

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 November 26 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  
Julien W. Johnson, Jr. Public Utilities Director  
Richard E. Railey, Jr., County Attorney  
Cynthia J. Edwards, Administrative Secretary

OTHERS ABSENT

Chairman Jones called the meeting to order.

After the Pledge of Allegiance, Supervisor Faison gave the invocation.

Chairman Jones welcomed everyone here tonight. He said it was nice to see so many folks here.

Chairman Jones sought approval of the minutes for the Regular Session of October 22, 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 first on our agenda tonight we have with us Mr. Joe Lomax, who is going to give us a presentation on the Route 35 bridge replacement project.

Chairman Jones called on Mr. Joe Lomax.

Mr. Joe Lomax addressed the Board. He stated that he was here to talk about project number 81457. This is the bridge replacement on Route 35 which everybody in this room knows as the Hancock Bridge. He said he understood there were some questions about the path they have taken and the direction they are going to go so he is here to give you an update on that. He stated that this is where they are right now. They have done their preliminary meeting, a survey, a field inspection, and a value engineering which is simply relooking at the project to see if there is anything they can change. They have had a NEPA approval which is an environmental act approval. They have posted willingness for a public hearing which was in August of 2012. They are now at the point where they are ready to begin their design for procurement which they are looking for someone to come in and design for procurement for them. Right now that is where they are. They are hoping to be awarded a design build in March of 2013 with the construction completion in March 2015..He stated that there were a lot of concerns and so these are things that they have considered and he needs for the Board to understand where they are and what the Board wants them to do. He said they would do whatever the Board wanted them to do. He stated that they have an alternative which is a no build. The no build alternative means about \$50,000.00 a year in repairs. There will be a lot of impacts. The thing about the no build is the fact that the

bridge is almost seventy years old. Eventually a no build will mean no bridge at some point. When the bridge gets beyond repair that will mean \$700,000.00 to remove the bridge and there will be no bridge. The second option would be to replace the bridge on alignment with a detour. The cost would be \$13,000,000.00 with an environmental impact of four acres. The environmental impacts are very minimal. The next option is to replace the bridge without a detour which involves a temporary bridge which is something that he keeps hearing tossed around we are talking \$22,000,000.00 dollars. The environmental impact for this would be four acres and this would double wetlands. If we went this route we would have an \$8,000,000.00 shortfall because the budget for the bridge is \$13,000,000.00. The third option would be to build a new bridge adjacent to the existing bridge and that would cost \$19,000,000.00 with six acres of environmental impact and double wetlands which would result in a \$5,000,000.00 shortfall. So these are some of the concerns we had when we looked at the project design and we wanted to minimize the environmental impacts as well as limit the cost impacts. They also wanted to look at limiting the social and economic impacts. We understand that the businesses are concerned. He said he had talked to a few citizens that say if we close the bridge for two years that the town just couldn't take that type of impact. So they are looking at that. They also have some motives for early completion. They want to make sure they collaborative with police, fire and rescue, schools, and the businesses. They also want to start a community outreach program. He said what he was trying to say is that we can do whatever you want to do, but there is a cost associated with it. Not only that, but we have got the momentum to build this bridge. They have built the bypass and they will build this bridge. He didn't know if you have noticed or not, but they are repaving the surface all over the place. They have the momentum. He said he didn't think that they really ought to slow up or stop. With that he will leave it up to the Board and citizens to decide what course they want VDOT to take. He just wanted to put it out there so you can discuss it and talk about it among yourselves and determine whether we are being good stewards by spending \$18 or \$22 million dollars. They are also looking at the possibility of having the detour for twelve months as opposed to twenty four which the common consensus was from people who had stopped him on the street and called him in the office and those who stopped Mr. Jerry Kee everywhere he went. They are trying to see what is the best bang for the buck, what do you want to do, what is the public willing to put up with to get a new structure that we really need there? He said he thought if we slow down and stop we are going to lose the funding because it is always possible. There is not a bottomless pit that they get their money and if they slow down and stop they could run the risk of losing the funding so they are looking for guidance as to where you want to move forward with a public hearing or a citizen's information meeting. They are ready to move forward. They are ready to procure a design builder contractor and they are ready to continue with this structure and have it built by 2015. He stated he would be happy to address any questions they had and they were really looking for the Boards support to see what direction they wanted to go. He said had given them their options, but that decision will have to come from the Board. They would do whatever the Board wants them to do. There is just the price tag of backing up and changing and going to another design and losing time for the life of the structure as well as the funding piece. He apologized that his Power point presentation wasn't able to be pulled up and displayed.

Chairman Jones asked if there were any questions for Mr. Joe Lomax.

Supervisor Edwards said he would certainly like to do it in the way least offensive to the Town of Courtland and this side of the river. He said he sees option 2a and option 3. He said he didn't think the people in the audience had seen that but he would be in favor even if there would be a shortfall of going with item 3.

Supervisor Faison said he too would like to do whatever was going to have the least impact on the Town of Courtland because certainly if the bridge was closed like that it is going to impact what is happening in Courtland. He stated he was therefore in favor of number 3 which is building the new bridge adjacent to the existing bridge because we can do that without closing the existing bridge.

Mr. Joe Lomax said he couldn't promise there would be no disruptions because you would have to do tie-ins when you go from one bridge to the other. It would have to be designed for tie-ins so at that point in order to tie in to the new bridge you would have to have some closures.

Supervisor Faison said but not months.

Mr. Joe Lomax said he couldn't say for sure, but he would think not.

Supervisor Faison said talking about those six acres which side of the bridge are you talking about.

Mr. Joe Lomax said something else that is involved that he failed to mention they have power and utilities on both sides – phone, power, and sewer he thought. He said he may have to double check that. There would have to be some adjustments and relocations with regard to those utilities if we chose a different alignment which would affect the cost and that was probably already a part of the figure of the \$19 million dollars. The biggest thing is they don't have the funding for that so you have to decide with regard to your other priorities whatever they may be is where are you going to get the money to fill the gap. Is it going to affect the future priorities that you have or is it a process of living out the life expectancy of the bridge itself. We have an obligation because we made it. He said he just wanted to bring that out.

Supervisor Faison asked if we have the funding for item number one.

Mr. Joe Lomax said no we have the funding for item number two. That is the \$13 million dollars. Number one is the removal of the bridge completely which is an alternative, but he knows it is not favorable but they had to put them all on the table.

Supervisor Edwards said number two would put Courtland out of business for a couple of years.

Mr. Joe Lomax said number two is twelve months and we have had to close the bridge for six months to repair the bridge in the past. We listened to the citizens because originally we had the bridge scheduled to be closed for twenty four months so they cut it to twelve months with some design work and engineering to come up with the twelve month schedule. There would be about an eighteen month construction time and a twelve month detour due to closure of the bridge.

Supervisor West said it is a complicated situation and neither option is coming to make anyone happy. It is similar to the new Highway 460 on his end of the county and how it is going to affect life and change road patterns and things there as well. He said he would like for Mr. Joe Lomax to listen to that conversation as well if he would stay long enough. The money is available and he said he was going to say something that was really ridiculous. He knows that for a long time we have been seeking the overpass (bypass from Courtland onto Highway 58 where the light is). He said he thought the light was working very well and he wasn't saying to transfer that money, but he asked how much money was to be used to tie-in in the overpass to come back in Courtland from the overpass.

Mr. Joe Lomax said \$22 million he believed.

Supervisor West asked when was that planned to be done.

Mr. Joe Lomax said simultaneously.

Supervisor West said I beg your pardon.

Mr. Joe Lomax said at the same time as the bridge in 2013. It may take a little bit longer to complete the overpass because there is a little more work involved in that versus primarily bridge work. It looks like they will be overlapping projects. He said you realize that it is very seldom that they get the funding to do these types of projects in this area at least since he has been here.

Supervisor West said he would like to recommend them taking it off the new Highway 460 and put it all here. He said he would go with Supervisor Edwards and say simply build a bridge adjacent to the existing bridge. He said he knew that left a \$5 million shortfall. He said that would be his favorite plan but he had to be realistic. He said he has to be realistic with this new Highway 460 alignment and that being said that would be his request to go with number three if they could get the funds. If you have something that is there that could be short changed in some way as he is not saying the bypass outside of Courtland to short change it but he is saying \$22 million is a ton of money. It is a hard situation and he was glad they were in that situation to make that decision.

Supervisor Phillips said he thought that they had shown with this presentation tonight where they had brought the closing time of the bridge down by a year from your original estimated closure of two years. Obviously you all have done a lot of work to shorten the project by twelve months. He said he thought they still needed to have a public hearing to get the final consensus of the people. He said he was sure the businesses in Courtland, the fire and rescue, and the schools were going to be impacted. He said he thought we had gotten the money to fund the flyover was because of what they anticipate the traffic is going to be coming out of the port. He said he believes that is part of why we are getting all this funding and the roads are being repaved and everything else because they expect a whole lot more traffic in the next couple of years when the port opens up and all these containers start coming in. He said that is just a thought. He said he lives right on the road where the next bridge up the river is so he sees that they are going to get a whole lot more traffic if they close that bridge. He said he would say the jury is still out. He said he knows what the rest of his supervisors think and he feels the same way. If they could find enough money he would like to see a temporary bridge which would not impact our people. He asked if there was any way to look at that any further. He wondered if there was any way they could make a better presentation or a more in depth presentation at a public meeting.

Mr. Joe Lomax said he would have to check. He said they could do any presentation the Board would like for them to do. He said if there were some more questions that could be asked technically he had some more people here tonight that could help him with that however, he only came here with prepared notes for the current presentation so he would like to have the opportunity to know exactly what that information is or at least discover that information before we put a presentation together. Of course if the Board wants a public hearing or if the citizens want one, we have about every piece of information that we need to have for that. That gives the citizens an opportunity to see it, view it, digest it, and also offer comments as to their wishes.

Supervisor West said that makes a lot of sense. The input is important to all. It is going to impact the community in a strong way. Business wise you people will be going out of their way. He said he would like to see a public hearing and we can certainly use this room for it at that point. The bottom line is that it would delay you somewhat, but not much in your planning perhaps.

Mr. Joe Lomax said he didn't think it would delay the process.

Supervisor West said those that will be affected can make their comments then. He stated that he was not going to be affected at all and therefore he is speaking for someone that would be affected. Therefore, he would love to have the people's input. He said he thinks that is the consensus that we are hearing here.

Supervisor Edwards said all of us are going to be affected because what happens to Courtland will happen to all of us one way or another.

Chairman Jones said yes.

Supervisor Porter said let's get real. Five million dollars is five million dollars that we don't have. The Courtland flyover is not an option that we can eliminate. If we don't want to shut the bridge down then he thinks do a no build, just put the money in and keep it running as long as we can where it won't affect anybody is the way to go. In the meantime figure out a way that you can build that bridge and have a detour for six months and not a year. There have got to be some smart people out there that can design a way to build a bridge in modules so that you don't have to shut it down. You can have a two year project but the actual time that you take the old bridge out and install a new one is shorter. He said they needed to start thinking outside the box and find a way to shorten that period. He thinks the only option is two and just accept the twelve month detour or do the no build until we can come up with a way to shorten the detour because the state doesn't have a lot of extra money. If we use \$5 million dollars extra money here we are going to try to get it from the state and that means they are going to take it from somewhere else. They will probably try to take it from education because that's usually where they try to take it from. He said he didn't think we needed to do that. He thinks we are just going to have to go with the bridge that we have if we can't accept shutting it down or find a way to shorten that twelve month cycle.

Supervisor Updike said he thought Supervisor Porter hit it right on the head that we do not have an extra five million or an extra eight million dollars. We better grab the federal and state money that

we can get now. He said he knew the State of Virginia had already announced a 4% cut. He said he didn't know where that was coming from whether it was from roads, education or wherever. If we mess around and let this go by we probably won't get it at all. The federal government is going to tighten its belt and he didn't know how long they are going to have these funds available so he is with Supervisor Porter one hundred percent. The best option is number two or to continue what we have for the time being. We have got to count the money and we don't have it and the state doesn't have it. What is going to happen is that they are going to cut the request from the state and then they will go back to VDOT and take their money and the roads that we are driving on are not going to be repaired. He can't see spending money that we don't have and that the state doesn't have and he knows the federal government doesn't have. So option two or make do as long as we can either one of those options.

Chairman Jones asked if there was any other discussion on this.

Supervisor West said he agrees with the reality of it, but he still thinks having the citizens input is important. If there is more information that can be gained from having a public hearing we need to do it. With that being said as soon as we can set that up, it needs to be done, but the reality will set in at some point.

Supervisor Faison asked what was the expected life time of the bridge as it was right now.

Mr. Joe Lomax said he thought the bridge had already reached its regular life expectancy. It was built somewhere around the late thirties or early forties. Normally the life expectancy is around fifty years for a truss bridge. It is a truss bridge so people that ask him questions about the rebuild of rebuilding half and cutting half away is not possible because that metal structure that is part of the top that holds the bridge up so you can't cut those steel beams. So that is out. It's not like concrete where we can saw down on each half. He said he would go on record saying that we are beyond the original life expectancy of that bridge. He said it has been hit several times since he had been here with over height vehicles. It is just a matter of time. He stated that they had been patching it and putting band-aids on the deck, on the substructure and the superstructure for years since he was an inspector here twenty years ago. So here we are here in 2012 knowing we are reaching the end of the life expectancy at least in his professional estimation. He said he has his inspectors checking it two or three times a year and they will let him know. He said they will drop the weight limits as much as they possibly can without affecting the vehicles that use it. He said he didn't know how much longer the bridge would last. He said he would just throw out five years if we are lucky. He said even that is not a technical guess because he needs to talk to the technical bridge expert and get his opinion. He said if he could get something for them he would.

Chairman Jones asked what was the consensus on having a public hearing.

Supervisor Porter said he didn't mean to short circuit the process. He still thinks we need to go through the public hearing like Supervisor West said. He thinks realistically those are our only two options because we just don't have the money and he doesn't know where we would get it.

Supervisor West said you could put an overhead display out and then you will be able to get the people the information. He said but reality is reality. They are both right. Five million dollars is five million dollars unless you can borrow it like some people and just don't pay it back.

Supervisor Porter said the other issue is the wetlands and he thought people were underestimating that. He said that is a huge issue.

Supervisor West said it is.

Mr. Joe Lomax said they dictate to us what we can do with the wetlands.

Supervisor Edwards asked if the twelve months was the best possible scenario. He said things have a habit of not working out like that. He said he would like to see a public hearing because the people of Courtland are going to be the ones who are really going to be affected by this. He thinks we need to have a public hearing and see what they want to do and what they think. Then we can go with what the majority think. He said it bothers him a little bit about this five million dollars. He asked how much did we just puff away on other things. We are talking about a town here and

five million dollars. That is a lot of money, but look at what we waste every day. He said he couldn't help but think that we could get five million dollars somewhere.

Chairman Jones asked if anybody else had anything.

Supervisor Phillips he thought if we had a public hearing that would give Mr. Joe Lomax a little more time to maybe as we had asked find a way to shorten the process if he could any further. Let's wait and see. He said we have confidence in your guys.

Supervisor Porter said one other thing five million dollars is a lot of money. If we had five million dollars it wouldn't cost us that much money and we could give the money to the businesses in Courtland and they could take the year off. It's not there.

Supervisor Phillips said no it's not there.

