

**At a Regular Meeting of the Board of Supervisors Meeting  
Held in the General District Court on  
Thursday, January 21, 2016 – 7 pm**

**BOARD MEMBERS PRESENT**

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

**STAFF PRESENT**

Vandy V. Jones, III, Deputy County Administrator  
Michael F. Kaestner, County Attorney  
Raymond R. Bell, Sheriff  
Shilton R. Butts, Assistant to County Administrator/Deputy Clerk  
Deste J. Cox, Chief Deputy Treasurer  
Brenda H. Drew, Housing Coordinator  
Anne K. Ellis, Finance Supervisor  
Chequila H. Fields, Director of Social Services  
Ernest Freeman, Environmental Inspector  
Ernest Giles, Captain  
William Jenkins, General Registrar  
Lyndia P. Ramsey, Commonwealth's Attorney  
Valarie Ricks, Lieutenant  
Gary M. Williams, Clerk of the Circuit Court  
Onnie L. Woodruff, Treasurer

**Item 1. Call To Order/Determine Quorum**

The January 21, 2016 meeting of the Board of Supervisors was called to order by Deputy County Administrator Jones.

By roll call, a quorum was determined by Deputy Clerk Butts.

**Item 2. The Invocation**

The Invocation was offered by Supervisor Tyler.

**Item 3. The Pledge of Allegiance**

The Pledge of Allegiance was recited by all.

#### **Item 4. Organizational Meeting for Calendar Year 2016**

- a. Election of Chairman for Calendar Year 2016:** Deputy County Administrator Jones asked for nominations for Chairman of the Sussex County Board of Supervisors for Calendar Year 2016.

Supervisor Tyler nominated Supervisor Blowe for Chairman of the Sussex County Board of Supervisors for Calendar Year 2016.

There being no other nominations for Chairman, Deputy County Administrator Jones closed nominations on said name of Keith C. Blowe as Chairman of the Sussex County Board of Supervisors for Calendar Year 2016.

By roll call, Supervisor Blowe was voted as Chairman of the Sussex County Board of Supervisors for Calendar Year for 2016.

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

Voting nay: none

Chairman Blowe began presiding over the meeting.

- b. Election of Vice Chairman for Calendar Year 2016:** Chairman Blowe asked for nominations for Vice Chairman for Calendar Year 2016.

Supervisor Tyler nominated Supervisor Seward for Vice Chairman of the Sussex County Board of Supervisors for Calendar Year 2016.

There being no other nominations for Vice Chairman, Chairman Blowe closed nominations on said name of Susan B. Seward as Vice Chair of the Sussex County Board of Supervisors for Calendar Year 2016.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby voted for Supervisor Seward as Vice Chair of the Sussex County Board of Supervisors for Calendar Year 2016.

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

Voting nay: none

- c. Establishment of dates, times, places for regular meeting**

County Attorney Kaestner clarified that pursuant to the Board's Bylaws, the Board will continue to hold its regular meetings the third (3<sup>rd</sup>) Thursday of each month, beginning at 7:00 p.m. in the Sussex County General District Courtroom of the Judicial Center.

- d. Request to Amend Board's Bylaws**

County Attorney Kaestner reported the requested format changes, specifically Section 5.1, Order of Business, recommended by County Administrator Davis. The changes recommended by

County Administrator Davis would assist the County Administration staff to compile information for Board packet with more ease.

County Attorney Kaestner also advised that the Board's Bylaws had not been updated to incorporate provisions regarding the use of the County's elected tie breaker. He reviewed the three (3) changes he recommended which included: (1) amend Section 4-3 to require Clerk to transmit the agenda and Board packet to the tie breaker in addition to Board members; (2) amend Section 6-7(B)(10) regarding Motions to Reconsider to allow any member to make such a motion on a tie vote only if the tie breaker is not prepared or unable to break the tie at that meeting; and (3) add a new Section 6-12 that sets forth the procedure for calling upon the tie breaker to break a tie. This section incorporates provisions found in § 15.2-1420 of the *Code of Virginia* as well as concepts explained in the letter the County Attorney sent to tie breaker and Board July 2015. (A copy of letter was included in Board packet.)

Copies of recommended changes of County Administrator Davis and County Attorney Kaestner were included in Board packets.

Section 2-6.A currently reads: "The first meeting in January of each year shall be known as the organizational meeting". Chairman Blowe requested amending Section 2.6.A, Organizational Meeting, to read: *The first meeting of January of each year after elections will be held the first Thursday of the month prior to the regular Board meeting to conduct County business* instead of "The first meeting in January of each year shall be known as the organizational meeting." (Chairman Blowe requested the County Attorney to provide the proper verbiage for the amendment.)

