

**Sussex County Board of Supervisors  
Regular Meeting Agenda  
Thursday, September 19, 2013 – 7pm  
General District Courtroom – Sussex Judicial Center**

**Board Members Present:**

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

**Others Present:**

Thomas E. Harris, County Administrator  
Michael R. Packer, County Attorney  
Deborah A. Davis, Assistant to the County Administrator  
Onnie L. Woodruff, Treasurer/Interim Director of Finance  
Raymond R. Bell, Sheriff  
Shannon D. Fennell, Assistant to the Director of Planning

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**Item 1. Call To Order/Determine Quorum [7:11:21 PM](#)**

The September 19, 2013 meeting of the Sussex County Board of Supervisors was called to order by Chairman Fly.

**Item 2. The Invocation**

The Invocation was offered by Supervisor Caple.

**Item 3. The Pledge of Allegiance**

The Pledge of Allegiance was recited by all.

Chairman Fly welcomed new member of the Board of Supervisors, Steve White.

**Item 4. Public Hearing**

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters public hearing to consider Ordinance Amendment #2013-01, Three Brothers' Whiskey, Inc., applicant.

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

Voting nay: none

The staff report was provided by Shannon Drew Fennell, Assistant to the Director of Planning.

- a. Ordinance Amendment #2013-01, Three Brothers' Whiskey, Inc., applicant

### **STATEMENT OF REQUEST**

The applicant, David Reavis (Owner/President of Three Brothers' Whiskey, Inc.) is requesting the Sussex County Zoning Ordinance be amended to allow distilling, brewing and wine making as permitted uses in the A-1, General Agricultural District. Mr. Reavis wishes to operate a distillery for the production of whiskey at the Cheerful Chicken Farm located in Sussex County off County Line Drive. However, the A-1 Zoning District does not currently permit these uses. Thus, an amendment to the Zoning Ordinance is required if the proposed distillery is to be allowed to operate in Sussex County.

### **FINDINGS**

Staff contacted several localities in the Commonwealth of Virginia where distilleries, breweries and wineries are located and found that these uses are allowed in their respective jurisdictions within the A-1, General Agricultural "by right" in accordance with Section 15.2-2283.3 of the Code of Virginia.

### **PLANNING COMMISSION RECOMMENDATION**

A public hearing to consider Ordinance Amendment #2013-01 was held by the Planning Commission on August 5, 2013. To date, the Planning Department has not received any public opposition relative to the proposed ordinance amendment.

The Commission voted (10-1) to recommend approval of Ordinance Amendment Application #2013-01 for the following reasons:

1. The uses in question are considered to be agri-business which are allowed "by right" in the A-1, General Agricultural, Zoning District of various localities located throughout the Commonwealth of Virginia.
2. The proposed uses are compatible and consistent with other uses currently allowed within the A-1, General Agricultural District.
3. The proposed uses are regulated and licensed by the Virginia Department of Alcoholic Beverage Control.
4. The uses in question have the potential to increase tourism in Sussex County and increase economic development opportunities.
5. No objections have been received relative to the proposed ordinance amendment.

b. Public Comments – no public comments

Tim Graves, Virginia’s Gateway Region provided a letter in support of Three Brothers’ Whiskey.

David Reavis, president of Three Brothers’ Whiskey Distillery (applicant) offered comments to the Board.

Shaun Alf, owner of Cheerful Chicken Farm offered comments to the Board.

c. Board’s Comments – concerns about the naming of the whiskeys

**Item 5. Return To Regular Session**

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

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

Voting nay: none

**Item 6. Action on Public Hearing Item**

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of Ordinance Amendment #2013-01, Three Brothers’ Whiskey, applicant, for the following reasons:

1. The uses in question are considered to be agri-business which are allowed “by right” in the A-1, General Agricultural, Zoning District of various localities located throughout the Commonwealth of Virginia.
2. The proposed uses are compatible and consistent with other uses currently allowed within the A-1, General Agricultural District.
3. The proposed uses are regulated and licensed by the Virginia Department of Alcoholic Beverage Control.
4. The uses in question have the potential to increase tourism in Sussex County and increase economic development opportunities.
5. No objections have been received relative to the proposed ordinance amendment.

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

Voting nay: none

## **Item 7. Agenda Amendments**

Recommended amendments: (1) Delete Approval of August 29, 2013 Minutes; (2) add item 7a under County Administrator's report, Rededication of Civil War Monument, October 12, 2013 at 11:00am; (3) add Item 1 under Treasurer's Report, Request for Approval and Appropriation of \$15,000.00, to advertise for an employee to replace someone who is retiring; (4) Under Closed Session, add Tie Breaker Discussion.

