

**At a Regular Meeting of the Sussex County Board of Supervisors
Held in the General District Courtroom on
Thursday, July 21, 2016 at 7 pm**

BOARD MEMBERS PRESENT

Keith C. Blowe
C. Eric Fly, Sr.
Alfred G. Futrell
Susan B. Seward

BOARD MEMBERS ABSENT

John A. Stringfield
Rufus E. Tyler, Sr.

STAFF PRESENT:

Deborah A. Davis, County Administrator
Vandy V. Jones, III, Deputy County Administrator
Mark Flynn, County Attorney
Marycarol White, Financial Consultant
Raymond R. Bell, Sheriff
Ellen G. Boone, Commissioner of the Revenue
Shilton R. Butts, Assistant to the County Administrator/Deputy Clerk to the Board
Deste J. Cox, Deputy Treasurer
Brenda H. Drew, Housing Coordinator
Chequila H. Fields, Director of Social Services
Ernest Giles, Captain
Andre M. Greene, Director of Community Development
Lyndia P. Ramsey, Commonwealth's Attorney
Lorenzo D. Turner, Assistant to the Director of Community Development
Matthew Venable, Director of Environmental Inspections
Eddie T. Vick, Public Safety Coordinator
Onnie L. Woodruff, Treasurer
Monica J. Whitney, Permits Technician

1. Commencement

1.01 Call to Order/Determine Quorum

The July 21, 2016 meeting of the Sussex County Board of Supervisors was called to order by Chairman Blowe.

1.02 The Invocation

The Invocation was offered by Vice Chair Seward.

1.03 The Pledge of Allegiance

The Pledge of Allegiance was recited by all.

1.04 Agenda Amendments

Under Item 10. New Business, item 10.3 Reconsideration of Tax Rate Ordinance, change title from “Reconsideration of Tax Rate Ordinance” to “Amend Tax Rate Ordinance”.

1.05 Approval of Regular Agenda

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the July 21, 2016 regular agenda, inclusive of Under Item 10. New Business, item 10.3 Reconsideration of Tax Rate Ordinance, changing title from “Reconsideration of Tax Rate Ordinance” to “Amend Tax Rate Ordinance”.

Voting aye: Supervisors Blowe, Fly, Futrell, Seward

Voting nay: none

Absent: Supervisors Stringfield, Tyler

2. Approval of Consent Agenda

County Administrator Davis requested that the minutes of the June 27, 2016 meeting be amended to reflect the reduction of the funding in the amount of \$1,049.00 in the budget for the Aide to Localities.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the consent agenda inclusive of the following: (a) Minutes of June 16, (inclusive of the amendment to reflect the reduction of the funding in the amount of \$1,049.00 in the budget for the Aide to Localities) and June 27, 2016 meetings; (b) Approval of Warrants and Vouchers; and (c) Approval of Restoration of Funds, Sheriff’s Department - \$350.00; (d) Approval of Restoration of Funds, Sheriff’s Department - \$3,191.15; (e) Approval of Restoration of Funds, Sheriff’s Department - \$2,975.70; (f) Accept and Appropriate Department of Criminal Justice Grant Funds for School Resource Officer Grant Program - \$32,595.00 State Funds, \$17,405.00 Local.

Voting aye: Supervisors Blowe, Fly, Futrell, Seward

Voting nay: none

Absent: Supervisors Stringfield, Tyler

3. Recognitions/Awards

3.01 Introduction of Sussex County 4-H Agent, James Mason, Jr.

County Administrator Davis introduced Mr. James Mason, the new Associate Extension Agent for 4-H Youth Development.

Mr. Mason gave a brief report on his background and education. A copy of his resume is included in the Board packet.

4. Public Hearings

4.01 Conditional Use Permit Application #2015-02, Verizon Wireless, applicant

Mr. Lorenzo D. Turner, Assistant to the Director of Community Development, provided the staff report for Conditional Use Permit Application #2015-02, Verizon Wireless, applicant.

Mr. Lorenzo Turner, Assistant to the Director of Community Development, reported that the applicant, Verizon Wireless, seeks a conditional use permit to construct and operate a new 199' monopole communication tower and related accessory improvements on a portion of tax map number 12-A-7 (consisting of 314.05 acres). The property in question (owned by Dr. Dale L. Cupp), is zoned A-1, General Agricultural District. The site in question is located at 22245 Cabin Point Road in the Blackwater Election District.

Verizon withdrew their request back in November of 2015 prior to the Board of Supervisors' public hearing. However, the applicant is now ready to proceed with the project and has requested that their application be rescheduled for public hearing (see attached).

