

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 January 28, 2013 at 7:00 PM.

SUPERVISORS PRESENT

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

SUPERVISORS ABSENT

OTHERS PRESENT

Michael W. Johnson, County Administrator (Clerk)
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

Mr. Michael Johnson called the meeting to order.

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

Mr. Michael Johnson stated that first on the agenda tonight is a number of organizational matters; the first being the election of officers. State statutes require each local governing body to resolve certain organizational matters at its first meeting each year. The first order of business is election of the chairman and vice-chairman. If the board fails to designate the term of office, it is presumed, by law, that each is elected for a one-year term or until a successor of each has been elected. Chairman and vice-chairmen may succeed themselves in office. There is a copy of the state enabling legislation in your agenda. At this time he opened the floor for nominations for office of Chairman.

Supervisor West nominated Mr. Dallas Jones for Chairman of the Southampton County Board of Supervisors.

Supervisor Edwards seconded the motion.

Mr. Michael Johnson asked if there were any other nominations. He asked if there was any other discussion. There being no further discussion he called for the vote. Mr. Dallas Jones was voted in unanimously as Chairman of the Southampton County Board of Supervisors. Mr. Michael Johnson turned the meeting over to Chairman Jones.

Chairman Jones thanked the Board for having the confidence to elect him to serve as chairman one more year and said he would do his best to serve all the people of Southampton County.

Chairman Jones stated at this time the floor was open for nominations for Vice-Chairman.

Supervisor Edwards said he would like to nominate his good friend Mr. Ronnie West.

Supervisor Porter seconded the motion.

Chairman Jones asked if there were any other nominations. There being none he called for the vote. Mr. Ronnie West was voted in unanimously as Vice-Chairman of the Southampton County

Board of Supervisors.

Chairman Jones asked Supervisor West if he had any comments.

Supervisor West said no sir, he thanked them and said he was just humble.

Chairman Jones stated we would move to item B – Establishment of Meeting Dates and Times for 2013.

Mr. Michael Johnson stated there is a resolution in your agenda packets that establishes the fourth Monday night of each month as your regulation session at 7:00 PM exceptions to that are for May in which the fourth Monday is Memorial Day and we are proposing that meeting be moved to the following night, Tuesday, May 28th and then in December historically this Board meets on the third Monday night which will be Monday, December 16th.

Chairman Jones asked if anyone had any problems with that.

Supervisor Porter made a motion to adopt the 2013 meeting schedule as presented.

Supervisor Faison seconded the motion which carried unanimously.

Be it resolved by the Southampton County Board of Supervisors that the following days and times are hereby prescribed for regular session meetings to be held at the Southampton County Office Center:

Monday, January 28, 2013.....	7:00 p.m.
Monday, February 25, 2013.....	7:00 p.m.
Monday, March 25, 2013.....	7:00 p.m.
Monday, April 22, 2013.....	7:00 p.m.
Tuesday, May 28, 2013.....	7:00 p.m.
Monday, June 24, 2013.....	7:00 p.m.
Monday, July 22, 2013.....	7:00 p.m.
Monday, August 26, 2013.....	7:00 p.m.
Monday, September 23, 2013.....	7:00 p.m.
Monday, October 28, 2013.....	7:00 p.m.
Monday, November 25, 2013.....	7:00 p.m.
Monday, December 16, 2013.....	7:00 p.m.

And be it further resolved that a regular meeting shall be continued to the next following regular business day if the Chairman, or Vice Chairman in his absence, finds that inclement weather or other conditions are such that it is hazardous for members to attend.

Chairman Jones stated the next item was C – Establishment of 2013 Holiday Schedule.

Mr. Michael Johnson said included in your packages again is a resolution which establishes the legal holidays that are prescribed by the code of Virginia as holidays in the Commonwealth. The holidays are listed in the following resolution.

Chairman Jones said he needed a motion to adopt the resolution establishing the 2013 holiday schedule.

Supervisor Porter made a motion to adopt the resolution establishing the 2013 holiday schedule as presented.

Supervisor Faison seconded the motion which carried unanimously.

Whereas, it is the policy of the Commonwealth of Virginia to fix and set aside certain days in the calendar year as legal holidays for the people of Virginia to honor and commemorate such holidays so established; and

Whereas, the following days have been established by the Commonwealth as legal holidays pursuant to 2.2-3300, Code of Virginia.

Now, therefore, be it resolved by the Board of Supervisors of Southampton County that the following holidays shall be recognized and observed by all county agencies.

- Monday, February 18, 2013.....George Washington Day
- Monday, May 27, 2013.....Memorial Day
- Thursday, July 4, 2013.....Independence Day
- Monday, September 2, 2013.....Labor Day
- Monday, October 14, 2013.....Columbus Day
- Monday, November 11, 2013.....Veteran’s Day
- Thursday, November 28, 2013.....Thanksgiving Day
- Friday, November 29, 2013.....Thanksgiving Holiday
- Wednesday, December 25, 2013.....Christmas Day
- Wednesday, January 1, 2014.....New Year’s Day

And any other days, or portions thereof, designated by the Governor of the Commonwealth as a holiday for state executive branch offices.

Chairman Jones stated the next item of business was number 2 – Approval of the Minutes.

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

Chairman Jones stated they would move to item number 3 – Highway Matters.

Mr. Michael Johnson stated that there were two items. As you all are aware VDOT has scheduled their public hearing on Thursday, February 7, 2013 from 5:30 p.m. to 7:00 p.m. at the Southampton Middle School. A copy of the meeting notice is attached for your reference.

Mr. Michael Johnson stated that item B is your monthly concerns.

Chairman Jones asked if any of the Board members had any concerns.

Supervisor West stated that the ditches are clogged up badly.

Supervisor Updike said they needed to put a little poof in his request because his request from last month hadn’t even been looked at, much less taken care of it. The ditch over by Mr. Michael Drake’s where a truck went in there is a three foot drop off there. There are also about a half of dozen culvert boxes need repairing. The sides of the road need to be built back up where the trucks have run off the road in the ditches.

Supervisor Phillips asked if Mr. Michael Johnson could please convey that there is a place between Old Belfield Road and Highway 58 where some log trucks are turning off that the shoulder is in bad shape.

Chairman Jones said with the rain that we have had, there are several driveways off of Highway 58 that need gravel.

Mr. Michael Johnson asked Chairman Jones if he just wanted VDOT to contact him.

Chairman Jones stated that would be fine.

Chairman Jones stated the next item of business was number 4 – Reports.

Reports were animal control, litter control, building permits.

Supervisor Updike said as far as litter control somebody had dumped a big bag of trash bags on Statesville Road right down from their home.

Mr. Michael Johnson asked Supervisor Updike how far the bag was from his house.

Supervisor Updike said it was right there on the curve so it wasn't far. He stated that the bags had the name of the company where they originated from on them.

Chairman Jones stated that other reports were Building Permits, Cooperative Extension, and Treasurer's Report. He called on Mr. David Britt for a report.

Mr. David Britt stated that he wanted to give us a quick run-down as to where we stand with the collection of our taxes and where we stand this year as compared with last year. With real estate as of the 25th of January last year we had \$1,257,000 outstanding and at this time \$1,169,000 that is still outstanding which is a little bit better than where we were a year ago. It is about fifteen hundreds of a percent better than where we were last year. With the personal property we had \$1,317,000 outstanding last year this time and this year we have \$1,275,000 outstanding which is a half of a percent better than we were last year.

