

**At a Regular Meeting of the
Sussex County Board of Supervisors
Held in the General District Courtroom on
Thursday, August 18, 2022 at 6 pm**

BOARD MEMBERS PRESENT

C. Eric Fly, Sr.
A. G. Futrell
Debbie P. Jones
Wayne O. Jones
Susan M. Seward
Steve White, Tie Breaker (Virtual)

BOARD MEMBER ABSENT

Rufus E. Tyler, Sr.

STAFF PRESENT:

Richard Douglas, County Administrator
David Conmy, Deputy County Administrator
Danielle Powell, County Attorney
Ellen G. Boone, Commissioner of the Revenue
Deste J. Cox, Treasurer
Ernest Giles, Sheriff
Kelly W. Moore, Finance Director
Michael Poarch, Planner
Beverly Walkup, Planning Director
Gary Williams, Circuit Court Clerk
Regina Sykes, Commonwealth's Attorney Office
Shilton R. Butts, Assistant to the County Administrator/
Deputy Clerk to the Board of Supervisors

1. Commencement

1.01 Call to Order/Determine Quorum (6:18 p.m.)

The August 18, 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 Fly.

1.03 The Pledge of Allegiance

The Pledge of Allegiance was recited by all.

1.04 Agenda Amendments

Supervisor Futrell requested to add under Item 11. Closed Session, as Item 11.01 Personnel. County Attorney Powell advised that more specific information needed to be provided prior to entering Closed Session.

Supervisor Futrell requested to add under Item 5. Appointments, as Item 5.03 Appointment to the Crater District Area Agency on Aging.

1.05 Approval of Regular Agenda

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the August 18, 2022 regular agenda inclusive of adding under Item 5. Appointments, as Item 5.03 Appointment to the Crater District Area Agency on Aging and adding under Item 11. Closed Session as 11.01 Personnel. All Board members present voted aye.

2. Approval of Consent Agenda

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Consent agenda inclusive of the following: (a) July 28, 2022 Rescheduled Regular Meeting minutes; (b) the Approval of Warrants and Vouchers; (c) the Treasurer's Report and Financial Update; (d) Departmental Reports; (e) Victims Witness Program Overage Budget Amendment; (f) Sheriff – Compensation Board Compression Raises; (g) DMV-Select ADA Compliance Project Budget Amendment; (h) Animal Services Donation Budget Amendment; (i) Crater Regional Hazard Mitigation Plan; (j) Drug Forfeiture/Dare/Sheriff Donations FYE22; (k) BOS Regular Meeting Rescheduled to September 13, 2022 – 6 p.m.; and (l) General Registrar ADA Compliance Project Budget Amendment. All Board members present voted aye.

3. Recognitions/Awards/Presentation

3.01 Sussex County Treasurer's Office Accreditation

Staff received notice of the press release acknowledging the Sussex Treasurer's office achieved accreditation from the Treasurers' Association of Virginia (TAV) for 2022.

Ms. Deste Cox, Treasurer, wanted to acknowledge her staff and show her appreciation. Ms. Cox noted that the Treasurer's office received their accreditation on June 13, 2022. A brief overview of the program was provided.

The Office Accreditation program is a voluntary professional certificate program overseen by the Treasurers' Association of Virginia. Seventy-five treasurer's offices received accreditation this year.

While it is not required for any treasurer's office to be accredited, receiving accreditation acknowledges that the office meets the statewide best practices for performance in treasury management.

As part of the accreditation process, offices must successfully pass an outside audit with no findings of material weakness.

The rigorous accreditation process also requires proof of continuing education such as attendance of an ethics course by the treasurer (or a principal officer) and educational requirements for all staff. Accredited offices are required to have written policies in place addressing areas such as personnel, customer service, and delinquent collections.

These offices have met the highest standards of excellence and integrity measured by our association," says Treasurers' Association President Dinah Babb. "We are proud of the 75 offices which received accreditation this year and the hard work and dedication it took for each of them to achieve this recognition."

A copy of the Press Release received from the Treasurers' Association of Virginia recognizing the Treasurer's office achieving accreditation was included in the Board packet.

3.02 Richard Bland College of William & Mary Update

Terelle Robinson, Associate Director of Government Relations for Richard Bland College (RBC) of William & Mary, requested to provide the Board of Supervisors with an update on the college, to include student demographics, vision/values, higher education trends, new partnerships, and programs. RBC was established in 1960 and is a two year college.

