

**At a Regular Meeting of the  
Sussex County Board of Supervisors  
Held in the General District Courtroom on  
Thursday, March 20, 2025 at 6 pm**

**BOARD MEMBERS PRESENT**

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

**STAFF PRESENT:**

Richard Douglas, County Administrator  
David J. Conmy, Deputy County Administrator/  
Director of Economic Development  
Danielle Powell, County Attorney  
Chris Bailey, Assistant Fire & Rescue Chief  
Ellen G. Boone, Commissioner of the Revenue  
John Broderick, Director of Finance and Business Operations  
Deste J. Cox, Treasurer  
Stephanie Daniels, Accounts Payable Clerk  
Ernest Giles, Sheriff  
Michael Kessinger, Captain  
Faith McClintock, Economic Development  
Kelly W. Moore, Finance Director (Virtual)  
Titiana D. Nicholson, CSA Coordinator  
Michael Poarch, Planner  
Nick Sheffield, Fire & Rescue Chief  
Regina Sykes, Commonwealth's Attorney  
Beverly Walkup, Planning Director  
Shilton R. Butts, Assistant to the County Administrator/  
Clerk to the Board of Supervisors

**1. Commencement**

**1.01 Call to Order/Determine Quorum**

Vice Chair Tolliver called the March 20, 2025 regular meeting of the Sussex County Board of Supervisors to order.

**1.02 The Invocation**

Supervisor Tyler offered the Invocation.

### 1.03 The Pledge of Allegiance

The Pledge of Allegiance was recited by all.

### 1.04 Agenda Amendments

*Chair White arrived at 6:06 p.m.*

Supervisor Baicy requested to table under Item 9. New Business, Item 9.02 Contribution to Sussex Service Authority for Stony Creek Wastewater Collection Operations.

Supervisor Tyler requested to table under Item 5. Appointments, Item 5.01 under the Henry District until he receives written confirmation from nominee, by general consensus Item. 5.01 was tabled in its entirety..

Supervisor Futrell requested discussion of Item 2.02 Warrants and Vouchers under Item 2. Approval of Consent Agenda. By general discussion, it was noted that this item just be discussion at its current at its current location on the agenda.

Chair White requested to table under Item 2 Approval of Consent Agenda, Item 2.06 County Flexible Work Schedule Policy. He also requested to add under Item 11. Closed Session, as item 11.01 Performance of Contracts of The Berkley Group and DSS.

Administrator Douglas requested to add under Item 11. Closed Session, Economic Development.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approved the agenda amendments to include (1) tabling under Item 2. Approval of Consent Agenda, Item 2.06 County Flexible Work Schedule Policy; (2) tabling under Item 5. Appointments, Item 5.01. Appointments to the Planning Commission; (3) tabling under Item 9. New Business, Item 9.02 Contribution to Sussex Service Authority for Stony Creek Wastewater Collection Operations; (4) adding Item 11. Closed Session, as item 11.01 Performance of Contracts of The Berkley Group and (5) adding under Item 11. Closed Session, as Item 11.02 Economic Development. All Board members present voted aye.

### 1.05 Approval of Regular Agenda

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR BAICY and carried: RESOLVED that the Sussex County Board of Supervisors hereby approve the March 20, 2025 agenda with the amendments as noted. All Board members present voted aye.

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

ON MOTION OF SUPERVISOR TOLLIVER, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Consent agenda inclusive of the following: (a) February 13 Personnel Committee, February 13 Special (BWS) and February 27, 2025 Rescheduled Regular Meeting minutes; (b) the Approval of Warrants and Vouchers; (c) Treasurer's Report & Financial Update; (d) Departmental Reports; and (e) VDOT Resolution for Cancellation of Route 35/40 Smart Scale Project. All Board members present voted aye.

*Vice Chairman White entered at 6:08 p.m.*

*Supervisor Fly entered at 6:12 p.m.*

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

#### **3.01 Commercial Property Assessed Clean Energy (C-PACE) Program**

In an effort to increase the economic competitiveness of Sussex Green Enterprise Park and align its vision with other support programs, County staff have engaged with representatives of the Virginia PACE Authority, which manages the Commercial Property Assessed Clean Energy (C-PACE) Program. This is an innovative clean energy financing tool that provides 100% upfront capital to property owners who want to upgrade their buildings with energy efficiency, renewable energy, and water management systems. Many of these designs and operations have been identified and/or conceptually designed for Sussex Green Enterprise Park.

