



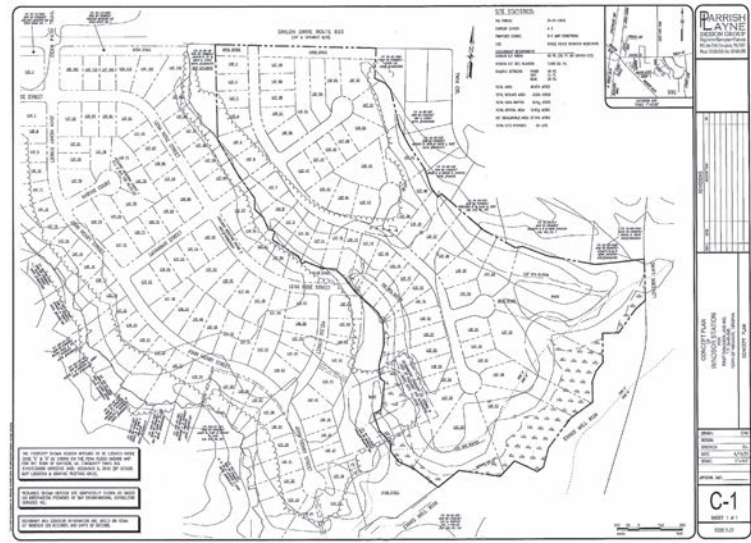
The Tidewater News

115TH YEAR, NO. 71

WEDNESDAY, MARCH 2, 2022

\$1.00

Commission OKs public hearing on rezoning



Pictured is a view of plans for the Windsor Station project that would involve the creation of 60 new single-family residential lots in Windsor. The graphic is from Parrish Layne Design Group.

BY TITUS MOHLER
STAFF WRITER

The Windsor Planning Commission agreed at its Feb. 23 meeting to hold a public hearing at its March 23 meeting to give opportunity for input on a rezoning request that would allow the creation of 60 single-family residential lots on property located on Shiloh Drive and connecting to the existing Holland Meadows subdivision.

The request from First Dominion Land Inc., property owners, is to rezone 40.028 acres from A-1 to R1/MHP in order to create the residential lots. The property is identified as Tax Map Number 51-01-094B.

Brian Layne, land surveyor with Parrish Layne Design Group, was at the commission's Feb. 23 meeting as an agent on behalf of the applicant for the tax parcel in question,

Ashdon Builders Inc. Layne also was an agent on behalf of the developer and the owner.

"What we're trying to do tonight is have a presentation so everyone has a good understanding of what we're bringing forward to you," Layne said.

To that end, he shared with commission members a "Narrative of Proposed Use" document that gave details on this Windsor Station project.

The document states that the parcel fronts Shiloh Drive and is bounded on the west by Holland Meadows, a single-family development; on the east by Carolwood, a single-family development; and on the south by the city of Norfolk.

Layne said 60 lots are being proposed for the project.

The access points for the subdivision will be Shiloh Drive and Sa-

vannah Street, the narrative states. The owner/developer will develop the existing stub street known as Savannah Street, providing inner-connectivity to meet Virginia Department of Transportation requirements.

The narrative continued by noting that the parcel is wooded and contains open fields generally sloping towards the south, served by ditches and ravines along the west

SEE REZONING, A6

Southampton Circuit Court bench trials moving to Hunterdale

BY TITUS MOHLER
STAFF WRITER

Southampton Circuit Court operations will be more consolidated during the ongoing courthouse renovations than originally expected according to the latest update from Southampton County Administrator Michael W. Johnson.

As renovations at the Southampton County Courthouse are expected to continue until April 2023, the original plan had been for jury trials and single-defendant, day-long trials to be held at the modified Hunterdale Elemen-

tary School facility, while bench trial dockets would be heard at either Isle of Wight Circuit Court or Suffolk Circuit Court.

In a written project update provided to the Southampton County Board of Supervisors for its Feb. 22 meeting, Johnson stated that "with some relatively modest security fencing work in the secure holding cell area, (Southampton Circuit Court Chief Judge Carl Edward) Eason (Jr.) has indicated to me that the circuit court will not only conduct all jury trials at Hunterdale but all bench trials as well."

Johnson noted that this should provide substantial operational

savings in not having to transport trial participants to Isle of Wight County or Suffolk and also not having to provide court security in those remote locations.

"I hope to wrap this up in the next few weeks," he stated.

Johnson explained to supervisors that things are going well in the early stages of work at the Southampton County Courthouse.

His written report noted that as-



Johnson

bestos abatement at the courthouse was expected to conclude later that week.

"I'm sure most of you all have observed that about a third of the demolition is now complete — the records room and what used to be the circuit court clerk's office," he said during the Feb. 22 meeting. "The next piece that is slated for demolition is the connector, which was the lobby on the old courthouse between the 1834 building and the 1960s addition. That should be down by the end of this week, and then they will work on the 1996 addition around back, taking that off as well."

He said that once the demolition is complete, workers will begin with the underground utility work.

So far, the overall renovation project is a little bit behind schedule, he said.

"Hopefully they'll be able to make it up as the weather improves throughout spring, but so far, still on budget and relatively close on schedule," he said.

His written update noted that for the project, the county had "processed the contractor's first three pay applications and paid them roughly \$1.5 million thus far."

More public input allowed amid budget planning

BY TITUS MOHLER
STAFF WRITER

The Southampton County Board of Supervisors has responded to citizens who have requested more opportunities for input during the budget-planning process, revising its budget calendar Feb. 22 to incorporate public comment periods into two of its budget work sessions this spring.

While reviewing and considering a draft budget calendar during the board's Jan. 25 meeting, Newsoms District Supervisor Lynda T. Updike said, "Every year people complain that they don't get input until the very end, and then it's almost set in concrete. Is there anything we can do about that?"

Southampton County Administrator Michael W. Johnson said, "I will note the schedule. Like every year, we do have a public hearing on March the 22nd, which is before the



Updike



Edwards

1 of 3



Edna and Norman Porter present the sign on their property that their daughter and son-in-law purchased and installed for them to highlight the small community they live in within Newsoms that gained its name from the gum trees that run up and down the nearby railroad tracks.

Defining the community of Gum

BY TITUS MOHLER
STAFF WRITER

A tiny community within the town of Newsoms finally received formal acknowledgement along the roadway in 2022 when Renee Lassiter, together with her husband Clete, installed a sign on her parents' property that says, "Welcome to Gum."

