

At a Regular Meeting of the Sussex County Board of Supervisors  
Held in the General District Courtroom, Sussex Judicial Center  
On Thursday, January 20, 2011, 7:30 p.m.

**BOARD MEMBERS PRESENT**

T. Wayne 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, Interim County Administrator  
Henry A. Thompson, Sr., County Attorney  
Andre M. Greene, Director of Planning  
Eddie T. Vick, Public Safety Coordinator  
Shannon D. Fennell, Assistant to Director of Planning  
Brenda H. Drew, Housing Programs Coordinator  
Nicole L. Scuderi, Administrative Secretary  
Deborah A. Davis, Assistant to the County Administrator

**Item 1. Call To Order/Pledge of Allegiance/Invocation**

The January 20, 2011 meeting of the Sussex County Board of Supervisors was called to order by Chairman Parker; the Pledge of Allegiance was recited by all; the Invocation was offered by Supervisor Birdsong.

**Item 2. Annual Reorganization**

**Item 2a. Election of Chairman for Calendar Year 2011**

George E. Morrison, III, Interim County Administrator, requested nominations for office of Chairman of the Sussex County Board of Supervisors for calendar year 2011.

Supervisor Fly nominated Supervisor Parker for the position of Chairman of the Sussex County Board of Supervisors for calendar year 2011.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the nomination be closed on said name of the Honorable Harris L. Parker to be elected Chairman of the Sussex County Board of Supervisors for calendar year 2011.

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

Voting nay: none

**Item 2b. Election of Vice Chairman for Calendar Year 2011**

Supervisor Tyler nominated Supervisor Fly for the position of Vice Chairman of the Sussex County Board of Supervisors for calendar year 2011.

ON MOTION OF SUPERVISOR BIRDSONG, seconded by SUPERVISOR PARKER and carried: RESOLVED that nomination be closed on said name of the Honorable C. Eric Fly to be elected Vice Chairman of the Sussex County Board of Supervisors for calendar year 2011.

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

Voting nay: none

### **Item 3. Approval of Regular Agenda**

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Regular Agenda of the January 20, 2011 meeting of the Sussex County Board of Supervisors is hereby approved; subject to the following: (1) As the first item under County Administrator's Report, add Kennels, Sussex County Code Section 16-2237; (2) As Item b under Closed Session, add Personnel Matters, Applicable Code Section 2.2-3711(A)(1), to discuss county department head salaries; (3) As Item c, under Closed Session, add Possible Violation of the County's Code of Ethics/Conduct; (4) As Item d under Closed Session, Legal Matters, Route 460 Bypass, Applicable Code Section 2.2-3711(A)(30); and (5) Under County Administrator's Report, add Item 12, Tobacco Commission Grant Award.

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

Voting nay: none

### **Item 4. Approval of Consent Agenda**

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Consent Agenda of the January 20, 2011 meeting of the Sussex County Board of Supervisors is hereby approved, inclusive of the following: (1) Approval of minutes of the January 6, 2011 Special Meeting; (2) Appropriation of an amount not to exceed \$4,900.00 for Wayne Cook Electric, Inc, for Cat 6e Network Connection to provide a hard wired data connection to the Administration building; and (3) Deletion of December and January warrants and vouchers.

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

Voting nay: none

### **Item 5. Standing Reports**

**Item 5a. Health Department** - absent

### **Item 5b. County Administrator's Report**

#### **Item 5b1. Resolution Regarding Sussex County Code Section 16-2237 and Provisions Related to Commercial and Non-Commercial Kennels**

George E. Morrison, III, Interim County Administrator, informed the Board that provided is a copy of a proposed resolution regarding Sussex County Code Section 16-2237 and provisions related to commercial and non-commercial kennels.

County Attorney Thompson advised that this is an interpretative resolution distinguishing the difference between commercial and non-commercial kennels.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts the following resolution:

WHEREAS, the County did duly enact an emergency ordinance, attached hereto and expressly incorporated herein (Hereinafter at times called the Kennel Amendment), at its November 18, 2010 regular Board of Supervisors meeting and the same has now expired; and

WHEREAS, the Director of Planning has advised the Board of Supervisors that further review of the Kennel Amendment and all provisions of the Use Regulation sections of the Sussex County Code of Ordinances relating to commercial and noncommercial kennels is necessary by the County's Planning Commission, and

WHEREAS, the Board of Supervisors, until such review, recommendations and necessary public hearings and public comments are completed cannot deliberate and act upon any formal zoning amendment(s) to the Code of Sussex County, if the same be appropriate, for incorporation, by codification, to the County's Zoning Ordinances; and

WHEREAS, the Board of Supervisors deems the Kennel Amendment provisions to remain necessary for the public welfare and, subject to additional information and review of the legislative history of Sussex Code 16-2237, "Use Regulations," has determined that all County agencies and departments and officers charged with the enforcement of the Sussex County Code provisions related to and as incorporated in the attached Kennel Amendment, until further action of the Board of Supervisors should use said Kennel Amendment provisions as the guideline and established interpretive mechanism, subject to further Board of Supervisors actions to revise and clarify the same, in the administration of the same.

