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**August 18, 2011**

**TO:** Honorable Members of the County of Sussex Board of Supervisors

**FROM:** Thomas E. Harris, County Administrator

**SUBJECT:** Sussex County Board of Supervisors’ Meeting

Thursday, August 18, 2011 – 7:00 p.m.

General District Courtroom - Sussex Judicial Center

**REGULAR MEETING AGENDA**

**7:30 P.M.** **CALL TO ORDER/DETERMINE QUORUM – CHAIRMAN**

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**INVOCATION AND PLEDGE OF ALLEGIANCE**

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**AMENDED AGENDA**

*None at this time*

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**APPROVAL OF REGULAR AGENDA**

**Recommendation:** *I move to approve the Sussex County Board of Supervisor’s August 18, 2011 Regular Meeting Agenda as presented (or as amended)*

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**PRESENTATION: MEDAL OF VALOR**

**Medal of Valor Presentation to Jarratt Volunteer Fire Department**

Please find attached a letter from Eddie T. Vick, Sussex County Public Safety Coordinator, regarding the brave and heroic efforts of the Jarratt Fire Department on March 15, 2011.

This evening the Honorable Harris L. Parker Chairman and Sussex County Public Safety Coordinator Eddie Vick will present the Sussex County ***“Medal of Valor”*** in honor and appreciation of these extraordinary efforts.

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**AUGUST 18, 2011 CONSENT AGENDA**

1. **Approval of June 16, 2011 Board minutes**
2. *Please note that the Board asked that these minutes be postponed to allow members to further review.*
3. **Approval of Minutes of June 30, 2011 Reconvened Meeting**
4. **Approval of Appropriations**
5. *None at this time*
6. **Approval of Warrants and Vouchers**
7. Expenditures Summary Report for July 2011
8. Bills having been Paid for June 2011
9. Bills having been Paid for July 2011
10. July 2011 Payroll/Warrants
11. July 2011 Voided Check(s)

**Recommendation:** *Motion to approve the August 18, 2011 Consent Agenda (Minutes/ Appropriations/Warrants and Vouchers) as submitted.*

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**STAFF/COMMITTEES/ORGANIZATIONS: STANDING REPORTS**

1. **Health Department:** *No report at this time.*

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1. **County Administrator’s Report:**

1. **Waverly Rescue Squad Billing For Services:** Please find attached a copy of a memo – from William B. Savedge, President of the Waverly Rescue Squad informing the Board that the Waverly Rescue Squad has been approved for billing services. While the Squad will implement these fees on September 1st it is worth noting that we (County and Waverly) will be working together with all Sussex County providers and our mutual aid partners (surrounding jurisdictions) to make these fee schedules as uniform as possible. To this end I would like to commend Mr. Savedge and the Waverly Rescue Squad for their efforts and convey to you that I look forward to helping guide the County’s efforts.

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1. **Proposal for Fiber Installation:** Pursuant to the direction provided by the Board of Supervisors, please be advised that the emergency Fiber installation (Honeymac, Inc.) will begin on Saturday August. All of the utility markings (except for an unknown *“private”* phone line and a water line) have been completed and I have spoken with Mr. Joey Patterson (contractor) to confirm his efforts. To this end, I have asked that he be aware of the water/ phone line problem and bring any required equipment to complete this line as expeditiously as possible.

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1. **County Complex Phone Lines:** Please be advised that Verizon has completed about 95% of the repairs to our phone lines and almost the entire complex is back to normal. Furthermore I met with Verizon personnel who have indicated much of our problems stem from an overheated computer located in the Courthouse HVAC room. As such, I have authorized our staff to install a rack (before we resort to constructing a small room within the HVAC room, so that we can provide an air conditioned environment for the phone computer without having to air condition the entire HVAC room).

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1. **Departmental Budget Overages:** Although not perfectly clear, it is my understanding, based on conversations with County personnel that the Board has approved the needed appropriations for any FY 2011 overages (see list) … if not, I would ask that you formally do so).

Additionally, I am pleased to report to the Board that I have met with both County Department Heads and the Constitutional Offices to convey to them the necessary cooperation (and commitment) we will need to prevent future overages.

