

**At a Budget Work Session of the Sussex County Board of Supervisors
Held in the General District Courtroom, Sussex Judicial Center
Thursday, April 15, 2010, 7:00 p.m.**

BOARD MEMBERS PRESENT

T. Wayne Birdsong
Wayne M. Harrell

Charlie E. Caple, Jr.
Harris L. Parker

C. Eric Fly, Sr.
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
Eddie T. Vick, Public Safety Coordinator
Brenda H. Drew, Housing Programs Coordinator
Deborah A. Davis, Assistant to County Administrator
Nicole L. Scuderi, Administrative Secretary

Item 1. Call To Order

The April 15, 2010 budget work session of the Sussex County Board of Supervisors was called to order by Chairman Parker.

Item 2. Adoption of Agenda

ON MOTION OF SUPERVISOR BIRDSONG, seconded by SUPERVISOR FLY and carried: RESOLVED that the agenda of the April 15, 2010 meeting of the Sussex County Board of Supervisors is hereby approved as presented.

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

Voting nay: none

Absent during vote: Supervisor Tyler

Item 3. Fiscal Year 2011 Budget Proposal

Jerry L. Whitaker, Director of Finance, provided the Board with the Fiscal Year 2011 budget adjustments for consideration.

Baseline Budget FY 2011	\$19,927,977
County Administration recommended:	
Clerk of Circuit Court (part time wages omitted)	\$16,338
P/T FICA	1,250
Treasurer – DMV Stops	12,500
Animal Control -Veterinary Contract	25,000
Commissioner of the Revenue - Reassessment Costs	87,046

Emergency Services - Notification System Fee	16,000	
General District Court – Legal Fees	6,000	
Subtotal	\$164,134	
County Administration Recommendation		\$20,092,111
Other Requests:		
Jail – Food services	10,000	
Jail – Inmate medical	35,000	
Jail – Uniform services	4,000	
Jail – Lease/rental (copier)	3,500	
Jail – Live scan (omitted)	2,600	
Field Operation – lease/rental (copier)	3,500	
Spot Operations – overtime	10,000	
Subtotal	68,600	
Total Requests	232,734	\$20,155,711

(A copy of supporting documentation is retained in the April 15, 2010 Board packet).

The amount to be taken from reserve funds will be \$498,567.00.

The Director of Finance asked the Board to act on each request individually.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the restoration of funds in the amount of \$17,588.00 to the Circuit Court Clerk’s Office budget for Part-time wages and FICA benefits, for Fiscal Year 2011.

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

Voting nay: none

Absent during vote: Supervisor Tyler

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of additional funds in the amount of \$12,500.00 to the Treasurer’s budget, for DMV Stops, for Fiscal Year 2011.

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

Voting nay: none

Absent during vote: Supervisor Tyler

ON MOTION OF SUPERVISOR HARRELL, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of additional funds in the amount of \$25,000.00 to the Animal Control budget for veterinary services contract for Fiscal Year 2011.

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

Voting nay: none

Absent during vote: Supervisor Tyler

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of additional funds in the amount of \$87,046.00 to the Commissioner of the Revenue's budget for reassessment costs for Fiscal Year 2011.

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

Voting nay: none

Absent during vote: Supervisor Tyler

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the restoration of funds in the amount of \$16,000.00 to the Office of Public Safety for the emergency services notification system fee for Fiscal Year 2011.

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

Voting nay: none

Absent during vote: Supervisor Tyler

ON MOTION OF SUPERVISOR HARRELL, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the restoration of funds in the amount of \$6,000.00 to the General District Court for legal fees, for Fiscal Year 2011.

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

Voting nay: none

Absent during vote: Supervisor Tyler

Supervisor Fly: "In looking at the budget, there is \$122,000.00 for legal fees. Do we need a full time attorney? Do we have that much work? From an efficiency standpoint, we may need to consider that issue."

County Attorney Thompson: "I consider myself full time; I put in over 1,300 hours a year for the County. Some of that amount was funds placed in my budget for special legal fees, for supplemental work that was done."

