

**At a Joint Public Hearing of the Sussex County Planning Commission and
Board of Supervisors, held in the General District Courtroom on
Thursday, February 4, 2010 at 6:00 p.m.**

Planning Commission Members Present

Gurney B. Cowling, Jr.
J. Lafayette Edmond
W. T. Gay, Sr.
Terry A. Massenburg
Charles S. Owen, Jr.
Harris L. Parker
Steve White
Herbert H. Wright
Robert Young, Jr.

Board Members Present

T. W. Birdsong
Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Wayne M. Harrell
Harris L. Parker
Rufus E. Tyler, Sr.

Staff Present

George E. Morrison, III, Deputy County Administrator
Henry A. Thompson, Sr., County Attorney
Andre M. Greene, Director of Planning
Jerry L. Whitaker, Director of Finance
W. Travis Luter, Building Official
Shannon C. Drew, Assistant to Director of Planning
Eddie T. Vick, Public Safety Coordinator
Deborah A. Davis, Assistant to County Administrator

ITEM 1) CALL TO ORDER

Planning Commission Chairman White called the February 4, 2010 meeting to order.

ITEM 2) ADOPTION OF AGENDA

ON MOTION OF COMMISSIONER OWEN, seconded by COMMISSIONER YOUNG and carried that the Sussex County Planning Commission hereby adopts the agenda of the February 4, 2010 joint public hearing, as presented.

Voting aye: Commissioners Cowling, Edmond, Gay, Massenburg, Owen, White, Wright and Young.

Voting nay: none

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts the agenda of the February 4, 2010 joint public hearing, as presented.

Voting aye: Supervisors Birdsong, Caple, Fly, Harrell, Parker, Tyler

Voting nay: none

ITEM 4) PUBLIC HEARING

ON MOTION OF COMMISSIONER EDMOND, seconded by COMMISSIONER OWEN and carried that the Sussex County Planning Commission shall enter public hearing to consider Zoning Map Amendment #2009-02 and Conditional Use Permit #2009-05, Old Dominion Electric Cooperative, applicant.

Voting aye: Commissioners Cowling, Edmond, Gay, Massenburg, Owen, White, Wright, Young.

Voting nay: none

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR HARRELL and carried: RESOLVED that the Sussex County Board of Supervisors shall enter public hearing to consider Zoning Map Amendment #2009-02 and Conditional Use Permit #2009-05, Old Dominion Electric Cooperative, applicant.

Voting aye: Supervisors Birdsong, Caple, Fly, Harrell, Parker, Tyler

Voting nay: none

Zoning Map Amendment

The staff reports for Zoning Map Amendment and Conditional Use Permit application were presented by Shannon C. Drew, Assistant to Director of Planning.

The applicant, Old Dominion Electric Cooperative, seeks to rezone tax parcel 6-(A)-5, consisting of approximately 126 acres, from A-1, General Agricultural District to I-2, General Industrial District, to facilitate the construction of an electric generation plant and its associated uses. The site in question is located on the east side of Route 624 (Warwick Road) approximately 1,500 feet north of the intersection of Route 624 and Route 602 (Cabin Point Road) in the Blackwater Election District.

The property is surrounded by woodlands, farm land, Warwick Swamp, Norfolk and Southern Railroad lines and the Atlantic Waste Disposal, Inc., a solid waste landfill.

Rationale for approval: A zoning map amendment from A-1, General Agricultural to I-2 Industrial would be consistent with the County's Comprehensive Plan, which has the site in question designated for future industrial development. Therefore, the requested zoning map amendment from A-1 to I-2 would bring the zoning of the subject property into conformance with the Comprehensive Plan.

The proposed use of the subject property for the relocation of an existing rail spur and to accommodate accessory uses associated with an electric generation plant would be compatible with surrounding lane uses in the area.

The zoning map amendment would not constitute "spot zoning" as the affected parcel (6-A-5) adjoins over 1,000 acres presently zoned I-2, General Industrial.

