

**At A Meeting of the Sussex County Board of Supervisors
Held on Wednesday, January 9, 2013, 7:00pm, in the
General District Courtroom, Sussex Judicial Center**

Board Members Present:

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

Others Present:

Michael R. Packer, County Attorney
Andre M. Greene, Director of Planning
W. Travis Luter, Building Official
Chequila H. Fields, Director of Social Services
Ellen G. Boone, Commissioner of the Revenue
Tony S. Johnson, Senior Animal Control Officer
Deborah A Davis, Assistant to County Administrator
Eddie T. Vick, Public Safety Coordinator
Raymond R. Bell, Sheriff
Frances M. Fountain, Combined Court Clerk
Anne K. Ellis, Accounts Payable Clerk
Lyndia Person-Ramsey, Commonwealth's Attorney
Gary M. William, Circuit Court Clerk

Item 1. Call To Order

The January 9, 2013 meeting of the Sussex County Board of Supervisors was called to order by Chairman Tyler, at 7:01 p.m.

The Pledge of Allegiance was recited by all.

The Invocation was offered by Supervisor Stringfield.

Item 2. Approval of Agenda

Supervisor Fly requested that Public Comment be added to the Agenda.

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the January 9, 2013 agenda of the Sussex County Board of Supervisors meeting is hereby approved with one amendment: Add Public Comment as Item 9a.

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

Voting nay: none

Item 3. Phone Hub Removal/Bid

Chairman Tyler called Mr. W. Travis Luter, Sussex County Building Official and Mr. Andre M. Greene, Director of Planning to the front.

Chairman Tyler: "Gentlemen, if you remember at the very last meeting, there was an accusation by a potential contractor that they had prior approval to do work in the County. And I assured you at that time that that was totally inaccurate. We have the Building Official who was a part of that meeting; we have Mr. Montaque who was also part of that meeting. (He invited Mr. Montaque to come to the front also), who can vouch that what was said at that meeting was totally accurate. That the Board, none of those individuals, nor myself who was part of that meeting, had any conversation with them for approval of work to be done. And Mr. Building Official, if you want to say anything about that at all."

Mr. Luter: "I did not hear anything that gave anybody any authority to go to work."

Mr. Montaque Gilliam: "I didn't hear anything giving anybody authority to go to work. The conversation for the bids."

Chairman Tyler: "I just want to reassure the Board of that, in regards to that. Subsequently, after that, the following day, I did send a letter out asking for stop work, which apparently had commenced at the courthouse. And we subsequently went out for additional bids."

Chairman Tyler asked Mr. Luter to share that information.

Mr. Luter: "I contacted Verizon through a contact that we had at the County and I was given a company, Tri-City Communications, by Verizon. And the owner of that company is a man named Bob Bridges, Briggs. And I contacted him. He came out yesterday, and basically what I told him was that we needed to remove the phone system from the building so that the building could be demolished. And this was a quote that he gave us to do that."

Chairman Tyler: "I think that everyone has that quote before them. The other gentleman was charging \$69,000 and this bid is \$6,200. So at this time, the Chair will entertain a motion for approval of this bid – so what is your pleasure? Or do you have any questions for the County Official? I think that the County Attorney went over also, I understand and looked at it, was he with you all?"

Mr. Luter: "He did come by."

Chairman Tyler: "Anybody have any questions for them in regards to that? So they can answer."

Supervisor Fly: “Let’s go back to Phillips Communications first. So neither one of you all saw them digging up the complex? You all been at work for five days and nobody saw this guy working on the building, is that what you’re telling us?”

Mr. Luter: “I don’t know about anybody, I can tell you only what I saw. I don’t come over here. I come in; I come to the Administration Building. I don’t have any business over here, so I did not see it. No sir.”

Mr. Greene: “I saw work being, but I did not have knowledge that he was Phillips.”

Supervisor Fly: “You saw work being done; we saw somebody digging up the parking lot; we saw somebody digging trenches in the back of the courthouse, and nobody questioned the guy why he was doing that? He could have been drilling putting a bomb under the courthouse...”

Mr. Luter: “I didn’t see it. I didn’t see anything. I was not here. Let me state that I was not here when this work took place. I left for vacation December 17th and I was gone for two weeks.”

Supervisor Fly: “So this company, Tri-City, they bid on this, I guess knowing that – how much of the work has already been done?”

Mr. Luter: “Based on this gentleman, none that needed to be done. All of the infrastructure that’s in is not necessary, is not necessary based on Tri-City Communications. The only thing that needs to be done based on what he says is that the green box on the side of the building, needs to be pulled away and the wires buried in a vault. Technically, he said yesterday, with a pair of cutters, he could cut a hundred pair of wires going into the building and you could demo it. Technically, you didn’t even have to move the box; but we wanted to get it away from the building. I don’t do low voltage; I don’t know. I am only conveying what he said.”

Supervisor Fly: “So in this proposal that we have now before us, is he using any of that existing structure that was put in the ground?”

Mr. Luter: “It’s not necessary. Now he does have a...if you look at the Optional Conduit work at the bottom for \$3,065, that’s an option if the County wants to tie in from the vault that he’s going to put in the ground, to that infrastructure that has been put in. But what’s there is not necessary and I asked why it was there, if he had any idea, he said no. But to demolish the building and take the phone service off of that building, Mr. Briggs says that piping and conduit is not necessary.”

Supervisor Futrell: “The concern now is, is the gentleman is going to charge the County \$69,000. Where and who is supposed to pay that?”

County Attorney Packer: “That would be a legal matter that would be handled in the County Attorney’s Office.”

Supervisor Warren: “I still need to know before we obligate ourselves for \$6,200 – is that all that needs to be done. We were told \$69,000 last week. I still want to know – one gentleman says works over here at the Administration Office and never looks over across the way. Another gentleman says he goes by it everyday and saw the work going on, Acting County Administrator was here everyday, saw the work going on – who authorized that work? I just cannot believe that any human being would come on this property and start digging holes without somebody telling him to do it. I will never believe that, now somebody is lying and we got to get the truth and I am not prepared to vote tonight on any money spent until we get the truth.”

Chairman Tyler: “As we told you all at the last meeting, that the contractor who came – came to our meeting and said something totally inaccurate. Fortunately, there were three people in that meeting, who asked him for a bid.”

Supervisor Warren: “Which meeting?”

Chairman Tyler: “The initial meeting. The first meeting that we had, which the Building Official was there.”

Supervisor Futrell: “No, he didn’t. He said it was Mr. Greene, you and Mr. Montaque.”

Chairman Tyler: “Mr. Building Official, were you not in the meeting; the first meeting?”

Mr. Luter: “I don’t know the guy, but if I see him...I tell you, we had a meeting and it was about this telephone box.”

Chairman Tyler: “Exactly. And he came in the meeting. And Mr. Montaque, were you not in the meeting?”