Supervisor Edwards asked Mr. David Britt what we owe the improvement to.

Mr. David Britt stated hard work and maybe the economy was turning around to a little bit. There may be several different factors, but hopefully we can get our delinquent notices in the next two weeks so we can start working on collecting some of these outstanding funds. Also, he received a report from David, Kemp, and Frank, the firm that does our real estate collections and they are reporting that they had done a lot better on their collections this year. Last year they collected around \$130,000 dollars and this year they have collected \$166,000 and that includes two cases which were sizable amounts that filed bankruptcy. He stated that at the last meeting Supervisor Updike inquired about the amount collected on the solid waste management fees. He said as of the present time we have \$496,000 dollars that has been collected. After the change in the due date they noticed that the amount of money that was coming in this area cut off pretty much. There is money coming in but it is not coming in like it was prior to the change.

Other reports were new housing starts, solid waste quantities, and personnel.

Mr. Michael Johnson stated that he has several personnel items to report. We had one new hire during the month effective January 1, 2013 in the Sheriff's Department, Jennifer M. Lashley at an annual salary of \$24,552.00. We had two employees whose positions were reclassified the first was Sharon F. Gryder in the Commonwealth Attorney's Office effective January 1, 2013 at an annual salary of \$40,505.00 and second is Sheril J. Joyner in the Sheriff's Office effective January 1, 2013 at an annual salary of \$43,760.00. We had one resignation during the month, Jon M. Mendenhall effective January 11, 2013. We had two employees to retire effective January 1, 2013, Suzette B. Carpenito in the Sheriff's Office and Joan P. Rice in the Commonwealth Attorney's Office.

Chairman Jones asked if anyone had any questions. There being none he moved to item number 5 – Monthly Bills.

Mr. Michael Johnson said he would note there are several irregularities this month on the bill list which warrant some additional explanation. The first thing he was sure they saw was a \$300,000 payment to Enviva. This was actually the grant that was received from the Governor's Opportunity Fund and subsequently submitted to the company in accordance with the terms of our agreement. The second thing he was sure you noticed was a payment of \$871,120 to Columbia Natural Gas to pay for the extension to the natural gas line to the Turner Tract. Proceeds in that amount were wired directly from Enviva to the county in accordance with the terms of our agreement and the industrial development authority simply functioned as a conduit to serve as the applicant for that particular project in order to minimize Enviva's federal tax liability. The last thing is there were several solid waste management refunds. There are many reasons for those. The circumstances would vary on a case by case basis. Some of those that had paid in full have subsequently been granted some relief and they are being refunded the balance. Some had been double billed both former and current residents at the same address and were paid by both and some were for structures that were later determined to be vacant. He just wanted to bring your attention to those things.

Chairman Jones asked if anyone had any questions on these things, if not he needed a motion to

pay the bills.

Supervisor Edwards made a motion, seconded by Supervisor Porter to pay the bills in the amount of \$2,817,511.00 to be paid by check numbers 129104 through 129654. The motion carried unanimously.

Chairman Jones stated the next item was number 6 - Public Hearing Ordinance Amendment.

Mr. Michael Johnson stated as you may recall, the Board adopted an emergency ordinance at its November 26, 2012 regular session effectively amending Section 13-16 of the Southampton County Code as it relates to the Solid Waste Management Fee, by:

1. Changing the due date to March 31 each year;
2. Adding households located in "manufactured home parks which contract for private refuse collection and disposal services" to the list of exemptions;
3. Adding "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;
4. Changing 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 July 1 to September 1, and further extending the deadline for one year only to January 31, 2013.

Because emergency ordinances are 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 the local newspaper, we advertised the attached ordinance for public comment at your January 28, 2013 regular session.

The only change from the emergency ordinance that was adopted on November 26 is illustrated on line 47 – further extending 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 to October 15 each year.

A copy of the ordinance that is proposed for re-adoption is attached for your reference. Again, this is a public hearing Mr. Chairman. You need to open the floor for public comment.

Chairman Jones opened the public hearing for anyone wishing to speak for or against adopting this ordinance.

Mrs. Tina Tripoli of Drewryville, VA addressed the Board. She stated that she had an elderly father and her questions came from the affidavit that he had to send in to show his financial worth. She stated that her concern is the burden that it is putting on the people in the county to have to show the deeds to burial plots, to annuities for insurance policies, to stating all accounts for banks and things like that and they have to be originals; they can't be copies. Never mind the privacy that is encountered when he has to drop off those documents. If you have a part time person down there that is handling all this paper work; never mind the full time people and the privacy of these people bringing in all their financial statements. It is just unreasonable. She said she noticed also that Mrs. Amy Carr has asked for another \$8,000.00 on top of the \$20,000 just to go through all of these forms. This is again intolerable. She stated that even the IRS didn't ask for all this much information. She said the IRS didn't ask how much they had in a savings account; they simply ask how much interest they had made. Yet the county for a two hundred dollar fee is requesting all this information. Then there is the burden for the county to have to go through all this paperwork. We could just simply go by what people's salary is. That would be very simple instead of having to have extra people coming out to process all this stuff. Also, you wouldn't have lawsuits for privacy disclosures which may slip out because somebody was just bringing someone up to day on what stocks and bonds someone has. For a two hundred dollar fee that doesn't seem reasonable at all. She would like to also go on the next month's agenda to talk about this and get some answers on this. It is not fair. The other thing is on this fee. In February 2012 Southampton County addressed the State of Virginia and asked for a bill to go through and the bill read was disposal waste fees for Isle of Wight and Southampton County allow Isle of Wight and Southampton County allowing them to levy fees on each household for the disposal of solid waste as long as that fee does not exceed the fee paid by the county. In 2012 it was not approved for Southampton County. Southampton County and Isle of Wight County were both taken off of this bill but it was

approved for other counties. She said she had been slammed over the head with recycle penalties from the same statute. She said that even though you can charge for it; it is not allowing you to charge a fee for it. It is just saying that you can just levy the taxes more so for this fee instead of making a separate account which is what you all were asking for in 2010 and were denied in 2012. The same bill went through again just this year in 2013 and again Southampton County was not included in that and neither was Isle of Wight. That bill would allow the county to charge each household a fee. On top of that that fee has to be an actual amount. She said she went back all the way to 2006. Every single year the taxes that were budgeted were twice as much as was needed for the trash disposal. Sometimes it was \$600,000 and you all budgeted \$1.2 million, but the leftover funds were transferred over to the miscellaneous account. If you take the waste disposal fee and you have to create a new account because you are not going to be able to take those fees and move them over to a general fund miscellaneous account because the state law says you cannot exceed the fees paid by the county paid to the southeastern public service authority of Virginia. You can't have a surplus; it has to be the actual costs. It seems like to me you are cutting your nose off to spite your face to sit there and have this fee that needs to be handled in a whole different way than charging through the taxes. She just feels that something needs to be looked at further and she would appreciate it. She said she would leave a copy of this information with you if it was okay.

Chairman Jones asked if there were any questions.

Supervisor Porter said he had a couple. He stated that these numbers are not consistent with what he had seen. He stated that we spend about \$3 million dollars a year disposing of solid waste. He said going back to the 2010 request, it was not to collect the fee. We already have the authority to do that in the statutes. It was to allow us to collect a fee through the utility companies.

