

**At a Personnel Committee Meeting of the Sussex County Board of Supervisors
Held in the General District Courtroom, Sussex Judicial Center on
Thursday, November 15, 2012, 6:00 p.m.**

Board Members Present

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

Staff Present

Thomas E. Harris, County Administrator
Michael R. Packer, County Attorney
Deborah A Davis, Assistant to County Administrator
Kelly W. Moore, Secretary/Receptionist

Item 1. Call To Order

The October 15, 2012 meeting of the Personnel Committee of Sussex County was called to order by Chairman Tyler at 6:15 p.m.

Item 2. Approval of Agenda

ON MOTION OF COMMITTEE MEMBER CAPLE, seconded by COMMITTEE MEMBER TYLER and carried that the agenda of the Personnel Committee is hereby approved.

Voting aye: Committee Members Caple, Stringfield, Tyler, Warren

Voting nay: none

Item 3. County Administrator's Evaluation

Committee Chairman Tyler asked for a motion to enter Closed Session for Personnel Matters.

Committee Member Warren asked the Chairman if he had a copy of the County Administrator's contract.

Chairman Tyler stated that he thinks he does.

Committee Member Warren asked Chairman Tyler to turn to Page 6, Section 12 of the contract. He stated that it reads as follows: "Evaluations: The Board shall review and evaluate the performance of the County Administrator at least once annually before July 1st."

Committee Member Warren stated that there are two things wrong with that. It's not the Personnel Committee's job to evaluate, it's the Board. The second thing that is wrong is that

once a year and before July 1st. The second sentence reads “this review shall be in accordance with specific criteria developed by the Board with the advice and consultation with the County Administrator.” He stated that there are no criteria; the Board cannot have an evaluation meeting tonight because we are breaking the law.

Chairman Tyler stated that is why he has asked for a meeting to enter Closed Session to discuss this item, but the Board can do it openly if they like.

County Administrator Harris stated that he does not have anything to hide.

Chairman Tyler stated that the criteria can be established and worked on by the Personnel Committee. He further stated that the Board could delegate its authority to a Committee.

County Attorney Packer stated that the Board can receive advice from the Committee but the contractual responsibility is with the full Board.

Chairman Tyler stated that the Personnel Committee is simply working to develop an evaluation criteria.

Chairman Tyler distributed an evaluation form to each member. This form was developed by Chairman Tyler. He stated that the County Administrator can complete the form, give back to the Board and the Board can begin to develop criteria.

(For the record, please note that a copy of the form distributed by the Chairman was not provided to the deputy clerk).

County Administrator Harris stated that there is another section in the contract that the Board needs to pay attention to – Section 2-3 states “This agreement shall be for a period beginning the first day of August 2011 and ending June 30 2014 and shall continue thereafter on same terms and conditions on a year to year basis, unless either party.....

Supervisor Fly asked if he could address the Board.

Chairman Tyler denied his requested, stating that Supervisor Fly is not a member of the Personnel Committee and he will not recognize Supervisor Fly right now.

Committee Member Warren asked Chairman Tyler if he (Warren) could ask the County Attorney Packer to explain Section 12.

The Chairman did not respond to Committee Member Warren’s request.

County Attorney Packer advised that if the Board of Supervisors asks the Personnel Committee to develop criteria for the County Administrator’s evaluation, then the Personnel Committee can do so.

Chairman Tyler requested that County Administrator Harris provide a copy of the County Administrator's job description at the next meeting.

ON MOTION OF COMMITTEE MEMBER CAPLE, seconded by COMMITTEE MEMBER STRINGFIELD and carried: RESOLVED that the November 15, 2012 meeting of the Personnel Committee is hereby adjourned, at 6:40 p.m.

Voting aye: Committee Members Caple, Stringfield, Tyler, Warren

Voting nay: none

**At a Regular Meeting of the Sussex County Board of Supervisors
Held in the General District Courtroom, Sussex Judicial Center on
Thursday, November 15, 2012, 7:30 p.m.**

Board Members Present

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

Staff Present

Thomas E. Harris, County Administrator
Michael R. Packer, County Attorney
Deborah A. Davis, Assistant to County Administrator
Kelly W. Moore, Secretary/Receptionist
Onnie L. Woodruff, Treasurer
Ellen G. Boone, Commissioner of the Revenue

Item 1. Call To Order

[7:35:28 PM](#)

The November 15, 2012 meeting of the Sussex County Board of Supervisor was called to order by Chairman Tyler.

