

**At a Rescheduled Meeting of the  
Sussex County Board of Supervisors  
Held in the General District Courtroom on  
Thursday, February 23, 2023 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

**STAFF PRESENT:**

Richard Douglas, County Administrator  
David Conmy, Deputy County Administrator & Director of Economic Development  
Jeff Gore, County Attorney  
Ellen G. Boone, Commissioner of the Revenue  
Deste J. Cox, Treasurer  
Eric Danuser, IT Manager (Virtual)  
G. Reid Foster, Public Safety Coordinator (Virtual)  
Ernest Giles, Sheriff  
Faith McClintock, Economic Development Consultant  
Michael Kessinger, Sergeant  
Kelly W. Moore, Finance Director (Virtual)  
Michael Poarch, Planner  
Beverly Walkup, Planning Director  
LaSonya White, Virginia Cooperative Extension  
Shilton R. Butts, Assistant to the County Administrator/  
Clerk to the Board of Supervisors

**1. Commencement**

**1.01 Call to Order/Determine Quorum (6:17 p.m.)**

Chairman W. Jones called the February 23, 2023 rescheduled regular meeting of the Sussex County Board of Supervisors to order.

**1.02 The Invocation**

The Invocation was offered by Supervisor Seward.

**1.03 The Pledge of Allegiance**

The Pledge of Allegiance was recited by all.

#### 1.04 Agenda Amendments

Supervisor Fly requested to move under Item 2. Consent Agenda, Item 2.10 Public Safety Coordinator Position Reclassification and VRS Change, to Item 9. New Business, as new Item 9.01.

Supervisor Fly requested to remove Item 3.03 Molly Dowless Presentation - Anticipated Blackwater Solar Facility Application under Item 3. Recognition, and under Item 9. New Business, Item 9.01 No Solar Group Presentation, a duplicate item, from the agenda. (*The group will speak under Citizens' comments.*) Supervisor Fly requested Item 8. Citizens' Comments, be moved to Item 3.03, under the Recognitions.

Supervisor Futrell requested to add under Item 11, Closed Session, as Item 11b. an additional personnel item.

#### 1.05 Approval of Rescheduled Regular Meeting Agenda

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the February 23, 2023 rescheduled regular meeting agenda inclusive of (1) removing items under Item 3. Recognition, Item 3.03 Molly Dowless Presentation - Anticipated Blackwater Solar Facility Application and under Item 9. New Business, Item 9.01 No Solar Group Presentation from the agenda; (2) moving Item 7. Citizens' Comments to under Item 3. Recognitions, as Item 3.03; (3) moving under Item 2. Consent Agenda, Item 2.10 Public Safety Coordinator Position Reclassification and VRS Change, to Item 9. New Business, as new Item 9.01.; and (4) adding under Item 11 Closed Session, as an additional Item 11b, as an additional Personnel item. All Board members present voted aye.

### **2. Approval of Consent Agenda**

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Consent agenda inclusive of the following: (a) January 19 regular and January 26, 2023 Finance Committee Meeting minutes; (b) the Approval of Warrants and Vouchers; (c) the Treasurer's Report and Financial Update; (d) Departmental Reports; (e) Waste Management Tax Refund (Finance Committee Recommendation); (f) Sheriff's Vehicle Replacement Budget Amendment; (g) Courthouse Fire Department Extrication Equipment Purchase (Finance Committee Recommendation); (h) March 2, 2023 Public Meetings for Sussex County Fire & EMS Study; (i) Berkley Group Emergency Management Support Services Budget Amendment; (j) CHA Landfill Inspection Task Order Budget Amendment; (k) Sussex Towns Economic Development Planning Grant Budget Amendment; and (l) Courthouse Renovation Project Budget Amendment. All Board members present voted aye.

### **3. Recognitions/Awards/Presentation**

### 3.01 FY22 Audit of Sussex County

Taylor Stover, the Audit Manager for Sussex's audit and partner out of Robinson, Farmer, Cox Associates' Richmond office, attended and gave a brief overview of the Financial Statements.

Mr. Stover stated that three unmodified opinions were issued on the County's Financial Statements, internal controls, and Federal awards compliance.

He stated that there was a new accounting standard related to leases. Mr. Stover stated that it was called Governmental Accounting Standards Board (GASB) 87. He stated that operating leases are now reported as financial statements. They used to be recorded on all balance sheet items. He noted for the County that it was a considerable increase in assets and liabilities that was mostly related to the landfill long term contracts.