Conditional Use Permit Application #2009-05

The applicant, Old Dominion Electric Cooperative, is seeking a conditional use permit to construct and operate an electric plant and accessory uses pursuant to Section 16-166 & 20 of the Sussex County Zoning Ordinance. The I-2, General Industrial District, permits electric generation plants and their associated accessory facilities, with a conditional use permit. The conditional use permit application applies to eight parcels of land identified as tax map numbers 6-(A)-5, 6-(A)-6, 6-(A)-8 (part of), 6-(A)-9, 6-(A)-11, 6-(A)-12, 15-(A)-1 and 15(A)-2. The subject properties total approximately 1,236.41 acres and are located on the north and south sides of Route 602 (Cabin Point Road) just east of the intersection of Route 602 and Route 624 (Warwick Road) in the Blackwater Election District. Tax parcel 6-(A)-5 is owned by Sussex Investment Company, LLC and comprises approximately 126 acres; tax parcel 6-(A)-6, 6-(A)-8 (part of), 6-(A)-9 and 6-(A)-12 are owned by Grayland Company, LLC and total approximately 847.98 acres and tax parcels 6-(A)-11, 15-(A)-1 and 15-(A)-2 are owned by Horace R. Higgins, Jr., Charles T. Higgins and Mary H. Savedge and total approximately 262.43 acres.

Rationale for approval: The proposed use is consistent with the development policies set forth in the County's Comprehensive Plan and meets the requirement of the Zoning Ordinance. The proposed electric generation plant and its associated accessory uses are compatible with existing land uses in the area. The size of the affected property, the project site's remote location and the natural buffer that will be maintained around the perimeter of the project site will serve to mitigate potential nuisances associated with the development of the proposed project.

The electric generation plant will utilize modern state-of-the-art pollution control technology (air emission controls) and other practices that will serve to minimize effects on the environment. The stringent permitting process of the various state and federal agencies will also serve to minimize any negative impacts on the proposed project on the community.

The proposed use will place minimal burden on the County's infrastructure and provision of public services while having a significant economic impact and diversifying the tax base and increasing employment opportunities.

The site has been formerly studied and approved by the local governing body for the construction of coal fired electric generation plant (Five Forks Energy Power Station). An environmental assessment and fiscal impact analysis were prepared for the site in question by Charles C. Townes and Associates, P. C.

To date, there has been no public opposition to the request.

(A copy of the staff reports are retained in the February 4, 2010 packet).

Stephen Romine, attorney representing Old Dominion Electric Cooperative, provided a power point presentation overview of the request.

Comments were also made by Dalgren Vaughan, Consultant for Old Dominion Electric Cooperative.

Planning Commission Chairman, Steve White, asked if there were questions from the Planning Commission. There were none.

Chairman Parker asked if there were questions from Board members.

Supervisor Birdsong: “What happens if there is an unfavorable report from regulatory agencies?”

Mr. Vaughan: “All malfunctions require written notice via quarterly reports. We must comply with all regulatory requirements.”

Supervisor Caple: “The requirement is for you all to look at two sites. Is it the plan to build a power plant in Sussex and Surry?”

Mr. Romine: “It is required to have a primary site and an alternative site. There is no intent to build on both sites.”

Supervisor Harrell: “Will the plant be Cypress Creek regardless of where it’s built?”

Mr. Romine: “Yes.”

Supervisor Harrell: “How many trains (cars) a day will be expected to come in to the plant?”

Mr. Romine: “138.”

Supervisor Tyler: “When will the EIS process start?”

Ms. Lisa Johnson (ODEC): “We anticipate this year.”

ITEM 5) PUBLIC COMMENTS

Comments were heard from the following:

- Williams Hartz, Waverly Town (provided a letter to the Board).
- Virginia Owen, Wakefield District, spoke in opposition of Zoning Map Amendment #2009-02 and Conditional Use Permit #2009-05.
- Donna Wright, Prince George County, spoke in opposition of Zoning Map Amendment #2009-02 and Conditional Use Permit #2009-05.
- Irving Wright, Prince George County, spoke in opposition of Zoning Map Amendment #2009-02 and Conditional Use Permit #2009-05.
- Bill Richardson, Town of Dendron, spoke in favor of and in opposition of Zoning Map Amendment #2009-02 and Conditional Use Permit #2009-05.

