

**At A Meeting of the Sussex County Board of Supervisors, held on Thursday, May 30, 2013 – 7:00 p.m. 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  
Onnie L. Woodruff, Treasurer/Interim Director of Finance  
Lyndia Person-Ramsey, Commonwealth's Attorney  
Frances M. Fountain, Combined Court Clerk  
Charles H. Harris, III, Superintendent of Schools  
Deborah A. Davis, Assistant to County Administrator  
Louise R. Brucato, Payroll Clerk  
Ellen G. Boone, Commissioner of the Revenue  
Raymond R. Bell, Sheriff  
John Broderick, Supervisor of Finance & Technology

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**Item 1. Call To Order/Determine Quorum**

The May 30, 2013 meeting of the Sussex County Board was called to order by Chairman Tyler; having all members present, a quorum was determined.

**Item 2. Pledge of Allegiance/The Invocation**

The Pledge of Allegiance was recited by all; the Invocation was offered by Chairman Tyler.

**Item 3. Approval of Agenda**

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the May 30, 2013 agenda.

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

Voting nay: none

#### **Item 4. Motion to Enter Public Hearing**

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR WARREN and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters public hearing to consider the proposed budget for Fiscal Year 2014.

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

Voting nay: none

#### **Item 4a. FY 2014 Proposed Budget**

Interim Director of Finance, Onnie L. Woodruff provided an overview of the proposed budget for Fiscal Year 2014.

#### **Item 4b. Public Hearing**

Comments were heard from the following citizens:

Steven Warren, Blackwater District  
Glover W. Pegram, Stony Creek District  
Ora Briggs, Stony Creek District  
Paul Fenwick, Courthouse District

#### **Item 4c. Return to Regular Session (7:35 p.m.)**

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby returns to regular session.

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

Voting nay: none

#### **Item 4d. Board Members Comments**

Comments were heard from the Board members.

#### **Item 5. Fuel Tank Relocation**

The Chairman announced that the Board will discuss this item later in the meeting.

#### **Item 6. Commonwealth's Attorney Building Bid Results**

County Attorney Packer reported that the bids were received and the low bidder is Kenbridge Construction with a bid of \$999,750.00. He requested that the Board enter into Closed Session at the end of this meeting to discuss negotiating a contract, under Section 2.2-3711(A)(23), of the Code of Virginia, for the purpose of discussing that negotiation; because if it was discussed in open session, it could negatively affect the ability of the Board to negotiate the contract.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby agrees to hold a Closed Session at the end of this regular meeting to discuss the contract negotiation for the Commonwealth Attorney's Building Project, under Section 2.2-3711(A)(23) of the Code of Virginia.

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

Voting nay: none

**Item 7. Approval and Appropriation: Dominion Power: \$6,644.63**

By general consensus, the Board delayed the discussion of the Dominion Power delayed until after the Closed Session.

**Item 8. Code Compliance Specialist (New Hire) 7:43pm**

Chairman Tyler advised that Administration advertised for the position of Code Compliance Specialist and the position has been filled.

Supervisor Fly stated that he had questions regarding the hiring of the new code compliance specialist. There was only one candidate who applied and interviewed and that applicant was hired.

Chairman Tyler stated that the Board will need to adopt a resolution to include funding in the FY 2014 budget for the Code Compliance Specialist position.

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FLY to abolish the Personnel Committee.

Chairman Tyler stated that the motion is in conflict with the Board's Bylaws and then yielded to the County Attorney.

Supervisor Fly withdrew his second. Supervisor Warren withdrew his motion before the County Attorney had an opportunity to speak.

**Item 9. Department of Health Amendment to Statement of Agreement**

Chairman Tyler stated that included in the Board packet is a copy of the Commonwealth of Virginia, Department of Health Amendment to the Statement of Agreement.

No action required.

**Item 5. Fuel Tank Relocation**

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

Closed Session at the end of this regular meeting to discuss the Fuel Tank Relocation because of its relationship to the Commonwealth Attorney's Building Project, under Section 2.2-3711(A)(23) of the Code of Virginia.

