

**At A Regular Meeting of the Sussex County Board of Supervisors, Held in the General District Courtroom – Sussex Judicial Center, Thursday, May 16, 2013, 7pm**

**Board Members Present:**

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

**Others Present:**

Michael R. Packer, County Attorney  
Andre M. Greene, Director of Planning  
Onnie L. Woodruff, Treasurer/Interim Director of Finance  
Eddie T. Vick, Public Safety Coordinator  
Chequila H. Fields, Director of Social Services  
Ellen G. Boone, Commissioner of the Revenue  
Vincent B. Givens, Lieutenant, Sheriff's Department  
Brenda H. Drew, Housing Programs Coordinator  
Charles H. Harris, III, Superintendent of Schools  
Deborah A. Davis, Assistant to County Administrator

**Item 1. Call To Order/Determine Quorum (7:07 pm.)**

The May 16, 2013 meeting of the Sussex County Board of Supervisors was called to order by Chairman Tyler.

**Item 2. The Invocation/Pledge of Allegiance**

The Invocation was offered by Supervisor Warren; the Pledge of Allegiance was recited by all.

**Item 3. Motion to Enter Public Hearing**

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters public hearing to consider the proposed Priority List for Improvements to Secondary and Unpaved Roads.

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

Voting nay: none

The Proposed Priority List For Improvements To Secondary and Unpaved Roads was presented by Sonya Hallums-Ponton, District Program Manager, Hampton Roads, Western Region, Virginia Department of Transportation. (A copy of the plan is retained in the May 16, 2013 Board packet).

Public comments were heard from Gwendolyn Briggs, 13167 Eugene's Lane, Stony Creek VA, who asked about Eugene's Lane being added into the Six Year Plan.

Staff advised that the Board adopted a resolution in November 2011 requesting that VDOT consider placing Eugene's Lane in the Six Year Plan, however there are steps that VDOT requires the County to take before anything else can be done. (Additional information is retained in the May 16, 2013 Board packet and will be discussed later on in this meeting).

Supervisor Stringfield advised that he would like for Carver Heights Lane and Johnson Avenue to be added to the Six Year Plan, both are unpaved with several houses.

Ms. Ponton stated that she would need to coordinate with VDOT's Maintenance Office. But the roads must be a route in the system. If they are not a route in their system, they cannot be automatically added to the Plan. There may be additional documentation that the County would need to provide to bring it into the system.

#### **Item 4. Return to Regular Session**

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL, and carried: RESOLVED that the Sussex County Board of Supervisors hereby returns to regular session.

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

Voting nay: none

#### **Item 5. Action on Six Year Plan**

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the Priority List For Improvements To Secondary and Unpaved Roads for Fiscal Year 2014 through Fiscal Year 2019.

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

Voting nay: none

#### **Item 6. Election of Chairman for Calendar Year 2013**

#### **Item 7. Election of Vice Chairman for Calendar Year 2013**

County Attorney Packer asked if there are Board members who would intend to change their votes from previous meetings at it relates to the election of the Chairman and Vice Chairman.

Supervisor Fly asked if the Chairman would consider, in the light of recent events that have come up, withdrawing himself as Chairman and refrain from voting for the next Chairman due to the investigations he's under.

Chairman Tyler said no.

County Attorney Packer stated that if no member of the Board intends to change the vote from the previous meeting, he recommends that a motion be adopted to table the election of Chairman and Vice Chairman for Calendar Year 2013 until the next meeting.

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisor hereby tables the election of Chairman and Vice Chairman for Calendar Year 2013 until the June 20, 2013 meeting.  
Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Tyler, Warren  
Voting nay: none

**Item 8. Amended Agenda**- no action taken

Chairman Tyler called for approval of the agenda.

Supervisor Fly made a motion to:

Remove a under the Consent Agenda (Approval of December 3, 2012 minutes)  
Remove gg under Consent Agenda (Resolution for Elder and Sister Hoskins)  
Remove b under New Business (Virginia State Police Assistance with Communication System)

Supervisor Warren stated that there is an error in minutes of April 18, 2013. Page 11, has voting aye listed twice, located at the bottom of the page.

