

A meeting of the Board of Supervisors was held in and for the County of Mecklenburg on July 10, 2023, at 9:30 a.m. in the Board of Supervisors meeting room of the Goode Bank Building.

MEMBERS PRESENT: Glenn Barbour, Chairman; Jim Jennings; Brenda Blackwell; David Brankley; Andy Hargrove; Charles Jones; Claudia Lundy; Tom Tanner; Sterling Wilkinson

The Chairman called the meeting to order.

Those present stood for the Pledge of Allegiance.

Upon a motion of Mr. Jones, the Board voted unanimously to approve the minutes of June 12, 2023. Supervisors Barbour, Jennings, Blackwell, Brankley, Hargrove, Jones, Lundy, Tanner, and Wilkinson vote 'aye'.

Chairman Barbour advised that there would be two additions to the agenda. Item B-1 will be an update from Mr. Jason Corwin, General Registrar and Item K-8 will be discussion of a checking account for Mecklenburg County EMS.

Upon a motion of Mr. Jones, the Board voted unanimously to adopt the agenda as amended. Supervisors Barbour, Jennings, Blackwell, Brankley, Hargrove, Jones, Lundy, Tanner, and Wilkinson vote 'aye'.

A public hearing was held on the application by the Mecklenburg County Planning Commission to amend the Mecklenburg County Zoning Ordinance Article 20, Solar Facility to add the following:

1. 20.14 Maximum Acreage for Solar Projects

The maximum aggregate acreage of the fenced-in area of approved solar projects shall not exceed 2,325 acres. The 2,325 acres ceiling applies to Community-Scale Solar, Large-Scale Solar, Medium-Scale Solar and Small-Scale Solar Collectively.

Ms. Joyce French resident of Old Cox Road, Chase City addressed the Board. She advised that the cap on solar projects that is being recommended by the Planning Commission would leave no future acreage to be developed into a solar project. She is asking that if the Board goes with that recommendation, they adopt some additional conditions. She is asking that they add a grandfather clause with strict guidelines so that projects that are being developed can still be considered in the future.

Ms. Jeanne Inge of Old Cox Road addressed the Board in opposition of the solar acreage cap as recommended by the Planning Commission. She stated that she believes there is nothing wrong with the current solar ordinance and that the Board still has the option to vote no to any project they do not want. She stated that technology is ever changing, and the Board should embrace these changes.

Mr. Chris Hawk with Apex Clean Energy addressed the Board on behalf of the Family Tree Solar Project, which is the Inge Property. He provided the Board with additional information on

solar panel recycling and decommissioning. He stated that the Family Tree Solar Project currently complies with the Mecklenburg County Solar Ordinance as it is.

Mr. Frank Rene, Attorney representing the Inge Family and the Family Tree Solar Project, stated that this project has been in the works for two years with leases already signed and that is why they are asking for a grandfather clause. Next, he stated that Apex Clean Energy is first class and has a proven track record. Mr. Rene stated that he is the County Attorney for Lunenburg County, which has been working with Apex Clean Energy for the past five years with no problems and a great financial advantage to the County.

Mr. Steve Sizemore, resident of Buffalo Junction addressed the Board in opposition of the proposed solar cap due to property rights being taken away. He stated that renewable energy projects are the future, and they can be developed responsibly.

Dr. Gerald Burnette Sr., Mecklenburg County Property Owner addressed the Board in opposition of the proposed solar cap. He stated that this violates the Constitutional Rights of property owners. He stated that this would cause him to join a class action lawsuit against the Board that would take years to resolve. He asked the Board what the decommissioning plans for Microsoft's Data Centers are.

Mr. Charlie Wood addressed the Board sharing information on Henrico County's economic development efforts.

Ms. Judy Brothers, representing Friends of the Meherrin River addressed the Board in support of the solar cap. She stated that they are concerned about the lakes and streams in the County with the current number of projects that are ongoing.

Mrs. Brenda Walker, resident of Old Cox Road addressed the Board speaking against solar farms and in favor of the solar acreage cap. She stated that there is a lot of development and growth in the Old Cox Road area already.

Mr. Blake Cox with Energy Right addressed the Board. He stated that Energy Right is a non-profit organization that focuses on clean energy being developed the proper way. He spoke on the budget amendment that recently came through the General Assembly. He stated that it would strip locality's ability to make decisions on proposed projects like solar. He stated that the reason why the state would do such is because of arbitrary, unreasonable restrictions that are being put in solar ordinances around the state. He encouraged the Board to consider this.

Mr. Dave Whilden, resident of Antlers Road spoke in favor of the proposed solar acreage cap. He stated that solar projects decrease property values of neighbors and creates a hardship for wildlife.

Ms. Betty Upton, resident of Antlers Road spoke in favor of the proposed solar acreage cap. She stated that solar projects devalue neighboring properties and could contaminate the streams that her cattle drink from.

Ms. Pat Pearson, resident of Antlers Road spoke in favor of the proposed solar acreage cap. She believes that the land in the County is better suited without any additional solar projects.

Mr. Mark Eckler, of Buffalo Junction addressed the Board stating that solar panels do not pollute the property. He believes that individuals know their own property better than anyone else and should have the right to place solar panels if they see fit.

Mr. William Lowrance, resident of Chase City stated that he had done some research on solar panels and asked if the Board would look into panels being possibly placed at closed landfills or roof tops of large commercial buildings.

