

**At a Regular Meeting of the
Sussex County Board of Supervisors
Held in the General District Courtroom
Thursday, August 15, 2024 at 6 pm**

BOARD MEMBERS PRESENT

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

BOARD MEMBER ABSENT

C. Eric Fly, Sr.

STAFF PRESENT:

Richard Douglas, County Administrator
David Conmy, Deputy County Administrator
Danielle Powell, County Attorney
Deste J. Cox, Treasurer
Ernest Giles, Sheriff
Almetia Hardman, Deputy Commonwealth's Attorney (Virtual)
Melissia Hill, Social Services
Kelly W. Moore, Finance Director
Levita Saunders, Social Services
Nick Sheffield, Fire & Rescue Chief
Tawana Toran, Social Services Director
Jessica Upton, Social Services
Shilton R. Butts, Assistant to the County Administrator/
Deputy Clerk to the Board of Supervisors

1. Commencement

1.01 Call to Order/Determine Quorum

Chairman Jones called the August 15, 2024 regular 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 Agenda Amendments

Administrator Douglas requested to add under Item 2. Consent Agenda, as Item 2.08 Operation Ceasefire.

Vice Chairman White requested to remove under Item 6. Action Items, Item 6.01 Proposed County Fiscal Operation Policy for the Finance Committee Review.

1.05 Approval of Agenda

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR WHITE and carried: RESOLVED that the Sussex County Board of Supervisors hereby approve the August 15, 2024 regular agenda inclusive of: (1) adding under Item 2. Consent Agenda, as Item 2.08 Operation Ceasefire; and (2) removing under Item 6. Action Items, Item 6.01 01 Proposed County Fiscal Operation Policy. All Board members present voted aye.

2. Approval of Consent Agenda

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR TOLLIVER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Consent agenda inclusive of the following: (a) July 15 Joint Public Hearing and July 15, 2024 regular Meeting minutes; (b) the Approval of Warrants and Vouchers; (c) the Treasurer's Report and Financial Update; (d) Departmental Reports; (e) Budget Amendment for Sheriff FY24 COLA Adjustment (f) Drug Forfeiture/Dare Program FYE24 Appropriation; (g) Compensatory Leave Balances; and (h) Operation Ceasefire. All Board members present voted aye.

3. Recognitions/Awards/Presentation

3.01 PRESENTATION: Resolution for Mr. Calvin C. Tyler, Sr. 100th Birthday

The Board approved a resolution at their last meeting. Honoring Mr. Calvin C. Tyler, Sr.'s 100th birthday. Mr. Calvin C. Tyler, Sr. was present to receive the resolution.

The following Resolution was presented:

WHEREAS, Calvin Coolige Tyler, Sr. was born on June 11, 1924 to the parents of Judge Tyler and Clara Tyler in Greensville County as the 6th child, and,

WHEREAS, Calvin Tyler siblings were Judge Tyler, Jr., Charlie Tyler, Sr., Roosevelt Tyler, Sr., Sue Tyler, Amelia Tyler, Herman Tyler, Cornelius Tyler and Garfield Tyler; and

WHEREAS, Calvin Tyler married Mozell Virginia Jefferson Tyler on November 27, 1945 and birthed seven children to this union namely: Calvin Tyler, Jr., Rita Tyler, Nathan Tyler, Linrod

Tyler, Rochelle Tyler, Honorable Rufus Tyler, Honorable Welton Tyler and Yvette Tyler Wyche; and subsequently moved to Sussex County in 1966; and,

WHEREAS, Calvin Tyler, Sr. at an early age joined the Shiloh Baptist Church in Emporia, Virginia and later joined the Morning Star Baptist Church where he served on the Usher Board and subsequently becoming President for over 20 years; and,

WHEREAS, Calvin Tyler, Sr. is one of the original Tyler Brothers who traveled throughout the United States singing gospel; He later joined his family gospel group, “The Gospel Tears” until November 20, 2004; and

WHEREAS, Calvin Tyler, Sr. occupational skills included carpentry, farming and concrete finisher. However, he retired from Tredgar Steel Company as a Crew Supervisor in 1975 after being diagnosed with colon cancer; and,

WHEREAS, Calvin Tyler, Sr. was 100 years old on June 11, 2024, and was honored by family and friends for his years of community service and leadership. Therefore, Be It Resolved, that Sussex County Board of Supervisors hereby recognize and honor Calvin C. Tyler, Sr. on this day for his years of service as a resident of Sussex County.