Adoption of this program, through its model ordinance carries no cost to Sussex County.

It was noted that Solar Farm projects would not be eligible for programs.

Abby Johnson, CEO of the Virginia PACE Authority, provide the Board of Supervisors with an overview of the program and answered any questions.

The PACE PowerPoint presentation; Locality C-PACE Agreement; and C-PACE Program Model Ordinance were included in the Board packet.

#### **3.02 District 19 Community Services Board Update/FY26 Local Funding Request**

Terrelle Stewart, Executive Director of the District 19 Community Services Board (CSB), provided a general overview of the CSB, as well as a summary of the FY26 local funding request of \$122,123 (note that counties are required statutorily to provide a minimum ten percent funding match).

On a related note, the County Administrator acknowledged the participation and contribution of CSB staff in improving the Children's Services program in Sussex County over the past year, as members of the FAPT and CPMT.

The requested funding amount will be included in the county FY26 proposed budget, so no action is requested at this time.

The Community Services Board letter and presentation was provided to the Board members.

#### **4. Public Hearing**

##### **4.01 Literary Fund of Virginia**

Administrator Douglas stated that a public hearing was scheduled as part of the process of securing funding through the Virginia Literary Fund (through the Virginia Department of Education) for the purpose of roof and HVAC replacement/improvements at Sussex Central High School. At its May 2024 regular meeting the Board of Supervisors approved the application to the Virginia Literary Fund to borrow \$7.5 million (20-year term and three percent interest rate) for these improvements. He noted that Sam Seward and R. T. Taylor with Davenport & Company, LLC were in attendance. Steven Forbes with Sans Anderson was in attendance. John Broderick, Director of Finance and Business Operations was in attendance.

Administrator Douglas stated that attached for the Board's review is a resolution to consider at the close of the public hearing to ratify the original Virginia Literary Fund application for \$7.5 million for the identified school facility improvements.

Staff recommended approval.

They discussed the borrowing of \$7.5 million of the LIT Loan Program through the Department of Education. for the roof replacement and all of the rooftop HVAC renovations for the Sussex Central High School. It was noted that this loan was approved in August 2024. The County's Composite Index is 34.34. He confirmed the interest rate would be three percent. The term would be up to 20-years. He noted that the Department of Education Board would be meeting March 27, 2024. He noted that it was anticipated that the funds would be released. However, to the release of funds, the County had to hold a public hearing prior to the release of fund and approve the authorizing resolution and the financing documents.

There was inquiry as to whether the interest was fixed. It was noted that the interest was fixed. There were two parts. Once construction commenced, the interest accrual period on the LIT anticipation note starts Phase I. Phase II would start at project completion. The accrual interest would be paid at closing, which would be the FY26 only payment. Then, the long-term loan would start. He noted that the first long-term payment would be due some time in FY27.

There was inquiry of penalty for early pay off. It was noted that there was no penalty for early payoff.

##### **a. Enter Public Hearing**

The Board of Supervisor opened the Public Hearing for the Literary Fund Loan for Roof and HVAC Renovations to School Facilities by general consensus.

## 1. PUBLIC COMMENTS

There were no public comments.

## 2. BOARD COMMENTS

There were comments from:

- Supervisor Baicy noting that there was prior discussion of the need of the roof.
- Supervisor Futrell inquiring of guarantee of work done for monies spent.

*Mr. Broderick noted that the Schools would have a certified roofing consultant would be making almost weekly site visits. The consultants would be taking care of those roof inspections.*

### b. Close Public Hearing

The Public Hearing was closed by general consensus.

### c. Action on Public Hearing

ON MOTION OF THE SUPERVISOR TOLLIVER, seconded by FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approve Resolution #25-28, the ratifying resolution approving application for loan from the Literary Fund of Virginia for roof and HVAC renovations to School Facilities following a public hearing, to-wit:

WHEREAS, the Board of Supervisors (the "Board of Supervisors") of the County of Sussex, Virginia (the "County") determined that there is an urgent need to make capital improvements to the County's school facilities, specifically the acquisition, design, construction and installation of roof and HVAC replacement and improvements to Sussex Central High School and related capital improvements (the "Project"); and