Mr. Montaque Gilliam: “I was in the meeting.”

Chairman Tyler: “Exactly.”

Supervisor Warren: “Meeting one or two?”

Chairman Tyler: “The first meeting. And what we asked him; we told what we needed to do; scope of work and asked for a bid. Which is conventionally what you would do. He said that he would have to look at it and get back with us with a bid. As all of the other bidders did. He came back on the 17th with an \$85 thousand bid. \$85 thousand, which I thought was absurd. I said \$85 thousand and I shared with you in a prior meeting. After discussion, he said I bought \$60 thousand worth of supplies or something like that. I called Mr. Packer in the room, who was also shocked at the proposed cost. He lowered it from \$85 thousand to \$69,500. Then I called back to ask staff to get an itemization of what that \$69 thousand consist of, because I thought it was absurd. And that’s why we brought it to the Board. And when he said it was approved, absolutely not– no contractor

would start doing the work without a contract and that's exact. So what he said was totally inaccurate. But anyway, I just want to reassure the Board."

Supervisor Warren: "What about the second meeting?"

Chairman Tyler: "The second meeting when.....I am referencing the second meeting. When he came for the second meeting, that's when he had the bid for \$85 thousand dollars. He lowered it from \$85,000 to \$69,500. And that's what you received today."

Supervisor Warren: "Who was in the meeting, the second time?"

Chairman Tyler: "I was in the meeting and Ms. Davis was in the meeting. And that's the meeting we called Mr. Packer to."

Supervisor Warren: "So we're still sitting here believing that this guy pulled in off the road and started the work; how would he know what to work and where to work, if he had not been told?"

Chairman Tyler: "If you look at your records in the County, and I have the Accounts Payables person to pull some records. This gentleman did \$25,000 worth of work last year in the County without a contract."

Supervisor Warren: "But all of it was under \$10,000, is that correct?"

Chairman Tyler: "But \$25,000 without a contract in Sussex County."

Supervisor Warren: "But all of it was under the \$10,000 threshold."

Chairman Tyler: "It could have been. But I am just saying, when I actually added it up....it was \$25,000. It could have been."

Supervisor Warren: "But what I am saying is that no one job is over 10 grand."

Chairman Tyler: "Perhaps so. But never contracted with Sussex, but yet he was doing work. So that's how he knew, I supposed, I don't know....."

Supervisor Futrell: "He said he has been working here in this County for twelve years without a contract."

Chairman Tyler: "That's bad business."

Supervisor Futrell: "So, in the twelve years, all of the work approved by him. So the County has been paying him for last twelve years."

Chairman Tyler: "If that's the way they have been doing business; that's not good business; should have a contract, but anyway, I just wanted to share that information."

Supervisor Fly: “Mr. Luter, the Sheriff at our last meeting stated that employees were on top of his roof, that they told him about that and that he stopped the work. He pulled the people, workers off the top of his Sheriff’s Office; pulled them out of there and told them to stop, to get off his property because he didn’t know who they were. But then they restarted the process of working again; so if the Sheriff stopped them, who restarted them?”

Mr. Luter: “I wasn’t here. I left on December 17th or December 14th actually. And I didn’t come back until after the first of the year. I was not here when all of this took place.”

Supervisor Fly: “So Mr. Greene, so the Sheriff stopped the work and I am just trying to get.....we’re talking about \$69,000 that we will let the Attorney handle, but the Sheriff stopped the work. Who authorized this guy to restart the work? Are you telling me that a second time, he drove up on the property and started digging holes; we stopped him and then and he came back and started digging holes again? Who authorized him to start the work again after the Sheriff had stopped him?”

Mr. Greene: “Mr. Fly, I will give you my honest take. My involvement with this project, I was tasked with getting the bids for the demo of the building; getting the bids for the removal of the asbestos from the building; I have never met with Tom Freeman; I didn’t even know what he looked like until that day at the Board meeting. I was not present at any meeting with him, Mr. Tyler or with anybody. I was not involved with this removal of the hub system.”

Supervisor Fly: “So you were not at the meeting?”

Mr. Greene: “I was not at any meeting.”

Supervisor Fly: “So if you weren’t....”

Mr. Luter: “I was on vacation.”

Supervisor Fly: “And you weren’t at the meeting.”

Mr. Greene: “I wasn’t at any meeting with Phillips Communications.”

Supervisor Fly: “I am trying to figure how who, after the Sheriff stopped the guy, who started him back up again?”

Mr. Gilliam: “Okay the Sheriff called me and asked me who was Tom Freeman because he didn’t know who Tom Freeman was because the County Administrator has never called him and told him about the people doing the work. So I told him who Tom Freeman was because Tom has called me. So I called the Sheriff back and I told the Sheriff that Tom has been doing work for the County since I have been here and he said he was going to protect the 911 system. So the Sheriff said I don’t know who Tom Freeman is or who he is doing work for. And so he told Tom to come on back and protect

the 911 system for him. So Tom, his workers, whatever, came back and took care of the 911 system, that day we were doing the work. Other than that, I don't know anything."

Supervisor Fly: "So someone from the County called and told him to come back."

Mr. Gilliam: "Well I called Tom and Tom talked to the Sheriff and if the Sheriff was in here now, he would tell you. But I talked to (next word inaudible) and he told me to call Tom and tell him if he is going to protect the 911 system, because they were putting some stuff in place, if the County approved to run the lines, whatever; he said then tell him to come on back and take care of the 911 system. So he called the Sheriff back and talked to him. But the Sheriff didn't know who Tom Freeman was; he did not know nothing about Tom or his workers. So I told him that Tom had been doing work every since I have been here. So he called Tom and they talked and he told him to come on back."

Chairman Tyler: "So instead of the \$69 thousand dollar bid and I am glad it turned out the way it did because we will be saving the County a lot of money. So the bid is \$6,200 to get the job done and we can proceed with the demolition of the jail and the commencement of the construction for a building for the Commonwealth's Attorney and we need to move forward."

Supervisor Fly: "Can I ask one other question. I am just not catching this and I am catching on a little slow here tonight. If no one authorized Mr. Freeman to start to work and there was no contract to start the work; and now we have a bid for \$6,200 – then I am totally confused on why was a \$75,000 allocation brought to us at our last Board meeting to be approved. Where did the \$75,000 figure come from? (Chairman Tyler corrected the figure - \$70,000). Last Board meeting, we had the \$70,000 figure come to us and three Board members voted to allocate that money? If Freeman didn't present a bid and Freeman was not in the meetings and Freeman just as Mr. Warren said, drove up on our property and start digging holes."

Chairman Tyler: "He submitted a bid."

Supervisor Fly: "So where did this allocation figure, that obviously luckily, it wasn't passed last time – where did that figure come from?"

Chairman Tyler: "He submitted – remember the meeting I was referencing that we were in and the Attorney came. He brought in a bid for \$85,000."

