

At a Special Meeting of the Board of Supervisors
Held in the Social Services Conference Room
on Thursday, June 1, 2023 – 6:00 pm

BOARD MEMBERS PRESENT

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

BOARD MEMBER ABSENT

Rufus E. Tyler, Sr

STAFF PRESENT

David Conmy, Deputy County Administrator and
Economic Development Director
Deste J. Cox, Treasurer
Eric Danuser, IT Manager (Virtual)
Ernest Giles, Sheriff
Kelly Moore, Finance Director of Finance
Nick Sheffield, Emergency Services Chief
Regina Sykes, Chief Deputy Commonwealth's Attorney
Shilton R. Butts, Assistant to the County Administrator/
Clerk to the Board

Item 1. Call to order/Determine Quorum (6:14 p.m.)

Chairman W. Jones called the June 1, 2023 Special meeting of the Sussex County Board of Supervisors to order.

Item 2. Invocation

Supervisor Fly offered the Invocation.

Item 3. The Pledge of Allegiance.

The Pledge of Allegiance was recited by all.

Item 4. Agenda Amendment

David Conmy requested to change the order of the agenda. It was requested to switch/change Item 7. Consideration of FY24 Budget Resolution to Item 8 and switch/change Item 8 consideration of CY23 Tax Rate Resolution to Item 7. He noted that per the County Attorney changing the order

of the agenda wasn't technically an amendment, as an amendment could not be made to the agenda because the full Board was not present.

Item 5. Approval of Agenda

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approved the June 1, 2023 Special meeting with the change in the order of the agenda as noted.

Item 6. General Budget Discussion

Deputy County Administrator Conmy noted that at the Board's May 11, 2023 Special meeting there was discussion of various line items within the proposed budget at which staff has amended. He stated that there was consensus and a motion to amend those various proposed budget items. Mr. Conmy stated that the purpose of the Special meeting was for the formal adoption of the proposed budget based upon the Board's consensus at the May 11, 2023 Special meeting as stated previously.

Supervisor Fly came back to this item regarding not closing of the convenience on Wednesdays.

Ms. Moore required about the funding source. Supervisor Fly amended his motion to include the Contingency Fund as the funding source.

Ms. Cox inquired as to when this would be effective. It was noted that it was effective immediately.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the convenience sites to remain open on Wednesdays; and

FURTHER RESOLVED that the budget be adjusted to reflect this change with the increase in cost to be covered by the Contingency Fund.

Supervisor Fly inquired that took place in Waverly and Stony Creek with EMS, what is the impact on the approved budget going forward.

DCA Conmy stated that the emergency procurement was done in less than 48 hours before the meeting. He noted that when the County Administrator returns and the County has additional time with EMS, Finance and the Treasurer to discuss in greater detail, more detail can be provided to the Board.

There was discussion of putting a plan together. It was recommended that a Closed Session be added to the June meeting.

DCA Conmy stated for the record that the Board took action on Friday of the previous week to give notice for the contractual requirements to terminate the agreement with LifeStar. He stated

that the County fulfilled its obligation with providing that notice. He stated that LifeStar has now walked away from that service effective this morning, June 1, 2023. He recognized Nick Sheffield, Emergency Services Chief, for putting in the hours to find a provider.

There was inquiry of increased costs. Mr. Sheffield advised that with who is committed it's \$1,200 a day for the 12-hour truck. He advised that a volunteer crew was covering tonight (June 1). He stated that they were waiting a couple calls back for a 24-hour truck that'll work through Monday. He stated that a temporary hiring process started today with the service provider. He stated that ESS is providing the 12-hour coverage.

There was discussion of options. Mr. Sheffield stated that Waverly would start billing. There was discussion of the contracts with providers and the County securing their own ambulances. There was discussion of having a facility to housing ambulance. There was discussion of a CIP for an ambulance. There was discussion of the two units the County was supposed to pick up. He stated that one of the units would be a good backup. He hasn't looked at the second truck.

There was discussion of paying Waverly for their trucks. There was discussion of the State offering Mutual Aid.

