

**At a Retreat of the Sussex County Board of Supervisors held in the  
Point Yancey Lodge, Airfield 4-H Center, Wakefield VA on  
Friday, January 8, 2010 at 9:00 a.m.**

**BOARD MEMBERS PRESENT**

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

**STAFF PRESENT**

George E. Morrison, III, Deputy County Administrator  
Henry A. Thompson, Sr., County Attorney  
Jerry L. Whitaker, Director of Finance  
Andre M. Greene, Director of Planning  
Eddie T. Vick, Public Safety Coordinator  
W. Travis Luter, Building Official  
Deborah A. Davis, Assistant to County Administrator

**OTHERS PRESENT**

Dr. Charles H. Harris, III, Division Superintendent

**WELCOME**

George E. Morrison, III, Deputy County Administrator, welcomed everyone to the retreat and explained the purpose of the retreat.

**CALL TO ORDER**

The January 8, 2010 retreat of the Sussex County Board of Supervisors was called to order by Chairman Fly.

**ADOPTION OF AGENDA**

ON MOTION OF SUPERVISOR BIRDSONG, seconded by SUPERVISOR HARRELL and carried: RESOLVED that the agenda of the January 8, 2010 retreat of the Sussex County Board of supervisors was adopted as presented.

Voting aye: Supervisors Birdsong, Caple, Fly, Harrell

Voting nay: none

Supervisors Tyler, Parker

Absent during vote: Supervisors Parker, Tyler

**OPENING SESSION, GOALS, OBJECTIVES**

Jerry L. Whitaker, Director of Finance, addressed the Board and provided an overview of the County's revenues and expenditures. (A copy of the report is retained in the January 8-9, 2010 Board packet).

(At 10:45 a.m., the Board separated in two groups to work on priorities, goals and objectives; lunch from 12:00 noon until 1:00 p.m.).

The Board reconvened at 1:00 p.m.

1:00 p.m. - Animal Control Department Update - George E. Morrison, III, Deputy County Administrator, advised that Animal Control staff was unable to attend today's retreat).

1:15 p.m. - Building Department Overview - Travis Luter, Building Official, provided an update of the Building Department. He provided the following information:

- Negative publicity has been minimized since last year
- New vision and mission statement posted on County website
- County has first certified permit technician (Somerbreze Hall)
- Goal for 2010 is to continue certification for staff, continue to pursue violators

George E. Morrison, III, Deputy County Administrator, commended Mr. Luter and his staff for their diligence and a job well done.

2:30 p.m. - Planning Department Overview - Andre M. Greene, Director of Planning, provided the following:

- Prospective commercial and industrial development include a Dollar General Store to be constructed in Jarratt; a new Denny's Restaurant to be constructed in Stony Creek (the current building will be demolished after the new building is opened for business); Old Dominion Electric Cooperative has applied for a request for a zoning map amendment and request for conditional use permit for a power plant site; Stony Creek Gift Shop under construction in Stony Creek; mini storage units in Stony Creek, pending condition use permit approval.
- Residential development includes Stony Creek Commons along Sussex Drive in Stony Creek, 30 town homes; 4 homes currently under construction at the intersection of Cabin Point Road and Railroad Bed Road.
- GIS Training will begin next month.
- Broadband Planning Grant is underway; public meeting is scheduled for January 21, 2010 at 6:00 p.m.
- Housing Planning Grant is underway

County Attorney Thompson asked the Board to reaffirm its adoption of the Capital Improvements Plan and Proffer Program which was initially adopted November 15, 2007.

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR PARKER and carried: RESOLVED that the Sussex County Board of Supervisors hereby reaffirms its

adoption of the County's Capital Improvement Plan and Proffer Program, effective immediately.

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

Voting nay: none

George E. Morrison, III, Deputy County Administrator, commended Mr. Greene and his staff for their diligence and a job well done.

3:15 p.m. to 3:30 p.m. Break

3:30 p.m. - Public Safety Overview - Eddie T. Vick, Public Safety Coordinator provided an overview of the following:

- Departmental budget is in compliance, thus far
- Jarratt Volunteer Fire Department engine purchase has been completed. The department was allowed to purchase a \$100,000.00 chassis when they could have used a \$30,000.00 chassis.
- Community Emergency Response Team classes will begin at the high school classes on January 4, 2010. Sussex County is the only locality in the state that teaches this class as part of its curriculum.
- Contract EMS provider in Stony Creek (Lifestar) located in the fire house in Stony Creek needs a new location. There may be a house in Stony Creek that may be rented and available for use by Lifestar.

