

**Sussex County Board of Supervisors
Regular Meeting Agenda
Thursday, September 19, 2013 – 7pm
General District Courtroom – Sussex Judicial Center**

Item 1. Call To Order/Determine Quorum

Item 2. The Invocation

Item 3. The Pledge of Allegiance

Item 4. Public Hearing

- a. Ordinance Amendment #2013-01: The applicant, Three Brothers' Whiskey, is requesting that the Sussex County Zoning Ordinance be amended to allow distilling, brewing and wine making as permitted used in the A-1, General Agricultural District. The applicant wished to operate a distillery for the production of whiskey at the Cheerful Chicken Farm located in Sussex County off County Line Drive.
- b. Public Comments
- c. Board's Comments

Item 5. Return To Regular Session

Item 6. Action on Public Hearing Item

Item 7. Agenda Amendments

Item 8. Approval of Regular Agenda

Motion: To approve the September 19, 2013 Regular Meeting Agenda as presented (or as amended)

Item 9. Approval of Consent Agenda

- a) Approval of Minutes of August 15, 2013 Board Meeting
- b) Approval of Minutes of August 29, 2013 Board Meeting
- c) Approval of Invoice: Electronic Systems, Inc., \$10,378.50 (Elementary School Project)

- d) Approval of Invoice: Dominion Power, \$54,868.15 (Elementary School Project)
- e) Approval of Invoice: American Park & Recreation, \$42,124 (Elementary School Project)
- f) VACo Insurance Payment, Sheriff's Department, \$245.00
- g) Approve, Appropriate, & Authorize Transfer of Funds – Phillips Telecommunications; \$1,294.00; repairs to phone extensions, and replacement phones.
- h) Approval of Invoice – Phillips Telecommunications; \$ 3,334.00; install telephone cables and relocate underground phones lines
- i) Approve, Appropriate, & Authorize Transfer of Funds – Timber Stream, LLC; \$3,200.00; Wetlands Confirmation for Route 602 Cabin Point Road Industrial Park
- j) Approve, Appropriate, & Authorize Transfer of Funds – Timmons Group; \$700.00; Mega Site/ Phase I ESA
- k) Approve, Appropriate, & Authorize Transfer of Funds – Timmons Group; \$2,975.00; Mega Site/Phase I ESA
- l) Approve, Appropriate, & Authorize Transfer of Funds – Timmons Group; \$4,500.00; Mega Site/ Property Acquisition Study
- m) Approve, Appropriate, & Authorize Transfer of Funds – Timmons Group; \$10,000.00; Mega Site/ Black Swamp Wetlands
- n) Approve, Appropriate, & Authorize Transfer of Funds – Timmons Group; \$ 1,525.00; Mega Site/ Phase I ESA & Wetlands Confirmation
- o) Approve, Appropriate, & Authorize Transfer of Funds – Timmons Group; \$1,150.00; Mega Site/ Phase I ESA & Wetlands Confirmation
- p) Approval and Appropriation of Funding for Sheriff's Department's Promotions, \$27,665.19
- q) Budget Appropriation and Transfer: Department of Forestry Local Cost, \$433.95
- r) Budget Appropriation and Transfer: Housing Study, VHDA Grant Income, \$6,100.00
- s) Approve, Appropriate and Authorize Transfer of Funds; \$1,161.52 from Sheriff's Department E911 to SPOT
- t) Approval of Warrants and Vouchers

Item 7. Standing Reports/Staff/Committees/Organizations

7a. County Administrator/s Report

1. VDOT Report - Gerald W. Kee, Assistant Residency Administrator, VDOT, Franklin Residency will be in attendance to provide update to the Board. (A copy of the report is included in the Board packet).

2. Southside Regional Medical Center Thank You - Mike Yungmann, Chief Executive Officer, will be in attendance to thank the Board members for their support of the Open Heart Surgery Center.

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3. Proceeds from the Sale of Timber in Sussex County - Dennis Gaston, staff person at the Department of Forestry will be in attendance to present an \$87,000 check to Sussex County from the proceeds from timber sales in the County.

Recommendation: To accept the \$87,000.00 from the Department of Forestry

4. **Sussex County Employee Compensation:** Pursuant to the implementation of the Sussex County RCP Performance Based Personnel Management System (effective September 1, 2013), I have been advised that there are three County employees who did not receive a step (2.5%) increase following the successful completion of their Probationary Period.

Recommendation: *To approve a step increase for the final three County Employees who completed both their hiring and probation period under the Board's previously adopted Personnel System and appropriate the necessary funds from contingency and/or reserve as determined best by the County Treasurer/Finance Director effective as per each of the above documented dates.*

5. **Communication System:** Mr. Vick has included in his report a request to meet with the Board of Supervisors to present a summary of the County's efforts to address our outdated Police/Fire and Rescue communication system.

Recommendation: *To recess the September Board meeting to the next available date for this presentation/report/discussion on Public Safety Communication needs.*

6. Phase II Locality Stormwater Management Grant – The Department of Environmental Quality has informed Sussex County of their intent to award a grant in the amount of \$47,560.00, to assist in funding a Codes Compliance Specialist position. I would like to thank Andre Green and Shannon Fennell

for their hard work, diligence and success on this project. (A copy of the documentation is included in the Board packet).