Mr. Phillip Upton, resident of Antlers Road addressed the Board stating that God will hold them accountable for everything that they judge and their decisions.

Mr. J. A. Devin, landowner in Mecklenburg spoke in opposition of the solar acreage cap. He stated that solar power is necessary and that the Board is capable of deciding where the projects should be located. He is asking the Board to judge each project individually, not placing a cap on the entire county.

Mr. Bill Devin, landowner in Mecklenburg County spoke in opposition of the solar acreage cap. He stated that he currently has options on land for solar projects and if they are done right, he believes that it should be up to the property owner. Mr. Devin advised that he supports agriculture, timber, and community solar projects.

Mr. Tom Tanner shared this presentation with the Board.

Land in Mecklenburg County, Va.



So how much land is in Mecklenburg, Va.?

Mecklenburg is the 9th largest county in Virginia

Mecklenburg County, Va. is 679 square miles or 434,560 acres total acres

How many acres of this is available for development?

Mecklenburg County, Va. Land Cover Report

| Virginia Geographic Information Network (VGIN) | | |
|---|---------------------------|---------|
| LAND COVER REPORT | | |
| County/City: Mecklenburg Cour Tiles: S13_43, S13_44, S13_53, S13_54, S13_63, S13_64 | | |
| Class ID | Class Name | Acres |
| 11 | Open Water | 37,711 |
| 21 | Impervious Extracted | 4,516 |
| 22 | Impervious Local Datasets | 5,204 |
| 31 | Barren | 341 |
| 41 | Forest | 244,104 |
| 42 | Tree | 21,542 |
| 51 | Shrub/Scrub | 5,598 |
| 61 | Harvested/Disturbed | 16,313 |
| 71 | TurfGrass | 12,248 |
| 81 | Pasture | 55,056 |
| 82 | Cropland | 18,940 |
| 91 | NWI/Other | 13,150 |

FINAL CLASSIFICATIONS:

- Water
- 11 – Open Water
- Developed
- 21 – Impervious Extracted
- 22 – Impervious External (Local Datasets, VGIN Buildings, Lidar Buildings, Buffered RCL Dataset)
- Barren
- 31 – Barren
- Forested
- 41 – Forest
- 42 – Tree
- Shrubland
- 51 – Shrub/Scrub
- Disturbed
- 61 – Harvested/Disturbed
- Herbaceous
- 71 – Turf Grass
- Planted/Cultivated
- 81 – Pasture
- 82 – Cropland
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How big are the towns in Mecklenburg, Va.

| | | |
|---------------------------------|---------------------|--------------------|
| South Hill Va. | 6.27 square miles = | 4,015 acres |
| La Crosse, Va. | 1.2 square miles = | 768 acres |
| Clarksville Va. | 2.0 square miles = | 1280 acres |
| Boydton Va. | 0.8 square miles = | 512 acres |
| Chase City, Va. | 2.2 square miles = | 1408 acres |
| Brodnax, Va | .02 square miles = | 125 acre |
| Total acres of the towns | | 8,108 acres |

This doesn't include the 1 mile around each town or the 5 miles radius of Chase City.

DCR List of land in Mecklenburg, Va. that are in conservation easements.

36,971 total acres.

