

**At a Regular Meeting of the
Sussex County Board of Supervisors
Held in the General District Courtroom on
Tuesday, October 20, 2022 at 6 pm**

BOARD MEMBERS PRESENT

C. Eric Fly, Sr.
A. G. Futrell
Debbie P. Jones
Wayne O. Jones
Susan M. Seward
Rufus E. Tyler, Sr.
Steve White, Tie Breaker

BOARD MEMBER ABSENT

STAFF PRESENT:

Richard Douglas, County Administrator
David Conmy, Deputy County Administrator
Danielle Powell, County Attorney
Ellen G. Boone, Commissioner of the Revenue
John Broderick, Director of Finance & Business Operations
Deste J. Cox, Treasurer
Eric Danuser, IT Manager
Arthur B. Jarrett, Superintendent of the Public Schools
Faith McClintock, Spectrum Growth Solutions
Kelly W. Moore, Finance Director
Michael Poarch, Planner
G. Reid Foster, Public Safety
Adriene Stephenson, Director of Human Resources
Beverly Walkup, Planning Director
Shilton R. Butts, Assistant to the County Administrator/
Deputy Clerk to the Board of Supervisors

1. Commencement

1.01 Call to Order/Determine Quorum (6:15 p.m.)

Chair Seward called the October 20, 2022 regular meeting of the Sussex County Board of Supervisors to order.

1.02 The Invocation

The Invocation was offered by Supervisor Fly.

1.03 The Pledge of Allegiance

The Pledge of Allegiance was recited by all.

1.04 Agenda Amendments

Supervisor Futrell requested to add a personnel item regarding Public Works and Animal Control under Item 11. Closed Session.

1.05 Approval of Regular Agenda

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approved the October 20, 2022 regular agenda inclusive of adding a personnel item regarding Public Works and Animal Control under Item 11. Closed Session. All Board members present voted aye.

2. Approval of Consent Agenda

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Consent agenda inclusive of the following: (a) September 13, 2022 Rescheduled and Joint Planning Commission and Board of Supervisors Meeting minutes; (b) the Approval of Warrants and Vouchers; (c) the Treasurer's Report and Financial Update; (d) Departmental Reports; (e) Wakefield Drainage Project (VDEM Grant) Budget Amendment; and Treasurer's Request to Transfer General Funds to Reserve. All Board members present voted aye.

Supervisor Tyler arrived at 6:20 p.m.

3. Recognitions/Awards/Presentation

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

Supervisor Fly requested the approval of a resolution recognizing Mrs. Nan Ellen Bland Seeley on her 90th birthday on September 27th. He wanted to take the opportunity to thank Mrs. Seeley for the selfless giving of herself to provide peace and inspiration to the children and citizens of Sussex County .Ms. Seeley has spent the majority of her adult life in Sussex County. She has been dedicated to the teaching of music to hundreds of children and citizens in the County.

A copy of the resolution celebrating Mrs. Nan Ellen Bland Seeley in the Board packet. The resolution will be presented at the next Board meeting or thereafter.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approved Resolution #22-118 recognizing Ms. Nan Ellen Bland Seeley 90th Birthday; and

AND FURTHER RESOLVED that the resolution will be presented at the November regular

Board meeting or thereafter. All Board members present voted aye.

302 RESOLUTION: Mission Ministries Service Milestones

County Administrator Douglas stated that the Mission Ministries organization was founded in 2002. The Food pantry opened in 2010. The County would like to express their appreciation for their tireless efforts of serving the Sussex County community and citizens and congratulate them on their 20th anniversary milestone of the founding their organization and their 10 year milestone of opening the food pantry. Recommendation: That the Board approves the attached resolution Attachments: Copies of resolution, Mission Ministries 2021 Annual Report, History fact sheet, and the Milestone Banner.

A member of Mission Ministries was present to receive the resolution.

