

**At a Regular Meeting of the Sussex County Board of Supervisors
Held in the General District Courtroom on
Thursday, May 19, 2016 at 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:

Deborah A. Davis, County Administrator
Vandy V. Jones, III, Deputy County Administrator
Mark Flynn, County Attorney
John Paul Woodley, County Attorney
Shilton R. Butts, Assistant to the County Administrator/Deputy Clerk to the Board
Deste J. Cox, Deputy Treasurer
Brenda H. Drew, Housing Coordinator
Ernest Giles, Captain
Stella Givens, Commonwealth's Attorney Office
Andre M. Greene, Director of Community Development
William Jenkins, General Registrar
Lyndia P. Ramsey, Commonwealth's Attorney
Matthew Venable, Director of Environmental Inspections
Eddie T. Vick, Public Safety Coordinator
Onnie L. Woodruff, Treasurer

1. Commencement

1.01 Call to Order/Determine Quorum

The May 19, 2016 meeting of the Sussex County Board of Supervisors was called to order by Chairman Blowe.

1.02 The Invocation

The Invocation was offered by Supervisor Fly.

1.03 The Pledge of Allegiance

The Pledge of Allegiance was recited by all.

1.04 Agenda Amendments

It was requested to remove Item 6.10 FY 2017 Budget Discussion/Authorization to Advertise Public Hearing under Action Items; and, add it as Item 8.01 under Public Comments.

1.05 Approval of Regular Agenda

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the May 19, 2016 regular agenda, inclusive of removing Item 6.10 FY 2017 Budget Discussion/Authorization to Advertise Public Hearing under Action Items and placing it as Item 8.01 under Public Comments.

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

Voting nay: none

2. Approval of Consent Agenda

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the consent agenda inclusive of the following: (a) Minutes of April 21, April 27 and May 4, 2016 meeting; (b) Approval of Warrants and Vouchers; and (c) Approval of Restoration of Funds, VACORP, \$1,159.59.

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

Voting nay: none

3. Recognitions/Awards

3.01 Recognition of Employee

County Administrator Davis introduced Matthew J. Venable, the Director of Environmental Inspections. Mr. Venable began employment on May 3, 2016.

Mr. Venable introduced himself and provided a brief background.

A copy of Mr. Venable's resumé is included in the May 19, 2016 Board packet.

3.02 Resolution of Recognition of Sussex Central High School 2016 Honor Graduates

County Administrator Davis advised that included in the Board packet is a resolution recognizing the Sussex Central High School 2016 Students who will graduate with honors.

Those students are:

Brittany Chambliss
Destinee Hill
Israel Colendrino
Darnell Jones
Steven Jones

Amanda Varner
Courtney Johnson
Ke'Shonda Jones
LaPrecious Bynum
TyKia Jones

Shakita Watson
Justin Harless
Alexis Meade
Danika Macklin
Jackisha Crockett

Jhadae Drew
Dallas Kigler
Jamel Ampey
Caitlyn Drewry
Brennan Turner

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts a resolution recognizing the Sussex Central High School 2016 Honor Graduates, to wit:

WHEREAS, on June 10, 2016 at 7:00 p.m., Sussex Central High School will hold its fifty fifth (55th) commencement exercises; and

WHEREAS, the eight-one (81) graduates of the Class of 2016 are to be acknowledged and congratulated for their outstanding achievements; and,

WHEREAS, the Sussex County Board of Supervisors and County Employees are proud to urge each graduating Senior to continue along the path of academic progression, professional development and lifelong success; and

WHEREAS, a special recognition is given to the twenty (20) students who have maintained an overall grade point average of 3.0 or better and for that reason will graduate as Honor Students; and

WHEREAS, these outstanding and talented members of the Sussex County family have exhibited extraordinary academic and social skills to be so honored; and

WHEREAS, each parent, grandparent, family and community member who have helped raise the Sussex Central High School Class of 2016 are to also be acknowledged for their contributions and support.

THEREFORE BE IT RESOLVED that (Name of Student) is encouraged to continue the pursuit of excellence and high achievement; and

BE IT FURTHER RESOLVED that this resolution shall be spread upon the Minutes Book of the Sussex County Board of Supervisors May 19, 2016 meeting and presented to said graduate.

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

Voting nay: none

3.03 Resolution of Recognition of the Late Charles Winston Britt, Sr.

County Administrator Davis read aloud the Resolution of Recognition of the Late Charles Winston Britt, Sr.