Supervisor Fly: "The money for the special project, I am not looking at that."

Mr. Whitaker: "Page 26 shows the total budgeted amount for the County Attorney's office."

Supervisor Parker: "This item can be referred to the Personnel Committee."

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR HARRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of additional funds in the amount of \$10,000.00 to the Sheriff's Department Jail Food Services for Fiscal Year 2011.

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

Voting nay: none

Absent during vote: Supervisor Tyler

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of additional funds in the amount of \$35,000.00 to the Sheriff's Department Inmate Medical Services for Fiscal Year 2011.

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

Voting nay:

Absent during vote: Supervisor Tyler

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of additional funds in the amount of \$4,000.00 to the Sheriff's Department Uniform Services for Fiscal Year 2011.

Voting aye: Supervisors Birdsong, Caple, Harrell, Parker

Voting nay: Supervisor Fly

Absent during vote: Supervisor Tyler

The Chairman announced that the Board will commence the regular meeting and will complete budgetary issues later.

**At a Regular Meeting of the Sussex County Board of Supervisors
Held in the General District Courtroom, Sussex Judicial Center
Wednesday, April 15, 2010, 7:30 p.m.**

BOARD MEMBERS PRESENT

T. Wayne Birdsong
Wayne M. Harrell

Charlie E. Caple, Jr.
Harris L. Parker

C. Eric Fly, Sr.
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
Eddie T. Vick, Public Safety Coordinator
Brenda H. Drew, Housing Programs Coordinator
Deborah A. Davis, Assistant to County Administrator
Nicole L. Scuderi, Administrative Secretary

Item 1. Call To Order

Chairman Parker called the April 15, 2010 regular meeting of the Sussex County Board of Supervisors to order; the Pledge of Allegiance was recited by all; the Invocation was offered by Chairman Parker.

Item 2. Approval of Regular Agenda

ON MOTION OF SUPERVISOR FLY seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Regular Agenda of the April 15, 2010 meeting of the Sussex County Board of Supervisors is hereby adopted with the following amendments: (1) Under Closed Session, Add D, Economic Development; (2) Under County Administration, add #8, Animal Control Update.

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

Voting nay: none

Absent during vote: Supervisor Tyler

Item 3. Approval of Consent Agenda

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR BIRDSONG, and carried: RESOLVED that the Consent Agenda of the April 15, 2010 meeting of the Sussex County Board of Supervisors is hereby adopted, to include the following: (1) Warrants & Vouchers in the amount of \$261,351.13; (2) Payroll Deduction checks in the amount of \$144,500.00; (3) Deletion of Minutes of February 11th, February 18th, March 4th, and March 18th Minutes.

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

Voting nay: none

Absent during vote: Supervisor Tyler

Supervisor Birdsong: “I received my Board packet Tuesday morning. I want one version of the minutes. I suggest that County Administration and the County Attorney get together and come up with one version.”

County Attorney Thompson: “What happens is that the County Administrator and Director of Finance make sure the resolutions are correct. I have been reviewing the minutes for several years and make modifications and amendments, if needed.”

Supervisor Birdsong: “I don’t disagree with that process, but there has been an air of concern recently. The Board of Supervisors can make changes, but it will take too much time to compare two sets of minutes. We have minutes in this packet dated February 11, 2010. It is now April 15, 2010; that’s a long time.”

Supervisor Fly: “As follow up, there should be only one version, those of the clerk to the board or the assistant clerk. The minutes cannot be changed by anyone but the Board of Supervisors. But if our attorney is changing the minutes, we are on dangerous grounds. Perhaps we need to hire a court reporter to take minutes and Ms. Davis can go home after work. I do not agree with the County Attorney amending the minutes; that’s a dangerous practice.”

County Attorney Thompson: “I suggest, Mr. Fly, that if you look at the minutes, they are 99% in agreement. There have been a few spelling errors; the County Attorney needs to be involved in the legal regularity. There are some quotes by the Board of Supervisors that may be questionable. There are no nefarious schemes.”