Mr. Robinson gave an "At A Glance" overview of Richard Bland. It included the 18,000 Alumni worldwide to include their financial aid awarded. Information was noted on the Global Student Success Program; the future of higher education; the declining of U.S. student enrollment; and high school students earning dual enrollment. Mr. Robinson also noted RBC's partnership with Virginia State University and Virginia Wesleyan University. Tuition and Fees comparison were provided fall three colleges. RBC launched the first Federation for Advanced Manufacturing Education (FAME) chapter in Virginia.

RBC has started work on a master plan that will utilize 185 acres of campus property to develop a Public-Private Partnership Innovation Park (P3iP). The College is charting a destiny for connecting highly capable student to exceptional regional jobs and beyond.

A copy of the PowerPoint presentation was included in the Board packet.

3.03 Sussex County Fiscal Capacity Analysis

David Rose and Roland Kooch of Davenport & Company, the financial advisor for Sussex County, presented a completed county fiscal capacity analysis. This analysis was given to provide guidance to the Board of Supervisors on decisions related to capital projects that will require debt service in

the future, as well as provide the basis for considering financial policies and assist in future budgeting and fiscal decisions by the Board of Supervisors and staff.++

As Financial Advisor to Sussex County (the “County”), Davenport & Company LLC (“Davenport”) was requested to provide an overview of the County’s existing debt profile which incorporates both tax supported debt and lease obligations; analyze the county’s potential debt capacity and debt affordability; develop a preliminary multi-year funding strategy for the county’s identified capital investment needs; and provide a preliminary strategy with respect to economic development through a Regional Industrial Facilities Approach (RIFA).

Also, based on the County’s existing debt profile provide a preliminary estimate of the revenues needed to fund the identified future capital needs and/or other potential obligations.

Existing tax supported debt of the General Fund, debt capacity assessment, peers comparatives, existing tax supported debt service vs. total budget, current real estate tax rates, Unassigned Fund balance were discussed.

The available fund balance and the ability to pay new debt (debt affordability) were reviewed as well. Debt affordability using it for the Master Lease Program (New Fire/EMS Vehicles) were reviewed.

Capital Investments needs were reviewed that were factored into the Debt Affordability Analysis. The County has preliminarily identified approximately \$52.0 million of potential new projects over the FY23 through FY30 time frame for new equipment (funded via Master Lease Program and Current Debt Analysis); county facilities; and utilities.

Multi-Year funding strategy were reviewed for the new equipment, county facilities and utilities.

Different preliminary results scenarios of cash flow with or without Capital Reserve Fund (CRF) for County projects were reviewed. Two detailed cash flows of preliminary result scenarios for the County Debt were reviewed for: County and Utility projects with or without Capital Reserve Fund (CRF).

A copy of the presentation were provided to the Board members.

4. Public Hearing

4.01 AA Gibbs Lumber Yard Conditional Use Permit (CUP) #2022-03

Mr. Michael Poarch, Planner, provided the staff report.

The applicant seeks a Conditional Use Permit (CUP) to expand and upgrade operations for an existing sawmill. The existing facility was established prior to the adoption of the current zoning ordinance regulations, which were revised January 1, 2008 to require a CUP for a sawmill. As a result, the revision made the facility a legal non-conforming use and in order to expand the use a CUP is now required.

The location for the sawmill is on tax parcel 67-A-38 which consist of 9.46 acres. The property sits on the boundary of the Town of Stony Creek and Sussex County. To the north, it is adjacent to the Stony Creek Convenience Center, the Town of Stony Creek, and agricultural lands. To the south, there is mostly forested lands. To the west, it is adjacent to a recently approved rock bagging and sorting facility. To the east, the property is adjacent to a cemetery and CSX Railroad.

The Planning Commission conducted a public hearing on the application on August 1, 2022 and recommended approval to the Board of Supervisors, subject to the following conditions:

- Any part of the existing facility that cannot be utilized, shall be removed and disposed of off-site.
- Stockpiles of sawdust and wood chips shall not be maintained on the property due to environmental and fire hazard concerns. Any sawdust and/or wood chips shall be disposed of within an appropriate timeframe of 90 days.
- Implement proper measures to minimize the amount of sawdust off-site such as a dust collection collector system to reduce the potential of air pollution.
- The site shall provide a toilet facility for men and women, handwashing stations, and potable water available for its employees prior to full operation.
- Provide vegetative buffer/screening between the cemetery and sawmill.
- Any future building improvements to the site will require site plan review.
- Provide a vegetative buffer adjacent to the existing cemetery.