The Deputy Clerk will make that the correction.

Supervisor Fly asked about the corrected version of Page 2 of April 8, 2013 minutes.

The Deputy Clerk stated that the Chairman's disclosure has been omitted and she wanted to share the correction with the Board.

Supervisor Fly asked if the April 8, 2013 could be tabled until the next meeting.

Supervisor Stringfield stated that he is in favor of everything except for the removal of the approval of the December 3, 2013 minutes.

Chairman Tyler stated that there is a motion on the floor to Remove a under the Consent Agenda (Approval of December 3, 2012 minutes); Remove gg under Consent Agenda (Resolution for Elder and Sister Hoskins); Remove b under New Business (Virginia State Police Assistance with Communication System).

Chairman Tyler also stated that there is a substitute motion on the floor to delete the aforementioned items, with the exception of the removal of the December 3, 2013 minutes.

Supervisor Stringfield stated that his statement is a motion to Remove gg under Consent Agenda (Resolution for Elder and Sister Hoskins); Remove b under New Business (Virginia State Police Assistance with Communication System).

The substitute motion was offered by Supervisor Caple.

Chairman Tyler called for the vote on the substitute motion.

Voting aye: Supervisors Caple, Stringfield, Tyler

Voting nay: Supervisors Fly, Futrell, Warren

The motion failed due to tie vote.

Chairman Tyler called for the vote on the original motion.

Voting aye: Supervisors Fly, Futrell, Warren

Voting nay: Supervisors Caple, Stringfield, Tyler

The motion failed due to tie vote.

**Item 10: Approval of Consent Agenda (7:40pm)**

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves all other items on the Consent Agenda, except for 10a, 10gg and 15b.

Supervisor Fly asked if 10a would be removed from the agenda.

Supervisor Stringfield stated that 10a would stay on the agenda.

County Attorney Packer stated that the Board has yet to approve the regular agenda or the consent agenda and he recommended that the Board bifurcate those to help with the confusion. He stated that Item 9 is Approval of the Regular Agenda and has nothing to do with #10, the Consent Agenda. The Regular Agenda would be the same as printed, except for the striking of 15b.

**Item 9. Approval of Regular Agenda**

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the May 16, 2013 regular agenda with one amendment: delete Item b under New Business, Virginia State Police Assistance With Communications System.

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

Voting nay: none

**Item 10. Approval of the Consent Agenda**

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR CAPLE that the Sussex County Board of Supervisors hereby approves the Consent Agenda as written.

Voting aye: Supervisors Caple, Stringfield, Tyler

Voting nay: Supervisor Fly, Futrell, Warren

The motion failed due to tie vote.

County Attorney Packer stated that there are appropriations on the Consent Agenda to be approved in order to meet the statutory requirement to pay bills.

Chairman Tyler stated that the Board could move forward and come back to that item later. He then asked for the wishes of the Board.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR WARREN and carried: RESOLVED that the Sussex County Board approves the Consent Agenda to include the following:

- a. Approval of Oyster Point Certificate for Payment #17; \$284,371.31
- b. Approval of Rancorn Wildman Inv. #20373, \$20,745.68
- c. Approval of Suffolk Energies, Inc. Inv. #373120, \$3,115.40
- d. Approval/Appropriation/Transfer from Reserve Capital Project Fund – Moseley Architects Inv. #530117-00002, \$51,797.20
- e. Approval/Appropriation, Moseley Architects Inv. #530117-00003, \$23,412.30
- f. Approval/Appropriation, Timmons Group, Inv. #152090, \$550.00
- g. Approval/Appropriation, Timmons Group, Inv. #152091, \$55,950.00
- h. Approval/Appropriation, Timmons Group, Inv. #152092, \$3,500.00
- i. Approval/Appropriation, Timmons Group, Inv. #152093, \$12,000.00
- j. Approval/Appropriation, Timmons Group, Inv. #152094, \$1,735.00
- k. Approval/Appropriation, Timmons Group, Inv. #152095, \$900.00
- l. Approval/Appropriation, Sussex Surry Dispatch, Inv. #1534, \$60.34
- m. Approval/Appropriation, Timmons Group, Inv. #152902, \$550.00
- n. Approval/Appropriation, Timmons Group, Inv. #152904, \$5,500.00
- o. Approval/Appropriation, Timmons Group, Inv. #152903, \$1,600.00
- p. Approval/Appropriation, Timmons Group, Inv. #152905, \$22,125.00
- q. Approval/Appropriation, Timmons Group, Inv. #152906, \$9,300.00
- r. Approval/Appropriation, Timber Stream, LLC, Inv. #1000, \$5,800.00
- s. Approval/Appropriation, Timber Stream, LLC, Inv. #1001, \$10,000.00
- t. Approval/Appropriation, Timber, LLC, Inv. #1002, \$8,500.00
- u. Approval/Appropriation, BJA Grant 13-L-1205LO12, \$3,110.00
- v. Transfer Local Match, BJA Grant 13-L-1205LO12, \$311.00
- w. Legal Services – Court Appointed Attorneys (move from General District (to Circuit Court)
- x. Transfer Fire Vehicle BA to Escrow Account, \$230,000.00

