



At a meeting of the Board of Supervisors of the County of Sussex, held at the Courthouse thereof, on the 20th day of November 2014.

PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-235: Motion To Enter Public Hearing

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters Public Hearing to consider the following: (a) Conditional Use Permit #2010-02, Walter Tuma, applicant, requesting amendment to remove the three (3) year expiration date approved by the Board of Supervisors on December 19, 2013; (b) Zoning Map Amendment #2014-01, Sussex County Board of Supervisors, applicant; and (c) Business, Professional, Occupational License Tax (BPOL).

A COPY TESTE:


Deborah A. Davis, Clerk



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PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-236: Return To Regular Session

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR WARREN and carried; RESOLVED that the Sussex County Board of Supervisors hereby returns to Regular Session.

A COPY TESTE:


Deborah A. Davis, Clerk



At a meeting of the Board of Supervisors of the County of Sussex, held at the Courthouse thereof, on the 20th day of November 2014.

PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-237: Zoning Map Amendment #2014-01
Sussex County Board of Supervisors, applicant

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR HAMLIN and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Zoning Map Amendment #2014-01, Sussex County Board of Supervisors, applicant, for the zoning classifications of tax map numbers 15-(A)-17 (consisting of 55.21 acres), 15-(A)-18 (consisting of 77.99) and 16-(A)-4 (consisting of 85.14 acres) be changed from A-1, General Agricultural District to I-2, General Industrial District.

A COPY TESTE:


Deborah A. Davis, Clerk



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PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
nay
aye
aye
aye
nay

R-14-238: Business, Professional, Occupational License Tax (BPOL)

ON MOTION OF SUPERVISOR HAMLIN, seconded by SUPERVISOR WARREN and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves that Business, Professional, Occupational License Tax (BPOL) be carried over and placed on the December 18, 2014 agenda.

A COPY TESTE:

Deborah A. Davis, Clerk



At a meeting of the Board of Supervisors of the County of Sussex, held at the Courthouse thereof, on the 20th day of November 2014.

PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-239: Approval of Regular Agenda

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL, and carried: RESOLVED that the November 20, 2014 regular meeting agenda of the Sussex County Board of Supervisors is hereby approved, inclusive of the following amendments: (1) Add to Item 8i. County Attorney's report to have the consent of the Board of Supervisors to allow an assignment of the Renewal Energy Agreement of the Gas Rights Continuation agreement from Waverly Gas to Waste Management; (2) Add as an addition to Item 14. Closed Session(s) item b, the Acquisition of Real Property if discussed no concession would hurt the County's negotiation ability.

A COPY TESTE:


Deborah A. Davis, Clerk



At a meeting of the Board of Supervisors of the County of Sussex, held at the Courthouse thereof, on the 20th day of November 2014.

PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-240: Approval of Consent Agenda

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR FUTRELL, and carried: RESOLVED that the November 20, 2014 consent agenda of the Sussex County Board of Supervisors is hereby approved, inclusive of the following: (a) Approval of October 16, 2014 Minutes of Board of Supervisors Meeting; and (b) Approval of Warrants and Vouchers; and (c) Sheriff's Department Request for Budget Transfer (\$25,000); and (d) Comprehensive Services Act Fund Appropriation of Excess Revenues

A COPY TESTE:


Deborah A. Davis, Clerk



At a meeting of the Board of Supervisors of the County of Sussex, held at the Courthouse thereof, on the 20th day of November 2014.

PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-241: Planning Commission's Resolution #2014-01 – Enterprise Zone Designation

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR FUTRELL, and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Planning Commission's Resolution #2014-01 – Enterprise Zone Designation, to-wit:

WHEREAS, according to the U.S. Bureau of Labor Statistics Sussex County had an unemployment rate of 7.2% for September of 2014 as compared to 5.5% for the State.

WHEREAS, the Commission on Local Government's Report on Comparative Revenue Capacity, Revenue Effort, and Fiscal Stress of Virginia's Cities and Counties for FY 2012 reported that out of the 134 cities and counties located in Virginia, Sussex County's level of fiscal stress ranked the 30th highest in the Commonwealth. The fiscal stress index illustrated a locality's ability to generate additional local revenues from its current tax base relative to the rest of the Commonwealth.