Chair Seward opened the Public Hearing.

Public comments were heard from Leah Brantley (Courthouse District) regarding traffic clarification.

Chair Seward closed the Public Hearing.

Board member comments were heard from Chair Seward, Supervisor D. Jones and Supervisor Futrell.

DEQ stormwater permits, air permits and well.as were discussed.

Mr. Gonzales answered questions regarding the mill and kilns.

The owner of the lumber company was not present; however, his representative was present.

The CUP application #2022-03, Statement Letter, property record, site survey exhibit and photo of the applicant's current facility were provided to the Board members.

Planning was requested to do due diligence regarding stormwater and air permits. Ms. Walkup explained that if the Board approved, once they get to the site plan part of the process, this will be reviewed by DEQ.

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that Sussex County Board of Supervisors approved Conditional Use Permit #2022-03, AA Gibbs Lumber Yard, applicant, contingent upon the following conditions:

- Any part of the existing facility that cannot be utilized, shall be removed and disposed of off-site.
- Stockpiles of sawdust and wood chips shall not be maintained on the property due to environmental and fire hazard concerns. Any sawdust and/or wood chips shall be disposed of within an appropriate timeframe of 90 days.
- Implement proper measures to minimize the amount of sawdust off-site such as a dust collection collector system to reduce the potential of air pollution.
- The site shall provide a toilet facility for men and women, handwashing stations, and potable water available for its employees prior to full operation.
- Provide vegetative buffer/screening between the cemetery and sawmill.
- Any future building improvements to the site will require site plan review.

All Board members present voted aye.

4.02. Apprenticeship School Conditional Use Permit #2022-02, IUOE Local 147 Joint Apprenticeship & Training Program, Applicant

Mr. Michael Poarch provided the staff reported.

The applicant is seeking a Conditional Use Permit (CUP) to expand an existing training facility, which trains heavy equipment operators and crane operators through a 4-year state registered apprenticeship program. The existing facility was established prior to the adoption of the current zoning ordinance regulations, which were revised January 1, 2008 to require a CUP for a private school and training facility. As a result, the revision made the facility a legal non-conforming use and in order to expand the use a CUP is now required.

The location for the training facility is on tax parcel 24-A-1 consisting of approximately 27 acres. The property is bordered by overhead transmission lines, forested, and agricultural lands on the northern side of the property. To the south, there are few residential properties, but mostly forested and agricultural land. To the west, there are mostly forested and agricultural lands. To the east, there are several residential properties.

The applicant has been in operation and registered, with the Commonwealth of Virginia, as a private, non-profit organization to provide educational training to persons within the construction industry since 1966. The facility usually conducts most of its training on one or two weekends out of each month. However, the facility is making a shift to having sessions throughout the week once a month. The existing facility was erected in 2006 prior to the adoption of the current zoning ordinance which was revised on January 1, 2008 to require a Conditional Use Permit for this use. As a result of this revision, it made the facility a legal non-conforming use. In order for IUOE Apprenticeship Program to add a building expansion, the land use must conform to the current zoning regulations.

The applicant is requesting a conditional use permit to expand an existing training facility on a 27-acre lot. The plans are to build a new 4,000 square foot building for additional classroom space. The existing training facility consists of a 5,122 square foot building which includes a classroom and a shop. The training areas are placed on the southern portion of the site away from the transmission lines that run along the northern side.

The Planning Commission conducted a public hearing on the application on August 1, 2022 and recommended approval to the Board of Supervisors, subject to the following conditions that any future building improvements to the site will require site plan review.

Chair Seward opened the Public Hearing.

The Conditional Use Permit #2022-02 application, concept plan, statement letter, description of the property, copy of deed, photo of the applicant's current facility, and public comments received via email from Dr. Cupp and Robin Mah were included in the Board packet.

The chairman and manager were present and gave a brief presentation.

Public Comments were heard from Leon Dillard and Kelly Kruschel.

Chair Seward closed the Public Hearing.

Comments were heard from Vice Chairman W. Jones.

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves Apprentice School Conditional Use Permit #2022-02, IUOE Local 147 Joint Apprenticeship & Training Program, Applicant, with the condition that any future building improvements to the site will require site plan review.

