

**At a Regular Meeting of the
Sussex County Board of Supervisors
Held in the General District Courtroom on
Thursday, January 19, 2023 at 6 pm**

BOARD MEMBERS PRESENT

C. Eric Fly, Sr.
A. G. Futrell
Debbie P. Jones
Wayne O. Jones
Rufus E. Tyler, Sr.

BOARD MEMBER ABSENT

Susan M. Seward
Steve White, Tie Breaker

STAFF PRESENT:

Richard Douglas, County Administrator
David Conmy, Deputy County Administrator
Jeff Gore, County Attorney
Bonner, Deputy Sheriff
Ellen G. Boone, Commissioner of the Revenue
Deste J. Cox, Treasurer
Ernest Giles, Sheriff
James Mason, Virginia Cooperation Extension
Michael Kessinger, Sergeant
Kelly W. Moore, Finance Director
Michael Poarch, Planner
Vincent L. Robinson, Commonwealth's Attorney
Beverly Walkup, Planning Director
Matthew Westheimer, Shared Building Official
Gary Williams, Circuit Court Clerk
Shilton R. Butts, Assistant to the County Administrator/
Deputy Clerk to the Board of Supervisors

1. Commencement

1.01 Call to Order/Determine Quorum (6:05 p.m.)

Vice Chairman W. Jones called the January 19, 2023 regular meeting of the Sussex County Board of Supervisors to order.

1.02 The Invocation

The Invocation was offered by Supervisor Fly.

1.02 The Invocation

The Invocation was offered by Supervisor Tyler.

1.03 The Pledge of Allegiance

The Pledge of Allegiance was recited by all.

1.04 BOS Organizational Meeting for Calendar Year 2023

Vice Chairman. W. Jones turned the meeting over to County Administrator Douglas.

a. Election of Chairman for Calendar Year 2023

County Administrator Douglas opened the floor for nominations for the Chairman for the Board of Supervisors for Calendar Year 2023.

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors closes the votes and nominates Supervisor W. Jones for Chairman for the Board of Supervisors for Calendar Year 2023.

Voting aye: Supervisors Fly, Futrell, D. Jones, W. Jones, Tyler

Voting nay: none

Absent: Supervisor Seward

Supervisor W. Jones is the Chairman of the Board of Supervisors for Calendar Year 2023.

County Administrator Douglas turned the meeting back over to the Chairman W. Jones.

b. Election of Vice Chairman for Calendar Year 2023

Chairman W. Jones opened the floor for nominations for Vice Chairman of the Board of Supervisors for Calendar Year 2023.

ON MOTION OF SUPERVISOR FLY, seconded SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby closed the vote and nominates and on Vice Chairman Supervisor Seward as Vice Chair for Calendar Year 2023.

Voting aye: Supervisors Fly, Futrell, D. Jones, W. Jones, Tyler

Voting nay: none

Absent: Supervisor Seward

Supervisor Seward is the Vice Chair of the Board of Supervisors for Calendar Year 2023.

c. Establishment of dates, times and place of regular meetings

There was no change of dates, times and place of regular meetings. The Board of Supervisors regular meetings will remain the 3rd Thursday of each month at 6:00 p.m. in the Sussex Judicial Center – General District Courtroom located at 15098 Courthouse Road, Sussex, Virginia 23884.

d. Adoption of Rules and Procedures

There was discussion regarding the delivery of material that the Board needs to vote and or approve delivered 5 days (i.e. included in the Board packet) prior to meeting.

There were no changes in the Rules and Procedures.

1.03 The Pledge of Allegiance

The Pledge of Allegiance was recited by all.

1.04 Agenda Amendments

Supervisor Futrell requested to add under Item 9, New Business, as Item 9.01 Town of Waverly Equipment (Truck).

Supervisor Fly requested to move Consent Agenda Item 2.12 Atlantic Waste Disposal, Inc. Request for Refund from the agenda to be reviewed the Finance Committee.

