

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 December 16, 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)
Lynette C. Lowe, Finance Director
Beth Lewis, Director of Community Development
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 stated that item number one was the approval of the minutes. He asked if anybody had any problem with the minutes.

Supervisor Updike stated that after going into the second closed session last month he asked that the vote on the reorganization plan be delayed until the December meeting where it could be discussed in front of the citizens and then voted upon. He stated that it was omitted from the minutes and he wanted it to go on record as having made the request that this be done at the December meeting.

Chairman Jones asked if there were any other additions or corrections. The minutes were approved as presented with Supervisor Updike's addition.

Chairman Jones stated that item number two is Summary of Actions Taken last Month Regarding Reorganization.

Mr. Michael Johnson stated that as just mentioned following closed session of last month's meeting the Board approved an organizational plan for County Administration and the accounting departments. And, while that approval is reflected in last month's minutes and has also been recorded by the local media, the Board did ask me to put together a brief presentation in the interest of full transparency. So with that I'd like to make a presentation, Mr. Chairman.

Chairman Jones said go right ahead.

Mr. Michael Johnson gave the following presentation:

Mr. Michael Johnson apologized for the small print. He stated that this is a copy of your organizational structure as it is today still. You can see here the County Administrator Position. We have an Administrative Assistant. Then we have a vacant Deputy Administrator Position. We have three department heads that currently would have reported to that Deputy County Administrator, but in the absence of that position refer directly to me as well. That includes Mr. Hart Council, our Director of Public of Works, Mr. Jackie Vick, our Building & Grounds Supervisor, and then also our Shared Services Community Development Planning & Buildings Inspections with the City of Franklin. In addition to that I currently have three other departments that report directly to me. They are the Finance Department, the IT Department, and also the Department of Public Utilities. What we talked about last month was doing some restructuring. Basically, what that involves is four different moves. The first move is to change the name or description of the current Deputy County Administrator position to a Deputy County Administrator/Chief Financial Officer. And, under that position you would have three department heads directly reporting. That would include Public Works, Buildings & Grounds, and also our Finance Department. This position would be filled by Mrs. Lynette Lowe. Then Mrs. June Steele would be moving up into a new position which is called a Finance Manager's position. It is not graded as high as the former Finance Director position, but we will talk about the grades in a minute. Mrs. June Steele would move up from her current Accountant position into that Finance Manager position. Ms. Cindy Edwards who is currently the Administrative Assistant would move into this Accountant position. Then we would look to back fill this Administrative Assistant position. Let's talk about why we need and want to do this. The first thing that we talked about last month was unmet needs. We talked about management of major projects. Just to give you a few examples, right out of the gate we will be bidding one of the major infrastructure improvement projects early next year, probably by February, and that is the improvement of Rose Valley Road. We will be widening and improving that from the intersection of General Thomas Highway to the entrance to Enviva Way. We are actually using funds through VDOT's budget for that project this is a locally administered project so there is a lot of administrative paperwork. There is a lot of work that has to go on the administrative end to manage that position. That is about a \$1.7 million dollar project when you consider engineering, construction administration, and the construction. Also, we have a \$1.5 million construction project that will be bid shortly thereafter. And that is for construction of the sewer force main from the pump station at the Turner Tract Industrial Park to the interceptor pump station on Route 58. Again, that is about a \$1.5 project. That will be covered partially through a grant that we received from the Department of Housing & Urban Development, a community development block grant. Associated with that grant is obviously a lot of paper work and a lot of tracking that has to go on. So, there are tremendous administrative duties associated with that. In addition to that, I think you all saw the email from last Friday where we were approved by the Department of Housing & Community Development for a planning grant to work with the City of Franklin to explore the opportunity of combining our utility systems. That particular project is going to need some help from somebody to help guide and shepherd that as well. The second item that we talked about was missed grant opportunities. Just to give you a couple of examples, our former Deputy County Administrator was here for a period of less than 24 months, but in that period of time he obtained over \$850,000 worth of grants. One grant alone was for \$700,000. That was the grant for the sewer force main for Enviva. The other grant that he worked on through the Department of Health was for system improvements for the Drewryville Water Works. So, there are opportunities out there if we had the time and personnel to devote to chase them to help reduce our costs. The third point that we talked about was having somebody that has the time to critically evaluate daily operations of our county departments. This is to have somebody looking over the shoulders of the department head and asking a hundred questions. Are there better ways to do this? Are there more efficient ways to do this? Are there cheaper ways to do this? So with all that said, what we are really trying to do is align our existing resources so we can improve our responsiveness, increase our efficiency, and also lower our costs. Now, let's talk a little bit about what the key duties of the Deputy County Administrator/Chief Financial Officer position are. Number one that position would be available to consult with and advise department heads on a day to day basis regarding their operational activities. Number two they would assist in supervising those day to day operations, help with planning special projects and programs. They can be available to provide staff instruction to help the department head resolve problems, to ensure that the department heads have the adequate manpower that they need, and help them review and plan their work, and also to help motivate and discipline their workers. Second of all, that position would be available and responsible for directing, developing, coordinating, and managing county projects such as the ones I just mentioned, including writing and oversight of grants. Number three they would be available

to initiate measures to improve the administrative and operational efficiency of the county, as I just mentioned. Number four gets to the new duty that is beyond what was in the former Deputy County Administrator's position, but the CFO part of that job would also involve overseeing all aspects of financial matters including the oversight and monitoring of the budget process and preparation of the comprehensive annual financial report. They will be available to do financial research, help with financial forecasting, be available to represent the county on local and regional boards, commissions, and committees. And, one thing that we talked about last month was that they would be available to function as a point of contact for all six of our incorporated towns. And, finally they would be available to meet with citizens, represent the Board at official county functions and respond to citizen's inquiries and complaints. Now, the second position that we talked about was the Finance Manager position. Now, as I mentioned this is not graded as high as our former Finance Director's position and the reason for that is we are removing the broad general oversight of the financial part to the Deputy County Administrator's position, the CFO part. Then we are taking the key duties that were left from the Finance Director and we are assigning them to this new position of the Finance Manager. And, that will involve controlling, planning, designing, and implementing the financial manager system and procedures to ensure that all of our operations are in compliance with the accounting standards and requirements that we must comply with. Number two to review the financial analysis and reports concerning the county's funds structure as needed on the ongoing evaluation of the county's financial status, provide financial assistance as necessary to the departments with such tasks as evaluating their budget request, supplying them direction and advice, fully developing and assembling the budget and expenditure records, reports, and things like that which are used to evaluate and verify those kinds of things. And, finally they will oversee the daily accounting and purchasing activities. So, to make a long story short, basically this position is responsible for the day to day financial tasks. The CFO has the broad general oversight, the big picture, budget things, audit things. The Finance Manager will be responsible for the day to day operations of the finance department. Now, let's talk a little bit about where these salaries cross. What you see here is a snapshot, very quickly, of the county's pay and classification plan and that plan is two primary components. First of all every position within the county's organization structure is assigned a grade in accordance with the plan and then based on the grade we look at the tenure of the employee as to where they get on the horizontal axis. So, just to give you an example, the Deputy County Administrator/CFO is graded a grade 39. Currently, our Finance Director was just slightly above this service year five level. She was 1.1% above that level. That level was a grade 37. So, effectively what we have done is moved her two levels, from the grade 37 to grade 39. So, effective January 1 that salary will be \$77,603. When you look at the Finance Manager's position, that position is currently a grade 26; so, we moved that up three grades with this reclassification. And, Mrs. June Steel, who is currently our Accountant, has over 20 years of service with the organization so that moves her over to this category (which he pointed to and stated that she was slightly above this number) so we moved her a proportional percentage above the 20 year service level at the grade 29. Her annual salary effective January 1 will be \$56,447. The Accountant position Ms. Cindy Edwards will be moving into that position. As I mentioned that position is a grade 26. She would come in at the entry level. That salary is \$38,088 and finally we look to backfill the Administrative Assistant position which is graded at a grade 18. We look to backfill that position at the starting salary of \$25,780. So, when we looked at the cost comparison we looked at the annual cost of filling the Deputy County Administration position at the entry level That entry level position starts at a base salary of \$64,500 and some change. When you look at the cost of the fringe benefits, the FICA, the employer share of the VRS, the 3% employee share of the VRS that the county currently picks up, and if you make an assumption that the person who comes in will be single and subscribe to the single health care plan the cost of filling that position at the entry level is \$88,756. If that person came in with a dual subscriber status or a family subscriber status that number would only be higher. If you look at the annual cost of the reorganization as I have just described to you, the adjustments in salary and the fringe benefits, the annual cost of that is \$72,069. So, the reorganization is for all intense purposes just slightly less than 20% less than filling the position at the entry level. That concludes my presentation.

Chairman Jones asked if there were any questions from the Board.

Supervisor Phillips said Mr. Chairman, the numbers that you gave, that \$77,000, did that reflect the FICA and all the other numbers.

Mr. Michael Johnson said that was the base salary. But the \$72,000 that I showed you at the end included all the salary adjustments plus the benefits.

Supervisor Phillips said okay.

Supervisor Updike said I noticed that the grades were changed to 2014. Is that automatic that the county can change the grade by the approval of the Board? Because the difference from 2006 to 2014 the difference in that salary range is higher than 2014. If you go back to 2006 to 2014 pay scale there is a lot of difference between those two scales.

Supervisor Porter said he just wanted to say one thing. He stated that the pay scale will include the county funds that have to be paid too.

Mr. Michael Johnson said the pay scale, Supervisor Updike, has been adjusted just once I think since 2006 based on the cost of living and I want to say that maybe was in 2008. They moved the whole scale. So, it has been adjusted at least once if you went back to 2006.

Chairman Jones asked if there were any other questions. You said you had more than one Supervisor Updike.

Supervisor Updike said he was confused. He said he had been called lame, stupid, and everything else, but we approved a budget and here we are in the middle of the year spending money. All of the spending should be on a yearly basis approved for July 1. What good is it to make it if we are not going to follow it? After years of experience we just do away with it after July 1 when it took six months to approve it. I just don't follow it.

Supervisor Porter said he would like to answer that.

Chairman Jones said go ahead Supervisor Porter.

Supervisor Porter said for one Supervisor Updike needs to understand that a budget is a plan for the year. You don't have perfect foresight, so you don't see everything happening. You have to be able to react and change to circumstances as they change. That causes you then to review your budget to make your program amendments. Secondly, if I took your logic, we had \$50,000, well roughly \$45,000 to \$50,000 in our budget this year to pay Franklin for these new storm water management positions that we were required to do by law. Since we approved the budget we were able to achieve a grant to cover those positions. Based on your logic, even though we wouldn't have an obligation to pay this money we should still go ahead and pay Franklin \$45,000 because we had it in the budget. You have to look and react and amend the budget as your circumstances change; and we need to do that in order to run the county in the most efficient and effective way.