WHEREAS, the Sussex County Planning Commission has identified a critical need for the County to grow the economy, diversify the tax base, generate new sources of revenue and improve the quality of life of its residents through new job creation and expansion of existing businesses and industries.

WHEREAS, the Sussex County Planning Commission realizes that economic development is vital to the future prosperity of Sussex County and supports the efforts of the Board of Supervisors in investing local monies for the development of a "shovel ready" mega site located in the northwestern part of the County at the intersection of Route 602 (Cabin Point Road) and Route 626 (Beef Steak Road).

WHEREAS, the Virginia's Enterprise Zone Program is an economic development program managed by the Department of Housing and Community Development that provides state and local incentives to businesses that invest or create jobs within designated zoned areas throughout Virginia.

WHEREAS, the adjacent counties of Dinwiddie, Greensville, Prince George, and Southampton have designated Enterprise Zones in their localities.

WHEREAS, the Sussex County Planning Commission recognizes that the designation of an Enterprise Zone within Sussex County has the potential to be an important local economic development incentive that can assist with the attraction of new businesses and industries to the County.

WHEREAS, the designation of an enterprise zone is competitive and is open to all cities and counties in Virginia and requires the submittal of a formal application.

WHEREAS, the Sussex County Planning Commission has been informed that the preparation and adoption of a local economic development strategy by the County is instrumental in the completion of the required Enterprise Zone application.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of Sussex County urgently requests the Board of Supervisors authorize staff with the assistance of the Crater Planning District Commission to prepare an economic development strategy for the County; and

BE IT FURTHER RESOLVED, that the Planning Commission of Sussex County urgently requests the Board of Supervisors authorize staff to prepare and submit an application for Enterprise Zone designation by the 2015 deadline date.

Adopted and passed by the Sussex County Planning Commission this 6th day of October, 2014 at their regularly scheduled meeting.

A COPY TESTE:


Deborah A. Davis, Clerk



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PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
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Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-242: Crater District Area Agency on Aging

ON MOTION OF SUPERVISOR HAMLIN, seconded SUPERVISOR FUTRELL and carried:
RESOLVED that the Sussex County Board of Supervisors hereby authorizes the County Administrator to negotiate a contract with Crater District Area Agency on Aging.

A COPY TESTE:

Deborah A. Davis, Clerk



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PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-243: Request to Approve Donation to the Veterans Memorial in Courthouse Square

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR STRINGFIELD, and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the addition of Sussex Residents: Paul A. Cofer of Wakefield; Hugh Gwaltney, of Waverly; and, Cary F. Jarratt, of Jarratt who served in World War I to the Memorial in the Sussex County Courthouse Square.

A COPY TESTE:

Deborah A. Davis, Clerk



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Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-244: 4Core Technology Group, Inc.

ON MOTION OF SUPERVISOR HAMLIN, seconded by SUPERVISOR CAPLE, and carried:
RESOLVED that the Board of Supervisors accept 4Core Technology Group, Inc. proposal to lease Jefferson Elementary School with the option to buy

A COPY TESTE:

Deborah A. Davis, Clerk



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PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
nay
aye

R-14-245: County Owned Property Update

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR HAMLIN and carried: RESOLVED that the Sussex County Board of Supervisors authorizes the County Administrator to move forward with selling of following properties:

- Griggs Mill Road (Former) Solid Waste Convenience Site 1.02 Acres
- Grizzard Road (Former) Solid Waste Convenience Site 0.04 Acre
- Wakefield Solid Waste Convenience Site 11.89 Acres
- Pocahontas Area 3.637 Acres
- I-95/Henry Road Industrial Site 198.930 Acres

A COPY TESTE:

Deborah A. Davis, Clerk



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PRESENT:

Charlie E. Caple, Jr.
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Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-246: Crater Health District Fiscal Year Local Government Agreement

ON MOTION OF SUPERVISOR HAMLIN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors authorizes the County Administrator to sign the agreement between Virginia Department of Health and Sussex County.