He stated on a full accrual basis, on government wide financial statements, the County ended with approximately \$11 million in Unrestricted Net Position (Exhibit 1).

He reviewed Fund Financial Statements, which is generally used for budgeting purposes. He stated there was approximately \$10.5 million in Unassigned Fund Balance, which is 36% of the General Fund expenditures.

He stated that the Cash Collection was 99.3% when including delinquent collections. He noted that the County still had \$1.1 million in ARPA funds remaining at the end of the year. It is not included in Unassigned Fund Balance.

Mr. Stover stated that they didn't issue any compliance issues or material weaknesses; however, a Management Letter was issued. He stated that a management letter was basically, the auditors discussing or presenting opportunities for improvements.

Mr. Stover reviewed a few of the items included in the letter. He noted that the first item was a repeat item from last year. Departments were making purchases with credit cards when they had the ability to make the purchase with a purchase order and be invoiced, so the item could have been paid with a check.

Mr. Stover stated that the second item was a repeat item as well, Special Welfare accounts. The balance between Social Services and the Treasurer does not reconcile. He stated that it wasn't a huge amount; however, Social Services and the Treasurer need to resolve.

He stated that there was one finding for the Sussex County Public Schools for not advertising the Public Hearing for the proper amount of days. They are required to give a 10-day notice of Public Hearing; however, only an eight day notice was given.

Mr. Stover stated that about 10 years ago, the previous Administration and previous Finance Director changed the Chart of Accounts. He stated that Audit of Public Accounts (APA) issued a manual that standardizes how the Chart of Accounts should be set up for each locality. He stated that an individual changed this account approximately a decade ago. The County has been stuck

with this kind of account. He noted that it adds some complications when most people-- consultants, auditors, etc.-- come in and review. He noted that when they see a code, it may mean one thing to auditors and/or consultants; however, it means something completely different to staff. He stated that he recommended to Administration to review and agree to the Uniform Financial Reporting Manual.

Mr. Stover thanked all the staff for working with them to get the information requested.

*Supervisor Tyler entered at 6:32 p.m.*

### 302 Sussex County Solar Facility Application Review and Approval Process Overview

Lindsay Edwards, an Environmental Planner with the Berkley Group and a Clean Energy Specialist, was in attendance to give a brief overview of the Solar Generation Facilities Overview of Application Process and highlight important considerations for the Conditional Use Permit review.

Ms. Edwards gave introduction background on why there are so much solar interest of recently. She noted that the cost of solar energy has decreased by 80% since 2010. She stated that there is a growing demand for renewable generated energy from the private sector. There are State policies and incentives that strive to achieve carbon emission goals and reduce the use of fossil fuel. There are economic and financial opportunities for landowners, specifically farmers, as well as the community in general. She stated from a geographic and climate perspective, Virginia is an attractive place for installation of solar energy. In 2018, Dominion Energy and AP were issued 100% renewable energy by 2045 and 2050, respectively. She stated that because of these factors, the County is likely to see more applications for solar facilities.

Mr. Edwards stated that the Sussex Application Process is outlined by the Zoning Ordinance. It starts with the Pre-Application Meeting between the applicant and County staff, as well as the Berkley Group. After that meeting, the applicant will submit an application which goes through a Completeness and Compliance Review with staff and the Berkley Group to make sure that all required materials outlined in the Ordinance are included. Then, it will move on to the 2232 Review. The 2232 review or siting agreement are I or option. The 2232 refers to Virginia Code 15.2-2232 which allows a locality to review a public utility project to see if it's in accordance with the County's Comprehensive Plan. This would include a staff report from Berkley Group and staff; (ii) Planning Commission Meeting/Decision; (iii) an applicant has an option to appeal.

For the Siting Agreement, optionally, the County can decide to pursue the agreement entered between the applicant and the County. Once it's negotiated and approved at a Public Hearing, this would satisfy the required 2232 review.

For the Conditional Use Permit, a staff report will be provided by the Berkley Group and staff. The Planning Commission will hold a Public Hearing and give a recommendation to the Board of Supervisors. The Board of Supervisors will hold a Public Hearing and make a decision on the project.

The 2232 Review is a general or approximate location, character, and extent are substantially in accordance with the Comprehensive Plan or part thereof. There are many considerations for the Conditional Use Permit including location/siting, design, size, and scale of facility , environmental impacts; stormwater and E&S, Visual impacts, Landscaping, buffering, and screening, traffic impact, decommissioning and battery storage.

