

At a regular meeting of the Southampton County Board of Supervisors held in the Board Room of the Southampton County Office Center, 26022 Administration Center Drive, Courtland, Virginia on November 24, 2014 at 6:00 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, Deputy County Administrator/Chief Financial Officer
Beth Lewis, Community Development Deputy Director
Julien W. Johnson, Jr. Public Utilities Director
Richard E. Railey, Jr., County Attorney
Amanda N. Smith, Administrative Assistant

OTHERS ABSENT

Chairman Jones called the meeting to order.

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

Chairman Jones stated that the first item on the agenda is a closed session.

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

- 1) In accordance with Section 2.2-3711 (A) (5), Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

A motion is required to convene a closed meeting for the purposes described above.

Chairman Jones asked if he could get a motion to go into closed session.

Supervisor West made a motion to go into closed session.

Supervisor Edwards seconded the motion which carried unanimously.

Chairman Jones called the meeting back to order and stated at this time we will have the certification resolution.

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

RESOLUTION OF CLOSED MEETING

WHEREAS, the Southampton County Board of Supervisors had convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Southampton County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public matters as were identified in the motion convening the closed meeting were heard, discussed and considered by the Southampton County Board of Supervisors.

Supervisor West made a motion to adopt the certification resolution.

Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones states ladies and gentlemen we did not do anything that was not on the agenda for the closed session. Now we will have the citizen's input; citizen's comment period.

Mr. Ash Cutchin addressed the board. Thank you Mr. Chairman. Thank you for giving me and the rest of the public the opportunity to speak. My name is Ash Cutchin and I reside on Darden Point Road and Dr. Edwards is my Supervisor and as always I try to be brief. Last Thursday night I attended the Chambers Commerce Community Expo at the Workforce Development Center. At the Economic Development booth I was asked by a charming young lady, whose name I don't know, if I would comment on the best thing about Southampton County and the worst thing about Southampton County. My reply to her was they are one in the same. She looked puzzled and asked me to explain and this is what I said; the best thing about the county is the fact that most residents want to see it retain its rural character and lifestyle, and second the worst thing about the county is the fact that most residents want to see it retained its rural character and lifestyle depending on your point of view of course. Tonight I stand by those statements. We all know that many people have moved here from other places. Many mainly because of what we are and how we are. Yet many others want to see us change. Change for the better they say. Our County Administrator has even stood right in this room and said either we grow or we stagnate. He may be right but as I said last month, growth is a two edge sword. I remember former Supervisor Brown once sitting over there just before the 2010 census saying that he really hoped the County population exceeded 20,000 by the 2010 census; fortunately it didn't. Now, I was asked last week to update an appraisal I did in 1994 on one of the largest farms in the county. In the process, beginning my update, the first thing I did was to reread my original appraisal report in which I included as I always do the current real estate tax rate. To most of my surprise I read that in 1994 our tax rate was .56 cents. Today it is .77 cents and if you factor in the \$200.00 solid waste disposal fee that is probably another .03 cents so it is about .80 cents effective tax rate today compared to .56 cents. Comparing the .56 cents to .77 cents that is an increase of .21 cents or an astonishing 37.5 % increase since 1994. I read it once again to make sure I had the right figures. Then I sat there for a while staring at the page and I asked myself as I ask you tonight; are we the citizens of Southampton County better off economically, financially, socially, and otherwise by 37.5% than we were 20 years ago? Perhaps you have some measuring stick that I lack but I don't think so. In line with that thought I also asked myself and I ask you; will the citizens of Southampton County be better off and better served by this proposed shared utility water and sewer project with the City of Franklin. I don't know as much about it as you probably do but I ask you is this a win/win situation for both the City and the County and will the larger user pay the larger share including the operating cost and the development cost? Will the creation of a management be another layer of bureaucracy? I mean would we need a manager, an assistant manager, and other employees just to supervise and be in charge? All of that will cost the citizens more money in the form of more taxes, and if not I ask you where are the assurances that it won't? In speaking of taxes, I understand that the state will reduce our share of state funding by \$110,474. Now I sit back here every month, month after

month, and I listen to Mr. Britt's Treasurer Report and I add up his figures about unpaid taxes and month after month I consistently get a figure greater than \$1 million. Now, the only way that I can interpret this is those of us that actually pay our taxes will have to shoulder an even larger burden created by those who don't. By the way, the paved portion of Darden Scout Road is beginning to look a lot like the unpaved portion. I ask you, how long before we lose our heritage and our rural lifestyle all in the name of progress? How long before the state shortfall and larger and larger sewer projects and another new school and a new court house and who knows what else will cause our taxes to rise to the level of surprising Suffolk? Is that the kind of progress the citizens really want? Thank you for listening and Happy Thanksgiving.

Mr. John Burchett addressed the Board. My name is John Burchett. I was going to comment on the wastewater thing but I think Ash covered it pretty well except the Timmons Group. Aren't they the ones that are doing the... aren't they the consultants?

