

Sussex County Board of Supervisors Meeting
Thursday, August 15, 2013, 7:00 pm
General District Courtroom – Sussex Judicial Center

Board Members Present:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
John A. Stringfield
Raymond L. Warren

Staff Present:

Thomas E. Harris, County Administrator
Michael R. Packer, County Attorney
Deborah A. Davis, Assistant to County Administrator
Onnie L. Woodruff, Treasurer/Interim Director of Finance
Raymond R. Bell, Sheriff
Gary M. Williams, Circuit Court Clerk
Chequila H. Fields, Director of Social Services
William R. Jenkins, General Registrar
Ellen G. Boone, Commissioner of the Revenue
Dr. Arthur Jarrett, Division Superintendent

Item 1. Call To Order/Determine Quorum

The August 15, 2013 meeting of the Sussex County Board of Supervisors was called to order by Chairman Fly.

Item 2. The Invocation

The Invocation was offered by Supervisor Caple.

Item 3. The Pledge of Allegiance

The Pledge of Allegiance was recited by all.

Item 4. Agenda Amendments

Recommended amendments to the August 15, 2013 regular meeting agenda:

- a) Appointment to Social Services Board: Supervisor Stringfield called and advised that Ms. Renita Lensey is not able to serve on the Social Services Board. He has offered another nominee: Mrs. Mae Mason, 407 East Main Street, Wakefield VA 23888. Add this as item “c” under Appointments.
- b) Mrs. Gwendolyn Brown, Clerk of the Pocahontas Temple Baptist Church, called to request that their item be removed from the agenda (Item 11b, Under New Business; they will make another request in the future).

- c) Remove from the agenda, Item 6 under County Administrator's Report (Courthouse Lease/Historical Society Old Courthouse Repairs/Contract Review/Lease Repair Needs)
- d) Under Closed Session, add "b" Personnel Matters (Discussion regarding the Henry District Board member representative, Code Section 2.2-3711(A)(1))
- e) Under Closed Session, add "c" Contract (Discussion regarding Phillips Communications) Code Section 2.2-3711(29)
- f) Under Closed Session, add "d" Contract (Discussion regarding Kenbridge Construction) Code Section 2.2-3711(29)
- g) Under Closed Session, add "e" Real Estate (Discussion regarding the property surrounding Gin Hill Landfill site, Code Section 2.2-3711(A)(3))
- h) Under Closed Session, add, "f" Personnel Matters (Discussion regarding probationary period for certain employees, Code Section 2.2-3711(A)(1))

Item 5. Approval of Regular Agenda

ON MOTION OF SUPERVISOR WARREN seconded by SUPERVISOR CAPLE and carried: RESOLVED that the agenda of the August 15, 2013 meeting of the Sussex County Board of Supervisors is hereby approved with the following amendments:

- a) Appointment to Social Services Board
- b) Remove Pocahontas Temple Baptist Church (Item 11b, Under New Business)
- c) Remove from the agenda, Item 6 under County Administrator's Report (Courthouse Lease/Historical Society Old Courthouse Repairs/Contract Review/Lease Repair Needs)
- d) Under Closed Session, add "b" Personnel Matters (Discussion regarding the Henry District Board member representative, Code Section 2.2-3711(A)(1))
- e) Under Closed Session, add "c" Contract (Discussion regarding Phillips Communications) Code Section 2.2-3711(29)
- f) Under Closed Session, add "d" Contract (Discussion regarding Kenbridge Construction) Code Section 2.2-3711(29)
- g) Under Closed Session, add "e" Real Estate (Discussion regarding the property surrounding Gin Hill Landfill site, Code Section 2.2-3711(A)(3))
- h) Under Closed Session, add, "f" Personnel Matters (Discussion regarding probationary period for certain employees, Code Section 2.2-3711(A)(1))

Voting aye: Supervisors Caple, Fly, Stringfield, Warren

Voting nay: none

Absent during vote: Supervisor Futrell

Item 6. Approval of Consent Agenda

ON MOTION OF SUPERVISOR CAPLE seconded by SUPERVISOR WARREN and carried: RESOLVED that the Consent Agenda of the August 15, 2013 meeting of the Sussex County Board of Supervisors is hereby approved, to wit:

- a) Approval of July 18, 2013 Minutes
- b) Approval of July 19, 2013 Minutes
- c) Approval of July 23, 2013 Minutes
- d) Approval of August 1, 2013 Minutes
- e) Approval of Invoice: Oyster Point Construction, \$207,047.07
- f) Approval of Invoice: Rancorn Wildman Architects, \$3,869.91