Mrs. Tina Tripoli said no.

Supervisor Porter said yes.

Mrs. Tina Tripoli said no. It says you may. The statute is not for collecting public utilities. It says "may". There is a secondary part to that proposal. It says any county which imposes the fee allowed under subsection A (which subsection A states Accomack, Augusta, Floyd, Highland, Pennsylvania, and Wise County) may enter into a contractual agreement with any water, heat, light, or power company. It is not indicating that you can pass this so you can only do this. It is saying you "may".

Supervisor Porter asked Mr. Richard Railey if he could address this issue.

Mr. Richard Railey said what the legislation talks about is the mechanism to collect it. You could consult authority to collect it through the utility bills as we do another tax that is on everybody such as VEPCO, but we didn't get that authority; we collect it another way. We didn't get that authority, but that doesn't deny us the authority to collect the tax.

Mrs. Tina Tripoli said this is true. That is why you have real estate and personal property taxes. It has been included in this all throughout those years. You have a budgeted for about \$1.1 million dollars every year and about the most that has been paid out is about \$800,000 and then the surplus of that money was taken and put into miscellaneous funds. There is a 41 or maybe a 42 thousand code that you all use for your general funds. The balance was taken from that and put into miscellaneous funds. We have been doing that and it is working fine, but this right here is stating that you applied for a fee for solid waste disposal for these Southampton and Isle of Wight counties.

Mr. Richard Railey said no it is a mechanism to collect the tax.

Mrs. Tina Tripoli said it doesn't say that.

Mr. Richard Railey said well that is what it is.

Mrs. Tina Tripoli said it isn't that.

Mr. Richard Railey said we have got the general authority and we have had it.

Mrs. Tina Tripoli said what you are slamming me over the head for is under the same subsection and that is you have to charge for it through taxes, but this section here is stating that you can only charge a fee for solid waste by each county. You applied for it and it was denied four times. There were four bills 819, 516, anyway there are four of them; every single time Southampton was included and every single time the State denied it. She said this needs to be looked at harder. It needs to be more clear cut because that is not what the law states. The law says right here fee for solid waste fees by county. It lists the counties and tells you that you "may".

Mr. Richard Railey said exactly. That is exactly what it says. You may collect it

Mrs. Tina Tripoli said you aren't reading the rest of it because the rest of it says any fee imposed by subsection A when combined with any other fee or charge for disposal of waste shall not exceed the actual cost incurred by the county. Every single year you budgeted for more and whatever was left over went into the miscellaneous funds. That is a good thing, but now if you are going to slam somebody over the head with a head you have to have a separate account and it can only be for the actual amount.

Supervisor West said the fee we are collecting is not only to repay SPSA as a partner with them but we have the cost of maintaining the sixteen sites in the county as well, personnel at those sites, as opposed to moving it up and down from location to location. There is no way we could only have one place South of Franklin on Highway 671 and let everyone drive to it. There is no way possible so you have incurred expenses greater than the actual amount for SPSA. Keep in mind that some four years ago when SPSA's fee was up to \$170.00 that is when in actuality that this fee should have been set up because we were paying a great deal using county taxes to sustain and pay that fee.

Mrs. Tina Tripoli said but every single year you have always had an abundance of extra money left over.

Supervisor Porter said every year money was taken out of the reserve to cover that fee.

Supervisor West said we have never had an abundance of money to pay anything.

Mrs. Tina Tripoli said well you need to address that because your accounting shows in this section what the waste fees are for. I know what you are talking about with your water and sewer because that is a totally different department and that has things from trucking and insurance and all, but you don't have those costs when it comes to solid waste. Southampton County has the lowest amount of tonnage going to the land field and also the lowest amount of people, but we have the highest rate. We don't even get a trash container like every other county does. We don't get trash pick-up. We don't have to pay a person to come pick it up. We don't have to pay for that big, gigantic machine that picks up the containers and throws it in. We don't have to pay for the fuel. We don't have to pay for any of that, but yet we are being charged the highest.

Supervisor West said being separated in the \$200.00 fee you recognize the cost is already included in the budget before and absorbed by the budgeting process and paid in your regular taxes. For the first time in the history of Southampton County we have set another the cost of the amount to do business with SPSA and handle the trash of Southampton County. That is where the stickler is because you are going to look back, and Supervisor Porter is so right, the general fund has been depleted from \$6 or \$7 million dollars down to under \$3 million even to the point where we had to borrow money. That money had to come out to meet these other bills. I'm not sure how the money is being handled, but it works well. We are paying more than what we are collecting.

Mrs. Tina Tripoli said she didn't agree, not by what your accounting is publishing. Your accounting company sat there and did an audit and even your audit doesn't show that. The audit shows there was an abundance and it was transferred over to your miscellaneous account. She said she didn't know what else to say, but maybe you need to explain that to us because it is right there in black and white on your own internet site, www.southamptoncounty.org.

Supervisor Porter said let me just make one more comment. What happened before this year is not

really relevant. Why don't you come back to us if we don't spend at least the amount of money collected by this fee to expose of our solid waste. By law you are right we cannot charge more money for this fee than it costs us to dispose of the waste, but you have to remember all the cost to dispose of the waste which includes SPSA, running sixteen collection sites, includes our recycling program, and all other programs associated with it.

Supervisor West said he was thankful and impressed with the research she had taken the time to do. He stated that those questions had to be legally answered. He stated that this fee was not anything that they wanted to impose on anybody but the realization is that instead of going up on the tax fee they separated it out in a fee so that the public would know what it costs. You heard Mr. David Britt give his report a few minutes ago and there is \$500,000 of \$1.3 million so we have a ways to go and we have many free loaders.

Mrs. Tina Tripoli said she didn't think it was free loaders. She thought it is the economy. She said right here in Southampton County we have the highest percentage of unemployed people of anybody. She said she thought the State percentage of unemployment was 7% and right now we are at 11%.

Supervisor West said I don't want to dispute you, but no madam, Williamsburg and that area is much higher than we are. He said he thought it was 8.7 or 8.9.

Mrs. Tina Tripoli said that is not what the state report is.

Supervisor West said you did a good job; thank you.

Chairman Jones said he thought they needed to meet with Mrs. Tina Tripoli and talk to her personally.

Supervisor Edwards said maybe it would be possible for Mrs. Tina Tripoli to come in and talk to Mr. Michael Johnson one day.

Mr. Michael Johnson said he would be glad to talk with Mrs. Tina Tripoli.

Chairman Jones said Mr. Michael Johnson would be able to give her the information she needed. He knew they spent well over a million dollars every year handling the trash and getting it to SPSA.

Chairman Jones asked if there was anyone else wishing to speak. There being no one else to speak Chairman Jones closed the public hearing.

Chairman Jones asked if any of the Board members had any comments.

Supervisor Porter made a motion to adopt the ordinance.

Supervisor Edwards seconded the motion which carried unanimously.

Supervisor West said so that deadline is moved to October 15th.

Chairman Jones said yes.

Chairman Jones moved to item number 7 – Consideration of a Performance Agreement with AMAC Leasing, LLC.

