

**At a Regular Meeting of the  
Sussex County Board of Supervisors  
Held in the General District Courtroom on  
Thursday, December 21, 2023 at 6 pm**

**BOARD MEMBERS PRESENT**

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

**BOARD MEMBER ABSENT**

Debbie P. Jones

**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  
Michael Kessinger, Captain  
Kelly W. Moore, Finance Director  
Titiana D. Nicholson, CSA Coordinator  
Michael Poarch, Planner  
Vincent Robertson, Commonwealth's Attorney  
Nick Sheffield, Emergency Services Chief  
Regina Sykes, Chief Deputy Commonwealth's Attorney  
Shilton R. Butts, Asst. to the County Administrator/  
Clerk to the Board of Supervisors

**1. Commencement**

1.01 Call to Order/Determine Quorum (6:15 p.m.)

Chairman W. Jones called the December 21, 2023 regular meeting of the Sussex County Board of Supervisors to order.

1.02 The Invocation

Vice Chair Seward offered the Invocation.

1.03 The Pledge of Allegiance

The Pledge of Allegiance was recited by all.

#### 1.04. Agenda Amendments

County Administrator Douglas requested to add under Item 3. Recognition, as Item 3.03 Recognition of outgoing Commonwealth's Attorney, moving the other items down. He also added under Item 11. Closed Session, as Item 11.01(b) Economic Development.

Vice Chair Seward inquired about hiring a lobbyist for PILOT. County Administrator Douglas requested to add under Item 8. Unfinished Business, as Item 8.02 the Hiring of Lobbyist for PILOT.

#### 1.05. Approval of Regular Agenda

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approve the December 21, 2023 regular agenda as amended to include (1) adding under Item 3. Recognitions/ Awards/Presentation, as Item 3.03 Recognition of outgoing Commonwealth's Attorney, moving the other items down; (2) adding as Item 8.02 the Hiring of Lobbyist for PILOT and; (3) adding under Item 11. Closed Session, as Item 11.01(b) Economic Development.

All Board members present voted aye.

### **2. Approval of Consent Agenda**

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Consent agenda inclusive of the following: (a) November 16, 2023 regular Meeting minutes; (b) the Approval of Warrants and Vouchers; (c) the Treasurer's Report and Financial Update; (d) Departmental Reports; (e) Additional Funds for Ambulance Purchase Budget Amendment; (f) End of Year Leave Extension Request; (g) Temporary CSA Spending Cap; and (h) Draft FY25 Budget Planning Calendar. All Board members present voted aye.

### **3. Recognitions/Awards/Presentation**

#### 3.01 The Improvement Association Head Start Program Holiday Musical Performance

Ms. Keisha Kelly, the Head Start Director and Parent as Teacher Administrator, attended. Ms. Kelly thanked the Board for all that they had done for the Improvement Association on behalf of the Improvement Association, staff, families and customers served. The Improvement Association recognized the dedication in the support provided. The Improvement Association was grateful to serve the citizens of Sussex County and provide comprehensive services to make sure everyone had the opportunity to become successful and self-sufficient.

A handout was provided that displayed the Improvement Association's Sussex County Head Start Classrooms Fall 2023 Classroom Scoring System (CLASS) scores. CLASS is the measure tool

that used to assess the interactions occurring within classrooms. The tool looks at emotional support, classroom organization, and instructional support that occurs to foster a positive, loving and learning environment. The data provide comparison scores of the Improvement Association's Sussex Head Start classrooms and Nationwide classrooms.

There was data provided that displayed the Teaching Strategies Outcome Report for the components within the implemented Creative Curriculum. The data display the amount of students that are below, meeting, or exceeding the benchmarks set within the curriculum. As the school year progress, the data will show an increase of emotional and academic knowledge.

The Sussex Improvement Association Head Start students closed the presentation singing Christmas carols for the Board of Supervisors.

### 3.02 RESOLUTIONS: Recognizing Outgoing Board of Supervisors Members (The Honorable Susan Seward and the Honorable Debbie Jones)

Outgoing Board of Supervisors members Susan Seward and Debbie Jones were recognized by resolution for their service to the County.