Renee explained that Gum

is a community located between Newsoms and Franklin that runs from her parents' house on General Thomas Highway up to Cypress Bridge Road, which turns into South and then North Main Street, an eighth of a mile away.

The community draws its name from the gum trees that are abundant in the area, running up and down the nearby railroad tracks.

"There was a post office down here at one time," Renee's father, Norman Porter said. "I think the train stopped here too."

Renee said the area is acknowledged on some maps as Gum, and her mother, Edna Porter, noted that when the weather is being reported on the news, "They say, 'The

Franklin no longer a high transmission COVID community

BY TITUS MOHLER
STAFF WRITER

Franklin City Manager Amanda C. Jarratt provided the City Council with a positive COVID-19 update during the council's Feb. 28 meeting.

"I'm pleased to report that we are now down to averaging only one new case per day over a seven-day period, and today we had no additional cases of COVID in the city," she said.

She noted that the Centers for Disease Control and Prevention changed its masking recommendations Feb. 28.

"So we'll be reviewing those changes as a staff to see what works for us, but we're no longer considered a high transmission community," she said, addressing a classification that Franklin had previously fallen into.

She stated that now masks will not be required indoors.

"Certainly individuals that have immune disorders or want to wear masks should continue to do that,



Jarratt

SEE BUDGET, A6

SEE GUM, A6

SEE COMMUNITY, A6

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Richard H. Bradshaw	Kevin M. Ruffin
Ann G. Cabell	Amaru Shabazz
David E. Flythe	Martha R. Wellons
Evione D. Futrell	

BEST BET
Family movie night: Every first Wednesday at 5:30 p.m. at Courtland Branch of the Blackwater Regional Library. For more information, call 757-653-2821, visit our website or FaceBook page. www.blackwaterlib.org/

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GUM: The Porters describe life there as laid-back and quiet

FROM PAGE A1

weather at Gum.”
“But there’s never been a sign from the (Virginia Department of Transportation)

put out here at all,” Renee said. “And so we just took it upon ourselves to go, ‘We’re just going to go and buy one.’”
She said she and her hus-

band purchased a two-sided, reflective sign from TrafficSigns.com as a Christmas gift.

Gesturing to her husband, Edna said, “It was his Christmas present, and he was tickled.”

“I couldn’t imagine what it was until I opened it,” Norman said.

Some aspects of Gum are fairly informal, so the Porters have enjoyed defining those characteristics on their own.

The question arose of how exactly to classify Gum, which exists within the town

of Newsoms, which is within Southampton County.

When it was suggested to call Gum a community, Edna said, “You could call it a community. That would be good.”

Edna also has come up with a method of determining Gum’s population.

“Anybody that could look out there, in their yard, and see our house, I figured they’re a member of Gum,” she said.

This means that as of February 2022, Gum, with nine homes, features a population of 21 people.

“We almost put that (population) on the sign, like have a rotating number on it,” Renee said amid laughter.

Edna was born in Isle of Wight County, and Norman was born in Newsoms. Norman attended Newsoms High School, while Edna went to Windsor High School, and it was in high school that they started dating.

In the early 1960s after getting married, they were scouting out a place to live, and they explained what drew them to Gum.

“It was just close to where (Norman) grew up in this area, and he didn’t want to leave Newsoms,” Edna said.

“Yeah,” Norman said. “I was born within three miles of here up on the hill.”

In 1963, they worked to clear their property in Gum that was quite wooded at the time. They started building their house in March 1964 and then moved in Nov. 1 of that same year.

Asked to describe life in Gum, Edna said, “It’s good.”

“Quiet,” Norman added. “Laid-back and quiet,” Edna concluded.



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COMMUNITY: Testing, vaccinations events set for March

FROM PAGE A1

but the rules have changed starting today,” she said.

She added that the city is continuing to hold drive-thru testing and vaccination events throughout the community.

“So we would encourage you to seek those services,” she said to members of the public listening to the City

Council meeting. “We’re sharing them regularly on the city’s social media pages. I would ask that individuals assist us in getting the word out there.”

In coordination with the Virginia Department of Health’s Western Tidewater Health District, the city is holding a free drive-thru PCR COVID-19 testing event every Wednesday in

March from 10 a.m.-1 p.m. at the Armory Drive Recreational Park parking lot, which is located at 920 Armory Drive in Franklin. No appointments are required; walk-ups are welcome. For inquiries, call 757-514-4766 or 804-892-3682.

The city, together with the WTHD, will be holding a free community COVID-19 vaccination clinic

March 17 from 2-6 p.m. at the Hayden Village Center, located at 683 Oak St. in Franklin. The clinic will include the Pfizer vaccines for people ages 5-11 and people ages 12 and older, as well as the Moderna and Johnson & Johnson vaccines. First, second and third doses/boosters will be available. For more information, call 757-514-4766.

Pg 2, 1 of 3

BUDGET: Comments added to April 13 and 20 work sessions

FROM PAGE A1

first draft of the budget is even complete, so that will be advertised, and we’ll receive public comment that night at 7 o’clock.”

Jerusalem District Supervisor and Board Chairman Dr. Alan W. Edwards said, “That’s pretty early in the process.” To Updike he added, “I know what you hear, but that looks to me about as early as we could do that.”

Offering comment on the matter during an unrelated public hearing later in the Jan. 25 meeting was a member of the public, Joe Vick.

“The public portion that you allow us to speak to is before you have a draft budget, and it’s a little too early for the public is what the problem is,” he said.

The budget calendar lists the April 6 budget work session as the meeting where Johnson will present his recommended budget to the board.

“So if you’d look at your calendar, sometime between April 6 and April 20 would be a good time to have a public comment,” Vick said.

He noted that during the first chance for the public to speak March 22, they have

no idea what the board has in mind or what the county’s departments have in mind, and then the next public comment opportunity is in May after the draft budget has been finalized.

“We’re speaking blind on the first public hearing, and then on the second public hearing, we’re too late,” he said.

Edwards replied, “Alright, we can work on that,” noting that he thought Vick was making a legitimate point.

At the board’s Feb. 22 meeting, Johnson provided a revised budget calendar for

the board’s consideration. The calendar added public comment periods to the April 13 and 20 budget work sessions.

Edwards suggested supervisors acknowledge those on their calendars.