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

Voting nay: none

Abstaining: Supervisor Tyler

**Item 10. Appropriation: Health Insurance Consultant Services: \$17,280.00**

The Interim Director of Finance explained that included in the Board packet is information from the Interim Director of Finance and an email from David Rowe, Benefits Consultant with Bankers Insurance. Included with the correspondence is an invoice from David Rowe in the amount of \$17,280.00. The services were granted on behalf of the County from the former County Administrator to the Department of Human Resource Management.

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby tables action on the \$17,280.00 invoice from Bankers Insurance.

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

Voting nay: none

Abstaining: Supervisor Tyler

**Item 11. Stormwater Management Ordinance 12 Month Extension Request**

Chairman Tyler explained that there is correspondence in the Board's packet regarding the stormwater management program. On April 4, 2013, the Department of Conservation and Recreation completed its review of Sussex County's progress in developing a stormwater management program, pursuant to Section 10.1-603.6 of the Stormwater Management Act. In accordance with this provision, the Virginia Soil and Water Conservation Board is authorized to grant a twelve (12) month extension to the local adoption deadline of June 13, 2013, provided the locality has made substantive progress in the development of its local stormwater management program.

Based on its review of Sussex County's draft stormwater management ordinance, draft funding and staffing plan and identification of authorities, the Department of Conservation and Recreation Suffolk Regional Office will be recommending to the Board at its June 6<sup>th</sup> meeting, that Sussex request for the twelve month extension be granted, and it is expected that the Board will vote on the extension request at that meeting. The meeting will be held at 9:30 am. in the Patrick Henry Building in Richmond VA.

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

requesting a twelve (12) month extension from the Department of Conservation and Recreation, for the development of a stormwater management program.

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

Voting nay: none

**Item 12. Budget Amendment for Computer Purchase (Commonwealth's Attorney Staff)**

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorize the Commonwealth's Attorney to transfer funds in the amount of \$2,500.00 from Line Item 1118-630 (Part Time Salaries) to Line Item 1241-630 (Office Supplies) for the purchase of two laptop computers and one desktop computer.

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

Voting nay: none

**Item 13. IT Meeting Results**

Chairman Tyler explained that a meeting was scheduled this week with Insercorp, LTD, to review the County's computer needs, particularly the email issues.

Unfortunately, the Insercorp representative was ill and the meeting needs to be rescheduled.

**Item 14. Three Brothers Whiskey Presentation**

Supervisor Fly advised that a representative from Three Brothers Whiskey is in attendance and asked if the Board would allow him to provide a brief presentation of the company.

The representative of Three Brothers Whiskey brief provided an overview of the company.

**Item 15. Closed Session (8:47 pm)**

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters Closed Session under Section 2.2-3711(A), Subsection 29, of the Virginia Freedom of Information Act to discuss the negotiation of a contract for the construction of the Commonwealth's Attorney Office.

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

Voting nay: none

**Item 16. Return To Open Session (9:16pm)**

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR WARREN and carried: RESOLVED that the Sussex County Board of Supervisors hereby returns to open session; and

WHEREAS, the County of Sussex Board of Supervisors has convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia, 1950, as amended, requires a certification by the County of Sussex Board of Supervisors that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the County of Sussex Board of Supervisors hereby certifies that to the best of each member's knowledge (1) only public business matters lawfully exempt from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened, we heard, discussed or considered in the meeting to which this certification applies.  
Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Tyler, Warren  
Voting nay: none

**Item 17, Action Taken on Closed Session Items**

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby accepts the low bid for the construction of the Commonwealth's Attorney's at the price of \$999,750.00;and

FURTHER RESOLVED that the County Administrator is authorized to negotiate with the low bidder, Kenbridge Construction Company to reduce costs if possible.  
Voting aye: Supervisors Caple, Futrell, Stringfield, Tyler, Warren  
Voting nay: Supervisor Fly

**Item 18, Recess**

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the May 30, 2013 meeting of the Sussex County Board of Supervisors is hereby recessed until 7:00 p.m., on Thursday, June 6, 2013.  
Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Tyler, Warren  
Voting nay: none