Supervisor Fly: “The County Attorney can look at the minutes for legal aspects, such as ordinances, contracts, but it is up to the Board to read and edit. How is it legal to insert a conversation that never took place?”

County Attorney Thompson: “There is an imputation going on. Part of my job is to protect the integrity of the Board of Supervisors. The minutes are not official until the Board approves them.”

Supervisor Fly: “My concern is that the changes in the minutes have nothing to do with legal. It’s the change in conversation that I don’t understand. We need to consider laying aside funds to hire a court reporter.”

Supervisor Caple: “We are making a mountain out of a molehill. We never had this problem before, at least since I have been on the Board. The County Attorney looks at the minutes and should make minor changes if needed.”

Supervisor Harrell: “A tape recorder will do the same thing.”

Supervisor Birdsong: “I said one set of minutes were all we needed. Now after listening to Mr. Thompson, I don’t know if I agree. You open the door for too many changes, but we need to be careful as to how they are presented. We don’t want to give the perception of impropriety. As Mr. Fly says, Ms. Davis is doing a wonderful job. Just because someone gets their feathers ruffled, we are all adults and should be able to face facts and conduct ourselves as adults. The

Board has the sole responsibility as to how the minutes are done. If there is a problem with the way the minutes are being done by Ms. Davis, then we need to look at something else.”

Supervisor Caple: “If it ain’t broke, don’t fix it.”

Supervisor Fly: “The minutes serve two purposes – 1) It is a stepping stone from one meeting to the next meeting and we need direction. 2) They are the historical actions of the Board of Supervisors and they need to be accurate. No one has the right to alter the minutes. If the Board has a problem with the minutes, they need to correct them.”

ON MOTION OF SUPERVISOR BIRDSONG, seconded by SUPERVISOR FLY and carried: RESOLVED that we, the Sussex County Board of Supervisors, hereby agrees to not approve the minutes of the February 11, 2010, February 18, 2010, March 4, 2010 and March 18, 2010 meetings at this time.

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

Voting nay: none

Absent during vote: Supervisor Tyler

Supervisor Caple: “We have not had this problem before; now we have got all stirred up.”

Supervisor Parker: “We may need to look at getting some recording equipment or a court reporter. I suggest we allow the Personnel Committee to review this issue.”

Item 4. Standing Reports

Item 4a. Health Department

Mr. Allen McKeown, Business Manager for Crater Health District, reported that Dr. Kay Rankin left Crater Health District in December 2009. They are now in the interview process and hope to have a new director on board soon.

He also reported that as part of the stimulus program, new vaccines are now available for all citizens free of charge (insured and uninsured). They are also offering tetanus shots and a vaccine for older adults with shingles. Flyers will be distributed; they may place a notice in the local newspaper and a notice will be placed on Crater Health’s website. The vaccines will be available until December 2011.

Supervisor Birdsong suggested that the Health Department try to find a location in each town to administer the vaccine to make it more convenient for citizens. Mr. McKeown advised that he would check to see if that can be done.

Item 4b. Highways, Streets & Roads

Mr. William Richardson, Assistant Residency Administrator, VDOT, Waverly Residency, addressed the Board. He introduced Mr. Jerry Kee and advised that he (Mr. Kee) will be the VDOT liaison for Sussex County, as the result of the Waverly Residency Office closing.

Supervisor Caple asked about the placement of a guardrail along Halifax Road in the Town of Stony Creek.

Mr. Richardson advised that it is in the process and will cost approximately \$25,000.00.

Supervisor Birdsong asked about the placement of a guardrail on Brittles Mill Road in Wakefield.

Mr. Richardson advised that they should be able to do this, but he will check on it.

Mr. Richardson also advised that there is a meeting scheduled for Wednesday, April 21, 2010 in Chesapeake, beginning at 10:00 a.m.

