

**At a Regular Meeting of the
Sussex County Board of Supervisors
Thursday, May 19, 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

STAFF PRESENT:

Richard Douglas, County Administrator
David Conmy, Deputy County Administrator
Jeff Gore, County Attorney
Ellen G. Boone, Commissioner of the Revenue
Debbie Broughton, Animal Services Director
Deste J. Cox, Treasurer
G. Reid Foster, Public Safety Coordinator
Will Hagy, Director of Social Services
Natachia Randles, Interim Director of Social Services
William Jenkins, General Registrar
Kelly W. Moore, Director of Finance
Michael Poarch, Planner
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

The May 19, 2022 regular 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 W. 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 under Item 3. Recognition as new Item 3.01 Check Presentation to Virginia Diner for AFID Grant Award, moving other items down.

Supervisor Fly requested to add under Item 3. Recognitions, as Item 3.08 Southeast 4-H Educational Center and under Item 6. Action Items, as Item 6.03 Crater Regional Workforce Development Board.

1.05 Approval of Regular 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 May 19, 2022 regular agenda inclusive of adding under Item 3. Recognitions, as new Item 3.01 Check Presentation to Virginia Diner for AFID Grant Award, moving other items down; adding as Item 3.08 Southeast 4-H Educational Center; and, adding under Item 6. Action Items, as Item 6.03 Crater Regional Workforce Development Board.

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

Voting nay: none

Absent during vote: Supervisors Futrell, Tyler

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 Consent agenda inclusive of the following: (a) April 21, 2022 regular Meeting minutes; (b) the Approval of Warrants and Vouchers; (c) the Treasurer's Report and Financial Update; (d) Departmental Reports; (e) Drug Testing Policy Amendment; (f) Proclamation: Elder Abuse Awareness 2022 Update; (g) Courthouse Fire Department Fill Station Budget Appropriation; and (h) AFID Grant –Virginia Diner.

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

Voting nay: none

Absent during vote: Supervisors Futrell, Tyler

Chair Seward noted that Supervisor Tyler was en route to meeting.

3. Recognitions/Awards/Presentation

3.01 Check Presentation to Virginia Diner for AFID Grant Award

County Administrator Douglas stated that Mr. Steve Jordan, the CFO of Virginia Diner, was in attendance. The Virginia Diner is in the process of an expansion project. The Commonwealth awarded the Virginia Diner the Agriculture and Forestry Industries Development (AFID) grant. As part of grant, the initial payment is funding from the Commonwealth. The check for the funding is being presented to Mr. Jordan.

Mr. Jordan stated that he was one of the shareholder of the Virginia Diner. He stated that he appreciated the grant. They could utilize the employment opportunities and continue to buy Virginia peanuts.

He provided an update of the status of the expansion of the process. He noted that the project has been in process for about a year. He advised that they were getting ready to move into the new building and the new office facility around June 1. The trailer park will be removed. Landscaping would be done in its place. There will be a new entrance sign and install a new access road. The warehouse will be expanded.

He noted that it was a three or four year grant process.

County Administrator Douglas thanked Deputy County Administrator Conmy and the Industrial Development Authority (IDA) Board of Directors for their assistance in the grant process.

The check was presented to Mr. Jordan by Chair Seward and Vice Chairman W. Jones

3.02 Town of Waverly Barks and Bubbles 5K Donation to Sussex Animal Services – Mayor Angela McPhaul

This item was presented at a later time in the meeting.

Mayor McPhaul presented a check, in the amount of \$3,000, to Sussex Animal Services from proceeds from the April 30, 2022 Town of Waverly annual Barks and Bubbles 5K.

Ms. Debbie Broughton, Animal Services Director, was present to receive the check. Funds will be used to purchase a van for spay and neutering the animals.

Mayor McPhaul stated that 19 banners of veterans will be displayed in the Town of Waverly. Eighteen families purchased banners. She stated that the Town of Waverly is having a reception May 25th at 6 p.m. at the Claremont Candle Company to honor their veterans. Everyone who purchased a flag are invited to speak about the person they are recognizing/honoring.

Board members were invited.

3.03 Resolution: Antioch Baptist Church

Supervisor Futrell entered at 6:16 p.m.

Chair Seward stated that a resolution recognizing Antioch Baptist Church in the Yale community on its upcoming 250th anniversary was being presented to representatives/members. The resolution reads as follows:

WHEREAS, Antioch Baptist Church was formed on June 13, 1772; and

WHEREAS, Antioch Baptist Church was the first church of its denomination in Sussex County, and one of the earliest in the Commonwealth of Virginia; and

WHEREAS, Antioch Baptist Church was founded with 87 members and Reverend John Meglamre serving as its first pastor from 1772 to 1794; and

WHEREAS, over the years an additional 57 individuals have served as pastor of Antioch Baptist Church; and in May 2020 Reverend Thomas E. Guess became the 58th pastor of Antioch Baptist Church; and

WHEREAS, Antioch Baptist Church is a significant landmark in Sussex County, and has been renovated and expanded over the years, to include a Sunday school building in 1949, parsonage in 1957, and vestibule in 1960; and

WHEREAS, Antioch Baptist Church has welcomed individuals from diverse backgrounds throughout its history, and built an enduring sense of community for several generations in Yale, Sussex County, and neighboring Southampton County; and

WHEREAS, Antioch Baptist Church has been an integral part of the Sussex County landscape for the past 250 years, shaping the spiritual lives of countless individuals past and present.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SUSSEX COUNTY that Antioch Baptist Church be commended for its enduring legacy over the past 250 years and significant role it has played and will continue to play in Sussex County.