Mr. Michael Johnson said in your agenda please find a proposed performance agreement with AMAC Leasing, LLC which, as you know, has acquired twenty (20) acres in the Berlin-Ivor Magisterial District for construction of an asphalt, concrete and cement-treated aggregate processing and production facility. The Company is contemplating an investment in Southampton County in land, buildings, and equipment of at least four million dollars (\$4,000,000.00), and additional one million dollars (\$1,000,000.00) in rolling stock, and creation of twenty six (26) new full-time jobs. In order to induce and encourage their investment and job creation, the attached performance agreement offers local economic incentives, very similar to those automatically

offered to new businesses and industries in the county's defined Enterprise Zone. Because this project is not situated within the state designated Enterprise Zone, the proposed incentives are not automatic and must be consummated in a written agreement. This agreement offers to the company a 50% rebate on the machinery and tools taxes it pays for the first 5 years, a sliding scale rebate on the electric utility taxes paid by the company over the first 5 years, and a rebate of all permit fees paid by the company. The estimated value of incentives (rebates) is slightly less than \$150,000 over the next five years, while the project is expected to generate approximately \$500,000 in direct tax revenues over the same time period. After the initial 5 years, the project is expected to generate an average of \$40,000 to \$50,000 annually in direct tax revenues, assuming no additional investment.

Chairman Jones asked if there were any questions on this.

Supervisor Updike said I cannot consider this at all. This was not in the original tax exempt status. This was not approved when they first came before the Planning Commissions and the Board of Supervisors; they did not request this additional tax exempt status. We had an agreement with them and now to come back and ask for this tax increase in the amount of \$150,000 is a tax increase to the citizens of the county. They went and made agreement with Parsons and bought the land and came before the Planning Commission and us and there was no incentive program presented or requested by AMAC at that time. He can't see how we can approve this \$150,000. It is just not logical when we had an agreement with them and now they have come back and ask for it he just cannot go along with it at all. Regardless of who puts up an industry out in the country are we going to award this to everyone out in the country who puts up an industry? I don't think so and I don't think we should approve it.

Supervisor Porter said this is exactly the agreement we have been talking to them about since the first time we met with them. This is nothing new. They had an option on the property before they bought it and this is the agreement that we agreed to. He said he doesn't understand why Supervisor Updike doesn't remember that.

Supervisor Updike said according to the records of the Planning Commission and the Board of Supervisors there is no record that indicates this.

Supervisor West said he wanted to take a public exception to this. He thanked Supervisor Updike for what he said. He said it is not a tax increase for the citizens automatically.

Supervisor Updike said when you take a \$150,000.00 away from our budget somebody is going to have to pay to make that up so it is going to be an increase.

Supervisor West said it is not an increase. It is money that you will not collect. He asked if the Turner Tract, the area immediately adjacent to Highway 58 or 671 the only areas that you think we can do business in Southampton County. He personally has a reputation of being unfriendly to new businesses coming into the area rather it be for rezoning or whatever the situation might be. He said he agreed with Supervisor Porter from day one standing there on the land with the gentlemen there he knew for a fact that we were going to seek incentives that were not available and we were going to try to do that. It is immediately adjacent to the old Highway 460 between there and the old Norfolk and Southern Railroad. You cannot find a more prime piece of land to build a business of this nature. It is going to be approximately a half of mile from the new Highway 460 that is going to be built. It is a prime location for business. The area outside of Ivor going through Wakefield is agricultural and it can be developed along the roadway. The Planning Commission will have to look at this. We will have to remain agricultural and what will be industrial and move forward. When is the last time you heard anyone say we are building any new business in Ivor. Only business in the county that seems to be growing is in Boykins and Ivor is struggling along with everyone else and the lady that just spoke said there was a job problem in this county. Here is a business that wants to come and give you ten, twelve, or fifteen jobs immediately upfront and then as the business grows up to 40 or 50 new jobs. We need this desperately. He says to you that if we say to these people no sir, we are building a reputation that is going to be hard to overcome. He said he didn't want any parts of that. This is the ideal location and he is behind this. This incentive should be given to them. Just because it is not in the industrial development area does not mean that a business should not receive the money. In addition we have older businesses in the county and struggling businesses in the county that we

need to be more faithful to as well. We have farmers out here struggling with the \$1.95 rate personal property on new tractors and new equipment so everybody needs new equipment. That is an issue we need to go there and help build on the agricultural program as it is the biggest industry we have. Old businesses are here and new businesses are coming and we have got to cater to them. He said that in the paper and he knows that they all saw that, but we have got to cater to these businesses to have businesses here in this county; and he believes that from the bottom of his heart.

Supervisor Faison said he certainly agrees with giving them the \$150,000.00 incentive with what the company is bringing. He said he thought we were doing the right thing by allowing it. This company is located in an area which doesn't require a lot of infrastructure and that type of thing. There are just so many positives to it. He said he thought we need to provide the incentive.

Supervisor Phillips said his recollection after he called and spoke with Mr. Michael Johnson is that he does remember that it has been discussed and it is a part of today's market as to how we do business that these incentives are used to attract business and we have hopefully turned a corner here now to get new businesses into the county. With everybody being concerned about the trash fee and everything else if we don't make ourselves attractive to businesses to come here our taxes are going to go so high that businesses will not come here. This is part of the process and he is in favor of it.

Supervisor Edwards said he would just like to make sure we take care of our old businesses here as well. We need to make sure these incentives are applied appropriately. He thinks these things need to come right out at the beginning.

Supervisor Porter said he would just like to say one more thing. The first year this company is in operational which is going to be pretty soon the county is going to need net about \$90,000.00 in tax revenue. So we are not giving them anything. What we are doing is saying we are not going to tax you 100% on the first year. We are going to give them a \$30,000 dollar benefit to collect \$100,000.00 dollars in the first year. Someone asked him today why aren't we giving our old businesses the same benefit. Well you know our old businesses are getting the benefit from this. You know why – because if they are bringing us \$100,000.00 a year that is \$100,000.00 less that we have got to charge our old businesses. We have a bad reputation in the business community right now and if you oppose this you can kiss it good-bye and say I'm happy paying \$150.00 in real estate tax instead of \$75.00. The only reason that he is pushing it is so we can keep our real estate taxes low is so we can get some businesses in here. If we don't get some business in here you are going to double your real estate taxes in the next ten years.

Chairman Jones asked if anyone else had any comments.

Supervisor Edwards asked if the 50% was in line with what we were doing in the enterprise zone too.

Supervisor West said the last time he checked 100 percent of nothing was still nothing.

Chairman Jones said it is still nothing.

Supervisor Porter said it is only a rebate on 50% of the machinery and tool taxes.

Supervisor West said if we don't bring the businesses in here you get nothing.

Supervisor Porter said that is right.

Chairman Jones said we need to work with Mrs. Amanda Jarratt with Southampton Economic Development to keep the doors open because there are other areas with their doors open ready to offer businesses more than we are. We need to hold on to what we have. If we don't give them the \$150,000.00 then we have run them away and everybody else.

Supervisor Edwards said he thinks the thing that caused the confusion here was that we didn't have this written out right up front. We need to make sure we put this right up front when we do it again. The \$150,000.00 was probably right up front and we just didn't see it. It probably was.

We need to emphasize that so everybody knows they get the break just like they were in the enterprise zone.

Chairman Jones asked if there were any other discussion.

