

**At a Regular Meeting of the
Sussex County Board of Supervisors
Held in the Sussex Elementary School Gymnasium on
Thursday, November 19, 2020 at 6 pm**

BOARD MEMBERS PRESENT

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

STAFF PRESENT:

Richard Douglas, County Administrator
Jeff Gore, County Attorney
Ellen G. Boone, Commissioner of the Revenue
Deste J. Cox, Treasurer
G. Reid Foster, Public Safety
Jeffrey Gary, Director of Public Works/Building Inspector
William Jenkins, General Registrar
Shilton R. Butts, Assistant to the County Administrator/
Deputy Clerk to the Board of Supervisors

1. Commencement

1.01 Call to Order/Determine Quorum (6:00 p.m.)

The November 19, 2020 regular meeting of the Sussex County Board of Supervisors was called to order by Chair Seward.

1.01a Approval of Board Members Participating by Board's Remote Participation Policy

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of remote participation of Supervisors Johnson, D. Jones and Mr. Steve White, Tie Breaker. All Board members present voted aye.

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

There were no agenda amendments.

1.05 Approval of Agenda

ON MOTION OF SUPERVISOR W. JONES seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the November 19, 2020 regular agenda as presented. All Board members present voted aye.

2. Approval of Consent Agenda

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the November 19, 2020 Consent agenda inclusive of the following: (a) Minutes of October 15 Regular and October 29, 2020 Recessed Board meetings; (b) the Approval of Warrants and Vouchers; (c) the Treasurer's Report; (d) Financial Update; (e) Animal Services Report; (f) Community Development Report; (g) Housing Report; (h) Environmental Inspections Report; (i) Sheriff's Department Report; (j) Request to Remove Leave and Compensatory Time Cap for 2020; (k) Courthouse Fire Truck Title Transfer; and (l) Courthouse Fire Station Paving Budget Amendment. All Board members present voted aye.

3. Recognitions/Awards/Presentation

3.01 Virginia Department of Transportation (VDOT) Update –Jerry Kee, Assistant Residency Administrator

Mr. Jerry Kee, VDOT's Assistant Residency Administrator, stated that he and Mr. Catlett of VDOT met with the County Administrator in October 2020. They discussed the Six Year Plan, the Carver and Glyndon Lane project and maintenance issues with trash and things of that nature.

Mr. Kee stated that one of the items discussed was the unpaved road Six Year Plan numbers. He stated that the Board needed to identify some routes to transfer the money from removing the Steel Bridge Road project. Mr. Kee stated that there was approximately \$551,000 available that could probably complete a couple of routes on the list.

A map and highlighted area of discussion was provided to the Board.

Mr. Kee stated that the Board of Supervisors and VDOT will begin working on the upcoming Secondary Six Year Plan in the next couple of months. He reviewed the following items that need to be addressed before the new plan is passed by the Board:

In 2019, Route 635 (Steele Bridge Road) was removed from the Six Year Plan at the request of the Board of Supervisors. At that time, no other road was selected to replace Route 635 in the plan.

During a later Board Meeting, Route 609 (Gray Road) was requested, but during VDOT’s review, it was noted that the traffic count did not meet the minimum of 50 vehicles per day (VPD) to qualify for the unpaved road funds. The newest traffic count is only 30 VPD. Mr. Kee stated that he had identified other funding that could be used for Route 609. He stated that the County already had approximately \$104,000 available in TeleCommunication Funds in the plan that can be transferred.

The following is a list of the routes that does qualify for funding under this program:

Route	Road Name	From	To	Traffic Count
604	Chinquapin Road	606	621	90
611	Mill Path Road	609	610	70
632	Hunting Quarter Road	609	610	90
636	Longevity Road	626	40	80
640	Cabin Stick Road	637	626	70

Route 735 UPC# 107435

Mr. Kee stated that no action was required at the time; however, action will be needed in the next 60 to 90 days for the upcoming year.

Mr. Kee stated that drainage/draining ditches were also discussed. Mr. Kee stated that the process had changed. He stated that VDOT does roadside ditches and will do outfall ditches if they are causing damage to the road. They are done on a case by case basis.

Mr. Kee stated that if anyone had any issues, they could call Customer Service on their 800 number, 800-FOR-ROAD (800-367-7623).