| MA_ID | Last Name | Land Type | Management Entity | Management Level | DCR Acres |
|-------|---|----------------------------------|--|------------------|-----------|
| 12442 | SIR-Her Forest Foundation easement | Conservation Easement | SIR Her Forest Foundation | Private | 206.82 |
| 12120 | SRLE Easement | Conservation Easement | Blue Ridge Land Conservancy | Private | 270.25 |
| 8542 | Ever Green Team Easement | Conservation Easement | Ever Green Team | Private | 50.67 |
| 12380 | Ever Green Team Easement | Conservation Easement | Ever Green Team | Private | 304.88 |
| 12681 | Ever Green Team Easement | Conservation Easement | Ever Green Team | Private | 319.47 |
| 3202 | Ever Green Team Easement | Conservation Easement | Ever Green Team | Private | 244.24 |
| 11189 | NTPP Easement | Conservation Easement | National Trust for Historic Preservation | Private | 426.39 |
| 4712 | NWTF Easement | Conservation Easement | National Wild Turkey Federation | Private | 349.57 |
| 4770 | NWTF Easement | Conservation Easement | National Wild Turkey Federation | Private | 727.37 |
| 9690 | John H. Kay Reservoir Flooding Easement | Conservation Easement | US Army Corps of Engineers | Federal | 1273.48 |
| 9692 | John H. Kay Reservoir Flooding Easement | Conservation Easement | US Army Corps of Engineers | Federal | 338.83 |
| 3229 | Bassee Pond Creek | Federal Wildlife Management Area | US Army Corps of Engineers | Federal | 883.94 |
| 3227 | Buckhorn | Federal Wildlife Management Area | US Army Corps of Engineers | Federal | 473.37 |
| 1600 | Bullhoe WMA - Kay Reservoir | Federal Wildlife Management Area | US Army Corps of Engineers | Federal | 559.66 |
| 3221 | Cedar Grove | Federal Wildlife Management Area | US Army Corps of Engineers | Federal | 143.74 |
| 3214 | Engle Point | Federal Wildlife Management Area | US Army Corps of Engineers | Federal | 406.56 |
| 3215 | Greenwood | Federal Wildlife Management Area | US Army Corps of Engineers | Federal | 277.91 |
| 1294 | Hager Creek WMA - Kay Reservoir | Federal Wildlife Management Area | US Army Corps of Engineers | Federal | 522.87 |
| 3220 | HV Hill | Federal Wildlife Management Area | US Army Corps of Engineers | Federal | 735.50 |
| 4494 | Liberty HSE WMA | Federal Wildlife Management Area | US Army Corps of Engineers | Federal | 255.32 |
| 3216 | Lower Butcher Creek | Federal Wildlife Management Area | US Army Corps of Engineers | Federal | 265.57 |
| 3223 | Marble | Federal Wildlife Management Area | US Army Corps of Engineers | Federal | 644.04 |
| 3217 | Oakleaf | Federal Wildlife Management Area | US Army Corps of Engineers | Federal | 482.79 |
| 3222 | Old South | Federal Wildlife Management Area | US Army Corps of Engineers | Federal | 265.47 |
| 8224 | Roanoke Mill | Federal Wildlife Management Area | US Army Corps of Engineers | Federal | 353.27 |
| 8229 | Wolf Branch | Federal Wildlife Management Area | US Army Corps of Engineers | Federal | 232.40 |
| 5213 | Upper Butcher Creek | Kay Public Access Area | US Army Corps of Engineers | Federal | 263.03 |
| 160 | John H. Kay Reservoir | Reservoir (Land Area) | US Army Corps of Engineers | Federal | 30,222.27 |
| 12083 | 30RE Easement | Conservation Easement | VA Battle Resources Admin. by VA DHR | State | 2.22 |
| 9015 | VA DHR Conservation Easement | Conservation Easement | VA Battle Resources Admin. by VA DHR | State | 1,183.37 |
| 9022 | VA DHR Conservation Easement | Conservation Easement | VA Battle Resources Admin. by VA DHR | State | 17.21 |
| 9143 | VA DHR Conservation Easement | Conservation Easement | VA Battle Resources Admin. by VA DHR | State | 49.54 |
| 9221 | VA DHR Conservation Easement | Conservation Easement | VA Battle Resources Admin. by VA DHR | State | 1.13 |
| 1008 | Occochee State Park | State Park (Land from AGO) | VA Dept of Conservation and Recreation | State | 2,479.02 |
| 8347 | DOP Easement | Conservation Easement | VA Dept of Forestry | State | 2,285.95 |
| 10578 | DOP Easement | Conservation Easement | VA Dept of Forestry | State | 172.30 |
| 11107 | DOP Easement | Conservation Easement | VA Dept of Forestry | State | 342.82 |
| 834 | Crk Crook | State Wildlife Management Area | VA Dept of Wildlife Resources | State | 1,534.98 |
| 6026 | LUNA VOF-1358 | Conservation Easement | VA Outdoors Foundation | VOF | 0.70 |
| 10936 | LUPP VOF-4046 | Conservation Easement | VA Outdoors Foundation | VOF | 9.08 |
| 10851 | MEE VOF-0405 | Conservation Easement | VA Outdoors Foundation | VOF | 319.24 |
| 9668 | MEE VOF-3425 | Conservation Easement | VA Outdoors Foundation | VOF | 121.46 |
| 10940 | MEE VOF-4057 | Conservation Easement | VA Outdoors Foundation | VOF | 282.20 |
| 11288 | MEE VOF-4146 | Conservation Easement | VA Outdoors Foundation | VOF | 551.31 |
| 11285 | MEE VOF-4141 | Conservation Easement | VA Outdoors Foundation | VOF | 224.82 |
| 11286 | MEE VOF-4148 | Conservation Easement | VA Outdoors Foundation | VOF | 885.35 |
| 12025 | MEE VOF-4238 | Conservation Easement | VA Outdoors Foundation | VOF | 252.32 |
| 12424 | MEE VOF-4458 | Conservation Easement | VA Outdoors Foundation | VOF | 92.29 |
| 12424 | MEE VOF-4470 | Conservation Easement | VA Outdoors Foundation | VOF | 216.09 |
| 12424 | MEE VOF-4477 | Conservation Easement | VA Outdoors Foundation | VOF | 111.90 |
| 12421 | MEE VOF-4478 | Conservation Easement | VA Outdoors Foundation | VOF | 428.88 |
| 12587 | VOF Project 4183 | Conservation Easement | VA Outdoors Foundation | VOF | 222.45 |
| 12613 | VOF Project 4188 | Conservation Easement | VA Outdoors Foundation | VOF | 381.28 |
| 8544 | WVWF Easement | Conservation Easement | Wood Burton Wildlife Foundation | Private | 374.51 |
| 8544 | WVWF Easement | Conservation Easement | Wood Burton Wildlife Foundation | Private | 81.96 |
| 8545 | WVWF Easement | Conservation Easement | Wood Burton Wildlife Foundation | Private | 826.69 |

Total Acres in Conservation Easements in Mecklenburg, Va. **36,971.38**

Mecklenburg Va. Size

| | |
|--|----------------|
| Total Acres | 434,560 |
| Minus Total Acres of open water | -37,711 |
| Minus Total Acres of wetlands | -13,150 |
| Minus Impervious (Roads, Buildings, etc.) | -9,720 |
| Total acres in conservation easements | -36,971 |
| Total acres in town limits | -8,108 |
| Total acres of land available for development | 328,900 |

LAND USE FOR SOLAR

QUESTIONS ON THE CAP ON SOLAR IN MECKLENBURG?