Mr. Joe Lomax said we are here to offer recommendations and possible solutions. This decision won't be VDOT's decision; it will be the Board's and the citizen's decision about which direction to take. We are here to just offer you alternatives. He said he could do some things, but he wasn't a magician. He said he would go back and talk some more and see what else they could do if anything.

Supervisor West said he thought that made sense when you are shoving this other thing on Highway 460 down his throat.

Chairman Jones said Supervisor West the new Highway 460 is coming and there is nothing we can do about it.

Chairman Jones asked Mr. Joe Lomax how long it would take to set up a public hearing.

Mr. Joe Lomax said he wasn't sure. Let him tell you tomorrow. He said he doubted he could get it set up before Christmas.

Chairman Jones said just get in touch with Mr. Michael Johnson and let him know when you can have the public hearing. He said then we can look at it and see what we need to do because we know we don't have the five million dollars.

Mr. Joe Lomax said we need to decide on a date quickly because we have to advertise for two weeks. Maybe we can go ahead and pick out a date this week so when the smoke clears from the holidays we can get it in the newspaper.

Supervisor Phillips asked if it was an option that we may be able to have it at our next Board meeting.

Mr. Joe Lomax said I don't know if you have enough room to have it here, but it's up to you. He said if you anticipate a crowd larger than this we may need to have it somewhere else. He said he had been here before and they had to move it to the school.

Supervisor Phillips said we can move it.

Supervisor West said we could move it to the school.

Chairman Jones said well just let Mr. Michael Johnson know when we can have the public hearing.

Mr. Joe Lomax said he would do that.

Chairman Jones stated the next item was item B.

Mr. Michael Johnson said that item B was a "Watch for Children" sign request. In 1997, the Board of Supervisors adopted a policy providing for the installation of "Watch for Children" or "Children at Play" signs in residential areas of five or more houses, upon submittal of a petition

signed by the respective heads of household. Attached for your consideration please find a petition submitted by residents of the 28000 and 29000 block of Country Club Road. While the density of development does not meet the stated letter of the policy, Supervisor Edwards has indicated that he believes the request meets the spirit of the policy and has asked that the matter be placed on your agenda for consideration.

Chairman Jones asked if they were ready to vote.

Supervisor Edwards said the number of houses didn't make a lot of sense to him. It could be no children in those houses. It seems to him that the original request for people who have children and he thought there were three or four children involved here and according to Mrs. Dana Jones who requested it there have been some close calls. He said this is a safety matter and this is not a three thousand dollar street light this is a small diamond shaped sign. He said they had one in his neighborhood and he would like to see us go ahead and give them their request.

Chairman Jones asked if anyone else had any comments or concerns on the "Children at Play" sign.

Supervisor Updike said he thought it was a great idea and that we should go with it.

Supervisor West said he agreed with that.

Chairman Jones asked if he could get a motion.

Supervisor Edwards made a motion to request VDOT to install the requested signs.

Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones said we would move on to item C.

Mr. Michael Johnson said that item C relates to Tucker Swamp Road and the new Route 460. He said that Supervisor West has asked that the Board consider taking an official position supporting continued operation of Tucker Swamp Road (S.R. 635) during and after construction of the new Route 460. He stated there was a copy of the resolution in your packet.

Chairman Jones called on Supervisor West.

Supervisor West said in these words simply thank you again for being here this evening. He said he knew they were listening to us well and we have less input so he was glad they were doing this for Courtland tonight. Tucker Swap Baptist Church was founded in 1806 and he was pretty sure that was ahead of VDOT. That had been established a long time ago and the railroad had been there a long time ago. He said and here we are going to be cul de saced and he was almost certain that Tucker Swamp has the largest attendance of any of the churches in Southampton County. With that being said you are going to stop traffic from the neighboring community that uses Highway 635 to transfer to come to church on Wednesday nights and Sundays and that is the religious impact. The second item is the economic impact that it will have. Many people in the Ivor area and surrounding areas travel by Tucker Swamp Road to get to Franklin to Wal-Mart to do their shopping. This has been established for many years and years. Now they will be traveling down Highway 460 to Wal-Mart in Suffolk so this will be an economic change as well. So we will start spending our money in Suffolk instead of Franklin and he knows that is not a good deal because we need everything we can get as far as profits here in Southampton County. It was done to begin with with a cul de sac and he asks you if you have any persuasion to do what you can to make sure there is an overpass put in there and no cul de sac. Make sure there is a thorough fare and that it is asphalted with center lines which is marked clearly. It is a nice smooth transfer road and I ask that you continue to keep it open and continue with the modes that we have had for years and years and years. Thank you.

Chairman Jones asked if anyone else had anything on Tuckers Swamp Road.

Supervisor Updike said he thought this was put upon the citizens as a result of Highway 460. As far as he is concerned they may need some help or assistance because this was not something they

did on their own; it was pushed upon them. He thinks Supervisor West has it right. We need to look after our interest when things are pushed on the citizens.

Chairman Jones asked if there was anything else.

Supervisor Faison said he felt that we needed to have something in writing because Highway 460 was going to impact Southampton County period. This way we are lessening the impact a little bit and any way we can we need to do that.

Supervisor Phillips said he would not be opposed to it; in fact he would be in favor of it. He said he would be happy to make a motion if you would accept it at this time to adopt the resolution talking an official position supporting continued operation of Tucker Swamp Road (S.R. 635) during and after the construction of the new Route 460.

Supervisor Edwards seconded the motion which carried unanimously.

Supervisor West said thank you.

Chairman Jones stated the next item was monthly concerns.

Supervisor Edwards said we still don't have a double yellow line at the Nottoway Chapel hill.

Supervisor West said there are little arrows along the way there saying VDOT. He asked what are you going to do widen the surface.

Supervisor Phillips said they are going to put up a sign.

Mr. Jerry Kee said they are going to put signs up, but they can't dig the holes to put the post up until they talk to Miss Utility.

Supervisor West said good job.

Supervisor Edwards said that is fantastic.

Supervisor West said he was impressed.

Chairman Jones asked if there was anything else

Supervisor West paid his compliments to the last grass cutting along the shoulders and slopes, into the woods and fields and around curves. It was an absolutely fantastic job. He said let me back off the thank you to say one more time that you had a custom cutter come through there with one tractor and that guy was moving in and out around mailboxes and so forth and he was going so fast he didn't know where the stuff went that he was cutting. He was kind of, sort of cutting it, and he had a rear mower going out on Highway 635. With that being said, you all do a more outstanding job if you get around to it.

Supervisor Updike said good old Statesville Road has some major problems. We will probably talk about that in a minute. The culverts are broken and need to be fixed. He said he traveled that road the day before Thanksgiving and there are six culverts that are separated and caving in. There are some major repairs that need to be done in the future. You need to put it on your agenda because it's not going to be a short term project to accomplish all these things.

Supervisor West said on Warrique Road as soon as you go around where the old plantation house is there is a culvert that comes into actually about a foot onto the hard surface that you have stuck a cone over. That has been there a right good while and it is a nasty little turn out if you aren't aware of it being there. It really does need to be addressed and repaired. It is just a simple fix. You don't have to go all the way across the road; it just needs to be fixed where the culvert is broke in.

Chairman Jones stated the next item of business was number three – reports. The reports were Sheriff's Office, Animal Control, Litter Control, Building Permits, Cooperative Extension, New

Housing Starts, Solid Waste Quantities, and Personnel.

Chairman Jones called on Mr. Michael Johnson.

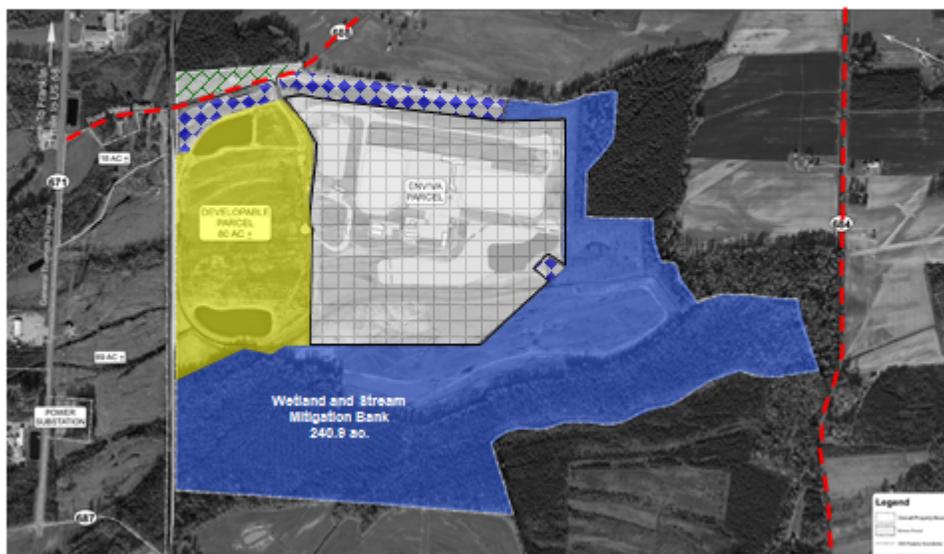
Mr. Michael Johnson stated that he had a number of items to report. We had one new hire in the month effective November 1, 2012 in the Sheriff's Office, Ronald D. Colby, Jr. at an annual salary of \$32,300.00. We had three members of the Sheriff's Office who had compensation adjustments from the state compensation board all effective November 1, 2012 – Dustin Atkins with an annual salary of \$31,162.00, Edward I. Brock with an annual salary of \$31,162.00, and Herbert K. Rose at an annual salary of \$34,979.00.

Chairman Jones asked if anyone had any questions on personnel.

Chairman Jones stated the next report was the Turner Tract Update.

Mr. Michael Johnson stated that last month you all had asked to have a monthly report and this being the first report he had a brief slide presentation that we wanted to present to you. He stated that he just wanted to sort of make sure that everybody is on the same page. He would like to take a minute and let everyone know what the development plan is for the Turner Tract. He presented the following Power Point presentation:

## Turner Tract Development Plan



## The Wetland and Stream Bank



## Bunrootis' Risk/Reward

- Bunrootis' Investment
  - Phase 1 – 2010 - \$925,000
  - Phase 2 – 2013 - \$1,186,302
- Restore 12,000 linear feet of stream by rehabilitating the pattern and profile and establishing a vegetative buffer
- Create/restore approximately 44 acres of wetlands by restoring original hydrology
- Preserve 32 acres of forested wetlands, 75 acres of mature forested buffers, and 2,400 linear feet of stream
- Improve wildlife habitat and water quality in the watershed
- **Bank is expected to yield 50.88 marketable wetland credits, and 12,739 to 14,427 stream credits with a market value in excess of \$9.5 million**

## Wetland Bank Rent

- Bunrootis is obligated to make guaranteed lease payments to the IDA totaling \$1.75 million beginning in 2013 and ending in 2022
- In addition, Bunrootis is obligated to share a percentage of net revenues (28%) generated by sale of the credits beginning in 2015
- Pro-forma (Realistic) – payments to Southampton County of \$3.5 million (\$1.75 million guaranteed) between 2013 and 2022

## Rent Schedule

	Base Rent	Additional Rent*	TOTAL
2010	\$ -	\$ -	\$ -
2011	-	-	-
2012	-	-	-
2013	100,000	-	100,000
2014	100,000	-	100,000
2015	150,000	130,092	280,092
2016	150,000	137,418	287,418
2017	175,000	137,967	312,967
2018	175,000	145,747	320,747
2019	200,000	146,764	346,764
2020	200,000	155,026	355,026
2021	250,000	132,061	382,061
2022	250,000	762,519	1,012,519
	<b>\$ 1,750,000</b>	<b>\$ 1,747,594</b>	<b>\$ 3,497,594</b>

\*Projected based on pro-forma

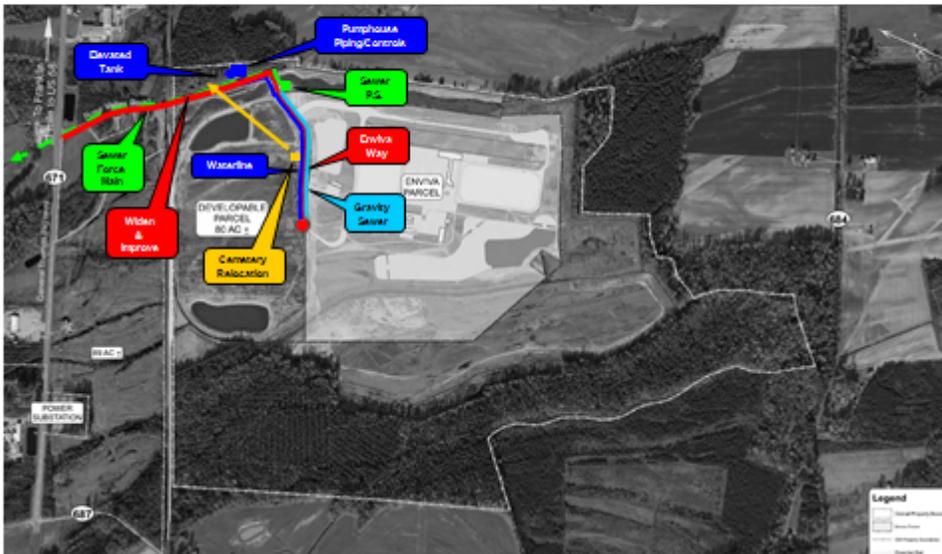
## Enviva



## Enviva - Projected Revenue

FY	Projected Net Revenue
2014	\$ 909,203
2015	866,427
2016	1,055,047
2017	942,279
2018	835,660
2019	967,743
2020	773,343
2021	277,560
2022	284,213
2023	284,213
	<b>\$ 7,195,687</b>

## Work to Do



## Remaining Budget

### REMAINING SOURCES

Remaining Series 2006A Public Facility Lease Revenue Bonds	\$ 4,335,985
VDOT Secondary Construction Funds	1,520,863
VDOT Industrial Access Road Grant	650,000
Brownfield Restoration and Economic Redevelopment Grant	50,000
Community Development Block Grant	700,000
	\$ 7,256,848

### REMAINING WORK

Rose Valley Road Improvements	1,526,552	Mar-13
Industrial Access Road (Enviva Way)	730,432	TBD
On-Site Water and Sewer	636,955	TBD
Sewer Pump Station	350,000	12/12/2012
Sewer Force Main	1,500,000	Feb-13
Elevated Tank	1,258,000	
Well House/Pumps/Piping	250,000	12/12/2012
Remaining Design/Construction Admin. (Timmons)	322,253	
Cemetery Relocation	50,000	
Misc./Contingency	632,656	
	\$ 7,256,848	

Chairman Jones asked if there were any questions on the Turner Tract report.

Supervisor Edwards stated that Mr. Michael Johnson gave an excellent presentation.

Supervisor Updike asked if Mr. Michael Johnson could give us an update on the internet coming to the county.

Mr. Michael Johnson said good question. He stated that Supervisor Updike was referring to the Buggs Island Wireless Internet project which is being funded primarily with stimulus funds that Buggs Island Cooperative obtained from the federal government a couple of years ago. They have encountered some technical issues with interference from the Verizon Wireless towers. He said he has contacted them to try to get an idea as to when and how we might resolve it. At this point they have been very hesitant to tell him anything definitive. All they have indicated to him is that they are working on it and they can't give him a timeline yet as to when the service will be available.