“Evidently we had some citizens approach, including Mr. Vick, about getting more public input into the budget before it became final, and we have put in two new dates, April the 13th and April the 20th,” he said. “So, if you want to mark those on your calendar — just extra input into the budget process.”

REZONING: Lots would feature mix of home models

FROM PAGE A1

and east boundary lines. The site contains wetlands mainly located on the southern end of the property and is subject to the Chesapeake Bay Pres-

ervation Act.

Wetland limits and a CBPA buffer are referenced in the document, which continued by stating that the surrounding uses are single-family residential, and the Comprehensive Land Use Plan designates the property as High Density Residential. Savannah Street is “stubbed out” to the western property line and will be continued to allow for inner-connectivity of the residential traffic.

“The owner/applicant requests to rezone the property to R1/MHP Conditional and has submitted proffers to continue the aesthetics and character of the recently developed Holland Meadows subdivision while complementing the town environment,” the narrative stated. “This development will add variety of housing types and styles, improve sidewalk connectivity along Shiloh Drive, create inner-connectivity for traffic flows and provide a traditional neighborhood concept while screening the development from Shiloh Drive.”

The development will be served by public utilities and will address stormwater design criteria that meets the state criteria.

“We’ll be tied into the county sewer and the town water,” Layne said. “As far as

we know, everything’s adequate. We haven’t heard Isle of Wight tell us anything on that yet, but there was a pump station, if you all are familiar with Holland Meadows, that was developed for this purpose of serving this area.”

The narrative concluded by stating, “We believe this subdivision meets the consistency of the Town Land Use Plan and will be a benefit to the town by offering an option for new housing in a traditional neighborhood environment.”

Speaking of the project as a whole, Layne told commission members, “We do feel like that it will add appeal to the neighborhood and provide an inner-connectivity within the subdivision, and also we think it will help complement with what the town has over there while adding value to the existing homes of Carolwood, which is an older community, and Holland Meadows, which is a newer community.”

“We do think that the proffers that we’ve put in front of you are necessary to keep the appeal and also to keep the values and the homes where they need to be to where the neighbors don’t feel like something is really downgrading them,” he continued.

Layne highlighted some of the proffers, or proposals.

He said the developer has agreed and will proffer to extend the existing sidewalk down Shiloh Road to get more pedestrian connectivity along the frontage of this subdivision.

“He has also agreed to keep the colonial-style lights that you see in Holland Meadows now, not the cobra head (street lights) that you typically see in some subdivisions,” Layne said. “He’s agreed to also keep some of the same aesthetics with the homes, such as at least (a) one-car garage with an all-surface driveway, discouraging any kind of long-term parking in the front yard.”

Layne said the developer was asking — as a proffer that, if accepted, would include a financial contribution

to the town — to be allowed to reduce the front building line from a 40-foot requirement, which is typically 50 feet off the curb, to a 30-foot requirement, which would be 40 feet off of the curb, for the purpose of giving homeowners an option of having more backyard instead of more front yard.

Donnie Cross, vice president of Ashdon Builders, later noted that he has found clients often like having large backyards, and the developer’s request of moving from a 40- to 30-foot requirement seeks to accommodate that preference.

A commission member asked Cross if reducing the front building line to 30 feet — 40 feet off the curb — would still give people enough room to avoid having to park on the street.

“I believe so because we do 40 feet in quite a few subdivisions that we have, and you can still get two cars back-to-back,” he said. “Even like a Chevy Suburban or a Silverado or something like that that’s 16 to 18 feet long, you still have enough room to park back-to-back without getting into the street parking,” he said.

He later confirmed this parking arrangement also would not block the five-foot sidewalks.

Layne said that as far as aesthetics from the neighborhood, “if you drive down Shiloh Drive now, you see a landscape berm. We will continue that landscape berm to keep the shielding from the view of the cars as they pass by. We think that’s also beneficial, and that is a developer-paid-for proffer also.”

Cross spoke about the design of the houses that will exist on the lots for the project. He said they will range from about 2,000 to 3,000 square feet, and they will be architectural shingles.

“We are going to target a price range of \$350,000 and up, and it’ll be a mix of ranch and two-story models,” he said.

The square footage of the smallest lot is 7,500, and most of the lots are bigger than that, set up with a lot of depth.

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WEDNESDAY, OCTOBER 12, 2022

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School board meeting marked by division

BY TITUS MOHLER
STAFF WRITER

A striking Franklin City School Board work session Thursday, Oct. 6, featured, at times, pronounced division.

Franklin City Public Schools Superintendent Dr. Tamara Sterling submitted a memo Sept. 23 announcing her resignation from the school system effective Nov. 30. The school board was set to take action regarding her resignation Sept. 29 at a special called

meeting, but the lack of a quorum pushed the board's action on the matter to the Oct. 6 meeting.

During this Oct. 6 meeting, there was disagreement between board members over what constituted permissible meeting procedure; an effort to remove one member as chair; a walkout from three members of the board over concern



Holt

about violation of procedure; an exit from Sterling; stark comments from the public about certain board members, the superintendent, the board as a whole and the status of the school system; an apology from the chair for the behavior of some of his colleagues; and ultimately, after a closed session involving the full board, a 6-0 vote, with one abstention, accept-



Johnson

ing Sterling's resignation.

Ward 2 Board Member Arwen Councill, who was attending the meeting remotely, made the choice to abstain.



Phillips

What led up to the walkout

Ward 1 Board Member and Board Chair Robert Holt summarized in a Monday, Oct. 10, interview what took place in the open-

2 of 3

ing minutes of the Oct. 6 meeting. He said that At-Large Board Member and Board Vice Chair Carrie Johnson called for a board

SEE DIVISION, A6

IWCS receives community input on CIP

BY TITUS MOHLER
STAFF WRITER

Isle of Wight County Schools has received input from the community, largely through an online survey, on what people would like to see in the school division's Capital Improvements Plan.

The first of two community input meetings was held Wednesday, Oct. 5, at Windsor High School. Only one member of the public attended, but IWCS Director of Secondary Education Dr. Marsha Cale confirmed that she had received 87 responses to the school system's online survey as of 4:30 p.m. that afternoon.

An executive summary from IWCS noted that the CIP serves as a planning tool for the Isle of Wight County Board of Supervisors and provides a mechanism for the planning and financing of major non-recurring capital infrastructure needs. The CIP is developed annually to plan for proposed public improvements to be constructed and major equipment to be purchased during the next 10 years.