Supervisor Updike said the question of it is, if you have "X" amount of dollars and you are spending more than you are taking in you are in trouble. I don't care what you say when we are spending money that we don't have at the end of the year we are going in the hole.

Supervisor Porter said we have \$45,000 that we don't have to spend. This cost us \$36,000 this year to implement. It seems to me that we have more than enough money in the current budget to cover this organizational plan without having to appropriate the monies.

Supervisor Updike said you just want to the end of the fiscal year and you will find out what you have got when we come up way, way short.

Chairman Jones asked if there was anyone else who had anything. He called on Supervisor Faison to see if he had anything.

Supervisor Faison said no.

Chairman Jones called on Supervisor West.

Supervisor West said no.

Chairman Jones called on Supervisor Edwards.

Supervisor Edwards said no.

Chairman Jones called on Supervisor Phillips.

Supervisor Phillips said no.

Chairman Jones said we have already done this so nobody should be crying because we did this at the last meeting.

Chairman Jones said at this time we will have the citizens comment period. He asked if there was anyone who wanted to speak, if so please come up and state your name.

Mr. Ash Cutchin said thank you Mr. Chairman. Mr. Ash Cutchin stated that he lived in Supervisor Edwards district. He said this is not like he normally comes prepared with a written speech from home, but he just took some notes tonight. He said regarding your budget, as you know I flew airplanes for 28 years and we had a saying "plan your flight and fly your plan". We had to deviate from that sometimes. We always had to deviate or be prepared to deviate. You had to have an alternate airport in case your first plan was interrupted. So you didn't always fly the plan Supervisor Updike. But, I do have another question of you. What I would like to know is there an overlap between personnel matters and budget matters, because sometimes it seems confusing to me that you all do stuff behind closed doors and you hide under the cover of personnel matters when it is a budget item. When with all budget matters, shouldn't the public be involved. Now, you come here and tell us what you have done, as with your words just a few minutes ago Chairman Jones ... "We have already done this". I feel like you would have a little more credibility if you seek our input before you did it. You might not pay any attention to what we say, but at least you would have some of us feeling like we are not just empty suits sitting out here. I remember President Obama's promise about transparency when he was running for office. And I hate to see our local government stoop to the same level that our Federal Government has stooped to concerning transparency. And, I have one other brief comment about the bridge closure and I see it is on your agenda for tonight. I don't know if you remember sometime in the past that I recommended a plan for first responders because it seemed like first responders availability to get to the high school was going to be a problem if there was a need for a fire truck or an ambulance because Courtland Volunteer Fire Department is over here on this side of the bridge and Southampton High School is on the other side. I would just like to suggest getting some kind of room in the school to set up a radio and telephone and have Capron and Courtland maybe rotate staffing it so that you would have some kind of first responder service available on the high school side of the bridge.

Chairman Jones said don't go away Mr. Ash Cutchin. He stated that what we did at our last meeting was in open session even though you had left.

Mr. Ash Cutchin said he had left.

Chairman Jones said from now on in our closed session if we have to go over I'm not going to stop if I'm Chairman. I will not start the open session meeting until after the closed meeting session is done, if it takes two hours, three hours, whatever it takes. Then when we come out it will be open session. It was open to the public when we did this and that is what I thought I was sent here to do, represent the citizens of my district.

Chairman Jones said it wasn't done behind closed doors.

Mr. Ash Cutchin said it wasn't.

Chairman Jones said it was done in open session.

Mr. Ash Cutchin said well I apologize then that I was wrong. Thank you.

Chairman Jones asked if there was anyone else who wished to speak. There being no one else to speak Chairman Jones closed the public comment period.

Chairman Jones stated that we would go to item number 4 – Highway Matters.

Mr. Michael Johnson said Mr. Chairman I sent you all an advance email out on December 3

sharing with you that the design of the new bridge is underway and that Waterfront Marine intends to close the existing bridge for demolition beginning December 1, 2014. The bridge is expected to be closed for 300 days and reopened to traffic by September 30, 2015. In your agenda packages you have got a full copy of the project schedule showing the key mile stones along the way. He stated that he would be glad to answer any questions that you may have or to forward any questions if I can't answer them to Waterfront Marine.

Chairman Jones asked if there were any questions on the bridge closing.

Supervisor Porter stated that he would like to make a comment. He said that if anyone in the public was interested in a schedule they can go to the county website, look at the agenda, and click on the item and get a copy of that schedule. Or, you can see one of us and we will get you one.

Supervisor West said I appreciate Mr. Ash Cutchin's comments a minute ago concerning rescue and fire and being prepared for the high school. It's the same way with the bridge, if you have an additional comment that you would like to make about this, I think it is the time that we could present that and it would be heard. And, I think that was something that was reasonable to present to the folks at VDOT. But when fire and rescue are working and the construction is under way I think that we need to be available and capable of handling an emergency of any kind. Thank you for giving input on this as we go along, which is good.

Mr. Ash Cutchin said if the school doesn't have a room may VDOT will have a room.

Supervisor West said yes someone will. But, we appreciate the citizens input and thank you for taking the time to do that.

Supervisor Edwards said that has been discussed with the Courtland Fire Department and they feel that they have it covered. I don't know exactly what their plan is, but they feel very confident that there will not be a gap in that kind of coverage.

Chairman Jones stated that we move to item B.

Mr. Michael Johnsons stated that item B is the proposed Route 58 Interchange – Courtland. He stated that he did request an updated schedule from VDOT as to where they are on that project. He said you can see the response that I got which indicates they are currently in the process of obtaining the authorization to proceed with right-of-way acquisition for the project. They have one parcel fee-simple that they will need to acquire as well as six easements. They are also doing the design for the utility relocation phase of that project and those utility relocations are expected to begin sometime in early 2014. And it will take approximately twelve months to complete that. Currently, this is still fluid, the construction advertisement is still scheduled for September 2014 and if that holds to be true they are looking at starting actual construction very early sometime in 2015

Supervisor Phillips said he would also offer that he has had some comments concerning the design aspect of it and I've made some comments to the district engineer, Mr. Joe Lomax. And, they said they were doing some changes concerning the roundabout. I've had some other comments, and I will follow up with those. And, anyone who has comments or concerns, speak with one of us and we will forward them to the proper people. And, if we can we will see what changes can be made if need be.

Chairman Jones asked if there was anyone else who wished to speak.

Chairman Jones asked if anyone had any monthly concerns.

Supervisor West said no sir. He said he had some issues with water drainage problems right now, but that is about all of these weather conditions. He stated that Mr. Ben Bryant is doing an outstanding job of responding to the request that he had made.

Chairman Jones called on Supervisor Faison.

Supervisor Faison said no sir.

Chairman Jones called on Supervisor Edwards.

Supervisor Edwards said that he had one brought to his attention by one of his constituents. He said evidently there was a very large pot hole at the junction of Darden Scout Road just before you get to Lakeside Drive. If we can let's have somebody take a look at that.

Mr. Michael Johnson said he would get him that information tomorrow.

Chairman Jones called on Supervisor Porter.

Supervisor Porter said no.

Chairman Jones called on Supervisor Updike.

Supervisor Updike said he was lucky enough to get Mr. Ben Bryant and three of his supervisors to come down today and I gave them a list of about twelve different projects and activities. This is a list of projects for about the whole year of 2014. So they have the whole list of twelve problems that we are having in our neck of the woods.

Chairman Jones called on Supervisor Phillips.

Supervisor Phillips said nothing further.

Chairman Jones stated that he was happy to see that on Flaggy Run Road we have a yellow strip running down the hill.

Supervisor Edwards said yes we have a beautiful yellow stripe. Supervisor West you won't have any more problems crossing that area.

Supervisor West said I'm glad to see it.

Chairman Jones said that is a good thing.

Chairman Jones said we will move to item number 5 – Reports.

Reports were Financial Report, Animal Control, Litter Control, and Treasurer's Office.

Chairman Jones called on Mr. David Britt.

Mr. David Britt said Good Evening. He stated that he wanted to kind of give them a run down as to how collections went this past year for the 2013 taxes. He said we were able to collect \$14.6 million of the \$18.8 million that was accessed. This is 88.17% of what was accessed at the time. Comparing that back to other years, last year we had \$18.6 million accessed and we collected 14.1% of the taxes for an 87.86 collection. And to go back one more year we had \$18.3 million accessed and we had 13.9% collected for 87.4% collection. So, our collections seem to be getting a little bit better. I don't know if that is a sign that the economy is getting better or what. Just for your information since you asked me about the solid waste we have an outstanding balance of \$119,000 that equates to about a 90.5% collection on that. He asked if they had any questions.

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

Mr. Michael Johnson said I have one thing Mr. Chairman because you all had asked me for it last month and I have followed up. Concerning the revenue anticipation note that you all issued, there was a question as to what was the total cost of that note. And, that total is \$20,526.03. Of that amount \$6,850.03 was interest and the balance of that was the cost of issuance.

Chairman Jones asked if there were any questions on that.

Supervisor Edwards said that was less than it was last year wasn't it.

Mr. Michael Johnson stated that it was right in line. It was pretty close.

Chairman Jones stated the next report was Cooperative Extension. He called on Mr. Neil Clarke.

Mr. Neil Clarke said Mr. Chairman, Board and members of the staff it is my delight this evening to be able to introduce you to Mrs. Celia Brockway. Mrs. Brockway is our new 4-H Agent. She has been in place for six months now. She has a long history with 4-H. She hails from Minnesota. There she was a 4-H youth leadership intern. She worked with operation military kids and was a project evaluator. And she also did a lot of grant work actually with the Ohio 4-H. She has a Masters of Arts in Vocal Voice with the University of Iowa and a Master of Art in Leadership Minor from Marietta College. Like I said her first day this year was at our 4-H camp and she jumped right in on day one with little sleep and was really good with the kids. Since then she has rejuvenated a lot of our clubs that had been without leadership. She has really been strong in training up the team volunteers to get those clubs back up. So, we look forward to a great future with her leadership. He stated that he didn't know if she had any comments that she wanted to make.

Mrs. Celia Brockway stated that she just wanted to say thank you for having me here today. Just a couple of things, she stated that she was with Isle of Wight and one of her goals for next year would be to get everybody on the same page. To be sure she does she is involved in two trainings and is recruiting more people. She stated that they just got out the counselor applications which are due back right after Christmas break. She stated that enrollment since she arrived in June has increased by 53% so hopefully that will get some more clubs going because right now we have two in the county, a shooting education club which is well known throughout the district which included individuals from as far as Virginia Beach and also in North Carolina. We also have a livestock club. So hopefully those clubs will grow; and I look forward to working with all of you.

