

**At a Regular Meeting of the
Sussex County Board of Supervisors
Held in the General District Courtroom on
Thursday, May 18, 2023 at 6 pm**

BOARD MEMBERS PRESENT

C. Eric Fly, Sr.
Alfred G. Futrell
Debbie P. Jones
Wayne O. Jones (Virtual)
Susan B. Seward
Rufus E. Tyler, Sr.
Steve White, Tie Breaker

STAFF PRESENT:

Richard Douglas, County Administrator
David Conmy, Deputy County Administrator/
Economic Development Director
Danielle Powell, County Attorney
Deste J. Cox, Treasurer
Eric Danuser, IT Manager (Virtual)
Ernest Giles, Sheriff
Kelly W. Moore, Finance Director
Michael Poarch, Planner
Tawana Toran, Dept. of Social Services Director
Beverly Walkup, Planning Director
Shilton R. Butts, Asst. to the County Administrator/
Clerk to the Board of Supervisors

1. Commencement

On behalf of the Board of Supervisors, Chairman W. Jones thanked and expressed the County's appreciation to Sheriff Giles and the Sheriff's Department in recognition of Officer Appreciation Week.

1.01 Call to Order/Determine Quorum

Chairman W. Jones called the May 18, 2023 regular meeting of the Sussex County Board of Supervisors to order.

1.02 The Invocation

Vice Chair Seward offered the Invocation.

1.03 The Pledge of Allegiance

The Pledge of Allegiance was recited by all.

1.04. Agenda Amendments

There was no agenda amendment.

1.05. Approval of Regular Agenda

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the May 18, 2023 regular agenda as presented. All Board members present voted aye.

2. Approval of Consent Agenda

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Consent agenda inclusive of the following: (a) March 30 Special and April 20, 2023 regular Board of Supervisors Meeting minutes; (b) the Approval of Warrants and Vouchers; (c) the Treasurer's Report and Financial Update; (d) Departmental Reports; and (e) Animal Services and Emergency Services Budget Amendments. All Board members present voted aye.

3. Recognitions/Awards/Presentation

3.01 RESOLUTION: Retired Lieutenant James J. Shanko, III

Sheriff Giles contacted Administration and requested recognition of Lieutenant James Shanko on his retirement on March 1, 2023 after 30 years of service with the Sheriff's Department.

The Sheriff's Department, his co-workers, the Board, and County Administration expressed their appreciation and extended their congratulations to Mr. Shanko.

Mr. Shanko was in attendance to receive a plaque presented to him by Sheriff Giles, as well as a Resolution from the Board of Supervisors.

By general consensus, the following resolution was presented to Mr. James J. Shanko, III, to-wit:

WHEREAS, James J. Shanko, III, began his employment with the Sussex County Sheriff's Office on January 1, 1993 as a Jailor under Sheriff E. S. Kitchen, Jr; and

WHEREAS, He was promoted on July 1, 2003 to Corporal; and

WHEREAS, shortly thereafter, he was promoted to Sergeant on July 1, 2004, with both promotions being under Sheriff E. E. Kitchen, Jr.; and

WHEREAS, he held the rank of Sergeant until January 1, 2020, when he was promoted to Lieutenant under Sheriff E. L. Giles, Sr.; and

WHEREAS, Lieutenant Shanko served as the Secretary for the Virginia Correctional Association (VCA); AND

WHEREAS, after thirty years of dedicated service under three Sheriffs—Sheriff E. S. Kitchen, Jr, the late Sheriff R. R. Bell and Sheriff E. L, Giles, Sr.; James J. Shanko, III retired as a Lieutenant on March 1, 2023

BE IT RESOLVED that the Sussex County Board of Supervisors hereby recognizes and congratulates Mr. James J. Shanko, III on his retirement and wishes him the best in his future endeavors.

NOW, THEREFORE BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the minutes of this Board meeting this 18th day of May, 2023.

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

302 PRESENTATION: VDOT Sussex 2024 Proposed Secondary Six Year Plan

Jerry Kee with VDOT was in attendance and presented the Sussex County 2024 Proposed Secondary Six Year Plan. Because less than \$100,000 of new funds are included, a Public Hearing was not required unless the Board wishes to advertise for a Public Hearing at the June meeting. Based on input from the Board, staff will prepare a resolution adopting this plan for consideration at the June regular meeting.

Mr. Kee stated that this year's Budget Plan for 2024 in Telecommunication Fees was \$28,406. District Grant Unpaved Money, which is used only for unpaved roads was \$63,801, for a total of \$92,207.

On the Priority List, Route 735 was re-scoped to look at the curve at Antioch. In regards to Glyndon and Carver Lanes, the final piece of equipment was received to finish the paving hopefully in the next 30 days.

Route 609, Butts Road, was where the unpaved road money was located. Should be able to complete by the Summer once the July funding is received.

There was inquiry about the portable roundabout on Route 35. Mr. Kee stated that it about fell through the crack; however, the portable roundtable had been approved through SmartScales. However, it would probably be about four years out.