The members of Antioch Baptist Church in attendance received

By general consensus, all Board members present adopted the resolution.

A copy of Antioch Baptist Church resolution was included in the Board packet.

3.04. Comments on Sussex County DSS Achievements under the Advisory Board Structure – Dr. Danny Avula (Commissioner of the Virginia Department of Social Services) and Peter Gezzi (Eastern Regional Director, Virginia Department of Social Services)

Dr. Danny Avula, the new appointed Commissioner of the Virginia Department of Social Services, and Mr. Peter Gezzi, Eastern Region Director, Virginia Department of Social Services were in attendance.

Dr. Avula provided comments on Sussex County DSS achievements that have occurred under the DSS advisory board structure in place since April 2021. These comments follow the letter shared at the April board meeting, which was included in Board packet for your information

Dr. Avula noted that it was a move that a handful of other localities has made that resulted in good outcomes. He noted that as a State they try to stay out of local business. They really exist, to

ideally, support and help provide some degree of federal dollars that come through the State and ultimately flow to the localities.

Dr. Avula discussed the letter including fiscal management. He noted identifying \$250,000 of outstanding CSA invoices and performance and process issues with CSA. He stated that he was in attendance to celebrate the progress in the new structure and improvement from a fiscal accountability standpoint and change in practice.

Mr. Peter Gezzi thanked the Board for supporting the local DSS department.

Agency structure, dangerous practices and accountability were items addressed in Dr. Avula's letter, dated April 15, 2022.

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

3.05 Sussex County – Advanced Assistance – Localized Drainage Study (Wakefield) Grant Award and Summary, Donna Pletch (VDEM) and Lester Lowe (The Wooten Company)

County Administrator Douglas stated that Mr. Lester Lowe, the Wooten Company, was in attend and Ms. Donna Pletcher, VDEM, were in attendance to discuss the Advanced Assistance – Localized Drainage Study (Wakefield) Grant Award and Summary. VDEM submitted the application to FEMA for the grant to study the area for issues that are causing the flooding and a solution.

County Administrator Douglas stated that a budget resolution will be provided for the board's consideration once the exact amount of funding is determined to account for these grant funds.

Ms. Donna Pletch, VDEM, present the Advanced Assistance—Localized Drainage Study Grant award for the Wakefield drainage project. Sussex County is receiving a \$131,500 grant through the VDEM Hazard Mitigation Grant Program to study the drainage basin within/near the Town of Wakefield, and to identify recommendations for improvements that address drainage issues (eligible for additional VDEM/FEMA assistance). A 25 percent local match is required for this project, approved by the board in September 2021 and to be split with the Town of Wakefield; however, VDEM has indicated that Sussex County is likely eligible for 90 percent federal funding.

She noted that it was a pilot program for VDEM. She stated that \$31,000 would be the match by the County. She stated FEMA changed their formula the week prior from 75/25 percent match to a 90/10 match in which some of the match may come the State. The County may not have a match. She stated that she can not guarantee it. She's waiting information in writing.

Mr. Lester Lowe with the Wooten Company will provide a brief summary of the project tasks, to include additional work to be provided by the US Army Corps of Engineers under a technical assistance grant. The Wooten Company will serve as the engineer for this project, under its general services agreement with the County.

Mr. Lowe reviewed the study area on the map provided. He noted that Wooten would review the results of the survey to identify where the problems are, what are the sewer issues—which in turn will determine how much it costs. He discussed video work by the Virginia Diner that would be done. He stated that he was expecting the project to take 6 to 8 months for completion.

Mr. Lowe provided an update on the maintenance project. He stated that there would be no studies. It basically cleaning out debris and downed trees, tires, etc. Phase I is from Railroad street to Railroad tresses of where the two contributories come together. Most water comes together there.

Copies of grant letter from Virginia Department of Emergency Management (VDEM), dated March 9, 2022 and documents were included in the Board packet.

A copy of the Drain Study and map of study area were provided to the Board.

Supervisor Tyler entered at 6:36 p.m.

3.06 Sussex Mega Site Water Supply Alternatives Analysis – Joe Hines, Timmons Group

This item was presented at a later time in the meeting.

Mr. Joe Hines with Timmons Group will present a short summary of the recently completed Sussex Mega Site Water Supply Alternatives Analysis. This project was completed on behalf of Virginia's Gateway Region with a Go Virginia grant (and small county match), in response to a lack of water supply for the mega site. From several alternatives considered, a joint venture with Prince George County to provide surface water (Appomattox River) to the mega site is the recommended option, at a cost of approximately \$66 million. The board needs to decide in the near future if it wishes to pursue this recommendation and consider a regional cost-sharing approach to the water system improvements and mega site.

Mr. Hines stated that the Mega Site has been shown to several prospect in the last several years, but seems to fall just short. He stated that the reason for falling short is that lack of water to serve that site.