Copies of Resolution #22-119 Recognition of Mission Ministries, Mission Ministries 2021 Annual Report, History Fact Sheet, and their Milestone Banner.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts Resolution #22-119 Recognition of Mission Ministries Milestone - Waverly, Virginia, to-wit:

WHEREAS, in November and December 2001, members of Sacred Heart Catholic Church and Waverly United Methodist Church met at a home in Waverly, Virginia to discuss starting a program to provide help to those in need in the community by giving food and financial assistance with housing, utilities, and heating expenses; and

WHEREAS, determining the need of more participants, in February 2002, Waverly Congregational Christian Church joined Sacred Heart Catholic Church and Waverly United Methodist Church; and

WHEREAS, the organization grew; as various denominations joined the group, to include twelve participating churches in Sussex and Prince George Counties; and

WHEREAS, as in 2002 those present voted to name the organization Mission Ministries with the Sacred Heart Catholic Church making its first donation of \$1,200 to the newly name organization; and

WHEREAS, in 2010 Mission Ministries was granted a 50-year lease by the Town of Waverly for \$1/year to operate out of the “old library” on West Main Street in Downtown Waverly to assist with utilities, rent, heat, and food to those in need.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SUSSEX:

The Board of Supervisors and the County of Sussex do hereby express our most heartfelt appreciation for such commendable services provided by the Mission Ministries staff and

volunteers for citizens and the community. The Board of Supervisors and the County of Sussex do hereby recognize the 20th Anniversary of Mission Ministries and the impact this organization continues to have in Sussex County. Adopted on the 20th day of October, 2022. All Board members presented voted aye.

3.03 Brownfields Grant Application for Geenex Solar Project

Chris Jones and Carlena Bronson of Geenex Solar, along with Thomas Laughlin with TRC Engineering Group (formerly Draper Aden), presented an overview of a proposed VBAF brownfields grant application that will assess the viability of mined property in the western portion of the county for the placement of solar facilities.

The Sussex IDA may be requested to serve as the grant applicant for this project, but no local match is required.

There was discussion of whether ground was stable to hold panel in the ground.

There was inquiry of what hazardous material is believed to be present.

3.04 County Broadband Implementation Update

Casey Logan, with Ruralband, provided a brief update on the implementation status of the county-wide broadband project being funded in part by DHCD grant funds, to include the implementation schedule for various portions of the county.

Mr. Logan noted that PGECE has made broadband available

- Cabin Point/Yate is currently doing construction and connection.
- North Wakefield behind Adam's Peanut.
- West Central engineer??? started third quarter.
- Stony Creek/Jarratt will start installation in quarter 3.
- East Central begin 2nd quarter towards the end???
- South Wakefield construction to install in quarter 4.

It was noted that there was a request for \$50,000 to be funded by Geenex Solar.

3.05 Sussex County Public Schools Standards of Learning (SOL) Update/Pandemic Impacts

As requested by the Board of Supervisors, Dr. Arthur Jarrett, Superintendent of Sussex County Public Schools, provided a brief update on the status of Standards of Learning (SOL) and impacts of the pandemic on the school system. It was hard work, but the School Board and staff, County, and community coming together.

Dr. Jarrett noted the school was trying to bring back a degree of normalcy by bringing students back to more structured learning. Virtual school was challenging. The schools delivered

breakfast and lunch.

He stated that all three schools--Sussex Central Elementary, Middle, and High Schools--were fully accredited.

There were still areas that needed work on chronic absenteeism at the schools of those students who missed 10 or more days from school. Math at the high school with special needs students needed a group of 30; only had 23 students.

Dr. Jarrett stated that plan of improvement included having an attendance officer at each school. Two counselors for every building were hired. Traumatized/trauma coaches were in schools for loss of family, work, bad family situation, etc. There were Resource Officers at each school. Safety officers were across the campus. Instructional Reading and Math in school instruction on campus alternative education receiving education in a more structured environment.

John Broderick (Finance & Business Operations Director) and Adrienne Stephenson (Human Resources Director) for the Sussex County Public Schools also attended.

3.06 Sussex Service Authority Wastewater Consent Order/Infrastructure Improvements

Frank Irving, Executive Director of the Sussex Service Authority, and Stevie Steele, engineer with CHA, will provide an overview/update of the SSA's consent order with Virginia DEQ for the Spring Branch Wastewater Treatment Plant and Waverly/Wakefield wastewater collection system. The County Administrator and County Attorney were recently requested to participate in a conference call with DEQ to discuss consent order compliance and moving forward with wastewater improvements—this overview is being provided because it may be necessary for the County to consider assisting in these efforts. Mr. Steele will provide an update on efforts to acquire grant assistance to identify wastewater inflow/infiltration problem areas, in anticipation of applying for state ARPA grant funds in December 2022.

No action was requested at the time.

3.07 Pocahontas CDBG Project Update

Director of Planning Beverly Walkup and Stevie Steele, engineer with CHA, will provide an update on the infrastructure improvements identified for CDBG funding consideration, as part of the Pocahontas CDBG Project.