Supervisor Updike said you all continue to say it was upfront. When the Planning Commission had the public hearing here nothing was mentioned about it period. If they are going to get it let it be a part of the application. These people have already come through the Planning Commission and the Board of Supervisors and now are coming back two months later and saying we need to give it to them. They are already here. They already have an agreement. It is the same thing as those people who have already been in business for five years, ten years, or one hundred years. Why aren't they eligible for the same tax relief?

Supervisor Porter stated that this is the agreement that was presented to us the first time that Mrs. Amanda Jarratt introduced us to the partner. The first time that we talked about it this was on the table. Consequently when you sit here and say you knew nothing about it well this is not a Planning issue; this is a Board issue. They mentioned it from day one and if we nig on this agreement it says we can't be trusted and you can't imagine the hurt and damage it is going to do in the business community.

Chairman Jones said he needed a motion if we were going to execute the agreement.

Supervisor Porter made a motion to provide the incentive.

Supervisor Faison seconded the motion which carried with Supervisor Updike voting "nay".

Supervisor Edwards asked if he could say one more thing.

Chairman Jones told him to go right ahead.

Supervisor Edwards said so we don't get confused on this again let's just make sure it is right out there at the beginning and that it is emphasized. He said it seems like the things that we get into problems with are things that don't get advertised enough.

Chairman Jones stated that the next item was number 8 – Consideration of a Joint Application with the City of Franklin for Funding from the Agriculture and Forestry Industries Development Fund.

Mr. Michael Johnson stated that in creating the Agriculture and Forestry Industries Development Fund (AFID) during the 2012 General Assembly session, Governor McDonnell set aside funding to encourage localities to think strategically about how they can better support and integrate agriculture and forestry-based industries into their community's overall economic development efforts. These AFID Planning Grants give local governments the flexibility to undertake the kind of planning, study, or local initiative they think best to grow and support agriculture and forestry-based businesses in their community and region. The competitive grant program allows individual localities to apply for up to \$20,000 in matching funds, or up to \$35,000 for multi-jurisdictional applications, to undertake efforts that support their agriculture and forestry-based businesses. Through the leadership efforts of International Paper and the Paul D. Camp Workforce Development Center, a Southeast Virginia Logging Capacity Task Force was recently formed with a mission of increasing the overall logging capacity in our region by provide training and other resources for companies that work directly in the logging industry and/or its related supply-chain. The Community College was successful in obtaining a \$12,000 grant to start this Task Force and hire a part time coordinator. In addition, the Task Force is also the beneficiary of a \$5,000 grant from the International Paper Foundation, which they would like to leverage and use for the local match requirements of the Agriculture and Forestry Industries Development Grant. Because the AFID funding is available only to local governments, Mrs. Amanda Jarratt has volunteered to prepare a \$5,000 grant application on behalf of the City of Franklin and Southampton County to be used to further the work and efforts of the Southeast Virginia Logging Capacity Task Force. Because the matching funds would be provided by the Task Force, no local funding is required.

Chairman Jones asked if there were any questions on this.

Supervisor Edwards said it was hard to turn down a freebie.

Supervisor West said he thought it was so important because when International Paper closed down so many jobs were lost. Some of them had new equipment and everything but had to shut down because they couldn't make it any more. Now we have International Paper thriving and growing again and Enviva, Dominion Power, and ST Tissue coming. We have many coming in here now that are going to require the wood products to be moved and transported. Instead of coming out of Lawrenceville maybe the local guy can get back into it. This is an opportunity to study; it is a free grant. With this county and the City of Franklin joining together and saying we need help and we can fund this thing with a grant and get someone to look at it is wonderful. He thinks it will give an opportunity to people who had reduced their business or closed their business to start up and get going again. He said he was absolutely in favor of it.

Chairman Jones asked if anyone else had anything.

Supervisor Edwards said also it would create more jobs.

Supervisor Phillip said he would be in favor of it.

Chairman Jones stated that he needed a motion.

Supervisor Phillips made a motion to authorize submittal of a grant funding request.

Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones said we would move to item number 9.

Mr. Michael Johnson stated that number 9 was a consideration of a joint application with the City of Franklin for a regional project planning grant. Our Shared Services Committee (Supervisors Porter and West) has continued meeting regularly with their counterparts in the City of Franklin (Mayor Johnson-Ashburn and Vice Mayor Cheatham) since executing the MOU last November, most recently on January 16, 2013. Among other things, our latest discussion included one of the more promising areas of future collaboration – public utilities; particularly as it relates to wastewater treatment. As you are aware, in 2010, the County invested more than \$30 million in constructing a new, state-of-the-art wastewater treatment plant and related infrastructure in the environs of Courtland, which currently has substantial capacity and an ability to further expand in the future as needs dictate. The City of Franklin indicates that its wastewater treatment plant is currently approaching operational capacity, and an opportunity exists for both communities to achieve substantial savings by interconnecting their wastewater collections systems. The Virginia Department of Housing and Community Development (VDHCD) administers a Regional Project Planning Grant Program with grants available up to \$40,000 for needs analysis and strategy development activities in preparation for a future Community Improvement Grant (construction) proposal. One of the specifically-listed eligible activities is development of cost estimates and preliminary engineering reports (PERs). At our meeting on January 16, it was the consensus of the Shared Services Committee to recommend to both governing bodies that they authorize the County Administrator and City Manager to prepare a joint letter of interest to the VDHCD for a planning grant to study the following four areas:

1. An Infrastructure Inventory and Asset Analysis to evaluate what we currently have, what we will need to effectively interconnect our wastewater systems and the capital and operational costs of any required improvements.
2. A Governance Evaluation to identify future business relationship options available to us (Service Provider/Customer, Partners, Regional Authority, etc.) and evaluate the strengths and weaknesses of each;
3. A Financial Evaluation to evaluate the fiscal impact of interconnecting the two systems on our current utility customers, and the size and scope of any respective financial subsidies that may be required from sources other than customer fees; and
4. An Implementation Plan identifying the sequence of events to interconnect the systems.

Following submittal of the letter of interest, VDHCD will review it for eligibility and local

readiness, and if deemed promising, will invite us to submit a full proposal in accordance with their program guidelines. It is my understanding that the grant, if awarded, will require a 20% local match.

Chairman Jones asked if there were any questions.

Supervisor West said he would like to remind you way back in the summer a couple of years ago we had an earthquake. Franklin's present sewage system is in a flood zone and it has reached capacity. We have a state of the art system. We have a system that is prepared. This is an opportunity like we have never had before. We need additional opportunities to submit infrastructure inventory, governance evaluation, financial evaluation, and implementation of plans. We need to work together and make this thing work. This is an opportunity like we have never seen before between people in this region. It can make a dramatic difference. It can make a dramatic difference for the City of Franklin services. It is an opportunity because we have willing partners in Franklin and we have willing partners here. We need direction to see how this thing can help us out.

Chairman Jones asked if there was any other discussion.

Supervisor Porter said right now this provides us with an opportunity to help ourselves and help our neighbor and have a win-win for everybody. We built a sewage system on assumptions and those assumptions didn't pan out so we are stuck subsidizing this. It will be a cost effective solution for them and a cost benefit for us. Even if we only save a million dollars a year, that is a million dollars a year. That is probably a minimum that we can save in this. We may be able to save all the million and a half that we subsidize. This is just to get the cost out of our tax base. We need to do that and he thinks this is one of the most promising opportunities that our shared services committee has identified. It is just a no-brainer.

Supervisor West said the time is right. Working together is right. We have a facility and they have a need.