There was discussion of allocating funding in the budget going forward. Mr. Sheffield stated that he will reach out to get hourly rates to give some insight on costs.

There was discussion of covering the County with 12-hour and 24-hour coverage.

There was a request to provide numbers for what is left in the EMS budget; what been expended on LifeStar thus far; what was allocated; and what's left for the remainder of the year.

There was inquiry as to why the Public Schools were hiring Security Officers.

Item 7. Consideration of CY23 Tax Rate Resolution

Deputy County Administrator Conmy stated that at the May 11, 2023 Special meeting, it was the Board's consensus to keep the tax rates the same.

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts Resolution #23-~~XX~~ to impose tax levies upon tangible personal property, upon machinery and tools, upon merchant's capital, upon fire & rescue, upon mobile homes, and upon real estate for the calendar year 2023

WHEREAS, it is necessary for the Board of Supervisors to establish real estate and personal property tax levies for the County of Sussex for calendar year beginning January 1, 2023 and ending December 31, 2023; and

WHEREAS, the Board has duly advertised and held a public hearing on the subject of tax levies;

NOW, THEREFORE, BE IT RESOLVED by the Sussex County Board of Supervisors this 1st day of June, 2023, that the following County tax levies be, and they hereby are, imposed for the Calendar Year 2023:

| <u>Class of Property</u> | <u>Rate Per \$100 of Assessed Valuation</u> |
|--|---|
| Real Estate (including Public Service Corporations) | \$0.48 |
| Mobile Homes | \$0.48 |
| Machinery & Tools | \$2.43 |
| Merchant's Capital | \$1.00 |
| Fire & Rescue | \$2.43 |
| Tangible Personal Property (including Public Service Corporations) | \$4.85 |
| Voting aye: Supervisors Fly, Futrell, D. Jones, W. Jones, Seward | |
| Voting nay: none | |
| Absent: Supervisor Tyler | |

Item 8. Consideration of FY24 Budget Resolution

Deputy County Administrator Conmy stated that there was a slight language change to the resolution. He stated that the changes did not change the budget sustenance. Deputy County Administrator noted that this was at the advice of the County Attorney. He read the changes for the record:

On the first page, the first clause "Now therefore, be it resolved", the following language was inserted: "In such funds identified by the budget are hereby appropriated". He stated that beyond the insertion of the noted language, there were changes to the resolution.

Deputy County Administrator Conmy stated that staff recommends adoption of the resolution by the Board.

Supervisor Fly stated that the Board had discussed closing the convenience sites on Wednesdays. He recommended that the Board reconsider closing the convenience sites on Wednesdays. Supervisor Fly recommended removing the savings, \$64,000, from the budget. Supervisor Fly discussed offering a substitute motion.

After further discussion, Ms. Moore, the Finance Director, recommended adopting the current resolution and have a separate motion at this meeting or another meeting. If there was consensus from the Board, the funds could be transferred. Ms. Moore noted that the numbers could not be substituted in the resolution. After discussion, Supervisor Fly withdrew his motion. There was discussion of reducing the budget. However, there was not enough to reduce the full amount. It was noted that the budget would be increased by \$64,000. There was discussion of where funding

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts RESOLUTION #23-XX

to approve the budgets and appropriate funds for the County of Sussex and the Sussex County School Division for the Fiscal Year beginning July 1, 2023 ending June 30, 2024

WHEREAS, the County Administrator has submitted to the Sussex County Board of Supervisors a proposed annual budget for the County for the fiscal year beginning July 1, 2023 and ending June 30, 2024, which has been reviewed by the Board of Supervisors; and

WHEREAS, the Board has duly advertised and held a public hearing on the proposed budget for the fiscal year beginning July 1, 2023 and ending June 30, 2024; and

WHEREAS, it is necessary to adopt said budget and appropriate sufficient funds to cover the requirements included therein; and

WHEREAS, the Board of Supervisors, in exercising its independent judgement and in concert with the Sussex County School Board, has considered the school's annual operating budget; and

WHEREAS, after considering availability of local funds, approval of the Sussex County School Board's fiscal year 2024 educational budget is based upon funding from the federal government in the amount of \$4,845,244; from the state government in the amount of \$11,850,045; from the local appropriations in the amount of \$7,996,170; and other local revenues in the amount of \$756,983;

NOW, THEREFORE, BE IT RESOLVED by the Sussex County Board of Supervisors this 1st day of June, 2023, that the fiscal year 2024 annual budget of the Sussex County School Division for school operations in the amount of \$25,448,442 be, and is hereby, approved subject to and contingent upon the availability of funds as indicated in the preamble hereto.