Supervisor Fly: "So the \$70,000 appropriation that was brought to us in our last meeting..."

Chairman Tyler: "He brought a bid for \$85,000. After questioning him about the bid, he lowered it to \$69,500; So that was what you received at your last Board meeting."

Supervisor Fly: “Okay, so let me ask another question. So if Mr. Warren and Mr. Futrell and myself or at least one of us would have voted to allocate \$70,000, who would we have paid the \$70,000 to?”

Chairman Tyler: “If you had approved it?”

Supervisor Fly: “Yes.”

Chairman Tyler: “Then that \$70,000, not \$70,000, you would not have paid \$70,000. It would have been \$69,500.”

Supervisor Futrell: “But you asked for \$70,000.”

Chairman Tyler: “We asked for \$70,000, five hundred over just in case there were some change orders.”

Supervisor Fly: “But if we had approved the \$70,000, would that money have gone to Phillips?”

County Attorney Packer: “Yeah, it was the only bid we had.”

Supervisor Warren: “Can I address a comment to Mr. Fly?”

Chairman Tyler: “Yes.”

Supervisor Warren: “Aren’t you glad we voted against it?”

Supervisor Fly: “Mr. Warren, I am glad we voted against it that night and I am doubly glad tonight that we didn’t vote for that. But my question is still, the dots are not connecting for me because there was some reason that this \$70,000 allocation was brought to the Board. So somewhere in preparation of our packet, somebody believed that Mr. Phillips should be paid, which would lead me to believe that somebody authorized him to do some work, Phillips Communications, so Freeman. So the dots are not connecting for me on this and if we had allocated it, we paid the man \$69,000. I don’t want to go too far into this, because I know our attorney is going to wind up dealing with this. I am not going to vote to allocate any more money until we figure it out. Are we going to wind up paying the \$69,000 also?”

County Attorney Packer: “I think we need to get some more clarity over this concern. We determined that we would not pay the first contractor without a bid and a contract. He indicated how much he believed it would cost, in fact when he put in his bid, we knew how much he said it would cost. At that point, he had indicated that he had done work for the County previously; we expected that even if more bids were to come in, that we would need about that amount of money. This is an emergency process; it is not the normal way that we do work. Because of the outstanding show cause from the Circuit Court to build this office. At one point, I know I was told there wasn’t anyone else; that

we had gone to several other potential contractors and there wasn't anyone else who was interested in looking at this project. And not until the first of this week, did I learn that there was in fact another.I was going over to the Courthouse to bring the order to the Commonwealth's Attorney for the judge to sign and Mr. Luter called me over and said I would like for you to meet these gentlemen. They have something to say. So that's when we learned that there was in fact, at least another contractor interested in bidding and that although we didn't hear any numbers at that time, that it would likely be significantly less. So I think it would be difficult from hypothetical point of view for us to say what might have happened if you had voted on it because if at some point when we did not believe there were going to be any more bids coming in, if we had processed, if we did paper and paid the bill, then the answer would be yes, the bill would be paid. But it's impossible to know because now that the next person came in and came in with a substantially lesser bid. I would just say that at this point, irrespective of who told who whatever as it relates to the history. We shouldn't tear down the jail until we move the phone lines away from the building, so that we don't have a problem with telephone service if something happens when the building is torn down. My initial understanding was that the equipment was in the building and that there was no way that you could tear the building down without destroying the phone system. The newer contractor says that that's not the case; it's outside of the building, but it's close enough to the building that if the demolition contractor shouldn't have to be so careful to not mess up those wires and that's it's a simple thing and relatively inexpensive to move the lines over fifteen feet so that we don't take that risk. And of course also we are going to be building a new building and at some point, we will have to move that stuff out of the way so somebody wouldn't break it, either the demolisher or the new contractor. So considering that, I've heard through the Commonwealth's Attorney that the court has already indicated interest in accelerating the hearing date because the building has not yet been demolished; that we go ahead with the \$6,200 price; get the lines moved out the way so we can take the building down. I think we have already let the contract low bid as you approved for the demolition itself. So once get this done, we can move the wires and get that building down and get the design build bids for the building itself. So that in February when we meet with the court, we can show substantial progress as it relates to this project."

Supervisor Fly: "Somebody is wrong. I look at this the same way I looked Governor's numbers on the 460 Bypass thing. The Governor says it 5,000 trucks coming down 460 by 2017; the port says it's only 113 trucks. Somebody is wrong on that. Somebody is wrong on this. If one contractor says it's \$69,000 worth of work and the other one says it's \$6,200 – one of those is wrong."

Chairman Tyler: "At this time, the Chair will entertain a motion for approval of the lowest bid of \$6,200, such that we can proceed with the demolition of old jail and the construction for the Commonwealth's Attorney's office."

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR CAPLE that we proceed with Tri-City Communication, the bid of \$6,200 for the removal of the phone hub.

Discussion on the motion;

Supervisor Fly: "I am probably going to vote for this, because I don't think I have a choice. I want to express extreme displeasure having been put into this situation. I think this needs more work. I think we need to get to the bottom of this. But I trust our County Attorney; I know he's working with the Court and I know that this communication system has got to be moved or we won't have a communication system on the complex. But that's not going to be the end of this. We have got to get to the bottom of this because somebody is lying and somebody is wrong on this. Do we have any confidence level that this \$6,200 is going to allow us to move forward and tear that building down?"

County Attorney Packer: "You should ask that question to the Building Inspector."

Supervisor Fly: "Mr. Luter, come on back up."

Chairman Tyler: "You can answer from there if you want to."

Supervisor Fly: "So I see your name on this paper."

Mr. Luter: "Only because I made the phone call. I am beginning to think that was bad idea."

Supervisor Fly: "So you went and got the bids."

Mr. Luter: "I contacted Verizon and got Mr. Briggs' name, contacted him and scheduled a meeting for him to come out to give us a quote taking the telephone system off of the building so we can demolish the building."

Supervisor Fly: "So you looked at this?"

Mr. Luter: "I was out there with him, yes sir."

Supervisor Fly: "So you are telling the Board that if we spend \$6,200, because my fear is that we are going to spend \$69,000 also, if we spend \$6,200 and we accept this bid right here...there are a lot of ifs, ands and buts going around...you're telling me that it's \$6,200; this work is done – our communications system will function and we can proceed to tear that building down."

Mr. Luter: "I am telling you that that is what Mr. Briggs stated. I can't answer that. I don't do communications work. You ask me about a building, I can tell you that. You ask me about communications wires, I don't do that. I can only tell you that the contractor stated to me that – you would move the box, put it underground in a vault and not so much as one phone line go down."

Supervisor Fly: "911 won't go down?"

Mr. Luter: "Nothing."

Supervisor Fly: "And none of this ties into the work that was done by Phillips."

Mr. Luter: "Unless you take the Optional Conduit work, no sir."

