November 17, 2011

**To:** Honorable Members of the County of Sussex Board of Supervisors

**From:**  Thomas E. Harris, County Administrator

**Subject:** Sussex County Board of Supervisors Public Hearing

Thursday, November 17, 2011 – 7:00 p.m.

General District Courtroom – Sussex Judicial Center

PUBLIC HEARING AGENDA

1. 7:00 Call To Order/Determine Quorum – Chairman
2. Motion To Approve Public Hearing Agenda

Recommendation: Move to approve the agenda of the November 17, 2011 Public Hearing meeting as presented (or amended)

1. Motion To Enter Public Hearing
2. Public Hearing
3. An Ordinance to completely revise, update, amend, enact and ordain ***Chapter One*** (General Provisions) of the Code of Ordinances of Sussex County, Virginia

Chapter One – Public Comment

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Chapter One – Board Comment

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1. An Ordinance to completely revise, update, amend, enact and ordain ***Chapter Two*** (Administration) of the Code of Ordinances of Sussex County, Virginia Section 2-51 and Section 2-72, the Redistricting Ordinance portions of Chapter Two has been previously enacted by the Board of Supervisors and approved by the United States Department of Justice

Chapter Two – Public Comment

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Chapter Two – Board Comment

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1. An ordinance to update, amend enact and ordain a completely revised ***Chapter Three*** (Animals) and the component sub parts therein of the Code of Ordinances of Sussex County, Virginia, as amended

Chapter Three – Public Comment

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Chapter Three – Board Comment

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1. An ordinance to update, amend, enact and ordain a completely revised ***Chapter Four*** (Building) and the component sub parts therein of the Code of Ordinances of Sussex County, Virginia, as amended

Chapter Four – Public Comment

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Chapter Four – Board Comment

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1. An Ordinance to update, amend, enact and ordain a completely revised ***Chapter Five*** (Courts) and the component sub parts there in of the Code of Ordinances of Sussex County, Virginia, as amended

Chapter Five – Public Comment

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Chapter Five – Board Comment

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1. An Ordinance to update, amend, enact and ordain a completely revised ***Chapter Six*** (Emergency Services) and the component sub parts therein of the Code of Ordinances of Sussex County, Virginia

Chapter Six – Public Comment

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Chapter Six – Board Comment

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1. An Ordinance to completely revise, update, amend, enact and ordain ***Chapter Ten*** (Motor Vehicles and Traffic) of the Code of Ordinances of Sussex County

Chapter Ten – Public Comment

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Chapter Ten – Board Comment

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1. An Ordinance repealing Chapter Eleven (Offenses and Miscellaneous Provisions) of the Sussex County Code and amending, re-ordaining and enacting ***Chapter Eleven*** (Offenses and Miscellaneous Provisions) in its entirety, of the Sussex County Code. (Note: Chapter Eleven contains a proposed county noise ordinance and juvenile curfew ordinance among other sections in this Chapter to be considered at this public hearing)

Chapter Eleven – Public Comment

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Chapter Eleven – Board Comment

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1. Motion To Return To Regular Session
2. Board’s Actions on Public Hearing Items
3. Motion to Continue or Adjourn

November 17, 2011

**To:** Honorable Members of the County of Sussex Board of Supervisors

**From:** Thomas E. Harris, County Administrator

**Subject:** Sussex County Board of Supervisors Public Hearing

Thursday, November 17, 2011 – 7:30 p.m.

General District Courtroom – Sussex Judicial Center

PUBLIC HEARING AGENDA

**ITEM 1. 7:30 p.m. CALL TO ORDER/DETERMINE QUORUM** – Chairman

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**ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE**

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**ITEM 3. AMENDED AGENDA**

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**ITEM 4.** **APPROVAL OF REGULAR AGENDA**

Recommendation: Move to approve the Sussex County Board of Supervisors November 17, 2011 Regular Meeting Agenda, as presented (or as amended)

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**ITEM 5. APPROVAL OF NOVEMBER 17, 2011 CONSENT AGENDA**

**ITEM 5a. Approval of Appropriations**

1. Sheriff’s Department, $5,000 from one line item to another
2. Sheriff’s Department – Highway Safety Grant, $7899
3. Appropriation of $62,706.17 (One-Time Salary Supplement)

**ITEM 5b. Approval of Warrants and Vouchers**

1. Expenditures Summary Report October 2011
2. Bills having been paid for October 2011
3. October 2011 Payroll/Warrants
4. October 2011 Voided Checks