Mr. Hines stated that the background for the study was how to water could be provided to the Mega Site. He noted that Mega Site is a strategic site within the Virginia Economic Development Partnership's inventory. There are consistently three sites which concerns for other major prospects that comes through Virginia which are Danville Berry Hill Mega Site, the Emporia MAMaC site and the Sussex Mega Site. 1:32

The reviewed previous projects that have considered the Sussex Mega Site. He noted that US 460 was a unique corridor. The Mega Site is located between two MSAs. When you look at Sussex Mega Site when compared to the region The Port of Virginia is expected to grow three times over the next 20-30 years. He stated that the wind market is starting to develop and mature. He stated there are three ways to get out of the Port of Virginia—I64, Routes 460 and 58.

He review regional alternatives. The original scope items are trying to provide finished water to the sites. He stated that they come from a couple of different locations—Suffolk and Petersburg with Route 460 in the middle. The question is where can the County get the current accessible water to the site from an unknown provider who has a more viable source of water than we do in groundwater. He stated that they also considered additional raw water alternatives including looking at Greensville County reservoir in Jarratt which is about 35 miles away, as well Lake Gaston Pipeline which is 31 miles away—which are significant distances that the County has to try to overcome. He stated that water was needed up and down corridor as the port grows.

He stated that this project has the potential of significant regional impact. Mr. Hines reviewed different alternatives. He reviewed the average daily demand. He stated that Project Glove required 1.8 million gallons a day. The high demand was set at 2 million gallons a day. They considered other sites along the corridor and came up with an ultimate demand of 3 million gallons a day.

Mr. Hines briefly reviewed finished water alignment alternatives. They are roughly 15 miles from Prince George and Petersburg. He stated what is needed about 1/10 of the time is a system with ground pipeline along Route 460 and essentially tie to the two systems together with relatively five miles of pipeline. The County could have this with three systems-Sussex, Prince George and Petersburg. Then, left with alternatives of following Route 460 and following the power line.

Mr. Hines stated the resources that the County has, the GIS system, environmental impact, and Desktop view were factored in to an ultimate cost and recommendation.

In, Sussex Mega-Site Water Supply needs to be a Regional Water Solution that will benefit multiple localities along the US 460 Corridor. It needs to balance short-term need for major economic development prospects with long-term needs for the US 460 Corridor. The County needs to pursue potential Regional partnering opportunities such as partnering with Prince George County for development of Regional Water System; the City of Petersburg for Temporary Water Usage while developing Prince George Water System;; and evaluate Potential Ownership Structures/Regional Water Authority. The County needs to pursue funding for development of Regional Water System along this Corridor. The US 460 Corridor is a key strategic economic development corridor that should eventually connect water systems from Isle of Wight / Suffolk to Petersburg/Prince George.

County Administrator Douglas stated that discussion of amongst of county administrators and city managers in the region of economic development of whether all or some of the communities would invest in the system so that there would be co-ownership of all the investing communities as another funding solution.

There was discussion of DEQ Withdrawal Permit and the loss of capacity.

A copy of the Report Summary was included in the Board packet. A video was shown of the

3.07 Proposed Landfill Inspection Program Summary – Sandy Warner, CHA

Ms. Sandy Warner stated that she had been with CHA for 20 years. She has with the company as an environmental professional. She is a certified geologist in the state of Virginia. She's done a wide variety of solid waste compliance and permitting. Ms. Warner serves on the Board of Southwest Virginia Solid Waste Management Association.

Ms. Warner presented a summary of a proposed landfill inspection program, which would take the place of housing 1-2 county inspectors at the WM landfill. As indicated on the attached task order, CHA will conduct one or two inspections per year of the facility, similar to an inspection by Virginia DEQ, and provide any findings to county staff as needed. This work would be completed by CHA under its general services agreement with the county.

It was requested to have at least one unannounced inspection. There was inquiry of training.

A copy of the CHA Task Order was included in the Board packet.

3.08 Southeast 4-H Education Center

Supervisor Fly stated that he wanted to step out of his role of Board of Supervisors member to Interim Director at the Southeast 4-H Education Center.

Mr. Fly stated that the youth generation is being lost to multiple causes. However, the pandemic has created an opportunity for Sussex County. He stated that the 4-H Center has been somewhat opened to the public. It had to reduced commercial revenue to stay open. During the pandemic, the commercial revenue disappeared. With things reopening, the 4-H Center needs to reestablish that commercial income. Or, the 4-H could make the space, time, resource, personnel and facility available to the County. It could be used for adults as a physical and mental health facility that citizens can use.

Mr. Fly stated that the County could use the facility for a youth program. If the County has an interest, he stated that someone could make a motion authorizing the County Administrator to work with the 4-H Center to develop a mental health program for the County to be funded by the County and housed at the 4-H Center.

County Administrator Douglas stated that there had been some thought on this and that ARPA funds would be utilized. It would be a two-year pilot project. There had some discussion with Surry and Southampton Counties to share but hasn't pursued in depth if it's not the pleasure of the Board. 52:55

There were general discussions of programs, facilities and buildings usage and rentals. There was discussion of duplicating programs and youth issues.

There was discussion of using resources to set up different/certain programs at the 4-H Center or in different areas of the County.

There was inquiry as to table this project to allow the different organizations to participate in discussions of options of possible usage. It was suggested that the

It was suggested that outside organizations (??) establish a committee and schedule a date for those interested to attend to express the interests/opinions and bring that information back to the Board of Supervisors.

There was a motion made by Supervisor Tyler, seconded by Supervisor Futrell, establish a committee, open to Board members, set up a committee and schedule a meeting date to receive comments/recommendations on what they have to offer and bring information back to the Board for action at Special meeting. Supervisor Tyler withdrew his motion; Supervisor Futrell withdrew his second to the motion.

