



County of King William, Virginia
Est. 1702

**BOARD OF SUPERVISORS
REGULAR MEETING OF FEBRUARY 24, 2020 – 7:00 P.M.
KING WILLIAM COUNTY ADMINISTRATION BUILDING
KING WILLIAM, VIRGINIA**

AMENDED AGENDA

1. **Call to Order**
2. **Roll Call**
3. **Moment of Silence**
4. **Pledge of Allegiance**
5. **Review and Adoption of Meeting Agenda**
6. **Public Comment Period – Speakers:** *One Opportunity of 3 Minutes per Individual or 5 Minutes per Group on Non-Public Hearing Matters*
7. **Consent Agenda:**
 - a. Approval of Minutes:
 - i. January 13, 2020 Organization Meeting
 - ii. January 27, 2020 Regular Meeting
 - b. Approval of Payment of Bills – *Month of January, 2020*
8. **Presentations:**
 - a. *Arts Alive – Donna Kline, Executive Director of Arts Alive*
 - b. **Legal Aid – Anne Menegalli, Program Administrator of Legal Aid**
 - c. **Fire and Emergency Management Grants – Tripp Lawrence, Fiscal Specialist**
9. **Old Business:**
 - a. *Ordinance 01-20 Sweet Sue Solar Farm – Ron Etter, Director of Community Development*

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- b. Resolution 20-11 Appropriating FY2020 Restricted General Funds to KWCPS Capital Fund and Reimburse the FY2020 County Budget for KWCPS Expenditures – *Natasha Langston, Director of Financial Services*
 - c. Resolution 20-09 Approving Updates to the King William County Personnel Policies and Procedure Manual – *Nita McInteer, Human Resources Manager*
 - d. Update on Fire and Emergency Services – *Laura Nunnally, Interim Chief of Fire and Emergency Services*

10. New Business:

None

11. Administrative Matters from County Administrator:

- a. Board Information

12. Board of Supervisors' Comments

13. Closed Meeting (if needed)

- a. Motion to Convene Closed Meeting
- b. Motion to Reconvene in Open Session
- c. Certification of Closed Meeting
- d. Action on Closed Meeting (if necessary)

14. Appointments:

- a. Consideration of Resolution 20-12 - Appointment/Reappointment to the King William County Recreation Commission for a Term Expiring June 30, 2023

15. Adjourn or Recess

NOTES REGARDING AGENDA:

This agenda is tentative only and subject to change by the Board of Supervisors.

During the public comment period of a public hearing, speakers shall be provided one opportunity of 3 minutes per individual or 5 minutes per group. Speakers shall provide their name, address, and if applicable, the group they are representing. The Board of Supervisors may modify and/or set other rules governing the conduct of the public hearings.

AGENDA ITEM 7.a.

**MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
ORGANIZATIONAL MEETING OF JANUARY 13, 2020**

A meeting of the Board of Supervisors of King William County, Virginia, was held on the 13th day of January, 2020, beginning at 7:00 p.m. in the Board Meeting Room of the County Administration Building.

Agenda Item 1. CALL TO ORDER

Chairman Hodges called the meeting to order.

Agenda Item 2. ROLL CALL

The members were polled:

Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood – Vice Chairman	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr.	Aye
Supervisor, 1st District: William L. Hodges – Chairman	Aye

Also, in attendance:

Bobbie H. Tassinari, County Administrator
Olivia Lawrence, Clerk to the Board

Agenda Item 3. ORGANIZATION OF THE KING WILLIAM COUNTY BOARD OF SUPERVISORS FOR 2018

a. Election of Chairman for 2020

Chairman Hodges called for nominations for Chairman of the King William County Board of Supervisors for 2020.

Supervisor Moskalski nominated Supervisor Greenwood for Chairman of the Board for 2020.

Chairman Hodges called for any other nominations.

Nominations were closed.

Upon the motion of Supervisor Moskalski, seconded by Supervisor Hodges, Supervisor Greenwood was nominated Chairman of the Board of Supervisors for 2020 by the following roll call vote:

Supervisor, 3rd District: Stephen K. Greenwood – Vice Chairman	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr.	Aye

Supervisor, 2nd District: Travis J. Moskalski Aye
Supervisor, 1st District: William L. Hodges – Chairman Aye

b. Election of Vice Chairman for 2020

Chairman Greenwood opened the nominations for Vice Chairman of the King William County Board of Supervisors for 2020.

