

**At a Regular Meeting of the
Sussex County Board of Supervisors
Held in the General District Courtroom on
Thursday, October 19, 2023 at 6 p.m.**

BOARD MEMBERS PRESENT

C. Eric Fly, Sr.
Alfred G. Futrell
Debbie P. Jones
Wayne O. Jones
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
Ellen G. Boone, Commissioner of the Revenue
Deste J. Cox, Treasurer
Ernest Giles, Sheriff
Yolanda Hines, Victim Witness Director
Michael Kessinger, Sergeant
Kelly W. Moore, Finance Director
Nick Sheffield, Emergency Services Chief
Vincent Robinson, Commonwealth Attorney
Regina Sykes, Chief Deputy Commonwealth's Attorney
Beverly Walkup, Planning Director
Shilton R. Butts, Assistant to the County Administrator/
Clerk to the Board of Supervisors

1. Commencement (6:10 p.m.)

1.01 Call to Order/Determine Quorum

County Administrator Douglas requested a vote for a temporary Chairman.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby nominated Supervisor Tyler as the temporary Chairman until the Chairman or Vice Chairman arrived. All Board members present voted aye.

Supervisor Tyler, acting as the temporary Chairman, called the October 21, 2023 regular meeting of the Sussex County Board of Supervisors to order at 6:07 p.m.

1.02 The Invocation

Supervisor Fly offered the Invocation.

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 6. Action Items, as Item 6.05 Wakefield Fire Truck and as Item 6.06 Transportation for Senior Citizens.

It was requested to add under Item 6. Action Items, as Item 6.07 Bright Point Allocation and as Item 6.08 EMS and 24-Month Plan.

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 October 19, 2023 regular agenda inclusive of adding under Item 6. Action Items, as Items 6.05 Wakefield Fire Truck (Extrication Equipment); Item 6.06 Transportation for Senior Citizens; Item 6.07 Bright Point Allocation; and, Item 6.08 EMS and 24-Month Plan. All Board members present voted aye.

2. Approval of Consent Agenda

ON MOTION OF SUPERVISOR , seconded by SUPERVISOR and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Consent Agenda inclusive of the following: (a) October 21 Special and Regular Board of Supervisors Meeting minutes; (b) Warrants and Vouchers; (c) Treasurer's Report and Financial Update; (d) Departmental Reports; and (e) Victim Witness Assistance Grant Award Acceptance. All Board members present voted aye.

Chairman W. Jones arrived at 6:10 p.m.

Vice Chair Seward arrived at 6:13 p.m.

3. Recognitions/Awards Presentations

3.01 VATI Broadband Project Update

Sarat Yellepeddi and Justin Harvey, with Ruralband, provided a brief update on the implementation status of the countywide broadband project being funded in part by DHCD grant funds.

The update included:

1. Rt. 35 Zones opened on September 1st. There were- 16 miles of fiber and 282 total pass-bys in Littleton and Homeville. Thirty-three applications were received.
2. Dominion completed 99.5 miles of construction, 33 miles remaining.
3. RURALBAND completed installation of electronic hut (Gilliam road).
4. Dominion submission to SCC on petition to lease fiber. Estimated time for approval is April 24. This will be the timeframe for opening RURALBAND Zones for connections.
5. Scheduled construction/splicing work is continuing to progress both on Dominion and RURALBAND. Next area of focus is Yale and Rowanty areas.
6. Middle mile tap points for Dominion splicing in progress for Yale 1, 2, 3 zones.
7. Easements in Zone 6 for underground build is almost complete. There are 80-90 individual easements.
8. Worked with David Conmy on applying for VATI extension.
9. Railroad Crossings – Legal issues and time for approval. CSX better than NS.

A handout was provided to the Board of the update.

3.02 Fire and EMS Study Report

Walt Bailey, of the Virginia Fire Services Board, was in attendance to provide a summary of findings and recommendations from its recently completed Fire and EMS study of Sussex County. During this study, a team met with representatives from each volunteer fire department and rescue squad, county staff, and others, as well as reviewed applicable ordinances, plans, and documents.

Mr. Bailey provided an overview of the Virginia Fire Services Board and Fire and EMS Study Process.

He also provided recommendations for:

Dept. of Emergency Services	County-wide Training
Waverly Rescue Squad	Cross Train Fire and EMS
Full Time/Part Time Staff	Increase Recruitment and Retention
Adopt One EMS License	Community Risk Reduction
Fire and EMS Risk Assessment	Cancer Prevention
Develop SOPs and SOGs	Communications
Budget Recommendations	

The Board may consider adopting the study findings at a later date, but no action was requested at this time.