The Board asked Mr. Morrison to get a price on a Butler building and report to the Board his findings.

Supervisor Tyler advised that he will begin a search for land to help resolve this issue.

George E. Morrison, III, Deputy County Administrator, commended Mr. Vick for his diligence and a job well done.

### **RECESS**

ON MOTION OF SUPERVISOR BIRDSONG, seconded by SUPERVISOR HARRELL and carried: RESOLVED that the January 8, 2010 retreat of the Sussex County Board of Supervisors is hereby recessed until 7:00 a.m. on January 9, 2010 at the Point Yancey Lodge, Airfield 4-H Center, Wakefield VA.

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

Voting nay: none

**At a Retreat of the Sussex County Board of Supervisors held in the  
Point Yancey Lodge, Airfield 4-H Center, Wakefield VA on  
Saturday, January 9, 2010 at 7:00 a.m.**

**BOARD MEMBERS PRESENT**

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

**STAFF PRESENT**

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

**CALL TO ORDER**

The January 9, 2010 retreat of the Sussex County Board of Supervisors was called to order by Chairman Fly.

**ADOPTION OF AGENDA**

ON MOTION OF SUPERVISOR BIRDSONG, seconded by SUPERVISOR PARKER and carried: RESOLVED that the agenda of the January 9, 2010 retreat of the Sussex County Board of Supervisors is hereby adopted as presented.  
Voting aye: Supervisors Birdsong, Caple, Fly, Harrell, Parker  
Voting nay: Supervisor Tyler

George E. Morrison, III, Deputy County Administrator, advised that the purpose of the first part of today's retreat is to review goals and objectives that the Board listed and discussed on yesterday.

Supervisor Parker: "What we need is to start an economic development council; perhaps mayors of the towns could serve."

Supervisor Birdsong: "We also need to regional cooperation and regional development. Maybe we could extend a hand and reach out to other localities."

Supervisor Caple: "This retreat is well intended, but it would be much easier if the department heads and constitutional officers could be included in discussions. We need to cooperate with them more than we are."

Supervisor Parker: "Constitutional officers need to be included in on Board discussions and work sessions."

Supervisor Fly: "Mr. Woodruff (Sussex County Treasurer) and Mrs. Boone (Commissioner of the Revenue) have been involved in some discussions and they are pleased with that."

Supervisor Birdsong: "The Board of Supervisors are not communicating enough; the Board also need to stop approving budget overages."

Supervisor Fly: ""Maybe we need to delete Warrants and Vouchers from the Consent Agenda and this will give the Board an opportunity to review (in open session) invoices. This may take a little longer, but may be necessary."

Supervisor Birdsong: "We also need to look at travel reimbursements."

Supervisor Fly: "It's a three step process, the County Administrator approves bills; the Director of Finance approves the bills and then the Board or Supervisors approves all warrants and vouchers."

Supervisor Birdsong: "I would like to receive my Board packet earlier."

Supervisor Parker: "Board members need to stop amending the agenda; they need to get thoughts together prior to the meeting."

Supervisor Birdsong: "All department heads should live in the County."

Supervisor Caple: "Then that should be part of the pre-employment package."

Supervisor Parker: "If we do that, we may end up with lawsuits; this type of thing should be indicated during the interview process."

Supervisor Birdsong: "I think the Finance Committee should meet with all department heads. "

Supervisor Parker: "The County's personnel policy needs to be brought up to date. Another issue that needs to be studied is that of the County combining auto mechanic with the Schools' auto mechanic, as a way to cut costs. And the Board needs to continue to study the regional jail concept."

The Board Members, by general consensus, agreed to continue to study the concept of a regional jail. They authorized the Deputy County Administrator to proceed with communications with Dinwiddie and Brunswick Counties regarding the regional jail issue.

## **BUDGET OVERVIEW**

An overview of the County's fiscal condition and budgetary matters were presented by Jerry L. Whitaker, Director of Finance. (A copy of Mr. Whitaker's report is retained in the January 8-9, 2010 Board file).

The following items were discussed as possible combination of services: IT services (County and Schools), Vehicle maintenance (County and Schools), Janitorial Services and Courtroom Cleaning (County and use of detainees).

The County Attorney was authorized to draft a resolution regarding the County not supplement providing additional funding in the event of additional budget reductions by the State. This shall include Schools, Constitutional Officers and the Department of Social Services.