Supervisor Fly: "Alright, so let me ask a question on that then. If none of what's been done is needed, then why would he put an option to hook to it?"

Mr. Luter: "Because if you want to upgrade the system at the Courthouse to fiber optic, then this hub would be tied to the conduit infrastructure. And he also gave us some figures on that. Nothing in writing and nothing I am willing to tell you tonight. But if you want it, you can get that in writing. But that's the point and time the conduit enters, if we ever decide to get off the copper lines and go to fiber optics, then and only then would that conduit system come into being needed."

Supervisor Fly: "Did this contract give a recommendation that he thought we should go that way?"

Mr. Luter: "I'd prefer not to answer that."

Supervisor Fly: "I am asking a question, I prefer you do answer it."

Chairman Tyler: "I don't think we should put the Building Official in that predicament because....."

Supervisor Fly: "His name is on top of the bid. I want an answer to a question."

Mr. Luter: "I can answer."

Supervisor Fly: "Answer it."

Mr. Luter: "Yes."

Supervisor Fly: "He thinks we should go that way."

Mr. Luter: "Yes."

Supervisor Fly: "So if he had come in as the first contract, would he be near \$69,000 or do we know?"

Mr. Luter: "He would be closer to the \$69 than to \$6,200 to upgrade to fiber optics, but that's not what we asked to have done."

Supervisor Fly: "I am going to vote for the \$6,200, but in one statement you are saying the contractor says that what we have done, what this guy did is not necessary, but now he wants to hook to it and he thinks probably is necessary?"

Mr. Luter: "No sir. That's not what I said. He's giving you the option if you want to tie to the infrastructure that's there from this box. Otherwise you are going to have to do it if you ever decided to use that conduit. So he's giving you an option here of tying to that system for the sole purpose of upgrading the fiber optics, if you so choose, of which he – to answer your question, recommends it."

County Attorney Packer: "And again, I remind the Board this is an emergency situation. We weren't attempting to go to a process to give up an upgrade. If we had, we would have been able to use more conventional methods of procurement and we wouldn't have been measuring apples against apples. So I think on site, we pretty much decided that what we were really interested in is what we needed to do and that was to the cause the phone system to stay up on the building to the extent that we need to go to the next level on an upgrade, we would deal with that, not as an emergency."

Supervisor Futrell: "Mr. Luter, he's saying fifteen feet – is that from the old structure or is it going to be fifteen beyond where Mrs. Ramsey's new office will be?"

Mr. Luter: "It will be moved fifteen feet off of the existing building, of the old jail now, which will put it in front of the oil tank, which you can't go but so close to that oil tank anyway with a building. So it will move it...I guess to answer your question, out of the way."

Supervisor Futrell: "The reason why I say, we haven't got the plan for Mrs. Ramsey's office; we don't know the footage and all of that. If we move it this time and then you have to move it again, it's just the idea if it's going to be moved far enough away from the structure that it is now, plus the structure that's going to be built."

Mr. Luter: "Based on the parameters I was given, was within the confines of the original building and towards the back side of the Treasurer's. But not any further towards the old administration building, because that's big above ground fuel oil tank that supplies the boilers to all of the different buildings is there within that chain link fence. That's going to move it to the end of it, because no one has asked to have that tank moved; they want to work from that tank back to the road and back to these buildings, this way, not any further, so this would get it to the end of that oil tank out of the way of the parameters that I have been given."

Supervisor Futrell: "I am just saying, instead of moving it once, they might have to go and move it twice and it would be another \$6,200."

Mr. Luter: "It should not be if the building goes in the area I've been told they are trying to put a building."

Supervisor Warren: "I have heard our attorney and I respect his judgment and I know we are up against the gun and so that we don't all go to jail, I am prepared to vote for this. But I want to go on record of saying that I don't like what I hear on this whole deal; when just a few days ago, three people on this Board voted to spend \$70,000. And tonight, the same three want to spend \$6,200. That's a great savings, but gosh knows what happened the last time we voted? And I want it to be on record saying I don't like what I see and somebody is still lying and this is not the end of it and I am prepared to vote for the \$6,200 expenditure so we can move on."

Chairman Tyler: "And again, I simply say, at the last meeting, you had one bid and I would like to thank Administration for working to secure another bid and it's very competitive. There is a motion on the floor; there is a second, ready for the question. All those in favor say aye."

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

Voting nay: none

Item 4. Advertisement For County Administrator

Chairman Tyler: "As many of you know, I have been serving in the Interim County Administrator to keep things moving forward and I would like again to thank staff for their cooperation and keeping things afloat. But I also realize that we need to move ahead and advertise, such that we can get someone into the office to be there full time. I am there about three days a week if not four, but half day and it requires me to work late at my other job. So it's very time consuming, I just want to get the Board's feeling on advertisement and we can use VACo, VML and other methods of advertisement. If there is a particular method that you all want administration to proceed with in terms of advertisement."

Supervisor Fly: "Before we move to the advertisement, I think considering the situation the County is in, because you are exactly right. The Chairman, under law, in the absence of the County Administrator, the burden falls on the Chairman. And no Chairman that has another full time can pull this thing off. It just can't happen."

Chairman Tyler: "It's very demanding...long hours."

Supervisor Fly: "I would ask the Board and I will go into great detail if I need to, before we go to advertising for County Administrator, that the Board reinstate Mr. Tom Harris. His contract is up in August. Come August, if whatever complaints the three gentlemen that voted to fire Mr. Harris had, still exist then they can bring it up to a vote to terminate his contract – I don't; think a new contract is needed. He has an existing contract; it could be reinstated and he could come back to work. We have too many irons in the fire especially with the 460 Bypass, I-95, the DOC \$470,000 loss in our budget – we have too many issues to bring in someone at this point. We don't have time to bring in anyone, number one and to bring someone that's not familiar with what's going on. I think the

County is going to lose too much money. So I would recommend to this Board that a vote tonight to do what's best for the County. Let me state one of the problems I have.”

Supervisor Caple: “Mr. Chairman, point of order. That's not on the agenda, so we don't need to be discussing that. We approved the agenda and we want to work from the agenda that we have here before us.”

Supervisor Fly: “Mr. Chairman, it's my understanding that.....”

Chairman Tyler: “There is a point of order that has been called by a Board member. That is not on the agenda and we have voted on that at a prior meeting; we allowed that and we will not reconsider that tonight. I think you are asking to reconsider.”