Supervisor Updike asked if it would be appropriate for this Board to contact Congressman Forbes and ask him since this is government funds to put a little pressure and see what is going on. This has been going on for about three years and all we get is a continuation, a continuation, a continuation. It is the tax payers money that is put out there to serve the rural areas. If we don't put the pressure on them the service may never show up.

Mr. Michael Johnson said it certainly can't hurt.

Supervisor West said he thought it was an excellent idea to direct a letter to his office.

Mr. Michael Johnson asked if they would like for him to direct a letter to Mr. Randy Forbes office.

Chairman Jones asked the Board members if that was what they wanted Mr. Michael Johnson to do.

Chairman Jones asked Mr. Michael Johnson if he needed a motion on this.

Mr. Michael Johnson said please.

Supervisor Edwards made a motion that a letter be directed to Mr. Randy Forbes concerning the Buggs Island Cooperative internet service.

Supervisor Phillips seconded the motion which carried unanimously.

Chairman Jones stated the next item was number four – financial matters.

Mr. Michael Johnson said item 4 was a presentation of FY 2012 Audit. You have an electronic copy of the FY 2012 Comprehensive Annual Financial Report (CAFR) prepared by Creedle, Jones, and Alga, P.C., Certified Public Accountants. You also have a printed copy at your places tonight as well. The schedule of findings and questioned costs appears on page 73 of the report – please note that the report included an unqualified (clean) opinion with no significant deficiencies, no instances of noncompliance and no findings. Also keep in mind that the audit is only a snapshot of our financial position on June 30, 2012 – there have been a number of changes since that time which are not reflected in the audit. In general the major items to note for FY 2012 is that in the general fund, overall, we collected \$160,277 or 0.59%, more revenue than budgeted – (pages 50-52). Chiefly responsible for the positive variance were delinquent tax collections, penalties and interest, motor vehicle licenses, and ambulance fees. These additional revenues were partially mitigated by shortfalls in real and personal property taxes, shared industrial corridor revenue from Franklin, and state categorical aid. Actual spending was \$736,536 or 2.66% less than budgeted (pages 52-53). Chiefly responsible for the expenditure savings were the Sheriff's Office (Bailiff, Courthouse Security, Law Enforcement, 911), and Emergency Services (reimbursements from Hurricane Irene). The school board underspent its local budget by only \$746 (page 53) – substantially less than previous fiscal years. Given the fact that your FY 2012 budget included up to \$1,400,777 from the General Fund Reserve, and the Board re-appointed an additional \$1,094,072 back to the School Board in January 2012, the end of year general fund balance decreased by \$1,761,921, or 28.4%, and remains at \$4,440,258 (page 14). The unappropriated fund balance is currently equivalent to roughly 15.66% of your overall General Fund budget, including transfers. Your FY 2013 budget provides for up to \$452,260 to come from the unappropriated general fund reserve, if necessary, if unable to locate other cost savings in the budget which of course are what Supervisors West and Porter are working so diligently on. He stated that he would turn it over to Mrs. Robin Jones with Creedle, Jones, and Alga.

Mrs. Robin Jones addressed the Board. She thanked the Board for having her tonight. She thanked Mr. Michael Johnson for such a great presentation. She stated that Mr. Michael Johnson had pretty much done the presentation for her tonight as usual. She stated that she would make a few comments. First off the staff is very cooperative and they had no problems performing the audit. She stated that everything was very well organized and everybody here was easy to work with and they appreciated that because it makes the audit go much more smoothly. She stated that their audit was a seventy four page document which consists basically of two pieces. If you look at the table of contents you will see there are two major sections to their audit. One is the financial section and one is what they call the compliance section. The financial section is made up of their

auditors reports, you all's discussion and analysis, the actual financial statements with all the numbers and schedules in them, and then what we call the notes to the financial statement. Then there are two sections of what we call supplementary information which is the budget actual information that Mr. Michael Johnson just went over and what we call combining financial statements which takes small funds and adds them together which is in the front of the audit. In the front of our audit report is a statement that says we have conducted our audit report it says we have conducted our audit in accordance with generally accepted auditing standards in the United States and with the federal government as well as Virginia. It also is says we prepared the statements in accordance with generally accepted accounting principles. So your audit meets all the standards in the United States that we are supposed to follow. As Mr. Michael Johnson has already mentioned we found no problems in the financial area or accounting area. You all had a strong cash position and fund balance position at the end of the year. You can see it was \$4.4 million dollars. Your debt schedule is on page 38, 39, and 40. That is a recap of your debt situation for the county and the school board covered there as well. She said she would be glad to take any questions.

Chairman Jones asked if anyone had any questions concerning the audit.

Chairman Jones thanked Mrs. Robin Jones for her presentation.

Mrs. Robin Jones thanked the Board and told them to have a good holiday.

Chairman Jones stated that he needed a motion to receive and accept the FY 2012 Comprehensive Annual Financial Report (CAFR).

Supervisor West made a motion to receive and accept the FY 2012 Comprehensive Annual Financial Report (CAFR).

Supervisor Faison seconded the motion which was accepted unanimously.

Chairman Jones stated that we would move to item B.

Mr. Michael Johnson stated that as you see the semiannual appropriation resolution for the second half of FY 2013 has total appropriations of \$25,348,949.

Chairman Jones asked if anyone had any problems with this or any questions on it.

Chairman Jones asked since there were no questions if he could get a motion on this.

Supervisor Edwards made a motion to adopt the semiannual appropriation resolution in the amount of \$25,348,949.

Supervisor Phillips seconded the motion which carried unanimously.

Chairman Jones moved to item C.

Mr. Michael Johnson said this is a second appropriation resolution as it related to the school fund. The total appropriation is \$112,161.67. The sources of revenue are donations and expenditure refunds – there are no new local funds in that resolution.

Chairman Jones stated that he needed a motion for this tax resolution.

Supervisor Porter made a motion to adopt the school fund appropriation resolution in the amount of \$112,161.67.

Supervisor Phillips seconded the motion which carried unanimously.

Chairman Jones moved to item D.

Mr. Michael Johnson stated that in keeping with past traditions, I'm seeking your authority to provide early payroll disbursement for all employees in December. I request a motion to issue

payroll checks to all employees for the December pay period on Thursday, December 20, 2012.

Chairman Jones asked if anyone had any questions. He stated that this was something we had been doing for a few years now.

Supervisor West made a motion to approve the early payroll disbursement.

Supervisor Edwards seconded the motion which carried unanimously.

Chairman Jones moved to item E. He asked if anyone had any problems with the bills.

Supervisor Updike said he wanted to know one thing for his information and that is this Ford truck for \$18,000.00 for a 2006. He asked where does the county go that requires a big truck like that with four wheel drive. He asked which department does it belong to.

Mr. Michael Johnson said it belongs to the Sheriff's Department. He said he knew the vehicle that he asked about last month – the jeep by the way it was licensed was an undercover vehicle. This could be an undercover one too he didn't know, but it is a Sheriff's office vehicle.

Chairman Jones said this is also in their budget. He stated that he needed a motion to pay the bills.

Supervisor West made a motion, seconded by Supervisor Edwards to pay the bills in the amount of \$3,365,935.88 to be paid by check numbers 128252 through 128771. The motion carried unanimously.

Chairman Jones said we would move on to item number 5.

Mr. Michael Johnson said as we discussed last month we had three Board of Zoning Appeals members whose respective terms expired on September 30, 2012. They are Mrs. Elma A. Brown from the Boykins-Branchville District, Mr. Peter F. Copeland from the Franklin District, and Mr. Brian Darden from the Newsoms District. As you all know, appointment to the BZA are made by the Circuit Court upon recommendation from the Board of Supervisors. Terms are for 5 years meaning that these 3 terms will run from October 1, 2012 to September 30, 2017. All three are eligible for reappointment; however, 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. He stated that it is important to know that Board members shall continue to serve until a successor is appointed by the Court, regardless of the expiration of their term. So you may ask the question if their term expired on September 30, 2012 who would serve today if we had a meeting today. The answer is these three folks would continue to serve until there is a successor appointed.

Chairman Jones asked if anyone had any questions.

Supervisor Edwards asked if all three of these had been contacted and were willing to serve.

Supervisor Faison said that Mrs. Elma Brown had been contacted.

Supervisor Porter said that Mr. Peter Copeland has been contacted.

Chairman Jones stated that he knew Mrs. Elma Brown had because he had spoken with her.

Chairman Jones stated that he needed a motion to reappoint these members.

Supervisor Edwards made a motion that these three members be forwarded to the Court relative to the three appointments.

Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones stated we would move to item number six.

Mr. Michael Johnson stated that the Western Tidewater Free Clinic has requested a few moments on your agenda tonight to provide you an update on their activities. The presentation will be given

by Dr. Patsy Joyner, one of their Board members and a Southampton County resident. Just for background information in 2011, the Western Tidewater Free Clinic responded to more than 1,200 patient visits. Approximately 12% of their patients are Southampton County residents. In order to meet eligibility requirements, patients must have no health insurance and live at or below 200% of the federal poverty level (for a family of four, this would be an annual income of \$44,100 or \$21,660 for a single individual). Southampton County included \$9,000 for the Western Tidewater Free Clinic in its FY 2013 annual budget.

Dr. Patsy Joyner addressed the Board. She stated that she was here to convey heartfelt thanks to Southampton County for its continuing and invaluable support and generosity in support of the clinic. You have in your packet a copy of the 2011 annual report and it makes her proud as a citizen to see Southampton County listed on page eight as a major contributor at the ambassador level. As you know the mission of the Western Tidewater Free Clinic is to provide high quality non-emergency health care to the residents of Western Tidewater Free Clinic for those who could otherwise not afford it. The clinic sees individuals from age 19 to 64 with no medical insurance who live at or below the 200% federal poverty level. She gave the current update on the statistics as of September 12<sup>th</sup>. Since the clinic opened in 2007 the clinic has provided care for over 2,700 patients with more than 45,000 clinic visits. Currently the patient geographic disbursement is 57% from Suffolk, 23% for Isle of Wight, 9% for Franklin, and 11% for Southampton County. Since the inception of the RX partnership in medication assistance program patients have received 56,000 prescription medications department with a retail value of \$8.9 million dollars. Eighty one percent of those served are over the age of 40, 65% are women, and 37% are working full or part time with some working more than one job. Forty eight percent are at or below 150% of the poverty level. Sixty two percent of the patients are at or below 100% of the poverty level. Ninety five percent of the clinic sources are treating and managing chronic illnesses like obesity, hypertension, hyperlipidemia, heart disease, and diabetes. Additionally dental services have been added. When you leverage the grants, the donated services, the volunteer work for every dollar received by the clinic, six dollars of services are provided. On page two you can see that since opening the over fifty thousand volunteer hours equated to a market value of over \$1.9 million. She stated that she wanted to underscore on behalf of the Western Tidewater Free Clinic Board that it is a non-profit organization requiring job base community support for long term viability thus volunteers and donations are critical to keep giving to those who need it most. She said they thank you and deeply appreciate your continuing support for such a worthwhile project. Their vision is a healthy community where all people will be inspired and enabled to make healthy life choices, use preventative health care to access resources to live in a safe and wholesome environment. Thank you very much.

Chairman Jones thanked Dr. Patsy Joyner.

Chairman Jones stated the next item was number seven public hearing.

Mr. Michael Johnson said we have one public hearing scheduled tonight and that is related to no through trucks on Statesville Road. This public hearing is held pursuant to Section(s) 15.2-1427 and 46.2-809 of the Code of Virginia, 1950, as amended to consider an ordinance requesting the Commonwealth Transportation Board to restrict through-truck traffic on Statesville Road from the North Carolina line to Cypress Bridge Road. The restriction shall apply to any truck, or truck and trailer/semitrailer combination except pickups or panel trucks with a registered gross weight in excess of 7,500 pounds. The alternate route for through-trucks shall be U.S. Route 258 (Smiths Ferry Road) to U.S. Route 58 (Southampton Parkway) to State Route 671 (General Thomas Highway) to State Route T-673 (Main Street, Newsoms) to State Route 673 (Cypress Bridge Road). Notice of this public hearing was published in the Tidewater News on November 4 and November 11, 2012 as required by law. After the conclusion of tonight's public hearing the Board will consider comments offered and may act upon the matter or defer action until such time as it deems appropriate. He stated that he only had one graphic right now which he would put up on the screen. He said the road leading outside of the Town of Newsoms is obviously Statesville Road. It would be closed all the way through to the North Carolina line. The alternate route would run basically from Como north all the way up to Franklin where it would intersect with Route 58 and from there you follow Southampton Parkway back over to Highway 671 General Thomas Highway and then you would head west back over towards Newsoms. That is the proposed alternate route that is being contemplated when the ordinance was developed.

Chairman Jones opened the public hearing.

Supervisor Updike said before you open it he would like to make a comment.

Chairman Jones closed the public hearing for Supervisor Updike to make his comment.

Supervisor Updike said he thought they needed to know the reason behind this proposal. The people on south Statesville Road who are mostly elderly people like to go to church, the country store in Newsoms and it scares the life out of them meeting all these big tractor-trailers which are thirty-five to forty-five foot long. The tractor-trailers can't make a curve without putting their rear tires in the ditch. Like he had mentioned previously to Mr. Jerry Kee there are six culverts that are separating already and you may say that's not very many but they have worked on one curve right by the house three times and even before they get finished working the tractor-trailers have run over the cones they put out. The purpose of it is safety and economics. We talked about the funds from VDOT necessary for maintenance. This road is going to cause a tremendous amount of maintenance for the continuing use of tractor-trailers. You say there aren't that many tractor-trailers; well this morning for instance at 3:00 he heard a great big bump when one went around the curve. They bumped it again at 6:00 at that spot. Every time they go around the curve they bump that spot. They run the road night and day. We need to get that road off GPS. The road was fairly conservative until GPS started sending all these tractor-trailers through there from out of state. We don't have a gas station. We don't have a store. They don't pay a dime. They are just tearing the living life out of our roads. That was the underlying reason for him questioning it. He was hoping and twisting arms and begging for the State of Virginia to realize what the decision was being made for. It was for these tractor-trailers not for the businesses that are serving our community. When he says our community he was meaning Southampton entirely, not just Statesville Road area. He said he hadn't been able to get that cooperation whatsoever in rethinking how we can save hundreds of thousands of dollars in the road repair that it is going to cost us. All this money that is spend on that road means the rest of the county is going behind time because they won't be able to maintain the other roads. For safety issues we need to get these tractor-trailers off the road because these elderly people like to go to church and the stores and they are scared to death meeting these great, big long tractor-trailers. So it is a safety issue for us elderly people in the community. With all that said he can't get the state to come across and help us out economic wise and safety wise. He said people were saying he didn't have an agenda. He said they are his agendas. He said the first call he received after being elected was from people right outside the dump site questioning the speed limit and speaking of reducing it. He said these tractor-trailers come through the residential area there at 55 MPH and there if a kid gets in the road he is smashed. The town says need to outlaw dogs from trespassing because they don't like it. In fact we need to protect what little road repair there we have so we can save it. With all that said the negative part of it is they refuse to budge from his concept to extend to businesses as part of the Statesville impact so you all are welcome to speak and he wished they would so at this time the solution is as bad as the problem. So with that said he would personally withdraw the recommendation.

Chairman Jones said sense you are withdrawing your recommendation we don't need to have the public hearing.

Supervisor Updike said well they came to speak so let them speak.