Copies of the resolutions were provided to the Board.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approved the resolution for Honorable Susan Seward for her service on the Sussex County Board of Supervisors, to-wit:

WHEREAS, the Honorable Susan B. Seward began serving on the Board of Supervisors for the Blackwater District on January 1, 2016; and

WHEREAS, Supervisor Seward untiringly devoted eight years to the County and its communities exhibiting leadership that will continue to have a growing impact far beyond her term of office; and

WHEREAS, Supervisor Seward was voted Vice Chair of the Board of Supervisors at its 2016 organizational meeting January 21, 2016; and

WHEREAS, Supervisor Seward went on to be voted as Chair of the Board of Supervisors at its 2017 organizational meeting, serving for six years through December 31, 2022 until her announcement of relocation, wherein returning to serve as Vice Chair.

WHEREAS, Supervisor Seward , through the performance of her duties and responsibilities as a member of the Board of Supervisors, has made excellent and constructive contributions for the betterment of the County and improvement of a wide range of County operations.

THEREFORE BE IT RESOLVED that the Sussex County Board of Supervisors hereby recognizes and expresses sincere appreciation and thanks to the Honorable Susan B. Seward for her service to Sussex County and the Blackwater District.

BE IT FURTHER RESOLVED that the Board of Supervisors wishes the HONORABLE SUSAN B. SEWARD the best on her future endeavors.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this board meeting this 21<sup>st</sup> day of December, 2023.  
All Board members present voted aye.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approved the resolution for Honorable Debbie Jones for her service on the Sussex County Board of Supervisors, to-wit:

WHEREAS, the Honorable Debbie P. Jones began serving on the Board of Supervisors for the Stony Creek District on January 1, 2020; and

WHEREAS, served on the Personnel Committee for four years; and

WHEREAS, Supervisor Jones has earned the admiration and high regard of those with whom she has come in contact; and

WHEREAS, Supervisor Jones has demonstrated her deep and genuine love for the Stony Creek District and the overall County; and

WHEREAS, Supervisor Jones has always placed her concern for the public as a priority.

BE IT RESOLVED that the Sussex County Board of Supervisors hereby recognizes and expresses sincere appreciation and thanks for her service to the County.

BE IT FURTHER RESOLVED that the Board of Supervisors wishes the HONORABLE DEBBIE P. JONES the best on her future endeavors.

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the minutes of this Board meeting this 21<sup>st</sup> day of December, 2023.  
All Board members present voted aye.

### 3.03 RECOGNITION: Outgoing Commonwealth's Attorney Vincent Robertson

Commonwealth's Attorney Vincent Robertson attended the meeting. He stated that as of December 31, 2023, he would be the former Commonwealth's Attorney. CWA Robertson thanked the Board and the County Administrator for the support given and the opportunity to work with Sussex County. He noted that he began employment at the height of COVID-19.

CWA Robertson introduced the incoming Commonwealth's Attorney Regina Sykes. Commonwealth's Attorney-elect Sykes' term will begin January 1, 2024. CWA Robertson stated that the CWA-elect Sykes practiced in the Commonwealth's Attorney offices in Portsmouth and Newport News, as well as private practice.

Commonwealth's Attorney-elect Sykes greeted everyone. She stated that it was her pleasure, as well as her privilege to serve the community and constituents of Sussex County. She stated that she was excited to get to know everyone on the Board. She thanked Sheriff Giles and his team. She looked forward to working together to protect the citizens of Sussex. She noted that she shared some of things she would like to do with the County Administrator. She hoped that she would have the opportunity to return to the Board to discuss those things. She advised that effective January 1, 2024, the Commonwealth's Attorney office would have a website up and running, a community Facebook page and Instagram the CWA office would be posting to keep everyone updated on what's going on in the Commonwealth's Attorney office.

### 3.04 RESOLUTION: Recognition Montaque Gilliam's Retirement

Montaque Gilliam retired November 1, 2023 after serving 25 years with Sussex County in the Building and Grounds Department.

The Board, fellow co-workers, and County Administration expressed their appreciation and extended their congratulations to Mr. Gilliam on his retirement.

A copy of the Resolution honoring Montaque Gilliam was included in the Board packet.

Ms. Ellen G. Boone accepted the Resolution and thanked the Board on behalf of Mr. Gilliam. Mr. Gilliam arrived and thanked the Board and County for the opportunity to work for the County.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Board approves and adopts the resolution honoring Mr. Montaque M. Gilliam on his retirement, to-wit:

WHEREAS, on November 1, 2023, Montaque M. Gilliam, retired from Sussex County's Public Works Building and Grounds Department; and

WHEREAS, he began his career part-time in late 1998 in the Building and Grounds Department until he was hired full time in 1999; and

WHEREAS, Mr. Gilliam was promoted to Building and Grounds Supervisor in 2007; and

WHEREAS, with over the 25 years of dedicated service, Mr. Gilliam displayed the highest example of character, ethics, morals, and unselfish service; and

WHEREAS, Mr. Gilliam, who is a humble person, didn't mind helping anyone or working with his staff to get the job done; and

WHEREAS, Mr. Gilliam will take with him a wealth of knowledge about the history and grounds of the Sussex County Administration complex.