In these discussions I made it clear that none of us can claim to be soothsayers, mystics or omniscient and therefore there will be times when our estimates and projections (as reflected in the annual budget) may not be exactly on target a year or more later – especially given the volatile nature of today’s economic conditions … and as a County Administrator of longstanding, I understand this fact better than most. This reality, however, does not prevent us from working together and more importantly in staying on top of our respective annual budgets to prevent these types of occurrences.

As such, please be advised that I have committed to working collaboratively with each of our Constitutional Offices and Department Directors so that if there are future concerns regarding overages we can keep the Board of Supervisors (and citizens) aware of the reasons and conditions that have facilitated the expenditures and more importantly to seek budget amendments and appropriations before any future overages occur … something Mr. Woodruff and I will work diligently to fine tune.

And finally, I want to take this opportunity to both acknowledge and thank Mr. Vick for his summary report (*attached*) and Mr. Morrison for his efforts to resolve this matter, as well as, to inform the Board that I will be introducing a monthly reporting format to help keep the Board and Community apprised of where we are financially at any given time during the course of the fiscal year and with Onnie’s guidance and assistance (and your support) will be doing a more comprehensive midyear budget review ... so that if needed we can make budget adjustments in a more timely and appropriate manner.

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1. **Communications Needs Analysis:** **Request For Proposal # 0816-2011 –** Pursuant to the Board’s direction, please find attached the RFP advertisement for a County wide Communications Needs Analysis. Once submitted we will evaluate and make a recommendation to the Board. In the mean time I have directed Mr. Vick to complete an evaluation of the current conditions both in the County of Sussex and surrounding jurisdictions. I believe this information will prove valuable in helping us determine what emergency steps we may need to be prepared to take while we seek a consultant to complete the RFP.

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1. **Requests for Surplus County Vehicles:**
2. Sussex Courthouse Volunteer Fire Department – Request For Surplus Vehicle
3. Stony Creek Volunteer Fire Department – Request For Surplus Vehicle

Please be advised that the Board previously approved vehicles for the Stony Creek and Waverly Rescue Squads and at this time we do not have a full inventory of available vehicles.

Additionally, although not part of the original decision, I would suggest that in the future all vehicles be first surplused and then a mechanic should evaluate each to determine if it is serviceable since we would not want to be making donations of vehicles that would be so costly to recondition, operate and maintain that it would cost more than it would be worth. Needless-to-say, the County can ill-afford to invest money in the upkeep and repair of vehicles that are not worth saving. (In short it may be better to buy new, or to auction them off, than to invest in inoperable vehicles).

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1. **Treasurer’s Report: July 31, 2011 Financial Statements**

Please find attached the July 31, 2011 Treasurer’s Report. I would like to thank Mr. Woodruff for his efforts in working with the new County Administrator and in maintaining the FY 2012 Budget Summaries – it is very much appreciated.

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1. **Commissioner of the Revenue:** *None at this time*

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1. **Sheriff’s Department:** *None at this time*

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1. **Superintendent of Schools:**
2. **School Board Surplus Property:** Please find attached a list of Surplus School Vehicles for FY 2011.

**Recommendation:** *To accept the surplus property and direct the County Administrator to include these vehicles in any County auction as previously approved by the Board of Supervisors.*

1. **2010-2011 Budget Fund Balance:** Superintendent Charles H. Harris III has requested (letter attached) the transfer of the FY 2011 School Division Fund Balance of $274,000.00 of which $224,000 to be returned to the School Capital Projects and $50,000.00 to be re-appropriated to the FY 2012 Sussex County Budget.

**Recommendation:** *To transfer from the FY 2011 Sussex County School Budget Fund Balance two hundred and twenty-four thousand ($224,000.00) dollars to the School Divisions Capital Improvement Account to be used for the new Sussex County Elementary School, emergency maintenance needs, and/or construction of the high school track, and the amount of fifty thousand ($50,000.00) dollars to the FY 2012 Sussex County School Budget for field trips, technology software and driver’s education.*

*Additionally, in an effort to help build “Team Sussex” I would further recommend that the Governing Body consider for approval a formal Policy/Agreement between the Board and School Board that would automatically allocate annually ninety percent of any undesignated School Budget fund balances to School Division Capital Projects as approved in the Sussex County Capital Improvements Plan (CIP) and direct the County Administrator to work with the Superintendent of Schools to draft a policy for their respective Boards.*