WHEREAS, the Board of Supervisors at its regular public meeting on May 16, 2024 adopted a resolution (the "Original Resolution") approving an application (the "Application") addressed to the Virginia Board of Education through its Department of Education ("VDOE") for the purpose of borrowing in a loan from the Virginia Literary Fund through the Virginia Literary Loan Program (the "Literary Loan") of \$7,500,000 to be paid over approximately 20 years, and the interest thereon at not more than 3 percent paid annually and be treated as general obligation bonds of the County for the purpose of financing the Project for school purposes;

WHEREAS, the County held a public hearing, duly noticed, on March 20, 2025, on the issuance of the Bond (as defined below) reflecting the Literary Loan and ratifying the Original Resolution, in accordance with the requirements of Section 15.2-2606, Code of Virginia 1950, as amended (the "Virginia Code");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SUSSEX, VIRGINIA:

1. Application for Literary Loan. The Application of the School Board for a Literary Loan for the Project in the amount of \$7,500,000 is hereby ratified and approved.

2. Authorization of the Bond and Documents. The Board of Supervisors hereby affirms the findings set forth in the Original Resolution and determines that it is advisable and in the best interests of the County to enter into a Literary Loan by contracting a debt and issue and sell its general obligation bond in substantially the form attached hereto as Exhibit A, or such other form required by VDOE (the "Bond") for the purpose of financing the Project and costs of issuing the Bond. The Board of Supervisors hereby authorizes the Literary Loan and in connection therewith, the issuance and sale of the Bond in accordance with the terms established pursuant to this Resolution.

3. Details of the Bond. The Board of Supervisors hereby approves (a) the maximum aggregate principal amount of the Bond of \$7,500,000 with a fixed interest rate not to exceed 3.00% and for an amortization of approximately 20 years from its date of issuance, subject to other terms as set forth therein with such changes, including but not limited to changes in the amounts, dates, amortization, payment dates and redemption premiums or prepayment penalties and rates as may be approved by the officer executing it whose signature shall be conclusive evidence of his approval of the same.

4. Pledge of Full Faith and Credit. The Bond shall be issued under the provisions of Article VII, Section 10(a) of the Constitution of Virginia. The Bond will be secured by the full faith and credit of the County. For the prompt payment of the principal of, premium, if any, and interest on the Bond as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged. Pursuant to Virginia Code Section 15.2-2624 and as provided hereafter, there shall be levied and collected an annual tax upon all taxable property in the County subject to local taxation sufficient to provide for the payment of the principal of, premium, if any, and interest on the Bond as the same shall become due, which tax shall be without limitation as to rate or amount and shall be in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

5. Ratification of Original Resolution and Other Actions. All other actions of officers of the County taken heretofore or hereafter conforming with the purposes and intent of the Original Resolution or this Resolution and in furtherance of entering into the Literary Loan, the issuance and sale of the Bond and the financing of the Project are approved, ratified and confirmed. The officers and representatives of the County are authorized and directed to execute and deliver all documents, agreements, undertakings, certificates and other instruments and to take all such further action as may be considered necessary or desirable in connection with the issuance, sale and delivery of the Bond and the financing of the Project, including without limitation entering into a loan or financing agreement, if necessary, execution of any appropriate documents confirming the County's acceptance of the proposal from VDOE, execution and delivery of IRS Form 8038-G as determined necessary by bond counsel and execution and delivery of any



requisitions or other documentation of costs related to the Project and conversion of the Literary Loan from a temporary note to a permanent loan.

6. Bond Counsel and Financial Advisor. The Board of Supervisors hereby confirms the appointment of Sands Anderson PC to serve as Bond Counsel to the County and Davenport & Company, LLC as Financial Advisor to the County in connection with the issuance of the Bond.

7. Limitation of Liability of Officials of the County. No covenant, condition, agreement or obligation contained herein shall be deemed to be a covenant, condition, agreement or obligation of any officer, employee or agent of the County in his or her individual capacity, and no officer of the County executing the Bond shall be liable personally on the Bond or be subject to any personal liability or accountability by reason of the issuance thereof.

8. Filing of Resolution. The Clerk or any Deputy Clerk of the Board of Supervisors or other agent or employee of the County, is hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of Sussex County, Virginia.

9. Effective Date. This Resolution and the provisions contained herein shall become effective immediately upon adoption.

#### **THE CERTIFICATION OF ADOPTION OF RESOLUTION O**

The undersigned Clerk of the Board of Supervisors of the County of Sussex, Virginia hereby certifies that the Resolution set forth above was adopted during an open meeting on March 20, 2025, by the Board of Supervisors with the following votes:

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

Absent: None

Nay: None

Abstentions: None

#### **5. Appointments**

##### **5.01 Appointments to Sussex Planning Commission**

This item was tabled during agenda amendments.