RECOMMENDATION – Approval

The Planning Commission held a public hearing on October 5, 2015 to consider this request and voted unanimously (12 - 0) to forward the request to the Board of Supervisors with a recommendation for approval subject to several conditions.

The staff report and supporting documents for the Board's review and consideration are included in Board packet.

To date, no opposition or concerns have been received from the public.

Public Comments

Comments were heard from:

- Lorie Schweller (Verizon Wireless)
- Jeff Holland (Zoning Control – Verizon Wireless)

Board Comments – none

4.02 Conditional Use Permit Application #2016-02, Christopher A. Harrison, applicant

Mr. Lorenzo D. Turner, Assistant to the Director of Community Development, provided the staff report for Conditional Use Permit Application #2016-02, Christopher Harrison, applicant.

The applicant, Christopher A. Harrison, seeks a conditional use permit to operate a commercial kennel (dog boarding facility) on tax map number 138-A-17 consisting of 1.90 acres. The parcel in question is zoned A-1, General Agricultural District which allows the proposed use with a conditional use permit. The address of the subject property is 12337 Bell Road, Jarratt, VA 23867. The site in question is located on the north line of Route 644 approximately 580 feet east of the intersection of Route 644 (Bell Road) and Route 645 (Owen Road) in the Henry Election District.

RECOMMENDATION – Approval

The Planning Commission held a public hearing on June 6, 2016 to consider this request and voted unanimously (10 – 0) to forward the request to the Board of Supervisors with a recommendation for approval subject to several conditions.

The Planning Commission held a public hearing on June 6, 2016 to consider this request and voted unanimously (**10 – 0**) to forward the request to the Board of Supervisors with a recommendation for approval subject to several conditions. Due to several concerns from a Board member, the conditions have been amended as follows:

1. If required, the applicant shall secure and maintain a kennel permit from the County each year the facility is in operation.
2. The conditional use permit shall not be transferable or assignable.
3. All outstanding issues noted by the animal control office must be completed prior to operation.
4. The conditional use permit is for a dog boarding facility only. Any use other than a dog boarding operation is not allowed and requires approval from the Board of Supervisors.
5. The applicant shall adhere to all local and state regulations regarding the siting and operation of a dog boarding facility.
6. No more than 20 dogs will be kept at the proposed facility at any given time.

To date, no opposition or concerns have been received from the public.

The staff report and supporting documents are included in the Board packet for the Board's review.

Public Comments

Comments were heard from Christopher Harrison, applicant

Board Comments

Comments were heard from Supervisors Seward and Futrell.

4.03 Comprehensive Plan Amendment #2016-01, Revisions to Chapter IX (Land Use Development) and Chapter X (Plan for the Future and Countywide Plan)

Ms. Monica J. Whitney, Permits Technician, provided the staff report for the Comprehensive Plan Amendment #2016-01, Revisions to Chapter IX (Land Use Development and Chapter X (Plan for the Future).

BACKGROUND

Beginning the Spring of 2015, staff and the Planning Commission (with assistance from the Crater Planning District Commission) have been updating the Comprehensive Plan. Funding, intended to be used to hire a consultant to assist with the Comp Plan update, was cut from the County's budget in 2014. Due to the budgetary cut and the amount of work involved with updating a Comprehensive Plan, the Planning Commission has been revising the Comprehensive Plan in parts/sections and recommending the revisions to the Board of Supervisors for approval in accordance with Section 15.2-2228 of the Code of Virginia.

RECOMMENDATION

The Planning Commission held meetings in April and May of 2016 to discuss the proposed amendments to chapters IX and X of the Comprehensive Plan. A public hearing was held on June 6, 2016 to solicit public input. Following the public hearing, the Commission voted unanimously (10 – 0) to forward this matter to the Board of Supervisors with a recommendation that the Board: (1) accept the amendment, (2) replace Chapters IX and X accordingly, and (3) approve Comprehensive Plan Amendment #2016-01.

PUBLIC COMMENTS – none

BOARD COMMENTS

Comments were heard from Supervisors Blowe, Seward, and Futrell.

Chairman Blowe stated for the record that in the coming years, the County's budget process should be linked with the comprehensive plan along with any infrastructure projects to make sure that we are adequately funding and moving forward.

4.04 Return to Open Session

Chairman Blowe ended the Public Hearing and returned to Open Session.

4.05 Action on Public Hearing Items

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

accepts Conditional Use Permit Application #2015-02, Verizon Wireless, applicant, subject to several conditions.