BE IT FURTHER RESOLVED that the annual budget in the sum of \$955,806 for fiscal year 2024 be, and is hereby, approved for the operation of food service programs for purposes authorized and approved by the Sussex County School Board subject to and contingent upon the availability of funds.

BE IT STILL FURTHER RESOLVED that the fiscal year 2024 annual budget for the County of Sussex be, and is hereby, adopted as proposed on this date.

BE IT STILL FURTHER RESOLVED that the following annual appropriations for fiscal year 2024 be, and are hereby made in the General fund for the following functions:

| | |
|------------------------------------|-------------|
| Education | \$7,996,170 |
| Sheriff's Operations & Jail | \$6,336,933 |
| Debt Service | \$1,547,941 |
| General Government Administration | \$2,617,483 |
| Fire, Rescue, & Emergency Services | \$2,374,688 |
| Public Works | \$1,798,439 |
| Judicial Administration | \$1,357,817 |

| | |
|--------------------------------|------------------|
| Health & Welfare | \$889,971 |
| Non-Departmental & Transfers | \$377,773 |
| Community Development | \$541,253 |
| Parks, Recreation and Cultural | <u>\$236,645</u> |
| | \$26,075,113 |

BE IT STILL FURTHER RESOLVED that the County Administrator be, and is hereby, authorized to transfer the appropriations in the General Fund Non-Departmental function to the related categories in the various General Fund functions.

BE IT STILL FURTHER RESOLVED that the \$7,996,170 appropriated above from the General Fund for Education, includes \$7,956,170 for the local contribution to the School Division for support of the School operating budget and, is appropriated as a non-categorical appropriation to be allocated among the various operating categories as the School Board deems necessary and the remaining \$40,000 is appropriated as the County's share of IT salary expenses.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$2,189,922 for fiscal year 2024 be, and is hereby, made in the Social Services Fund for the operations of the Sussex Department of Social Services.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Social Services Fund be, and is hereby, increased if and when additional federal and/or state funds or local contributions become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$740,000 for fiscal year 2024 be, and is hereby, made in the CSA Fund to carry out the mandates of the Comprehensive Services Act.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the CSA Fund be, and is hereby, increased if and when additional federal and/or state funds or local contributions become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$1,700 for fiscal year 2024 be, and is hereby, made in the Law Library Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Law Library Fund be, and is hereby, increased if and when additional federal and/or state funds or local contributions become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$30,000 for fiscal year 2024 be, and is hereby, made in the Capital Projects Fund.

BE IT STILL FURTHER RESOLVED that, the County Treasurer, upon receipt of a written order from the County Administrator, is authorized to advance monies between the several County funds under his custody provided, however, that the total advanced to any particular fund, plus the amount of monies disbursed from that fund, does not exceed the annual appropriation of said fund.

BE IT STILL FURTHER RESOLVED that, upon receiving notice of grant of program opportunities offered by various federal, state, local and other outside organizations, the County Administrator or his designee be, and is hereby designated as the agent to execute the necessary grant or program application and other documentation, unless the terms of the grant or program require specific actions by the Board, to give such assurances as may be required by the agreement subject to approval as to form by the County Attorney and to provide such additional information as may be required by the awarding organization. In addition, the funding awarded, not to exceed \$50,000, shall be, and is hereby, appropriated to the applicable functional area.

BE IT STILL FURTHER RESOLVED that interest earned on grant and program awards received from federal, state, local and other outside organizations be, and is hereby, appropriated to the appropriate functional area to be expended in accordance with the guidelines as established by the organizations.