- Chelsea Harnish, Richmond, spoke in opposition of Zoning Map Amendment #2009-02 and Conditional Use Permit #2009-05.
- Glen Besa, Richmond, spoke in opposition of Zoning Map Amendment #2009-02 and Conditional Use Permit #2009-05.
- Ted Upton, Blackwater District, spoke in favor of Zoning Map Amendment #2009-02 and Conditional Use Permit #2009-05.
- Helen Harrell, Henry District, spoke in opposition of Zoning Map Amendment #2009-02 and Conditional Use Permit #2009-05.
- Chris Moore, Chesapeake Bay Foundation, spoke in opposition of Zoning Map Amendment #2009-02 and Conditional Use Permit #2009-05.
- Otto Wachsmann, Courthouse District, needs more information; Board needs to do more research because citizens need to know more.

Steve Romine offered a rebuttal: “The proposed power plant will use state of the art technology. It will be much more efficient and effective. We have heard environmental concerns, but tonight we are requesting a zoning map amendment and conditional use permit. If the applications are approved tonight, we can proceed.”

Chairman White asked the Planning Commission if they had any questions. There were none.

Supervisor Parker stated that he would like for ODEC to have a contract with Atlantic Waste Disposal, Inc.

ITEM 6) PLANNING COMMISSION RETURN TO REGULAR SESSION

ON MOTION OF COMMISSIONER EDMOND, seconded by COMMISSIONER YOUNG and carried that the Sussex County Planning Commission shall return to regular session.

Voting aye: Commissioners Cowling, Edmond, Gay, Massenburg, Owen, White, Wright, Young.

Voting nay: none

ITEM 7) BOARD OF SUPERVISORS RETURN TO REGULAR SESSION

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Sussex County Board of Supervisors shall hereby return to regular session.

Voting aye: Supervisors Birdsong, Caple, Fly, Harrell, Parker, Tyler

Voting nay: none

ITEM 8) PLANNING COMMISSION ACTION

ON MOTION OF COMMISSIONER EDMOND, seconded by COMMISSIONER GAY and carried that the Sussex County Planning Commission hereby recommends approval

of Zoning Map Amendment #2009-02, Old Dominion Electric Cooperative, applicant, and forwards to the Board of Supervisors.

Voting aye: Commissioners Cowling, Edmond, Gay, Massenburg, Owen, White, Wright, Young.

Voting nay: none

ON MOTION OF COMMISSIONER EDMOND, seconded by COMMISSIONER YOUNG and carried that the Sussex County Planning Commission hereby recommends approval of Conditional Use Permit #2009-05, Old Dominion Electric Cooperative, applicant and forwards to the Board of Supervisors.

Voting aye: Commissioners Cowling, Edmond, Gay, Massenburg, White, Wright, Young.

Voting nay: Commissioner Owen

ITEM 9) BOARD OF SUPERVISORS' ACTION

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR HARRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of Zoning Map Amendment #2009-02, Old Dominion Electric Cooperative, applicant, subject to the following rationale:

- 1) A zoning map amendment from A-1, General Agricultural District to I-2, General Industrial District, would be consistent with the County's Comprehensive Plan which has the site in question designated for future industrial development.
- 2) The requested zoning map amendment from A-1 to I-2 would bring the zoning of the subject property into conformance with the Comprehensive Plan.
- 3) The proposed use of the subject property for the relocation of existing rail spur and to accommodate accessory uses associated with an electric generation plant would be compatible with surrounding land uses in the area.
- 4) The zoning map amendment would not constitute "spot zoning" as the affected parcel (6-a-5) adjoins over 1,000 acres presently zoned I-2, General Industrial.

Supervisor Tyler: "How will the environmental impact statement affect this issue?"

County Attorney Thompson: "It provides additional knowledge to the Board."

Supervisor Fly: "Tonight the Board is considering the zoning and conditional use permit applications. The environmental impact statement will be done later."

Supervisor Tyler: "I understand that, but we need as much information as possible to make an informed decision."

County Attorney Thompson: "If the Board votes favorably on these applications tonight, the applicant has a vested right and they can proceed. I still have some concerns with Atlantic Waste Disposal, Inc. as it relates to their exclusivity."