The Board requested that the Director of Finance provide a breakdown of mandates contributions and non-mandated contributions; to provide a report of revenue that is generated by Planning, Building and Housing Departments and to create the 2011 budget inclusive of a 9% reduction.

The Director of Finance suggested that the Board could restructure its debt.

Supervisor Parker: "We need to take a serious look at the consolidation of services."

Supervisor Fly: "Do we need a Building Official and Building Inspector?"

Supervisor Fly: "The Lang Project is back on the table. Eastern Virginia Bank agreed to \$3 million; tax revenue will be seen in 2012; Lang will invest \$1 million and they want the County to co-sign \$2 million. My staff has contributed lots of hours to this project."

In the Board's discussion it was recommended the use of reserves not exceed \$900,000.00 in balancing the 2010 or 2011 budgets.

### **Enforcement of Repair, Removal of Buildings and Other Structures**

ON MOTION OF SUPERVISOR BIRDSONG, duly seconded by SUPERVISOR FLY and carried:

**Whereas**, The County of Sussex, Virginia (the "County"); did on July 14 2004, after public notice and hearing, pass and enact its" Removal, Repair, Of Buildings And Other Structures" ordinance( the "County Ordinance") as now codified in Chapter 4(Buildings), Section 4-6 of the Code of Sussex County Ordinance, at Chapter 4 (Buildings), sections 4-6 through 4-15 (Sections 4-7 Through 4-15 Being Reserved For Future Use); and

**Whereas**, the Town Council (the "Council") of the Town of Wakefield (the "Town") has or shall duly enact and adopt a substantially similar ordinance as the previously designated county ordinance regarding the "Removal, Repair, Of Buildings And Other Structures" ( the "Town Ordinance") within said Town's corporate limit; and

**Whereas**, the Town of Wakefield (the "Town"), while a political subdivision in its own rights, is a town located entirely within the geographical boundaries of the County, and the Town's citizens are also citizens of the County; and

**Whereas**, the Town has requested the County of Sussex to authorize and agree, on a temporary basis as hereinafter outlined, to provide, to the Town, the specified herein services of the County's Building Official and/or his lawful designates to inspect certain real estate parcels and any improvements thereon as hereinafter stated to determine compliance with or non-compliance with the heretofore specified Town ordinance; and

**Whereas**, the Board of Supervisors finds that the authorization of the Town's use of the County Building Official and/or his lawful designate, on a of a temporary basis for enforcement of the Town's ordinance pursuant to the guidelines established hereafter, in certain designated and possibly deteriorated areas in the Town would contribute to the general welfare of the citizens of the County and the Town by spurring and promoting improvement in the County/Town residential, business and commercial properties; and

**Whereas**, the Council has designated and the County accepts the specific buildings and or dwellings which the Building Official shall inspect and prepare a written report of compliance or noncompliance with the Town's ordinance as being limited to the following, to-wit:

**Wakefield Properties To Be Inspected and Followed By Written Report**

138 Bryan Ave                      204 East Main Street                      211 East Main Street

**Wakefield Properties To Be Inspected and Followed By Written Report**

130 Main Street                      132 Main Street                      211 Main Street  
402 Main Street                      211 Pine Street                      531 Railroad Ave  
613 Railroad Ave                      629 Railroad Ave                      600 Twilight Street  
215 Virginia Ave                      226 Virginia Ave

***The Board of Supervisors of the County of Sussex hereby resolves as follows:***

*Section 1. Incorporation of the Preamble.*

The provisions set forth in the preamble to this Resolution are incorporated by reference in their entirety herein.

*Section 2. Requirements Prior to Resolution Becoming Effective.*

The Wakefield Town Council shall:

1. If not already done, pass and enact an ordinance which is substantially similar to the County's ordinance (a copy of the County Ordinance is attached hereto as Exhibit A and incorporated herein as if the same had been textually stated verbatim herein) and a Resolution appointing the County Building Official as the temporary Town Building Official for the purposes of inspecting the heretofore designated real estate parcels and any improvements thereon, A certified copy of the Town's ordinance and the implementation Resolution required herein, upon passage, shall be forwarded by the designated Town authority to the Sussex County Administrator and/or Deputy County Administrator for inclusion in the Board of Supervisors meeting minutes.