An example of site plan was displayed to show a 4,000 acres facility, the typical aspects covered by improvements which included panels access roads, sedimentation basins, vegetative buffer around the whole facility and setbacks from property lines. Ms. Edwards noted that it was important to know where the facility was located in relations to floodplains, wetlands and groundwater. Wildlife corridors needed to extend through site and not just be present along the fence line. She noted that building footprints, access points, as well as potential substations are identified on the plans.

Displays were shown of buffers and vegetative buffer at the planting in comparison to after 10 years.

Traffic and Construction Impacts reviewed included haul routes; number of vehicle trips per day. Size and number of vehicles needed for construction was reviewed, as well as impact to roadway conditions, construction hours and noise and light impacts, etc.

### 3.03 Anticipated Blackwater Solar Facility Application

This item was removed from the agenda during the agenda amendments.

*The Board recessed at approximately 7:20 p.m. to allow citizens/crowd to leave.*

*Mr. Steve White (Tie Breaker) entered at 7:21 p.m.*

*The Board meeting reconvened at approximately 7:25 p.m.*

### 3.04 Sussex Service Authority Fiscal Evaluation

Roland Kooch (Davenport) and Stevie Steele (CHA) were in attendance to provide Sussex Service Authority fiscal evaluation.

Mr. Kooch stated that they delivered a report providing a fiscal evaluation as a fiduciary to the Sussex Service Authority (the "Authority") based on the information they had at the time. He noted that a lot of things are subject to change. There are assumptions in the report that could change, both on the revenue and expense side, as well as the Capital side in terms of sources and uses of funding.

He stated that what they were charged to deliver a preliminary assessment based on the current budget year. They were charged with developing a preliminary series of scenarios to look at of what it would potentially take to maintain and be a self-supporting Authority going forward. He noted that the Authority is currently undertaking a review of the report. There will be some back

and forth communication/changes.

They are working on developing a baseline understanding and comprehensive evaluation in system assets in what it may take to invest in the Authority and what it may take to maintain the Authority going forward that will provide to the Authority and its user base and what the order of magnitude (?) would potentially be in terms of long term sustaining.

He noted that the Authority is working with CHA. He stated that there were options that may or may not involve assistance from the County.

Mr. Steele from CHA stated that the last time that he spoke with the County, he provided a road map of how CHA was going to address some things with both towns, some opportunities with grants, and a road map to get out of the current Consent Order. They have worked with DEQ and SSA Attorney to prepare a revised, draft Consent Order. A Study is due by October 31, 2023. Recommendations will become part of the Consent Order.

He stated that at the time he had spoken, there were ARPA funds available. He was instructed to submit an ARPA Grant application for 100% grant money for the both the Bank Street projects currently being operated by a generator and onsite pump and also for the Wakefield and Waverly Wastewater Collection Systems which are driving the Consent Order. ARPA Grant Application for \$3,950,000 was submitted on December 15, 2022.

Mr. Steele stated that since that time they got an offer from the original application to DEQ clean water revolving loan fund. At the time, he doesn't know if there is any grant associated. Since the loan was awarded, the ARPA funds became available. The announcement of ARPA funding will be made in March. SSA can select best funding option at that time.

Study is being funded by County (\$25K), Authority (\$25K), and SERCAP Grant (\$50K).

Manhole inspection, mapping update, and metering plan have been completed. Metering efforts will begin in March and last until the end of May. CCTV and smoke testing will be implemented based on metering data with full report ready for submission to DEQ by October 31, 2023.

Manhole Inspection Data is available. He reviewed a Flow Meter Plan.

Vice Chairman Seward gave a brief followed up. Per the By Laws, Vice Chairman Seward is the Board's representative on the Sussex Service Authority Board. She stated that what the Board needs to keep in mind is that, ultimately, there are pretty large infrastructure improvements to the entire Sussex Service Authority system that the Authority may or may not be able to afford. From the Board's point of view, County planning wise, knowing that bonds need to be issued to do improvements here on the Courthouse complex, in which Davenport has done a schedule. The County needs to stay in communication and pay attention as the improvements are made. She stated that we do need to get out from under the Consent Order--which has a price tag. It was noted that the Department of Corrections is the major user of the system and major funder of the system. There's another system that DOC doesn't affect. Funding future maintenance needs have to be considered for years down the road. The County could possibly have a role. There are other

options such as absorption by regional authority; privatization, option of County involvement, etc. However, we need to find what our needs are. What can we do with freights going forward with both DOC and the private user of the system? And, after reviewing all of the scenarios, figuring out the anticipated needs and monetary amount needed.

