AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS HELD ON TUESDAY, JUNE 4, 2019, IN THE BOARD ROOM OF THE HISTORIC COURTHOUSE, SALUDA, VIRGINIA:

Present:  Mark E. Holt, III, Pinetop District  
Wayne H. Jessie, Sr., Jamaica District  
Peter W. Mansfield, Saluda District  
Kathleen H. Swinehart, Harmony Village District  

Absent:  John B. Koontz, Jr., Hartfield District  

Matthew L. Walker, County Administrator  
Betty S. Muncy, Assistant County Administrator  
Heather W. Lewis, County Attorney  
Susan Traner, Deputy Clerk  

CALL TO ORDER  

Chairman Holt called the meeting to order at 3:00 p.m. Supervisor Jessie led the group in prayer; Mr. Walker led in the Pledge of Allegiance.  

CONSENT AGENDA  

Mr. Walker asked the Board to amend the agenda to allow the Registrar to address the Board at the beginning of the Agency and Staff Reports. County Attorney Lewis informed the Board that the Code language for the Closed Session needed to be amended to reflect Sections 2.2-3711(A)(8) and (A)(7) for consultation with legal counsel and potential litigation rather than Section (A)(1) as cited. A motion was made to approve the Consent Agenda as amended by Supervisor Jessie, seconded by Supervisor Mansfield, and carried unanimously. The Consent Agenda included approval of minutes from the May 7, 2019 regular meeting; disbursements dated May 8, 2019 – June 4, 2019, numbered 91469 – 91469 and 91509 – 91661 totaling $859,189.09; and payroll dated May 15, 2019, numbered 91470 – 91507 and May 16, 2019, numbered 91508 – 91508 totaling $398,006.05.  

PROCLAMATION  

A motion was made to approve a Proclamation for Raymond W. Burrell, Sr., a Middlesex County war hero, for the event of his 100th birthday by Supervisor Jessie, seconded by Chairman Holt, and carried unanimously. Supervisor Jessie read the Proclamation aloud and presented the plaque to Mr. Burrell, Sr.  

PUBLIC COMMENT  

Chairman Holt opened the public comment period at 3:07 p.m.
Clark Waring presented a petition to the Board with signatures that had been gathered for the last six weeks. He said that the petition stated that the Wares Bridge Road Solar Farm should not be built without being voted on by the residents of the Jamaica district. It further states that no solar farms should be built in Middlesex County without the consent of the voters in the district where the solar farm may be built. He said that the petition was not designed to prevent solar farms from being built in Middlesex County, but to give a voice to residents who would be most impacted to approve or reject the possible negative outcome of real estate values on their properties or other adverse situations that may occur because of the locations of thousands of solar panels in the vicinity of their homes. He stated that the DEQ web page says that the Church View solar project on Wares Bridge Road was sold in June 2018 to Cypress Creek Renewables (CCR). He said that he had received an email from Supervisor Koontz in March 2019 in which he said that he had many colleagues that he used to work with at CCR, and that he is currently building projects for them in South Carolina. Mr. Waring said that if Supervisor Koontz is working for this company, or even a related company, he feels that there is a definite conflict of interest.

Lud Kimbrough said that, a few years ago, he spoke with Lieutenant General Russell Honore, who said that he felt that water would become a critical issue that would drive global conflict in the future. He said that he wanted the Board to hear a loud and clear input from the lower end of the county about the provision of central water. He said that he had reviewed the data regarding water subscribers as of last month. He said that out of 594 subscribers, 516, or 87%, have a Deltaville address. Deltaville residents know that there are many homes with water that is simply unusable. He said that many residents had expressed concern to him that without the demand in Deltaville, the water system would not be viable. Deltaville citizens feel that since they signed up first, they should be the first residents to receive water, not the last. He encouraged the Board, as well as the Middlesex Water Authority, to think creatively about how to obtain easements quickly, saying that homeowners who want good water will do all they can to assist. He would like for the Board to make certain that construction plans ensure providing water to the lower end of the county before, or simultaneously with, all other areas after Cook’s Corner.

