

**At a Regular Meeting of the
Sussex County Board of Supervisors
Thursday, December 16, 2021 at 6 pm**

BOARD MEMBERS PRESENT

Debbie P. Jones
Wayne O. Jones
Susan M. Seward
Rufus E. Tyler, Sr.
Steve White, Tie Breaker

BOARD MEMBERS ABSENT

C. Eric Fly, Sr.

STAFF PRESENT:

Richard Douglas, County Administrator
Jeff Gore, County Attorney
Ellen G. Boone, Commissioner of the Revenue
Deste J. Cox, Treasurer
G. Reid Foster, Public Safety
Ernest Giles, Sheriff
Vincent Givens, Major
William Hagy, Director of Social Services
William Jenkins, General Registrar
Eric Johnson, Captain
Pamela Jones, Sheriff's 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

The December 16, 2021 rescheduled 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 W. Jones.

1.03 The Pledge of Allegiance

The Pledge of Allegiance was recited by all.

1.04 Agenda Amendments

Vice Chairman Jones requested to add under Item 11. Closed Session, as Item 11.01b. Personnel Matter. County Administrator Douglas requested to add under Item 6. Action Items as Item. 6.04 Request for Bun Ban; remove under Item 3. Recognition, Item 3.07 Parks and Recreation; and remove under Item. 8, Item 8.01 Crater Regional Workforce Development Board Update.

1.05 Approval of 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 December 16, 2021 regular agenda to include adding under Item 11. Closed Session, as Item 11.01b. Personnel Matter; adding under Item 6. Action Items as Item. 6.04 Request for Bun Ban; removing under Item 3. Recognition, Item 3.07 Parks and Recreation; and removing under Item. 8, Item 8.01 Crater Regional Workforce Development Board Update. All Board members present voted aye.

2. Approval of Consent Agenda

ON MOTION OF SUPERVISOR W. JONES, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Consent agenda inclusive of the following: (a) Approval of November 18 Regular and November 30, 2021 Finance Committee Meeting minutes; (b) the Approval of Warrants and Vouchers; (c) the Treasurer's Report; (d) Financial Update; (e) Departmental Reports; (f) Public Safety Request – LifeStar Ambulance Service Inc. prior Fiscal Year Payment; (g) Planning Commission and Board of Supervisors Joint Public Meeting, Monday, January 3, 2022 at 6 p.m. All Board members present voted aye.

3. Recognitions/Awards/Presentation

3.01 Introduction of Mr. Thomas Westheimer – Surry/Sussex Shared Building Official

County Administrator Douglas stated that Sussex County has partnered with Surry County for shared building services positions. Mr. Thomas “Matt” Westheimer as the Building Official for the shared Sussex and Surry position.

County Administrator Douglas shared some of Mr. Westheimer's credentials. His employment will commence January 3, 2022.

Mr. Westheimer was in attendance and was introduced to the Board of Supervisors.

3.02 Recognition of Ms. Julie Walton and Prince George County Building Inspections Team

County Administrator Douglas stated Ms. Julie Walton, Prince George County Director of Community Development & Code Compliance, and the building inspections team have been assisting Sussex County with permits and building inspection services. The County would like recognize and thank them for the services.

Ms. Julie Walton, Prince George County Director of Community Development & Code Compliance, and the building inspections team was in attendance at the meeting and were thanked and recognized for their outstanding services in assisting the County. As a token of appreciation, Ms. Walton and the building inspection team were presented with baskets.

3.03 Introduction of Ms. Sarah Allen – Department of Social Services (DSS) CSA Coordinator

County Administrator Douglas stated that the County has entered into an agreement with the City of Franklin to share the costs of Children’s Services Act (CSA) professional coordination services.

It was noted that the City of Franklin would submit a bill for shared services of agreed costs.

Ms. Sarah Allen was in attendance at the meeting. DSS Director Will Hagy introduces her to the Board as the new CSA Coordinator. Mr. Hagy stated that the agreement was finalized and thanked County Attorney Gore and County Administrator Douglas for their assistance.