IWCS Assistant Superintendent for Administration, Finance and Operations Dr. Christopher Coleman gave a brief presentation at the Oct. 5 community input meeting, explaining the criteria that a valid CIP item must meet.

He noted that the projects will span fiscal years 2023-32; they must be only major, non-recurring capital infrastructure needs, like building construction or renovations, etc.; they must exceed an anticipated \$50,000 in expenditures; and they must have an anticipated service life of five or more years.

On posters placed on the walls around the cafeteria where the meeting was held, Cale wrote down the suggestions stemming from the online survey responses that met the criteria for CIP items.

For middle and high school buildings, suggested CIP items included addressing the Windsor High School au-

SEE INPUT, A7



JEN JAQUA | THE TIDEWATER NEWS

9/11 Never Forget Mobile Exhibit

Franklin first responders participated in the 9/11 Never Forget Mobile Exhibit which was on display at the 44th Annual Suffolk Peanut Festival.

Judge: AG lawsuit alleging 'unlawful pattern' by Windsor PD can proceed to trial

BY STEPHEN FALESKI
STAFF WRITER

A state lawsuit alleging an "unlawful pattern" of conduct by Windsor's Police Department can proceed to trial, retired Judge H. Thomas Padrick Jr. ruled Oct. 6.

Padrick's refusal to dismiss the case, as lawyers for the town of Windsor had requested, marks the latest development in Virginia's first-of-its-kind case under a 2021 state law intended to stop systemic civil rights violations by law enforcement. Earlier this year, the case saw a complete turnover in personnel and a near-total rewrite of its original claims.

Former Virginia Attorney General Mark Herring, a Democrat, had alleged in his December complaint that Windsor police had repeatedly engaged in "unlawful race based discrimination" by disproportionately stopping Black motorists. The December filing contended Black drivers had accounted for 42% of the WPD's traffic stops from July 1, 2020, through Sept. 30, 2021, though Black people account for only 21% of the town's population, and just 22% of Isle of Wight County's.

Herring's Republican successor, Jason Miyares, inherited the case in January - assigning assistant at-

torneys general Christine Lambrou Johnson, Todd M. Shockley and Brittany Sadler Berky as the lawsuit's new lawyers over the next several months.

In August, the trio submitted a revised complaint that, in Padrick's words, "took race out of it" by removing Herring's allegation and focusing instead solely on the events leading up to and following the traffic stop of Army 2nd Lt. Caron Nazario. The complaint does, however, still allege "racially-biased traffic enforcement, searches, seizures, detentions, and use of excessive force" in violation of Virginia's systemic civil rights law.

Herring's investigation and subsequent lawsuit had been precipitated by the release of viral video footage showing WPD Officer Daniel Crocker and now ex-officer Joe Gutierrez holding Nazario, a Black and Latino man, at gunpoint on Dec. 5, 2020, while the two shout conflicting commands at him to keep his hands out of his car's window and exit the vehicle.

Crocker, then newly graduated from the police academy, had pulled Nazario over for allegedly lacking a rear license plate. Gutierrez, assigned as Crocker's field training officer, responded to the scene when Crocker reported a "felony traffic stop" to dispatchers.

Nazario had a temporary New York plate taped to the inside of his car's rear window, but the officers said they didn't see it and accused the lieutenant of eluding police for having driven roughly a mile down Route 460 to a BP gas station before stopping.

The footage culminates with Gutierrez repeatedly pepper-spraying Nazario and using knee-strikes to force the lieutenant out of the car and onto the ground, and giving Nazario the choice of being arrested or allowed to leave if he would "let this go."

John Conrad, Windsor's Richmond-based outside counsel, contended at the hearing that the state had "no standing" to bring its suit against the town, arguing that "multiple incidents" would be needed to establish a pattern. Conrad also attempted to argue the Nazario incident shouldn't count, because it happened before the March 1, 2021, date Virginia's systemic civil rights law went into effect.

Johnson, however, contended - and Padrick agreed - that a pattern was evident in Windsor Police Chief Rodney "Dan" Riddle's decisions to hire Gutierrez and promote him to field training officer

SEE LAWSUIT, A3

Parental Rights Resolution adopted

BY TITUS MOHLER
STAFF WRITER

The Southampton County Board of Supervisors voted 5-1 on Sept. 27 to adopt the Resolution in Support of Parental Rights, which some supervisors described as mirroring, in brief form, Virginia Gov. Glenn Youngkin's 2022 Model Policies on the Privacy, Dignity and Respect for all Students and Parents in Virginia's Public Schools.

These model policies substantially revise those adopted under Gov. Ralph Northam and emphasize parental rights and categorization by sex rather than gender identity.

Under the Guiding Principles section of Youngkin's model policies, it states that parents "have the right to make decisions with respect to their children" and that schools "shall respect parents' values and beliefs."

Later in the same section, it states, "Schools shall defer to parents to make the best decisions with respect to their children: Parents are in the best position to work with their children and, where appropriate, their children's health care providers to determine (a) what names, nicknames, and/or pronouns, if any, shall be used for their child by teachers and school staff while their child is at school, (b) whether their child engages in any counseling or social transition at school that encourages a gender that differs from their child's sex, or (c) whether their child expresses a gender that differs with their child's sex while at school."

In Appendix 1, the new model policies state, "Students shall use bathrooms that correspond to his or her sex, except to the extent that federal law otherwise requires. See Grimm v. Gloucester County School Board, 972 F.3d 586 (2020)."

The next subpoint states, "Single-user bathrooms and facilities should be made available in accessible areas and provided with appropriate signage, indicating accessibility for all students."

SEE RESOLUTION, A5

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DEATHS
Francis B. Bunch
William H. Duck
Phyllis A. Majette
Leigh N. Simon
John A. Ward Jr.



BEST BET
Blood drive: There will be a blood drive today, Oct. 12 at Paul D Camp Community College, Workforce Development Center, 100 N. College Drive in Franklin from 11 a.m. - 4 p.m. Sponsor code: PDCCC Trick or treat: \$5 e-gift card to a merchant of choice when you come to give in October. Visit rcblood.org/boo.

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RESOLUTION: 'This board has a moral obligation to take a stand...'

FROM PAGE A1

The final paragraph of the new policies addresses athletics: "For any athletic program or activity that is separated by sex, the appropriate participation of students shall be determined by sex. [School Division] shall provide reasonable modifications to this policy only to the extent required by federal law."