Chairman Holt closed the public comment period at 3:13 p.m.

CONSTITUTIONAL OFFICERS

Betty Bray, Treasurer, announced that she would be retiring in December 2019. She stated that she had a new employee, Traci Wright, that started on Monday, who was already familiar with the Bright system used in the Treasurer's office, which was going to be a tremendous asset. She said that her office was busy collecting delinquent taxes and current real estate taxes since the deadline was June 5, 2019. She said that Kathy Thrift would be running for her position in November, and as of today, she is unopposed. Ms. Bray said she was requesting another employee, starting July 1, 2019, so she could have them trained to make the transition run smoothly when she leaves office at the end of the year. Mr. Walker said that he fully
endorsed this request to ensure continuity in one of the key offices of administration. He said that an appropriation would be prepared and presented to the Board at next month’s meeting for their consideration.

AGENCY AND STAFF REPORTS

Registrar:

Melissa Welch, Registrar, informed the Board that the Registrar’s Office had officially moved to 105 Bowden Street. She thanked the Board, John Blake and his crew, and all others involved in helping with the move. She stated that the move to the new location was announced on the county website, their Facebook page, and it was going to be advertised in the Southside Sentinel on Thursday. She said there are signs posted on the door of their old location and there are numerous signs located in various places on the County complex with the new address. She gave the Board an update on the ballot, saying there would be 12 local seats on the ballot. She reviewed the names of all the candidates that had filed to run in November. She said that the deadline to file is June 7, 2019 at 7:00 p.m.

VDOT:

Ron Peaks reviewed the Dirt Bridge Road repair, saying that VDOT was able to utilize state forces, along with some hired equipment, to complete that repair in a timely manner. He said that milling and paving would start within the next two weeks on Regent Road as well as on Twiggs Ferry Road (Route 3) and on Gloucester Road and Route 33, from in front of the Residency to Route 17. He said that VDOT had been requested to review Route 3 from Hartfield to Wilton Creek. The report revealed that there were 17 crashes and the crash rate was actually lower than the district and the state average on primary roads for the three-year period that was reviewed. It was noted that the injury rate was a little bit higher, but there were no fatalities during that three-year period. Traffic engineering stated that there appeared to be no observable crash pattern at any specific location. Their recommendation was to make no changes at this time, but for the Residency to regularly monitor the roadway for additional crash-type activity in the future. Chairman Holt asked how VDOT was notified when an accident occurred. Mr. Peaks responded that if an accident is worked by State Police, they are automatically notified. He said that if local law enforcement works an accident, Sheriff Bushey is very good about reporting it to the Traffic Operations Center (TOC) so it will be recorded. He said that the request to have the speed limit lowered to 25 miles per hour in the Whiting Creek Subdivision had been approved. He said that golf cart signs could now be posted, along with the 25 mile per hour speed limit signs, at the Whiting Creek sign. He said that VDOT was also reviewing Timberneck Road for speeding. He stated that mowing is now underway, and they hope to complete primaries in the next few weeks and then start on the secondaries. They are trying to trim crossovers where the tall grass is causing sight distance issues. Supervisor Swinehart asked if citizens could call “My VDOT” to report those issues, and Mr. Peaks said that they definitely could do that. Supervisor Jessie asked about Gayles Road. Mr. Peaks said that “School Bus Stop Ahead” signage had been approved to be placed
after the curve and before the hill on Gayles Road. Supervisor Jessie asked about the paving of Canoe House Road. Mr. Peaks said that Canoe House Road is scheduled to be repaved this summer. Supervisor Swinehart asked if the community signs identifying the Post Offices belonged to VDOT. Mr. Peaks replied that those signs are maintained by VDOT.

**Schools:**

Dr. Gretz asked the Board to appropriate Perkins Funds, received from the federal government, in the amount of $235.91. The school gets approximately $27,000 each year in Perkins Funds, which helps support career and technical education. The $235.91 is surplus funds the federal government distributed among all school divisions.

A motion was made to approve budget supplement request FY2019–45 for $235.91 by Supervisor Jessie, seconded by Supervisor Swinehart, and carried unanimously.