Item 2. The Invocation/Pledge of Allegiance

The Invocation was offered by Reverend Danny Tucker, of the Jerusalem Baptist Church, Jarratt VA; the Pledge of Allegiance was recited by all.

Item 3. Amendments to Agenda

Supervisor Warren asked that Citizens Comments be heard at 9:00pm and that this request be included on the regular agenda as Item 9a.

Supervisor Warren asked that Item 8c (Courthouse Addition, tabled from October meeting) be stricken from the regular agenda, as it is already on the agenda.

Supervisor Warren asked to add Item 10b, Abolish Personnel Committee.

Supervisor Fly asked that Item 10a, Boy Scout Presentation Funding Request, be deleted.

County Attorney Packer asked that a Closed Session be added for pending litigation.

The County Administrator's Report noted that the following items be added to the Consent Agenda:

- a. **Invoice #938110:** Dewberry, \$3,326.20 for services rendered for the 2nd Story Addition for the Courthouse; add as "h"
- b. **Invoice #0EG1116:** One Environmental Group, \$1,641.00 for services rendered for the IAQ Inspections, Asbestos Survey of the office formerly used by County Administration; add as "i"
- c. **Correction to Consent Agenda item:** Budget Appropriations and Transfers (already on the Consent Agenda which will require an additional \$3,400.00 to be added to the Option Agreement; (correction of "b", Budget Appropriations/Transfer of Funds)
- d. **Department of Social Services Report:** A copy of report from Ms. Chequila Fields, Director of Social Services; add as "j"

Item 4. Approval of Regular Agenda

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR WARREN and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the November 15, 2012 Regular Meeting Agenda, inclusive of the following additions: (1) Citizens Comments be heard at 9:00pm and that this request be included on the regular agenda as Item 9a; (2) Item 8c (Courthouse Addition, tabled from October meeting) be stricken from the Regular Meeting Agenda, as it is already included; (3) Add Item 10b, Abolish Personnel Committee; (4) Item 10a, Boy Scout Presentation Funding Request, be deleted and (5) Closed Session be added for pending litigation.

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

Voting nay: none

Item 5. Approval of Consent Agenda (7:49 pm)

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the November 15, 2012 Consent Agenda, inclusive of the following: (1) Approval of October 15 and October 18, 2012 Minutes; (2) Budget Appropriations/ Transfers of Funds, \$746,989.94; (3) Approval of Application and Certificate of Payment #11 from Oyster Point Construction in the amount of \$539,498.35; (4) Approval of Invoice #20244, from Rancorn Wildman, in the amount of \$6,642.70; (5) Approval of Invoice #27204 from Speight Marshall & Francis in the amount of \$2,500.00; (6) Approval of Warrants and Vouchers in the amount of \$5,936,102.26; (7) Resolution of Support the Application of the Southside Regional Medical Center to Establish an Open Heart Surgery Program; (8) Invoice #938110 from Dewberry in the amount of \$3,326.20; (9) Invoice #0EG1116 from One Environmental Group in the amount of \$1,641.00; (10) Budget Appropriations and Transfers in the amount of \$746,989.94; (11) Acceptance and Appropriation of a grant in the amount of \$20,000.00 for Strengthening the Families Innovators for Success

Council participants and \$10,000.00 Basic Human Needs Emergency Grant from the Cameron Foundation.

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

Voting nay: none

Item 6. Standing Reports: Staff/Committees/Organizations

Item 6a. Health Department – No report

Item 6b. County Administrator's Report (7:49pm)

Item 6-b-1. Status of Microphones In Courtroom

County Administrator Harris advised that a technician from Simplex Grinnell visited the Courthouse on November 9, 2012 to evaluate and then recommend improvements to the Courthouse Sound System. We are waiting on their summary and report and will provide to the Board as soon as possible.

Item 6-b-2. Update of Mold Test For Former Office Space Used By County Administration

County Administrator Harris advised that the mold test report has been received. According to the report, there is a substantial amount of mold in the building. An estimated cost for the roof has been received, but has not been sent out to bid yet.

