

December 15, 2011

**To:** Honorable Members of the County of Sussex Board of Supervisors  
**From:** Thomas E. Harris, County Administrator  
**Subject:** Sussex County Board of Supervisors Public Hearing  
Thursday, December 15, 2011 – 7:30 p.m.  
General District Courtroom – Sussex Judicial Center

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**REGULAR MEETING AGENDA**

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**ITEM 1. 7:30 p.m. CALL TO ORDER/DETERMINE QUORUM – Chairman**

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**MOMENT OF SILENCE IN HONOR OF THE HONORABLE HARRIS L. PARKER**

**ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE**

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**ITEM 3. DISCUSSION/APPOINTMENT OF INTERIM ATTORNEY**

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**ITEM 4. CLOSED SESSION**

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**ITEM 5. RETURN TO OPEN SESSION**

**Recommendation:** To move to return to Open Meeting.

**ITEM 6. CERTIFICATION OF 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.

**ITEM 7. MOTION(S) FROM CLOSED MEETING ITEM(S)** (if any)

**ITEM 8. AMENDED AGENDA**

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**ITEM 9. APPROVAL OF REGULAR AGENDA**

**Recommendation:** Move to approve the Sussex County Board of Supervisors December 15, 2011 Regular Meeting Agenda, as presented (or as amended)

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**ITEM 10. APPROVAL OF DECEMBER 15, 2011 CONSENT AGENDA**

**ITEM 10a. Approval of Minutes**

1. October 20, 2011 Board of Supervisors Regular Meeting
2. November 17, 2011 Board of Supervisors Public Hearing Meeting
3. November 17, 2011 Board of Supervisors Regular Meeting

**ITEM 10b. Approval of Appropriations**

1. Request For Judge Bloom's Annual Convention, \$2,000.00

**ITEM 10c. Approval of Warrants and Vouchers**

1. Expenditures Summary Report November 2011
2. Bills having been paid for November 2011
3. November 2011 Payroll/Warrants
4. November 2011 Voided Checks

**Recommendation:** Motion to approve the December 15, 2011 Consent Agenda (Minutes/Appropriations/Warrants/Vouchers) as submitted and herein described

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**ITEM 11. STANDING REPORTS: STAFF/COMMITTEES/ORGANIZATIONS**

**ITEM 11A. HEALTH DEPARTMENT REPORT:** No report at this time

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**ITEM 11B. COUNTY ADMINISTRATOR'S REPORT**

**ITEM 11B1. Crater Health District Fiscal Year 2012 Local Government Agreement:** Included in the Board packet is the Crater Health District Local Government Agreement for Fiscal Year 2012.

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**Recommendation:** Being an annual renewal I recommend approval and authorization for the County Administrator to execute the agreement, on behalf of the County between the Crater Health District and the County of Sussex.

**ITEM 11B2. Deeds of Easements - Walker's Mill Road:** Included in the Board packet is information regarding the Deeds of Easement for Walker's Mill Road (State Route 619). Staff met with representatives of Virginia Department of Transportation on December 7, 2011 and everything is in order other than several resolutions that will need to be adopted, which have not yet been received from VDOT. The Deeds of Easement will convey the ownership of the new segment of Walker's Mill Road that was previously mined and rebuilt by Iluka Resources to the Virginia Department of Transportation.

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**Recommendation:** Should the resolutions be received prior to the December 15, 2011 meeting, staff will recommend that this project be finalized and the Resolutions adopted.

**ITEM 11B3. 2011 VA CDBG Grant Offer – Community Economic Development Fund:** Included in the Board packet is a copy of a letter from Bill Shelton, Department of Housing and Community Development advising that Sussex County has been offered a 2011 Community Development Block Grant of \$700,000 in support of the Wood Fuel Developers, LLC, Waverly Wood Pellet Plant. As County Administrator I would like to recognize and thank, DHCD, our staff, Mayor Mason and the Waverly staff and Mr. Gordon and Wood Fuel, LLC for their cooperation and support throughout this process.

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**ITEM 11B4. Cell Phones/Stipends For Board Members:** A request for a County owned/paid cell phone has been made by a supervisor-elect. According to the December 21, 2006 policy set by the Board, this request is consistent with County Policy and therefore can be fulfilled. To this end, the County currently has a phone in stock and available for use.