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Dr. Gretz invited the Board to attend the Middlesex High School graduation on Saturday.

**VPPSA:**

Steve Geissler addressed the Board regarding a vehicle maintenance facility. He stated that as part of a regional project, VPPSA provides solid waste management and recycling services to five Middle Peninsula counties. VPPSA owns eight large collection vehicles and several pickup trucks and sedans. The closed Middlesex County landfill building has served as the hub for maintenance activities since 2000. He said that VPPSA appreciated the use of that building; however, it is no longer big enough to service some of the larger vehicles. In 2007, the VPPSA Board established a dedicated fund for construction of a new maintenance facility. In 2016, the VPPSA Board concurred with the staff recommendation to develop a facility at the Bohannon Industrial Park in King and Queen County. In March 2019, an Invitation for Bid was issued for a two-bay maintenance facility with space attached for a field office. Ten bids were received, with the lowest one coming from Concrete Foundations in Gretna, Virginia. With other costs factored in, the total cost of the project is $2,092,000. The five counties in the Middle Peninsula system have agreed to split the cost equally among the five counties. He stated that each county’s share is $418,400. To cover the entire cost of the project, some funds from the vehicle and equipment replacement reserves will need to be utilized from each county. VPPSA is asking each of the five counties to make commitments to make annual contributions, starting with FY21, to build up those reserves again. A proposed resolution was presented to the Board, with Mr. Geissler saying that it was conditioned by approval of all five county boards. It has
already been approved by King and Queen County, King William County, and Mathews County, with only Middlesex County and Essex County needing to take it under consideration.

A motion was made to adopt the resolution with VPPSA on the vehicle maintenance facility project by Supervisor Jessie, seconded by Supervisor Swinehart, and carried unanimously.

RESOLUTION

A RESOLUTION AGREING TO APPROPRIATE ADDITIONAL FUNDS TO THE VIRGINIA PENINSULAS PUBLIC SERVICE AUTHORITY (VPPSA) OVER A FIVE-YEAR PERIOD TO SUPPORT THE MAINTENANCE FACILITY PROJECT

WHEREAS, VPPSA presented a funding request to the VPPSA Regional Board comprised of the Counties of Essex, Middlesex, Mathews, King and Queen, and King William on May 8, 2019, and to the Executive Board on May 10, 2019; and

WHEREAS, VPPSA was instructed in 2007 to create a Board designated fund specifically for the purpose of developing a new Vehicle Maintenance Facility; and

WHEREAS, in 2016 the VPPSA Board designated the site location at the Bohannon Industrial Park in King and Queen County and on March 4, 2019 an Invitation for Bid (IFB) was issued; and

WHEREAS, the response to the IFB was competitive with ten (10) responses and the overall cost of the project was higher than anticipated; and

WHEREAS, VPPSA is self-funding the overall project and is requesting the five localities commit to payments over a five-year period to reimburse the Designated Equipment Replacement Funds recommended to be used as part of the self-funding scenario; and

WHEREAS, the five localities agreed that all would share equally in the development costs of the facility; and

WHEREAS, VPPSA has shown due diligence in capturing the funds needed for this project and is seeking to self-fund rather than seek long-term debt through the bond market or private sector; and

WHEREAS, VPPSA has requested each of the five Boards of Supervisors to commit their share: Essex County $110,600, King and Queen County $241,983, King William County 130,600, Mathews County $195,259, and Middlesex County $118,600;

WHEREAS, VPPSA is requesting Middlesex commit a total of $118,600 ($23,720 annually) through annual payments over a five-year period as part of their annual appropriation, to be included with and in addition to the annual operational expenses, beginning in FY 21;

NOW, THEREFORE, BE IT RESOLVED by the Middlesex County Board of Supervisors this 4th day of June 2019, that the Board of Supervisors commits to fund the additional $118,600, in equal payments of $23,720 over a five-year period, beginning in FY 21, as part of the overall commitment with the other four localities; with the understanding that all localities’ Board of Supervisors will commit the funding in good faith.
Department of Game and Inland Fisheries:

Steve Living, Lands and Facilities Manager-Region 1, Department of Game and Inland Fisheries, gave the Board an update on the current status of the boat landing at Mill Creek in Wake. He said that in 2013, a capital project was executed to address shoaling issues that were recurring and problematic at that site. The project was to determine an engineering fix to extend a bulkhead to intercept migrating sediment. Unfortunately, that project was designed to fit the budget, not to address the issue. He has noticed a very rapid re-infiltration of sediment at this site, which has greatly impacted the use of that landing. He said that this year’s capital project request for an engineering fix and dredging of this site was at the top of their project requests. He said that currently, there is a Virginia Marine Resource Commission (VMRC) maintenance dredge permit in place from a previous project, but there is no Army Corps of Engineers (ACOE) permit. The ACOE permit process has been initiated, but it usually has a minimum of a sixty-day turnaround. He said that several issues needed to be addressed moving forward, including contacting the Department of Conservation and Recreation (DCR) about the Northeast Beach Tiger Beetle, and developing a spoils plan. He does not believe that interim dredging is a feasible solution, since it could prove costly, and one bad storm could wipe out the dredging relief. Unfortunately, until a permanent engineering solution is found, the use of that site will be impacted. He said that signs had been posted at the ramp to warn of low water conditions, and it has been posted on their website. He said he was going to contact the Middle Peninsula Public Access Authority (MPPAA) to see if there is any potential for a project at this site being eligible for funding under the Public Waterway Improvement fund. He said he would also contact the Virginia Institute of Marine Science (VIMS) sedimentation transport modeling engineers to make sure this situation is approached from a holistic way and dealt with as permanently as possible. He said he would continue working every available avenue to find potential funding to help remedy the situation at the Mill Creek boat landing, but it was unlikely that a solution would be in place for this summer season.
**HRSD Update:**

Jeremiah Buford reviewed the three projects that HRSD currently has in Middlesex County. He said the projects could be tracked online at HRSD by project number. The first project, MP013500, is the collection system at Cook’s Corner, which is the gravity main and the pump station force main connecting into the transmission force main. It is 1100 feet of force main. It is currently scheduled for 100% design completion by mid to end of July, bid submittal in August, and construction starting in October 2019, with completion in mid-summer 2020. The estimated project cost is $1.6 million. He said the next project, MP013600, is the Middlesex force main, which is the connector going from Cook’s Corner to the Central Middlesex plant. This will be a two-inch and a six-inch force main, with the two-inch going from Cook’s Corner to Central Middlesex, and the six-inch going from Central Middlesex to the connector force main. The estimated cost for that project is $2.4 million, with a schedule of completion to be approximately the same time as the Cook’s Corner service area. The third project is MP013700, which is the Middlesex interceptor system phase that will connect the Urbanna treatment plant and Central Middlesex plant to the Mathews transmission force main just across the Piankatank River. This project is in a study phase right now. He said that this project is approximately 3.2 miles of force main going from Urbanna to the Cook’s Corner collection system and then another 13 miles going along Route 33, most likely. The estimate for that project is $31 million, with a completion date of approximately June 2024. An additional project that is not currently in the CIP for this year, but will possibly be for next year, is for the service areas in Deltaville, Topping, Hartfield, Urbanna and Saluda to come into the HRSD system after the transmission force main is completed. Mr. Walker said that when the HRSD project goes out for bid for their interceptor main, the County will also be going out to bid so there will be concurrent design and building of all of the different collections systems with one phase. Chairman Holt said he wanted to point out that water lines and sewer lines could not be together in the same ditch; water would run along one side of the road and sewer along the other side. Mr. Walker said a more holistic service agreement with HRSD had been received to help nail down key points of the partnership between the county and HRSD. He said the Middlesex Water Authority would probably need to be a party to that agreement. The agreement takes into consideration all of the subsequent agreements with HRSD that staff will be putting a final review on in hopes of having a draft in front of the Board. Mr. Walker recommended that the Board hold a work session to work through some of the key points and discussion items to make sure there is a broad understanding between HRSD and the Board of Supervisors. He said that this was a substantial project, with a $31 million cost on HRSD’s side and an approximately $15 million cost for the County’s collection system. Mr. Walker said the Board would also need to decide if the county was going to charge a connection fee or facility charge. He said that as of now, there is no mandatory connection fee, nor is there a plan to implement one. HRSD’s policy is to offer free facility connections to any residential homeowner shifting from a drain field and connecting to the sewer. He said that the Board needed to decide what, if any, connection fee would be charged by the county to connect to the system. He said the
Board may wish to consider a strategy where there is a connection fee, but it would be heavily incentivized for a certain period of time to recruit subscribers. Mr. Walker reminded the Board that HRSD has a policy that they will not serve a customer of sewer unless they are on a metered public water system. Chairman Holt reminded everyone that the anticipated debt service for the entire portion of the county’s participation in this project is already in the budget in the capital reserves. Taxes will not be increased to fund this project.

