

**At a Regular Meeting of the
Sussex County Board of Supervisors
Thursday, August 19, 2021 at 6 pm**

BOARD MEMBERS PRESENT

C. Eric Fly, Sr. (Virtual)
Marian D. Johnson (Virtual)
Debbie P. Jones
Wayne O. Jones
Susan M. Seward
Rufus E. Tyler, Sr.
Steve White, Tie Breaker

STAFF PRESENT:

Richard Douglas, County Administrator
Ellen G. Boone, Commissioner of the Revenue
Deste J. Cox, Treasurer
Lisa Danuser, Solid Waste Manager
G. Reid Foster, Public Safety
Ernest Giles, Sheriff
William Hagy, Director of Social Services
Kelly W. Moore, Director of Finance
Vincent L. Robertson, Commonwealth's Attorney
Shilton R. Butts, Assistant to the County Administrator/
Deputy Clerk to the Board of Supervisors

1. Commencement

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

The August 19, 2021 rescheduled meeting of the Sussex County Board of Supervisors was called to order by Chair Seward.

1.02 The Invocation

The Invocation was offered by Supervisor D. Jones.

1.03 The Pledge of Allegiance

The Pledge of Allegiance was recited by all.

1.04 Agenda Amendments

County Administrator Douglas requested to add Mr. Jesse Hellyer, Sussex County's Chamber of Commerce, was added under Item 3. Recognitions/Awards/Presentation, as Item 3.04.

Chair Seward, at the request of Supervisor Fly, to move Item 2. Consent Agenda, Item 2.09 Literary Loan Refunding to Item 6. Action Items, as Item 6.06.

1.05 Approval of Agenda

ON MOTION OF SUPERVISOR W. JONES, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the August 19, 2021 regular agenda inclusive of adding under Item 3. Recognitions/Awards/Presentation, as Item 3.04. Mr. Jesse Hellyer, Sussex County's Chamber of Commerce and moved Item 2.09 Literary Loan Refunding from under Item 2. Consent Agenda, to Item 6. Action Items as Item 6.06. All Board members present voted aye.

Chair Seward clarified that Consent Agenda Item 2.07 Joint Meeting of the Board of Supervisors and the Planning Commission – September 13, 2021 was review revisions to the Solar Ordinance, as per the request of Supervisor Fly.

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) July 22, 2021 Rescheduled Meeting minutes; (b) the Approval of Warrants and Vouchers; (c) the Treasurer's Report; (d) Financial Update; (e) Departmental Reports; (f) Commonwealth's Attorney (Victim Witness Grant); and (g) Joint Meeting of the Board of Supervisors and the Planning Commission – September 13, 2021. All Board members present voted aye.

3. Recognitions/Awards/Presentation

3.01 Department of Forestry Funds – Mr. Dennis Gaston

Mr. Dennis Gaston, a representative of the Virginia Department of Forestry, was in attendance. Mr. Gaston is the forester that manages the Big Woods State Forest in Sussex County.

The Virginia Department of Forestry had a timber sale on the Big Woods State Forest during the last fiscal year. It is the policy of the Department of Forestry to give 25% of their proceeds back to the County. Mr. Gaston presented the Board a check in the amount \$19,534.84.

3.02 Crater Planning District Commission Proclamation for 50 Years Service to Localities – Mr. Alec Brebner

Staff received notice from Mr. Alec Brebner, Executive Director of Crater Planning District Commission, that the Commission adopted a proclamation in October 2020 last year recognizing 50 years of service to member localities in south-central Virginia.

Mr. Brebner gave a brief overview of Crater Planning District Commission.

Mr. Brebner presented the Plaque of the Proclamation for 50 Years of Service to Localities to the Board.

3.03 Children Services Act Audit Responses and DSS Performance Indicators – Mr. Will Hagy

Mr. Will Hagy, Director of Social Services, gave an overview of the Children Services Act (CSA). Mr. Hagy stated that the Children Services Act was a law enacted in 1993. CSA was established to provide a comprehensive service plan to children and families, as well as financial resources. CSA policy mandates each locality in Virginia to have a Community Policy Management Team (CPMT). CPMT is responsible for fiscal management of resources

CSA policy also requires CPMT to establish a Family Assessment and Planning Team (FAPT). FAPT is responsible for building comprehensive service plans for children and families.

CSA programs are audited on a two-year cycle in every locality. Sussex County was last audited on March 5, 2021. The period under review is April 1, 2019 to March 31, 2020.