A copy of the resolution was included in the Board packet.

3.02 Update on Sussex DSS Operations

Tawana Toran, Sussex County Director of Social Services (DSS) provided a brief overview of the department’s progress in Administrative Services, Benefit Programs, Family Services, as well as agency initiatives to include collaborative effort/community outreach. Challenges during FY24 were discussed, as well as introducing her leadership team.

Ms. Toran has served as the department director since May 2023.

Supervisor Tyler thanked Social Services for partnering with the Improvement Association.

A copy of the overview was provided to the Board of Supervisors.

4. Public Hearing

4.01 Amendment to Sussex County Code Imposing Credit/Debit Card Payment Fees

A public hearing was scheduled and advertised to consider public input related to an amendment to county code to impose credit/debit card service fees for authorized transactions (Ordinance #24-02). The Board of Supervisors adopted an ordinance in March 2021 to repeal credit card service fees authorized under county and state code, in part to provide convenience and flexibility for residents during and after the COVID pandemic. However, the County is now incurring over \$30,000 per year in service fee costs due to increasing use of credit and debit cards for authorized transactions. As a measure to reduce county expenses, staff recommended approval of this

ordinance amendment to reinstate credit/debit card service fees being charged to customers for these transactions.

A budget amendment is also proposed to account for the collection and expenditure of funds for credit card fees (the Treasurer will collect applicable fees for each transaction, and then submit to the applicable financial institution).

ON MOTION OF SUPERVISOR TOLLIVER, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby open the Public Hearing for amendment to Sussex County Code Imposing Credit/Debit Card Payments Fees.

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

Voting nay: none

Absent: Supervisor Fly

There were no Board Comments.

There were no Public comments.

ON MOTION OF SUPERVISOR BAICY, seconded by SUPERVISOR TOLLIVER and carried: RESOLVED that the Sussex County Board of Supervisors hereby closed the Public Hearing for amendment to Sussex County Code Imposing Credit/Debit Card Payments Fees.

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

Voting nay: none

Absent: Supervisor Fly

Copies of the proposed Ordinance, budget amendment and the public notice were included in the Board packet.

ON MOTION OF SUPERVISOR WHITE, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approve an Ordinance to amend the Sussex County Code of Virginia, as amended, by adding Section 28-25 to Chapter 28; Taxation; to state that when the County Treasurer accepts credit card payment, the County treasurer shall add a sum not to exceed the amount charged to the County for processing the payment.

WHEREAS, Section 15.2-1427 of the Code of Virginia, 1950, as amended, enables governing bodies to adopt or amend ordinances; and

WHEREAS, pursuant to Section 2.2-614.1, of the Code of Virginia, a public body may add to any sum, not to exceed the amount charged to that public body for acceptance of any payment by a means that incurs a charge to that public body or the amount negotiated and agreed to in a contract with that public body, whichever is less; and

WHEREAS, the Sussex County Board of Supervisors finds this Ordinance is appropriate to defray costs; and WHEREAS, the full text of this amendment was available for public inspection in the County Administrator's Office, located at 20135 Princeton Road, Sussex, Virginia 23884.

NOW THEREFORE, BE IT ORDAINED, by the Board of Supervisors of Sussex County that the Code of the County of Sussex Virginia, as amended, is hereby amended by adding Section 28-25 as follows:

§1. CHAPTER 28 - TAXATION

Article II. PAYMENT AND COLLECTIONS

Sec. 28-25. Payment by commercially acceptable means.

The treasurer may accept payment for any amounts due to the county, including but not limited to taxes, interest, penalties, fees, fines or other charges, by any commercially acceptable means, including but not limited to checks, credit cards, debit cards, and electronic funds transfers. The treasurer may add to any amount due a sum not to exceed the amount charged to the treasurer for acceptance, pursuant to contract or otherwise. State Law reference— Authority to accept revenue by commercially acceptable means, Code of Virginia, § 2.2-614.1. §2. This ordinance shall become effective upon adoption.