Voting aye: Supervisors Blowe, Fly, Futrell, Seward

Voting nay: none

Absent: Supervisors Stringfield, Tyler

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves Conditional Use Permit Application #2016-02, Christopher A. Harrison, applicant, with the additional requirements:

1. If required, the applicant shall secure and maintain a kennel permit from the County each year the facility is in operation.
2. The conditional use permit shall not be transferable or assignable.
3. All outstanding issues noted by the animal control office must be completed prior to operation.
4. The conditional use permit is for a dog boarding facility only. Any use other than a dog boarding operation is not allowed and requires approval from the Board of Supervisors.
5. The applicant shall adhere to all local and state regulations regarding the siting and operation of a dog boarding facility.
6. No more than 20 dogs will be kept at the proposed facility at any given time.

Voting aye: Supervisors Blowe, Fly, Futrell, Seward

Voting nay: none

Absent: Supervisors Stringfield, Tyler

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby table the Comprehensive Plan Amendment #2016-01, Chapter IX (Land Use and Development) and Chapter X (Plan for the Future Land Use and County-wide Goals) to the August 18, 2016 Board of Supervisors' meeting to allow the Board members time to review information.

Voting aye: Supervisors Blowe, Fly, Futrell, Seward

Voting nay: none

Absent: Supervisors Stringfield, Tyler

5. Appointments

5.01 Appointment to Building Code Appeals Board

County Administrator Davis stated that the term of Mr. Keith Cox, 35360 Shingleton Road, Waverly VA 23890 expired on June 30, 2016. Mr. Cox is eligible for reappointment; staff has communicated with Mr. Cox and he has agreed to serve again if reappointed. A copy of the current roster follows this summary sheet.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors reappoints Mr. Keith

Cox, 35360 Shingleton Road, Waverly VA 23890 to the Sussex County Building Code Appeals Board for a term of three (3) years, expiring June 30, 2019.

Voting aye: Supervisors Blowe, Fly, Futrell, Seward

Voting nay: none

Absent: Supervisors Stringfield, Tyler

5.02 Appointment to Industrial Development Authority (IDA) Board of Directors

County Administrator Davis stated there is still a vacancy on the Industrial Development Authority Board of Directors due to Mr. Bruce Spencer not desiring to serve again. An appointment is needed to fill the term to expire May 15, 2017.

A copy of the current roster is included in the Board packet.

This item will be placed on the August 18, 2016 Board of Supervisors' meeting agenda. Chairman Blowe asked that the Planning Commission assist with a recommendation.

6. Action Items

6.01 Board's 2016 Priorities Update

Deputy County Administrator Jones gave a brief overview of the monthly update of Board's 2016 Priorities adopted earlier in the year.

Under Economic Development, Deputy County Administrator Jones reported that the County Newsletter was updated from ongoing status to complete status. The newsletter will be issued periodically. The next issue is scheduled for September 2016. Deputy County Administrator Jones noted that on County Clean-up, Mr. Matt Venable, Director of Environmental Inspections, has been working with Atlantic Waste in regards to the convenience sites.

Under Broadband, Deputy County Administrator Jones noted that Verizon wireless application that was discussed previously was approved. The new tower should help with vacant spots. Deputy County Administrator Jones stated that in addition to cell coverage it should allow some of the wireless, broadband service to better serve in that area. The other items are ongoing.

Under Strategic Plan, Deputy County Administrator Jones noted that the Board has scheduled a planning session in October 2016 to discuss strategic planning.

Under FY 2017 Budget, Deputy County Administrator Jones stated that the budget was approved at the Special Meeting held on Monday, June 27, 2016. Deputy County Administrator Jones stated that Board packets are being posted electronically. County Administration has been working with the Sheriff's Department for wireless devices which has now been delivered to County Administration.

6.02 Town of Waverly – 5th Annual Night Out Celebration

Each year on the first Tuesday of August, communities across the United States come together to promote a Police Community Partnership through crime, drug and violence awareness prevention and neighborhood unity.

County Administrator Davis stated that the Town of Waverly's 5th Annual National Night Out Celebration is Tuesday, August 2, 2016 from 3 p.m. to 8 p.m. at the Ruritan Baseball Field located at 245 Bank Street.

County Administrator Davis stated that the Town of Waverly is requesting that various businesses make a monetary donation and/or sponsor the event.

County Administrator Davis stated that if the Board of Supervisors desires to assist in sponsoring this event, please let staff know of its wishes.

The Board did not take any action on this item.

6.03 Airfield 4-H Conference Center "Boo-Grass" Festival

The Airfield 4-H Conference Center is hosting a 2-Day "Boo-Grass by the Lake and Ghostly Get Together Party" on October 28 & 29, 2016. The event will help the 4-H youth to go to summer camp.

County Administrator Davis stated that the Airfield 4-H Conference Center is requesting that community partners consider making a donation to help sponsor the event.

Supporting documentation is included in the Board packet.