Supervisor Fly stated that if the Board didn't on the front side, they could not get in. The facility would be available to anyone in Sussex County to use.

County Administrator Douglas stated that due to possible rescheduling of the June regular meeting any further out in July would eliminate the use of funding 1:15

County Administrator Douglas and Deputy County Administrator Conmy were tasked with scheduling the meeting. After discussion, a Special meeting was scheduled for May 26, 2022 at 3:00 p.m. for outside organizations comments regarding Southeast 4-H Education Center.

4. Public Hearing

4.01 FY22-23 Operating Budget and Tax Rates

County Administrator Douglas stated that the budget was received in April. He noted that the County was looking at tax rate of forty-eight cents (48¢) per 100 which is a reduction from fifty-eight cents (58¢) per 100 and maintaining personal tax rate of \$4.85.

County Administrator Douglas stated that he would be glad to answer any questions regarding the budget part of the Public Hearing and to gather any public input on specific budget items and or the rates which will allow the Board to move forward with the process of adopting the budget at the Board's Special meeting on June 2, 2022.

Chair Seward opened the Public Hearing on the proposed FY22-23 operating budget and tax rates.

There was public comment from:

- William Ricks (SCYARA) – Made the disclaimer that he was not stating who should get money or to try to keep anyone from getting money (funding). Should be consideration for all organizations who providing services of some sort to the County's youth; Commended Supervisors Tyler and Futrell for realizing to do something now would be too soon; recreation meeting time; ask to consider meeting time; recreation; allocations to groups; ARPA funds.

Chair Seward closed the Public Hearing.

There were no Board comments.

There was no action on this item.

The budget message and public hearing notice were included in the Board packet.

4.02 Ordinance to Adopt Updated Building Code Fee Schedule

County Administrator Douglas stated that public hearing has been scheduled and advertised to consider an ordinance to amend the county building code fee schedule. The proposed changes were presented by the Building Official to the Board at the recent budget work session dedicated to revenue and fees. The proposed fees match those proposed for Surry County in consideration of our joint building services program and provide for slight revenue increases.

Chair Seward opened the Public Hearing.

There was no Public comments.

Chair Seward closed the Public Hearing.

Board comment was heard from Chair Seward noting that there was a Solar Permit Schedule.

Staff recommends approval of the proposed Building Code Fee Schedule Ordinance.

The Building code fee schedule ordinance and public hearing notice were included in the Board packet.

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts the Updated Building Code Fee Schedule Ordinance, to-wit:

Whereas, the County incurs significant costs administering and enforcing the Uniform Statewide Building Code; and

Whereas, pursuant to § 36-105 of the Code of Virginia, the County may impose reasonable fees for the issuance of building permits and for enforcement of the Building Code in order to defray County's the costs to administer its program; and

Whereas, the Board of Supervisors desires to update its Building Code fee schedule in accordance with state law; and

Whereas, this Ordinance was properly advertised, as required by § 15.2-1427 of the Code of Virginia, and a public hearing has been conducted.

Now Therefore, Be it Ordained, by the Sussex County Board of Supervisors, that the proposed Building Code Fee Schedule as incorporated herein as an Exhibit, is hereby adopted and shall be effective as of July 1, 2022; and

Be it further Ordained, that this Ordinance repeals and replaces in the entirety all prior ordinances, actions, and approvals as it relates to the fees set out herein.

Adopted by the Board of Supervisors this 19th day of May, 2022.

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

Voting nay: none

4.03 Ordinance to Adopt Updated Planning Fee Schedule

County Administrator Douglas stated that Planning and Zoning staff has conducted a review of its fee schedule in accordance with state law and recommends the proposed fees commensurate with services rendered to review plats and site/construction plans, conduct inspections, issue permits, advertise notices, process appeals or amendments thereto and other expenses incidental to the administration of the subdivision, zoning and erosion and sediment control ordinances. The proposed fees are scheduled to be effective July 1, 2022.

Chair Seward opened the Public Hearing.

There were no public comments.

Chair Seward closed the public hearing.

There were no Board comments.

Staff recommends adoption of the updated planning and zoning fees as drafted.

The draft Ordinance to Adopt Updated Planning & Zoning Permit Fees and copy of Advertisements were included in the Board packet.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR FUTRELL and carried:
RESOLVED that the Sussex County Board of Supervisors hereby adopts the updated Planning & Zoning Permit Fees Ordinance, to-wit:

Whereas, the County incurs significant costs administering and enforcing its subdivision and zoning regulations; and

Whereas, pursuant to § 15.2-2241 of the Code of Virginia, the County may impose reasonable fees and charges for the review of plats and plans, and for the inspection of facilities required to be installed by the subdivision and erosion and sediment control ordinances; and

Whereas, such fees and charges shall not exceed an amount commensurate with the services rendered taking into consideration the time, skill and administrator's expense involved; and

Whereas, pursuant to § 15.2-2286 of the Code of Virginia the County may impose fees to cover the cost of making inspections, issuing permits, advertising of notices and other expenses incidental to the administration of the zoning ordinance or to the filing or processing of any appeal or amendment thereto; and

Whereas, the Board of Supervisors desires to update its planning and zoning fee schedules in accordance with state law; and

Whereas, this Ordinance was properly advertised, and a public hearing has been conducted as required by § 15.2-2204 of the Code of Virginia.

