

**At a Board of Supervisors Meeting Of the
Sussex County Board of Supervisors
Held in the General District Courtroom Judicial Center on
Thursday, August 21, 2025 at 6 p.m.**

BOARD MEMBERS PRESENT

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

STAFF PRESENT

Richard Douglas, County Administrator
David J. Conmy, Deputy County Administrator/
Economic Development Director
Danielle Powell, County Attorney
Deste J. Cox, Treasurer
Stephanie Daniels, Accounts Payable Clerk
Faith McClintock, Economic Development Consultant
Tomeka Morgan, Interim Planning Director
Michael Poarch, Planner
Beverly Walkup, Planning Director
Matt Westheimer, Shared Building Official
Monica J. Whitney, Permit Technician
Shilton R. Butts, Assistant to the County Administrator/
Clerk to the Board of Supervisors

Item 1. Commencement

1.01 Call to Order/Determine Quorum

The August 21, 2025 Regular meeting of the Sussex County Board of Supervisors was called to order by Chair White.

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

Supervisor Baicy requested to add Sheriff's Cut Deputy Position as Item 3. and Item 2. Approval of the Consent Agenda

Supervisor Tyler requested to hold Closed Session Item 11.01(c) before Item 3. Recognitions.

1.05 Approval of Regular Agenda

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR BAICY and carried: RESOLVED that the Sussex County Board of Supervisors July 17, 2025 regular meeting agenda was approved inclusive of (1) adding Item 3.00 after the Item 2. Approval of Consent Agenda, Sheriff's Cut Deputy Position; (2) moving Closed Session Item 11.01(c) Consultation of Legal Counsel to be held before Item 3. Recognitions. All Board members present voted aye.

Item 2. Approval of Consent Agenda

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR TOLLIVER and carried: RESOLVED that the Sussex County Board of Supervisors Consent Agenda was approved inclusive of (a) Approval of May 29 Special, July 14 Finance Committee, July 17 regular and July 29, 2025 Personnel Committee Board of Supervisors meetings; (b) Warrants and Vouchers; (c) Treasurer's Report & Financial Update; (d) Departmental Reports; (e) General Reassessment Services Budget Amendment; and (f) FY26 Virginia 911 Services Board Call Handling Equipment/PSAP Grants Budget Amendments. All Board members present voted aye.

Item 3. Recognition/Awards/Presentation

3.01 Broadband Project Completion Summary – Sarat Yellepeddi, Prince George Electric Cooperative President & CEO

Justin Harvey, Prince George Electric Cooperative, provided a summary of the recently completed countywide broadband project through the Virginia Telecommunication Initiative (VATI). This project provides broadband/high-speed internet access to every residence in Sussex County, and was funded by Ruralband's investment, VATI grant funds, and ARPA funds

3.02 Recognition of Monica Whitney, Building Services Permit Technician – Building Official Matt Westheimer

Building Official Matt Westheimer recognized Monica Whitney, Building Services Permit Technician, for her leadership roles in State and National professional organizations and for her contributions to professional development. Since returning to Sussex County from the City of Suffolk in September 2022, Monica has represented the County in many different organizations. She is currently serving as the Vice-President/Co-Treasurer for WICED of VA (Women in Code Enforcement and Development), and is line for President in 2026/27. Monica is also in the apprenticeship to be an Instructor for the Virginia Department of Housing and Community

Development, where she will be able to teach code classes for Core and Permit Technician, and is a Code Enforcement Officer where she helps write questions for the ICC code examinations.

Ms. Whitney expressed her sincere gratitude for the opportunity to perform her job as a Permit Technician. She noted that it had been an absolute pleasure to do so under the exceptional leadership of the Building Official. His support not only made the job enjoyable, but also helped her grow professionally.

Item 4. Public Hearing

There was no Public Hearing.

5. Appointment

5.01 Appointment to the Department of Social Services Advisory Board

A vacancy was created on the Social Services Advisory Board when Ms. Leah Brantley (former Chair) moved out of the County and was no longer eligible to serve on the Board. Dr. Tolliver, BOS Vice Chair and the Courthouse District Representative, recommended Ms. Edythe Brown, to be appointed to fill this vacancy.

Ms. Brown was willing to serve on the Social Services Advisory Board if it's the Board's pleasure. Copies of Ms. Edythe Brown's Resume and DSS Advisory Board Roster were included in the Board packet.

ON MOTION OF SUPERVISOR TOLLIVER, seconded by SUPERVISOR JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby appoints Ms. Edythe Brown, 23453 Cabin Point Road, Disputanta, Virginia 23842, to the DSS Advisory Board. All Board members present voted aye.

