

Virginia: At the regular work session meeting of the Essex County Board of Supervisors held on Tuesday, January 10, 2023 at 5:30 p.m. in the School Board Meeting Room, at 109 S. Cross St., Tappahannock, Virginia:

Board of Supervisors Present: Robert Akers, Jr., Chairman
 Ronnie G. Gill, Vice Chairman
 Edwin E. Smith, Jr., Supervisor
 Sidney N. Johnson, Supervisor
 John C. Magruder, Supervisor

County Administration Present: April Rounds, Interim County Administrator, Clerk

CALL TO ORDER

Chairman Akers called the Regular Board of Supervisors Work Session of January 10, 2023, to order.

ROLL CALL

The Clerk called out the roll for the Board of Supervisors; a quorum was met.

AGENDA

No changes.

DISCUSSION

Raft Initiatives update

Interim EMS Chief Tommy Hicks gave a presentation to inform the Board of Supervisors how this grant is working. The Goals for Essex County is a community-based Emergency Management & Preparedness, a Housing & Sheltering Team, a Food Security Team, and Water Quality/Septic Pump Outs.

As far as the housing we are looking for some education on resources, temporary day shelters, emergency shelters. The temporary shelter is where we need more guidance. Last year Bay Aging and GUESS invested over \$40,000 - \$16,000 was through bay aging for vouchers to hotel. Next steps – leadership or community resource center.

Chairman Akers if the primary source is to help those displaced due to natural disaster? Mr. Hicks stated that it is to plan for disasters. The need in Essex seems to be a helping hand type of shelter to give training to get someone to the next step.

Vice Chairman Gill asked about quantifying the goals. Mr. Hicks stated that the housing and food are harder to quantify.

Vice Chairman Gill asked if any other localities are further along and if their board was involved. Mr. Hicks said that Gloucester is probably a little further along and he would check to see if their board was involved.

Supervisor Johnson asked if it needed to be included in the budget. Mr. Hicks recommended to the board that one member meet with the stakeholders to see what the needs are and to facilitate an action plan for ways we could get a grant for our needs.

Supervisor Magruder discussed the former run of a shelter that did not pan out. He suggested contacting Glen Stern to facilitate this.

Chairman Akers agrees this is something to look at.

Budget and Process Overview

Bobbie Tassinari – Berkley Group – She will be doing the leg work to discuss with the department heads. Her role is to provide support to Interim County Administrator Rounds and she will begin reaching out to the department heads tomorrow. She would like to get a sense from the board as to where they would like the tax rate to be as well as any special requests from the board such as raises or cost of living increases.

Vice Chairman Gill asked about the budget tool that we are using. Mrs. Tassinari stated that she is familiar with it and they are working to correct the errors that they saw.

Supervisor Magruder stated that when the recession hits we need to estimate the losing of some revenue. He does not want to touch the tax rate. He does feel that we should implement a plan for salary increase but does not want to see a percentage raise.

Chairman Akers is not a fan of raises. Does like to see performance based bonuses. He also would like to see more control of the budget and would like to look at opportunities for grants.

Supervisor Gill asked for information on the revenue

Outside Agency Allocation Policy Discussion

Chairman Akers asked if we should do a percentage of revenue is given to help fund these outside agencies.

Supervisor Smith stated looking over the past six years there is a high of 11% and a low of 10% there is not much change.

Supervisor Magruder stated that he hopes that the outside agencies will be incentivized to look for other funding.

Supervisor Johnson stated that these agencies are assisting us and we can't lose sight of that.

Vice Chairman Gill stated that the historical information shows that we have exercised fiscal responsibility and we should keep this approach.

EDA Discussion

The EDA is requesting an agreement that needs to go before the County Attorney to have a member of the staff of Essex County serve on the EDA.