Chairman Jones asked what were they going to speak on the road is going to remain the same so there is no need to talk about it.

Chairman Jones opened the public hearing. He asked if anyone was for or against it.

Mr. Ash Cutchin addressed the Board. He stated that he lived in the Jerusalem District and that Dr. Alan Edwards was his Supervisor. He said he understands what Supervisor Updike says about GPS because they have a dirt road that comes around their sub-division called Ward Lane which turns off between here and Sedley. Sometimes between ten and eleven o'clock at night they have people coming to visit them from out of state and the GPS will send them down this back country dirt road which is a dark country farm path is all it is back behind Mr. Ryland Beale's farm. The people will call us and say where in the world do you all live we are lost. So GPS is a problem in many instances. He said since this issue has come up he has traveled Statesville Road at least

three times and Supervisor Updike is correct the road is in no way satisfactory and the road and shoulders are very narrow and the culverts are getting beat up, but the same could be said of many county roads – perhaps as much as twenty five percent. You know he travels these roads quite frequently in his county business. School buses have run him off the road at least twice – once on Governor Darden Road and once on Blackhead Sign Post Road. He said when they are coming around the curve he said he could look between their wheels and see they are straddling the double yellow lines. He said surely we aren't going to limit school buses to only the best roads in the county. He thinks they should acknowledge the opinion of the farmers and other users of other semi-trucks who live and work in this vicinity and also the Sheriff's Department if they have a view. Personally he is neutral to closing it to through traffic. Thank you.

Chairman Jones asked if anyone else wished to speak.

Mr. Johnny Farmer, Hertford County Commissioner of Hertford County North Carolina addressed the Board. He said he would be remiss if he drove all the way from North Carolina and didn't say a few words. He said his district abuts up to your county – Como, Murfreesboro, and of course the Statesville Road area. He said he had been contacted by many of his citizens as to the hardship this would put on the farmers in that area. He said he was glad you guys are getting an Enviva plant. They have one in Ahoskie and it is thriving and they have the log trucks and the trucks hauling out the product going and coming day and night so he can imagine it will be a big event when it opens and gets all these trucks going.

Supervisor West asked if that was good or bad.

Mr. Johnny Farmer said like Supervisor Updike said it is bad for your roads, but good for your economy and tax base. So with progress you have to take what comes with it. He stated that one of the points he was trying to make was that this was really going to put log trucks rolling in your area which with the Franklin Mill I'm sure you know what that means. He said he was glad they were going to put this issue to bed. It will make a lot of people in their county, especially the farmers, happy.

Chairman Jones asked if anyone else wished to speak.

Mr. Vass Lorell of Newsoms addressed the Board. He said he had lived in Newsoms for about 74 years. He said he had used Statesville Road many times – probably about three or four times a week. Just as the gentlemen who previously spoke, he thought about the economic impact if they closed this road to trucking traffic. A lot of truck drivers take that road mainly to save money just like on Highway 671. Why drive all the way up to Emporia and hit Interstate 95 when you can come to Newsoms on Highway 671. So having said that, from an economical point of view we need to leave that road as it is. Maybe down the road we can find some money to upgrade it, but Southampton County is like some other counties we are missing funding for upgrading to all roads so let's not turn a road that is available to farmers and trucks into a private road.

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

Mrs. Rebecca Drake of 31251 Sands Road, Newsoms addressed the Board. She thanked Supervisor Updike for withdrawing. She said she thanked the Board for taking the time to hear them. She said it was important as Supervisor West had said earlier tonight to give them their say. She said she was opposed to closing Statesville Road to through trucks. She said her husband and she owned three parcels that were on Statesville Road. One is in a curve just like Supervisor Updike experiences but she would have to say that not being able to use this road as related to the farm could have great impacts upon them. As far as Statesville Road and the condition of it, she is a mail carrier. She drives seventy six miles every time she does her route. She did it all last week and she's doing it all this week. Everybody had seen her. She said she would have to tell you that Statesville Road is no different as far as condition as any other. She said she even brought a CD tonight, but she isn't going to bother to waste your time with it. She took pictures and culvert pipes are broke on every road we have in the county at least around Newsoms. She said they have holes in the roads, ruts where trucks, tractors, and equipment have all run off the road and filled in the ditches. Sharp curves aren't just on Statesville Road; they are on a whole lot of roads. We have rocks, loose shoulders, round tops and all of the above. She said she does this every day and she invites you to ride with her. Close your eyes and you will never be able to tell what road you

are on because bump a hump on all of them. As for the safety issue she is with you. She believes we should be very safe when it comes to our kids. It doesn't have to be a tractor-trailer to run off the road to cause damage to property or to bodies. She knows that on Statesville Road there are approximately forty-eight houses that are occupied and when she thinks about nine and ten year old children there are about nine or ten houses that have that age group of less. About 19% of the houses on Statesville Road have children. She said come to her road. Her road is short – one and a half to two miles at the most. There are 40% children in the houses on her road. There are children everywhere. She said she could have done the same count with the elderly. We need to be careful with them no matter what. She said she knew when she rode on the roads it didn't have to be a tractor-trailer that she meets, she can go around a curve and be scared to death by another car or a piece of farm equipment, an animal – a deer it didn't have to be a tractor-trailer. She said she did think their tractor-trailer drivers are careful through the area, but they encounter all the same thing the rest of equipment encounters – narrow roads that have pot holes and things and they have to navigate around them the best that they can. She said she does think that being connected to North Carolina through Statesville Road is vitally important to all of us their farm operation as well as many others. They go through there hauling their product, their grain. They get repairs done in North Carolina and guess what those North Carolina people are coming up here doing the same thing. They are bringing their products right into Newsoms. They are bringing their grain up here and they are getting parts and supplies across the state line. We are sharing commerce. We are working together and we need to respect that and we need to pay attention to that. Think about fuel. That can actually affect homeowners. Ferrellgas is a company that she uses down in North Carolina to bring LP gas up into our area. If a homeowner sitting on the other side of Statesville Road on Cypress Bridge and he happens to use that company you have just told him that he can't even get the oil up to his house to have heat. I'm sure he would love to hear that. We need to just pay attention and think of other ways to work this problem out. She said she had been very disturbed that we have been labeling steel trucks as the problem. She thinks we are wrong to do that to her that is discriminating when we start labeling a particular truck. She said she didn't think that forty eight foot 80,000 pound load of steel is any more dangerous than that forty eight foot 80,000 pound of grain, watermelons, or it could be feathers. Eighty thousand pounds running off the road is going to be dangerous to people or to property. She said she hoped we could use something that had already been mentioned – a simple letter. She asked if they had even thought about writing a letter to some of the companies or to the steel mill or whoever they were upset with. It only takes \$.045. She sells stamps all the time. She would be glad to help you out. Send a letter. Send a poster. Put up signs. You are going to put up "Children At Play" signs in other areas. Put up signs with farming activities at the state line. Put up warning signs if they are going too fast to let them know they are coming into a farming community. She said believe me they aren't too happy when they cross the state line and that nice flat two lane road becomes narrow and round topped and they have to sit behind tractors, trucks, and other things without being able to pass them. They are not happy. She said she was really happy that they were going to drop this. She said she hoped we were going to drop it for some time to come or at least look at other ways of handling the situation starting with maybe letters and sharing and talking and maybe getting together with people across the line before we go so drastic as to close the road off to some of us. She thanked the Board very much.

Chairman Jones thanked Mrs. Rebecca Drake. He asked if there was anyone else who wished to speak.

Mr. Michael Drake of 31251 Sands Road addressed the Board. He stated that Sands Road where he resides is less than a quarter of a mile from Statesville Road. So he knows a lot about Statesville Road. He said Supervisor Updike I'm going to address you tonight. He said he wished Supervisor Updike would have called him earlier, but he commends him for rethinking this. He said he didn't want to be repetitive because his wife had just spoken about the safety concerns with the elderly. He said we need to think about this in all of you all's districts throughout the county, state, and country. No one ever pin pointed saying that we weren't safe to the residents on Statesville Road. He said he drove a big truck. You know that. He said we have talked about this many times because I farm. He said he was going to defend truck drivers whether it is six foot or a semi-truck. Truck drivers have to have their CDL's. They have requirements that they have to go through. You now have to go to school to get a CDL. He said he had his CDL license since he was eighteen years old. He said he was proud to have it. He cherished it. He said knock on wood he had never had a speeding ticket or any kind of ticket. He said he may get one going home. He said he might get one in Newsoms tonight Mr. Jones. He said he may get one in Newsoms. He

said he defends truck drivers even the farmers who may not have a CDL. They have grown up on the farm. They respect the vehicles. They know how to handle them. You know yourself because you have trucks on your farm it was a bad idea from the get go. We talked about this back in January. That was the first thing on your agenda. He said he didn't want to get personal, but thank you very much for reconsidering. He said he wished he had known because he had a lot of people here tonight that traveled great distances, written letters. He said you have really taken up a lot of people's time tonight. When he looks around this room he sees a lot of individuals that have come to speak, but he is going to ask that unless they really need to come up, if it's okay with you Chairman Jones, unless they really feel the need to come up not to come up and take up you all's time tonight. It is a bad idea and we don't want to set precedence for other home owners or individuals. He said he thought this was where it came from. He said he never did find the big group that was opposed. He said they would be safe and if they need to draft a letter to Nucor who they are targeting they could and he said he respected Supervisor Updike not saying Nucor tonight because he feels like it was all of the big trucks, but Statesville Road is not any different from any other road. He asked Mr. Michael Johnson if he didn't mind if he would put the mapping back up. He said he wanted Mr. Jerry Kee to see this. He said he thought Mr. Joe Lomax had left. He said if you look at that red line going through the Town of Newsoms right there at the Baptist church leading to the corridor down Highway 258. He said he would like for Mr. Jerry Kee to turn around and he was going to ask everybody that was opposed to prohibiting through truck traffic on Statesville Road to stand up. He said this would be the people that would be affected. What you are seeing are farmers, farm suppliers, truck repair service owners, chemical dealers, fertilizer dealers and container haulers. He thanked them for coming tonight. He said this would have been a huge mistake and he said he could go on and on. He said the letters that he received he would try to fast forward and if we were dropping this he would try to make a fast response to them. He told Mr. Michael Johnson that if he needed the letters for the record he would forward them to him, but he guessed since it was being dropped he wouldn't need to now. He said he did want to properly acknowledge them though. He said he appreciated Mr. Johnny Farmer for coming from Hertford County tonight. He said we need to keep our doors open gentlemen. We don't want to put a gate up at the door because we in Southampton County especially in the Newsoms area do trade in North Carolina. He said he saw a lot of Carolina constituents here tonight and they do trade in the Newsoms area. There is diesel fuel available in Newsoms and they have two restaurants in Newsoms – a sit down and a behind the counter which he frequents often, and they do have a truck supply center and you can buy highway diesel in Newsoms. So they are prepared for them and they have their own Sheriff's Department there in Newsoms. He said and I will tell you those guys will write you up. He thanked them for their time. He said Mr. Jerry Kee if we do have any extra funding after that bridge is built and that bypass maybe you can help us out. We call it our thoroughfare and it's not exactly straight as that line says but it is a direct route especially for the agriculture community, and the logging, and for those trucks going to that pellet mill. Keep it as it is. Put no gates up and have no restrictions for that thoroughfare. He thanked Supervisor Updike. He said he told him they would always be friends.

Supervisor Updike said he had just one comment and that was that it was not just the steel mills. He said they had had trucks from New York and Old Dominion, you name them and they come through there. It just wasn't for the steel companies. All of these international companies come through there. They look at GPS. They need to get that son of a gun off of GPS and don't send all of those trucks through there. It is not just the steel mill it is every international firm. He said even Virginia Union sent their college team right down through Statesville Road. He asked would you think that they would send their team right down through Statesville Road. GPS is where it is coming from.

Mr. Michael Drake said we all have to be careful and respect one another. We all have free use of the highway system.

Supervisor Updike said he wasn't just pointing at any one group.

Mr. Michael Drake said well with all the trucks we are talking about believe it or not the Brinks truck (the money guys) actually use the road on occasions and unfortunately one of them got run off the road. There was a soft shoulder there and he got stalled. Well you know how the farming community is we all want to be helpful. He said they went up beside the Brinks truck and wanted to pull them out and get them on their way. Well you don't go too close to a Brinks truck. You could tell by the sign language that they had it under control just leave us alone and kind of back

off. He said that is actually a true story; it did happen. The farmers in the area do work together and get along. He thanked Supervisor Updike again for reconsidering. He said it is going to die right here isn't it guys?

Chairman Jones said yes it is.

Chairman Jones closed the public hearing.

Supervisor West said he would second Supervisor Updike's motion to withdraw the motion which carried unanimously.

Chairman Jones stated the next item on the agenda was item eight.

Mr. Michael Johnson stated that attached for your reference you will find correspondence from Mrs. Virginia Cutchin requesting time on your agenda tonight to speak regarding Uranium Mining in Virginia. She has also invited Mr. Andrew Lester, Executive Director of the Roanoke River Basin Association in Danville to speak to the technical aspects of the issue. She is going to be asking your all to consider adoption of a resolution supporting continuation of the 30-year ban on uranium mining in Virginia. He turned the floor over to Mrs. Virginia Cutchin.

Mrs. Virginia Cutchin of 29018 Darden Point Road, Courtland, Virginia in the Jerusalem District addressed the Board. She stated that she is very concerned about uranium mining in the State of Virginia and the effects that the radioactive and toxic waste will have on our drinking water, human health, farm land, property values, wildlife, and even tourism. She would like to introduce Mr. Andrew Lester to you who will be speaking about the mining and hopefully answer any questions you may have. Mr. Andrew Lester is a native of Pennsylvania County. He has a Master's Degree in City Planning from Virginia Tech. He is a past assistant City Manager for Henderson, North Carolina. He is a past City Planner for the City of Virginia Beach and he wrote their first comprehensive plan. He is currently, as Mr. Michael Johnson said, the Executive Director of the Roanoke River Basin Association which includes the Virginia Coalition and the North Carolina Coalition.