(Supervisor Tyler arrived at 8:20 p.m.).

Mr. Morrison advised that the Town of Stony Creek has requested the installation of sidewalks along Main Street and Lee Avenue.

Mr. Richardson advised that the Lee Avenue side belongs to VDOT, but will check into it.

Item 4b1. Rescission of Harrell Road Truck Restriction

Mr. Richardson asked the Board to consider the rescission of Harrell Road's "No Through Truck Traffic" resolution.

After a brief discussion, the Board, by general consensus, took no action on this request.

Item 4b2. Request For Authorization to Advertise Six Year Plan

Mr. Richardson provided copies of the proposed Secondary Six Year Plan and Construction Priority List. He requested that the Board authorize advertisement for public hearing. (A copy of the proposed plan is retained in the April 15, 2010 Board packet).

ON MOTION OF SUPERVISOR BIRDSONG, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes staff to prepare and advertise the proposed Six Year Plans for Secondary Roads and Construction Priority List for FY 2010/2011 through 2015/2016.

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

Voting nay: none

The Board members thanked Mr. Richardson for his assistance and support for the years past, as his last day of employment with VDOT is April 23, 2010.

Item 4b3. Citizens' Comments

Comments were heard from the following:

- Rodney Garrett, Henry District: Spoke about the Board not making a decision regarding elementary school construction; he stated that the Board of Supervisors should allow the School Board to make that decision.
- Debbie Turck, Blackwater District: Spoke on the subject of minutes; the Board needs to consider a digital recording device; her comments at previous meetings are often times paraphrased; she has looked at Gloucester County's website, lots of information out there; regarding the Code of Ethics, there is nothing in the minutes; the minutes need to be more accurate.
- Ora Briggs, Stony Creek District: Requested that the Board appropriate funds to build an elementary school.
- Fred Turck, Blackwater District: Advised that he had been coming to Board meetings over two years and has asked questions that have never been answered. Board keeps hankering over Code of Ethics; they need to show more unity.

Item 4c. County Administrator's Report

Item 4c1. Amendment to Crater Health District

George E. Morrison, III, Deputy County Administrator, advised that included in the Board's packet is the Fiscal Year 2004 Local Government Agreement between the County and the Health Department. The information is provided per the request of the Board of Supervisors. Also, included is a letter and amendment received from Mr. Allen McKeown, Business Manager with Crater Health District, which was provided in the March 18, 2010 Regular Agenda packet.

ON MOTION OF SUPERVISOR BIRDSONG, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes the Deputy County Administrator to sign the Local Government Agreement between the Health Department and Sussex County.

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

Voting nay: none

Item 4c2. Request Permission To Advertise the Regional Water Supply Plan

George E. Morrison, III, Deputy County Administrator, advised the Board that this item is a request for the Board of Supervisors to approve and conduct a public hearing at the Board's next regularly scheduled meeting in May for the Greenville-Sussex-Emporia (GSE) Regional Water Supply Plan. The Board would also need to adopt the plan at that time.

ON MOTION OF SUPERVISOR BIRDSONG, seconded by SUPERVISOR HARRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the advertisement of and conducting a public hearing for the Greenville-Sussex-Emporia Regional Water Supply Plan, to be scheduled for Thursday, May 20, 2010 at 7:00 p.m.

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

Voting nay: none

Item 4c3. Foster Grandparent Program

George E. Morrison, III, Deputy County Administrator, advised the Board that included in their packet is information regarding the Foster Grandparent Program. Mrs. Mattie Robertson, Program Director, is in attendance and will make a brief presentation to the Board.

Mrs. Mattie Robertson, Project Director of Foster Grandparent Program, reported that the program has been in existence for 37 years. They serve Chambliss and Jefferson Elementary Schools as well as St. John and Mars Hill Child Care Centers.

Last year they had eight foster grandparents and they served 8,140 hours. They are given a small stipend for the services they provide. She asked for continued support from the Board of Supervisors.