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts the resolution in recognition of the Late Charles Winston Britt, Sr., to-wit:

WHEREAS, the Honorable Charles Winston Britt, Sr. had served several terms as the Mayor of the Town of Wakefield, Virginia and passed away on 11 March 2016; and,

WHEREAS, the Honorable Charles Winston Britt, Sr. previously held many positions in the Town of Wakefield including member of town council from July 1, 1986 to June 30, 1988, mayor from July 1, 1990 to June 30, 2000 and July 1, 2006 to March 11, 2016; and,

WHEREAS, the Honorable Charles Winston Britt, Sr., under his leadership in the Town of Wakefield, kept the town in a positive financial position, helped to enhance a good relationship with local and state law enforcement, continued the growth of the Wakefield Municipal Airport, including the construction of twenty (20) hangar buildings, eagerly supported the construction of a new fire department building, the National Weather Service, a second electric substation and noticeable improvements to the Wakefield Municipal Ballpark; and,

WHEREAS, the Honorable Charles Winston Britt, Sr. gave selflessly of his time during his tenure to promote and protect the interest and well-being of the citizens of Wakefield as well as those in the community at large.

NOW THEREFORE, BE IT RESOLVED that the Sussex County Board of Supervisors hereby recognizes and commend posthumously the Honorable Charles Winston Britt, Sr. for his commitment to the betterment of the Town of Wakefield and Sussex County at large.

AND FURTHER RESOLVED that a copy of this resolution be presented to the family of the Honorable Charles Winston Britt, Sr. at the Board of Supervisors meeting on Thursday, May 19, 2016 and that this resolution be placed, recorded and retained in the minutes book of Sussex County.

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

Voting nay: none

The Resolution of Recognition was presented to the family of the Late Charles Winston Britt, Sr.

3.04 Resolution of Recognition of the Late Thomas Morton Raines

County Administrator Davis read aloud the Resolution of Recognition of the Late Thomas Morton Raines.

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts the resolution in recognition of the Late Thomas Morton Raines, to-wit:

WHEREAS, Thomas Morton Raines, Jr., 73, passed away February 20, 2016, born in Suffolk, Virginia, he was the son of the late Dr. Thomas M. Raines, Sr. and Alice Hill Raines; and

WHEREAS, Mr. Raines was a graduate of Wakefield High School and did his undergraduate work at Washington and Lee University and Frederick College and additional study at London Extension, University of Maryland; Sorbonne, University of Paris; U.S. Department of Agriculture Graduate School; School for Advanced International Studies and Middle East Institute; and

WHEREAS, he served in the U.S. Air Force and taught in both public and private schools in Sussex County, and

WHEREAS, Mr. Raines served as legislative and research assistant to congressmen from Texas and Indiana; as Director of the Republican Task Force on Congressional Reform; as Executive Director, House Republican Research Committee and as a representative of the House Republican leadership, and

WHEREAS, Mr. Raines was elected Registrar of Sussex County where he served for thirteen (13) years, serving as President of the Voter Registrars Association of Virginia and served from 2001-2003; and

WHEREAS, Mr. Raines had also been asked to serve as a member of one of the advisory councils of the Republican National party and to be a contributor to Commonsense, a national quarterly journal of political thought and opinion; and,

WHEREAS, Mr. Raines was an active member of St Paul's Episcopal Church in Petersburg, Virginia; and

NOW THEREFORE, BE IT RESOLVED that the Sussex County Board of Supervisors hereby recognizes and commend posthumously the Late Thomas Morton Raines Jr. for his commitment to the betterment of Sussex County and the Commonwealth of Virginia at large.

AND FURTHER RESOLVED that a copy of this resolution be presented to the family of the Late Thomas Morton Raines, Jr. at the Board of Supervisors meeting on Thursday, May 19, 2016 and that this resolution be placed, recorded and retained on the minutes book of Sussex County.

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

Voting nay: none

The Resolution of Recognition was presented to Late Mr. Raines' sister.

3.05 Resolution of Recognition of the Late Walter T. Gay, Sr.

County Administrator Davis read aloud the Resolution of Recognition of the Late Walter T. Gay, Sr.

County Administrator Davis advised that the resolution of recognition will be presented to the family of the Late Walter Gay, Sr. at the Board of Supervisors Regular Meeting on June 16, 2016.