Supervisor Edwards asked if Franklin was already getting into their warning stages.

Mr. Michael Johnson said yes they are getting close to their operational capacity.

Supervisor Edwards said and they are a willing partner there.

Mr. Michael Johnson said yes they are.

Chairman Jones asked if he had a motion.

Supervisor Edwards made a motion to move forward with a joint application with the City of Franklin for a regional project planning grant.

Supervisor Faison seconded the motion which carried unanimously.

Supervisor West said the importance of this tonight is that we are shooting for July 1. There are a lot things on the table and people are willing to work with us.

Chairman Jones stated we hadn't had that opportunity before.

Chairman Jones stated that the next item was number 10.

Mr. Michael Johnson stated that item 10 was a capital funding request for Courtland Volunteer Fire Department. You will see a capital funding request form the Courtland Volunteer Fire Department. You see in your agenda a capital funding request from the Courtland Volunteer Fire Department to assist them in making payments on Engine 42 and a 2007 brush truck they purchased during the past year, as well as to make roof repairs to the old fire station building. Capital funding in specified amounts has been set aside annually for each fire department and rescue squad since FY 2000. These funds are held in escrow until a request to draw them down is approved by the Board of Supervisors. Escrowed funds continue to accrue for each

department/squad if they are not drawn down on an annual basis. You have a spreadsheet in your agenda sheets which indicates the status of capital appropriations since FY 2000. As you can see, we are holding \$28,000 (FY 2012 and FY 2013) in escrow for the Courtland Volunteer Fire Department. To date, we've collectively appropriated \$1,675,500 for fire and rescue improvements and are holding \$329,500 in escrow.

Chairman Jones asked if there were any questions.

Supervisor Edwards said he really couldn't see the need for a lot of discussion here. He made a motion to honor the request for \$28,000.00.

Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones stated we would move to item number eleven.

Mr. Michael Johnson stated that item number eleven is a consideration of a resolution designating Southampton County as a child friendly community. Just to give you some background, Smart Beginnings Western Tidewater (SBWT) is a collaboration of multiple agencies serving the counties of Isle of Wight and Southampton and the City of Franklin and is committed to ensuring that all children in Western Tidewater enter school healthy and ready to learn. In this regard, SBWT is requesting all of its member jurisdictions to adopt resolutions supporting the concept of child friendly communities in an effort to encourage parents, teachers, and community stakeholders to work together to make a positive difference in the lives of young children throughout Western Tidewater. It's my understanding that Isle of Wight County adopted a similar resolution last fall, and the City of Franklin will be considering adoption in the coming weeks.

RESOLUTION DESIGNATING SOUTHAMPTON COUNTY
AS A CHILD FRIENDLY COMMUNITY

WHEREAS, the Board of Supervisors of Southampton County desires to designate the County as a child friendly community; and

WHEREAS, a child friendly community envisions parents, teachers and community stakeholders working together to make a positive difference in the lives of young children throughout Western Tidewater; and

WHEREAS, various local, regional and state organizations are working collaboratively to improve early learning opportunities and promote healthy lifestyles for children; and

WHEREAS, public policies that support early learning for all young children are crucial to their future success; and

WHEREAS, community and recreational facilities must be designated to stimulate children's cognitive and values development, health, and well-being in a variety of ways; and

WHEREAS, child friendly communities allow children to have the freedom to explore the world around them in physical, emotional, and spiritual safety.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Southampton County, Virginia that Southampton County be, and hereby is, designated as a Child Friendly Community.

Adopted this 28th day of January 2013.

Chairman, Board of Supervisors

Michael W. Johnson, Clerk

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

Supervisor West said again as Supervisor Porter said it is a no-brainer. We are all for children and in today's culture and environment we need to do everything that we can to provide a safe, healthy environment. He moved that we adopt this resolution.

Supervisor Edwards seconded the motion which carried unanimously.

Chairman Jones stated the next item was twelve.

Mr. Michael Johnson stated that item number twelve was a memorandum of agreement on the plastic pesticide container recycling program. You have a copy of the 2013 Plastic Pesticide Container Recycling Program. Under the terms of the agreement, VDACS provides reimbursement up to \$1,875 to Southampton County for expenses associated with the program. VDACS provides jet-rinse nozzles and granulation equipment which is operated with assistance by our Extension Agent and volunteers. Southampton County pays for program expenses and costs and is then subsequently reimbursed by VDACS. Space is set aside at the Southampton County Fairgrounds for collection and storage of containers. Chris Drake will inspect them to assure that they've been properly rinsed prior to granulation.

Chairman Jones said this is nothing new; we have had this before. We need to go ahead and do something with it.

Supervisor Phillips said he has taken part in this program. He stated that it was a good program because it keeps the plastic jugs from piling up around the farm and they are being recycled. He said he would like to make a motion that they approve this.

Supervisor West seconded the motion which carried unanimously.

Chairman Jones moved to item number 13.

Mr. Michael Johnson stated that item number 13 is a supplemental funding request. You will see in your agendas a request for supplemental local funding from the Commissioner of the Revenue for additional part-time assistance to process applications for the real estate tax relief program. She is asking for an additional \$8,000. Her FY 2013 budget currently includes \$20,000 for part-time salaries. Availability of the relief program for the solid waste management fee served to heighten awareness of the real estate tax relief program, resulting in an 89% increase in the number of applicants thus far, with approximately 30 days remaining before the March 1 application deadline. Notwithstanding efforts to utilize volunteer assistance and reallocate some of her staff's time, Mrs. Carr indicates that she still needs additional help. Mrs. Carr is here tonight if you have any additional questions.

Chairman Jones asked if there were any questions.

Supervisor West said he understands what information that we have available that your work load has doubled and you still haven't finished the applications and paperwork that is required is that correct.

Mrs. Amy Carr said yes.

Supervisor West said you have already utilized the \$20,000.00 and you are still having a shortfall to some degree prior to that and now many more people are taking advantage of the program is that what it is?

Mrs. Amy Carr said yes sir.

Supervisor West said he understood she had some free help which is also a volunteer, but is helping her with her education in the process. He said he thought that was a good thing. He said

they wanted to be supportive of her as they imposed this program upon her, but they also want to be fair to the citizens of the county as well and obviously it is \$8,000.00 more dollars as well. He said if this \$8,000.00 is appropriated right now what would be the difference come July 1. Would that mean needing a full time person or a part-time person?

Mrs. Amy Carr said we would probably continue to need the part-time each year so we would be looking at the \$28,000.00.

Supervisor Edwards asked how many people now are working on it.

Mrs. Amy Carr said one person.

Supervisor West asked what is the length of time required to process an application when a person sets up an appointment comes in to go over the information – in other words what amount of time is required for one person?

Mrs. Amy Carr said on average about 93 minutes.

Supervisor West said 93 minutes.

Mrs. Amy Carr said that's right.

Supervisor West said and there are 160 applications correct.

Mrs. Amy Carr said there are 350 applications so far and they are still coming in.

Supervisor West said he was saying 240 hours. So we are talking six weeks at 40 hours a week, is that what we are saying? He asked what the normal pay was for something like this.

Mrs. Amy Carr said \$13.00 an hour.

Supervisor West said so that is \$520.00. So that is less than the \$8,000.00.

Mrs. Amy Carr said at \$13.00 an hour that is \$542.00 and that would leave \$950.00 to cover additional overtime for the others.