If the Board of Supervisors desires to assist in sponsoring this event, please let staff know of its wishes.

The Board did not take any action on this item.

6.04 VHDA Memorandum of Understanding

Ms. Brenda H. Drew, Housing Program Coordinator, stated that VHDA has created a Rental Unit Accessibility Modification Grant Program ("RUAM Grant Program") to support accessibility modifications to rental units for income qualified Virginia residents with disabilities. Ms. Drew gave a brief report of the RUAM Grant Program. She stated that she considers it an incidental program to make the tenant and landlord aware of the Fair Housing Act's requirement regarding reasonable accommodations and modifications such that may be eligible through the RUAM Grant Program.

Ms. Drew stated that this service has been provided in the past. They receive referrals from individuals with disabilities requiring modifications to their home. They assist these individuals with the completion of the applications and submitting all required documentation to VHDA.

Supporting documentation and more detail is included in the Board packet.

This item has been tabled until discussion of Item 7.02.

6.05 General Reassessment Services

County Administrator Davis stated that the advertisement of the Request For Proposals (#2016-02 – General Reassessment Services) was listed in the Sussex Surry Dispatch and Richmond Times Dispatch, placed on the County’s website and listed with the Department of General Services. There were eleven (11) firms listed with the Department of General Services.

Staff received two (2) responses to our proposals, Pearson Appraisal Services, Inc. of Richmond VA and Wampler Eanes Appraisal Group of Daleville VA. Lane Real Estate Appraisals and Wingate Appraisal Service notified us that neither of them were in a position to submit a proposal at this time.

Under the Selection Process section of the RFP (a copy was included in the June 16, 2016 Board packet and is also included in this packet for reference) indicated that representatives from the Board of Supervisors will review all proposals and select a minimum of three (3) for interviews.

Both proposals have been shared with the Commissioner of the Revenue.

County Administrator Davis has been authorized to schedule a date for the interviews that the Vice Chair of the Board of Supervisors, the County Administrator, Deputy County Administrator and Commissioner of the Revenue meet with the two respondents and be prepared to make a recommendation approving a contract.

NOTE: Staff has received a letter from a citizen (Mrs. Helen Harrell, 25380 Harrell Road, Jarratt VA 23867) in opposition to the general reassessment. (A copy of the letter is included in the Board packet).

6.06 Approval of Worker’s Compensation Panel of Physicians

County Administrator Davis stated that the panel of physicians was last updated October 2004. The proposed panel was reviewed by staff and the Virginia Association of Counties Risk Pool (VACORP), our insurance carrier.

The proposed panel of physicians includes Waverly Medical Center, Colonial Heights Medical Center, Sentara Family Medicine Physician (Wakefield), Emporia Medical Associates, BetterMed Urgent Care – Prince George, and Patient First – Colonial Heights.

The proposed panel of physicians for our workers’ compensation program as well as the current proposed panel is included the Board packet.

Mrs. Louise R. Brucato, Payroll Clerk, has communicated with all of the physicians listed. They have all agreed to participate if accepted and approved by the Board of Supervisors. Stony Creek Medical Center was contacted as well; however, they opted not to participate.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the Panel of Physicians for Sussex County Worker's Compensation Program as presented.

Voting aye: Supervisors Blowe, Fly, Futrell, Seward

Voting nay: none

Absent: Supervisors Stringfield, Tyler

6.07 Virginia's Gateway Region (VGR) Request for Letter of Confirmation

County Administrator Davis provided a letter to the Board members from Virginia's Gateway Region, dated November 18, 2015. County Administrator Davis stated that this letter was actually Virginia's Gateway Region's budget request. County Administrator Davis stated that at that time they were requesting a \$5,000.00 increase. It was included in the budget information when sent to the Board. The Board asked staff to do level funding and asked for some small reductions in the budget. County Administrator Davis stated that a letter of confirmation was also given to Chairman Blowe as support for the \$5,000.00 increase should the Board approve it. County Administrator Davis also stated that she had spoken with Ms. Chapline and expressed to her that the Board has adopted its budget and the funding for VGR was approved in the amount of \$27,050.00.

Chairman Blowe stated some of the benefits of Virginia's Gateway Region. Chairman Blowe stated that this is the first time that Virginia's Gateway Region is asking for an increase of the localities they support. He stated that the original amount requested was \$32,050.00; however, \$27,050.00 level funding was approved for a difference of \$5,000.00. Chairman Blowe is asking for approval for the \$5,000.00 increase.

Chairman Blowe requested that this item be presented at the September 2016 Board of Supervisors meeting.

