

At A Meeting of the Sussex County Board of Supervisors, held on Thursday, June 6, 2013, 7:00 p.m., in the General District Courtroom – Sussex Judicial Center

Board Members Present

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

Otherwise Present

Michael R. Packer, County Attorney
Onnie L. Woodruff, Treasurer/Interim Director of Finance
Charles H. Harris, III, Superintendent of Schools
John Broderick, Supervisor of Finance and Technology
Ann K. Ellis, Accounts Payable Clerk

Item 1. Call To Order/Determine Quorum

The June 6, 2013 meeting of the Sussex County Board of Supervisors was called to order by Chairman Tyler.

Item 2. Pledge of Allegiance [7:06:29 PM](#)

The Pledge of Allegiance was recited by all.

Item 3. The Invocation

The Invocation was offered by Supervisor Warren.

Item 4. Approval of Agenda [7:07:14 PM](#)

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisor hereby approves the June 6, 2013 agenda.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Tyler, Warren

Voting nay: none

Item 5. Election of Chairman for Calendar Year 2013

Supervisor Warren nominated Supervisor Fly as Chairman of the Sussex County Board of Supervisors for Calendar Year 2013.

Supervisor Caple nominated Supervisor Tyler as Chairman of the Sussex County Board of Supervisors for Calendar 2013.

The nomination was closed on said names.

Those voting for Supervisor Tyler as Chairman for Calendar Year 2013.

Voting aye: Supervisors Caple, Stringfield, Tyler

Voting nay: Supervisors Fly, Futrell, Warren

The motion failed due to tie vote.

Those voting for Supervisor Fly as Chairman for Calendar Year 2013.

Voting aye: Supervisors Fly, Futrell, Warren

Voting nay: Supervisor Caple, Stringfield, Tyler

Item 6. Election of Vice Chairman for Calendar Year 2013

Supervisor Stringfield nominated Supervisor Caple for Vice Chairman of the Sussex County Board of Supervisors for Calendar Year 2013.

Supervisor Futrell nominated Supervisor Fly for Vice Chairman of the Sussex County Board of Supervisors for Calendar Year 2013.

Those voting for Supervisor Fly for Vice Chairman for 2013.

Voting aye: Supervisors Fly, Futrell, Warren

Voting nay: Supervisor Caple, Stringfield, Tyler

The motion failed due to tie vote.

Those voting for Supervisor Caple for Vice Chairman for Calendar Year 2013.

Voting aye: Supervisors Caple, Stringfield, Tyler

Voting nay: Supervisors Fly, Futrell, Warren

Item 14. Laying of the Levy For Fiscal Year 2014 (7:12:47 PM)

Interim Director of Finance, Onnie L. Woodruff provided a brief overview of the proposed budget for Fiscal Year 2014.

Chairman Tyler announced his disclosure stating that he works for the Improvement Association, that he earns over \$10,000.00 per year; there is over 50 employees and he feels as though he can deliberate on the budget in an open minded fashion.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby affirms that the Levy for Fiscal Year 2014 was properly advertised for public hearing; and,

WHEREAS, the Sussex County Board of Supervisors held its public hearing on Thursday, May 30, 2013 at 7:00 p.m.;

THEREFORE BE IT RESOLVED that the Sussex County Board of Supervisors hereby adopts the Sussex County Levy for Fiscal Year 2014, as follows:

Public Service @	R. E. \$0.54/\$100	P. P. @ \$4.85/\$100
Real Estate @	\$0.54/\$100	Mobile Home @ \$0.54/\$100
Machinery & Tools @	\$2.43/\$100	Merchants Capital @ \$1.00/\$100
Personal Property @	\$4.85/\$100	Fire and Rescue @ \$2.43/\$100
Personal Property Tax Relief (PPTRA) 57%		
Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Tyler, Warren		
Voting nay: none		

Item 15. Fiscal Year Budget 2014

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby affirms that the Fiscal Year 2014 Budget was properly advertised for public hearing; and

FURTHER RESOLVED that the Sussex County Board of Supervisors hereby approves and appropriates the Fiscal Year 2014 budget in the amount of forty-six million, five hundred thirty-six thousand, seven hundred eighty-seven dollars (\$46,536,787.00).