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

Voting nay: none

Abstained: Supervisor Seward

Absent: Supervisor Tyler

4.03 Zoning Amendment (Permitted and Conditional Uses) Ordinance Amendment #2022-02, Appendix II, General Agricultural (A-1) District

Ms. Beverly Walkup provided the staff report.

The proposed Zoning Ordinance Amendment #2022-02 to Amend and Reenact the Article II, General Agricultural District (A-1) .

Ordinance Amendment #2022-02: An Ordinance to Amend and Reenact the following section of the Sussex County Code, Appendix B, Zoning: Article II, General Agricultural District (A-1) including certain uses to be considered under Conditional Use Permit, clarifying the regulations

for garage apartments, and adding provisions for consideration of increased height provisions for industrial uses/structures granted by conditional use permit.

The proposed amendment is to the General Agricultural (A-1) zoning district regulations to allow the following amendments:

- 1) Amend certain “permitted uses” to be allowed as a “conditional use” including:
 - a. Lodges, cabins, groups of cabins, camps, and travel trailers for seasonal occupancy
 - b. Hunt clubs, fishing clubs, yacht clubs and small boats docks (with repair)
 - c. Sporting clays field and pistol range

These uses have the potential to pose a nuisance to surrounding residential uses, and can be difficult to regulate. Requiring a conditional use means the use will only be permitted after careful examination and under certain conditions as may be determined in each case during a public hearing by the Board of Supervisors following a recommendation from the Planning Commission.

- 2) Clarify regulations for a garage apartment to allow the option for a “detached” garage apartment in addition to currently allowing them “within or attached” to the primary residence. The amendment will allow a "detached" garage apartment provided that 50% of the structure is for storage. This provision will be in addition to the current regulations that:
 - a) limit a garage apartment to no more than two (2) rooms plus a kitchenette and bathroom;
 - b) the owner must reside in the single-family residence; and
 - c) the garage apartment shall not be offered to the general public for rent and the use of which shall be limited to either members of the principal owner's family or to domestic servants/caretakers employed by the owner.
- 3) Add provisions for consideration of increased height above 35’ for industrial uses granted as a conditional use in the A-1 zoning district. The provision will allow industrial uses granted as a conditional use in the A-I zone to achieve a height increase equivalent to that which is allowed in the industrial zoning districts. The height increase may be granted pending approval by the Zoning Administrator, or as a condition granted during the public hearing by the Board of Supervisors following a recommendation from the Planning Commission.
- 4) Formatting and other minor edits/clarifications.

Chair Seward opened the Public Hearing.

Public comments were heard from Leah Brantley.

Chair Seward closed the Public Hearing.

Board comments were heard from Supervisors Fly, D. Jones, W. Jones and Futrell.

The Planning Commission conducted a public hearing on the amendment on August 1, 2022 and recommended approval to the Board of Supervisors.

The Zoning Ordinance Amendment #2022-03 was included in the Board packet.

ON MOTION OF SUPERVISOR D. JONES, seconded by W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approved A-1 Zoning Amendment (Permitted and Conditional Uses) Ordinance Amendment #2022-02.

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

Voting nay: Supervisor Fly

Absent: Supervisor Tyler

4.04 Small Area Plans

Ms. Beverly Walkup, Director of Planning & Zoning, provided the staff report.

The 5-year review of the Comprehensive Plan consisted of developing Small Area Plans of each of the County's six (6) planning areas as designated by the 2004-2005 Comprehensive Plan. The Planning Commission conducted two (2) work sessions to review the small area plans and held a public hearing on June 6, 2022. The Planning Commission recommended adoption of the plans to the Board of Supervisors on July 11, 2022.

The Planning Commission and Board of Supervisors deemed it necessary in its five-year review of the Comprehensive Plan to conduct an interdependent planning strategy for each of the County's six (6) planning areas as designated by the 2004-2005 Comprehensive Plan. This effort was coordinated by The Berkley Group and included citizen input via surveys documenting community priorities for improving public and community services in the County with respect to existing development patterns and/or infrastructure (such as roads, water, sewer, stormwater).

In response to citizen input, The Berkley Group developed Small Area Plans for each of the planning areas listed below, including a new small area plan for the Rural Planning Area. These small area plans are attached for the Board's review and consideration as amendments to the 2004-2005 Comprehensive Plan, as revised.