Mr. Michael Johnson states they are the lead consultants.

Mr. John Burchett states aren't they the same ones that recommended that we do the sewage in 2008?

Mr. Michael Johnson states correct.

Mr. John Burchett states that makes me feel uncomfortable, but we will see. I may not be here next month so I just wanted to tell you all I appreciate what you do even though I don't agree with you all the time. You all have a tough job, no money, and people like me to deal with every month, but I do appreciate what you all do. You all have a Happy Holiday and God bless you.

Chairman Jones states thank you very much. Anyone else? The floor is open, anyone else?

There was no response from the floor and citizen comment period was closed.

Chairman Jones states approval of minutes. Did anyone have any problems with the minutes? If there are no corrections on anything the minutes will stand approved. Highway matters, number six.

Chairman Jones called on Supervisor Updike.

Supervisor Updike states I would like to recommend or suggest especially the people in Newsoms are extremely upset over the many trucks that are coming through Newsoms with safety issues. I am making a suggestion and encouraging the state, VDOT, to widen Cypress Bridge Road and Statesville Road right there at the dumpsite, so the trucks can take a right on Cypress Bridge Road. It is closer to Franklin than it is going up to Newsoms and coming back. Like I said, it's a safety issue and a convenience issue. Loggers and truckers are very cooperative people and if we provide the services so they can take a right on Cypress Bridge Road it would eliminate all of the concerns of the citizens in Newsoms. I think this should be one of the top priorities of VDOT in the short run. These trucks have increased over the last three to four years. GPS has showed this as the shortest distance between the two points; we have everything from Virginia and people out of state coming through that area. School busses and everything else comes through. This is a major concern and the trucking industry needs this road because this is not a short term project. Timber is going to be grown in that area for a long time and they need a way to get out going through Newsoms and the citizens would appreciate it. The sidewalks are right against the main road and there are children playing in the road. So, they are really concern about we want to see what VDOT can come up with regarding that right turn on Cypress Bridge Road.

Chairman Jones states you have to put that on the six year plan.

Mr. Michael Johnson states yes in order to get that planned Mr. Updike because that is not a maintenance issue that is a construction project you actually have to add that to your six year plan.

Supervisor Phillips states we just did it.

Mr. Michael Johnson states we did it about three or four months ago. So, really the first

opportunity you will have is when we redo that next year and certainly you can bring it up at that point and get it added. But that means, some other project has to fall off the list.

Chairman Jones states right.

Supervisor Porter states I agree with Mr. Updike; that is something that needs to be done. I am going to be a little bit of a pain and ask you to contact the people over at VDOT and see if there is any way they can do anything any sooner. Just to talk to them. This is a real issue there.

Mr. Michael Johnson states the standard answer you get is we can deal with maintenance but anything that is a construction project has to run through that six year plan.

Chairman Jones states right.

Supervisor Porter states it is not a huge construction project. If they really see the need for it they may be able to run it through the maintenance budget. All they have to do is cut the corner off and redo the ditch and do a little bit of paving around the corner. It is not a real big project.

Mr. Michael Johnson states so you are not talking about widening Cypress Bridge Road all the way back to Route 671.

Supervisor Porter states no; it's just making the corner wide enough so the log trucks can make a right turn. I don't think that is an unreasonable request.

Chairman Jones states Mr. Porter do you have anything else?

Supervisor Porter states that is all I have.

Chairman Jones called on Supervisor Faison.

Supervisor Faison nodded his head no.

Chairman Jones called on Supervisor West.

Supervisor West states I had a similar request. On Warrique Road 100 yards extension of this rural rustic; putting a few rocks and tar down there, new money because a house had been built and the trucks come flying down Warrique Road which is dirt, unpaved, and the dusts flies everywhere. If we could move it beyond that point you would cut down on the dust settling down; No money. And I have to say this okay, but we can spend \$300 million on Route 460.

Supervisor Edwards states \$343 million.

Supervisor West states and I don't understand okay.

Supervisor Edwards states then they say they want to put \$189 million back into our secondary road which is a pittance.

Supervisor West states I would like to comment for the record Mr. Johnson it looks like the mowing and the cutting of the ditches and the shoulders has been done in general. Ben Bryant specifically is responsive to most any request and I have talked with him a time or two a week and he is very responsive.

Chairman Jones called on Supervisor Edwards.

Supervisor Edwards states I am just saying we need to get use to more mandates with no money behind them. It's happening again this year and we have begged our representatives, we have gone to our representatives, we have written letters, we have talked to them and it still continues. More mandates that the local people have to pay for...

Chairman Jones states the more money we have to have. The more they take off we have to stop funding it.

Supervisor Edwards states how much they cut this year, 1.89 %?

Chairman Jones states we can't do without it so we have to continue.

Chairman Jones called on Supervisor Phillips.