Supervisor Fly: “No, I am asking to discuss some new information that wasn't discussed at the last meeting and it is relevant because hiring a new County Administrator when you haven't totally resolved all of the issues with the old one, I think is problematic, but with all respect to Mr. Caple – Mr. Warren and I made a special called meeting for tomorrow night at seven o'clock. And the Chairman and Mr. Caple had called a meeting for today at 3pm. And the Chairman was nice enough to merge those two meetings together. And on our agenda, we had the re-hiring of Tom Harris. And it was my understanding that the two meetings would be merged together. And we merged them together and in looking at the agenda, advertisement of the County Administrator, I would assume that the discussion to re-hire Tom comes under that. Mr. Caple you may have not been aware of the fact that the Chairman merged these two meetings together and that agenda put forward by me and Mr. Warren had in it, as an agenda item, the rehiring of Tom Harris. So I think the point of order does not stand if the Chairman is a man of his word and he merged these two meeting together, then it is proper and it can be addressed under Number 4 and I would like to continue.”

Supervisor Caple: “We approved the agenda at the opening of this meeting and that's the precedent that we are going to use. Now if we are not going to do what we say we are going to do, there is not need to say we are going to do anything. County Attorney, did we not approve this agenda and we are going to work with what's on the agenda for tonight? This is a called meeting; this is not a regular meeting. The meeting was called for what we have on this agenda tonight.”

Supervisor Fly: “Were you aware that this was a called meeting between two meetings?”

Supervisor Caple: “That's not on here.”

Supervisor Fly: “No, were you aware that this was combining the two meetings? Mr. Warren, the meeting that you and I called for tomorrow night was not one of our agenda items was to discuss....”

Supervisor Warren: “One of the items that we had on the original agenda is not on this agenda and I was told that it was going to be merged.”

Supervisor Stringfield: "I wasn't aware of that."

Chairman Tyler: "Let me just say, if I may say....to reconsider the motion to hire Mr. Harris would be a dilatory motion in the fact that only those individuals who voted on the prevailing side can bring up for reconsideration."

Supervisor Fly: "There was no prevailing side."

Chairman Tyler: "Yes there was."

Supervisor Fly: "It was three three tie."

Chairman Tyler: "The prevailing side of the initial vote – only those individuals can bring it back up. So....."

Supervisor Fly: "Are you talking about the vote from the last meeting or the vote from the meeting on December 3rd?"

Chairman Tyler: "Reconsideration. To reconsider, it can only be made by a member who voted on the prevailing side."

Supervisor Fly: "But there wasn't a prevailing side."

Chairman Tyler: "Well, the prevailing side was those who voted....."

Supervisor Fly: "So you are going back to December 3rd?"

Chairman Tyler: "Either or."

Supervisor Fly: "No, you either going back to December 3rd or you are not going back to December 3rd. I don't have a problem with you going back to December 3rd, but if you are going back, I just want to know where you are going."

Chairman Tyler: "My point is that to reconsider, it's only the prevailing side. If there was no prevailing, if you will, at the last meeting, then obviously you would go back."

Supervisor Fly: "I would ask that the advertisement of the County Administrator be tabled until our regular meeting."

Chairman Tyler: "Let me say, we need to proceed. I don't think we need to table it, because of course, I am that person that putting work and it is again very time consuming. And there's eight hours in a day. The time I spent there, then again my real work. The motion to reconsider would be out of order at this time. But the advertisement, my point is that we need to proceed with the advertisement such that we can find qualified candidate for the Board's consideration. Again, the rationale, many of you on the Board

do not have the time to devote to that and I think it's is critical that we proceed with the advertisement for a County Administrator."

Supervisor Warren: "The day after that meeting when you dismissed Mr. Harris, you and two others voted to dismiss him, three votes sir – I am just refreshing your memory; with all due respect, the next day you asked me to meet with you on an individual basis and I am going to divulge what was said in that meeting. Because that was one on one and you tried to talk the other night over top of us on things that were said in a personal confined area. But I want to remind you of something I told you in public, that I was in business for forty seven years and before I dismissed somebody that was at that level, I had something in place for the next morning. You guys went in there and dismissed this man without any real reason; I guess he just parted his hair wrong that day. Y'all dismissed him but where you missed the boat and I really feel sorry that you don't have time to do your job, but I will tell you one thing – you should have had a game plan in place before you fired the man. Wait a minute, I am not through. I will not yield the floor until I am through. You should have had a game plan for this County and we tried to have a special meeting that afternoon. Mr. Fly and I called for a special meeting. And all of the Board members were still on the property and we begged you to hold the men here so we could do the County's business. And you let them walk away, in fact you told them to leave the property. You told them to get away, goodbye. And we were trying to put a program in place before we left that afternoon, because you left this ship unattended, just floating in the water and you still don't have no program and I want to say something else public tonight. I have not had any correspondence from you since that last regular Board meeting until you asked me to come to a meeting yesterday evening at three o'clock. No phone call, no emails, nothing and I understand from some others on this Board they haven't either. So you tell me why you're sitting here tonight pleading about your hard time and you can't do the work. You don't have time, when you didn't a program in place before you fired the man. I want an answer."

Chairman Tyler: "Thank you very much."

Supervisor Futrell: "That same day, Mr. Fly and I were out there. Mr. Stringfield and Mr. Caple had left. He said call Charlie, call John and tell them to come back. I am going to do it on my way home, but that what you said and he asked you, do you have a plan."

Chairman Tyler: "Gentleman, I am asking you to stick to the subject. The subject is to advertise for County Administrator. I am making sure it's germane to what we are talking about."

Supervisor Futrell: "You said, when Mr. Fly asked you, did you have any plans for the County. You said you got it, so therefore you got the position, you do it."

Chairman Tyler: "Thank you very much. Let me just remind you, it's not the issue...the time factor, but it not the skill set, it the time factor. Dismissal of an individual, you don't plan do a game plan when you dismiss an individual. You do what you have to do; you don't have a game plan. The second thing regarding communication from Admini-

stration, I think we sent you all a progress report. And I think Commonwealth's Attorney in terms of what we were doing with this particular project, I would remind the Board, that the Board, after going to court we had given the former County Administrator a directive – that was three weeks. And our administrative staff took three days do to what should have been done in three weeks. Took three weeks, nothing was done. We did it in three days, so that's efficiency. The directive that the Board gave was to demolish the building, the same thing we are talking about tonight, the phone hub, the asbestos, the bids – nothing was done. In three, nothing was done and I want to give praises to our administrative staff because it turned around in three days. And that's speaks well for out staff."

Supervisor Futrell: "It's still standing."

Chairman Tyler: "It's not standing because of administration, it's because the Board failed to move on what came before them, nevertheless – the Chair is recommending that we advertise for a County Administrator and will entertain a motion at this time."

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR CAPLE that the Sussex County Board of Supervisors advertise for a County Administrator.

Voting aye: Supervisors Caple, Stringfield, Tyler

Voting nay: Supervisors Fly, Futrell, Warren

The motion failed due to tie vote.

Chairman Tyler: "Thank you and I will look forward to the Board members coming to the County Office and I will give you some assignments next week. I will be giving you a call to give you some assignments and Mr. Futrell, I will give you the ledger and I will give you some communications to send out Mr. Warren."