Item 6-b-3. Vacated School Property

County Administrator Harris reported that the County will be receiving three vacated School Sites (2014) once the new Elementary School is completed and school equipment has been removed.

Item 6-b-4. Crater District Area Agency on Aging Update by David Sadowski, Executive Director

County Administrator Harris reported that he has sent a follow up email to Mr. David Sadowski, the Executive Director of Crater District Area Agency on Aging (CDAAA) asking when the County could expect answers to the list of questions that were previously sent on behalf of Mrs. Brenda Burgess, Crater District Area Agency on Aging Board member.

He also reported that based on what is a verbal agreement, the Agency has changed locks in the building itself. Still no comments or response from the questions asked last month have been received.

Supervisor Fly stated that there are two things that concern him – the Board of Supervisors has allocated funding in the budget for the CDAAA for services for the senior citizens, especially those on the western end of the County. After adopting the budget and the allocation of funding, CDAAA closed the project down and the Board needs an answer from CDAAA on where the

funding is. Supervisor Fly also stated that the CDAAA has not been very forthcoming on where the County taxpayers' dollars have gone to and would like to have that information by December 2012 Board meeting.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR FUTRELL that the Sussex County Board of Supervisors allocates an additional \$4,000.00 to the Seniors of Eastern Sussex County; to add the \$4,000.00 to their existing line item in addition to the money they already have, which allows them to run their program on the eastern end of the County, separate from the western end of the County, until the Board can sort out things with Crater District Area Agency on Aging.

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

Voting nay: Supervisor Tyler

Supervisor Stringfield stated that he does not have a problem supporting the Senior Citizens, but the Board needs to find out about the funding that was been provided, so another month won't hurt.

Chairman Tyler stated that the Board should invite Mr. Sadowski to a Board meeting so that he can provide all information.

Supervisor Warren called for a point of order. He stated that the Chair called for the vote; the vote was recorded and he opened the discussion back up.

Chairman Tyler stated that he is now doing a roll call vote on the motion because it is not clear.

Voting yes in favor of the allocating the additional \$4,000.00 to the Seniors of Eastern Sussex County:

Supervisor Warren – yes

Supervisor Caple – yes

Supervisor Tyler – no

Supervisor Fly – yes

Supervisor Stringfield – no

Supervisor Futrell – yes

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR WARREN that the communications from the Executive Director of Crater District Area Agency on Aging be between the County Administrator and/or the County Attorney.

Supervisor Caple stated that this Board needs to know, not the County Administrator because the Board makes the appropriations.

Supervisor Warren withdrew his second.

Supervisor Fly withdrew his motion.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR WARREN and carried: RESOLVED that the Sussex County Board of Supervisors agrees that the communications between Executive Director of Crater District Area Agency on Aging be directly with the County Administrator or the County Attorney and that the County Administrator report all information that he gets from the Executive Director of Crater District Area Agency on Aging, to the Board of Supervisors.

Chairman Tyler stated that he has a problem with that because too much information has been circumvented from the Chair. The Chair should know what's going on in the County and there are too many instances when things come up and the Chair does not know. He suggested that a Committee from the Board should meet with Mr. Sadowski. He further stated that he would adamantly vote against that motion and asked that the Board vote against.

The Chair called for the vote.

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

Voting nay: Supervisor Tyler

Item 6-b-5. Report of Hurricane Sandy

County Administrator Harris reported that Sussex County was very much blessed during Hurricane Sandy as the County was virtually unscathed. Sussex County closed its Emergency Operations Center October 30, 2012 after three days of monitoring the massive storm. While Hurricane Sandy laid waste to a large swath of the Eastern seaboard – Sussex County received virtually no damage or significant problems.

He personally thanked the staff in general and our EOC staff in particular for their quick and timely response to this crisis and further to acknowledge Mr. Vick, Mayor Britt, Mayor Mason, Mayor Franklin, Mayor Warf, Sheriff Bell, Dr. Harris and Chequila Fields for their communications and assistance ... it was most appreciated.

In addition, County Administrator Harris thanked the Honorable A.G. Futrell who not only weathered the storm with us at the Emergency Operations Center, but proved to be very helpful in our operations.

