

**Buckingham County
Planning Commission
Monthly Meeting
August 28, 2023**

At a regular monthly meeting of the Buckingham County Planning Commission held on Monday, August 28, 2023 at 6:00 p.m. in the Peter Francisco Auditorium located in the Buckingham County Administration Complex, the following members were present: John E. Bickford, Chairman; Ashley Shumaker, Vice-Chairman; Pete Kapuscinski; James D. Crews, III; Steve Dorrier; Joyce Gooden, and Danny R. Allen. Stephen Taylor was absent. Also present were Cheryl T. “Nicci” Edmondston, Zoning Administrator/Planner and E.M. Wright, Jr., County Attorney.

Re: Call to Order

Chairman Bickford called the meeting to order.

Re: Invocation and Pledge of Allegiance

Commissioner Dorrier gave the invocation and the Pledge of Allegiance was said by all who were in attendance.

Re: Establishment of a Quorum

Chairman Bickford certified that there was a quorum. Seven of eight members present and the meeting could continue.

Re: Approval of Agenda

Bickford: Nicci, are there any changes to the agenda?

Edmondston: No, sir, Mr. Chairman.

Bickford: Seeing none, do I have a motion to approve.

Kapuscinski: Mr. Chairman. With regard to the agenda, I thought we were going to talk about 331. I may be mistaken. I went through the notes. Are we holding that off until September? That would be Chip Davis’ solar project?

Bickford: Yes.

Edmondston: In the minutes of the meeting last month, they were asked to hold a community meeting and not be placed on the agenda until September.

Kapuscinski: Ok. Thank you.

Bickford: Seeing none, do I have a motion to approve?

Allen: So moved.

Gooden: Second.

Bickford: We have a motion and a second to approve the agenda as presented. All in favor raise our right hand. Passes unanimously.

Supervisor/Commissioner Allen moved, Commissioner Gooden seconded and was unanimously carried by the Planning Commission to approve the agenda as presented.

Re: Approval of Minutes

Bickford: That brings us to Approval of Minutes. We have July 24, 2023 regular meeting minutes. Do I have a motion to approve as presented or is there any changes?

Allen: So moved.

Gooden: Second.

Bickford: I have a motion and a second to approve as presented. Any discussion? All in favor raise your right hand. Those minutes are approved.

Supervisor/Commissioner Allen moved, Commissioner Gooden seconded and was unanimously carried by the Planning Commission to approve the minutes of the July 24, 2023 Planning Commission meeting as presented.

Re: Public Comments

Bickford: That brings us to public comment period. Do have people anyone signed up?

Edmondston: Yes, Mr. Chairman, we have eight citizens signed up and the first will be Heidi Berthoud, followed by Karen Krepps.

Bickford: Please come forward to the podium state your name full name, address and you have three minutes.

Heidi Berthoud, District 5: Hello, my name is Heidi Dhivya Berthoud. I live in District 5. Did you get my email of August 22? I repeat now for the record. The June 16th Comp Plan public input meeting was fun and refreshing. We got to play together with a purpose. We felt engaged and heard. That felt like democracy in action. In the game we played called park, we were asked what we want to preserve, add, remove, keep out. Public participation, more and better, was

written into the add list and also the preserve list. But this survey that we saw last week at the work session doesn't reflect a lot of that public input and it still could be for you, we thought you were going to finalize that tonight. For example, question number 24 asks, "How do you feel metallic mining should be restricted in the county?" The public did not use the word restrict. The public input, use the words ban and prohibit. The Supervisors asked the Planners to ban metallic mining not restrict it. This word crafting is off the mark. Please correct it. As written it changes the answer. Last week I asked Steve Dorrier, who serves my District 5, to add a question to the survey about remining and reclamation. This is of huge concern to me and to many of the county which you represent. There are over 70 documented abandoned toxic metallic mines that are loaded with mercury and have not been reclaimed, let alone closed properly. Open shafts can swallow dogs and other critters. Paul Bush tells me, he's been asked to test a test for Mercury etc. in various downstream ponds and streams that kids play in. The results are toxic. I asked Steve, would you please add to the Comp Plan Survey metallic mining question number 24. Do you want to end, so this would be the question, "Do you want to preserve health and safety by requiring strict and careful permitting for remining and reclamation of existing abandoned toxic metallic mines?" Steve did bring this up. There was not much discussion. Steve expressed concern that he had not heard of this problem before. This is alarming to me. Who else on the Planning Commission is this news to? This explains your inaction to me. This is on your watch folks that you have done nothing to protect the county from new metallic mines coming in, and nothing to clean up the mess that has been here for over a century. I think this is important to get this question on the survey as this impacts a huge swath of the county along the Route 15 Gold pyrite corridor where most of the abandoned mines are. And it shows that we don't just want to stop metallic mining, almost finished, from coming in. And we want to clean up the mess that we have. I have lots more to say that three minutes will not allow. Thank you.

Bickford: Thank you, ma'am.

Edmondston: Mr. Chairman, before we proceed with the next public comment, I've just been approached by a citizen in the audience that missed the cut off time, but wanted to request from you as Chairman, permission to be added to the public comment list.

Bickford: They didn't sign up?

Edmondston: No, sir.

Bickford: How many do we have?

Edmondston: We have eight.

Bickford: I'll allow it then.

Edmondston: I'll let her know. I apologize for that interruption. Our next individual to speak will be Karen Krepps followed by Chad Oba.

Karen Krepps, District 5: Good evening. My name is Karen Krepps. I'm a homeowner in District 5. And because I care about this county, I came here to encourage much more public participation in the Comprehensive Plan. I understand and appreciate that you're going to get this survey finalized and printed and put in stores. But that's not going to get you get people to fill them out and give you answers. So I have some suggestions. I also have a team of people who are available to help neighbors and friends who care as I do, and would help to make this happen. We request, one request is that the deadline for returning the surveys be pushed out to October 31st. The original, that was the original deadline on the draft Comprehensive Plan. And it took two months just to get to this point. So what's the rush for now? Buckingham is a very difficult place in which to get word out about anything because there's no downtown, no radio, no TV, no local media. There is now a new Facebook page called, "What's happening in Buckingham". And it's very current and active. And the survey could be published there. They also list many events going on in the county. And some of those events would be very good venues for having a table and putting the surveys out in. Churches and the schools are probably the best way to reach people. But they are not right now on the list of places where the survey is to be distributed. I hope that that will change. The introduction of the draft survey needs to involve people in and motivate them to take the time to fill out all those questions. And I noticed that there's no mention of how to take the survey online and I would hope that that will be broadly communicated. If you do that it will at least indicate to the public that you really care about public input and encourage it. So I urge you to please do so. There are a few events coming up. The Farm Bureau is having a county wide candidate forum on September 21. And that would be a great place to have somebody handing out surveys and explaining the importance to the Planning Commission. Yogaville is hosting a District 5 candidate forum on Tuesday, October 17 at 7pm and that's another opportunity to promote the Comprehensive Plan. Again, the October 31 deadline will be way more practical. And please make that the target date for returns. I thank you for making public participation a priority and letting everybody know how you feel about that. Thank you. Goodnight.

Bickford: Thank you, maam.

Edmondston: Chad Oba.