Mr. Hagy reviewed the audit which found major deficiencies in fiscal activities compliance, internal controls, and government's activities and expenditures that were misclassified.16:41

Mr. Hagy stated other major deficiencies in the fiscal area that the audit identified was services were documented, such as duplication of payment of services.

Mr. Hagy reviewed DSS performance Indicators which included Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance to Needy Families (TANF), Medicaid and Child Care.

3.04 Sussex County Chamber of Commerce – Mr. Jesse Hellyer

Mr. Jesse Hellyer, President of Sussex's Chamber of Commerce, stated that he was in attendance to keep the Board informed of the activities in the community.

He stated that the Chamber of Commerce currently has 48 members. Their goal is to reach 50 members by the end of August.

Mr. Hellyer stated the Board meets monthly to review and plan events. He reviewed some of their recent activities which included business leaders hours at Schultz Lawnsapes; reinstated the \$500 scholarships for residents of the County; renewed sponsorship of Civil War Trail at Sappony Baptist Church; provided volunteers to help the Town of Waverly to help start renovations; will provide breakfast for teachers and staff at Tidewater Academy and Sussex County Public Schools the following week.

He stated that there will be grand openings of businesses in the County. Everyone will receive an invite.

He stated that on Wednesday, September 29th, at 5 p.m. the Chamber will be hosting a Fall Festival in Waverly. It will be open to public at no charge. There will be food vendors present. Any adult drinks must remain in the fenced in area. No coolers of alcohol will be permitted. Mr. Hellyer noted that in addition to the food vendors, there is three restaurants in that location serving food and beverages. There is no charge for Chamber members; however, there is a \$25 charge for non-members. He noted that members of the House of Delegates and statewide elections will be notified if they are interested in attending at no charge. There will be a ban in attendance.

He noted that community members of the Chamber of Commerce includes Mayor McPhaul, Corey Schultz, Cindy Bash, Phyllis Tolliver (Jessica A. Moore Foundation) and Sheriff Giles.

Mr. Hellyer also noted that there was discussion of a Spring Fling in Stony Creek.

4. Public Hearing

There was no Public Hearing.

5. Appointments

5.01 Appointment to the Board of Building Code Appeals

County Administrator Douglas stated that there has been a vacancy on the Board of Building Code Appeals. There is a pending hearing. A full Board of five members has to be established.

Vice Chairman W. Jones nominated Mr. Chris Miller, 215 Coppahaunk Avenue, Waverly, Virginia. It was noted that Mr. Miller was interested in participating/bidding on County projects.

After discussion, it was noted that Mr. Miller's appointment would be contingent upon the County Attorney's final approval of whether it would be a conflict of interest to serve on the Board of Building Code Appeals and have the ability to bid on project.

If Mr. Miller is appointed, his term will begin immediately and expire June 30, 2026.

It was also noted that the Board had the option to appoint an alternate to serve in the absence of any regular member. The alternate will have the full power and authority of regular members.

Copies of the Virginia Board of Building Code Appeals Information, Section 119 and the Board of Building Code Appeals members were included in the Board packet.

ON MOTION OF SUPERVISOR W. JONES, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County hereby appoints Mr. Chris Miller, 215 Coppahaunk Avenue, Waverly, Virginia to the Board of Building Code Appeals, with a term beginning immediately, expiring June 30, 2026, contingent upon final approval of the County Attorney. All Board members voted aye.

Chair Seward discussed scheduling the pending appeal as soon as the County Attorney provides approval of the appointment.

5.02 Crater Planning District Commission

County Administrator Douglas stated that staff was advised by Mr. Brebner that Sussex County did not have representation on the Crater Planning District Full Commission and had inquired of the County Administrator's interest in serving on the Board. Mr. Douglas stated that he was willing to serve, if appointed.

The Full Commission meetings are held in October, February and June on the second Thursday of each month, with the exception of February and June. The February and June meetings are held on the 4th Thursday. The meeting times are 6:00 p.m.

The term for this appointment will have to be determined by the Board of Supervisors.

Copies of the Section of the Code of Law for Planning District Commission, List of Commissioners and the Proposed 2021-2022 Meeting Schedule were included in the Board packet.

ON MOTION OF SUPERVISOR W. JONES, seconded by D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby appoints County Administrator Richard Douglas to serve on Crater Planning District Full Commission as Sussex County's representative. All members present voted aye.

5.03 Department of Social Services Advisory Board

County Administrator Douglas stated that this item was in regards to the change of the Department of Social Services Administrative Board to an Advisory Board in April 2021.

