

At a Special Meeting of the Board of Supervisors
Held in the General District Courtroom on
Tuesday, December 29, 2015 – 7pm

BOARD MEMBERS PRESENT

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

BOARD MEMBER ABSENT

Raymond L. Warren

STAFF PRESENT

Deborah A. Davis, County Administrator
Vandy V. Jones, III, Deputy County Administrator
Michael F. Kaestner, County Attorney
Shilton R. Butts, Assistant to the County Administrator/Deputy Clerk
Marvin J. Drew, II, Permit Technician
Anne K. Ellis, Finance Supervisor

Item 1. Call To order/Determine Quorum (7:08)

The December 29, 2015 Special Meeting of the Board of Supervisors was called to order by Chairman Hamlin.

Item 2. The Invocation

The Invocation was offered by Supervisor Stringfield.

Supervisor Fly entered at 7:10 p.m.

Item 3. The Pledge of Allegiance

The Pledge of Allegiance was recited by all.

Item 4. Approval of Agenda

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the December 29, 2015 regular agenda of the Sussex County Board of Supervisors meeting is hereby approved.

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

Voting nay: none

Absent: Supervisor Warren

Item 5. Motion to Enter Public Hearing

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters Public Hearing to consider the sale of property that is commonly known as the former Jefferson Elementary School located on 9436 Mayes Street, Jarratt, Virginia 23867 and designated as Tax Parcels #147-A-83 and 147A-3-23.

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

Voting nay: none

Absent: Supervisor Warren

- a. The sale of the property that is commonly known as the former Jefferson Elementary School located on 9436 Mayes Street, Jarratt, Virginia 23867 and designated as Tax Parcels #147-A-83 and 147A-3-23**

County Administrator Davis advised that County Attorney Mike Kaestner e-mailed Board members supporting documentation for the sale of the property that is commonly known as the former Jefferson Elementary School.

Mr. Dease Moore introduced himself as President and CEO of 4Core Technology Group, Inc. (4Core) and 4Core Social Enterprises. Also, Mr. William Massenburg introduced himself as one of the owners of Upside Youth Development, which is a part of the 4Core Technology Group, Inc. interested in the Jefferson Elementary School.

Mr. Moore advised in regards to the demolition bond, he had spoken with their construction and insurance person. Mr. Moore advised that during the feasibility period and before going to closing, 4Core would have to go forth and have their construction team to provide an estimate of how much it would cost to demolish the building and have everything cleared in order to get the demolition bond. 4Core has agreed to obtain estimates from three (3) construction contractors, whose name will not be revealed at this time.

Mr. Moore advised that 4Core agreed that this is an As-Is Sale. There isn't anything the County will have to do in regards to cleaning the property or anything in that magnitude. This will be addressed in the insurance liability. He also advised that the ninety (90) day Feasibility Study will cover a lot of things needed. Mr. Moore thinks that it was agreed in principle that if 4Core finds anything damning or probing into environmental health or other issues that 4Core cannot correct, at that time, the sale will be null and void or transaction will not happen.

Mr. Moore advised that initially two (2) entities were listed as buyers—4Core and VA Pro Elite. However, VA Pro Elite, a non-profit entity, will be the buyer. He also advised there was offer made lesser than the \$50,000.00 offer. Mr. Moore advised that after speaking with the team and other investors, they feel that the value of \$50,000.00 is not worth the price. It was believed that their team was bringing in services and a new building that far outweigh \$50,000.00.

Mr. Moore wanted to go on record by saying that they are doing the best they can to make this deal happen. From a public perspective, they don't want to take anything from the County that taxpayers have paid into.

Mr. Massenburg advised that he is also a part of the team, VA Pro Elite. He advised that Mr. Grainger and Mr. Hill could not be in attendance. He also advised that there was one (1) item that they didn't agree with with County. Mr. Massenburg believes that there are a lot resources that can be funneled into the County. Mr. Massenburg stated that they are looking to develop the property into a resource for the community. They are looking to demolish the building and build a full scale steel building. The resources are there to do it. Upside Youth is a multi-million dollar company. VA Pro Elite is made up of over sixty (60) pro athletes mostly from Virginia.

Mr. Massenburg believes that instead of putting money upfront now, it will be gifted on the back end. For them, it will be more pertinent to put the resources into what they are developing right now and doing for the community.

b. Public Comments were heard from:

Patrick Brown (4Core Technology Group, Inc.)
Damian Bennett (Waverly District)
Marvin Drew, II (Waverly District)
Thomas Jones (Waverly District)
Keith Blowe (Stony Creek District)

c. Board Members Comments

Comments were heard from Supervisors Futrell, Caple and Hamlin.

Item 6. Return to Open Session

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby returns to Open Session.

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

Voting nay: none

Absent: Supervisor Warren

Item 7. Action on Public Hearing Item

ON MOTION OF SUPERVISOR HAMLIN, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby directs the County Administrator and the County Attorney to continue to negotiate with 4Core Technology Group, Inc. regarding the sale of the Jefferson Elementary School with the intent to return to the Board with a proposed transaction that maximizes value to the County.

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

Voting nay: none

Absent: Supervisor Warren

Upon concern from Supervisor Fly as to when this item would be brought back to the Board, County Attorney Kaestner advised that although State law requires the local government to have a public hearing before it can dispose of its property, there's not a requirement that the locality act on the transaction the same night/day that the public hearing is held. The Attorney General has opined that the governing body should act on it reasonably soon after the public hearing.

County Attorney Kaestner advised that it is his legal opinion that if the County, 4Core Technology Group, Inc. and Virginia Pro Elite are able to arrive at an agreement within the next three (3) or four (4) months, then legally the Board can act on this item without having an additional public hearing. Beyond that time frame, County Attorney Kaestner would recommend that the Board advertise another public hearing and go through the process again which would mean that this item would come back before the Board.

County Attorney Kaestner clarified that a demolition bond is to provide a back-up source of funding in the event that demolition begins, but is not completed, the County has a means of clearing site and ensuring that the community is not left with an eyesore.

Item 8. Adjournment

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR FUTRELL and carried:
RESOLVED that the Sussex County Board of Supervisors December 29, 2015 Special Meeting is hereby adjourned at 8:13 p.m.

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

Voting nay: none

Absent: Supervisor Warren