BE IT RESOLVED that the Sussex County Board of Supervisors hereby recognizes and extend our congratulations to Mr. Montaque M. Gilliam on his retirement and wishes him the best in his future endeavors. NOW, THEREFORE BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the minutes of this Board meeting this 21st day of December, 2023. All Board members presented voted aye.

28:19

3.05 Stony Creek Wastewater Treatment Plant Needs (John Grey - The Wooten Company) and Sussex Service Authority Response (Frank Irving)

County Administrator Douglas provided a brief background that shortly after he started with tJohn Grey with the Wooten Company present a summary of their evaluation of the Stony Creek Wastewater Treatment Plant completed in 2021 (Work Order #8, Stony Creek WWTP Capacity Evaluation Study, attached for your review), as well as potential next steps for moving forward with increasing wastewater capacity in the Stony Creek area. At the request of Board member-elect Tom Baicy, Frank Irving with the Sussex Service Authority will share the SSA's position on this issue. No action is requested at this time, unless the board desires to move forward with the Wooten Company preparing a preliminary engineering report (PER) as the next step in the process.

The Summary of 2021 Stony Creek Wastewater Treatment Plant (WWTP) Capacity Eval Study presentation included the purpose of 2021 Study; summary of the study; and the possible next steps,

The purpose of the study include (1) with Berkley Group, estimate population growth if sewer were available; (2) Estimate future wastewater capacity needs based on population growth; (3) Evaluate existing capacity of Stony Creek WWTP; and (4) provide rough cost for WWTP expansion.

The estimated population projection for the next 20 years (2021-2041) for the Service Area. A map was provided to show service boundary and connected addresses, planning area address and Stony Creek planning Boundary and the Town of Stony Creek.

The Berkley Group completed a population projection showing the population and housing units from 2010 to 2020 with five-year projections. It also noted change based on Census of 2019 Tract and existing annual change.

The current commercial wastewater flows are approximately 27,300 GPD. The current residential wastewater flows are approximately 17,700 GPD. A total projected service area flow was provided for Residential, Commercial and Industrial for 2020, 2030 and 2040 for total design flow and peak hydraulic flow.

Estimate future wastewater capacity needs were based on the projections, the 20-year capacity needed is nearly 5.5 times that of the current WWTP's capacity (218,000 GPD/40,000 GPD). Therefore, the existing WWTP cannot meet the future projected needs and an expansion of

capacity is needed.

Permit expansion was requested by Sussex Service Authority for 150,000 GPD and 225,000 GPD.

Replacement WWTP would need to meet the limits provided in that expansion permit which was not received until after completion of the study.

There was discussion of the evaluation of existing Stony Creek WWTP. The existing WWTP is a lagoon system currently permitted for a capacity of 40,000 GPD.

The monthly flow for the WWTP influent from July 2018 – Nov 2020:

<b>Table 1: WWTP Influent Flow (values in gpd)</b>			
	<b>2018</b>	<b>2019</b>	<b>2020</b>
Average Daily Flow, ADF:	45,930	46,334	40,927
Maximum Monthly Flow, MMF:	51,817	57,229	54,850
Peak Daily Flow, PDF:	–	–	89,000
<b>Percent of 0.40 MGD Capacity:</b>	<b>115%</b>	<b>116%</b>	<b>102%</b>
<b>Percent of 0.60 MGD Capacity:</b>	<b>77%</b>	<b>77%</b>	<b>68%</b>

<b>Table 2: WWTP Effluent Flow (values in gpd)</b>			
	<b>2018</b>	<b>2019</b>	<b>2020</b>
Average Daily Flow, ADF:	37,114	35,217	33,709
Maximum Monthly Flow, MMF:	49,736	51,822	56,657
Peak Daily Flow, PDF:	89,724	75,876	89,217
<b>Percent of 0.40 MGD Capacity:</b>	<b>93%</b>	<b>88%</b>	<b>84%</b>
<b>Percent of 0.60 MGD Capacity:</b>	<b>62%</b>	<b>59%</b>	<b>56%</b>

Once the WWTP exceeds 95% of capacity (38,000 GPD) with the monthly average for more than 3 months **in a row**, then a Plan will have to be submitted within 90 days.