A COPY TESTE:


Deborah A. Davis, Clerk



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PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

**R-14-247: Authorization to Approve Timmons Group
Water & Sewer Design For Route 602 Industrial Park**

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR WARREN and carried: RESOLVED that the Board of Supervisors authorizes the County Administrator to execute the Contract with Timmons Group; and

FURTHER RESOLVED that said contract will be to design engineering plans for the extension of water and sewer service to the Cabin Road Industrial Park Site for a fixed price of \$94,000.00

A COPY TESTE:


Deborah A. Davis, Clerk



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PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-248: Schools Declaration of Surplus Property

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR CAPLE and carried:
RESOLVED that the Sussex County Board of Supervisors accepts the following surplus property from Sussex County Public Schools.

<u>YEAR</u>	<u>MAKE</u>	<u>MODEL</u>	<u>VIN</u>
1990	DODGE	CARAVAN	1C4GY5436LX701792
1998	INTERNATIONAL	SCHOOL BUS-#8	1HVBBABN4WH524385
1998	INTERNATIONAL	SCHOOL BUS-#39	1HVBBABN7WH585309
1998	JOHN DEERE	TRACTOR	SERIAL#CH3057T095572

A COPY TESTE:


Deborah A. Davis, Clerk



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PRESENT:

Charlie E. Caple, Jr.
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Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-249: Disposal Method of Surplus Property to the County

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors authorizes the County Administrator to dispose of the property accepted from Sussex County Public Schools through sealed bids.

A COPY TESTE:

Deborah A. Davis, Clerk



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PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

**R-14-250: Sussex County Agreement With
Sussex County Virginia Historical Society Agreement**

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR HAMLIN and carried: RESOLVED that the Board of Supervisors authorizes the County Administrator to sign the agreement between Sussex County and the Sussex County VA Historical Society; to wit:

THIS AGREEMENT, dated this 20th day of November, 2014, by and between the **SUSSEX COUNTY, VIRGINIA HISTORICAL SOCIETY**, a nonprofit corporation of the Commonwealth of Virginia, hereinafter referred to as the "Society", and the **COUNTY OF SUSSEX**, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as the "County," WITNESSETH:

WHEREAS, the County is the fee simple owner of real property located in Sussex, Virginia, with improvements thereon, commonly known as the Sussex County Historical Courthouse (the "Historical Courthouse"), a two story antebellum structure which had served as the Courthouse for Sussex County until such time as a new facility was constructed for that purpose located in close proximity to the Historical Courthouse; and

WHEREAS, the Historical Courthouse is in present need of repair, such to include the repair of its roof; and

WHEREAS, the Society, a 501(c)(3) charitable organization, duly recognized by the Internal Revenue Service, with a stated purpose to facilitate the preservation, restoration, and protection of historically significant structures located in Sussex County, has applied for a grant from The Cameron Foundation, hereinafter referred to as "Cameron," to fund the cost of the repair of the roof of the Historical Courthouse; and

WHEREAS, the Society, in connection with its grant application, has, through a competitive process, solicited bids from qualified contractors and has selected Heritage Custom Builders LLC, Mechanicsville, Virginia, hereinafter referred to as the “Contractor,” to accomplish the roof repairs to the Historical Courthouse; and

WHEREAS, the Society, by resolution of its Board of Directors dated November 9, 2014, has approved the content of this agreement and has authorized its Chairman to execute it on behalf of the Society for the purpose of specifying the process, terms, and conditions by which a grant from Cameron will be used to pay for the repair of the roof of the Historical Courthouse; and

WHEREAS, the Board of Supervisors of the County, at its meeting held on November 20, 2014, has adopted a similar resolution;

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

1. If and when a grant is awarded by Cameron for repairs to the Historical Courthouse, it will be made to the County as the owner of the Historical Courthouse, but will be subject to the conditions set forth in this Agreement.
2. The grant funds, and any additional funds provided by the Society to the County, shall be used only for the payment of the Contractor for the repairs to the roof of the Historical Courthouse.
3. The Society shall provide all additional funds required to supplement the grant funds so that together there will be sufficient funds to pay the Contractor the amount owed for the roof repairs of the Historical Courthouse, such amount not to exceed a total of \$121,400.00.
4. The County agrees to abide by and satisfy all requirements specified by Cameron for the use of the funds so granted, with such requirements to be set forth in a grant award letter from Cameron to the County.
5. During the period of time when the roof of the Historical Courthouse is being repaired, representatives designated by the Society shall have the right of access to the premises for the purpose of inspecting the work being accomplished in order to determine whether the work is in accordance with the specifications submitted in the Contractor’s bid and that the work appropriately supports the architectural and structural integrity of the Historical Courthouse.
6. The Society designates the Contractor as the sole entity acceptable to the Society for the provision of the roof work, and the Society conditions the consideration from the Society to the County upon such designation. Because of such condition and because there are no other funding sources presently available to the County for this work, the County recognizes the Contractor as the one source practicably available for the provision of the roof work and hereby accepts and documents such limitation.