He stated that the roundabout was approved. He stated there would be adjustment to some of the signage.

Mr. Kee explained the temporary process.

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

3.03 Overview of the Waverly RNG Project

Robert Beaman with Troutman Pepper and Ryan Childress with Align RNG provided a brief overview of the Waverly Renewable Natural Gas Align Project. This was a joint venture between Dominion Energy and Smithfield Foods to construct an underground pipeline traversing Sussex, Surry, Isle of Wight, and Southampton Counties to transport captured methane gas from hog waste lagoons to a central conditioning facility in Surry County.

The overview was for information only.

A copy of staff memo was included in the Board packet.

3.04 Overview of the Virginia Port Authority

Deputy County Administrator David Conmy introduced Thomas Cross, Director of State and Local Government Affairs for the Virginia Port Authority.

Mr. Cross provided a brief overview of the Port of Virginia and its importance in attracting economic development opportunities to Sussex County.

Virginia Port Authority extended an invitation for representatives of Sussex County to tour the Port of Virginia on September 8th from 11:30 a.m. to 1 p.m.

3.05 Introduction of the New Department of Social Services (DSS) Director

The County Administrator formally introduced Ms. Tawana Toran as the new Director of Social Services, effective May 16th. Ms. Toran came to Sussex DSS from Dinwiddie DSS, where she served as Benefits Supervisor. She previously served in different roles with Chesterfield DSS, including Administrative Supervisor.

County Administrator Douglas stated that the County was fortunate to gain an individual with DSS supervisory experience and a skill set that can lead Sussex DSS and its employees in a positive direction.

Ms. Toran stated that she was happy to be with the County and was excited about the opportunity. She noted that in her three days with County, she found some things that needed to be worked on in DSS. She would be progressively working.

The Board welcomed Ms. Toran aboard.

4. Public Hearings

4.01 Countywide Broadband Grant Award Budget

County Administrator Douglas stated that he considers this a technicality. Due to the grant award exceeding one percent of the county's current operating budget, a public hearing must be held on the broadband grant received through VATI/DHCD in 2021 that will achieve universal broadband coverage for Sussex County.

A public hearing has been advertised to consider public comments on the broadband grant award/budget. As a reminder, the County has committed \$500,000 in ARPA funds as a local match to the DHCD grant award of \$4,896,892. The Cameron Foundation has committed \$500,000 to the project, with PGEC/Ruralband covering the balance of the project costs (\$678,571).
Recommendation:

No action is required at the conclusion of the public hearing. A copy of the Notice of Public Hearing was included in the Board packet.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby opens the Public Hearing on the Countywide Broadband Grant Award Budget. All Board members present voted aye.

There were no public comments. There were no Board comments.

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby closes the Public Hearing. All Board members present voted aye.

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby appropriates and allocates funds received from grant through VATI/DHCD in 2021 that will achieve universal broadband coverage for Sussex County. All Board members present voted aye.

5. Appointments

5.01 Appointment to District 19 Community Services Board

County Administrator Douglas stated that there is a vacancy on the District 19 Community Services Board. A new appointment will need to be made. Per D19 CSB, this appointment does not have to be the Director of Social Services.

The new appointment will be a three-year term, starting immediately, expiring May 31, 2026. (The three-year term will be determined by the month of the appointment per D19 CSB.)

Supervisor Tyler recommended Mr. Alastair Bailey, 7034 Henderson Road, Stony Creek, Virginia 23882 for appointment to District 19 Community Services Board.

The position description, By Laws and meeting schedule were included in the Board packet

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby appoints Reverend Alastair Bailey, 7034 Henderson Road, Stony Creek, Virginia 23882 to the District 19 Community Services Board, with a term expiring May 31, 2026. All Board members present voted aye.

6. Action Items

6.01 Waverly Fire Equipment Request

County Administrator Douglas stated that Nick Sheffield, Emergency Services Chief, was present to answer any questions.

County Administrator Douglas stated that the Waverly Volunteer Fire Department was requesting assistance with the purchase of extrication equipment to be utilized on the fire department's new fire engine.

Mr. Sheffield noted that the tools currently being used are hydraulic 5000 psi (Jaws of Life). Hertz was no longer manufacturing/supporting the 5000 psi line. Batteries are more beneficial. A quote had been provided for Holmatro extrication equipment at \$36,618.85.

The Town of Waverly committed to cover 1/3 of the cost, leaving \$24,412.56 for consideration of the Board of Supervisors. The County's Fire and Rescue Association recently endorsed this request. Staff recommended that \$24,412.56 in ARPA funds be used for this purchase. A resolution was attached for the Board's consideration.

A copy of staff memorandum, letter from the Waverly VFD, equipment quote, ARPA resolution 56 in ARPA funds for the purchase of Holmatro extrication equipment as requested by the Waverly Volunteer Fire Department were included in the Board packet.