Supervisor Futrell suggested having the organizational meeting in December in non-election years.

County Attorney Kaestner clarified that Chapter 14 of the Code of Virginia, §15.2-1416 states that "The governing body shall assemble at a public place as the governing body may prescribe, in regular session in January for counties and in July for cities and town... The days, times and places of regular meetings to be held during the ensuing months shall be established at the first meeting which meeting may be referred to as the annual or organizational meeting."

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves amending the bylaws to reflect the requested changes to the agenda format, specifically Section 5.1, Order of Business that would become effective immediately and the County Attorney's amendments that set forth a procedure for utilizing the tie breaker to decide tie votes; and,

FURTHER RESOLVED that the Sussex County Board of Supervisors directs County Attorney to draft an applicable amendment to be presented to the Board at its February 18, 2016 regular Board meeting for adoption.

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

Voting nay: none

**e. Adoption of Rules of Procedures**

Adoption of Rules of Procedures were previously discussed. However, County Attorney Kaestner noted that the language in the bylaws provide that in the event of inclement weather, the Chairman or Vice Chair may continue the Board meeting to the following Thursday. In the event that a public hearing has been duly advertised for the regular meeting but it's continued, State law allows the Board to proceed with that business on that "snow day" without re-advertising.

#### **Item 5. Agenda Amendments**

Staff requested to add under the County Administrator's Report, as Item 4. Audit Report. All other items shall be moved down accordingly.

Vice Chair Seward requested to move Item 9a.3. Atlantic Waste Disposal Update, Jason Williams, Senior District Manager to Item 9a.1.

#### **Item 6. Approval of Regular Agenda**

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the January 21, 2016 Sussex County Board of Supervisors regular agenda inclusive of adding as Item 4. Auditor's Report and moving Item 9a.3 Atlantic Waste Disposal Update, Jason Williams, Senior District Manager to Item 9a.1 is hereby approved.

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

Voting nay: none

#### **Item 7. Approval of Consent Agenda**

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the consent agenda inclusive of the following: (a) Minutes of December 17, 2015. December 29, 2015 and January 7, 2016 Meetings; (b) Approval of Warrants and Vouchers; and (c) Restoration of Funds – Sheriff's Department - \$5,702.50.

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

Voting nay: none

#### **Item 8. Appointments**

- a. **Appointments to the Board of Zoning Appeals:** Deputy County Administrator Jones reported that as a result of Mr. Keith C. Blowe being elected to serve on the Board of Supervisors, he is no longer eligible to continue serving on the Board of Zoning Appeals.

Chairman Blowe recommended Mr. Sam Moore and Mr. Jeffery Gary for nomination; however, Jeffery Gary is currently serving on another board.

Please note that this appointment does not require representation from any specific district.

In addition, the term of Mr. William B. Savedge will expire on January 31, 2016. Mr. Savage has been contacted and is willing to serve again if he is nominated for reappointment.

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR SEWARD, and carried: RESOLVED that the Sussex County Board of Supervisors hereby nominates Mr. Sam Moore to the Circuit Court Judge for appointment to the Board of Zoning Appeals, to serve the unexpired term of Mr. Keith C. Blowe, expiring January 31, 2019; and

FURTHER RESOLVED that the Sussex County Board of Supervisors hereby nominates Mr. William B. Savedge, Post Office Box 67, Courtland, VA 23837, to the Circuit Court Judge for reappointment to the Board of Zoning Appeals, with term expiring January 31, 2020.

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

Voting nay: none

- b. **Appointment to the Planning Commission:** Mr. Horace L. Brittle's term as a member of the Sussex County Planning Commission will expire on January 31, 2016. Mr. Brittle does not wish to be reappointed.

Supervisor Futrell stated that this appointment was in his district, Waverly. He would like to offer recommendations at the Board's February 18, 2016 meeting.

- c. **Appointment to Local Board of Building Code Appeals:** Deputy County Administrator Jones reported as a result of Mr. Keith C. Blowe being elected to serve on the Board of Supervisors, he is no longer eligible to continue serving on the Local Board of Building Code Appeals.

Chairman Blowe recommended Mr. Fred Stith and Mr. Sam Moore for appointment. However, Mr. Sam Moore was previously nominated for appointment to the Board of Zoning Appeals, so Chairman Blowe withdrew his nomination.

Community Development staff reached out to Mr. Wayne Jones to ask if he would be interested in being appointed to serve on the Local Board of Building Code Appeals.

Please note that this appointment does not require representation from any specific district.