Now Therefore, be it Ordained, by the Sussex County Board of Supervisors, that the following proposed planning and zoning fee schedules are hereby adopted and shall be effective as of July 1, 2022:

Application Type		
	Current Fee	Proposed Fee
Conditional/ Special Use Permit	\$500 Cell Tower: \$5,000 Amendment: \$300	Basic: \$1,000 +\$50/ac Cell Tower: \$5,000 Renewable Energy Project: \$5,000 Amendment/Renewal: Basic: \$1,000 Cell Tower/Renewable Energy Project: \$5,000
Rezoning/ Text Amendment	Rezoning Amendment: Base: \$500 A-1: +0/ac RR, RE: +\$20/ac R1: +\$30/ac B1, B2, B3: +40/ac I1, I2: +\$50/ac PUD/MHP: +\$60/ac	Rezoning to A-1: \$500 +\$50/acre Rezoning to Residential for up to 5 lots w/ no new road: \$500 +\$50 per lot

	Text Amendment: \$500	Rezoning for all others: \$1,500 +\$50/ac Conditional Amendment: \$1,500 Text Amendment: \$3,000/section
Variance/ Appeal	\$600	\$600
Zoning Permit	\$75	\$75
Subdivision	BLA/Family Member: \$50 Minor (5 or less lots): \$100 +\$10/lot Major (More than 5 lots): \$300 +\$10/lot	BLA: \$100 Minor (up to 5 lots w/ no new road): \$100 +\$50/lot Major (6+ lots): Preliminary/Final: \$500 +50/lot Construction Plan: \$2,000 +\$50/lot
Site Plan/ Land Disturbance Permit	\$500 +\$10/ac Cell Tower Antenna Co-location: \$2,000 Land Disturbance: \$300 +\$10/ac	Basic: \$750 +\$20 ac Cell Tower Antenna Co-location/Equipment Upgrade: \$2,000 Renewable Energy Project: \$2,000 +\$20/ac Erosion & Sediment Control Plan: \$600 +\$20/ac Land Disturbance Permit: \$300 +20/ac
Solar Energy 2232 Review	\$250	\$500 Appeal \$500

Zoning Compliance Letter	\$25	\$50
E911 Address	\$10	\$25

Be it further Ordained, that this ordinance repeals and replaces in the entirety all prior ordinances, actions, and approvals as it relates to the fees set out herein.

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

Voting nay: none

4.04 Conditional Use Permit Application #2022-01 Creekside Materials, LLC – Stockyard, Applicant

Mr. Michael Poarch, Planner, provided the staff report for Conditional Use Permit Application #22-02 Creekside Materials, LLC, Stockyard, Applicant.

The subject property is located on the south side of Route 40 (Sussex Drive) directly at the intersection of Rt. 657 (Palestine Road) and Route 1213 (Parham Lane). The zoning is General Agriculture, A-1, in the Stony Creek Election District.

The existing conditions of the site, the property is surrounded by forestry and agricultural lands with the exception of being adjacent to AA Gibbs Lumber Company and the Sussex County Convenience Center. Currently the property has some remnants of old structure on the property—two metal storage buildings with fencing along the street. A communication tower is also located on the rear of the property.

Mr. Poarch stated that Creekside Materials, LLC is established by Mr. Charles Parrish. Creekside Materials, LLC is a material distributor/broker for resources of rock and stone in various sizes for use in municipal, commercial, residential and highway projects. Hours of operation will be Monday through Friday, from 8:00 a.m. to 4:00 p.m. The projected traffic flow includes 2-3 tractor truck loads per day. Creekside Material anticipates employing between 2-5 employees.

No additional improvements are proposed at this time.

The applicant is seeking a Conditional Use Permit to operate a materials sorting facility for stones and rocks on a 10.125-acre parcel. The proposed facility will use the site for stockpiling inventory to be sorted and bagged and sold in bulk for wholesale and retail use.

insert

The Planning Commission held a public hearing on the application on April 4, 2022 and recommended approval contingent upon the following conditions:

- An entrance shall be established in accordance with VDOT standards.
- Stockpiles shall be properly maintained and the use of best management practices shall be implemented.
- Any future building improvements to the site will require site plan review.

Chair Seward opened the Public Hearing.

Public comments were heard from Mr. Woody Parrish, President of Stony Creekside, LLC and the applicant.

Chair Seward closed the Public Hearing.

Copies of the staff report, copy of application and advertisements were included in the Board packet.

ON MOTION OF SUPERVISOR W. JONES, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors approves Conditional Use Permit #2022-01, Creekside Materials, LLC, applicant contingent upon the following conditions: An entrance shall be established in accordance with VDOT standards; Stockpiles shall be properly maintained and the use of best management practices shall be implemented; and, any future building improvements to the site will require site plan review.

All Board members present voted aye.

4.05 Proposed Truck Restriction Routes (Rowanty, Zion, Railroad Bed)

County Administrator Douglas stated that Prince George County has initiated a process with VDOT to restrict through truck traffic on three roads paralleling I-95. These three roads (Route 637 – Railroad Bed Road; Route 638 – Zion Road; and Route 623 – Rowanty Road) extend North from Cabin Point Road in Sussex County into Prince George County. Prince George County initiated a process to restrict no through truck traffic on these three roads.

Chair Seward opened the Public Hearing.

There were no Public comments.

There were no Board comments.

Chair Seward closed the Public Hearing.

