

**At A Regular Meeting of the Sussex County Board of Supervisors
Held on Thursday, March 20, 2014, 7:00 p.m. in the
General District Courtroom – Sussex Judicial Center**

Board Members Present:

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

Others

Thomas E. Harris, County Administrator
Michael R. Packer, County Attorney
Onnie L. Woodruff, Treasurer/Interim Director of Finance
Ellen G. Boone, Commissioner of the Revenue
Raymond R. Bell, Sheriff
Eddie T. Vick, Public Safety Coordinator
Chequila H. Fields, Director of Social Services
Marvin J. Drew, II, Environmental Inspector

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Item 1. Call To Order

The March 20, 2014 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 Stringfield.

Item 3. The Pledge of Allegiance

The Pledge of Allegiance was recited by all.

Item 4. Agenda Amendments

The following agenda amendments were recommended: 1) Remove Item b under the Consent Agenda, \$50,000.00 payment to Oyster Point and place it as “Item a” under Unfinished Business; 2) Request by Mayor of Jarratt, place as “Item 11a” under New Business; 3) Audit Review by Paul Lee to be changed as “Item 7b”; 4) Items that came out of Board Charette, under County Administrator’s Report.

Item 5. Approval of Regular Agenda

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the March 20, 2014 regular agenda, with the following amendments: (1) Remove Item b under the Consent Agenda, \$50,000.00 payment to Oyster Point and place as Item a under Unfinished Business; (2) Request by Mayor of Jarratt, place as Item a under New Business; (3) Audit Review by Paul Lee to be changed as Item 7b.

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

Voting nay: none

Item 6. Approval of Consent Agenda

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the March 20, 2014 Consent Agenda, to wit: a) Approval of Minutes of February 20, 2014 meeting; b) Appropriate \$6,915.00, City of Franklin VA, rain gauges; c) Appropriate and Transfer \$1,750.00, Timmons Group, Invoice #158283; d) Appropriate and Transfer \$1,500.00, Timmons Group, Invoice #158284; e) Appropriate and Transfer \$1,000.00, Timmons Group, Invoice #158285; f) Approval of Application and Certificate for Payment, Kenbridge Construction Company, \$124,526.17; g) Approve and Appropriate \$3,850.00, McGuireWoods, Invoice #91625271; h) Approval of Warrants and Vouchers

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

Voting nay: none

Item 7. Appointments

Item 7a. Appointment to John Tyler Alcohol Safety Action Program

Tabled until April 16, 2014 Board meeting.

Item 7b. Audit Review

Mr. Paul Lee, CPA, Robinson, Farmer Cox Associates provided the Audit Review. (A

copy is retained in the March 20, 2014 Board packet).

Item 8. Standing Reports/Staff/Committees/Organizations

Item 8a. County Administrator's Report

Item 8a1. Courthouse Lease/Historical Society/Old Courthouse Repairs/Contract Update

County Administrator Harris reported that he has met with Mrs. Virginia Cherry, President of the Sussex Historical Society to discuss the current contract and our respective needs. The Historical Society will be submitting a grant application to the Cameron Foundation for monies to help repair the roof at the historic courthouse. He asked if the Board would consider sending a letter of support with the application.

Hearing no opposition, the Chairman announced that the Board approves of staff sending a letter of support to the Historical Foundation for their grant application to the Cameron Foundation.

Item 8a2. Status of Finance Director

County Administrator Harris reported that an interview was held; but unfortunately the other applicant was not able to make the interview. He thanked Mrs. Ellen G. Boone, Commissioner of the Revenue and Dr. Arthur Jarrett, Superintendent of Schools for serving on the Interview Panel and he is looking at a date to reschedule the other interview.

Item 8a3. Radio Hardware and Upgrade RFP Project Update

Eddie Vick, Public Safety Coordinator reported that enclosed in the Board's packet is the description of the RFP pricing and the attached contracts (Task Order 3, and Contract Amendment Number 1).

1. Develop Procurement Strategy - \$29,248
 - a) Federal Engineering will meet with the County to finalize the system requirements (e.g., P25 upgrade, trunked versus conventional, coverage area, and performance) and to discuss the Procurement Strategy.
 - b) The potential financial benefits and risks of procuring the system in several steps versus a single upgrade will be explored.