Supervisor Tyler: “The more information we have, the more comfortable I will be with the decision we make. So I would like to make a substitute motion.”

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR CAPLE to table action on Zoning Map Amendment #2009-02 and Conditional Use Permit application #2009-05, Old Dominion Electric Cooperative, applicant, until such time as our County Attorney, staff and Board members can have more dialogue with the applicant.

Voting aye: Supervisors Caple, Tyler

Voting nay: Supervisors Birdsong, Fly, Harrell, Parker

Chairman Parker asked for the vote to the original motion for approval.

Voting aye: Supervisors Birdsong, Caple, Fly, Harrell, Parker

Voting nay: none

Abstaining: Supervisor Tyler (he feels the Board does not have adequate information and are unaware of what the agreement with Atlantic Waste Disposal, Inc. may be).

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR HARRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves Conditional Use Permit #2009-05, Old Dominion Electric Cooperative, applicant, subject to the following conditions:

- 1) Transferability: This ordinance for a conditional use permit shall run with the land and may be transferred to the applicant’s successors and assigns upon delivery to the County of a written acceptance by such successor or assignee of all conditions and proffers associated with this ordinance.
- 2) Height Regulations: Improvements on the property shall be in compliance with the height regulations as set forth in Article XI, Section 16-168 of the County Code, with the following exceptions:

<u>Plant Components</u>	<u>Maximum Height (feet)</u>
Boiler structure	325
Emission control equipment structures	300
Stream turbine/condenser structures	200
Coal silo bays	275
Coal storage/handling equipment	250
Lime/limestone storage/handling equipment	175
Fly ash silo(s)	175

- 3) Final site plan: The applicant shall be required to submit a final site plan in accordance with Article XI for review and approval by the Zoning Administrator prior to the issuance of building permits for the improvements on the property. The final site plan shall include an erosion and sediment control plan and a storm water management plan. The Zoning Administrator’s review and approval shall

ensure compliance with the provisions of the Zoning Ordinance and any other conditions stated in this Conditional Use Permit. The final site plan shall be reviewed and approved in accordance with Section 16-206.

- 4) Landscaping plan and buffer area: The applicant shall establish buffer areas generally as provided for in the Conditional Use Permit Plan. The primary use of these buffer areas shall be for the maintenance and establishment of natural vegetative screening. However, the applicant shall be allowed to install, operate and maintain the following facilities and uses in the buffer areas:
- a. Overhead and underground electric transmission and distribution lines, switchyard and associated facilities;
 - b. Rail tracks, coal and limestone unloading facilities and other associated facilities, so long as said facilities remain a distance of 150 feet from a public road right-of-way;
 - c. Underground natural gas transmission and distribution lines and associated facilities;
 - d. Underground water, sewer and wastewater transmission and distribution lines and associated facilities;
 - e. Such other utility services, right-of-way and associated facilities as are necessary for the operation and any improvement on the property;
 - f. Access roads and associated facilities;
 - g. Overhead conveyor and piping and associated facilities necessary for the transportation of coal and limestone and the industrial waste generated by the electric plant;
 - h. Stormwater runoff and erosion control facilities, including detention/retention ponds;
 - i. Security fencing, gates, signage and similar uses;
 - j. Landscaping berms and similar uses;
 - k. Walking trails and similar uses;
 - l. Creation of wetlands and other natural settings;
 - m. Construction laydown and access areas to support any of the above uses;
 - n. Such other uses as may be approved by the Zoning Administrator or otherwise permitted by the County's Zoning Ordinance;
 - o. Communication cables, wires, fiber optic cables and the like, either above or below ground;
 - p. Underground circulating water supply and return pipelines; and
 - q. Paved, permitted access roads

The applicant shall submit a landscaping plan to the Zoning Administrator for review and approval prior to the issuance of a building permit for improvements on the property.

In those portions of the buffer area where existing vegetation cannot be maintained during construction of any improvements on the property, the applicant shall plant trees and/or dirt berms (no taller than 5 feet) as necessary and where practical after completion of construction to provide screening. It

is recognized that only certain types of plantings, if any, can be installed in and around certain uses that are permitted in the buffer area. The applicant shall have the right to maintain and remove individual trees and other vegetation in the buffer area if circumstances arise where said vegetation becomes a safety hazard.