They are as follows: Jarratt, Stony Creek, Wakefield, Sussex Courthouse, Waverly, and Rural Area.

Staff and the Planning Commission conducted two (2) work sessions to review the small area plans, as well as each Commissioner was charged to review the plan relevant to the district represented. At Commission's direction, staff also provided select copies of the plan to each town encompassed by the planning area. Staff offered to make presentations to each of the towns. The Town of Wakefield requested a presentation to which staff responded and presented at the June 13, 2022 Town Council meeting.

Chair Seward opened the Public Hearing.

There were no Public Comments.

Chair Seward closed the Public Hearing.

There were no Board comments.

Staff recommended conducting the Public Hearing for consideration and adoption of the Small Area Plans, entitled Jarratt Small Area Plan, Stony Creek Small Area Plan, Sussex Courthouse Small Area Plan, Wakefield Small Area Plan, Waverly Small Area Plan, and the Rural Area Small Area Plan

The resolution for the Board adoption, Planning Commission Resolution and Small Area Plans were included in the Board packet.

ON MOTION OF SUPERVISOR D. JONES, seconded by W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts Resolution #2022-97 of the Sussex County Board of Supervisors recommending adoption of the small area plans;

WHEREAS, the Board of Supervisors of Sussex County, Virginia adopted the 2004-2005 Comprehensive Plan on October 20, 2005; and

WHEREAS, the Board of Supervisors amended the Comprehensive Plan on April 2, 2019 to address utility-scale solar facilities; and

WHEREAS, the Board of Supervisors amended the Comprehensive Plan on February 17, 2022 adopting proposed modifications in further consideration of solar and battery storage facilities; and

WHEREAS, the County Planning Commission and Board of Supervisors deemed it necessary in its current five-year review of the Comprehensive Plan of Sussex County, Virginia to conduct an interdependent planning strategy for each of the County's six (6) planning areas as designated by the 2004-2005 Comprehensive Plan, namely Jarratt, Stony Creek, Sussex Courthouse, Homeville/Wakefield, Blackwater/Newville/Waverly, and Rural areas; and

WHEREAS, each planning area represents a diverse development pattern and natural and manmade development constraints; and

WHEREAS, citizen participation was provided via a series of interviews with the public and stakeholders; and

WHEREAS, on June 6, 2022 the Sussex County Planning Commission conducted a public hearing on the proposed small area plans and determined that the adoption of a small area plan for each of the designated planning areas as appendices to the Comprehensive Plan is necessary and appropriate to further guide growth and development in the designated areas.

WHEREAS, at its meeting on July 11, 2022 the Sussex County Planning Commission recommended that the Board of Supervisors review and adopt the small area plans as appendices

to the Sussex County Comprehensive Plan in accordance with the Code of Virginia Sections 15.2-2204 and 15.2-2229.

NOW, THERFORE, BE IT RESOLVED, that the Board of Supervisors of Sussex County adopt the six (6) Small Area Plans, entitled Jarratt Small Area Plan, Stony Creek Small Area Plan, Sussex Courthouse Small Area Plan, Wakefield Small Area Plan, Waverly Small Area Plan, and the Rural Area Small Area Plan, and dated August 2021, as appendices to the Sussex County Comprehensive Plan.

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

Voting nay: none

Absent: Supervisor Tyler

4.05 Use of 2022 ARPA Funds

County Administrator Douglas stated that a public hearing has been scheduled to receive any public comments regarding Sussex County's second allocation of American Rescue Plan Act (ARPA) funds, totaling \$1,083,752.50.

County Administrator Douglas reviewed the schedule included in the Board packet which identified the current use of these funds, totaling \$748,950 (including \$500,000 previously committed as a grant match for the County broadband project). Computer upgrades for most of the County offices are included in the amount of \$50,000. Preliminary Architectural Feasibility study for the Courthouse project in the amount \$48,950. Monies in the amount of \$150,000 are included for various campus projects.

Chair Seward opened the Public Hearing.

Public Comments were heard from Mr. Millard "Pete" Stith in the capacity of the Interim Director for the Education Center and Community Coalition Center in Jarratt. He discussed the two fundraisers that they were creating in Jarratt. Invited Board to Back to School.

He suggested dividing \$300,000 between the each districts to bring County programs. Discussed creating Parks & Recreation Director by using five percent of the \$300,000.

