

**At a Regular Meeting of the
Sussex County Board of Supervisors
Held in the General District Courtroom
Thursday, June 20, 2024 at 6 pm**

BOARD MEMBERS PRESENT

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

STAFF PRESENT:

Richard Douglas, County Administrator
David Conmy, Deputy County Administrator/
Economic Development Director
Danielle Powell, County Attorney
Elton Broadnax, Social Services
John Broderick, Director of Finance &
Business Operations
Deste J. Cox, Treasurer
Jeffrey Gary, Public Works Director
Ernest Giles, Sheriff
Julius Hamlin, Division Superintendent
Almetia Hardman, Chief Deputy Commonwealth's Attorney
Michael Kessinger, Captain
Kelly W. Moore, Finance Director (Virtual)
Titiana D. Nicholson, CSA Coordinator (Virtual)
Michael Poarch, Planner
Nick Sheffield, Emergency Services Chief
Regina Sykes, Commonwealth's Attorney
Tawana Toran, Social Services Director
Beverly Walkup, Planning Supervisor
Victor White, Solid Waste Coordinator
Shilton R. Butts, Asst. to the County Administrator/
Clerk to the Board of Supervisors

1. Commencement

1.01 Call to Order/Determine Quorum

Chairman W. Jones called the June 20, 2024 regular meeting of the Sussex County Board of Supervisors to order.

1.02 The Invocation

Supervisor White offered the Invocation.

1.03 The Pledge of Allegiance

The Pledge of Allegiance was recited by all.

1.04. Agenda Amendments

Chairman Jones requested to add a Closed Session for legal advice from County Attorney.

Administrator Douglas requested to add under Item 6. Actions, as Item 6.05 Consideration of Preliminary Engineering Report for Stony Creek Wastewater Treatment Plant; requested to remove Items 6.01 Consideration of FY25 Budget Resolution, Item 6.02 Consideration of CY24 Tax Resolution; and Item 6.03 Consideration of Capital Improvement Plan, respectively.

Administrator Douglas requested to remove under the Consent Agenda, Item 2.01 Approval of June 3, 2024 Joint Point Public Hearing of the Board of Supervisors and Planning Commission meeting minutes.

1.05. Approval of Regular Agenda

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR WHITE and carried: RESOLVED that the Sussex County Board of Supervisors hereby approve the June 20, 2024 regular agenda as amended to include (1) adding under Item 2.06. Closed Session, Legal advice from counsel; (2) adding under Item 6. Action Items, as Item 6.05 Consideration of Preliminary Engineering Report for Stony Creek Wastewater Treatment Plant; and (3) removing Items 6.01 Consideration of FY25 Budget Resolution; Item 6.02 Consideration of CY24 Tax Resolution; and Item 6.03 Consideration of Capital Improvement Plan, respectively. All Board members present voted aye.

2. Approval of Consent Agenda

ON MOTION OF SUPERVISOR WHITE, seconded by SUPERVISOR TOLLIVER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Consent agenda inclusive of the following: (a) May 16, Regular, May 23 Finance, and June 10, 2024 Special Board Meetings minutes; (b) the Approval of Warrants and Vouchers; (c) the Treasurer's Report and Financial Update; (d) Departmental Reports; (e) Sussex School Board Budget Amendment Resolution; and (f) Closed Session, Legal Counsel Advice. All Board members present voted aye.

2.06 Closed Session

Convene to Closed Session

ON MOTION OF SUPERVISOR BAICY, seconded by SUPERVISOR FUTRELL carried: RESOLVED that the Sussex County Board of Supervisors hereby enters into Closed Session, applicable Va. Code Section 2.2-3711(A)8, for consultation with the County Attorney for legal advice regarding the, Blackwater Solar, as well as other specific legal matters requiring the provision of legal advice by such counsel. All Board members present voted aye.

Reconvene to Open Session

ON MOTION OF SUPERVISOR WHITE, 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, Tyler, White

Voting nay: none

Action Resulting from Closed Session

There was no action from the Closed Session.

The Board was advised that the June 3, 2024 Joint Public Hearing BOS-PC meeting minutes were incomplete and were not in the packet. This item need to be removed from the agenda.

ON MOTION OF SUPERVISOR WHITE, seconded by SUPERVISOR TOLLIVER and carried: RESOLVED that the Sussex County Board of Supervisors hereby remove the June 3, 2024 Joint Public Hearing BOS-PC meeting minutes from the June 20, 2024 regular meeting agenda. All Board members present voted aye.