Chairman Jones said thank you Mrs. Brockway. We welcome you to Southampton County and if there is anything that any of us can do to make your job any better let us know. I'm sorry about the weather. I know you would like to see some snow. Just welcome to our good weather. I know you are going to enjoy it.

Supervisor West did you say a Bachelor of Art in Music or Voice.

Mrs. Celia Brockway said in voice, yes.

Supervisor West asked did she sing.

Mrs. Celia Brockway said yes.

Supervisor West said hotdog. Good stuff.

Chairman Jones said we are glad to have you. Thank you.

Chairman Jones stated that other reports were Solid Waste Quantities and Personnel. He called on Mr. Michael Johnson for a Personnel Report.

Mr. Michael Johnson stated that he only had one item to report, Mr. Chairman. We had one reclassification in the Sheriff's Office effective on December 16 2013, Ms. Ashley O. Griffin, at an annual salary of \$31,336.

Chairman Jones thanked Mr. Michael Johnson. He asked if there were any questions on that.

Supervisor Updike said he would like to know one thing. He said he asked last month and he would like to ask this month. He said in order to pay the increase in the salaries in the Sheriff's Department how much money have we collected through traffic tickets to go toward the increase in salaries. How much increase of fine collections are there this year versus last year at the same time?

Mr. Michael Johnson stated that he didn't have the comparison of year to year Supervisor Updike. But, if you look at the financial report on page 4 of 23 under the financial report section you will see the fines and forfeitures that were budgeted for the year was \$597,250. The currently monthly amount is \$54,730.80. The year to date amount is \$266,643.41. So to date you are pretty much

tracking your budget. We are lagging in the reporting by 30 days, Mrs. Lynette Lowe?

Mrs. Lynette Lowe said yes sir.

Mr. Michael Johnson said he could do the comparison for him next month.

Supervisor Updike said okay. He said he would like for that to be kept up with to see if that pays for the increase in salaries.

Chairman Jones said we are still not half way yet Supervisor Updike. The year ends in July.

Supervisor Updike said it is a month to month collection.

Supervisor West said if it was running 30 days behind then that would mean that the end of November information isn't in there right now and we are still in December so we are working in December so we are working through the month of December so that is only four months of twelve.

Chairman Jones stated the next item is number six - Financial Matters.

Mr. Michael Johnson said Mr. Chairman item A. is a Request for Early Payroll Disbursement. In keeping with your past traditions, we are seeking your authority to provide early payroll disbursement for all employees in December. Specifically, we are requesting a motion to issue payroll checks to all employees for the December pay period on this Friday, December 20, 2013.

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

Supervisor Edwards seconded the motion which carried unanimously.

Chairman Jones stated that we would go to item B.

Mr. Michael Johnson stated that item B you will see is an Appropriation Resolution with total appropriations of \$279,796.95. The resolution provides \$256,296.95 to the General Fund and \$23,500.00 to the Building Fund. On the revenue side, it includes \$117,124.86 in current revenues from the sources indicated, and \$162,672.09 in carry-over funds from previous fiscal years – there is no new money associated with this appropriation.

At a meeting of the Board of Supervisors of Southampton County, Virginia on Monday, December 16, 2013

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Southampton County, Virginia that the following appropriations be and hereby are made from the Fund to the Fund for the period of July 1, 2013 through June 30, 2014 for the function and purpose indicated:

From the General Fund to the General Operating Fund to be expended only on order of the Board of Supervisors:

4-100-12550-5304	COUNTY INSURANCE	36.00
13200-5230	TELECOMMUNICATIONS	18.30
13200-5230	TELECOMMUNICATIONS	177.74
21100-3848	JURORS & WITNESSES - STATE	145.92
21100-3848	JURORS & WITNESSES - STATE	58.89
21100-3848	JURORS & WITNESSES - STATE	3,060.00
21100-3848	JURORS & WITNESSES – STATE	181.23
21600-3325	CONTRACTUAL SERVICES/PHOTO COURT RE	2,743.73
21600-3867	GRANT ITEMS CONSERV/2013A-22	20,425.00
21600-5210	POSTAL SERVICES	5.75
22100-5830	REFUND-COLLECTION FEE ACCOUNT	16,914.76
31200-1901	PART-TIME/SOUTHAMPTON HIGH SCHOOL	518.75
31200-1901	PART-TIME/SOUTHAMPTON HIGH SCHOOL	462.50
31200-1901	PART-TIME/SOUTHAMPTON HIGH SCHOOL	1,086.70
31200-2100	FICA	39.68
31200-2100	FICA	35.38
31200-2100	FICA	83.12
31200-3310	REPAIR & MAINTENANCE	5,759.29
31200-3310	REPAIR & MAINTENANCE	2,514.40
31200-3310	REPAIR & MAINTENANCE	9,935.20
31200-3310	REPAIR & MAINTENANCE	1,057.65
31200-3310	REPAIR & MAINTENANCE	2,216.53

31200-5500	TRAVEL CONVENTION, EDUCATION	699.71
31200-5500	TRAVEL CONVENTION, EDUCATION	1,115.67
31200-5500	TRAVEL CONVENTION, EDUCATION	924.50
31200-5500	TRAVEL CONVENTION, EDUCATION	6.22
31200-5500	TRAVEL CONVENTION, EDUCATION	234.01
31200-5500	TRAVEL CONVENTION, EDUCATION	70.00
31200-5500	TRAVEL CONVENTION, EDUCATION	111.65
31200-5500	TRAVEL CONVENTION, EDUCATION	340.80
31200-5500	TRAVEL CONVENTION, EDUCATION	450.00
31200-6001	OFFICE SUPPLIES	4.00
31200-6010	POLICE SUPPLIES	630.00
31200-6010	POLICE SUPPLIES	27.00
31200-6011	UNIFORMS	8.91
31200-6011	UNIFORMS	14.00
31200-6024	DISCRETIONARY FUND	4,538.71
31200-6025	CRIME PREVENTION	4,937.44
31200-6030	DARE	2,442.93
31200-6031	SENIOR CITIZEN AWARENESS PROGRAM	500.00
31200-6050	SHERIFF'S OFFICE MEMORIAL FUND	6,030.00
31600-5510	TRAINING/EQUIP PROJ LIFESAVER	12,359.10
31600-5510	TRAINING/EQUIP PROJ LIFESAVER	25.00
31600-5510	TRAINING/EQUIP PROJ LIFESAVER	25.00
31600-5510	TRAINING/EQUIP PROJ LIFESAVER	25.00
31600-5510	TRAINING/EQUIP PROJ LIFESAVER	25.00
31600-5510	TRAINING/EQUIP PROJ LIFESAVER	25.00
32200-5110	ELECTRICAL SERVICES	402.66
32200-5110	ELECTRICAL SERVICES	1,195.38
33100-3860	VEHICLE REPAIRS	896.60
33100-6001	OFFICE SUPPLIES	123.68
33100-6011	UNIFORMS	8.00
33100-6011	UNIFORMS	105.93
33100-6011	UNIFORMS	8.00
33100-6011	UNIFORMS	11.00
35100-1902	GRANT-DOG & CAT STERILIZATION	48.45
35500-3170	ELECTRICAL SERVICES	1,620.00
35500-8200	DISASTER PREPAREDNESS	1,059.05
35500-8200	RADIOLOGICAL PREPAREDNESS	748.48
35500-8205	FRAN/SO CHARITIES-TURNOUT GEAR GRANT	20,000.00
42300-5647	LITTER CONTROL GRANT	14,265.00
42300-5647	LITTER CONTROL GRANT	25.00
43000-1360	VDOT INMATE LABOR	3,552.00
43000-5110	ELECTRICAL SERVICES	418.70
43000-5241	TELECOM-SOC SER/HEALTH	1,110.15
43000-5241	TELECOM-SOC SER/HEALTH	1,985.25
43000-8105	COUNTY BUILDING REPAIR	509.47
72000-5601	CONTRIBUTION-GOVT CHALLENGE/VA COMM	5,000.00
72500-5650	REBECCA VAUGHAN HOUSE PROJECT	61,213.60
81100-3320	MAINTENANCE SERVICE CONTRACTS	3,600.00
82500-1100	SALARIES & WAGES REGULAR	23,886.27
82500-2100	FICA	1,761.84
82500-2210	RETIREMENT	3,475.44
82500-2215	RETIREMENT-EMPLOYEE	716.58
82500-2300	HOSPITAL PLAN	5,220.00
82500-2400	GROUP INSURANCE	284.25
	TOTAL	<u>256,296.95</u>

From the Local Utility Tax Building Fund
to the Operating Local Utility Tax Building
Fund to be expended only on order of the
Southampton County Board of Supervisors:

4-300-94000-8256	TURNER TRACT-CEMETARY RELOC GRANT	23,500.00
	TOTAL BUILDING FUND	<u>23,500.00</u>

TOTAL APPROPRIATION 279,796.95

REVENUE APPROPRIATION DECEMBER 16, 2013
(REVENUE RECEIVED FOR ABOVE EXPENDITURES)

GENERAL FUND

3-100-16040-0003	REIMBURSEMENT VFD-VRS	402.66
3-100-16040-0003	REIMBURSEMENT VFD-VRS	1,195.38
3-100-16090-0001	HEALTH-TELEPHONE	1,110.15
3-100-16110-0001	SOCIAL SERVICES-TELEPHONE	1,985.25
3-100-16120-0001	REIMB-SOIL & WATER SALARIES	35,344.38
3-100-16140-0002	ELECTRICAL RMA	509.47
3-100-16170-0001	PROJECT LIFESAVER	25.00
3-100-18030-0003	EXPENDITURE REFUND	25.00
3-100-18030-0003	EXPENDITURE REFUND	418.70
3-100-18030-0003	EXPENDITURE REFUND	500.00