- g) Approval of Invoice: Contrax Furnishings, \$112,168.31
- h) Approval of Invoice: DominionTek, \$32,067.59
- i) Approval of Invoice: Fire-X Corporation, \$964.80
- j) Approve, Appropriate and Transfer of Funds – Phillips Telecommunications; \$13,150.00; replacement of phone system and further authorize the Treasurer to appropriate the insurance recoveries once received.
- k) Re-appropriate the drug forfeiture account balances to the Sheriff Department in the amount of \$ 4,363.46 and to the Commonwealth Attorney Office in the amount of \$17,268.79.
- l) Re-appropriate the DARE account balance to the Sheriff Department in the amount of \$902.56.
- m) Appropriate the account balances for the land acquisition and development for the Carden Tract in the amount of \$997,271.50, and Higgins Tract in the amount of \$2,213,194.50.
- n) Approve and appropriate of \$2,900.00 for survey of Eugene’s Lane.
- o) Approval of Warrants and Vouchers in the amount of \$1,144,132.15.

Voting aye: Supervisors Caple, Fly, Stringfield, Warren

Voting nay: none

Absent during vote: Supervisor Futrell

Item 7. Standing Reports/Staff/Committees/Organizations

Item 7a. County Administrator/s Report

Item 7a1. Closed Sessions: Chairman Fly has asked that this item be added to the Agenda. It seems he has been approached by numerous citizens who have complained about the late hour of the Board’s Closed Session and have asked if anything could be done.

This item was tabled until September 19, 2013 meeting.

Item 7a2. Virginia Senior Services: Mr. Dan Meade, Senior Benefits Advisor, Virginia Senior Services and Heath Thomas, Senior Benefits Advisor provided a brief overview of the products and services provided by this organization.

The County Administrator and County Attorney will set up a meeting with the representatives of Virginia Senior Services and provide a report to the Board.

Item 7a3. Repair of Old Administration Building (Status Report): County Administrator Harris advised that he has not had an opportunity to meet with staff to determine if anything has been done beyond getting the mold test done and estimates on an A frame roof. The estimate is approximately \$70,000 to put an A-Frame roof on the building.

Item 7a4. Organizational Review to include Part Time Director of Finance and Deputy County Administrator: County Administrator Harris advised that he has begun the process and would ask the Governing Body to prioritize the Board’s service delivery expectations (*i.e.*: 1. *Public Safety*; 2. *Planning* 3. *Animal Control etc.*) He is also meeting with staff to solicit their input as we move to re-organize County operations to better meet the ever changing needs of our

people. He also asked the Board for their input and a list of their priorities. Once completed, Mr. Harris will provide a draft of the priorities to the Board.

Item 7a5. Blackwater Regional Library Contract: This item was tabled from the August 1, 2013 meeting. County Attorney Packer and County Administrator Harris have reviewed the proposal and recommend approval.

Recommendation: To approve the Blackwater Regional Library Contract as submitted and authorize the County Administrator to complete the documents as needed.

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR WARREN and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes the County Administrator to sign the contract with Blackwater Regional Library.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Warren

Voting nay: none

Item 7a6. Courthouse Lease/Historical Society Old Courthouse Repairs/Contract Review/Lease regarding Repair Needs

This item was tabled until September 19, 2013 meeting.

Item 7a7. Re-Zoning of Industrial Development Sites: In an effort to meet the County's need for Economic Development, County Attorney Packer, Planning Director Andre Greene and County Administrator Harris are requesting authorization and approval to begin the development of a rezoning plan for the County's Industrial Development sites.

Recommendation: To authorize the County Administrator and Staff to immediately begin the process for rezoning County Industrial Development Sites.

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes County Administration to initiate the rezoning of properties owned by the County appropriate for industrial use.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Warren

Voting nay: none

Item 7a8. Personnel Management: The County Administrator, in the past, has provided the Governing Body with both a draft document and power point presentation regarding his recommendations and the next step in the implementation of the Sussex County Performance Based Personnel Management Plan. Called the Restricted Classification Plan, it was designed to provide for annual evaluations based on comparable skill sets (i.e. a secretary in any department requires similar skills and expertise). He is recommending that the Board adopt and authorize the implementation of the Sussex County Restricted Classification Plan as previously submitted. The County Attorney has reviewed Restricted Classification Plan and supports the implementation.

