

**At a Regular Meeting of the
Sussex County Board of Supervisors
Held in the General District Courtroom on
Thursday, February 1, 2024 at 6 pm**

BOARD MEMBERS PRESENT

Thomas W. Baicy, III
C. Eric Fly, Sr.
A. G. Futrell
Wayne O. Jones
Phyllis T. Tolliver
Rufus E. Tyler, Sr.
Steve E. White

STAFF PRESENT:

Richard Douglas, County Administrator
Danielle Powell, County Attorney
Ellen G. Boone, Commissioner of the Revenue
John Broderick, Director of Finance and Operations
Deste J. Cox, Treasurer
Ernest Giles, Sheriff
Julius Hamlin, Division Superintendent of the Public Schools
Michael Kessinger, Captain
Kelly W. Moore, Finance Director
Raven Parham, Deputy Treasurer
Nick Sheffield, Emergency Services Chief
Regina Sykes, Commonwealth's Attorney
Gary Williams, Circuit Court Clerk
Shilton R. Butts, Assistant to the County Administrator/
Clerk to the Board of Supervisors

1. Commencement

There was no audio of meeting. Minutes from notes.

1.01 Call to Order/Determine Quorum (6:08 p.m.)

Chairman W. Jones called the February 1, 2024 Special (Rescheduled) meeting of the Sussex County Board of Supervisors to order.

1.02 The Invocation

The Invocation was offered by Supervisor Tyler.

1.03 The Pledge of Allegiance

The Pledge of Allegiance was recited by all.

1.04 BOS Organizational Meeting for Calendar Year 2024

Chairman Jones turned the meeting over to County Attorney Powell.

a. Election of Chairman for Calendar Year 2024

County Attorney Powell opened the floor for nominations for the Chairman of Board of Supervisors for Calendar Year 2024.

Supervisor Tyler nominated Wayne Jones for Chairman of the Board of Supervisors for Calendar Year 2024.

There being no other nominations submitted, County Attorney Powell closed with said name of Wayne Jones for Chairman.

Roll call vote was taken:

Supervisor Baicy	Aye	Supervisor Tolliver	Aye
Supervisor Fly	Aye	Supervisor Tyler	Aye
Supervisor Futrell	Aye	Supervisor White	Aye
Supervisor Jones	Aye		

Supervisor Jones is the Chairman of the Board of Supervisors for Calendar Year 2024.

County Attorney Powell turned the meeting over to Chairman Jones.

b. Election of Vice Chairman for Calendar Year 2024

Chairman Jones opened the floor for nominations for Vice Chairman of the Board of Supervisors for Calendar Year 2024.

Supervisor Futrell nominated Steve White for Vice Chairman of the Board of Supervisors for Calendar 2024.

Chairman Jones closed with the said name of Steve White for Vice Chairman.

A roll call vote was taken.

Supervisor Baicy	Aye	Supervisor Tolliver	Aye
Supervisor Fly	Aye	Supervisor Tyler	Aye
Supervisor Futrell	Aye	Supervisor White	Aye
Supervisor Jones	Aye		

Supervisor White is the Vice Chairman of the Board of Supervisors for Calendar Year 2024.

c. Establishment of dates, times and place of regular meetings

There was no change of dates, times and place of regular meetings. The regular meetings will remain the 3rd Thursday of each month at 6:00 p.m. in the Sussex Judicial Center General District Courtroom located at 15098 Courthouse Road, Sussex, Virginia 23884.

d. Adoption of Rules and Procedures

There was discussion of rescheduling the February 15, 2024 regular meeting to February 22, 2024.

ON MOTION OF SUPERVISOR JONES, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves rescheduling the February 15, 2024 regular meeting to February 22, 2024 at 6 p.m.

Voting aye: Supervisors Futrell, Jones, Tolliver, White

Voting nay: Supervisors Baicy, Fly

Abstained: Supervisor Tyler

There was discussion of cancelling the June meeting.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR TOLLIVER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves postponing the adoption of the Rules and Procedures until next meeting. All Board members present voted aye.

Audio recording started.

1.04 Agenda Amendments

Supervisor Futrell requested to add under Item 11, Closed Session, as Item 11.01 Real Property.

Supervisor Fly requested to add under Item 8, as Item 8.01 Stony Creek Rescue Squad.

1.05 Approval of Regular Agenda

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR WHITE and carried: RESOLVED that the Sussex County Board of Supervisors hereby approved the February 1, 2024 Special (Rescheduled) meeting agenda inclusive of adding as Item 8, as Item 8.01 Stony Creek Rescue Squad and Item 11, Closed Session, as Item 11.01 Real Property. All Board members present voted aye.