3-100-18030-0003	EXPENDITURE REFUND	123.68
3-100-18030-0003	EXPENDITURE REFUND	1,620.00
3-100-18030-0003	EXPENDITURE REFUND	6.22
3-100-18030-0003	EXPENDITURE REFUND	18.30
3-100-18030-0003	EXPENDITURE REFUND	5.75
3-100-18030-0003	EXPENDITURE REFUND	3,552.00
3-100-18030-0003	EXPENDITURE REFUND	177.74
3-100-18030-0003	EXPENDITURE REFUND	558.43
3-100-18030-0003	EXPENDITURE REFUND	630.00
3-100-18030-0003	EXPENDITURE REFUND	497.88
3-100-18030-0003	EXPENDITURE REFUND	1,169.82
3-100-18030-0003	EXPENDITURE REFUND	3,600.00
3-100-18030-0003	EXPENDITURE REFUND	43.91
3-100-18030-0003	EXPENDITURE REFUND	105.93
3-100-18030-0003	EXPENDITURE REFUND	36.00
3-100-18030-0003	EXPENDITURE REFUND	70.00
3-100-18030-0003	EXPENDITURE REFUND	4.00
3-100-18030-0003	EXPENDITURE REFUND	450.00
3-100-18030-0003	EXPENDITURE REFUND	8.00
3-100-18030-0003	EXPENDITURE REFUND	14.00
3-100-18030-0003	EXPENDITURE REFUND	11.00
3-100-18030-0004	INSURANCE CLAIMS & DIVIDENDS	2,514.40
3-100-18030-0004	INSURANCE CLAIMS & DIVIDENDS	9,935.20
3-100-18030-0004	INSURANCE CLAIMS & DIVIDENDS	1,057.65
3-100-18030-0004	INSURANCE CLAIMS & DIVIDENDS	2,216.53
3-100-18030-0004	INSURANCE CLAIMS & DIVIDENDS	896.60
3-100-18990-0003	GIFTS, DONATIONS, & CONTRIBUTIONS	20,000.00
3-100-23020-0007	EXTRADITION EXPENSES	699.71
3-100-23020-0007	EXTRADITION EXPENSES	1,115.67
3-100-23020-0007	EXTRADITION EXPENSES	924.50
3-100-23020-0007	EXTRADITION EXPENSES	234.01
3-100-23020-0007	EXTRADITION EXPENSES	111.65
3-100-23020-0007	EXTRADITION EXPENSES	340.80
3-100-24040-0014	JURORS & WITNESSES	145.92
3-100-24040-0014	JURORS & WITNESSES	58.89
3-100-24040-0014	JURORS & WITNESSES	3,060.00
3-100-24040-0014	JURORS & WITNESSES	181.23
3-100-24040-0020	LITTER CONTROL GRANT	14,265.00
3-100-24040-0056	VA COM FOR THE ARTS-RMA	5,000.00
3-100-24040-0075	ANIMAL FRIENDLY FUNDS	48.45
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	5,759.29
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	16,914.76
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	1,059.05
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	748.48
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	2,442.93
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	4,937.44
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	20,425.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	61,213.60
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	12,359.10
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	2,743.73
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	4,538.71
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	6,030.00
		<hr/>
	REVENUE GENERAL FUND	256,296.95
BUILDING FUND		
3-300-61010-0001	RESERVE FUNDS	23,500.00
		<hr/>
	REVENUE BUILDING FUND	23,500.00
		<hr/>
	TOTAL APPROPRIATION	279,796.95

A copy teste: _____, Clerk
 Michael W. Johnson

Southampton County Board of Supervisors
 12/16/2013

APPROPRIATION - DECEMBER 16, 2013

12550 INSURANCE/COUNTY CODE (1) Reimbursement received from Mahones Tavern and Museum, Inc for Insurance on the Confederate Monument in Courtland (\$36.00)

13200 REGISTRAR (1) Reimb from Verizon due to fax line closure (18.30)
 (2) Reimb from Verzon due to fax line closure of

	line at Comm Dev. Bill paid by Registrar after they moved in (\$177.74)
21100 CIRCUIT COURT	State reimbursement received for jurors & witnesses (\$145.92+58.89+3060.00+181.23)
21600 CLERK OF THE CIRCUIT COURT	(1) Contractual Services funds not expended in FY 13 (\$2743.73) CARRY-OVER FUNDS (2) Unspent Grant funds for 2013A-22 (\$20,425.00) CARRY-OVER FUNDS (3) Reimb postage (5.75)
22100 COMMONWEALTH'S ATTORNEY	One-half of FY 13 cost collection carry-over funds required to be returned to the state (\$16,914.76) CARRY-OVER FUNDS
31200 SHERIFF LAW ENFORCEMENT	(1) Reimbursement received from Southampton High School for event security-salaries & FICA (\$518.75+39.68 + 462.58+35.38+1086.70+83.12) (2) Donation from Walmart to set up a Senior Citizens awareness program (\$500.00) (3) Reimbursement received for extradition of inmates (\$699.71+1115.67+234.01+111.65+340.80+924.50) (4) Reimbursement of visa transaction (6.22) (5) Funds earmarked for Memorial Fund brought forward from FY 2013 (\$6030.00) CARRY-OVER FUNDS (6) Reimb from Selective Ins in FY2013 for repairs to wrecked vehicle. Repairs paid for in Aug 2013 CARRY-OVER FUNDS (5759.29) (7) Funds earmarked for Sheriff's Discretionary Fund from FY 2013 (\$4,538.71) CARRY-OVER FUNDS (8) Funds earmarked for Crime Prevention brought forward from FY 2013 (\$4,937.44) CARRY-OVER FUNDS (9) Funds earmarked for DARE Program brought forward from FY 2013 (\$2,442.93) CARRY-OVER FUNDS (10) Reimb from Intoximeters (\$630.00) (11) Reimb from VACORP for vehicle repairs (\$2514.40) (12) Reimb from VACORP for totaled vehicle (\$9935.20) (13) Reimb from VACORP for vehicle repairs (\$1057.65) (14) Reimb from VACORP for vehicle repairs (\$2216.53) (15) reimb from EE for uniform supplies (8.91+14.00) (16) Reimb from EE for items (27.00) (17) Reimb for travel (\$70.00 + 450.00) (18) Reimb for Office Supplies (\$4.00)
31600 SHERIFF PROJECT LIFESAVER	(1) Carry-over donations from Camp/Campbell Funds & others earmarked for Project Lifesaver (\$12,359.10) CARRY-OVER FUNDS (2) donations for Project Lifesaver (\$25.00+25.00+25.00+25.00+25.00)
32200 VOLUNTEER FIRE DEPTS	Reimbursements rec'd from Sedley Vol Fire (\$1195.38) and Drewryville Vol Fire for electrical services (\$402.66)
33100 DETENTION	(1) Reimb for Office Supplies (\$123.68) (2) Reimb from EE for uniform supplies (8.00+105.93+8.00+11.00) (3) Reimb from VACORP for accident (\$896.60)
35100 ANIMAL CONTROL	State funds received to pass through to Partners Among Cats & Canines for sterilizations (\$48.45)
35500 EMERGENCY SERVICES	(1) Funds previously received from Camp Foundations for disaster preparedness equipment (\$1,059.05) CARRY-OVER FUNDS (2) Grant Funds rec'd from VDEM for Radiological Preparedness (\$748.48) CARRY-OVER FUNDS (3) Grant from Franklin Southampton Charites for the Courtland Vol Fire Department (\$20,000) Turnout Gear Grant (4) Reimb from Severn Pnut for svcs (\$1620.00)
42300 SANITATION & WASTE REMOVAL	(1) Litter Control Grant money received (\$14,265.00) (2) Reimb from City of Franklin for Litter Control Booth (\$25.00)
43000 BLDGS & GROUNDS	(1) Reimbursement received from Dept of Social Servcies (428.15+452.39+485.53+367.67+251.51=1985.25) and Health Dept (308.91+304.76+267.83+228.65=1110.15) for tele svc (2) Reimb from Enviva for use of IP Building electricity (158.66 + 154.75 + 76.63 + 28.66=418.70) (3) Reimb from VDOT for Inmate Labor (\$1008.00 + 1248.00 + 1296.00 = \$3,552.00) July, Aug, Sept 2013 (4) Reimb from RMA for electricity (509.47)
72000 RAWLS MUSEUM ARTS	Grant money received in the amount of \$5000.00
72500 CULTURAL ENRICHMENT	Rebecca Vaughan Project prior year unspent funds (\$61,213.60) CARRY-OVER FUNDS
81100 PLANNING	Reimb from Network Bldg& Consulting for cell Tower Consultant Fee (\$3600.00)

82500 SOIL & WATER CONSERVATION Reimbursement rec'd for personnel costs (\$35,344.38)

BUILDING FUND Ttract Cemetary Relocation Grant - \$25,000 received to date in FY12 - \$1,500 spent in FY2012. Must appropriate remaining funds to FY14 (\$23,500.00)
CARRY-OVER

APPROPRIATION - DECEMBER 16, 2013

**CARRY-OVER MONEY REQUIRED FOR DECEMBER 2013 APPROPRIATION
NO NEW MONEY**

GENERAL FUND - CARRY-OVER FUNDS

6,030.00	SHERIFF/MEMORIAL FUND
2,743.73	CLERK OF THE CIRCUIT COURT/CONTRACTUAL SVCS
20,425.00	CLERK OF THE CIRCUIT COURT/GRANT ITEM CONSERV/2013A-22
16,914.76	COMMONWEALTH'S ATTORNEY/COST COLLECTIONS TO GO TO STATE
61,213.60	CULTURAL ENRICHMENT/REBECCA VAUGHAN HOUSE PROJECT/HISTORICAL SOCIETY
4,937.44	SHERIFF/CRIME PREVENTION
2,442.93	SHERIFF/DARE
12,359.10	SHERIFF/PROJECT LIFESAVER
4,538.71	SHERIFF/DISCRETIONARY FUND
748.48	SHERIFF/VDEM RADIOLOGICAL PREPAREDNESS GRANT
1,059.05	SHERIFF/DISASTER PREPAREDNESS
5,759.29	SHERIFF/REPAIR & MAINTENANCE/INS REIMB RECD FY13 BUT REPAIRS PERFORMED FY14
<hr/>	
139,172.09	TOTAL CARRY-OVER/GENERAL FUND

BUILDING FUND - CARRY-OVER FUNDS

23,500.00	TTRACT/CEMETARY RELOCATION GRANT REMAINING FUNDS
<hr/>	
23,500.00	TOTAL CARRY-OVER/BUILDING FUND

Chairman Jones asked if there were any questions on that.

Supervisor Edwards made a motion to approve the resolution.

Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones stated that we would go to item C. – Monthly Bills. He asked if anybody had a problem with the monthly bills.

Supervisor West said I see it has been audited and reviewed appropriately.

Supervisor West made a motion seconded by Supervisor Faison to pay the bills in the amount of \$1,565,206.25 to be paid by check numbers 133889 through 134267. The motion carried unanimously.

Chairman Jones stated that we would go to item number 7 – Courthouse Security.

Mr. Jeff Stoghill said Good Evening Mr. Chairman and Board. In October we discussed the options for the emergency generator at the Courthouse and since then we have had some discussion so I'm back tonight to get your direction on how to proceed on that issue. To review there are three proposed options:

1. Power everything. That would require a 150KW generator. The budget the engineer identifies with that would be \$192,000.
2. Power everything except the air condition and the heat. That would require a 125 KW generator. The budget for that is a little bit less than \$185,000.
3. Power everything except the air condition, the heat, and the elevator. That would require a 100 KW generator. And the budget for that is less at \$176,000.