Maps of the proposed truck restricted roads; resolutions Route 637 – Railroad Bed Road; Through Truck Restriction Route 638 – Zion Road; and Route 623 – Rowanty Road) were included in the Board packet.

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts resolution for each road restricting through truck traffic, to-wit:

Whereas, large truck traffic is a concern for citizen traveling on Railroad Bed Road (Route 637) in Sussex County and Log Road (Route 637) in Prince George County; and

Whereas, Railroad Bed/Log Road (Route 637) in Sussex and Prince George Counties; is a narrow, unmarked, two lane road, with narrow shoulders; and

Whereas, a through truck restriction is requested for the well-being and safety of the community and traveling public in both localities; and

Whereas, a more suitable alternate route exists from Cabin Point Road (Route 602) to I-95 in Sussex County and from Courtland Road (Route 35) to I-95 in Prince George County; and

Whereas, Sussex County will use its offices for enforcement of the restriction by the appropriate law enforcement agency; and

Whereas, the Sussex County Board of Supervisors, will too open this to public comment at their May Board of Supervisors meeting; and

Whereas, should, after hearing all comments, the Sussex County Board determine they no longer support this restriction, Sussex County will, by resolution, rescind this request as void due to the necessity of the alternate route within the limits of Sussex County;

Whereas, large truck traffic is a concern for citizen traveling on Zion Road (Route 638) from Cabin Point Road (Route 602) in Sussex County to Lansing Road (Route 631) in Prince George County; and

Whereas, Zion Road is a narrow two lane, unmarked, rural route with narrow shoulders, winding and sweeping curves; and

Whereas, a through truck restriction is requested for the well-being and safety of the community and traveling public in both Sussex and Prince George Counties; and

Whereas, a more suitable alternate route exists from Cabin Point Road (Route 602) to I-95 in Sussex County and from Templeton Road (Route 638) to Courtland Road (Route 35) to I-95 in Prince George County; and

Whereas, Sussex County will use its offices for enforcement of the restriction by the appropriate law enforcement agency; and

Whereas, the Sussex County Board of Supervisors will open this to public comment at their May Board of Supervisors meeting; and

Whereas, should, after hearing all comments, the Sussex County Board determine they no longer support this restriction, Sussex County will, by resolution, rescind this request as void due to the necessity of the alternate route within the limits of Sussex County;

Whereas, large truck traffic is a concern for citizen traveling on Rowanty Road (Route 623) in Sussex and Prince George Counties; and

Whereas, Rowanty Road (Route 623) in Sussex and Prince George Counties is a narrow two lane road, with narrow shoulders, winding and sweeping curves; and

Whereas, a through truck restriction is requested for the well-being and safety of the community and traveling public in both localities; and

Whereas, a more suitable alternate route exists from Cabin Point Road (Route 602) to I-95 in Sussex County; and

Whereas, Sussex County will use its offices for enforcement of the restriction by the appropriate law enforcement agency; and

Whereas, the Sussex County Board of Supervisors will open this to public comment at their May Board of Supervisors meeting; and

Whereas, should, after hearing all comments, the Sussex County Board determine they no longer support this restriction, Sussex County will, by resolution, rescind this request as void due to the necessity of the alternate route within the limits of Sussex County;

NOW THEREFORE BE IT RESOLVED, that the Sussex County Board of Supervisors requests the Virginia Department of Transportation to implement a through truck restriction on Zion Road (Route 638) between and Cabin Point Road (Route 602) in Sussex County and Lansing Road (Route 631) in Prince George County.

All Board members present voted aye.

4.06 Ordinance to Adopt Updated Animal Shelter and Animal Control Fees and Penalties

A public hearing has been scheduled and advertised to consider proposed changes to animal services fee schedule and civil penalties, as proposed by the Animal Services Director at the recent budget work session dedicated to revenue/fees. These proposed fee and civil penalty increases reflect increased operational costs.

Staff recommends approval of proposed animal services fee/civil penalty ordinance amendment

Ordinance Amendment and Public Hearing Notice were included in the Board packet.

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts proposed Animal Shelter and Animal Control Ordinance Staff recommends approval of proposed animal services fee/civil penalty ordinance amendment, to-wit:

Whereas, the County incurs significant costs administering and enforcing animal welfare laws and operating and maintaining a public animal shelter; and

Whereas, due to the rise in costs associated with enforcement of state mandated Care of Companion Animals laws (Virginia Code Section 3.2-6503), County Animal Control has proposed several areas where current charges could be raised to help offset those increased costs, and areas where increase penalties could be increased to help to improve compliance; and

Whereas, County Animal Control has also proposed decreasing adoption fees to improve adoption rates for shelter animals; and

Whereas, pursuant to § 3.2-6500 et seq., of the Code of Virginia, the County may impose reasonable fees and charges, and civil penalties as set out herein; and

Whereas, this Ordinance was properly advertised, as required by § 15.2-1427 of the Code of Virginia, and a public hearing was held prior to adoption.

Now Therefore, Be it Ordained, by the Sussex County Board of Supervisors, that the following proposed animal shelter and animal control fee and civil penalty schedules are hereby adopted and shall be effective as of July 1, 2022:

Fee Schedule

The following schedule of charges shall apply for animals confined by the animal control officer; the amount of the fees shall be set by the board of supervisors by ordinance.