3.04 Regional LEPC Presentation by Virginia Department of Emergency Management (VDEM) – Ms. Donna Pletch

County Administrator Douglas stated that Ms. Donna Pletch, the Chief Regional Coordinator of Region 1 of the Virginia Department of Emergency Management (VDEM), was in attendance to present information on a required Local Emergency Planning Committee (LEPC), a requirement of our hazard mitigation planning, and the potential for establishing a regional LEPC with our neighboring jurisdictions.

Ms. Pletch stated that Mr. Robert
There was discussion on the when and why LEPC’s were developed.

Mr. Robert Paxton, a Hazardous Material Officer, reviewed that Emergency Planning and Community Right to Know Act. This act was passed by congress in response to the Bhopal and West Virginia incidents and was signed into law October 17, 1986. The Hazardous Waste Operations and Emergency Response (HAZWOPER) covers spill response teams. The Act was commonly known as title three of the Superfund Amendments and Reauthorization Act (SARA).

Sara Title III (EPCRA) four majors were discussed. Those four setions are (1) Emergency Planning (section 301-303); (2) Emergency Release Notification (section 304); (3) Community Right to Know reporting requirements (section 311-312); and, Toxic Chemical Release Inventory (section 313).

SARA Title III (EPCRA) requirements were reviewed to include (1) the establishment of LEPC’s (HAZMAT); (2) the need to identify the sources of potential emergencies; (3) development of response procedures/planning for HAZMAT; (4) designates who will coordinate the response; (5) reporting extremely hazardous substances (EHS, EPA); and (6) reporting any release of covered chemicals.

There was discussion of the duties of the LEPC. The duties are: (1) collect Tier II reports for the LEPC during March; (2) develop a community emergency response plan; (3) review the plan annually; (4) provide information about chemicals in the community to the public; and, (5) membership should cover a broad cross section of the community—Emergency responders, Government officials, Industry representatives, and Citizens.

There was discussion of planning tools. One of the tools include the HAZMAT Emergency Planning Guide issued in March 1987, updated March 2001, by the National Response Team, known as the “Orange Book” to provide planning and response guidance to local governments.

There is also the Technical Guidance for Hazards Analysis issued December 1987 by the EPA, known as the “Green Book”. It was developed to aid in hazard assessment related to the potential airborne release of extremely hazardous substances.

Another planning tool is the When All Else Fails guide issued July 1990 by the EPA to help understand the LEPC Program and EPCRA, submitting Tier II reports; and developing competency using CAMEO software (or equivalent).

There was discussion of reporting tools because businesses are required to submit Tier II reports to: SERC/LEPC/LOCAL FIRE DEPARTMENT.

There was discussion of integrated software suite CAMEO, Aloha and MarPlot for use by planners and emergency responders. The software directly upload Tier II report information. It was noted that chemical properties and local weather can be used for plume prediction modeling, etc.

There was discussion that the State Emergency Response Commission is a secure and resilient Commonwealth panel (SRCP) that is chaired by the coordinator of VDEM and designates and supervisors LEPC districts and activities. It establishes procedures for public release of information.

In summary, the Community Right to Know Act and the formation of LEPC’s are important pieces in planning for and responding to events that involve hazardous materials. They can promote safety and comply with federal law by informing and educating the public and first responders about those potential hazards in and around our community.

The following links for Resources for the Community Right to Know Act:

- <https://www.epa.gov/epcra/30-years-epcra>
- <https://www.deq.virginia.gov/land-waste/superfund-amendments-and-reauthorization-act-sara>

It was noted that it was general consensus that the County Administrator and Mr. Foster will work together to move forward with documentation for MOU.

A copy of the slideshow was provided in the Board packet.

A video was shown to reinforce the need for emergency planning and hazard identification.