The Cost for Expansion of Stony Creek WWTP was provided. The summary memo reviewed the costs for a possible WWTP utilizing SBR process. The proposed plant was estimated in phases: Phase 1 – 150,000 GPD and Phase 2 – 225, 000 GPD.

The WWTP phase 1 would include 2 -75,000 GPD SBR units and phase 2 would add a third 75,000 GPD unit. Cost opinion for the SBRs was provided by Aqua-Aerobics Systems, Inc. GPD.

The rough Cost Opinion for Phase 1 in 2021 was \$7.2 million. The rough Cost Opinion for Phase 2 in 2021 was \$1.3 million. These costs do not include any improvements to the sewer collection system. These costs were based on assumed limits as the letter from DEQ had not been received at the time of the report

Possible next steps included: (1) Determine location of WWTP; (2) Verify size of plant desired; (3) Determine funding for WWTP, possibly – USDA, DEQ and/or other; (4) Based on funding, complete a Preliminary Engineering Report (PER); (5) High Inflation has occurred since the completion of the report so the PER would include an updated Cost Opinion; (6) Obtain funding approval of PER and proceed to Design; and (7) Procure Engineer for Design and Construction Services

An aerial map was provided showing the influent screen, chlorination contact chamber, aearator controls, Otis Blower Building

Mr. Frank Irving, Sussex Service Authority (SSA), thanked the Board for the opportunity to present. The SSA is a proprietary fund. They are there to maintain and operate and make sure their rates are there to maintain and operate. He stated that the SSA had been to the Board of Supervisors many times and advised the Board that Stony Creek is an issue. They did not have, at that time, the funding capacity. If any economic development, the County would have to partner with them. Mr. Irving stated that he never stated that the County would have to pay 100%. He stated the report Mr. Grey provided didn't include other options other than building another WWTP. He stated that they have hired engineers that have provided estimates of, for a plant today, closer to \$10-12 million.

The Town of Stony Creek has 142 customers. They have a total of 1,800 total residential customers. There are a total of 2,300 customers counted as commercial. He stated that if they burden where all of their customers share the burden of \$10-\$12 million, it would be approximately \$35 to \$50 added a month to each customer's sewer bill to cover that debt service.

Mr. Irving stated the capital project that SSA are responsible is to maintain their lines. He stated that the CHA firm has come up with some different ways that they could prolong this. He stated that they had a much cheaper way to "kick the can down the road", so to speak to see what happens.

He stated that SSA water system is about 65,000 gallons per day. He doesn't think that they can get any more water. He stated to put a plant in now, he doesn't see how it would benefit. He stated that they were not using half of the water basically.

Mr. Kearns, with SSA, stated they could pull 48 million gallons out the ground without a groundwater permit. They are using 24 million gallons annually. They have plenty of water in Stony Creek.

Mr. Irving stated that they were considering other alternatives. They were considering funding PR themselves through CHA. They were looking at two other options, which he would let Mr. Kearns address because he could answer the technical aspects. They were also looking at Inflow and Infiltration (I&I).

Mr. Kearns stated that he had been with the Sussex Service Authority for 13 years. Before the SSA, he worked in the County for 13 years. He stated that when he first came to the SSA, Stony Creek was close to their limit. He stated that the permit condition says that once you've reach 95%

of your influent capacity for three consecutive months, you have to submit a plan of are you going to design a new plan and how are you going to fix. Mr. Kearns stated that they have told Department of Environmental Quality (DEQ) a hand full of times that they have done this. From July 2019 to November 2023, the average influent of this timeframe to the plant is 35,973 gallons a day. The effluent is only 27,595 gallons a day. They are lagoons. Some five years prior, they went out and looked for I&Is. He stated the system seemed fairly tight. He didn't see a lot of signs of infiltration in the manholes.

Mr. Kearns stated shortly after the County Administrator began working at the County, a potential developer came to Stony Creek and was going to purchase one of the big farms an purchase property on Main Street to develop a project in Stony Creek. The potential developer needed 60,000 gallons of water per day. The developers need of 60,000 gallons and SSA's use of 40,000 would place the need of water to over 100,000 gallons a day. He reached out to Aqua Aerobics where they came up with the numbers of 150,000 and 225,000. At the time, SSA had submitted a permit renewal application to DEQ. They modified the permit renewal application to add two tiers so that SSA could expand to 150,000 gallons a day, with two 75,000 gallon tanks and reactors.