## **Item 8. Approval of Regular Agenda**

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the September 19, 2013 regular agenda including the following amendments: (1) Delete the Approval of August 29, 2013 Minutes; (2) add item 7a under County Administrator's report, Rededication of Civil War Monument, October 12, 2013 at 11:00am; (3) add Item 1 under Treasurer's Report, Request for Approval and Appropriation of \$15,000.00, to advertise for an employee to replace someone who is retiring; (4) Under Closed Session, add Tie Breaker Discussion.

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

Voting nay: none

## **Item 9. Approval of Consent Agenda**

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the September 19, 2013 Consent Agenda, as presented.

Supervisor Caple advised that since he did not attend the August 29, 2013 Board meeting, he would not vote on the approval of minutes because he was unsure of a specific action taken by the Board relative to the suspension of the rules for that meeting. After a brief discussion regarding the August 29, 2013, the Board tabled action on the August 29, 2013 Board meeting minutes. To that end, Supervisor Futrell withdrew his second and Supervisor Warren withdrew his motion.

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the September 19, 2013 Consent Agenda, inclusive of the following:

- a) Approval of Minutes of August 15, 2013 Board Meeting (with correction)
- b) Approval of Invoice: Electronic Systems, Inc., \$10,378.50 (Elementary School Project)
- c) Approval of Invoice: Dominion Power, \$54,868.15 (Elementary School Project)
- d) Approval of Invoice: American Park & Recreation, \$42,124.00 (Elementary School Project)
- e) VACo Insurance Payment, Sheriff's Department, \$245.00

- f) Approve, Appropriate and Authorize Transfer of Funds – Phillips Telecommunications; \$1,294.00; repairs to phone extensions, and replacement phones.
- g) Approval of Invoice – Phillips Telecommunications; \$ 3,334.00; install telephone cables and relocate underground phones lines
- h) Approve, Appropriate, and Authorize Transfer of Funds – Timber Stream, LLC; \$3,200.00; Wetlands Confirmation for Route 602 Cabin Point Road Industrial Park
- i) Approve, Appropriate, and Authorize Transfer of Funds – Timmons Group; \$700.00; Mega Site/Phase I ESA
- j) Approve, Appropriate and Authorize Transfer of Funds – Timmons Group; \$2,975.00; Mega Site/Phase I ESA
- k) Approve, Appropriate and Authorize Transfer of Funds – Timmons Group; \$4,500.00; Mega Site/Property Acquisition Study
- l) Approve, Appropriate and Authorize Transfer of Funds – Timmons Group; \$10,000.00; Mega Site/Black Swamp Wetlands
- m) Approve, Appropriate and Authorize Transfer of Funds – Timmons Group; \$1,525.00; Mega Site/Phase I ESA & Wetlands Confirmation
- n) Approve, Appropriate and Authorize Transfer of Funds – Timmons Group; \$1,150.00; Mega Site/Phase I ESA and Wetlands Confirmation
- o) Approval and Appropriation of Funding for Sheriff’s Department’s Promotions, \$27,665.19
- p) Budget Appropriation and Transfer: Department of Forestry Local Cost, \$433.95
- q) Budget Appropriation and Transfer: Housing Study, Virginia Housing Development Authority Grant Income, \$6,100.00
- r) Approve, Appropriate and Authorize Transfer of Funds; \$1,161.52 from Sheriff’s Department E911 to SPOT
- s) Approval of Warrants and Vouchers

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

Voting nay: none

## **Item 7. Standing Reports/Staff/Committees/Organizations**

### **Item 7a. County Administrator/s Report**

**Item 7a1. VDOT Report** - Gerald W. Kee, Assistant Residency Administrator, VDOT, Franklin Residency was in attendance and provided an update to the Board. (A copy of the report is included in the Board packet).

Supervisor Stringfield requested that Mr. Kee look at the ditches along Railroad Avenue in Wakefield. The ditches are clogged up which causes the water not to flow freely. Some of the pipes may need to be cleaned up. Mr. Kee agreed to look at this area.

Supervisor Futrell advised that there are several locations in Waverly, Main Street and Coppahaunk, School Street, New Street and the back side of Railroad Avenue where there are problems with ditches, drainage, etc. Mr. Kee stated that he would look at that area as well.

**Item 7a2. Southside Regional Medical Center Thank You** – Chairman Fly advised that Mike Yungmann, Chief Executive Officer, had a conflict and was not able to attend tonight’s meeting. He forwarded a letter to be read aloud to thank the Board members for their support of the Open Heart Surgery Center. (A copy of Mr. Yungmann’s letter is retained in the Board file).

