

**At a Special Meeting of the Sussex County Board of Supervisors
Held in the General District Courtroom on
Thursday, December 10, 2009 at 5:00 p.m.**

BOARD MEMBERS PRESENT

T. Wayne Birdsong C. Eric Fly Wayne M. Harrell
Harris L. Parker Rufus E. Tyler, Sr.

BOARD MEMBER ABSENT

Charlie E. Caple, Jr.

STAFF PRESENT

George E. Morrison, III, Deputy County Administrator
Henry A. Thompson, Sr., County Attorney
Jerry L. Whitaker, Director of Finance
Deborah A. Davis, Assistant to County Administrator

Item 1. Call To Order/Pledge of Allegiance/Invocation

The December 10, 2009 special meeting of the Sussex County Board of Supervisors was called to order by Chairman Fly; the Pledge of Allegiance was led by Supervisor Birdsong; the Invocation was offered by Supervisor Parker.

Item 2. Adoption of Agenda

ON MOTION OF SUPERVISOR HARRELL, seconded by SUPERVISOR PARKER and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts the agenda of the December 10, 2009 special meeting, as presented.

Voting aye: Supervisors Birdsong, Caple, Fly, Harrell, Parker, Tyler

Voting nay: none

Item 3. Closed Session

ON MOTION OF SUPERVISOR BIRDSONG, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby entered Closed Session under the provisions of Section 2.2-3711, to discuss Prospective Business and Personnel Matters, applicable Code Sections 2.2-3711(A)(5), and 2.2-3711(1), respectively.

Voting aye: Supervisors Birdsong, Caple, Fly, Harrell, Parker, Tyler

Voting nay: none

Item 4. Return To Open Session

ON MOTION OF SUPERVISOR BIRDSONG, seconded by SUPERVISOR HARRELL and carried: RESOLVED that the Sussex County Board of Supervisors has convened a Closed Meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and,

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

NOW, THEREFORE BE IT RESOLVED that the Sussex County 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 were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Sussex County Board of Supervisors.

Voting aye: Supervisors Birdsong, Caple, Fly, Harrell, Tyler

Voting nay: none

ON MOTION OF SUPERVISOR PARKER, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the transfer of \$50,000.00 from the County's reserve funds to the County Attorney's budget, to offset the cost of securing the law firm of Williams & Mullins and the hiring of a broker in regards to a prospective business.

Voting aye: Supervisors Birdsong, Caple, Fly, Harrell, Tyler

Voting nay: none