### 5.02 Appointments to the Board of Zoning Appeals

The term of Mr. Gatewood “Lee” Simmons, on the Board of Zoning Appeals expired January 31, 2024. Staff contacted Mr. Simmons. He is willing to serve, if reappointed.

If reappointed, Mr. Simmons’s term will expire January 31, 2029.

Staff recommends that the Board reappoint Gatewood “Lee” Simmons to the Board of Zoning Appeal with a term expiring January 31, 2029.

A copy of Confirmation Letter for Mr. Simmons, BZA Roster, BZA By-Laws.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR BAICY and carried: RESOLVED that the Sussex County Board of Supervisors reappoint Gatewood “Lee” Simmons to the Board of Zoning Appeal with a term expiring January 31, 2029. All Board members present voted aye.

## **6. Action Items**

### 6.01 CSA Program Cap Increase and Appropriation and Back-Up Coordinator Fund Appropriation

Staff is requesting consideration of the following two Children’s Services (CSA) items:

#### **1) CSA Program Cap and Appropriation**

The monthly average of CSA expenditures for the last 12 months is \$175,000. Due to this average, staff is requesting that the CSA revolving fund cap/balance be increased indefinitely from \$250,000 to \$350,000. This increase will allow the CSA program to continue to pay vendors on time and from one month to the next in the event that the 30-day window of reimbursement from the state is delayed, or if there is a higher amount of invoices to be paid in a particular month (after vendor invoices are paid by the CSA program using county funds, a reimbursement report to the Virginia Office of Children’s Services is submitted; reimbursement is generally provided within 30 days (generally 75 percent of costs)).

In addition to raising the revolving fund cap, staff is requesting an appropriation of \$110,000 to true-up CSA expenditures and provide for an adequate level of funds to cover CSA costs. This true-up will cover FY24 expenses that exceeded the budgeted amount (due to the number of individuals served, types of services provided, and the increasing costs of those services), and will place the CSA revolving fund in a positive fund balance.

Staff recommends approval of resolution appropriating \$110,000 in reserve funds to the CSA FY25 annual operating budget.

#### **2) Back-Up CSA Coordinator Funding Appropriation**



The Virginia Office of Children's Services requires each locality to have a designated Back-Up CSA Coordinator, with the purpose being a continuity of CSA operations in the absence of the CSA Coordinator (ensuring guidelines are met for new CSA cases, processing CSA-related invoices, staffing the CPMT for funding approvals, etc.), and staffing is reviewed as part of the state's program audit process. As A/P Clerk, Ms. Nicholson served in that role prior to being promoted to the CSA Coordinator position, with a \$20,000 annual salary supplement for these additional responsibilities. While the back-up position has been vacant since Ms. Nicholson transitioned to her current position, the County Administrator has identified Stephanie Daniels, current A/P Clerk, to fill the CSA Back-up CSA Coordinator position effective February 1, with the same annual salary supplement. It is important to note that Ms. Daniels will not only serve in the coordinator role as needed, but will also assist the CSA Coordinator with regular program tasks as part of her current position.

John Broderick discussed the number of special education students. He also briefly discussed Special Education services, Federal, State and Local funding.

There was discussion of the need of the back-up position. There was discussion of possibly of the County being fined.

Staff recommended approval of the attached resolution providing for supplemental pay effective February 1.

There was discussion of cross training another employee and other inquiries regarding the positions. There was discussion of the County Administrator developing a stipend for the back up position. There was discussion of Social Services employees serving as back up. There was discussion of directing an employee to serve as back up to CSA Coordinator without it necessarily coming with a salary to do so.

There was discussion of why DSS was not being considered to be the back to CSA Coordinator. Administrator Douglas noted that one reason is now that DSS is under Administration, any time spent by the DSS employee, would be non-eligible for State reimbursement. The County would be responsible for 100% cost..

Chair White noted that the Back-Up to the CSA Coordinator position was a Big Ticket item. He suggested tabling the item.

Resolution #25-31 CSA Program Cap Increase and Resolution #25-32 Back-Up Coordinator Funding were included in the Board packet.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR TOLLIVER and carried: RESOLVE that the Sussex County Board of Supervisors hereby table the Back-up to the CSA Coordinator to the Big Ticket Item Budget Request.