Recommendation: To approve and direct the County Administrator to implement the Sussex County Restricted Classification Plan and to provide the Board and County Staff with a timeline for its implementation.

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors approves and directs the County Administrator to implement the Sussex County Restricted Classification Plan and to provide the Board and County Staff with a timeline for its implementation.

Voting aye: Supervisors Fly, Futrell, Stringfield, Warren

Voting nay: Supervisor Caple

Supervisor Caple stated that he voted “nay” because he has some problems and does not understand clearly enough to vote in favor of the Restricted Classification Plan.

Item7a9. Sick Leave Bank: The County Administrator advised that in an effort to build the “team” into “Team Sussex,” tools are needed. One of those was/is the Sick Leave Bank. He stated that he clearly understands the previous implications and the need for a change ... however he believes that it is the leadership and commitment to the overall well being of the employees of Sussex that needs to be implemented. Sick Leave is a gift from the Governing Body to assist employees in mitigating financial impacts from illnesses ... not a form of vacation/time off. As such it becomes a perfect tool to build across the Board team development and support. He advised that he has spoken with the County Attorney and he concurs.

Recommendation: The County Administrator is hereby authorized to implement the Sussex County Sick Leave Bank effective September 1, 2013.

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes the County Administrator to implement the Sussex County Sick Leave Bank effective September 1, 2013.

Voting aye: Supervisors Caple, Futrell, Stringfield, Warren

Voting nay: Supervisor Fly

Item7a10. Administration Highlights: Fiscal Accountability: Included in the Board’s packet is a spreadsheet completed by Mrs. Anne Ellis regarding County Phone use, which has reduced the County’s cell phone costs by 51%. Currently Anne Ellis, Accounts Payable Clerk and Onnie Woodruff, Treasurer/Interim Director of Finance, are now working with the Mr. John Broderick, Supervisor of Finance and Technology for Sussex County Public Schools) to jointly bid out Fuel Gas and Propane.

Additionally, the County’s Reuse and Recycling program is going. Initiated in October/ November 2012, to date the County has received \$1,920.00 for the clothes recycling bins and in cooperation with the Sussex County School Division, who receives funds for white paper recycling the County Administration Office has been storing our waste paper. Recently, staff was directed to empty our filled storage bin which was transported to the green box behind School Board Offices.

Please note that we are proud, as County employees to be part of these recycling efforts. He acknowledged thank Dr. Arthur Jarrett, Division Superintendent for his cooperation and Mr. George Taylor, Environmental Inspections Supervisor and Mr. Earnest Freeman, Environmental Inspector for transporting our recycled paper.

Item7a11. Transfer of County properties: The County Administrator and County Attorney are currently developing a plan of action and will bring it back to the Board for approval. The County Administrator has met with Wakefield and Waverly Town Councils and he requested that they put together a schematic of what they would actually want and then they can set another meeting for more discussions.

Item7a12. Surplus School Buildings: The County Administrator advised that he has not met with Dr. Arthur Jarrett, Division Superintendent on this matter to date. Since those school properties have not been conveyed to the County yet, all requests are being forwarded to Dr. Jarrett.

Item7a13. Cactus Hill Project: The County Administrator advised that a lot of interest has been shown about Cactus Hill. He is in the process of reading background materials on Cactus Hill. To save time and money, because there are so many interested and better informed County residents, He suggested that the Board consider an Ad Hoc committee to work on this important project.

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby directs the County Administrator in consultation with the County Attorney to draft a Scope of Work and timelines for the Sussex County Cactus Hill Ad Hoc Committee.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Warren

Voting nay: none

Item7a14. Schools Unspent Funds Policy: County Administrator Harris advised that included in the Board packet is a summary of Financial Policies and recommendations made during the development of the FY 2013 County Budget. He recommended Board's Policy regarding Unspent School Operating Funds. County Administrator Harris stated that he has spoken with Dr. Arthur Jarrett, Division Superintendent and Mr. John Broderick, Supervisor of Finance and Technology and both agree with that from a budgeting and operational standpoint, this would be effective. The Operating Budget does not include textbooks or cafeteria funds.

Recommendation: To approve the Policy as presented.

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Sussex County Revenue Funds/Financial Policies, School Division Annual Funds Policy, to wit:

I. School Fund Balance: To Fund School Division Capital Projects and/or designated programs/services. (To be appropriated once final audited numbers are provided)

A. Unspent Annual School Fund Financial Policy: It is the Policy of the Sussex County Board of Supervisors to provide fifty percent (50%) of the Sussex County School Divisions annual "unspent operating budget, based on the last completed audit, to be returned to the Sussex County General Fund while the remaining fifty percent (50%) shall be returned to the "School Capital Improvements Plan Budget" to be used to accelerate the completion/purchase of approved School Division Capital expenses.