Please note that our Policy also allows employees to be provided a \$50.00 per month stipend for use of their personal phone instead of being assigned a County owned/paid cell phone. (See attached policy).

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**Recommendation:** To allow each Board member to determine which Policy option they would individually prefer.

**ITEM 11B5. Fee Schedule for Paper and Electronic Copies:** Please be advised that due to changes in technology, County Administration is developing a copying policy reflective of current standards and/or legal requirements. The policy will include costs and fees associated with requests for copies of documents as well as compact discs (CDs) recordings and/or electronic materials of Board meetings.

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**ITEM 11B6. Sussex County Personnel Policy and Grievance Policy:** Pursuant to State Code I would ask that the Board of Supervisors approve the final version of the Sussex County Personnel Policies now that the clerical items have been addressed and signature page for the Grievance Policy has been added. Please be further advised that, following communication with Local Government Attorneys two items have been modified:

1. **Emergency Overtime:** Following discussions with FEMA, Sheriff Raymond Bell, Emergency Coordinator Eddie Vick and neighboring jurisdictions, I have added a policy that would authorize “overtime” payment for all County Employees if the County declared a state of emergency, opened the EOC and employees were duly scheduled, worked on emergency issues and submitted their time.
2. **At-Will Employment:** All “contractual” employees (County Administrator, Deputy County Administrator and County Attorney) have been removed from access to the County Grievance Policy as it has been determined/recommended that this item should be addressed through an approved contract (if the Board wished to grant access) and thereby maintain the Board’s commitment to “at-will” employment status.
3. **Grievance Policy:** As you may know, State Code requires that a Local Government Policy to be legal must be certified by the County Attorney, signed off on by the County Administrator and filed with the Clerk of the Court. To this end, we have

made all of the policies in the Sussex County Personnel Policies and Procedures “stand-alone” policies that can be changed without affecting the rest of the Manual ... as such I am asking for the authority to have our attorney certify so that the Grievance Policy can be filed with the Clerk of the Court.

**Recommendation:** That the Policies be adopted as revised, the County Administrator be authorized and directed to have the revised Personnel/Grievance Policies certified, signed off on as Chief Administrative Officer and then to file them with the Clerk of the Court in compliance with State Law.

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**ITEM 11C: TREASURER’S REPORT** (see enclosed)

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| Page 1        | Bank Reconciliation   |
| Page 2 – 7    | Treasurer’s Accountability – Balance Sheet<br>4 Year Comparative Report |
| Page 8        | General Fund Balance Sheet  |
| Pages 9 – 10  | Revenue/Expense Summary By Fund   |
| Pages 11-13   | General Fund Revenue Summary By Major Source                            |
| Pages 14 – 16 | General Fund Expense Summary By Department                              |

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**ITEM 11D. COMMISSIONER OF THE REVENUE:** *(no report at this time)*

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**ITEM 11E. SHERIFF’S DEPARTMENT** *(no report at this time)*

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**ITEM 11F. SUPERINTENDENT OF SCHOOLS:** Dr. Charles H. Harris, III, Superintendent of Schools has provided an invoice from Rancorn Wildman Architects for the Elementary School Project.

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**Recommendation:** To approve and appropriate the payment in the amount of \$29,097.00 to Rancorn Wildman Architects.

**ITEM 11G. Director of Social Services:** *no report at this time*

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**ITEM 12. HEARING OF CITIZENS' COMMENTS**

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**ITEM 13. UNFINISHED BUSINESS**

**ITEM 13A. By-Laws and Rules of Procedure for Planning Commission:** Included in the Board packet are the proposed By-laws and Rules of Procedure for the Planning Commission. I am currently working on a Board Directory to include the Planning Commission. Upon approval the Board will need to make the necessary appointments by unfilled District representation to insure equal representation in all Voting Districts.

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**Recommendation:** To approve the By-Laws as recommended and adopt the Board and Commission Summary and finally to determine appointments to the Planning Commission to insure equal representation by Voting District.