Chairman Blowe withdrew his recommendation of Mr. Fred Stith for appointment because staff had reached out to Mr. Jones. Chairman Blowe was of the understanding that there were two (2) positions instead of one (1).

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby appoints Mr. Wayne Jones, 509 East North Street, Wakefield, VA 23888, to the Local Board of Building Code Appeals, to fill the unexpired term of Chairman Blowe, expiring June 30, 2018.

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

Voting nay: none

- d. **Appointments to Virginia's Gateway Region Board of Directors:** Deputy County Administrator Jones reported that at the November meeting, the Board of Supervisors voted to appoint Supervisor Futrell to the Virginia's Gateway Region Board of Directors to serve the months of January and February 2016 as a result of the former Supervisor Warren no longer serving as a member of the Board of Supervisors.

In addition, Mr. Rex Davis also represents Sussex County as the local industry affiliate and is eligible for reappointment.

Chairman Blowe asked Supervisor Futrell if he was willing to continue to serve on Virginia's Gateway Region Board of Directors.

Supervisor Fly nominated Vice Chair Seward to be appointed to serve on the Virginia's Gateway Region Board of Directors.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby reappoints Mr. Rex Davis to serve on the Virginia's Gateway Region Board of Directors with a term beginning March 1, 2016 and expiring February 28, 2017.

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

Voting nay: none

Abstained: Supervisor Fly

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby appoints Supervisor Futrell to serve on the Virginia's Gateway Region Board of Directors with a term beginning March 1, 2016 and expiring February 28, 2017.

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

Voting nay: Supervisor Fly

*Supervisor Fly withdrew his nomination of Vice Chair Seward to be appointed to serve on the Virginia's Gate Region Board of Directors.*

- e. **Appointment to John Tyler Alcohol Safety Action Program (ASAP) Board:** Deputy County Administrator Jones reported that Mr. Tom Davin's term on the John Tyler Alcohol Safety Action Program Board will expire on January 31, 2016. The Executive Director of John Tyler ASAP has been contacted and has confirmed that Mr. Davin is eligible for reappointment. Mr. Davin has been contacted and has agreed to serve again if reappointed.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby reappoints Mr. Thomas Davin, 12889 Jerusalem Plank Road, Waverly, VA 23890 to the John Tyler ASAP Board with a term expiring January 31, 2019.

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

Voting nay: none

## **Item 9. Staff/Committees/Organization/Standing Reports**

### **Item 9a. County Administrator's Report**

#### **1. Atlantic Waste Disposal Update, Jason Williams, Senior District Manager Administrator**

Jason Williams, Senior District Manager of Atlantic Waste Disposal, gave a brief update. He reported Atlantic Waste Disposal (Atlantic Waste) has had a long standing relationship with Sussex County since the landfill began operation in 1994.

Mr. Williams gave an update on contributions Atlantic Waste has given to Sussex County. He reported that in 2015 Atlantic Waste accepted approximately 1.2 million tons and paid approximately \$4.8 million in hosting fees. Mr. Williams reported that in 2015 Atlantic Waste has supported various Sussex-based non-profit organizations which included Tidewater Academy, the Airfield Chapter of Ducks Unlimited, the Sussex County Economic Development Roundtable, the Waverly Ruritan Club, Cooper Farm Community Farm Day and have donated roll out boxes for various clean-up projects initiated by the Town of Waverly and Sussex County.

Mr. Williams also addressed the continued odor problem at Atlantic Waste. Mr. Williams stated that he advised the Board that Atlantic Waste would install 30 acres of cap that Atlantic Waste believed would eliminate the odor. Although significant progress was made on the project, the capping was not completed in 2015. Due to unforeseen events out of their control, Atlantic Waste was required to construct multiple lagoons to store leachate. The lagoons were required to ensure that there was adequate storage capacity for the leachate. Atlantic Waste is currently transporting the leachate to multiple wastewater treatment plants outside the state of Virginia.

Mr. Williams reported that some improvements were completed such as the installation of 33 new gas wells in the current gas field; installation and increased size of their temporary flares two-fold; began construction on a state of the art flaring system that will be operational some time early in Quarter 1 of 2016; three (3) new mobile odor neutralizing systems that's moved around the landfill as needed were purchased; and, a neutralizing system that feed 133 new nozzles were purchased and installed.

Mr. Williams reported that as part of the Phase I capping project installed two (2) pump stations, a gravity sewer system in the connection to the leachate tanks.

Mr. Williams expressed Atlantic Waste's sincere apologies for not accomplishing what they said they were going to do. Mr. Williams stated that Atlantic Waste is committed to getting 62 acres of caps down this year.

