At a regular meeting of the Buckingham County Board of Supervisors held on Monday, December 13, 2021 at 6:00 p.m. in the Peter Francisco Auditorium of the Buckingham County Administration Complex, the following members were present: Donald R. Matthews, Jr., Chairman; T. Jordan Miles, III, Vice Chairman; Donald E. Bryan; Harry W. Bryant, Jr.; Joe N. Chambers, Jr; and Danny R. Allen. Dennis Davis was absent. Also present were Karl Carter, County Administrator; E.M. Wright, Jr, County Attorney; Cheryl T. “Nicci” Edmondston, Zoning Administrator/Planner; and Jamie L. Shumaker, IT Manager.

Re: Call to Order

Chairman Matthews called the December 13, 2021 meeting of the Buckingham County Board of Supervisors to order.

Re: Establishment of Quorum

Chairman Matthews certified there was a quorum. Six of seven members present and the meeting could continue.

Re: Invocation and Pledge of Allegiance

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

Re: Approval of Agenda

Supervisor Bryan moved, Supervisor Allen seconded and was unanimously carried by the Board to approve the agenda as presented.

Re: Approval of Minutes

Vice Chairman Miles moved, Supervisor Bryan to approve the minutes from the November 8, 2021 meeting. This motion passed with a 5-1-1 vote. Supervisors Bryan, Matthews, Miles, Bryant and Chambers for to approve. Supervisor Allen abstaining. Supervisor Davis absent.
Re: Approval of Claims

*Supervisor Bryant moved, Supervisor Chambers seconded and was unanimously carried by the Board to approve the claims as presented.*

Re: Approval of the Third Quarter Appropriations

![BUCKINGHAM COUNTY FY 2021/2022 THIRD QUARTER APPROPRIATIONS](image)

*Vice Chairman Miles moved, Supervisor Bryant seconded and was unanimously carried by the Board to approve the Third Quarter Appropriations.*

Re: Announcements

*Bryan:* Mr. Chairman, I have one. I know it's later in the agenda under N.3. But I'd like to introduce Dr. John Keeler, Interim Superintendent for Buckingham County Public Schools. Dr. Keeler, Would you stand please? We want to thank you for stepping in to run the school system in Dr. Hicks's absence.

*Matthews:* Okay. Thank you. Nice to meet you.

Re: Public Comments

*Matthews:* All right, public comments Mrs. Lann.
Lann: We have two. Quinn Robinson, District 4.

Quinn Robinson, District 4: Good evening, get on. Quinn Robinson, live in Andersonville. District 4. And Mr. Miles is my supervisor. I'll be real quick tonight. I wanted to question what happened last month. There were a lot of people here wanting to know about what's happening with that solar field, and restricted to 25. There were over 45, maybe 50 people here. I don't know why you put these barriers up, if they don't mean anything, if you're not going to enforce them. So be consistent. And even tonight, he said 25. They're more than 25 people here. I also gave you a copy of a letter that was recently in Richmond paper, about Robert's Rules of Order. It's awkward. It's like playing chess, sometimes, but it's important. And that's what every year that I've been around, you always say you're going to adapt or adopt Robert's Rules of Order for the governance of these meetings. And then you don't do it. It's all over the place. So there are ways of giving classes for this. The special jurisdiction, for the rewriting the electoral votes was the insistence starting Robert's Rules of Order as training before they went into their meetings, not that it did any good. But anyway, I'm concerned about what happened in the mid-West this year, this week with all the tornadoes and things. And I hope that we're prepared for all that. It's not going to get any better. And I think it's time that we all took a more favorable stance to supporting the environment. And there was a full page ad in the Richmond papers this Sunday, about stopping the Mountain Valley Pipeline. Now it might be worthwhile to add your names to that, please. Thank you very much.

Lann: Amy White with the library.

Amy White: Good evening. I just wanted to touch base about a few things that are happening at the library. On Tuesdays at 10am, we have baby story time. And that's really a baby from zero to two years old. They have a board book, and each person can then learn skills of reading and working with exercises and songs with their child. At 1030 is toddler story time. And these are now inside the library in the program room. So we are trying to limit the sizes but we’re back in the building. On Wednesdays, I'm leading computer classes either at 10am, or 6pm. With this Wednesday's class is introduction to Word. So we show you the basic skills like how to do formatting, where your page layout, and even how to print some things. So if you've never used the Print window, there's some little tips and tricks I talk about there. We are have craft activities out for kids. Since some kids are going to be home for Christmas break coming up soon. We have scavenger hunts that are in the children's section and that will help them find different sections of the books and materials that are available in the library. The study room and program rooms are available for people to use. And the library is more than just books. We have DVDs you can check out. Laptops, hotspots. We have audio books. We have magazines, and we have electronic resources and special tools like Gale legal forms. So if you're trying to find a rental agreement, or a living will, there are things that are targeted just for Virginia that are available on our website free for any library patron to use. And one new tool that we have at the library is outside, we
now have a hitching post. So for some of our friends that come in horses, they now have a special place to park as well. So I just wanted to stop by and let you know that we're there and you can come on inside and join us and have lots of resources available. We have a working fireplace, so I'm waiting for the next snowy day that we can use that. We have our area decorated. So come on in and enjoy and visit us soon.

Matthews: Thank you, Ms. White.

Lann: That is all we have.

Re: VDOT Road Matters: Scott Fredrick, Division Resident Engineer

Matthews: VDOT Road Matters. Mr. Scott Frederick, Division Resident Engineer.

Frederick: Good evening Chairman and Board and County Administrator. Thank you guys for having me tonight. Just quick update for you this month. We finished our full cut back of our primary routes I was telling you about last month. We've been going over our snow equipment at VDOT and we also hired some contractors. We've been inspecting their equipment, making sure everything's ready. We're in really good shape for the snow season. As far as rural rustics go, we've been working on 630, Red Road. We've been doing a lot of grading and drainage work out there. I got your email Mr. Miles about the mud. Guys are going to address that.

Miles: Thank you.

Frederick: Also in your email, I got a work order, put it in for Jericho, to have that machined. And then on 679, we've been doing some grading brush and drainage work as well. That's our other rural rustic that we're working on right now. And then the other thing that we got coming up here in the next week or two would be putting an asphalt patch down on Gieseke Road. That's 788, right near the intersection of 15. We've been trying to line up some asphalt work for the county. And that's gonna be one of the spots that we patch when we get that started. Last month we talked, Mr. Matthews, about the Shepherd's Corner project. And I went out there and walked along the edge of that hay field. And I don't know if somebody else has already beat me to it. I did find one rock it was about size my hand. I did take that with me. But I didn't see any other rocks there. And so if I was the farmer, maybe I picked them up on my own just to make sure they get gone. So if he did that, I appreciate it. And if we put them there, I'm sorry. But all the project work is on I believe what's now our right away. We did acquire some through there, I think. So I feel like that hay field issue should be resolved at this point. And then the other thing that you brought up was the other corner, the northeast corner. The owner of that parcel is also the owner of that contracting company that built the project. So once he takes any materials off the job, he owns them and if he's choosing to store them there to whatever he's gonna use them for in the future. That's, as far as VDOT is concerned, that's not an issue.
Matthews: Oh yeah. The trailer that's on the corner right on 15 on that as part of the deal too? Just leave that old trailer sitting on properties like that.

Frederick: It’s his trailer. He can leave it there if he wants to. I mean, that's my take on I don't know what the deal is with the trailer.

Matthews: Okay.

Frederick: So...

Matthews: But on the other side where you talked about the hay field, there was an old ditch there that you didn't cover up either. It’s a swag. So you may have picked up one rock there on that side, and I'm not sure what side you are talking about because there is hayfields on both sides of the road there. Are you talking about the one coming north on the right hand side? Is that the hay field?

Frederick: I walked both sides actually. On the southbound side of the road and on...

Matthews: There's an island of trees right there about halfway down that field. And the trailer, I mean, the ditch ran right into that island of trees, when they redid the ditching, and whatever you want to call that they did, they did not smooth out the old ditch that's on that side of the road. So it's about that much of a drop from the field down to the first the old ditch and then it goes into the new dike system that you've got there. So...

Frederick: Is that on the south bound side?

Matthews: On the north bound side.

Frederick: Okay, I kind of know where you're talking about where there's the ditch that has the dikes in it. And then there's another ditch next to it that's being grasped. I think that ditch is just to catch the water coming off the hay field and direct it down to where it needs to go. The ditch with the dikes gets the water off the roadway and filters that for its discharge.

Matthews: Okay, so it's a purpose for the other ditch?

Frederick: Both ditches have a purpose.

Matthews: Okay.
Frederick: That's all I really prepared to update you guys on tonight. I open it up to comments and questions from the board at this time.

Bryan: Mr. Chairman, I have one. Scott, did you guys look at a tree, dead tree on the Bell Road?

Frederick: Yes, sir.

Bryan: Just before you get to 7413 coming from Dillwyn, before you get to 7413 Bell Road, it's on the left hand side?

Frederick: I forget the address off the top of my head. There's a white house there right next to it.

Bryan: Yeah, there's well, the there's like three houses in a row right there. But the 7413 is the last house before you get to the cow pasture. It’s before you get to 7413, but it's on the opposite side of the road. It's a dead tree there.

Frederick: Okay, I wrote 7413 Bell Road.

Bryan: But it's on the opposite side of the road coming from Dillwyn. If I can find some marking tape or something I'll try to put some tape around it.

Frederick: I'll double check it because I know we looked at the one on Bell Road before. 7413 doesn't sound familiar. It sounds like a different location. Yeah, I saved a picture of the last one. But I'll double check at 7413 Bell Road.

Bryan: Okay. Appreciate it.

Frederick: No. Problem.

Miles: I've got one, Mr. Chairman. So, Scott on 60 if you are headed west from Spouse's Corner, the white line on the left…

Frederick: I noticed that that wasn't there on my way here tonight. And that's been a couple months since we pave.

Miles: I'm not sure where the line went.

Frederick: Yeah, we're gonna get that put back.
Miles: Thank you.

Frederick: That should be there by now. I believe. So unless there's a reason which I couldn't think of what that would be. But I'll figure out what's going on with that tomorrow. Anything else from the board?

Matthews: I've got one question for you. So back to the intersection at Shepherds. There happened to be another accident there last week, another T bone. And that's five I believe in the last whenever you started that project. There was only like three in the prior 20 some years. So I'm just curious, I would think VDOT would know about some of those things that are going on there. And what's the cause? I mean?

Frederick: Yeah. So I didn't really put together like an update on that. But I talked to Karl last Thursday. I guess you spoke with Karl and he brought it to my attention. So we have a treads program. It's the software that works in conjunction with State Police. So anytime accident reports are filed online, they end up in our system. We end up with data on every crash that's has a police report. From 2010 till 2021, there was 10 accidents within a 250 foot radius of that intersection. So the data that I didn't have was from when our data cut off. It only gets uploaded, I only had up until July, I think of 2020. So I reached out to Buckingham County Sheriff to see about how they log in 911 calls to see if I could get what I was missing. And they were able to tell me that they responded to five accidents, but they didn't have reports for them. So once I knew that I called State Police to see if I can get accident reports for those five. And I don't have that yet. So I'm interested to see the type and severity of crashes and what…whether they were at the intersection or in driveways. But I can update you on that next month or reach out to you guys offline. And we can talk about that. But does seem like an uptick. If there was 10 accidents in 10 years, and then there's been five, just in that amount of time I was missing. There's also a new traffic pattern out there as well. But our project really fixed a lot of things that, you know, when you installed turn lanes in the Highway Safety Manual, there's I mean, there's factual data on how that lowers a crash rate at an intersection. And then we fixed the geometry at that driveway, or trailers, these to drag and same people had to slow down a lot more than navigate that turn. And now that we've made that driveway wider and smoother to get in, that's a safer driveway. I hate to use the word safer. But that's an improvement we made on the driveway as well. So I don't think that we could say that we've made it worse. But I am going to try to figure out what type of accidents have occurred and see if there is a trend going on. But I don't have that with me tonight.

Matthews: I thought that was one of the prime reasons you use the word safer, was supposed to, you know, be safer at this intersection with the improvements that were supposedly going to be made. And if we have five in less than six months, that doesn't seem to be an improvement to me.
Frederick: Right. When you installed devices that lower the crash rate historically, that's what you're trying to achieve. So I was not aware before talking to Mr. Carter that there had been five so that was, yeah, I appreciate knowing that and now, I've talked to traffic engineering as well. So once I get the police reports from state police, I'm gonna share them with them. See if there's something we need to do.

Matthews: Also own Elcan Road, which is 608. It's off of 636 when you go past the store, not just that one and I can't remember the other two or three dirt roads that I've been on here recently. But I haven't seen a lot of machining being done this year. Have they done that yet? Or is it? Am I missing it?

Frederick: We've been machining as much as we can when it gets too dry you're really not helping yourself to go out and machine. And it's been kind of a drought up until this weekend. It's been pretty dry. So now that there's moisture back in the roads, we're going to get back on them.

Matthews: There's another one that I which is 769, which is…

Frederick: Is that Crescent?