Supervisor Phillips states I have nothing further Mr. Chairman.

Chairman Jones states alright we will go to number seven, appointments.

Mr. Michael Johnson states the first one Mr. Chairman is the Board of Zoning Appeals. As we talked about last month, Mrs. Marie Sykes resigned from the Board effective October 31, 2014. While that appointment is actually made by the Circuit Court, this Board has typically recommended candidates for the Court's consideration. Mrs. Sykes represents the Capron district and her unexpired term runs through September 30, 2016.

Chairman Jones states alright Mr. Phillips do you have anything.

Supervisor Phillips states yes sir. Mr. Chairman I would like to offer Nick Kitchen, the mayor of Capron, as the replacement. He has a Class A contractor's license here in Southampton County. He has agreed to serve the remainder of the term. He also is aware that he has to go to school within two years of the time of his appointment.

Chairman Jones states okay is that a motion?

Supervisor Phillips states yes sir that is a motion.

Supervisor West seconded the motion which carried unanimously.

Chairman Jones states let's go to item B.

Mr. Michael Johnson states item B is the Industrial Development Authority. On December 31, the terms of two members of our Industrial Development Authority (IDA) will expire. Mr. Leon Bolton who represents the Boykins-Branchville District and Mr. A. Meredith Felts, Jr who represents the Berlin-Ivor District. Mr. Felts is currently serving as Chairman of the IDA and both of these men have been active members and are eligible for reappointment.

Chairman Jones called on Supervisor Faison.

Supervisor Faison states I spoke with Mr. Bolton this afternoon and he is glad to be reappointed so I move to recommend his appointment.

Supervisor West seconded that motion which carried unanimously.

Supervisor West states as far as Mr. Felts is concerned I have made a call and left a message. We have not spoken but I feel certain he will return. He is the Chairman of IDA as we speak and I hope he will continue but I will have that for the December meeting.

Chairman Jones states thank you and we will go to number eight, reports; Financial Report, Sheriff's Office, Animal Control, Litter Control, Building Permits, Treasurer's Office, Cooperative Extension, Solid Waste Quantities, and Personnel.

Mr. Michael Johnson states we have one personnel issue Mr. Chairman effective October 20, 2014 in the Sheriff's Office. Dwayne Forren was separated.

Chairman Jones states alright we will go to number nine, financial matters.

Mr. Michael Johnson states item A Mr. Chairman is your semiannual appropriation resolution. You have a copy of it in your agenda package. It appropriates the remaining funds approved in your fiscal year 2015 annual budget. That is a total of \$27,060,561.00. As you all may remember

the first semiannual appropriation resolution was approved at your June meeting. Chairman Jones states alright; a motion is required to do this.

Supervisor West made a motion to adopt the attached semiannual appropriation resolution.

Supervisor Edwards seconded the motion which carried unanimously.

**At a meeting of the Board of Supervisors of Southampton County,
Virginia held in the Board of Supervisors Room on Monday,
November 24, 2014**

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 indicated for the period July 1, 2014 through June 30, 2015 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:

11010	Board of Supervisors	130,052
12110	County Administration	164,117
12310	Commissioner of Revenue	161,980
12320	Board of Assessors	4,419
12410	Treasurer	156,344
12415	Delinquent Tax Collection	11,863
12430	Accounting	98,904
12510	Data Processing	207,427
12550	Insurance/County Code	-
13200	Registrar	77,770
21100	Circuit Court	17,030
21200	Combined District Courts	11,250
21300	Special Magistrates	329
21600	Clerk of the Circuit Court	241,261
21700	Sheriff - Bailiff	205,877
21750	Courthouse Security	180,411
22100	Commonwealth's Attorney	280,152
22200	Victim Witness	37,894
31200	Sheriff	986,296
31400	Enhanced 911	96,174
31500	PSAP Wireless E-911	26,845
31750	School Resource Officer	21,960
32200	Volunteer Fire Departments	-
32300	Volunteer Rescue Squads	-
32400	State Forestry Service	-
33100	Detention	1,536,892
33300	Probation	53,823
34000	Building Inspections	123,734
35100	Animal Control	52,168
35300	Medical Examiner	200
35500	Emergency Service/Civil Defense	73,328

41320	Street Lights	24,100
41500	Assign-A-Highway Program	3,092
42300	Refuse Collection	375,957
42400	Refuse Disposal	539,500
43000	Buildings & Grounds	263,353
51100	Local Health Department	149,720
52000	Mental Health Services	-
53240	Sr Services of Southeastern	-
53500	Comprehensive Services Act	232,399
53600	STOP Organization	-
72000	Community Concert Series	-
72200	Rawls Museum Arts	-
72500	Historical Society	-
73200	Walter Cecil Rawls Library	113,815
81100	Planning/Zoning	88,864
81500	Economic Development	-
82400	Soil & Water Conservation District	-
83500	Cooperative Extension Service	22,186
91400	Non-Departmental Operating	-
	TOTAL	6,771,486