6.08 FOIA – Rights and Responsibilities/FOIA Officer

County Attorney Mark Flynn stated starting July 1, 2016 HB 818 was enacted to require local public bodies with a population greater than 250 to post a FOIA rights and responsibilities document on their public government website. The bill also requires all local public bodies that are subject to FOIA to designate and identify contact information for at least one FOIA officer whose responsibility is to serve as a point of contact for members of the public in requesting public records and to coordinate the public body's compliance with the provisions of FOIA. The bill does not require you to hire additional staff, but does require you to designate a particular person on your staff that the public can contact for FOIA inquiries. The FOIA officer must possess specific knowledge of the provisions of FOIA and be trained at least annually by legal counsel for the public body,

or by the Virginia Freedom of Information Advisory Council. Similar requirements have applied to certain state public bodies for a number of years.

The FOIA Council plans to host free FOIA training webinars which were slated to start in June, and continue in July and August of 2016, and then once per year thereafter. These webinars will focus on making and responding to requests for public records, and are expected to last 1.0 - 1.5 hours. These webinars have not yet been scheduled, but specific times and dates will be publicized once they are set. Additionally, the required annual FOIA training may also be provided by your local government attorney.

Sussex County FOIA's Rights and Responsibilities have been completed and reviewed by the County Attorney (Mark Flynn) and were placed on the website prior to July 1, 2016.

Deputy County Administrator Vandy V. Jones, III is the County's FOIA Officer.

A copy of Sussex County FOIA's Rights and Responsibilities is included in the Board packet.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby ratifies the FOIA Rights and Responsibilities and approves of the assignment of Vandy V. Jones, III, Deputy County Administrator as FOIA Officer.

Voting aye: Supervisors Blowe, Fly, Futrell, Seward

Voting nay: none

Absent: Supervisors Stringfield, Tyler

6.09 Radio System Contingency

At the June 27, 2016 Board meeting, Deputy County Administrator, Vandy V. Jones, III, provided a brief information update on the Radio System Contingency on actions required to continue the Radio System Project.

The County is nearing the end of the project, the equipment has been received. Now that the contractor/vendor has reached a certain point in the project (which is estimated to be completed by the end of the calendar year) the costs are more definitive. Deputy County Administrator Jones reported that according to documentation and speaking with former employees that were previously working on the project, there had been a recommendation from the Finance Director for funding to complete this project which would be \$2.8 million allocation that would bring the total funding for this project to \$4.8 million. However, the funding that was adopted by the Board at that time was \$2.4 million, not \$2.8 million. After staff's research, it appears that the \$400,000.00 difference came from the \$400,000.00 that Mr. Eddie Vick, the Public Safety Coordinator, had placed in the contingency for the entire project. The County had a received a contract from Harris Corporation with specific numbers. Deputy County Administrator Jones stated that in conversations, the allocation was made closest to the contract amount versus what was in the contingency. The rationale used for this decision was that the County would work to the amount adopted by the Board versus the contract amount.

Chairman Blowe requested that this item be placed on the August 18, 2016 agenda. Supervisor Fly suggested having an itemized document of spending.

6.10 Courthouse Fire Department Funding

Supervisor Fly stated that he attended the last Fire & Rescue Association meeting. Supervisor Fly stated that with the County developing a new plan for the Aid to Localities spending, this new plan basically eliminates funding for the Courthouse Fire Department. The only funding the Courthouse Fire Department receives is through the Aid to Localities that historically was split with the other fire departments. The other fire departments located within the towns gets an additional \$10,000.00 funding for operations from the towns. The Courthouse Fire Department is not located within an incorporated town limit, so they do not get this additional funding for operation; however, they are the fire department for the Courthouse complex and the schools. Supervisor Fly is proposing that the Board of Supervisors allocate \$10,000.00 from the Reserve to the Courthouse Fire Department for their operational fund to offset what the towns are doing for their fire departments. This would be annual expense for the County.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby allocate \$10,000.00 to the Courthouse Fire Department to be taken out the Reserves.

Voting aye: Supervisors Blowe, Fly, Futrell, Seward

Voting nay: none

Absent: Supervisors Stringfield, Tyler

6.11 Bid Results – Modular Buildings

County Administrator Davis stated that the Invitation For Bids for the modular buildings at Ellen Chambliss Elementary School in Wakefield and Jefferson Elementary School in Jarratt were advertised in the Sussex Surry Dispatch on July 6, 2016 and was placed on the County's website.

A copy of the bid document and form are included in the Board packet.

County Administrator Davis stated the highest bidders were as follows:

Mr. Wayne Jones	Unit 15/16	Ellen Chambliss Elementary School	\$300
Mr. Wayne Jones	Unit 17/18	Ellen Chambliss Elementary School	\$300
Ms. Helen Williams	Unit JE-01	Jefferson Elementary School	\$500
Ms. Delphine Hall	Unit JE-02/03	Jefferson Elementary School	\$100/each

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby accepts the bids from respondents for the modular units at Ellen Chambliss and Jefferson Elementary Schools as listed.