3.04 Regional EPA Brownfield Grant Application

For informational purposes, Thomas Laughlin with TRC provided an overview of a regional EPA Brownfields grant application being prepared on behalf of Virginia's Gateway Region. If funded this study would address reuse of identified brownfield sites in Sussex County and throughout the region. No local match is being requested for this grant application.

It was noted that Brownfields sites are defined as *“real property, the expansion, redevelopment or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant.” [CERCLA Act of 1980, as amended in 2002]*

There was also discussion of EPA Brownfields Program and VDEQ State Brownfield Program. He also discussed types of funding and how the funds can be used.

He discussed briefly job training grants that may be available.

A handout was included in the Board packets.

3.05 Stony Creek Grocery Store IRF Planning Grant Report

Jeff Sadler with Complete Community Economies presented an overview of his recently completed feasibility study for the vacant grocery store property in Stony Creek (provided for your review separately). This study was funded by an IRF planning grant and includes recommendations for the property.

The executive summary of Jones and Company Supermarket included that the Supermarket was erected in 1976. The supermarket was approximately 10,000 square feet under roof. The smaller, attached building was built in 2010 and was 2,200 square feet.

The parking lot in its current configuration can hold 31 cars and is in satisfactory shape. It is Zoned C-1, which is consistent with the past use and most likely future uses. It was open for 40 years.

It was noted the Pandemic interrupted it supply chains, customer visits, and staffing.

It was noted that Family Dollar opened 1/3 mile away. Thirty percent (30%) of business was lost in the first week.

It was noted from the exterior, the brick and glass façade is in mostly good condition, but shows some neglect from vacancy. The roof line shows damage to the drip edge and soffit in a couple of spots. The parking lot looks to be in acceptable condition and the general grounds are maintained satisfactorily.

There was discussion of the roof damage, interior condition, structural analysis, asbestos and oil tanks, rehab cost comparison, assessed property value, building value, property liens and value, property taxes and value, land values , comparison, property appraisal challenge and market study.

A copy of the Stony Creek Grocery Feasibility Final without ESA was included in the Board packet.

3.06 CARES Act Audit Compliance Letter

County Administrator Douglas stated that the Finance Department announced that the Virginia Department of Accounts completed its Sub recipient Monitor Review (SMR) pursuant to the compliance monitoring and oversight requirements detailed in the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and Uniform Administrative Requirements, Cost Principles, and Audit Requirements for federal awards (Uniform Guidance) 2 CFR § 200.332, for recipients of Coronavirus Relief Funds (CRF) (ALN 21.019). *Sussex County certified affirmatively that all requirements of the CARES Act funding distributed by DOA have been met and that all obligations and expenditures of the funds have been reported accurately.*

County Administrator Douglas recognized Kelly Moore (Finance Director) and her staff.

A copy of the letter from the Department Accounts, dated July 6, 2023, was included in the Board packet.

3.07 APA Audit Compliance

Administration received notice that the Auditor of Public Accounts reviewed the Commonwealth collections and remittances of Sussex's Treasurer, Commissioner of the Revenue, and Sheriff of the locality indicated for the year ended June 30, 2023.

The Board and Administration recognized and congratulated the Constitutional Officers for the results finding that they complied, in all material respects, to State laws, regulations and other procedures relating to the receipt, disbursement, and custody of State funds.

Congratulations to Treasurer Deste Cox, Commissioner Ellen Boone and Sheriff Ernest Giles, Sr. for jobs well done!

A copy of the APA Letter, dated September 29, 2023 was included in the Board packet.

3.08 Introduction of Sussex's New Victim Witness Director

Commonwealth's Attorney Vincent Robertson, Sr. introduced Sussex's New Victim Witness Director, Ms. Yolanda Hines.

Ms. Hines provided a brief introduction. The County welcomed and was excited to have Ms. Hines on board with the experience she brings.

Ms. Hines advised of the Domestic Violence Walk.

4. Public Hearing

There was no Public Hearing.

5. Appointments

There were no appointments.

6. Action Items

6.01 Pocahontas CDBG Project Update and Infrastructure Project Bid Award

Planning Staff provided a status update on the Pocahontas Neighborhood CDBG Project, i.e. housing rehabilitation, street light installation, and drainage and hydrant improvements.