Sussex County is fortunate to not have to open an Emergency Shelter, but school and county staff had three sites ready to open if the need arose.

As previously emailed to the Board ... an Emergency Declaration was signed by the County Administrator on Friday October 26th to insure that all expenditures would be eligible for reimbursements from FEMA. As such, the Board will need to approve it.

Recommendation: *To retroactively approve and sign the Sussex County Hurricane Sandy Emergency Declaration*

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

WHEREAS the Board of Supervisors of the County of Sussex does hereby find that;

1. Due to the approach of Hurricane Sandy, the County of Sussex is facing probable County wide flooding, wind damage and power outages; and
2. The health and safety of the citizens of Sussex County remains the Board's highest priority.

NOW THEREFORE, IT IS HEREBY PROCLAIMED that an emergency exists throughout the County of Sussex, Virginia; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of Hurricane Sandy, the power, functions and duties of the Director of Emergency Services and the Office of Public Safety of Sussex County shall be those prescribed by the state law and ordinances, resolution and the approved plans of the County of Sussex in order to mitigate the effects of this emergency.

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

Voting nay: none

Item 6-b-6. Entry Portal Signs

County Administrator Harris reported that Prince George County has requested permission to install a Prince George Welcome Sign just inside the County line (in Sussex). It has already been approved by VDOT and they are merely asking permission from the County to install it on the property/VDOT right-a-way where the Tower is located.

County Administrator Harris reported that included in the packet for the Board's consideration is an article written a couple of weeks ago for the Sussex/Surry Dispatch regarding the County's Clothes Recycling Program. There are six (6) recycling bins throughout the County and Sussex County will received \$40 per month per bin. He requested that the revenue collected from our newly instituted Clothes Recycling Program be appropriated and placed in a separate line item for beautification projects ... including a pet project to install welcome signs in Sussex County.

Recommendation: *To approve the use of Clothes Recycling funds to do beautification projects – as funding permits, and to approve the Prince George sign as requested, and direct the County Administrator to complete all necessary correspondence.*

8:27 pm

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes Administration to proceed with getting bids on and exploring the signs for entry into Sussex.

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

Voting nay: none

(Please note that the motion did not include accepting, appropriating and placing Clothes Recycling funds collected in a separate line item and for the funds be use to do beautification projects).

Item 6-b-7. Board Member Travel Reimbursement

County Administrator Harris reported that included in the Board's packet is a summary of recent reimbursement requests. He stated that he has discussed this matter with both the County Attorney our and Auditor and therefore as County Administrator, he is asking for clarification and direction.

Chairman Tyler suggested that the County Attorney draft a policy for Board Members' Travel reimbursement.

Item 6-b-8. and US 460 Bypass Projects (Being Smarter)

The Honorable C. Eric Fly asked that this item be placed on the agenda. The County Administrator has met with the Governor's Policy Staff, Secretary of Transportation Sean Connaughton and the Associate Director of the Federal Highway Administration. Attached is a November 14, 2012 notice for a US 460 Public Meeting to be held by VDOT at the Surry County High School. The public is invited.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR WARREN and carried: RESOLVED that the Sussex County Board of Supervisors authorizes the County Administrator to engage Attorney Barry Steinberg to assist the County with the Route 460 Project, to look at the environmental issues that have been raised by the Army Corps of Engineers.

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

Voting nay: none

Item 6-b-9. Mega Site Grant Budget

County Administrator Harris advised that he has been asked to clarify where we are with regards to the County's Mega-site ... especially as it pertains to finances. As such – please be advised that on October 31, 2012 Sussex County completed the purchase of the first 600 acres of the Mega-site utilizing the \$4.392 million dollars awarded to the County by the Tobacco Commission. It is the County Administrator's understanding that the Board was not aware that this award was for 90% of the land cost for the property under option at the time of the application. As such the County was required to pay the additional 10% as well as the full amount of the \$250,000.00 option on the "Peebles" Tract. (It is our intent to reimburse the County once the properties are timbered – thus reducing the County's taxpayer contribution).

Furthermore, Sussex also submitted a new Grant application for additional land at the Mega-site and was required to have optioned land. He reports that through the efforts of County Attorney Packer, we now have two parcels under option and further that the costs of these options are both

included in the grant and will be deducted from the cost of the property at the time of settlement (if we receive grant approval in December).

