

**At a Regular Meeting of the Sussex County Board of Supervisors  
Held in the General District Courtroom on  
Thursday, December 21, 2017 at 6 pm**

**BOARD MEMBERS PRESENT**

Keith C. Blowe  
Alfred G. Futrell  
Susan B. Seward  
John A. Stringfield  
Rufus E. Tyler, Sr.

**BOARD MEMBERS ABSENT**

C. Eric Fly, Sr.

**STAFF PRESENT:**

Vandy V. Jones, III, County Administrator  
Mark Flynn, County Attorney  
John Broderick, Director of Finance for Public Schools  
Shilton R. Butts, Assistant to the County Administrator/Deputy Clerk to the Board  
Deste J. Cox, Chief Deputy Treasurer  
Brenda H. Drew, Housing Coordinator  
Ernest Giles, Sheriff  
Kelly W. Moore, Interim Finance Supervisor  
Patrick Plourdé, Director of Social Services  
Steve White, Board of Supervisors Tie Breaker  
Onnie L. Woodruff, Treasurer

**1. Commencement**

**1.01 Call to Order/Determine Quorum**

The December 21, 2017 meeting of the Sussex County Board of Supervisors was called to order by Chairman Seward.

**1.02 The Invocation**

The Invocation was offered by Supervisor Futrell.

**1.03 The Pledge of Allegiance**

The Pledge of Allegiance was recited by all.

**1.04 Agenda Amendments**

County Administrator Jones requested to add under Item 7. Departmental Reports, Item 7.06 County Administration Report as Item 7.06-1, Running At Large Animals; as Item 7.06-2, Property Maintenance Code, and as Item 7.06-3, Timber Thinning Update.

County Attorney Flynn requested to add under Item 12. Closed Session as Item 12.01 Personnel Matters, discussion or consideration of prospective candidates for employment; assignment, appointment, promotion, performance, applicable Va. Code Section §2.2-3711(A)1, County Attorney, and as Item 12.02 award of public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Code Section 2.2-3711(A)29; jails.

ON MOTION OF SUPERVISOR BLOWE, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approved the following agenda amendments: adding under Item 7. Departmental Reports, Item 7.06 County Administration Report as Item 7.06-1, Running At Large Animals; as Item 7.06-2, Property Maintenance Code, and as Item 7.06-3, Timber Thinning Update; adding under Item 12. Closed Session as Item 12.01 Personnel Matters, discussion or consideration of prospective candidates for employment; assignment, appointment, promotion, performance, applicable Va. Code Section §2.2-3711(A)1, County Attorney, and as Item 12.02 award of public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Code Section 2.2-3711(A)29; jails.

Voting aye: Supervisors Blowe, Futrell, Seward, Stringfield, Tyler

Voting nay: none

Absent: Supervisor Fly

#### 1.05 Approval of Regular Agenda

ON MOTION OF SUPERVISOR BLOWE, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the December 21, 2017 regular agenda to include the following agenda amendments: adding under Item 7. Departmental Reports, Item 7.06 County Administration Report as (1) Item 7.06-1, Running At Large Animals; (2) as Item 7.06-2, Property Maintenance Code, and (3) as Item 7.06-3, Timber Thinning Update; (4) adding under Item 12. Closed Session as Item 12.01 Personnel Matters, discussion or consideration of prospective candidates for employment; assignment, appointment, promotion, performance, applicable Va. Code Section §2.2-3711(A)1, County Attorney, and (5) as Item 12.02 award of public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Code Section 2.2-3711(A)29; jails..

Voting aye: Supervisors Blowe, Futrell, Seward, Stringfield, Tyler

Voting nay: none

Absent: Supervisor Fly

## **2. Approval of Consent Agenda**

ON MOTION OF SUPERVISOR BLOWE, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the consent agenda, to-wit: (a) Minutes of the November 16, 2017 regular meeting; and (b) Approval of Warrants and Vouchers;

Voting aye: Supervisors Blowe, Futrell, Seward, Stringfield, Tyler

Voting nay: none

Absent: Supervisor Fly

## **3. Recognitions/Awards**

### 3.01 Presentation by Head Start/Improvement Association – Ms. Loretta Miller Director of Head Start

Ms. Miller, Director of Head Start with the Improvement Association, gave a brief PowerPoint presentation regarding the Improvement Association enrollment in the various localities, as well as, current enrollment at the Wakefield Center and Sussex Central Elementary School locations and advised of the various Center locations. Ms. Miller also advised of the 2016-2017 Child Outcome Data for Teaching Strategies Gold – Creative Curriculum and Phonological Assessment Literacy Screening (PALS) (Writing, identifying Upper and Lower Case Letters, Sounds, Print/Word, Rhyme Awareness, and Nursery Rhyme) and family engagement. Ms. Miller noted that the children were at or above their benchmark.