- c) Federal Engineering will document the final approach agreed to by the County in memorandum form before moving forward with RFP Development.
- Section (a): Sussex County will continue with its current system (analog) without replacing its radio equipment (mobile, portables and pagers). The upgrade includes replacing the system “hardware” which includes all components that are obsolete and all equipment not compatible to a software upgrade for a digital signal in the future. It will include addressing the two (2) tower relocation and how this can be accomplished. This upgrade will incorporate adding 3 additional radio channels (Fire Rescue, Sheriff and the School System Channel) that we currently have license for. It will address the “Vehicle Repeaters” that will be installed in some vehicles. This upgrade will address the Dispatch Console Equipment and our current backup system (Waverly Dispatch Console). The coverage area topic is linked to the vehicle repeaters and/or tower locations.
- Section (b): Self-Explanatory but, it will likely be much more cost effective if we proceed with the complete project.

2. Develop RFP Including Specifications – \$22,480

- a) Federal Engineering will draft one set of RFP specifications
- b) Federal Engineering will review the draft RFP specifications with Sussex Public Safety and Sussex Procurement
- c) Federal Engineering will deliver final RFP specifications
- These sections are based on the information above.

3. Procurement Support – \$26,460

- a) Federal Engineering will attend vendor pre-bid
- b) Federal Engineering will generate answers to vendors’ questions
- c) Federal Engineering will develop modifications to the RFP if necessary
- d) Federal Engineering will review proposals
- e) Make recommendations
- All sections listed above: Federal Engineering will attend the Pre-bid Meetings to answer question or address issues that the bidders may have. From these issues, Federal Engineering will

address these concerns and inform all bidders to ensure they have access to all topics discussed. If needed, they will make modification to the RFP. Once we receive the response's back, Federal Engineering will review them to ensure they meet the specifications. Outlined in the attached Task Order 3, they will review two (2) responses but, if more than two, it will be an additional \$5,440.00 each.

4. Negotiations Support – \$12,460

- a) Federal Engineering will provide up to 40 hours of on-site technical assistance during vendor contract negotiations
 - This section may or may not be needed. This will be dependent upon the responses we receive and the project itself. However, if technical assistance is needed, we already have this in place.

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves and appropriate \$90,648.00 for the Radio Hardware and Upgrade RFP Project.

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

Voting nay: none

Item 8a4. Update of Building Formerly Used By County Administrator

As requested by the Governing Body staff is currently awaiting costs estimates from Kenbridge Construction to include in the FY 2015 Capital Projects Plan.

Item 8a5. Surplus Vehicle Status Report

County Administrator Harris acknowledged, commended and publicly thanked Ms. Deborah A. Davis, Assistant to the County Administrator for her tireless and effective work on the County's Surplus Online Auction (*GovDeals.com*). He also thanked Mrs. Anne Ellis, Accounts Payable Clerk and Mr. John Broderick (School Division) for their assistance. Ms. Davis continues to research a lost title to one vehicle. In closing, the auction went very well and the County was able to recoup **\$30,758.65** of public investment.

Item 8a6. Fiscal Year 2015 Budget

The Interim Director of Finance will make a presentation on the FY 2015 budget.

Item 8a7. Board Charette

County Administrator Harris reported that due to problems with our email server this week, he had not been able (at this time) to provide the draft minutes for the March 8, 2014 meeting in the Board packet. He stated that the meeting itself was very productive for those Board members in attendance (including the Board’s Tie Breaker Mr. Bill Collins) along with the Interim Finance Director, County Attorney and County Administrator. Throughout the meeting, we reviewed and discussed a series of issues critical to the County’s future. Additionally the Board was provided with two bound documents – “*Vision 20/20 Strategic Planning Sessions and Plan Development.*” In addition to outlining the process that the County has embarked on in the developing a “*community based*” Economic Development Plan/Strategy, it also included those areas that our people have determined as important to our success and finally it includes those efforts being made and planned by the County Administrator to move each forward.

Secondly, each attendee was provided an Industrial Site report to help the Board make current and future investment/development decisions regarding the success of each.

The cost for the one day charrette includes the following.