<u>Service</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Euthanasia/Burial	.00	As Vet Charges
Pickup	\$25.00	\$25.00
Adoption	\$100.00	\$50 Canine \$25 Feline
Daily Shelter Fee	\$5.00	\$12.00 per day
Quarantine fee plus daily shelter	.00	\$12.00 per day
Owner Surrender Fee	\$25.00 per animal	\$25.00 per animal

Exception to Owner Surrender Fee \$0.00 \$0.00
 For hunters retiring hunting dogs

Civil Penalties for failure to Display of County License:

Current:Proposed:	
First Offense	\$20.00\$50.00
Second offense	\$30.00\$100.00
Third and subsequent offense	\$40.00\$150.00

Civil Penalties for failure to have current rabies vaccination:

	Current:	Proposed:
First Offense	\$30.00	\$50.00
Second offense	\$45.00	\$100.00
Third and subsequent offense	\$60.00	\$200.00

Annual County License fee (no changes from current fees)

7.00 for individual

35.00 for 20 dog kennel

50.00 for 50 dog kennel

Breeders fee	Private owner	\$100 per animal for 1 breeding per year
Breeders fee	Breeding for profit	\$150.00 per animal for 1 breeding per year
Penalties for breeding without a license	Private Owner	\$100.00
Penalties for Breeding for profit		\$ 500.00

Unless otherwise specifically provided, a violation of any provision of this chapter shall constitute a class 4 misdemeanor.

Be it further Ordained, that this ordinance repeals and replaces in the entirety all prior ordinances, resolutions, actions, and approvals as related to the fees and penalties set out herein.
Voting aye: Supervisors Fly, Futrell, D. Jones, W. Jones, Seward, Tyler
Voting nay: none

5. Appointments

5.01 Appointment to the Industrial Development Authority (IDA) Board of Directors

County Administrator Douglas stated that Mr. Ronnie Crowder notified staff that he has resigned from the Industrial Development Authority Board of Directors. An appointment will need to be made to fill this unexpired term. This unexpired term will end May 15, 2023.

It was noted that this appointment was in the Stony Creek District.

A copy of the IDA Roster and IDA By Laws were included in the Board packet.

5.02. Appointment to the Crater Regional Area Agency on Aging

County Administrator Douglas stated that this item was tabled from previous Board of Supervisors regular meetings agenda. At the April Board meeting, Supervisor Futrell requested to be appointed to fill the unexpired term on Crater District Area Agency on Aging (CDAAA) Board due to Ms. Burgess resigning. The Board appointed Supervisor Futrell contingent upon staff confirming the eligibility of a Board member serving in this capacity.

Staff spoke with Dr. Harold Sayles, Executive Director of CDAAA Advisory Council. Dr. Sayles stated that a Board member could be appointed; however, it wasn't CDAAA's preference. He stated that his first choice and recommendation would be to appoint the Sheriff. Dr. Sayles stated that Sheriffs from neighboring localities serve on the Board. The County could replicate the programs of these localities.

Staff has spoken with Supervisor Futrell, as well as Sheriff Giles. Sheriff Giles is willing to serve on the CDAAA board if appointed.

For informational purpose, the Crater District Area Agencies on Aging are local aging programs that provide information and services on a range of assistance for older adults who those care for them. By contacting your local agency, you get access to critical information including: (1) Available service in your area; (2) Mobility assistance programs, meal plans & housing; (3) Assistance in gaining access to services; (4) Individual counseling, support groups and caregiver training; (5) Respite care; and (6) Supplemental services, on a limited basis. (Information provided from website.)

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby appoints Sheriff Giles to fill the vacancy for the unexpired term, ending December 31, 2022 on the Crater District Area Agency on Aging Board of Directors. All Board members present voted aye.

5.03 Appointment to the Blackwater Regional Library

County Administration received notification from Mr. Ben Neal, the Blackwater Regional Library Director, that the first term of Ms. Ora Briggs on the library's Board of Trustees as Sussex County's member, is due to June 30, 2022.

Mr. Neal advised that Ms. Briggs is willing to continue to serve if reappointed. If reappointed, her term will expire June 30, 2026.

A copy of Mr. Ben Neal's Letter, dated March 23, 2022, was included in the Board packet.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR D. JONES and carried; RESOLVED that the Sussex County Board of Supervisors hereby reappoints Ms. Jessica Moore to the Blackwater Regional Library Board of Trustees for a second term expiring, June 30, 2025. All Board members present voted aye.

6.01 Updated Sussex County Emergency Operation Plan – Reid Foster, Public Safety Coordinator

Public Safety Coordinator Reid Foster provided a brief summary of the updated Sussex County Emergency Operations Plan (EOP), as required by VDEM. The primary changes relate to housing animals, COVID sheltering requirements, and using the Airfield 4-H Center as an additional shelter (the Public Safety Coordinator's memo is attached for your information).

Mr. Foster stated that there are three major changes in the plan:

- Sheltering

With the new COVID guidelines, a third of the capacity was lost for sheltering. The process has started to have VDEM to administer training for the new guidelines.

- Animal Shelter

Ms. Debbie Broughton, Director of Animal Services, reviewed the EOP and discovered that some of the new State laws were not included.

- Southeast 4-H Education Center

The Southeast 4-H Education Center was added as another shelter. Mr. Foster stated that he, Ms. Donna Pletcher and Amanda Weaver from VDEM outlined how the Center will be used in an emergency. Even if a camp is in process, there are gymnasiums and large areas that can be used for shelter.