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

Voting nay: none

Absent: Supervisor Fly

5. Appointments

There were no appointments.

6. Action Items

6.01 Proposed County Fiscal Operation Policy

This item was removed during agenda amendments to allow the Finance Committee to review.

6.02 DSS FY24 Local Appropriation Request

Administrator Douglas stated that attached for your consideration was a budget amendment appropriating \$143,785 from reserves to cover a deficit in “local only” funds for the FY24 DSS operating budget. Also attached was a memo from DSS Director Toran (prepared after multiple discussions among DSS finance staff, the Treasurer, Finance Director, and County Administrator) explaining the reasons for this requested appropriation, primarily related to unpaid service invoices from previous years, ineligible invoice reimbursement from CSA due to not meeting timelines/guidelines, etc. DSS expenditures generally require a 16 percent match from the locality, and we have generally budgeted the exact state allocation and related local match.

In cases where an expense is deemed ineligible for state funds, this expense must be paid entirely with local funds (“local only”), which can leave a deficit in the local appropriation given no budgeted buffer (many localities appear to budget a buffer to account for these situations, or to provide for the necessary local match when additional state funds are received for operations).

To ensure compliance with auditing requirements, staff recommends approval of the budget amendment appropriating the needed funds.

There was inquiry of mechanism to put in place to keep from happening again.

Ms. Toran stated that these issues were not done by current employees. It was cleanup from the past. Quality control has been put in place so that it doesn't happen again.

The Budget amendment and request from DSS Director were included in the Board packet.

ON MOTION OF SUPERVISOR BAICY, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approve the budget amendment appropriating the needed funds. All Board members present voted aye.

6.03 Sussex Safety First Project (Virginia Opioid Abatement Authority)/MOU with the Sussex Commonwealth's Attorney Office

Administrator Douglas stated included for the Board's consideration was a Virginia Opioid Abatement Authority Memorandum of Understanding between Sussex County and Commonwealth's Attorney Office, as prepared by the County Attorney. Commonwealth's Attorney Regina Sykes presented an overview of a proposed Sussex Safety First project that would be administered by her office and subject to the MOU. This project would be the first initiative funded with opioid abatement funds that have been received by the County through the Virginia Opioid Abatement Authority. \$11,796 in "Gold Standard" grant award funds were received from the authority for this project (the grant application and grant award are attached for your review), and no local matching funds are required. Recommendation: Staff recommends approval of the attached MOU with the Commonwealth's Attorney for the Sussex Safety First project.

There was inquiry of education of lockbox to citizens.

The MOU, grant application and grant award were included in the Board packet.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR WHITE and carried: RESOLVED that the Sussex County Board of Supervisors hereby approve the MOU with the Commonwealth's Attorney for the Sussex Safety First project. All Board members voted aye.

7. Citizens' Comments

- Kevin Bracy (Yale District) – Expenditures; convenient sites.

8. Unfinished Business

There was no Unfinished Business.

9. New Business

There was no New Business.

10. Board Member Comments

10.01 Blackwater District – Absent

10.02 Courthouse District – Thanked all that worked at Youth Work Shop; Soccer Team - 20 kids signed; Season start September.

10.03 Henry District – none

10.04 Stony Creek District – none

10.05 Wakefield District – Chairman/County Administrator and Deputy County Administrator to meet with Mayors/Towns; towns being misled.

10.06 Waverly District – Thanked Sheriff's Department for National Night Out.

110.7 Yale District – none

11. Closed Session

There was no Closed Session.

12. Adjournment

12.01 Adjournment

ON MOTION OF SUPERVISOR TOLLIVER, seconded by SUPERVISOR BAICYS and carried: RESOLVED that the August 15, 2024 regular meeting of the Sussex County Board of Supervisors hereby adjourned at 7:07 p.m.

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

Voting nay: none

Absent: Supervisor Fly

12.02 Next Meeting

The next regular Board of Supervisors meeting will be held on Thursday, September 19, 2024 at 6 p.m.