Supplies -	\$179.72
Meals/Refreshments	\$173.47
Total expense	\$353.19

Each attendee was provided a copy of the County’s Industrial Sites Report, a summary of the Vision 20/20 Strategic Planning Sessions and the attendees reviewed the sites that the County owns so that they could get a better understanding of which is the most developable.

And finally, the Board attendees asked that a draft motion be provided at the March 20th Board meeting to appropriate economic development funds and establish provisions on the use of such funds.

Recommendation: Modify the DRAFT minutes as required/needed and approve and if approved, then approve the appropriation of \$33,000.00 for Economic Development to be available under the same guidelines as the Administrative Efficiency Policy.

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

and appropriate the sum of \$33,000.00 as an addition to the fiscal year's 2013-2014 budget in a line item for soft costs related to economic development; the source of such funding shall be the unallocated reserves; and

WHEREAS, that all expenditures from the aforementioned appropriation be made in strict accordance with the "Administrative Efficiency Policy" adopted by the Board on October 20, 2011; such policy specifically requiring that any single procurement for goods or services in an amount exceeding \$15,000.00 be forwarded, with the County Administrator's recommendation, to the Board for approval and award; and

WHEREAS, that the County Administrator included a proposed appropriation of \$100,000.00 in the fiscal year's 2014-2015 budget for the Board's consideration; such funds to be for soft costs relate to economic development in that fiscal year with the same limitations and requirements as specified in paragraph 2 above; and

WHEREAS, the funds appropriated herein and anticipated to be appropriated in fiscal year 2014-2015, shall be in addition to any funds appropriated for the stated purpose that come from grants, awards or third party contributions; such funds, if any, shall be appropriated by separate action of the Board.

County Administrator Harris requested that the Board approve the minutes of the March 8, 2014 charrette prior to adopting the aforementioned resolution.

Supervisors Hamlin and Futrell withdrew their second and motion, so that the Board could take action on the minutes of the March 8, 2014 charrette.

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR HAMLIN and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the minutes of the March 8, 2014 Board charrette.

Voting aye: Supervisors Caple, Futrell, Hamlin, Stringfield

Voting nay: none

Abstaining: Supervisors Fly, Warren

ON MOTION OF SUPERVISOR HAMLIN seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves and appropriate the sum of \$33,000.00 as an addition to the fiscal year's 2013-2014 budget in a line item for soft costs related to economic development; the source of such funding shall be the unallocated reserves; and

WHEREAS, that all expenditures from the aforementioned appropriation be made in strict accordance with the "Administrative Efficiency Policy" adopted by the Board

on October 20, 2011; such policy specifically requiring that any single procurement for goods or services in an amount exceeding \$15,000.00 be forwarded, with the County Administrator's recommendation, to the Board for approval and award; and

WHEREAS, that the County Administrator included a proposed appropriation of \$100,000.00 in the fiscal years 2014-2015 budget for the Board's consideration; such funds to be for soft costs relate to economic development in that fiscal year with the same limitations and requirements as specified in paragraph 2 above; and

WHEREAS, the funds appropriated herein and anticipated to be appropriated in fiscal year 2014-2015, shall be in addition to any funds appropriated for the stated purpose that come from grants, awards or third party contributions; such funds, if any, shall be appropriated by separate action of the Board.

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

Voting nay: Supervisor Fly

Item 8a8. Economic Development and County Mega/Industrial Sites

County Administrator Harris reported that Sussex County is moving forward with the following:

1. Mega-site:

- a. Our engineers (Timmons) are currently completing the Boundary Survey for the Hancock property.
- b. Completing the drawings for the site entrance (gravel access road) and the clearing of pad sites.
- c. The preliminary engineering report for the Peebles' Tract is 100% completed and the Higgins and Carden Tracts is 75% (waiting for wetlands and geo-technical (soil) studies to be complete.
- d. VDOT is looking at repaving Beefsteak Road (State Route 626) and therefore staff/engineers are looking at County needs at this time.
- e. Harvesting and Timber study has been complete.
- f. Acquisition Study is 80% complete.

2. **Blackswamp Wastewater Treatment Plant Expansion Study:** 100% complete.
3. **Cabin Point Site:** Our engineers (Timmons) are moving forward with the preparation of the water and sewer designs.
4. **Economic Development Marketing:** Please be further advised that we do have a couple of site visits (prospective businesses) scheduled and are working with the Sussex Service Authority, Virginia's Gateway Region and major utility companies.