And finally, the County Administrator acknowledges the extraordinary work done by Mr. Andre Greene in drafting the Grant (as he did for the first grant); Mrs. Shannon Fennell of his staff for typing and collating the Grant and of course Mr. Michael Packer for his legal and negotiating work..

Item 6-b-10 Unpaid Lobbyist for Sussex County

The Honorable C. Eric Fly, Sr. has asked that this be placed on the agenda as it has become somewhat confusing to officials in Richmond if he is speaking as a lobbyist representing clients or speaking as a member of the Board of Supervisors of Sussex County on the issue of the I-95 tolls. As he is afforded certain privileges, as small as they maybe, as an elected official, he does not wish any confusion surrounding his name or his motives.

Therefore, he asked that this item be placed on the agenda so that the Sussex County Board of Supervisors can designate him as an unpaid lobbyist for Sussex County. This will allow him to file the proper paper work declaring his ability to represent, without pay, Sussex County on this matter. Making Sussex County both his native county and client and taking away any advantages some may claim he has as an elected official.

ON MOTION OF SUPERVISOR WARREN that the Board allow Supervisor Fly to file the necessary paperwork declaring his ability to represent, without pay, Sussex County on the I-95 Toll Project.

Supervisor Stringfield stated that he does not think it is especially good for a Board member to act as an unpaid lobbyist for the County.

Supervisor Fly asked Supervisor Warren to withdraw his motion.

Supervisor Warren stated that it is absolutely ridiculous for the Board to sit here and not do this because here is a man that is already a paid lobbyist and the only time that he is involved is on this one issue.

Supervisor Warren withdrew his motion.

Item 6-b-11. Noise Ordinance

County Administrator Harris advised that the Noise Ordinance will be advertised for public hearing to be held at the December meeting.

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes the County Administrator to advertise the proposed Noise Ordinance for public hearing scheduled for December 20, 2012.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Tyler, Warren
Voting nay: none

Item 6-b-12. Crater Planning District Commission

Included in the Board's packets is a letter from Mr. Dennis Morris requesting that the Crater Planning District members support a continuation of the existing Planning District Boundaries. As you may be aware, the State evaluates these boundaries following every census to determine if changes may be required based on the new demographics. The County Administrator concurs with Mr. Morris' position and would recommend a letter of support for retaining the current boundaries as well as our desire and intent to remain in the Crater Planning District.

Recommendation: *To authorize and direct the County Administrator to send a letter clarifying the County's position and providing our support for the existing planning district boundaries.*

No motion, but authorization was given as announced by the Chairman.

Item 6-b-13. Supervisor Warren's Requests

Chairman Tyler advised the Honorable Raymond Warren asked for several items to be included in the Board Agenda.

- a. Reintroduce last year's Resolution to leave a Board Meeting by 12 midnight. (Chairman Tyler stated that is already in the County's Ordinances).
- b. Reintroduce Citizen's Comments before 9:00 p.m.
- c. Remodel old County Administration Office for Commonwealth's Attorney. (Chairman Tyler advised that this will be discussed in Closed Session).
- d. Ask the Chairman to step down. (Supervisor Warren stated that he would like Mr. Tyler to consider stepping down so move this County forward, because instead of Chairman Tyler helping the Board to come together and move the County forward, everything the Chairman has done for the first ten months has been divisive. And also when the Board tries to bring up issues and things, the Chair talks from five minutes to an hour.

Chairman Tyler stated that Supervisor Warren asked him in previously to step down as Chair and respect Supervisor's Warren request.

Item 6-c. County Attorney's Report

Item 6-c-1. Board Tie Breaker

County Attorney Packer stated that he previously provided the Board with a legal summary and will need Board direction.

Supervisor Caple stated that he does not think the Board needs this.

There was no further or discussion or action by the Board on this issue.

Item 6-c-2. Board Training

County Attorney Packer reported that he met with the Chairman earlier today and worked out a list of possible subjects that relate to the law that he can provide for training for the Board. He suggested that he prepare a survey for the Board so that he can have an indication of what items they might give priority to so that he can plan the training accordingly.