I will point out that concerns have been raised about not powering the elevator. To envision that

situation if we had a power outage and there is any person up on the second level of the courthouse and there was an emergency there would be a problem so we see that as a safety issue. I will be happy to respond to questions. I would like to see if we can get your direction on this tonight so the engineers can design the wiring. We are not asking you to spend this; we are just asking your direction tonight on how you would like the engineers to design it.

Chairman Jones said Mr. Jeff Stodghill is asking your direction on what you want to do, which option do you want to take 1, 2, or 3. He called on Supervisor West.

Supervisor West said he had mixed emotions and he would state that right out loud, number one is whether we need the generator or not, period. But, number two is the difference between \$176,000 and \$192,000 is insignificant as to what we are given totals for. So, if I'm going to pay for one I'd go to the top and provide everything at one time. The issue to me is whether we need to do the generator or not. And, someone needs to come forward. I see Sheriff Stutts says we may have problems pointing out that people with handicaps could be stranded. I understand that. My understanding is the history of the building has been such that we have not had outages and problems of this type over a long period of time; therefore, I have the question is it needed period. I do see the need for the other security at the entrances, the protection for the people working in the building. I see the metal detectors. I see the bullet proof glass. I see all of those needs. So, my only question is whether \$200,000 is enough, period.

Chairman Jones called on Supervisor Faison.

Supervisor Faison said he thought a real good case has been made for the need for the generator. And, I think like Supervisor West that if we are going to do it the difference between the options is not significant enough for us to go ahead and do option one. I think we have definitely been given a case for us to provide the generator.

Chairman Jones called on Supervisor Porter.

Supervisor Porter said this is a tough one. I think from our discussion with Judge Delk the judges feel like we need the generator. And, the real concern was that we may spend this money and then need to build a new courthouse. And we have been given a little bit of assurance that is not the case. So, based on that information I feel like we should honor the judge's request. On the other hand I point out that some of this equipment, and I want to go back to my original discussion and request to the Sheriff that we look to paying for some of this at least from courthouse funds. But, also I want to point out that when we talk about this money we are talking about roughly 2/3 of it being from the county and 1/3 of it being from the city. Is that correct Mr. Michael Johnson?

Mr. Michael Johnson said I can't remember the exact percentages, but there is a shared percentage.

Supervisor Edwards said its 26% I think.

Mr. Michael Johnson said I think that's right.

Supervisor Edwards said it's somewhere along there 26%, or 27%, somewhere along there.

Supervisor Porter said they pay almost 1/3 so the difference between the 16,000 for us, and if we don't get the money from the Sheriff's equipment fund that is about \$10,000 which I think we should do just to show our good faith to the judges so that we won't be facing this coming up again before the judges in 3 to 5 years to build a court house.

Supervisor Updike said at the very beginning we decided we were going to do it in steps as the money becomes available. Now it seems like to me they are trying to lump it together and do it all at one time. I don't feel like at this time it is a necessity and I think we have got to look at what are real necessities and needs for the county and prioritize what is the most efficient way to spend what little money we have. At this time I cannot see that this would require a top priority need of the county because we have only had one to two days in the last ten years that the power has failed. So that is awfully expensive for one or two days. I don't want to see this be a top priority for a generator at this time.

Supervisor Faison said we are not talking about buying this right away; we are talking about the

planning process. They need direction as to what we are going to do whenever we do it.

Supervisor Edwards asked what the cost of the wiring would be if we decide to go with plan A, B, or C.

Mr. Jeff Stodghill said we can get that to you. Right now what we are talking about is how do we design it and when the bidding is done you will have the cost there for the wiring and you will have a breakdown of a line item for the generator so you will know. But, that is really what we are talking about here is the design of the wiring. And, I would add that whether or not you put in a backup generator is not really an option. We need the backup generator to run the security system if the power goes out. So, just envision that the power went out and the transformer went out, we don't want the security system to go off. We need to have backup power to run all the devices – all the cameras so that the courthouse can gracefully shut down and you can get folks out. So, we need a backup generator so we can run the security system. Whether you need it to run the air conditioning and the heat and the elevator is really what we are talking about. But, I don't want you to get the impression that you can run your security system without a backup generator. That wouldn't be responsible.

Chairman Jones asked if there any other questions.

Supervisor Edwards said I don't think that was presented to us in that light before.

Supervisor West said I hadn't heard that either.

Supervisor Edwards said you know we first decided to secure the front entrance security and then the cameras. And, there wasn't any discussion at that time about the need for a generator. Now, we are hearing about the need for a generator and I can't see putting all of those projects together. I see the front entrance security and the cameras and the times that the generator has been needed are very far in between. I think there has been one incidence in the last umpteen years.

Supervisor West said yes.

Mr. Jeff Stodghill said they received a letter back in February I believe from the Judge pointing out the need for the generator. We came in the late spring and presented that. And, at the time I pointed out that we needed a generator to power the security system. I was here in October and we talked about the same thing. I made those comments then that this has been an issue that has been complicated and has dollars attached to it. In the very beginning we were working to define the scope of the security system. The issue was at that time how do we best provide backup power. So, over the last eight or nine months this is what has developed. You already approved the design component where the engineers are designing the wiring to do basically the backup power to the security system. So, these are the possible options at this point.

Supervisor Porter said he agreed with that. He said he did ask about the cost of the generator. And he believed that the answer that he got was somewhere between \$60,000 and \$70,000 for the generator if I remember correctly. So, one of the smaller generators would be around \$60,000 and one of the bigger ones around \$70,000. So, most of the wiring will probably cost around \$120,000 just to do the wiring. That was just my understanding when we had this discussion a month or two ago when we had this discussion.

Supervisor West said I know we haven't gotten to Supervisor Phillips at this point and I'm going to make one comment before you speak if I may.

Supervisor Phillips said go right ahead.

Supervisor West said and that is simply being the fact that this is a motion to provide an architect's direction for which option the Board prefers. It is not to buy a generator. It is to prepare an architectural design for what it is going to cost in material. And to be honest with you if it does nothing else and will not run the security system then I don't think it is worth anything what so ever if the security system doesn't work because we don't have a generator whether you run the elevators or not.

Chairman Jones said okay Supervisor Phillips.

Supervisor Phillips said we had a meeting with Judge Delk. We had some reassurance from him that this would be acceptable to him. The Clerk of Court assured us or felt that the judge is considering retiring. Well, I spoke with the clerk of court today and he said the Judge has put in his retirement. So that issue is off the table. We are now dealing with Judge Eason. And he had a concern about how the judges entered the courthouse. So there is another category. But to address this matter we are looking to gracefully close this courthouse for both safety and security. Is that a true Mr. Stodghill?

Supervisor Phillips said we are not to run the courthouse

Mr. Jeff Stodghill said we started with the objective of providing the security system.

Supervisor Phillips said right.

Mr. Jeff Stodghill said emergency backup power is necessary for that system to run. The judge asked back in January or February of last year that we provide emergency backup power to run the courthouse and that is what lead us to today.

Supervisor Phillips said I understand. I understand. We are looking at three separate options and I believe that we need to be able to close the building safely; and so therefore, the elevators need to be operational so that whether it be the public or whether we move the inmates that are leaving the court to go back to the jail all of that has to be done safely and securely.

Mr. Jeff Stodghill said correct.

Supervisor Phillips said if we are going to simply close the courthouse down after we have a power outage, I would like to see an option where we can set up power in the whole building and just continue on if possible or whether we would have an option to power the elevators without the heating and cooling just so that we can clear the building in a safe and secure fashion. I would say that we have already voted to spend \$12,000 to do the study. I believe that we need to move forward with that. We are not here tonight to vote on whether we are going to do it or not. We are simply giving you direction. I realize that you have already gone through all of this at this point, but is there another option that we could include. I don't know whether some of the other Supervisors feel that way or not.

Supervisor Porter said we had this discussion. We actually did and if I remember you said what you are doing is rewiring the building just to do what you want to do.

Mr. Jeff Stodghill said let me review that. Okay, in a perfect world we might say well let's just power the security system and forget about everything else. Okay then let's just put the elevator on it too. Then let's just image then that is only 50 KW, I don't know what it is, but it would be less than anything that we are looking at here. And, I have brought that back to the engineers over and over on that. I've said can you go with a 25 KW. Can you go with a 30 KW? Can you do it with a 50 KW? And, they have said yes Mr. Jeff Stodghill you can do that but for us to take and rewire all of the building to take all of these individual loads and wire conduits throughout the building to get to just an outlet over there and a circuit over that is going to run the cameras we would spend every bit of what we are talking here in wiring and re-dry walling over the building and replacing ceiling. What they are telling us is that when they have done this over and over again, the most effective way to do this is to come in and if you want to economize take off certain critical loads that you don't necessarily have to run. This approach is over doing it on the equipment side, but it saves you all the costs of having to run conduit wires throughout the building in a searchable fashion. What they have been telling me and I've been trying to get across in these meetings is that this approach brings in one piece of equipment and hooks it up to the building and then we can take the items off that I have pointed out this is the least expensive way to do it. If you came in with a smaller generator just to do certain things we would spend every bit of this in rewiring, re-dry walling over conduit, and the fixing finishes. Unless you have seen this and experienced it is hard to imagine, but it is probably the difference between trying to replace your wiring harness on a very complicated engine versus just getting a whole new block and putting it in that has the wiring harness on it. The problem really is in the wiring if you go with a smaller generator.

Chairman Jones said I think we need to go ahead and wire the building for the generator whether we get the generator or not. We will get the generator when we can and the building will already be wired so we can plug it in.

Supervisor West said if you are ready for a motion. I'm ready.

Chairman Jones stated that we need to do something with this. This has been going on for months now.

Supervisor West said yes, this dog is dead.

Chairman Jones said we need to do something with it; and I'm thinking we need to go ahead and wire it for the generator whether we get the generator now or not. We don't have to get it when we wire it.

Supervisor Edwards asked him which option did he want.

Chairman Jones stated that he thought they should wire it for option number one.

Supervisor West said I think so too.

Chairman Jones said I think we need to wire it for that and then we can use whatever we need to use.

Supervisor West said I'll make the motion if you are ready for it.

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

Supervisor Porter said the only thing that I would like to say is that we are voting to design it tonight so in reality we are voting to do it because my understanding, and we don't like to spend money if we don't have to, but if we are going to have a viable, secure courthouse we are going to have to have an appropriate backup file even if it is only once a year or once every two years. The potential liability of a failure is unacceptable. So, let's not forget we are not only voting for a design; we are voting to move forward and do it. At least that's the way I see it.