Chairman W. Jones requested to delay under Item 3. Recognition, Items 3.02 Recognition of Mr. Charles “Dan” Hudson’s Retirement; Item 3.03 Recognition of Mr. Charles “Dan” Hudson’s Retirement; and 3.04 Recognition for Deputy for MADD Awards until Sheriff Giles’ arrival. Sheriff Giles would be presenting these items. He had been out on a call and was en route to the meeting.

1.05 Approval of Regular Agenda

By general consensus, the Sussex County Board of Supervisors hereby approves the January 19, 2023 regular agenda inclusive of adding under Item 9. New Business as Item 9.01 Town of Waverly Equipment (Truck); removing under Item 2. Consent Agenda, Item 2.12 Atlantic Waste Disposal, Inc. Request for Refund to be sent to the Finance Committee; and under Item 3. Recognitions delaying Item 3.02 Recognition of Mr. Charles “Dan” Hudson’s Retirement; Item 3.03 Recognition of Deputy Bonner for Community Assistance; Item 3.04 Recognition for Deputy for MADD Awards.

2. Approval of Consent Agenda

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Consent agenda inclusive of the following: (a) November 17 regular and December 20, 2022 special Board of Supervisors Meeting minutes; (b) the Approval of Warrants and Vouchers; (c) the Treasurer’s Report and Financial Update; (d) Departmental Reports; (e) Davenport Debt Capacity Analysis

Budget Amendment Resolution; (f) Employee Annual Leave Extension; (g) Draft FY24 Budget Planning Calendar; (h) DMV Select Revenue Resolution & FYE Budget Amendment Resolution; (i) Legal Services for Glyndon and Carver Lanes Budget Amendment Resolution; (j) Virginia Tourism ARPA Funding for Carpenter Museum/Town of Waverly; (k) Rescheduling of the Board of Supervisors February 16, 2023 meeting to February 23, 2023; (l) referring Atlantic Waste Disposal, Inc. Request for Refund to the Finance Committee; (m) County Purchasing Card Policy; and (n) Victim Witness DCJS OGMS Grant Repayment. All Board members present voted aye.

3. Recognitions/Awards/Presentation

3.01 RESOLUTION: Mrs. Nan Ellen Bland Seeley 90th Birthday

This item was tabled.

302 RESOLUTION: Recognition of Mr. Charles “Dan” Hudson” Retirement

Staff received a request from Sheriff Giles to have the Board of Supervisors to recognize and adopt a resolution for Mr. Charles “Dan” Hudson—after serving 26 combined years in the public service sector of Law Enforcement.

Fellow co-workers in the Sheriff’s office, the Board, County Administration and county staff would like to congratulate Mr. Hudson on this major accomplishment of retiring.

A copy of the Resolution #22-147 was included in the Board packet.

Sheriff Giles presented the resolution to Mr. Charles “Dan” Hudson in recognition of his retirement that read as follows:

WHEREAS, Charles “Dan” Hudson began his career in the corrections field prior to joining Sussex County Sheriff’s office on September 1, 1997; and

WHEREAS, on June 2, 2000, Mr. Hudson resigned to work for the County of Surry with Sheriff Brown as a Patrol Deputy; and

WHEREAS, on September 8, 2003, he returned to the County of Sussex as a Patrol Deputy until he rose through the ranks; and

WHEREAS, on January 1, 2020, Mr. Hudson was promoted to Sergeant;

WHEREAS, on November 1, 2022, Sergeant Hudson officially retired from the Sussex County’s Sheriff’s Office with a combined 26 years of service in the public service sector of Law Enforcement.

BE IT RESOLVED that the Sussex County Board of Supervisors, by this recognition, hereby commend and extend our appreciation to Mr. Charles “Dan”

Hudson on his retirement with best wishes for many happy and productive years in the future.

NOW, THEREFORE BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the minutes of this Board meeting this 19th day of January, 2023.

By general consensus, the Board approved the Resolution #22-147

3.03 Recognition of Deputy Bonner for Community Assistance

Supervisor Seward requested recognition of Deputy Bonner for his quick response and life saving measures involving a resident in the Waverly area on October 11th.