The summary document provided to DHCD was included in the Board packet for the Board's review.

No action is requested at this time.

Pocahontas Neighborhood Revitalization Phase II Project proposal summary was included in the Board packet.

3.08 Proposed US 301 Pedestrian/Bicycle Path

At the request of Supervisor Tyler, staff has been working with CHA to determine if a pedestrian/bicycle path can be developed along US 301 in Jarratt, south of the main intersection (Rt 631, extending to Rt 708). This stretch of four-lane highway has a significant amount of truck and car traffic, but residents (including children) living in neighborhoods on the south side of Jarratt use the shoulder and travel lane to access the town's commercial area (as witnessed by staff, CHA, and VDOT during numerous site visits). Stevie Steele of CHA will present a potential option with cost estimate that would allow for the construction of a path that would not be subject to VDOT design standards and approval process, and associated high cost. As illustrated in the attachment, the transfer of a 40-foot wide VDOT right-of-way to accommodate a 10-foot wide trail is proposed. If the Board of Supervisors wishes to move forward with this project, then CHA will begin preparing the right-of-way transfer request and related documentation. Staff recommends moving forward with this project.

CHA illustration was included in the Board packet.

It was the Board's interest to move forward with this project.

Supervisor Tyler thanked the Board for consideration. It was noted that the Board had approve moving with ??

A copy of the Route 301 Pedestrian Trail of the proposed VDOT ROW Transfer was included in the Board packet.

3.09 Sussex County Chamber of Commerce Update

Jesse Hellyer, President of the Sussex County Chamber of Commerce, provided an update on Chamber activities, to include the upcoming Oktoberfest event in Waverly on October 22nd.

Mr. Hellyer stated that there were 67 active members in the Chamber of Commerce. He stated that it was a group businesses to try and improve the County and bring new business to the County.

There will be a meeting the first of year of all non-profit and faith-based organizations.

He discussed some of the Chamber's previous activities in Waverly.

Mr. Hellyer stated that the Chamber of Commerce and the Town of Waverly were hosting the Oktoberfest in the Town of Waverly on Saturday, October 22, 2022. Kid events such as pumpkin picking, pony rides, arts and crafts, bouncy house, food and beverages and music.

The festival of live music would be from 5 p.m. to 9 p.m. Food and beverages will be provided. It would be free admittance.

A copy of the flyer was included in the Board packet.

3.10 Proposed Sussex County Mega Site Technology Zone Ordinance

Deputy County Administrator Conmy discussed the proposed Sussex County Mega Site Technology Zone Ordinance. He stated that Section 58.1-3850 of the Code of Virginia authorizes any city, county, or town to establish a technology zone or zones by ordinance. Establishment of such a zone authorizes the locality to grant tax incentives and certain regulatory flexibility in the technology zone. Establishment of such a zone for Sussex County for the Mega Site and surrounding area could be a strategic incentive to attract future economic development prospects to the zone area.

The draft ordinance provides incentives based on qualifying criteria and is revenue neutral (emphasis added). Faith McClintic with Spectrum Growth Solutions provided an overview of technology zones and the proposed ordinance.

Unless otherwise directed by the Board, staff recommends that the proposed ordinance to be advertised for consideration at the November regular meeting.

A copy of the draft Megasite Technology Zone Ordinance was included in the Board packet.

4. Public Hearing

4.01 Henry Technology Park and Commerce Center Hunting Lease

At its September 2022 meeting, the Board voted to advertise for a public hearing to consider hunting leases for the county-owned Henry Technology Park and Commerce Center property near Jarratt.

This property has been under lease to a hunt club for the past several years and is currently under a lease nearing the end of its one-year term.

Mr. Douglas read the bids aloud:

First Shot Hunting	\$8,000
Cemetery Ridge Hunting Club	\$8,688
Beaverdam Hunt Club	\$5,400

Staff recommended that at the conclusion of the Public Hearing that the Board approve a one-year non-renewable hunting lease for the Henry Technology Park and Commerce property.

The public hearing was properly advertised. Copies of the list of bids, map of property and the advertisement were included in the Board packet.

Chair Seward opened the Public Hearing.

Public Comments were heard from:

- Tim Williams (First Shot Hunting Club) - Hunting Lease - reconsider bid to 1-2 year lease; Mega Site Hunting Lease; Skippers
- Scott Enos (Cemetery Ridge Hunting Club) - incumbent with lease; Henry Technology Park.