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

Voting nay: none

#### 6.02 Salary Reallocation for Sheriff's Department

Administration received a request from Sheriff Giles to be placed on the March regular board meeting agenda for salary reallocation. He is requesting that an existing county-funded position be frozen and that he be allowed to pull funds from this position for promotions/related salary increases for other existing positions.

Sheriff Giles stated that he a vacant County position which would not be filled any time soon. He requested a salary reallocation. He had 10 employees who needed a promotion. He wanted to use part of the salary from that vacant position to provide that much needed promotion.

Sheriff Giles noted that the money was already in the budget. He stated that there was \$53,000 in the budget for that vacant position.

Staff did not provide any recommendation on this request.

A copy of the Letter from Sheriff Giles, dated 2/28/25, was provided 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 Sheriff's request for the salary reallocation to use funds from an existing county-funded vacant position to fund raises/promotions for 10 people/positions.

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

Voting nay: none

## **7. Citizens' Comments**

- Larry Diehl (Waverly District - Coppahaunk Citizens against Solar) – Rules for group presentation; reviewed some items from BOS Bylaws.
- Jay Gandhi – Stony Creek Hotels he brought in; revenue; lodging taxes promoter; thanked for creating meals tax; Stony Creek corridor needs upgrade.
- Tina/Patrick Griffith (Waverly District) – Shooting range on 460 Bond in original

## **8. Unfinished Business**

### **8.01 Stony Creek Volunteer Fire Department Structural Ceiling Repair Funding Request**

At the February 2025 regular meeting, Supervisor Baicy requested that the Board consider a \$50,000 contribution to the Town of Stony Creek (\$25,000 for each the current and next fiscal year) to complete necessary repairs/improvements to the building housing the Stony Creek Volunteer Fire Department.

At the March 6<sup>th</sup> meeting of the Finance Committee, it was recommended that \$25,000 be transferred from the vehicle maintenance and repair line item in the FY25 Public Safety operating budget to cover this expense, and a budget resolution is attached for your consideration. However, given the potential need for this public safety funding through the remainder of FY25, staff recommends that these funds be appropriated from reserves to cover the cost.

Staff deferred to the Finance Committee on its recommendation and consideration of the attached resolution, but suggests that any approved funds for the Stony Creek roof project be appropriated from reserves.

Vice Chair Tolliver reviewed the Finance Committee's recommendation to look up Line Item 210 for \$44,400. Chairman White stated that \$25,000 would be taken from this line item for the first payment for this fiscal year for the Stony Creek Fire Department Firehouse roof repair.

There was discussion of using the funds from the Public Safety line item. There was inquiry of where was the money being paid, the Town of Stony Creek, or to whom it was being paid. It was noted that the it was going to be paid to the Town of Stony Creek. Supervisor Baicy noted that the Town and Fire Department is somewhat intertwined. He noted that funds from the Fire Department were going to be used to pay for repairs as well.

There was inquiry that if the Town was being paid the funds, should the Town be requesting the funds.

Budget Resolution #25-34, Baicy's memo, and quote for necessary repairs 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 request that the County pay the Town of Stony Creek \$25,000 to the Town of Stony Creek for the first payment the County for the Stony Creek Fire Department ceiling structural repairs.

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

Voting nay: none

## **9. New Business**

### **9.01 Reinstatement of Zoning Ordinance Compliance Review to Business License Process**

Supervisor Fly requested that the Board revisit a suspension of zoning compliance determination as part of the county's business license process (business licenses are issued by the Commissioner of the Revenue). The Board voted at its March 2023 regular meeting to suspend this process temporarily, but it has remained in place.

Recently a towing company near Wakefield was issued a business license. However, this use is noncompliant with County zoning. Several complaints have been made against this use (though the company has a current business license, county planning staff is taking zoning enforcement action against the company). Ideally and typically a standard part of the business license review/issuance process for local governments, zoning compliance review and determination by county planning staff prevents a business license to be issued for an illegal land use.

Supervisor Fly stated that in 2016, the County implemented a Business Professional and Occupational License (BPOL) for all businesses in the County. He stated that at the time, the

County did not require a zoning review before the licenses were issued. He noted that Ms. Walkup advised that the Code requires a zoning review to link to the license.