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Tyler, Warren
Voting nay: none

Item 16. Appropriation of Fiscal Year 2014 Budget

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby appropriates the FY 2014 budget expenditures in the amount of \$35,690,080.00.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Tyler, Warren
Voting nay: none

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the FY 2014 intergovernmental transfers in the amount of \$13,112,402. 00.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Tyler, Warren
Voting nay: none

[7:20:29 PM](#) The Interim Director of Finance reported that he has contacted with DominionTek, Inc., the IT company that currently contracts with the Schools for IT Services. He provided documentation and an overview of their proposal.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the appropriation and transfer \$72,500.00 for IT Services contracted by the Sussex County Public Schools with services provided by DominionTek , 2496 Cedar Cone Drive, Richmond VA 23233.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Tyler, Warren

Voting nay: none

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors is hereby approves of a \$3,600.00 expenditure being paid out of the Contingency Fund for the following: Test and label all network cables, clean up and install cable tray and wire management in the rack; replace any bad cable; test and configure HP switches; test and configure firewall; HP managed 10/100/1000 24 port switch with six fiber modules, as proposed by DominionTek, 2496 Cedar Code Drive, Richmond VA 23233.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Tyler, Warren

Voting nay: none

The Interim Director of Finance stated that he has a recommendation regarding the School funding. He asked the Board to appropriate \$115,000.00 in order for the school staff to get employee contracts signed.

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves and appropriate the amount of \$115,000.00 for Sussex County Public School System.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Tyler, Warren

Voting nay: none

Item 6. Interviews for Position of County Administrator [7:36:51 PM](#)

Chairman Tyler asked the Board for dates to interview for the position of County Administrator.

Supervisor Fly stated that he would like for the Board to wait to hire a County Administrator until the court cases have been resolved. And that the Board should hire one of the temporary County Administrator's from the VACo program.

Supervisor Caple stated that the Board should proceed with the interviews.

Supervisor Warren stated that he believes that the Board should not proceed with the interviews, but hire one of the retired County Administrators that are part of VACo's program.

ON MOTION OF CHAIRMAN TYLER, seconded by SUPERVISOR CAPLE that the Sussex County Board of Supervisors proceed with the interviews of the applicants for County Administrator; hire an individual on a temporary basis so that they may become acclimated with the County, with the understanding that they are hired on a temporary basis initially and may become permanent; and if necessary revert to the list of VACo retirees.

Voting aye: Supervisors Caple, Stringfield, Tyler

Voting nay: Supervisor Fly, Futrell Warren

The motion failed due to tie vote.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR WARREN that the Sussex County Board of Supervisors move to interview and then hire one of the VACo recommended retired County Administrators to work as a temporary administrator.

Voting aye: Supervisors Fly, Futrell, Warren

Voting nay: Supervisors Caple, Stringfield, Tyler

The motion failed due to tie vote.

Item 7. Economic Development Plan

Chairman Tyler asked the Board to proceed with developing an Economic Development Plan.

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR CAPLE that the Sussex County Board of Supervisors hereby authorizes staff to move forward with the development of an Economic Development Plan and to appropriate funds not to exceed \$12,000.00.

Voting aye: Supervisors Caple, Stringfield, Tyler

Voting nay: Supervisor Fly, Futrell Warren

The motion failed due to tie vote.

Item 8, Appointment to Social Services Board

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR TYLER to appoint Mr. John A. Stringfield to the Social Services Board.

Voting aye: Supervisors Caple, Stringfield, Tyler

Voting nay: Supervisor Fly, Futrell Warren

The motion failed due to tie vote.

Item 9. Tuition Reimbursement Request (W. Travis Luter)

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR FUTRELL that the Sussex County Board of Supervisors hereby approves of the Tuition Reimbursement requested by W. Travis Luter, Building Official, to be approved in the amount of \$5,000.00; and that the Tuition Assistance Program be abolished.

Chairman Tyler offered a substitute motion.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR STRINGFIELD that the Sussex County Board of Supervisors hereby awards \$5,000.00 to W. Travis Luter for tuition reimbursement.

Voting aye: Supervisors Caple, Stringfield, Tyler

Voting nay: Supervisor Fly, Futrell Warren

The motion fails due to tie vote.