6. Action Items

6.01 Consideration of Cassius Blue Solar Project

Conditional Use Permit #2025-02, Cassius Blue Solar, LLC/Geenex Solar, LLC was before the Board for consideration for the placement of a 394-megawatt solar energy generation facility to be located in the vicinity of Walkers Mill Road and Concord Sappony Road in the far western portion of Sussex County, and its related siting agreement. The County Attorney has prepared draft motion language for your consideration. The required public hearings for both the conditional use permit and siting agreement have been completed, so no further public input is needed. It should be noted that the CUP has been modified to add a condition for additional setback/buffering adjacent to the Tyler property.

Staff recommends approval.

6.01A & B Conditional Use Permit #2025-02 and Siting Agreement

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR TOLLIVER and carried: RESOLVED that the Sussex County Board of Supervisors hereby approve Conditional Use Permit #2025-02, Cassius Blue Solar, LLC/Geenex Solar, LLC's Conditional Use Permit for a proposed 394-megawatt solar energy generation facility, as presented, be approved with conditions, to ensure consistency with the following findings:

1. As proposed and subject to recommended permit conditions, the proposed use is in accord with the County's Comprehensive Plan and consistent with the purposes of the Zoning Ordinance;
2. A portion of the proposed facility is located on reclaimed mining land, consistent with the County's preference to site utility-scale solar projects on brownfields;
3. The project, with the permit conditions, adequately mitigates environmental impacts by preserving existing vegetation, incorporating wildlife corridors, and exceeding standard buffer requirements for streams, wetlands, and the Nottoway River; and
4. The facility will reuse otherwise underutilized land without introducing significant long-term demands on public infrastructure or services.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby approve the Solar Facility Siting Agreement, for the Cassius Blue Solar Project.

Voting aye: Supervisors Baicy, Jones, Tyler, Tolliver

Voting nay: Supervisors Fly, Futrell, White

Copies of the Conditional use permit, siting agreement, and draft motion language were included in the Board packet.

6.02 Consideration of Big Pine Solar Project

Conditional Use Permit #2024-04, Big Pine Solar, LLC, was before the Board for consideration for the placement of a 149-megawatt solar energy generation facility to be located in the vicinity of Newville Road in northeast Sussex County, and its related siting agreement. The County Attorney has prepared draft motion language for your consideration. The required public hearings for both the conditional use permit and siting agreement have been completed, so no further public input is needed. It should be noted that CUP condition #7 has been modified to work with Virginia DEQ to establish appropriate setbacks to wetlands and streams on-site for the protection of aquatic resources.

Staff recommends approval.

6.02 A & B Conditional Use Permit #2024-04 and Siting Agreement

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR JONES and carried: RESOLVED that the Sussex County Board approve the conditional use permit with modifications, siting agreement and draft motion language.

Voting aye: Supervisors Jones, Tyler

Voting nay: Supervisors Baicy, Fly, Futrell, Tolliver, White

Copies of the conditional use permit (with modification), siting agreement, and draft motion language were included in the Board packet.

6.03 Wakefield Drainage Improvements Project - FEMA

Administrator Douglas stated that Board would take into consideration of the moral obligation pledge for Virginia Water Facilities Revolving Fund Loan to Sussex Service Authority.

Mike Kearns of the Sussex Service Authority along with Mr. Kooch of Davenport asked if the Board can strongly consider co-signing for the \$3,957,000 loan. They went over the specifics of the loan and how much will be forgiven. Mr. Kooch says it is .05% interest, as close to zero as he has ever seen. He says that it a 5-year repayment plan. He explained that page 20 of the brochure that he gave out, has more in-depth projections by year.

The letter from VRA RE: Virginia Water Facilities Revolving Fund and SSA Handout were included in the Board packet.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR BAICY and carried: RESOLVED that the Sussex County Board of Supervisors approved the Water Facilities Revolving Fund Loan.

Voting aye: Supervisors Fly, Jones, Tolliver and White

Voting nay: none

Abstained: Supervisors Futrell and Tyler

Item 7. Citizen's Comments

Comments were heard from:

- Chief Wyatt Cox (Sussex Courthouse Fire Department) - Fire & EMS Chief 1 position.
- Sheldon Jarrett (Stony Creek VFD) - Opposition of removal of Chief 1 position.

Item 8. Unfinished Business

There was no Unfinished Business.

Item 9. New Business

9.01 Overview of Proposed Zoning Amendments

Planning and Zoning Director Beverly Walkup spoke on the Zoning District changes (Article 1). For Article II, (Administration and Enforcement) clarified the duties and responsibilities of the Zoning Administrator and it clarifies Zoning Permit requirements. She asked if a Work Session can be set at a later date for clarity to the Board members. Article II also clarifies conditional zoning, and also clarifies nonconforming use. Article III clarifies the zoning districts. Pictures of the changes were provided in the brochures that were handed out. Article IV is the supplementary

regulations. It has supplemental use regulations for specific types. She said again she will request a Work Session for further review.