Matthews: No, it’s High View. But now that you mentioned it, the other one was Crescent that I have been on. There was a transition strip that you guys improved about a year or so ago. And that pothole is resurfaced right there off of that transition strip going on to the dirt part of that road. But there's some other wash boarding own down traveling south also.

Frederick: Okay. All right. I got those three roads wrote down. I'll get them on the list.

Matthews: Thank you. I appreciate that.

Frederick: All right. Thank you, sir.

Matthews: Any other questions, gentlemen?

Re: Public Hearing: Case 21-SUP285 Impact Power Solutions. Request to obtain a Special Use Permit for a Solar Generating Facility at Tax Map 114, Parcel 2 on Gravel Hill Road

Matthews: Mrs. Edmondston, will be taking care of this.

Edmondston: Good evening, Mr. Chairman and Members of the Board. Tonight there's a public hearing for Case 21-SUP285 that was introduced to you last month. The landowners are Larry and Deborah Davis. The applicant is Evan Carlson with Impact Power Solutions. The Tax Map is 114 Parcel 2 and it contains approximately 36.42 acres. It's located on Gravel Hill Road, State Route 617. And it is
in an A-1 Agricultural Zoning District. Their request of is to obtain a special use permit for solar
generating facility for the purpose of constructing and operating a solar energy generating facility for up
to two megawatts. I do believe that Mr. Carlson is joining us virtually. Oh, you he was able to make it so
he's here in the audience.

Evan Carlson (via Zoom) I’m here, by the way, this is Evan and Scott is standing in for me in person.

Edmondston: So you have both representatives with Impact Power Solutions to answer questions and
address issues.

Miles: Mr. Chairman, and I’d ask that our parliamentarian, Mr. Carter, that did not with regards to the
solar hearings that we have slated tonight, it might be better to consider these projects after we have
finished amending our solar facility, our solar policy, rather, is that in order, Mr. Carter? Or do we have
to have the hearings?

Carter: You as a Board can delay or accept any hearings you want at any time? So if you want to delay
them, and you can. That is the board's…you can deny or accept or whatever, so you can take action,
take no action, I’m sorry.

Miles: I just think it'd be wise for us to postpone the hearings if we can.

Matthews: If we do that, Mr. Carter, do we need to… he can make a presentation. And we can at the
end of that we can decide to table this until we are able to go through our solar policy. Is that the way we
need to do that?

Carter: Yes. If I were you I would listened to the presentation, and when you are done listening and get
your questions answered, then take action.

Matthews: Yes, sir. Okay, thank you.

Bryan: Mr. Carter, I have a question. If we do postpone, would it be prudent for us to postpone it
before the presentation? Then, when the presentation is made, then we're getting the information again,
rather than making having to come back to present the stuff again?

Scott Aaronson: Well, I would say that there's a sense of urgency, because there are certain things that
we need to be done in order for us to be part of the queue in order to get it so that we have a better
chance of actually doing the projects. So you know, I obviously we want you to understand everything
that you're getting into, we want you to be comfortable with the projects. But we would if any way
possible, urge expediency as much as we possibly can. I’d also like to remind you these are very
different, then, you know, what was here last time obviously. You know, these are very, very different than the 1000s of acres projects. These are two projects that are less than 15 acres each. You know, I have had a chance to talk with a lot of the community, I do believe that there's less controversy on these projects. And so yeah, obviously, we would ask if possible, to make the decision today, I understand obviously, if you can't do that, then we will do whatever the board requires us to do.

Matthews: We're not going to make the decision today. Okay. So if you want to present your, your case, you can do that. Or if you want to wait to we, we're going to table it. And then once we go through our policy, which may be tonight, it may be in January, then we can bring you back in schedule again for another time.

Carlson: Scott, we might as well present here. And you know, they'll give you some time to think for next step. You know, we can tell you about the project. We did do the introductory meeting. So I'm curious if you have any new questions. But you know, in essence, a community solar garden, rather than a power plant is a way for people who don't have a good spot for solar panels to be treated as though these solar panels are up on their roof. So when we produce power, we get a bill credit for that power, which we sell to other Dominion customers. And then those other Dominion customers use that bill credit to offset the power that they use on their Dominion Power bill. So it really this is not a power plant in the sense that we sell power to the utility. That's why they're limited in size. They're much smaller because of that. And just be aware that, you know, the economics of this is just a much smaller project. And we're doing our best to comply with the ordinance to the same degree of rigor as much larger projects. And it's something that we're not totally used to in that regard, but we're doing our best and we hope we can can live up to any requirement that you have, including the pollinator seed mix, you know, I understand that some of these bigger projects don't plant the entire array and pollinator seed mix. We do. We establish that pollinator seed mix before we begin construction so that it prevents any erosion issues over the life of the project, that pollinator seed mix improves the quality of the soil by having a deep rooted mix that improves permeability of the soil. It promotes insects, and other wildlife that live there and eat insects. And it also slows down the velocity of water runoff that should protect the quality of any surrounding water bodies or wetlands, in the same sense that a wetland would protect a nearby water body. So that's like a filter in that way. The whole thing is removable, we agree to post a security to remove it, before we build it. And it is not affixed to the ground with any concrete, these IBM's are hammered into the ground. And because of that they can be yanked out of the ground. Apart from that, I mean, solar panels are the same solar panels that are used in the other project. So, you know, we've been working on these ones for quite some time here. And we've made several trips out there. And we do, the sooner we get them done, the better, the more likely our odds are completing the deal. The sooner the permits are finalized.

Aaronson: Yeah. And you know, at this point, I know you've seen the spill. You've seen, you know, quite a bit about solar, both from this project and from the last project. I could go forward and give you
the same thing again. But you guys already know that information. I don't think there's a point necessarily in doing that. But we are here, we're here to answer any questions that the community might have. We're here to answer and address them and answer any questions that you guys might have, as well and then go from there. So and that that presentation you have there is the exact same thing you guys saw last time.

Carlson: But beyond that, I think, well, we'll just you know, we'll come to the next meeting, will present and if this thing has been tabled. I just, I'm only listening. I can't see people's faces, but I'm getting the feeling that we may be beating a dead horse by trying to move forward with this right now. We strongly prefer that. But you know, if it's not going to happen, it's not going to happen. We'll come out we'll present again, and maybe you'll have some questions for us by them.

Matthews: We're gonna open the public hearing for this case right now, which is Case 21-SUP285. Is there any discussion?

Lann: No one signed up to speak.

Matthews: So you were concerned about? You had it if there were going to be any questions from the public. So yeah, there are none.

Aaronson: Okay. And I did talk to someone who told me who called me earlier this morning. She did tell me she was planning on sending in a voicemail. Maybe she didn't send it.

Lann: We didn’t get any voicemails.

Aaronson: Okay, it was obviously pro solar. Okay, I do know that there were some letters from the previous case where they specifically were pro community solar, and I'm sure you guys remember.

Matthews: And if there's no other discussion, then we're gonna close this case. So Case 21-SUP285 is going to now be closed.

Re: Public Hearing: Case 21-SUP286 Impact Power Solutions Request to obtain a Special Use Permit for a Solar Generating Facility at Tax Map 125, Parcel 4 South Constitution Route

Edmondston: Yes, sir, the next case is 21-SUP286, Landowners NCN Properties, Lawrence Marshall and the applicant is once again, Impact Power Solutions. This Tax Map is 125 Parcel 4 Lot 2. It contains approximately 21.09 acres and it's located on Route 20 South Constitution and it is in the Maysville Magisterial District. This is Zoning District Agricultural A-1 and their request is also to obtain a special
use permit for solar generating facility for the purpose of constructing and operating solar energy facility for up to two megawatts. And again, Scott Aaronson is here.

Carlson: I have a question here. Is there a…is the ordinance changing? And if so, how is it going to affect these projects?

Miles: We're gonna deal with that later on in the agenda. Mr. Chairman, I would say in terms of the development of that.

Matthews: We have something on our agenda to address the solar projects moving forward, not necessarily an ordinance. So if you want to continue to watch our meeting, moving forward, we're going to open the public hearing for this Case 21-SUP286. And let your fellow, go ahead and do his…

Aaronson: It's a good site, you guys know, the site, not a lot of frontage that can be seen from the road. The only thing I would mention is, would you if you'd like we could stick around in case you have any questions about what you're planning on discussing later. And, you know, if you'd like to give me that, you know, if you'd like to have a dialogue about that, I'd be more than willing to sit and discuss it with you.

Matthews: We're gonna open it for discussion if there are any comments.

Lann: No one signed up to speak.

Matthews: No comments, so there's nobody signed up to speak at the public hearing. So now we're gonna close it, and then we'll move these things to our next meeting.

Aaronson: All right, and if you'd like, I'll be sitting around right here in case you guys would like to speak with me regarding the issue.

Matthews: Any other discussion from the Board of Supervisors?

Bryan: You're aware that conditions set forth by the Planning Commission?

Aaronson: Assuming that they haven't changed since the last time Yes, I am. And we don't have any issues with those conditions.

Bryan: Okay. Thank you
Edmondston (not near the mic so not verbatim) stated that the conditions have changed. Stated that she had emailed them today to Mr. Carlson. They have been changed to be more stringent like the other solar cases.

Aaronson: Okay, well, okay, if that's the case, I'll need some time to review those conditions in which I'm sure Evan this listening and is probably sending him to me right now. We've when we haven't had any issues with the previous stuff. So I don't anticipate there'll be any issues obviously, I haven't seen it because it was just sent to us today. So…

Bryan: Okay, thank you.

Conditions:

1. IMPACT POWER SOLUTIONS or any successors, assignees, current or future lessee, sub-lessee, or owner of the solar energy facility (the “Applicant”) consent to annual administrative inspections by Planning Department Staff for verification of compliance with the requirements of this SUP after the completion of the construction of the Project. During construction of the Project, the County and its assigns and designees shall have access to the site for inspections and to assure compliance with the conditions of the SUP.

2. The Applicant shall sign the list of the adopted conditions for this SUP signifying acceptance and intent to comply with these conditions.

3. That all federal, state, and local laws, regulations, permit requirements and ordinances will be adhered to including but not limited to:

   a. All active solar systems and solar equipment used in this Project shall meet the requirements of the National Electrical Code (NEC), National Electrical Safety Code (NESC), American Society of Civil Engineers (ASCE), American National Standards Institute (ANSI), Institute of Electrical and Electronics Engineers (IEEE), Underwriters Laboratories (UL), or International Electrotechnical Commission (IEC) as applicable and comply with state building code and shall be inspected by a county building inspector through the building permit process.

   b. An Erosion and Sediment Control Plan must be submitted to the County and approved by the Soil and Water Conservation District prior to any land disturbance.

   c. The erosion and sediment control plan shall be prepared in accordance with the Virginia Erosion and Sediment Control Handbook. As an additional precaution, the erosion and sediment control plan will be implemented as a sequential progression, demonstrating that not more than 25% of the Project Area be disturbed at any one time during construction without temporary seeding or other stabilization in accordance with the Virginia Erosion and Sediment Control Handbook. Nothing in this condition shall prevent continued construction activities after areas have been stabilized in accordance with the Virginia Erosion and Sediment Control Handbook, and such stabilized areas will not be subject to the 25% limitation in sentence 2 of this condition. The erosion and sediment control plan will provide the means and measures in accordance with the
Virginia Erosion and Sediment Control Handbook to achieve stabilization of the disturbed areas and to comply with this condition.

d. A Stormwater Management Plan must be submitted to the Virginia Department of Environmental Quality (VDEQ) and approved by VDEQ prior to any land disturbance.
e. The Project shall fully comply with all applicable provisions of the Buckingham County Zoning Ordinance, to the extent not modified herein, throughout the life of this SUP.

4. That the building permit application must be submitted within 2 years of obtaining the Special Use Permit and the commercial generation of solar electricity shall begin within 18 months of the approval of the building permit or this SUP shall be null and void. The building permit deadline will be extended for 12 months (3 years total), and the construction time period extended by 12 months (30 months total) by administrative approval of the County Administrator after consultation with the Board of Supervisors due to delays in state permits, interconnection approval, or other good cause demonstrated by the Applicant. Any timeframe under which the Commonwealth is under an Executive Order of the Governor declaring a statewide emergency will toll the timeframe specified in this condition.

5. All racking, solar modules, inverters, breakers, switches, cabling, communications components, and other ancillary components necessary to convert solar energy to electricity and interconnect to the electrical transmission are considered “Solar Equipment” and subject to the requirements for such, together with setback requirements of that district and other requirements, unless otherwise stated in these conditions. Solar Equipment shall not include access roads and transmission lines and poles. “Project Area” shall include all areas within the Property line boundary that include, but not limited to the following: Solar Equipment, ingress/egress, access roads, fencing, parking, laydown areas, setbacks, buffers, storage area, wetlands, erosion and sediment control features, storm water management features, and other ancillary components. Battery storage and other energy storage methods are not approved as part of this SUP and will require separate special use permitting.

6. This SUP shall be binding on Applicant or any successors, assignees, current of future lessee, sub-lessee, or owner of the solar energy facility.

7. The construction of the Project shall be in substantial conformance with these conditions and in general conformance with the Special Use Preliminary Site Plan PREPARED BY IMPACT POWER SOLUTIONS. The Solar Equipment and accompanying storm water features shall be limited to no more than the 14.5 acres of the 36.42-acre Property as shown on the General Plan. Modifications to the General Plan shall be permitted at the time of building permit based on state and federal approvals and final engineering and design requirements that align with these conditions.