Chairman Jones asked if that took into account the time when you sent people home to get additional information and then you have to work with them again when they come back with their paperwork to finish the application. So some people are seen two times.

Mrs. Amy Carr said yes that is right.

Supervisor Edwards asked if she thought that would fully fund what she needed.

Mrs. Amy Carr said yes sir.

Supervisor West said he was going to play off of Supervisor Updike. We want to give every citizen every opportunity to have time to sit down and go over this. Funds are tight; we know that. His personal opinion is that we need to fund it for the \$8,000.00 and then look at the budget when the time comes around and see what is needed. By that time you will be able to give us a little more detail, but every person needs their day in court so to speak. He said he didn't think that a lot of us understand that it takes 93 minutes to process an application and go through this. He favors the \$8,000.00 request.

Supervisor Porter asked if you have to do this every year for every applicant – is that correct?

Mrs. Amy Carr said yes sir.

Supervisor Porter asked what percentage of people qualify year after year - most.

Mrs. Amy Carr said most. She said she didn't think they had ever had anybody who didn't qualify.

Supervisor Porter said he supports providing the money this year because he thought we need it based on the system. But he only asked that she look at what we are doing and how often you have to do it and maybe you could stagger it and do it like every other year to cut down on the cost if you are allowed to do that. It looks like it is automatic for most people to get a renewal. So look at some way in the future to do it better.

Mrs. Amy Carr said they had already looked at that and we would love to do that. She said the code will allow them to have them sign off on an affidavit saying that their financial status has not changed and we can do that three years in a row before they have to fill out a new application.

Supervisor Porter said if you can bring that to us I can assure you that we will pass it.

Supervisor Edwards how many applicants did you say we have again?

Mrs. Amy Carr said 350 so far.

Supervisor Updike asked in previous years exemptions how many there were?

Mrs. Amy Carr said the amount of money or the number of people.

Supervisor Updike said the people.

Mrs. Amy Carr said they had 179 this past year in 2012. She said and so far this year you can add 152 to that.

Supervisor Updike said so this year you have an additional 160.

Mrs. Amy Carr said yes sir.

Supervisor Updike said so that is boiling down to those people costing about \$50.00 per application that it is costing us.

Mrs. Amy Carr said she didn't know about that.

Supervisor Updike said $160 \times \$50.00 = \$8,000.00$. That is \$8,000.00.

Mrs. Amy Carr said I got you.

Supervisor Updike said $160 \times \$50.00 = \$8,000.00$ to process the applications.

Chairman Jones called on Supervisor Faison.

Supervisor Faison said when Supervisor Edwards asked you how many people qualify I heard you say most of them. This is mostly the persons who submit applications.

Mrs. Amy Carr said yes sir. She said keep in mind that this is done on a sliding scale so one person might qualify for one percentage one year and a different percentage for next year, but they still qualify for both years.

Supervisor West said he really thought the Board would feel comfortable with what she had asked for and that is to utilize a three year affidavit as that would cut down on the processing of applications and if you can present that to us and we do whatever it takes to authorize it that would be worth our money. We have strict guidelines and we have put them on ourselves. That wasn't the person's problem; that is what we put on ourselves.

Supervisor Edwards asked Mrs. Amy Carr if she had one of the applications with her.

Mrs. Amy Carr said no, but she had one in her office.

Supervisor Edwards it might not be bad if at the next meeting she gave everyone on the Board one

so they could see what she was up against.

Mrs. Amy Carr said there is one in your packet.

Someone from the audience said the package she gave you all has one in it.

Supervisor Phillips said he had stopped and talked to Mrs. Amy Carr also and there was some comment about how it was processed and how the people have to deal with it. Mrs. Carr has made every effort to grant some privacy to the people as they make these applications and he has been in the office and talked with the lady who will be doing this. The lady is not just a part-time lady off the street, but this lady helped up with the reassessment and now she is working with us on the trash fee. He thinks that people need to understand that it is a difficult process both for the people having to go through it and the people having to administer it here in the county. He wanted people to know, whether the newspaper picks this up or not, to understand that the people who are working through the Commission of Revenues office are making every effort to make this as palatable as possible and we will as the Board try to work with you. He said he had tried to do that with people in his district. He said he is available at any time if they have any further questions. He said he was in favor of funding this because previously there were people who weren't aware of the real estate tax relief that was available or chose not to take advantage of it, but now with the trash fee it has bumped up the awareness and that is why we have so many more applications.

Chairman Jones asked if he could get a motion.

Supervisor Porter made a motion to fund the additional \$8,000.00 to the Commissioner to process the real estate tax relief applications.

Supervisor Phillips seconded the motion which carried unanimously.

Chairman Jones stated the next item was 14.

Mr. Michael Johnson stated that item 14 was consideration in scheduling a public hearing to dispose of real property. As you all are aware, Southampton County holds title to 8.02 acres at 7486 Proctors Bridge Road, which was the site of the former Ivor Elementary School. The property was declared surplus by the Southampton County School Board in November 2001 and subsequently conveyed back to the County in December 2002. Notwithstanding repeated attempts over the past decade to identify a prospective buyer/renter with adequate resources to adaptively renovate and reuse the facility, the building eventually succumbed to the elements and was demolished by order of the Board early last year. As you may recall, the County expended \$59,354 last year for expenses associated with demolition:

Asbestos Abatement	\$23,700
UST Removal	10,904
Building Demolition	<u>24,750</u>
	59,354

The property is now vacant and no longer serves a public purpose. Section 15.2-1734 of the Code of Virginia provides that the Board of Supervisors may sell, at public or private sale, or otherwise dispose of publicly-owned property after it has held a public hearing concerning the matter. The land is currently assessed at \$64,200 (\$8,000/ac). The Town of Ivor has public water nearby and our Comprehensive Plan designates it as single family residential. It is currently zoned Residential R-1.

Chairman Jones said you have heard that we need to have a public hearing concerning this.

Supervisor West said he thought that was necessary. The bottom line this property was an eyesore. We took the initiative to clean it up and make the community look better. There has been some expressed interest in the property itself. We spent \$60,000 to clean it up and get it right and he feels certain that someone would buy it for that price or even more and at least put it back on the tax rolls. Then at least it starts paying for itself. Right now you are getting nothing for it.

Supervisor Edwards said his question was is that enough?

Supervisor West said well it is not what you need to get, but that would be the starting number.

Chairman Jones said he didn't think we needed to take any less for it.

Supervisor Porter said he thought if we put it out there we would get the market value for the land. We will probably have more than one person interested so we will get the market value of the land, but again he would like to move that we authorize a public hearing for that.

Supervisor West seconded the motion which carried unanimously.

Chairman Jones stated the next item was 15 - Miscellaneous.

Mr. Michael Johnson stated that you will see there are various notices, incoming correspondence, outgoing correspondence, and articles of interest. He stated he would be glad to answer any questions you may have.

Chairman Jones asked if there were any question.

Chairman Jones asked if there were any late arriving matters.

Mr. Michael Johnson said no sir.

Supervisor West said he had one item of old business. He asked if they ever fulfilled the idea of a parking space out next to building and zoning building for people who may be handicapped or for use during inclement weather.

Supervisor Edwards said he didn't know that was a good question.