### 3.05 Sussex County Chamber of Commerce

Phyllis Tolliver was present and gave an update of the happenings and events of the Sussex County Chamber of Commerce.

Dr. Tolliver stated that all of the events will occur this year, 2023. On March 23, 2023, the Chamber will have a Recognition Dinner at the Airfield 4-H Conference Center in Wakefield, Virginia. Chamber members and businesses that have been in business for over 50 years will be recognized. The dinner will be open to the public. The reception will begin at 5 p.m. The dinner will begin at 6 p.m. The cost of the meal is \$30 per person. There will be a cash bar throughout the evening. Tickets can be purchased on the Sussex Chamber of Commerce website at [Sussexvachamber.com](http://Sussexvachamber.com). The deadline for tickets will be March 13, 2023.

The next event will be held on April 29, 2023. The Chamber will be supporting Waverly on their 5K Walk/Run event. The James House will receive the proceeds. Many chamber members are sponsoring this event.

On May 5<sup>th</sup>, Waverly will be having the Cinco de Mayo celebration again this year. Details are still in process. Information will be shared at a later time.

Tentatively, the Chamber is partnering with the Town of Wakefield on June 17, 2023 for an End of Spring Celebration. More information will be shared at a later time about this event.

The Chamber will be awarding scholarships in the amount of \$500 to high school deserving students who attend Sussex Central High School, Appomattox Regional Governor's School, and Tidewater Academy.

Dr. Tolliver stated that the Chamber of Commerce's membership continues to grow. Currently, there are 68 active members and is anticipating having 75 members by the end of March.

Dr. Tolliver extended an invitation to any businesses that aren't a member of the Chamber yet, to join.

The Chamber has started a newsletter which can be found on their website.

## **4. Public Hearings**

There was no Public Hearing.

## **5. Appointments**

County Administrator Douglas noted that there is a vacancy on the District 19 Community Services Board. A new appointment will need to be made. Per D19 CSB, this appointment does not have to be the Director of Social Services. The new appointment will be a three year term, starting immediately, expiring February 28, 2026 should the appointment be made at the February meeting. (The three year term will be determined by the month of the appointment per D19 CSB.)

The Board member position description, By Laws and Meeting Schedule were included in the Board packet.

This item was tabled.

## **6. Action Items**

### 6.01 VEDP Business Ready Grant Overview & Related Budget Amendments

David Conmy stated that Sussex County was awarded \$247,900 and \$61,050 from the Virginia Economic Development Partnership (VEDP) and the Tobacco Region Revitalization Commission (TRRC), respectively, for various master planning and conceptual engineering design activities to advance the shovel-readiness of the Sussex Mega Site. A local match of \$61,050 is required; however, staff recommends the Board appropriate an additional \$35,000 for two activities VEDP inadvertently omitted from the approved program. This projects is intended to be managed through the County's existing relationship with Virginia's Gateway Region, Spectrum Growth Solutions, and the County's on-call engineering firms. Because these are reimbursable grants, two budget amendments are needed to appropriate (1) \$405,000 for the full cost of the project and (2) \$15,000 for continuation of Spectrum Growth Solutions' services to the County for 2023.

Mr. Conmy gave an overview and the activities and budget

There was discussion of whether Data Centers be useful in the Mega Site.

Staff recommends the Board adopts the proposed budget amendments.

Budget Amendment Resolutions, VEDP VBRSP Award Letter, TRRC Award Letter, and Project Budget were included in the Board packet.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts Resolutions #23-14 FY23 Budget Amendment for the VEDP VBRSP Sussex Mega Site; and

BE IT RESOLVED by the Sussex County Board of Supervisors that the following budget amendment for the Mega Site (Fund#305) be and hereby is made for the period of July 1, 2022 through June 30, 2023. This resolution will approve and appropriate funds for the VEDP VBRSP Sussex Mega Site Development Grant FY23.

## **FUND # 100 GENERAL FUND**



REVENUE

Fund 305 VEDP	\$247,900
Fund 305 TRRC	\$61,050
Fund 135 Local Reserves	<u>\$96,050</u>
<b>Total Revenues</b>	<b>\$405,000</b>

EXPENDITURE

Fund 305 Mega Site	<u>\$405,000</u>
<b>Total Expenditures</b>	<b>\$405,000</b>

BE IT FURTHER RESOLVED by the Sussex County Board of Supervisors that the following Resolution #23-15 budget amendment for the General Government Administration function be and hereby is made for the period of July 1, 2022 through June 30, 2023. This resolution will appropriate local reserve funds to contract with Spectrum Growth Solutions.