One of the main challenges is training with COVID which is one of the biggest responsibilities of the Department of Social Services.

Mr. Foster anticipates having plan complete within the month.

The Sussex Central High School and the 4-H Center are the two shelters for the County.

There was inquiry of Galilee Church being a shelter. Mr. Foster stated that the current DOT doesn't list Galilee Church as a shelter.

It was noted that without adoption of the EOP, the County could not receive funding.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the updated Emergency Operation Plan. All Board members present voted aye.

6.02 Sussex County Courthouse Fire Marshal Inspection Corrective Action Plan – Jeff Gary (Director of Public Works) and Reid Foster

Public Works Director Jeff Gary and Public Safety Coordinator Reid Foster will present a proposed corrective action plan for courthouse repairs/improvements, as a result of the recent Fire Marshal inspection (attached for your information). The inspection deficiencies identified by the Fire Marshal were briefly discussed at the April board meeting, and included the appropriation request for door replacement. Since then, some improvements have been completed by staff, and ways to address other deficiencies have been identified.

Mr. Jeff Gary, Director of Public Works, reviewed line by line that the Fire Marshal written up. the corrective action plan to include replacement of **five or fire doors** are damaged and has to be replaced for the amount of \$129,945. Fire alarm is not on a regular inspection detail. The last inspection was in 2017. He stated that there was a contract that had been updated for wireless system installed by Johnson Control. They are waiting for two parts to begin installation. A contract was signed for this installation. The fire alarm is currently in trouble mode. Fire watch is recommended when the building is occupied.

Sheriff Giles and Mr. Foster developed a plan that has been approved by the State Fire Marshal to satisfy the need of the fire watch when the building is occupied. The sprinkler system has not been on a regular inspection detail. The last inspection was November 6, 2019. The responsive fire system was inspected May 10. The inspection was passed; however, several deficiencies were noted. FSC, who completed the inspection, their service provided a quote of \$3,089.73. One of the exit lights was out. Exit lights are very bad throughout the building. Several light fixtures will be replaced.

Mr. Gary discussed sprinkler heads in the bay area. Mr. Gary reviewed audio equipment in upper and lower court. Mobile Equipment of America provided a quote to replacement the equipment in the amount of \$13,828.28. Fire extinguishers are needed throughout the entire building

Mr. Foster stated that he met with Chief Wyatt Cox. He noted that one of the things the Chief Fire Marshal wanted staff to look at is how the sprinkler system is connected to the fire hydrant. He

stated that a recommendation was made to the County administrator to get at least one or two more fire hydrants—one where the road crosses and possibly on the other end. He stated that the Fire Marshal wanted documentation that the fire department had trained on this system which is set up for June 7 for the Courthouse Fire Department. He noted that other buildings needed to be inspected.

County Administrator Douglas stated that one issue is that there's only one well. He also noted that, with the exception of the water improvements—there isn't a price—he believes everything could be accommodated with existing funds.

Staff requests that board approve the proposed plan, which will be shared with Judge Tomko. Budget appropriations to fund work items identified in the plan may be brought to the board in the next few months.

Mr. Gary provided a handout with attachments and quotes.

Staff recommends approval of Courthouse corrective plan as presented.

A copy of the Fire Marshal inspection letter was included in the Board packet.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Courthouse corrective plan for the courts as presented.

6.03 Crater Regional Workforce Development Board

Supervisor Fly stated that he represents the County on the Crater Regional Workforce Development Board. He stated that two months ago when recommended not paying disallowable costs. There is new staff. The old staff is gone. The Board is operating very well. He recommends that the Sussex County pays its share..

Supervisor Fly made a motion to pay the Crater Regional Workforce Development Board not to exceed \$3,000. He didn't have the exact amount. He withdrew his motion.

7. Citizens' Comments

- Marcia Drewry (Wakefield District/Chamber of Commerce) – Rumor of lumber company sold land to solar farm; where is solar farm is located.
- Jesse Hellyer (Waverly District) – Support 4-H Center opportunity; thanked those who participated in Cinco de Mayo; thanked Waverly mayor and Sussex's Sheriff's department; Chamber of Commerce; Jackson Walking Trail; Scholarship presentation; June 11th 35 Mile yard sale (Schultz Lawnscapes); ribbon cutting at Pino's reopening.
- Leah Brantley (Courthouse District) – Meeting at John Randolph Foundation (Strategic Survey) and partnership with 4-H Center; Business advisory boards and sessions.
- Kevin Bracy (Courthouse District) – Support 4-H Center

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 – none

10.03 Henry District – Improvement Association partnered with Dominion to implement the energy share program for Sussex County. Will be provide service for free for Dominion. Service families going through crisis despite their income; Head .Start Transition Ceremony – Chair Seward will be speaking on June 9th; VDOT situation in Jarratt (wheelchair person).

10.04 Stony Creek District – none

10.05 Wakefield District – none.

10.06 Waverly District – Public Safety surplus vehicles in Waverly; Inquired about update on van for medical transport;

11. Closed Session

There was no Closed Session.

12. Adjournment

12.01 Adjournment

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the May 19, 2022 regular meeting of the Sussex County Board of Supervisors hereby adjourned at 10:18 p.m. All Board members present voted aye.

12.02 Next Meeting

The next regular Board of Supervisors meeting will be held on Thursday, July 21, 2022 at 6 p.m.