NOW, THEREFORE, BE IT RESOLVED by the Sussex County Board of Supervisors on this 20th day of January 2011, that the County Administrator, the Director of Planning and the County's Planning Commission, to whom this matter was previously referred, shall with all deliberate and reasonable speed do the lawful necessities to provide, for review by the Board of Supervisors, scheduling the requisite public hearings for both Boards as necessary.

BE IT FURTHER RESOLVED by the Sussex County Board of Supervisors that all County agencies and departments and officers charged with the enforcement of the Sussex County Code provisions related to and as incorporated in the attached Kennel Amendment, until further action of the Board of Supervisors, should use said Kennel Amendment provisions as the guideline and established interpretive mechanism, subject to further Board of Supervisors actions to revise and clarify the same, in the administration of the same; and

FURTHER RESOLVED that in order to make this more restrictive, the Board of Supervisors allows for a ninety (90) day time period in order to give the Planning Commission more time to meet and hold a public hearing and forward the information back to the Board of Supervisors.

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

Voting nay: none

**Item 5b1. Request for Nomination for Appointment to Board of Zoning Appeals**

George E. Morrison, III, Interim County Administrator, advised that the term of Mr. William B. Savedge, current member of the Sussex County Board of Zoning Appeals, whose office mailing address is Post Office Box 67, Courtland VA 23837, will expire on January 31, 2011. Mr. Savedge has been contacted and is willing to serve another term provided he is reappointed.

Action Requested: The Board of Supervisors will need to vote to recommend its nomination to the Judge of the Circuit Court for appointment.

ON MOTION OF SUPERVISOR HARRELL, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Sussex County Board of Supervisors hereby recommends to the Judge of the Sixth Judicial Circuit Court, Mr. William B. Savedge, Office Mailing Address: Post Office Box 67, Courtland VA 23837, for reappointment to the Sussex County Board of Zoning Appeals for a term of five (5) years, expiring, January 31, 2016.

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

Voting nay: none

**Item 5b3. Social Services Board Appointment – Unexpired Term**

George E. Morrison, III, Interim County Administrator, advised that Supervisor Caple, has provided the name of Ms. Cynthia Pegram to fill the unexpired term of the late Mr. Will Massenburg, on Sussex County's Social Services Board.

Supervisor Caple reports that he has contacted Ms. Pegram and she has agreed to serve if appointed. She resides at 11449 North Halifax Road, Stony Creek VA 23882.

Action Requested: The Board of Supervisors will need to vote to appoint Ms. Cynthia Pegram to the Social Services Board for Sussex County to fill the unexpired term (June 30, 2014) of the Stony Creek District representative.

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Sussex County Board of Supervisors hereby appoints Ms. Cynthia Pegram, 11449 North Halifax Road, Stony Creek VA 23882, to fill an unexpired term on the Social Services Board, expiring June 30, 2014.

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

Voting nay: none

**Item 5b4. Payment of Overtime to Employees**

George E. Morrison, III, Interim County Administrator, advised that this item was discussed in the Finance Committee meeting and a report will be provided later in the meeting.

**Item 5b5. Finance Committee Report**

Supervisor Fly, Chairman of the Finance Committee, advised that the Finance Committee has met and the only thing he would like to report is the construction of an elementary school project, and he proceeded to make a motion regarding same.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR BIRDSONG to approve the amount of \$12,800,000.00 for the construction of an elementary school to be built at the centralized location, as approved by the Sussex County School Board; with a second school to be built within the town limits of the Town of Waverly within five (5) years or as soon as funds for the second school can be made available by the Board of Supervisors to the Sussex County School Board; and

FURTHER RESOLVED that this motion shall go into effect upon the adoption of this resolution to be taken by vote agreeing to this motion, without change by the Sussex County School Board.