8. All site activity required for the construction and operation of the solar energy facility shall be limited to the following:

a. All pile driving activity shall be limited to the hours from the earlier of sunrise or 8 a.m. to the later of 6 p.m. or sunset, Monday through Saturday. Applicant may request permission from the Zoning Administrator to conduct piling driving activity on Sunday, but such permission will be granted or denied at the sole discretion of the Zoning Administrator; and
b. All other construction activity on site shall be permitted Monday through Sunday in accordance with the provisions of the County’s Noise Ordinance.

9. After completion of construction, the solar energy facility, during normal operation and excluding maintenance shall not produce noise that exceeds 50 dBa as measured at the property lines of the project boundary, unless the owner of the adjoining affected property has given written agreement to a higher level.

10. A minimum three hundred (300) foot setback shall be maintained from Solar Equipment to any adjoining or adjacent residential dwellings that exist at the time of the approval by the Board of Supervisors. This requirement may be reduced or waived for the life of the solar energy facility, if agreed to, in writing, by the owner of the residence. Transmission lines and poles, security fence, and project roads may be located within the setbacks only where necessary. During construction, the setback may be used for the staging of materials and parking if the buffer is not disturbed. This requirement is intended to be in addition to the fifty (50) foot setback established from Solar Equipment to the property line such that all Solar Equipment will be no less than 350 feet from any adjoining or adjacent residential dwelling that exists at the time of the approval by the Board of Supervisors. Within the 350-foot buffer, the Applicant shall retain at least a three hundred fifty (350) foot buffer of existing vegetation and timber with the intent to substantially obscure from view the Solar Equipment and security fence from the property line.

11. a. A minimum of a fifty (50) foot setback from Solar Equipment to the property line and any public rights of way shall be provided around the perimeter of the Solar Equipment where it is adjacent to property not owned by the same property owner as covered in the SUP at the time of the approval by the Board of Supervisors. Within the fifty (50) foot setback, the Applicant shall retain at least a fifty (50) foot buffer of existing vegetation and timber with the intent to substantially obscure from view the Solar Equipment and security fence from the property line. Transmission Lines and poles, security fence, and project roads may be located within the setbacks only where necessary.

b. The Applicant will maintain all buffer areas with the advice and support of a professional arborist or forester for the duration of the project’s operational life. Such maintenance may include thinning, trimming, seeding or other modifications to the buffer to ensure the health of the vegetated buffer areas, public safety, and the energy efficiency of the Project. In the event the health of the vegetation within the buffer area is compromised and no longer substantially obscurcs from view the Solar Equipment and security fence, the Applicant will plant a new buffer or supplement the remaining buffer, including timber, evergreens, cedars or other vegetation as determined by the Applicant with the advice of a professional arborist or Forrester.

12. a. Along existing public right-of-way (ROW) where there is existing timber, the Applicant shall retain at least a fifty (50) foot buffer of existing vegetation and timber with the intent to substantially obscure from view the Solar Equipment and security fence from the public right-of-way. Along existing public rights-of-way where there is not at least 50’ of vegetation and timber remaining to substantially obscure from view the Solar Equipment and security fence, the Applicant will create a buffer of at least fifty (50) feet. The new buffer will include timber, evergreens, cedars or other vegetation as determined by the Applicant with the advice of a professional arborist and subject to the prior written approval of the Zoning Administrator prior
to the issuance of a building permit. All plantings installed in the buffer shall have an anticipated five-year height of six (6) to eight (8) feet after planting and an anticipated mature height of at least twenty (20) feet. Any new plantings shall be planted during the appropriate time of year after the completion of construction of the Project. The buffer may be included in the setback area.

b. The Applicant will maintain all buffer areas with the advice and support of a professional arborist or forester for the duration of the Project’s operational life. Such maintenance may include thinning, trimming, seeding or other modifications to the buffer to ensure the health of the vegetated buffer areas, public safety, and the energy efficiency of the Project. In the event the health of the vegetation within the buffer area is compromised and no longer substantially obscures the visibility of the Solar Equipment and security fence, the Applicant will plant a new buffer, or supplement the remaining buffer, including timber, evergreens, cedars or other vegetation as determined by the Applicant with the advice of a professional arborist or forester.

c. A performance bond reflecting the estimated costs of anticipated landscaping maintenance, as determined by the Applicant with the advice of a professional arborist or forester, shall be posted by the Applicant prior to construction. This ensures buffer landscaping is adequately maintained for the life of the Project.

13. The Applicant shall install a security fence around the solar energy facility that is a minimum six (6) feet in height. Fencing must be installed on the interior of the vegetative buffer required in this section so that it is screened from the ground level view of adjacent property owners. The fencing shall be always maintained while the facility is in operation.

14. Construction lighting shall be minimized and shall be directed downward. Post-construction lighting shall be limited to security lighting only and shall be full cut-off lighting pointed in a down direction.

15. The solar energy facility shall not obtain a building permit until evidence has been given to Buckingham County that the electric utility company has a signed an interim interconnection service agreement or interconnection service agreement with the permittee.

16. If the solar energy facility is inactive completely or substantially discontinuing the delivery of electricity to an electrical grid) for a continuous twelve (12) month period it shall be considered abandoned. The Applicant shall provide notice to County Administrator immediately upon the Project becoming abandoned, inactive and/or shutting down operation. The Applicant or its successor and/or assign ("Project Owner") shall decommission the Project within twelve (12) months abandonment, inactivity, or substantially discontinuing the delivery of electricity to an electrical grid, whichever occurs first. The decommissioning shall be in accordance with a Decommissioning Agreement between the Applicant, Project Owner and the County. If the Project (or relevant part) is not removed within the specified time, the County may cause the removal of the Project with costs being borne by the Project Owner as will be provided for in the approved Decommissioning Agreement. The costs of decommissioning shall be secured by an adequate surety in a form agreed to by the County Attorney, including but not limited to a bond, letter of credit, cash, or a parent guarantee by an investment grade entity. The cost estimate of the decommissioning shall be updated by the Applicant every five (5) years and be provided to the
County. At its option, the County may require the surety amount be increased based on the new cost of decommissioning. The Decommissioning Agreement shall be agreed upon and the surety shall be provided before the issuance of the building permit.

17. The Project shall be decommissioned within twelve (12) months. The decommissioning shall require (i) the removal of any Project facilities installed or constructed thereupon, (ii) the filling in and compacting of all trenches or other borings or excavations made in association with the Project and (iii) the removal of all debris caused by the Project from the surface and 36” below the surface of the Property.

18. The Applicant shall coordinate with the County's emergency services staff to provide materials, education, and/or training to the departments serving the solar energy facility regarding how to safely respond to on-site emergencies.

19. Access roads are to be marked by the Applicant with identifying signage. The manufacturers' or installers' identification and appropriate warning signage shall be posted on or near the panels in a clearly visible manner. The signage must identify the owner and provide a 24-hour emergency contact phone number. Each access gate must also have the signage that identifies the owner and provides a 24-hour emergency contact phone number.

20. A Construction Traffic Management Plan and mitigation measures shall be developed by the Applicant and submitted to the Virginia Department of Transportation (VDOT) and Buckingham County for review. The Plan shall address traffic control measures, an industry standard pre- and post-construction road evaluation, and any necessary localized repairs (i.e., potholes, washboarding of gravel, shoulder rutting, culvert crushing, etc.) to the public road that are required as a result of damage from the Project. The Applicant will take all reasonable precautions to minimize impact and damage to public roads including regular maintenance, washing and sweeping. If a traffic issue arises during the construction of the Project, the Applicant shall immediately develop with input from the County and VDOT and implement appropriate measures to mitigate the issue.

21. Parking of vehicles or staging of equipment or materials related construction or decommissioning of the Project shall be limited to the Project Area.

22. All panels will use anti-reflective coatings. Exterior surfaces of the collectors and related equipment shall have a non-reflective finish and solar panels shall be designed and installed to limit glare to a degree that no after image would occur, towards vehicular traffic and any adjacent building.

23. No aspect of the Solar Equipment shall exceed 17 feet in height, as measured from grade at the base of the structure to its highest point. Such height restriction shall not apply to electrical distribution facilities, substations, or transmission lines.
24. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.

25. If any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable.

26. That any infraction of the above-mentioned conditions could lead to a stop order and discontinuation or revocation of the special use permit in accordance with Virginia law.

27. The Applicant will be restricted from utilizing photovoltaic panels with internal components containing cadmium telluride. Only silicon type panels, or those other panels that have been established as optimal standard best practice shall be utilized by the Applicant.

28. The Applicant will consider implementation of Pollinator Habitats where appropriate and in accordance with applicable laws and regulations.

Matthews: We're gonna close Case 21-SUP286 until the January 10 meeting. So, all right. Thank you, sir. Appreciate it.

Bryan: Karl, do we need a motion on that?

Carter: Just take no action.

Bryan: All right. Okay.

Re: Public Hearing: Case 21-ZTASUP292 Historic Buckingham Inc. Request to obtain a Special Use Permit for the purpose of holding public events at the Historic Village location and to add Zoning Text Amendment to add community service organization programs to the list of Special Uses in a Village Center (VC-1) located at Tax Map 124, Parcel 90 located at 84 Lee Wayside Road, Buckingham, Maysville Magisterial District

Matthews: All right. We have case 21-ZTASUP292. Mrs. Edmondston.

Edmondston: Yes, this case the landowner and applicant is Historic Buckingham Incorporated. The Tax Map is 124 Parcel 90. It contains approximately 40 acres and it's located at 84 Lee Wayside Road here in Buckingham, Maysville magisterial district. They are currently zoned VC-1 Village Center, and the applicant wishes to obtain a special use permit for the purpose of holding public events at the Historic Village location to include but not limited to, Indian Relics show, Fall Farm Fest, Spooky Hollow drive thru, Village Christmas Market, Vino in the Village, Primitive Technology Day, and Mayfest. At this time, there's not a use provided for this request. I'm asking the Planning Commission,
the Board of Supervisors to add a zoning text amendment to add community service organization programs to a list of special uses in the Village Center Zoning District, and the applicant wants to obtain a special use permit for that purpose. I have included the definition which was offered to you at the last meeting, but I did include it in the record background and request information community service organization to be defined as a group formed to actively improve and support the lives of citizens by implementing an opportunity for service, education, volunteerism and outreach. And I'm unsure if anyone was able to make it. Actually, Mrs. Bailey is here this evening for Historic Buckingham, if there are any questions.

Matthews: Mrs. Bailey, do you have anything you'd like to talk about?

Bailey spoke from the audience which did not pick up on the recording but stated that she had nothing to say unless the Board had question.

Matthews: Yes, ma'am, okay. All right. We're gonna open the public hearing now. So if there is any discussion from the Board of Supervisors, are there any comments, Mrs. Lann?

Lann: No one signed up to speak.

Matthews: Do you have any questions, Gentlemen?

Miles: I'd move we approve this Mr. Chairman.

Bryan: We’ve got to finish the hearing first.

Miles: Excuse me.

Matthews: If there are no further questions or discussion, we will close. You got something Mr. Bryan?

Bryan: No.

Matthews: Okay. We'll close case number 21-ZTASUP292 now.

Miles: I would move that we approve this request. Mr. Chairman.

Bryant: I second it.

Matthews: We have a motion and a second for the approval of case 21-ZTASUP292. Call for the vote.
Six yes and one absent. So it's approved Mrs. Bailey. Thank you.

Re: Public Hearing Redistricting Ordinance change due to 2020 Census

Matthews: Item Number L for Redistricting Ordinance Change due to 2020 census. Mr. Karl Carter, County Administrator will take care of this.

Carter: Alright, thanks everybody for coming out tonight. We're gonna go through the redistricting ordinance change here for everybody tonight.

We had some working committees that dealt with this. So of course everybody wasn't able to attend those. So hopefully tonight anybody in the public has any questions we can get those answered for you tonight.
How do we get here? Redistricting is a direct result of the 2020 census. The Board of Supervisors established a redistricting committee to make a recommendation to the Board concerning voting district lines of the County.

Who is the committee?

- All the members of the Buckingham County Board of Supervisors (Chairman will be chairperson)
- Chairman/President of the Democratic Party
- Chairman/President of the Republican Party
- Chairman/President of the NAACP
- Chairman/President of the Buckingham Voters' League
- Chairman, Buckingham County School Board
- Buckingham County Registrar
Who is the committee?  All the members of the Buckingham County Board of Supervisors, the Chairman served as the Chairperson, the Chairman/President of the Democratic Party, Chairman/President of the Republican Party, Chairman/President NAACP, Chairman/President of Buckingham Voters League, Chairman of the Buckingham County School Board, and the Buckingham County Registrar.

Who was on the Working Committee?  That was myself, the County Attorney, the Buckingham County Registrar, Information Technology Director, the Zoning Administrator and the Emergency Medical Services Director.
What Is Redistricting

- Redistricting is the process of redrawing the boundaries of districts that elect representatives who serve specific geographic areas.
- Redistricting occurs every 10 years following the United States decennial census and is the responsibility of state and local governments.
- It is governed by federal and state constitutional and statutory laws.