Chad Oba, District 6: Yeah, there's a long list at the end, I watched yall have copies in front of you. So my name is Chad Oba. I live in District 6. 571 Woods Road. Thank you for your service here. Appreciate it. And just to let you know that I am watching the progress of the Comprehensive Plan review. I see that a lot of what was talked about in the public input meeting and written down on lists as things we care about are not on the survey. Please do not approve the survey until it includes these very important concerns. It looks to me that question number 20 on the Comp Plan Survey, the graph would be an appropriate space for getting a really quick look at the issues brought up in the community input park exercises. Would you please add the following list number to #20 as you see at the bottom? These concerns were on the list generated by the public which have made have photographed and I ask you to leave a few blank spaces for folks to add to. Without this list, it seems the survey is heavily slanted towards encouraging business and not quality of life. Quality of Life does impact the economy. For example, our kids are more likely to return to the county if the water and the air are clean. We've banned toxic

industry. We've stopped the sprawl. The arts and entrepreneurs are encouraged and we feel like we are actually listened to. These are many of the topics generated by the public. Public participation including voting for issues, voter intimidation, biodiversity, clean water, clean air sustainable regenerative agriculture and forestry, rural preservation, protect old trees, biosolids, litter on roads, no metallic mines, crime, drugs, clean up abandoned metallic mines, Superfund site, limit industrial solar, encourage community solar, require permitting of exploratory drilling, single use plastics, Night Skies reduce light pollution, activities, safe space for kids, encouragement, funding the art, support public schools, the library, education and trades, co workspaces, resources for entrepreneurs, health and wellness education, urgent care facility, rehab center facility, public boat ramps for the James River, expand the parks, expand the trails, bullying of corporations, slumlords, illegal drugs, stop sprawl, land planning, affordable housing, including tiny houses. That's it, thank you.

Bickford: Thank you.

James Smith, District 4: James Smith, District 4, Maysville. I wanted to speak to you all. I apologize for missing the public input meeting for the Comprehensive Plan in June. I'd like to read from the current Comprehensive Plan. The nature of agriculture in Buckingham County has been changing much as it has been in most of Virginia and the nation in the past 15 to 20 years. Traditional farms have given way to mass agricultural production found intensive livestock operations of poultry and hog operations. According to the 2012 Census of Agriculture, there were 391 farms in the county. This is a decrease from the total a foreigner 11 farms located in the county according to 2007 census. The average size of the farm located in Buckingham in 2012 census was 215 acres. That's an increase over the 2007 census of 188 acres. The loss of small farms throughout the nation has been due to the increase in operating costs for such farms. Inflation has raised the cost of energy, farm equipment, fertilizers and pesticides. Another factor has been the increased value of farmland and subsequent increase in real estate taxes. I might add since 2020 that doubled. According to 2017 Ag Census, Buckingham increased the number of farms to 408, an addition of 17 farms. I believe the 2022 census which will be available in 2024, will show even more of these farms. 68%, are less than 180 acres. 85% made less than \$50,000 in sales, not in profit in sales. 35% made less than \$2,500. The Comprehensive Plan also includes the statement rural agricultural forested areas continue to recognize that one of the richest assets is agriculture, forestry and rural lands. Buckingham wants to continue to protect these areas and natural resources to ensure a rural quality of life is maintained. I believe allowing small farms to be able to produce an income for the farming family means accepting that small farms need strong local food systems, and a strong direct to consumer customer base. It also means allowing small farms as by right to do production activities on their farm that became associated in the late 20th century with industrial work. Smallholder farmers, including right here in Buckingham, are returning to our traditional farm to table model that necessitated completing certain activities on the farm. The limited size of the operations differentiates the operations from industrial farming operations, and do not have the associated risks that large factory farm operations have. The state regulates what can be done on either operation, and I believe these regulations are sufficient. Buckingham zoning ordinances may already allow for some of this but I would like to see the language specifically allowing traditional raising and preparing of agricultural commodities for sale on the farm included in the Comprehensive Plan and the zoning regulations. The Virginia

Right to Farm law also includes provisions for protecting farming from lawsuits and restrictive zoning regulations and I believe Buckingham generally agrees with this and I'd like to see the Right to Farm language also included in the Comprehensive Plan.

Bickford: Thank you, sir.

Kenda Hanuman, District 5: Good evening. I'm in Commissioner Dorrier's District 5. Kenda Hanuman as you certainly know. I'm curious about the agenda looks rather short. And I don't see gold or the Comp Plan on it. I'm wondering will that be addressed tonight? Can anybody tell me if this agenda includes everything that those are added to it?

Bickford: I'm not supposed to engage but no. We have allocated time at the work session for the Comp Plan.

Hanuman: You do have time for the Comp Plan?

Bickford: At the work session. We're not doing it tonight.

Hanuman: Oh, you're not? Okay. I thought there was supposed to be approval. So you would do something by Wednesday night.

Bickford: We may talk about the survey. But that's all.

Hanuman: Okay. Thank you. So I'm Co-Chair of the Friends of Buckingham Gold Committee and I'm assistant representative of the State Agency Committee. So I've been working with this a long time regarding the gold mining. Gathering a lot of information. And I really thank Commissioner Dorrier for saying that the remaining reclamation would be added to the Comp Plan. I hope that is actually what's happening. And also, I believe that was Commissioner Gooden who requested rewording in the Comp Plan to not give leading questions, but to actually make it clear that this was something that wasn't a done deal. So we have offered to meet individually with Commissioners to ask questions, who want to ask questions, we can answer them. Seeing that Commissioner Dorrier just was hearing about the 70 abandoned mines, which were on these maps that we've been sharing for a couple of years, we want to make sure we're making ourselves clear, and that you're hearing what we're offering to tell you that we've learned in these past three years. So if you'd like to have a personal meeting, each one of you individually, we'd be very happy to arrange that. I asked at the Board of Supervisors meeting about the fact that Kyanite had shown concern, and five of the employees had said that we were trying to ban Kyanite mining, and no one ever corrected them. I did make a comment that we've never said that we've tried to make a really strong point that that's not what we want to do. I wish that you would be able to ask them, why would they be opposed to mining, to banning metallic mining? Is there something that they're not telling you? Is there more transparency needed and you probably have the power to interact and find out those facts? So I thank you very much, and I would love to hear from you.

Bickford: Thank you.

Cindy Morris, District 3: Good evening my name is Cindy Morris and I reside at 465 Morris Forest Lane in Buckingham. District 3, New Store Precinct. First, I would like to commend you for your forward thinking updating the County's Comprehensive Plan and utilizing a citizen survey in that preparation. To garner what your constituents are thinking about their community as it relates to quality of life, growth management, economic development, parks and recreation, even transit planning. Many more communities are using surveys to get a better sense of public opinion on a wide range of planning related issues. Surveys are effective at reaching residents who do not ordinarily participate in typical public involvement events, such as this one. Providing genuine opportunities for citizen's participation can sometimes be difficult. Those who are participating in in person meetings are often the citizens with the greatest passion, the most time, the least reserve and the most at stake. Sometimes viewpoints of families with children, wage earners, steeped in the daily pressures of making ends meet and sick or handicapped residents may not be adequately considered. After listening to the Planning Commission work session meeting on August 21, I have the following concerns and comments regarding the citizen survey. First, as was pointed out at the meeting by several Planning Commissioners, some of the questions are clearly bias. I agree with you and with Todd Fortune of the CRC it is important to maintain objectivity and neutrality. This includes questions on politicized issues relating to solar panels, metallic mining, the suspected 70 toxic mines and any other controversial issues that the county has recently encountered. These types of questions can introduce bias and subjectivity and potentially lead to skewed results. By avoiding such questions, a survey can maintain its objectivity and provide more reliable data. There are more suitable platforms and methods for addressing controversial issues in a way that encourages informed and productive discussions. Second, a three-week timeframe for collecting survey responses was discussed at the meeting. This is a very short window of opportunity for citizens wanting to make their views heard on a Comprehensive Plan that will have major impacts well, well into the future. Doubling that time to six weeks would surely increase the response rate and include as many interested individuals as possible. In closing, I want to thank you for your time and commitment to serving the citizens of Buckingham and it's my hope that you will sincerely consider my comments. Thank you.