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

Voting nay: none

#### **Item 5b6. Building and Grounds Committee Report**

Supervisor Birdsong, Chairman of the Building and Grounds Committee, advised that the Committee has met with the Commonwealth's Attorney to discuss the proposed addition for office space. He advised that the architect (who was not present at the meeting), had forwarded floor plans to be reviewed. However, Mrs. Lyndia Person-Ramsey, the Commonwealth's Attorney, is not comfortable with the floor plan that has been provided by Dewberry. The Building and Grounds asked the Commonwealth's Attorney to contact the architect and request a re-design and then develop a plan that Mrs. Ramsey can be comfortable with and then the Building and Grounds Committee can schedule another meeting.

George E. Morrison, III, Interim County Administrator, advised that the office space currently occupied by the Commonwealth's Attorney has faulty wiring and creates a safety hazard. Mrs. Ramey has contacted Cook Electric and asked them to look at the wiring situation in her office. Mr. Wayne Cook provided an estimate to perform the electrical work that is needed. The cost estimate is \$2,500.00 to \$5,800.00 and was recommended by the Finance Committee to ask for the Board's approval.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the request by the Commonwealth's Attorney and the quote provided by Cook Electric to perform the necessary electrical repairs to the Commonwealth's Attorney's office at a price not to exceed \$5,800.00.

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

Voting nay: none

#### **Item 5b7. Personnel Committee Report**

Supervisor Tyler, Chairman of the Personnel Committee, advised that the Personnel Committee met earlier this evening and there is nothing significant to report at this time. However, there is information that will be discussed later in Closed Session.

**Item 5b8. Regional Jail Committee Update**

George E. Morrison, III, Interim County Administrator, reported that the Regional Jail Study Committee will meet with representatives from Brunswick and Dinwiddie Counties on January 24, 2011 in Dinwiddie. They will discuss those localities' regional jail efforts.

**Item 5b9. Director of Finance Report**

George E. Morrison, III, Interim County Administrator, advised that due to the absence of Jerry L. Whitaker, Director of Finance, he (the Interim County Administrator) recommends deferral of the Mid Year Report until the Director of Finance returns.

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby accepts the Interim County Administrator's recommendation to defer the Mid Year Finance Report until the next regular Board Meeting.

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

Voting nay: none

**Item 5b10. Public Safety Coordinator Request – New Ambulance**

Eddie T. Vick, Public Safety Coordinator, advised that the Waverly Rescue Squad has been awarded funding for a new ambulance to replace their oldest unit. This older unit has served the citizens well, but is no longer functional.

Waverly Rescue Squad has been awarded \$107,680.00 in grant funding toward the purchase of a new ambulance. The new ambulance will cost approximately \$153,253.00. This amount includes the ambulance, installation of the radio, new stretcher (cot) and stair chair. The ambulance will be purchased by Sussex County, utilizing the County's 10-year ambulance contract. Upon Waverly Rescue Squad receiving the grant funding from the State, they (the Squad) will provide reimbursement to the County in the amount of \$107,680.00.

**REQUEST:** Staff is requesting from the Board of Supervisors, funding in the amount of \$45,573.00 (the difference) for the purchase of a new ambulance for the Waverly Rescue Squad.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the request to approve and appropriate the amount of \$45,573.00 for the purchase of an ambulance for the Waverly Rescue Squad.

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

Voting nay: none

**Item 5b11. Broadband Partnering Efforts**

George E. Morrison, III, Interim County Administrator, reminded the Board that Sussex County applied for a Broadband Planning Grant for \$25,000.00. The County was not approved for that money, but neighboring localities applied and were approved. Staff is trying to meet with Surry

and Greenville Counties for a discussion and hopefully to be part of their efforts and trying to find out what it would cost for the County to partner with them. If not, the County could go through Mid Atlantic to find out what it would cost for us to do the project on our own using our technology.

Supervisor Tyler asked Mr. Morrison to provide figures at the next regular meeting of the Board of Supervisors.

### **Item 5b12. Tobacco Commission Special Projects**

George E. Morrison, III, Interim County Administrator, reported that Sussex County applied for and received an initial approval from the Committee and approval from the full Committee for \$250,000.00 for special projects for Sussex County.

### **Item 6. Citizens' Comments**

Comments were heard from the following:

- Jim Hackett, State Chair of Virginia Hunting Dog Alliance, spoke about conditional use permit as it relates to kennels.
- Orville Boston, Henry District, spoke about employee bonuses and equity; told the Board that they are doing a good job.
- Al Peschke, Wakefield District, gave the Board an "F" for mid-term.
- Chester Carter, Stony Creek District, disappointed in the leadership of this County; dog issue is serious.
- Tameka Williams, Henry District, commended and thanked the Board for making a decision on the construction of the elementary school project.
- Kevin Bracey, Courthouse District, disappointed in County Attorney; Interim County Administrator has not responded; does not like certain comments from a County employee; County has done nothing for his wife's business.
- Ora Briggs, Stony Creek District, thanked the Board for their efforts in funding an elementary facility, but asked if the Board's motion tonight regarding funding of elementary school construction included an appropriation.