3.05 Redistricting Mapping Presentation – Mr. Alec Brebner, Crater Planning District Commission

Mr. Alec Brebner, the Executive Director of the Crater Planning District Commission, provided a brief redistricting mapping presentation. He stated that Mr. Jay Ruffa, Director of Planning & GIS is responsible for GIS mapping. Crater Planning District Commission (PDC) serves as a forum for regional dialogue and staff support for topics of regional scope: economic development, transportation planning, and environmental planning. In these roles, Crater PDC staff utilizes expertise in geospatial data analysis.

Virginia operates on “one person, one vote”. Article VII, Section 5 of the Constitution of Virginia specifically requires any locality that conducts elections by district to change its district boundaries every 10 years. Code of Virginia § 24.2-304.1 requires the County to use the most recent decennial population figures for the purposes of redistricting and reapportioning representation. Districts cannot be drawn to discriminate based on race (Fourteenth Amendment of US Constitution; Voting Rights Act of 1965; Article II, Section 6 of Va. Constitution). Article VII, Section 5 of the Constitution of Virginia requires local election districts to “be composed of contiguous and compact territory.” Voting districts must have clearly observable boundaries (§ 24.2-305) and should avoid splitting neighborhoods.

Mr. Brebner stated that in prison population reallocation, Virginia’s General Assembly passed legislation in 2020, now § 24.2-314 of Virginia law, changing how the Commonwealth and its localities must count inmates in correctional facilities.

1. A person incarcerated in a federal, state, or local correctional facility whose address at the time of incarceration was located within the Commonwealth shall be deemed to reside at such address.
2. A person incarcerated in a federal, state, or local correctional facility whose address at the time of incarceration was located outside of the Commonwealth or whose address at the time of incarceration cannot be determined shall be deemed to reside at the location of the facility in which he is incarcerated

A census was conducted in 2020. The data became available the latter of 2021.

Sussex County Population, 2010-2020

Source	2010 Population	2020 Population	Percent Change
US Census	12,087	10,829	(10.4%)
VA Division of Legislative Services	12,087	*9,366	(22.5%)

*The net effect of VA Code §24.2-314 is reallocation of 1,463 inmates from Sussex County to other localities across Virginia. (*The information in the above table was provided by/taken from Crater PDC presentation.)

Sussex County Population Race and Ethnicity, 2010-2020

Source	Total Population	Black Alone	Percent Black Alone	White Alone	Percent White Alone	Hispanic	Percent Hispanic
2010 US Census	12,087	7,023	58.1%	4,747	39.3%	268	2.2%
2020 US Census	10,829	5,781	53.4%	4,501	41.6%	306	2.8%
2020 VA DLS	*9,366	n/a	-	n/a	-	n/a	-

*The net effect of VA Code §24.2-314 is reallocation of 1,463 inmates from Sussex County to other localities across Virginia. Race and ethnicity do not appear in the data set provided by the Virginia Division of Legislative Services. (**The information in the above table was provided by/taken from Crater PDC presentation.*)

Redistricting – Determination of Need

1. Map 2011 voting districts approved by Board of Supervisors, confirm with staff.
2. Collect inmate-adjusted population from Virginia Division of Legislative Services.
3. Determine target population for each BOS voting district using inmate-adjusted population: 9,366 divided by 6 equals 1,561.
4. Determine allowable deviation from average voting district population in consultation with County Attorney: 1,483 - 1,639 (plus or minus 5%).
5. Map 2020 census blocks with inmate adjusted populations against 2011 voting districts.
 1. Changes in law related to §24.2-314 require the remaining inmate population to remain in its voting district.
6. Summarize 2020 populations by 2011 voting districts.