- 1. Alternative uses for Fund Balance:** This Policy would in no way prohibit or prevent the School Division from requesting specific uses for these funds if deemed by the Sussex County School Board to be in the Division's best interest.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Warren

Voting nay: none

Item7a15. General Fund Policy: The General Fund Policy regarding Undesignated Fund Balance, Contingency and use of Landfill Revenue.

Recommendation: To approve the Policy as presented.

The Chairman requested that this item be tabled until September 19, 2013 meeting.

Item7b. County Attorney's Report

Item 7b1.Tie Breaker: County Attorney Packer stated that Sussex County has the ability to create the position of a Tie Breaker for the Board of Supervisors and explained how the process would work.

(Recess 8:12 p.m. Reconvened 8:19p.m.)

County Attorney Packer continued and stated that this is a two part process; the first part being that this Board, if it desires to have a tie breaker, would create the position; and then there would be a vacancy, so the second part of the process would be to fill the vacancy. There are two parts to filling the vacancy; first – the Board would have the ability, by majority vote, appoint a tie breaker until there could be a special election, so that the citizens could vote for a tie breaker. That person would serve for the remainder term as the current members of the Board. The requirement would be that they are residents in the County and that they have a legal ability to vote. It is up to the Board as to whether it wishes to appoint a tie breaker.

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the position of a Tie Breaker within Sussex County.

Voting aye: Supervisors Fly, Futrell, Warren

Voting nay: Caple, Stringfield

The County Attorney advised the Board that they have now forty-five (45) days to make that appointment; if the Board does not make an appointment within that forty-five day period, the appointment will be made by the Circuit Court judge.

Item7b2. Approval of December 3, 2012 Minutes

County Attorney Packer stated that it would be appropriate for the Board to approve the minutes of the December 3, 2012 meeting. Those members who were absent from the meeting should abstain from voting.

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR FUTRELL that the Sussex County Board of Supervisors shall hereby approve the minutes of the December 3, 2012 meeting.

The Chairman requested that the December 3, 2012 Minutes be tabled until September 19, 2013.

Supervisor Futrell withdrew his second; Supervisor Caple withdrew his motion.

Item7b3. Approval of April 8, 2013 Minutes

The Chairman requested that the April 8, 2013 Minutes be tabled until September 19, 2013.

Item7c. Treasurer/Interim Director of Finance Report: Report included

Onnie L. Woodruff, Treasurer/Interim Director of Finance advised the Board that an extension from Virginia Retirement System to evaluate options regarding recent changes in the disability benefits has been requested. It is our understanding that the extension will be until November 1, 2013.

Onnie L. Woodruff, Treasurer/Interim Director of Finance, also explained that the Elementary School Fund has only \$300,000 appropriated for FYE 2014 and \$515,513.10 was expended in the month of July, which was \$215,513 over the budgeted appropriations. The July invoices were only approved and no additional appropriations made. Therefore, an appropriation of \$215,513 is required.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the following appropriations:

July Additional Appropriations	\$215,513.10
August Additional Appropriations	
Oyster Point Construction	207,047.07
Rancorn Wildman Architects	3,869.91
Contrax Furnishings	112,168.31
DominionTek	32,067.59
Fire Ex Corporation	964.80
Total current balance of Oyster Point Construction	\$669,055.59
Current balance of Rancorn Wildman Architect	9,561.89
Total to date	\$1,250,248.26

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Warren

Voting nay: none

Item 5. Schools Unspent Funds Policy

Chairman Fly explained that this has to do with the reallocation or re-appropriation of funds for the Schools, under the new policy a motion would be made to re-appropriate funds.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby re-appropriates funds in the amount of \$40,615.50 to the School System, with an additional \$10,000.00 to cover cost of the Emergency Shelters during the last storm; for a total re-appropriation of \$50,615.50.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Warren

Voting nay: none

Item 7d. Commissioner of the Revenue Report: No report at this time.