Planning staff advertised an Invitation to Bid for drainage improvements to the main ditch and hydrant installation in the Pocahontas Neighborhood as part of the grant project. One bid was received from Rickmond General Contracting, Inc. in the amount of \$260,369. The bid documents were reviewed by the project engineer (CHA) and was found to be in order, with no math errors. This work will be accomplished under Phase II of the grant upon authorization by DHCD.

Planning staff and CHA recommends award of the project bid to Rickmond General Contracting, Inc. in the amount of \$260,369 contingent upon authorization of the Phase II funding by DHCD.

A copy of CHA's recommendation letter, dated October 3, 2023 was included in the Board packet.

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the project bid to Rickmond General Contracting, Inc. in the amount of \$260,369 contingent upon authorization of the Phase II funding by DHCD. All Board members present voted aye.

6.02 2023-24 Legislative Agenda

The Board of Supervisors granted staff the authority to develop a Legislative Program for Sussex County. In furtherance of that matter, the attached legislative program has been prepared for the Board's consideration. Similar to previous years, the County's only priority item is to remove the Virginia Department of Corrections' exemption from making PILOT payments to Sussex County for the Sussex I & II prisons. The 2024 Legislative Program of the Virginia Association of Counties (VACo) is unavailable at this time so it will not be included in Sussex County's 2024 program.

If adopted by the Board of Supervisors, staff would reach out to the County's State legislative delegation to request that they introduce legislation and/or amendments to effect these changes.

Staff recommends the Board of Supervisors adopt the draft 2024 Legislative Program.

A draft 2024 Legislative Program was included in the Board packet.

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts the draft 2024 Legislative Program.

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

Voting nay: none

6.03 Route 602 Industrial Site Recertification

The Virginia Economic Development Partnership (VEDP) requires updates to various environmental and due diligence reports for economic development sites every five years in order to retain their certification status with VEDP. This period of time is consistent with validity requirements by the U.S. Army Corps of Engineers and others. Expired reports can add substantial time to the development process and diminish the credibility of locations under consideration.

VEDP's records for the Route 602 Industrial Park indicate that the U.S. Army Corp Certified Wetland Study expiration date is 4/1/2024 and the Threatened & Endangered Species expiration date is 8/1/2013. An update of these reports is required for the site to maintain its certified status. Meanwhile, VEDP can offer provisional certification for sites if updates are forthcoming.

In accordance with this requirement and the County's term contract with Timmons Group, the attached \$25,000 proposal was provided and will require a budget amendment.

There was discussion of the need of assigning an address to/for the site.

There was also discussion of hunting with bows and arrows. It was stated that David Conmy spoke with someone from WHC. There was discussion of notifying Waverly Hunting Club in writing. There discussion of sofas being dumped on site. There was also discussion of possibly installing cameras.

Staff recommends that the Board adopt the proposed budget amendment.

Copies of the Email from VEDP Re: VBRSP Site Recertification, Budget Amendment Resolution, and Proposal for Updated Due Diligence Studies – Route 602 Industrial Park were included in the Board packet.

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopt the proposed budget amendment #23-83.

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

Voting nay: none

Absent during vote: Supervisor Fly

6.04 Accounts Payable Clerk Appropriation

Finance Director Kelly Moore advised that Sussex County has a current vacant position of an Accounts Payable Clerk in the Finance sub-department of Administration. This position was previously held for multiple years by the same employee. Due to the 2005 classification plan labeling this position as entry-level, funding has been maintained under an entry-level pay grade. Over the years, this position has matured from entry-level to experience/professional. With the current employment market and especially competitiveness of the surrounding localities, Sussex will have to increase its pay grade for this position in order to retain a qualified/committed

employee. Therefore, staff is recommending an appropriation up to \$28,000 for salary and benefits (range: \$39,500 - \$64,000) to secure an Accounts Payable Clerk.

Staff is recommending an appropriation up to \$28,000 to secure an Accounts Payable Clerk.

There was discussion of different amounts for the appropriation and benefits.

A copy of the job advertisement and Resolution #23-84 FY24 Budget amendment were included in the Board packet.

The initial motion was made to appropriate up to \$28,000 to secure an Accounts Payable Clerk.

A secondary motion was made by Supervisor Fly for the allocation of \$12,000 including benefits. There was no second for his motion.