- 5) Noise levels: During steady-state operation, the electric plant shall not produce noise exceeding 75 decibels A-weighted sound pressure level at the exterior perimeter of the power plant site, measured at five feet above grade (not including ambient noise).

The applicant shall submit a noise analysis for the major equipment to be used in the electric plant prior to start of operation. If the noise analysis shows that the 75 dBA limit will be exceeded. The applicant will be required to incorporate additional noise mitigation measures in the electric power plant to the extent required to comply with the 75 dBA requirement.

After operation, the applicant shall conduct post construction noise monitoring to verify compliance with the 75 dBA limit. Verification of the post construction monitoring shall be submitted to the Zoning Administrator.

- 6) Signage: Any signage installed during construction and operations of any improvements on the property shall be in compliance with Article XV, Section 16-277.
- 7) Solid Waste Disposal Facility: The applicant may develop, construct, operate or and maintain a solid waste disposal facility on the property provided that said solid waste disposal facility shall accept only sediment and sludge from waste water and storm water ponds and erosion control structures and industrial waste produced by the electric plant.
- 8) Ground Water Usage: The applicant shall not install any groundwater wells on the property for the purpose of supplying water for the process of generating electricity. Nothing in the conditional use permit shall be construed to restrict the applicant's ability to perform dewatering associated with the construction of any improvements on the property.
- 9) Facility Closure Plan: The applicant shall submit a facility closure plan to the Zoning Administrator prior to operation of the electric plant.
- 10) Emergency Preparedness Plan: The applicant shall submit an emergency preparedness plan to the Sussex County Public Safety Coordinator prior to the operation of the power plant. As a part of the review of this plan, appropriate emergency response personnel shall be permitted to tour the facility.

- 11) Lighting Plan: The applicant shall submit a lighting plan, in conjunction with the final site plan, to the Zoning Administrator prior to the issuance of building permits for improvements to the property.
- 12) Permits: The applicant shall secure all required local, state and federal permits for the construction and operation of the electric plant and shall submit copies of all such permits to the Zoning Administrator. Some permits shall be required prior to construction of any improvements while others shall be required, prior to operation. At all times, the applicant shall abide by all local, state and federal rules, regulations, statutes, ordinances and laws.
- 13) Termination: If the applicant does not file a final site plan, as described in Condition #3, on or before the ten year anniversary date of the county's approval of this conditional use permit, then this conditional use permit shall terminate and for all purposes become null and void without further actions by the County.
- 14) Severability: If any term, covenant or condition of this conditional use permit, or application thereof to any person or circumstance, shall to any extent be invalid or unenforceable, the remainder of this conditional use permit or the application of such term, covenant or condition to other persons or circumstances, shall not be affected thereby, and each covenant or condition of this conditional use permit shall be valid and enforceable to the fullest extent permitted by law.

Supervisor Tyler offered a substitute motion to table the Conditional Use Permit application #2009-05. There was no second.

Chairman Parker called for the vote on the motion to approve Conditional Use Permit #2009-05.

Voting aye: Supervisors Birdsong, Caple, Fly, Harrell, Parker

Voting nay: Supervisor Tyler

ITEM 10) PLANNING COMMISSION ADJOURNMENT

ON MOTION OF COMMISSIONER OWEN, seconded by COMMISSIONER EDMOND and carried that the Sussex County Planning Commission hereby adjourns the February 4, 2010 joint meeting.

Voting aye: Commissioners Cowling, Edmond, Gay, Massenburg, Owen, White, Wright, Young.

Voting nay: none

ITEM 11) BOARD OF SUPERVISORS RECESS

ON MOTION OF SUPERVISOR BIRDSONG, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors shall hereby recess at 8:15 p.m., for a period of ten (10) minutes.

Voting aye: Supervisors Birdsong, Caple, Fly, Harrell, Parker, Tyler

Voting nay: none

The Board of Supervisors reconvened at 8:25 p.m.

ITEM 12) BUDGET OVERVIEW

Director of Finance, Jerry L. Whitaker, provided an overview of possible budget reductions to the Board. (A copy of the report is retained in the February 4, 2010 Board packet).