Recommendation: To accept the \$47,560.00 grant and maximize the use of funds.

7. Halloween-On-The-Square: Mr. Morgan Thornton is requesting permission to hold the Annual Halloween-On-The-Square activities, which includes bake sale, crafts, etc. The event will be held on Saturday, October 26, 2013 from 8am until 1pm and he is requesting the use of Courthouse Square.

Recommendation: Approve of the request for the Halloween-On-The Square activities to take place at Courthouse Square on Saturday, October 26, from 8am until 1pm.

8. Closed Session: Chairman Fly asked that this be placed on last month's agenda. He has been approached by numerous citizens who have complained about the late hour of the Board's Closed Session and have asked if anything can be done.
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9. Status of Organizational Review: To date, no input has been received from members of the Board of Supervisors regarding goals, needs or objectives. We are still gathering information from Virginia's counties and other municipalities.

10. Courthouse Lease/Historical Society Old Courthouse Repairs/Contract Review (Tabled from last month): The Historical Society is in the process of selecting a date to reschedule a meeting to discuss this issue.

INFORMATIONAL ITEMS

- 11. Pocahontas Park:** At the request of the Honorable Chairman Eric Fly I had staff contact the Army Corps of Engineers to determine if the County could cut the park area and secondly to determine if the County could recapture “manmade” wetlands.

The good news is that there are no blanket corps policies that prohibit the cutting of wetlands except by a permit or deed restriction. Neither exists in this case, so I have authorized staff to cut this grass.

On the contrary, however, the County cannot reclaim wetlands once deemed wetlands by the corps regardless of how they became wetlands.

- 12. Ditch line behind County Administrator and Social Services Offices:** At the request of the Honorable Raymond Warren please be advised that this area must be cut on an annual basis per a contractual agreement with the Mathews. Some concerns and/or confusion have been associated with wetland delineations but upon investigation there are no restrictions and therefore this will be added to our future spring cutting.

- 13. Commonwealth Attorney’s Office:** Work continues on removing the phone and data lines from the construction site as well as in determining how the County can address the need to move the oil tank now that it has been determined that the original site behind the boiler house is no longer feasible.

As of 9/11/2013 all county phone lines and the last data line had been removed from the construction site and Verizon was to come and remove all of their lines. Additionally the oil tank removal was determined and is scheduled to be completed either Friday afternoon (9/13/2013) or Wednesday morning (9/18/2013) both prior to Dominion Power coming in on the 23rd to lay conduit to move the transformer off site. Once completed the remaining demolition will be done and construction of the building begun.

I apologize for any perceived delays, but I believe that it was/is more prudent to make sure that no phone or data lines are severed and the County shut down in lieu of rushing to start grading and construction.

- 14. Computer System/Fiber Optics/IT Upgrades:** The need for high speed internet has never been more apparent in Sussex and to address the problem I have been working with Anne Ellis, Mike Packer, Onnie Woodruff, Tom Freeman and Eric Danuser of DominionTek to try and address both the issues that I understand were determined prior to my return to Sussex and the need to have a comprehensive, efficient and secure fiber system installed in the Sussex Complex. Currently we are assembling a comprehensive plan to address the County’s current and foreseeable future IT needs and once

completed I will share with the Board in the hopes that this will be a high priority for the Board ... especially given the fact that we do not currently have enough broadband to even conduct some of our financial transactions during working hours. With this said due to these ever growing needs I have asked Mid Atlantic Broadband to work with Sussex in connecting the Courthouse Complex with an Ethernet connection.

Mid Atlantic laid the fiber to our schools but unfortunately no one worked with them to include the complex as part of that Stimulus Grant Project.

Please be further advised that Mr. Packer and Anne Ellis evaluated bids for a service provider which is required if Mid Atlantic is to install the line and we are currently completing background checks.

15. Waste Management/Atlantic Waste: Mr. George Taylor and I met with representatives from Atlantic Waste on Tuesday September 10, 2013 to discuss mutual concerns. At this meeting we discussed liability issues regarding individuals removing items from trash receptacles, the condition of the road area at the Georgetown Road site, the possible need for an updated and revised Contract and improved means of communication regarding the Convenience Centers.

Item 7b. County Attorney's Report

1. Approval of December 3, 2012 Minutes

2. Approval of April 8, 2013 Minutes

Item 7c. Treasurer/Interim Director of Finance Report: (Report included)

Item 7d. Commissioner of the Revenue Report: No report at this time.

Item 7e. Sheriff's Department Report: No report at this time.

Item 7f. Superintendent of Schools Report: No report at this time.

Item 7g. Director of Social Services Report: No report at this time.

Item 7h. General Registrar Report: No report at this time.

Item 7i. Health Department: No report at this time.

Item 8. Appointments: No appointments at this time.

Item 9. Citizens' Comments (9:00p.m.)

Item 10. Unfinished Business

Item 11. New Business

Item 12. Board Members' Reports/Comments

a. Blackwater District

b. Courthouse District

c. Henry District

d. Stony Creek District

e. Wakefield District

f. Waverly District:

Item 13. Closed Session

Item 14. Return To Open Session

Item 15. Action on Closed Session Item(s)

Item 16. Recess/Adjourn