2. Approval of Consent Agenda

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Consent agenda inclusive of the following: (a) December 21, 2023 Meeting minutes; (b) the Approval of Warrants and Vouchers; (c) the Treasurer’s Report and Financial Update; (d) Departmental Reports; (e) Treasurer Certification – Budget Amendment; (f) Ambulance Equipment/Supplies Outfitting Budget Amendment; (g) DMV Select ADA Compliance Restrooms Budget Amendment; (h) and, (i) Sheriff’s Vehicle Budget Amendment. All Board members present voted aye.

3. Recognitions/Awards/Presentation

3.01 FY22-23 Audit

Taylor Stover, auditor for Robinson, Farmer, Cox Associates, provided the summary of the Annual Financial Report for the Fiscal Year Ended June 30, 2023 (FY23 Annual Financial Report.

Mr. Stover stated that overall the audit went very well. He reviewed the three opinions on the report. Copies of the audit were provided to the Board members.26:48

302 Introduction of Superintendent Dr. Julius Hamlin

Dr. Julius Hamlin, recently appointed Superintendent for Sussex County Schools, was introduced.

Dr. Hamlin stated that it was good to be back home. He was excited. He stated that the schools will continue to work with the citizens to push their children forward.

Staff have had positive interaction with Dr. Hamlin to begin his tenure and look forward to the opportunity to a great working relationship between County Administration and the School System.

3.03 Resolution: Recognition of Ms. Arizona Sims-Curly’s Retirement

Sheriff Giles recognized Sergeant Sims-Curly on her retirement on January 1, 2024 after 19 years with the Virginia Department of Corrections and six years of service with the Sheriff’s Department.

The Sheriff’s Department, her co-workers, the Board, and County Administration would like to express our appreciation and extend our congratulations to Ms. Arizona Sims-Curly on her retirement.

Sgt. Sims-Curly thanked the Sheriff and the Board for the opportunity of working for the Sheriff’s office and the County.

The following resolution was presented to Sgt. Sims-Curley:

WHEREAS, Arizona Elizabeth Sims-Curley began her career in corrections with the Virginia Department of Corrections 19 years prior to being hired by Sheriff R. R. Bell; and

WHEREAS, Arizona Sims-Curley was hired with the Sussex County Sheriff's Office on 03/06/2017 as an E-911 Communications / Correctional Deputy; and

WHEREAS, she rose quickly in rank to the position of Sergeant on 02/01/2022 under Sheriff E.L. Giles, Sr.; and

WHEREAS, Sergeant Sims-Curley often refers to her appreciation of having an opportunity/stimulation our positive culture and for promotion and professional advancement given; and

WHEREAS, She often stressed the wonderful professionals and colleagues that she has met while serving and protecting the Community she loves.

BE IT RESOLVED Sergeant Sims-Curley retired from the Sheriff's Office on 01/01/2024

BE IT FURTHER RESOLVED that the Sussex County Board of Supervisors hereby recognizes and congratulates Ms. Arizona Sims-Curly on her retirement and wishes her the best in her future endeavors.

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the minutes of this Board meeting this 18th day of January, 2024. By general consensus, the resolution was adopted.

3.04 Recognition of First Responders January 11th Water Rescue Event

Emergency Services Chief Sheffield was in attendance to recognize the First Responders for the January 11th Water Rescue Event.

He stated a few weeks prior there was a flood in the County. On January 11, 2024 just before midnight, a call was received in the Communications Center for a vehicle that was in the water on Courthouse Road. Upon arrival, it was found that the truck was partially submerged on the driver's side, off the shoulder of the roadway. They didn't know if anyone was in the vehicle. Sergeant Marks, Deputy Sheriff Phillips, and Sussex Courthouse engine arrived. Stony Creek was on the way with an engine and a boat, as well Stony Creek Volunteer Rescue Squad. The Sheriff's Department had a drone, which was deployed to get a visual as to whether there was someone in the vehicle.

Chief Wyatt was able to make its way to the vehicle with the fire engine. They were able to access the patient, remove the patient from the vehicle, and return the patient to the staging area, where the patient was turned over to Captain White to give a quick evaluation.

EMS Chief Sheffield stated that fortunately the patient wasn't hurt.

Mr. Sheffield presented awards of Certificates of Appreciation and two Unit Citations for the Sheriff's and Fire Department. Certificates were presented to Stony Creek Fire Department

Firefighter Randy Foster and Ryan Gunn, Sussex Courthouse VFD Chief Wyatt Cox, Sheriff's Office Deputy Bristol Phillips and Sergeant Richard Marks, Lieutenant Shenika Hicks, Dispatcher Tashonda Jones, Stony Creek VRS Captain Steve White, Sussex VFD Gerald Parham II, Courthouse VFD Assistant Chief Ricky Matthews, Firefight David Barnes, Firefighter Doug Dunn and Firefighter Ted Harrell.