Mr. Andrew Lester addressed the Board. He said he appreciated the opportunity to speak tonight. He said he appreciated it because this is a very important issue. Eastern Virginia and North Carolina are in a situation which has been boiling for the last five years. He said they are a non-profit group which has been there for 67 years based in Danville, Virginia. They go primarily from counties and cities from Blacksburg to the Outer Banks in both Virginia and North Carolina. In 2007 he heard about this uranium issue and realized that it could be a danger for the drinking water in the entire water basin including Lake Gaston, Buggs Island Lake, Kerr Lake, and all the way down to the Outer Banks. He said he had written to the Virginia Beach City Council and told them about it. They didn't know about it and that is when things started really rolling. As you know there have been several studies since then and many good studies including the National Academy of Sciences. All of the studies say if you do this you do it at your own risk. There is no operating manual that comes with uranium mining in Virginia. We have a very unique environment here. A lot of people down river get quite a lot of rain in a year. We have hurricanes that crisscross throughout our area and of course we have tornadoes come through our area. In addition this deposit would require a lot of land for tailings. Tailings are what are left after you do the mining. They take away a very small portion of the material and they leave tailings. They expect to leave 28 million tons of tailings. That is like 14 million cars that they will have to leave there forever and this stuff stays radioactive for thousands of years. What they will have to do is find a way to maintain it that way for thousands of years without it getting into the waters and the air. At this point nobody has proven to us that you can contain it like that for thousands of years when it is that close to the water. So that is why he is here. You can see the list there which shows there are many counties and cities which are against this. Just this last week the Virginia Association of Counties came out against it. Your own Hampton Roads Planning District came out against it. So we need a unified group to fight this and we have got most of the counties and cities up and down the river system in eastern Virginia and North Carolina. You might say we are not in the river system why should we be concerned. Well he would think there are a couple of reasons you might want to be concerned. First of all this pipeline goes through the property in your county here. You may need that water one day. Second with the new Highway 460 coming, and with U.S. Highway 58 being extended to Interstate 77 you will be the next Suffolk. You will

be the next growth corridor; it's just a matter of time. So you will need more water with the economic growth coming that way. If something happens to the water system that goes into Chesapeake and Norfolk, or whatever you can imagine what that will do to the economic base there. That affects you because even though you are not there at this point you think about the spin off businesses that you have here that make you associated with them. There are people who live here that work down that way. These are reasons that you should be looking at this very, very cautiously. Of course the final reason is your neighbors and friends are supporting this. He said he had a brochure showing the people that are supporting this. Here said they had Republicans, Democrats, Tea Party people, Independents, and Baptist like him. So you have a little bit of everything in this group. He stated they had two groups one in North Carolina and one in Virginia. These people are bankers, farmers, work in the hospitals systems in the area, and others who have all come together to fight this issue. They have several websites. He passed out brochures showing maps with information showing two areas that they want to mine. There is one in Northern Virginia and one outside of Danville. He stated that was why he was here. He said he used to live in Virginia Beach and he was in the Navy. He said he used to come through here when he was driving back and forth then and it was much nicer than it used to be. He said anything the Board could do they would be grateful for. He asked if there were any questions.

Chairman Jones asked if anyone had any questions for Mr. Andrew Lester.

Supervisor Porter said yes he did. He asked Mr. Andrew Lester if he knew a Mr. Colby Anderson.

Mr. Andrew Lester said that Mr. Colby Anderson was on the National Academy of Sciences.

Supervisor Porter said and what did he say about your use of the report.

Mr. Andrew Lester asked what did he say.

Supervisor Porter he said that you mischaracterized the results of it to further your agenda. He basically said that he believed in the report that supported that uranium mining could be safely done in Virginia.

Mr. Andrew Lester said he didn't know anywhere in that report it could be done safely without major issues.

Supervisor Porter said what he said was with the right regulations and if willing to run the risk it could be safely done in Virginia. He said what bothers him is that there is another commission which is being marred for their following without the governors lead on this report. He said they will issue their report in December. He said all of these people jumped on board based on the peer campaign before the results of all these reports even came out. He said that concerns him because he would like to know the information. He said this is a potentially large economic boost for that area and if we shut it down based on fear before all the facts are known it looks a bit suspicious. He said he had a problem with Mr. Andrew Lester's approach and he had a problem with making a decision before all the information comes out.

Mr. Andrew Lester said well you have got the National Academy of Sciences.

Supervisor Porter said that is right and he read the report and his interpretation of the report is not completely consistent with Mr. Andrew Lester's interpretation of it.

Mr. Andrew Lester said well you mentioned Mr. Colby Anderson. The only member on that board from the Commission of Virginia said the completely opposite of what Mr. Colby Anderson said. He said he would not recommend it in Virginia. He said the problem is they don't know. He said he is like Socrates he knows that he doesn't know and that bothers practically everybody in this whole picture. Nobody can prove to them what can be done. The burden of proof is on the applicant not on them.

Supervisor Porter said Socrates also believed if there is a way to mend a problem that we need to study that problem and find out how to mitigate it and not to completely turn it down without considering it.

Mr. Andrew Lester said he agreed if there was a way to mitigate, but nobody has proven to them that it is a way to mitigate it. They have done all these studies and nobody has been able to prove it.

Supervisor Porter said well if you completely shut the idea down nobody is going to try to continue in discussion to find ways to mitigate it.

Mr. Andrew Lester said he agreed if you wanted to study it more you could study it more, but he didn't know what else there was to study that hadn't already been studied. That is the problem. It has never been done here. It has been done out west and all of those places have problems.

Supervisor West said you are on to something okay. Thank you. He stated that Virginia Farm Bureau was an organization that was respected by many in this room for certain and says let's wait until we can get some more scientific facts. It is not to say that we should slam the door tonight because we don't know enough okay. He said he didn't know what Socrates thought himself because he wasn't there, but he would go with Virginia Farm Bureau because he worked for them for a number of years and he respected them highly. So he would prefer that, but he appreciated the enlightenment tonight that Mr. Andrew Lester had provided.

Supervisor Edwards asked what the Virginia Farm Bureau said.

Supervisor West said the Virginia Farm Bureau said let's get more scientific facts.

Supervisor Edwards said so they say uphold the moratorium then.

Supervisor West said yes uphold the moratorium ban.

Supervisor Phillips said yes until they can get more information.

Supervisor Edwards asked how long had we been uranium mining. He said most uranium comes from Canada and Australia correct.

Supervisor Phillips said right.

Supervisor Edwards said most of the spots of those mined are a thousand of miles from nowhere. They don't have the water table problems that we have. From a medical standpoint uranium is poison. Forty to seventy percent of uranium miners in the past have gotten lung cancer and the rest of them get thyroid cancer and they don't live very long. There are birth defects. He said he was for upholding the moratorium until we get all those facts in because he doesn't think we need the uranium. We get all the uranium we need from Canada and Australia right now. As far as he can see there are too many water and medical issues here. We are getting water from that watershed. The problem is tailings which have a half-life of 80,000 years which means it takes five times that for it to become unradioactive which means a half million years. He said he wasn't sure that mankind was going to be around that long to worry about it. He said he agreed with Supervisor West he wasn't against the mining but he thought they needed to keep looking at it.

Mr. Andrew Lester said their position was that people were going to do whatever they wanted to do with their land anyway. As a matter of fact a lot of those people up there are friends of his anyway. Some are the major investors he grew up with such as Walter Carr who he had lunch with the other day. They are nice people, but at some point you can't let people do everything they want to do when it becomes a threat to the public interest. As he said when he was coming through here when he was a young man going to Norfolk there was a policeman and he always stopped them because they were speeding through Courtland. He said they always paid up because didn't they want to go to jail. He said that is the way it is in life. It is not like a coal mine where we know a lot about a coal mine and what happens with a coal mine. A coal mine is isolated. This is something different; this could affect the whole eastern part of North Carolina and Virginia. This is something that would last forever. It is not like it is going to be there for a few days and wash away. If this stuff gets in Kerr Lake, Buggs Island Lake, and Lake Gaston it could be there forever. So it is a very dangerous thing.

Supervisor Porter asked if it isn't there right now?

Mr. Andrew Lester said do what.

Supervisor Porter asked isn't it there right now.

Mr. Andrew Lester said uranium.

Supervisor Porter said yes.

Mr. Andrew Lester said uranium is in the ground right now as case in fact. You know all about this. If you take it out of the ground and break it up and expose it to water and oxygen it then becomes a product so then it becomes worse than uranium, lead, and all kinds of crazy things. It is there.

Supervisor Porter said you put so much effort on let's not do it. A better approach to him is let's find a way to do it safely. You are right we don't want uranium in our water supply, but we need to find a way to do it safely. There are people working in that way and if you basically shut them down before we get all the information he didn't think they were doing anybody justice.

Mr. Andrew Lester said you and I agree basically with that. The problem is if they want to go ahead and do the research and find out how to do it right that's great, but who is going to pay for that. He asked are you and I, the taxpayers, going to go ahead and pay for their research and work. We have already paid millions to do research on this particular issue. How much more are we going to have to pay these guys to help them be where they want to be? He said believe him some of them are good friends of his. He said it was kind of hard to be in the situation he is in because when there are friends and family involved it's tough.

Supervisor Porter said one thing is that you say we don't have any experience and way to control this in the United States yet both the EAP and NRC claim they have regulations in place that could greatly reduce that from happening. That is a pretty, pretty small chance of a significant event happening. Basically if an event happens it is a catastrophe. Well it doesn't have to be. It could be a catastrophe, but it wouldn't have to be. He didn't know, but one in one million is not something that makes him get out because the sky is falling.

Mr. Andrew Lester said well if you have two million people that are going with you in that situation it makes it well worth it. He asked Supervisor Porter if he went to Canada with a Virginia uranium group.

Supervisor Porter said no I have nothing to do with Virginia uranium. He said he had some experience in phosphate mining which generates radioactive tailings. He said he wasn't sure to what degree in which they differ from the tailings in uranium mining, but he knows they have been safely managed in areas like Louisiana and Florida.

Mr. Andrew Lester said well actually they haven't necessarily. There have been some issues.

Supervisor Porter said what he was referring to was issues with coal mines.

Mr. Andrew Lester said well we have already got coal mines.

Supervisor Porter said there are different technologies available today and the procedures used when those mines were mined to create problems can't be done today.

Chairman Jones said Supervisor Porter let's let him finish first then we can ask him the questions.

Mr. Andrew Lester said he had said everything he had to say.

Chairman Jones asked if there were any other questions.

Mrs. Virginia Cutchin said she had a few more comments. The sheet that she gave them with the list of groups that are opposing the mining of uranium in Virginia you will notice a lot of those are right on the watershed from the coal hills mining sites and even Chatham which is right where the

site is has signed against it so you might consider that. Mr. Michael Johnson has given you a resolution opposing the uranium mining in Virginia and opposing the lifting of the moratorium on uranium mining and she urges you to sign that resolution. The risks of uranium mining far outweigh any monetary gain that the Commonwealth might obtain. Thank you.

Chairman Jones asked the Board what they had to say on this. He asked if they wanted to support this by signing a resolution.

Supervisor West said it kind of over steps our decision making because it is a long ways away, but what he said about the water line he accepts that. He accepts what Supervisor Porter said. He would like to see us put it on hold indefinitely until someone like Virginia Farm Bureau or other people get involved with scientific knowledge or economic studies which make it viable or not. He knows the coal plant up in Sussex and how that had so many carcinogens and what not.

Mrs. Virginia Cutchin said the legislature will be voting on it the first part of January.

Supervisor West said well-being on board then would be a good thing. He said that would change his mind then.

Supervisor Phillips thanked Mr. Andrew Lester for his comments tonight. He stated that the Virginia Beach pipeline actually crosses his property. There are 22 million gallons a day right through the pipeline. They will not give him any of that water. They have already discussed that. It is Virginia Beach's water thank you very much and we are going right through the property. He believes our state has a committee right now working on this and he thinks we would be premature to take position. He said if we do anything he believes that we should wait until we could get an affirmative response from people who are a whole lot smarter than we are and know a lot more about this issue. He understands the concerns, but it's not going to change in the next 30 days. He said according to Mrs. Virginia Cutchin they are going to vote on it in January so he moved that they table the issue until we can have further information. He said he would abstain from making that motion until they had finished with their comments.

Chairman Jones asked if anyone else had any comments.

Supervisor Faison said he supports the ban because the mining was not worth the risk because if there is a problem looking back on it is too devastating. This release of radioactivity is not something that you can just clean up. That is a problem that is going to be with us for life. He said he supported the ban.

Supervisor Edwards said remember the EPA also said there wasn't a problem with agent-orange.

Supervisor Porter said he can't agree to anything which unilaterally says I oppose uranium mining.

Supervisor Phillips said somebody has got to do it.

Supervisor Porter said that is what this resolution says I oppose uranium mining.

Supervisor Edwards said in Virginia.

Supervisor Porter said no it says I oppose uranium mining. The resolution says that I oppose uranium mining. He said he thought the push to cut off the debate before the debate even starts is just not the right approach. He said he thinks that we need to focus on the positive way as to how we can mine uranium safely. We need to get the right techniques. The right technologies and they are there, but we have got to get them in place. He just doesn't think we should enforce a ban on uranium mining tonight.

Chairman Jones called on Supervisor Updike.

Supervisor Updike said he has got to go along with Supervisor Porter. He said he remembers employees back in the forties and early fifties when the same scare tactics were used over nuclear energy. We handled that wise because just think where we would be if we had banned nuclear energy back then. He said people were up in arms over it but thank goodness technology came

through. He said he was willing to go along with Supervisor Porter and get some more information before a decision is made.

Chairman Jones said so what I'm hearing tonight is that you don't want to support this resolution tonight. He said do you want to table it to later.

Supervisor West said you only have one month for it and you are waiting for additional information is that the reason for tabling it.

Supervisor Edwards said you aren't going to get additional information in one month. With this you are talking about twenty five or thirty years.

Chairman Jones said well what do you want to do with it.

Supervisor Porter made a motion to table it until the next meeting.

Supervisor Phillips seconded the motion.

Chairman Jones called for the vote. The motion was defeated. Those voting no were Supervisors Edwards, Faison, West, and Jones.

Mr. Michael Johnson said he wanted to make sure we got the vote recorded correctly. He asked who voted in favor.

Supervisor West said voting in favor were Porter, Updike, and Phillips. Those voting no were Supervisors Edwards, Faison, West, and Jones.

Supervisor West said so the motion to table it to the next meeting.

Supervisor Porter said the tabling motion was opposed.

Supervisor Phillips said was defeated.

Supervisor Porter said the tabling motion was defeated.

Chairman Jones said we would move to item number nine.

Supervisor West said before we move on are we going to eliminate it or what.

Chairman Jones stated the motion was defeated to table it so what are we going to do with it.

Supervisor Faison said we vote to sign it.

Supervisor West said to continue to ban it.

Supervisor Edwards said he didn't see any harm in continuing to ban it. We aren't saying don't mine uranium. We are saying right until we find out what all the risk are right here in Virginia as to what our water tables are, our animals and whatever that we continue the ban at this point.

Supervisor Porter said this resolution says you oppose uranium mining unilaterally.

Supervisor Edwards asked where he was reading that.

Supervisor Porter said look where it says now therefore it be resolved.

Mr. Michael Johnson said page six of fourteen at the bottom.

Supervisor Edwards said well we can change that to say in Virginia.

Chairman Jones asked if they wanted to change the wording on the resolution.

Supervisor Faison said the resolution is being presented to us; it is not our resolution.

Mr. Richard Railey said you can make a motion to change the resolution to say "in Virginia".

Supervisor Edwards made a motion to change the wording of the resolution to say "in Virginia".

Supervisor West seconded the motion.

Chairman Jones said it had been voted and properly seconded that we would change the wording in the resolution to read "in Virginia". He called for the vote.

Supervisor Porter said one second before we vote you need to understand that you are saying that you oppose uranium mining unilaterally and not just keeping the ban in place for the moment until additional technology comes in.

Supervisor Edwards said right.

Supervisor Porter said you are saying forever and a day no matter what developed in the world you are opposed to mining uranium in Virginia.

Supervisor Edwards said not at all.

Supervisor Porter said well that is what you are saying.

Supervisor Faison said we are saying that right now, but if it is determined that this is a safe activity then why not present another resolution. If it is appropriate now, why wouldn't that be appropriate then?

Supervisor Edwards said it will never be proved to be safe in Virginia until you do it and then you find out thirty years later that you have problems.

Supervisor Porter said there are two different things to say to continue to ban and opposing uranium mining. They are two different things and he just wants to make sure when you vote for this that you are voting your opposition to uranium mining and to continue to ban. If you just want to continue to ban that is one thing, but if you want to oppose uranium mining unilaterally that is a second thing.