Item 4c4. Department of Environmental Quality Draft TMDL Report Info

George E. Morrison, III, Deputy County Administrator, advised the Board that on 23 March 2010, Supervisor Fly requested, via email, that staff contact Ms. Margaret Smigo, Regional TMDL Coordinator of the Department of Environmental Quality, to invite her to attend the 15 April 2010 Board meeting to present findings and the draft TMDL report. Included in the Board's packet is the response from Ms. Smigo. Mr. Morrison also advised that there is a public meeting scheduled for May 5, 2010 at Rowanty Vocation Center and staff will be in attendance.

Staff did not print copies of the report because of the following: the Assamoosick Swamp and Tributaries report is 136 pages; the Blackwater River Watershed and Tributaries report is 169 pages and the Blackwater River Natural Swamp Waters is 85 pages.

Supervisor Fly advised that he did attend public meetings and he has some concerns. Board members need to go to keep up to date with what is taking place.

Item 4c5. Director of Finance Report

Jerry L. Whitaker, Director of Finance, provided the following report for the period ending March 31, 2010:

Landfill Revenues

- March fees (\$493,043) have been entered based on a phone conversation with Atlantic Waste
- February fees are 2.9% less than February last year
- Based on current projections at a 25% reduction in fees from FY 2009 for the remainder of the year, the estimated revenue shortage will be \$854,459
- FY 2010 year end revenue is projected to be 36% less than FY 2008 and 19% less than FY 2009

Revenue

- Overall total revenues are in line with the budget

Expenditures

- The benchmark for percentage of the remaining unexpended appropriated funds is 25%
- Almost all departments are in line with this benchmark
- Animal Control is projected to be over budget by \$43,000
- Circuit Court is projected to be over budget by \$11,000
- General District Court is projected to be over by \$6,000
- All departments will be encouraged to reduce spending where possible

FY 2011 Budget

- Proposed budget was presented at the April 7th Budget Work Session
- Landfill tonnage revenues are expected at \$5.5 million for next fiscal year
- The estimated deficit is projected to be \$263,833

(A copy of the financial report is retained in the April 15, 2010 Board packet).

Item 4c6. Virginia's Gateway Region

George E. Morrison, III, Deputy County Administrator, advised the Board that Mr. Christian Booty of Virginia's Gateway Region is present and will address the Board.

Mr. Christian Booty, Research/IT Manager, provided the annual report to the Board. (A copy of the report is retained in the April 15, 2010 Board packet).

Item 4c7. Commonwealth's Attorney Office Mold Test Follow-up

George E. Morrison, III, Deputy County Administrator, advised that at the 18 March 2010 meeting, he advised the Board of the following: At the Board of Supervisors regularly scheduled meeting of 17 December 2009, the Board of Supervisors instructed County Administration to get back in touch with Mr. Robert Grose, President of PuroClean, and ask him to provide a more simplified version of his report, in essence a report in layman's terms. As instructed, County Administration immediately contacted Mr. Grose, however, he was out on his holiday break. Mr. Grose contacted Administration the first part of January and the Board's request was relayed to him. Additionally, a copy of the 2008 Mold test report was forwarded to him as an example of the Board's request for information.

After several conversations and efforts to rework the report, Mr. Grose reported that he felt he had provided the Board of Supervisors the least complicated format to report the lab results in his findings. Administration had asked Mr. Grose to appear before the Board of Supervisors on the 18 March 2010 meeting; however his schedule did not permit. In telephonic conversation, Mr. Grose covered with me the report he provided for the Board on 17 December 2009.

In Mr. Grose's explanation, he asked that I reprint the copy of the mold test analysis and cover with the Board the analysis and results of his findings.

On page 3 of the attached report you will find “SanAir Technologies Laboratory, Inc” - Air Cassette Analysis Chart. On this chart there are four (4) columns of information relating to the Analysis used, and the three locations tested in and around the Commonwealth’s Attorney’s office: 1) Outside; 2) CWAO (Commonwealth’s Attorney’s Office); and 3) Main Office.