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR D. JONES and carried: RESOLVED that Sussex County Board of Supervisors hereby approves ARPA Resolution #23-50 designating \$24,412.56 56 in ARPA funds for the purchase of Holmatro extrication equipment as requested by the Waverly Volunteer Fire Department, to-wit:

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 appropriate ARPA funds to purchase Extrication Tools for the Waverly VFD.in Fund # 100 General Fund Expenditure Fund 100 Fire, Rescue, & Emergency Services (\$24,413) for Total Expenditures of\$24,413. All Board members present voted aye.

6.02 ARPA Resolution for Jarratt Senior Center Accessibility Improvements

County Administrator Douglas stated that the Registrar received an advisory memorandum from the Virginia Department of Elections regarding polling place accessibility issues that were identified in an accessibility survey of 500 polling places across 87 Virginia localities, conducted during the November 2022 general election cycle by an independent accessibility advocacy group, disAbility

Law Center of Virginia. The advisory memorandum issued in March 2023 directed local governments to “take immediate corrective action to increase accessibility as needed.” Within Sussex County, the group identified handicap accessibility issues for the Jarratt Senior Center (Henry District) and the Stony Creek Firehouse (Stony Creek District).

The Registrar met with county staff to review the identified accessibility issues and discussed needed corrective actions. In regards to Stony Creek Firehouse accessibility, the Registrar worked with the Stony Creek Volunteer Fire Department on a corrective plan, since this facility did not belong to Sussex County. Public Works Director Jeff Gary recommended a concrete pad to increase accessibility for the Jarratt Senior Center, and solicited proposals from local contractors.

This improvement would not only meet accessibility needs for a polling place, but would serve the needs of elderly residents who participate in our weekly senior citizen program. E.C. Renner Concrete of Jarratt submitted a proposal for \$13,750 to complete this work, which consisted of the installation of a 46’ x 5’ sidewalk and a 23’ x 20’ concrete parking pad.

An additional \$4,000 was anticipated to be needed for handicap signage and required painting.

County Attorney Powell stated that she couldn't speak to the methods the Department of Election used to determine whether or not buildings were in compliance with ADA and Federal and State requirements; however, it was noted that it was on DOE letterhead telling the County that there were issues that needed to be fixed. Basically, it was a nice way that DOE was putting the County on notice to bring the buildings up to Code. She recommended that the County takes action, whether or not it's with the particular contractor or not, at some point, the changes needed to be made so the building would be up to code.

Staff recommended that an appropriation of \$17,750 in ARPA funds be approved to complete the recommended accessibility improvements for the Jarratt Senior Center.

There was inquiry as to whether there was another facility that the County could use.

Copies of the Virginia Department of Elections advisory memorandum and summary of results of Sussex County polling places, and the appropriation resolution were included in the Board packet.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves Resolution #23-51 FY23 Budget Amendment, to-wit:

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 appropriate ARPA funds for the Jarratt Senior Center Accessibility Improvement project. Fund # 100 General Fund Expenditure Fund 100 Administration \$17,750 Total Expenditures \$17,750.

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

Voting nay: Supervisor Fly

7. Citizens' Comments

Citizens' comments were heard from Robert Hamlin (Henry District). He requested \$50,000 from ARPA funds to help construct a tennis and pickle ball courts.

There was inquiry if it was appropriate to use funds from, the ARPA Funds at this meeting. It was recommended to hold off on a decision until the Board has time to make a definitive decision.

Supervisor Tyler made the motion to appropriate \$50,000 to the Pastor Coalition to help construct tennis and pickle ball courts. There was no second to Supervisor Tyler's motion.

There was inquiry as to whether Greenville County had contributed any funding.

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 continues Community Needs Assessments.

10.04 Stony Creek District – Asked about Construction work on Setzer Road

10.05 Wakefield District – Thanked VDOT & Timmons Group for drainage and Glyndon & Carver Lane in Wakefield.

10.06 Waverly District – none

11. Closed Session

11.01 Convene to Closed Session

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters Closed Session to discuss the conveyance of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body pursuant to Va. Code Section 2.2-3711(A)3. All Board members present voted aye.

11.02/03. Reconvene to Open Session/Certification of Closed Session

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby reconvened to Open Session and convened a Closed Meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Sussex County Board of Supervisors hereby approves adoption of resolution for certification, to-wit:

WHEREAS, that the Sussex County Board of Supervisors convened a Closed Meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia, as amended, requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors hereby certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from Open Meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the Closed Meeting were heard discussed or considered.

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

Voting nay: none

11.04 Action Resulting from Closed Session

There was no action on Closed Session item.

12. Adjournment

12.01 Adjournment

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the May 18, 2023 regular meeting of the Sussex County Board of Supervisors hereby adjourned at 8:28 p.m. All Board members present voted aye.

12.02 Next Meeting

The next regular Board of Supervisors meeting is scheduled to be held, Thursday, June 15, 2022 at 6 p.m.