Supervisor Fly suggested that the Board place this item on hold for a period of no less than six months, because of all of the other difficult situations that they are facing. He further stated that the Board is dealing with the I-95 Toll Project that may cripple the western side of the County. Our County Attorney is actively involved in that; the Board is faced with Route 460 Bypass Project on the eastern end of the County and our County Attorney is actively involved in that in trying to find some remedies that will save this County from being destroyed economically. Our County Attorney is a part time attorney and the Board needs his entire focus on these major projects.

Supervisor Caple stated that training is always good and asked County Attorney Packer if he (Mr. Packer) will have time to do the training.

County Attorney Packer stated that he will act in accordance with the Board's desire.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR WARREN that the Board of Supervisors place Board training on hold for six months.

Voting aye: Supervisors Fly, Futrell, Warren

Voting nay: Supervisors Caple, Stringfield, Tyler

9:10:01 PM Public Comments

Comments were heard from the following:

Henry District – none

Courthouse District – none

Blackwater District

Dale Cupp - Board needs a parliamentarian

Fred Turck – Board needed training eleven months ago, employees need to be evaluated

Marvin Raiford – failed in responsibility as a voter, just started attending Board meetings

Wakefield District

Anne Joyner – embarrassing; it's a shame; only three Board members supporting her in the 460 Bypass Project; we need new Chairman; County not progressing.

Thomas Harris stated that a certain series of allegations were made tonight and he wants to make it clear to the Board and to the Community that he does communicate with the Board; he works for the Board and he makes sure that that transpires. Number two, he then directed a question to Supervisor Stringfield – “can you tell me what a playa is?”

Supervisor Stringfield: “A what?”

Thomas Harris: “A playa, what is that?”

Supervisor Stringfield: “You tell me.”

Thomas Harris: “I don’t have a clue. I want to know. What is your definition of that?”

Chairman Tyler: “This is public comment.”

Supervisor Stringfield: “Well.”

Thomas Harris: “No, I need an answer; I want my wife up here. What is it?”

Chairman Tyler: “The Board does not have to respond to public comment.”

Thomas Harris: “No, he made a public statement in front of my peers somehow calling me a playa, whatever that means; I want to know what it is and I want you to apologize to my wife.”

Supervisor Stringfield: “I won’t comment on that.”

Thomas Harris: “Excuse me.”

Supervisor Stringfield: “I won’t comment on that.”

Thomas Harris: “Why is that?”

Supervisor Stringfield: “I just won’t.”

Thomas Harris: “Are you ashamed of what you say.

Supervisor Stringfield: “You said a playa?”

Thomas Harris: “Yeah.”

Supervisor Stringfield: “You tell me what a playa is.”

Thomas Harris: “I didn’t say it, you did.”

Chairman Tyler: “I would think we would move on; any more comments Mr. Harris?”

Thomas Harris: "He owes my wife an apology."

Supervisor Stringfield: "No I don't."

Thomas Harris: "Number one, Number two – if you are threatening me, why don't you tell the community?"

Supervisor Stringfield: "Threaten you?"

Thomas Harris: "Yeah, what did you say to me over here?"

Supervisor Stringfield: "You take it the way you want to take it."

Thomas Harris: "Take what?"

Supervisor Stringfield: "Whatever."

Chairman Tyler then continued the public comment period.

Al Peschke – stated that he is ashamed of his supervisor; he doesn't return phone calls; he doesn't answer emails.

(Lyndia P Ramsey, Commonwealth's Attorney stated that she was a little late getting to the meeting, but heard that the matter regarding the Commonwealth's Attorney's Office has been taken off the agenda.

Chairman Tyler advised that the item will be discussed in Closed Session.

Henry District (Chairman Tyler had called for comments from Henry District earlier, but called again)

Stony Creek District

Otto Wachsmann – place a link of the Noise Ordinance on the County's website; it is frustrating to sit in the audience and watch what goes on. So much disrespect in the way this Board operates.

Elliott Shands – the entire Board needs to check its behavior; it's not just one individual; if one individual is dictating the total behavior of this Board, then it's something wrong with the rest of the Board; need to stop arguing and bickering.

Waverly District

Magdalene Turner – commended the Board for their interest that was shown to the Senior Citizens at tonight's meeting; if we can't do what's right, what is the point of trying to do something? No success will happen in Sussex because of the way the Board acts; we need the tie breaker whether the Board agrees or not.