For those who don't know the proper definition of redistricting. Redistricting is a process of redrawing the boundaries of the districts that elect representatives who serve specific geographical areas. Redistricting occurs every 10 years following the United States decennial census, and it's the responsibility state and local governments. It is governed by federal and state and constitutional statutory laws.
Why Redistrict?

Virginia Constitution
and
Virginia Code

Article VII, Section 5 of the Constitution of Virginia and subsection B of § 24.2-304.1 require localities that conduct elections by district to change its district boundaries every 10 years in the year ending in one

The Code of Virginia, Article VII, Section 5 of the Constitution of Virginia and Subsection B of § 24.2-304.1 required localities conduct elections by district to changes district boundaries every 10 years, and the year ended in 1. So we had a census in 2020. The year ending 1 is 2021.

What guidelines did the working committee use?

1. Create districts whose population falls within five (5) percent of the ideal district

2. Have boundaries that will be geographically contiguous where possible and politically fair, in they do not dilute the voting strength of one party to benefit another

3. If possible, do not split current boundaries. Precincts can be established with no more than five thousand (5,000) registered voters and no fewer than one hundred (100) registered voters
What guidelines did the working committee use?

4. No diluted or concentrated racial minorities into one district

5. If possible, not draw incumbents out of their districts

6. Recognize “communities of interest” – that is groups of voters with common interests

7. Comply with all legal requirements

What guidelines did the Working Committee use? We created, tried to 1. Create districts whose populations fall within 5% of the ideal district, we'll get to that in a minute. 2. Have boundaries that will be geographically contiguous where possible and politically fair, and they do not dilute voting strength of one party to benefit another. 3. If possible, do not split current boundaries. Precincts can be established with no more than 5000 registered voters and no fewer than 100 registered voters. 4. No dilute a concentrated racial minorities into one district. 5. If possible, not draw incumbents out of their districts. And 6. Recognize communities of interest that is groups of voters with common interests. And 7. Of course, comply with all legal requirements.
What are the numbers for our 2020 census, our rural census populations showed Buckingham County have a population of 16,824. This year, this time, their redistricting is a little different, because in 2010, we included the prison systems. This year, or this time the prison systems are withdrawing from our numbers. So that net prison adjustment 1300 that will be explained a little bit later. But for our purposes, what we had to do is an inmate now is considered his last residence where he was incarcerated. So we have a person to Buckingham prison system at their last known address was an Appomattox and that's what they will be counted in Appomattox’s population. So if you subtract that 1300 from our raw census number, you get 15,485. To get the ideal district, we have seven districts, you divide that number by seven, so ideal or perfect number would be 2212. Comparison to the 2010 census, you can see we had 17,146. I'm just gonna go straight down. We had no prison adjustments back then because the prison numbers were included in our population numbers. So that number came all the way down. You divide that by seven, so ideal district back in 2010 was 2449. Then in 2020, they’re just 16,824. We backed out the two numbers for the prisons. We had 780 in one and 694. And once again, those are prison inmates that have addresses that are not here in Buckingham County, so they had to include them in the original population of their original districts. But also on that we had we gained 135. So those would be prisoners that served in prisons across the state that have been the last known address of Buckingham County addresses so they're included in our numbers. Once you add and subtract those numbers, you get to 15,045. Divide that by seven and once again there's our 2012 for ideal or perfect number for every district.
And we will go through the districts here and show you the changes in them. District 1 is one that changed a lot. Supervisor Davis is not here tonight, but I think he liked this district where it looks now but the blue outline you see is what it was back in 2010, the green color is where it is now proposed to be. So you can see back in 2010, District 1 went way up to the north part account and far West. But now it's a lot more compact and contiguous. So it looks more like a district should look nowadays.
Comparison between 2010 once again, you can see the colors back in 2010. That district went way over to the northern part of county. 2020 is now all in one section. And the comparisons back in 2010 is population was 2273. This time proposal will be 2246. So his went down a little bit which is what you'll see with most districts did go down because once again, taking the prison population out. And then once you do that you have to grab population from other districts and make up that those numbers.
District 2, Supervisor Bryan, once again, the black outline is what his district looked like back in 2010. The green is now showing what his proposed district will look like. And like District 1, he had a dramatic change in how his district looks.
Comparison for Supervisor Bryan 2010, he had a population 2326. This proposed redistricting has a population of 2184. So once again, his went down as well. But once again, you can see the comparison, the shape of his district kind of looks a lot better than it did before. Because you'll see when you look at the older district, we had a lot of what we call fingers and legs like pointing outwards. Now everything is more compressed.

Supervisor Bryan has a precinct change also on his district. The current precinct is the Dillwyn Rescue Squad building. We're proposing we move to the Buckingham Community center. So it's not that much difference in change. But now we have run that Dillwyn rescue squad 24/7, we thought that would not be a good place to have people come in and vote. We have staff that kind of use that as living quarters, so we moved that to the community center.
District 3 Supervisor Matthews. Once again, the black is his outline from 2010. The yellow is showing his proposed district will look like going forward.
Supervisor Matthews population back in 2010 was 2386. This time, it's proposed to be in 2139. So once again, he had a loss of population as well. But once again, you can see his lines and there are a lot more straighter than not sticking out like fingers, just random places. But make it more compressed.

District Three also has 2 precincts so the dividing line for his precinct would be New Store Road and Crumptown Road. That's what this black is representing. All people to the West will be voting at the New Store precinct, which the population of 18 is 596 people. People to the east and east and southeast to that black line will be voting to Curdsville Precinct and then has a population of 18 and over 1005.
Supervisor Miles, District 4, he has had a change as well, you'll see the black and you can see his new proposed district looks a lot better than it did back in 2010. District Four is the one that shows a lot of those fingers just pouring out and just random spurs that we tried to get rid of this time. So once again, I think his district should look a lot more compressed.
Back in 2010, his population was 2,272. This time his population is 2,224. So he lost about 50.
District 5 Supervisor Bryant, his district didn't change as much as some of the other supervisors did. But you can see the outline again from 2010 and showing the pink as in 2020.

His population in 2010 was 2680. His population dropped to 2149. And once again, without the prisons we had to move things around and grab populations from other districts and make everybody get close to that ideal number.
Supervisor Bryant also has two precinct in his district, so the dividing line for his district will be Route 56, which is South James River Highway. People north of that line will vote in the Glenmore precinct where the population for 18 and older for that precinct is 1035. People south of Route 56 are voting Wrights precinct and has a population of over 18 of 578.
District 6 Supervisor Chambers. He has had a big change in the northern part of the county where he now included in his district now where in the past I was in District 1. And you can see the outline and the proposed there. It is more compressed and doesn't have all those spurs sticking out but his overall district looks kind of the same when you look at it from broad view.
His population dropped dramatically. Went from 1921 to 2321.
Supervisor Chambers also has two precincts in his district and the dividing line for his precinct will be Route 20 or South Constitution Route. Everybody to the west of the line will vote in the Georgia Creek precinct and the population over 18 is 1012. Everybody to the east of Route 20 will vote in the Slate River precinct and that population for 18 and over is 740.

District 7 Supervisor Allen, you can see he has some changes in his district as well, compared to 2010. Look at the overall comparison, it's got the overall shape that it had in 2010. But it's like it's been shifted and it's more compressed once again.
His population didn't change as much and went from 2288 to 2222.

### Statistics

#### Proposed

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<th>Black %</th>
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#### 2010

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<td><strong>17,146</strong></td>
<td><strong>61.91</strong></td>
<td><strong>35.27</strong></td>
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These are some statistics for the districts that we propose in tonight. We got the total number and on the right is black and white for the districts back in 2010, versus the proposed districts tonight.

<table>
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This chart here will help you show or help show how we can get these numbers. You'll see that ideal number listed down in the first column and second column, 2212. That is the ideal or perfect number we want in every district. But of course we can't get that in every district by going by the Census blocks. So for instance, District 1, Dennis Davis, he has a population variance of 34. What that means is Dennis has 34 More people above the ideal population. And that's a 1.5% variance. Remember in the beginning, we said that that variance could be no more than 5% either way. So it can be. It can’t be more than negative 5% or no more than a positive 5%. So I'll go down to District Six, Mr. Chambers. You can see Mr. Chambers has a variance of 109. So he's right at the maximum number of people he can have in this district and he has like three more he will be over that limit. On the opposite scale District 7 Supervisor Allen, he has only 10 so he could afford a lot more numbers in his district and still be within that 5% variance.
Once you put all those districts together, this is what our new proposed map would look like. Should have been out front for you to look at if you have time maybe look at the screen when the meeting is over. But that's what we look like going forward.
And is this comparison 2010 versus 2021 and once again, you can see everything now looks a lot better I think in my opinion. They all as straight as you can get I think with using major roads and highways to form district lines.
Thank you for your time and I will now turn the meeting back to the Chairman to open the public hearing

That'll be it for me tonight. I will turn it back over to Chairman to open the public hearing for any questions or comments.

**Matthews:** Thank you Mr. Carter. Okay, the public hearing is now open for the redistricting.

**Lann:** No one signed up to speak.

**Matthews:** Discussion from the Board of Supervisors? I’d just like to thank the committee and staff that worked on this diligently. You did such a great job. Everything looks extremely fair and precise. So with that being said we will close the public hearing if there are no comments no discussion.

**Chambers:** I make a motion that we accept the recommendation from the Redistricting Committee.

**Allen:** Second.

**Matthews:** We have a motion and a second to accept the committee's work that has been done on the redistricting. Call for the vote please. Six yes and one absent.

*Supervisor Chambers moved, Supervisor Allen seconded and was unanimously carried by the Board to approve the Redistricting Ordinance and changes to precincts as presented by the Redistricting Committee.*
Re: Zoning Matters: Introduction of Case 21-SUP291 Landowner/Applicant John E. Yoder request a Special Use Permit for the purpose of operating a commercial sawmill at Tax Map 113, Parcel 10 containing approximately 9.48 acres at 541 Allen’s Lake Road

Matthews: Alright. Item number M. Zoning matters with Mrs. Edmondston. The introduction of Case 21-SUP291. The landowner is Mr. John Yoder.

Edmondston: Yes, sir Case 21-SUP291, Landowner and applicant is John Yoder. He is at 541 Allen’s Lake Road Dillwyn, Virginia. Its Tax Map is 113 Parcel 10, and it contains approximately 9.48 acres. He is in an Agricultural, A-1 zoning district and his request is to obtain a special use permit for the purpose of operating a commercial sawmill. He is asking the Board of Supervisors to recommend a public hearing date for this request. Once again, he's located at 541 Allen's Lake Road, and he is in A-1 district. This case came to the attention of the zoning office by way of a complaint. After investigating a meeting with a landowner it was discovered that a sawmill was operating in violation of the zoning ordinance. The initial complaint was made in early 2021, July, and the building was discovered but no sound of a saw operating at that time. However, the sawmill was operating when another complaint was made in late July 2021. After discussion with Mr. Yoder was discovered he was purchasing logs, timbered off site and operating a commercial sawmill. At this time, Mr. Yoder was informed that he was not operating in compliance with the zoning ordinance and was instructed to cease operations immediately. After further review of permanent records Mr. Yoder obtained a building permit in June 2021 for the 40 by 60 building for the purposes of farm use indicated on his zoning building permit application. The sawmill was operating in this building. Mr. Yoder has provided information to the Planning Commission explaining the intent and nature of the request for the permit in June 2021, which was not agricultural or farm use, but at the time of the application, his intent was to operate that commercial sawmill. Case 21-SUP291 was introduced to the Buckingham County Planning Commission on September 27 2021. The Planning Commission put this case on hold and asked Mr. Yoder to find a more suitable location for the operation of his sawmill and did not move this forward to a public hearing at the October meeting. At the October 25 meeting, much discussion was held regarding the usage of the building increased traffic to the neighborhood, ensuring safety to all citizens efforts to find a more suitable location and the right of way that Mr. Yoder uses for ingress and egress of the sawmill. The Planning Commission voted to move this case forward to a public hearing to be held November 22. That public hearing was held November 22. Again, much discussion regarding the location of this commercial sawmill and safety concerns. The Planning Commission added four additional conditions and those are number 11 through 14 before moving this case forward with a recommendation of approval with a vote of four to two to be introduced to the Board of Supervisors. Before I move forward, I will say that Mr. Yoder met with me in my office last week and he is here and available tonight to discuss any questions and concerns. But he is not in agreement with the 14 conditions at this time. With that being said, would it be the pleasure of the Board of Supervisors to hold a public hearing? And if so, January 10, 2021, at 6pm?
Conditions:

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to.

2. Right of ways and roadway shoulders shall not be used for parking.

3. The property shall be kept neat and orderly.

4. That the applicant pursues a commercial solid waste container and follow the County Solid Waste Ordinance.

5. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.

6. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.

7. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, with proper notice, if a complaint is registered against the property for noncompliance with this permit. Any complaints not solely related to this permit will be given to the appropriate department or agency.

8. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable.

9. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Board of Supervisors.

10. That the applicant(s) and landowner(s) understands the conditions and agrees to the conditions.

11. The applicant agrees to operate within the current footprint/building and that any expansion or enlargement requires a new application.

