

Sussex County Board of Supervisors
Thursday, April 5, 2012 – 7:30 p.m.
General District Courtroom – Sussex Judicial Center

SPECIAL MEETING AGENDA

- 1 7:30 P.M. CALL TO ORDER/DETERMINE QUORUM – CHAIRMAN**
- 2 APPROVAL OF AGENDA**
- 3 PAYMENT OF FORMER COUNTY ATTORNEY** (The Honorable A. G. Futrell and the Honorable Raymond Warren have asked that this item be placed on this Agenda)
- 4 REQUIREMENTS FOR COUNTY ATTORNEY** (The Honorable A. G. Futrell and the Honorable Raymond Warren have asked that this item be placed on this Agenda)
- 5 HIRING OF COUNTY ATTORNEY** (It is now time for the Board of Supervisors to address the legal needs of Sussex County in a fair and professional manner. To this end the Honorable A. G. Futrell and the Honorable Raymond Warren have asked that this item be placed on this Agenda).
- 6 PAYMENT OF ATTORNEYS** (The matter of paying for Attorney's that provided legal service to Sussex County following the consensus of the Board has been discussed previously. This matter is very troubling to many and places the County of Sussex in a potentially vulnerable position.

Recommendation: *To authorize the payment for Sharon Pandak: \$4,511.80; Phyllis Katz \$2,961.00; Michael Drewry \$4,343.75; for a TOTAL PAYMENT of \$11,816.55*

7. SUSSEX COUNTY ADMINISTRATOR: AUTHORITY/DUTIES PURSUANT TO STATE CODE

The County Administrator has labored for the past five months as part of a Co-Administration where his duties as established by law (and Board Resolutions) have been systematically undermined. To address this matter Mr. Harris has asked to share with the Board his findings and to seek guidance based on these findings.

a. Board Direction

Mr. Harris has also asked that he be provided clearer direction regarding who he answers to as the Governing Body has never delegated any authority to any Board member/Chairman yet the County Administrator is often directed to address issues or to provide information.

Recommendation: *To provide the County Administrator clear direction as to Board Protocol and his duties and responsibilities.*

8. RULES OF PROCEDURE/BOARD BY-LAWS

The County Administrator provided the Board at its January Organizational Meeting a comprehensive Rules of Procedure. Needless-to-say, had the Board adopted these procedures, much of our subsequent issues would have been addressed. It is worth noting that the Sussex County Board of Supervisors has not adopted a set of By-Laws since 1991 ... and like virtually every Local Government that I am aware of adopts their Rules of Procedure annually and it is about time Sussex County adopts standards acceptable to every Local government across the Commonwealth.

Recommendation: *To adopt the Draft By-Laws with clarifications as requested.*

9. CITIZENS' COMMENTS

This matter was placed in the agenda for two reasons: First to assure citizens that their input was valued and welcomed by the Board of Supervisors, and secondly in hopes the Chairman and Board could endorse a policy that requires a public comment period for all Sussex County Board Meetings.

Recommendation: *To direct the County Administrator to include a Public Comment Period in all Sussex County Board of Supervisors Meetings.*

10. AUTHORIZE CLOSED MEETING

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

WHEREAS, the Board of Supervisors of Sussex County desires to enter into a Closed Session for the following matters:

- **Closed Session:** Discussion of personnel matters relating to employment and performance of specific employees and Personnel Matters regarding Staff Appointments, Applicable Code Section: 2.2-3711(A)(1)
- **Closed Session:** Legal Matters regarding Deputy County Administrator: Time sheets, hiring and firing of employees, potential violation of Virginia Procurement Act; Applicable Code Section: 2.2-3711(A)(7), Probable Litigation
- **Closed Session:** Legal Matters regarding Land Acquisition: , Applicable Code Section: 2.2-3711(A)(3), Acquisition of Real Property/Real Estate
- **Closed Session:** Legal Matters regarding Court proceedings/update on Administrative personnel; Applicable Code Section: 2.2-3711(A)(7), Probable Litigation
- **Closed Session:** Legal Matters regarding request of Commonwealth Attorney: Applicable Code Section: 2.2-3711(A)(7) Consultation with Legal Counsel

WHEREAS, pursuant to §2.2-3711.A.1, 7 VA Code Ann., such discussion may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Sussex County does hereby authorize discussion of the aforesated matters in Closed Meeting.

11. RETURN TO OPEN MEETING

12. CERTIFICATION OF CLOSED MEETING

13. MOTIONS FROM CLOSED MEETING

14. RETURN TO CLOSED SESSION (IF NEEDED)

15. MOTION TO CONTINUE OR ADJOURN MEETING

A motion will be necessary to continue the meeting to Monday April 9, 2012 at 2:00 p.m. for the purpose of a Personnel Committee Meeting and discussions regarding a **Closed Session:** Legal Matters regarding Court proceedings/update on Administrative personnel