REGULAR AGENDA ITEMS

Cook’s Corner Waterline Extension Bid:

Mr. Walker advised the Board that the bid for this project came in within budget. There was good participation in a pre-bid meeting and a number of bids were received. The low bidder was William Wills Contractor, Inc. (WWCI), a local firm. He said that it is our consultant engineers’ recommendation that WWCI be awarded the bid, and he concurs. He asked the Board for authorization for staff to move forward and negotiate a contract and implement such contract under the terms of the bid.

A motion was made that county staff be directed to move forward and negotiate a contract with WWCI on the water line extension project by Supervisor Swinehart, seconded by Supervisor Jessie, and carried unanimously.

Appointments to Boards and Commissions:

Ms. Muncy informed the Board that seven boards and commissions positions had terms expiring at the end of June. All seven of those persons serving in those positions had expressed interest in being considered for reappointment. She also informed the Board that Mr. Richardson had resigned from his position on the Planning Commission, with his term expiring in 2022.

A motion was made to reappoint all seven persons that applied for reappointment to their respective boards and commissions by Supervisor Mansfield, seconded by Supervisor Jessie, and carried unanimously.

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<td>Shirley Hart</td>
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<td>George Snead</td>
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<td>Wesley Dolezal</td>
<td>Wetlands Board</td>
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Budget Supplement Requests:

Ms. Muncy reviewed two budget supplement requests with the Board. Budget supplement request FY2020-1, in the amount of $8,000, for next year’s budget, asks for an appropriation to fund the extension agent.

A motion was made to approve budget supplement request FY2020-1 in the amount of $8,000 to appropriate funds for the extension agent by Supervisor Jessie, seconded by Supervisor Swinehart, and carried unanimously.

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The second budget supplement request, FY2019-44, is to appropriate revenue funds collected in the amount of $570.00 from sales at the Urbanna Cocktail Boat races to reimburse expenses used for the same event.

A motion was made to approve budget supplement request FY2019-44 in the amount of $570.00 by Supervisor Swinehart, seconded by Supervisor Jessie, and carried unanimously.

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COUNTY ATTORNEY UPDATE

County Attorney Lewis outlined the procedures that should be followed regarding Unsafe Structures. She said that if a written complaint is received, the Code Official will investigate to see if the structure is in fact deemed to be unsafe and unoccupied. If so, a Notice of Violation is sent out. If the owner responds and remedies the situation, then the case would go away. If not, then the county has three options. First, the county could do nothing. Second, the property owner could be cited with a violation of a building code, which essentially means they would be taken to court. Or, third, pursuant to state code Section 15.2-906, the county has the ability, after going through the process of giving notice, which is quite lengthy, to all lien holders and property owners and advertising it in the paper, to decide to remove, repair or secure the structure. If the county chooses to do that, then a lien can be placed against the property. She said that does not mean that the county would get its money back, at least not right away. It would be treated the same as a real estate lien. When the property is sold, the lien would be subject to whatever the property was sold for. The Board discussed various conditions that might have to be dealt with, such as lead paint and asbestos. Supervisor Swinehart asked if any further action would be required if the Code Official determined that a structure was unsafe, and he needed to use funds to remove, repair, or secure it. Ms. Lewis said that most likely, the Code
Official would come before the Board and discuss it with them. Supervisor Swinehart said that she feels it is important to respect the sanctity of someone’s home and property, and perhaps there was something that the local government could do to incentivize citizens to take action, in terms of taxes, which was much more preferable than a citation that requires someone to do something they do not really want to do. She would like to explore other options rather than citations.