Item 5. Interim County Administrator

Chairman Tyler: "I have one item for Closed Session and we would like to do that – Interim County Administrator in Closed Session.

Supervisor Fly: "There is no Closed Session on the agenda."

Chairman Tyler: "We have the Interim County Administrator, Mr. Attorney, do we have to put that in Closed Session; we did not amend the agenda to have a Closed Session for Interim County Administrator."

County Attorney Packer: "If you wish to discuss the appointment of an Interim County Administrator, you can go into Closed Session under the Freedom of Information Act, prior to taking any action."

Chairman Tyler: "So I will leave this item for Closed Session."

Supervisor Fly: "It's on the agenda and I'd like to have a discussion about it. Mr. Caple, how do you feel about the fact that Closed Session is not on the agenda?"

Chairman Tyler: "The County Attorney said that we can go into Closed Session?"

County Attorney Packer: "I said that under the Freedom of Information Act, you can go into Closed Session to talk about the appointment of the particular individuals or the Interim County Administrator. In order to go into Closed Session, there would need to be a motion, the motion would have to clearly state the purpose and the Section of the Code in which you are going under and it would require majority vote of the Board members."

Chairman Tyler: "So I would move to item Number 6."

Supervisor Fly: "I want to address Interim County Administrator at this time."

Chairman Tyler: "No, let's discuss that later on the agenda."

Supervisor Fly: "It's on the agenda and we are at that point right now."

Chairman Tyler: "Okay, go right ahead."

Supervisor Fly: "Interim County Administrator Number 5. We need an Interim County Administrator and I agree with Mr. Tyler that it's difficult on him with a full time job as Executive Director of the Improvement Association to adequately spend time to run this County. I don't think don't think it's fair to have him try to run the County and have a full time job, so I am sympathetic there. So what I would suggest to get the County back in sync, to get the County back with all these projects we got which are falling off of the wayside right now, I would make a motion that we hire Tom Harris as Interim County Administrator and I would glad to discuss the reasons why."

Supervisor Warren: "I second that motion."

Chairman Tyler: "The Chair has requested that item to be discussed in Closed Session. I'd like to get the feel of the Board. I think it's a personnel matter."

Supervisor Warren: "Point of order."

Chairman Tyler: "But there is a motion on the floor and there is a second to appoint Mr. Harris back as the County Administrator. You heard the motion, there is a second."

Supervisor Fly: "Discussion. The reason I made my motion is to – I go back to the point that Mr. Warren made.....on December 3rd when Tom Harris was released, whether that meeting was legal or illegal or improper, I think the courts will ultimately decide that. But my concern is that County Administrators are fired every day. There are ninety three or so County Administrators in the Commonwealth of Virginia. There are actually ten openings right now across the Commonwealth of Virginia, so it is not uncommon for a

County Administrator to be dismissed. What is uncommon is ...something I have never heard and in talking to colleagues and other counties and never seen before, is that a Board of Supervisors would release a County Administrator without a plan of action on how the County continues to function in the absence of that County Administrator. And obviously on December 3rd, this Board released Mr. Harris without an action plan and as Mr. Warren stated, he and I actually asked the Board to come back into session. Not to come back into session to reinstate the County Administrator; to come back into session and to put a government back together so that we can function. We have been since December 3rd, dysfunctional as a government. We have had multiple companies pull out of Sussex County. Now let me just make this clear, Mr. Stringfield, I know you going to respond, so I am going to beat you to the punch. Mr. Stringfield so you will understand, these companies that I talk about that's looking to come to Sussex County- they are not coming through Sussex County through the Board of Supervisors. These are companies belong to investment groups which are clients of mine, which wants to build in other counties and I am encouraging them, under my company, under my money, to come to Sussex. So when you make a statement that you didn't know about it, that's right because you don't sit in my Board meetings. So you wouldn't know about it. Just so you understand, these are companies that my company, an economic development company representing clients in Europe and in the Northeast are trying to bring into Sussex County, has nothing to do with Sussex County. But these companies are bailing out of Sussex County because we don't have a functioning government. And I think it is imperative with the I-95 project, the 460 Project, the DOC money, Tom was leading the charge on the \$477 thousand that was ripped out of our budget – the companies that are looking to come to Sussex County that are now looking to leave, not invest in our County; we learned about another one early on this week that may leave the County. With so much on the line, with million of dollars potentially being lost every day that we sit here without a County Administrator, I think it is foolish for this Board to do anything other than as the Interim County Administrator is to hire Tom Harris, somebody who is fully capable, who knows the projects and can hit the ground, day one running and put us back us right and I would ask this Board to set aside whatever differences you have with Tom, his attitude and his disrespect to the Chairman, whatever your attitude was or whatever the problem was that led you to leave this county in a lurch on December 3rd because the three Board members that voted to release Tom Harris, you have to admit to yourselves as to these citizens that you left this County without a plan. There is no action plan; there was nobody to sign checks; we left this County in a lurch – this Board. So I would ask you to set aside whatever difference you have; the citizens are sitting here and the other 9,800 citizens that we serve; that we work for deserve to have their county run in a functioning government; they deserve to have jobs brought into this County and that cannot be done with an Interim County Administrator who has no clue of what the projects are and what's going on and how we run the County. I would encourage you, if not beg you, for the citizens of this County – do not vote against this motion. Bring Mr. Harris back as Interim County Administrator for whatever time period you deem necessary, 30 days, 60 days, 90 days, whatever it is, at least through the General Assembly Session to get us out of this hole that we are in. If we lose the I-95 toll fight, we're dead. If we lose the 460 bypass, we are dead. If these companies leave this County, we are dead. If the \$470 thousand dollars that was ripped out our budget last year,

gentlemen we are \$1.4 million dollars in debt as we sit here tonight. And the thought that we will not do something and vote to bring the man back that was leading the charge to get that \$470 thousand dollars back, is totally foreign to me. There is too much at stake.”

Supervisor Futrell: “I think it was last Friday, I was in Wakefield, I had a gentleman to come to me and he said that he lost a job that could hire twenty two local that had this construction that he had. But after Mr. Harris was dismissed, he lost the contract.”

Chairman Tyler: “Why did he lose the contract?”

Supervisor Futrell: “Mr. Harris was his point man.”

Chairman Tyler: “Was the administration aware of this? Since I have been there, I have not had any dialogue at all with any particular client. Because of course, I would have employed our County Attorney to have some dialogue.”

Supervisor Futrell: “It’s a lot of things that go on in the County that the Board doesn’t know about and you know about it, but we don’t know about it. You got at Mr. Harris about the same thing and you are doing the same identical thing. Stuff going on that the Board doesn’t know about.”

Chairman Tyler: “I am not exactly sure what you are talking about. I am sure that what you are speaking of must be some industries that want to come into the County, but I am not aware.”