Chairman Jones called on Supervisor Updike.

Supervisor Updike said that is exactly the point. There isn't any need to design it if we aren't going to buy it and I don't think it is necessary.

Chairman Jones asked Supervisor West if he was ready to make a motion.

Supervisor West said yes sir. He said he came with one opinion, but I'm ready to make a motion now that we move forward with the architect direction to go with option number one for \$192,000 to go ahead and complete the design.

Chairman Jones said alright. He asked if he has a second.

Supervisor Faison seconded the motion which carried with a 6 to 1 vote with Supervisor Updike voting nay.

Mr. Jeff Stoghill thanked the Board and said Good Night.

Chairman Jones stated that the next item of business was number eight – Funding Request.

Mr. Michael Johnson stated that in your agendas you will see a copy of email correspondence from The Green Jobs Alliance (GJA), a nonprofit organization formed by renewable energy industries and labor organizations, who have partnered to provide education, green jobs training, job placement, and career development for unemployed and underemployed citizens, military veterans, at-risk youth, and formerly incarcerated, adjudicated, non-violent offenders. GJA is preparing to embark on a new workforce initiative that will select, place, and train U. S. veterans in offshore wind jobs in Europe to prepare them to return home and train a domestic workforce.

The Cape Wind project in Massachusetts is expected to construct the first offshore wind farm in the U. S. in 2014. Unfortunately, few Americans are expected to be involved in the effort because we are untrained in this emerging industry. GJA envisions becoming a U. S. workforce training hub for offshore wind and marine energy projects all along the Eastern seaboard. They have the outreach, education, training, and job placement infrastructure in place to make this a reality. GJA is asking the cities and counties of Hampton Roads as well as certain private sector supply chain members to help fund the initial effort. Specifically, they will be selecting veterans to be trained and placed from municipalities, companies, and organizations that financially support their efforts. Once GJA's project is launched and the first offshore wind educational curriculum is implemented, they intend to seek federal funding to sustain the program in cooperation with the Virginia state and national Veterans Affairs offices. They are seeking \$0.10 per capita from the Hampton Roads communities, which equates to a share of \$1,867.80 for Southampton County (based on the 2012 population estimate by the Weldon Cooper Center for Public Service). For your reference, I'm also attaching a couple of fairly recent news articles with varying perspectives about the prospects for wind energy in Virginia. Southampton County provided GJA a contribution of \$1,926.20 in 2009 to assist in their organization as a 501 (c) (3) corporation and to support their efforts in training a "green workforce". GJA is based in Williamsburg, Virginia. We have with us tonight the Executive Director, Mr. Randy Flood.

Chairman Jones called on Mr. Randy Flood.

Mr. Randy Flood said thank you Mr. Chairman. I will be glad to answer any questions. By the way, that is an excellent analysis. He stated that he didn't have any opening remarks as a result of that. He said our efforts are under way. In regards to what Mr. Michael Johnson said about the Cape Wind Project, it is on schedule and sometime next fall the governors along the eastern seaboard are going to be looking at getting these towers constructed off the coast of Massachusetts. They are going to be foreign built towers with foreign workers. We are not going to have any American workers unless we begin this movement now. We do have as Mr. Michael Johnson indicated the infrastructure here in Hampton Roads. We have the ports. We have the facilities. We have community colleges. We have labor apprentice schools and we are ready. We are starting our selection process this month, next month, and the month after simply because training in Europe on the north sea has a window of weather. If any of you have been to Europe you know what it is like. Off the coast of Scotland and off the coast of Europe you have got some pretty rough seas conditional weather is really what you have from April, May, June, July, and August. These are optimum training periods. So we have to go where the wind turbines are in order to get people back here trained in the community colleges, the labor apprentice schools, etc. We need to get them trained and ramped up for the domestic work force here and there. Here in our counties and cities we have a unique infrastructure that could really train up and down the eastern seaboard and the gulf coast and west coast for that matter with our training capabilities and that is what it is all about. In the absence of federal money we have to seek private sector and municipal funding. And the unique nature of this is really tailor made for municipal participation because the Federal Government likes to fund work force initiatives as you know at the regional level. We are working very closely with the State Veteran's Affairs office and they actually don't want us to share this with any other states because they want to take it upstairs to the Federal Department of Veteran's Affairs so that they will bless it and support it. Then when it comes time for the Department of Labor and other Federal Agencies to support work force initiatives like this, they will already have a Virginia plan in place. That is what this is really all about. We would love to train your Veteran's and work with Paul D. Camp Community College and the other institutions around. He stated that he would be happy to take any questions that they have.

Chairman Jones asked if anyone had any questions.

Supervisor West said he had a couple of comments. One, he didn't trust the Federal Government period.

Mr. Randy Flood said he used to work there; he didn't either.

Supervisor West said number two Mr. John Kerry hasn't come home yet so I doubt you are going to build these things off the east coast. And number three you can't even run a four line through the United States down to the ports here. I don't trust them. You, yes I respect you and I appreciate the offer you are making. As for the \$1,867.80 I wish it would work. It sounds good, but you are going to have an awful lot of opposition from people off the coast who don't want to

look out there and see this thing twirling in the wind some distance off the coast. And, how far out you can't put it too far in the shipping lane; so it is going to have to be reasonable close. Therefore, it is going to be an eyesore to a lot of people. And it is that kind of opposition everywhere you go and I want some more information before I vote for this.

Mr. Randy Flood said I can answer your question right now. First of all you won't be able to see them. There aren't going to be four or five miles offshore; they are going to be anywhere from eighteen, nineteen, to twenty miles off. And, the good news is none of us would be having this conversation if the United States Navy and the Department of Defense hadn't already signed off on it. They have already approved the shipping lane. They have already given us a narrow path off the coast which by the way has been purchased now by Dominion. So, Dominion is going to be the first to have a crack at it in terms of the transmission lines. You know I'm not going to turn down Federal Work Force dollars if they are available, whether I trust the Federal Government or not. The fact is if the Federal Government is going to continue regardless of whose administration it is to fund workforce initiatives in the states, I would like those funds to come here when they are available. So, in the absence of any Federal dollars, and by the way this administration has not spent a dime, not a penny on renewable energy like workforce training, like wind or solar or anything. We continue to subsidize oil, gas, and coal and that type of thing as we understand it. But, they haven't funded anything for workforce training. So, in the absence of that we are going to go forward anyway.

Supervisor West said but you already have these Federal entities out there building these things off the coast with their own labor and so forth. This thing bothers me a whole, great lot.

Mr. Randy Flood said I appreciate that. We have got to give our jobs to veterans. We have spent years through all kinds of administrations outsourcing jobs to Indonesia and other places all over the world and haven't taken care of our own work force. This is a new industry and we have got the infrastructure in place here in Hampton Roads to make it a go. We are committed to doing that in response to your questions. And your questions are quite good by the way and I appreciate you taking the time to offer your thoughts about it. He asked if anyone else had any questions.

Chairman Jones asked if anyone else had any questions.

Supervisor Faison stated that he shared the reservations that Supervisor West has. However, I see that you mentioned it as an emerging industry and \$1,867.80 I don't think should restrict us from getting our feet involved in it because I certainly don't know enough about it to say it's a go. But I would hate for us to look back five years from now and say we didn't spend \$1,867.80 and become involved if it does pan out.

Mr. Randy Flood said we are committed to making it happen.

Supervisor Porter said he had a couple of concerns. One is that you show up here tonight and say that you need the money and I needed it yesterday. This is the kind of issue that we normally address in our budget cycle. Even though it is not a lot of money, I just don't like anybody showing up at my door and saying that I want the money and I want it now because I haven't come to you properly and told you that I needed it. So, that concerns me. Anybody who does that concerns me. And, secondly, you did something that irritated me.

Mr. Randy Flood said woe.

Supervisor Porter said it was kind of subtle people didn't say that and I want to let you know right now that I have a background in engineering. You made this passing comment that the Federal Government unfairly subsidizes other industries and they don't. That is a misnomer. When you allow companies to deduct real business deductions from their taxes it is not a subsidy. And that message gets out there unfairly. I was with you until you said that because then you become to me somebody who is giving me half-truths. I understand exactly all the points and issues because I spent twenty five years in the industry. So, don't try to pull that thing again. I support wind energy, but I don't support it when you don't tell the whole truth directly.

Mr. Randy Flood asked if he may respond.

Supervisor Porter said yes you may respond.

Mr. Randy Flood said thank you. He said first of all I apologize for showing up now. It is not a question of being planned. The opportunity wasn't there. We contacted a lot of municipalities because of our time frame. We have a colleague on our board who just got back from Europe who said we would like to be able to start the selection process so why don't we move forward so if it fits into your next budget cycle that is great. If it will fit in terms of something at the end of this year that is okay too. I apologize if I offended you for coming in and you think that I'm asking for money right on the spot. That wasn't the intention. I wanted to brief you all on this issue just as I'm briefing other municipalities on it. As far as your second point on the Federal Government, I worked for the United States Senate many years. And we did appropriate and we still support other industries. Now, that wasn't meant in a derogatory manner. What it was and the point being we are supporting other industries. We are and there is nothing wrong with that, but the fact is we are not supporting new industries and new development and that is important as well. You know I worked for Virginia for many years and coal is supported and natural gas is supported. So, there are a lot of things the Federal Government is supporting. Some of our friends in the environmental community are antinuclear. They tell the Navy they can't have them on aircraft carriers so we are all concerned about that. So, I apologize if you feel that I offended you and took a shot at the Federal Government not supporting this industry. I'm not saying that is wrong. I'm saying they are not supporting this particular renewable energy, okay. So, we have to continue to support all of the above. I don't have a problem with that. What I'm saying is that we need to get on with this. Because of the tsunami of last summer Japan now is building their first wind farm as well. So we are one of the last industrialized nations, us and Canada who haven't moved in this direction. So, it is inevitable. I think it is going to happen. It's just do we want to have an American work force trained and prepared because they are all over the world. We are talking about training people not just for offshore wind, but for marine energies too. So, there is going to be some overlapping and a lot of pairing there with natural gas. So, we will probably bring some people in from the Gulf who have had experience with oil rigs too so that is not a negative thought.

Supervisor Porter said be careful how you say these things...

Mr. Randy Flood said I appreciate that...

Supervisor Porter said because it is a common mistake that many people make when they are trying to make a point here and they are sometimes telling half-truths.

Mr. Randy Flood said thank you very much. Thank you for your support.

Supervisor Edwards said he just had one question. He said we gave your organization \$1,900.00 in 2009. What did you do with that?