Item 8a9. County Office Steps

Please be advised that the back door steps have been completed and work will begin shortly on the front.

Item 8a10. Chowan River Basin – United States Geological Survey (USGS) Funding Agreement

Please be advised that our current agreement expires in June 2014 and Sussex has been asked to continue the alliance for another five years. Once we have a better understanding, the County Administrator will seek Board direction/approval. The County Administrator and Public Safety Coordinator have a meeting scheduled for Friday, March 21, 2014 at 1:00 p.m., in Ivor, to get a better understanding of the nature of the extended agreement.

Item 8a11. Emergency Services

Please be advised that pursuant to our agreement for additional EMS services in Waverly (paid staff) in an effort to meet public safety community needs, County Administrator Harris has signed a one year extension. Please be further advised that this agreement can be canceled with a thirty (30) day notice.

Item 8a12. Miscellaneous Report

1. **Commonwealth's Attorney Building:** At the March 8th charrette, the County Administrator was given direction to move forward with putting data and phone wire in the conduits that were part of the building design/contract. To date, we have one proposal and are waiting on two other requests.

2. **Gateway Region:** Again at the March 8th Charrette, a majority of the Board agreed to supplement a site visit (\$1,000.00) and to have a County table at the March 27th Gateway Annual Meeting.
3. **Shad Planking:** The County Administrator stated that he had conveyed to Jason Williams, District Manager, Atlantic Waste Disposal, that the Board would like tickets to the Shad Planking. This is a gift that Atlantic Waste Disposal provides annually to the governing body.
4. **Cactus Hill Committee:** Please be advised that at this time, there are five members on Committee – Bill Collins, Gary Williams, Mr. Ogilvy, Mary Savedge and Frank Irving. Additionally, the County Administrator will have the Committee staffed by a County employee and would suggest that the Board appoint any additional members that it feels would benefit the effort. Mrs. Virginia Cherry, President of the Sussex Historical Society would be interested as needed.
5. **Vacated Schools:** As reported in the March 8, 2014 Board charrette, all three vacated elementary schools have been conveyed to the County. Furthermore, please be advised that we have several proposals regarding the sale of parts of the school, i.e., fuel tanks, playground equipment, etc.
6. **Deputy County Administrator:** Due in part to growing health concerns and the Board's expressed concerns for a Deputy County Administrator, please be advised that I have appointed Ms. Deborah Davis to the position of Acting Deputy County Administrator for Community Relations and Central Office Administration. This appointment was effective March 18, 2014.

Please be further advised that after additional discussion with the Board, the County Administrator will put into place the process of developing a job description and objective selection criteria to fill this position on a permanent basis.

Mr. Harris stated that he is proud to make this appointment, as it not only eliminates some expressed concerns, but more importantly because Ms. Davis is a loyal and talented member of the Sussex Administrative staff, is very much revered in the community and has proven to be an exceptionally talented Public Relations Team member, a dedicated public servant and positive servant leader.

Furthermore, he stated that he believes that he has authority to provide an increase in salary for this appointment, to better bridge and coordinate our collective efforts. He recommended a \$5,000.00 raise to be taken from the currently vacated budgeted position for Ms. Davis to be approved by the Board.

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR HAMLIN that the Sussex County Board of Supervisors hereby approves the \$5,000.00 salary increase for Deborah A Davis as the result of the County Administrator appointing her as Acting Deputy County Administrator.

Chairman Fly offered a substitute motion.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR HAMLIN and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the matter of a salary increase for Deborah A. Davis be brought into Closed Session since it is a personnel matter for the discussion of salary.

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

Voting nay: none

Item 8b. Treasurer/Interim Director of Finance (Report included)

Onnie L. Woodruff, Treasurer/Interim Director of Finance provided a brief report to the Board.

Item 8c. Commissioner of the Revenue – no report

Item 8d. Sheriff's Department

Sheriff Bell reported that the Sussex County Sheriff's Office was selected by the Virginia Sheriff's Association to do a video. That video has been completed, will be released in April and he will present a copy to the County.

In addition, the Sussex County Sheriff's Department was chosen and has received nineteen new bullet proof vests, at no expense to the County. This also included our Animal Control Division.