Sussex County Population by Current Voting Districts, 2010-2020

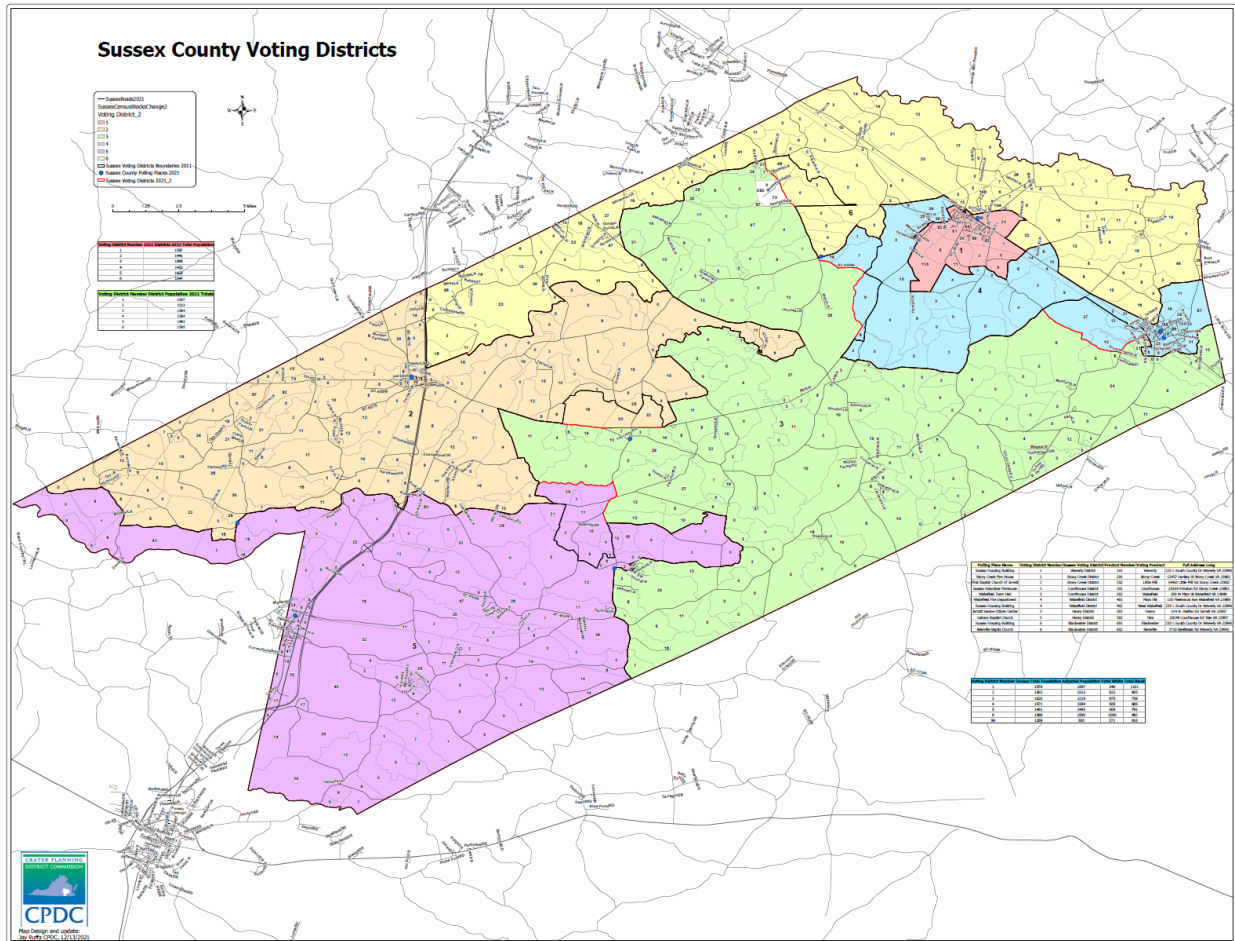
District	2010 Census Population – No Change Scenario	2020 Adjusted Population – No Change Scenario	Adjusted Pop'n vs. Mean (limit: 5% {+/- 78})
Waverly	1,688	1,597	+36
Stony Creek	1,527	1,441	-78
Courthouse	4,035	1,906	+345
Wakefield	1,624	1,452	-109
Henry	1,526	1,423	-138
Blackwater	1,687	1,547	-17
Mean (target)	n/a	1,561	-

*The information in the above table was provided by/taken from Crater PDC presentation.