Under each column for each testing site location there are sub columns entitled “Raw Count”, Count/M³, and %. The Raw Count numbers (is the number of spores for that fungal type detected on the trace) indicated are defined on page 6 of the test analysis. The numbers under Raw Count may range anywhere between 1 (Insignificant) to 4 (Overloaded). The Count/M³ (is the count per cubic meter which is the raw count converted based on the total volume pulled for that sample – it represents the number of spores that should be expected in a cubic meter of air from the location in question *if* the spores were distributed evenly throughout the air). The “%” sub column on the right of each column shows the percentage for which each spore type comprised the total spore count.

In the first column entitled “Outside” the Raw Counts indicated are 1, 2, and 4 for a total of 7. Thus, the total score for the “Outside” is comprised of a total of 7 for Fungi identified for this analysis area. So they range from a 1 (Insignificant) to a 4 (Overloaded). In the Count/M³ sub column you will see a 13, 27, and 53. The 13 is a representative number which is an expected count in a cubic meter of air. The numbers 27 and 53 are low to moderate and overloaded in a cubic meter of air. The percentage columns indicate that of the three molds detected – of a 100% sampling – they are 14%, 29%, and 53% of the sample.

I ask that the Board of Supervisors re-look at the analysis provided and prepare for discussion at the next regularly scheduled meeting. If it is the Board’s desire, I will again request that Mr. Grose be in attendance to participate in the discussion. As Mr. Grose has indicated, the mold “contamination” within the environs of the Commonwealth’s Attorney’s office is “insignificant” per the lab analysis by SanAir Technologies Laboratory, Inc.

Item 4c8. Animal Control Update

Supervisor Fly reported that he had received a call asking why our Animal Control Officers cannot go into the Town of Wakefield.

Mr. Morrison advised that he is unaware of that issue. He also advised that he would check and report findings to the Board.

Supervisor Birdsong advised that it is his understanding that if the citizens call the town and the mayor calls Animal Control, they get faster results when it’s handled that way.

County Attorney Thompson reported that the Board of Supervisors has the contract with the Town.

Item 4d. Treasurer’s Report

Onnie L. Woodruff, County Treasurer, apologized to the Board for not getting his report in on time to be included in the Board's packet. He reported that the statement of money in the banks to the credit of Sussex County as shown by the Treasurer's books at the close of business March 31, 2010, was \$25,901,315.22. (A copy of the Treasurer's Report is retained in the April 15, 2010 Board packet).

Mr. Woodruff also requested the following: An appropriation of \$14,840 to line item 41100-1299-412-410, DMV Withholding Fees for FYE 2010. These are fees that are collected from the taxpayers and must be paid to DMV monthly. This is a revenue neutral expense, in which revenues collected must be paid out for DMV services.

Mr. Woodruff reported that during the FYE11 budget process, he submitted a budget request in the amount of \$15,000 expenditures and \$15,000 revenues for the DMV Withholding accounts with an explanation to Mr. Whitaker. The revenues were kept in place at \$15,000, but the expenditures were cut to \$2,500. He requests that the Board amend or appropriate an additional \$12,500 for FYE 2011, account #41100-1299-510-511 to offset the revenues that were budgeted at \$15,000.

Mr. Whitaker advised that he asked the Board to address that issue earlier during the meeting.

Mr. Woodruff also requested \$7,000 for postage. The postage account for FYE11 was cut to \$5,000 which is inadequate to mail out all the tax notices. He requested that the Board of Supervisors amend or appropriate an additional \$2,000 for FYE11, account #411-1231-411-410.

Item 4e. Commissioner of the Revenue – no report

Item 4f. Sheriff's Department - absent

Item 4g. Superintendent of Schools

Dr. Charles H. Harris, III, Division Superintendent, reviewed the Sussex County Public Schools Fiscal Year 2010-2011 Budget that was approved March 25, 2010 by the School Board. He requested that the Board of Supervisors approve the Schools' budget (local share \$8,144,170).