- Some counties are using a percentage of the available land in the county. Is this total acres in the county or total acres that could be developed?
- While we are discussing this should other restrictions be placed on any new projects also?
 - Set backs from rivers and lakes?
 - Wild life corridors in all projects?
 - No more than 50 acres disturbed at any one time?
- If solar is affecting one area of the county more than another, and if this board chooses to approve any new solar projects, should money from siting agreements go to help the citizens of that area?

LAND USE IN MECKLENBURG, VA.

SHOULD MECKLENBURG COUNTY HAVE A CAP ON SOLAR?

- Most agree that we need to cap on solar in the county, why?
 - Protection of our natural resources, water, wildlife, agriculture etc.
 - All current projects are being located in one area of the county.
 - Limited number of jobs solar project bring to the area after project completion.
 - Issues with previous projects.
- Planning Commission has presented to this board a request to cap on solar of 2,325 acres.
- Is this the right number?

What is that number?
Total Acres
434,560 divided by 2,235 is .52 % of the total acres in Mecklenburg

Total Acres available for development
328,900 divided by 2,235 is .69% of the total acres in Mecklenburg

Do we leave any room for any further solar development?

1% of 328,900 is 3,289 acres
1.5% of 328,900 is 4,933 acres
2% of 328,900 is 6,578 acres

Upon a motion of Mr. Brankley, the Board voted by roll call 6-3 to adopt the following resolution. Supervisors Barbour, Jennings, Blackwell, Brankley, Lundy, Hargrove voted “aye” and Supervisors Jones, Tanner and Wilkinson voted “no”.

RESOLUTION

WHEREAS, after conducting a duly advertised public hearing, and after consideration of the comments made, the Mecklenburg County Board of Supervisors ("Board") considered the following from the staff report presented to it by the Mecklenburg County Planning Commission ("Planning Commission"):

1. The Planning Commission is responsible for guiding the future development of the County and the Planning Commission is concerned that without an acreage ceiling, the agricultural nature of the County will be diminished.
2. The Planning Commission recommended that the County should have a limit on the total approved fenced-in acreage for solar facilities, specifically, 2,325 acres of fenced-in area for solar facilities.
3. The Mecklenburg County Comprehensive Plan acknowledges that prime farmland and timber production are key components of the County's economic base and solar facilities shrink the amount of available land for these uses.
4. A total acreage ceiling on the amount of fenced-in area for approved solar facilities will ensure that the County's streams, creeks, lakes, and other waterways will remain protected.

5. Measuring the fenced-in acreage of solar facilities ensures that all generating equipment and related infrastructure of a project is included and the fenced-in acreage is a reasonable and generally understandable method for limiting the total amount of solar facilities that may be approved.
6. The Planning Commission determined that the proposed fenced-in acreage ceiling would preserve the rural characteristics of the County.

IT IS, ACCORDINGLY, HEREBY RESOLVED by the Mecklenburg County Board of Supervisors that the Mecklenburg County Zoning Ordinance is amended to include a new Section 20.14 which reads as follows:

Section 20.14 Maximum Fenced-In Acreage for Solar Facilities

No more than 2,325 acres within Mecklenburg County shall be approved for use as the fenced-in acreage of a Community-Scale Solar Facility, Utility-Scale Solar Facility, Medium-Scale Solar Facility and Small-Scale Solar Facility. The "fenced- in" acreage will be identified by the applicant on the concept plan and will include all solar generating equipment, substations, related infrastructure, detention ponds, and other areas of the projects that are physically inside the required security fencing.

A public hearing was held on the application by Terry & Sherri Fox for a special exemption permit to allow for a Blues and Rock Festival annually. This property, identified as County Tax Number 144000-A-001, and zoned Agricultural is located on the north side of Hwy 735 (Hite Drive) approximately one (1) and half miles north of its intersection with Route 602 (Old Buffalo Church Road), Election District 1, County of Mecklenburg. Reference Deed Book LR-20-4979.

Upon a motion of Mr. Hargrove, the Board voted unanimously to send this application back to the Planning Commission for further review because this event has already taken place. Supervisors Barbour, Jennings, Blackwell, Brankley, Hargrove, Jones, Lundy, Tanner, and Wilkinson vote 'aye'.

A public hearing was held on an application by Larry Gartin for a special exemption permit for a neighborhood business. This property, identified as County Tax Number 180000-07-003, is zoned Agricultural and is located on the north side of Hwy 903, and approximately one (1) mile north of its intersection with Hwy 751(Golf Drive), Election District 3, County of Mecklenburg. Reference Deed Book LR-20-508.

There was no public comment.

Upon a motion of Mr. Wilkinson, the Board voted unanimously to approve the application by Larry Gartin for a special exemption permit for a neighborhood business with the conditions set forth by the Planning Commission. Supervisors Barbour, Jennings, Blackwell, Brankley, Hargrove, Jones, Lundy, Tanner, and Wilkinson vote 'aye'.

A public hearing was held on the application by Jacob & Shawna King to rezone from Agricultural to Business B-1. This property, identified as County Tax Number 023000-A-046, is zoned as Agricultural and is located on the west side of Hwy 662 (Wightman Road), approximately 2 miles north of its intersection with Hwy Forty -Seven, Election District 7, County of Mecklenburg. Reference Deed Book LR-20-2187 and Will Book WF-18-65.

There was no public comment.

Upon a motion of Mr. Jennings, the Board voted unanimously to approve the application by Jacob & Shawna King to rezone from Agricultural to Business B-1 with the conditions set forth by the Planning Commission. Supervisors Barbour, Jennings, Blackwell, Brankley, Hargrove, Jones, Lundy, Tanner, and Wilkinson vote 'aye'.