- y. Transfer Rescue Vehicle BA to Escrow Account, \$46,250.00
- z. Approval of Warrants and Vouchers
- aa. Approval of Resolution Recognizing 2013 Top Sussex Central High School Graduates

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

Voting nay: Tyler

### **Item 11. Appointments**

#### **a. Appointment to Industrial Development Authority Board of Directors**

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby reappointments Mr. George O’N. Urquhart, 7201 Newville Road, Waverly VA 23890, to the Sussex County Industrial Development Authority Board of Directors, term of office beginning May 16, 2013 and ending May 15, 2017.

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

Voting nay: none

#### **b. Appointment to Social Services Board**

Supervisor Warren nominated Supervisor Futrell for the appointment to the Social Services Board.

Supervisor Caple nominated Supervisor Stringfield for the appointment to the Social Services Board.

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of acting on the Social Services Board appointment at the June 20, 2013 meeting.

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

Voting nay: none

### **Item 12. Staff/Committee/Organizations Standing Reports**

#### **a. Chairman’s Report**

##### **1. EEE Consulting Inc. Scope of Services and Budget Estimates**

Doug Fraser explained the Scope of Services and Budget Estimates, Year 2013-2014 Environmental for Gin Hill and Robinson Road Landfills. He reported that the scope of work applies to semi-annual groundwater assessment monitoring, landfill, gas monitoring, regulatory compliance issues and documentation and reporting requirements from May 1, 2013 to February 28, 2014.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes

EEE Consulting to pursue the variance request for Alternative Points of Compliance instead of Corrective Action, at a maximum fee of \$1,310.00.

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

Voting nay: none

2. Insercorp Proposal for Various Computer Services [8:16:42 PM](#)

Tim Bradshaw, Founder and CEO of Insercorp, LTD provided a report to the Board (a copy of the report is included in the May 16, 2013 Board packet.

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR STRINGFIELD that the Board of Supervisors authorizes staff to contract with Insercorp on a month to month basis for the County's IT and related services.

The Interim Director of Finance suggested that Insercorp meet with all of the department heads and key people to review this information prior to a decision being made.

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

Mr. Bradshaw asked if the Board would like the video streaming. The Board by general consensus will decide on that at a later time.

3. Interviews for Position of County Administrator [8:20:50 PM](#)

Chairman Tyler asked the Board to select one or two candidates to interview for the position of County Administrator's and get those names to Administration by the first part of next week.

By general consensus, the Board decided that the entire Board will serve as the interview panel.

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR CAPLE that the Personnel Committee conduct the County Administrator interviews.

Voting aye: Supervisors Caple, Stringfield, Tyler

Voting nay: Supervisors Fly, Futrell, Warren

The motion failed due to tie vote.

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the that the Board of Supervisors hereby agrees that the entire Board of Supervisors will serve as the panel to interview the candidates for County Administrator.