Potential 2021 Voting Districts

This exhibit shows one possible solution, adjusting voting district boundaries to bring populations into range for “one person, one vote” (1,561 plus or minus 78).

Other potential solutions are numerous given the current shapes of voting districts and array of census blocks.



**Map provided by Crater Planning District Commission*

Sussex County Population 2020 Potential Voting District Map

District	2020 Adjusted Population – Potential Map Scenario	2020 Adjusted Population – No Change Scenario	No-Change vs. Potential Map
Waverly	1,597	1,597	0
Stony Creek	1,513	1,441	+72
Courthouse	1,584	1,906	-322
Wakefield	1,584	1,452	+132
Henry	1,493	1,423	+70
Blackwater	1,595	1,547	+48
Mean (target)	n/a	1,561	-

Sussex County 2020 *Potential* Voting Districts Map – Racial Characteristics

District	2020 Census Population	2020 Census: White Alone	2020 Census: Black Alone	2020 Adjusted Population
Waverly	1,578	340	1,131	1,597
Stony Creek	1,502	622	805	1,513
Courthouse	3,109	1,346	1,677	1,584
Courthouse (unincarcerated)	1,820	975	759	1,219
Wakefield	1,571	585	885	1,584
Henry	1,481	608	791	1,493
Blackwater	1,588	1,000	492	1,595

*Note: Virginia DLS data do not report racial characteristics. 2020 US Census data are used to approximate impacts of the Potential Voting Districts Map. (*Data table provided by Crater Planning District Commission.)*

There was inquiry of timeline. It was noted that the timeline is as the County can practicably do this by law. The new process and COVID were a few factors in timeline. There was a brief discussion of new State laws.

It was noted that 365 inmates were still counted in the County. There was discussion of It noted that the There was a request to provide a more practical number.

A copy of the map was provided to the Board.

3.06 Recognition of Richard Douglas for ICMA 20 Years of Service

The International City/County Management Association (ICMA) is the leading organization of local government professionals dedicated to creating and sustaining thriving communities throughout the world.

At its 107th Annual Conference, Mr. Richard Douglas was recognized and awarded a certificate in honor of 20 years of service in the local government profession.

Chairman Seward presented County Administrator Douglas with the ICMA Certificate for 20 Years of Service.

A copy of the ICMA Certificate for 20 Years of Service

3.07 Parks and Recreation – Supervisor Fly

The item was removed during agenda amendments.

4. Public Hearing

There was no Public Hearing.

5. Appointments

5.01 Nominations for the Board of Equalization

This item was on the previous month's agenda. County Administrator Douglas stated that the County is currently undergoing a reassessment for 2022. As part of the reassessment, the County makes recommendations for nomination to the Circuit Clerk Judge for appointment to the Board of Equalization. In 2018, the Board of Equalization was put in place; however, no terms were set and one member is no longer eligible to continue to serve. Staff contacted members appointed in 2018. They were willing to continue to serve if it's the Board's desire.

The four members currently serving on the Board of Equalization are: (1) Ms. Antoinette Jones, 13174 Shands Road, Stony Creek, Virginia 23882; (2) Mr. Dennis Mason, 407 East Main Street, Wakefield, VA 23888; (3) Ms. Carla Mayes, 2837 Petersburg Road, Waverly, VA 23890; and, (4) Mr. Jerry Parham, 33117 Sussex Drive, Waverly, VA 23890.

FYI: The Board of Equalization is composed of five members. Staff has contacted members appointed by the Circuit Court Judge in 2018. All are willing to continue serve, if reappointed.

The five-member panel must meet the following requirements: (1) Each member must be a resident of the County; (2) A majority of the board must be freeholders; (3) Thirty percent shall be commercial or residential real estate appraisers, other real estate professionals, builders, developers or legal or financial professionals; and, (4) Each member shall attend and participate in the basic course of instruction given by the Department of Taxation.