**FUND # 100 GENERAL FUND**

REVENUE

Fund 135 Local Reserves	<u>\$15,000</u>
<b>Total Revenues</b>	<b>\$15,000</b>

EXPENDITURE

Fund 100 Administration	<u>\$15,000</u>
<b>Total Expenditures</b>	<b>\$15,000</b>

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

Voting nay: none

6.02 Fire Engine Acquisition (Stony Creek and Wakefield VFDs) – Financing Resolution

County Administrator Douglas stated that a revised resolution is attached for your consideration that provides Board approval of additional lease purchase financing under the existing master lease agreement with Bank of America. Specifically, the resolution would begin the process of securing up to \$1,850,000 in financing for two fire engines serving the Wakefield and Stony Creek Volunteer Fire Departments, as identified in the County’s Public Safety Capital Plan. This is the same process followed for the recent acquisition of fire engines for Jarratt, Courthouse, and Waverly Volunteer Fire Departments, and an ambulance for the Stony Creek Volunteer Rescue Squad.

The Finance Committee recommended moving forward with this process at its last meeting. Roland Kooch with Davenport will be present to answer any questions regarding this process.

Staff recommends the Board adopts the attached resolution.

Resolution approving additional lease purchase financing under existing Master Lease Agreement and memo from the Public Safety Coordinator were included in the Board packet.

ON MOTION OF D. JONES, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County of Supervisors hereby adopts Resolution #23-16 approving additional lease purchase financing under existing Master Lease Agreement.

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

Voting nay: none

### 6.03 Recommended Sussex County EMS Operations Plan

County Administrator Douglas advised the Board that Thomas Hicks will be serving as the Interim Public Safety Coordinator. He stated that Rick McClure, with Old Dominion Emergency Medical Services Alliance (ODEMSA) Council to answer any questions. The County Administrator stated that they would be providing recommendations on potential EMS operations to help move the County forward.

Thomas Hicks stated that Sussex County sits within the ODEMSA Region. Mr. Hicks stated that when you look at the phones, it falls within this region. He noted that he was presenting a snapshot of where things stand today.

He stated that while there is a consistency of call response across the County, there's a significant amount of calls that falls up and down the 460 corridor. More calls were noted to go to the two jail facilities more than one time. He stated that this represented 2,500 ??? in 2022 which is a significant amount of calls for a rural area. Mr. Hicks stated that based on the data of the amount of calls, the County's normal coverage a day is two and one half ambulances operating 24 hours a day and at least one of those ambulance operating a portion of that 24 hours a day based on what your call volume for that time of the day

He stated that success is driven by people, process and solution.

He discussed the value of volunteers. He stated in 2021, the current rate for a volunteer is \$29.95 per hour. For a volunteer to be successful, you have invest in the volunteer program by training, education, and mentorship.

#### Option 1

- Stony Creek and Waverly rescue squads continue to operate as independent agencies staffing units based on operational volunteers.
- Based on the current volunteer workforce this will not meet the service demand of the county.
- Paid resources will need to be provided using local dollars.
- No standard of coverage.
- Lack of accountability with service delivery.
- Lack of financial accountability.
- Costly.

#### Option 2

- Stony Creek and Waverly rescue squads continue to operate as independent agencies staffing units based on operational volunteers.
- The county employs a contract to establish a 3<sup>rd</sup> party EMS service across the county as the primary service delivery for EMS. The contract will need to define the standard of service and coverage.
- The county will have to augment the funds collected by cost recovery by the 3<sup>rd</sup> party agency with local dollars.
- Costly .

### Option 3

- Stony Creek and Waverly rescue squads continue to operate as independent agencies staffing units based on operational volunteers.
- Sussex County creates an Emergency Services Department by County Code.
- The County files for an EMS License and seeks out an Operational Medical Director.
- Staffing and equipment is secured to support community demand.
- 90-120 day effort.
- Provides a foundation for the future needs of the county and response.
- Creates full accountability.
- Leverage revenue from cost recovery to create some net savings.

The governing body of any county, city, or town may establish an emergency medical services agency as a department of government and may designate it by any name consistent with the names of its other governmental units.