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

89600	Enterprise Fund Water	341,678
89500	Enterprise Fund Sewer	1,580,094
	TOTAL	1,921,772

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

94000	Building Fund	1,013,794
	TOTAL	1,013,794

From the General Fund to the School Operating Fund to be expended only on order of the Southampton County School Board:

61000	Instruction	9,410,521
62000	Administration	517,388
63000	Other Direction & Management	1,442,238
64000	Operation & Maintenance Services	1,594,147

68000	School Food Service	36,213
66000	Facilities	84,354
67000	Debt Service	1,146,878
68000	Technology/School Operating	273,233
260	Rental Textbook	93,267
265	Technology	103,000
400	At Risk 4-Year Olds	168,839
450	Early Reading Intervention	28,235
500	Title I	259,631
525	Reading First Grant	-
550	Title VIB Special Ed-Flow Through	280,806
560	21st Century Community Learning Center	-
625	Title II-A Training and Recruitment	60,037
630	Title IID Ed Tech	-
650	Substance & Drug Prevention	-
800	Vocational Special Education	23,044
850	Opportunity Inc	76,700
900	Pre-School Incentive	5,935
	TOTAL	15,604,466

From the General Fund to the School Operating Fund to be expended only on order of the Southampton County School Board:

65100	School Food Service	588,215
	TOTAL	588,215

From the Virginia Public Assistance Fund to the Virginia Public Assistance Operating Fund to be expended only on order of the Social Services Board of Southampton County:

309	Welfare Administration (Eligibility)	924,582
313	Benefit Programs	236,246
	TOTAL	1,160,828

TOTAL APPROPRIATIONS =====
27,060,561

BE IT FURTHER RESOLVED that the Treasurer of Southampton County shall transfer to the accounts as indicated, the funds from time to time, as the need occurs and as funds become available.

A copy teste: _____, Clerk
Michael W. Johnson

Southampton County Board of Supervisors
11/24/2014

Chairman Jones states let's go to item B. Does anyone have any problems with the bills? Is there anything on there that jumps out at you? If not, I will need a motion to pay the bills.

Supervisor Edwards made a motion that we authorize payment of the monthly bills.

Supervisor Phillips seconded the motion to pay the bills in the amount of \$4,598,670.39 to be paid by check numbers 138393 through 138873. The motion carried unanimously.

Chairman Jones states we will go to number ten.

Mr. Michael Johnson states item ten Mr. Chairman is related to the vacation of subdivision plat Brandywine subdivision. In March 2008, the Board approved the final plat for the "Subdivision of Brandywine" a 58-lot residential subdivision located west of the Regency Estates subdivision off of Clay Street in Franklin. The subdivision straddles the City/County border with 34 lots located in the City and 24 located in the County. The final plat was recorded in the Clerk's Office in May 2008 in Plat Book 31, pages 186-189. Given market conditions since 2008, Hampton Roads Development, LLC, has chosen not to proceed in constructing any of the required infrastructures such as inside roads, water, sewer, and stormwater retention, and has not sold any of the platted lots. They have recently expressed a desire to vacate the recorded plat pursuant to 15.2-2271 (1), Code of Virginia, 1950, as amended. The enabling legislation allows the developer to vacate the plat by recordation of a written instrument, subject to the consent of the governing body. Attached for your consideration in your packages is a resolution which would consent to that vacation of the subdivision plat and authorize your appointed subdivision agent to acknowledge your consent on the written instrument that will be recorded.

Chairman Jones states alright gentlemen we need to adopt the proposed resolution for this to go back to what it was.

Supervisor Phillips motioned to adopt the attached resolution.

Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones states let's go to number eleven, public hearing.

Mr. Michael Johnson states Mr. Chairman the public hearing today is regarding a Conditional Use Permit for Hunter Darden III. This public hearing is held pursuant to Section(s) 15.2-1427 and 15.2-2204 of the Code of Virginia, 1950, as amended to consider a request by Hunter Darden, III, owner, for a Conditional Use Permit to operate a sand mining operation. The request includes approximately 100 acres of a 340 acre +/- tract known as portions of Tax Parcels 91-23 and 92-33. The property is located approximately 6,400 feet northeast of the intersection of Mount Horeb Road (SR 672) and Nottoway Farms Drive, a private road. The property is in the Newsoms Magisterial and Voting Districts. The notice of public hearing was published in the Tidewater News on November 9 and November 16, 2014 and all adjacent property owners were notified in writing 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 request.