Supervisor Fly: "Will the budget keep the sports program going?"

Dr. Harris: "Yes."

Supervisor Tyler: "There has been little dialogue about Rowanty Vocational Center; what is the progress?"

Dr. Harris: "There has been no real discussion. But it is fairly solid because it is tuition based. We did save \$98,000. It is based on average attendance over a 5 year period."

Supervisor Fly: "Food services, how does that work?"

Dr. Harris: “We receive federal funding.”

Supervisor Parker: “Is the funding for repairs to the Rowanty Vocational Center in the schools budget?”

Dr. Harris: “It is not in the School’s budget, but it used to be in the County’s budget.”

Supervisor Caple: “When do you need the Board of Supervisors need to adopt the Schools’ budget?”

Dr. Harris: “We would like to get contracts out by mid May.”

Supervisor Fly: “Did you all get an IT person?”

Dr. Harris: “No, we have not. We have not had an IT person or assistant superintendent in two years.”

Item 4h. Director of Social Services

Chequila H. Fields, Director of Social Services, informed the Board that the Cameron Foundation has approved a Basic Human Services Needs Emergency Grant of \$9,985.00 to the Sussex County Department of Social Services. This is a one-time grant to Sussex County for emergency energy assistance, for clients, food supplies for seniors, shelter assistance for victims of domestic violence, shelter assistance for individuals in crisis from displacement due to fire, and to assist with transportation for medical services for clients who have an open case in Adult Protective Services.

Social Services is requesting that the Board of Supervisors accept and appropriate the Basic Human Needs Emergency Services Grant in the amount of \$9,985.00.

ON MOTION OF SUPERVISOR TYLER seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby accepts and appropriates the Basic Human Services Needs Emergency Grant in the amount of \$9,985.00 from the Cameron Foundation.

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

Voting nay: none

Item 4i. County Attorney’s Report – no report

Item 4j. Circuit Court Clerk

Item 4j1. Resolution For Assessing Research & Copying Fee for Archival County Records 1754-1870

Gary M. Williams, Circuit Court Clerk, advised the Board that he is proposing to assess a research and copying fee for archival records and asked that they adopt a resolution to approve his request.

ON MOTION OF SUPERVISOR TYLER seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby acknowledges that the Clerk of the Circuit Court has been engaged since 2001 in a project of scanning loose court papers from 1754 to 1870 for the benefit of citizens of Sussex County and for all persons interested in our local history; and,

WHEREAS, funds are inadequate to cover maintenance of the scanner used to accomplish this project or to provide a printer ultimately necessary for copying said records; and

WHEREAS, the Clerk of the Circuit Court is frequently called upon to provide research assistance for patrons, most of them non-residents, without remuneration, other than a copying fee of fifty cents per page; and

WHEREAS, the Commonwealth of Virginia assesses a fee of twelve dollars (\$12.00) for a certified copy of birth, marriage, divorce or death records, which fees are not commensurate with those charged on the local level for the same;

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Sussex County, Virginia, that the collection and retention of a research fee of ten dollars (\$10.00) for research by the Clerk's Office of the Circuit Court of this County involving records predating 1870 is hereby authorized and endorsed and that the said fee of ten dollars (\$10.00) be allocated in what shall be designated as Old Records Maintenance Fund (under Code 402, Supreme Court of Virginia Financial Management System); and

BE IT FURTHER RESOLVED that the copying fee of fifty cents a page for records predating 1870 shall also be allocated for the support of this fund.

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

Voting nay: none

Item 6. Unfinished Business

Item 6a. Fiscal Year 2011 Budget Proposal

ON MOTION OF SUPERVISOR CAPLE to restore funds in the amount of \$3,500.00 to the Sheriff's Department budget for Jail lease/rental of copy machine.

Motion failed due to lack of a second.

Mr. Whitaker reminded the Board that they can take action next year, to appropriate funds for the request of \$3,500.00 each for copier lease/rental for the Jail and Field Operations, if necessary (for a total of \$7,000.00).