A public hearing was held on the application by Arnold & Beverly Tucker to rezone from Residential R-1 to Agricultural. This property, identified as County Tax Number 060000-08-D, zoned as Residential R-1, and is located on the west side of Hwy 637 (Chaptico Road), and is approximately one (1) mile south of its intersection with Hwy 812 (Hudgin Road), Election District 4, County of Mecklenburg. Reference Deed Book LR-3-3285.

Upon a motion of Mrs. Lundy, the Board voted unanimously to approve the application by Arnold & Beverly Tucker to rezone from Residential R-1 to Agricultural with the conditions set forth by the Planning Commission. Supervisors Barbour, Jennings, Blackwell, Brankley, Hargrove, Jones, Lundy, Tanner, and Wilkinson vote 'aye'.

Mr. Jason Corwin, General Registrar addressed the Board. He urged all Board Members to stop by his office to take care of their campaign finance requirements, as Monday is the deadline. Mr. Hargrove invited Mr. Corwin to the meeting today to share that a few years ago, he was invited to Chicago to attend a conference with Registrar's from all over the nation, showing them how he did results reporting and now his method is used all around the nation. He stated that his office was the first to do digital reporting, making his office more efficient.

Under Public Comment:

Mr. William Lowrance addressed the Board asking the Board to support his efforts to have Dominion Energy change the proposed route of the transmission line expansion project in the Chase City area.

Mrs. Lundy presented the following resolution honoring the 100th Birthday of Mrs. Dora Lee Ogburn-Hudgins.

WHEREAS, the Mecklenburg County Board of Supervisors does hereby wish to honor Mrs. Dora Lee Ogburn-Hudgins on her 100th birthday, which was April 30th, and;

WHEREAS, Mrs. Ogburn-Hudgins was born and grew up in Union Level and worked on her family farm, which she loved greatly, and;

WHEREAS, she began a career as a custodian at Buckhorn Elementary School in 1976 and worked there for 17 years, where she was honored in 1991 with an award stating that it was

the cleanest school in the Mecklenburg County School System and it was only through her diligent efforts that this occurred, and;

WHEREAS, Mrs. Ogburn-Hudgins, enjoyed baking pies and working in her flowers, her real joy was serving as a Deaconess and President of the Usher's Ministry at the Greater Hayes Grove Baptist Church, and;

WHEREAS, her true joy is as the mother of seven children, blessed with having five generations of family members who number over seventy descendants,

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg County Board of Supervisors does hereby honor Mrs. Dora Lee Ogburn-Hudgins upon reaching her centennial birthday.

Ms. Sheldon Barr, President of VCU Community Memorial Hospital introduced herself to the Board. She first shared the mission statement of the hospital. Ms. Barr advised the Board that they will be launching an official Graduate Medical Education Residency Program for Family Practice Physicians. They are relaunching their Career Scene Investigation Program for area middle schoolers. They have had 2 graduates of this program to go on to become nurses. Next Ms. Barr went over the goals of the community hospital to better serve the community.

Ms. Petrina Carter, President of Tri-County Community Action Agency addressed the Board with an update on the current programs they offer and thanked the Board for their continued support. She stated how much she and the agency misses Mr. Glanzy Spain and welcomed Mrs. Lundy to their Board.

Mr. Kevin Smith, Assistant VDOT Resident Engineer addressed the Board with a monthly update including an update on the rural rustic projects.

Mrs. Lundy asked Mr. Smith to cut the fence line at the intersection of Whittles Mill Road and Bridge Road. She advised that you can not see around the curve as it is.

The Economic Development Committee met on Monday, July 10, 2023, at 9:00 a.m. in the Board of Supervisor's Meeting Room, Boydton, Virginia.

MEMBERS PRESENT: Charles Jones, Chairman; Tom Tanner; Jim Jennings, Sterling Wilkinson

OTHERS PRESENT: Glenn Barbour; David Brankley; Brenda Blackwell; Claudia Lundy; Andy Hargrove; Wayne Carter, County Administrator; Alex Gottschalk, Deputy County Administrator

The Chairman called the meeting to order.

Mr. Carter reviewed the bid received for the RRSA 8.36 MGD Wastewater Treatment Plant expansion. Five bids were received.

Upon a motion of Mr. Jones, the Committee voted unanimously to recommend approving the lowest bid received from Haren Construction Co., Inc at a cost of \$24,672,000.00.

There being no further business, the meeting was adjourned.

Upon a motion of Mr. Jones, the Board voted unanimously to award the bid received for the RRSA 8.36 MGD Wastewater Treatment Plant expansion to Haren Construction Co., Inc at a cost of \$24,672,000.00. Supervisors Barbour, Jennings, Blackwell, Brankley, Hargrove, Jones, Lundy, Tanner, and Wilkinson vote 'aye'.

Mr. Alex Gottschalk presented the Board with a proposed amendment to Section 30-33 of Article II of Chapter 30 of the Mecklenburg County of Ordinances.

Upon a motion of Mr. Hargrove, the Board voted unanimously to adopt the following ordinance. Supervisors Barbour, Jennings, Blackwell, Brankley, Hargrove, Jones, Lundy, Tanner, and Wilkinson vote 'aye'.