Supervisor Fly responded to Mrs. Briggs' question by stating that the Board could not appropriate funding until it receives funding/loan, but the School Board can move forward.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR CAPLE and carried RESOLVED that the Sussex County Board of Supervisors hereby appropriates \$7.4 million to the Sussex County School Board toward the construction of an elementary school project.

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

Voting nay: none

### **Item 6. Citizens' Comments (continued)**

- Jason Justice, Waverly District, thanked the Board for continuing the kennel issue; some Board members don't care what the citizens want.

- Rufus E. Tyler, Sr., Henry District, helpful for public relations purpose for this Board to not say what the Board had not done; it sends a wrong message to the citizens.
- T. Wayne Birdsong, Courthouse District, understand what Mr. Tyler has just said, we pretend that everything is going good and make citizens think everything is going fine; we have to acknowledge that a problem exists and identify the problem; trying to hide it gets you nowhere.

**Item 5c. Treasurer's Report** - absent

A copy of the Treasurer's Report is retained in the January 20, 2011 Board packet.

Supervisor Fly left the Board meeting room.

**Item 5d. Commonwealth's Attorney** – absent

George E. Morrison, III, Interim County Administrator, provided the information from Lyndia Person-Ramsey, Commonwealth's Attorney. He explained that Board approved the salary increases for her staff at the last meeting. She is asking that the increase be effective January 1, 2011 and also asking that any remaining funds from the vacant position be left in her budget. The balance would be used to pay for funding for possible reimbursement for the County for the Aid to Localities deficit in the Commonwealth's Attorney's budget and for hourly compensation of an additional prosecutor when and if the workload dictates it.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the effective date of the salary increases for the Commonwealth's Attorney's staff shall be January 1, 2011; and

FURTHER RESOLVED that the remaining balance of the funding from the position vacated by the part-time attorney, be left in the Commonwealth's Attorney's budget for possible reimbursement to the County for the aid to Localities deficit and for hourly compensation of an additional prosecutor when and if the workload dictates it.

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

Voting nay: none

Absent during vote: Supervisor Fly

**Item 5e. Commissioner of the Revenue** - absent

**Item 5f. Sheriff's Report** - absent

**Item 5g. Superintendent of Schools**

**Item 5g1. Grant from Garland and Agnes Taylor Gray Foundation**

Dr. Charles H. Harris, III, Division Superintendent of Schools, reported that the Garland and Agnes Taylor Gray Foundation has awarded Sussex County Public Schools, a grant in the amount of \$12,000.00. The grant is awarded to support the Reading Program and Scholarship.

The School Board requests that the Sussex County Board of Supervisors approve and accept the grant and approve \$6,000.00 for the Sussex County Schools Scholarship account in the Treasurer's Office and the remaining \$6,000.00 will be used to support school libraries.

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Sussex County Board of Supervisors hereby accepts and appropriates the grant from the Garland and Agnes Taylor Gray Foundation in the amount of \$12,000.00; and

FURTHER RESOLVED that \$6,000.00 shall be used for the Sussex County Schools Scholarship account in the Treasurer's Office and the remaining \$6,000.00 will be used to support school libraries.

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

Voting nay: none

Absent during vote: Supervisor Fly

### **Item 5g2. Proposed Capital Improvement Plan For Sussex County Schools**

Dr. Charles H. Harris, III, Division Superintendent, advised the Board that an updated Capital Improvement Plan was approved by the Sussex County School Board at its' December 9, 2011 meeting. The Plan is being proposed for review and consideration. It details the major building and maintenance needs of the school system. Dr. Harris added that in light of the Board's decisions earlier tonight with regard to providing the funds for the elementary school project, the School Board will need to amend its Capital Improvement Plan.

**Item 5h. Director of Social Services** – no report

**Item 5i. County Attorney's Report** no report

### **Item 5i1. Department of Corrections Payment in Lieu of Taxes Update**

George E. Morrison, III, Interim County Administrator, provided an update on the Department of Corrections Payment in Lieu of Taxes issue. He advised that Delegate Roslyn Tyler has placed in the budget, an amendment requesting that the \$415,000.00 payment in lieu of taxes be returned to Sussex County. Mr. Morrison advised that he attended a subcommittee hearing yesterday and he and Delegate Tyler spoke in favor of returning the funding to affected localities. It appears that the state is considering providing payments equal to the amounts that were funded in 2006. Staff will keep the Board abreast of updates.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR HARRELL and carried: RESOLVED that the Sussex County Board of Supervisors authorizes staff to hire an attorney and/or lobbyist to meet with members of the General Assembly subcommittee to discuss and try to get restored, the Department of Corrections payment in lieu of taxes payment to Sussex County.