Mrs. Beth Lewis addressed the Board. Good evening; the Planning Commission held a public hearing on this request; a Conditional Use Permit request. There were no comments at the public hearing from any members of the public. The applicant was there and spoke. Since that time an abutting property owner has contacted Mr. Johnson and myself and the property owner may have a change in a condition to offer tonight. This is a Conditional Use Permit request for a sand mining operation in the A-1 zoning district that is required by a Conditional Use Permit. Most of the regulations are found in the state's Mine Mineral and Energy Department. There are specifics in Southampton County that you have to go through in this process, but most of the access issues and the operations of the sand mine itself is governed by the Department of Mine Mineral and Energy. I will be glad to answer any questions you may have. Nottoway Farms Drive is currently used in a commercial capacity. It is a private road but this property is currently used as a turf farm and other farming operations so there are commercial vehicles that use the road now. So, if there were any improvements that were needed at the intersection of Nottoway Farms Drive and Mt. Horeb Road, VDOT would require them when the mining operations start. Since the road is already in

commercial use that is probably not likely. I will be glad to answer any questions.

Chairman Jones states are there any questions for Mrs. Lewis.

Supervisor West states the person that had a question was he satisfied with the setback change that was made?

Mrs. Beth Lewis states the applicant will offer that information.

Supervisor West states sure.

Chairman Jones states thank you Mrs. Lewis. At this time I will open up the public hearing. Is anyone here that would like to speak for or against this application?

Mr. Hunter Darden addressed the board. Chairman, board members, ladies and gentlemen I had a conversation with Mr. Billy Chorey. He called me and was a little concerned about the buffer and he is the only property owner that joins me on high ground. Everything else is surrounded by water. I told him I didn't have a problem with the buffer of whatever distance he felt was satisfactory with him. He asked for 75 feet and I am in agreement with that. It's not a problem.

Chairman Jones states are there any questions for Mr. Darden? Is there anyone else?

Mr. Ash Cutchin states Mr. Chairman, board members, I am familiar with this property and I have walked it several times. I think a sandpit is the highest and best use. I don't see how anybody ever grew any crops on it quite honestly. I know when it was turf it was irrigated. I think the applicant has a history of operating other sand mines without any complaints so I suggest you vote in favor of it. Thank you.

Chairman Jones states anyone else?

There was no response and the public hearing was closed.

Chairman Jones states what do you say here board?

Supervisor West made a motion to accept the Planning Commission recommendation and approve the Conditional Use Permit with the 75 foot buffer along Mr. Billy Chorey's property.

Supervisor Edwards seconded the motion which carried unanimously.

Chairman Jones states let's go to number twelve.

Mr. Michael Johnson states item twelve relates to the EMS Licensure Application of the Newsoms Volunteer Fire Department. Since inception of their Non-Transport First Responder program, Newsoms Volunteer Fire Department (NVFD) has operated under the EMS license of the Boykins Volunteer Rescue Squad. They've recently expressed a desire to apply for their own EMS license in order to gain more control over their current operations, facilitate future expansion of the program and provide them greater access to potential funding grants. Section 15.2-955 of the Code of Virginia requires approval by the local governing body for the establishment of licensed emergency service organizations. Similar approval was granted by the Board to the Sedley Volunteer Fire Department for its First Responder Program back in October 2001. As you know from approval of your EMS Response Plan in May of this year, NVFD currently provides Non-Transport First Responder services within its first-run response area, which includes 962 address points in a 73.42 square mile designated area. Included in your agenda package, you will see a copy of a resolution supporting their application. We do have a couple of members from the Newsoms Volunteer Fire Department here with us tonight in case you have questions.

Chairman Jones states does anyone have any questions about this application?

Supervisor West states will this require an additional \$7,000 appropriation that we give to each of the Fire and Rescue Squad?

Mr. Michael Johnson states that is a budget consideration for you all but I would suspect you all would want to treat them equally and of course you are already doing the first responder program.

Supervisor West states sure, but this would be an addition to?

Mr. Michael Johnson states no you are already doing it.

Supervisor Porter states this would just authorize them to operate separate from Boykins. It does not change their operations but it does give them a license to apply for grants to help fund their operations. I will make the motion to adopt the attached resolution.

Supervisor Edwards seconded the motion which carried unanimously.

Chairman Jones states number thirteen.

Mr. Michael Johnson states item thirteen is a first reading on an ordinance amendment to create a Recreational Residential District. I suspect most of you all are familiar with the Nottoway Shores subdivision and because the lots there were platted in that area and its immediate environs they were platted prior to the County's adoption of any development standards so they do not meet the width or area requirements of the current county code. Because they were platted prior to October 1, 1968, they're considered legal non-conforming lots (i.e., "grandfathered"), but the owners are still required to meet the current setback requirements when constructing buildings and other structures. With the lots being only 50' - 60' wide, and most of them currently zoned A-1, it is difficult for property owners to meet the established side yard requirements (must be a combined 35'). In addition, many owners want to construct buildings and piers immediately adjacent to the canals or the river to facilitate launching of their boats. That is currently prohibited by a 35' rear yard setback requirement. This has led to a significant number of variance requests to the BZA over the years. The Planning Commission, which reviews all variance requests, has recommended establishment of a totally new zoning district for this area, with more liberal and reasonable setbacks, given the recreational character of the area. A copy of the first draft of the ordinance establishing the new zoning district (Recreational Residential District) is attached in your agenda packages. Mr. Railey I know was working on some changes to that draft. I did see another draft later this afternoon. I am not sure that is the final draft, but it may be.