A copy of an email sent to the County Administrator from the resident that details this medical incident and expresses her gratitude to Deputy Bonner and Lifestar, is attached for your review.

Ms. Was present and thanked Deputy Bonner, Sheriff's Office and the Emergency Department for their timely response.

Copy of email from resident

3.04 Recognition of Deputies for Mothers Against Drunk Driving (MADD) Awards

Sheriff Giles will be in attendance to recognize Patrol Officer Deputy Sheriffs for the MADD Award

3.05 Airfield 4-H Conference Center Update

Millard "Pete" Stith, Interim Director, for the Airfield 4-H Conference Center was attendance to introduce the new director for the Airfield 4-H Conference Center, Dr. Kathy Guindon.

4. Public Hearings

4.01 Conditional Use Permit #2022-04, Howell Godfrey, Jr., Applicant

Beverly Walkup, Planning Director, provided the staff report for Condition Use #2022-04, Howell Godfrey, Jr., LLC, applicant.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves Conditional Use Permit #2022-04, Howell Godfrey, Jr., Applicant, subject to the following conditions:

1. The hours of operation shall be 10:00 am to 6:00 pm for Wednesday & Thursday and 9:00 am to 6:00 pm for Friday through Sunday.

2. The shooting range itself shall have a minimum setback of 300 feet from Rt. 460.
3. The applicant shall maintain an undisturbed natural or man-made sound buffer/barrier a minimum distance of 200' around the entire perimeter of the shooting area. The buffer shall be enhanced and/or created where insufficient or non-existent, specifically along the front of the property parallel with Rt. 460 to add an additional safety measure and to lessen the noise impact.
4. Impact berms shall be installed at a minimum height of 20' for rifle and 16' for pistols as shown on the conceptual site plan dated 6/6/22, to stop any misdirected rounds that may tend to travel slightly to one side or the other either by accident or ricochet. A side berm shall be added on the east side of the rifle range to provide for additional safety. Side berms shall be a minimum of 15'.
5. All berms shall be free from rocks, stones or objects that may tend to increase the possibility of ricochets.
6. The surface of the entire range shall be relatively clear of any objects, stones, or excessive growth that may tend to enhance the possibility of ricochets, or create bad footing conditions. The entire range shooting area shall be relatively flat and level.
7. A line of target brackets or holders shall be placed on the target area. Materials shall be designed so as not to create any ricochet hazard.
8. The target line shall be placed no more than 20' in front of the impact berm. There shall be a space between each target bracket or holder, approximately equal to the width of one target. The top of the targets, when attached to the brackets or holder, should be approximately 6' off the ground and in a relatively straight and level line.
9. The firing line shall be clearly marked on the ground surface across the entire width of each firing range. The numbered distance shall be placed on both sides of each firing line to indicate the distance from the firing line to the target.
10. There shall be an audible sound system to amplify voice commands. The sound system shall enable the range officer to project loud and clear voice commands to all shooters during actual shooting exercises. An adequate communications system shall be established to allow all shooting officers, and other staff to communicate with one another, and should be conveniently located to minimize the loss of time between an emergency and the call for assistance. The system shall also be capable of contacting the appropriate assistance in case of injuries or other unforeseen emergencies.
11. A control tower shall be placed at the center point of the range, approximately 15 to 20 yards behind the farthest firing line, and provide the range office with a clear unobstructed view of all shooters and the range personnel. The floor decking shall be at least 6' higher than the ground. A flag pole, for displaying a red flag or banner whenever the range is in use, shall be installed close to or attached directly to the control tower. The top of this pole should be at least 26' higher than ground level. The flag or banner should be large enough to be conspicuously viewed from any location in the range area.
12. Adequate lighting shall be provided as determined by the Zoning Administrator.
13. A rest or break area shall be available in a location that is safe from any firing line.
14. A security fence shall be installed to keep other pedestrians and vehicles from entering the shooting area while in use.
15. Adequate parking shall be provided as determined by the Zoning Administrator.
16. The range shall contain some form of storage shed or field office. The structure shall be relatively secure for the storage of target materials.
17. Any future site or building improvements to the site will require site plan review.