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

Voting nay: none

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby directs the Interim County Administrator to contact someone to find out what is reasonable and further authorize the Finance Committee to approve and set a cap as to the amount that can be spent, with regarding to the hiring of an attorney and/or lobbyist to represent Sussex County in the restoration of payment in lieu of taxes from the Department of Corrections.

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

Voting nay: none

**Item 7. Unfinished Business** - none

**Item 8. New Business** - none

**Item 9. Closed Session**

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors shall hereby enter Closed Session for the following: (a) Applicable Code Section 2.2-3711(A)(5), for a discussion concerning a prospective business' location in the County where no previous announcement has been made by such business interest in locating in the County; (b) Personnel Matters, Applicable Code Section 2-2-3711(A)(1), for a discussion regarding department head salaries; and (c) Legal Matters, obtain consultation with legal counsel as to possible litigation, Route 460 Bypass, Applicable Code Section 2.2-3711(A)(30).

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

Voting nay: none

Absent during vote: Supervisor Caple

**Item 9) Return To Open Session**

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR HARRELL and carried: RESOLVED that the Sussex County Board of Supervisors has convened a Closed Meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and,

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

NOW, THEREFORE BE IT RESOLVED that the Sussex County 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 were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Sussex County Board of Supervisors.

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

Voting nay: none

**Item 10. Action Taken on Closed Session Discussions**

**Item 10a. Funding for Schools and Mega Site Projects**

ON MOTION OF SUPERVISOR HARRELL, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes the Interim County Administrator and the Director of Finance to proceed with Davenport and Company, LLC to pursue funding for elementary school(s) project and mega site project by making application with the Virginia Resource Authority and other financial institutions; and

FURTHER RESOLVED that the Board authorizes staff to proceed, subject to final review and approval and disapproval by the Board of Supervisors.

The aforementioned second and motion was withdrawn to separate the two projects.

(Supervisor Caple left at 10:58 p.m.)

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR HARRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes the County Administrator's Office to move forward with the application to the Virginia Resources Authority for funding of the schools.

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

Voting nay: none

Absent during vote: Supervisor Caple

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR HARRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes the County Administrator's Office to seek financing from different financial institutions for funding of the mega site projects, as well as make an application to the Virginia Resources Authority.

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

Voting nay: none

Absent during vote: Supervisor Caple

**Item 10b. Department of Corrections Payment in Lieu of Taxes**

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes the Interim County Administrator and members of the Finance Committee to seek the advice of an attorney or lobbyist to regain lost funding from the Department of Corrections; and

FURTHER RESOLVED that the Board of Supervisors shall not expend more than \$10,000.00 for the attorney/lobbyist.

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

Voting nay: none

Absent during vote: Supervisor Caple

**Item 10c. Governor's Opportunity Fund - \$75,000.00 Matching Funds**

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorize Supervisors Fly and Tyler and County Administrator's Office to meet with representatives of the governor's office about the governor's opportunity fund and be authorized, if necessary, to allocate \$75,000.000 in matching funds, to be used for Wood Fuel Developers, LLC.

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

Voting nay: none

Absent during vote: Supervisor Caple

#### **Item 10d. Salary Increase for Senior Animal Control Officer**

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR HARRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby appoints Tony S. Johnson as Senior Animal Control Officer and approve of paying him the same salary as the previous Senior Animal Control Officer.

Voting aye: Supervisors Harrell, Parker, Tyler

Voting nay: Supervisors Birdsong, Fly

Absent during vote: Supervisor Caple

#### **Item 11. Recess/Adjournment**

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes the Interim County Administrator to advertise the Board of Supervisor's Retreat, which is scheduled for Friday, February 4, 2011 and Saturday, February 5, 2011, to be held at the Airfield 4-H Center, 15189 Airfield Road, Wakefield VA 23888.

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

Voting nay: none

Absent during vote: Supervisor Caple

ON MOTION OF SUPERVISOR BIRDSONG, seconded by SUPERVISOR HARRELL and carried: RESOLVED that the January 20, 2011 meeting of the Sussex County Board of Supervisors is hereby recessed until 8:00 a.m., Friday, February 4, 2011, Airfield 4-H Center, 15189 Airfield Road, Wakefield VA 23888.

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

Voting nay: none

Absent during vote: Supervisor Caple