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1. **Director of Social Services:** *None at this time*

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1. **County Attorney:** *None at this time*

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**HEARING OF CITIZENS COMMENTS**

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**UNFINISHED BUSINESS**

**1: Ordinance Amendment #2011-01 (Sussex County Shooting Range Ordinance)**

Attached is a Staff Summary of the proposed **Ordinance Amendment #2011-01**. Please be advised that this is an item that I have no prior knowledge of other than the attached information, so I must apologize for the fact that cannot confirm how or why this Ordinance has been developed.

The County Administrator will read the Planning Department Report/Summary into the record and Mr. Greene, Mr. Thompson and the County Administrator stand ready to answer any questions or concerns that you may have.

**Recommendation:** *The Sussex County Planning Commission voted 5 to 2 On July 11, 2011to accept the proposed revisions and to forward this item back to the Governing Body with a recommendation for approval.*

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**2: Ordinance Amendment #2011-02 (Section 16-22, Subsection 21 of the Sussex County Zoning Ordinance)**

Again I have no history regarding this Ordinance, so please find attached a Staff Summary of the proposed **Ordinance Amendment #2011-02**. The County Administrator will read the Planning Department Report/Summary regarding the Zoning Amendment to allow Shooting Ranges in General Agricultural Districts (A-1). Mr. Greene, Mr. Thompson and the County Administrator are available to answer any questions or concerns the Board may have.

**Recommendation:** *The Planning Commission held a Public Hearing on March 17, 2011 and voted unanimously (5 to 0) to forward this to the Board of Supervisors with a recommendation for approval.*

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**3: Conditional Use Permit Application #2010-02, Walter Tuma, applicant**

Pursuant to **Conditional Use Permit Application #2010-02** please find enclosed both a Staff Summary/Report and additional information provided by Mr. Walter Tuma, applicant regarding correspondence from Dinwiddie County Animal Control Officer Alvin L. Langley. The County Administrator will read the Report into the record and County Attorney Henry Thompson Mr. Greene, Mr. Thompson and I are available to address any concerns the Board may have.

**Recommendation:** *Please be advised that if the Governing Body determines that approval of this application is warranted the Board of Supervisors will need to first rescind (by vote) the March 17, 2011 moratorium motion.*

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1. **Proposed One-Time Salary Supplement Ordinance:** As directed by the Board of Supervisors/Personnel Committee please find attached a proposed *“Supplement (Bonus) Ordinance”* and a *“Resolution”* for one time staff supplements in the amount of five hundred ($500.00) dollars for eligible fulltime employees and two hundred and fifty ($250.00) dollars for eligible part-time employees. Please be advised that while County’s in Virginia are allowed to provide such supplements/bonuses – they can only be done via an Ordinance. As such I am requesting approval to advertise the attached Ordinance for a Public Hearing at the September BOS meeting.

**Recommendation*:*** *Motion to authorize and direct the County Administrator to properly advertise the proposed One-Time Salary Supplement (Bonus) Ordinance for a September Public Hearing.*

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**STANDING COMMITTEE REPORTS**

**Building and Grounds:**

*See County Administrator’s Report (2 and 3)*

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**Finance Committee:**

*See Unfinished Business (4)*

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**Personnel Committee:**

***Deputy County Administrator Contract***

***Director of Finance***

***County Administrator –*** *duties, priorities and goals and objectives*

*Please be advised that once the Board of Supervisors has discussed general procedures and/or concluded any questions of staff, I would recommend that any discussions regarding specific candidates and/or contracts, out of respect for current or future County employees, be held in Closed Session.*

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**NEW BUSINESS**

1. **Housing Preservation Grant Resolution:** Please find attached a Resolution to the USDA –Rural Development for funding to help both rehabilitate sub-standard housing in Sussex County and to improve available housing in the County and given the enormous need throughout the County I believe that this application and (hopefully) resulting funding would greatly enhance the ability of the Sussex County Housing Program to address these concerns.