An Ordinance to Amend Sub-Section (b) of Section 30-33 of Article II of Chapter 30 of the Mecklenburg County Code of Ordinances Related to the Location of Polling Places

Whereas, in August 2022, the Board of Supervisors enacted a revision of Article II of Chapter 30 of the Mecklenburg County Code of Ordinances as part of its decennial redistricting actions;

Whereas, the revised Article II of Chapter 30 contained a listing of all precincts and polling places in Mecklenburg County for elections to be held in 2023 and subsequent years;

Whereas, following the enactment of the new polling place locations by the Board, two such places, one for Precinct 103 and one for Precinct 901, necessitated location changes;

Whereas, the Mecklenburg County Electoral Board endorsed the establishment of Lake Country Regional Airport as the polling place for Precinct 103 and Wharton Memorial Baptist Church Fellowship Hall as the polling place for Precinct 901;

Whereas, the Mecklenburg County Electoral Board sought the affirmation of the Board of Supervisors to petition the Virginia Office of the Attorney General for a Certificate of No Objection for these movements, which the Board provided at its March 2023 Meeting;

Whereas, the Office of the Attorney General issued the Certificate on May 4, 2023;

Whereas, the new polling places will be in use for the November 2023 General Election, and all subsequent elections in Mecklenburg County; and

Whereas, a limited number of further technical corrections to precinct names is also needed to align the names listed in the ordinance to those used by Registrar's Office.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MECKLENBURG COUNTY, VIRGINIA THAT:

1. Sub-section (b) of Section 30-33 of Article II of Chapter 30 of the Mecklenburg County Code of Ordinances, as it is currently effective, is hereby amended and reenacted as follows:

ARTICLE II. - ELECTION DISTRICTS; PRECINCTS; POLLING PLACES

Sec. 30-33. Establishment and Enumeration of Precincts and Polling Places

(b) ~~Effective no later than December 30, 2022, the~~ Polling places for each county precinct shall be located in the following venues:

| | <i>Precinct Name</i> | <i>Polling Place</i> | <i>Polling Address</i> |
|-------------------|---|--|--|
| <i>District 1</i> | Palmer Springs (101) | Palmer Springs Volunteer Fire Department | 1697 Palmer Springs Road, Boydton |
| | Antioch Church (102) | Antioch Church of Christ | 652 Antioch Church Road, Clarksville |
| | Clarksville Elementary South (103) | Clarksville YMCA Lake Country Regional Airport | 1567 Noblin Farm Road, Clarksville 11632 Highway 15, Clarksville |
| <i>District 2</i> | Chase City (201) | Chase City Volunteer Fire Department | 213 East 2 nd Street, Chase City |
| | Bluestone (202) | Bluestone High School | 6825 Skipwith Road, Skipwith |
| <i>District 3</i> | Bracey (301) | Lake Gaston Volunteer Fire Department | 7609 Highway 903, Bracey |
| | La Crosse (302) | La Crosse Fire Department | 202 Carolina Street, La Crosse |
| <i>District 4</i> | South Hill West (401) | R. T. Arnold Library | 110 East Danville Street, South Hill |
| <i>District 5</i> | South Hill East (501) | Good Shepherd Catholic Church Fellowship Hall | 1664 North Mecklenburg Avenue, South Hill |
| <i>District 6</i> | Baskerville (601) | Sharon Baptist Church | 27250 Highway 58, South Hill |
| | Union Level (602) | Buckhorn Volunteer Fire Department | 5972 Union Level Road, South Hill |
| | Smith Crossroads (603) | Lombardy Grove Baptist Church | 5230 Goodes Ferry Road, South Hill |
| | Lake Gaston (604) | Lake Gaston Volunteer Fire Department | 7609 Highway 903, Bracey |
| <i>District 7</i> | Midway (701) | Mecklenburg County High School | 24999 Highway 58, Baskerville |
| | Williams Grove (702) | Williams Grove Baptist Church | 16188 Highway 47, Chase City |
| | Butler Library Chase City East (703) | Butler Library | 515 North Marshall Street, Chase City |

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| <i>District 8</i> | Boydton (801) | Boydton Life Station | 349 Madison Street, Boydton |
| | Clarksville VFW (802) | Clarksville VFW | 7488 U.S. 15, Clarksville |
| | Chase City Elementary West (803) | Chase City Elementary | 5450 Highway 47, Chase City |
| <i>District 9</i> | Family Foods Nelson (901) | Family Foods Store Wharton Memorial Baptist Church Fellowship Hall | 1846 Highway 49, Nelson 57 White House Road, Nelson |
| | Cherry Hill Buffalo Junction (902) | Cherry Hill Fellowship Hall | 2318 Cherry Hill Church Road, Buffalo Junction |
| | Clarksville North (903) | Clarksville Community Center | 103 Woodland Drive, Clarksville |
| | Central Absentee Precinct CAP (999) | Mecklenburg County Registrar's Office | 316 Washington Street, Boydton |

2. Section 30-33, as amended *supra*, is in effect for all elections held in Mecklenburg County subsequent to the date of passage of this ordinance.

Next Mr. Gottschalk advised that last November, the Board voted to provide hazardous duty benefits to new EMS providers. In conversation with the Virginia Retirement System (VRS) following the vote, County Administration learned that prior to any election of hazardous duty benefits, VRS first requires that a third-party actuarial study be conducted. This study officially determines the employer contribution rate increase and the immediate cost associated with such a benefit. Only after receipt of the study will VRS allow a locality to make the election. After much delay, the study's findings were returned to the County in June. A copy is included as part of this agenda item, along with a revised resolution of election. This election is estimated to be \$144,000 for the upcoming year. Sufficient funds were appropriated in the FY 2023-24 Budget to cover this expenditure.