**Item 7a3. Proceeds from the Sale of Timber in Sussex County** - Dennis Gaston, staff person at the Department of Forestry was in attendance and presented an \$87,492.87 check to Sussex County from the proceeds from timber sales in the County.

**Recommendation:** To accept the \$87,492.87 from the Department of Forestry

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR STRINGFIELD and carried RESOLVED that the Sussex County Board of Supervisors hereby accepts funds in the amount of \$87,492.87 from the Department of Forestry, from timber sales in Sussex County.

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

Voting nay: none

**Item 7a4. Sussex County Employee Compensation:** Pursuant to the implementation of the Sussex County RCP Performance Based Personnel Management System (effective September 1, 2013); there are three County employees who did not receive a step (2.5%) increase following the successful completion of their Probationary Period.

**Recommendation:** To approve a step increase for the final three County Employees who completed both their hiring and probation period under the Board’s previously adopted Personnel System and appropriate the necessary funds from contingency and/or reserve as determined best by the County Treasurer/Finance Director effective as per each of the documented dates.

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves step increases for the final three County Employees who completed both their hiring and probation period under the Board’s previously adopted Personnel System and appropriate the necessary funds from contingency and/or reserve as determined best by the County Treasurer/Finance Director effective as per each of the documented dates.

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

Voting nay: none

**Item 7a5. Communication System:** Mr. Vick has included in his report a request to meet with the Board of Supervisors to present a summary of the County’s efforts to address our outdated Police/Fire and Rescue communication system.

**Recommendation:** To recess the September Board meeting to the next available date for this presentation/report/discussion on Public Safety Communication needs.

The Board will schedule a date to recess at the conclusion of this meeting.

**Item 7a6. Phase II Locality Stormwater Management Grant:** County Administrator Harris reported that the Department of Environmental Quality has informed Sussex County of their intent to award a grant in the amount of \$47,560.00, to assist in funding a Codes Compliance Specialist position. Mr. Harris thanked Andre M. Greene (Director of Planning) and Shannon Fennell (Assistant to the Director of Planning) for their hard work, diligence and success on this project. (A copy of the documentation is included in the Board packet).

**Recommendation:** To accept the \$47,560.00 grant and maximize the use of funds.

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby accepts and appropriate a grant from the Department of Environmental Quality in the amount of \$47,560.00 to assist in funding a Codes Compliance Specialist position.

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

Voting nay: none

**Item 7a7. Halloween-On-The-Square:** Mr. Morgan Thornton is requesting permission to hold the Annual Halloween-On-The-Square activities, which includes bake sale, crafts, etc. The event will be held on Saturday, October 26, 2013 from 8am until 1:00pm and is requesting the use of Courthouse Square.

**Recommendation:** Approve of the request for the Halloween-On-The Square activities to take place at Courthouse Square on Saturday, October 26, from 8am until 1pm.

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the Annual Halloween-On-The-Square being held at Courthouse Square, on Saturday, October 26, 2013, beginning at 8:00am and ending approximately 1:00 p.m.

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

Voting nay: none

**Item 7a7a. Rededication of Civil War Monument – 100<sup>th</sup> Anniversary:** Chairman Fly indicated that the Civil War Monument in front of the Courthouse has been redone and requested that the Board approve of a Rededication Ceremony to be held on Saturday, October 12, 2013 at 11:00 a.m.

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the Rededication of the Civil War Monument in front of the Courthouse and to hold a ceremony that will mark the 100<sup>th</sup> Anniversary.

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

Voting nay: none

**Item 7a8. Closed Session:** Chairman Fly asked that this be placed on this month's agenda. He has been approached by numerous citizens who have complained about the late hour of the Board's Closed Session and have asked if anything can be done.

Chairman Fly asked that this item be tabled.

**Item 7a9. Status of Organizational Review:** County Administrator Harris reported that to date, no input has been received from members of the Board of Supervisors regarding goals, needs or objectives. We are still gathering information from Virginia's counties and other municipalities.

**Item 7a10. Courthouse Lease/Historical Society Old Courthouse Repairs/Contract Review** (Tabled from last month): County Administrator Harris reported that the Historical Society is in the process of selecting a date to reschedule a meeting to discuss this issue. He also stated that the General Registrar, is in need of additional space.

### **INFORMATIONAL ITEMS**

**Item 7a11. Pocahontas Park:** County Administrator Harris reported that at the request of the Honorable Chairman Eric Fly, staff contacted the Army Corps of Engineers to determine if the County could cut the park area and secondly to determine if the County could recapture "manmade" wetlands.