Some of the choices offered by Mr. Whitaker were: (1) to eliminate the Board members' salaries; (2) eliminate \$50 per month cell phone stipend for employees who receive it; (3) eliminate overtime, \$57,000.00 remaining in this line item of current budget; (4) eliminate the Director of Finance mileage allowance, balance remaining in this line item in current budget is \$4,800.00.

Supervisor Tyler: "Each member should make a decision whether or not he wants to keep his salary."

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby leaves the salaries of the Board of Supervisors as it currently stands.

Voting aye: Supervisors Caple, Fly, Harrell, Parker, Tyler,

Voting nay: Supervisor Birdsong

Supervisor Fly: "We set a bad precedent by providing mileage allowance to the Director of Finance."

Sheriff Bell: "If the County Administrator's staff had met with Constitutional Officers to discuss this overtime issue, we wouldn't be having some of these issues now. It's just a lot of foolishness."

Chairman Parker: "Sheriff, I ask that you be respectful. You can state your case and the Board will listen to you, but I demand respect."

Chairman Parker: "I would like for the Board to review the employees' contributions for health care."

Supervisor Fly: "Maybe for employees who have family coverage, we could look at giving them a little extra in their pay check so they can purchase their coverage on their own."

Supervisor Harrell: "We need to wait to see what decisions are made by the Virginia Retirement System."

Mr. Whitaker: "I will also do some comparisons with compatible localities."

Chairman Parker: "Mr. Finance Director, please do more figuring and see if we can manage to take \$400,000 from reserves."

ON MOTION OF SUPERVISOR HARRELL, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of reducing the Fiscal Year 2010 budget in the amount of \$593,708.00, in addition to the amount that may be offered by the School Board.

Voting aye: Supervisors Birdsong, Caple, Fly, Harrell, Parker, Tyler

Voting nay: none

ON MOTION OF SUPERVISOR HARRELL, seconded by SUPERVISOR CAPLE and carries: RESOLVED that the Sussex County Board of Supervisors hereby leaves in the budget, the \$50.00 per month cell phone stipend for those employees who receive it.

Voting aye: Supervisors Birdsong, Caple, Fly, Harrell, Parker, Tyler

Voting nay: none

ON MOTION OF SUPERVISOR BIRDSONG, seconded by SUPERVISOR HARRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby eliminates funding for the Surry Free Clinic from the Fiscal Year 2010 budget.

Voting aye: Supervisors Birdsong, Caple, Fly, Harrell, Parker, Tyler

Voting nay: none

The Board by general consensus decided to leave the following as it currently stands:

- Old Dominion Emergency Medical Services Association
- Wakefield Foundation
- Sussex Recreation Association
- Miles B. Carpenter Museum

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Sussex County Board of Supervisors shall hereby defer spending on Route 460 and I-95 Industrial Park sites; and

FURTHER RESOLVED, that funding for aforementioned industrial sites shall be extracted from the reserve account, should the need arise.

Voting aye: Supervisors Birdsong, Caple, Fly, Harrell, Parker, Tyler

Voting nay: none

ON MOTION OF SUPERVISOR BIRDSONG, seconded by SUPERVISOR HARRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby agrees to sell the timber off the Route 460 Industrial Park site and place the funds received from the timber sale in the line item for industrial park projects.

Voting aye: Supervisors Birdsong, Caple, Fly, Harrell, Parker, Tyler

Voting nay: none

The Board, by general consensus, decided to leave funding for the Jarratt Senior Citizens Center and Waste Collection sites on the list for budget reductions.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR HARRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby grants staff the authority to utilize the aforementioned resolutions and reductions to balance the Fiscal Year 2010 budget.

Voting aye: Supervisors Birdsong, Caple, Fly, Harrell, Parker, Tyler

Voting nay: none

Mr. Whitaker suggested that the Board meet every week until the budgetary process is completed.

ON MOTION OF SUPERVISOR BIRDSONG, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby shall recess until 7:00 p.m. on Thursday, February 11, 2010.

Voting aye: Supervisors Birdsong, Caple, Fly, Harrell, Parker, Tyler

Voting nay: none