7. The County will formalize the relationship between itself and the Contractor in an agreement, such to include requirements that the Contractor maintain:

- a. sufficient insurance to protect the interests both of the Society and the County.
- b. licenses and permits required by law.

A COPY TESTE:



Deborah A. Davis, Clerk



At a meeting of the Board of Supervisors of the County of Sussex, held at the Courthouse thereof, on the 20th day of November 2014.

PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-251: Cameron Foundation Grant - \$121,400

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Board of Supervisors appropriates \$121,400 grant received from the Cameron Foundation to repair roof of the Historic Courthouse.

A COPY TESTE:

Deborah A. Davis, Clerk



At a meeting of the Board of Supervisors of the County of Sussex, held at the Courthouse thereof, on the 20th day of November 2014.

PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-252: Gas Rights Continuation Agreement
Transferred from Eagle Hill Renewable Energy, LLC
to a Division of Waste Management

ON MOTION OF SUPERVISOR HAMLIN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisor hereby consents to the Gas Rights Continuation Agreement being transferred from Eagle Hill Renewable Energy, LLC, (formerly known as Waverly Gas Producers, LLC) to a Division of Waste Management.

A COPY TESTE:


Deborah A. Davis, Clerk



At a meeting of the Board of Supervisors of the County of Sussex, held at the Courthouse thereof, on the 20th day of November 2014.

PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-253: Appropriation of Cameron Foundation Grant

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby appropriates the amount of \$121,400.00 grant from the Cameron Foundation is hereby appropriated.

A COPY TESTE:

Deborah A. Davis, Clerk



At a meeting of the Board of Supervisors of the County of Sussex, held at the Courthouse thereof, on the 20th day of November 2014.

PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-254: Closed Session

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR WARREN and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters Closed Session for the following: (a) Discussion, consideration of prospective candidates for employment, appointment, etc. applicable Code Section 2.2-3711(A)(1); (b) Discussion, acquisition of real property for public purpose if discussed in open session it would hurt the County's negotiation position of item concerning Gin Hill property, applicable Code Section 2.2-3711(A)(3).

A COPY TESTE:

Deborah A. Davis, Clerk



At a meeting of the Board of Supervisors of the County of Sussex, held at the Courthouse thereof, on the 20th day of November 2014.

PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-255: Return To Open Session

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

A COPY TESTE:

Deborah A. Davis, Clerk



At a meeting of the Board of Supervisors of the County of Sussex, held at the Courthouse thereof, on the 20th day of November 2014.

PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-256: Certification of Closed Session

WHEREAS, the Board of Supervisors of Sussex County, Virginia 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.

A COPY TESTE:

Deborah A. Davis, Clerk



At a meeting of the Board of Supervisors of the County of Sussex, held at the Courthouse thereof, on the 20th day of November 2014.

PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-257: Gin Hill Landfill Property

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 offer \$84,000 for the Gin Hill Landfill property.

A COPY TESTE:


Deborah A. Davis, Clerk



At a meeting of the Board of Supervisors of the County of Sussex, held at the Courthouse thereof, on the 20th day of November 2014.

PRESENT:

Charlie E. Caple, Jr.
C. Eric Fly, Sr.
Alfred G. Futrell
Robert E. Hamlin
John A. Stringfield
Raymond L. Warren

VOTE:

aye
aye
aye
aye
aye
aye

R-14-258: Adjournment

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the November 20, 2014 meeting of the Sussex County Board of Supervisors is hereby adjourned at 11:27 p.m.

A COPY TESTE:

Deborah A. Davis, Clerk