Marian Davis – told Chairman Tyler that she has a three year old granddaughter and the way that the Board members are conducting themselves, she is smarter than the Board. Told the Board members that they are ridiculous; Board members leaning backwards and forward to get a vote – it needs to stop.

Horace L Brittle – just listening, sat in the back tonight, but cannot hear anything; he asked the County Administrator if there is any way we can get speakers so that the citizens in the back can hear; asked Supervisor Stringfield if he had been to any Route 460 Bypass meetings; told Supervisor Stringfield that he needs to get involved and know what’s going on; the bickering back and forth has to stop.

Brenda Burgess – serves on a couple of Boards on behalf of the County; one of the things we have a problem with is on these Board, is that they don’t take Sussex County seriously and it creates a problem. The Board needs to think about the impact that they have outside of Sussex County; doesn’t think the Route 460 bypass is a done deal.

Alfred G. Futrell – spoke to Chairman Tyler regarding the \$15,000 reduction in the Improvement Association’s budget; told Tyler that the reason he (Tyler) does not want a tie breaker is because he (Tyler) will lose power. He stated that the Chairman owes the citizens an apology for not being truthful.

Item 6-d. Treasurer’s Report 9:47:46 PM

Onnie L. Woodruff, Treasurer, stated that the monthly report is included in the Board packet. He also briefed the Board on revenues and expenditures.

Item 6-e. Commissioner of the Revenue – No report

Item 6-f. Sheriff’s Department: No report

Item 6-g. Superintendent of Schools – No report

Item 6-h. Director of Social Services – No report

Item 7. Appointments

Supervisor Fly requested that all appointments be tabled.

Item 8. Unfinished Business

Item 8-a. Restricted Classification Plan

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR WARREN that the Sussex County Board of Supervisors hereby approves of the Restricted Classification Plan.

Voting aye: Supervisors Fly, Futrell, Warren

Voting nay: Supervisors Caple, Stringfield, Tyler

Item 8-b. Board Bylaws

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR FUTRELL that the Sussex County Board of Supervisors hereby approves of the Board bylaws.

Voting aye: Supervisors Fly, Futrell, Warren

Voting nay: Supervisors Caple, Stringfield, Tyler

Item 8-c. The Improvement Association (Poverty Review)

Supervisor Fly stated that we have a poverty rate in Sussex County which he is concerned about, 23% for twenty years. Since the Improvement Association is the organization that the Board sponsors to help in the fight against poverty, he would like for them to create a written report on how they help reduce poverty in Sussex County.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby requests that the Improvement Association create a written report and give to the Board of Supervisors showing a set path on how the Improvement Association will help Sussex County reduce its poverty level.

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

Voting nay: none

Item 10. New Business - none

Item 11. Board Comments

Blackwater District – Supervisor Warren directed a comment to Chairman Tyler and questioned the November 2, 2012 called meeting.

Courthouse District – (absent when called)

Stony Creek District - No report

Wakefield District – No Report

Waverly District – No report

Item 12. Closed Session [10:20:04 PM](#)

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby desires to enter into a Closed Session for the following matter(s): Pending Litigation

WHEREAS, pursuant to §2.2-3711(A)(7) of the Code of Virginia, as Amended, such discussion may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Sussex County does hereby authorize discussion of the aforesated matters in Closed Meeting.

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

Voting nay: none

Item 13. Return To Open Session

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL 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, 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 exempted 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, were 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 14. Action on Closed Session Item

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR WARREN and carried: RESOLVED that the Sussex County Board of Supervisors hereby directs the County Administrator to immediately commence the construction project for the Commonwealth's Attorney's Office space; and

FURTHER RESOLVED that the office for the Commonwealth's Attorney will be constructed in the area of the Old Jail Building and this action shall be constituted as an emergency and will meet all requirements of the law.

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

Voting nay: none

Item 15. Recess

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the November 15, 2012 meeting of the Sussex County Board of Supervisors is hereby recessed until 3:00 p.m. on December 3, 2012; and

FURTHER RESOLVED that the meeting will be held in the Conference Room of the County Administration Building and shall include on its agenda, Board Bylaws and Criteria for Evaluating the County Administrator.

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

Voting nay: none