12. Truck traffic is only allowed on the property between the hours of 8am through 3pm, Monday through Friday.

13. No more than four trucks per week shall be allowed.

14. Applicant shall provide certification from a structural engineer regarding the construction, design, safety, and structural integrity for usage as a commercial sawmill.
Chambers: I've got a question. #12, Truck traffic is only allowed between the hours of 8:00 and 3:00?

Bryan: Yeah. I kind of questioned that to Mr. Chambers.

Chambers: That’s not treating him fair.

Edmondston: The Planning Commission decided upon that condition and had a conversation with Mr. Yoder during the meetings and the decision was made due to school bus traffic and safety during the hours most buses are gone from the road by 8am. Because they're delivering students to the school and then 3pm trucks would be gone by three. So that a bus could be there after 3pm.

Chambers: But my concern is look, there is buses on other roads and you don’t have this. I don’t think you are being fair.

Bryan: I agree.

Edmondston: Mr. Yoder is here to address conditions.

Chambers: I’m just saying I don’t think you are being fair to him. You are limiting him to just this. What’s the problem with that Danny?

Allen: Well, they put that on there, and they added it no more than four trucks a week because it was it was three trucks a day, loaded trucks a day. So we figured out that it would be if you had a driveway on that road by the end of the week, it would be 36 trucks than going by your driveway. And this is a dead end road and a small road. And I just didn't think it's a good place for it. I would like to have had moved it up to where Kyanite’s got the pallet place up there. But that didn't work out so.

Chambers: I think you’ve put to much restrictions on it.

Allen: It’s more older folks and young children.

Bryan: I think it impacts other people in the county as well. I mean, our loggers as well, but it that would impact our loggers as well of transporting it. So I agree with you, Mr. Chambers. I'm not, I'm not real keen on that. I mean only four trucks a week, and then restricting them to from, you know, eight to three. You know, that would be ideal if we were cutting in the county, but, you know, some truckers cut in Louisa and I mean, what happens if, you know, through no fault of their own, they're delayed, and they don't get back to Buckingham until 3:05. He can't make a delivery. I mean, you know, then you’re
impacting a logger as well, because then, you know, that person driving that truck is impacted because they can't offload the truck.

**Chambers:** That's not fair.

**Bryan:** Yes, sir. Yep. I agree.

**Matthews:** Mr. Yoder. Would you like to respond to any of these comments?

**Allen:** Well, he responded to that at the last meeting and said he was alright with it, and now he has come back saying it's not fine it. So,

**Yoder:** Yes, to answer some of those questions. I guess, Nicci didn't make quite the right statement. I do agree with all the, I mean, I would of course be happy if they wasn’t as tight but I had questioned Nicci just to make sure I understand. I asked Nicci, if I should ask this evening or if she had the answers.

**Matthews:** Well, let's just get clear on what questions do you want to ask? So what is so tight that you can't live with?

**Yoder:** The number of trucks.

**Matthews:** The number of trucks Okay, so what do you want it to be? What does it need to be?

**Yoder:** Six would be much more comfortable. Or let's say does when we're talking about trucks are we talking about tractor trailers, or are we talking about pickup trucks?

**Matthews:** Let's get a clarification real quick. Mrs. Edmondston, what is a truck? What designates truck or trailer or whatever however, he's gonna haul this material?

**Edmondston:** Well, actually, I'm gonna defer back to Mr. Yoder’s narrative because in his narrative, which was included in your packet, the traffic this sawmill will cause will be log trucks, mostly semis, some straight jobs, pickups with trailers and flatbeds hauling lumber away so he's offered a definition of what trucks will visit the sawmill.

**Yoder:** Anything that can haul wood.

**Matthews:** Is that accurate, Mr. Yoder? Is that explanation accurate? What she just said?

**Yoder:** Yeah, I mean, I wrote that narrative.
Matthews: Okay. So you're saying anything that could actually just about carry a log is gonna be adequate. Is that right? I mean, my pickup truck I got a 2500 GMC pickup truck, if I put a load of logs on that and I take it to your sawmill that's gonna be that's what constitute a truck. Right?

Yoder: Is that what you're saying? Or is that…

Matthews: I'm asking you. Is that how you want to define it?

Bryan: That's the way I would read it.

Yoder: Yeah.

Matthews: Okay. Do you want it to be a tractor trailer? I mean, do you want to be a semi or what? Or I a tandem axle log truck?

Yoder: Whatever, I just kind of wrote down what the traffic its gonna cause. I mean, like I said, I can live with the agreements from the Planning Commission. I had just …

Matthews: But you want it, do you want to change or you don't want to change? I mean, do you want more trucks or you don't want more trucks?

Yoder: Six trucks will be much more comfortable

Bryan: What are your hours of operation, Mr. Yoder?

Yoder: What they are currently?

Bryan: Currently, you know what, what hours?

Yoder: Basically 7:00 to 5:00.

Bryan: Okay.

Matthews: 8:00 to 3:00 putting you under a hardship?

Yoder: 8:00 to 3:00 is not operating. It's only to truck traffic.

Bryan: Okay. So that's the only beef that you have is just the number of trucks allowed per week.
Yoder: Yes.

Miles: Mr. Chairman has VDOT said anything about the entrance or anything like that, Mr. Edmondson?

Edmondston: It was okay. They did not require anything.

Miles: It was. Thank you

Bryan: Talk about it at public hearing. We'll just talk about it during the public hearing.

Matthews: Okay. Let's set that for January 10th.

Bryan: Yes.

Matthews: Anything else you want to add to this, Mr. Yoder?

Yoder: No.

Bryan: Mr. Chairman, I make a motion that we move this forward to January 10 for public hearing.

Matthews: We'll address the concerns at the next meeting, too. We're taking them on advisement right now. So we'll be talking about that between now and January 10. Just to let you know, so if you got something else on your mind, now's the time to speak. So is it anything else on your mind?

Yoder: The number of trucks was my only choker.

Matthews: Okay. All right. So,

Miles: I have quick question. What about expansion plans? In terms of…

Yoder: Those were given up.

Miles: Oh, so you're not going to do what you said you were going to do in the narrative?

Yoder: No, that part, we eliminated that for the expansion. But I would like to clarify, if there is a change on trucks is that strictly for a week? Or is that talking about average? That's something that I might want to know.
Matthews:  What do you mean, if there's a change? What are you talking about?

Yoder:  You asked me if there's anything else I would like to ask?

Matthews:  Okay. Well, we've got that noted that you want to change it from four to six, right? Is that what you want to do?

Yoder:  Yeah.

Matthews:  Okay. That's the only thing that's the only change that other than you're not talking about expanding at any point in time moving forward. Right?

Yoder:  That's right.

Allen:  He’d have to go back and change what’s in the paperwork.

Matthews:  As far as expansion?

Allen:  Yes. It’s in the paperwork.

Matthews:  Yes.

Allen:  And what he's asking about the trucks is, can he have 10 truck this week and 4 trucks next week.

Matthews:  Right. Are you still concerned about that? Because you did, I ask that question. So that's not gonna, that's not gonna flush. I don't think as far as if you have six trucks this week. Or

Yoder:  If I have six, it'll be much easier. But if I have four, you know.

Matthews:  But if you have three this week, you can't do nine next week, you know, to keep back up is what I think they're referring to is the number of trucks if it increases, okay.

Yoder:  Okay.

Matthews:  All right. Okay, so we've got a motion on the floor from Mr. Bryan to set the public hearing for January the 10th. So we need a second for that.

Chambers:  Second.
Matthews: Okay, so we have a motion and a second. Call for the vote. 5 yes, 1 no, and one absent. All right.

Supervisor Bryan moved, Supervisor Chambers seconded to move Case 21-SUP291 John E. Yoder request for Special Use Permit for operating a commercial saw mill at 541 Allen's Lake Road to public hearing on January 10, 2022. This motion passed with a 5-1-1 vote. Supervisors Bryan, Matthews, Miles, Bryant and Chambers voting in favor. Supervisor Allen opposing and Supervisor Davis absent.

Re: Zoning Matters: Case 21-ZMA293, Landowner: Rock Holding East, LLC. Applicant: Rock Wood Products of Dillwyn Inc. request for rezoning from A-1 to M-1 for the purpose of zoning consistence to match the existing and future uses for the parcels to the correct zoning district, located at 19135 N. James Madison Hwy, Dillwyn

Matthews: The next case is Case 21-ZMA293. Rock Holding East LLC, Mrs. Edmondston.

Edmondston: Yes, sir. It's Case 21-ZMA293. Our landowner is Rock Holding East LLC and the applicant is Rock Wood Products of Dillwyn. Tax Map 112 Parcel 24, Tax Map 126 Parcel 13, Tax Map 126 Parcel 14, Tax Map 126 Parcel 3 Lot 0A. It's all located at 19135 North James Madison Highway Dillwyn, Va on Route 15. It's currently an agricultural district. The zoning map amendment, the request by Rock Wood Products is to rezone from A-1 to Industrial-Light Industrial M-1 for the purpose of zoning consistence to match the existing and future uses for the parcel to the correct zoning district. Rockwood Products of Dillwyn seeks to expand operations which requires compliance to the Buckingham County zoning ordinance. Rockwood Products of Dillwyn Incorporated acquired the property in 2014 as the subject of a major economic development announcement in October 2016. Due to the significant growth and expansion Rockwood Products of Dillwyn is requesting the zoning map amendment for current and future compliance Case. 21-ZMA293 was introduced to the Buckingham County Planning Commission on October 25, 2021. The Commission voted to move this case forward public hearing held on November 22, 2021. The Planning Commission voted unanimously to move this case forward to the Board of Supervisors with a recommendation of approval. Would it be the pleasure of the Board of Supervisors to hold a public hearing? And if so, possibly January 10, 2022 at 6pm. Mike Seamster with Rockwood Products is here with us in the audience this evening to address questions or concerns.

Matthews: Mr. Seamster, would you like to come up? I have a few questions for you. How's everything been going since 2016?

Seamster: It’s coming up. It’s getting a little bit better now. Yeah, just hard to find good help anymore. So.
Matthews: That seems to be across the board everywhere. So not just in the lumber business. How many acres is this are we talking about expanding here total?

Seamster: We're gonna be expanding. We think it's right at 15 acres right there. We'll start building right there from the new mill we have now towards a railroad track. We're gonna do a whole lot of work on our new driveway coming in, we're going concrete it in. And probably 10 to 13 new jobs. A whole lot of good stuffs gonna happen there. I mean, we're creating little jobs for the county here.

Miles: Good news.

Matthews: How many total jobs if you add the 15 do you think you have on site at that point?

Seamster: Right now we have 57 employees working right now.

Matthews: Is that right? Awesome.

Allen: One question for you... That property that goes on other side the railroad to Route 15 it goes all the way down to…

Seamster: The length of 15?

Allen: Yeah, goes all the way to 669 road and I didn’t think you’ld want to make that whole part M-1. That’s my one question. The other part was the other side of Shady Road right there against the church. I didn't know if you want to make that a M-1 too.

Seamster: Well, we're not building right there. And you know, I don't want to go close to houses. I want to try to keep it at one area right there. You can go from sawmill now and go from here to the park lot out there and you can’t hear it. So the best thing is not to get close to any houses cause a whole lot of noise and we got a whole lot dust issues, and we're gonna fix all that stuff too, as we grow. So we're trying to keep distance from the houses and you know, they got kids running around out there. So we're just gonna stay right down with that one place. We have some more room, it needs to be expanded behind the old sawmill. I don't know if y'all know what I'm talking about. We're probably going to sell the old pieces of the sawmill away and probably add some more stuff. We've been doing some work with a railroad company cutting cross ties and an sending them off Arkansas, Missouri and stuff like that, too. So we're expanding a whole lot. All our cut stock and stuff like that goes out to Pennsylvania. We're shipping over 10 loads a day. When this new building goes on and it should be up to about 20 to 25 loads a day coming out of there. So.
Bryan: Mr. Chairman, I have a question. What's that going to do to the traffic coming in and out of there?

Seamster: Uh, well uh, hopefully not a whole lot more than what it is right now. Because right now we're getting like 50 loads of logs a day coming in. That end right there we're gonna start buying a little bit more lumber towards North Carolina and send it in so it's gonna be like a probably like it is now maybe be a little bit more not much more but I'm willing to get the DOT up and if y'all see any problems or issues we need to fix we'll fix the problems. We have a couple of outlets we can go different ways. So.

Bryan: I mean, that's just my only you know, only concern is with the increased traffic flow you know, what's that going to do for VDOT. And I know that you know you're going to work with them.

Seamster: Yeah. We got a couple of issues now you know, the main driveway coming in it's a bunch of trees right there we're gonna do away with that and put concrete right there because I know there's a whole lot of water issues when it rains right there. It's kind of like a downhill slope going to the road right there. So we're going to fix all those issues and stuff like that so. We would like to say we get a couple outlets we could probably use up there where they lay the gas at the railroad tracks. We own all the way up to that so we can use that for different places. It is a better way to see right there too. Because you come right up on a hill, you can see around both curves right there.

Bryan: Yes, sir. Yeah, that was just my concern that that one curve. You know, when you're coming the other way, you know, you can see forever. You know, it's just coming from Dillwyn, you know, was my only if the traffic is going to increase, you know, what's that going to do? You know,

Seamster: We've been looking at different ways of doing stuff like that. We don't want to bother anything. We're just trying to help the community getting more jobs for everybody. Okay. Stuff like that.