Mr. Kearns stated that they increased their permits from 40,000 gallons per day to 60,000 a day, but when DEQ came back with the revised permits, they lowered the limits. The lagoons they received the permits, DEQ had lower the gallons. The lagoon wouldn't take the treatment.

He stated that if someone builds a plant, they will turn it over to SSA to manage it.

There was inquiry as whether would stop allowing lagoon systems.

There was discussion of the future of the County being on Interstate 95.

There was discussion of an Equalization Plant. There was discussion of affordability.

Mr. Irving advised that as of July 1, 2024, debt service will reduce by \$780,000 a year.

Mr. Kearns advised that their contract with DOC expires June 30, 2038.

Wooten's Work Order #8 was included in the Board packet.

ON MOTION of SUPERVISOR FLY, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorize the County Administrator to organize a meeting in January with the County, Sussex Service Authority, Stony Creek Town Council and all of the consultants to meet and develop a plan.

All Board members present voted aye.

### 3.06 RECOGNITION: Michael Poarch Certified Zoning Official Certificate

County Administrator Douglas recognized Planner Michael Poarch for receiving his Certified Zoning Official (CZO) certification through the Virginia Association of Zoning Officials. On December 6, Mr. Poarch passed a comprehensive exam covering legal and technical aspects of planning and zoning. Mr. Poarch was commended for receiving the CZO credential and for an

outstanding job serving the public each day, complimenting the planning team contracted through the Berkley Group.

#### **4. Public Hearings**

##### 4.01 Additional Appropriation/Budget Amendments to Meet Children's Services Act (CSA) Cost

A public hearing was scheduled to consider a budget amendment for increased funding for the Children Services Act Program for the current fiscal year (required by law because the amendment exceeds one percent of the adopted County operating budget for the current fiscal year).

County Administrator Douglas thanked Ms. Nicholson for taking on the CSA Coordinator position back in July 2023. He noted that there was a lot to learn. A lot of progress has been made.

Ms. Titiana Nicholson, the CSA Coordinator, provided an overview of the standing of the CSA program and the need of the additional appropriation.

Ms. Nicholson stated that Sussex County has experienced a significant increase in the number of foster children in the CSA program. She advised that the program started out with four children. They currently have 36 children in the CSA Program, resulting in additional CSA-related expenses. The cost of service and the room and board and basic needs of the foster care children has increased.

Ms. Nicholson stated that a request for a budget appropriation is being made for the CSA Department, in the amount of \$957,540, of which, \$297,232 reflects Local funds, and \$660,308 reflects State funds. She noted, just as a reminder, the County processes all CSA-related invoices, but the State Office of Children's Services (OSC) reimburses approximately 3/4 of the expenses paid.

County Administrator Douglas stated it is common for counties to appropriate additional funds for CSA expenses during a fiscal year, based on the number of children receiving services and the types and costs of services being provided.

Staff recommended the approval of the budget amendment increasing the appropriation of state and local funds to the County's CSA Fund.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby open the Public Hearing for additional appropriation/budget amendments to meeting Children's Services Act (CSA) costs. All Board members present voted aye.

There were no Public Comments.

Board members comments were heard from Chairman W. Jones, Vice Chair Seward and Supervisor Fly.

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

Copies of Budget Amendment #23-100, Email dated October 2, 2023 from Carol Wilson (OSC), 2023 Foster Care Maintenance Rate Increase with signed Budget, and copy of the Public Hearing Advertisement were included in the Board packet.

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approve Budget Amendment Resolution #23-100 increasing the appropriation of state and local funds to the County's CSA Fund. Resolution #23-100 FY24 Budget Amendment;

BE IT RESOLVED by the Sussex County Board of Supervisors that the following budget amendment for the CSA fund be and hereby is made for the period of July 1, 2023 through June 30, 2024.

This resolution will appropriate local reserve and state funds to the CSA FY24 annual operational budget.

FUND # 110 CSA

FUND REVENUE Fund 135 Local	\$297,232
<u>Fund 100 State</u>	<u>\$660,308</u>
Total Revenues	\$957,540

EXPENDITURE

Fund 110 CSA	<u>\$957,540</u>
Total Expenditures	\$957,540.

All Board members present voted aye.

**5. Appointments**

There were no appointments.

**6. Action Items**

There were no Action items.

**7. Citizens' Comments**

There were no Citizens' comments.

**8. Unfinished Business**

### Item 8.01 Stony Creek Volunteer Rescue Squad ERP Compliance Plan of Action

County Administrator Douglas stated that summarized from the November meeting, it was identified that the response times during the weeknight hours of the Stony Creek area exceeds the 20-minute designated response time. County Administrator Douglas stated that, to Mr. Steve White's point, the average 24-hour puts the response time at approximately 20 minutes.