Item 7e. Sheriff's Department Report: Sheriff Raymond Bell requested the following items:

- (1) **Request for Funding: \$3,000.00 Overtime:** On June 18, 2013, the Sheriff's Department was involved in a fugitive search. This required the payment of overtime from SPOT. The total amount to be paid for the overtime worked is \$2,775.33.
- (2) **Request for Funding: \$30,000.00, New Vehicle:** This amount of money is being requested to be added to Capital Improvements for the purchase of a new vehicle.
- (3) **Request for Restoration of Funds/Appropriation: \$4,584.19:** The amount of \$4,584.19 has been received from VACoRP (County's Insurance). The request is to be restored to Line Item #51100-1265-512-510.

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves and appropriate of payment of overtime from SPOT, in the amount of \$3,000.00.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Warren

Voting nay: none

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors approves and appropriate the amount of \$30,000.00 for the Sheriff's Department's purchase of a new vehicle.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Warren

Voting nay: none

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves and appropriates of the amount of \$4,584.19 received from VACoRP (County's Insurance) to be restored to Line Item #51100-1265-512-510, in the Sheriff's Department budget.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Warren

Voting nay: none

Item 7f. Superintendent of Schools Report: No Report at this time

Item 7g. Director of Social Services Report: No Report at this time

Item 9. Citizens Comments (8:51pm)

The Chairman called for Citizens' Comments by district.

Blackwater District: Lou Goodwyn

Courthouse District: Lou Savedge, Bill Collins, Kevin Bracey

Henry District: No citizens' comments

Stony Creek District: Chester Carter, Bob Ogle

Wakefield: No citizens' comments

Waverly: No citizens comments

Item 7h. General Registrar Report (9:08pm)

Item 7h1. Relocation of Polling Places

A presentation was provided by Susan Seward, Vice Chair of the Sussex County Electoral Board. She offered a proposal for the relocation of four (4) polling places. They are proposing to move the Waverly Precinct to the County Office Building located at 233 L South County Drive; proposing to move the West Waverly Precinct to the County Office Building located at 233 L South County Drive; proposing to move to that same location, the Blackwater Precinct; the West Wakefield Precinct to the County Office Building located at 233 L South County Drive. The Waverly and Blackwater Precincts are currently co-located at the former American Legion Building across from Waverly Town Hall. The fourth precinct that they are proposing to move is the Mars Hill Precinct to the Wakefield Fire House in Wakefield. Mrs. Seward referenced Section 24.2.310 of the Code of Virginia, as amended, Requirements for Polling Places. Some of the reasons for relocation: (1) Moving from a private building to a public building; (2) All of the moves will have asphalt paved parking areas; (3) Both buildings have ground level entrances which provides superior handicapped accessibility; (4) Each one will save the County money, rental fees total \$400.00 per year. There have been problems with no heat, insufficient air conditioning, issues with poll workers being able to eat at the polling tables.

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL to approve the Electoral Board's request to relocate four polling places.

County Attorney Packer advised that Section 24.2-306 of the Code of Virginia entitled "Changes not to be enacted within 60 days of election notice requirements. It states that 'no change in local election district, precinct, polling place shall be enacted within 60 days, etc.' The notice shall be published prior to the enactment in a newspaper having general circulation in the election district or precinct once a week for two successive weeks. The public notice shall state where description and maps of the proposed boundaries and polling place changes may be inspected.

Mrs. Seward stated that the Electoral Board has proposed that this will take effect after the election in November 2013.

Chairman Fly, after listening to the opinion of the County Attorney, requested that Supervisor Futrell withdraw his second and Supervisor Warren withdraw his motion.

Supervisor Futrell withdrew his second; Supervisor Warren withdrew his motion.

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby directs the County Attorney to draft the advertisement to notify the public of the changes in polling places and further directs the Clerk to place the ad in the newspaper for two (2) consecutive weeks.

Voting aye: Supervisors Caple, Fly, Futrell, Warren

Voting nay: Supervisor Stringfield

Item 7i. Health Department: No report at this time

Item 8. Appointments:

a) **Henry District Board Member Representative:** The deadline for submittal of the applications for the Henry District Board vacancy was August 12, 2013. (This item will be discussed in closed session).

b) **Two Appointments to the South Centre Corridors Resource Conservation and Development Council:** Sussex County's two appointees' terms expired December 31, 2012. The current appointees are Mr. Thomas E. Harris and Mr. Crockett Morris. Staff has spoken with Mr. Morris and has advised that he would like to be reappointed.

Recommendation: To reappoint Mr. Crockett Morris, 11365 Cerney Lane, Waverly VA 23890 for a period of three years, term expiring December 31, 2016; and Mr. Thomas E. Harris, Sussex County Administrator, for a period of four years, term expiring December 31, 2017.