Chair Seward closed the Public Hearing.

There were no Board comments.

County Administrator Douglas included a minor amendment for \$20,000 for additional Courthouse sprinkler system/fire improvements.

A budget amendment is also attached for your consideration after the conclusion of the public hearing, to amend the FY23 operating budget to account for these funds.

Staff recommends approval of the ARPA schedule and budget resolution.

The ARPA schedule and ARPA budget resolution were included in the Board packet.

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the ARPA schedule and Budget Resolution #22-99 FY23 Budget Amendment; and

BE IT RESOLVED by the Sussex County Board of Supervisors that the following budget amendment be and hereby is made for the period of July 1, 2022 through June 30, 2023. This resolution will amend the budget to approve and appropriate funds for the second tranche of ARPA projects. Fund #100 General Fund:

REVENUE: Fund 100 Federal Revenue, American Rescue Plan Act \$1,083,752.50
Total Revenues - \$1,083,752.50

EXPENDITURE: Fund 100 \$1,083,752.50-
Total Expenditures \$1,083,752.50

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

Voting nay: Supervisor Futrell

Absent: Supervisor Tyler

5. Appointments

5.01 Appointment to the Board of Equalization

Mr. Parham was recommended for nomination of appointment to the Board of Equalization at the Board's March 2022 regular meeting. Mr. Parham advised staff that due to his busy schedule and school reopening, he would not be able to serve on the Board. County Administrator Douglas stated that a recommendation for appointment was needed as soon as possible due to this resignation.

Staff contacted Ms. Leah Brantley regarding being recommended for nomination to the Board of Equalization. Ms. Brantley has over 40+ years' experience in banking and finance. Mr. Brantley was in agreement for recommendation for nomination to the Board of Equalization.

A copy of Ms. Brantley's application and a copy of § 58.1-3374 Appointments and §58.1-3374 Qualifications of members; vacancies were 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 recommends Ms. Leah Brantley, 9531 Jerusalem Plank Road, Waverly, VA 23890, for nomination for appointment by the Circuit Court Judge to the Board of Equalization. All Board members present voted aye.

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

There was discussion of tabling this item to possibly restructure in the likeness of the Planning Commission due to the change from six districts to seven districts.

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

This item was tabled.

5.03 Appointment to the Crater District Area Agency on Aging

The item was added during the agenda amendments. Previously Sheriff Giles was appointed to the Crater District Area Agency on Aging. Supervisor Futrell stated that Sheriff Giles was unable to serve on the CDAAA. As a result, he was requesting to serve on the Crater District Area Agency on Aging.

ON MOTION OF SUPERVISOR D. JONES, seconded by W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby appoints Supervisor Futrell to the Crater District Area Agency on Aging. All Board members present voted aye.

6. Action Items

6.01 Voting Precinct Ordinance

The Board of Supervisors recently adopted new voting districts by ordinance, but staff has recently learned that voting precinct boundaries must be provided to the Virginia Board of Elections. Only three of the seven new districts contain more than one voting precinct (two precincts in each district)—Courthouse, Blackwater, and the new Yale District. Since it is not a requirement to apportion the population in each precinct, staff recommends that major roads be used to divide these three voting districts, specifically Routes 40 and 35, as indicated on the attached map. Staff recommends approval of the voting precinct ordinance so that it can be forwarded to the Virginia Department of Elections.

County Administrator Douglas thanked Jay Ruffa with the Planning Commission. County Attorney Powell thanked staff as well.

County Attorney Powell noted that the ordinance had not been revised, just the boundaries had been revised. Adopting at this meeting did effect the election districts.

County Administrator Douglas noted that there were no polling districts change.

Staff recommends approval of the voting precinct ordinance so that it can be forwarded to the Virginia Department of Elections.