There was discussion of discussion of having a representative from each district. There was also discussion of contacting members of the former DSS Administrator Board to see if they would be interested in serving on the Advisory Board.

Mr. Douglas was tasked with working with Mr. Hagy, Director of Social Services on this matter. This item is scheduled to be on the September 16, 2021 Board of Supervisors agenda.

6. Action Items

6.01 Sussex Green Machine Funding Request for Uniforms - \$3,360

County Administrator Douglas stated Sussex Green Machine youth league was requesting funding from the County to purchase uniforms for their youth football team.

Supervisors Fly and Johnson met and spoke with their representatives.

A copy of an invoice provided by Sussex Green Machine's vendor with the amount of funding requested was included in the Board packet.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approved funding Sussex Green Machine youth league \$3,360 to purchase uniforms for their youth football team. All members voted aye.

6.02 RFP #2021-03 Annual Term Contracts for Professional Engineering Services on Multiple Small Projects

County Administrator Douglas stated that staff advertised a Request for Proposals (#2021-03) for annual term contracts for professional engineering services on multiple small projects in April, and received proposals from the following seven firms: CHA Consulting (Richmond), Koontz Bryant Johnson Williams (Richmond); The Wooten Company (Raleigh); MSA (Virginia Beach); Moseley Architects (Richmond); Dunlap & Partners Engineers (Richmond); and Timmons Group (Richmond).

A staff committee comprised of the County Administrator, Public Works Director, and Public Safety Director reviewed each proposal to determine which firms would best meet the engineering needs of Sussex County.

There was discussion of the terms and renewable terms, as well as the when payments would be made, the amount of payments, would projects still be bid out, which firm would be doing what, etc.

After discussion, it was recommended to hold a Finance Committee meeting for further discussion and clarity.

A copy of RFP #2021-03 Annual Term Contracts for Professional Engineering Services on Multiple Small Projects was included in the Board packet.

ON MOTION OF SUPERVISOR FLY, seconded by D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approved scheduling a Finance Committee for further discussion of the Annual Term Contracts for Professional Engineering Services on Multiple Small Projects to bring to the September 2021 regular Board of Supervisors meeting. All members presented voted aye.

6.03 Surry and Sussex Counties Memorandum of Agreement for Shared Building Official and Inspection Services

County Administrator Douglas stated that a Memorandum of Agreement for Shared Building Official and Inspection Services between Surry County and Sussex County, prepared by the County Attorney for the Board's consideration.

Staff of the two counties has been meeting to discuss the possibility of merging building-related services and addressing related needs in both counties, and this agreement provides the framework

for a shared arrangement. In summary, Sussex County would be the fiscal agent but the counties would split the costs equally for one shared building official and two shared building officials, with both counties maintaining its own permit technician or administrative staff. Splitting costs should allow the counties to offer increased compensation for the three employees, while allowing additional coverage and flexibility. The Surry County Board of Supervisors should be considering this agreement at its August 19 regular meeting as well. Please note under this plan that the current Building Official/Public Works Director position would be split and allow for additional focus on facilities/grounds and special projects.

A copy of Surry and Sussex Counties Memorandum of Agreement for Shared Building Official and Inspection Services.

ON MOTION OF SUPERVISOR W. JONES, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Memorandum of Agreement between Sussex and Surry Counties, with the allowance of minor administrative changes to the agreement as needed. All Board members present voted aye.

6.04 Emergency Shelter Memorandum of Understanding (MOU)

County Administrator Douglas stated that an Emergency Shelter Agreement between Sussex County and the Southeast 4-H Educational Center was included in the Board's packet for their consideration.

This Memorandum of Understanding was prepared by the County Attorney and addresses the provision of disaster emergency shelter and related services to the public at the Southeast 4-H Educational Center near Wakefield. The provision of shelter services is reflected in the County's emergency operations plan.

A copy of Emergency Shelter Memorandum of Understanding (MOU) was included in the Board packet.

ON MOTION OF SUPERVISOR W. JONES, seconded by D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Emergency Shelter Agreement between Sussex County and the Southeast 4-H Educational Center.

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

Voting nay: none

Abstained: Supervisor Fly

6.05 Virginia Telecommunication Initiative Broadband Grant Resolution of Support and Agreement with Dominion Energy

County Administrator Douglas stated in the Board packet for the Board's consideration was a resolution of support for the VATI broadband grant application, as discussed at the July regular meeting. This resolution is required as part of the grant application that will be submitted in mid-September. An appropriation of matching funds is not required at this time, but \$500,000 in County

funds, which can be paid from ARPA funds, are being designated in the grant application as a County match (in addition to \$500,000 from the Cameron Foundation).