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts the resolution of recognition of the Late Walter T. Gay, Sr., to-wit:

WHEREAS, Mr. Walter T. Gay, Sr., was born in Wakefield, Va., on February 25, 1929, was preceded in death by his loving wife of 63 years, Katie Elizabeth Manley Gay; and

WHEREAS, as a young man, Mr. Gay enlisted and served in the U.S. Army and after serving his country, he returned to Wakefield where he became an advocate for the citizens and improving conditions for everyone in the community; and

WHEREAS, Mr. Gay was a pioneer of his time by being the first in many areas. He was the first African American Deputy Sheriff in Sussex County; Mr. Gay was the first African American in Wakefield to be appointed to the Sussex County School Board and elected Vice Chairman the same year; the first African American in Wakefield to be appointed a State Office by the governor; and

WHEREAS, he served as a member of the Sussex County Planning Commission for thirteen (13) years and was always willing to place his concern for the public good ahead of his personal interests and thus earned the admiration and high regard of other civic leaders and the affection of a host of area residents; and

WHEREAS, Mr. Gay led with determination and with the assistance of the Parent Teachers Association, the initiative to construct the Ellen W. Chambliss Elementary School in Wakefield, Virginia; and

WHEREAS, Mr. Gay was employed full time with Newport News Shipbuilding, Newport News, Virginia for thirty-seven (37) years; was a former member of First Baptist Church of Wakefield, Virginia and at his death, an active member of Oak Grove Baptist Church, Wakefield Virginia; and,

NOW, THEREFORE, BE IT RESOLVED that the Sussex County Board of Supervisors hereby recognizes and commend posthumously the Late Walter T. Gay Sr. for his commitment to the betterment of Sussex County at large.

AND FURTHER RESOLVED that a copy of this resolution be presented to the sons of the late Walter T. Gay, Sr. (Walter Jr. and William), at the Board of Supervisors meeting on Thursday, June 16, 2016 and that this resolution be placed, recorded and retained in the minutes book of Sussex County.

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

Voting nay: none

4. Public Hearing

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters Public Hearing to consider the Virginia Department of Transportation (VDOT) Secondary System Construction Plan and Budget.

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

Voting nay: none

4.01 VDOT Secondary System Construction Plan and Budget

Mr. Tommy Catlett, Land Use Engineer, Virginia Department of Transportation, Franklin Residency, appeared before the Board and recommended approval of the Six Year Plan for Secondary Roads and the Construction Priority List for Sussex County; and

All projects in the Secondary Six Year Plan that are eligible for federal funds will be included in the Statewide Transportation Improvement Plan, which documents how Virginia will obligate federal transportation funds.

A copy of the proposed plan and budget is included in the Board of Supervisors May 19, 2016 Board packet.

Recommendation: That the Sussex County Board of Supervisors hereby approved the following resolution:

WHEREAS, Section 33.1-23 and 33.1-23.4 of the Code of Virginia, 1950, as amended, provides the opportunity for each County to work with the Virginia Department of Transportation in developing a Secondary Six Year Road Plan; and

WHEREAS, this Board has previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures and participated in a public hearing on the Proposed (FY2016/2017 through 2012/2022) on May 19, 2016, after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List; and

WHEREAS, Gerald W. Kee, Acting Residency Administrator, Virginia Department of Transportation appeared before the Board and recommended approval of the Six Year Plan for Secondary Roads and the Construction Priority List for Sussex County; and

WHEREAS, the Priority List is as follows

Priority #1: Route 626 (Courthouse Road) 0.17 mile south of the southern connection with Route 636; 0.101 mile north of the northern connection with Route 636 (0.2 mile)

Priority #2: Route 606 (Union Hill Road) Route 606 – pave non-hard surface road to Route 605, Southampton County line (1.8 miles)

Priority #3: Route 635 (Steel Bridge Road) pave non hard surface road, to Route 610 and Route 609 (3.4 miles)

Priority #4: Route 735 (Courthouse Road) Reconstruction and drainage improvements, to Route 660 (Gilliam Road) and Route 631 (Gray Road) (2.1 miles)

Priority #5: Route 636 (Longevity Road) Pave non-hard surface road, to Route 626 (Courthouse Road) (1.2 miles)

Priority #6: Countywide Rural Additions, various locations through the County

Priority #7: Countywide engineering and survey, various locations through the County

Priority #8: Countywide right-of-way engineering

Priority #9: Future unpaved roads

Priority #10:Route 635 (Stokes Road), over Magus Mill Pond, 0.783 mile north of Route 644 and 0.823 mile north of Route 644.

The Board was advised by Mr. Catlett that Priorities #1 and #2 could be removed from the list.

4.02 Public Comments – none

4.03 Board Comments

Comments were heard from Supervisors Seward, Fly and Blowe.

4.04 Return to Open Session

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby returns to Open Session.