Bickford: Thank you, maam.

Katherine Thimnakis, District 5: Katherine Thimnakis, Glenmore District. Blessings. Teaching moments. Last time I appealed for the Planning Commission to refocus on welcoming Healthy Living businesses, keeping the economy local. After communicating strategic essentials, I appealed for young entrepreneurs to become prosperity leaders. For the time, the mic was cut off, showing that the panel has not one minute, not 60 seconds, for the most important to all of our lives, sustainable finances, quality of life, not a word from the audience. Alert! Farmville Herald for your editorial lamenting. Editor Brian, outside two new men who had spoken against gold mining, when we leave that one person had stood up for them. These are young people experiencing strong social relationships. They were not surprised that when I presented for them, the mic was cut off. One young man who works in the health industry made me aware that posing authority on the stage controlling the narrative at every meeting will not support any advocacy beneficial for young people. His words, the mic is shut off so that they can bury the truth that we young people are good people, repeat, bury the truth that we young people are good

people. Editor Brian, 1000s of citizens are dispossessed by their local government, designated by their age with the synergy of compliant community partners. Never on any agenda, advocacy, not permitted. No respectable cultural standing. Obviously, precedence determines policy empowerment. That's why banks are on the main road. Old school ways, disassociated from our best nature. Thank you.

Bickford: Thank you maam.

Mike Morris, District 3: Good evening. My name is Mike Morris. I'm from District 3. My representatives are Pete Kapuscinski and Don Matthews. So I'll be brief. Some of this has already been mentioned, I think a return of the survey in three weeks is really short. It just really needs to be extended. And also I agree that some of the survey questions seem to be leading to a conclusion perhaps. For example, number 24 that says that metal mine development restrictions seems to lead to the foregone conclusion that there will be restrictions. Maybe there won't be. And I'm speaking more specifically, from the mines perspective there. From my heart and not the mines heart. I'll come back to that in a second. But I'd like to, I want to know this. Because I don't know. Where are the 70 Mines? How are they documented? What are their locations? What is the definition of toxicity? I don't have that information. I would honestly be surprised if there are 70 toxic mine sites in the county. I don't argue that there might not be some but 70 and where are they? And what's the definitions involved? I'll go ahead and say that in a previous meeting, I had underscored that Kyanite Mining is already in an open pit mine and the ground is open. And that's what I mean when I start talking about metallic mine development. And that's what I had spoken about previously. It's already open. If we run up on the mineral in the ground that's there to be explored, why would we not exploit that mineral as long as we did it under state and federal regulations and done it safely. So there's that point about the open hole already being there. So I've heard the Friends of Buckingham mentioned several times with all due respect, perhaps I class myself is another friend of Buckingham because I have different opinions sometimes. I don't think being a friend of Buckingham is an all-encompassing thing. I don't think simply by the name of a club that that represents every citizen of Buckingham and from my own experience, I can say it doesn't represent me. But I was there at that meeting that it was mentioned. And what the guys that were speaking that night were saying, what they were expounding was that we have a good reputation. We have done a good job. We've worked really hard. We follow the rules. We follow the regulations religiously. We've gotten awards for that. I didn't get the impression that anybody was saying that anybody was trying to ban Kyanite Mining. The impression I got was we were trying to be banned in regard to any new metal that we might find. That was more my understanding of that. I think the employees were simply attesting to Good Neighbor mining that already exist and has for decades. Thank you,

Bickford: Thank you, sir.

Kristin Gee, District 3: Thank you for letting me be a late add, I broke my glasses, so I'm kind of a mess, but I'm here. Again, my name is Kristen Gee and I live in District 3. As you may not know, I'm a newish member of the Council for GO Virginia, Region Three. And if you're aware of that organization and paraphrasing from its website, Go Virginia is a business led economic development initiative that invests in collaborative projects with the goal of bringing more

businesses and opportunities to the Commonwealth, thus leading to higher paying jobs in the region. Region Three supports economic growth across 13 counties in Southern Virginia. And developing a new Comprehensive Plan is an important and possibly onerous for you all process. But it is important to have a well-organized and considered Comp Plan in place to keep the county headed in a direction of smart, harmonious growth, and to provide needed and desired resources and opportunities to its residents. As part of the processes it is it is important to gauge those priorities that are most important to existing in future residents. I understand you may be offering a survey to residents and other interested parties to help you identify those priorities. I would submit the importance of making that survey as widely available as you can to reach as many constituents as possible. I would ask that it be open for as long as is reasonable within your processing timeline to encourage as many people to respond as may be able. I find that when I attend these meetings, it is usually because I have a distinct interest in something that is occurring that's on the agenda. And the rest of the time I and I believe most of the other people in the county leave these important decisions to you who have been chosen to make the studied and well considered decisions for the county. Rather than trusting that those of us who choose to attend these meetings or respond to a limited survey adequately represent the wide breadth of the county, I ask you to do your best to reach as many residents as possible through this process. When gauging the priorities of county residents, the priorities raised by a small minority to you all and at these meetings may not be at all the priorities raised by the wider population. Thank you.

Bickford: Thank you, maam. Okay. Is that all the speakers? I'll close the public comment period and will go to old business.

Re: Old Business: Public Hearing Case 23-SUP330 US Cellular Axtell Road

Bickford: First coming up is a public hearing case for US Cellular on Axtell Road.

Edmondston: Yes, sir. Mr. Chairman, members of the Planning Commission, this public hearing is for Case 23-SUP330. The Tax Map and location of this property is Tax Map 14 Parcel 59 contains approximately 44.98 acres and it's located at or near 2462 Axtell Road, Scottsville, Virginia in Slate River Magisterial District. It is zoned A-1. And their request a couple months ago was to obtain a special use permit for the purpose of constructing the 199-foot monopole communications tower. Emilee Lauer, the applicant and agent for US Cellular is available virtually this evening to address questions, comments or concerns. And in regards to the public hearing, there's no one signed up.

Bickford: Okay. Thank you very much. All right. I do have to open up the public hearing even though we don't have anybody signed up. But do any of the Commissioners have any questions for the applicant prior to going through the formality of opening up the public hearing? All right. I will now open up the public hearing for this case. Nicci, would you repeat that we have nobody signed up?

Edmondston: Yes sir, Mr. Chairman. We have no one signed up to speak for the public hearing.

Cindy Morris
465 Morris Forest Lane in Buckingham
District 3 – New Store Precinct

First, I would like to commend you for your forward thinking in updating the County's Comprehensive Plan and utilizing a citizen survey to garner what your constituents are thinking about their community as it relates to quality of life, growth management, economic development, parks and recreation, and even transit planning.