3.05 Recognition of Certified Deputy Treasurer

Treasurer Deste Cox recognized Deputy Treasurer Raven Parham for recently receiving the Master Governmental Deputy Treasurer certification through the Treasurers' Association of Virginia. This certification program for Treasurers and Deputy Treasurer is designed to advance the professionalism of the local governmental Treasurer and staff in Virginia. With Ms. Parham's certification, the Treasurer and both Deputy Treasurers are now certified.

No action was requested, but an accompanying request for a state-mandated salary increase was included on the consent agenda.

3.06 Sussex Chamber of Commerce Update/2024 Overview

Jesse Hellyer, President of Sussex County Chamber of Commerce, provided an update and 2024 overview.

He stated that the Chamber of Commerce is a group of individuals that represent local businesses throughout the County.

He stated that last year they not only met their goal, they exceeded it. At the end of 2023, the Chamber had 90 active members. He noted that one of their final members was Supervisor Baicy, who joined as an individual.

Mr. Hellyer introduced the Chamber of Commerce Board, not all were present: Supervisor Tolliver is the Chamber's Vice President; Lydia Pittman - Treasurer (Virginia Diner); Sherry Olsen – Secretary (Schultz's Lawnsapes); Lynn Babish - Technology Director (Hometown Web Designs); Darius Conner - Board of Directors (DC's DJ & More Party Rentals); Nick Garrett - Wakefield Market; Abby Malcolm (The Art Room); Angela McPhaul (Waverly Mayor); Corey Schultz (Shultz Lawnsapes); Phyllis Smallwood (R&A Hilltop Enterprises); and David Conmy (County representative).

He stated that everyone were volunteers.

He noted different events sponsored/hosted such as: Ms. Sussex; offer a scholarship to a graduating senior; back-to-school breakfasts; supported Waverly 5K; Cinco De Mayo celebration and Octoberfest in Waverly; hosted a Peanut and Harvest festival in Wakefield; and Candidate Forum.

He stated that the Chamber was represented at the Virginia Tobacco Commission Reception. Two Chamber Boards members attended Chamber Day on the Hill; met with Dr. Hamlin with the schools; and met with Waverly website/Facebook page manager.

He stated that Dr. Tolliver is in charge of scholarships for the Chamber. She will be sending information to all graduating seniors in Sussex for a \$500 scholarship. On February 21, they will be helping schools with their first 3E Day, focusing on enrollment, enlistment and employment.

The Chamber will be hosting a poll decorating contest for Valentine's Day. In February or March, they will be doing a business after hours. On May 4, they will be celebrating Cinco De Mayo in Waverly. On October 5, they will be hosting an Octoberfest at the Carpenter Museum in Waverly, Virginia. In August, they will hosting back to school breakfasts. September and October they will be hosting a "Meet the Candidate" night. They will be helping Supervisor Baicy with the Fire and Rescue, First Responders night.

He stated that anyone could join the Chamber of Commerce, a business or individual.

4. Public Hearings

There was no Public Hearing.

5. Appointments

5.01 Appointments to Sussex Service Authority Board (2)

County Administrator Douglas stated that the Sussex Service Authority had two appointments for the At-Large Citizen representative appointment, as well as an Elected (Board) Official representative appointment for the Sussex Service Authority Board. The elected appointments would begin January 1 and end December 31, 2026.

He stated that each representative could have an alternate, if the Board so desired. Their terms would run concurrent. An appointment for an alternate didn't have to be made.

It was noted that alternate appointment would be done at the next meeting.

A copy of the resolution of the Board of Supervisors appointing members to the Sussex Service Authority, SCC Articles of Incorporation (Exhibit A) and Terms (Exhibit B) were provided to the Board members.

ON MOTION OF SUPERVISOR JONES, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby appoints Supervisor Baicy to serve as elected official representative on the Sussex Service Authority Board. All Board members present voted aye.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR BAICY and carried: RESOLVED that the Sussex County Board of Supervisors hereby appoints Susan Seward as the At-Large Citizen representative to the Sussex Service Authority Board; to-wit:

6. Action Items

6.01 Health Department Adjusted Funding Request

A copy of the FY24 agreement between the Virginia Department of Health (VDH) and Sussex County, as proposed by VDH based on the amended state budget, is attached for your review and consideration. This agreement addresses local funding for operations of the Sussex County Health Department, but a funding request was not provided by VDH as part of the FY24 county budget preparations. The proposed FY24 agreement is \$21,826 more than the FY23 agreement, or a total of \$153,550 for the fiscal year. While the Board of Supervisors typically appropriates funds to cover the proposed funding amount and this agreement is handled administratively, sufficient funds will need to be appropriated to cover the \$21,826 difference. In previous years the Board of Supervisors has raised concerns over the level of staffing and service to Sussex County, and the permanent closure of the office during the pandemic, and withheld some payment to VDH as a result.