Mr. Michael Johnson said we never got a clear answer from the State Fire Marshall on that. He said he would go back and dig that out, but we never got a clear okay based on width of the service drive that we had room to fit parking places in there and still maintain the adequate clearances.

Supervisor West said could you please check on that?

Mr. Michael Johnsons said he could dig that up.

Supervisor Porter said one thing we have got to be aware of is what the future use of that building may be. Remember we are evaluating a consolidated Building and Zoning with the City of Franklin right now. We are in a trail period so we don't want to go out necessarily and spend money on something that may not have a long term use.

Supervisor West said the Town of Boykins had said they had interest in doing the stripping to make the parking spaces.

Mr. Michael Johnson said they offered for us to use their painting supplies.

Supervisor West said yes and Mr. Spier Edwards would be willing to do that so there would be no additional costs. Oh course you are right because one of the things that has come out perhaps with the City of Franklin is perhaps that with consolidation the office could be here or there.

Chairman Jones said we can still look into that Mr. Michael Johnson.

Supervisor West said will you please check with the State Fire Marshall.

Mr. Michael Johnson said sure.

Chairman Jones stated that the next item was 17 – Citizen Comment Period.

Mr. Ash Cutchin of Darden Mill Estates addressed the Board. He said he noticed that Mr. David Britt said maybe the economy is turning around. He said he was at a seminar in Norfolk a couple

of weeks ago where an economist from Old Dominion University presented a Hampton Roads Annual Outlook and they gave us some historical facts and one of the facts that was presented was that real estate that was sold in Greater Hampton Roads which we are a part of that those properties which sold from November 2011 to November 2012, 31.7% of them were what we call distress sales which means foreclosure sales or what they call real estate owned property repos so it looks like my attempt to convince our previous assessors that the foreclosure market was a third of our local market around here was unheeded, but that is a fact. The second thing I hear you discuss these fee rebates for the property up on Highway 460. He said he didn't have any problem with that, but several years ago he appraised the building in Franklin which later became the money-mailer building and he had the occasion to read the entire lease agreement and the rebate agreements that the City of Franklin gave to the money-mailer and they were very similar to what you all were talking about tonight in terms of rebates and taxes, machinery rebates, and rebates of electric charges because the City of Franklin sells their electricity. Just about the time that all those rebates ran out and money mailer had taken full advantage of them they closed up shop and left. He thinks they might ought to check with the City of Franklin to find out their historical performance in giving these rebates to see whether they were a real advantage to the citizens or not and advantage. The third item is that you talked about shared sewer with the City of Franklin and someone commented that their sewage system is in a flood zone and it is indeed in a flood zone, but isn't ours also.

Supervisor West said no.

Mr. Michael Johnson said no.

Mr. Ash Cutchin said the question he has if we share these kinds of projects with the City of Franklin if and when repairs and upgrades become necessary and they will in our life time he thinks, how we will share the cost of those upgrades. He doesn't want us to get stuck having to fix them just because they are located in Southampton County.

Supervisor Porter stated that was a part of the study.

Supervisor West said keep in mind this will be a regional thing and not a Southampton County thing.

Mr. Ash Cutchin said the budget is coming up and he noticed they kept approving items and approving items, and approving items, and spending money, and spending money, and spending money and he is not trying to tell you that none of it was necessary but he just wants you to keep in mind that during the next couple of months you are going to have hundreds and hundreds of people coming up here asking for money. You have got to realize that we don't have an unlimited amount of money to spend. Thank you.

Chairman Jones thanked Mr. Ash Cutchin.

Chairman Jones asked there was anyone else wishing to speak.

Mr. Richard Harris of Trinity Church Road addressed the Board. Several years ago his business partner and he and wife decided to spend a substantial amount of money in Southampton County in Ivor, Virginia. They were asked by many people why they would spend any money in this county because it was the most unfriendly toward business of any area that they had ever been in. You should hang a sign up at every entrance to this county that you are business friendly and are open for business. We spent over \$500,000.00 dollars right outside of Ivor next to the truck stop because the people of this county had been extremely good to them. They were up by the hardware store prior to buying this piece of property and investing over a half of million dollars. They welcomed us to this county and I built a home here too. He said what he came here to speak to you about is that he spoke to his Supervisor and Supervisor West because he came by the store. You all spoke about hiring some engineers for projects. One of them was Mr. Jeff Robinson & Associates which you may take on. He said he would not hire him to build an outhouse. They hired attorney Timothy Drewry back in 2007 because Mr. Jeff Robinson & Associates was the consulting engineer on the Stucky's truck stop. He laid out the site plan and did nothing about storm water drainage. You have got diesel trucks and 5,000 gallon gas trucks going in there every day loaded with fuel. If you have a leak, where is the fuel going. It is running down off of that

asphalt over onto their property. They made no provision to retain any of that fuel. That is going to contaminate their property. They approached Mr. Jeff Robinson about it. They tried to get him on the telephone to come out there about it and get him to come out there to Ivor from Emporia to talk to the man who was putting up the money, Mr. Shender. Mr. Jeff Robinson's response was that he was too busy to leave his office. He put in a small retention pond and was going to take pipe and run from the retention pond over to our property and dump all of his waste water off onto our property and our retention pond. He stated that when they improved their property it wasn't a requirement of this county to put in a retention pond, but they spent \$25,000.00 to put in a retention pond to make this county happy. We didn't have to, but we did. We complained so much they he had to get permission from the railroad that runs behind their property to put in a pipe to take his waste water, his drainage, his fuel leaks and everything else. Do you know where he is dumping that water. He is dumping it down in the swamp there at the bottom of Highway 460 where it runs under that bridge. If called, EPA won't be happy about that. Then he wouldn't put in the proper drainage where the drive turns into our property. The first big storm we had there was water running from his driveway down Highway 460 out of his driveway and washed our driveway away. VDOT made him come back and fix that. If you all hire him to do anything for this county, you are wasting taxpayer's money. He said he had the letter right here that Mr. Timothy Drewry wrote. He said he tried to get Supervisor Edwards to do something about it. He said he tried to get some of the supervisors to talk to this engineer. He said if you all have any intention of hiring Mr. Jeff Robinson, he suggests they not do it.

Chairman Jones asked if anyone else wished to address the Board.

Chairman Jones closed the citizen's comment period.

Chairman Jones stated after a five minute break we will have our closed meeting.

Mr. Michael Johnson stated that at this time it is necessary for the Board to now conduct a closed meeting in accordance with the provisions set out in the Code of Virginia, 1950, as amended, for the following purpose:

1. Pursuant to Section 2.2-3711 (A) (5), to receive a report from Franklin/Southampton Economic Development, Inc. regarding prospective industries where no previous announcement has been made of the business' or industry's interest in locating its facilities in the community.
2. In accordance with 2.2-3711 (A) (29), Code of Virginia, 1950, as amended, to discuss the terms and scope of a public contract related to wastewater treatment and pretreatment, where discussion in an open session would adversely affect the bargaining position of the public body.
3. In accordance with 2.2-3711 (A) (1), Code of Virginia, 1950, as amended, to discuss the resignation of the Cooperative Extension 4-H Agent.

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 West 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 authorizing Mr. Michael Johnson to enter into a contract agreement with Retaw Engineering in the amount of \$3,960.00.

Supervisor Edwards seconded the motion which carried unanimously.

There being no further business, the meeting was adjourned.

Dallas O. Jones, Chairman

Michael W. Johnson, Clerk