Jerusalem District Supervisor and Board Chair Dr. Alan W. Edwards introduced the topic of the Resolution in Support of Parental Rights by reminding the board that it had looked at a version of the resolution last fall.

"Now, I've had a number of people call me about bringing this up again when school started and everybody found out there were no more honors courses in the school," he said. "The honors program has been scrapped."

He described the move as a handicap to students who want to go on to further education after high school.

"They need some of these courses, and the people who contacted me said that they had contacted their school board representatives and gone to the school board meetings and nobody answers any questions," Edwards said. "So that's the reason that I requested (the resolution) be put back on (the agenda)."

He then established his view of the stakes involved that are directly relevant to the Board of Supervisors.

"People have to realize that the quality of our schools determines what industries and what businesses we have come into this county," he said. "I've been on the planning commission for 32 years, and I can tell you when somebody comes in here, that's the first thing they ask: 'How are the schools?' They're not coming in here with their employees and having them disgruntled because they don't like the schools. So this is very important."

Capron District Supervisor and Board Vice Chair William Hart Gillette read the resolution aloud at the meeting, and it is included in its entirety at the end of this article.

Describing the resolution after Gillette finished reading it, Edwards said, "This is basically what our governor has put forth. I don't personally see anything in here that's offending anybody except, look, we expect you to stick to the law, and parents need to own the children."

Chief Walt "Red Hawk" Brown was allowed to speak briefly, and he shared his perspective on the resolution as a parent of fourth-grade and fifth-grade students at Meherrin Elementary School, noting that the leadership there has always communicated with him.

Newsoms District Supervisor Lynda T. Updike said, "I get a lot of phone calls from parents and teachers too, and the problems don't seem to be with the elementary schools, they're with the middle school and the high school."

Edwards agreed. Boykins District Supervisor Carl J. Faison said, "Right now, I'm really concerned about the relationships between the school board and the Board of Supervisors."

He noted that he works with young people, and he has been very satisfied with the education they and his own children received from Southampton County Public Schools.

"I think the school did a great job and has been doing a great job, and I really don't think this (resolution) is necessary," he said. "We have enough problems now between the school board and the Board of Supervisors, and I think this resolution that we're making will exacerbate that."

He said the two boards do need to work things out, but he thinks they have to do so in such a way that they are communicating with each other.

Edwards countered by saying that the resolution simply reflects state policy that the school system is bound to.

"We're not taking sides," he said. "We're saying we support this policy."

"And it's my opinion from going through all this, there have to be some major changes in our school system — and it's not a good school system," he said, disagreeing with Faison's assessment. "If you look, it's down the line, and it's getting worse every year. They're down 79 teachers in our system, and we have interviewed some of them, Mr. Faison, and the reason they're quitting is working conditions."

"And this is not going to change until this (resolution) gets through and the public, social media and we take a stand," he added, "because if we don't, we're not going to get industry and people to come to this county."

To illustrate his concerns, Faison read the fourth paragraph of the resolution:

"Whereas, the Southampton County Board of Supervisors is very much aware of the concerns of parents, students and taxpayers that the administration of the Southampton County Public Schools has ignored the fundamental rights of parents to make decisions concerning the upbringing, education and care of their children..."

"Now what is that based on?" Faison asked.

"They got rid of the honors courses this year, and nobody knew about it," Edwards said. "Kids went back their first day, and there were no honors courses."

"Why were they gotten rid of?" Faison asked.

"There was no explanation," Edwards said. "Parents asked. They're calling me, they're calling other people on this board, 'Why'd it happen?' There's no answer. At the school board, if you go to those meetings, they asked. There's no answer."

The Southampton County School Board voted at its Sept. 12 meeting to approve an amended Local Plan for the Education of the Gifted that removed the word "honors" from the plan.

SCPS Director of Curriculum and Instruction Kelli Gillette presented the proposed amendment to the board.

"Last year in October, you reviewed and approved the Gifted Local Plan for our division," she said to board members. "It is a plan that's updated every five years, and this year I'm asking for an amendment due to a teacher shortage; we're asking that the word 'honors' be removed from the Gifted Local Plan."

"I do want to say that when we're asked 'Do we have enough teachers?' when we talk about the honors classes, if we were able to offer one honors class for each grade level, we have so many kids taking different courses that they couldn't all possibly be in the same honors class," she continued. "So due to the teacher shortage, we're asking that you remove the word 'honors' from our Gifted Local Plan at this time."

Edwards reiterated his perspective that the Southampton County school system is manifesting decline every year.

"This board has, I think, a moral right to stand up and say that's what we believe," he said. "I truly believe it, I've seen it. There's no communications. They're not going to change. All this thing about establishing a relationship with them and doing this and doing that is not going to work; it has not worked for years. And until there's some changes in that administration out there —"

Faison interjected, "Well you know, I've been on this board now for 20-some years, and it's only recently that we are developing these problems between the school board and the Board of Supervisors. We've had an existing relationship that was workable and all of this, and everything went well,

and now we're having these problems."

Edwards said the workable relationship existed when the school system had a different administration. He noted that superintendents in the past came to the Board of Supervisors to cite the amount of money they had left over in their budget. He recalled one of them that asked to keep a certain amount, listing the things they wanted to do with it.

"That's not happening anymore," Edwards said. "There's no transparency there. If we want some information, we have to file a (Freedom of Information Act request), and some of us have spent our own money trying to get information out of them; we don't get it. So you've got to look at the facts. Go to the school board meetings, talk to some of these parents."

Edwards noted that the county gives 60% of its budget to the school system every year.

"This board has a moral obligation to take a stand somewhere, draw a line in the sand, and say, 'Look, if this isn't right, then you change,'" he said.

Franklin District Supervisor Robert T. White said he knows of a teacher and also a staff member who was in charge of nutrition for the whole Southampton County school system that left recently.

"Both of them have left within the last 12 months because of 'atmosphere' is what they told me," he said.

"They went to Isle of Wight and Suffolk, so we're losing our good people to other school systems. They live in the county, and they're driving miles to work every day because of the situation in this school system."

Gillette joined Updike in sharing concern about fights happening at school.

"Up until recently, I've never seen fights at a football game, and there've been two this year," he said. "So that's a problem, and it's serious. Things could have gone south real quick last week, and I'm sure that'll be reviewed, I guess, by the Virginia High School League, but that's not a good mark on our system."

Gillette and Edwards also shared another concern with the system related to a notable hire.