He stated that VDOT was finished with their final mowing for the year. The contract is due in to do all of the primaries. Trash is included in the contract and will be picked up at that time. He noted that there are a lot of work orders for litter. They are viewed on a case by case basis. Mr. Kee stated that there was a Memorandum of Understanding Agreement wherein inmates can be used to help pick up trash.

He stated that VDOT was working on Route 613 and a section of Routes 634 and 636. Mr. Kee noted Route 35 was their break point. Waverly’s VDOT handles everything northeast of Route 35. Stony Creek’s VDOT basically handles everything southeast of Route 35. There was a request for speed study on Beaver Dam Road. A crosswalk study is currently being done in Waverly Route 460 and Route 40. A safety study is being done for the Route 35 and Route 40 intersection. He stated there has been a number of accidents at that intersection.

In regards to the status of Glyndon and Carver Lane, VDOT needs recorded plats and documentation for Right of Way acquisition before the roadway can be taken into the system. VDOT has funding available and is ready to initiate construction as soon as the final documentation has been received from the County.

3.02 Solid Waste Management Recommendation – Scott Bost and Major Terri Hall

Chair Seward stated that the Board of Supervisors will receive recommendations and updates related to solid waste operations from Mr. Scott Bost (Smith Gardner) and an update on convenience center operations from Major Hall (Garda World). Mr. Williams wasn't able to be in attendance.

Mr. Bost had been tasked by the Interim County Administrator to review all aspects of Sussex County's solid waste operations and staffing. He provided a brief summary/overview of his findings.

Mr. Bost stated that the landfill was very well run and operated. Atlantic Waste Disposal, Inc. operates and manages the County's Solid Waste Management Facility and other waste services throughout the County including solid waste convenience sites. There are eight (8) solid waste convenience centers.

Mr. Bost noted that the waste was covered. He noted that Atlantic Waste Disposal, Inc. took care of maximum space of air space of the landfill.

He reviewed all the operating records. They were in compliance. He provided a log for daily use.

Mr. Bost toured the convenience sites. They were found well managed, clean and well run.

Please note that Mr. Bost has agreed to serve as the Director of Environmental Inspections on an interim basis, to further determine specific tasks and responsibilities of County landfill staff, and to assist with the other aspects of solid waste collection. He will start January 1, 2021, approximately two or three days a week.

Mr. Bost stated that there are two (2) ways to get tonnage—one way is from a skilled inspector; the other is from the State.

There was discussion of positions, job descriptions and training. There was discussion of certifications (Class 1 and Class2); where will classes be conducted; and, if staff development issues—who paid and what were costs.

Mr. Bost's full report was included in the Board packet.

Staff has been working with Major Hall to improve the overall operations of the County's convenience centers managed by GardaWorld, including assuring that only appropriate solid waste is collected at the centers. In addition, staff has been working with Major Hall and Waste Management to add bulk waste collection at the convenience centers.

Major Hall stated that she has been working with Sussex for almost three years. There are 20 security officers that are residents of Waverly and Sussex County. They have all received training. They are certified security officers. Three (3) more security officers have been hired.

Major Hall stated that she goes out every couple of weeks checking convenience sites. During the pandemic, she stated that she didn't have any security officers affected by COVID-19. If staff is affected by COVID-19, another security officer will be available immediately.

Major Hall stated that they had talked about getting other dumpsters out to convenience sites.

There was discussion of an easier way to dispose of metal recycling, old household appliances, mattresses, etc.

There was discussion of providing separate containers for refrigerators, etc. to accommodate citizens and budgeting for the disposal.

It was recommended to continue as is through the end of the year, until it is determined if the recyclables will be taken to the landfill.

County Administrator Douglas noted that County staff had no special privileges for dumping mattresses, etc.

No action was requested at this time

3.03 Election Update – Bill Jenkins, General Registrar

Mr. William "Bill" Jenkins, Sussex's General Registrar, gave a brief overview of the November 2020 Election update.

Mr. Jenkins stated that there was a total different way of voting this year. He stated that Virginia has 45 days of absentee voting. He stated the difference this year was, there was no more excuse which in essence made it early voting.

He stated 1,600 people voted in person in the Registrar's office. There were 721 voters by mail ballots. Ballots were counted the night of the election. Only two absentee ballots came in late by mail. There were a few provisional ballots when the voter didn't bring their ballot to the poll.