Staff recommends that the Health Department be funded at the previously budgeted FY23 levels.

A copy of the Proposed FY24 funding agreement at the previously budgeted FY23 levels.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR TOLLIVER and carried: RESOLVED that the Sussex County Board of Supervisor hereby funds the Health Department at the previously budgeted FY23 Levels, no increase (level funding). All Board members present voted aye.

7. Citizens' Comments

Millard "Pete" Stith (Chesterfield from Jarratt) - Congratulated returning Board members and new Board members; condolences to Supervisor Tolliver; Coalition thanked the Board for purchase of the School; donated check to the County for Fire/Rescue banquet (handed check to Treasurer); authorized School to donate \$500 from the Stith family scholarship fund

Yvonne Williams (Waverly District) – Solar Farms concerns to rural County: impact on character; wildlife, agricultural soils; water run-off - disturb agricultural production; property values of connecting properties; how County benefits; jobs; limit number of solar farms erected.

Franklin Cox (Waverly District/Town Councilmember) - Congratulated three new members and thanked them for serving; spoke to three new Board members - Sheriff's support - shooting range.

Susan Stone (Wakefield District) - Provided a photograph to the Board - expanse of Solar panels.

Leverette Pope (Waverly District) - Solar Farms -traffic; moratorium for Solar Panels/Farm; one grocery store in County; consider other industry to help growth; no more solar panels.

Frances Joyner-Chambers (Wakefield District/Wakefield Town Council) - Congratulated members; Speaking of behalf of Town of Wakefield - mailed/presented letters at meeting from

Town Attorney in opposition of potential Solar Farm outside the Town of Wakefield; resolution of specifics; 3 mile radius (Comp Plan); CUP; stand up for opposer's rights.

Molly Dowless (Wakefield District) - welcomed new Board members; Solar Farms; Comp Plan; Ordinance; Blackwater project; placement of Solar facilities in appropriate places; HB636; asked Board to vote "no".

Franklin Dowless (Wakefield District) - Thanked Board members for their service; represent interest of citizens of Sussex; asked to vote "no" for Blackwater project.

Bernie Camper (Sussex County) - Solar farms - not good.

Laine Chambers (Wakefield District) - Solar development in Sussex County and current projects; oversight/monitoring of construction as permitted; revenue earmarked or general fund; planning commission review current permits

Monica Strong (Sussex County) - Solar farms; independent research; owned solar equipment.

Sharon Rogers Moore (Wakefield District) - Historic property; Solar project - faces front door; choose citizens, other things are more important to citizens than money.

Kevin Bracy (Yale District) - Congratulate new and returning Board members; County leadership; employees; Berkley and Timmons Groups; Repair Administration building; Planning Commission.

8. Unfinished Business

8.01 Stony Creek Rescue Squad

Supervisor Fly tabled until the next meeting.

9. New Business

There was no New Business.

10. Board Member Comments

10.01 Blackwater District – none

10.02 Courthouse District – Thanked everyone for support during family time of bereavement; pleasure to serve on Board next four years; Solar Farm meetings - pros and cons.

10.03 Henry District – absent

10.04 Stony Creek District – Ideas - Maintenance Program for structures before spending; other options; Administration building; Solar farm; Sheriff's Department.

10.05 Wakefield District – Thanked Board for nominating for Chairman again; transparent to citizens; every

10.06 Waverly District – Transparency; Anti-Solar Farms

10.07 Yale - Welcomed everyone; thanked citizens in Yale District for vote and support; constituents

11. Closed Session

11.01 Convene to Closed Session

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR WHITE and carried: RESOLVED that the Sussex County Board of Supervisors convene to Closed Session to (1) discussion or disposition 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, applicable Virginia Code Section 2.2-3711(A)3, real property. All Board members present voted aye.

11.02/03 Reconvene to Open Session/Certification

ON MOTION OF SUPERVISOR BAICY, seconded by SUPERVISOR TOLLIVER and carried:

RESOLVED that the Sussex County Board of Supervisors hereby reconvened to Open Session; and

FURTHER RESOLVED THAT that 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, 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 Baicy, Fly, Futrell, Jones, Tolliver, White
Voting nay: none
Absent during vote: Supervisor Tyler

11.04 Action Resulting from Closed Session, if any

There was no action on the Closed Session item.

12. Adjournment

12.01 Adjournment

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR TOLLIVER and carried: RESOLVED that the February 1, 2024 special (rescheduled) meeting of the Sussex County Board of Supervisors hereby adjourned at 8:45 p.m. All Board members present voted aye.

12.02 Next Meeting

The next regular (special) Board of Supervisors meeting is scheduled to be held, Thursday, February 22, 2024 at 6 p.m.