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

Voting nay: none

4.05 Action on Public Hearing Items

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the following resolution for the Virginia Department of Transportation, Proposed Secondary Six Year Plan and Budget, to-wit:

WHEREAS, Section 33.1-23 and 33.1-23.4 of the Code of Virginia, 1950, as amended, provides the opportunity for each County to work with the Virginia Department of Transportation in developing a Secondary Six Year Road Plan; and

WHEREAS, this Board has previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures and participated in a public hearing on the Proposed (FY2016/2017 through 2012/2022) on May 19, 2016, after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List; and

WHEREAS, Tommy Catlett, Land Use Engineer, Virginia Department of Transportation, Franklin Residency, appeared before the Board and recommended approval of the Six Year Plan for Secondary Roads and the Construction Priority List for Sussex County; and

WHEREAS, the Priority List is as follows:

Priority #1: Route 735 (Courthouse Road) Reconstruction and drainage improvements, to Route 660 (Gilliam Road) and Route 631 (Gray Road) (2.1 miles)

Priority #2: Route 636 (Longevity Road) Pave non-hard surface road, to Route 626 (Courthouse Road) (.5 mile)

Priority #3: Route 635 (Steel Bridge Road) pave non hard surface road, to Route 610 and Route 609 (3.4 miles)

Priority #4: Countywide Rural Additions, various locations through the County

Priority #5: Countywide engineering and survey, various locations through the County

Priority #6: Countywide right-of-way engineering

Priority #7: Future unpaved roads

Priority #8: Route 635 (Stokes Road), over Magus Mill Pond, 0.783 mile north of Route 644 and 0.823 mile north of Route 644; bridge project.

NOW THEREFORE BE IT RESOLVED that since the plan appears to be in the best interest of the Secondary Road System, said Secondary Six Year Plan is hereby approved as presented at the public hearing.

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

Voting nay: none

5. Appointments

5.01 Appointment to Crater Planning District Commission Executive Committee

County Administrator Davis reported that the term of Supervisor C. Eric Fly should have been placed on the January 2016 agenda, but was not. Staff spoke to the Executive Assistant at Crater PDC and was advised that Supervisor Fly is eligible for reappointment. Staff contacted Supervisor Fly; he would like to serve again. (A copy of the resolution approving his last appointment is included in the Board of Supervisors May 19, 2016 Board packet.)

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the reappointment of Supervisor C. Eric Fly to serve on Crater Planning District Commission's Executive Committee for a term that will be concurrent with his term of office on the Board of Supervisors, expiring December 31, 2019.

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

Voting nay: none

5.02 Appointment to Planning Commission

County Administrator Davis stated that an appointment to the Planning Commission to represent the Waverly District is needed. Supervisor Futrell has made contact with a citizen who has agreed to serve. (A copy of the Planning Commission roster is included in the Board of Supervisors May 19, 2016 Board packet.)

Supervisor Futrell submitted the name of Mr. Andrew Mayes, 328 Coppahaunk Avenue, Waverly VA 23890. Should the Board approve the nomination, the new member will begin serving immediately and the term will expire January 31, 2019.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby appoints Mr. Andrew Mayes, 328 Coppahaunk Avenue, Waverly VA 23890 to the Planning Commission with a term expiring January 31, 2019.

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

Voting nay: none

5.03 Appointment to the Industrial Development Authority Board of Directors

County Administrator Davis stated that at the last Board meeting, staff informed the Board that an appointment is needed to replace the vacancy created by Mr. Bruce Spencer's decision to no longer serve. Mr. Spencer's term will expire May 15, 2017.

Staff has also been notified that Mr. Martin F. Harrell, Sr. does not wish to be reappointed to the IDA as well (his term expired May 15, 2016). The appointments to the IDA Board are not district specific and the Board meets on an as needed basis. However, staff has been contacted by McGuire Woods Law Firm stating that they may be submitting a bond application in the next few months. (A copy of the current IDA Board roster is included in the May 19, 2016 Board packet.)

The Board is to recommend a nomination at the regular Board of Supervisors meeting on June 16, 2016.

5.04 Appointment to District 19 Community Services Board

County Administrator Davis stated that the term of Dr. Phyllis Moore Tolliver will expire on June 30, 2016. Staff has spoken with District 19 Community Services Board and found that Dr. Tolliver is eligible for reappointment. Dr. Tolliver has agreed to serve again, if reappointed.

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Board of Supervisors hereby reappoints Dr. Phyllis Moore Tolliver, 24128 Cabin Point Road, Disputanta VA 23842 to the District 19 Community Services Board for a three (3) year term, expiring June 30, 2019.

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

Voting nay: none

5.05 Appointment to Social Services Administrative Board

County Administrator Davis stated that the term of Mrs. Lou Savedge will expire on June 30, 2016. Mrs. Savedge is eligible for reappointment and has agreed to serve again, if reappointed.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Board of Supervisors hereby reappoints Mrs. Lou Savedge, 27463 Sussex Drive, Waverly VA 23890, to the Social Services Advisory Board for a four (4) years term expiring June 30, 2020.