More and more communities are using surveys to get a better sense of public opinion on a wide range of planning-related issues. Surveys are effective at reaching residents who do not ordinarily participate in typical "public involvement" events, such as meetings and forums. Providing genuine opportunities for citizen participation can be difficult. Those who are participating in in-person meetings are often the citizens with the greatest passion, the most time, the least reserve, and the most at stake. Sometimes the viewpoints of families with children, wage-earners steeped in the daily pressures of making ends meet, and sick or handicapped residents may not be adequately considered.

After listening to the last Planning Commission Work Session meeting on August 21st, I have the following concerns and comments regarding the citizen survey:

1. First, as was pointed out at the meeting by several Planning Commissioners, some of the questions are clearly biased. I agree with you and with Todd Fortune of the CRC; it is important to maintain objectivity and neutrality. This includes questions on politicized issues relating to solar panels, metallic mining, the suspected 70 toxic metal mines, and any other controversial issues that the county has recently encountered. These types of questions can introduce bias and subjectivity, and potentially lead to skewed results. **By avoiding such questions, the survey can maintain its objectivity and provide more reliable data.** There are more suitable platforms and methods for addressing controversial issues in a way that encourages informed and productive discussions.
2. Second, a 3-week time frame for collecting survey responses was discussed at the meeting. This is a very short window of opportunity for citizens wanting to make their views heard on a comprehensive plan that will have major impacts well into the future. **Doubling that time to 6 weeks would surely increase the response rate and include as many interested individuals as possible.**

In closing, I want to thank you for your time and commitment to serving the citizens of Buckingham County.

It is my hope that you will sincerely consider my comments. Thank you.

Submitted to:

Nicci Edmondston, Zoning/Planning Administrator

Buckingham Planning Commission Meeting, August 28, 2023

Hello, thank you for giving me a few moments. My name is Kristin Gee and I live in District 3. I am also a new-ish member of the Council for Go Virginia, Region 3. As you may already know, and paraphrasing from its website, Go Virginia is a business led economic development initiative that invests in collaborative projects with the goal of bringing more businesses and opportunities to the Commonwealth thus leading to high-paying jobs in the region. Region 3 supports economic growth across 13 counties in Southern Virginia.

Developing a new comprehensive plan is an important, and possibly onerous for you, process. But it is important to have a well-considered comp plan in place to keep the County headed in a direction of smart, harmonious growth and to provide needed and desired resources and opportunities to its residents.

As part of the process, it is important to gauge those priorities that are most important to existing and future residents. I understand you may be offering a survey to residents and other interested parties to help you identify those priorities. I would submit the importance of making that survey as widely available as you can to reach as many constituents as possible. I would ask that it be open for as long as is reasonable within your process and timeline to encourage as many people to respond as that may be able. I find that when I attend these meetings, it is usually because I have a distinct interest in something on the agenda, and the rest of the time, I, and I believe most other residents in the County, leave these important decisions to you who have been chosen to make the studied, well-considered decisions for the county. Rather than trusting that those of us who choose to attend these meetings or respond to a limited survey adequately represent the wide breadth of the county, I ask you to do your best to reach as many residents as possible through this process. When gauging the priorities of County residents, the priorities raised by a small minority to you all and at these meetings, may not be at all the priorities raised by the wider population.

Thank you.

Bickford: Okay, I will now close the public hearing and turn it back over to the Commission. What's the pleasure of the Commission for the cell tower, which I will remind the Commission that the consultant CityScape has endorsed this tower working in that area? It certainly needs some improvement in cell coverage. And this will help considerably.

Kapuscinski: Mr. Chairman?

Bickford: Yes, sir.

Kapuscinski: I think we've heard a considerable amount about this particular cell tower, and I do believe in that particular area would serve to benefit the county and the people in that area. I thought we made that fairly clear when they were here. So I would move that we push this forward.

Bickford: We have a motion. Do we have a second?

Gooden: I second it.

Bickford: Okay. We have a motion to approve and a second. Any further discussion? All in favor, raise your right hand. All right, moves on forward to the Board of Supervisors.

Commissioner Kapuscinski moved, Commissioner Gooden seconded and was unanimously carried by the Planning Commission to move Case 23-SUP330 US Cellular at Axtel Road to the Board of Supervisors.

Re: Old Business: Case 3-SUP329 RWE Energy-Blue Rock Solar

Bickford: Our next case is the solar, RWE Energy, Blue Rock Solar.

Edmondston: Yes, sir. Mr. Chairman, the next case on the agenda this evening is 23-SUP329. Landowners are Blue Rock Resources LLC and JAMN Limited Partnership LLP. Applicant is RWE Clean Energy. And the case before us is Blue Rock Solar LLC. This case was actually introduced in June and at the request of the Commission, the applicant scheduled a community meeting in July. I'm sure they're here with an update from that community meeting. And also to discuss any questions and concerns. The request is the same as when this case was introduced in June and their request is to schedule a public hearing for this request, if it will be at the pleasure of the Planning Commission.

Bickford: Okay. Thank you Nicci. Would a representative like to come forward? Commissioners may have a few questions. I have only one but I understand from the narrative that you only had one participant at your community meeting?

Joshua McNeely: That's correct.

Bickford: So, I'll ask now, any Commissioners have any questions for the applicant? Yes, Pete?

Kapuscinski: Yeah, that community meeting, I'm assuming it was widely advertised? You say you only had one person there?

McNeely: Yeah, we advertised two different weeks.

Kapuscinski: For two weeks, and you advertised where?

McNeely: The Farmville Herald.

Kapuscinski: At the Herald? And you only had one individual that came?

McNeely: Correct.

Crews: What did they have to say?

McNeely: Just questions about the project. And that was it. Questions about us.

Bickford: I did have one question that I wanted to ask. Between the buffers that you leave for those drains, the creek drains? How close will the panels be to that? And you'll probably have grass between the actual fence and panels and the buffer area?

McNeely: So I think you're asking two questions. So the minimum setback that we adhere to in the current, it's a conceptual design that we're seeking approval on. We have to go through the Board of Supervisors for the approval at the local level. And then there's a permit by rule process run through the state for final approvals on this, the full site design. We will then go into...

Bickford: I guess my question is, it's just a simple one, just to see ...

McNeely: 50' off bank.

Bickford: You got the buffer, 50-60 feet, whatever it is of tree line, from the tree line back to the solar panels where it's fenced in, that's going to be cleared, but it will be grass. Correct?

McNeely: So there will be limited buffer, are you talking about from property boundaries to the fence?

Bickford: No, from the buffer, the creek buffers that you leave in. You're gonna have a setback...

McNeely: The setback is gonna be 50 feet from the bank.

Bickford: Right, then from the buffer to where the panels are fenced in, that will be clear because you got to get back from exposure or shade from the...

McNeely: So when we look at the buffer between panel and fence right now. It's 75 feet.

Bickford: Okay. That's what I was asking. In other words, you got the buffer, tree line buffer, but then also there's going to be a grass buffer too to be, so you got additional buffer.

McNeely: That's right, sir.

Bickford: That's why I was asking that question. Any other Commissioners have question for that?

Allen: You've got 1100 some acres, but how much of it is in Cumberland?

McNeely: The whole project, I had that written down, outside of what, just from a land standpoint, there's 35 acres that fall into of property that fall into Cumberland County. I think when you look at the one of the presentation slides there's 718 acres of total development within that 1127 acre, three parcels. 686 fall into Buckingham County. The other fall into Cumberland. So it's right around that 35 acres.