Voting aye: Supervisors Blowe, Fly, Futrell, Seward

Voting nay: none

Absent: Supervisors Stringfield, Tyler

6.12 Annual VACo Conference – November 13-15, 2016, Bath County

Chairman Blowe shared that the Annual Virginia Association of Counties Conference is scheduled for November 13-15, 2016 in Bath County at The Omni Homestead.

As always, there are three (3) rooms allotted for each locality. Please let Mrs. Shilton R. Butts know if you would like to attend. The remaining three will be placed on a waiting list.

Copies of information about the conference is included in the Board packet.

7. Reports of Departments/Agencies

7.01 Blackwater Regional Library Report, by Jenny Bailey, Library Director

Ms. Jenny Bailey, Director of Blackwater Regional Library, gave a brief overview of the state of the Sussex libraries and the outreach to the communities. The library's summer reading program held in July and August had 494 attendants to participate in the six (6) week program under the age of 18. The library also had a one-month winter reading program that's held in the month of February. This program reaches out to school age children under the age of five (5). There were 122 registrations and over 2,480 books were read within one month.

Ms. Bailey reported that as far as outreach to the community, the library had 76 programs with 1,880 attendants from Sussex County. Ms. Bailey stated that the library works closely with public schools, Tidewater Academy, Wakefield United Methodist Pre-School and Sussex County Head Start.

The Blackwater Regional Library had a local farmer's market within Waverly. Ms. Bailey stated that the Blackwater Regional Library is interested in partnering with Economic Development.

The bookmobile came back out in the County on April 21, 2016. The bookmobile offers two computers for public use as well offer free wi-fi.

7.02 Virginia Housing Development Authority (VHDA), Sharon Fairburn, Housing Choice Voucher (HCV) Director

Ms. Sharon Fairburn, Housing Choice Voucher Director, gave a brief overview of Sussex's Housing Program. Ms. Fairburn shared that Sussex County has assigned to it 203 allocated vouchers. The 203 allocated vouchers is what HUD has been allocated to help the County to serve individuals who need assistance with their rent. There are currently 215 families leased with four (4) families shopping for places to live, for a total of 219 that are outstanding.

Ms. Fairburn stated that funding for this program is done on a calendar year basis. Ms. Fairburn stated that when Congress appropriates money to HUD, they are given a limited amount. Sussex is allowed to lease over 100% because VHDA has thirty-one (31) different agencies in Virginia. VHDA covers 75 jurisdictions. Ms. Fairburn stated that without those local agencies and Sussex local agency, they would not be able to do their program. She stated that without Ms. Brenda Drew, Housing Program Coordinator, and her staff, VHDA would have to find someone else to do the program. Ms. Fairburn stated that different agencies balance out each other.

Ms. Fairburn also stated that technically the program can only lease up to 95% this year. The federal program that receives the funds has been limited since 2013.

Ms. Fairburn stated that there are 118 families that physically live in Sussex that are living in a rental units. Surry has twelve (12). Greenville has fifty (50). Emporia has thirty-five (35).

Ms. Fairburn reviewed the local residency preference for creating a waiting list. She stated that there are currently 158 families on the waiting list of which six (6) are in Sussex.

Ms. Fairburn stated that there was an evaluation done in 2014 with staff to determine how many families were in Sussex and the neighboring counties. She stated that there were enough families going in neighboring counties. It was decided that Sussex would try to service those areas. Ms. Fairburn stated that Sussex County does have the right to change this preference. She stated that if Sussex wishes to only serve the County of Sussex because that is all that HUD made available to the County, then it could be altered.

Ms. Fairburn is looking into funding to assist the County in servicing neighboring counties.

7.03 Atlantic Waste Disposal, Jason Williams, Senior District Manager

Mr. Jason Williams, Senior District Manager of Atlantic Waste Disposal, gave a brief update on Atlantic Waste Disposal activities.

Mr. Williams stated that Phase I capping project is substantially complete with some minor punch list items remaining.

Earthwork has begun on Phase II capping project. Atlantic Waste Disposal is currently constructing stormwater basins to handle the water. This project should be completed at the end of the year 2016.

Phase III capping project design has been completed and is currently being reviewed by staff. Construction is scheduled to start in early 2017.

Phase IV capping project which is at the top of the landfill is design now. It covers approximately twenty-five (25) to thirty (30) acres. Atlantic Waste Disposal still anticipates completing this project in 2016.