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

Voting nay: none

6. Action Items

6.01 Board's 2016 Priorities Update

Deputy County Administrator Jones gave a brief overview of the monthly update of Board's 2016 Priorities adopted earlier in the year.

Under Economic Development, Deputy County Administrator Jones reported that the County Newsletter has been completed and is on the County's website. The other items are ongoing.

Under Broadband, Deputy County Administrator Jones reported that staff is working with the school in regards to hot spots. The other items are ongoing.

Under Strategic Plan, Deputy County Administrator Jones reported that a planning session has been scheduled for June. The other items are ongoing.

Under FY 2017 Budget, Deputy County Administrator Jones reported that staff is working paperless strategy which includes providing the Board packet electronically. The other items are ongoing.

6.02 Request to Appropriate Funds – Board of Supervisors’ Travel/Retreat

County Administrator Davis stated that at the April 21, 2016 Board meeting, some Board members had requested that reservations, registrations, etc., be made for them to attend certain conferences. In reviewing the expenditure report for the Board of Supervisors budget, there was not enough funding to cover the expenses that may be incurred by securing registrations and reservations prior to June 30th.

Staff was asked to place this item on the Board’s May 19th agenda for reconsideration. Should the Board members decide to attend, approximately \$5,000.00 will need to be transferred from the General Fund to the Board of Supervisors

Conference registration:	\$1,300
Travel (none mileage)	\$1,600
<u>Lodging</u>	<u>\$2,100</u>
 Total	 \$5,000

In addition, initially the Board’s retreat was going to be held in October of 2016. At the last Board meeting, it was decided to hold the Board’s retreat during the week of June 20th. A member of the Board has recommended that the retreat be facilitated by Mike Chandler of Virginia Tech. Mr. Chandler’s price ranges from \$2,500.00 to \$3,250.00. Another member of the Board recommended that the retreat be facilitated by Mr. Shannon Hair of Danville Community College. Mr. Hair has advised that he will facilitate the retreat and has requested that the County pay for his lodging and reimburse mileage (which may equate to \$500.00 by staff’s calculation).

County Administrator Davis stated that she was also advised that John Tyler Community College also has someone on board who facilitates retreats, usually at no cost to the locality, but staff has not had the time to contact JTCC.

Because funding is not included in the current budget for the retreat, monies will need to be transferred from the General Fund into the Board’s budget to offset the cost. Staff has contacted the Airfield 4-H Center and reserved the Spain Building, which will be around \$400.00 for both days. Also depending upon who is invited to the retreat, meal costs are as follows:

Breakfast \$5.00 each	Snack \$4.99 each	Dinner \$17.99 each
Mid-morning snack \$5.49 each	Afternoon Snack \$4.99 each	

County Administrator Davis stated that she is unable to provide a more definitive cost until she knows who the Board wants to invite to the retreat (department heads, constitutional officers, etc.). Staff is requesting further direction from the Board.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the transfer of \$5,000.00 from the General Fund to the Board of Supervisors for members to attend the 2016 National Association of Counties (NACo).

Voting aye: Supervisors Fly, Seward, Stringfield, Tyler

Voting nay: Supervisors Blowe, Futrell

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes the County Administrator to move forward with the planning of the Board of Supervisors Retreat; and

FURTHER RESOLVED that the County Administrator is hereby authorized to spend up to \$1,500.00 total for the planning of the Board of Supervisors Retreat.

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

Voting nay: none

6.03 Request to Transfer Funds – County Attorney’s Budget

County Administrator Davis stated that at the March 7, 2016 special meeting of the Sussex County Board of Supervisors, the County Administrator was authorized to negotiate a contract with Woodley & Flynn, PLLC (Attorneys At Law). After consultation with the then County Attorney, Michael Kaestner, the County Administrator entered into a contract with Woodley & Flynn and was executed on March 12, 2016. Staff now requests that the remaining funds in the salary line item and associated costs for the County Attorney be transferred to Legal Services line item 022100-1223-281-220.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Board of Supervisors hereby authorizes the transfer of \$25,000 from the Salaries and Fringes to Legal Services line item 022100-1223-281-220, to cover the cost of the Attorney’s contract with Woodley & Flynn, PLLC.

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

Voting nay: none

6.04 Reconsideration of County Attorney’s Contract

County Administrator Davis reported that at the March 7, 2016 special meeting of the Sussex County Board of Supervisors, the County Administrator was authorized to negotiate a contract with Woodley & Flynn, PLLC (Attorneys At Law). After consultation with the then County Attorney, Michael Kaestner, the County Administrator entered into a contract with Woodley & Flynn and was executed on March 12, 2016.