Supervisor Fly departed at 7:33 p.m.

Chair Seward closed the Public Hearing.

Board Comments were heard from Supervisors W. Jones, Futrell, and Tyler.

There was discussion of adding a clause that County has to have a clause that if they are not using property in concert, request the right of way.??? (relisten to recording)

ON MOTION OF SUPERVISOR D. JONES, seconded by FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby awards the Henry Technology Park and Commerce Center hunting lease to First Shot Hunting Club in the amount of \$8,000.

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

Voting nay: Supervisor Seward

Absent during vote: Supervisor Fly

5. Appointments

There were no Appointments.

6. Action Items

6.01 Sussex Service Authority Funding Request (202 East Main Street--Waverly Wastewater Line Connection)

County Administrator Douglas : Attached is a letter from the Sussex Service Authority requesting the County's financial assistance with a project to construct a wastewater line to serve the residence at 202 East Main Street in Waverly. It has been discovered that this property was never connected to the town's wastewater collection system as part of a subdivision development project in the 1960s (but has been a utility customer since that time). The SSA is requesting that the County pay \$5,635.93, which represents 1/3 of the total project cost to be shared with the Town of Waverly and the SSA (it should be noted that the property owner will still be responsible for the cost of installing a wastewater line from the house to the property line). This project is based on a recommendation from CHA to connect the property to the wastewater collection system in the most cost-effective manner.

With legal and engineering advisement, staff does not believe that the County has a responsibility and/or liability to participate in this project that will provide the necessary wastewater service to the property owner. However, due to the SSA consent order and DEQ's expectation that wastewater issues be addressed, staff recommends participation in the project to demonstrate a

measure of good faith with DEQ that the county is willing to assist the SSA in addressing environmental concerns.

Requested action: to
Attachment

Staff recommends approval of \$5,635.93 in reserve funds as a 1/3 share of costs associated with a wastewater line connection to serve 202 East Main Street in Waverly.

Sussex Service Authority Letter request financial assistance for construction of wastewater line and Resolution #22-122 Budget Amendment were included in the Board packet.

ON MOTION OF SUPERVISOR

That the Board approves of \$5,635.93 in reserve funds as a 1/3 share of costs associated with a wastewater line connection to serve 202 East Main Street in Waverly.

6.02 RESOLUTION: Request for Commonwealth Transportation Board

County Administrator stated that the purpose of the Economic Development Access Program is to assist localities in providing adequate access to new or expanding economic development sites. The program is administered by VDOT subject to review by the CTB. These funds may be requested by the local governing body. The maximum unmatched allocation within any one fiscal year is \$500,000. A supplement of up to \$150,000 is available upon locality's match (dollar for dollar). Funding is dependent on the estimated cost of eligible portion of access road and anticipated eligible capital investment on sites served. Such supplemental funds shall be considered only when an individual project's estimated eligible costs exceed \$500,000.

This request would provide funding for design and engineering for roadway improvements for the Sussex Megasite and Route 602 Industrial Park. As part of the application process, a local resolution requesting Economic Development Access Funds is required. Based upon preliminary construction cost estimates provided by Timmons, design costs for this project should be range between \$300,000 and \$500,000. The CTB is scheduled to consider future Economic Development Access fund requests on October 26th and December 6th.

Staff recommends approval of the resolution.

Copies of the Resolution: Request for Commonwealth Transportation Board Economic Development Access Funds and the EDA Pre-Application Coordination Form were included in the Board packet.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves Resolution #22-123 requesting Commonwealth Transportation Board economic development access funds, to-wit:

WHEREAS, the Sussex County Board of Supervisors desires to assist in the development of property located off Beef Steak Road (Route 626) and Cabin Point Road (route 602) within the Sussex County Mega-Site for the purpose of economic development in Sussex County; and

WHEREAS, this property is expected to be the site of new private capital investment in land, building, and manufacturing equipment which will provide substantial employment and has been designated as a Major Employment and Investment site by the Virginia Economic Development Partnership; and

WHEREAS, the existing public road network does not provide for adequate access to this property and an access road improvement project is necessary; and

WHEREAS, the County of Sussex hereby guarantees that the necessary environmental analysis, mitigation, fee simple rights-of-way and utility relocations or adjustments, if necessary, for this project will be provided at no cost to the Economic Development, Airport, and Rail Access Fund; and