COUNTY ADMINISTRATOR REPORT

Mr. Walker advised the Board that he, Supervisor Swinehart, and Chairman Holt would be meeting with Northumberland County, Lancaster County, and possibly Mathews County the next afternoon to explore the opportunities of forming a Regional Airport Authority at Hummel Field. Discussion will involve whether the other counties would be interested in buying into an airport authority or whether they would like to participate in the fairly substantial project that is underway out there. He said that there seems to be interest in discussing forming a Regional Airport Authority, but to what extent that will translate into investment from the other counties is still to be determined. Chairman Holt stated that this opportunity offered a chance to leverage state funds to make the airport much more user friendly and safer, so citizens would not be under the flight path of approaching and departing aircraft.

Mr. Walker advised the Board that the Planning Commission was holding a public hearing next Thursday, June 13, 2019, on a rezoning application and a Comprehensive Plan amendment. He said that staff had met with Bluewater Development and VDOT to work out transportation and traffic issues, and he feels that those negotiations and discussions were on track and they were waiting for the outcome of the Planning Commission public hearing. It could potentially be brought before the Board at the July 2, 2019 Board meeting.

Mr. Walker informed the Board that the bidding for the construction of the water system project would be done in its entirety on one day in component pieces, even though the project will be built in phases, concurrently. The water system phases will be built concurrently, but some will come online sooner than others based on the simplicity of each system and the pipeline project. He is hoping that by bidding out the project in component pieces, it will encourage smaller, locally-owned businesses to participate in the bidding as well as the large companies. He said that the project is 40-plus miles of waterline and 18 miles of water pipeline. He said that this project is one of the largest public works projects in Virginia and coupled with the sewer project that HRSD is underway with, it is one of the largest public works projects on the East Coast.

UNFINISHED/NEW BUSINESS

Under unfinished business, Chairman Holt discussed the BPOL (Business, Professional, Occupational License) tax ordinance review. He said there seemed to be a lack of understanding as to who was responsible for what when litigation has to
transpire because of uncollected taxes. He said that Ms. Lewis had stated that the ordinance, as drafted, needed some revisions for clarity.

A motion was made to direct County Attorney Lewis to revise the BPOL tax ordinance by Supervisor Jessie, seconded by Supervisor Swinehart, and carried unanimously.

No new business was addressed by the Board.

**MATTERS PRESENTED BY THE BOARD**

Each Board Member reported on meetings and events attended since the prior regular meeting of May 7, 2019.

Supervisor Jessie discussed the ordinance for solar facilities, saying that he believes the ordinance is too lax and it gives the Board of Supervisors very little control and he feels that their hands are tied. He said that most solar farms fall into the permitted by-right category, but he feels they should be in the “Special Exception” category, which would give the Board some control to be able to represent their constituents and put some restrictions in place, so the Board can control what comes into the county and how they want Middlesex to look. He stated that he was not against solar farms, but he did not want them all over the county. Mr. Walker stated that by having solar farms categorized as Special Exception, it would allow the project to move forward through the system, but it would have to go through two public hearings, one at the Planning Commission level and the other at the Board of Supervisors level, where the Board could take into consideration any special circumstances in that particular area and have more flexibility to tailor the conditions. Mr. Kretz, Planning Director, advised the Board that they could initiate an ordinance amendment. He said that the Planning Commission and Ordinance Committee had already had conversations about wanting to do a review of the solar ordinance, and the Board could give further direction to specifically have Special Exception tagged in the ordinance. Chairman Holt said he also had concerns regarding solar farms, saying that the industry had not proven itself yet and at some point, they could become obsolete. He said that as of now, the solar farm industry was subsidized by the federal government and was not a standalone industry. The Board had much discussion about solar farms and their impact on the county.