Beverly Walkup noted that this process ensures that the business is in compliance with the Zoning Ordinance. She provided a summary of the process wherein the business owner applies for a business license at the Commissioner of Revenue's office. The Commissioner's office sends the business owner to the Planning and Zoning Department for review to make sure the business is compliant with Zoning for Home Occupation. Zoning issues a zoning permit. The Commissioner's office uses the zoning permit as the go ahead to issue the business license. Staff recommends that the suspension of zoning compliance review be rescinded immediately.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR TYLER, the Sussex County Board of Supervisors hereby require a Zoning review by the Planning and Zoning Department before the issuance of a new business license, effective July 1, 2025.

#### 9.02 Contribution to Sussex Service Authority for Stony Creek Wastewater Collection Operations

This item was tabled during agenda amendments.

#### 9.03 Proposed Water Master Plan for the Western Tidewater Subregion

Administrator Douglas stated that included for the Board's consideration is a proposal through the Hampton Roads Planning District Commission for the completion of a water master plan for the Western Tidewater Subregion, consisting of Sussex County, Surry County, Southampton County, and the City of Franklin (the attached proposal from Stantec Consulting Services was amended to include Sussex County at the request of the other participating jurisdictions). Many of our other neighbors have already addressed future water needs and/or rely on surface water as a primary water source, and this planning effort could work to ensure an adequate supply of water in the future for the county, particularly related to economic development efforts.

The cost of this project would be on a per capita basis, with Sussex County paying \$24,049 of the total \$102,919 project cost. No funds are needed in FY25, so this cost could be included in the FY26 operating budget if the Board wishes to approve this project.

David Conmy, Economic Development Director, noted surface water that could potentially be available and to advocate where the potential routes could go.

Staff recommends approval.

A copy of the Stantec proposal was included in the Board packet.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR TOLLIVER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approve that Administration proceed with the proposed master plan with Western Tidewater Subregion.

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

Voting nay: Supervisor Fly

#### 9.04 County Drug Box Program Status

Administrator Douglas stated that at its March 6 meeting the Finance Committee requested that the Board be provided an update on the county's drug box program implementation at the March regular meeting.

Chief Sheffield noted that Chief Bailey has been working on this program since he started employment with the County.

Chief Sheffield provide a brief background noting that historically that drug boxes were always carried on Medic Units and First Responder Units. When drugs are administered, the drug box would go back to the hospital. The hospital pharmacy would do an exchange. He stated that last year, the FDA, through the Drug Supply Chain Security Act and the Drug and Cosmetic Act, that got passed. He stated that part of the issue with that the track and trace portion came up. Hospitals cannot track them giving them the drugs all the way to the end user. He noted that sometimes drugs come back in. There were a lot of issues from their side. The FDA didn't carve out any exemptions for the hospitals like they did for EMS. So, hospital pharmacies are liable because they cannot tell where the enduser is from that the specific drug they received.

Chief Sheffield stated that he attended meetings at the Board of Pharmacy last year. They started meetings with the Rescue Squads and the Jarratt Fire Department, as the First Responder Agency in the County.

Chief Bailey stated that the Drug Box Program is a countywide initiative. He stated that they are proposing to take the existing stock of medications that the ambulances and his vehicle at the office to initiate the program through the Old Dominion EMS Alliance, LLC. He stated that after the April 15 deadline, they are proposing to manage the program out of the Fire & Rescue Office; order the drugs through medical approved vendors and restock the drugs as they are used.

He gave an example of a few drugs used. He stated that their Operational Medical Directors (OMD) are aware of it. He stated that OMD has signed off on their program. All of their contracted employees are also, from an effective standpoint, are OMD.

There was inquiry of whether it was necessary for the County to have a Pharmacy Program when each rescue squad already have a pharmacy in place.

Chief Sheffield stated that it was communicated out that from the start that this would be a County program. Every agency under the Sussex Fire & Rescue's umbrella--Waverly Rescue Squad, Stony Creek Rescue Squad, Jarratt Fire Department. Everyone understood that that's the plan. Since that communication, they have continued to communicate through Fire and Rescue meetings and through email updates. He stated that they have not received a lot of communication back.



Chief Sheffield stated that County has their own EMS license. He noted that at the end of the day, they have to provide their own drugs.

Jarratt Fire Department stated that they wanted to operate under the County (?) system.

There was discussion of the question that the Finance Committee wanted answers to where is the County with the Drug Box Program? If the program is not finished, how much money needs to be allocated to finish the drug box? The questions were asked for budgeting purposes. Chief Sheffield stated that financially, they had the money. He stated that money was currently in budget. He noted that Chief Bailey ran the numbers for what it would take to stock everything in the system.