**ITEM 13B. Communications Request For Proposal (RFP) Report:** Included in the Board packet is the Communication Needs Analysis.

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**Recommendation:** Based on the responses, the Committee recommends Federal Engineering to conduct the communication needs analysis for Sussex County.

**ITEM 14. APPOINTMENTS**

**ITEM 14A. Appointment to the Planning Commission:** It is necessary to appoint a member of the Board of Supervisors to the Planning Commission. The late Honorable Harris L. Parker was the Board's appointee.

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**Recommendation:** To be prepared to make appointment in January. Term runs concurrently with the term of the elected office).

**ITEM 14B. Board of Zoning Appeals:** Mr. Raymond L. Warren currently serves on the Sussex County Board of Zoning Appeals and has been elected to the Sussex County Board of Supervisors. Section 15.2-2308 of the Code of Virginia, as amended, states *“Members of the Board (Zoning Appeals) shall hold no other public office in the locality except that one may be a member of the local Planning Commission.”* (See enclosed). Therefore, it is necessary for the Board of Supervisors to submit a nomination to the Circuit Court Judge.

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**Recommendation:** To nominate an individual and direct the County Administrator, upon approval, to submit the nominee to the Circuit Court Judge for appointment. (The unexpired term is January 31, 2013).

**ITEM 14C. Kevin Jones Letter to the Board:** Included in the board packet is correspondence from Kevin Jones, regarding his removal from the Crater District Area Agency on Aging Board of Directors.

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**ITEM 14D. Appointment to South Centre Corridor Resource and Development Council:** In researching records, the County Administrator has been previously appointed by the Board of Supervisors to serve on the South Centre’ Corridor RC&D Council. On November 18, 2010, George E. Morrison, III (formerly Interim County Administrator) was appointed to fill the unexpired term of Mary E. Jones, expiration December 31, 2012. Ms. Deborah A. Davis, Assistant to the County Administrator, would attend the meetings when Mr. Morrison was unable to do so. (See enclosed).

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**Recommendation:** That the County Administrator be appointed to the South Centre RC&D Council to fill the unexpired term, ending December 31, 2012 and provide a letter to the South Centre’ Corridor RC&D Council.

**ITEM 14E: Appointments to Virginia’s Gateway Region Board of Directors:** Included in the Board packet is a letter from Mrs. C. Renee Chapline, Executive Director of Virginia’s Gateway Region. The terms of Mr. Sanday Gandhi and Mr. Wayne Harrell as members of their Board of Directors will expire December 31, 2011. There must be one appointee from the business sector and one member of the Board of Supervisors. Mr. Gandhi has stated that he is willing to serve again, if reappointed.

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**Recommendation:** To appoint a Board Member and a Business Member.

**ITEM 15. NEW BUSINESS - *None at this Time***

**ITEM 16. BOARD MEMBERS 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:**

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**Waverly District:**

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**ITEM 17. REPORTS FROM DEPARTMENTS/STAFF/COMMISSIONS, ETC.**

**ITEM 17A. Animal Control:**

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**ITEM 17B. Building Department: *(Attached)***

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**ITEM 17C. Building and Grounds:** *(no report at this time)*

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**ITEM 17D. Deputy County Administrator/Director of Economic Development:** *(Attached)*

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**ITEM 17E. Environmental Inspections:** *(Attached)*

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**ITEM 17F. Housing Programs:** *(Attached)*

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**ITEM 17G. Planning & Zoning:** *(no report at this time)*

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**ITEM 17H. Public Safety:** *(no report at this time)*

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**ITEM 18. CLOSED MEETING**

**Recommendation:** To move into a Closed Session to discuss:

- 1.
- 2.

Applicable Code Sections 2.2-3711 \_\_\_\_\_

**ITEM 19. RETURN TO OPEN MEETING**

**Recommendation:** To move to return to Open Meeting.

**ITEM 20. CERTIFICATION OF CLOSED MEETING**

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**ITEM 21. MOTION(S) FROM CLOSED MEETING ITEM(S)**

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**ITEM 22. MOTION TO CONTINUE OR ADJOURN**

**Recommendation:** Motion to continue the December 15, 2011 meeting or to adjourn until January 19, 2012 meeting.