A motion was made to have the Planning Commission look at all four categories of the zoning districts that are currently permitted and possibly adding Special Exceptions to them by Supervisor Jessie, seconded by Supervisor Swinehart, and carried unanimously.

Supervisor Jessie stated that he had heard many complaints from residents living around Canoe House beach that people were there at all times of the night, building campfires, and disturbing the residents. Mr. Walker suggested that a use ordinance could be drafted, similar to the Holly Point ordinance, perhaps incorporating
a way to have a civil fine or penalty, short of a criminal offense, that would go on someone’s record. Currently, if the Sheriff arrests someone for trespassing there, it is considered a felony. Appropriate signage could be placed informing violators that they could be punished by a fine or penalty, and the Board could determine the amount. Supervisor Jessie asked Mr. Walker to ensure that the boundary lines were established, and fencing be put up as was discussed a long time ago. Mr. Walker stated that perhaps the consultant engineer could update the survey, if need be, so the fencing could be put up to deter violators. Supervisor Swinehart added that “Dawn to Dusk” signage was needed at Whiting Creek/Marsh Pungo also as she has received complaints of similar problems there. She encouraged citizens to report any issues to the Sheriff’s Department so there would be a record of these incidents.

AMENDMENT OF THE AGENDA

At this time, Chairman Holt asked the County Attorney if the agenda could be amended to move the public comment period from the last item on the agenda to before the closed session. Hearing no objection from Ms. Lewis or the rest of the Board, the agenda was amended to have public comments before the closed session.

PUBLIC COMMENT

Chairman Holt opened the public comment period at 5:27 p.m.

Tom Feigum said that he attended the Hartfield solar panel Opening Ceremonies earlier in the year and no one was there that could answer any questions. He said that he believes that most solar panels are built in China, meaning that there are no stipulations on design or material used in solar panels, with no life expectancy given. He said there are no national or state rules, regulations or stipulations involving the construction of solar panels, their contents or the materials contained within them. No one seems to know how long they will last, or what they degrade into at the end of their life expectancy.

Sydney Luck Tabor addressed the Board, stating that she owned the adjoining property to Canoe House Farm. She said that she would like for the county to check on the beach area periodically. She said that it appeared that no one checks the outhouse or picks up the trash with any regularity, and she would appreciate it if regular maintenance could be scheduled out there. She feels that if the county is going to advertise it as a public beach, the county should be responsible for scheduling regular maintenance for the property.

Clark Waring addressed the Board, saying that out of the four categories of solar energy facilities, two are private and two are not private. Of the two private types, there are solar energy facility small systems, and solar energy facility large systems, which are 10 acres or less. The non-private systems are solar energy facilities-small utility scale, which are 50 acres or less, and solar energy facilities-utility scale, which are more than 50 acres. He questioned why a solar energy facility-utility scale was
being put on 535 acres of multiple parcels in a neighborhood zoned low-density rural at Wares Bridge Road.

Chairman Holt closed the public comment period at 5:34 p.m.

CLOSED SESSION

The motion to convene in a closed session pursuant to the Code of Virginia, Sections 2.2-3711(A)(8) and (A)(7), for consultation with legal counsel regarding the county’s process for collection of delinquent meals taxes, and for the potential litigation thereof, was made by Supervisor Jessie, seconded by Supervisor Mansfield, and carried unanimously.

A motion to return from closed session with the following statement was made by Supervisor Jessie, seconded by Supervisor Swinehart, and carried unanimously.

To the best of the members’ knowledge, only public business matters lawfully exempted in the motion by which the closed session was called were considered or discussed in the closed session.

No action was taken by the Board on any items discussed in the closed session.

ADJOURN

A motion to adjourn until the next regular meeting scheduled for Tuesday, July 2, 2019 at 3:00 p.m. was made by Supervisor Jessie, seconded by Supervisor Swinehart, and carried unanimously.

Mark E. “Chip” Holt, III, Chairman
Board of Supervisors