Kapuscinski: Mr. Chairman?

Bickford: Yes sir, go ahead.

Kapuscinski: Just a couple of questions. Number 1, I did not see in your book here, or I didn't see a topographical map. So can you explain to me, can you tell me, you said that this property is flat, I went out and saw it, it looked pretty flat to me. Is there any degradation of the property? If so, what's the percentage?

McNeely: So I don't have the exact percentage for you. I think, you know, when we're looking at the design criteria for the project, obviously, there's a proposed grading plan that will go into effect that will need to be reviewed by the county as part of the sediment erosion control and stormwater management plan. That's part of the detail final engineering of the project. There's basically three agencies that will have to approve that plan. Buckingham County is one of them, the Francisco Water Conservation District, and then the Virginia Department of Energy or Environmental Quality. So DEQ. We will have to apply for that.

Kapuscinski: So you do recognize there's a slope and you still have to have that worked out.

McNeely: There's portions of the area that may be sloped. We're also looking at two different tracker technologies. So as I mentioned in the first meeting in June, you know, we're planning to stack the panels on trackers that track east to west. There's a newer version of tracker that allows for more extreme slope. So you have essentially less earthwork that needs to be done. And we are considering both options at this point.

Kapuscinski: Okay. Second question is, in your application and this was brought to me, by the way, by another individual who wrote a letter and I was, you know, I was reading the application myself, it seems to me that you indicate that you intend to work six days, 10 hours, but then in the same document, you indicate that you're going to work seven days, and may have more than three shifts or more than two shifts. So which is it? Are you going to, I know you're going to do pilings, only on six days? You're going to, I guess the concern is noise, and traffic. So what is your work schedule? Are you going to do six days, seven days? And is it just for the pilings you intend to six days?

McNeely: Ultimately, our work schedule will be decided by the Board of Supervisors, hopefully, if we can get approved. I think ideally, we would look at, you know, obviously restricting all noise related activities to six days. So nothing on Sunday. I think we will be open to a conversation to address the constituents that you guys represent. And make sure there's some schedule that that adheres to the requirements.

Kapuscinski: Well, let me ask Mr. Chairman, a condition that we need to consider here. I mean, I've got some concerned people asking me whether or not we're gonna do six or seven days and what noise, what the traffic and the noise issue will be. And I have a question about that a little later. I mean, is that a condition that we should put on? I mean, with regard to piling or any kind of noise making construction?

Bickford: Yeah, absolutely. That's in our purview. If you want to make that a condition.

Kapuscinski: I would move that we make that condition.

McNeely: We would be open to limiting any noise activities, you know, especially on Sundays.

Kapuscinski: Mrs. Edmondston, is that something we can...

Edmondston: Condition Number 8 addresses activity for the construction and operation. There are two different aspects to Condition 8 that addresses all pile driving activity should be limited to the hours from earlier of sunrise or 8am to later of 6pm, or sunset Monday through Saturday, and goes on to say that the applicant may request permission from zoning administrator to conduct piling driving activity on Sunday, but such permission will be granted or denied at the discretion of the Zoning Administrator in Section B. All other construction activity within the project area shall be permitted. Monday through Sunday in accordance with the provisions of the county's noise ordinance.

Kapuscinski: I did read that so I'm asking for a condition to allow only six days where there's any noise involved.

Edmondston: Six days, they've covered that in Section 8 because typically pile driving activity is where the most noise would be detected by the neighbors. All other construction activity, he would probably be better equipped to answer that question, but trucks, other equipment.

McNeely: Very similar to farming equipment, large farming equipment.

Edmondston: So do you want something more specific with the pile driving because it's been limited from 8am as such with Sunrise and 6 pm...

Kapuscinski: I never built one of these places. So I'm not a technician. But I gotta tell you there are people around who would prefer a six-day work week on this construction project. I don't know if that's a problem for you or not. But that would be what I would suggest you do but I can't say that that's going to be if that's going to create a problem for you completing this project, then certainly that's not something that you would be willing to consider. So obviously, the people who are contacting me are concerned about both the traffic and the noise for the while the construction of this project is moving forward, and on a Sunday, particularly their concerned. So whatever can be done to mitigate that, I would suggest we put that as a condition.

Edmondston: Possibly Section B, this is construction activity within the project area should be permitted Monday through Sunday. Are you asking for that to be amended Monday through Saturday?

Kapuscinski: I would suggest so, and I have people who have asked me for that.

Edmondston: Applicant, if you agree to that amendment, then this condition will change to reflect.

McNeely: I think one, one thing we would ask for is in the event that we have a request for overtime hours that we be allowed to seek that with approval of the Commission.

Kapuscinski: So long as you would...

McNeely: Limit it still to noise related activity.

Kapuscinski: And it would have to be a special permission. Correct?

McNeely: Correct.

Kapuscinski: I'm okay with that, Mr. Chairman.

Bickford: I have no issues with that.

Kapuscinski: Okay, second question had to do with Mole Hill Road coming off of 15. That's a pretty sharp turn. And I noticed in your proposal you're saying there's really not an issue with traffic moving in and out from 15 on any route going toward the construction site. I mean, I've been on that, that's a pretty sharp turn. Is that a concern to you? I mean...

McNeely: So in the event that we have to expand an entrance, you know, I think we would always seek that with VDOT.

Kapuscinski: You are going to have some big trucks moving in and out of there. Are you not?

McNeely: Correct. I don't run our construction, though. So I mean, I've I can give you from experience on a project that we just did in Tennessee, that there was a location that we had to cross over a median. And we had to move that median and expand a driveway actually create a new driveway, specifically to address the construction access and safety concerns.

Kapuscinski: I guess I'm, all I'm suggesting here, Mr. Chairman, is that it appears to me from this contract that there's or from this, this proposal that there's going to be a significant amount of traffic, probably some fairly large trucks moving in and out of Mole Hill. Is that, by the way, is that the road you intend to take to get to the project site Mole Hill Road?

McNeely: So there's two entrances that we showed, again, those are all conceptual. Nothing has been fully designed. We're at a 10% level of design maybe a little bit long.

Kapuscinski: Now I'm told a second road has a tendency to flood during rainy wet weather, I guess today would have been a good day to check it out.

McNeely: I haven't driven it on a day like today.

Kapuscinski: But I'm more concerned about the turns in and out of off and on to Route 15. In particular Mole Hill because it's such an obtuse turn. It's a real sharp turn.

McNeely: I think even if we have to put in a temporary stoplight. I mean, those are all things that our construction crews are going to take into account and seek. So we look at like public safety on entrance and access, if that's a concern, you know, we'd obviously be willing and would seek to put in conditions that would satisfy constituents.

Kapuscinski: So Mr. Chairman, could there be another condition where we hear from whoever the expert is in this area to determine whether or not there ought to be some sort of traffic light or some something that would mitigate the impediment on this particular turn? I'm suggesting you're going to have some problems on 15.

Bickford: Well, I understand. I think if this was going to probably fall, your question would probably fall under Condition 20 where construction traffic management plan and mitigation measures shall be developed by the applicant and submitted to the Virginia Department of Transportation. Because technically, that's in their control. So I think your question is very legit, but it should fall under that traffic management plan, Pete.

Kapuscinski: Do we need to know what the answer is before this moves forward?

Bickford: I don't know that we would need to know. I mean, as long because the highway situation entrance and all that it's gonna be under the authority of VDOT anyway.