3. Recognitions/Awards/Presentation

There was no Recognitions/Awards/Presentation

4. Public Hearing

There was no Public Hearing

5. Appointments

There were no appointments.

6. Action Items

6.01 First Responder Appreciation Dinner

This item was mentioned at a previous meeting of the Board of Supervisors that the First Responders that an organization would give an Appreciation Dinner. There has been a change in plans.

Supervisor Baicy discussed using the \$3,000 in the Board members current line item in the FY24 budget. He noted that he's already advocated to receive \$500 from each town, for the total of an additional \$2,000. Supervisor Baicy advised that Supervisor Tolliver requested to have a representative from each district to form a committee to help plan this event.

ON MOTION OF SUPERVISORS BAICY, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby appropriates the \$3,000 in the Board members current line item in the FY24 budget to assist in the First Responder Appreciation Dinner.

Voting aye: Supervisors Baicy, Fly, Jones, Tolliver, Tyler, White

Voting nay: Supervisor Futrell

6.02 Stony Creek Wastewater Treatment Plant Preliminary Engineering Report

Administrator Douglas noted that the Stony Creek Wastewater Treatment Plant was at capacity. He noted in 2021, the Board looked at expanding or replacing the WWTP. He stated that had been missed opportunities of economic development. He discussed the Chuck E. Cheese project.

Administrator Douglas stated that there was a 36-month window of getting water to the Plant. He stated that it was challenging; but could be accomplished. Wooten completed the initial study/preliminary report. They are under contract with the County.

Administrator Douglas is asking the Board to approve funding up to \$75,000 to immediately begin the PER for the project. The PER is a critical step in the process. Details need to be done in the

next couple of months. Administrator Douglas stated that worst case scenario, debt services for the plant would be paid for out of taxpayers' dollars.

The Scope of Work for the Stony Creek Preliminary Engineering Report (PER) was provided to the Board.

There was discussion that this cost does not include the search for an alternative site or design or commitment for design or structure for the wastewater treatment plan. It was suggested to meet with the WWTP to get input.

David Conmy, Deputy County Administrator/Economic Development Director thanked the Board for their consideration. He noted that it's not just about Chuck E. Cheese. It's an economic empowerment for the West side. This item is time sensitive. It's Step #1 for upgrade.

They discussed finding a location. Recommended scheduling a meeting everyone involved.

Frank Irving, with SSA, gave brief overview of seeking location now.

Supervisors Tyler withdrew his second on Supervisor Baicy's motion.

This item was tabled until the Special meeting.

7. Citizens' Comments

Citizens' comments were heard from:

- Chester Carter (Stony Creek District) – Chuck E. Cheese; property in Sussex;
- Elton Broadnax (Social Services) – DSS; statistics - \$10K citizens; 5,000 receive services from Social Services; cooling system; employment services program; out of 19 cases – 10 closed; pay increase.
- Lawrence Diehl (Waverly District) – Was assaulted a few years ago; acknowledged Sheriff Giles response time; person who assaulted him – sentences; acknowledged CWA Regina Sykes.
- William Ricks (Waverly District) – SCYARA; Pool and building certified for use; inquired about budget request (\$10,000).
- Regina Sykes (CWA) – Sheriff Giles attacked; grants - \$325,000; Opioid Awarded - \$11,000.

8. Unfinished Business

There was no Unfinished Business.

9. New Business

There was no New Business.

10. Board Member Comments

10.01 Blackwater District – Thanked CWA Sykes for helping his son get into Law School.

10.02 Courthouse District – none

10.03 Henry District – 42nd Wedding Anniversary; Father turned 100 years on June 11th.

10.04 Stony Creek District – Want County to grow; economic development; work together; Veteran’s Memorial Park.

10.05 Wakefield District – Proud to represent Wakefield and entire County; Feel the Pain (old Kids’ Corner).

10.06 Waverly District – Waverly Juneteenth successful; appreciated all who came out to support.

10.07 Yale District – Budget time unfavorable; financial health; bring in revenue; create expenditures; borrowing

11. Closed Session

A Closed Session was added during Agenda Amendments. It was moved to Item 2. Approval of Consent Agenda, as Item 2.06.

12. Adjournment

12.01 Adjournment

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR WHITE and carried: RESOLVED that the June 20, 2024 regular meeting of the Sussex County Board of Supervisors hereby adjourned at 8:35 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, July 18, 2024.