Mr. Randy Flood said that went into general operations to pursue federal funding to get federal grants. We did get a grant that came back to this area. It was a federal grant we used to train and certify over 400 individuals in the Hampton Roads area. He stated that he would have to look at the breakdown to determine all the municipalities, but we trained in this area which included Smithfield, Carrollton, Isle of Wight, and Southampton. I think we had numbers that exceeded \$4,385.00 in federal workforce dollars that came for that initial \$1,900.00 contribution so we had a little bit of return in that area.

Supervisor Edwards asked what did we train in and what were the results.

Mr. Randy Flood stated that they trained people in energy efficiency and literacy. They had building analysis, building installers and people in construction. And, we also had one contractor who was involved from this area as well. What we did regardless of what area gave us funding we trained people anywhere and everywhere, but this gives us an idea of where the money was and where people were available. So, we basically trained people from the entire Hampton Roads area. Our goal was to train 400 and I think we ended up training 416 to 430, somewhere along there.

Supervisor Edwards said my next question is how many jobs did that result in.

Mr. Randy Flood said we have already been able to successfully place over 100. Now some of the contractors who came in actually were looking to train others who were already on their payroll so

they were able to work with us so I would say some of those people have been placed in a pool. And some of those people are working part-time. And, they are still working to try to place some of the people. They are talking to the City of Norfolk right now. They have a major project and they are looking for a data base that has people who are trained. They are actually working with people who have a trained database.

Supervisor Porter said Mr. Rand Flood thank you for coming. We certainly need to look at new ways for energy. Clean energy is something I would say is something of the future. I feel like I still need some more information concerning this at this point. I think that if we consider this during our budget process I look forward to more information, but at this point I am just cautious. You have sat here this evening and heard our discussions from everything from just a generator let alone a wind farm. I believe that is my position and thank you for your attendance.

Chairman Jones asked Supervisor Edwards if he had something else.

Supervisor Edwards said seriously he was like Supervisor Faison. He said he would consider it because this country usually gets way behind in the things it does. Look where we are in schools now. We are number 27 in the world. We used to be three or four. We are doing something wrong here. Now, I am like the rest of the board, I would like to see you come back during budget season and if you have a good case I wouldn't mind gambling \$1,800.00.

Chairman Jones called on Supervisor Updike.

Supervisor Updike said he didn't think he could add too much to what had been said. He said he cannot understand or even think about giving a donation at this stage of the game. Come back during the budget process and make your case with the rest of the organizations with needs because it has to be considered with the other aspects and needs of the county. At this stage I think we have got to go through the budget process and you can present your case during the budget process in the spring.

Chairman Jones said Mr. Randy Flood right now I think what the Board is saying is that they want to wait until budget time. I think maybe you need to get a little more information. Then we can see what items we are going to be funding. But, right now tonight I don't think we can do anything for you.

Mr. Randy Flood said thank you for your time gentlemen. Mr. Michael Johnson has my contact information.

Chairman Jones said you just stay in touch with Mr. Michael Johnson.

Mr. Randy Flood said absolutely. If you have any questions or anything, please let me know. I'll be more than happy to answer them.

Chairman Jones said we will go to number nine - Public Hearing for a conditional use permit.

Mr. Michael Johnson said Mr. Chairman...

Supervisor Phillips said go ahead I don't know if you need to make a statement first.

Mr. Michael Johnson said I was just going to read the opening statement. You go first.

Supervisor Phillips said Mr. Chairman, my wife and I are a party to this. We are the conditional use applicants. At this point I would like to recuse myself and I will step down until after this discussion is over.

Chairman Jones said you are excused.

Mr. Michael Johnson said Mr. Chairman this public hearing is held pursuant to § 15.2-2204, Code of Virginia, 1950, as amended to receive public comment on an application by Tim Drewry, applicant, on behalf of Bruce and Gayle Phillips, owners, for a Conditional Use permit for the extraction and processing of sand on property known as Tax parcel 29-7. The property has a zoning designation of A-1, Agricultural, and is 872 acres in size, with mining limited to 160 acres

+/- The property is located at 19260 Raccoon Creek Drive, Capron and is approximately 1.6 miles northeast of the intersection of Raccoon Creek Drive and Popes Station Road (Rt. 609). The notice of public hearing was published in the Tidewater News on December 1 and December 8, 2013 as required by law. After conclusion of the public hearing, the Board of Supervisors will consider the comments offered this evening and will proceed to approve, deny, or defer action on the proposed application. Mrs. Beth Lewis is with us tonight and she will begin the public hearing by offering the report from the Planning Commission.

Mrs. Beth Lewis stated that this is a conditional use permit request for a sand mining operation. She showed an ariel photograph of the property showing the Nottoway River and the Virginia Beach pipeline. She stated that the property was on both sides of the pipeline, but the mined area is north of the pipeline area. The property has been used for mining for the Phillips own use on their own property for a number of years. That does not require a conditional use permit. The conditional use permit is required to take the mined material off site. The property is accessed from Raccoon Creek Drive which is a private road; it is not a public road. VDOT's comment with regard to this request is that they would recommend improvements at the intersection where Raccoon Creek Drive and Pope Station Road come together to bring that to the standards of a commercial intersection. The request will be 160 or 164 acres out of 872 acres so less than a quarter of the property will be mined. Mr. Glenn Updike had a question at the Planning Commission about the size of other sand mines recently. In the past couple of years one has been a little bit bigger than this and one has been a little less than this. However, the parent properties of the requested mines haven't been anywhere near this big. This area to be mined is less than a quarter of the size of the property; the others have been much closer to 75% or 80% of the size of the property. The conditions offered by the applicant follow what examples have been set in the past. They will operate within strict accordance with the regulations of any local, state, or federal agency that has authority over such operations. The excavation area shall be defined on a plat and submitted to the planning office. No blasting will take place on the site. Vehicle loads shall be properly secured prior to leaving the site. The property will be posted with signage around the mining site to deter unauthorized entry. A gate with a lock is currently in place to control vehicular access through the existing road. The site shall be restored as required by the VA Department of Mines, Minerals, and Energy upon termination of mining activities. Setbacks shall be as prescribed by the Department of Mines, Minerals, and Energy. The applicant further offers a 100 foot setback from blue line streams as shown on US Geological topographic maps and a 50 foot setback for adjoining landowners. Mining activity will be limited from 6 AM to 8 PM Monday through Saturday with no mining on Sundays. Structures that may be necessary for a possible sand washing operation will be temporary or permanent structures will be built in compliance of any applicable ordinances in A-1 zoning under Southampton County codes. The conditional use permit may be revoked for failure to abide by the above stated conditions or any other conditions imposed by the county. You have two maps that Mr. & Mrs. Phillips provided. The first one show an outline of the area, the pink areas show the two sites proposed for mining, the orange line is Raccoon Creek Drive, and she pointed to the area of the intersection of Raccoon Creek Drive and Popes Station Road. The second map shows the closest residences from the mining area. There is a dwelling on Popes Station Road that is 5,300 feet from the mining area. There is a dwelling on Drive that is over 7,000 feet from the mining area and there are two residences on Cary's Bridge Road. One is 5,300 feet from the mining area and one is 6,800 feet from the mining area. So they are well over a mile from where the mining area will take place. The Planning Commission held a public hearing and no one spoke except the owners/applicants attorney. The Planning Commission voted unanimously for its approval.

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

Chairman Jones stated this is a public hearing. He asked if anyone was for or against this application.

Mr. Tim Drewry, the attorney for the Phillips' addressed the Board. He stated that Mrs. Beth Lewis had explained what they were looking for in this application for conditional use permit. One thing that was brought to her attention was a letter from VDOT concerning the entrance, but the VA Department of Mines, Minerals, and Energy requires entrance improvements so that will be addressed in accordance with VDOT's request. He stated that he was here to answer any questions that the Board may have.

Chairman Jones asked if anyone had any questions.

Chairman Jones thanked Mr. Tim Drewry. He asked if there was anyone else who wished to speak.

Mrs. Beth Lewis said she was sorry that she forgot to mention the Nottoway River is the State Scenic River as noted by the State Scenic Rivers Program. The closest point for this proposed point to the Nottoway River is 1,200 feet and it is well forested between the river and the mining site. So, there won't be any visual impact of this mining operation on users of the Nottoway River.

Chairman Jones thanked Mrs. Beth Lewis. He asked if there was anyone else wishing to speak. There being no one else to speak Chairman Jones closed the public hearing. He said what say ye Board.

Supervisor Edwards said the Planning Commission approved this unanimously without any problems and unless there is some further discussion I'd like to make a motion that we approve this with the ten conditions that you have listed before you.

Mr. Richard Railey said could I interject on the conditions. And this is just a technical correction. One talks about regulations of any federal or state agency or local. I don't think they would object to an addition "and in strict compliance with all applicable local, state, and federal regulations, ordinances, or laws".

Chairman Jones said alright.

Supervisor Edwards said he changed his motion to include that phrase.

Chairman Jones asked if anyone had any problems with that.

Mr. Tim Drewry said they had no objection.

Supervisor West said now you need a second to the amended motion.

Supervisor Ported seconded the amended motion which carried unanimously.

Mr. Tim Drewry thanked the Board.

Chairman Jones stated that we would go to item number ten.

Mr. Michael Johnson said item ten, Mr. Chairman, is a consideration of an amendment to the comprehensive agreement with Bunrootis, LLC. As you all may recall from 2010, pursuant to the Public-Privet Education Facilities and Infrastructure Act of 2002, the County entered into a "Comprehensive Agreement" with Bunrootis, LLC to perform 3 primary functions:

- a) Develop, finance, construct and sponsor a 240-acre wetland and stream mitigation bank at the Turner Tract;
- b) Construct and develop a compensatory mitigation site of approximately 18 acres to address impacts caused by development of the industrial park at the Turner Tract; and
- c) Cut, fill and grade approximately 81 acres of the industrial park site to achieve "pad-ready" status including demolition of structures, construction of 3 stormwater basins and appurtenant structures, and construction of the landscaped berm on the eastern perimeter.