Supervisor Warren: “Without divulging confidentiality, I would also make you aware of a Board that you and I sit on, that’s all I need to say – I got a call from them today, from the Executive Director and the one we have confidentiality about, that we all agreed on is getting ready to pull out. And you want to know why? Because of this dysfunctional government – there is nobody to talk to.”

Chairman Tyler: “All I can say is that you just previously not to advertise for a County Administrator. So I questioning the legitimacy of your desire to really move this County forward. I thinks it’s a moot point. You can’t say I want to move the County forward and yet you don’t want to advertise for a County Administrator. My position is that you voted not to have a County Administrator, advertised, so I just questioned that. But nevertheless there is a motion on the floor and there is a second to hire Mr. Harris back as Interim County Administrator.”

Supervisor Warren: “I am pleading now – I am talking to the three that’s been against this thing. Please listen to me one more time, please. Can we do this? We are talking about Interim. We are not asking you to change your vote to bring him back and everything is love and forgiven. What we are asking is bring him back and let’s finish the stuff that we have on the table that is absolutely driving this County in the dirt. And he’s got a contract that is going to run out in August anyway. So can’t we get a few months of work done. Maybe things will change here or change there that we can work these problems out that

you all saw so bad. And move this County forward. You got this item on here Interim County Administrator. Make the man Interim County Administrator that already has the experience. You know as well as I do if you advertise and you sit there and play that game tonight, you know as well as I do if we advertise for a County Administrator, how long is that going to take, normally, to hire one? It could take months. And then you get somebody brand new that absolutely does not know what we have on the table, will not know what money is owed to us, possible companies that are coming here and one vote tonight, can put this County back, train on the track run forward and we will change the problems that you all think are so bad. It can happen if you just give up the ghost tonight, put those petty differences aside and vote to bring the man back and let him work come to work tomorrow morning.”

Chairman Tyler: “The motion and question has been called for.”

Supervisor Fly: “One quick comment. We are in the middle of the General Assembly Session that we cannot lose and we cannot be without a County Administrator and you have got to vote.”

Chairman Tyler: “There is a motion on the floor to hire Mr. Tom Harris as Interim County Administrator. We will ask the Clerk to call the roll.”

Mr. Stringfield: Nay

Mr. Fly: Yes

Mr. Tyler: No

Mr. Caple: No

Mr. Futrell: Yes

Mr. Warren: Yes

The motion failed due to tie vote.

Chairman Tyler: “To address, I guess we had the Interim County Administrator for Closed Session item, gentlemen what you have before you is a proposal for Mr. Greene to serve as Interim County Administrator. Realizing that he has been with the County for many years, who has assisted in attracting over \$7 million into Sussex County; who has served as a Planner in Sussex; who is also instrumental in getting a company back into operation; who was very, very helpful and work very hard in preparing the bid specifications, even for the demolition of jail facility; he has also scheduled and conducted meetings with representatives of a project which were are working which I will give that at this time; have been instrumental in job creation for approximately fifty individuals. And that’s Mr. Andre Greene who has served as the Planner for Sussex County. Mr. Greene also has a BS degree in Economics and Public Finance; has a Master’s degree in Urban and Regional Planning from VA Tech. Of course, he’s our Planner presently; Director of Planning and Zoning. He also served as Planning and Zoning Administrator for Prince George County. He has received several honors including, graduating Cum Laude from Lincoln University; he is the recipient of the US Housing and Urban Development Fellowship Award; so I present this to you tonight for

your consideration. Actually, he very abreast of County projects; he's committed and been here along time; highly qualified and highly educated and he would do a job. And we will ask for your consideration for Mr. Greene to serve as Interim County Administrator here in Sussex County. What is your pleasure?"

Supervisor Stringfield: "With all of that being said. Mr. Greene is an employee of Sussex County; he has done something out of the seventeen years that has effect some of you guys and you realize how important it is to keep Mr. Greene on. As a Planner, Mr. Greene has brought millions of dollars into the County; he is working to grow the County and moving the County forward. And he will continue to move the County forward. Even when we had Mr. Harris here, he was doing great things."

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR CAPLE to hire Mr. Greene as Interim County Administrator.

Supervisor Caple: "I will second that, but before I second that, I would just like to say that.....I guess that it's no need to ask or considering giving anybody else due respect on this Board and I am talking about Board members, I am not talking about the public. You don't seem to want to give respect where respect is due. We need this individual that you want to re-hire because he knows the County and he know this. He's been here about fifteen month, sixteen months, he knows more than Mr. Greene who has been here sixteen years working in this County. And nobody can say, pull a record, prove a record that he has not act in favor of this County moving forward and knowing the business and operation of this County. Now you want to disregard and disrespect him saying that he is not able, not qualified but this man that we want to re-hire, he's so qualified. I sit here and I know that just like you know and everybody else knows, how much progress has he made in the last fifteen months? We had a County Administrator before he was hired and they did everything they could and I didn't want to bring this up but they did everything they could to make sure that we fired this individual. And they did everything they could to see that he be fired. And he was moving the County forward and working with the County and knew the County and knew the business of the County. But now all of a sudden, nobody in this County knows anything, but one individual. And I just can't buy that and I am going to second that motion that we will hire Mr. Greene as Interim County Administrator. The man has been doing the work for all these years, working with the County Administrator, working as a Planner, working with Economic Development person, now he doesn't know anything. And I think that disrespect to that individual and I don't see how you can sit there and say that tonight and want the Board to demote everybody else and elevate some so high. I just don't agree with that. So I second that motion."

Chairman Tyler: "There is a motion on the floor to have Mr. Greene to serve as Interim County Administrator and it has been properly seconded. Is there any discussion on the motion?"

Supervisor Warren: "All due respect given to Mr. Greene and the job he does presently, all due respect. But I remind that Board that I sat at a meeting just a couple of week ago

and that's the same man that came before this body and in public and said that he didn't know anything about any meeting. Don't know nothing. And fifteen minutes later, you agreed that he was in the meeting with you. That's a fact."

Chairman Tyler: "Let's correct that, the Building Official and Mr. Montaque."

Supervisor Warren: "That's not what he said or you said in the last meeting. I want the people that work for us, this County, to tell the truth. It doesn't matter what color; it does not matter whether four foot three or seven foot two. It doesn't matter. Just do your job and be honest with the people that put you here to do that job. That's all I ask and I have not seen some honesty the last three or four weeks. And neither has the public."