The County Administrator's summary provided in the Board packet stated that staff was directed to gather additional data reflecting evening response times for both the Waverly and Stony Creek EMS coverage areas. While the County's adopted emergency response plan requires a maximum 20-minute response to EMS calls (90 percent of the time), staff has determined that weeknight response, provided by SCVRS members, has consistently exceeded this response time over the past several months. As indicated at the November board meeting, SCVRS has countered that ERP compliance should be measured on 24-hour average response, in which case average response for SCVRS is approximately 20 minutes. As indicated on the attachment, the current contractor would charge approximately \$280,000 annually to provide coverage for weeknight hours (weeknights between 7 pm and 7 am are currently covered by SCVRS). The contractor has indicated a two-month need to accommodate this additional staffing, as well as additional station accommodations. (Staff and SCVRS are discussing these requested accommodations).

Stony Creek Volunteer Rescue Squad (SCVRS) response time and ERP compliance were discussed at the November regular Board meeting after initial discussion at the October 25th Finance Committee meeting. Supervisor Fly requested SCVRS to provide an ERP compliance plan of action (consistent with language in the adopted ERP that states that staff should identify and work to address these deficiencies on a quarterly basis).

Chairman W. Jones stated that at the last meeting, Emergency Services Chief Sheffield was supposed to meet/reach out to Captain Steve White. It was his understanding that the Board (or at least he) had agreed to wait. Input from all parties was not been heard. The data received/included for Stony Creek was not a good timeframe to base response times to evaluate response time, because it was during a transition of services.

Nick Sheffield, Emergency Services Chief, stated that on October 16, 2023, he sent an email requesting two and a half years (30 months) of historical data, which would have been data up to July of 2023. He noted that reporting software changed a couple of times during the year from one reporting software to ESO software which most are currently using. He noted that he had stated that he wasn't sure of the transition of both rescue squads. He was trying to obtain historical data for the Board.

He stated that he received data from Captain White that evening with attachments. He stated that it was basically the same attachments. He noted that there were four attachments. He noted that he had not received data requested at the last meeting. He doesn't have anything new, data-wise, to offer the Board an update. He stated that the time period would need to be addressed if it was a longer response time.

Mr. Sheffield stated that they were trying to stay fair. He noted the one constant with SCVRS is Monday through Friday evenings from 7 p.m. to 7 a.m. He stated that this was the one consistently staffed volunteer shift.

Mr. Sheffield stated that he received CAD data from Dispatch. He stated that it was a lower number that was in that timeframe.

There was discussion of better response time of paid staff or volunteer staff from their home. There discussion of addressing/fixing the front-end time, out-the-door time, which could be accomplished in several ways. There was also brief discussion on travel time.

There was discussion of Mutual Aid.

Chairman W. Jones recommended tabling this item.

There was discussion of paid staff on the east side of the County due no volunteers. There was a brief discussion of the 2-year plan and spending. It was noted that the Board was to provide resources needed to save the citizens' lives. Mr. Sheffield and the Rescue Squads Captains (??) were to provide their expertise.

Captain Steve White stated that, right now, SCVRS doesn't cost the County anything. They are not a burden to the County. He stated that last time SCVRS came before the Board, \$1,500 during the Pandemic--all volunteers. He stated that SCVRS had 10 volunteers during the Pandemic, when everyone were wearing masks, going out. He noted SCVRS was of value. Didn't care about response time. Then, Life Star left during the Pandemic. SCVRS made it work. They were all over the County. Now, all of a sudden, there's an issue. Captain White stated that SCVRS has a mutual aid with Greenville County. He discussed Mutual Aid Agreement with the closest locality.

Captain White stated that he had met with Emergency Service Chief Sheffield. He discussed actual, true 911 calls. Captain White noted that there is a lot of education that needs to go out around the County in the 911 System. Captain White stated that they discussed putting a Quick Response vehicle on the road, wherein you would leave from home and go directly to the call until the ambulance arrives. He discussed volunteers taking a backseat to a paid crew. He noted that t volunteers would be lost.

Captain White advised that SCVRS had seven EMTs and seven drivers.