Item 8e. Superintendent of Schools – no report

Item 8f. Director of Social Services – no report

Item 8g. General Registrar – no report

Item 8h. Health Department – no report

Item 8i. County Attorney – no report

Item 12. New Business

Item 12a. Town of Jarratt's Request

Jarratt Town Council Member, Mike Grizzard requested that the Board donate the playground equipment which currently sits on the Jefferson Elementary School site, which was recently vacated and turned back over to the County. They are willing to disassemble and remove the equipment and clean the area after completion.

ON MOTION OF SUPERVISOR HAMLIN, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby donates the playground equipment which is currently located on the former Jefferson Elementary School site, provided that they remove the equipment and clean the area after removal.

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

Voting nay: none

Item 10. Citizens' Comments

Comments were heard from the following citizens:

Bill Collins, Courthouse District

Otto Wachsmann, Courthouse District

Kevin Bracy, Courthouse District

Supervisor Futrell spoke about the playground equipment that remains on the three vacated elementary schools. Chairman Fly requested that this item be moved to the Waverly District report and Supervisor Futrell may discuss it at that time.

Item 11. Unfinished Business

- a. **Murrell, Eugene and Smith Lanes:** County Administrator Harris reported that he met with VDOT (Joe Lomax, Franklin Residency Administrator) on Thursday March 13th to discuss the Six Year Plan (scheduled to be before the Board at its May meeting) and then took the time to discuss how we

could move Murrell, Eugene and Smith Lanes forward. In their conversation, Mr. Lomax indicated that he needed the original deeds/plats to determine if VDOT could address these roads and thanks to Mrs. Shannon Fennell's timely work, we were able to get them to him by Thursday evening. Mr. Lomax further stated that he had completed his preliminary work on two of the sites but had little to go on with Smith Lane, as it was brought to his attention by a former Board member.

Supervisor Hamlin advised that he has spoken with the Rivers Family regarding Smith Lane and there is a situation where one person is not willing to give property to in order to proceed with the project. He stated that he will try to communicate with the property owner.

- b. **\$50,000.00 Payment to Oyster Point Construction/Elementary School Deficiencies:** After a brief discussion regarding this issue, The Board of Supervisors, by general consensus, decided to schedule a meeting with the Dr. Arthur Jarrett, School Superintendent and School Board members to walk through the new elementary school together.
- c. **Vision 20/20:** Please be advised that the next rounds of the County's Vision 20/20 Strategic Planning (Economic Development Plan) will begin in April. We had originally planned to begin in March, however Mr. Denny Morris (Executive Director of Crater Planning District Commission) was not able to assist at that time.

Item 13. Board Members' Comments

- a. Blackwater District – no report
- b. Courthouse District – no report
- c. Henry District - Supervisor Hamlin explained the purpose of the charrette
- d. Stony Creek District – Supervisor Caple expressed his desire for playground equipment to be placed at Stony Creek Park
- e. Wakefield District – Supervisor Stringfield expressed his desire for playground equipment at Chambliss Elementary to be kept in place
- f. Waverly District – Supervisor Hamlin is in favor of equipment being donated to the Stony Creek Park; thanked Mr. Hamlin for helping to get two places repaired on the railroad in Waverly

By general consensus, the Board directed the County Administrator to schedule a meeting between the Board of Supervisors, Dr. Arthur Jarrett, School Superintendent and School Board members to walk through the new elementary school together.

Item 14. Departmental Reports (included in the Board's packet)

Item 15. Closed Session

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters Closed Session, applicable Code Section 2.2.3711(A)(1) for the consideration of salary of one County employee; consideration of evaluation of one County employee and consideration of potential litigation which requires advice from legal counsel.

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

Voting nay: none

Item 16. Return To Open Session/Certification

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby returns to Open Session; 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, Hamlin, Warren

Voting nay: none

Item 17. Return To Open Session/Certification

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR WARREN and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves and appropriates the amount of \$5,000.00 salary increase for Ms. Deborah A.

Davis, as a result of being promoted to Acting Deputy County Administrator, effective immediately.

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

Voting nay: Supervisor Stringfield

Item 18. Adjournment

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the March 20, 2014 meeting of the Sussex County Board of Supervisors is hereby adjourned at 10:02 p.m.

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

Voting nay: none