Allen: I know one thing on it said VDOT said they could move 100 to 200 feet. The entrance to the place. It might not be the road you are talking about.

Kapuscinski: That's off of Mole Hill Road. Right? But that's not off of 15. So if you are willing to do it off of Mole Hill Road, I don't know why they are not worried about 15. That's where your traffic is.

McNeely: Yeah, I mean, again, we haven't gone through the process with VDOT. It's a stepwise process, right. We seek the local jurisdictional approval. And then we still have that that broader state approval that we have to seek after via the permit by rule process, which incorporates all the VDOT, all the DEQ's, right. So we still got a lengthy road ahead of us and obviously all the design criteria that gets done from the conceptual that we're showing you today, which is a representation of the project that we would like to build and seek to build. That all gets changed through the various regulatory approvals that we have to go through.

Kapuscinski: Those are the questions I had, you know, the one condition and I don't know how you handle the other condition with regard to 15. But my, you know, I'm inclined to think that if nothing gets changed, you're going to have some real difficulty turning into Mole Hill Road. I'm just making mentioned of that Mr. Chairman.

Bickford: I understand.

Kapuscinski: I as a, as a Commissioner, I'd like to know how that gets remedied. I don't know if it's in our purview or not.

Bickford: I would say your probably your best recourse would be to petition VDOT and say, Look, we have concerns, the citizens that have concern, but try to get an answer to them if it goes that far and his plan is developed,

McNeely: We are happy to have a sidebar with you, Pete, to help you understand the concerns there. And we're happy to incorporate that in and share that design this the traffic management plan that gets submitted to VDOT with you prior to that.

Kapuscinski: I honestly would think that that should be part of the package. I'd like to have, if that's alright with you?

Bickford: I have no problems if they are going to provide it.

Kapuscinski: So you will provide that as part of the entire package here?

McNeely: When it comes to it. I don't think we're gonna have it in this this hearing. I don't think we're gonna have a public hearing. But prior to construction, absolutely. As we're going through the process...

Kapuscinski: How about prior to the Board approval?

McNeely: I have to get back with you on that. I'm just, so my concern is where we're going to be at from an engineering standpoint, knowing that, you know, even after the Board of Supervisors, if we get to an approval and get a yes, from the Board of Supervisors, we still have to go through, you know, the process with the state, the permit by rule process, which may change the design of the project, limited to whatever conditions are put on to us by the Board of Supervisors, obviously. And that may change, you know, our design criteria. So we're not going to have 100%, 90% construction plans, you know, even when we get to the final approval with the Board of Supervisors.

Kapuscinski: Okay. Well, thank you. I appreciate all that.

McNeely: We can have it as a condition prior to start construction.

Kapuscinski: I'd appreciate seeing that. Thank you.

Bickford: Okay, any other Commissioner's?

Allen: Coming from Buckingham, I can see the issue that you're talking about but if they come in here from out of Farmville, you wouldn't be no trouble to slide up the road.

Kapuscinski: Coming from Buckingham, it's a turn.

Allen: Just to understand where it's gonna be hauling stuff? Are you talking about rock? Are you talking about...what would the trucks be hauling a lot of? Do you know?

McNeely: I think the heaviest equipment when you look at it is your transformers. Right. So that's going to be your wind loads, it's going to be you know, by far the heaviest by weight. You're going to have quite a bit of solar panels that are going to come in, those are going to come crated in a tractor trailer. You're gonna have a lot of steel and aluminum. You're gonna have textiles for some portions of roads. There may be some areas where culverts get expanded. There's existing timber operation on this property. So a lot of the crossings are already established. We will have to work with the US Army Corps of Engineers to expand those so you'll have you know, general equipment that will go into a culvert expansion. You know, we don't put you know, we're not we're not laying rock underneath all the panels if that's what you're asking, right, we plan to reseed. So we're not bringing in heavy rock to an extent there will be areas for sediment and erosion control where we will have to put down textiles, i.e. some top rock to limit dust.

Allen: All I'm saying, is anything coming from Farmville, trucks would be fine going up at road. Coming from Buckingham, you going down here on an angle. So you know, completely stop in the middle of a road trying to turn. I think you'll be stopping traffic.

McNeely: And when we were looking at the site access, you know, the broader point of that southern point was really for long term access for operations maintenance. And you're talking about guys coming in pickup trucks.

Kapuscinski: Okay. Last question, and I promise it will be the last question. Do you have, are there local people who are partners? I saw two affidavits in there that are Power of Attorney affidavits. Are there other partners that are partnering with your company in this project that are that are county people?

Mc Neely: To the extent of what do you mean by partner? Are you talking about financial partner?

Kapuscinski: I don't know. I'm just curious. I don't think there's any more operating partners.

McNeely: The project is 100% owned by RWE Clean Energy. It's 100% funded to date, and we'll be 100% funded on balance sheet for construction if it's approved.

Bickford: Okay, any other questions from the Commissioners?

Dorrier: Going back to this to the highway part? Will we get a report, impact report from VDOT at some time that we can look at?

McNeely: We have to do the traffic plan. So we're happy to share that. You know, when that's completed. You know, we also talked about a road use agreement, and bonding for protection on any damages that may be caused through the course of construction from the project. Again, we're very amenable to entering new agreement, specifically a road use agreement with the county that has bonded protection. It documents, you know, what we've done historically on these deals, as we have, you know, our surveyors go out and document both with written surveys and also photos. The existing conditions of the roads, pre-construction, during construction, post construction, and then obviously, documentation of any repairs that are done as a result of the damages that we may cause or just any improvements that have made may have been provided by RWE and their construction teams. So, again, I think we're happy to open up discussion with the county attorney, have that as condition to the Board of Supervisors approval if we ever get there. But, you know, it's something that we obviously don't want to leave your roads in worse conditions than they are, hopefully we leave them in better condition.

Dorrier: Okay, well, we usually get an impact report from VDOT and I was just concerned. I haven't seen it and I didn't know if we had one yet or you have anything. We haven't gotten that far yet.

McNeely: Not that I'm aware of.

Bickford: If we had anything it would be preliminary, because if they have to do that management, traffic management plan. Any other questions for the applicant? Thank you sir. You can go ahead and sit down.

McNeely: Thank you for your time.

Bickford: Thank you. What's the pleasure of the Commission? Are we going to move this forward to public hearing or not?

Kapuscinski: I'd make that motion, Mr. Chairman.

Bickford: For?

Kapuscinski: Move forward with public hearing.

Allen: Second.

Bickford: We have a motion and second to move forward to public hearing. Any further discussion? All in favor raise your right hand? You will be back in September for your public hearing, sir. Thank you.

Commissioner Kapuscinski moved, Supervisor/ Commissioner Allen seconded and was unanimously carried by the Board to move Case 23-SUP329 RWE Clean Energy-Blue Rock Solar to public hearing in September.

Re: New Business

Bickford: Nicci, New business. I see we have no new business at this time.

Edmondston: I don't have any new cases to present or introduce to you this evening.

Re: Reports: Building Permit Reports

Bickford: Okay. You want to do your building reports and your administrators report.

Edmondston: The building permit report was submitted for informational purposes.