WHEREAS, the County of Sussex acknowledges that no land disturbance activities may occur within the limits of the proposed access project prior to appropriate notification from the Department of Transportation as a condition of the use of the Economic Development, Airport, and Rail Access Fund; and

WHEREAS, the County of Sussex hereby acknowledges that the Virginia Department of Transportation's Economic Development Access (EDA) Program may provide up to a maximum of \$650,000 for a project and requires matching funding, up to \$150,000, from the County of Sussex for estimated eligible project costs over \$500,000, up to \$800,000; and

WHEREAS, the County of Sussex hereby guarantees that financing of all ineligible project costs, project costs exceeding the EDA Program project allocation, EDA Program required locality matching funds, if applicable, will be provided from sources other than those administered by the Virginia Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED, that the Sussex County Board of Supervisors hereby requests the Commonwealth Transportation Board provide Economic Development Access Program funding for the design of an adequate access road to the Sussex County Mega-Site property; and

BE IT FURTHER RESOLVED, that the County of Sussex hereby agrees to provide a surety or bond, acceptable to and payable to the Virginia Department of Transportation, in the full amount of the Commonwealth Transportation Board's allocation, prior to the Department of Transportation's authorization of Economic Development Access funds; and

BE IT FURTHER RESOLVED, that the County Administrator and/or his designee(s) be authorized to act on behalf of the Board of Supervisors to execute any and all documents necessary to secure funding in the maximum amount eligible under the Economic Development Access Program. All Board members present voted aye.

6.03 Stony Creek Volunteer Rescue Squad Request for Transfer/Retitle of Old Unit 340 Ambulance

County Administrator Douglas stated that included in the packet for the Board's consideration is a request from Mr. Steve White to transfer the old Unit 340 ambulance, recently replaced with a new ambulance purchased by the County, to Stony Creek Volunteer Rescue Squad. Along with this request, along with a request for consideration of donation of this ambulance to Ukraine for humanitarian purposes. This ambulance was purchased in part (80%) with State funds from OEMS, which may restrict how it is disposed or designate the use of funds, which needs to be determined.

Mr. White was present and noted that an email was sent on October 3rd with no response. He advised the Board the unit was purchased on 80/20 Grant. He also clarified that the Stony Creek Volunteer Rescue Squad (SCVRS) would not be selling the ambulance if the County donated the unit. If the ambulance was donated to SCVRS, they would donate the ambulance to Ukraine.

There was discussion of donating the ambulance within the

There was discussion that there was no restrictions and OEMS' approval wasn't needed.

Staff did not enough information to make a recommendation at the time.

Copies of the letter from Mrs. Carolyn White (Stony Creek Volunteer Rescue Squad), and EMS Flyer for Ukraine were included in the Board packet. A copy of email submitted by Mrs. White to County Administrator Douglas and Reid Foster, Public Safety Coordinator, was included as well.

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby donates Unit #340 back and release the title to the Stony Creek Volunteer Rescue Squad. All Board members present voted aye.

7. Citizens' Comments

There were no Citizens' Comments.

8. Unfinished Business

There was no Unfinished Business.

9. New Business

There was no New Business.

10. Board Member Comments

10.01 Blackwater District – none

10.02 Courthouse District – absent during comments.

10.03 Henry District – Thanked everyone for coming to Community meeting. Thanked County Administrator for providing an update.

10.04 Stony Creek District – Approached regarding employee transporting family members on County vehicles

10.05 Wakefield District – Successful Wakefield Day with parade.

10.06 Waverly District – County vehicles- seal and department logo.

11. Closed Session

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters Closed Session (1) personnel matters, discussion, consideration, or interview of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, applicable Va. Code Section 2.2-3711(A)1, Animal Control, Public Works

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

Voting nay: none

Absent during vote: Supervisor Fly

11.02/3. Reconvene to Open Session/Certification

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby reconvened to Open Session; and

FURTHER RESOLVED that the Sussex County Board of Supervisors 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, the Sussex County Board of Supervisors hereby approves adoption of resolution for certification, to-wit:

WHEREAS, that the Sussex County Board of Supervisors 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.

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

Voting nay: none

Absent during vote: Supervisor Fly

11.04 Action Resulting from Closed Session

There was no action on the Closed Session items.

12. Adjournment

12.01 Adjournment

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the October 20, 2022 regular meeting of the Sussex County Board of Supervisors hereby adjourned at 10:15 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, November 17, 2022 at 6 p.m.