No action was taken at the time. This item will be on the December agenda.

5.02 Appointment to Sussex Service Authority

This item was on previous month's meeting agenda. County Administrator Douglas stated that staff was advised by Mr. Frank Irving, of Sussex Service Authority, that there was a vacancy for an unexpired term on the Sussex Service Authority for an alternate in the At-Large position.

The position is for any citizen who resides in Sussex County (prefer them to be in our service area, but not mandatory) and is not an elected official. The position is currently held by Sam Harrison but he has moved out of Sussex County and is no longer eligible. He will continue to serve until his replacement has been appointed.

This position will serve through December 2022 at which time they can be renewed for another four-year term.

Board members are to provide names at the January meeting.

5.03 Appointment to the Department of Social Services Advisory Board

This item was tabled from the September 16, 2021 Board of Supervisors regular meeting.

At previous Board meetings, the Board discussed contacting members of the former DSS Administrative Board in regards to their interest in serving on the Advisory Board. There was also the Board's general consensus to have representation from each district.

No action was taken. Board members are to continue to seek interested persons for appointments for their district and provide biographies to deputy clerk of the Board.

6. Action Items

6.01 Sussex External Organizations Grant Document

During the FY2022 budget development process, the Board of Supervisors directed staff to develop a review process for external organization funding requests. Attached for your consideration are: 1) a policy governing contributions to external organizations; 2) a grant application form for use by external organizations; and 3) an external organization grant agreement. These documents are used by other local governments in the process of considering funding to external organizations and provide accountability and a consistent format for submitting information needed in the decision-making process.

Staff recommends approval of each of the three documents.

There was discussion of reconsidering administrative costs for auditors and expenses of lobbyists as disallowed costs. There was discussion of legal fees being disallowed if you have to outside legal opinions that will have to be paid to be incorporated as eligible fees.

The following was included in the Board packet:(1) Policy governing contributions to external organizations; (2) Grant application form for use by external organizations; and (3) External organization grant agreement.

ON MOTION OF SUPERVISOR W. JONES, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts the policy governing contributions to external organizations; (2) the grant application form for use by external organizations; and (3) the external organization grant agreement.

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

Voting nay: none

Abstained: Supervisor Tyler

Absent: Supervisor Fly

6.02 Finance Committee Recommendations

County Administrator Douglas stated that there are two requested recommendations from the Finance Committee meeting held November 30, 2022. The first request requests the ARPA funding. The list previously provided has been amended

At the Finance Committee meeting on November 30th, the following actions were recommended:

- 1) Approve the requested list of ARPA-funded items as amended and reflected on the attached table, at a total cost of \$892,000 (as reflected in the attached budget amendment). This table reflects the initial proposed use of ARPA funds, staff modifications, and the final Finance Committee recommendations.
- 2) Sheriff Giles presented a request for increased staff compensation to retain and attract employees. A budget amendment is attached for your consideration that reflects an increase in departmental compensation that would require a fund balance appropriation of \$197,672.88 to cover the remaining six months of the fiscal year (the total appropriation is \$233,676.03 but reflects a \$31,756.24 contribution from Waverly and \$4,246.91 contribution from Wakefield). For informational purposes the Finance Committee also heard a presentation from the County's insurance consultant on a health reimbursement account (being further reviewed by staff); discussed funding for parks and recreation alternatives; and received Supervisor Tyler's request to consider funding for pedestrian safety improvements in Jarratt (the County Administrator has met with the VDOT resident engineer to begin studying improvements).

County Administrator Douglas stated that per his request, the Economic Development Director and Human Resource positions were consolidated. The initial Building and Grounds projects; Animal Services horse trailer; Waverly's Wastewater and the Sheriff's sanitizing machines were removed from the ARPA Supplemental budget. He noted that the big ticket items are Life Star and Garda World.

Chair Seward requested the Board to consider purchasing the horse trailer back to the ARPA budget at \$9,000—half the cost.