"I talked to two of the school board members earlier this year," Edwards said. "They did hire — and they can't give me the reason what for — the chairman of the Richmond City School Board at \$95,000 a year. I asked them what they hired her for; they didn't know. I asked, 'We'll get back with you,' was the response I got. I haven't heard a thing."

"Could it be that those funds could have been better spent on honors programs?" Gillette said. "I'm just saying."

The board's vote on the resolution followed shortly thereafter, and Faison cast the lone dissenting vote.

The adopted Resolution in Support of Parental Rights reads as follows:

"Whereas, the Southampton County Board of Supervisors respectfully submits that Section 1-240.1 of the 1950 Code of Virginia, as amended, entitled the 'Rights of Parents' emphatically states, 'A parent has a fundamental right to make decisions concerning the upbringing, education and care of the parent's child'; and

"Whereas, the Southampton County Board of Supervisors believes that all academic success begins by embracing these fundamental rights in our educational institutions; and

"Whereas, one of the missions of the Southampton County Public Schools is to foster and encourage effective partnerships with families and our community and promote positive relationships between and among staff, students and families; and

"Whereas, the Southampton County Board of Supervisors is very much aware of the concerns of parents, students and taxpayers that the

administration of the Southampton County Public Schools has ignored the fundamental rights of parents to make decisions concerning the upbringing, education and care of their children; and

"Whereas, the Southampton County Board of Supervisors believes that education must focus on academic subjects and without exception to not include the promulgation of social experiments and/or opinions not based on facts; and

"Whereas, the Southampton County Board of Supervisors believes that any parent or taxpayer has the right to see and evaluate all surveys, data collection and psychological profiling before they are administered to Southampton County students and that parents should have the right to opt out of any or all such testing participation in and/or data collection; and

"Whereas, the Southampton County Board of Supervisors believes that teaching social skills to help students make positive behavior choices and embrace a strong work ethic to develop into good citizens is desired and must be one of the missions of the Southampton County Public Schools and teaching ideology that sets standards about what a child should think and feel is emotional indoctrination and must stop; and

"Whereas, the beginning of the problem of education has instituted mandatory 'cultural competency' training and evaluation of all employees within its educational system which has been defined as an intellectual theory that is not supported by facts, that seeks to teach 'that race is a social construct, and that racism is not merely the product of individual bias or prejudice but collectively and systematically embodied in America's legal system, institutions and policies'; and

"Whereas, cultural competency training promotes the teaching of ideologies that likely contradict the social, moral and religious beliefs of the parent's child in direct violation of Section 1-240.1 of the 1950 Code of Virginia, as amended; and

"Whereas, the Southampton County Board of Supervisors is fundamentally opposed to the offering of taxpayer's dollars to Southampton County Public Schools if it will not adhere to Section 1-240.1 of said code and all of its practices.

"Now, therefore, be it resolved that the Southampton County Board of Supervisors hereby places the Southampton County Public Schools on notice and demands that the Southampton County Public Schools cease its violation of the law of this commonwealth and adhere to Section 1-240.1 of the code and all of its practices; and

"Be it further resolved, that the Southampton County Public Schools, boards, administration and employees do everything in their power to restore the

traditional partnership between teachers, students and parents by directly communicating with parents and students before teaching any subject that does not address the Southampton County Public Schools objectives which, inter alia, is to teach every student to achieve their highest academic potential. It is counter to the Southampton County Public Schools mission to design educational experiences that allow students to make contributions as productive citizens if the

Southampton County Public Schools teachings include personal bias or personal political opinions or indoctrination. The Southampton County Public Schools will not achieve its mission by including conversation, lesson plans, literature, personal stories or other means to teach students to identify their agenda, denounce their American culture and patriotism, apologize for their race or religion, or to have teachers encourage their students to keep secrets from their parents."

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Cyrus Lawrence

Lawrence: 'He was the greatest of all time'

BY TITUS MOHLER
STAFF WRITER

Legendary Southampton High School and Virginia Tech football player Cyrus Lawrence passed away Friday, Sept. 2, at the age of 61.

Lawrence's former Southampton football coach Wayne Cosby and close friend and former team-

mate S. Bernard Goodwyn agreed that as great an athlete as Lawrence was, he was an even better person.

The magnitude of that statement is understood only after grasping the extent of his athletic accomplishments.

Lawrence is the all-time leading rusher at Southampton and at Virginia Tech. At each school, he

achieved that status in only three years.

From 1979-81 at Virginia Tech, he carried the ball 843 times for 3,767 yards. More than 40 years later, he still holds the records for most net yards in a career, most rushes in a career, most rushes in a season and most rushes in a game.

Lawrence was inducted to the Virginia Tech Sports Hall of Fame

3 of 3

in 1997, right alongside legendary Hokies football coach Frank Beamer.

SEE LAWRENCE, A7

TowneBank names new CEO amid Farmers merger

BY STEPHEN FALESKI
STAFF WRITER

Suffolk-based TowneBank, which is in the process of acquiring Windsor-based Farmers Bank, announced a change in its company leadership last week.

William "Billy" I. Foster III has been tapped by TowneBank's board of directors to succeed J. Morgan Davis when he steps down as chief executive officer Dec. 31.

Davis, who plans to retire on March 31, 2023 after assisting with the transition process, will continue to serve on the company's board of directors and as an

SEE MERGER, A8



SUBMITTED | KATHY THOMPSON

Capron Elementary first day of school

Principal Natasha Rose welcomes students Camilla Moye, Brody Wheeler and Liam Colyer to Capron Elementary School.

Judge: School Board 'recess' didn't violate FOIA; minutes omissions did

BY STEPHEN FALESKI
STAFF WRITER

The Isle of Wight County School Board's calling of a roughly 10-minute "recess" at its March meeting, which a Carrollton woman and her lawyer characterized as an unofficial closed session, didn't violate Virginia's Freedom of Information Act, a judge ruled on Aug. 16. But two omissions from the board's April meeting minutes did.

Katie Carter Lemon and her Virginia Beach-based attorney, Kevin Martingayle, filed a lawsuit against the School Board in June seeking to "void" the board's March 10 vote to amend former Superintendent Dr. Jim Thornton's contract to allow him to retire early.

The board had initially voted to approve a "proposed amendment" to Thornton's contract "as discussed in

SEE SCHOOL, A7

Supervisors approve new solar ordinance

BY TITUS MOHLER
STAFF WRITER

The Southampton County Board of Supervisors recently voted unanimously to approve a new solar ordinance that some have called the strictest in the state.



