be expanded throughout the state. In addition, he's asking each locality in his district to develop what he's calling a "government efficiency task force" made up of an administrator and one board member from each governing body. These are the things he will talk about in that meeting. What we are looking for tonight is a consensus on whether any of those dates will work for you.

Chairman Jones said you have heard this. He asked if anyone had any conflict with any of those dates.

Supervisor Edwards asked if this had been presented to the School Board.

Mr. Michael Johnson said he had called Dr. Alvera Parrish and asked her to poll her members to see when it was convenient. He said he had not heard back from her yet so the idea is we will find out which dates work for us, find out which dates work for them, and hopefully we have got a common date. He asked if there were any dates we could rule out that we know we have conflicts on.

Supervisor West said they all work for him.

Chairman Edwards said if they all work they just needed to pick one.

Supervisor Edwards said November 14, 2012.

Mr. Michael Johnson asked Supervisor Edwards if November 14th was bad or if that was the best date.

Supervisor Edwards said that was a good day to have it.

Chairman Jones said we'll have it on November 14th then. He asked what time it would be held.

Supervisor West asked if he missed something tonight on taxes and booting and so forth. He asked if he slept through that.

Chairman Jones said it is under late arriving matters.

Supervisor West said we have more money than we had last time this year. He said he thinks that is a good thing and he need an "at 'a boy'".

Chairman Jones stated they would go ahead with the late arriving matters.

Mr. Michael Johnson asked Mr. David Britt if he wanted to speak to his report.

Mr. David Britt said he could. He stated that he had placed a report at each of their places just to basically give them a report to give them an idea where we are with the collections and the delinquencies, and how well the firms we have hired are doing for us as well. As of last month Supervisor Phillips and he had a conversation and he thought that if they could put together a report that shows comparison from last year this time as compared to where we are this time this year it would be beneficial to them. If you take a look at the last sheet in your packet there, you will see the title Treasurer's Tax Collection Comparison. If you all remember last year we had \$623,000 in delinquent real estate and \$457,000 dollars in delinquent personal property. As of Friday he ran the same report for this year and we have \$602,000 in delinquent real estate taxes and \$467,000 in delinquent personal property. When you add the totals of the two and do the subtraction as of right now we are about \$9,500.00 ahead of where we were last year. There are a few other items that he would like to point out to you all. We have an upcoming auction on November 16th. He said they had had a few calls wondering when the personal property tax bills

might go out and they are looking to get those along with the land refuge bills in the same envelope and get them out by the end of this month. Also one thing during budget they did to try to cut their cost in the Treasurer's Office and reduce their banking fees as of the first of October they started charging a convenience fee on credit cards. Anyone, who uses credit cards or debit cards, will be charged a fee so we can recoup our costs. He stated they can't make a profit, but they can recoup their costs. That will help cut their budget. He stated that you may remember that last month he mentioned the auction that was held over in Windsor well that turned out to be very profitable. Mr. Black had several localities to participate in that auction. The proceeds of that auction were over \$101,000.00 and of that about \$58,000.00 was ours. After he took his proceeds we were able to recover our cost on the personal property taxes that were owed on it. If you all remember Mr. Wright from Taxing Authority was here a couple of months ago and he had real estate that was owed by these individuals and he issued a tax lien and was sent a check for \$40,000.00. He stated he would like to let you know about some other things they are working on. There are 32 warrants on past due business licenses as well as three collection actions on meals taxes. He would like to let you know there is also going to be another tax sale on November 16 for unpaid taxes. There will be a judicial as well as a non-judicial sale. He asked if anyone had any questions.

Chairman Jones asked if anyone had any questions for Mr. David Britt. He thanked Mr. David Britt for his report.

Supervisor Updike said he had two things that he would like to bring up.

Chairman Jones said well first let's have the citizen's comment period.

Chairman Jones stated at this time we would have the citizen's comment period. He asked if anyone had anything they wanted to talk about.

Supervisor Edwards said it looks like everybody is happy.

Chairman Jones said since there was no one wishing to speak Supervisor Updike could go ahead with his comments.