Copies of Draft Ordinance and Map 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 emergency voting

precinct ordinance to establish precinct boundaries for election districts 3, 6 and 7 and to reaffirm precinct boundaries for election districts 1, 2, 4 and 5;

Whereas, on April 21, 2022, the Board of Supervisors of Sussex County, Virginia adopted AN ORDINANCE TO PROVIDE FOR THE APPORTIONMENT OF MEMBERS OF SUSSEX COUNTY'S BOARD OF SUPERVISORS AND SCHOOL BOARD: TO ESTABLISH BOUNDARY LINES OF THE ELECTION DISTRICTS: TO NAME EACH ELECTION DISTRICT AND TO ESTABLISH PRECINCTS AND POLLING PLACES, which is the County's "2022 Decennial Redistricting Plan"; and

Whereas, the 2022 Decennial Redistricting Plan established the polling places for each of the seven election districts; and

Whereas, the County is required to establish by ordinance clear boundaries for each election precinct pursuant to Virginia Code § 24.2-307; and

Whereas, for election districts 1, 2, 4 and 5, there is only a single precinct in each district, which therefore has the same boundaries as the corresponding election district, as previously adopted and as shown in the 2022 Decennial Redistricting Plan; and

Whereas, the 2022 Decennial Redistricting Plan established two precincts for each of election districts 3, 6 and 7 and designated two polling places for each of these districts; and

Whereas, the 2022 Decennial Redistricting Plan did not, however, establish the precinct boundaries for the precincts in these three election districts.

Now Therefore, BE IT ORDAINED by the Board of Supervisors of Sussex County, Virginia that the precinct boundaries for the three election districts that have multiple precincts (election districts 3 – Courthouse, 6 - Blackwater and 7 - Yale) are hereby established as more particularly described and shown in **Exhibit A**, which is attached hereto and incorporated herein.

Be it Further Ordained and Reaffirmed as previously adopted, that for election districts 1, 2, 4 and 5, there is only a single precinct in each district, which has the same boundary as the corresponding election district, as shown in the 2022 Decennial Redistricting Plan; and

Be it Further Ordained that this Ordinance is effective immediately upon adoption on an emergency basis due to the fact that precinct boundaries must established at least 60 days in advance of the next general elections and time is therefore of the essence to ensure County compliance with state election laws and to ensure the Sussex County General Registrar and Virginia Department of Elections have the necessary precinct boundary information to proceed with informing voters, preparing ballots and otherwise preparing for the 2022 General Election; and

Be it Further Ordained, that the County Administrator is hereby directed to submit this Ordinance for public notice and to place it on the agenda for the next regularly scheduled Board

of Supervisors meeting on September 13, 2022, for re-adoption since an ordinance adopted on an emergency basis can only remain in effect for 60 days pursuant to Virginia Code § 15.2-1427.

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

Voting nay: none

Absent: Supervisor Tyler

7. Citizens' Comments

- Kelly Kruschel (Wakefield District) – Sewer problems on property; County codes.
- Deste Cox (Treasurer) – Displayed the new DMV Select Sign.

8. Unfinished Business

There was no Unfinished Business.

9. New Business

9.01 Planning Commission Structure

There was discussion on decreasing Planning Commission from approximately 14 members to a membership of 9 having a representative from each district with two at-large positions with representation from anywhere in the County.

County Administrator Douglas stated that he had spoken with Sussex Service Authority in the regards to their representation on the Planning Commission. He stated that it was recommended that this position be in a non-voting capacity.

There was clarification of the Sussex Service Authority (SSA). It was noted that the Planning Commission members are paid. If the SSA position becomes a non-voting position, there is a question of whether the member would be paid. There was discussion whether the SSA position be a non-voting position or a review agency.

The County Administrator recommended holding a Public Hearing and or advertising.

There was general consensus by the Board to move forward.

10. Board Member Comments

10.01 Blackwater District – Requested to hear Dr. Jarrett on SOL in comparison to neighbors and to share where Sussex County is on SOLs.

10.02 Courthouse District – none

10.03 Henry District – absent

10.04 Stony Creek District – Thanked Sheriff Dept. and Fire and Rescue for their services on National Night Out in Stony. Great turn out.

10.05 Wakefield District – Thanked Sheriff Dept. and all who supported on the National Night Out held in Wakefield August 2nd.

10.06 Waverly District – Thanked the Planning Department along with the Waverly residents.

11. Closed Session

11.01 Convene to Closed Session

Supervisor Futrell requested a Closed Session in regards to Personnel during agenda amendments; however, he withdrew the item. There was no Closed Session.

12. Adjournment

12.01 Adjournment

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the August 18, 2022 regular meeting of the Sussex County Board of Supervisors hereby adjourned at 10:15 p.m. All Board members present voted aye.

12.02 Next Meeting

The next regular Board of Supervisors meeting has rescheduled to be held Tuesday, September 13, 2022 at 6 p.m.