Atlantic Waste is continuing to improve on the collection of gas on site in the performance of the new flare. Mr. Williams reported that thirty-five gas wells have been installed this year. Atlantic Waste is planning to install nineteen (19) more before the end of the year. Mr. Williams stated that Atlantic Waste has also purchased another flare that will assist in the collection of gas and hopes to install the flare in the third (3rd) quarter of 2016.

Mr. Williams reported that the Waste Water Treatment Plant is expected to be completed in the second (2nd) quarter of 2017.

Mr. Williams advised that the Emergency Order with the Department of Environmental Quality (DEQ) was lifted as of June 13, 2016. He advised that Atlantic Waste Disposal continues to meet with DEQ on a regular basis.

Mr. Williams stated that Atlantic Waste is still active in the community. So far this year, they are continuing to assist with the tornado relief efforts in Waverly. They have assisted with projects with Virginia Gateway Region, the Airfield 4-H Conference Center, Cooper Farms, Tidewater Booster Club, Wakefield Swim Club, Together We Dance in Waverly, the Wakefield and Waverly Baseball and Softball Programs and the Waverly Youth Football Program.

Mr. Williams extended another invitation to Board members to visit the landfill to see the progress of the projects.

7.04 Animal Services/Public Safety – included in Board packet

7.05 Treasurer’s Report, Onnie L. Woodruff, Treasurer

Mr. Woodruff, Treasurer, gave a brief update of the budget. Mr. Woodruff advised the Board that they had the option of rolling \$500,000.00 to \$700,000.00 into the Reserve Fund.

Staff was instructed to work with Mr. Woodruff and provide a budget appropriation (BA) to encumber funds.

A copy of his report is included in the Board packet.

7.06. Environmental Inspections Monthly Report – included in Board packet

7.07 Department of Community Development – included in Board packet

8. Citizens’ Comments (9:02 pm)

Comments were heard from:

- Larry Diehl (Waverly District) – Mr. Diehl handed out his FOIA request.
- Chester Carter (Stony Creek District)

- Frank Jackson (Stony Creek District)
- Otto Wachsmann (Stony Creek District)
- Anne Joyner (Wakefield District)
- Kevin Bracy (Courthouse District)

9. Unfinished Business – none

10. New Business

10.01 Meals Tax Discussion

The subject of a meals tax was brought up during the budget planning process.

County Attorney Mark Flynn advised that in order for a County to have a meals tax, it requires the County's Board of Supervisors to first adopt an ordinance, then the following must occur:

Section 58.1-3833: This tax shall be levied only if the tax is approved in a referendum within the county which shall be held in accordance with § 24.2-684 and initiated either by a resolution of the board of supervisors or on the filing of a petition signed by a number of registered voters of the county equal in number to 10 percent of the number of voters registered in the county, as appropriate on January 1 of the year in which the petition is filed with the court of such county. The clerk of the circuit court shall publish notice of the election in a newspaper of general circulation in the county once a week for three consecutive weeks prior to the election. If the voters affirm the levy of a local meals tax, the tax shall be effective in an amount and on such terms as the governing body may by ordinance prescribe. If such resolution of the board of supervisors or such petition states for what projects and/or purposes the revenues collected from the tax are to be used, then the question on the ballot for the referendum shall include language stating for what projects and/or purposes the revenues collected from the tax are to be used.

In addition, according to Beau Blevins, VACo's Director of Intergovernmental Affairs, the VACo Finance Steering Committee has been meeting to discuss issues surrounding meals tax. As a matter of fact, he stated that the Committee has requested that he start looking at the next steps and start drafting a potential statement to support legislative action giving counties the ability to adopt a meals tax without a referendum.

Mr. Blevins was supposed to contact staff with an updated report within the next few days. At this time, staff is requesting that the Board provide direction on how they wish to proceed.

Mr. Blevins provided a copy of an analysis of potential county meals tax using taxable sales from food and drinking establishments. A copy is included in the Board packet.

This item has been tabled until the August 18, 2016 Board of Supervisors meeting.

10.02 Authorization to Advertise RFP for Emergency Medical Services

County Administrator Davis stated that Sussex County's volunteer rescue squads currently have three (3) contracts for emergency medical services. There are two (2) EMS contracts with Medical Transport, LLC (MTI) which operates out of the Waverly Volunteer Rescue Squad. One of the contracts is between the Squad and MTI and the other contract is between the County and MTI. However, the County pays for both contracts. The third contract which is with Life Star Ambulance Services and they operate out of the Stony Creek Volunteer Rescue Squad.

Both contracts went into effect several years ago and staff is recommending that an RFP process be completed for and that the Board approve one contractor to provide countywide services.

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorize staff to prepare and advertise a Request for Proposals for Emergency Medical Services.