Ms. Miller advised of the Project Discovery program offered to help teenagers in developing in areas related to higher education. She also advised that the Improvement Association received a grant last year that helped the community with employment. The program, the Total Service Center, a Change Up Center, helps with resume writing, job training skills, and on the job training.

A copy of presentation was included in the Board packet.

Sussex County Improvement Association presented some of the Head Start honor students to the Board. The students brought holiday cheer performing Christmas carols.

*The Head Start children gave a second performance of Christmas carols later in the program.*

*Chairman Seward welcomed and thanked Mr. Onnie L. Woodruff, Treasurer, for being back and in attendance at the meeting.*

### 3.02 Presentation: FY17 Audit County of Sussex Annual Presentation – Mr. Aaron Hawkins (Robinson, Farmer, Cox Associates)

Mr. Aaron Hawkins, of Robinson, Farmer, Cox Associates provided the Annual Financial Report for the Fiscal Year Ended June 30, 2017 for the County of Sussex. Mr. Hawkins stated that the County had an unmodified report-free of any material mistakes.

Mr. Hawkins reviewed the general fund balance, financial statements-Schedules I and II, and tax collections. He also reviewed a management letter Robinson, Farmer, Cox Associates sent a noting items to be reviewed. One of the items was the need for a Fiscal Policy. Mr. Hawkins also noted the need of separation of duties in which the hiring of a Finance Director is recommended. Mr. Hawkins also suggested that a report of journal entries be sent to the County Administrator on a monthly basis. He also reviewed school fund federal program reimbursements and actuarial valuation was not completed for the Other Post-Employment Benefits (OPEB) for the fiscal year ended June 30, 2017 for the County or the School Board.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes County Administration to work with Robinson, Farmer, Cox Associates to develop a fiscal policy for the County of Sussex.

Voting aye: Supervisors Blowe, Futrell, Seward, Stringfield, Tyler

Voting nay: none

Absent: Supervisor Fly

A copy of the 2017 Final Management Letter regarding the FY17 Audit of the County of Sussex and the Annual Financial Report for the Fiscal Year Ended June 30, 2017 was provided to the Board members.

#### **4. Public Hearing**

There was no Public Hearing.

#### **5. Appointments**

County Administrator Jones stated that at the May 18, 2017 Board of Supervisors meeting, the Board appointed the County Administrator to serve on the South Centre Resource Conservation and Development (RC&D) Council, to fill a vacancy of an unexpired term. This term ends December 31, 2017. Staff recommends the reappointment of the County Administrator to fill a four (4) year term, expiring December 31, 2021.

ON MOTION OF SUPERVISOR BLOWE, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby reappoints Mr. Vandy V. Jones, III, the County Administrator, Post Office Box 1397, Sussex, Virginia 23884 to the South Centre Corridor Resource Conservation and Development (RC&D) Council for a four (4) year term, expiring December 31, 2021.

Voting aye: Supervisors Blowe, Futrell, Seward, Stringfield, Tyler

Voting nay: none

Absent: Supervisor Fly

## **6. Action Items**

There were no action items.

## **7. Reports of Departments/Agencies**

### 7.01 Treasurer's Report – included in Board packet

Ms. Deste Cox, Chief Deputy Treasurer, advised that some taxpayers had issues with mailing in tax payments. When payments were mailed, the post office was returning their payments back to them as being unable to forward. This was an issue with the Post Office. The Post Office had five (5) machines that were inoperable. The older machines would not read the bar code on the bottom of the envelope. Ms. Cox noted that other mail that wouldn't scan was returned as well.