Re: Reports: Zoning Administrator Report: Comp Plan Survey

Edmondston: And as far as zoning administrator, what I have for you this evening, is actually some information from a private citizen that contacted me today in regards to the citizen survey. I know that you all had discussed it in length last week at the work session. I hadn't received any feedback. I'm not sure if any of you had. Todd made the recommended changes that he indicated that he would last Monday. They were forwarded to you for your review. I did print copies of the amendments. Just to add to the record. There was a change to question Number 12. On insert it

states Buckingham County does not build or maintain roads that is done by the State of Virginia. What road improvements would you like to see in the county? And ask the state to undertake and please be specific? There's a question 13 Regarding trails or pedestrian bike paths. The addition to this question would be do you want the county to raise taxes to add these particular pedestrian trails, walking trails and bike paths? And then what types of residential development does Buckingham County need in the future? This was number 14 that had highlighted. Moving forward, in order to provide jobs and increase tax revenue what types of industrial development would you favor for Buckingham County in the future and there are different areas. One question answer could be none, manufacturing wood products, manufacturing train and rail car, manufacturing packaging supplies, utility scale solar, call center, business process outsourcing distribution center, food and beverage processing, data center and mining. And I believe that the other additions that the citizen added more in tandem with metallic mining. It says, "Are you in favor of additional I think it should be additional mining, not metallic mining development and Buckingham County if properly regulated?" 26. The question is how do you feel about cell service in Buckingham County and the additions would be would you favor more cell towers to improve cell service in Buckingham? Where would you want more towers to improve service and then 27 is in regards to the reclamation and this amendment states, are you in favor of Buckingham County spending tax dollars for the reclamation or re-mining of abandoned mines in Buckingham? Oh, like I said, I just had a visit from a citizen that wishes to remain anonymous. But these were some changes that they had submitted today. So I didn't want to leave those out.

Bickford: Okay. I do see on this that Todd has September 30, as a follow up date?

Edmondston: Per his email instead of the three weeks that I believe he had stated last week at the work session, he has increased that time period to five to six weeks. Do you find that sufficient or?

Bickford: Well, I don't know. There has been some questions, some comments to maybe extend it a little longer. If we were to go to our work session in October, that would not throw us too far behind our schedule would it?

Edmondston: No sir.

Bickford: On completing the Comprehensive Plan? That will give two more weeks, so it'll make it what eight weeks, seven to eight weeks?

Edmondston: Yes, sir. Mr. Chairman, in September at the work session, it states per the tentative outline and schedule that CRC had provided we will be working on a draft phase one and two, discussing that draft and making recommendation and the status report on surveys. In October, that's the actual intended date at the work session to present the results. So if it's September 30, that would give them over two weeks. Well, over two weeks, two and a half weeks to...

Bickford: Do you recall the date of a work session on October?

Edmondston: It should be the 16th. Let me look at let me make sure because I've been thrown off a little bit. The 16th, the 23rd is a regular meeting.

Bickford: I know when he talked he felt like he could get a lot of it put together, but not all of it in that two-week span. So we could add a week to it and go to the first week, end of the first week in October and that would give us six weeks, seven weeks. How does the Commission feel about that adding additional week?

Kapuscinski: Mr. Chairman, how many places do we intend it to...where and how many places will we be distributing these surveys?

Bickford: Well, if you remember...

Kapuscinski: I remember some of the stuff but I...

Bickford: Yeah, there's quite a few. It's gonna be online. There is quite a few and it also will be available, I asked him, that we and any citizen could pick up copies and distribute themselves too.

Kapuscinski: So when would they be available?

Bickford: When we finalized the survey.

Edmondston: It could be as early as tonight if it's finalized.

Crews: CRC is the one that's going to take them all around all these different places?

Bickford: Yeah, then it'll be posted online, and then it will be copies left that you can pick up as an individual and take to a store or anywhere or a meeting.

Kapuscinski: I've got some place that I'd like to distribute some. So if I can get them I can go ahead and distribute them. But I pick up the copies here at the county?

Edmondston: Of if you are able to print it. I'm sure we would print the copies here.

Kapuscinski: All right.

Gooden: Mr. Chairman?

Bickford: Yes, Joyce.

Gooden: Also, I just want to clarify with Jamie, aren't you using the notification system too for our code?

Jamie Shumaker: Yes, maam.

Gooden: It can be linked to that so everybody gets a lightning strike. Sending your message to anybody in that message system in the county will also get notification.

J. Shumaker: Yes, ma'am. You correct on that.

Gooden: That's what I told some that those were some of the resources and that they could also pick them up here at the administration building by asking for the Planning Administrator.

Bickford: Okay. Alright, so I guess the question is, he's got Todd's got scheduled September 30. I'm suggesting give it another week, and that'll still give him a week or a little bit more to cumulate what he can before October work session.

Kapuscinski: What is that, seven weeks then?

Bickford: I think that will give us seven weeks.

Kapuscinski: Almost two months. I like that better than three weeks.

Bickford: Consensus is to go ahead and do that then? That's what we're gonna do then. Nicci, do you need a decision tonight on this survey now?

Edmondston: The quicker the better if you're ready for it to go live. Um, certainly if there's any, you know, changes that you'd like to make now I'll get those to Todd as quickly as possible. This evening or tomorrow.

Gooden: I just need for clarification; the copy you gave us is a citizen's feedback. This is not the survey that we, Yeah. Okay. That's what I wanted to be sure. Because I was like, this does not look like what we agreed on. And I was wondering what happened. Thank you.

Bickford: What's the pleasure of the Commission? Do you feel comfortable to make a decision tonight or do you want a little bit more time?

Kapuscinski: Mr. Chairman, I'd be comfortable making a decision, as long as I mean, I'm looking at 25 on this document you handed out and you're saying, Are you in favor of additional metallic mining? Are you going to add, are you in favor of adding mining? on the survey Mrs. Edmondston or what is...

Edmondston: That's only the citizen feedback I've received today. That is not what you all viewed last week from Todd fortune. After your work session, he emailed each of you what the changes were and what will be presented. Tonight, I'm only giving you some feedback that I received today. Okay, that's all that is. Unless you feel the desire to make any of those changes, the survey that you received last week, with the indicated changes at the work session will be what will go live.

Kapuscinski: One other question, Mr. Chairman, I think we discussed at the work session demographic results regarding various demographics. I mean, I'm assuming that that the survey will show demographically some of these answers, is that what you understood too?

Bickford: Yes. The changes he emailed to everyone, did you receive it? And I think it's in there. To me it looked like it covered what we were trying to accomplish there. I guess my question is, do you wanna...do you need more time? Or do you feel like a survey is sufficient for what we're trying to gather here? The revised on that Todd sent us.

Gooden: Mr. Chairman, again, for clarification, Nicci, I guess that we email Todd or do it as a board to say, go ahead with what he sent out.

Edmondston: If in response to the emailed changes that you've received last week, if you all feel that that is the survey that you'd like to adopt, move forward, finalize, and actually set in place for the citizens to utilize. by consensus, you can let me know this evening, and I will respond to Todd's email indicating that the Planning Commission this evening, did any of you choose to respond to Todd last week after you reviewed the survey? That's okay. That's why we're back here this evening. So if that survey serves all the purposes and had the necessary changes that you gave last week, just let me know. And I will send an email confirming that with Todd.

Bickford: Okay. What's the consensus? How's the Commission feeling? Feel like you got enough information?

Gooden: I'm fine with it.

Bickford: Okay, we got a consensus. So we'll go with the revised survey that Todd had emailed us. When will that be available online and for people to pick up, Nicci, do you have any idea?