ON MOTION OF SUPERVISOR BIRDSONG, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the restoration of funds in the amount of \$2,600.00 for the Sheriff's Department Jail Live Scan for Fiscal Year 2011.

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

Voting nay: none

ON MOTION OF SUPERVISOR HARRELL, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the restoration of funds in the amount of \$10,000.00 for the Sheriff's Department Spot Operations Overtime for Fiscal Year 2011.

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

Voting nay: none

ON MOTION OF SUPERVISOR BIRDSONG, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the restoration of funds in the amount of \$2,000.00 for the Treasurer's postage for Fiscal Year 2011.

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

Voting nay: none

Supervisor Fly: "For efficiency matters, we can move the Animal Control Department to the Sheriff's Department, which can reduce staff. The deputies can be cross trained; or we can take it to the Finance Committee for discussion."

Supervisor Caple: "Have you talked to the Sheriff about this?"

Supervisor Fly: "Yes, he's in agreement with that."

Supervisor Tyler: "Will there be any cost sharing?"

Supervisor Parker: "We can take it to the Finance Committee or Personnel Committee."

Supervisor Fly: "It could be easier for the Sheriff because the calls are dispatched from the Sheriff's Department anyway."

Supervisor Tyler: "I recommend this item go to the Personnel Committee."

Supervisor Parker: "We need to be sure to include the Sheriff in this discussion."

Supervisor Fly: "In regards to the cleaning of the courts, can we move that back to Building & Grounds?"

Supervisor Tyler: "I suggest taking that to the Personnel Committee also,"

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the restoration of

funds in the amount of \$10,000.00 to be equally divided between the Miles B. Carpenter Museum and the Wakefield Foundation.

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

Voting nay: none

Supervisor Fly: "There is \$10,000.00 in the Board's budget for Tuition Reimbursement; maybe we need to look at that."

Mr. Whitaker advised that the \$10,000.00 is for County employees who take classes and receive at least a "C" grade or above and they can be reimbursed for the cost of the classes. So far, Mrs. Brenda H. Drew, Housing Programs Coordinator, is the only employee who has taken advantage of this benefit.

Supervisor Fly also advised that Building & Grounds seems to be a "catch all" for other departments. Perhaps the Board needs to take a look at that.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes staff to proceed with the advertisement of the proposed budget for Fiscal Year 2011.

Voting aye: Supervisors Caple, Harrell, Parker, Tyler

Voting nay: Supervisors Birdsong, Fly

Item 7. New Business - none

Item 8. Closed Session

ON MOTION OF SUPERVISOR CAPLE seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors shall hereby enter Closed Session for the following: (a) Personnel Matters, Applicable Code Section 2.2.3711(A)(1); (b) Legal Matters, Applicable Code Section 2.2-3711(A)(7) and (c) Contracts 2-2.3711(A)(30).

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

Voting nay: none

Item 9. Return To Open Session

ON MOTION OF SUPERVISOR BIRDSOING seconded by SUPERVISOR HARRELL and carried: RESOLVED that the Sussex County Board of Supervisors has convened a Closed Meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and,

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Sussex County Board of Supervisors that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE BE IT RESOLVED that the Sussex County 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 were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Sussex County Board of Supervisors.

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

Voting nay: none

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes the Deputy County Administrator to expend up to \$30,000.00 with EEE Consulting, Inc., to address the Notice of Violation for Gin Hill and Robinson Road Landfills.

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

Voting nay: none

Item 10. Recess/Adjournment

ON MOTION OF SUPERVISOR HARRELL, seconded by SUPERVISOR BIRDSONG and carried: RESOLVED that the April 15, 2010 meeting of the Sussex County Board of Supervisors is hereby recessed until May 6, 2010 @ 1:00 p.m. for a Finance Committee Meeting and 2:30 p.m. for a Personnel Committee Meeting, in the Law Library.

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

Voting nay: none