He reported that organizational changes were recently made at Atlantic Waste. The multiple construction projects are managed separately from daily operation of the landfill. This will ensure that there are no delays to the capping projects. Atlantic Waste will continue to provide the County

with updates. Mr. Williams invited the County to visit Atlantic Waste in April view to the new progress of the landfill.

Mr. Williams stated that he was aware of the County receiving complaints from the citizens about the odor. He expresses his sincere apologies for this. He asked that if the County receives complaints, that he be notified so that he could investigate the complaint.

Mr. Williams announced that John Dottellis, Director of Engineering, was present. Mr. Detellos is responsible for the ongoing Construction projects at the landfill including the capping. Mr. Williams announced that Lisa Kardell, Director of Public Affairs, was present as well.

## **2. Presentation by Williams Jenkins, General Registrar**

William Jenkins, General Registrar, stated that the November 2015 election was the first election with a Central Absentee Precinct.

Mr. Williams presented plaques to election winners. Plaques were given to the members of the Board of Supervisors and the tiebreaker, and constitutional officers. The School Board wasn't present to receive their plaques.

## **3. Update from the VA Department of Transportation, presented by Joseph Lomax, II, Residency Administrator**

Vandy V. Jones, III, Deputy County Administrator, advised that Joseph Lomax, II, Virginia Department of Transportation (VDOT) Residency Administrator, sends his apologies. Due to the pending inclement weather, Mr. Lomax was not available to attend the meeting. Mr. Lomax wishes to be added to next month's, February, agenda.

## **4. Audit Report, Aaron Hawkins, Robinson Farm Cox Associates Representative**

Aaron Hawkins, Robinson Farm Cox Associates, stated that he managed the audit conducted at Sussex County. Mr. Hawkins thanked County Administrator Davis, Ms. Ellis, Mr. Kaestner, and Mr. Woodruff for their assistance. He stated that the audit process went smoothly. Mr. Hawkins reported that the County received an unmodified audit report which is one of the best report that can be received.

Mr. Hawkins reviewed the general process of the audit and audit report. Upon completion of his review, Mr. Hawkins opened the floor for questions.

Members of the Board were provided with the Annual Financial Report.

## **5. Request to Replace Highway Marker, Gary M. Williams**

Gary M. Williams, Clerk of the Circuit Court, presented his request for the Board to consider funding for replacement of the state highway marker at the junction of Route 35 (Jerusalem Plank Road) and Route 626 (Nebletts Mill Road).

Mr. Williams reported that this marker was placed at the junction of Route 35 and Route 626 under the auspices of the County Government through the Civil War Centennial Commission. He stated the replacement cost will be \$1,630.00 according to the Department of Historic Resources. Mr. Williams also stated that the Commonwealth no longer pays for neither the installation nor the replacement of these signs. He stated that the marker commemorates THE CATTLE (BEEFSTEAK) RAID in September 1964. It recently collapsed and vanished.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby appropriates \$1,630.00 for replacement of the historical marker at the junction of Route 35 (Jerusalem Plank Road) and Route 626 (Nebletts Mill Road).

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

Voting nay: none

## **6. Disposition of the Former Annie B. Jackson School**

County Attorney Kaestner reported that Supervisor Fly requested him to provide an update on the sale of the former Annie B. Jackson to the Jessica Ann Moore Foundation.

County Attorney Kaestner reported that the Purchase and Sale Agreement between the County and the Jessica Ann Moore Foundation (“Foundation”) was signed last year. County Attorney Kaestner stated that he recently spoke with the Foundation’s attorney who’s handling the real estate issue for them. County Attorney Kaestner is of the understanding that the Foundation is finishing its due diligence in preparing for closing, which should occur in a matter of weeks.

## **7. Proposed Budget Reductions**

Anne Ellis, Finance Supervisor, reported that the County Administration staff held a mid-year Finance meeting on January 11, 2016 to discuss the status of the current budget. Upon reviewing the revenues, Mr. Onnie Woodruff, Treasurer, estimated that there may be a shortfall of approximately \$483,582.00 due to actual collections being less than those forecasted in the budget. The County typically ends the fiscal year with a surplus of a comparable amount of the shortfall, it is the recommendation of the County Administration staff that the Board of Supervisors consider reducing the appropriations in the budget to offset the estimated shortfall in revenue. Staff will continue to review the revenue. Below are some options for your consideration:

### **Option 1:**

Reduce the appropriation in the Capital Projects Fund in the amount of \$465,228.00. By doing so, this would cancel all capital outlay projects that were planned for FY16 such as the Circuit Court Clerk’s Arcade Project, Window Replacements for the County Office Building, and also the Renovations to the Old County Administration Building.