*Section 3. Procedure for Implementation of Resolution and Scope of Duties of County Building Officials*

The County upon the receipt of certified copies of the Town's heretofore designated ordinance and Resolution shall:

1. Cause the County Building Official, with the advice and counsel of the County Attorney, to, at no monetary costs to the Town itself, to
  - (a) As soon as practicable, inspect each of the previously designated buildings and/or structures within said Town's corporate limits and to thereafter determine, in said Building Official's independent professional judgment, whether any of the designated buildings and/or structures are in violation of the Town's ordinance and provide , with any pictorial support for the same, a written report submitted to County Administration for transmittal to the Town with a further copy of said written report to be forwarded, by the Building Official, to the County Attorney for review as to:
    - (1) whether said building and/or structure inspected should, pursuant to said Town's ordinance, not be removed, repaired or secured; or
    - (2) whether said building and/or structure should, pursuant to said Town's ordinance, be removed, repaired or secured; and if so, what repairs would be required for the health and public safety of the County and Town's residents, inclusive of any maintenance work which may be necessary to the exterior of such building and/or structure to prevent the deterioration of the specific building or structure and any adjacent building, if any.
2. That, upon the Town Council's review of said written findings of the Building Official and other considerations as said Council shall itself deem appropriate, and should said Council, by Resolution, thereafter determines that, said building and/or structure and/or its walls , pursuant to said Town ordinance, constitute a danger the health, welfare and public safety of its citizens, and upon said Resolution being transmitted to and received by County Administration with the action which the Council determines is necessary for said particular building and/or structure pursuant to its Town Ordinance, the County Administrator shall forthwith authorize the Building Official and/or his lawful designate to:
  - (a) Upon the Town providing the County with the last known address of the owner and lien holder, if any, of such property, the Building Official (in a notice format similar to the attached Exhibit B which is incorporated herein by reference as if the same had been textually stated verbatim herein and which the County has previously provided the Town for its use consideration) shall send written notice to the address provided, by the Town, of the owner and lien holder, if any, of said property. The County Attorney, upon the request of the County Administration, shall assist the Town in securing any information regarding possible lien holders.
  - (b) Should said owner or lien holder of said property not comply with the notice sent , on behalf of the Town, by the Building Official, and take corrective

actions as specified in said written notice then, upon written request of the Council or its lawful designate to the County Administrator and or her lawful designate, a second notice and publication newspaper publication((in a notice format similar to the attached Exhibit C which is incorporated herein by reference as if the same had been textually stated verbatim herein) , upon the Town agreeing to pay such newspaper publication costs to the County, shall be sent to the applicable property owner and lien holder by the Building Office, upon the advice and consultation of the Building Official with the County Attorney.

*Section 4. Town Council Responsible for Any Proceedings Affecting Said Properties Upon Building Official Completing Requirements of Section 3(a)(2)(b)*

The Town, after the Building Official has complied with the procedures heretofore specified herein, inclusive of the mandates of Section 3(a)(2)(b)herein, shall, pursuant to its Town ordinance, be solely responsible for securing the requisite services to remove, repair or other actions affecting said property and the Town shall, unless otherwise provided by law, shall be solely entitled to, upon the Town's assessment of any such property, any governmental lien should such assessment remains unpaid pursuant to the applicable sections of the Code of Virginia, 1950, as amended.

*Section 5. All Towns, Inclusive of the Town of Jarrett, Virginia, within the Geographical Boundaries of Sussex County, In Whole or Part , Shall Be Entitled To Building Official Services As Specified In This Resolution*

The County Administrator and/or her designate is expressly authorized to enter into an agreement, that mirrors the terms of this Resolution and in which all provisions of this Resolution applying to any such agreement, with all Towns, Inclusive of the Town of Jarrett, Virginia, within the geographical boundaries of Sussex County for the rendering of Building Official services as specified in this Resolution

*Section 6. Term.*

The provisions of this Resolution are one of convenience to the County, and may be terminated by the County upon the providing of thirty days notice to any Town Council which participates herein. However, in no event, shall the duration of the terms of this Resolution be for a longer period of time as may be required for the County's Building Official and/or his lawful designate, to render and complete the services specified herein.

If any provision of this Resolution shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Resolution which shall be in full force and effect.

Supervisors Birdsong, Caple, Fly, Harrell, Parker, Tyler

Voting nay: none

**ADJOURNMENT**

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR PARKER and carried: RESOLVED that the Sussex Board of Supervisors hereby recess until Thursday, January 21, 2010 at 5:00 p.m.

Supervisors Birdsong, Caple, Fly, Harrell, Parker, Tyler

Voting nay: none