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

Voting nay: Supervisor Stringfield

Chairman Tyler announced that interviews had been held for the Code Compliance position and Mrs. Fennell has been asked to continue to work in that capacity until the

gentleman has come on board. Mr. Tyler stated that the gentleman has a bachelor's degree in business, has studied international business in China; he has worked with the Petersburg Economic Development Office and has worked as a property manager at University Apartments in Ettrick. He will begin work on Monday, June 3, 2013 and will work 20 to 24 hours per week as the Erosion and Sediment Control person.

4. Anti Poverty Summit

Chairman Tyler provided a brief overview of the Anti-Poverty Summit. He stated that there are some individuals that have signed up that want to serve on the Committee and others are still being solicited. They are looking at the latter part of June, between the 24<sup>th</sup> and the 27<sup>th</sup>. He also asked the Board for a budget to help support the Summit and will be prepared at a later date to provide an amount to be requested.

5. Commonwealth's Attorney Office Building Pre-Bid Conference

Chairman Tyler reported that staff solicited bids; there was a pre-bid conference held and there were six bidders. The bids are due back on May 21, 2013 and will be opened on the same day.

6. Fuel Tank Relocation (8:31 PM)

Chairman Tyler stated that the fuel tank is an impediment in terms of construction of the Commonwealth's Attorney's building. The tank will be moved in the back of the Clerk's Office building. There are two bids that were received. They are Tidewater Petroleum Cooperative, Inc in the amount of \$12,533.00 and Mid Atlantic Petroleum Services, Inc. in the amount of \$13,900.00. Administration recommends approval of accepting the bid from Tidewater Petroleum, Inc. in the amount of \$12,533.00.

By general consensus, the Board of Supervisors tabled approval of the bid for the fuel tank relocation until the May 30, 2013 meeting.

7. Contract #AF12-13, Department of Housing & Community Development and Sussex County (8:36:25 PM)

Brenda H. Drew, Housing Program Coordinator explained Contract #AF12-13 to the Board of Supervisors and asked for their approval. (A copy of the contract is retained in the May 16, 2013 Board packet).

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes the approval of Contract #AF12-13 by and between the Virginia Department of Housing and Community Development and Sussex County.

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

Voting nay: none



8. FY 2014 PSAP Grant Award [8:42:38 PM](#)

Eddie T. Vick, Public Safety Coordinator reported that Sussex County has been awarded funding from the FY 2014 PSAP Grant Program in the amount of \$150,000.00. He requested that the Board accept the grant and appropriate the funding in the FY 2014 budget. Also, Mr. Vick advised that in a previous budget work session, he requested additional funding for the support of the E-911 equipment. This funding includes \$14,096.97 above the grant amount, spare parts in the amount of \$8,934.97 and a five year, 24/7 warranty/support/software upgrades in the amount of \$57,314.00. He stated that he requested this funding for the FY 2014 budget. The total amount “above” the awarded grant is \$80,345.63.

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby accepts and appropriates the FY14 PSAP Grant ID 7 in the amount of \$150,000.00 to replace the E911 equipment.

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

Voting nay: none

9. Radio Communication Coverage Report and Updated Recommendations

Eddie Vick, Public Safety Coordinator, advised that included in the Board’s packet is a copy of the Coverage Report that was developed by Federal Engineering, Inc. This report addressed the radio coverage issues and communication tower locations within the County. (A copy of the full report is retained in the May 16, 2013 Board packet).

Supervisor Fly asked if the Board could hold a meeting within the next two weeks, just to address this item and have the consultants attend to help the Board understand clearly.

Supervisor Futrell stated that he has been out with Mr. Vick to look at the tower site.

Mr. Vick advised the Board that if the consultants come for a meeting with the Board, it will cost \$2,000.00.

By general consensus the Board decided to schedule a meeting with Mr. Vick at 5:00 p.m. on May 30, 2013 to ask additional questions. After that time, if more clarification is needed, then the consultant could be invited to a meeting.

Mr. Vick asked the Board to be mindful that staff is still waiting on the vehicle repeaters to be delivered so that the testing can be done.

By general consensus, the Board decided to wait to schedule a meeting until after the vehicle repeaters have been tested.