Upon a motion of Mr. Hargrove, the Board voted unanimously to adopt the following resolution. Supervisors Barbour, Jennings, Blackwell, Brankley, Hargrove, Jones, Lundy, Tanner, and Wilkinson vote 'aye'.

A Resolution to Elect the Provision of Hazardous Duty Benefits to Emergency Medical Technicians

Whereas, through Chapter 476 of the 1970 Acts of Assembly, the Virginia General Assembly empowered political subdivisions in the Commonwealth to extend additional retirement benefits, mirroring those of the State Police Officers' Retirement System, to employees of the locality in positions designated by the General Assembly as hazardous duty, in order to reward such employees for the physical and emotional risks and burdens incurred in such employees' protection of local communities;

Whereas, such hazardous duty employees were originally defined as those employees who worked in the law enforcement and criminal justice fields, but such categories of employees with hazardous duty designation was soon thereafter expanded by the General Assembly to include firefighters;

Whereas, the Mecklenburg County Board of Supervisors previously elected to provide sworn officers of the Sheriff's Office with hazardous duty benefits;

Whereas, in recognition of the dangerous exposure that Emergency Medical Services (EMS) personnel face during each call for service to which EMS personnel respond, the General Assembly enacted Chapter 388 of the 2006 Acts of Assembly to amend § 51.1 – 138 (B) of the *Code of Virginia* to include “positions as full-time salaried emergency medical technicians” as an employment classification for which political subdivisions may elect to provide hazardous duty benefits;

Whereas, to provide the additional benefits, local governing bodies must first request an actuarial study be conducted by the Virginia Retirement System (VRS), then enact a resolution that sets forth the Board's affirmative declaration, with knowledge of the benefit costs, to extend hazardous duty coverage to an employee classification eligible for such supplemental benefits under the *Code of Virginia*, and must transmit such resolution to the VRS for ultimate approval by the VRS Board of Trustees;

Whereas, the Board directed County administration to pursue the actuarial study in November 2022, the findings of which were received by the County on June 14, 2023;

Whereas, the Budget adopted by the Board for Fiscal Year 2023-24 contained sufficient funds to cover the findings of the actuarial study; and

Whereas, the Board of Supervisors desires that the County be in position to recruit and retain the highest quality workforce to ensure that every response to a call for service provided by County employees delivers the best possible medical attention and care to those in need.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS FOR MECKLENBURG COUNTY, VIRGINIA THAT:

1. Mecklenburg County hereby irrevocably elects to provide all full-time permanent salaried emergency medical technicians that are presently, or may hereinafter be, employed by the County with hazardous duty benefits equivalent to those provided under the State Police Officers' Retirement System, as authorized by § 51.1 – 138 (B) of the *Code of Virginia*. Such employees shall not be eligible for any other retirement benefits under the VRS System during their employment with the County.
2. The enhanced retirement multiplier for all such emergency services positions in Mecklenburg County shall be set at 1.7%.

3. The effective date for the provision of such hazardous duty benefits shall be August 1, 2023.
4. For the purposes of an employee of Mecklenburg County, an emergency medical technician shall be inclusive of front-line emergency responders, regardless of employment classification (such as paramedic, EMT, or an equivalent name), who is posted for duty at a lifesaving station and is routinely deployed in immediate response to calls for service; shift supervisors of the aforementioned employees; the training coordinator, provided that such training coordinator actively demonstrates physical response techniques to responders, and documents and corrects activities performed by responders at site calls and in the field; and the Captain. The Board delegates to the County Administrator or their designee the authority to certify individuals' hazardous duty service to the Virginia Retirement System and place such employees in their correct Virginia Retirement System job name. Such certifications shall not be made by an employee of Mecklenburg County Emergency Services.
5. No position that is solely administrative in nature and embodies no requirements for external response shall be designated as an emergency medical technician or qualify for hazardous duty benefits.
6. In the hiring of future Captains or senior positions, the Board reserves to right to remove the hazardous duty designation from such senior positions and shall indicate if the position is or is not eligible for hazardous duty supplement and enhanced retirement multiplier in any offer of employment extended to the appointed candidate.
7. A copy of this election shall be conveyed to the Virginia Retirement System (VRS) through the form provided by VRS and the Chair and the County Administrator are hereby authorized to sign such document.
8. The County Administrator is hereby directed to pay the Commonwealth of Virginia through the Treasurer of Virginia all employer costs, as determined by the Commonwealth, acting through the General Assembly or any authorized Agency of the Commonwealth, that are necessary towards the fulfillment of the action taken through the affirmative adoption of this resolution at the times designated by the Commonwealth and its agencies.

Under the County Administrator's report:

Mr. Carter advised that the Building Official's report indicates that permits were down for the month of June, zoning permits are holding steady. The Animal Warden's report shows that the County was able to adopt out 75 percent of the dogs picked up. Mr. Carter advised that the Sheriff's report was included in the packet as well as an update from Southside Behavioral Health.

Mr. Carter advised that there is a grant available through Virginia 9-1-1 Services Board. The PSAP Grant is a non-competitive staff recognition grant totaling \$48,750.00.