The ARPA Budget table; ARPA budget amendment; and the Sheriff's Budget amendment 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 amends and approved RESOLUTION #21-122 FY22 BUDGET AMENDMENT, to-wit:

WHEREAS, the Sussex County Board of Supervisors held its regular Board of Supervisors meeting on December 16, 2021 at the Sussex County Courthouse; and

WHEREAS, adjustments were made for proposed use of funds; and

WHEREAS, the total expenditures of funds are \$901,000 as listed; and

WHEREAS, the total revenues are \$901,000.

BE IT RESOLVED by the Sussex County Board of Supervisors that the following budget amendment for the following functions: General Government, Public Works, Fire, Rescue and Emergency Services, Parks, Recreation & Cultural, Sheriff's Operation and Jail be and hereby is made for the period of July 1, 2021 through June 30, 2022.

Voting aye: Supervisors D. Jones, W. Jones, Seward
Voting nay: none
Abstained: Supervisor Tyler
Absent: Supervisor Fly

County Administrator stated that second request was in reference to the Sheriff's Office regarding staffing and compensation. The request does not address the bigger issue of staffing new hires. The Sheriff has provided increases, effective January 1, 2022 through the next six months, June 30, 2022 in the amount of \$197,672.88 to cover the remaining six months of the fiscal year (the total appropriation is \$233,676.03 but reflects a \$31,756.24 contribution from Waverly and \$4,246.91 contribution from Wakefield).

County Administrator Douglas noted that there was no new source of funding for this request. The appropriation will have to be taken from the Fund balance. The total reflection of the Towns of Wakefield and Waverly contributions. There was discussion of the proposed potential 10% raise for law enforcement.

It noted that the funding covers the additional FICA; however, it didn't included/cover overtime pay. The Sheriff stated that he would be able manage the overtime pay for the next six months.

Sheriff Giles request that if he starts running into problem that he be allowed move money from line item to another. It was stated that there wasn't a problem with moving funds around as long as the bottom line total is not overspent.

ON MOTION OF SUPERVISOR W. JONES, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts the Resolution #21-121, to-wit:

**RESOLUTION #21-121
FY22 BUDGET AMENDMENT**

WHEREAS, the Sussex County Board of Supervisors held its regular Board of Supervisors meeting on December 16, 2021 at the Sussex County Courthouse; and

WHEREAS, the Sheriff's is requesting increased department compensation;

WHEREAS, a fund balance appropriation in the amount of \$197,672.88 is needed to cover the remaining six months of the fiscal year; and

WHEREAS, the Town of Wakefield contributes \$4,246.91; and

WHEREAS, the Town of Waverly contributes \$31,756.24; and

WHEREAS, the total appropriation is \$233,676.03.

BE IT RESOLVED by the Sussex County Board of Supervisors that the following budget amendment for the Sheriff's Operation and Jail be and hereby is made for the period of July 1, 2021 through June 30, 2022.

**FUND # 100
GENERAL FUND**

REVENUE

Fund 100 Local Revenue	
Fund Balance	\$197,673
Town of Waverly	\$31,756
Town of Wakefield	<u>\$4,247</u>
Total Revenues	\$233,676

EXPENDITURE

Fund 100 Sheriff's Operations & Jail	<u>\$233,676</u>
Total Expenditures	\$233,676

Adopted this 16th day of December, 2021.
All Board members present voted aye.

6.03 Mega Site Clearing Proposal

County Administrator Douglas stated that the request is permission to clear possibly a dozen acres at the Mega Site and then construct an access road to provide onsite access to prospects to see the property.

Staff has been working with the Timmons Group to provide for a cleared area at the Sussex Mega Site that can be used to show/meet with industrial prospects onsite (as opposed to meeting with prospects at the adjacent WWTP facility). This project, as depicted on the attached map, would include logging and mulching 11.4 acres, the installation of an 1800' gravel access road, and a small temporary shelter on the property. While timber proceeds should cover most of the logging costs, staff is requesting that economic development designated funds from previous Henry site timber sales be utilized to cover any outstanding costs, and a budget appropriation resolution would be provided at a later date, based on actual project costs (staff anticipates no more than \$50,000 would be needed to complete this project).