Voting aye: Supervisors Blowe, Fly, Futrell, Seward

Voting nay: none

Absent: Supervisors Stringfield, Tyler

10.03 Amend Tax Rate Ordinance

County Attorney Flynn stated his partner, Mr. John Paul Woodley working with Vice Chair Seward worked with Atlantic Waste Disposal regarding timbering. Timber was cut and sold on property owned by the County. The County is in receipt of \$25,000.00 from Atlantic Waste Disposal for the value of the timber.

County Attorney Flynn stated that in June during the budget process, the discussion was the difference in a four cent (4¢) real estate tax increase and a three and one half cent (3-1/2¢) real estate tax increase is approximately \$23,000.00.

County Attorney Flynn stated that a motion to reconsider cannot be done unless it's at the same meeting which is Robert Rules of Order which the County follows.

Vice Chair Seward stated that she would like to see something tangible done with the \$25,000.00 that has an impact on the citizens.

County Attorney Flynn advised that the State Code provisions on amending real estate tax rates states that at such that once the land books have been delivered to the treasurer, real estate tax rates cannot be amended for that year.

Chairman Blowe made the motion to table this item.

Vice Chair Seward offered a substitute motion.

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

rate ordinance to reduce the four cent (4¢) real estate tax rate to three and one half cent (3-1/2¢) real estate tax.

Voting aye: Supervisors Fly, Seward

Voting nay: Supervisors Blowe, Futrell

Absent: Supervisors Stringfield, Tyler

Motion failed. All Board members are not present. Item is not a tie breaker vote.

10.04 Planning Commission Membership

County Administrator Davis stated that at a budget work session with the Board of Supervisors, a question was raised as to whether or not the Planning Commission, as requested, at their regular meeting held on June 6th. The majority of the Planning Commission members stated that they do not feel the Commission is too large. One Commissioner firmly stated, “they did not request to be enlarged as that decision was made by the Board of Supervisors”. One Commissioner (Bracy) did articulate that he felt the Commission had too many members and stated that he would be willing to resign. Since the Planning Commission meeting, Commissioner Gurney Cowling, Jr. has called the office to verbally resign his position. Resignation was requested in writing; however, to date, resignation has not been received.

As requested by the Board, staff compiled a summary which outlined the number of Planning Commission members that serve on the Planning Commission in various counties throughout Virginia. A copy of the summary is included in the Board packet. Also included in the Board packet is Section 15.2-2212 of the Code of Virginia which outlines the Board’s responsibility, as the governing body, as it relates to the Planning Commission.

This item was tabled until the August 18, 2016 Board of Supervisors meeting.

11. Board Member Comments – no comments were heard.

11.01 Blackwater District

11.02 Courthouse District

11.03 Henry District – Absent

11.04 Stony Creek District

11.05 Wakefield District – Absent

11.06 Waverly District –

12. Closed Session

12.01 Convene into Closed Session

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters Closed Session for (1) discussion of personnel matter regarding resignation of public employee and responsibilities of the county administrator pursuant to applicable Code Section 2.2-3711(A)1; and, (2) for consultation with legal Counsel about Atlantic Waste Disposal pursuant to applicable Code Section 2.2-3711(A)7.

Voting aye: Supervisors Blowe, Fly, Futrell, Seward

Voting nay: none

Absent: Supervisors Stringfield, Tyler

12.02 Reconvene to Open Session

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

Voting aye: Supervisors Blowe, Fly, Futrell, Seward

Voting nay: none

Absent: Supervisors Stringfield, Tyler

12.03 Certification

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves adoption of resolution for certification, to-wit:

WHEREAS, that the Sussex County Board of Supervisors 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 Blowe, Fly, Futrell, Seward

Voting nay: none

Absent: Supervisors Stringfield, Tyler

12.04 Action Resulting from Closed Session

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

the \$10,000.00 (annual expense) allocated to the Courthouse Fire Department should be taken from the Contingency Fund instead of the Reserve Fund.

Voting aye: Supervisors Blowe, Fly, Futrell, Seward

Voting nay: none

Absent: Supervisors Stringfield, Tyler

13. Recess/Adjournment

13.01 Adjournment

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR FLY and carried: RESOLVED that the July 21, 2016 meeting of the Sussex County Board of Supervisors is hereby adjourned at 11:30 p.m.

Voting aye: Supervisors Blowe, Fly, Futrell, Seward

Voting nay: none

Absent: Supervisors Stringfield, Tyler

13.02 Next Meeting

The next Board of Supervisors meeting will be Thursday, August 18, 2016 at 7 p.m. in the General District Courtroom – Judicial Center located at 15098 Courthouse Road, Sussex, VA 23884.