Voting on the main motion to reimburse the \$5,000.00 and abolish the Tuition Assistance Program.

Voting aye: Supervisors Fly, Futrell, Warren

Voting nay: Supervisors Caple, Stringfield, Tyler

The motion failed due to tie vote.

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR CAPLE that the Sussex County Board of Supervisors hereby approves of the tuition reimbursement request by W. Travis Luter in the amount of \$2,500.00 and keep the tuition assistance program intact.

After a brief discussion, Supervisor Caple withdrew his second and Supervisor Stringfield withdrew his motion.

Chairman Tyler suggested that this issue be referred to the Personnel Committee to meet with Mr. Luter and report to the Board.

Supervisor Fly asked that the Chairman invite Mr. Luter meet with the entire Board.

Item 10. Building and Grounds [\(8:44:33 PM\)](#)

Supervisor Fly reported that there are trees growing out of the gutters of the Courthouse; the flower beds are full of poison ivy and weeds; windows need scraping and painting, trash cans are not emptied. He also advised that the grass at Stony Creek Park was being cut one day at 10:00 a.m. and still being cut at 4:30 p.m.

Supervisor Fly asked Administration to pull whatever documents needed to give the park to the Town of Stony Creek.

Chairman Tyler advised that he asked staff to contact the Department of Corrections to ask if they could provide some assistance with some of the Building and Grounds work.

Item 11. Blackwater Regional Library Contract

Supervisor Fly asked staff to provide a copy of the Blackwater Regional Library contract at the June 20, 2013 meeting.

Item 12. Three Brothers Whiskey Permit

This item was tabled until the June 20, 2013 meeting.

Item 13. Budget Amendment (Code Compliance Specialist)

Chairman Tyler advised that this was placed on the agenda because Administration has hired a Code Compliance Specialist and he began work on June 3, 2013. The position is funded in the current budget, but is not included in Fiscal Year 2014 budget. It is necessary to appropriate funds for the position.

County Administration is recommending that \$25,000.00 be included for the position of Code Compliance Specialist.

By general consensus, the Board tabled this issue until the June 20, 2013 Board meeting.

Item 14. Citizens comments (8:55:33 PM)

Comments were heard from the following citizen:

Kevin Bracy, Courthouse District

Item 15. Closed Session (9:02:54 PM)

ON MOTION OF SUPERVISOR STRINGFIELD, seconded by SUPERVISOR CAPLE and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters Closed Session for the following: (1) Under Section 2.2-3711(A)(7) of the Code of Virginia to discuss pending administrative action that could result in litigation; (2) to discuss an item under that same section, involving current litigation in which VACORP is representing the Board and individual members; and (3) Personnel Matters, under Section 2.2-3711(A)(1), Employee Resignation.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Tyler, Warren

Voting nay: none

Item 16. Return To Open Session (10:31:02 PM)

ON MOTION OF SUPERVISOR WARREN, seconded by SUPERVISOR STRINGFIELD and carried: RESOLVED that the Sussex County Board of Supervisors hereby returns to open session; and

WHEREAS, the County of Sussex Board of Supervisors has convened in a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia, 1950, as amended, requires a certification by the County of Sussex Board of Supervisors that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the County of Sussex Board of Supervisors hereby certifies that to the best of each member's knowledge (1) only public business matters lawfully exempt from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened, we heard, discussed or considered in the meeting to which this certification applies.

Voting aye: Supervisors Caple, Fly, Futrell, Stringfield, Tyler, Warren

Voting nay: none

Item 17. Action on Closed Session Items - none

Item 18. Adjournment (10:33:56 PM)

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR STRINGFIELD that the June 6, 2013 meeting of the Sussex County Board of Supervisors is hereby adjourned.

Voting aye: Supervisors Caple, Stringfield, Tyler

Voting nay: Supervisor Fly, Futrell Warren

The motion failed due to tie vote.

County Attorney Packer suggested that the Chairman ask for one of the members who voted against the motion to adjourn, to change their vote.

Chairman Tyler asked if anyone wanted to reconsider their vote.

Supervisors Tyler, Caple and Stringfield left the meeting at 10:36pm and as a result, there was no quorum.