Supervisor Updike stated that this was just some suggestions. He said he noticed that Rappahannock County had financial problems also and what they had come up with was that they sent a letter out to each taxpayer in the county asking for contributions. He said he didn't know if we would get one cent or not. The contributions are tax deductible and you are allowed to select which department receives your contribution. If you want it to go to education, earmark it education. If you want it to go to the Sheriff's Department, earmark it Sheriff's Department. It is a contribution to the county. He said he received his letter and he didn't know what the response and results were from this, but if this could be inserted in with the tax bills where you could make an additional contribution to the county. He knew there had been an uproar because they had tried to cut various departments. He said this was one way to put the money back if the people thought they were short changing the departments. He said if people wanted to make a contribution and save various departments here is the opportunity to step up to the plate and do so. The second thing is at the airport in Emporia we own 30 acres of that property. He said maybe Mrs. Amy Carr could answer how that property is zoned. He asked if it was A-1, or is it industrial, or is it airport. It could cost a lot in taxes if it is not zoned properly. It is worth a whole lot more as an airport than it is as a farm.

Mr. Richard Railey said the airport is supposed to be tax exempt.

Supervisor Updike said the second part of it is since we own 33 acres of the airport he felt like we should request to have someone on the Board so we can have some input on running it. That is a few wild ideas that came across his mind and he thought we needed to look into it.

Chairman Jones told Supervisor Updike that if he had some money to send Rappahannock not to send it there send it here. Don't send anything to them.

Supervisor Updike said he had already donated \$5,500.00 to the county.

Chairman Jones said that's alright if you still have money to send them send it here; don't send it over there to them.

Supervisor Updike said it's not over there; it's up there.

Chairman Jones said he would get him a letter asking you for funds since you have got some to give away.

Supervisor Edwards said Jerusalem District donated \$13,410.00.

Chairman Jones asked if there was anything else on this. He stated there was one thing he would like to do if it was okay with the Board. He said we have Mrs. Joan Harrell here with us and he would like to ask her to bring us up to date on what has just happened in Emporia on the Greenville County Airport. He asked Mrs. Joan Harrell to come forward.

Mrs. Joan Harrell addressed the Board. She stated she would like to thank them for what they had done for us by sending a letter of concern. She said she thought that was very beneficial to the cause. They went before the Greenville County Board of Supervisors and they passed a resolution unanimously opposing the Navy using the Greenville County Airport using the airport as a navy field landing carrier operation. They went before the City Council and they had a resolution passed there as well. They only had one member there who was opposed. So her understanding now is that it is not going to come but she felt they still had some battles ahead of them so they were going to stay vigilant and see what goes on from here. She thanked the Board very much and she wanted to specifically mention that Supervisor Phillips was very helpful to them and Chairman Jones. She said they came to the meetings and were there physically as well as the letter you all submitted so they thanked us for that.

Chairman Jones thanked Mrs. Joan Harrell.

Chairman Jones stated at this time it is necessary to conduct a closed meeting.

Mr. Michael Johnson stated it is necessary for this Board to now conduct a closed meeting in accordance with the provisions set out in the Code of Virginia, 1950, as amended, for the following purpose: 1. Pursuant to Section 2.2-3711 (A) (5), to receive a report from Franklin-Southampton Economic Development, Inc. regarding prospective industries where no previous announcement has been made of the business' or industry's interest in locating its facilities in the community. 2. Pursuant to Section 2.2-37aa (A) (1) Code of Virginia, 1950, as amended to discuss performance of certain offices where such evaluation will involve discussion of specific individuals. A motion is required to convene a closed meeting for these purposes.

Chairman Jones said he needed a motion.

Supervisor Edwards made a motion to convene a closed meeting.

Supervisor Porter seconded the motion which carried unanimously.

Supervisor Edwards read the certification resolution to go back into open session.

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.

Supervisor Edwards made a motion to go back into open session.

Supervisor Porter seconded the motion which carried unanimously.

Supervisor Porter made a motion to make the Voluntary Early Retirement Incentive Offer (VERIO) available to employees of the Constitutional Officers.

Supervisor Faison seconded the motion which carried unanimously.

There being no further business, the meeting adjourned at 9:25 p.m.

Dallas O. Jones, Chairman

Michael W. Johnson, Clerk