Supervisor West said he thought it went back to what he said a few minutes ago. He said he was in favor of continuing to ban period. That being said if it is coming from Australia that is fine. He doesn't feel it necessary to subject people to the potential horrors that can result from exposure. Once you open this thing what else happens we don't know.

Supervisor Porter said the resolution can be changed very easily to its opposition to the lifting of the moratorium. Just leave out "to uranium mining".

Supervisor Phillips said okay.

Supervisor Edwards said it is saying in Virginia. The moratorium is only in Virginia.

Supervisor West said it is only in Virginia and he agrees with both sets of changes and it would be designated only uranium in Virginia and then the fact that it is in Virginia - a moratorium in Virginia. He said he was not in favor of continuing to open this up and offering an opportunity to mining because once this gets out here we don't find out what happens until you find malformed children or you have other situations. There is nothing that compels him to say that we need to start mining uranium in Virginia.

Supervisor Phillips asked Supervisor Porter if he would put what he just said into the form of a motion.

Supervisor Porter said no because he still doesn't support it. He is just saying that you can strike "to uranium mining" out of the current resolution if you just want to extend the ban.

Supervisor Phillips said “to uranium mining”.

Supervisor Porter said there are two issues in this resolution – one is the opposition to uranium mining and the other is the opposition to lifting the ban.

Supervisor West said well you don’t have to be on board with it but he thought those two words are important to part of this group here.

Supervisor Porter said his words would be just to take out “to uranium mining and” so it would be expressing opposition to the lifting of the moratorium on uranium mining in Virginia which has been in effect since 1982 if that is what you want to do.

Supervisor Faison said he had no problem with the resolution as it is because the ban in on the mining of uranium.

Supervisor West said he agrees.

Supervisor Faison said that is what it is all about so he thought they were expressing an opposition to it he maintains that opposition until somebody can show him that this is something safe and he just can’t see that happening so he supports the resolution as it is.

Supervisor Porter said if a report comes out next month saying they believe it is safe that doesn’t change your mind.

Supervisor Faison said he didn’t know he would have to read the report.

Supervisor Porter said he thought we needed to wait before we vote on the resolution.

Supervisor Faison said he would have to see who gives the report.

Supervisor Porter said it is a commission appointed by the governor.

Supervisor Faison said he had no love for the idea of mining uranium in Virginia.

Chairman Jones asked if they were going to go with this resolution the way it was or were they going to change it.

Supervisor West said he wanted it to be changed to read “opposition to uranium mining in Virginia and to the lifting of the moratorium on uranium mining which has been in effect since 1982”. He said he agrees with that word “Virginia”.

Chairman Jones said the motion would be to change it to read in Virginia.

Supervisor West said correct. He made a motion that they make that amendment to the resolution.

Mr. Michael Johnson said you already have a motion to do just that.

Chairman Jones called for the vote.

Supervisor Porter asked what they were voting for.

Supervisor West said “Virginia”.

Chairman Jones said “Virginia”.

Chairman Jones called for all opposed. The motion carried with Supervisor Porter voting no.

Chairman Jones said they would move to item number nine.

Mr. Michael Johnson stated that item nine was a request for support of AMAC Leasing LLC’s

application for industrial access railroad track funds. AMAC Leasing, LLC, who rezoned approximately 20.86 acres and obtained a conditional use permit for an asphalt plant last month, has advised us of their intention to apply for Industrial Access Railroad Funds to construct railroad improvements to serve their site. Program Guidelines for the Industrial Access Railroad Program require each applicant to apprise their respective local government of their plans and to secure a resolution of support from their Board of Supervisors. As you may know, the Industrial Access Railroad Program is administered by the Commonwealth Transportation Board and is intended to be used as an incentive to encourage industrial or commercial development. New or expanding businesses and industries are eligible to apply directly to the Virginia Department of Rail and Public Transportation for funding to construct railroad tracks to access their respective industrial sites. Funds may be used for engineering, environmental mitigation, site preparation and track construction. According to Program guidelines, no more than \$300,000 of unmatched funds may be allocated to any one project in any fiscal year. Any funds in excess of \$300,000 must be matched dollar-for-dollar by the recipient. Applications are competitive with the projected number of railroad car loads and added employment carrying significant weight in the scoring.

Chairman Jones asked if anyone had any problem with this resolution.

Supervisor West said again we have already approved the rezoning and everything is set to go and he thought construction was going to start around March of 2013 and he made a motion that we highly support it.

Supervisor Edwards seconded the motion which carried unanimously.

Chairman Jones stated we would move to item number ten.

Mr. Michael Johnson said item number ten is a project closeout on the Boykins Wastewater Treatment Plant. On November 16, Patterson Construction notified us that they have achieved substantial completion on the improvements at the Boykins Wastewater Treatment Plant. The project engineer is scheduled to perform the final inspection as required by the contract documents on Monday, November 26. As previously conveyed to you in my email message of November 8, the final quantity of sludge in basin 1 totaled 79.11947 dry tons. When combined with the quantity previously removed from basin 2 in August (91.494931 dry tons), we ended up with a total of 170,614401 dry tons. Accordingly, with a unit disposal rate of \$1,844, our final cost for sludge removal ended up at \$314,613. As discussed in the email message, our operators had hoped to use the original project contingency to purchase and install replacement effluent pumps at the plant. The pumps are original equipment, installed when the plant was first constructed in 1995 and are already well beyond their estimated useful life. Replacement of the pumps was not an omission by the project engineer – they were removed from the original scope of work at the request of our operators because of cost concern – they believed we could bid that work separately and come in substantially below the engineer's estimate. Their belief was confirmed when we received a low bid by Purvis Well Service, LLC (Franklin) to replace them for \$31,000 – the other quote we received was for \$45,000. Attached for your review, please find a revised project budget. If you agree to authorize use of \$31,000 for replacement of the effluent pumps, the final project will come in at \$1,058,226. While that's 20% higher than the original project budget (before the sludge debacle), it's still 4.7% below the maximum threshold you established (\$53,276) following your public hearing in September. The risk you run in not replacing the effluent pumps now are for them to fail at some future date when the replacement cost would have to be absorbed in the annual operation budget, which may require a special appropriation of funds. By including the pumps in the current project, you're able to finance the replacement cost at 0% over 20 years.

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

Supervisor West said it seems appropriate to go ahead and replace them – it seems the optimum time.

Supervisor Edwards said the money is already borrowed.

Supervisor West said yes the money is already borrowed so he would go ahead and make a motion to authorize use of the original project contingency funds to replace the effluent pumps.

Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones stated the next item on the agenda was number eleven.

Mr. Michael Johnson stated that item eleven is discussion related to annual solid waste management fee exemptions. As you re aware, Section 13-16 (e) of the Southampton County Code provides limited exemptions to the annual solid waste management fee. Several of you have asked to discuss these exemptions and consider some amendments in light of comments you have received. In counties, emergency ordinances may be adopted without prior notice; however, the emergency ordinance is effective for no more than sixty days unless readopted after descriptive notice of an intention to propose the ordinance for passage has been published once a week for two successive weeks prior to its passage in a newspaper having a general circulation in the county. Bases on the comments I've received from several Board members, I've prepared a draft emergency ordinance for your consideration which makes the following amendments:

1. Line 24 – adds households located in “manufactured home parks which contract for private refuse collection and disposal services” to the list of exemptions;
2. Line 30 – adds households occupied by veterans who are exempt from real property taxes based on a 100% service-connected permanent and total disability to the list of exemptions;
3. Line 47 – changes the deadline for qualified residents who are 65 years of age or older or who are permanently and totally disabled to file the solid waste fee exemption affidavit from June 1 to September 1 each year (Note: from a practical standpoint, we extended the deadline to September 1 in 2012); and
4. Page 3 – for calendar year 2012 only, provides that any person who has paid the annual solid waste management fee but wishes to claim an exemption pursuant to Section 13-16 (e) (4) may file a solid waste fee exemption affidavit with the county administrator not later than December 5, 2012. If, after audit and investigation, the county administrator determines that such person is qualified for the exemption, he shall issue to such person, not later than June 30, 2013 a rebate equal to the relief to which such person is entitled in accordance with the exemption percentage schedule in Section 13-16 (e) (5).

He said he would add a couple of comments here that you ought to think about. He said number one is the biggest criticism that we have heard for the past couple of weeks is communication. As far as the communication piece, if the only way you communicate it is the newspaper you are making the same mistake over again. So you need to think about that if that is the only way we communicate the exemption extension. The second thing is we have already compiled a list of roughly 250 people who have asked to be mailed a copy of the application for next year. Now clearly those people would have an interest in doing it this year. Now whether they actually qualify for the exemption remains to be seen, but what I can tell you is that it will take our staff roughly one hour per application by the time they assist the applicant in filling out the form, and going over the required documentation the applicant has to submit, reviewing that documentation and then reviewing the eligibility. So that is 250 hours at a minimum that we know we can expect. We delegated this to an accounting technician and quite frankly she doesn't have 250 hours to do this so if this is something you want to consider we are going to have to look at contracting for some part time help to help us screen the applications and do the evaluation. The hourly rate will fun roughly \$20.00 an hour that includes all the benefits through a temporary agency for a qualified accounting technician type person so you multiply that \$20.00 an hour what he would say maybe 300 applications and that will give you \$6,000.00 that it will probably cost you in part time assistance to screen these applications. He stated he just wanted them to be aware of that. That would definitely be something we would have to do in order to get these processed. The other issue that you may run into is people that are eligible may tell you they don't have the ability to pay it between now and December 5, 2012 so the way this is written based on the comments that he had received is that they are required to pay it and then rebated. He stated he just wanted to throw these things out on the table as they begin their discussion.

Chairman Jones asked the Board where they wanted to start.

Supervisor Faison said he said there is no way for the fee to get an extension as far as having to

pay it. That is not a tax; that is a fee so what he was hearing today was that people were willing to pay their taxes, but they were not ready to pay this additional \$200.00 fee. We were very clear in saying this was not a tax. We were not raising the taxes; this was a fee so couldn't the deadline on the fee be extended.

Mr. Michael Johnson said it could. He said if you look at the ordinance Supervisor Faison in your agenda package on line twelve that is where it says beginning July 1, 2012 all solid waste management fees shall be due and payable during the year for which the same are assessed on or before December 5 of the same year. So you could change that in the current year if that is what you wanted to do.

Supervisor Faison said he thought they should just give those people who can't pay it additional time to pay it.

Supervisor West said he thought the larger question was anyway not the idea of paying it and getting it rebated, but being able to pay it by December 5, 2012 without some additional surcharge or whatever so that has been the main thing he has come up against. As far as hiring the additional person he thought we would have to go in that direction. That has been a main complaint. He said he was gratified to see the Tidewater News acknowledge some ten, twelve, or thirteen times that the acknowledgement of the fee had been put in the paper and he knew that not everyone receives the paper. He said he was very limited as far as a computer was concerned and he took this one here by protest only. With that being said there are multiple ways that it has been presented to the county. He actually thought with the complaints and the words that were said when it was passed, the scuttle but going out into the community that everyone would have heard about it however that appears not to be. There seems to be a segment of the society that did not hear about it and he said he wanted to protect that segment of our society in Southampton County tonight. He said he was going to throw this out for thought, but to even extend the \$200.00 dollar fee beyond December , 2012 period, but the rest of the taxes have to be paid as soon as possible by December 5, 2012. There are always going to be people who do not pay taxes by December 5 because we have got logistics, we have got need for people and to get this thing set up and all so maybe this was a time to extend this and he is saying by March 1, 2013 and that is just his thinking you can throw him out the door if you want.

Supervisor Faison said he was thinking sixty days, but March 1, 2013 was fine.

Chairman Jones asked if there were any other comments.

Supervisor Phillips said he agreed that something needs to be done. He said he thought that hiring somebody temporarily to process these applications is certainly something that would be in our interest and the in the interest of the people of the county. One thing that comes to mind is how do we publicize something that we have done.

Supervisor West said he agreed; a letter had to go out.

Supervisor Phillips said he talked to Mr. David Britt and some of these people have gotten a letter concerning their dog licenses thank you and some people got three of four of those. He said he talked with Mr. David Britt and it cost somewhere between \$500 and \$550 dollars to do one mailing. He said maybe we should consider doing something similar to publicize this. Of course that was just for the people who own dogs in the county or that have actually had them at the vet because the vet was actually the one who sent the notice. He said he was sure it was going to cost a little bit more, but we have got to make it where everybody is aware of the fee if we expect them to pay that fee. He is just asking for other people's input as to how to make them aware so that this doesn't happen again. We are working here on something to make everyone aware and so they have time to pay the fee in a timely fashion without a penalty. He said that was what he was in favor of.

Supervisor Faison said we could do several things. Maybe we could combine them.

Supervisor Edwards asked how many households were there in the county.

Mr. Michael Johnson said a little over 7,000.

Supervisor Edwards said and we have how many in question – 250?

Mr. Michael Johnson said that is how many we have heard from that have complained they were eligible for the exemption and didn't know about it.

Supervisor West said he thought you had to put it out to every household because there are probably some people who still don't know. I don't think you can say I'll just give it to these 250. He thinks you have to send it to each household.

Supervisor Edwards said this is only like three or four percent.

Supervisor Porter said everybody knows. Everybody got a bill and either they have come in and paid the bill or come in and questioned it.

The audience started mumbling.

Chairman Jones asked the audience to please be quiet.

Supervisor Porter said all the Supervisors want a fair solution. We all want the people who qualify for the exemption to get it that's why we put it in there. We don't want to deny it to them so we need to create a framework which allows the people to properly apply for the exemption and we need to give them enough time. He said he didn't know if he wanted to extend the payment date but to maybe just not put on the penalty until March 31, 2013.

Mr. Richard Railey said that is the same thing as extending the payment date.

Supervisor Porter said well maybe it is

Mr. Richard Railey said well maybe that's another way of looking at it.

Supervisor Porter said he agreed.

Chairman Jones asked Supervisor Updike what was his opinion.

Supervisor Updike said as you know for a fact that the average citizens are just above the poverty level of \$33,000. If you take out the government employees we are all under the poverty level.

Supervisor West said wait a minute – do what now?

Supervisor Updike said you take out the government employees.

Supervisor West said and then you say we are all under the poverty level. He said no.

Supervisor Updike said you look at the statistics. Anyway the citizens don't have the \$200.00 in funds in the bank, car, mattress or anywhere else and if we can't accommodate these citizens who are trying to pay their bills we are missing the boat. Extending it to March would be fine. We have got to do something to help the underprivileged citizens, the disable, the aged people in the county. We cannot continue to demand money on the spot. He said he knew the reasons behind it and understood it because the money is just not available. He said he wished every single one of you in here would take your budget and see what you could do with one thousand dollars a month. See how many bills you would have to leave out. That is \$12,000.00 a year. There are a lot of people at that level or lower so we have got to do something. You cannot charge them interest and penalties on December 5.

Supervisor Porter said if you have got under March 1 to pay and then you have under March 1 to apply and you have got to pay by March 1 then you have got people paying on March 1 when it is going to take a period to process the applications.