10. Sussex 4-H Foundation

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the request for funding in the amount of \$880.00 from the Sussex Cooperative Extension Office for the 4-H Program.

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

Voting nay: none

11. Robinson, Farmer Cox, Associates Engagement Letter

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR WARREN and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes Administration to sign the engagement letter for Robinson, Farmer, Cox Associates.

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

Voting nay: none

12. Request For Approval to Survey Eugene's Lane

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes staff to contract with Robert H Crowder, Inc., Post Office Box 850, Prince George VA 23875, to do a boundary survey line on Eugene's Lane and approximately six parcels of land situated off of State Route 640 (Brigg's Road), for a price of \$2,900.00.

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

Voting nay: none

**Item 13. Citizens' Comments** (9:06:34 PM)

Comments were heard from the following citizens:

- L. Chester Carter, Stony Creek District

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby closes the public comment period.

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

Voting nay: none

**Item 12. Staff/Committee/Organizations Standing Reports (continued)**

b. Treasurer (9:11:48 PM)

Onnie Woodruff, Treasurer, distributed information pertaining to the proposed FY 2014 budget. He asked the members to bring the information May 30, 2013 public hearing. He also distributed a draft Anti Fraud Policy and asked the Board for their input.

Mr. Woodruff requested that the Board appropriate \$4,000.00 for the Legal Services for Court Appointed Attorneys. Earlier tonight, the Board approved (as part of its Consent

Agenda) moving this item from the General District Court's budget to the Circuit Court's budget.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR WARREN and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves and appropriate the amount of \$4,000.00 to Legal Services for Court Appointed Attorneys within the Circuit Court's budget.

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

Voting nay: none

The Treasurer also reported that four Verizon lines have been added to the Sheriff's Department for new video lines to the Magistrate's Office in Waverly with the addition of long distance from MCI. The average cost will be \$350.00 per month and was effective April 2013.

The Treasurer is reported that his office is creating and maintaining accounts for the industrial site funds. He has set up separate funds for the Mega-site, Route 602 Park and for the Henry Technology Park.

c. Commissioner of the Revenue – no report

d. Sheriff's Department – no report

e. Superintendent of Schools – Charles H. Harris, III, Superintendent of Schools

Dr. Charles H. Harris, III, Superintendent of Schools addressed the Board and presented his concerns with the upcoming budget for the Schools. The School Board is in a difficult situation by not being able to make decisions because the Board of Supervisors has not adopted a budget yet. The state requires an approval of the School Board's budget by May 1<sup>st</sup> and the Board of Supervisors may not adopt the budget until mid June. The problem with that is as of June 1<sup>st</sup>, the School Board by law cannot take action on personnel if it's forced to have to reduce positions.

f. Department of Social Services – no report

g. General Registrar – no report

h. Health Department – no report

i County Attorney -

1. Employee Drug Testing and Criminal Background Check (Policy)

County Attorney Packer advised that he will bring a policy that will require drug testing for new employees and random testing for certain employees who operate equipment or otherwise providing services that would be dangerous if they were under the influence and a drug policy that would require testing of those with reasonable suspicion that

employees under the influence. He has gathered policies from other jurisdictions and will modify those in ways that would fit the employment situation here in Sussex and bring it to the next regularly scheduled meeting.

**Item 14. Unfinished Business**

a. Wood Fuel Developers Tax Abatement Request

There was no discussion or action on Wood Fuel Development Abatement Request.

b. Proposed Law Mower Purchase (9:43 pm)

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the purchase of the John Deere Z9115B Lawn Mower from James River Equipment Company located in Wakefield VA, at a price of \$6,399.00.

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

Voting nay: none

Abstaining: Supervisor Tyler

c. Economic Development Outline Plan/RFP

Chairman Tyler advised that Administration has given to the Board at a previous meeting, a possible outline for the Economic Development Plan. Her asked for approval to move forward and to seek Request For Proposal to hire a consultant to come in and assist and facilitate the economic development plan.

ON MOTION OF SUPERVISOR STRINGFIELD, SUPERVISOR CAPLE to move forward with the plan to solicit a consultant to assist with the development of an Economic Development Plan.