In addition, reduce the appropriation to unassigned recreation in the amount of \$19,000.00. The total proposed reductions would be \$484,228.00.

### **Option 2:**

Reduce the appropriation in the Capital Projects Fund in the amount of \$215,228.00. By doing so, this would cancel the renovations to the Old County Administration Building and the project could be delayed to a future fiscal year. Funding would remain in the Capital Projects Fund in the amount of \$ 250,000.00 to fund the Circuit Court Clerk's Arcade Project and the Window Replacements for the County Office Building.

In addition, reduce the appropriation to unassigned recreation in the amount of \$19,000.00. The total proposed reductions would be \$234,354.00, leaving a balance of \$249,354.00 to be covered by the Fund Balance.

### **Option 3:**

Reduce the appropriation in the Capital Projects Fund in the amount of \$215,228.00. By doing so, this would cancel the renovations to the Old County Administration Building and the project could be delayed to a future fiscal year. Funding would remain in the Capital Projects Fund in the amount of \$250,000.00 to fund the Circuit Court Clerk's Arcade Project and the Window Replacements for the County Office Building.

Reduce the County's Departmental, Schools and Social Services budgets by 1% (\$198,348.00) and also reduce the appropriation to unassigned recreation in the amount of \$19,000.00. The total proposed reductions would be \$432,576.00.

Staff plans to perform additional research regarding the proposed capital projects and will be better prepared to forward a recommendation to the Board in advance, to make a decision at the February meeting, if they so desire.

*Chairman Blowe stated for the record that he thinks it's really important that when the Board looks at some of the capital expenses that the Board takes action on, replacing the windows in the County's treasurer office should not be one of the projects deferred.*

*Chairman Blowe also stated for the record that the Board members understand that there wasn't a pending need to make a decision at this Board meeting. For that purpose and reason, this project will be assigned to the Finance Committee.*

## **8. Request to Amend the Procurement Policy**

County Attorney Kaestner reported that County Administration is preparing to advertise an Invitation for Bids (IFB) for the Circuit Court Clerk's office arcade project that will entail the construction of brick covered walkway to connect the clerk's building to the old courthouse building. The Board of Supervisors previously appropriated \$150,000 for this project.

An independent contractor provided a rough estimate that the project may cost slightly more than the budgeted amount. The Virginia Public Procurement Act authorizes localities to negotiate with the apparent low bidder to obtain a contract price within available funds when the bid from the lowest bidder exceeds available funds. In order to conduct such negotiations, §2.2-4318 of the *Code of Virginia* requires the Board of Supervisors to adopt a written policy regarding these negotiations.

The proposed policy incorporates concepts borrowed from Henrico County's policy.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby amends the General Purchasing Policies and Procedures by adopting the resolution titled "Amendment of County's General Purchasing Policies and Procedures to Authorize Negotiation with Lowest Responsible Bidder" as written in full below:

J. Unless canceled or rejected, a responsive bid from the lowest responsible bidder shall be accepted as submitted, except that if the bid from the lowest responsible bidder exceeds available funds, the county administrator (or designee) may negotiate with the apparent low bidder to obtain a contract price within available funds. If the county wishes to negotiate with the apparent low bidder to obtain a contract price within available funds, negotiations shall be conducted in accordance with the following procedures:

1. The finance supervisor shall provide the county administrator with a written determination that the apparent low bid exceeds available funds. The finance supervisor shall work with the using department to arrive at a recommended reduction in scope for the proposed purchase.
2. The finance supervisor shall advise the lowest responsible bidder in writing that the proposed purchase exceeds available funds. The finance supervisor shall further suggest a reduction in scope for the proposed purchase and invite the lowest responsible bidder to amend its bid proposal based upon the proposed reduction in scope. The finance supervisor has no duty to disclose the amount of available funds to the lowest responsible bidder.
3. Repetitive informal discussions with the lowest responsible bidder for the purposes of obtaining a contract within available funds shall be permissible and the lowest responsible bidder may offer alternatives to the county's recommended reduction in scope.
4. Once the county and lowest responsible bidder arrive at a reduction in scope for the proposed purchase to which the parties agree in concept, the lowest responsible bidder shall submit an addendum to its bid, which addendum shall include the change in scope for the proposed purchase, the reduction in price and the new contract value.
5. If the proposed addendum is acceptable to the county, the county may award a contract within funds available to the lowest responsible bidder based upon the amended bid proposal.

6. If the county and the lowest responsible bidder cannot negotiate a reduction in scope to arrive at a contract within available funds, all bids shall be rejected.