The good news is that there are no blanket Corps policies that prohibit the cutting of wetlands except by a permit or deed restriction. Neither exists in this case, so staff has been authorized to cut this grass. Park has been cut.

On the contrary, however, the County cannot reclaim wetlands once deemed wetlands by the corps regardless of how they became wetlands.

**Item 7a12. Ditch line behind County Administrator and Social Services Offices:** County Administrator Harris reported that at the request of the Honorable Raymond Warren, please be advised that this area must be cut on an annual basis per a contractual agreement with the Price Estate. Some concerns and/or confusion have been associated with wetland delineations, but upon investigation, there are no restrictions and therefore this will be added to future spring cutting.

**Item 7a13. Commonwealth's Attorney's Office:** County Administrator Harris reported that work continues on removing the phone and data lines from the construction site as well as in determining how the County can address the need to move the oil tank now that it has been determined that the original site behind the boiler house is no longer feasible.

As of 9/11/2013, all county phone lines and the last data line had been removed from the construction site and Verizon was to come and remove all of their lines. Additionally, the oil tank removal was determined and is scheduled to be completed either Friday



afternoon (9/13/2013) or Wednesday morning (9/18/2013) both prior to Dominion Power coming in on the 23<sup>rd</sup> to lay conduit to move the transformer off site. Once completed, the remaining demolition will be done and construction of the building begun.

**Item 7a14. Computer System/Fiber Optics/IT Upgrades:** County Administrator Harris reported that the need for high speed internet has never been more apparent in Sussex and to address the problem he has been working with Anne Ellis, Mike Packer, Onnie Woodruff, Tom Freeman and Eric Danuser of DominionTek to try and address both the issues that were determined prior to his return to Sussex and the need to have a comprehensive, efficient and secure fiber system installed in the Sussex Complex. A comprehensive plan is being assembled to address the County's current and foreseeable future IT needs and once completed, this information will be shared with the Board in the hopes that this will be a high priority for the Board ... especially given the fact that we do not currently have enough broadband to even conduct some of our financial transactions during working hours. Due to these ever growing needs, County Administrator Harris has asked Mid Atlantic Broadband to work with Sussex in connecting the Courthouse Complex with an Ethernet connection.

Mid Atlantic laid the fiber to our schools, but unfortunately no one worked with them to include the complex as part of that Stimulus Grant Project.

Please be further advised that Mr. Packer and Anne Ellis evaluated bids for a service provider which is required if Mid Atlantic is to install the line and we are currently completing background checks.

**Item 7a15. Waste Management/Atlantic Waste:** County Administrator Harris reported that he and Mr. George A. Taylor, Environmental Inspections Supervisor, met with representatives from Atlantic Waste Disposal, Inc., on Tuesday September 10, 2013 to discuss mutual concerns. At this meeting, the following items were discussed: liability issues regarding individuals removing items from trash receptacles, the condition of the road area at the Georgetown Road site, the possible need for an updated and revised contract and improved means of communication regarding the Convenience Centers.

**Item 7a16. Public Safety:** County Administrator Harris reported that due to increased need for Rescue response in the Waverly/Wakefield area, staff is currently working with the Rescue Squad and evaluating the need for additional paid/contract personnel. Mr. Vick has indicated that there is currently has adequate funding to provide this additional service on a temporary basis as we a more comprehensive study of operations and fiscal impacts is completed.

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the County Administrator is hereby authorized to use existing funds to resolve issues with rescue squads in the County.

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

Voting nay: none

**Item 7b. County Attorney's Report**

1. Approval of December 3, 2012 Minutes
2. Approval of April 8, 2013 Minutes

Supervisor Warren requested that the approval of the minutes of the December 3, 2013 and April 8, 2013 meetings be tabled until the October 17, 2013 Board meeting.

**Item 7c. Treasurer/Interim Director of Finance Report**

The Treasurer, Onnie L. Woodruff provided the monthly report to the Board. (A copy of the report is retained in the Board packet).

The Treasurer reported that one of his employees will be retiring effective January 1, 2014. He stated that he would like to advertise that position and be allowed to hire someone to begin work to train prior to the retiring person leaving.

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves and appropriates \$15,000.00 so that the Treasurer has the funding and the ability to advertise and hire a new employee to be trained prior to the departure of the retiring employee.