There were inquiry of the number of volunteers in Stony Creek. It was noted that there were approximately 10 volunteers. ESC. Sheffield inquired of separation between providers and drivers for SCVRS. Captain White stated it's about five EMTs and eight drivers. There was inquiry, as with the number of volunteers, could the volunteer sacrifice one night a week at the station, so that calls are coming from the station. Captain White stated that subject was discussed. He recommends sending a First Response vehicle. He noted that it was discussed that if the volunteer lived less than 10 miles from the station, that volunteer could stay at home. If you lived further

than 10 miles, they would need to stay at the station or be in close proximity to respond in two to three minutes.

There was discussion of call volume for Stony Creek, which is approximately 800-900 calls. It was estimated that Waverly Rescue Squads has approximately 1,900 calls.

There was discussion of disparity in response time of 40 or 45 minutes of whether the data is separated for call times for true emergencies. It was noted that calls aren't separated. It was noted that the State doesn't separate calls.

There was discussion of potentially legal action if there is a bad outcome. It was stated that it should be the Rescue Squads responsibility, because they are licensed by the State.

ESC Sheffield stated that there had been discussions with Prince George and Southampton counties. There was discussion of the use of the mutual aid and, if the County has a resource versus outsourcing from a neighboring County, leaving them without a resource based on the call.

There was discussion of EMS and Fire Department. There was discussion of travel to Stony Creek, Wakefield and Waverly. There was discussion of, other than cost, the downside of a paid crew from 7 p.m. to 7 a.m. in Stony Creek.

Supervisor Fly stated that he has citizens concerned in the Courthouse District of the response time for Stony Creek.

There was discussion of the need of a second crew in Waverly.

County Administrator Douglas stated that the County was paying for ALS. There was resource density. There was discussion of placing a night crew midway in the County.

A copy of ESS Pricing Sheet for Stony Creek Expansion was included in the Board packet.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the Sussex County Board of Supervisors hereby approve adding an additional paid crew in Stony Creek location from 7 p.m. to 7 a.m.

Voting aye: Supervisors Fly, Seward

Voting nay: Supervisors Futrell, W. Jones

Abstained: Supervisor Tyler

The motion failed.

There was discussion of 24/7 crew in Waverly. There was inquiry as to what happens between 9 p.m. and 9 a.m. It was noted that this was the peak time of calls in Waverly. There was inquiry of who covers Waverly during this time. It was stated that another paid crew covers Stony Creek.

There was inquiry of Stony Creek from Monday through Friday, there are volunteers from 7 p.m. to 7 a.m. Paid staff are in place from 7 a.m. to 7 p.m. and 24 hours paid staff on Saturday and Sunday.

Captain White stated that he had not received any calls of complaints. Nobody called him. The State called and advised of an anonymous there no finds or violations.

It was discussed that if they are waiting to develop a plan and provide it to the Board, the Board waits to have that plan presented to the Board for review, after which, they would meet with the Finance Committee.

Supervisor Fly stated that the first motion was to call the question. He stated that that motion failed. He stated he was repeating his motion.

There was clarification of additional help and not doing away with volunteers if hiring a paid crew in Stony Creek. There was inquiry of placing a crew at Courthouse; and, whether there was bunkrooms.

Supervisor Fly made the motion, seconded by Supervisor Seward to authorize the hiring of a paid crew in Stony Creek from 7 p.m. to 7 a.m.

Supervisor Tyler made a substitute motion.

There was discussion of adding an additional paid crew somewhere in the County and let the Chief make the decision of where to place the crew.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves allow staff to get data and develop a plan, present it to the Board for review; after which the Finance Committee could make a recommendation for next steps.

Voting aye: Supervisors Futrell, W. Jones, Tyler

Voting nay: Supervisors Fly, Seward

## 8.02 Hiring of Lobbyist

Vice Chair Seward stated that Sussex County is included in the Governor's proposed budget, not for a reinstatement Payment in lieu of Taxes (PILOT) for Sussex or anyone else. County is in the Department of Corrections (DOC) budget as a standalone line item. Vice Seward read, that, but in effect, the Governor proposes to give Sussex County \$500,000 in this budget year and the next budget year. Hopefully, it would be a recurring line item within DOC. Vice Chair stated every budget is different.

Vice Chair Seward stated that at least the County is looking at least a \$1,000,000 in the Governor's budget dedicated to EMS provision in the County to help offset what the County is spending in EMS provision at the now Sussex I prison. Vice Chair Seward stated that, in effect, they did not

reinstate the Payment in lieu of Taxes for the County or anybody, but because of the lobbying efforts in Sussex, the Governor offered a \$1 million to the County.

Vice Chair Seward noted that she, Supervisor Fly, County Administrator Douglas and Deputy County Administrator/Economic Development Director Conmy worked very hard. The County was notified that they were in the budget the previous week.