Supervisor West said he wanted the paper work back in here sooner than this. He said we are going to shorten the paper work time because it is going to take time to look at it so you don't get

to hold the paperwork until March 1 and then come shooting in here the last day saying I'm going to do that – no, no, no, no, no. The idea of it is the paperwork goes out, you get a letter, you respond to it in a timely manner two or three weeks and then they are back in here because it is not fair to the staff to work 50 or 60 hours a week for the next "x" number of weeks and that is what is happening right now. So we are going to have to have scheduled appointments when the people can come in here and have someone to sit down with and prove by documentation that you qualify. Then understand the letter will say it has to be paid by a certain date.

Supervisor Phillips said or set up some plan.

Supervisor West said but you have to have it paid by a certain date because not everyone who thinks they qualify is going to qualify.

Supervisor Porter said another thing is that some people think it is a one hundred percent exemption. It is not a one hundred percent exemption; everyone will pay at least twenty dollars. The maximum exemption is ninety percent. It goes from ninety percent down to ten percent exemption so a lot of people need to realize that they have to pay something or that they will pay something.

Supervisor West said salary from zero to ten thousand and property owned from ten to twenty or whatever that is how the formula is written.

Supervisor Porter said let me make this suggestion. Why don't we extend the deadline to get the application in until December 31 and the deadline to pay it until March 31?

Supervisor West said that suits him fine.

Mr. Michael Johnson said so you are extending the deadline for everybody until March 31 to pay. He asked if that was what he was hearing.

Supervisor Porter said that is what he is asking for right, everybody?

Supervisor Faison said this would not be just for people who qualify for exemptions. This would be for everybody because they weren't aware of the fee so they don't have the \$200.00 so he thought we should extend the payment period for everybody.

Supervisor Porter said why don't we just make March 31 the payment date for this fee so that in the future we don't hit them in December for all the money at once. He said in other words the fee would be due March 31st instead of December 5<sup>th</sup>. It would take some of the burden off of people during the Christmas season and maybe we will get more money paid on time.

Supervisor West said he thought that was a great idea himself. He said he had already paid his \$200.00 and he wasn't expecting you to send it back to him so he could send it back to you March 31<sup>st</sup>. He paid it once it is over with. He's got to pay it.

Supervisor Porter said he thought over half of the people had already paid it.

Supervisor Faison asked when we instituted this \$200.00 fee how many years did we institute it for.

Supervisor West said annually.

Supervisor Phillips said we have to review it annually.

Supervisor Faison said so you are not saying this is going to automatically be next year. That is something we will have to review at budget time.

Supervisor Phillips said yes each year during the budget process we will have to review it and vote on it.

Supervisor Porter said it could go down.

Supervisor Phillips said yes it could go down.

Supervisor West said theoretically you saw on the board tonight the monies that will be coming in from different things so there is actually going to be some relief in this thing next year. It does say that it has to be, but it could be. Then we don't know what we will face by as far as government cuts or state cuts. So whatever money comes in may be used for something else, but it is the intent to do away with this fee probably not all the way because it takes a certain amount to handle solid waste in this county.

Supervisor Phillips said but we have to pay our bills.

Supervisor West said yes.

Supervisor Edwards asked Mr. Michael Johnson if there was any change in the tipping fee when would we know that.

Mr. Michael Johnson said we typically know what SPSA is proposing by March or April.

Chairman Jones said we have several things that we have talked about. He asked Mr. Michael Johnson if he could get the letters out.

Mr. Michael Johnson asked if someone could kind of recap where we are. You want to send out a notice to every household. He asked what they wanted the notice to say.

Supervisor Porter said he wasn't proposing to send out notices. He said that is another five or six thousand dollars that he is not sure we need to spend because over half the people have paid it. There is no need to send out a notice to those people. What we have is two things – one is vote to extend this year the filing of the application until December 31<sup>st</sup>. He supports keeping the September 1<sup>st</sup> date in there that was proposed. The other thing is to extend the deadline to pay the waste management fee until March 31<sup>st</sup> of every year.

Chairman Jones said well how are we going to let the people know we are going to do this.

Supervisor West said he was not going to be willing to send it to 250 households. That is the reason we are having this meeting and this congregation in here tonight because we failed to in the eyes of many of the public notify properly although legally notification took place properly. With that being said he wants every household to know that this is taking place and that if you have already paid your fee thank you and we will do the following things fill out a new application by September 1 every year. We don't know whether the fee next year will be \$200.00 or not; it probably won't be more than \$200.00 but it may be less. And then you have to pay that fee by March 31<sup>st</sup> which keeps money flowing and separates your tax bill as well and he thinks it should acknowledge that.

Chairman Jones said his thing is do we have enough on staff to do this.

Supervisor West said he knew we were going to have to hire someone because it's not fair to the staff.

Chairman Jones said he understood that, but one person is not going to be able to do all this.

Supervisor West said hire the temps that are needed and acknowledge it tonight. This letter that didn't go out for whatever reason is going to cost \$7,000.00.

Supervisor Edwards said we are going to spend \$7,000.00 to get \$5,000.00.

Supervisor West said if its \$200.00 dollars and its 200 people that is \$40,000.00 isn't it.

Mr. Michael Johnson said no its \$4,000.00.

Chairman Jones said what he is saying is that you still have got to have some help to get this stuff

out.

Supervisor Porter said he thought we are over thinking it. The people that can't pay it by December 5<sup>th</sup> should have contacted someone. He said he had had bunches of calls. You know what I said. I said call Tuesday morning to see what happened at the board meeting. When you call Tuesday morning we will be able to tell you what you need to do. He said he didn't think we needed to spend \$7,000.00 to send letters to everybody in the county. He said he thought we were fixing the language in the status and we notify the people that applied for an exemption. We send them an exemption application and tell them to get it in by December 31<sup>st</sup> and the payment has to be in by March 31<sup>st</sup>. Everybody else that comes in to pay it by December 5<sup>th</sup> and complains about paying it by December 5<sup>th</sup> we tell them that they have until March 31<sup>st</sup> to pay it.

Supervisor Phillips said you tell them that we have extended the deadline.

Supervisor Porter said yes that we have extended the deadline because of the notification problems that we had.

Chairman Jones said well the problem is that Mrs. Edwards is going to have to tell everybody just because of what you just said along with the other stuff she has got to do. I think she needs to tell them to call their Supervisor. She can say call your Supervisor because she has something else to do besides that.

Supervisor Porter said that is fine.

Supervisor Updike said he had two suggestions. Instead of December 31<sup>st</sup> for an application and you don't collect the money until March 31<sup>st</sup> extend your applications until January 31 and that still gives you two months to spread out your work load and to accomplish the goal instead of hiring additional workers. It would be best to spread out the work over a period of time.

Chairman Jones said they have already got to catch up from what they have already been doing.

Supervisor Updike said January 31<sup>st</sup> is a whole lot more convenient than December 31<sup>st</sup>.

Supervisor West said it was his understanding that it was taking nearly an hour for the application to be processed when you have to verify the documentation and do the paperwork and everything.

Supervisor Updike said he wasn't saying don't take additional help, but that would spread out the work load.

Chairman Jones said regardless of what we do we have got to have some more help.

Supervisor West asked if Mr. David Britt was in here.

Supervisor Phillips said no.

Mr. Michael Johnson said no he is working.

Supervisor West said it would be nice to ask Mr. David Britt what would work for him.

Supervisor Edwards said well that's like I said the other day, we can't make a decision until we can find out what kind of burden that is going to put on him and what he can do and what he can't do.

Supervisor West asked if it would be possible to get him in here.

Supervisor Edwards said we don't know what goes on in that office with the daily work. He thought we needed to get Mr. David Britt in here to see what he can accomplish and what he can't.

Mr. Michael Johnson said he would see if he could get him.

Supervisor West said we need to see what he feels like he can work with before we set a deadline

and put it on him and his office. His office will handle the blunt of everything that is being said and done.

Chairman Jones said his office is not the only one that is being affected.

Supervisor West said he knew it's not only Mr. David Britt's office that it dwindle around to the other offices. He said but Mr. David Britt does know the process. He said he did agree with Supervisor Porter it shouldn't be that complicated. Let's just let Mr. David Britt set the times and the deadlines. He said he thought the Board was in agreement that this was something they had to do.

Mr. Michael Johnson returned and stated that Mr. David Britt had already left the building.

Chairman Jones said Mr. David Britt has already left so we have got to do something.

Supervisor West said well let's take the longer lengths then Supervisor Updike and let the applications come in through January 31<sup>st</sup> and still be paid by March 31<sup>st</sup> and that a letter be sent out and he wasn't going to back down from this because he thought every household has to hear it so there will not be a complaint from anyone saying I didn't get it. That way if they don't get it is you and the mail service.

Supervisor Phillips said everyone has already got their bills.

Supervisor West said he realized that, but let's acknowledge it to everyone because that is the accusation that is out here right now. A penny and a pound – he wasn't sure how it went, but he thought we needed to get it out here so everybody knows.

Supervisor Phillips said penny wise, pound foolish.

Supervisor West said he thought we needed to get it out here so everybody knows.

Chairman Jones said there is a cost related to that.

Supervisor West said he realized that. He totally realized that.

Chairman Jones said and we are going to have to have some personnel to do that.

Mrs. Barbara Story jumped up and said she needed a part time job and a full time job. She stated that she lived in Southampton County and she needed a part time job or a full time job and that is just how it is. She said she was sixty seven years old and had never had a DUI.....

Chairman Jones asked the deputy on duty to have Mrs. Barbara Story sit down and be quiet or escort her out of the meeting.

The deputy on duty told Mrs. Barbara Story she was going to have to sit down and be quiet.

Mrs. Barbara Story said she couldn't move any faster she had a broken leg. She was going to take her time.

The deputy on duty told Mrs. Barbara Story she was going to have to stay seated and be quiet or leave the room.

Mrs. Barbara Story said no problem. Have a nice night.

Supervisor West said if it has already been paid obviously it doesn't need to be sent out. If the computer system handles that then that is a great idea.

Supervisor Porter said the logic he has is there is no penalty by what we are doing by the people who haven't been right so they know they are supposed to pay it by December 5. If they make an effort to pay by December 5<sup>th</sup> and say they don't have it we tell them it has been extended to March 31<sup>st</sup> so they get no penalty for that. If they ignore it and don't pay it then we still don't

penalize them until after March 31<sup>st</sup>. So he doesn't think there is no fowl to those people so he didn't think we need to send out a letter to everybody.

Supervisor West said I agree with you.

Supervisor Porter said there was no penalty for not getting this notice; there is only a benefit.

Supervisor West said he agreed, but he didn't want to have to go back through this anymore.

Chairman Jones said let's tell Mr. Michael Johnson what we want to do on this.

Mr. Michael Johnson said let's sort of walk through the ordinance again if we can and make sure we get it cleaned up. He asked if everyone had the ordinance in front of them. He said first of all let's take a look at line twelve. He said he would start reading on line eleven. He read beginning July 1, 2012 all solid waste management fees shall be due and payable during the year in which the same are assessed on or before December 5<sup>th</sup> of such year. So you want to change December 5<sup>th</sup> to March 31<sup>st</sup> of the following year. On line twenty four is everybody okay by adding the manufactured mobile home parks that contract for private refuse disposal to the list of exemptions.

Supervisor Updike said how close to Courtland under the same conditions. He asked don't they collect their own.

Mr. Michael Johnson said they carry it through SPSA. We pay the tipping fee. The manufactured home parks will contract with a waste management so we never touch or have anything to do with it. He stated that line 30 is the exemption for the veterans. He asked if everybody was okay with that. He said line 47 is not later than March 31<sup>st</sup> of each year. We will have to tweak that language to make sure we are clear on which year we are talking about.

Supervisor Porter said I would leave it September 1. That one is September 1<sup>st</sup> on line 47.

Mr. Michael Johnson said where are you going to put the January 31<sup>st</sup> date.

Supervisor Porter said that would be in there for the calendar year 2012.

Mr. Michael Johnson said you all are changing that for one year. I thought you were changing that permanently.

Supervisor West said I did too.

Supervisor Porter said September 1<sup>st</sup> is to apply not to pay the bill. The March 31<sup>st</sup> is the deadline to pay the fill.

Mr. Michael Johnson said so you want to leave September 1<sup>st</sup> first exemption in place for following years.

Supervisor Porter said yes.

Supervisor Phillips said the filing time.

Mr. Michael Johnson said so on page three we want to add the language for calendar year 2012 only. Basically we will give them to January 31<sup>st</sup> to file the exemption form.

Supervisor Porter said yes.

Mr. Richard Railey said of 2013 obviously.

Mr. Michael Johnson said the process is that you adopt that as an emergency ordinance tonight. It takes effect and it is only good for sixty days so we have to advertise that for that public hearing and then you have to ratify it after receiving the public comments.

Supervisor Phillips said this process will take longer than 60 days.

Mr. Michael Johnson said correct.

Supervisor Faison said so when a person applies and qualifies this year do they have to reapply next year.

Mr. Michael Johnson said yes because conditions can change.

Supervisor Edwards said by September 1.

Mr. Michael Johnson said and one thing we hadn't talked about tonight, but just to make sure everybody understands the people that apply for the real estate tax exemption are automatically given the same amount of relief on the solid waste management fee so they don't have to file twice. If they own real estate and they file that application and let's say they are eligible for a twenty percent exemption then they get the twenty percent exemption on their solid waste fee without even having to make application.

Supervisor West said can you restate that one more time.

Supervisor Phillips said I think Mrs. Beth Lewis has a comment.

Mrs. Beth Lewis said if notices are only sent out to people who haven't paid there may be people who paid who would qualify for the rebate.

Supervisor West said that is his point.

Mrs. Beth Lewis said so that is why perhaps everybody needs a notice.

Supervisor West said some would pay saying I've got to pay anyway it's just one more tax.

Chairman Jones said that is why he is saying everybody needs to know.

Supervisor Faison said it is an expense, but that is the only way to cover it completely.

Supervisor Edwards said we are reinventing the wheel.

Supervisor Phillips said the commissioner of the revenue is the one who does the initial registration is that correct.

Mr. Michael Johnson said no.

Supervisor Phillips said the treasurer.

Mr. Michael Johnson asked when you say the registration what are you referring to.

Supervisor Phillips said he wasn't sure what he was asking at this point. He said we are just trying to make it where everyone is notified and that is our whole purpose.

Mr. Michael Johnson said one option that you have and he didn't know if anybody mentioned this when he stepped out of the room, but you have got the reverse 911 code red telephone system so every land line phone system we can send a message to and every cell phone that is registered. He said there were a ton of cell phones that hadn't registered, but if you all remember when the inmate escaped several months ago that is the way that word went out. You can reach a lot of people at virtually no cost because you are already paying the cost for that service.

Supervisor Phillips said he thought that was a good idea.

Supervisor West said you aren't saying do that in lieu of the mail out are you?

Mr. Michael Johnson said well you can. Now you won't hit a hundred percent because there are going to be people who don't have telephones either.

Mr. Richard Railey said your fundamental problem is due process. You have complied with the law. The law sets what the public policy of the Commonwealth is and you have certainly complied with the law. It has also been a contentious issue as most people can remember and it has been in the Tidewater News. If you go out and do it to part and put it to land lines where everybody doesn't have any more and to cell phones which you don't have all the numbers then come March you are going to have the same argument right in here, the same due process argument, and it is even going to make more sense that you have got to treat everybody the same.

Supervisor West said then we are going to have to mail it out.

Mr. Richard Railey said you are going to have unless you want the Sheriff services the households. That is a ridiculous suggestion, but you can't say we are going to do this, and this, and this because you haven't treated everybody the same. That is the fundamental thing about the due process law.