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby reappoints Thomas E. Harris, Post Office Box 1397, Sussex VA 23884 for a term of four (4) years, expiring December 31, 2017; and Mr. Crockett Morris, 11365 Cerney Lane, Waverly VA 23890 for a term of three (3) years, term expiring December 31, 2016, to the South Centre Corridors Resources Conservation and Development Council.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Warren

Voting nay: none

c) **Appointment to Social Services Board**

Supervisor Stringfield contacted staff and advised that the person appointed last month to the Social Services Board is not able to serve at this time. He offered another nominee, Mrs. Mae Mason.

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby appoint Mrs. Mae

Mason, 407 East Main Street, Wakefield VA 23888 to the Social Services Board for a term beginning immediately and expiring June 30, 2017.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Warren

Voting nay: none

Item 9. Citizens Comments (handled earlier in the meeting)

Item 10. Unfinished Business

- a. Invitation for Bids 2013-01, Welcome Signs:** This issue was tabled from the June 20, 2013 meeting.

Chairman Fly asked that the Board reject both bids.

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby rejects the bids for Invitation for Bid #2013-01, in the amounts of \$69,535.50 from Moore Sign Corporation, Chester VA and the \$3,200.00 per sign from David Bland, Emporia VA.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Warren

Voting nay: none

Item 11. New Business

Item 11a. Circuit Court Clerk's Request for Additional Space & Carpet Replacement: The Circuit Court Clerk is requesting that the Clerk's Office be enlarged to accommodate the records and requesting that the carpeting be replaced. He provided a drawing of how the space need could be fulfilled. (A copy is retained in the August 15, 2013 Board packet).

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby instructs the County Administrator to work with the Circuit Court Clerk to develop an expansion plan and carpet replacement plan.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Warren

Voting nay: none

Item 11b. Request from Pocahontas Temple Baptist Church: Correspondence has been received from Reverend Lewis Allen, Pastor of Pocahontas Temple Baptist Church.

This item was removed from agenda. (May be included on a future Board agenda).

The Board thanked and commended Mr. Gary M. Williams for agreeing to signing checks during the time the County was without an Administrator.

Item 12. Board Members' Reports/Comments

a. Blackwater District: none

b. Courthouse District: none

c. Henry District: none

d. Stony Creek District: none

e. Wakefield District: none

f. Waverly District: The Honorable Alfred G. Futrell requested time to share his concerns regarding the Sussex County High School Sports Program.

(Supervisor Futrell advised that this item has been resolved).

Item 13. Closed Session (9:54pm)

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters Closed Session to consider the following:

- a) Consultation with Legal Counsel as to actual or probable litigation, Code Section 2.2-3711(A)(7)
- b) Personnel Matters (Discussion regarding the Henry District Board member representative, Code Section 2.2-3711(A)(1))
- c) Phillips Communications, (Discussion regarding Contract, Code Section 2.2-3711(A)(29))
- d) Kenbridge Construction, (Discussion regarding Contract, Code Section 2.2-3711(A)(29))
- e) Property around Gin Hill, (Discussion regarding Real Estate, Section 2.2-3711(A)(3))
- f) Personnel Matters, Probationary periods for certain employees, Code Section 2.2-3711(A)(1)

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Warren

Voting nay: none

Item 14. Certification of Closed Meeting (Reconvened (11:19pm))

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby reconvened in Open Meeting; and

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

WHEREAS, Section 2.2-3712 of the Code of Virginia, as amended, requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW THEREFORE BE IT RESOLVED that the 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 business matters as were identified in the motion convening the Closed Meeting were heard discussed or considered.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Warren

Voting nay: none

Item 15. Action on Closed Session Item(s)

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of Phillips Telecommunications, Inc. in the amount of \$3,334.00 to install replacement copper telephone cables to the following buildings using the previously installed underground conduit system: (1) The Old Administration, New Courthouse, Old Courthouse, Clerk's Office, and the Treasurer's Office; and to decommission the buried cables which are in the way of the new building and are susceptible to lightning strike; and

FURTHER RESOLVED and install a fiber backbone interconnecting the above buildings for an additional cost of \$1,383.00.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Warren

Voting nay: none

Item 16. Recess/Adjourn (11:23pm)

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby recesses the August 15, 2013 meeting until August 22, 2013 at 7:00 p.m., to interview the applicants for the vacancy on the Board of Supervisors and Personnel Matters.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Warren

Voting nay: none