In addition, PGEC is requesting the Board of Supervisors adopt a broadband agreement with PGEC and Dominion Energy prior to the submission of the VATI grant application. This agreement is critical to providing universal broadband coverage to Sussex County, since Dominion is a major utility provider.

The County Attorney will review the agreement once he receives from Dominion Energy counsel, and Casey Logan will provide an overview prior to the Board's consideration.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts the resolution in support of a Virginia Telecommunications Initiative grant to provide broadband service in Sussex County; to-wit:

WHEREAS, high-speed broadband connectivity is a necessity for families and businesses attempting to access a wide array of services including, but not limited to, education, healthcare, e-commerce, banking, communication, etc.; and,

WHEREAS, a significant portion of the nearly 5,000 homes and 200 businesses in Sussex County are underserved or unserved relative to reliable high-speed broadband internet service; and,

WHEREAS, the Board of Supervisors of Sussex County is committed to providing local match funding sufficient to support implementation of the broadband project.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Board of Supervisors of the County of Sussex, Virginia authorizes the submission of a Virginia Department of Housing and Community Development Virginia Telecommunications Initiative Grant application.

BE IT FURTHER RESOLVED that the County Administrator is authorized to sign and submit the appropriate documents for the submittal of the Virginia Telecommunications Initiative Grant proposal and any subsequent contract documents necessary to satisfy program requirements. All members voted aye.

6.06 Literary Loan Refunding

County Administrator Douglas stated that Davenport has recommended that the County consider a refunding of 2005 and 2008 literary loans for school construction (please note that this refunding would not extend the term for either loan). They have estimated a net savings over the next seven years of \$210,644 due to lower interest rates (beginning with an annual savings of \$37,836 in FY22).

In order to complete this refunding of debt, the County must submit an initial application to the Virginia Public School Authority (VPSA) by August 30 (the only action being requested by staff at this time). If the Board of Supervisors agrees to move forward with the refunding application, the Sussex County School Board will need to adopt a resolution by September 15, and the Board of Supervisors will need to adopt a resolution by October 4.

A copy of Davenport's discussion materials was included in the Board packet.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of the debt refunding application to VPSA for the 2005 and 2008 literary loans. All members voted aye.

7. Citizens' Comments

- Jesse Hellyer (Sussex Chamber of Commerce) – Town of Waverly Lowe's Grant to renovate SKYMAC Park; thanked Green Machine; new business coming; third annual 5K walk and run; tennis court.
- Reid Foster (Public Safety) – 21 news COVID cases.
- Alfred Futrell (Waverly District) – Building Department and Permit; appeal.

8. Unfinished Business

There was no Unfinished Business.

9. New Business

9.01 American Rescue Plan Act of 2021 (ARPA) Fund Review

County Administrator Douglas gave a brief review of a proposed list of ARPA-funded items, primarily items removed from the FY22 operating budget to make it balanced. He stated that Sussex County has received \$1.084 million in ARPA funds this year, with an equal amount scheduled to be received in June 2020. In order for these funds to be spent, a public hearing must be held, and staff recommends that a public hearing be scheduled for the September regular meeting. The Board may choose to hold a work session on this matter prior to the public hearing.

Mr. Douglas stated that the only action requested at this time is to advertise for a public hearing for the September regular meeting.

A copy of the FY22 ARPA Supplemental Budget was included in the Board packet.

Supervisor D. Jones departed at 9:25 p.m.

10. Board Member Comments

10.01 Blackwater District – none

10.02 Courthouse District – none

10.03 Henry District – none

10.04 Stony Creek District – absent

10.05 Wakefield District – Announced the Town of Wakefield Community Day scheduled for October 9 from 8 a.m. to 3 p.m.

10.06 Waverly District – none.

11. Closed Session

There was Closed Session.

12. Adjournment

12.01 Adjournment

ON MOTION OF SUPERVISOR W. JONES, seconded by SUPERVISOR TYLER and carried: RESOLVED that the August 19, 2021 rescheduled meeting of the Sussex County Board of Supervisors hereby adjourned at 945 p.m.

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

Voting nay: none

Absent: Supervisor D. Jones

12.02 Next Meeting

The next regular Board of Supervisors meeting will be held on Thursday, October 21, 2021 at 6 p.m.