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

Voting nay: none

**9. Request to Appropriate Byrne Justice Grant #15N1205LO14, \$2,106.00**

Anne Ellis, Finance Supervisor, reported that in FY 14/15, Department of Criminal Justice Services awarded the Sheriff's Department the Byrne Justice Grant #15N1205LO14 in the amount of \$2,106.00. These funds will be used to help support the efforts of the Sheriff's Department in reducing crime and improving public safety.

The grant funds were not expended by the end of the previous fiscal year, therefore, staff is requesting an appropriation of the Byrne Justice Grant funds in the current fiscal year in a combined amount of \$2,106.00 with \$1,895.00 being federal funds and \$211.00 being required local match funds.

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves and appropriates the transfer of the 2015 Byrne Justice Grant #15N1205LO14 award in the amount of \$1,895.00 and the required local match of \$211.00 from the General Fund Balance.

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

Voting nay: none

**10. Request to Authorize Completion of Local Government Challenge Grant, \$5,000.00**

Anne Ellis, Finance Supervisor, reported that each year, the Virginia Commission for the Arts offers a matching grant of up to \$5,000.00 to any incorporated city, town or county government in the state. The Local Government Challenge Grant program is designed to encourage local governments to maximize the local tax revenues in support of the arts, to improve local resource flexibility, to foster local arts coalitions and provide opportunities for local governments to partner with private enterprise.

County Administration staff completes the grant application on behalf of the Miles B. Carpenter Museum and the Wakefield Foundation. Staff is in receipt of the application materials for the 2016-2017 grant program. A series of statewide grant workshops are held each year in January where they provide an overview of grant programs, application and review procedures, as well as general tips on preparing competitive proposals in preparation for the application deadlines.

Staff is requesting the Board to authorize the preparation of the Local Government Challenge Grant application to request the amount of \$5,000.00 and submit to the Virginia Commission for the Arts, on behalf of the Miles B. Carpenter Museum and the Wakefield Foundation.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes staff to prepare the Local Government Challenge Grant application to request the amount of \$5,000.00; and

FURTHER RESOLVED that the Sussex County Board of Supervisors hereby authorizes staff to submit to the Virginia Commission for the Arts, on behalf of the Miles B. Carpenter Museum and the Wakefield Foundation; and that upon approval and receipt of grant funds, both the Museum and Foundation will be funded in an amount approved by the Board. (At least matching).

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

Voting nay: none

### **11. Prince George Electric Cooperative Release of Liability for Damage**

Deputy County Administrator Jones reported that Mr. Gary Fontaine, Construction Manager for Atlantic Waste Disposal, Inc. has a subcontractor working on site who would like to install temporary overhead power to their office trailer. Prince George Electric Cooperative is requesting another release of liability form. The Board previously authorized County Administrator signed two (2) releases us - one for permanent power for the new treatment plant and one for temporary power for the general contractor.

In addition, Pyramid Electrical Contractors, LLC has been contracted by Brown and Caldwell Construction to perform electrical work at Atlantic Waste Disposal, Inc. They have an 8'x20' temporary office trailer that they need to obtain a permit (trailer and zoning) for. They are also in the process of setting up an account with Prince George Cooperative to get power to the trailer.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Board of Supervisors hereby authorizes staff to execute the Prince George Electric Cooperative Release of Liability for Damage forms for above stated contractors.

Voting aye: Supervisors Blowe, Fly, Futrell, Seward

Voting nay: Supervisor Stringfield

Abstained: Supervisor Tyler

### **12. Columbia Gas of Virginia – Request for Easement and Right of Way**

Deputy County Administrator Jones reported that the Easement and Right of Way requested by Columbia Gas of Virginia, Inc., necessary for the gas service request by Waste Management.

Sussex County, the landowner, will be conveying the rights to a public service corporation. Staff is requesting authorization for the County Administrator to execute the Easement and Right of Way.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorize the County Administrator to execute the Easement and Right of Way for Columbia Gas of Virginia, Inc.

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

Voting nay: none

### **13. Vacancy – VACo Region One Board of Directors – Request for Nominee**

Deputy County Administrator Jones reported that this is a request for a nominee to fill the vacancy on the Virginia Association of Counties (VACo) Board of Directors Region 1 in which Sussex County is a member. Deputy County Administrator reported that there is a vacancy because of the election of Mr. William Robertson to the VACo Executive Board. Mr. Robertson was formerly Region 1's representative. Sussex County, as well as the other members of Region 1, has been requested to submit nominees if it's their desire.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby nominates Chairman Keith C. Blowe as nominee for the VACo Board of Directors Region 1 for Sussex County.