Upon a motion of Mr. Hargrove, the Board voted unanimously to authorize staff to apply for and appropriate the funds for the PSAP grant. Supervisors Barbour, Jennings, Blackwell, Brankley, Hargrove, Jones, Lundy, Tanner, and Wilkinson vote 'aye'.

Next, Mr. Carter gave an update on broadband. He stated that nearly 800 subscribers have joined Empower in the Bracey area. There is currently 315 miles of fiber installed with 350 more miles in the queue. He stated that there are 2,144 accounts for broadband in Mecklenburg County and 350 waiting for service to be hooked up.

Mr. Carter advised that the County needs a checking account for Emergency Services. Last year, the County opened a checking account for investments. Due to changes in interest rates staff isn't using the account, therefore staff is requesting to dedicate that account for EMS. Emergency Medical Services that are provided will be billed by a third party; they will need an account to do wire transfers into. There will be no funds spent out of this account, only received.

Upon a motion of Mr. Tanner, the Board voted unanimously to approve staff changing the investment checking account to EMS checking. Supervisors Barbour, Jennings, Blackwell, Brankley, Hargrove, Jones, Lundy, Tanner, and Wilkinson vote 'aye'.

Under the Chairman's report:

Chairman Barbour advised that the minutes of the Roanoke River Service Authority's May 27, 2023, meeting are in the packet.

Chairman Barbour advised the appointment to the Southside Behavioral Health Board will be tabled until next month.

The terms of Mrs. Hilda Puryear and Mrs. Jane Lipscomb on the Mecklenburg County Library Board has expired, and they are not eligible for reappointment.

Upon a motion of Mrs. Lundy, the Board voted unanimously to appoint Mrs. Amanda Bowen and Ms. Katherine Keel to serve a term on the Mecklenburg County Library Board. Supervisors Barbour, Jennings, Blackwell, Brankley, Hargrove, Jones, Lundy, Tanner, and Wilkinson vote 'aye'.

Upon a motion of Mr. Jennings, the Board voted unanimously to approve the Consent Calendar as it relates to the June bill's list. Supervisors Barbour, Jennings, Blackwell, Brankley, Hargrove, Jones, Lundy, Tanner, and Wilkinson vote 'aye'.

Under Board Member matters:

Mr. Tanner thanked Impact Church Mission Camp and everyone that was involved in their efforts to help citizens in need. Mr. Tanner welcomed the new EMS employees and stated he was thankful for the job they do. He invited everyone to attend the 150th Anniversary Celebration in Chase City and gave a brief update on the MRRJ and our improving employee numbers.

Mrs. Lundy advised that she was pleased to see the installation of the rumble strips on Highway 47 and stated that she was looking forward to working with the Tri-County Community Action Agency as a Board of Director.

Mr. Brankley brought to the attention of the Board that with the redistricting, some Planning Commission members are residing in the same districts, leaving some districts unrepresented. He advised that staff will be working on resolving this matter in the next couple of months. He next advised the Board that with the duties growing of Planning Commission Members, he recommends, the Board provide them with IPADS, to make distribution of materials easier and in a timelier manner.

Ms. Blackwell applauded Mr. Corwin for being an innovator and VCU-CMH for the local services they provide and for their enrichment to the area youth.

Mr. Hargrove stated he believes the Board made the right decision to place a cap on solar, he stated that maybe one day, it can be reconsidered.

Mr. Wilkinson welcomed Mrs. Barr to South Hill and stated he has heard she is doing a great job. He stated that he is pleased to hear the transition for EMS is going smoothly as he recognizes what a huge undertaking it is.

Mr. Jones reiterated how important it is to have cancer treatment available locally and invited everyone to attend Lake Fest in Clarksville beginning on July 20th.

Mr. Jennings stated that no votes are easy to make, and the Board has a lot of citizens to represent and stated that when solar companies apply to the County, they never bring anyone from a locality where they have previously completed a project to speak for them.

Mr. Barbour read aloud an invitation the Board has received to an installation banquet for the Lake Gaston Fire Department on July 29, 2023. Mr. Barbour next stated that his opinion on the solar cap is that you either regulate it or you do not. If you regulate it, then you must have a number. He stated that reasonable has no definition in this case, what some think is reasonable, others do not. He stated that the Board just has to do the best they can to decide what they think is best for the County. Mr. Barbour also stated that there are downsides to solar, while he stated that he is not anti-solar, solar companies never bring the downsides up.

Upon motion of Mr. Tanner, the Board voted unanimously to convene in Closed Session pursuant to Virginia Code Section 2.2-3711(A), (3). Supervisors Barbour, Jennings, Blackwell, Brankley, Hargrove, Jones, Lundy, Tanner, and Wilkinson vote 'aye'.

Upon motion of Mr. Brankley, the Board voted unanimously to go back into Open Session. Supervisors Barbour, Jennings, Blackwell, Brankley, Hargrove, Jones, Lundy, Tanner, and Wilkinson vote 'aye'.

Upon motion of Mrs. Lundy, the Board voted to adopt the following Certification Resolution. Supervisors Barbour, Jennings, Blackwell, Brankley, Hargrove, Jones, Lundy, Tanner, and Wilkinson vote 'aye'.

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Mecklenburg County Board of Supervisors convened a Closed Session on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Mecklenburg County Board of Supervisors that such Closed Session was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Mecklenburg County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Closed Session to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the Closed Session were heard, discussed or considered by the Mecklenburg County Board of Supervisors.

There being no further business, the meeting was adjourned until August 14, 2023, unless sooner called to order by the Chairman.