Chairman Tyler: "Let me say something, I have a question for you Mr. Warren. And I take that personal and the reason why I take it personal because what did you say to Mr. Montaque. You said to him, Mr. Luter – that there's a man that can come from Amelia where the County Administrator is from – who comes and meets with professional staff who comes before the Board and make a statement, you don't know him, in and you are telling Mr. Luter and you are telling Mr. Montaque who has been here for years that his word and me as Chairman, his word is more credible than ours. I take issue with that. I wonder, what's the difference? If you have them on payroll, I am there, I watched those gentlemen working. I see the work, in my opinion, they are underpaid. But that's another issue. So you are telling me, a stranger can come to the door who has in my opinion, who has been manipulating this County for quite some time. All those years without a contract. This year alone, \$25,000 without a contract. You're saying to me that this man comes in, make a statement, gives you a bid that so ridiculous, and I have been doing procurement for thirty years. I looked at it, it's so unreasonable that I called the County Attorney. He looked at it and said it was unreasonable. Then we go out, because we only had one bid; again and get a bid for \$6,200 and you are going to talk about the credibility of your staff. No Board should be questioning the credibility of your staff and they are on payroll and they are doing a good job. That's what you have done and seeing those gentlemen work everyday, personally as an elected official, I take issue. I think it's very disrespectful to Mr. Montaque and I think it's disrespectful to Mr. Luter. You in my opinion, that is very unprofessional and definitely (unable to understand the next word 8:26pm) because they definitely deserve respect. I just want you to know the kind of staff you have, because you probably don't know."

Supervisor Warren: "You keep talking friend and we are going to have words, but right now I will hold myself to a lower level. Let me tell you one thing, where is Montaque – is Montaque still in here? Did I address you when I was talking to this Chairman?"

Mr. Gilliam: "No."

Supervisor Warren: "Montaque, did I address you from my comments?"

Mr. Gilliam: "No, you didn't address me."

Supervisor Warren: "Did I address you? I want to hear it"

Mr. Gilliam: "No you didn't."

Mr. Luter: "You were not talking to me."

Supervisor Warren: "Absolutely, let's go back to you. I prefaced my statement, all due respect, did you hear that part? What's unprofessional about that sir? I said all due respect to Mr. Greene and the job that he is doing now, did I not say that? So what's unprofessional about that? And you bring these two guys in and I won't even talking about them. You always make your point on something that has nothing do with what we are talking about. We are talking about an Interim County Administrator, Item 5 on the Agenda and that's exactly what I am addressing. I am not through. You said this guy, you didn't know him, but you met with him twice. You didn't know him, okay. And he has been doing business with this County for a number of years, you admit that, twelve years. Guess what, twelve years, fifteen months Mr. Harris, five or six years Mr. Morrison and I believe five or six more with Ms. Jones and you want to take issue with professionalism and my integrity when I am only questioning the one individual that we're considering tonight. And I have every right to my opinion on any individual that is hired by this County. That's what I was elected to do. The third item, you bring up this issue with this money that was voted on at the last meeting. Guess what my friend? You and your two cohorts are the ones that voted for the \$70 thousand that was not even legitimate. And now tonight you want to set here and land blast me when I am out here trying to save the citizens of this County money and I want people in those positions that are competent. That's what I am saying. All due respect to Mr. Montaque and Mr. Luter, I did not talk to them, I didn't even address my comments to - you did."

Chairman Tyler: "You insinuated – let me say this, the reason why we voted at the last meeting and I requested the Board to approve that bid, since you brought that up, is because we need to move that project forward."

Supervisor Warren: "And you were willing to spend \$70,000?"

Chairman Tyler: "Absolutely. That's the only bid you had. So if you have only one bid, then my friend you have to go with that bid. The Commonwealth's Attorney has been most patient. This Board has been procrastinating and on my watch, what I said we would push this project forward. And that was my commitment to her. That was our commitment to the judge when we went there and we need to be men of our word. So that's why we voted for it because we committed that we would."

Supervisor Fly: "Is Mr. Greene here?"

Chairman Tyler: "He's gone."

Supervisor Fly: "Then I will ask the Board the question then. Mr. Caple, Mr. Stringfield, Mr. Chairman if I could, I'll address these to Mr. Caple and Mr. Stringfield. I've got a

question for the Board, especially Mr. Caple and Mr. Stringfield. Just a few minutes ago, you heard Mr. Tyler who's been an Executive Director and held Executive positions for over twenty two years, just state that he cannot due the County Administrator's job and hold down a full time job."

Chairman Tyler: "Effectively."

Supervisor Fly: "Effectively, okay. Well Mr. Greene has a full time job as a Planner. So the question is and that's what I wanted to ask Mr. Greene, if Mr. Tyler who is an Executive for twenty two years finds it, and I would as an Executive for at least that long, also find it difficult to hold down those two positions, Mr. Caple and Mr. Stringfield, I would like to hear how do you think Mr. Andre Greene, who has a full time job in this County as a Planner is going to hold down both of those jobs. Now no disrespect to Mr. Greene, but I assure you that Mr. Greene is not as skilled as Mr. Tyler as an Executive because of his twenty two years of experience in the Improvement Association. So I would ask you, this nomination that you have motioned and seconded, if Mr. Tyler can't pull it off and I don't think I could pull it off, Mr. Warren ran a business for forty years, I don't think he could pull it off. Then how do you expect Mr. Greene to pull it off? And that's what you are asking this man to do. It's not fair to him; it's no disrespect to him; it's not fair to the County and it's not fair to the citizens of this County to ask a man to hold two full time positions. You cannot serve two masters. He's either got to be the Planner or he's got to be the Interim County Administrator. So if you want to release him as Planner and hire him as Interim County Administrator, you might have a case. But other than that, you have just heard from Mr. Tyler, just said he can't pull it off. I don't know how you expect Mr. Greene to pull this off. And I think what you are doing is putting the citizens in jeopardy by not bringing in an additional employee in, bringing an additional employee in, as Tom Harris would have been to handle the work load. And I would like to hear a response. I would also like to understand from each of you Mr. Caple and Mr. Stringfield – are you telling me and I still sit as Finance Chair – are you telling me that there is a potential cost savings in the County that we could actually merge the Planning Director and the County Administrator's job together and eliminate a position? I would like to hear a response."

Chairman Tyler: "I will let Mr. Caple respond and then I'll give the administrative plan."

Supervisor Caple: "That's not what I am saying and that is not what the Board was saying. Mr. Greene is the Planner and has been the Planner for the last fifteen, sixteen years. He has worked with the Economic Development person; he has worked with the County Administrator; he knows those jobs, those positions and we are simply asking him to fill in that position."

Supervisor Fly: "You are asking him to do a second job. Mr. Caple, with all due respect, here's the problem, the County is in a crisis. You don't seem to understand that. We have issues before the General Assembly that if we lose, we sell this County to Prince George. Do we not understand that gentlemen? If we lose the 95 Toll, if we lose 460 fight, sell the damn County to Prince George because there nothing else coming here. You cannot..."

(8:34 p.m.): Several Board members began to speak all at once making it extremely difficult to hear what was being said.

(8:35p.m.) Chairman Tyler: “We will ask you to come under control, otherwise...”

Sheriff Bell: “We are at a point where it has gotten argumentative. You are not listening; Mr. Caple is not listening; you gentlemen are having all these issues. As of right now, this meeting is adjourned. (8:35:35p.m.).