Historically, the Board of Supervisors appointed the County Attorney, thus he/she would become an employee of the Board. To that end, staff requests that the Board re-visit their decision. (A copy of the contract is included in the Board of Supervisors May 19, 2016 Board packet.)

ON MOTION OF SUPERVISOR FLY, second SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby ratifies resolution authorizing the County Administrator to negotiate the contract with Woodley & Flynn, PLLC effective immediately and authorize the Chairman of the Board of Supervisors to execute the contract with Woodley & Flynn, PLLC.

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

Voting nay: none

6.05 Sheriff's Department – Restoration of Funds

County Administrator Davis stated that the Sheriff's Department has requested a restoration of funds as a result of reimbursements in vacancy savings from the Compensation Board in the amount of \$10,487.02. (A copy of the summary sheet and a copy of the budget sheet which depicts the negative balance.)

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Board of Supervisors hereby restores the Sheriff's Department line item #51500-1118-551-510 in the amount of \$10,487.02, which will reduce the negative balance in that line item.

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

Voting nay: none

6.06 Sheriff's Department – Request for Emergency Vehicle Purchase

County Administrator Davis stated that the Sheriff has stated at a previous Budget Work Session that the Sheriff's Department has been having a lot of mechanical problems with their Dodge Chargers. The Sheriff has submitted a request for an emergency appropriation for the replacement of two (2) vehicles in the amount of \$66,114.00.

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Sheriff's Department emergency request in the amount of \$66,114.00 for the replacement of two (2) vehicles and the equipment.

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

Voting nay: none

6.07 Byrne Justice Grant #16-O1205LO15 - \$1,819.00

County Administrator Davis reported that Sussex County is being awarded a Grant from the Department of Criminal Justice Services in the amount of \$1,637.00 in federal funds. With the required local cash matching funds of \$182, for a total award of \$1,819.00.

A copy of the grant is included in the Board of Supervisors May 19, 2016 Board packet.

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Board of Supervisors accepts and appropriates the Department of Criminal Justice Grant #16-O1205LO15, in the amount of \$1,819.00 in federal funds and required \$182.00 local cash matching funds ; and

FURTHER RESOLVED that the County Administrator is hereby authorized to execute the Grant Statement of Award/Acceptance and forward to the Department of Criminal Justice Services.

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

Voting nay: none

6.08 Robinson Farmer Cox Associates Engagement Letter

County Administrator Davis reported that Robinson Farmer Cox Associates has been County's auditors for several years. The County has received their Engagement Letter to start the audit process in the latter part of May or June. A draft is usually presented to the County between November and January. The cost of the contract \$32,800.00 which will be shared between County Administrator and Treasurer's Department.

County Administrator Davis stated that at the previous Board meeting, a suggestion was made for staff to advertise for a Request for Proposals for Auditing Services. The staff will begin the preparation of this process once the budget development process has been completed.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorize the County Administrator and Chairman of the Board of Supervisors to execute the engagement letter for Robinson Farmer Cox Associates for auditing services in the amount of \$32,800.00.

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

Voting nay: none

6.09 Bay Mechanical Release of Liability for Damage

County Administrator Davis stated that Kelly R. McNicholas of Bay Mechanical Inc. contacted staff via email. Bay Mechanical, Inc. is one of the subcontractor's on the Atlantic Landfill project in Waverly. Prince George Electric is requiring another Release of liability Form to be approved by the County. Since Atlantic Waste Disposal is on County owned property, the Board must authorize staff to execute the liability form.

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorize the County Administrator to sign the Release of Liability form for Prince George Electric Cooperative.

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

Voting nay: none

7. Reports of Departments/Agencies

7.01 Atlantic Waste Disposal Update – Jason Williams, John Paul Woodley

County Attorney Woodley provided a status report on Atlantic Waste Disposal. He stated that in September 2011, there were two (2) storms. The landfill at that time experienced a slip failure with one of its waste disposal cells. It exposed approximately ten (10) acres of waste to oxygen. This has led to an anaerobic reaction.

He reported that landfill cell exposed to oxygen generates exceptional amounts of liquid, called leachate, and gases that produce unusual and unpleasant odors.

County Attorney Woodley also reported that due to unusual decomposition process, sinkholes are developing in the area of the slip failure which contributes to the odor problem. In addition, some of the excess leachate from the landfill has escaped into an area of wetlands located on the landfill site. County Attorney Woodley reported that neither the sinkhole issue nor the escape of the leachate into the wetlands area was reported to the Virginia Department of Environmental Quality (DEQ) by Atlantic Waste. These issues were discovered by DEQ inspectors on site.