Edmondston: Todd, as of today, when we spoke he's ready to move forward with this. I'm going to email him momentarily this evening. It should be ready tomorrow.

Bickford: All right, very good.

Edmondston: We'll place that on our website. I don't know how long it will take the QR code, we can move forward with the notification system here at the county and we can also link this survey to the county website. As far as the paper distributions, that's, I don't know what Todd's deadline is for that. But the more that if any of you are available to help within your Districts have to put that at some of those places that were designated and county staff. We can make it happen as quickly as possible, but the electronic avenues the digital avenues will be available immediately.

Bickford: All right, very good. Yeah. The sooner you can get the copies for individuals, Planning Commission and individual citizen to pick up and distribute I think the better off we'll be.

Gooden: Nicci, I used the QR code and it did work. It did take me to the survey. I tested portions of it.

Edmondston: Todd and Lauren indicated that they had as well on their personal devices. So,

Gooden: Yeah, but my skills are a little different. I just wanted to make sure that if I told somebody how to do that, because I put it out at that time, we would bring a QR code, and on the Buckingham alerts and around places within the county, and someone wanted to know if they could pick up copies to distribute to their churches, and I told him to come see you.

Re: Commission Matters and Concerns

Bickford: Okay, very good. All right, that brings us to Commission matters and concerns. Anyone have any comments they would like to voice at this time?

Dominion Solar Project:

Shumaker: Just a quick one, so I know we have a couple of solar projects scheduled to come up in the next couple of months, as we still continue to talk about the acreage and whatever that policy is going to look like. Do we have any update on the Dominion project from this time last year?

Bickford: It's still, as far as I know, it's not suspended. But I guess,

Shumaker: Is it within our purview to ask them what their intentions are?

Edmondston: The Pinesack case has been in a suspension for consideration since August of 2022. They did, Dominion put in a letter of request, it's been a year ago now. I have not had any contact with Dominion. Do you want a formal letter requesting a status update?

Shumaker: I would like a status update. Just because...

Bickford: If you could get one that would be nice. I'm not sure you'll get a definitive answer. But you can least attempt.

Shumaker: I don't want them to think that they're at the front of the line somehow, just because their project is the oldest.

Bickford: I understand. If we could, that would be nice to see if we can get some kind of an update from them.

Edmondston: With regard to some of the changes and undertakings that the Board is looking at now with the acreage it may be very fair time to do so I'll consult with the County Administrator,

Karl Carter. And the two of us will work together to put out a formal request to Dominion to respond.

Bickford: Okay. Thank you Nicci.

Shumaker: That may still, I guess be the county's position if they if that still happens.

Bickford: Okay, any other Commissioners?

Kapuscinski: I had an occasion to speak to Mr. Wright. Last week, just on the side, we talked a little bit about his efforts going back to the state to have them as we requested, have them separate metal mining from nonmetal money. It's my opinion, that will never happen. I think Mr. Wright did not disagree. And but you can ask him for yourself, which would sort of puts me back to where I was earlier, wondering why in fact, we're not just being a little more aggressive and addressing the issue. I mean, I know you mentioned that we should wait till January. I don't know that it's, I don't know why we're waiting. I think that quite frankly, we need to talk about zoning. I think we need to talk about what it is if there's anything that we need to do in order to make the process particularly as it relates to some of our residents concern more transparent. But I don't think, I think waiting for the state to come up with a solution that will solve our problem here in Buckingham is I believe that's a dream that just will not occur. So quite frankly, I would like to see us sit down and address through zoning, a resolution that might help get through, I'm not all for restrict, believe me, I do not want to restrict mining. I don't think, constitutionally we can't. All right. But I do believe we can ask for regulations. And I think we can help companies that want to do this not just allowing them to do it, but helping them along and also helping our residents by making transparent the processes that they intend to use. And I will tell you from my own opinion, I have no question about Kyanite. I think they are, I told you before, I'll stand behind this. I think they're an exemplary company. Okay. And I agree, by the way with Mr. Morris, if they're going to dig up a shovel full of metallic material that's sellable, why shouldn't they be able to sell it and I think that's absolutely their right. But I also believe that there are a Kyanite company and their purpose, they say is Kyanite. If in fact, they became a metal mining company, the processes in that operation can be substantially different than it would be for sand, for quarrying, or for aggregate. And I think we are obligated to sit down and talk to anybody who wants to do that kind of mining so that we can fully understand what their processes are, so that the people in our community feel safe. And so that we can encourage the growth, economic growth by inviting those people into our community, and allowing them to do that, so long as it's safe. That's my position. Mr. Chairman, I'd like it noted.

Bickford: I have no issue with your position, because I feel like it's probably gonna be the situation. We're probably not gonna get a definitive answer from any of the state agencies. But at some point, I would say just for right now, we'll continue with a Comprehensive Plan. What's your suggestion is we'll have to tie in with a Comprehensive Plan anyway. So in the interim, we'll work on a Comprehensive Plan until get to that phase, and then we'll have to work on it, then. If we expedite it forward, and don't wait, we can do that. It just, but I don't see any need to do it now until we get to that section of the Comprehensive Plan, because it's gonna have to be

changed anyhow. Whatever ordinance we come up with. You know, so because it's going to affect both the M-1 and M-2 districts.

Kapuscinski: Secondly, I would also like to ask whether or not it's in our purview to strongly recommend to the Board from the Commission, that they come up with some sort of an ordinance, a law that would indicate to us how much land or how much land should be set aside for solar farming? And quite frankly, does that mean land under the panel's or does it mean, total land allocated? Because I got to tell you, land use to me means are they outside the zone? All right. And if I don't understand where the zone is, then I don't understand whether or not we're appropriating properly. an applicant's request for land use for solar farms. So I just I don't know if it's within our purview to ask the Board to move forward so that we can find out definitively what they want to do. If it's not, fine, but I just that question continues to bother me, every time we have a solar project come for us.

Bickford: I mean, we can ask, but they're they already got a committee working on it. So all you're doing is asking a committee that's already working on it.

Kapuscinski: But as Mr. Allen said that, basically it's a policy, and it's not an ordinance.

Bickford: That's what they got. But Danny, am I not correct y'all have a committee working on trying to come up with a solution. Correct?

Allen: Right. They've already come up with a solution. And we were supposed to talk about a little bit more last meeting. We did talk about it some, but the vote was never taken. And issue is out there, whether we're gonna do what's they call fenced in or do with the whole property.

Kapuscinski: Will this end up being an ordinance, Danny?

Allen: Not right now it won't. You'll have to take it to have a public hearing with it to make an ordinance out of it. I guess we're finished it out, have it where we can work with it and then we'll be able to change it or see if it wants to be put into an ordinance.

Kapuscinski: Alright, thank you.

Bickford: Okay, any other commissioners?

Re: Adjournment

Bickford: Seeing none, do have a motion to adjourn?

Allen: So moved.

Kapuscinski: Second.

Supervisor/Commissioner Allen moved, Commissioner Kapuscinski seconded and was unanimously carried by the Commission to adjourn.

Bickford: We have a motion and a second to adjourn. Thank you.

There being no further business to discuss, Chairman Bickford declared the August 28, 2023 Planning Commission monthly meeting adjourned.

ATTEST:

**Cheryl T. “Nicci” Edmondston
Zoning Administrator/Planner**

**John E. Bickford
Chairman**