Mr. Richard Railey states we are getting closer but Beth has pointed out that I left out one thing that the Planning Commission was interested in.

Mr. Michael Johnson states I wanted to make you all aware of the Planning Commission recommendation and give you all an opportunity for early feedback. If you're satisfied with the draft, subject to the Planning Commission recommendations and the change Mr. Railey just described, this may be advertised for public comment at your December 15 meeting. Or, if you'd prefer not to rush, you may defer action until you've had the opportunity to review the revised draft in December, before advertising for public comment in January 2015.

Chairman Jones called on Supervisor Faison.

Supervisor Faison states is this unique to Nottoway Shores or are there other properties that may be like that?

Mr. Michael Johnson states it is not written where Nottoway Shores is mentioned in the ordinance but it's developed such that any other subdivision wouldn't qualify.

Mr. Richard Railey states there is nowhere else in Southampton County these circumstances and facts would apply.

Supervisor Edwards states I am pretty sure this has been thought out pretty well. It was a big crowd of people who live there and I would like to go ahead and recommend with Mr. Railey's change that we advertise it for December.

Chairman Jones states this is not the first time we have looked at this. The lots are already non-conforming and been there for years. We may as well change it and do something about it and be

in compliance with the rest of the county.

Supervisor West states well public comment can take place on December 15 and by that time Mr. Railey's part will be completed.

Chairman Jones states yes.

Mr. Richard Railey states I have redrafted.... I think Mrs. Lewis and I can complete my omission in probably fifteen minutes and set it right to advertise in the paper. My omission deals with allowing owners to store a boat on a vacant lot.

Chairman Jones states alright gentlemen.

Supervisor Edwards made a motion to advertise the proposed ordinance for public comment on December 15.

Supervisor Porter seconded the motion which carried unanimously.

Chairman Jones states number fourteen.

Mr. Michael Johnson states item fourteen deals with a continued discussion on the shared utility services study. Supervisor Phillips, the Board's representative on the 16-member Management Team overseeing the Shared Utility Services Study, asked that this matter be placed on your agenda for follow-up discussion. As you know, we're awaiting the first draft of the Preliminary Engineering Report. If there are specific comments or questions that you have or that your constituents have expressed, tonight's a good opportunity to get them out on the table.

Chairman Jones called on Supervisor Phillips.

Supervisor Phillips states at this point the study that is going on we have a grant and we are exploring a number of options. The inventory of assets for either the City of Franklin or Southampton County has not been submitted by the Timmons Group. The process of the grant requires a series of public meetings and to achieve what we call transparency, I am willing to say I am that representative and what we are trying to do is see if there is a way we can combine the City of Franklin and Southampton County into a regional authority. I think that is the best option at this point. Nothing further has been discussed. If anyone have any questions I want you to know I am that representative and there are several committees regards to finance and governance; it is all part of this process. If anyone has any concerns feel free to call me and I will evaluate your comments and add them to my concerns if I see them. At this point we are at the very early stages but we are in a process because of the fact we are using state money for the grant, we have to have these public meetings like the joint meetings with City Council and the Board of Supervisors on November 12.

Chairman Jones states we have had two public meetings thus far and it is open to the public. Anybody can come and any time.

Supervisor Phillips states we will make a point in the future with any further meetings... The meeting in Franklin was open to the public. We had continued our previous board meeting last month and then it was continued a second time for the joint meeting. These things are on the website.

Supervisor West states I would like to say that what you said Mr. Cutchin is important. I do think we are seeking a win/win situation for Southampton County and Franklin as well. There are many people, obviously the tax payers of Southampton County are paying the entire bill, but only a small number of people are actually receiving the benefits of the particular sewage treatment at this time. It will be based on a customer use system and let the customers that use it pay for it.

Mr. Ash Cutchin states they are not doing that in Boykins.

Supervisor West states well...

Supervisor Porter states can I say something.

Supervisor West states yes.

Supervisor Porter states I want to point out one thing. You pointed out we are paying .77 cent tax rate which is .21 cents higher than 1994. Now, I don't know exactly what this number I am telling you was in 1994 but of that .77 cent tax rate .17 cents of it goes to subsidize our current sewer operations; .17 cents. If we can reduce that by .10 cents we are winning. That is the thing. I don't think I would vote or anyone else up here would vote if there is any chance whatsoever combining these assets would result in any additional burden on the county.

Supervisor West states amen.

Chairman Jones states and nobody is voting on anything. We are just meeting and hearing what they are doing.