On the machine of 1,600, there were 143. There was 73% percentage voter turnout.

There were two (2) difference set ups to vote in the office. Sussex was one of the two drive through offices for voting in Virginia. Voting was safe for both workers and voters. Social distancing was in place.

Mr. Jenkins stated that the Registrar's office was running a poll and mailing absentee ballots at the same time.

Mr. Jenkins noted the comparison of by mail voting in 2016 and 2020. In 2016, there were 235 by mail votes. In 2020, there were 721 by mail votes.

The Board was provided a copy of Mr. Jenkin's update which included a 2016 Absentee Ballot report.

4. Public Hearing

4.01 CARES Act Funding Round 2

County Administrator Douglas stated that on July 28, 2020, the County was notified by the Secretary of Finance that it would receive its second and final allocation in Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020, Coronavirus Relief Funds in the amount of \$973,580.00. The total amount exceeds the 1% of total expenditures of the FY21 Adopted Budget requiring a public hearing and formal adoption by the governing body.

The County was also awarded broadband funding pursuant to the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) in the amount of \$469,151 for the Old Forty/Robinson Road Project.

A copy of the draft Resolution approving a Budget Amendment & Supplemental Appropriation for Federal Categorical Aid Received to Respond to the Coronavirus Pandemic and a copy of Advertisement were included in the Board packet.

Chair Seward opened the Public Hearing.

Public Comments

There were no public comments.

Chair Seward closed the Public Hearing.

Board Comments

There were no Board member comments.

Action on Public Hearing

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby accepts and appropriates the CARES Act funding, in the amount of \$1,442,731 and authorizes the Office of Management and Budget and the Finance Department to process the budget adjustment required for this appropriation, upon receipt of awards; and

FURTHER RESOLVED that the Board adopts resolution approving a Budget Amendment and Supplemental; to wit:

WHEREAS, the Sussex County Board of Supervisors adopted its original budget on June 18, 2020 for FY21, and

WHEREAS, the coronavirus pandemic was an unanticipated event for which response funds were not included, and

WHEREAS, federal categorical aid has been made available to assist the County in fighting the spread of coronavirus and ensuring the safety of its citizenry, and

WHEREAS, the appropriate advertisements and public hearings, as required by Section 15.2-2507 of the Code of Virginia, have been conducted; and

WHEREAS, the proposed operational expenditures are expected to be completed over fiscal year 2021;

NOW, THEREFORE, BE IT RESOLVED, that the Sussex County Board of Supervisors hereby approves and adopts the Fiscal Year 2021 budget amendment, and appropriates all funds as set forth in the amendment below:

GENERAL FUND

Revenues:

Federal Government \$1,442,731

Total Revenues

____1,442,731____

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Expenditures:

Public Safety \$ 1,442,731

Total Expenditures \$ 1,442,731 and

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

Voting nay: none

Abstained: Supervisor Tyler

5. Appointments

There were no appointments.

6. Action Items

6.01 Elderly/Disabled Real Property Tax Ordinance – Deste J. Cox, Treasurer

Ms. Deste Cox, the County Treasurer, presented information on a potential tax relief program for elderly and disabled persons.

This concept was presented to the Board of Supervisors in Spring 2020. At the request of Supervisor Johnson, it has been brought back to the Board. If the Board wishes to move forward with the ordinance, a public hearing will have to be advertised for the December regular meeting.

Ms. Cox stated that the ordinance would authorize 100% tax relief on the home and one acre of land that the home is located on for taxpayers 65 years of age or older or permanently and totally disabled to meet the requirements of the ordinance. Those requirements would be number one. The home will be the full residence of the taxpayer who is claiming the exemption. The gross household income will be less than \$25,000.00 which will include the owner and anyone living in the dwelling except for caregivers and tenants. The next requirement would be a gross financial worth of the owner and spouse of \$100,000.00, excluding the value of the dwelling and up to one acre upon which the dwelling is situated. The taxpayer will be required to file annually with the Commissioner of the Revenue, between January 1 and April 1, and maybe requested to provide any reasonable supporting documentation required by the Commissioner to verify income and financial worth.