Chief Sheffield stated that their programs, guidelines, and policies are completely built out. He stated that that's where that try to communicate with the Rescue Squads. They have a meeting scheduled with Jarratt to review the program. He stated that the Rescue Squads have not been responsive to their request to meet to review the program.

#### 9.05 Board of Supervisors By-Laws and Rules and Procedures

Included for the Board's consideration (and also previously provided separately) is the Board of Supervisors Bylaws and Rules of Procedures with proposed recommendations. A very brief *summary* of the changes are as follows:

- **Meetings:**
  - Section 2-1(J)—clarifies that any public meeting must be noticed. Removed “additional” meetings to reflect current practice
  - Section 2-1.1: Clarifies postponement of regular meetings to the following week to reflect current practice
  - Section 2-2: amended special meetings to comply with state law
  - Section 2-6 and 2-7: clarifies county administrator presides during organizational meeting to reflect current practice
- **Agenda**
  - Section 4-1(A): revised to have county administrator draft agenda subject to approval by chair to reflect current practice
  - Section 4-1(B): revised to include the county administrator as an additional person to contact to add items to agenda to reflect current practice
  - Section 4-1(F): deleted language that citizens must register with clerk prior to meeting in order to speak to reflect current practice
- **Order of Business for Board Meetings**
  - Section 5-1(A): (i) removed regular meeting to prevent repetition, (ii) added “presentation” to recognition and award, and (iii) removed “report of departments,” to reflect current practice
  - Section 5-2: substituted “clerk of board,” with “county administrator.”
  - Section 5-3: (i) Changed public presentation to citizen comment, (ii) amend language to encourage citizens to register with clerk prior to regular meeting, (iii)



- defines and clarifies group, (iv) does not allow time to be “yielded to other speakers,” and removes requirement that outside agencies provide copies to the board
  - Section 5-5: clarifies procedure for public hearings for land use. Applicants can speak for no more than 10 minutes unless extended by Board
- **Rules of Procedure for Board of Supervisors Meetings**
  - Section 6-9: Removed “duty to vote” and replaced with abstention to reflect current practice
- **Remote Participation Meetings**
  - Section 9: Update remote participation policy to comply with state law
- **Technical changes**
  - changed “closed meeting” to “closed session,” and changed “chairman” and “vice-chairman” to “chair,” and “vice-chair” respectively.

A copy of the Board of Supervisors Bylaws and Rules of Procedures were 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 approves the By Laws and Rules and Procedures as noted.

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

Voting nay: none

## **10. Board Member Comments**

10.01 Blackwater District – none

10.02 Courthouse District – none

10.03 Henry District – DSS assistance to family; proceed to get sidewalk in Jarratt.

10.04 Stony Creek District – Need of water; revenue.

10.05 Wakefield District – Revenue; incurring debt; taking care of citizens.

10.06 Waverly District – 2.02 Warrants and Vouchers - truck purchase; Aide to Localities. .

10.07 Yale District – none

## **11. Closed Session**

11.01 Convene to Closed Session

ON MOTION OF SUPERVISOR TOLLIVER, seconded by SUPERVISOR TYLER and carried:  
RESOLVED that the Sussex County Board of Supervisors hereby enters Closed Session, pursuant

to (1) 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, pursuant to Va. Code Section 2.2-3711(A)1; contracts (2) Disposition of publicly held real property because in open meeting would adversely affect would adversely affect the bargaining positions or negotiating strategy, applicable Code Section 2.2-3711(A)3; (3) Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community. pursuant to 2.2-3711(A) 5, company locating in the County; and (4) Consultation with legal counsel employed or retained by a public body for specific legal matters requiring the provision of legal advice by such counsel; pursuant for legal advice pursuant to Va. Code Section 2.2-3711(A)8, All Board members present voted aye.

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

ON MOTION OF SUPERVISOR JONES, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby reconvened to Open Session; and

FURTHER RESOLVED 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

#### 11.04 Action Resulting from Closed Session

There was no action on Closed Session Items.

## **12. Adjournment**

#### 12.01 Adjournment

ON MOTION OF SUPERVISOR WHITE, seconded by SUPERVISOR TOLLIVER and carried: RESOLVED that the March 20, 2025 regular meeting of the Sussex County Board of Supervisors hereby adjourned at 9:35 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, April 17, 2025 at 6 p.m.