**Recommendation:** *Motion to approve the USDA –Rural Development Resolution for a Sussex County Housing Preservation Grant as submitted.*

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1. **Resolution in Support of Restoration of State Funding For Aid to Localities:** Please find attached an article from Bedford County and a recommended Resolution asking the Governor and General Assembly to eliminate the requirement that local governments within the Commonwealth to provide funding to the state for services that historically been approved and funded by the Commonwealth.

As you are keenly aware one of the ways the state has balanced its annual budget has been to either reduce contributions to localities or to have the locality to pay the state for “full funding” … neither of which is conducive to the economic stability of Sussex or other local governments throughout the Commonwealth.

To this end I have modified a Resolution for your consideration as we work to meet the needs of our people and business community.

**Recommendation:** *Motion to approve the Resolution in Support of Restoration of State Funding For Aid to Localities: and authorize the County Administrator to provide a copy to the Governor’s Office, VACO and our local newspaper.*

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1. **District 19 Community Services Board Fiscal Year 2012 Performance Contract:** Enclosed in your Board Booklet is a letter from Joseph E. Hubbard, Executive Director of District 19 Community Services Board, requesting the Board of Supervisor’s consideration for approval of the Performance Contract between District 19 and the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) for Fiscal Year 2011. Please be advised that this is an annual request. Mr. Hubbard has provided a complete contract and it is available at the County Administrator’s Office for your review. If, however, you would rather have a complete copy please contact Ms. Davis and a copy will be provided prior to the Board meeting.

**Recommendation:** *To approve the Fiscal Year 2011 Performance Contract between the District 19 Community Services Board and the Department of Mental Health, Mental Retardation and Substance Abuse Services.*

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1. **Nationwide Retirement Solutions (NRS):**
2. NRS offers … at no cost to the County a program to manage individual NRS Retirement Accounts. While there is a cost to the employee (starting at 1% of the Account Balance annually) County participants may prefer to use professional assistance in managing their respective accounts.

However, to utilize this employee paid option it requires the County to enter into a *“Plan Sponsor Agreement”* (attached).

1. NRS also offers … again at no cost access to additional products once the Local Government has entered into an “Additional Products and Services Plan Sponsor Authorization Agreement. ” (attached for your review)

**Recommendation:** *To approve the NRS “Plan Sponsor Agreement”* and the *“Additional Products and Services Plan Sponsor Authorization Agreement”* and authorize the County Administrator to complete all necessary items for the benefit of the employees of Sussex County.

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**BOARD MEMBER COMMENTS/REPORTS**

**Blackwater District:**

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**Courthouse District:**

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**Henry District:**

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**Stony Creek District:**

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**Wakefield District: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Waverly District:**

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**REPORTS FROM DEPARTMENTS/STAFF/COMMISSIONS, ETC.**

The following area has been reserved for monthly reports from Departments and/or various organizations. These monthly reports are for your information and review. Please discuss any you desire and then accept them all for the record. I recommend that in-house questions not necessarily for public consumption be directed to me outside the Board meeting.

1. **Building Department**
2. **Housing Programs**
3. **Planning and Zoning**
4. **Environmental Inspections**
5. **Buildings and Grounds**
6. **Public Safety**
7. **Animal Control**

**CLOSED MEETING**

To move into a Closed Session the Chairman will need a motion stating the specific paragraph. The motion shall read:

*I move that the Board now convene to a Closed Meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act. The purpose of the Closed Meeting is to discuss the subject matters identified as Personnel Matters and Legal matters. These subjects and purposes fall within the following exemptions under Section 2.2-3711 of the Code of Virginia, 1950, as amended.*

**A-1** Personnel Matters – County Administrator

**A-7** Legal Matters – Legal Counsel

**A-5** Prospective Business

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**RETURN FROM CLOSED MEETING**

Upon return from the closed meeting, the Chairman will need a motion to return to the open meeting.

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**CERTIFICATION OF CLOSED MEETING**

A motion is required for certification of the closed meeting.

**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.

* Vote is to be made by roll call

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**MOTIONS FROM CLOSED MEETING**

Once the Closed Meeting is certified, the Board may proceed, if necessary, with any action resulting from the closed meeting.

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**MOTION TO CONTINUE OR ADJOURN MEETING**

A motion is required to continue or adjourn the meeting.

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Enclosures