Ms. Cox stated that if any mail was returned for tax payments due to mail not scanning, remove the yellow sticker, mark through the bar code and re-mail payment (no additional postage needed). The payment will/would be posted without penalty.

### 7.02 Environmental Inspections – included in Board packet

### 7.03 Finance Department Report – included in Board packet

### 7.04 Community Development Report – included in Board packet

### 7.05 Housing Department Report – included in Board packet

### 7.06 County Administration Report – included in Board packet

#### 7.06-1 County Administration Report: Running At-Large Animals

County Administrator Jones stated it has been brought to staff attention the Board members had been approached by citizens who have had issues with animals from neighboring yards coming into their yards causing issue with their pets. There is no rural leash law adopted for the County of Sussex. County Administrator Jones stated the Animal Control personnel has been reaching out surrounding localities similar to Sussex in its rural nature to see what the localities have done relative to their ordinances. He stated that it appears to be a Nuisance Ordinance or policy as opposed to a leash law. County Administrator Jones also advised that the County Attorney is also looking into the issue in regards to what the County can and cannot do according to State law. Staff is trying to analyze the problem and provide a solution. However, there are four (4) incorporated towns within the County. Any solutions found, the County wants to work in conjunction with the towns. The County wants the ordinances or policies to be standard across the entire County.

*Chairman Seward briefly discussed state law regarding dangerous and vicious animals. County Attorney Flynn advised that the County could adopt an ordinance mirroring the State code. It would require the Animal Control to be trained and to understand it their*

*responsibility. The law is already in the State Code. Vice Chairman Blowe asked for clarification regarding the County having to adopt an ordinance although it is already State law.*

#### 7.06-2 County Administration Report: Property Maintenance Code

County Administrator Jones stated that it has been brought to the attention of County Administration regarding citizens who do not maintain/keep up their property. County Administration and the County Attorney are looking into what the County can and cannot be done from a property maintenance standpoint by the locality according to State law. County Administrator Jones advised that Mr. Andre Greene, Director of Community Development, is looking into the Zoning Ordinances to amend certain residential zones to include grass maintenance as a part of the actual Zoning Ordinance. Staff is also looking at surrounding localities to similar to Sussex County to see what is being done to enforce Building and Property Maintenance Codes. The Community Development Department is also looking into in regards to a zoning amendment to be enable the locality to go onto properties to remedy the situation and attach liens to property for amount spent doing this.

County Administrator Jones stated that a second avenue would be through the Courts. If there was issue that was added for the zoning classification for that area, the Zoning Administrator would be able site the individual in violation. If the violation is not corrected, it would go to the Courts.

#### 7.06-3 County Administration Report: Timber Thinning Update

County Administrator Jones gave a brief update on Timber Thinning at the Henry Technology Park and Commerce Center property. County Administrator Jones stated the Board authorized the contract with Coburn for timber thinning the property. He advised that the bid was received that the County would receive an estimate of \$126,000.00 for the thinning on the property. Coburn has completed approximately 70% of the thinning. Approximately \$110,000.00 has been collected at this point. County Administrator advised that the consultant stated with the type of wood that's remaining, the County should receive approximately \$45,000.00 for the remaining 30% of timber thinning to be harvested in the Spring.

Due to the remaining area of the property to be thinned being wet, the timber thinning has been postponed and will resume in the Spring when the footing should be better.

#### 7.07 Animal Services/Public Safety Report – included in Board packet

### **8. Citizens' Comments (7:19 p.m.)**

Comments were heard from:

- Mr. William Ivey (Henry District) - Concerns regarding relatives receiving mail on Smith Lane. *(Supervisor Tyler asked County Administration to contact Postmaster to deliver mail on Smith Lane.)*

- Dave Reavis (Three Brothers' Distillery) – Showed Board a couple products of business; Reduction of excise tax for the production of alcohol; Support for Virginia Department of Agriculture offer of grant with matching funds.
- Pastor Shawn (United Methodist Church) – Concerns of only ABC Store is in Waverly; concerns of Board's support of distillery.

## 9. Unfinished Business

There was no unfinished business.