Edwards

The new ordinance has been approved and in place since July 26, making clear to solar developers the rules and restrictions proposed projects must conform to. Community Development Director Beth Lewis will be able to receive project proposals after Saturday, Sept.

SEE ORDINANCE, A8



SUBMITTED | FRANKLIN PUBLIC SCHOOLS

A new school year begins

Franklin City Public Schools and Southampton County Public Schools began the 2022-23 school year Tuesday morning, Sept. 6, with smiles, nerves, waves goodbye, fun activities, excitement and more.

Boykins preps for Pumpkin Fest, election

BY TITUS MOHLER
STAFF WRITER

The Boykins Town Council recently learned of the Boykins Parks & Recreation Committee's plans for this year's Pumpkin Fest, and the Tarrara Women's Club is planning to host a candidate forum featuring town mayor and council candidates.

Boykins Town Clerk and Treasurer Victoria Edwards said that at the Town Council's August meeting, the Parks & Rec report shared the success of July's Touch-a-Truck event and informed the council of the Parks & Rec Committee's plans for Pumpkin Fest, which will take place Saturday, Oct. 15, from 10 a.m.-5 p.m.

"This year our opening ceremony will include the dedication of the (Boykins) Blessing Brick(s Memorial) Walkway in the Buck Lassiter Mini

SEE BOYKINS, A7

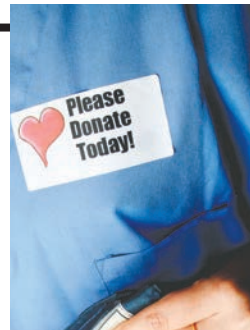
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Herbert M. Lewis Jr.
Angela B. Ralph
Dwight E. Scott Sr.
Jack T. Story Jr.
Harvey K. Thompson
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Blood drive: The semi-annual Red Cross blood drive in honor of N. Brian Spivey will be held on Saturday, Sept. 10 from 10 a.m. to 3 p.m. at the James L. Camp Jr. Family YMCA, 300 Crescent Dr., Franklin. Visit RedCrossBlood.org and enter Spivey to schedule an appointment.

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ORDINANCE: Motion to approve was made in Glenn Updike's memory

FROM PAGE A1

10, when the county's 12-month moratorium on consideration of utility-scale solar energy projects ends.

Prior to the July 26 public hearing on the solar ordinance, Lewis shared what led up to the crafting of the ordinance and then outlined details of the ordinance itself.

"This evening is the required public hearing for the repeal of the current utility-scale solar regulations and its replacement with this proposed ordinance," she said. "As you recall, on Sept. 9 of last year, the planning commission and the Board of Supervisors held a joint public hearing at which time a moratorium was adopted prohibiting the acceptance of applications for utility-scale solar projects."

She noted that this moratorium was put in place to give the county time to craft a new ordinance to address what were seen as shortcomings in the existing or-

dinance.

"The planning commission was charged with creating an ordinance that would mitigate the loss of valuable farm and forest land, look at impacts on the tax base and study decommissioning," she said.

Lewis then provided a brief history of how solar regulation has developed recently in the county.

"A solar company first began speaking to the planning commission in the summer of 2015," she said. "They submitted an application for a 100-megawatt project in June of 2016, and it was approved in September of 2016."

She stated that in June 2016, a second 100-megawatt project was proposed at 31118 Meherrin Road surrounding the substation, which was subsequently withdrawn after the planning commission public hearing.

In October of 2016, an ap-



Updike

plication for a 90-megawatt, 700-acre utility-scale solar project was submitted to be located near the intersection of Smiths Ferry Road and Southampton Parkway, she said. That application was withdrawn in March 2017 prior to any public hearing.

"At the time of these applications, solar was relatively new in Virginia, and we had little in the way of example to go by in review of any of these projects," she said. "The approved project, Southampton Solar, began construction in April of 2017 and was completed two years later."

She noted that a project was proposed in the Ivor area in 2018. At least two community meetings were held on behalf of the property owners, and citizens spoke in opposition to that proposed project at a number of planning commission meetings prior to the submittal of any application. No application was ever submitted.

The existing solar ordinance that was in effect entering the Board of Supervisors' July 26 meeting this year was adopted in December 2018, she said. An application that met the requirements of that ordinance was submitted in October 2019. It was subsequently denied by the Board of Supervisors in January 2020.

"The Board of Supervisors wanted something else," she said. "The proposed ordinance seeks to address concerns that have been raised over the years."

"The minimum project size proposed is 20 megawatts and the maximum is 100 megawatts," she continued. "The minimum is seen by the planning commission as limiting the smaller facilities that they see throughout northeastern North Carolina, some of which are not well taken care of."

"The proposed ordinance limits the land area of the county to be devoted to utility-scale solar to 1%, or 3,855 acres," she said. "The existing Southampton Solar project uses 1,418 of those acres, leaving 2,437 acres available for further utility-scale solar development."

Of that acreage under this proposed ordinance, 69% of the proposed area must be forested so as to retain the most productive agricultural land and agricultural production, Lewis noted.

"And of course, any property in a voluntary agriculture and forestal district must be withdrawn from the program after two public hearings prior to the application," she said.

She stated that while the retention of existing buffers is encouraged, any new buffers and screening must be planted in the first growing season after any land-disturbing permits are issued. This will permit the vegetation to begin to grow before construction is complete and the contractors leave.

"Non-native vegetation is limited and new vegetation must be certified nursery stock," she said. "This will hopefully limit the intrusion of invasive plants and insects as were thought to have been brought in during the construction of Southampton Solar."

The proposed ordinance also requires a bond of 100% of the landscape costs while the project is under construction and the retention of a \$50,000 landscape bond for the life of the project so the county can repair or replace landscape buffering or cut tall grass if the operator does not, Lewis said.

She indicated that additional requirements of the new ordinance limit solar installations to at least 1 mile from incorporated places and 5 miles from another such project

"The 1-mile buffer around incorporated places seeks to limit the intrusion of such projects on the population centers of the county and to permit suburban-type development to continue in the areas around the towns so as to take advantage of the infrastructure that's there and the amenities around those towns," she said. "The 5-mile limit is to keep an area from being overwhelmed with solar development."

There isn't any utility-scale solar development in any of the abutting localities that would be within that 5-mile buffer today, she noted.