Voting aye: Supervisors Caple, Stringfield, Tyler

Voting nay: Supervisor Fly, Futrell, Warren

The motion failed due to tie vote.

d. Former County Administration Building Renovations

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR WARREN and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes County Administration to seek the least cost scenario of stopping the water intrusion into the building formerly used by County Administration or new roof and report findings to the Board.

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

Voting nay: none

e. Hiring and IT Person

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR WARREN to have County Administration explore the possibility of evaluating whether the County would be better off with a part time IT person than continuing with our contractual services that we have.

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

Voting nay: none

f. Wireless Internet Campus Wide

Supervisor Fly stated that he thought the County had established a wireless network across the campus. He asked County Administration to check to find out if we have a campus wide wireless internet service.

g. Fiscal Year 2014 Budget (stricken, no discussion)

h. George E. Morrison, III Employment Status

Supervisor Fly stated that this is an ongoing situation that we have in the County. In an attempt to try to clear up some past things.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR WARREN to sever Mr. Morrison's employment with Sussex County at this time.

Supervisor Caple asked if this item should be discussed in Closed Session since this item is in litigation.

Supervisor Fly stated that he was not aware of any litigation.

Chairman Tyler stated that there is correspondence that each Board member should have received.

Supervisor Fly requested that this item be moved to Closed Session.

Supervisor Warren withdrew his second.

Supervisor Fly withdrew his motion.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR WARREN and carried: RESOLVED that the Sussex County Board of Supervisors will discuss George E, Morrison, III employment status in Closed Session.

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

Voting nay: none

**Item 15. New Business**

a. 2013-2014 VACORP Self Insurance Proposal

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the Self Insurance Renewal for Property, Liability, Workers' Compensation and Line of Duty Act coverage for July 1, 2013 to July 1, 2014.

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

Voting nay: none

**Item 16. Board Members Comments** (10:04:48 PM)

Supervisor Stringfield stated that the Board says they want to move forward, but we won't come up with a plan where we can move forward.

Chairman Tyler stated that he is totally disappointed in that after the Board has asked Administration to come up with an economic development plan and Administration did that and subsequently the Board talked about the urgency of having a plan to attract industry into Sussex, then not support it.

Supervisor Fly explained that it's not a vote against revenue – it a vote about cleaning your house up. He stated that the County still has an Economic Development Director of our staff which was paid to develop an Economic Development Plan. He stated that he believes that a decision needs to be made as to whether or not there is an Economic Development Director or not.

Chairman Tyler stated that is immaterial whether or not someone is in that position; the Board has a responsibility to attract industry.

**Item 17. Department/Staff/Commission Reports** - none

**Items 18. Closed Session** (10:08:19 PM)

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters Closed Session under Section 2.2-3711(A) under the Virginia Freedom of Information Act; specifically under Subsection 1, for the purpose of discussing the employment of one employee; under Subsection 3, to discuss the acquisition of real property for economic development, two items if they were discussed in open session could adversely impact the ability of the Board to negotiate for the property and under Subsection 7 to discuss pending litigation concerning the lawsuit entitled Harris versus Board.

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

Voting nay: none

**Item 19. Return To Open Session** (10:55:55 PM)

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisor hereby returns to open session; and

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

WHEREAS, Section 2.2-3711 of the Code of Virginia, 1950, as amended, requires a certification by the County of Sussex Board of Supervisors that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the County of Sussex Board of Supervisors hereby certifies that to the best of each member's knowledge (1) only public business matters lawfully exempt from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened, were heard, discussed or considered in the meeting to which this certification applies.

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

Voting nay: none

**Item 20. Action Taken on Items Discussed in Closed Session**

ON MOTION OF SUPERVISORS WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes the acquisition of two parcels of land known as the Higgins Tract and the Cardin Tract, being part of the Mega-Site adjacent to Beef Steak Road for the prices and under the conditions as previously authorized by this Board in the option for those properties.

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

Voting nay: none

**Item 21. Recess**

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the May 16, 2013 meeting of the Sussex County Board of Supervisors is hereby recessed until May 30, 2013, 7pm.

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

Voting nay: none