Staff is requesting approval to proceed with this project, to include logging, mulching, access improvements, and temporary site improvements.

The Map of the Mega Site was included in the Board packet.

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes the county administrator to proceed with obtaining bids for this Mega Site project, to include logging, mulching, access improvements, and temporary site improvements. All Board members present voted aye.

6.04 Request for Burn Ban

Mr. Reid Foster stated that he was approached by the local foresters to bring to Board a request for a burn ban due to the drought and winds. He stated he spoke with Ms. Pletch, with VDEM, prior to the meeting and was advised that the Governor does have a burn ban presented from the Virginia Department of Forestry for the eastern portion of the State, but does not know whether the Governor will act on it or not.

The local foresters is requesting the County for burn ban for at least 60 days.

County Gore stated that if the County doesn't already have a burn ban in place, upon the Declaration of Emergency from the local emergency director, the only way to issue a burn ban is through an emergency ordinance wherein it wouldn't have to be advertised and would only last for 60 days.

County Attorney Gore recommended considering have an ordinance on the books that in the future will allow, by local declaration of the emergency services, to implement a ban.

ON MOTION OF SUPERVISOR W. JONES, and seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves implementing an Emergency Burn Ban Notice.

7. Citizens' Comments

- Jamica Giles (Waverly District) – Improvement Association.
- Kevin Bracy (Courthouse District) – Helping senior citizens; DMV Select.

8. Unfinished Business

8.01 Crater Regional Workforce Development Board Update

This item was removed during the agenda amendments.

9. New Business

There was no New Business.

10. Board Member Comments

10.01 Blackwater District – Last meeting as Chairman – 5 years; official award of Sussex VATI Grant.

10.02 Courthouse District – absent

10.03 Henry District – Various MOUs; Head Start absent for Christmas songs due COVID; General Assembly passed G-3 program initiative (skills in welding, HVAC, Early Childhood education, cyber security, etc.); awarded 2 GEN program.

10.04 Stony Creek District – none

10.05 Wakefield District – none

10.06 Waverly District – vacant

11. Closed Session

11.01 Convene to Closed Session

ON MOTION OF SUPERVISOR W. JONES, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby enters Closed Session to (1) discuss the disposition of publicly held real property because discussion in an open meeting would adversely affect our bargaining position, pursuant to Va. Code Section 2.2-3711(A)3; and (2) Personnel Matters, discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, applicable Va. Code Section §2.2- 3711(A)1.

All Board members present voted aye.

Supervisor Tyler departed during Closed Session.

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

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR W. JONES 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 D. Jones, W. Jones, Seward

Voting nay: none

Absent during vote: Supervisor Tyler

Absent: Supervisor Fly

11.04 Action Resulting from Closed Session

ON MOTION OF SUPERVISOR W. JONES, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby awards the Branch Street Property to Pocahontas Temple Church in the amount of \$2,500 and directs County Administrator to work out details with their representative. All Board members present voted aye.

ON MOTION OF SUPERVISOR D. JONES, seconded by W. JONES and carried: RESOLVED that the Sussex County Board of supervisors hereby awards the Pocahontas Park property, the only bid received, in the amount of \$5,500 and directs County Administrator to work out details with their representative. All Board members present voted aye.

There was no action on the Chambliss Elementary School property.

12. Adjournment

12.01 Adjournment

ON MOTION OF SUPERVISOR W. JONES, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the December 16, 2021 regular meeting of the Sussex County Board of Supervisors hereby adjourned at 10:28 p.m.

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

Voting nay: none

Absent during vote: Supervisor Tyler

Absent: Supervisor Fly

12.02 Next Meeting

The next regular Board of Supervisors meeting will be held on Thursday, February 17, 2022 at 6 p.m.