County Attorney Woodley reported that on February 5, 2016, DEQ issued a voluntary emergency order to Atlantic Waste Disposal, Inc. mandating a series of actions and a timetable for action in report to the problems identified at the landfill.

The emergency order limited the amount of waste the landfill could accept to 35,000 tons per week, and mandated specific actions to regain control of the leachate from the landfill and manage the sinkhole problem at the slip failure site. Specific actions are required to control gases and eliminate unusual odors.

He stated that DEQ is preparing a new waste order, incorporating the terms of emergency order and imposing a penalty for violations on Atlantic Waste Disposal, Inc. DEQ is also preparing an enforcement order under the State Water Control Law addressing the unauthorized discharge of leachate into the wetlands area on site, which will also impose a penalty for violation.

County Attorney Woodley reported that DEQ is conducting site inspections of the landfill every two weeks, and is also conducting unannounced site inspections more frequently.

County Attorney Woodley advised information on residential solid waste that citizens can dispose of free of charge to the landfill or one of the transfer stations located in Sussex County.

Jason Williams, Senior District Manager for Atlantic Waste Disposal, provided a brief update. He advised that Phase I (30 acres) will be completed hopefully at the end of the year. Phase 2 (36 acres) Capping project expecting earthwork and piping work to begin

around June, 2016. Phase 3 (34 acres) capping design is completed and is being reviewed and is expected to start in early 2017. The Wastewater Plant has started construction.

Mr. Williams extended an invitation to the Board members to visit the landfill.

7.02 Animal Services/Public Safety Monthly Report – *included in Board packet*

Mr. Eddie T. Vick, Public Safety Coordinator, addressed questions regarding Animal Control Services.

Mr. Vick also provided an update on the Radio System (new) towers. Mr. Vick advised that all towers have to have structural analysis done. There are five (5) towers in system; two (2) of the towers need strengthening.

He stated that when towers have to be modified, it has to be paid by the County. Costs of repairs were not included because it was an unknown costs. However, he requested a contingency in anticipation of repairs. He stated he received \$250,000.00.

7.03 Treasurer’s Report – *included in Board packet*

7.04. Community Development Monthly Report – *included in Board packet*

7.05 Environmental Inspections Monthly Report – *included in Board packet*

7.06 Housing Department Monthly Report – *included in Board packet*

7.07 Blackwater Regional Library Report – *included in Board packet*

8. Citizens’ Comments (9:00 pm)

Chairman Blowe clarified that the note that was listed on the agenda is not intended to keep citizens from speaking. Chairman Blowe stated that the Board may need to revisit organizational bylaws to clarify that “call County Administration to be added to the agenda” does not apply to “Citizen’s Comments”. Citizens are to call County Administration if they want to make a presentation to the Board.

Comments were heard from:

- David Reavis (Blackwater District)
- Damian Bennett (Waverly District)
- Lou Savedge (Courthouse District)
- Carolyn Wright (Courthouse District)
- Lou Goodwyn (Blackwater District)
- Gerald Johnson (Waverly District)
- Otto Wachsmann (Stony Creek District)
- Anne Joyner (Wakefield District)
- Chester Carter (Stony Creek District)

- Raymond Covington (Courthouse District)

8.01 FY 2017 Budget Discussion/Authorization to Advertise Public Hearing

County Administrator Davis gave the Board members with an updated budget provided by Ms. Carol White. The updated budget reflected the elimination the four cents (4¢) real estate tax increase and introduced a proposed three cents (3¢) real estate tax increase along with other changes.

After further discussion of the budget, it was decided to continue discussion of the budget to Tuesday, May 24, 2016 at 6 p.m.

9. Unfinished Business

9.01 General Reassessment

County Administrator Davis advised that this item was tabled from April 21, 2016 meeting.

County Administrator Davis advised that the last Board meeting, the Board discussed the possibility of changing the frequency of reassessment of real estate. Ms. Ellen Boone, the Commissioner of the Revenue, had previously provided a presentation. However, the Board needed more time to review this issue. The County is currently in a six (6) year assessment schedule.

The subject of general reassessment had been raised. Staff offered the following information at the April 21, 2016 meeting:

Section 58.1-3253, under subsection A, if the county has a full-time assessor or appraiser, it may go from a sexennial assessment as we have today to a biennial schedule.

Then, under subsection B, the board may adopt an ordinance to go to an annual assessment.

If the board wants to go to a 4 year schedule, it may do so by a resolution of the board to end the 6 year schedule and to rely on §58.1-3252 to do a 4 year schedule.