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

Voting nay: none

**Item 7d. Commissioner of the Revenue Report:** No report at this time.

**Item 7e. Sheriff's Department Report:** No report at this time.

**Item 7f. Superintendent of Schools Report:** No report at this time.

**Item 7g. Director of Social Services Report:** No report at this time.

**Item 7h. General Registrar Report:** No report at this time.

**Item 7i. Health Department:** No report at this time.

**Item 8. Appointments:** No appointments at this time.

**Item 9. Citizens' Comments**

Prior to Citizens' Comments, Chairman Fly acknowledged the death of Mr. Melvin Greene (father of Andre M. Greene, Sussex County's Director of Planning).

He also acknowledged the following activities:

September 21                      Waverly Farmers' Market, 8am until 12 noon, parking lot of

Miles B. Carpenter Museum, 201 Hunter Street, Waverly  
Contact: Carolyn Cooper Wright (804) 943 4440

- September 21      Sussex County 4-H Community Service Project, 8am until 12 noon  
Miles B. Carpenter Museum, 201 Hunter Street, Waverly  
Contact: Maurice Smith (804) 834 1309, Sussex 4-H Agent
- September 23      Citizens Opinion/Public Meeting, Metropolitan Transportation  
Planning Organization (MPO), 4:30pm until 6:30pm, Petersburg  
Union Train Station, 103 River Street; Contact: Crater Planning  
District Commission (804) 861 1666
- September 26      Sussex Counseling Services Open House, 12 noon until 3pm,  
232Coppahaunk Avenue, Waverly; Contact: (804) 834 2205  
**SEPTEMBER IS SUBSTANCE ABUSE RECOVERY MONTH!**
- October 5          Club 44 Shooting Match, 12 noon, 23323 Walkers Mill Road,  
across from Outback Hunting Club, Contact: Cynthia Pegram-  
Wyche (804) 691 3084; Barbara Bell (804) 731 2312
- October 5          Sussex Central High School Athletic 1<sup>st</sup> Annual Golf Classic,  
Sleepy Hole Golf Course, 4700 Sleepy Hole Road, Suffolk VA;  
Contact: Stephanie Chambliss (434) 246 1099
- October 5          Wakefield Homecoming, Wakefield Foundation, 10am
- October 11         Zumbathon, Stony Creek Park 7pm to 9pm, proceeds will benefit  
Susan G. Komen Breast Cancer Research Project
- October 12         Senior Citizens of Eastern Sussex County Anniversary, Wakefield  
Foundation
- October 26         Sussex Rabies Clinic, 9am until 12 noon, Fishing Hole, Wakefield  
VA, Price \$7.00, Contact: Sussex Animal Pound (434) 246 2167
- October 31         Chowan Basin Soil and Water Conservation District Annual Farm  
Day, Will be held in Greensville County; Contact Stacey Bradshaw  
at (434) 634 2115

Comments were heard from the following citizens:

- Otto Wachsmann, Stony Creek District
- Frank Irving, Executive Director, Sussex Service Authority

**Item 10. Unfinished Business - none**

**Item 11. New Business – none**

## **Item 12. Board Members' Reports/Comments**

**Item 12a. Blackwater District:** Supervisor Warren thanked everyone for cards, phone calls, etc., during his recent hospital stay.

**Item 12b. Courthouse District** – no report or comments.

**Item 12c. Henry District:** Supervisor White thanked the Board for appointing him as Interim Supervisor for the Henry District and stated that he is looking forward to serving the community.

**Item 12d. Stony Creek District:** Supervisor Caple asked if staff could check into getting electrical power installed at the Stony Creek Park.

**Item 12e. Wakefield District** – no report or comments

**Item 12f. Waverly District:** - no report or comments

## **Item 13. Closed Session**

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters Closed Session in accordance with Section 2.2-3711 of the Code of Virginia, under Subsection A-1, for the purpose of discussing a Personnel Matter relating to employment of an individual and under Subsection A-7, for the purpose of receiving legal advice from legal counsel.

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

Voting nay: none

## **Item 14. Return To Open Session**

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

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

Voting nay: none

## **Item 15. Certification of Closed Meeting**

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

WHEREAS, Section 2.2-3712 of the Code of Virginia, as amended, requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors hereby certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from Open Meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the Closed Meeting were heard discussed or considered.

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

Voting nay: none

**Item 16. Action on Closed Session Item(s)**

There was no action taken on items discussed in Closed Session.

**Item 17. Recess/Adjourn**

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the September 19, 2013 meeting of the Sussex County Board of Supervisors is hereby recessed until Tuesday, September 24, 2013 at 7:00pm., in the General District Courtroom.

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

Voting nay: none