9.02 Overview of Potential Code Enforcement Ordinance Provisions by Attorney Powell

This item was tabled until the August Board meeting.

9.03 Sheriff Department Time/Pay

This item was added to by Supervisor Futrell. Supervisor Futrell asked the Board to come up with a resolution for paying the Sheriff's Holiday Pay.

Supervisor Futrell asked the Board to pay the Sheriff's Department. He said they can purchase other vehicles for other departments, but why not the police department. He saw said he saw how hard the officers were working during the July 4th holiday and they deserve the fair pay. He says that is one of the reasons why the County is losing funding because of how unfair the pay is. He is asking the board to come up with something quick, fast and in a hurry.

SUPERVISOR WHITE inquired about the exact numbers for the request.

SHERIFF GILES said the base number is \$216,000 and base overtime is \$258,000.

ADMINISTRATOR DOUGLAS advised that they are ballpark figures and they don't include benefits.

SHERIFF GILES said we are the only county who offers Annual Leave, Comp Leave, Holiday Leave and Sick Leave and it is costing them. Sheriff Giles said they are "8" officers short. He stated for 8 years since he has been sheriff, he is asking for the same requests.

SUPERVISOR TYLER says we need to come up with a resolution to keep this from happening each year. He suggested we see what other localities are doing so we may replicate it. Sheriff Giles says he is overworking his staff and a resolution needs to be made so we can have some closure.

SUPERVISOR BAICY asked TREASURER COX if the money is available to pay the Sheriff. TREASURER COX stated the Board says it is more cost effective to pay holiday pay than to allow it accumulate at a higher rate.

SUPERVISOR FUTRELL says we would not have this overlap each year if they are paid.

SUPERVISOR TYLER stated if this continues, we have not solved the problem at all.

TREASURER COX said to be clear, she is not saying the County is not paying out a set amount right now. They are speaking on paying out holiday as it is approved over the coming years. This will be as they accumulate their holiday pay, they will get that in their check.

SUPERVISOR WHITE said if we did this moving forward, this should solve this problem from coming back each year.

SUPERVISOR TYLER asked if it would have to be put in motion and physical policy.

TREASURER COX said this will only reflect the Sheriff's office and does not to be in County physical policy due to him being a Constitutional officer.

CHAIR WHITE asked what are the Board wishes.

SUPERVISOR FUTRELL said it needs to be put in motion to pay the Sheriff department the balance of their holiday pay and overtime.

Sheriff Giles said don't quote him on it but he is thinking it should be no more than \$300,000.

TREASURER COX said the money will come from reserves.

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR BAICY and carried: RESOLVED that the Sussex County Board of Supervisors will pay the SHERIFF'S DEPARTMENT overtime, holiday time and benefits coming out of the reserves, not to exceed \$300,000.

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

Voting nay: none

The Sheriff's Department is to develop a written policy regarding holiday pay and overtime payment procedures for the department.

Administration is to research how other localities handle holiday pay and overtime for law enforcement to develop a long-term solution.

Item 10. Board Member Comments

10.01 Blackwater District – none

10.02 Courthouse District – none

10.03 Henry District – none

10.04 Stony Creek District – none

10.05 Wakefield District – Board members conduct/behavior; Board members stand on their decision; vote/citizens.

10.06 Waverly District – Fire & EMS County logo on vehicle.

10.07 Yale District – none

Item 11. Closed Session

11.01 Convene to Closed Session

ON MOTION OF SUPERVISOR TOLLIVER, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors shall convene into closed session for (a) legal consultation under Va. Code Section 2.2-3711(A)3, discussion or consideration of the acquisition of real property for a public purpose, or of the disposition 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 Code Section 2.2-3711(A)3; (b) 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 applicable Va. Code Section 2.2-3711(A)5, prospective business; and (c) Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter, pursuant to applicable Va. Code Section 2.2-3711(A)8. All Board members present voted aye.

11.02/3 Return to Open Session/Certification

ON MOTION OF SUPERVISOR TOLLIVER, seconded by SUPERVISOR TYLER 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

11.04 Action Resulting from Closed Session

There was no action on Closed Session Item.

12. Adjournment

12.01 Adjournment

ON MOTION OF SUPERVISOR BAICY, seconded by SUPERVISOR TYLER and carried: RESOLVED that the November 21, 2024 regular meeting of the Sussex County Board of Supervisors hereby adjourned at 9:33 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, September 18, 2025 at 6 p.m.

Item 12. Adjournment

ON MOTION OF SUPERVISOR