Based on the survey provided to the Board in the Spring and the requirements of the \$25,000.00 and \$100,000.00, there will be approximately 193 taxpayers that will qualify. The revenue impact will be approximately \$70,000.00. Ms. Cox stated that the figures could change. The revenue impact could change based who qualifies and who does not qualify and the value of the land.

Particular issues that will need to be considered include an income threshold for the tax exemption and limitation on the amount of land to be exempted. The real estate must be owned by, and be occupied as the sole dwelling of someone at least 65 years of age.

A draft ordinance was prepared by the County Attorney and could serve as the basis for such a program. Also included for review is a resident survey and background information, including information on tax relief programs of surrounding counties.

County Attorney Gore noted to mention that the expected effective date would be for the 2022 tax year, which staff recommends due to the logistics of putting the program in place, having forms ready, educating the citizens, etc.

A copy of the draft Ordinance to Adopt a Tax Relief Program for Elderly & Disabled Persons and the survey and backing Information on Surrounding Counties Tax Relief Programs were included in the Board packet. It was noted that a revised draft Ordinance was provided to the Board members at the meeting.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby directs staff to move forward with holding a Public Hearing at its December 17, 2020 Board meeting to consider an Elderly/ Disabled Real Property Tax Ordinance. All Board members present voted aye.

6.02 CARES Act Broadband Grant Performance Agreement

County Administrator Douglas stated that for consideration is a CARES Act Broadband Grant Performance Agreement, prepared by the County Attorney, to be executed by the Board of Supervisors, Industrial Development Authority (IDA) Board of Directors, and PGEC Enterprises (PGECE).

Mr. Douglas noted that he had previously mentioned applying for the CARES Act Broadband Grant with PGEC Enterprises.

Sussex County was awarded a \$469,151.00 broadband grant by the Governor's Office on October 28. This agreement will allow PGECE to move forward with a broadband project to serve the Old Forty/Robinson Road area. PGECE will be required to complete this project by December 25th. It was noted that funds were already received.

This contract was considered by the IDA at a meeting held on November 18th in which the IDA approved the agreement contingent upon the Board of Supervisors' approval.

Mr. Casey Logan gave a brief overview of the project. Mr. Logan stated that broadband would be hooked up 45 homes and make it available to another 150 homes. He stated that the County Administrator worked with the Superintendent of Sussex County schools to see how many homes were in the area that served students going to school.

A copy of a revised draft CARES Act Broadband Performance Agreement for fiber to the home broadband expansion and the Sussex CRF Award letter, dated October 28, 2020 were provided to the Board.

ON MOTION OF SUPERVISOR W. JONES, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the CARES Act grant performance agreement with PGECE to install broadband infrastructure in the Old Forty/Robinson Road area PGEC Enterprises project. All Board members present voted aye.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby appropriates \$469,151.00 to the Industrial Development Authority Board of Directors for payment to PGEC Enterprises. All Board members present voted aye.

7. Citizens' Comments

- Jamica Giles (Waverly District) – Improvement Association.
- Zhanasia Shaw (Waverly District) – Improvement Association
- Frank Irving (Sussex Service Authority/Waverly District) – CARES ACT Funding for Utility Bills Relief.

ON MOTION OF SUPERVISOR W. JONES, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby directs staff to work with Sussex Service Authority to help get the application CARES ACT Funding completed by November 30, 2020. All Board members present voted aye.

8. Unfinished Business

There were no Unfinished Business.

9. New Business

There was no New Business.

10. Board Member Comments

10.01 Blackwater District – Gro52 Groundbreaking; trash tax.

10.02 Courthouse District – Resolution defunding police.

10.03 Henry District – none

10.04 Stony Creek District – Wished everyone a Happy Thanksgiving.

10.05 Wakefield District – VDOT drainage system in Wakefield (Virginia Diner); Happy Thanksgiving.

10.06 Waverly District – Wished everyone a Happy Thanksgiving; precautions of COVID-19.

11. Closed Session

There was no Closed Session.

12. Adjournment

12.01 Adjournment

ON MOTION OF SUPERVISOR W. JONES, seconded by SUPERVISOR TYLER and carried: RESOLVED that the November 19, 2020 regular meeting of the Sussex County Board of Supervisors hereby adjourned at 8:19 p.m. All Board members present voted aye.

12.02 Next Meeting

The next regular Board of Supervisors meeting will be held on Thursday, December 17, 2020 at 6 p.m.