Upon completion of items b. and c. above, the County paid Bunrootis \$2.95 million in lump sum for development of the compensatory mitigation site and construction of the industrial park pad and stormwater basins. Item a. development of the Wetland and Stream Mitigation Bank, was contemplated to be constructed in 2 phases, with Phase 1 constructed in 2010 and Phase 2 to be constructed in 2013. The Bank was constructed at Bunrootis' expense; Phase 1 was estimated at approximately \$925,000 and Phase 2 was estimated at approximately \$1.2 million. Phase 1 of the Bank was expected to generate marketable credits with an estimated value of approximately \$4.8 million and Phase 2 was expected to generate an additional \$4.5 million in marketable credits. Bunrootis pays rent to the County for the real estate it's developed into the wetland bank; base rent

totaling \$1.75 million over the next 10 years and additional rent equal to 28% of the net revenues generated by the sale of the credits – also estimated at \$1.75 million over the life of the bank for a total of \$3.5 million. Since Phase 1 was completed in 2010, Bunrootis has sold 2.61 wetland credits and 554 stream credits, generating roughly \$375,000 in income, and leaving them a current balance of 6.69 wetlands credits and 8,452 stream credits on the ledger. Wetland credits have a market value of approximately \$40,000 to \$50,000 and stream credits are worth \$400 to \$500 each. However, given the limited construction activity in the watershed, the delays in permitting for the new Route 460, and the inventory of available credits, Bunrootis seeks your consideration in a two-year extension on development of Phase 2, effectively amending Article 8 (g) of the Comprehensive Agreement to read as follows: “Development of Phase 2 of the Cheroenhaka Wetland and Stream Mitigation Bank shall be completed no later than December 31, 2015.

Chairman Jones asked if there were any questions for Mr. Michael Johnson on this agreement.

Supervisor Phillips said, Mr. Michael Johnson, just for clarification on the rent that is projected out over a ten year period, for instance if the 460 Development got back on schedule and we sold out of credits does that mean we still continue? How does that work?

Mr. Michael Johnson said the base rent is based on a schedule over a ten year period. Year one that is \$100,000, year two is \$1,000,000, and then it ramps up \$150, \$150, \$200, \$200, and it goes on and that will be paid over a ten year period. It is strictly on that schedule.

Supervisor Phillips said okay.

Mr. Michael Johnson said the additional rent however if they sell all the credits you will get that windfall of that 28% in one lump sum.

Supervisor Phillips said whenever it comes.

Mr. Michael Johnson said whenever it comes.

Supervisor Phillips said okay. Thank you.

Chairman Jones asked if there were any other questions.

Supervisor West said I think that we probably should go ahead and amend the comprehensive agreement with Bunrootis for the simple reason that they are faithful in the payments that they have made. Settlement of the credits hasn't gone as quickly as they thought it would, so there is no need go to any further extremes or make any changes to the property itself in any way. And why should we spend additional money if you aren't going to get any revenue off of it. Until the market picks up for them I see us not to cause them to spend more money, but I think their intent is to fulfill their obligation to us because they have been on schedule with their payments to us and I would be willing to give the this additional time of two years.

Supervisor Edwards said I don't think we have any other choice.

Supervisor West said right.

Supervisor Porter said that is what I was going to say, what is the choice? We are at December 16th so there is no way they are going to finish phase two by December 31st because there are only 15 more days. They are absolutely not.

Supervisor West said no.

Supervisor Porter said again the thing that causes me any discomfort is showing up tonight and saying we want to extend it and we don't have any alternative. We don't have any choice. So to have some common courtesy to advise us sooner would have been nice.

Chairman Jones asked if there were any other comments. He asked what they wanted to do with it.

Supervisor Edwards made a motion to amend the agreement.

Supervisor Porter seconded the motion which carried unanimously.

Chairman Jones stated that we would move to number 11 – 2014 Organizational Matters.

Mr. Michael Johnson stated the § 15.2-1416, Code of Virginia, requires each Board of Supervisors to meet at a public place in January each year to organize itself by electing a Chairman and Vice-Chairman and setting the days, times and places of regular meetings to be held during the ensuing months. The employee holiday schedule for the coming year is typically adopted at the organizational meeting as well. With the exception of years immediately following election of the Board, organizational matters have typically been deferred until the regular January meeting on the 4th Monday. If you would prefer not to have a special meeting simply to resolve organizational matters, I would like to have a motion to establish Monday, January 27, 2014 at 7:00 p. m. as the annual/organization meeting. Otherwise a motion will be required to establish the date and time for a special organizational meeting by the Board sometime in early January.

Chairman Jones asked if anyone had a problem with what has been going on.

Supervisor Edwards said he felt that we could do this at the regular meeting.

Chairman Jones said that is the way it has been done for a while now.

Supervisor Porter made a motion to establish Monday, January 27, 2014 as the date for the 2014 Annual (Organizational) Meeting.

Supervisor Faison seconded the motion which carried unanimously.

Mr. Michael Johnson said given that fact there is an item B., Mr. Chairman. We have three legal holidays which will be coming up prior to the Organization Meeting:

Wednesday, January 1, 2014 – New Years Day;
Friday, January 17, 2014 – Lee-Jackson Day; and
Monday, January 20, 2014 – Martin Luther King, Jr. Day

We need a motion, Mr. Chairman, to approve those holidays for county employees.

Chairman Jones said the county has been going with the state for years now. So, we need a motion.

Supervisor Faison made a motion to fix and set aside these three holidays for county employees.

Supervisor Phillips seconded the motion which carried unanimously.

Chairman Jones stated we would go to number twelve.

Mr. Michael Johnson said number twelve relates to a conditional use permit that you all issued back in November of 2007 approving James H. Lee & Sons, Inc. to extract sand from approximately 8 acres of a 134 acre parcel on the south side of Country Club Road approximately ½ mile east of its intersection with Flaggy Run Road. The permit was not for a commercial borrow pit; the Lee's primary interest was in developing a farm pond. However, they indicated that the sand would be moved from the site and used for commercial purposes at a project that was planned nearby at the time. Upon approval of the permit, the Lee's constructed the access road and cleared the limits of the pond. However, shortly thereafter, the economy bottomed out, the project fizzled, the pond was never constructed and the sand was never removed from the site. Mr. Lee has recently been approached by Waterfront Marine, the contractor that will be replacing the Route 35 Bridge in Courtland, who has an interest in the sand. The Lee's obviously still have an interest in constructing the farm pond. The Lee's approval contained a condition limiting "the permit" to 5 years. Out of an abundance of caution, Mr. Lee contacted me for clarification. I believe the intention of the Board at the time was to limit the length of time that mining activity would take place on the site and start the 5-year clock concurrently with commencement of mining activity; not to simply impose an arbitrary time limit. That said, I indicated that I'd run it by the Board for disposition at your December meeting. So with that, I'd be pleased to try to answer any

questions.

Chairman Jones asked if anyone had any questions.

Supervisor Faison said he was sure that Mr. Michael Johnson was right about the intent of the Board at that time. So, I concur.

Supervisor Updike said he would like to ask Mr. Richard Railey to speak and address this issue. I'd like to see what he thinks about the situation, if he considers it starting the project. Give us your professional opinion on this issue legally.

Mr. Richard Railey said he would be happy to. They say that lawyers complicate things and indeed we do. The five years on it is actually irrelevant and I will tell you why. Actually the BZA has the authority to limit the time of a conditional use permit, but under my interpretation of the statutory authority of the Planning Commission and therefore the Board it does not have the authority to say that it can only last five years. So if we interpret the five years differently you would say that it must start within five years, but the catch that would seem to kick him out or kick the applicant out, but the General Assembly passed 15.2-2209.1 B which in effect says, and this was in response to a slowdown in the economy, that any conditional use permit that was valid and outstanding on January 1, 2011 is kicked forward and is valid until July 1, 2017. So, that really, if you take my analysis seriously, makes the five year irrelevant. What does become relevant, and I think there is an answer to this, our county's own ordinance 18.519 lapse of conditional use permit, says that a conditional use permit lapses after the expiration of one year. But now listen to these words - "if no substantial construction or change of use has taken place in accordance with the plans with which the conditional use permit was issued. Now, if that is valid then when the General Assembly reacted and extended the limitations to 2017 the conditional use permit was already dead. But here is the catch and this is what you need to hear from Mr. James H. Lee. If he says that he took these steps the first year, he put the road in and cut the timber and got ready and you determine that is substantial construction then he is saved from a lapse and the conditional use permit is still valid. That is the actual question before us. Did I make it too complicated?

Supervisor Edwards said I think the fact that you bring out that we cannot put a time limit on this is very important. And, the other thing that I see is that Mr. James H. Lee did quite a bit of work. He put a road in and he cleared the property and the trees. We can say that worked started within one year can we not?

Mr. Richard Railey said that is right.

Supervisor Edwards said and he did that so I think Mr. James H. Lee is within the limits of the law and I don't think that we need to do anything else except tell him to go for it.

Supervisor West said I am in agreement as well and I think we should go forward.

Chairman Jones asked Supervisor Updike if that answered his questions.

Supervisor Updike said he just wanted to make verifications on this issue because he had heard quite a few different opinions. He just wanted to get verification on what is and what isn't.

Chairman Jones said the way he looked at it was that this was one of our citizens and he went through the Planning Commission and they approved it. It is left up to us now to do what we need to do. He has gone through all the procedures and done everything right so there is nothing else for us to do but to continue on. So, move right on.

Supervisor Edwards made a motion that Mr. James H. Lee & Sons, Inc. continue on with the plans.

Supervisor Updike seconded the motion which carried unanimously.

Mr. Michael Johnson said the other items, Mr. Chairman, are just items of correspondence and notices. I will be glad to answer any questions about any of those if you have any.

Chairman Jones asked if anybody had any questions about any of the miscellaneous items.

Chairman Jones asked if we had any late arriving matters.

Mr. Michael Johnson said we have one, Mr. Chairman. There is a letter at your places on Surry County letterhead indicating that I sent you all out a memo a couple of weeks ago. At the VACO meeting in November, Mrs. Judy Lyttle who is a member of the Board in Surry County was elected as the Second Vice-President of the Virginia Association of Counties. And, because she is not an officer she is no longer able to serve as the Director of Region I which includes the counties of Appomattox, Northampton, Southampton, Isle of Wight, Sussex, Surry, and Prince George. Because she is no longer able to serve in that capacity, they need to elect a new representative from Region I. She is soliciting noninations for that vacant position. She has asked that they be submitting to the Surry County Administrators office by next Monday, December 23. And, then they will follow up if there is more than one nomination. They will follow up with a voting ballot which will be voted on by all the member counties in Region I. So, I'm making you aware of that. If there is any Board member that has any interest in serving this Board should certainly consider making that nomination.

Chairman Jones asked if anyone was interested in being the Region I representative. He asked if anybody wanted another job. He said he didn't think anybody was doing anything. He thanked Mr. Michael Johnson. He stated that he had a letter from one of the people who is interested in doing this so he has got to get back in touch with him and tell him he will support him. He asked if there was anything else to come before them before they adjourned.

Supervisor Edwards said Merry Christmas and Happy New Year.

There being no further business the meeting was adjourned at 8:45 PM.

Dallas O. Jones, Chairman

Michael W. Johnson, Clerk