Bryan: Yes, sir. Okay, thank you. Mr. Chairman, I move that we hold a public hearing on the 10th of January.

Miles: I second it, sir.

Matthews: We have a motion and a second. Call for the vote. Thank you, sir. We have six Yes. And one absent moving forward.

Supervisor Bryan moved, Vice Chairman Miles seconded and was unanimously carried by the Board to move Case 21ZMA293 Rock Wood Products of Dillwyn to public hearing on January 10, 2022.
Re: Consider appointment to the Planning Commission for District 7

Matthews: We have Departmental and Agency Reports and Items of Consideration. Consider the appointment to the Planning Commission for District 7.

Allen: Stephen Taylor

Matthews: Stephen Taylor. Okay. We have Steven Taylor's on the floor. So can we have a second for that? Okay. We have a motion and a second. We'll call for the vote. Six, yes. And one absent.

*Supervisor Allen moved, Supervisor Chambers seconded and was unanimously carried by the Board to appoint Stephen Taylor to the Planning Commission representing District 7.*

Re: Consider adoption of the 2022 Board of Supervisors Meeting Schedule

Matthews: Consider the adoption of the 2022 Board of Supervisors meeting calendar.

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**Buckingham County Board of Supervisors**  
**2022 Monthly Meeting Schedule**

- Monday, January 10 @ 6:00 p.m.
- Monday, February 14 @ 6:00 p.m.
- Monday, March 14 @ 6:00 p.m.
- Monday, April 11 @ 6:00 p.m.
- Monday, May 9 @ 6:00 p.m.
- Monday, June 13 @ 6:00 p.m.
- Monday, July 11 @ 6:00 p.m.
- Monday, August 8 @ 6:00 p.m.
- Monday, September 12 @ 6:00 p.m.
- Tuesday, October 11 @ 6:00 p.m. (change due to Columbus Day Holiday)
- November 14 @ 6:00 p.m. (subject to change depending on VACO Conference)
- Monday, December 12 @ 6:00 p.m.

Chambers: So moved.
Miles: Second, Mr. Chairman,

Matthews: We have a motion and a second. Call for the vote. Six Yes, and one absent.

*Supervisor Chambers moved, Vice Chairman Miles seconded and was unanimously carried by the Board to approve the 2022 Meeting Schedule for the Board of Supervisors as presented.*

Re: Buckingham County Schools: Introduction of Dr. John Keeler, Interim Superintendent and High School Roof Information

Matthews: All right, Buckingham County Schools: Introduction of Dr. John Keeler, which we did earlier, Interim Superintendent and high school roof information.

Keeler: I would like to thank the Board for the opportunity, before we get to the talking about the roof, give you an update on this week. It's been an eventful week for school system. We were back to school today. And everything was fine. I want to thank the Board here for purchasing two metal detectors some years back that we have used today. I’m going to purchase, we have an order for 4 more individual. I think it served its purpose and the object is to keep our children safe. Different world than it was just several years ago. So thank you for that. Also I’d like to talk about the update from the state police on the incident of Tuesday evening, where we thought that or that lead to the closure of the schools for three days. The state police as an organization that helped us I guess it's their intelligence. And within about six hours they were able to find out that the post on Snapchat was a hoax to us. Actually originated in Texas. It's been passed on to three times down there. It did concern. I guess it concerned everybody I guess in Buckingham to tell you truth. We were very happy with Eric King, First Sergeant, Buckingham Sheriff's Department with all their help. We appreciate that. And we had people reach out to us even from Harrisonburg to help us and we've had three good days of planning to get ready for coming back today. It’s different folks. I have 35 years experience in education. Things are different now than it was when I first started and I can tell you we're trying to meet those changes. Some of the things that you probably hear, we're going to look into our cellphone policy about when a child can use it and when it can't. We're going to look into adding an off campus alternative educational option. I'm very sure, I believe in this, I've worked probably last 20 years with this. And I've seen the good in this. And so I'm going to hope that we can find something that is close to the campus where we can transport our kids to and from. But it's also serves purpose of getting kids back in school. Right now if we suspend a child for 10 days and put him out of school, he goes home. Chances are he's not doing anything. He's just getting further behind. I believe if they're going to do a 10 day suspension, of doing an alternate Ed setting where we have somebody who's trained to make them do their lesson lessons, help them with their lessons. And if they don't do the lessons, they stay there until they get it done. That may sound a little harsh, but honestly, there's some people it really works well. I've even seen it to the point where the kids got improved so much. They didn't want to go back to regular school. So that's
something I hope that we can get started. I got a few short months here, but I'm hoping that's going to happen. And tonight, we sent home an opportunity for parents and children and community people to give us a tip when they hear something online, they will go to our center so that we have an opportunity to check it out. And once again, I thank you for all your support on this and appreciate it. And JB is going to come up we're going to talk about a roof is leaking High School and what we can do about it. Thank you

Heslip: Good afternoon. On July 12, we came here and talked about the roof. Since then a lot of work has been done. On your handout there I'm going to kind of review it relatively quickly. A little nervous. You know you're nervous when you write your own name down on your paper so you won't forget it. On 23rd of November at 2pm they opened the bids at Architectural Partners in Lynchburg. I have with me today Mr. Mark Smith, and also Emmet Lipski. Both are from Architectural Partners that came down to be with us today. If we have any technical questions, they're going to help me out with that. The base bid that we received back just to review with you guys consists of repairing the metal roof on the trouble spots at the high school, replacing those and repairing those. Then applying a two coat fluoropolymer to the remaining metal roof to bring it back to color and also give it protection. Replace our downspouts. This base bid includes revitalization of the PUF roof system that we have on there now with a new silicone and the new top coat there with a 15 year warranty and it's also included an adding one access ladder to the most troubling spot we have on the roof. And that bid came back at $1,399,000. We added in alternates so that we could have a discussion and to make sure that we were fully informed. The first alternate is a scouring of the flat roof or the PUF roof system removing top couple layers off of that and applying a fleece EPDM rubberized roof with a 20 year warranty for a cost of $287,000. That is an add on cost to the base bid. They've already done the math taking out the work that would have been done with the PUF put in the rubberized roof so that's an add on costs of $287,000 for an EPDM rubber flat roof. Alternate 2 is a complete tearing off of that flat roof. The PUF roof system would be gone. Applying a five inch isoboard insulation that would give us an R value R 30 on the roof with a 20 year warranty and the cost, additional cost would be $546,000 on that alternate. Then the last alternate, Alternate 3 was once we started on going up there with our vendors and also just more time spent on the roof, it's really hard to access different parts to make sure that the that the drains are cleaned out properly and to do any type of maintenance or just checks on the roof because of the nature of the old roof versus the new roof. So Alternate 3 was added to give us more additional scaffolding support, ladders with handrails to reach those hard to reach spots up on the roof. Just for clarification, it doesn't add any ground level access to the roof. Okay, we have to get up the way we would normally get up, it just adds roof access once you're up there. So we keep our security straight. And that is an additional cost of $24,000. Mr. Mark Smith recommended that we take the base bid of $1,399,000 and Alternate Number 3 for a total of $1,423,000. We base that recommendation off of vendors that we talked to, also the data that when we received it back, there was less hot spots on the flat roof so we could keep the puff. We have a 45 day window to accept the bid, which puts it at January 7, 2022. Mr. Smith reached out to the vendor to see if we could get extension because we're dealing with the holidays, and then funding and
then conversation. So I'm gonna let him come up if you don't mind and explain where we are with the with the additional time.

**Smith:** Mark Smith with Architectural Partners. We reached out to William Cook, President of Jamison Lewis Construction Company who was the low bidder for the project, and asked him about the extension of holding the bid which was 45 days, which is a pretty significant amount of time these days for a contractor to hold his pricing. And they're already going to experience a 15% increase in coatings at the end of the year. Now, of course, he's got to hold his price until the 7th of January and cannot raise his price. But after the 7th, you would experience increase in pricing. And it probably wouldn't be just that coating part, it would probably be some of the other materials as well. One of the other logistical issues with holding the bids back any longer is the procurement of the materials. Coatings are four months out. The coating is weathering temperature reliant. You can't put it on too cold, you can't put it on too hot. And so our concern is trying to get those coatings on at the proper time. And that's just a logistical thing of delay in the bids or delay in the notice to proceed for the contract so that they can make a purchase order. So they he told me that they would work with the county. If they needed to extend the date. They would pass the cost through at no charge other than no markup charge, other than what their cost were going to be. However, there are some percentages that tie into that such as performance and, and payment bonds that were required on the project that are all tied into the bottom dollar number, which that would increase. So it's not a one to one. There is a little bit of an upcharge for your payment and performance bond in that cost increase. So you wouldn't know what that is until after the 7th of January when they find out what the pricing is. Or when you you're expected to release the project because one month is one thing. Six months is another thing. So I'm a moving target there. Any questions about that aspect?

**Bryan:** Yes, sir. I do. Well, I mean, you've already said that that weather is going to be an issue. Right? Oh, we know the January, February March are predominantly our coldest months, you know, so they're gonna wait. Well, they're gonna have to wait, then anyway.

**Smith:** Well, I mean, they have a prep time. Their schedule has where prep which isn't as much temperature related. Of course weather related, but getting up there and power washing the roof, replace the fasteners. Doing all the prep work that's not really temperature related, that's going to take them two months. And the price or the purchase of the coating the fluoropolymer, that takes four months. So if they can make purchase in January, that gives you January, February, March, April. That's the sweet spot starting in April, May, early June. That's when they want to be able to start work. So their prep work is going to take basically, if you gave them a notice to proceed in January, they would be finished at the end of February, March with this prep, with their prep work.

**Allen:** It’s January 10th, before we have another meeting, I'm just wondering if they can move it up to at least three or four more days for their deadline. If we decide tonight I don’t know.
Smith: I can't speak for the contractor on that part.

Bryan: Right now we're looking at a shortfall of about $623,000 as well. School system, we're currently holding about $800,000. For the school system, I know that that you're anticipating some for this next year. But the audits not complete yet. So are there any grants that the school system has looked at? What's the status of the grants and how much for the grant?

Matthews: What’s the total amount of money you're talking about?

Keeler: Buckingham County Schools has ESSER III funds that would be available for this. If you looked at the local funds that was leftover, it looks like it would be about $619,790 of ESSER III. There’s an amount that's got to be spent between now and September 2024. We've used these funds for a number of HVAC, PreK HVAC job already. Primary School, Pre K, Elementary School, Middle School chiller number two, boilers and EBF Controls and CT HVAC controls and other things. So we have used about $1.9 million of ESSER III funds on our schools.

Matthews: What's the balance in that line item?

Keeler: I would say about 2.2 million?

Miles: Mr. Chairman, they got about 4.9. Is that right?

Matthews: You've got, as of right now, what is projected to come out of that line item between now and the time you need to have an answer for this bid?

Keeler: Well, that's a tough question, because I'll be gone in May. I don't know what the next guy's gonna do. But if I could get this roof fixed, it would do me. I'll be honest with you.

Matthews: Well, maybe Mrs. Oliver can answer that question. She's the finance director. Can you answer that question?

Oliver: You're talking about what ESSER III funds are for?

Matthews: Yes.

Oliver: Well, the items that Mr. Dr. Keller has mentioned are up for approval in the grant. I’ve got to have final approval for those grants.
Matthews: Well, how much is the money?

Bryan: Okay, that's the total money for everything else. My concern is 600 and roughly 23,000 dollars that you're short.

Oliver: That is for approval and they're expediting the project for us.

Matthews: Is that in the 4. whatever million? That is already in that?

Bryan: That's already in the money that you've already, okay. And do you know when you're going to find out about that?

Oliver: Like I said, we are expedited. They told us today they don’t know what days and everything and they know we are on a tight timeline.

Bryan: Didn't the Governor at some of the excess funds authorize money for construction as well?

Oliver: Gotten it already.

Bryan: Okay.

Keeler: Usually, it was a lot of talk about using it for new construction. It was a debate on what how much you could use. And that really hasn't been resolved. But for, for what we're using for project like this is to fix what we already have. So that usually goes through.

Bryan: But you don't know when you're going to find out?

Oliver: We told them the scenario and they said they said it was an allowable expense.

Bryan: That it was an allowable expense.

Keeler: I think you're getting ready to close your books, new administration coming in. And, Karl, you know, there's a lot of money still left in Richmond. So I think there's some set aside grants that we've even put in for that doesn't include Esser that deal with possible construction things.

Matthews: How does the contract read if we were to approve this? You're talking about coatings that have to be paid for. Are we paying for those in advance if we if we agree to the contract with Jameson Lewis, by January the 7th, we're not paying any money up front are we?
Smith: You will have a purchase order with them that would allow them to go ahead and make purchase. We allow them to make purchase orders under their contract with their subcontractors.

Bryan: How many draws can they make?

Smith: They make them once a month.

Bryan: Okay.

Smith: And for materials, we don't usually approve the cost of materials until they've been warehoused and insured.

Matthews: That will be four months down the road, right?