BE IT STILL FURTHER RESOLVED that additional funds received for various County programs, including contributions and donations, be, and are hereby, appropriated for the purposes established by each program.

BE IT STILL FURTHER RESOLVED that funds received from the Federal Emergency Management Agency (FEMA) for reimbursements for expenses incurred as a result of unusual or infrequent events not to exceed \$50,000 per incident be, and are hereby, appropriated under this program for the appropriate functional area.

BE IT STILL FURTHER RESOLVED that funds received through insurance claims for damages incurred to County property as a result of unusual or infrequent events not to exceed \$50,000 per incident be, and are hereby, appropriated under this program to the appropriate functional area.

BE IT STILL FURTHER RESOLVED that upon receipt of written notification from the State Compensation Board of additional funds for the Constitutional Officers (Commonwealth's Attorney, Sheriff, Clerk of Court, Treasurer and Commissioner of the Revenue) be, and are hereby, appropriated in the General fund to be expended in accordance with guidelines as established by the state government.

BE IT STILL FURTHER RESOLVED that the monies be, and are hereby, appropriated for fiscal year 2024 in the various funds for the purpose of liquidating encumbered purchase transactions and for continuing capital and special projects as of June 30, 2023 not to exceed the applicable fund balance/net assets/net position as recorded in the County's audited accounting records. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the County Administrator be, and is hereby, authorized to transfer funds within and between appropriation functions. These transfers may be made to allow the disbursement of funds for unanticipated costs incurred in daily County operations.

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

Voting nay: none

Absent: Supervisor Tyler

Item 9. Consideration of Capital Improvement Plan (CIP)

Deputy County Administrator Conmy stated that this item was a placeholder for the Capital Improvement Plan going forward. He stated that there were four projects.

Deputy County Administrator Conmy that this placeholder was created at the direction of County Administrator Douglas. He stated that in anticipation of any siting agreements that may be approved by the Board of Supervisors, many of the providers require a Capital Improvement Plan or some type of documents speaking to future capital needs within the County. He stated that he had prepared a placeholder document for the County listing four projects for the County.

He stated that CIP was titled Capital Improvement Plan FY2024 to FY2028. He noted that it stated that the document will serve as a placeholder for Sussex County Capital Improvement Plan (CIP) until a more detailed CIP can be developed through the County's Planning Commission for the FY2025/FY2029 CIP. The following list of CIP projects and their estimated costs have been vetted by the County Administrator and are recommended for the County's Board of Supervisors' endorsement.

The first project listed is:

1. Restore the Historic Courthouse and construct and or renovation the Administration building - estimated cost \$40 million.
2. Construct new Fire and Emergency Medical Service Building (Stony Creek) - estimated cost \$5 million
3. Construct new Fire and Emergency Medical Services Building (Waverly) - estimated cost \$5 million.
4. Construct and develop miscellaneous County park facilities - estimated cost \$1 million.

Deputy County Administrator Conmy stated that Administration will go through a more formal process next year and facilitate it through the Planning Commission with a much further detailed document. He noted that it could be referred to another Board meeting. He stated that County Administrator Douglas wanted to share the CIP with the Board at this meeting.

There was discussion as to whether Davenport provided a cost for the Courthouse.

Deputy County Administrator Conmy clarified that generally a CIP would not ask the Board to appropriate funding.

Supervisor Fly asked the Board to reject the Capital Improvement Plan at this time. He stated that it should have been a part of and incorporated in the budget in its own line item. If it's not going to be funded, zeros will be inserted.

There was discussions of concerns regarding the first time hearing of the CIP with \$51 million worth of projects.

Deputy County Administrator Conmy noted that the County Attorney stated that it could done in June. The Board also noted that it could be discussed in June.

There was discussion of the cost noted for the Historic Courthouse and Administration.

Item 10. Citizens' Comments

A Comment was heard from:

- Kevin Bracy (Yale District) - Ambulance (Stony Creek); convenience sites; CIP not in budget; solar farm.

Item 10. Adjournment

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby adjourned the June 1, 2023 Special Meeting at 7:10 p.m. All members present voted aye.