Supervisor West states and like he said we will never recoup .18 cents or .17 cents that is out of the question but any portion of it that can be will be a benefit to the tax payers of Southampton County.

Supervisor Updike states I have a different approach to the system. We are taking one debt that the county has and creating a regional authority. They are going to have to hire presidents, vice-presidents, secretaries... The citizens of the county are still going to have to pay for it. I don't care what other people say. The amount of money owed and the amount of people that are going to have to pay is going to increase.

Supervisor Porter states the comments like you are making right now are completely wrong and that is what is causing a lot of anxiety among the public. You don't understand what is going on evidently because you are making comments that are incorrect. Nothing has been decided and I don't think you understand that right now the operation has two full management teams operating two separate utility systems. Some of those people's jobs will be consolidated and some of management will be consolidated and when you talk about presidents... There are not going to be presidents that are going to be fully paid people and we don't know yet. We have not seen what the recommended organization is. If it is, I suspect there will be no paid executive officers other than the people that currently work in the operations.

Supervisor Updike states if you want another SPSA you are creating one. If we haven't learned our lesson from a regional authority we need to take a look at what SPSA has created when they started and what it went to and what it is now.

Supervisor Porter states and I reiterate you don't understand what we are talking about.

Chairman Jones states we are not even close to that.

Supervisor Faison states we are in the beginning stages and we have to be open minded right now. I think it is important what was just said that when we get to the point where we see there is cost to Southampton County then we will have a different approach. But right now, we have to be open minded and uncover every stone how it can benefit both Southampton County and Franklin.

Supervisor Updike states they are also talking about an eight panel committee to oversee it; four from the County and four from the City. I would love to go in with Mr. Darden and join our farms. My assets are \$100 and his is \$10,000 and I want equal share of authority to operate this facility.

Supervisor Porter states I want to make one comment there. Let's face reality. We do not own the assets. The banks own the assets. Along with these assets are debts. Any assets that we transfer to the regional authority will also be accompanied by a transfer of debt.

Mr. Ash Cutchin states can you say that a second time?

Laughter in the room.

Supervisor Porter states so when we talk about giving them assets, we are not giving anybody assets, we are transferring corresponding responsibilities like debt with assets if it happens. But what will happen, they will be responsible for paying off \$30 million in debt not the County. Right now the County has that.

Supervisor Updike states but the citizen are going to have to pay the final bill.

Supervisor West states no, the users of the system.

Supervisor Updike states right, the citizens of the County is going to have to pay the bill.

Supervisor West states the users of the system

Supervisor Porter states they will be paying the same rates as the users of Franklin so I don't know why you are saying that they are going to be penalized more. All users in the system will be paying the same rates.

Chairman Jones states alright any other comments?

Chairman Jones called on Supervisor Edwards.

Supervisor Edwards states I think the public's conception is to make sure we don't give anything away and I can assure you this Board of Supervisors is not going to give anything away. As far as I am concerned I am going to look out for number one first and that is Southampton County. If there is more advantage to Southampton County then so be it.

Supervisor West states does that allay your fears though; what we are talking about tonight.

Mr. Ash Cutchin states tonight, yes sir.

Supervisor West states we are not far enough along to say what is going to happen. We are observing this process. We will protect Southampton County and at that point that debt will go with the deal and off of us.

Mr. Hunter Darden states can I ask one question?

Chairman Jones states one question.

Mr. Hunter Darden states you say you are going to charge the users. How about the people that don't use the system? Will there be a straight across the board with the County residents or will it be just for the ones that use the facility?

Supervisor West states there is an incurred debt to begin with at this time Mr. Darden. Let's say that is roughly \$.17/\$.18 cents. There is going to always be a part of that debt that we have gotten ourselves into. We have incurred that.

Mr. Hunter Darden states that every citizen is going to pay for.

Supervisor West states at the end of the day there is but at some point it is going to drop. I hope \$.10 cents at least; I hope but I can't promise any. With that being said we will be responsible for some of it. I will state it publicly like it is, but most of the burden of it will go to the authority if indeed the authority route is chosen. So, you will not be paying for that for now or future. We can reduce the tax rate theoretically if this board chose to reduce it from \$.77 cents to \$.67 cents.

Mr. Hunter Darden states the question is will that go to the individual person or a subdivision?

Supervisor West states that hasn't been decided.

Chairman Jones states we don't know everything.

Supervisor Porter states let me give him a little bit of a scenario. There will be the rate payers who

pay for the use of the service. We currently have subsidized our utilities by \$2.5 million a year. There is no doubt in my mind this system can from day one self-support itself without charging the users \$200 a month. Right now, we are charging them \$70 a month for water and sewer. To make it work we probably would have to charge them \$200. We may have to subsidize the authority some amount of money but we can fix that amount. If we fix that, let's say, at \$1 million we are \$1.5 million ahead, but when they take it over the burden of the tax payers stop at that agreement. Does that make you feel better?

Mr. Hunter Darden nodded his head yes.