Smith: If it could be four months, but it could also be in that first month. It depends on when they take possession of it, and it's in their warehouse. So if you're the contractor, and you've got a warehouse, and it's bonded and insured, and material comes to your warehouse, and you have it, then they're responsible for it, and they can get paid for that material stored.

Matthews: But you just said it was four months out, we getting that stuff, right?

Smith: They won't get it for four months. So yeah. But that's just for the coating.

Matthews: How much money we're talking about just for the coating? Do you have you got that broken down?

Smith: I don't have that broken down.

Matthews: Did they break it down into bid process?

Smith: No. But just to give you an order of magnitude, the coating cost installed was probably in the order of magnitude of about $160,000.

Matthews: But add 15% of that, to that if, if we go past January 7, is that what you're saying?

Smith: No, that that would be installed, we're just talking about the cost of the material, being a 15% increase, and that's at the end of the year. They're going to end up absorbing 15% of whatever the material cost is before the end of the year. They cannot pass that on because of the way the contract is for January the 7th. So they basically are going to have to absorb that. Now of course, there might be
some horse trading somewhere along the way and they can get you know, they can get that price, you
know, less than 15% but that's the market right now.

Bryan: Dr. Keeler Wendy, do you have an email where they have said that they will expedite this?
Could you forward that to Karl or give Karl a copy please?

Matthews: Mr. Chambers has a question.

Chambers: (facing away from mic so not verbatim) The Board gave the School Board a directive.
They’ve done what we asked and we need to get it fixed.

Matthews: They have the funding is in place. We just need to make sure we give them what they need.

Chambers: (facing away from mic) Suggested Alternative Ed use the Community Center rooms.

Matthews: Yeah. I think that's a good idea. Yeah. I'd like to see their plan. What are you what are you
going to institute or what are you going to provide for this alternative ed situation? Is it I mean, I'd like
to see your program what you're talking about before we go too far and what does it encompass?

Keeler: (didn’t pick up on recording from audience, not verbatim) I can bring something back to you at
the next meeting.

Matthews: Okay

Bryan: Dr. Keeler, the community center that Mr. Chambers is talking about is the old Dillwyn
Primary School that's right across from the Fas Mart right there in Dillwyn. We recently renovated that
entire building. One a half is the library and the other half is the community center and there's a lot of
classrooms in there.

Keeler: Classroom is what I need.

Bryan: Yes sir.

Bryant: That’s an ideal spot for it.

Bryan: Yes sir. In fact one of them was my old second grade classroom.

Matthews: I do have a question for you Mr. Superintendent, which is how is your enrollment in your
building trades and the Vo Tech Center? Is that enrollment down or up or what?
Keeler:  (didn’t pick up)  Stated it was stable.

Matthews:  How many total students do you think it may be in an alternative aid program?  How many, I mean just, what you have right now?

Keeler:  (did not pick up)

Matthews:  But it wouldn't require two classrooms if you had that?  Okay.  Is this type of instruction, is it classroom extra instruction or your regular mathematics and English and history and stuff like that?  It is not any type of welding or anything like that going on in this situation? Right. Okay, yeah, I think we can find you something down there.

Bryant:  At no time would be over 8 or 10 would it?

Keeler:  (did not pick up)  He stated that it shouldn’t.  Maybe 6.  He has 3 he knew of now that would need it.

Matthews:  Are there any other questions from our board?

Bryan:  Mr. Chairman, I'd vote to approve the $1,423,000 with no new county money being authorized, meaning the 800,000 that we currently hold, and they're applying for a $623,000 grant to cover that. So I do agree with Mr. Chambers, we need to do something about those libraries. We've been beating that horse for about two years now. So that I can remember probably longer than that. But that's, that's my motion to approve it with. No new county money being approved for this project.

Matthews:  Well, it's not really a grant, is that grant money?  It is grant money. Okay. It's not COVID or rescue recovering money? Any of that is not related to that at all?

Oliver:  It is Esser funds.

Matthews:  Okay, but it's classified as a grant?

Oliver:  It is a grant.

Matthews:  Okay. All right. As soon as…I must stipulate one other thing in that motion if you don't mind. Mr. Bryan, we would like to know as soon as you know when you receive confirmation on that grant, because it really helps us look forward and dot all your I's and cross all our T's. So if you would
please send Mr. Carter or Mr. Hickman a note, letting them know that you did receive it. And since it has been expedited, we should find out something I would think in the next 15 days or so.

**Bryan:** I’ll amend my motion for that as well. Thank you. Dr. Keller, I do applaud you for, for getting the stuff using the government's money as much as we can. I'm a staunch advocate of that. I don't want to give the federal government back a dime. So if you have 4.9 million, I would like to see you spend 4.9 million.

**Bryant:** Or one more dollar.

**Bryan:** Yeah. And another dollar just to make sure that that the math is not wrong. And the federal government probably give you that dollar back to you. So but good luck to you.

**Matthews:** I have a motion. Second by Mr. Chambers. Call for the vote. So unanimous six, yes. And one absent Thank you. Appreciate your time and effort to get this done. Thank you.

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**Superintendent Bryan moved, Supervisor Chambers seconded to approve the $1,423,000 to fix the roof with carryover money and grant money. No additional County dollars. Mrs. Oliver will notify the county as soon as they find out if they were approved for the grant.**

**Re: Treasurer: Duplicate tax payment refund request to Virginia Electric and Power Company in the amount of $101,325.50**

**Matthews:** Item number 4, the Treasurer, there was a duplicate tax payment refund request to Virginia Electric and Power Company in the amount of $101,325.50. Mr. Carter, you want to make…

**Carter:** Just some additional information from this of overpayment from what I understand the treasurer's office, Dominion Power, Virginia Electric Power Company, they send like a bunch of their properties on one check. So they did that this time. And then later on, I guess, I don't know if somebody was out or something not but they sent the actual duplicate in a separate check. So they sent in the total then they sent this one payment by itself. So it did get paid twice. So they requested a refund and that money be sent back to them.

**Bryan:** Move to approve Mr. Chairman.

**Miles:** I second, Mr. Chairman.

**Matthews:** Right. We have a motion and a second. We hate to do it. We held it for a little while anyway. Six Yes. And one absent.
Supervisor Bryan moved, Vice Chairman Miles seconded and was unanimously carried by the Board to approve to refund Virginia Electric and Power Company for a refund of overpaid taxes in the amount of $101,325.50.

Re: Zoning: SUP Application refund request to Michael Boyce in the amount of $200

Matthews: Item 5, is this a zoning issue? An SUP application refund request to Michael Boyce in the amount of $200. Is what’s the deal on this? It did not go through with his he just dropped the project or what happened there?

Carter: According to his email or letter he sent he canceled the application in August of 2021 because he's found that he did not use a special use permit so he applied found he didn't need it and he cancelled it. So he did not go through the process.

Allen: So moved.

Bryant: Second.

Matthews: We have a motion and a second. Second by Mr. Bryant. Okay, call for the vote to approve the reimbursement of $200. 6 Yes and 1 absent.

Supervisor Allen moved, Supervisor Bryant seconded and was unanimously carried by the Board to approve the refund of $200 for Special Use Permit that he did not need to Michael Boyce.

Re: Kevin Hickman, Finance Director: Consider appropriation of $6,603.07 received from Anti-Litter Taskforce Grant

Matthews: All right, Mr. Kevin Hickman, Finance Director, Consider the appropriation of $6,603.97 received from the Anti-litter Taskforce Grant.

Bryan: You just want to accept the, Mr. Hickman?

Hickman: Yes, sir.

Bryan: So moved, Mr. Chairman.

Matthews: All right. We have a good new motion and a second. That's an awesome deal. I think the Taskforce has done a tremendous job this year, getting off the ground and going so anyway, call for the vote. Six years one absent.
Supervisor Bryan moved, Supervisor Allen seconded and was unanimously carried by the Board to accept and appropriate the $6,603.97 grant for the Anti-Litter Task Force.

Re: Sheriff’s Office: Consider request of Deputy Forrest Lawhorne who retired November 30, 2021 to purchase service handgun issued by the department as per §59.1-148.3 of the Code of Virginia for $1

Matthews: Okay, item number seven. Sheriff's Office: Consider requests of Deputy Forrest Lawhorne who retired November 30, 2021 to purchase service handgun issued by the department as per 59.1-148.3 of the Code of Virginia for $1.

Kidd: That pretty much sums it up.

Matthews: Okay. All right. We got a motion and a second. I think we can call for the vote. Thank you, Mr. Kidd. I think we got it. Appreciate sir. Six, yes and one. It’s unanimous.

Supervisor Allen moved, Supervisor Bryan seconded and was unanimously carried by the Board to approve for retired Deputy Forrest Lawhorne to purchase his service gun for $1.00 as per Code of Virginia 59.1-148.3.

Re: Consider Personnel Committee Report given under separate cover

Matthews: Okay, item number 8. Consider Personnel Committee report given under separate cover. No action necessary if agreed upon, so any discussion? None?

Bryan: No, sir.

Matthews: Okay, we got it under control.

Re: Consider activating the American Rescue Plan Act (ARPA) committee again to look into possible use of the ARPA funds and if activated, do you want to use the same committee or make new appointments

Matthews: Number 9, Consider activating the American Rescue Plan Act committee again to look into possible use of the ARPA funds and if activated, do you want to use that same committee or make new appointments?

Chambers: With the same committee.
Bryan: Yes, sir. Do you need a motion for that, Karl?

Carter: Yes.

Matthews: Who was it?

Carter: When we did it back for the CARES funds it was Supervisor Miles and Supervisor Bryant.

Matthews: That's fine. Go ahead and go with it.

Bryan: Would you still willing to do it, Mr. Bryant?

Bryant: Yeah.

Matthews: All right. So we got a motion and a second call for the vote. Six yes, one absent.

Supervisor Chambers moved, Supervisor Bryan seconded and was unanimously carried by the Board to approve to activate the ARPA Committee and keep the same members on this committee.

Re: Consider request of Piedmont Regional Jail Superintendent Townsend to use some of the ARPA funds to help with a capital project of bar screen at the jail along with reimbursing some employees for salaries that were lost due to contracting COVID or quarantine due to possible COVID exposure. This request is going out to the six localities that participate in the regional jail

Matthews: Item number 10. Consider requests of the Piedmont Regional Jail Superintendent Townsend to use some of the ARPA funds to help with a capital project, bar screen at the jail along with reimbursing some employees for their salaries that were lost due to contracting COVID or quarantine due to possible COVID exposure. This request is going out to the six localities that participate in the Regional Jail. I'd like to have a little discussion on this matter. Before we make a motion. I do understand the importance of this bar screen. And is everybody understand what that is?

Miles: Catches contraband.

Bryan: Yes, sir.

Matthews: Right. Okay. All right. So, but I do have an issue with paying salaries for people that contracted COVID. I don't think we did that for our employees here in the county.

Miles: Mr. Chairman, did we do that here?
Carter: We did not do it for our employees.

Bryan: Our employees weren't? Did they lose money if they contracted COVID?

Carter: They did not. We had a COVID policy back before the vaccination. So we gave them time off a COVID. And then when the vaccination came available, they employees used sick time.

Bryan: They used sick time?

Carter: Yes, sir.

Bryan: We could have used ARPR funds, though, right?

Carter: Not ARPA but CARES fund. The money that we're using right now. But the harm of that is you have one person exposed like five different times. Where do you draw the line? They come back in and say I was exposed this weekend. Then they come back in and up through a week and says I was exposed again. How much do you continue to give it to them?

Matthews: Can we wait to see what other localities do since it’s going to all 6 or do we have to act on this tonight?

Carter: Um, no, sir. You don't have to act on this night. I think you're probably the first board that has had it presented to so other boards have not voted yet and say whether they're going to contribute or not. So you do not have to vote tonight if you don't want to. And also in our meetings, I told him as well that, you know, we did not do that our employees for the COVID.

Matthews: We have a motion and a second. Okay. Well, I mean, is there any other discussion while we're waiting?

Bryan: What was the motion again?

Matthews: Postpone it to we find out what other localities are doing.

Bryan: Okay.
Matthews:  No more discussion? We have a motion and a second. We'll call for the vote. Six, yes and one absent to postpone to we find out what the other localities are doing in the Regional Jail. Piedmont Regional Jail. Okay.

Re: County Attorney Matters

Matthews:  All right. We're going to item O, County Attorney Matters.

Wright:  Mr. Chairman, Members of the Board. I'll be brief tonight. I'll tell you the good news is three, four and five. Mr. Carter will address those in his report. Item two, I've had some further discussions with Hatton Ferry, and I would ask that you pass over that till the January meeting. That brings us going backwards up the agenda to item one. You previously authorized registration to participate in the opioid settlement that's been accomplished. I've registered to the county. There's one other matter that needs to be addressed. There's a resolution that should be in your package. I hope it's in your package. That is part of that ongoing process. If you see fit, I'd ask that you adopt that resolution so I can continue to interface with the opioid settlement committee.