**Recommendation**: Motion to approve the November 17, 2011 Consent Agenda (Minutes/ Appropriations/Warrants/Vouchers) as submitted and herein described

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**ITEM 6. STANDING REPORTS: STAFF/COMMITTEES/ORGANIZATIONS**

**ITEM 6A. HEALTH DEPARTMENT REPORT:** No report at this time

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**ITEM 6B. COUNTY ADMINISTRATOR’S REPORT**

**ITEM 6B1. Letter of thanks from Chesterfield County:** Included in the Board packet is a copy of a letter from Mr. James J. L. Stegmaier, Chesterfield County Administrator, He thanked Sussex County for their ongoing support of the regional Med-Flight Program (See enclosure).

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**ITEM 6B2. Letter of thanks from Miles B Carpenter Museum:** Included in the Board packet is a copy of a letter from Mrs. Shirley Yancey and Mrs. Thelma Wyatt, President and Treasurer, respectively, of the Miles B. Carpenter Museum, thanking the county for the $10,000.00 donation. (See enclosed). Please be advised that I attended my first Annual “Peanut Festival” Saturday November 5, 2011 and had a great time.

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**ITEM 6B3. Personal Thanks:** Mr. Millard “Pete” Stith, of Virginia State University has expressed his desire to appear before the Board of Supervisors to publicly thank them for the donation to the University. Mr. Stith plans to be in attendance at the November 17th Board Meeting.

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**ITEM 6B4. Deputy County Administrator’s Contract**: Supervisor Fly requested that this item be added to the agenda.

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**ITEM 6B5. County Website Updat**e: Supervisor Fly requested that this item be added to the agenda.

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**ITEM 6B6. VACo County Supervisors’ Forum**: The Virginia Association of Counties offers County Supervisors to concentrate on critical issues facing counties today. The Program is scheduled for January 6-8, 2012 at the Richmond Marriott. Please contact Ms. Deborah Davis if you would like to attend the forum. (See enclosed)

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**ITEM 6B7. Medicare and Medicaid Services**: VACo has offered comments on the proposed regulations governing Medicaid eligibility changes. (See enclosed) and has asked that Counties provide similar support.

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**ITEM 6C: TTREASURER’S REPORT** (see enclosed)

Page 1 Bank Reconciliation

Pages 2-7 Treasurer’s Accountability – Balance sheet

Page 8 General Fund Balance sheet

Pages 9-10 Revenue/Expense Summary By fund

Pages 11-13 General Fund Revenue Summary by Major Source

Pages 14-16 General fund Expense Summary By Department

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**ITEM 6D. GENERAL REGISTRAR:** Mr. William Jenkins, General Registrar will be in attendance at the November 17th meeting to request a budget appropriation. (See enclosed)

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**ITEM 6E. COMMISSIONER OF THE REVENUE:** *(no report at this time)*

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**ITEM 6F. SHERIFF’S DEPARTMENT** *(no report at this time … see Consent Agenda)*

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**ITEM 6G. SUPERINTENDENT OF SCHOOLS:** Dr. Charles H. Harris, III, Superintendent of Schools has provided an invoice from Rancorn Wildman Architects for the Elementary School Project.

**Recommendation**: To approve and appropriate the payment in the amount of $60,524.76 to Rancorn Wildman Architects.

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**ITEM 6H. Director of Social Services:** Please find enclosed a request from Chequila Fields, Director of Social Services for the Board to approve and appropriate funds to the Sussex County DSS the $53,000.00 Grant that the Department has received from the Cameron Foundation. As County Administrator I too would like to congratulate Ms. Fields and her staff on their efforts.

**Recommendation:** *To accept and appropriate the grant in the amount of $53,000.00 received from the Cameron Foundation and direct the County Administrator to confirm this approval with the Director of Social Services.*

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**ITEM 6I. County Attorney:** Enclosed is a copy of a the Petition for Extension of Completion of Reassessment.

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**ITEM 6I. HEARING OF CITIZENS’ COMMENTS**

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**ITEM 7. UNFINISHED BUSINESS**

**ITEM 7A. By-Laws and Rules of Procedure for Planning Commission:** Included in the Board packet are the proposed By-laws and Rules of Procedure for the Planning Commission. I am currently working on a Board Directory to include the Planning Commission. Upon approval the Board will need to make the necessary appointments by unfilled District representation to insure equal representation in all Voting Districts.