Supervisor West states the bottom line is this is important because I don't think it has been any participation from the community.

Mr. Richard Railey states they have other things to do.

Chairman Jones states that's alright but still...

Mr. Hunter Darden states when was the advertisement for this subject?

Supervisor West states we advertised it right here in the continued meeting for us. That was done publically for our last meeting and then it was in the paper as well.

Chairman Jones states and we still have the debt regardless, whether we go with them or they go with us, we still have the debt. It has to be paid one way or the other and if we can get some help to pay it I am all for that.

Supervisor Porter states it is extremely important. Please come, get a first-hand so you will understand it and we don't get this noise in the community where people start fearing about the things that they hear like we are giving things away. We are not going to give anything away.

Supervisor West states and the seats at the Workforce Center feel a whole lot better than they do here. It's a lot more comfortable.

Chairman Jones states they have cushion.

Mr. Hunter Darden states has it been scheduled yet?

Mr. Richard Railey states no.

Mr. Michael Johnson states it has not been scheduled yet.

Chairman Jones states we will let you know when the next meeting is scheduled.

Mr. Hunter Darden states okay.

Chairman Jones states any other comments. Okay, let's go to number sixteen. We will skip that because there is nobody here for that. Let's go back to number fifteen, Resolution of Appreciation for Mrs. Marie Sykes.

Mr. Michael Johnson states Mr. Chairman you all asked last month that we prepare a Resolution of Appreciation for Mrs. Marie Sykes. There is a copy included in your agenda. I will be glad to read it if you would like me to.

Chairman Jones states all of you have a copy and I have to sign it but this is a resolution to recognize Mrs. Sykes for her service from this Board.

Supervisor West states how many years has it been?

Mr. Michael Johnson states 33 years.

Supervisor Porter made a motion to adopt the attached resolution.

Supervisor Faison seconded the motion which carried unanimously.

Chairman Jones states as I said before number sixteen is not here. Now we will go to number seventeen, miscellaneous.

Mr. Michael Johnson states item A, Mr. Chairman, as you all know we shared with you back on September 15, one of the strategies that Governor McAuliffe proposed to reduce the Commonwealth's \$2.4 billion revenue shortfall involved reducing the Aid to Localities by \$30 million each over the next 2 fiscal years. We received our specific reduction amount last week. I did give you a copy of that. Our total reduction in FY 2015 is \$110,474; as you know, these funds were budgeted in good faith and the reduction will now need to be addressed by expenditure reductions, other sources of revenue, or some combination thereof. More than half of the reduction is associated with the operation of the county jail. I really don't see this as a big issue in the current fiscal year. As you all know last month when you approved the leases for a number of the capital purchases there was about \$26,000 that was saved beyond what was budgeted. The paid classification plan ended up costing \$39,000 less than what was budgeted. I do not anticipate the courthouse security project moving forward before fiscal year 2016. That is another \$73,000 that was budgeted that won't be expended. So, from an overall global budgeting standpoint I don't see this as particularly consequential. It will be consequential in fiscal year 2016 because they are going to reduce your money by that amount next year. So, you will have to address it at that point.

Supervisor Edwards states so we are kicking the can down the road.

Chairman Jones states that is right. That is why our tax rate is like it is. We have to do the things we have to do. Back when we had the money we didn't have to spend it, but now we do. Alright, we have a late arriving matter.

Mr. Michael Johnson states I only have one late arriving matter Mr. Chairman and that relates to early payroll dispersal in the month of December. As it is customary with past traditions, I'm seeking your authority to provide early payroll disbursement for all employees on Friday, December 19, 2014 as opposed to the last working day of the month.

Chairman Jones states this is something that the County has been doing for years. Does anyone have any objection to this?

Supervisor Edwards made a motion to approve early payroll disbursement.

Supervisor Porter seconded the motion which carried unanimously.

Chairman Jones states is there anything else to come before this board tonight?

Supervisor Updike states I have one thing. We are blessed to have as a County a Historical Society. These people have worked hundreds of thousands of hours to build up the Agricultural and Forestry Museum and the Historical Buildings. These people need to be... Personally I thank them but I think it would be appropriate for the County to send a resolution or something like this of recognition for the amount of time, effort, and money these people have contributed to the County and the County's future. I think it would only be appropriate that the board follow suite.

Mr. Michael Johnson states how about if we prepare a resolution for your consideration next month?

Supervisor Edwards states good idea.

Chairman Jones states would that do it, a resolution?

Supervisor Updike states that would be fine.

Chairman Jones states alright. Does anyone have any problems with that resolution? If not, that will be done at our next meeting. Anything else to come before this board?

Supervisor West made a motion to adjourn.

Supervisor Edwards seconded the motion which passed unanimously.

There being no further business for tonight the meeting adjourned at 7:57 p.m.

Dallas O. Jones, Chairman

Michael W. Johnson, Clerk

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