§ 58.1-3252. In counties.

There shall be a general reassessment of real estate every four years. Any county which, however, has a total population of 50,000 or less may elect by majority vote of its board of supervisors to conduct its general reassessments at either five-year or six-year intervals. Nothing in this section shall affect the power of any county to use the annual or biennial assessment method as authorized by law.

§ 58.1-3253. Biennial general reassessments; annual or biennial assessment.

- A. Notwithstanding any other provision of law, the governing body of any county or city having at least one full-time real estate appraiser or assessor qualified by the Tax Commissioner may provide by ordinance for the biennial assessment and equalization of real estate in lieu of the reassessments required under this chapter. Any county or city employing such method shall conduct a new reassessment of all real property biennially, but may complete such reassessment during an entire two-year period, employing the same standards of value for all appraisals made during such period.
- B. In lieu of the method now prescribed by law, the governing body of any county or city may, by ordinance duly adopted, provide for the annual assessment and equalization of real estate for local taxation, or the biennial assessment as authorized by subsection A. If so made, all real estate shall thereafter be assessed as of January 1 of each year, except as provided in Chapter 30 of this subtitle.

After discussion, this item was tabled to next month. It has been requested to have Ms. Boone in attendance.

9.02 Distribution of Tornado Disaster Relief Funds

County Administrator Davis advised that this item had been tabled from the March 17th Board meeting, there was discussion regarding the distribution of the funds that have been collected by the Treasurer's Office as a result of the February 24, 2016 tornado. At that meeting, the County Administrator recommended that the funds be donated to the Red Cross. There were other suggestions offered by Board members and citizens. As of May 17, 2016 the total collected is \$44,363.62.

Enclosed are copies of correspondences from the Sussex County Young Men's Athletic Club, Inc. (SCYMAC) and the Improvement Association requesting a portion of the disaster relief funds. A copy of the April 18, 2016 letter from Mayor Miriam Edwards requesting that the Board delay action for a month.

Mr. Vick, Public Safety Coordinator, stated that he met with UMCORE (United Methodist Committee on Relief). He stated that UMCORE was a national organization that comes in after a disaster has occurred and makes an assessment what the damages are and act accordingly. He stated that UMCORE has committed to assisting Sussex County for two (2) years with brick and mortar repairs and physical needs. They start June 6, 2016. They will work out of a church in Dendron, Virginia. He stated that UMCORE stated that all funding will be spent locally.

Mr. Vick advised that he had received a letter Mayor Miriam Edwards requesting to release the funds to assist this organization.

County Administrator Davis advised that she received a letter from stating that Governor McAuliffe's appeal has been denied.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby tabled the until the Board of Supervisors comes out of Closed Session.

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

Voting nay: none

10. New Business - none

11. Board Member Comments

11.01 Blackwater District – Comments were heard from Supervisor Seward.

11.02 Courthouse District – Comments were heard from Supervisor Fly.

11.03 Henry District – none

11.04 Stony Creek District – none

11.05 Wakefield District – none

11.06 Waverly District - none

12. Closed Session

12.01-12.03 Convene into Closed Session

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters Closed Session for: (a) the consideration of interviews of prospective candidates for employment, etc., pursuant to § 2.2-3711(A)(1) of the Code of Virginia in the Planning and Community Development; and (b) consultation with legal Counsel, Review of Atlantic Waste Disposal Contract, Inc., applicable Code Section 2.2-3711(A)7, advice of legal counsel regarding Waverly Pellett Plant's Financial Liability.

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

Voting nay: none

12.04 Reconvene to Open Session

ON MOTION OF SUPERVISOR SEWARD seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby returns to Open Session.

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

Voting nay: none

12.05 Certification

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR FUTRELL 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, Fly, Futrell, Seward, Stringfield, Tyler

Voting nay: none

12.06 Action Resulting from Closed Session

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes the County Administrator to proceed with the hiring of the Permits Technician.

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

Voting nay: none

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Board of Supervisors hereby authorizes and directs the County Attorneys to pursue the protection of the County's interest regarding the Department Environmental Quality issues and contract terms with Atlantic Waste Disposal under the hourly rate provisions of the County Attorneys contract working with County staff and others as needed.

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

Voting nay: none

13. Recess

13.01 Recess

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the May 19, 2016 meeting of the Sussex Board of Supervisors is hereby recessed at 11:41 p.m. to Tuesday, May 24, 2016.

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

Voting nay: none

13.02 Next Meeting

The next Board of Supervisors meeting will be Tuesday, May 24, 2016 at 6 pm in the General District Courtroom – Judicial Center located at 15098 Courthouse Road, Sussex, VA 23884.