18. The existing entrance that is proposed for use as the main entrance to the site shall be improved to accommodate 2-way traffic and shall meet the moderate volume commercial entrance design standard as shown in Figure 4-15 of Appendix F of the VDOT Road Design Manual.
 19. The area around entrance shall be cleared of brush and small trees in order to make the entrance more visible and to provide increased sight distance to the satisfaction of VDOT.
 20. A new commercial entrance permit shall be obtained by the applicant from the Department for the proposed site entrance.
 21. The site shall provide a toilet facility for men and women, handwashing stations, and potable water available for its employees prior to full operation.
 22. Suitable access to the range site shall be provided for emergency vehicles. Emergency personnel should be familiar with the access road(s) and location of the range site. Additionally, emergency personnel shall be notified of the hours of operation for the shooting range.
 23. Follow EPA Best Management Practices regarding Lead Management and Reclamation.
 24. The Blackwater Outdoor Shooting Range shall be in full operation within 2 years
- Voting aye: Supervisors Futrell, D. Jones, W. Jones, Tyler
Voting nay: Supervisor Fly
Absent: Supervisor Seward

5. Appointments

There were no Appointments. However, there was discussion regarding the Industrial Development Authority Board of Directors' attendance and appointments.

6. Action Items

6.01 Sussex County Towns Economic Development Planning Grant – Jeff Sadler

6.02 Historic Courthouse Analysis Findings and Recommendations, and Phase 2 Recommendations

6.03 County Building Improvement Recommendations to House EMS

6.04 Resolution Designating Shilton R. Butts as County Clerk

This item was moved from Item 2. Consent Agenda (Item 2.06) to Item 6. Action Items, as Item
Resolution #23-09
Appointing Clerk to the Board of Supervisors

Resolved by the Sussex County Board of Supervisors that the Board hereby appoints Shilton Ricks Butts as the Clerk to the Board pursuant to § 15.2-1538 of the Code of Virginia.

Be it Further Resolved, that in her role as Clerk to the Board of Supervisors, Ms. Ricks shall have the all the duties and be vested with all the authority set out in § 15.2-1539 of the Code of Virginia.

Adopted by the Sussex County Board of Supervisors this ____ day of _____, 2023.

7. Citizens' Comments

Comments were heard from Kevin Bracy (Courthouse District) regarding the Animal Shelter; buildings on the complex; scrap metal; convenience sites-90 days to rectify problem; and 911 calls on vicious dogs.

8. Unfinished Business

There was no Unfinished Business.

9. New Business

There was no New Business.

10. Board Member Comments

10.01 Blackwater District – Absent

10.02 Courthouse District – In regards/response to Waverly District: noted Grievance Policy for problems with employees and Social Services Advisory Board.

10.03 Henry District – Employees at Jarratt Convenience Center - no lights, getting dark earlier; asked Administration to expedite getting lights.

10.04 Stony Creek District – Stony Creek Annual Christmas parade 1st Sunday, December 4th; wished everyone a Happy Thanksgiving.

10.05 Wakefield District – Have same approach in improving County buildings as for Animal Services buildings.

10.06 Waverly District – Personnel Committee – convenience - convenience site employees threatened; requested Personnel Committee meeting; letter for Courthouse District; Social Services and Social Services Director and Board; vehicle logos.

There was discussion of Board's role regarding personnel.

11. Closed Session

There was no Closed Session.

12. Adjournment

12.01 Adjournment

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the November 17, 2022 regular meeting of the Sussex County Board of Supervisors hereby adjourned at 8:15 p.m. All Board members present voted aye.

12.02 Next Meeting

The next regular Board of Supervisors meeting is scheduled to be held, Thursday, December 15, 2022 at 6 p.m.