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

Voting nay: none

#### **14. Draft 2016 Priorities**

Because the Draft 2016 Priorities list was prepared by Chairman Blowe, Chairman Blowe turned the meeting over to Vice Chair Seward.

Chairman Blowe has provided a list of four (4) priorities that he has included in the Board packet.

Chairman Blowe reported that the proposed four (4) priorities are presented for consideration (amendment if necessary) and adoption to provide specific guidance to the County Administrator and staff for 2016. These priorities are meant to send a clear message of what our Board's priorities are for the upcoming year and to ensure that the staff is focused on those priorities. It is recommended that these priorities be a part of the monthly agenda and reported on at scheduled Board of Supervisor Meeting. At each monthly meeting the County Administrator will provide an update to the board on progress or lack thereof.

##### **1. *Economic Development - Show tangible and meaningful progress in the following areas***

- identify additional funding streams to develop industrial sites
- industrial sites shovel ready by end of 2016 (utilities-water/sewer/broadband)
- Have operational businesses up and running at industrial sites by 2017
- secure 2-3 new businesses for county
- pursue opportunities/funding via the Region Gateway partnership for County
- Establish an executable County Clean-up/Beautification Plan
  - Clean-up county and make it more presentable for potential businesses
  - Present to Board a plan to enforce general maintenance standards for County businesses and citizens within 60 days of priorities being adopted
  - Develop a County Clean-up Campaign (involve all agencies and organizations)
- Establish a monthly newsletter to highlight status of County activities/projects NLT Apr 16

##### **2. *Reasonably Priced County-Wide Broadband Solution***

Broadband is the economic highway (education/jobs/entertainment/healthcare) to the future just like the interstate highway systems was for this Country back in the late 50s & early 60s

- Provide the County with 3 options to meet County-wide Connectivity goal NLT 31 May 16
- Establish a County wide Technology Working-Group (deputy administrator chair, County Technology Coordinator vice-chair)
- Include representatives from all County offices & agencies including school board, Constitutional officer representatives, Chamber of Commerce, Farm Bureau, etc.)
- Identify Countywide Technology needs/requirements
- Streamline technology procurement & establish single purchase point for County
- Develop an automated (via phone/internet) customer service satisfaction survey to be used by all County Offices which provide services to our Citizens
- Improve County phone system, reduce blackout areas & provide complete coverage
- Pursue county-wide paperless concept
- Video-tape Board Meetings and post on County Website
- NLT 24 hours after meeting - NLT 31 May 16 submit to Board of Supervisors:
  - A baseline of County technology requirements
  - Plan to streamline County Technology Procurements
  - 3 options for establishing and funding County-wide broadband/connectivity solutions

### ***3. Develop County Strategic Plan with short-term (6-24 mo) & long-term (3-5 yrs) goals***

- Short-Term Goals

Include 2016 Priorities as short-term goals

- Long-Term Goals (vision for the future)
  - Industrial Sites Complete and fully Utilized
  - Reasonable Priced Broadband Connections for all Citizens
  - Maximize Economic Development along 1-95 and Route 460 Corridors
  - Quality Grocery Stores on each end of County
  - Quality Recreation Facilities/Community Centers on each end of County
  - Library facilities accessible to all County Residents (North & South ends of County)
  - School System rated as one of top in State of Virginia (K-12 & Technical Facilities)
  - Sussex County seen as a sought after community to live, work and raise a family

### ***4. Identify potential areas to reduce the 2017 budget by 2%, 4%, & 6% across the board***

Staff's and Constitutional Officers opportunity to honestly assess organization and identify and institute efficiencies to aid in County Budget shortfalls. It is the Board's goal not to have to make any of these cuts, but if we do this right, your honest assessment will minimize the overall impact on County Services and on Staffs.

- Include a County Wide Paperless Strategy - Maximize use of Technology
- Consider not filling vacant positions but rather restructuring staff and organization
- Maximize use of volunteers and high school students who need community service credit

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts the four (4) principles in the 2016 Priorities list with the principles being Economic Development, Reasonably Priced County-wide Broadband, Strategic Plan, and Identify Potential Areas to Reduce 2017 Budget and then move forward with developing subcategories under the four (4) principles.

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

Voting nay: none

### **Item 9b. Treasurer's Report**

Onnie L. Woodruff, Treasurer, congratulated the Board members on their recent election and re-election. He stated that he looks forward to working with them and provide guidance.