**Recommendation:** To approve the By-Laws as recommended.

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**ITEM 7B. Tobacco Commission Grant Resolution**: Included in the Board packet is a draft resolution for the Tobacco Commission Grant program. This Grant will allow for the purchase of the Mega-Site/Industrial Park due on November 18, 2011. Additionally Mr. Brittle has provided a letter of support for the project.

**Recommendation:** *To approve the Virginia Tobacco Indemnification and Community Revitalization commission Special Projects Mega Site Grant Program as drafted.*

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**ITEM 7C. Communications Request For Proposal (RFP) Report:** Please be advised that staff is in the process of completing our evaluation … which has been delayed for medical reasons.  *If completed prior to the meeting I will have copies and a recommendation available for your consideration.*

**Recommendation:** Pending final review and a recommendation from the review committee.

*(Please note that following completion of the review and reference checks, the County Administrator would like to offer a contract to the lowest responsible respondent as expeditiously as possible)*

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**ITEM 7D. Public Complaint Policy:** Following discussions at the October Board Meeting I am again recommending that the Board adopt the attached Complaint Policy … due in part to complaints that sometimes go unintentionally unattended. As such I have drafted the attached (proposed) Sussex County Complaint Policy. This policy requires documentation and a conclusion to both real and imagined complaints. When implemented, it will also assure County Staff that unfounded complaints will be put to rest.

**Recommendation:** *For the Board of Supervisors to approve and adopt the Sussex County Public Complaint Policy as submitted and further to authorize the County Administrator to distribute and implement*.

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**ITEM 7E. Personnel Management Procedure Policy:** Based on recent personnel management decisions and the fact that I have had to counsel employees regarding personnel management and protocol, I am recommending the attached Policy to outline step by step the procedures to be used (and documented) in managing County staff. As a Public Administrator, it is absolutely essential that all employees be treated in a fair and like manner, that efforts are consistent between departments and agencies of the County and that these efforts be documented. I realize that I am a stickler for sound policy and therefore would encourage the Board of Supervisors to adopt and approve these standard personnel management procedures … which mirror the initial steps of our grievance procedures.

Recommendation: *For the Board of Supervisors to approve and adopt the Sussex County Personnel Management Procedure Policy as submitted and further to authorize the County Administrator to distribute and implement.*

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**ITEM 7F. Employee Sick Leave Bank Policy**: Tabled from October 20, 2011 meeting. Please find attached the recommended Sussex County Employee Sick Bank Policy. This policy will not cost the County anything financially, will help build equity and team building in our operations and is managed by members (staff) for members (staff). Over the years this has been a very effective and cost efficient way of building the employment team in other communities. Please note that it is voluntary.

**Recommendation:** *For the Board of Supervisors to approve and adopt the Sussex County Employee Sick Leave Bank Policy and further to authorize the County Administrator to distribute and implement.*

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**ITEM 7G. Sussex County Personnel Policies and Procedures**

As County Administrator, I am pleased to provide the Board with a copy of the proposed/recommended Sussex County Personnel Policy. Please be advised that I have drafted this document as a means of meeting the following needs:

1. First and foremost as a practical and easily understood Policy and Procedure Manual for our staff that is based on *“operational and management”* needs
2. To clarify *“who”* is in charge of personnel and personnel management
3. To clarify the fact (if/once adopted) that this is the *“official”* County Personnel Policies and all other’s are rescinded
4. To more clearly establish rules, regulations and expectations for line staff, supervisors and administration as they relate to personnel management and employee expectations/requirements in a way that can be readily implemented and as a means of holding all levels of the organization to a set of standardized rules and regulations … even if there has been no prior training.
5. Please note that each Policy Section is titled and identified separately so that if the Governing Body chooses or needs to change a Policy in the future it can be done independently.
6. As such the Sussex County Personnel Policies and Procedures can be updated on an as needed basis without losing access to all of the other policies.
7. Please note that there are several referenced and accompanying Policies that I would like to continue to work on … which include:
8. Personnel Management Plan (Restricted Classification Plan - RCP)(previously provided)
9. Inclement Weather Policy (currently being finalized)
10. Drug and Alcohol Policy (to be developed)
11. Light Duty Policy (to be developed)
12. Reimbursement Policy (to be developed)
13. And finally please be advised that this Policy has now been reviewed by Mr. Thompson … and while we do not agree on sections of the Preface (as submitted) we are in agreement that the recommended Sussex County Personnel Policy is legal and acceptable.