RESOLUTION

A RESOLUTION OF THE BUCKINGHAM COUNTY BOARD OF SUPERVISORS
APPROVING OF THE COUNTY'S PARTICIPATION IN THE VIRGINIA OPIOID
ABATEMENT FUND AND SETTLEMENT ALLOCATION MEMORANDUM OF
UNDERSTANDING ("MOU") AND DIRECTING THE COUNTY ATTORNEY TO
EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE COUNTY'S
PARTICIPATION IN THE MOU

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its cities and counties by adversely impacting, amongst other things, the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services; and

WHEREAS, the Commonwealth of Virginia and its cities and counties have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of Virginia; and

WHEREAS, in order to advance their common interests, Virginia local governments and the Commonwealth of Virginia, through counsel, have extensively negotiated the terms of a memorandum of understanding relating to the allocation and use of litigation recoveries relating to the opioid epidemic;

NOW THEREFORE BE IT RESOLVED that the Buckingham County Board of Supervisors, this 13th day of December, 2021, hereby authorizes and approves the Virginia Abatement Fund and Settlement Allocation Memorandum of Understanding ("MOU") attached hereto and incorporated by reference as Exhibit "A," and directs the County Attorney to execute the MOU.

Miles:  Mr. Chairman, I would move to the adoption of the resolution pertaining to the opioid settlement presented by the County Attorney, sir.
Allen: Second.

Matthews: Yes, we have a motion and a second. Let’s call for the vote. Unless there's further discussion. Six Yes and one absent. Unanimous.

Wright: Thank you very much.

_Vice Chairman Miles moved, Supervisor Allen seconded and was unanimously carried by the Board to adopt the above resolution regarding the Opioid Settlement as presented by County Attorney Wright._

Re: County Administrator’s Report

Matthews: All right, the County Administrator report, Mr. Carter.

Carter: I'll pick up some of the things that Mr. Wright that got moved down to my section. The first is a Transient Occupancy Tax. The General Assembly passed Senate Bill 1398 amending Virginia Code revised Transient Occupancy Taxes to provide for tax reporting when a room is booked through a combination of intermediaries such as Expedia, Travelocity and all those types of services. Attached arise transit occupancy tax ordinance that incorporates that chain into our county ordinance. I’m asking you tonight to set a public hearing in January so we can adopt those changes and bring our ordinance into compliance with Senate Bill 1398.

Bryan: So moved Mr. Chairman January 10.

Chambers: Second.

Matthews: We have a motion and a second. Let’s call for the vote to set a public hearing. Six Yes, one absent.

_Supervisor Bryan moved, Supervisor Chambers seconded and was unanimously carried by the Board to schedule a public hearing for January 10, 2022 in order to hear public comments regarding amending the Transient Occupancy Tax Ordinance in accordance with Senate Bill 1398._

Carter: Next item in your handout tonight. We couldn’t get it in the packet. Should be a draft ordinance for the Burn Ordinance we're looking at doing or possibly doing. That ordinance you have in front of you we're going to suggest you do it in two ways. You can make that ordinance tonight. You adopt that on an emergency basis because of the drought and everything we've been having. And of course, we put this board pack together it hadn't rained, and it rained over the weekend. So you can
adopt this ordinance as an emergency ordinance tonight, then I ask you to have a public hearing in January so we can make this ordinance permanent. And what this ordinance does, it gives the county administrator, myself, after I work with other agencies the ability to set a burn ordinance if we get to drought conditions not have to wait for board meeting to adopt such an ordinance. So I was just trying to speed up the process if it needs to be to limit the number of birds and burns in the county so that we don't have any disasters.

**Miles:** We need a motion on that, Mr. Chairman.

**Matthews:** Yes, sir.

**Bryan:** So moved

**Carter:** I need two motions, actually.

**Bryan:** One for the emergency ordinance. My motion is for the emergency ordinance.

**Miles:** And then public hearing.

**Matthews:** We have a motion for the emergency ordinance and a second by Mr. Miles. So we will call for the vote on that.

**Bryan:** Can we make sure that we get that posted on the county website as well?

**Carter:** Yes, sir. We were posted on a website and post it in this building as well.

**Bryan:** Thank you.

*Supervisor Bryan moved, Vice Chairman Miles seconded and was unanimously carried by the Board to approve the Emergency Burn Ban Ordinance as presented.*

**Matthews:** And the next motion would be for Public Hearing.

**Miles:** I move, Mr. Chairman, that we set a January 10 public hearing on the emergency ordinance.

**Bryan:** I'll second that.

**Matthews:** We have a motion in a second this call for the vote for the public hearing six Yes. And one absent.
Vice Chairman Miles moved, Supervisor Bryan seconded and was unanimously carried by the Board to schedule a public hearing for January 10, 2022 to hear comments on making the Emergency Burn Ordinance permanent.

Bryan: Mr. Chairman, one other thing on the emergency ban ordinance. The librarian, can you guys put that in your marquee that there is an emergency burn ordinance in order?

White: How do you want me to word it?

Bryan: Can you get with Mr. Carter?

Matthews: It’s an emergency burn ban not ordinance.

Bryan: Yeah, it's a ban. If you can get Mr. Carter, because people tend to overlook us here, but they will at least see the marquee right there on 15 going back and forth. Thank you.

Matthews: I think I saw it on the marquee next to the Farmville Library in Prince Edward County the other day, so yeah, maybe you guys had something to do with it. Next item, Mr. Carter.

Carter: All right. The next item is our solar policy that we've kind of talked about a little bit tonight. In your packet tonight, you should have our first attempt at getting you a solar policy. The Zoning Administrator, myself and the County Attorney have all been working on incorporating the things you heard from public in regards to the Apex Project. This is not the final policy, but rather something to get the ball rolling into discuss. As you look at the policy, the draft policy you have in front of you, you'll notice most of the conditions are based off the Apex project, which at the time, that was the conditions that you all felt was necessary to get that project into the county. As you know, these are just minimum suggestions. And you and the Planning Commission can add or change conditions during the SUP process. Specific conditions such as limited size of the project, megawatts, number of acreage, percentage of the county can be discussed later on and add it you can discuss it tonight if you want. But that's gonna be an individual preference. But you all might have something different you want. So we thought we hear from you first before we started to stick something like it in this policy. If you wish you can activate the Solar Committee again, I think that was Chairman Matthews and Supervisor Davis that served on that committee to look at those different types of specifics you want and if you want those in this policy. But if you look at the policy, the draft policy behind the the letter I have for you, you'll see those are very close to the Apex conditions that we approved last month.

Miles: Mr. Chairman, I say we send it to the solar committee.

Bryan: In conjunction with maybe some personnel from the Planning Commission.
Miles:  Maybe the Chair and the Vice Chair.

Bryan:  Danny, you good?

Allen:  Yeah.

Bryan:  I mean that that way we get input from the Planning Commission members, as well.

Miles:  So I would move that, Mr. Chairman, and reactivating the committee and adding those two additional representatives from the Planning Commission, the Chair and the Vice Chairman.

Bryan:  Another thing, Mr. Miles is time is of the essence. So we're going to need this by the 10th.

Matthews:  By the 10th. Yes.

Bryan:  Prior to the 10th. Yes, let me rephrase that prior to the 10th.

Miles:  Good.

Bryan:  Thank you.

Matthews:  All right. We have a motion and a second. Let's call for the vote. Six yes, and one absent.

_Vice Chairman Miles moved, Supervisor Bryan seconded and was unanimously carried by the Board to reactive the Solar Committee and add the Chairman and Vice Chairman of the Planning Commission to look at the Solar Policy and for them to meet prior to January 10, 2022 Board meeting._

Matthews:  All right, Mr. Carter.

Carter:  Alright, the next is a solid waste, in your packages you will see, I want to congratulate you and I think a lot of people in the public want to congratulate you for having the Dillwyn solid waste site, which is fully operational now. When I drive by this site, it looks great. That's even before the trees start to roll in and everything to kind of hide that site from 15. But as you know, with making that all operational biomechanics, there's no room for interpretation. Those gates open up or stay down, so you can't talk your way into the site. By now, I'm sure you all had probably some constituents that had questions for you guys on how can they get a sticker? What are the rules for the stickers? If they can get a sticker, how many? And that also is putting our staff in a kind of limbo? They get these questions
when people come to the building and ask the same type questions to them. So they don't have anything in black and white to answer the constituents questions. So with these type of issues, I'm asking you do you want to tell which committee to look at solid waste ordinance to include some of these kind of you know odd balls questions that we didn't think about when we did this solid waste ordinance.

**Bryan:** Mr. Carter, do we get approval for the solid waste fee?

**Carter:** Yes, sir.

**Bryan:** Do you want the solid waste committee to look at that as well?

**Carter:** That'd be wonderful and we can talk about everything. Yes.

**Bryan:** I totally agree. Do you want a motion to do the solid waste committee?

**Matthews:** What about a dual permit? Like your county sticker and a solid waste? I mean, why could you not do that?

**Bryan:** I don't know if you could piggyback them.

**Matthews:** I mean two separate ones.

**Bryan:** Yes.

**Carter:** We can discuss that as well, Chairman Matthews. We're gonna look at all things to try to get everything taken care of at one time.

**Bryan:** Yes, sir.

**Matthews:** Okay, we have a motion by Mr. Bryan a second by Mr. Miles to look into the solid waste ordinance moving forward.

**Carter:** That was solid waste committee, Supervisors Bryan and Bryant.

**Matthews:** Okay, Bryan and Bryant. All right. Okay. Call for the vote. Six yes, one absent.

**Supervisor Bryan moved, Vice Chairman Miles seconded and was unanimously carried by the Board to have the Solid Waste Committee look at the Solid Waste Ordinance to make changes accordingly with the new gated system.**
Carter: And this is just for information purposes. January is our organizational meeting when we decide on the bylaws and what we want to change. So I'm just giving you in your packet tonight a copy of the existing bylaws so that you can have them from January. And if you have any changes you want to talk about, please get them to me. And we can try to get those worded before the January meeting. Or we can discuss them that night. But you usually do that at your January meeting, so January is when can you take up those actions. Also added this year is the electronic voting, we added that new this year. So that's something you didn't have before. If you need a copy of that, I can go ahead and give it to you again. That's concludes my report, Mr. Chairman.

Re: Informational Items

Matthews: Thank you, Mr. Carter. Great job. You have your informational items in the packet for your review.

Re: Other Board Matters

Matthews: We're going to Item Number R. Other board matters. Are there any?

Allen: I've been talking to the fire department, and they have an issue with washing their fire uniforms, fire suits. And it's a special type of washing machine and dryer that they need, which is costly, and they wondering if there was a way we could use some of this ARPA money to help them with it. So I mean, something to start looking into.

Matthews: Is that possible, Mr. Carter?

Carter: Yes, sir. We'll look into that with the committee you all assigned earlier tonight. We'll look at that because like I said in my report to you, you're going to start to get a lot of requests with people asking for that money. I had a phone call or email from somebody from the Boys and Girls Clubs. So they're asking for too, so we need to get the committee going so we can decide how we want to spend that money.

Matthews: Do we need to appoint subcommittees on this or would I guess the fire department will fall under the Emergency Management Committee? Right.

Carter: We have that ARPA committee with Supervisor Miles and we appointed Supervisor Miles and Supervisor Bryant, right.

Miles: Mr. Chairman?
Matthews: Yes.

Miles: I would like to move that we have a resolution composed and presented to Dabney Crews for his many years of service on the Planning Commission maybe sometime next year and have that presented to him for he was on Planning Commission for many, many years since the late 90s.

Bryan: I'll second that.

Matthews: We have a motion and a second by Mr. Bryan.

Bryant: I think he was on it for about 23 years.

Matthews: Yeah, just a nice plaque.

Miles: Okay, just so we recognize his service.

Matthews: Okay. Let’s call for the vote on that. That's six yes and one absent.

Vice Chairman Miles moved, Supervisor Bryan seconded and was unanimously carried by the Board to present Dabney Crews (James D. Crews, Sr.) with a plaque for his many years of service on the Planning Commission.

Re: Executive Closed Session

Bryan: I move that we go into executive closed session under code 2.2-3711.A.5 Discussion concerning to prospective business or industry the expansion of an existing same business or industry where no previous announcement has been made to the business or industry's interest in locating or expanding its facilities in the community. Also, under Virginia code 2.2-3711.A.7 Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing an open meeting would adversely affect the negotiating or litigating posture of the public body.

Miles: A second Mr. Chairman,

Matthews: A motion and a second. Call for the vote.

Supervisor Bryan moved, Vice Chairman Miles seconded and was unanimously carried by the Board to enter into Executive Closed Session under Sections 2.2-3711.A.5 and 2.2-3711.A.7.
Re: Return to Regular Session and Certification

Bryan: I move that we return to regular session and certify that to the best of each board members knowledge, only business matters related to the codes of which the executive meeting was convened was discussed or considered in the closed Executive Session.

Miles: Second, Mr. Chairman.

Matthews: We have a motion and a second. Call for the vote.

Supervisor Bryan moved, Vice Chairman Miles seconded and was unanimously carried by the Board to return to regular open session and certify that to the best of each board members knowledge, only business matters related to the codes of which the executive meeting was convened was discussed or considered in the closed Executive Session.

Re: Adjourn

There being no further business to discuss, Chairman Matthews declared the December 13, 2021 meeting of the Buckingham County Board of Supervisors adjourned.

ATTEST:

______________________________________ ___________________________________
Karl R. Carter     Donald R. Matthews, Jr.
County Administrator    Chairman