Supervisor West said obvious they got the bills so we have the latest mailing address. If we do the mailing then that takes care of everybody once and for all.

Chairman Jones asked so what are we going to do now.

Supervisor West said pay the money and mail them out.

Supervisor Porter said it is going to be in the paper tomorrow. He just thinks it is a waste of money to mail them out.

Supervisor West said it is, but at least it will get everybody to do what Velia says "Round them up and move them out".

Supervisor Faison said he thought the only way to clear this up completely is to do the mailing. That is what it is going to take to cover it.

Chairman Jones asked Supervisor Edwards what he had to say.

Supervisor Edwards said he was going to pass on this one.

Supervisor Phillips said he thought they had covered the options. He said he hated to spend this money, but it was a learning experience for us as a Board, but unless some other option presents itself he thought that was what we were going to have to do. He likes the 911 thing, but a lot of people like himself have cancelled the land line and just using their cell phone now. We need to listen to our county attorney here if we are going to do it in a prudent fashion.

Chairman Jones said we have to treat everybody the same.

Supervisor Phillips said exactly.

Mr. Michael Johnson said we didn't have a motion and vote on the emergency motion did we.

Supervisor Phillips said no.

Supervisor West made a motion to adopt the emergency ordinance based upon the changes made tonight and send every household a notice.

Supervisor Porter said let's make this two different things.

Supervisor Edwards said this is a one-time thing?

Supervisor Porter said no, no, no, we are changing the ordinance.

Supervisor Edwards said so we are only going to do this thing one time.

Supervisor Phillips said hopefully.

Supervisor West said it extends the payment period.

Mr. Richard Railey said the ordinance takes care of every year forward until this Board or some other Board repeals it.

Supervisor Porter said let's just pass the ordinance first and then do the mailing.

Chairman Jones called for the vote on the changes to the ordinance which passed unanimously.

Chairman Jones said now you want to talk about the mailing.

Supervisor Faison made a motion to send a mailing out to each household.

Supervisor West seconded the motion. The motion passed 6 to 1 with Supervisor Porter voting no.

Mr. Michael Johnson said just for the record who voted no.

Supervisor Porter said he did.

Chairman Jones stated the next item was number twelve.

Mr. Michael Johnson stated that item number twelve related to a community development block grant contract negotiation matter. In January 2012, the Board of Supervisors authorized the submittal of an application for a Community Development Block Grant (CDBG) to the Commonwealth of Virginia's Department of Housing and Community Development (DHCD) to assist with the cost of extending infrastructure that will serve the Enviva site. In response, the County has been notified of the intent of the Commonwealth to award CDBG funds for the Turner Tract project in the amount of \$700,000.00. County staff, working in partnership with DHCD, has entered into a process referred to as CDBG Contract Negotiation, which ultimately leads to a performance contract with DHCD. In this contract negotiation phase, certain federal assurances must be undertaken as required by applicable section of the Code of Federal Regulations pertaining to the use of CDBG funds. While the process is referred to as a negotiation, these regulations are non-negotiable and are required for ongoing compliance with the terms of the grant. Attached for your consideration and approval, please find the following assurances attached:

1. Page 2 – Fair Housing Certification;
2. Page 3 – Local Business and Employment Plan;
3. Page 21 – Minority and Female Owned Business Notice;
4. Page 22 – Nondiscrimination Policy;
5. Page 23 – Section 504 Policy (nondiscrimination based on handicap);
6. Page 31 – Residential Anti-Displacement Plan

Supervisor Porter made a motion to adopt these six policies.

Supervisor Edwards seconded the motion which carried unanimously.

Chairman Jones stated the next item of business was item thirteen.

Mr. Michael Johnson stated that item thirteen was a consideration of a memorandum with the City of Franklin to explore and implement shared services opportunities. Attached for your consideration is a draft memorandum of understanding that is to be jointly considered by the Board and the Franklin City Council at tonight's meeting. The primary objective of the MOU is to formally and officially establish a shared commitment to explore, evaluate and implement shared service opportunities to improve services, enhance efficiency and save money. It establishes a working group comprised of two elected officials each from the City and the County to work with management and staff to identify potential opportunities and develop a framework of analysis in which to evaluate them. The ultimate goal is to create a model agreement which will spell out in detail the plan(s) for implementation. The model agreement will be subject to full approval by

both governing bodies, but this MOU contemplates that approval of future agreements will not be unreasonably withheld as long as they accomplish the stated objectives.

Chairman Jones asked if there was any discussion on this matter.

Supervisor West stated that they had been working with the City of Franklin and FSEDI and we recognize some small low hanging fruit that can be harvested and could develop into literally the potentially millions of dollars of savings. That money will help everyone in significant ways and we have a very agreeable relationship with the City of Franklin and we are even looking for the potential for some in Isle of Wight. Being honest with you it has been spurred by the suggestion of the Tidewater News but it had also been in the back of our mind for a long time. So he thinks it is an opportunity whose time has come and he is looking forward to seeing this thing work out. He knows that it will work out and in the long run it will be so productive for Southampton, the City of Franklin, and anyone else who is involved in it.

Chairman Jones asked if anyone had any questions on this.

Supervisor Porter made a motion to authorize Chairman Jones to sign the memorandum of understanding.

Supervisor West said no one is giving away their identity in any way. We remain close ties working together. We have found out from the state level that the state will work with us more so as a regional authority.

Chairman Jones said it is a win-win situation.

Supervisor West said yes it is a win-win situation.

Chairman Jones stated the next item on the agenda was fourteen – miscellaneous.

Mr. Michael Johnson said included in your agendas you saw copies of certain notice, incoming and outgoing correspondence, and articles of interest. He stated that he would be glad to answer any questions that you may have.

Chairman Jones called for item number fifteen – late arriving matters.

Mr. Michael Johnson stated that he didn't have any.

Chairman Jones stated we would move on the number sixteen – citizen comment period. He asked if there was anyone wishing to speak.

Mrs. Stephanie Almond of the Kingsdale community addressed the Board. She stated that she would like to speak on this letter for the fee of \$200.00. She stated that she was looking at the exemptions and she thinks that it was a good thing that a lot of these exemptions have been included, but she thinks there is a group that should also be included. She said she was reading why the county was charging the \$200.00 fee and it was for collecting and disposing of household solid waste. She said there are some who dispose of their own household waste and they don't have any garbage pickup. As far as handling, there are a lot of us in this area that burn our trash. So in a sense of fairness and she did hear Supervisor West speak on the fairness issue, she feels that it would be fair if they were included in that exemption for that \$200.00 fee and she asked that they please consider that. Thank you very much.

Mr. Ash Cutchin addressed the Board. He stated that he would be brief. He said regarding notifying households if he remembers correctly he received three separate bills. He got a real estate bill, a personal property bill, and a \$200.00 garbage disposal bill. That cost \$0.45 of postage to mail each one. Someone was talking about it costing \$7,000.00 to mail is that about \$1.00 per household time you do the letter, envelope, and the cost to mail.

Mr. Michael Johnson said he didn't think so. He said there are 7,000 households.

Mr. Ash Cutchin said well at \$0.35 that is \$3,500.00. He said it seems there has got to be some

way to make this more efficient. That is all he is trying to point out. One comment regarding the shared services, he thinks with the condition of the public schools in the City of Franklin the last year or two he thinks that should be off the table for shared services. He doesn't think Southampton County needs the Franklin School system.

Mr. Bill Worsham of 12685 Appleton Road, Ivor, but it's actually Berlin addressed the Board. He said Supervisor West represented them in that district. He said he was here tonight because in the next thirty to sixty days you were going to start something called a budget and you know the problems we had last year with that and we really don't need to go through that again. He wanted to commend them on a couple of things. One is the fact that you have already met with every department to get a grasp on the revenues and expenditures of each department. He thought that was going to come out good for us. The other thing is your willingness to listen to us as we publicly speak about those items. He said he is reminded that we can't continue to tax and spend at the local level, much less the national level. If we continue to do that we are going to tax ourselves into oblivion. While he knows some of the money is being used for goods and services and things that are necessary, he is asking this board to look deeper, and deeper, and deeper in the various department budgets because there is money to be saved there without having to go through a \$200.00, excuse me Supervisor Faison, tax. It is imposed by the government so it is a tax. The thing of it is he didn't think the citizens in Southampton County are going to stand up for another tax increase. This \$200.00 has created a lot of indigestion. It has been pretty much a bitter pill to swallow, but as one of you said we had to do something and we bought that. He said he is a little dismayed that you need the \$200.00 dollars now, but are willing to put it off until March. He said he wasn't exactly sure whether we need it now or if we need it at all. Somehow he would like the Board to look at that this coming year and see if we can reduce that. Probably this last national election can be determined as giving a mandate to our President who was elected for a second term – a mandate to tax and spend. Keep in mind that in Southampton County that same mandate was not issued. Southampton County voted the other way. He wanted to remind this Board that at the last election promises were made to hold down taxes. Because of circumstances in the past, that promise had to fall by the wayside temporarily he hoped. He said as we begin a new budget year please continue to look at these budgets and work with these departments. We do not need to have the meetings like we had at Southampton High School last year which were an embarrassment and a lot of animosity because of what occurred with this tax and it has carried on through the year and here we are now dealing with it again when it should be collected. He would say to this Board to study this carefully. Put a lot of time and effort into just like you have always done. Let's look at it from the standpoint that the citizens of Southampton County just cannot handle another year of taxation. Thank you.

Mrs. Ginna Cutchin of Darden Mill addressed the Board. She stated that if she understood correctly about this solid waste management fee it was going to go back to a September 1st deadline again for filing for an exemption. If it is going out as a separate letter, she asked if the letter could be sent 30 or 45 days prior to September 1<sup>st</sup> so that people know before September 1<sup>st</sup> that the filing date is coming up. It came out too late this year. September 1<sup>st</sup> was gone when the letter came out this year. She said that was not addressed when you changed your ordinance so maybe that needs to be added to it.

Supervisor West said he thought the logistics were the problem this time. He asked didn't we outsource to get the things printed and there was some difficulty in getting that done which caused a delay.

Mr. Michael Johnson said the issue this year, and it will be the same next year, is developing the database upon which to build the solid waste management fee because as you know people are mobile and transit. Unlike a city in which a city for instance has everybody as a water customer or sewer customer or power customer they are very easily able to track the mobility of their citizens, but it is not that way in Southampton. If a person moves from Ivor to Newsoms, we may not know about it. The only way we can handle that is to annually rebuild that database and we rebuild it from a variety of sources. We use records we can obtain from the power companies. We use records we can obtain from our own 911 database. We utilize records that we have for property tax and things. We have to compile all those sources and that is not something you do once and it's done; so the problem is we started July 1 and it took us until October to get all those sources compiles and get that database built. He said it would take until October of next year he is sure.

Mrs. Ginna Cutchin said will you will have to send out a letter ahead of time telling the people when that exemption date is. They are obviously not getting the newspapers and things so she is suggested they send out a letter and maybe you should start in July setting up your database. You certainly don't want to have to go through this again next year.

Mr. William Phillips who lives out at Dockside addressed the Board. He stated that he was retired from the Department of Corrections and he had resided in Southampton County for about twelve years. What he is here to say is that you got a big county here and he is used to working inmates. He came to Southampton County and the only thing he sees out here on Highway 58 he just sees Mexicans out here along the roads picking up trash and mowing. They have these big piles of trash along the roadside that they just leave there. His question is do they pay Southampton County to put it in a waste treatment plant or haul it off or what they do. Another question is why in God's world don't they get these inmates out here and work them on the road. He said he had worked ten at a time. He has worked five counties. He said he knew how to handle them. All they are doing is lying up here in these jails and who is paying for it – we are. You are paying for it and I'm paying for it. It's not right. Then here you are charging us \$200.00. Like Supervisor West said he went ahead and paid it, but the way they did it with the computer base was wrong. It was dead wrong. He thanked them for their time. You have a nice big county and roads, but please get those inmates out there and work them. You can work them every day six hours a day and pay them \$0.27 an hour. Thanks again for your time.

Mrs. Barbara E. Story addressed the Board. She stated that she may have spoken up at the wrong time, but she is very laid back, cool, calm, and collected as a rule of thumb but sometimes it is best to speak out what's on your heart and mind and let it get on the line. Now as far as these taxes are concerned it is getting utterly ridiculous. The rich always get richer, the middle class is struggling, and the poor always get poorer. That is the way history goes down – is that correct? Someone give me an answer. God knows it all. Is it fair or is it unfair, religiously or politically, scientifically or modern technology beautifully, computers nicely, fast work isn't it. I ask all of you out here tonight without computers could you go back to the old way of life. She stated that she was a baby boomer. She has a brother that died twelve years ago with esophagus cancer – Hurricane Speck Edwards. She said she was his baby sister and she was proud to be an American. She is proud to be a Virginian. She is proud to be an American. She doesn't have to have hide in the woodwork unless she wanted to. She said she had a right to speak. She was an American and she was proud just like all of you are. We need to get ourselves together and work together in harmony. Leave your alcohol at home. Leave your sex at home. Get on the job and stay on the job unless you have lost a family member, otherwise keep your work up. Then go home and have family togetherness and be religious in what you say and do. Don't be out there like a banker and run your mouth off and don't know what you are talking about. There is a time to speak and there is a time to shut up. Thank you very much. Have a nice night. Happy Holidays. It's a holiday every day isn't it? Praise the Lord. We have Christmas coming. Merry Christmas and hope you have a Happy New Year in 2013. She is focusing on 120 plus. You all do the same. Amen. She said I still need that job – part time or full time. She said she was on disability and social security. She said she didn't get what she was supposed to have gotten thanks to some other people who were trying to run the show.

Mr. Frank Urquhart approached the podium.

Supervisor West said let's see you follow that.

Mrs. Barbara Story said thank you.

Chairman Jones thanked Mrs. Barbara Story.

Mr. Frank Urquhart of the Berlin/Ivor District addressed the Board. He stated that some of them knew him. He said he just came before you right now to offer you a few suggestions. One is the fact that you had a communication issue on the solid waste management fee. He would suggest to you that (and he doesn't know how often each one of you council men held a town hall meeting) that they could hold a town hall meeting but you could dissimulate a lot of information to your constituency just by the use of that town hall meeting. Also each one of you run campaigns and we just went through a campaign season. Fiscally with the cost of getting all your information out

he would beg you to look into your constituencies and seek the use of volunteer help, not only to get your information out but also as far as individuals seeking exemption to get their paperwork in order. If you utilize volunteers to help them get the packages together it will lower the cost to the county and time in processing because then they would have pretty much everything they need in hand and that cuts down the time target they need to process that information. As passionate as this issue is, I think you would find you have a lot of volunteers in the county who would be willing to help you. He said he kind of forgot a little bit of what he had to say after the most eloquent speech before him.

Mrs. Barbara Story said she hoped she did something right.

There being no one else wishing to speak Chairman Jones stated at this time it was necessary to have a closed meeting.

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.

Chairman Jones stated that we are now back in open session.

Supervisor West made a motion to enter into the draft agreement with the City of Franklin to contract for building inspection services beginning December 3, 2012.

Supervisor Porter seconded the motion which carried unanimously.

There being no further business, the meeting was adjourned.

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Dallas O. Jones, Chairman

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Michael W. Johnson, Clerk