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves Budget Amendment #23-84 FY24 Budget Amendment for the Administration department be and hereby is made for the period of July 1, 2023 through June 30, 2024. This resolution will appropriate reserve funds to Administration to retain an Accounts Payable Clerk.

**FUND # 100
GENERAL FUND**

REVENUE

Fund 135 Local Reserves	<u>\$28,000</u>
Total Revenues	\$28,000

EXPENDITURE

Fund 100 Administration	<u>\$28,000</u>
Total Expenditures	\$28,000

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

Voting nay: Supervisor Fly

6.05 Wakefield Fire Truck (Extraction Equipment)

This item was added during agenda amendments. There was discussion of appropriating funding extraction equipment for the Wakefield Fire Truck.

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves appropriating \$40,000 to purchase extraction equipment from ARPA Funds. All Board members present.

6.06 Senior Citizens' Transportation

There was discussion of purchasing a medical van for transporting senior citizens back and forth to medical appointments. There was also discussion of contacting CDAAA. Staff was advised to reach out to Crater.

6.07 Bright Point Funding

There was brief discussion of the allocation for BrightPoint Community College.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby allocates \$943 to BrightPoint Community College.

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

Voting nay: Supervisors Fly, Seward

6.08 EMS 24-Month Plan

Nick Sheffield, Emergency Services Chief, presented the Emergency Medical Services Two Year Plan to the Board.

Chief Sheffield provided the objective of the 24 month EMS Plan that the goal of the 24 month EMS plan is to facilitate the provision of Emergency Medical Services throughout the county with Sussex County Fire & Rescue paid staff operating under a county EMS license while still utilizing the volunteer fire department first responder agencies and volunteer rescue squads for supplemental staffing. The intent of the plan is for SFR county paid staff to operate from county-owned facilities while utilizing county-owned apparatus and equipment.

He also discussed steps to meet objective.

COUNTY EMS LICENSE .

Adopt policies and procedures.

Update Emergency Response Plan.

Purchase reporting software with CAD integration.

Coordinate logistics with the third-party billing provider.

Set up revenue recovery line item for Jarratt VFD.

APPARATUS & EQUIPMENT

Formalize a replacement schedule of EMS response vehicles.

Order at least 3 new ambulances as quickly as possible.

Purchase another staff vehicle so the EMS Supervisor has a dedicated, assigned unit.

Purchase Mobile Data Terminals for apparatus, Mobile CAD licenses, and Cradle points.

Purchase necessary equipment and supplies to outfit ambulances.

FIRE STATIONS

Acquire land for both stations.

Design both stations within 5 months.

Start construction within 12 months.

STAFFING & TRAINING

Evaluate best practices for operations & modify our staffing model to best fit under the county license.

Reclassify the EMS Supervisor to a county employee effective January of 2025.

Recruit county employees at least 6 months prior to January of 2026 and the anticipated completion of the stations.

Work with the School System to seek an opportunity for training offerings in the High School.

Evaluate current training needs for paid staff and volunteers. Offer those courses in-house.

SERVICE DELIVERY

Based on data, make any necessary staffing adjustments to meet our Emergency Response Plan.

Evaluate expanding response points.

Enhance administrative capabilities by adding an office manager / secretary.

Plan for a Community Paramedic Program.

No action was taken. A copy of the presentation and a copy of the summary was provided to the Board members.

7. Citizens' Comments

Comments were heard from Kevin Bracy (Courthouse District) and Antoine Jones (Stony Creek District).

8. Unfinished Business

8.01 Codification Update

County Attorney Danielle Powell provided a brief update on the codification process for county ordinances. Civic Plus (formerly Municode) recently completed the process, and staff is requesting that a public hearing be scheduled and adoption be considered for the November board meeting.

9. New Business

9.01 Finance Committee Recommendations – 10/18/23 Meeting with Rescue Squads

The meeting was postponed and was in the process of being rescheduled.

Supervisor Seward departed at 10:30 p.m.

10. Board Members Comments

10.01 Blackwater District – absent during comments.

10.02 Courthouse District – none

10.03 Henry District – Thanked County Administrator for providing information/update at his Community meeting.

10.04 Stony Creek District – none

10.05 Wakefield District – none

10.06 Waverly District – none

11. Closed Session

There was no Closed Session.

12. Adjournment

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR TYLER and carried: RESOLVED that the October 19, 2023 regular meeting of the Sussex County Board of Supervisors hereby adjourned at 10:46 p.m. All Board members present voted aye.