## 10. New Business

County Administrator Jones stated that our Sheriff Department has a K-9 unit of one (1). K-9 Rocket is eleven (11) years old. He advised that the Sheriff has been proactively looking to continue the service. Sheriff Giles has been working with the group the current K-9 Officers works with and has been identified the dog that will be the successor to Rocket. The K-9 will have to have approximately three (3) to four (4) weeks of training. It will cost approximately \$8,500.00 for the complete program for the trainer and the dog. County Administrator Jones advised that the Sheriff has a line item in his budget for K-9. An additional \$8,500.00 was not put in at the start of the budget, but there is \$8,500.00 in the Contingency line item. The \$8,500.00 will be transferred from the Contingency line item to the Sheriff's K-9 line item, so that the Sheriff Department can enter into the agreement needed with the Company.

The Sheriff Department is looking to retire K-9 Rocket at the end of the 2017 calendar year. The new K-9 will be in service mid February 2018. County Administrator Jones stated Sheriff Giles advised that during period after K-9 Rocket retiring and the new K-9 starting services, there is a Mutual Aid Agreement with neighboring localities that will allow services of K-9, if needed. It was noted that after the three (3) to four (4) weeks training for the new K-9, the K-9 will be qualified for drug detection and search.

ON MOTION OF SUPERVISOR BLOWE, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the County Administrator's recommendation to transfer \$8,500.00 from the Contingency line item to the Sheriff's K-9 line item.

Voting aye: Supervisors Blowe, Futrell, Seward, Stringfield, Tyler

Voting nay: none

Absent: Supervisor Fly

## 11. Board Member Comments

11.01 Blackwater District – Wished everyone a Merry Christmas and a Happy New Year.

11.02 Courthouse District – absent

11.03 Henry District – Thanked pastor for being present.

11.04 Stony Creek District – Wished everyone a Merry Christmas and a Happy New Year. Be Safe. Thanked everyone that came out to support Stony Creek Parade.

11.05 Wakefield District – Wished everyone a Merry Christmas. Received complaints from citizens about dogs running at large in town limits.

11.06 Waverly District – Wished everyone a Merry Christmas. Informed of tragic shooting in Waverly.

## **12. Closed Session**

### 12.01 Convene into Closed Session

ON MOTION OF SUPERVISOR BLOWE, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters Closed Session for discussion of (1) personnel matter, discussion or consideration of prospective candidates for employment; assignment, appointment, promotion, performance, resignation, pursuant to Code Section 2.2-3711(A)1, County Attorney; (2) award of public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Code Section 2.2-3711(A)29.

Voting aye: Supervisors Blowe, Futrell, Seward, Stringfield, Tyler

Voting nay: none

Absent: Supervisor Fly

### 12.02 Reconvene to Open Session

ON MOTION OF SUPERVISOR BLOWE, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby reconvened to Open Session.

Voting aye: Supervisors Blowe, Futrell, Seward, Stringfield, Tyler

Voting nay: none

Absent: Supervisor Fly

### 12.03 Certification

ON MOTION OF SUPERVISOR TYLER seconded by SUPERVISOR BLOWE and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves adoption of resolution for certification, to-wit:

WHEREAS, that the Sussex County Board of Supervisors 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 Blowe, Futrell, Seward, Stringfield, Tyler

Voting nay: none

Absent: Supervisor Fly

#### 12.04 Action Resulting from Closed Session

There was no action on Closed Session Items.

### **13. Recess**

#### 13.01 Recess

ON MOTION OF SUPERVISOR TYLER seconded by SUPERVISOR BLOWE and carried: RESOLVED that the December 21, 2017 meeting of the Sussex County Board of Supervisors recessed at 9:30 p.m. until January 4, 2018 at 12:00 p.m.

Voting aye: Supervisors Blowe, Futrell, Seward, Stringfield, Tyler

Voting nay: none

Absent: Supervisor Fly

#### 13.02 Organizational Meeting

The next Board of Supervisors meeting will be the Organizational meeting to be held on Thursday, January 4, 2018 at 12:00 p.m. at the Sussex Social Services Conference Room, 20103 Princeton Road, Stony Creek, VA 23882.

#### 13.03 Next Regular Meeting

The next Board of Supervisors meeting will be held on Thursday, January 18, 2018 at 6 p.m. the Judicial Center - General District Courtroom, 15098 Courthouse Road, Sussex, VA 23884.