"Buffers and setbacks are increased to protect environmental, community and historical assets, and they can be expanded or con-

tracted to meet the needs of the buffered areas," she said. No topsoil can be removed, and grading of slopes greater than 15% is restricted, according to the new ordinance.

"This is seen as a way to perhaps return the property to agriculture and forestry use when the project is decommissioned, although the planning commission members and the agriculture and forestry community think it's unlikely much of the land will ever be suitable for such redevelopment," Lewis said.

Continuing, she stated that the required community meetings must be held no more than 6 months prior to the submittal of a complete application so as to permit current property owners to be aware instead of those who may have sold property years ago. And all documents must be recorded with the clerk of the court so they can be searchable by anyone.

"But the most difficult part of this ordinance review was the decommissioning phase," she said. "No project of this type has been decommissioned in the United States."

"The planning commission had strong wishes not to inflict decommissioning on their children and grandchildren," she continued. "One way to do that is to require surety of 100% of the decommissioning cost to be provided with no credit for salvage value. This has been part of the planning commission's recommendation since the existing ordinance was adopted back in 2019."

She noted that if the decommissioned materials have value, the decommissioning entity gets that reward. If that material has little or no value, the taxpayers of the county are not left with the bill.

Lewis concluded by highlighting how the Southampton County Planning Commission's eight attending members at its June 9 meeting made a unanimous recommendation to the Board of Supervisors to approve the new solar ordinance.

During the July 26 public hearing, three members of the public spoke in favor of approving the proposed ordinance. Two individuals, speaking on behalf of solar developers, encouraged loosening some of the ordinance's restrictions, and one individual encouraged the board to rely on a conditional use permit process instead of restrictive ordinance language, noting that the CUP process will allow the board to tailor projects to the county's desire.

Encouraging the CUP process was Blake Cox, of Chesterfield, who is formerly of Conservatives for Clean Energy and said that he is "making sure there's a common sense voice at the local level when we have these energy discussions."

"Many Southampton County landowners want to use their land for solar projects," he said. "They believe as Americans they should be able to do so as long as the rights of others are not violated. They want to use their own property to generate income for their families, income that benefits not only themselves but the businesses and citizens of Southampton as well."

"Aspects of the ordinance, like the megawatt and acreage restrictions, would be detrimental to landowners and the state of solar in Southampton County," he continued. "Not only does limiting the megawattage and acreage restrict the rights of landowners but also ties the hands of this board and the supervisors who will follow you."

During supervisor comments prior to the board's vote, Jerusalem District Supervisor and Board Chair Alan W. Edwards said, "I agree with some of the people tonight — I'd just as soon have zero solar. I think it's one of the biggest sales jobs that we've had. It's inefficient to make a solar farm. The carbon footprint that you take to make it and maintain it is much higher than you'll ever save in 30 years."

"Europe right now has got themselves in trouble with windmills and solar power," he continued. "They're going to small and medium nuclear."

He noted that he has researched the issue and talked to engineers from energy companies.

"From Duke Energy, I talked to an engineer that told me, 'If the public knew what was going on with this, they would never stand for it,'" Edwards said. "So I think our ordinance is as strict as it gets. I've been told it's the strictest one in the state. I've already had two counties contact me about copies — Rockingham County and Greene County. ... I'm rather proud of it, so that's all I have to say at this point."

Capron District Supervisor and Board Vice Chair William Hart Gillette also expressed his support for the new ordinance.

Newsoms District Supervisor Lynda T. Updike said, "I'd like to make a motion that we accept the new ordinance, and I'd like to do it in Glenn's memory. I wish he was here to see it."

Her late husband and former supervisor Glenn Updike had put a lot of work into helping maintain the county's way of life in the face of solar developments, as Edwards noted moments later.

The ordinance was approved as written entering the meeting.

"I'd like to make a motion that we accept the new ordinance, and I'd like to do it in Glenn's memory. I wish he was here to see it."

Lynda T. Updike
Newsoms District Supervisor

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MERGER: 'Maintain a steady, conservative course while reaching for new and exciting horizons'

FROM PAGE A1

executive consultant focused on mergers and acquisitions, member relations and other special projects.

This announcement came in a company news release and follows a months-long process led by a special committee formed by the board to direct the search for Davis' successor and to conduct a comprehensive review and assessment of the company's long-term management succession plan for its senior leadership management structure.

Foster joined the Towne family in 2004 as regional president to lead the bank's expansion into the Norfolk community, according to the release. Since that time he has served in several ex-

ecutive roles, including his current role as president of the bank's markets in Central Virginia and North Carolina. Prior to joining Towne, he served as the eastern region president of Central Fidelity Bank.

"Billy's extraordinary leadership style is deeply rooted in the Towne culture of caring that serves as the foundation of our long-term success," G. Robert Aston Jr., executive chairman, said in the news release.

"His stellar record of achievement throughout his career stands as tribute to his warm, welcoming nature that is a hallmark of great community bankers. Rest assured, the future strategic direction of our Company will be to maintain a steady, conservative course while reaching for

new and exciting horizons." Foster said he looks forward to working with his predecessor and the entire management team.

"The impact Morgan Davis has made on the culture of our Company and the success we have achieved cannot be overstated," he said in the release. "... We look to the future while remaining true to our culture of caring for others and enriching lives — in every community we serve."

Foster attended Old Dominion University, earning a bachelor's degree in business administration with a major in accounting and also earned a masters of business administration from the College of William and Mary.

He and his wife Beth have three children and reside in Virginia Beach.

How to Submit Your Entry
Please email your photos to photocontest@TheTidewaterNews.com
Send as many as you like...
And make sure you include your name and daytime phone number so we can contact you if chosen as a finalist!

Contest deadline is Friday, Sept. 23 at 5 p.m.

Photos from phones or tablets may not be able to be used.
Vertical or portrait photos will not be used. **Horizontal only!!**

Only original photographs taken by yourself, in color, and unedited will be accepted. Finalists will be chosen and judged for theme, composition and clarity by members of *The Tidewater News* staff. If selected as a finalist, we will attempt to email and call for names and locations of subjects featured in the photo as well as, if needed, the original high-resolution photos. If such information cannot be obtained within a week of the contest deadline, we will move on to the next finalist until the final winners are chosen. All photos submitted become property of The Tidewater News, subject to be used in future publications and modified for print. If you have questions or concerns about the contest or any process related to it please contact Titus Mohler at titus.mohler@TheTidewaterNews.com or call (757) 304-8302.