MEMORANDUM

TO: Essex County Board of Supervisors

From: Lisa S. Andrews, Chair, Essex County Economic Development Authority

Date: January 9, 2023

Re: Proposed Amendment to Industrial Development and Revenue Bond Act

Issue: Statutory Prohibition against County Employee Serving as Director of EDA

The Industrial Development and Revenue Bond Act, (“the Bond Act”), the statute governing the authorization of industrial development authorities in the Commonwealth of Virginia, (a.k.a. economic development authorities or “EDAs”), prohibits employees from the locality that establishes an EDA from serving on the board of the EDA. There are multiple exceptions in the statute that permit such an employee to serve, including one for small towns and exceptions for Buchanan, Frederick, and Mathews Counties.

Recently, Essex County employed Tim Smith, a director of the Essex County EDA, on a part-time basis to serve as Zoning Compliance Officer. Before taking the position, Mr. Smith received clearance from the Essex County Board of Supervisors to continue his position on the board of the Essex EDA. As the Essex EDA began to review its By-laws, it was discovered that the Bond Act prohibited county employees from serving on the EDA. The Essex EDA Directors have discussed the issue and propose that the Virginia legislature adopt an amendment to permit an Essex County employee to serve as the director of the Essex EDA board.

Proposal: That the Essex County Board of Supervisors and Essex County EDA Seek an Amendment to the Industrial Development and Revenue Bond Act

The Essex EDA proposes that the Essex Board of Supervisors and the EDA jointly request Delegate Keith Hodges and Senator Ryan McDougle to advocate for an amendment to the Industrial Development and Revenue Bond Act § 15.2-4904(C) to permit one employee of Essex County to serve as a director of the Essex EDA. Upon enactment of the amendment, Essex EDA will amend its by-laws to require a director of the EDA to abstain from any vote on any matter that could conflict of interest with the employee’s position with Essex County. The proposed statutory amendment is attached.

**Amendment to the Industrial Development and Revenue Bond Act on behalf of Essex
County (amendment is shown in purple)**

§ 15.2-4904(C). No director shall be an officer or employee of the locality except (i) in a town with a population of less than 3,500 where members of the town governing body may serve as directors provided they do not constitute a majority of the board, (ii) in Buchanan County where a constitutional officer who has previously served on the board of directors may serve as a director provided the governing body of such county approves, (iii) in Frederick County where the board of supervisors may appoint one of its members to the Economic Development Authority of the County of Frederick, Virginia, ~~and~~ (iv) in Mathews County where the board of supervisors may appoint one employee of the locality to the Economic Development Authority of the County of Mathews, and (v) in Essex County where the board of supervisors may appoint one employee of the locality to the Economic Development Authority of the County of Essex. Every director shall, at the time of his appointment and thereafter, reside in a locality within which the authority operates or in an adjoining locality. When a director ceases to be a resident of such locality, the director's office shall be vacant and a new director may be appointed for the remainder of the term.

Supervisor Magruder asked if we were on a timeframe since Legislative session is starting.

Chairman Akers stated that if they were all in agreement as soon as they heard back from the attorney they could get it signed and sent to the Legislators.

Johnson

Supervisor Johnson stated we received two checks for the opioid crisis. We need to come up with a plan for prevention, education, and resolution to help people in need with a mental illness to have more productive citizens.

Supervisor Magruder asked about the amount that came in and thought it was a low number. Once we check on that number could we move it to the next session.

Administrator Rounds stated that she believes it came with some stipulations of how the money could be used.

Broadband Update

Vice Chairman Gill asked for an update on the Broadband. Mr. Hodges stated that there has been no change since last month. He believes the state is waiting for the new broadband map issued in December. That should be done by the end up this week and then the state could be making the decisions and you may be able to use the same application for the federal funds if we do not receive the state funds.

Vice Chairman Gill asked if any localities had been awarded so far. Mr. Hodges stated that no localities had been awarded funding yet.

ADJOURN

Having no further discussion, Chairman Akers adjourned the Work Session meeting of the Board of Supervisors.

Chairman

Clerk of the Board