Vice Chair stated that the Board discussed at the October meeting, hiring additional auxiliary lobbying assistance at the General Assembly. She noted that most counties have their own full time lobbyist for that County; however, Sussex County does not have their own lobbyist. She stated that if the County was going to be successful, the County has to get it in the Senate and House of Delegates Budgets, as well, to be successful. It has to be in all three budgets. She stated that the budget was not her area of expertise. Vice Chair Seward noted that Supervisor Tyler requested to table the item previously, until the County was certain that they were in the Governor's budget. Supervisor Tyler clarified that he was referring to Payment in lieu of Taxes.

Vice Chair Seward stated that she wanted to revisit the topic. She stated she believed that County Attorney Gore had spoken with the County Administrator regarding the process.

County Administrator Richard stated that County Attorney Gore advised that it would be handled as a Small Purchase Solicitation. If the Board approved going forward, the solicitation prepared by County Attorneys Gore and Powell could be sent directly to a few firms. Firms could be selected from this process. The County Attorneys would prepare a contract for the selected firm. County Administrator Douglas stated that this could be delegated administratively with a cap, if so desired o placed on the January agenda.

Supervisor Tyler made a substitute motion to use the small purchase solicitation with a cap of \$20,000.

It was clarified that the discussion in October was regarding PILOT. It wasn't dealing with emergency services. There was a discussion of getting someone that understands the General Assembly and is a good lobbyist. The timeframe of the amount of time of completing the legwork.

Supervisor Fly stated that Senator Lucas requested that the County work with Senator Lashreese Aird and Delegate Don Scott.

There was discussion of the cost cap. There was discussion of the process of selecting of a lobbyist. County Attorney Powell clarified the difference between the process of an RFP versus the Small Purchase Policy and its response time.

County Attorney Powell advised that the County have a Small Purchase Policy in place. The cost could not exceed that cap. It was stated that the cost would be a fraction of that cap.

Supervisor Tyler recommended a cap of \$20,000. Supervisor Tyler made the motion for the \$20,000 cap.

Vice Chair Seward made a substitute motion.

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approve the use of the Small Purchase Policy for up to \$25,000 to procure a lobbyist to help the County get the \$1,000,000. All Board members present voted aye.

It was discussed that the Board needed to know whom the lobbyist selected. It was recommended to the County Administrator to be very specific about the relationship/experience with the Budget Committees and budget staff, as well as the amount and nature of budget work budget done and your success rate.

## **9. New Business**

There was no New Business.

## **10. Board Member Comments**

10.01 Blackwater District - Vice Chair Seward stated that it had real and fun; thanked everyone for the honor and privilege of eight years on the Board of Supervisors.

10.02 Courthouse District – none

10.03 Henry District – Sign on I95, for hunters, if dog is lost to call the State or your Board member. The Board should be prep; know what the issue. Trespassing

10.04 Stony Creek District – absent

10.05 Wakefield District – Wished everyone a Merry Christmas. Asked Board members and citizens not to charge his actions on the Board to his heart. He's a straight up guy and transparent. He tells the truth and wants to see the best things for the citizens.

10.06 Waverly District – Wished everyone a Merry Christmas; told Ms. Seward it was good working with her.

## **11. Closed Session**

11.01 Convene to Closed Session

ON MOTION OF SUPERVISOR FLYL, seconded by SUPERVISOR SEWARD 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, related to property in the County; and (2) Discussion concerning a prospective industry or the expansion of an industry where no previous

announcement has been made of the industry's interest in locating or expanding its facilities in the County; applicable Virginia Code Section 2.2-3711(A)5, economic development.

#### 11.02/11.03 Reconvene to Open Session/Certification

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

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

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

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

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

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

Voting nay: none

Absent: Supervisor D. Jones

#### 11.04 Action Resulting from Closed Session, if any

ON MOTION OF SUPERVISOR SEWARD, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors hereby approved the County Administrator and Emergency Services Chief to enter in an agreement and purchase W. Main Street and Lobb Shop Road property for the fire station.

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

Voting nay: none

Absent: Supervisor D. Jones

## **12. Adjournment**

#### 12.01 Adjournment

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR SEWARD and carried: RESOLVED that the December 21, 2023 regular meeting of the Sussex County Board of Supervisors hereby adjourned at 10:40 p.m. All Board members present voted aye.

## 12.02 Next Meeting

The next regular Board of Supervisors meeting is scheduled to be held, Thursday, January 18, 2024 at 6 p.m.