Mr. Woodruff advised Board members that they will receive each month a reconciled bank statement. Mr. Woodruff stated that the County operates on a fund structure. The County's primary fund that the Board makes appropriations is the General Funds, that fund is to be identified as Fund 100. He also stated that the Treasurer's accountability is an independent fund, Fund 999.

Mr. Woodruff continued on to review Sussex County's Financial Statement submitted as of December 31, 2015. This report was included in the Board packet.

**Item 9c. Commissioner of the Revenue - (no report)**

### **Item 9d. Sheriff's Report**

#### **1. Request to Transfer Funds**

Captain Giles reported that the Sussex Sheriff Department is requesting to transfer funds from the Selective Enforcement into the SPOT line item in the amount of \$25,000.00. This transfer is to cover ongoing operations that will require payment.

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the transfer from the Selective Enforcement into the SPOT line item in the amount of \$25,000.00

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

Voting nay: none

**Item 9e. Superintendent of Schools - (no report)**

**Item 9f. Director of Social Services - (no report)**

**Item 9g. General Registrar - (no report)**

**Item 9h. Health Department - (no report)**

**Item 9i. County Attorney's Report**

## **1. Update of Codification Project**

County Attorney Kaestner gave a brief update of the recodification of the County Code. County Attorney Kaestner reported that there has been numerous changes in State law and changes in local policy and practice. He has been working with Municode, a well-respected company that supports communities in Virginia.

County Attorney Kaestner reported that the first step in bringing the re-codified Code to the Board, is to bring two (2) parts of the re-codified code to the Planning Commission. Those two (2) parts are the Chapter that contains the County's Subdivision ordinance and the chapter that contains the County's Zoning ordinance. County Attorney Kaestner reported that the re-codification of all the ordinances includes predominantly technical changes. When there are substantive changes, it's generally to align with changes in the State law.

County Attorney Kaestner stated that he has prepared and finalized a very detailed memorandum that explains all the changes that have been made that he's proposing the Board adopts. He also stated that at the Planning Commission's February 2016 meeting, the Subdivision and Zoning ordinances will be heard. After the Subdivision and Zoning ordinances have been heard, County Attorney Kaestner recommends the Board conducts a Work Session to go over the new County Code to explain changes, procedures, and other inquiries with a goal of possibly being able to adopt the Code in April 2016.

Once the new Code is adopted, one of the advantages will be is that the Code will be available online.

### **Item 10. Hearing of Citizens' Comments (9:00 p.m.)**

Comments were heard from:

Sylvia Jackson (Stony Creek District/Council Member)

Kevin Bracy (Courthouse District)

Ernest Massenburg (Henry District)

Janette Green (Courthouse District)

### **Item 11. Unfinished Business**

Chairman Blowe addressed the three (3) committees—Finance, Personnel and Economic Development. Chairman Blowe assigned Board members to each of the committees as listed.

Finance Committee: Supervisor Fly (Chair), Supervisor Tyler, Supervisor Stringfield.

The Finance Committee first order of business is to address the cuts in the budget. Chairman Blowe has asked that the Chair of the Finance Committee bring a recommendation to the February 18, 2016 Board of Supervisors meeting.

Personnel Committee: Supervisor Tyler (Chair), Supervisor Fly, Supervisor Futrell

Economic Development Committee: Supervisor Futrell (Chair), Vice Chair Seward, Chairman Blowe.

Chairman Blowe advised each committee to include the appropriate County staff to assist with the committees.

County Attorney Kaestner advised the Chairs of the committees to coordinate with him and the County Administrator to go over any noticing requirements, locations and times. He also encouraged each committee to prepare agendas to be posted on the County website.

### **Item 12. New Business**

Vice Chair Seward suggested that a draft resolution be prepared for the Board's review and consideration regarding the Atlantic Coast Pipeline project with Dominion Power and Brunswick County.

### **Item 13. Report from Departments/Staff/Commissions (reports included)**

### **Item 14. Board Members Comments**

- a. Blackwater District: Vice Chair Seward thanked everyone. She believes the Board got some things done. In regards to finance, Vice Chair Seward stated that it would be nice if the County had a budget reserve.
- b. Courthouse District – none
- c. Henry District - none
- d. Stony Creek District: Chairman Blowe thanked the Board for the support. He stated meetings will be shorter.
- e. Wakefield District – none
- f. Waverly District - none

### **Item 15. Closed Session**

There was no Closed Session item.

### **Item 16. Return To Open Session/Certification – N/A**

### **Item 17. Action on Closed Session Item – N/A**

### **Item 18. Adjournment**

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the January 21, 2016 Sussex County Board of Supervisor Meeting is hereby adjourned at 10:36 p.m.

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

Voting: nay