An emergency medical services agency established pursuant to this section may be dissolved when the local governing body of the county, city, or town in which the emergency medical services agency is located determines that the emergency medical services agency has failed, for three months successively, to have or keep in good and serviceable condition emergency medical services vehicles and equipment and other proper implements, or when the governing body of the county, city, or town for any reason deems it advisable.

Upon dissolution of an emergency medical services agency established pursuant to this section, any property that was in the possession of such emergency medical services agency and that was purchased using public funds shall be offered to a city or county served by the emergency medical services agency to be used for the public good.

Mr. Hicks provided a presentation of the EMS System to be forwarded to them.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes the County Administrator to move forward with getting licenses.

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

Voting nay: Supervisor Futrell

### 6.04 Donation of Waverly Fire Department Engine 120

Supervisor Fly stated that Andy Mayes suggested donating the Waverly Fire Department Engine 120 to Dickinson County.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes the donation of the Waverly Fire Department Engine 120 to Dickinson County. All Board members present voted aye.

## **7. Citizens' Comments**

Citizens' Comments were held under Item 3. Recognitions, as Item 3.03.

*It was announced that it was agreed upon that 13 minutes would be allowed for the Solar Group due to the size of the group. Other speakers will have two (2) minutes.*

- Molly Dawless (Courthouse District) - Representative for No Sussex Solar Group; group against Opposition of the anticipated Solar facility in Blackwater District; family farm deeded for 276 years by King George (current owner); discussed anticipated footprint/site size; made clear that bad fit for location; facility borders; discussed impacts to surrounding land; rental pools/ponds; trees; turned down offer to sell property
- Gretchen Lanier (Courthouse) - No negative feeling; Understand General Assembly effects to Zoning Ordinance; opposition to solar facility; thanked the Board for what they do for County.
- Bob Richardson (Waverly District) - Sussex Service Authority meeting & accounting; new leadership at Sussex Service Authority; high rates.
- Buddy Faison (Southampton) - Opposition of solar facility.
- Marcie Drewry (Courthouse District) - 4-H Center; Horse Program; County commitment; cover arena for Equestrian Center.
- Woody Griffin (Courthouse District) - Solar panels; something that attracts businesses & companies.

*Vice Chairman Seward shared that the Board did not create the demand for solar. It is driven by the General Assembly. It was noted that Republicans and Democrats put in language in the budget that it is a by-right land use. There is no more local zoning authority.*

## **8. Unfinished Business**

There was no Unfinished Business.

## **9. New Business**

*The Presentation of Solar Facilities by No Solar Group was removed from the agenda during agenda amendments.*

*Consent Agenda Item 2.10 Public Safety Coordinator Position Reclassification and VRS Change was moved from under Item 2. Consent Agenda during agenda amendments to Item 9. New Business, as the new Item 9.01.*

9.01 Public Safety Coordinator Position Reclassification and VRS Change

This item was tabled until October.

**10. Board Member Comments**

10.01 Blackwater District – none

10.02 Courthouse District – none

10.03 Henry District – Community meeting; County Administrator update on DSS Director; thanked County Administrator and staff for cleaning site on 301 Highway.

10.04 Stony Creek District – none

10.05 Wakefield District – Second meeting as Chairman; professionalism at meetings.

10.06 Waverly District – Thanked County Administrator, David Conmy and staff on new building in Waverly.

**11. Closed Session**

11.01 Convene to Closed Session

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters Closed Session for discussion of (1) the acquisition or disposition of real property for public purposes, pursuant to applicable Code Section 2.2-2711(A)3; (2) personnel matters discussion, pursuant to Code Section 2.2-3711(A)1, as it relates to County Administrator’s contract; and (3) Consultation with legal counsel, or briefing by staff or consultants about actual litigation, pursuant to applicable Code Section 2.2-3711(A)7, RM7 Properties, LLC

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 SEWARD, seconded by SUPERVISOR TYLER and carried: RESOLVED that Sussex County Board of Supervisors hereby returns to Open Session; and

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 Sussex County 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 by the Sussex County Board of Supervisors.

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

Voting nay: none

#### 11.04 Board Action on Closed Session Item

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby extends the County Administrator's contract to 12 month paid severance or lump sum.

Voting aye: Supervisor Fly, D. Jones, W. Jones, Seward, Tyler

Voting nay: Supervisor Futrell

## **12. Adjournment**

### 12.01 Adjournment

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR TYLER and carried: RESOLVED that the February 23, 2023 rescheduled regular meeting of the Sussex County Board of Supervisors hereby adjourned at 10:10 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, April 20, 2023 at 6 p.m.