**Recommendation:** *For the Board of Supervisors to approve and adopt the Sussex County Personnel Policies and Procedures and further to authorize the County Administrator to distribute and implement.*

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**ITEM 8. APPOINTMENTS**

**ITEM 8A. Crater Area Agency on Aging:** Please be advised that there is no term expiration set by the Crater Area Agency on Aging and therefore the Board of Supervisors can set the terms as you deem appropriate. To this end, I would recommend that the Board set a two year term limit for your new appointment Brenda Burgess and direct the County Administrator to inform both the Crater Area Agency on Aging and Ms. Burgess.

**Recommendation:***To approve a two (2) year term for Ms. Brenda Burgess to expire December 31, 2013.*

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**ITEM 8B. Board of Zoning Appeals:** Please be advised that the *Board of Zoning Appeals*term of Mr. George Urquhart expires January 31, 2012. Mr. Urquhart has agreed to serve an additional term if appointed and if the Board acts in November, we can submit the nomination to the Circuit Court so that the nominee/appointee would be available in February.

**Recommendation:** *To approve the nomination of Mr. George Urquhart to the Board of Zoning Appeals (BZA) and direct the County Administrator to submit this nomination to the Circuit Court Judge for final disposition.*

Mr.George Urquhart, 7201 Newville Road, Waverly VA 23890

5-Year Term Expires 1/31/2012 **/** New 5-Year Term Expiration 1/31/2017

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**ITEM 8C. Board of Zoning Appeals:** Mr. Raymond Warren currently serves on the Sussex County Board of Zoning Appeals and has been elected to the Sussex County Board of Supervisors. Section 15.2-2308 of the Code of Virginia, as amended, states **“Members of the Board (Zoning Appeals) shall hold no other public office in the locality except that one may be a member of the local Planning Commission.”** (See enclosed). Therefore, it is necessary for the Board of Supervisors to submit a nomination to the Circuit Court Judge.

**Recommendation**: To nominate an individual at the December 15, 2011 Board meeting.

**ITEM 8D. Appointment to the Planning Commission:** As a result of the pending retirement of the Honorable Harris L. Parker, who serves as the Board of Supervisors appointee to the Planning Commission, the Board will need to appoint a replacement.

**Recommendation:** To appoint a member of the Board of Supervisors to serve on the Planning Commission for a term that runs concurrently with the term of office.

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**ITEM 9. NEW BUSINESS**

**ITEM 9A. Request to add Eugene’s Lane To VDOT’s Six Year Plan:** Please be advised that I previously submitted a request for Eugene Lane to be reviewed and included in the State’s Road System. None-the-less we will pass on this petition.

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**ITEM 10. BOARD MEMBERS COMMENTS/REPORTS**

**Blackwater District:**

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**Courthouse District:**

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**Henry District:**

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**Stony Creek District:**

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**Wakefield District:**

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**Waverly District:**

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**ITEM 11. REPORTS FROM DEPARTMENTS/STAFF/COMMISSIONS, ETC.**

**ITEM 11A. Animal Control**

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**ITEM 11B. Building Department** (enclosed)

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**ITEM 11C. Building and Grounds**

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**ITEM 11D. Deputy County Administrator/Director of Economic Development** (enclosed*)*

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**ITEM 11E. Environmental Inspections**

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**ITEM 11F, Housing Programs** (enclosed)

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**ITEM 11G. Planning & Zoning** (enclosed)

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**ITEM 11H. Public Safety**

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**ITEM 12. CLOSED MEETING**

**Recommendation:** To move into a Closed Session to discuss:

**1.**

**2.**

Applicable Code Sections 2.2-3711\_\_\_\_\_\_\_\_\_

**ITEM 13. RETURN TO OPEN MEETING**

**Recommendation:** To move to return to Open Meeting.

**ITEM 14. CERTIFICATION OF CLOSED MEETING**

**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,** 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 exempted 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.

**ITEM 15. MOTION(S) FROM CLOSED MEETING ITEM(S)**

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**ITEM 16. MOTION TO CONTINUE OR ADJOURN**

Recommendation: Motion to continue the November 17, 2011 meeting or to adjourn until December 15, 2011 meeting.