Supervisor Hodges nominated Supervisor Moskalski for Vice Chairman of the Board for 2020.

Chairman Greenwood called for any other nominations.

Nominations were closed.

Upon the motion of Supervisor Hodges, seconded by Chairman Greenwood, Supervisor Moskalski was nominated Vice-Chairman of the Board of Supervisors for 2020 by the following roll call vote:

Supervisor, 4th District: C. Stewart Garber, Jr. Aye
Supervisor, 5th District: Edwin H. Moren, Jr. Aye
Supervisor, 2nd District: Travis J. Moskalski – Vice Chairman Aye
Supervisor, 3rd District: Stephen K. Greenwood – Chairman Aye
Supervisor, 1st District: William L. Hodges Aye

c. Consideration of By-Laws and Rules of Procedures of the Board of Supervisors for 2020

County Administrator, Bobbie Tassinari, introduced the By-Laws and Rules of Procedures of the Board of Supervisors for 2020.

Supervisor Hodges requested there be more details added for consequences.

Supervisor Moskalski stated censure should be censor and requested legal review.

Supervisor Moskalski moved to adopt the By-Laws and Rules of Procedures of the Board of Supervisors with the aforementioned changes as reviewed and approved by the County Attorney; motion was seconded by Supervisor Moren.

The members were polled:

Supervisor, 5th District: Edwin H. Moren, Jr. Aye
Supervisor, 2nd District: Travis J. Moskalski – Vice Chairman Aye
Supervisor, 3rd District: William L. Hodges Aye
Supervisor, 4th District: C. Stewart Garber, Jr. Aye
Supervisor, 1st District: Stephen K. Greenwood - Chairman Aye

Scrivener's Note: Exhibit 3b as referenced are attached to these Minutes.

d. Adoption of Board of Supervisors Meeting Calendar for 2020

County Administrator, Bobbie Tassinari, introduced the Board of Supervisors Meeting Calendar for

2020.

Chairman Greenwood stated May's meeting dates should be changed to May 11th and May 25th, and November's work session should be the 16th.

Supervisor Moskalski moved to adopt the Board of Supervisors Meeting Calendar for 2020 with the proposed changes above; motion was seconded by Supervisor Moren.

There being no discussion the members were polled:

Supervisor, 2nd District: Travis J. Moskalski – Vice Chairman	Aye
Supervisor, 3rd District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr.	Aye
Supervisor, 1st District: Stephen K. Greenwood - Chairman	Aye

Scrivener's Note: Exhibit 3c as referenced are attached to these Minutes.

e. Adoption of Fiscal Year 2021 Budget Schedule

County Administrator, Bobbie Tassinari, introduced the Fiscal Year 2021 Budget Schedule.

Supervisor Moskalski moved to adopt the Fiscal Year 2021 Budget Schedule; motion was seconded by Supervisor Moren.

There being no discussion the members were polled:

Supervisor, 2nd District: Travis J. Moskalski – Vice Chairman	Aye
Supervisor, 3rd District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr.	Aye
Supervisor, 1st District: Stephen K. Greenwood - Chairman	Aye

Scrivener's Note: Exhibit 3e as referenced are attached to these Minutes.

f. Board Appointments to the:

- i. Historical Preservation and Architectural Review Board
- ii. Middle Peninsula Planning District Commission
- iii. Planning Commission
- iv. Recreation Commission
- v. Social Services Board

Supervisor Moskalski moved to appoint Supervisor William L. Hodges to the Historical Preservation and Architectural Review Board, Supervisor Edwin H. Moren, Jr. and Travis J. Moskalski to the Middle Peninsula Planning District Commission, C. Stewart Garber, Jr. to the Recreation Commission and the Social Services Board and Stephen K. Greenwood to the Planning Commission; motion was seconded by Supervisor Moren.

There being no discussion the members were polled:

Supervisor, 3rd District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski – Vice Chairman	Aye
Supervisor, 1st District: Stephen K. Greenwood - Chairman	Aye

Agenda Item 4. WORK SESSION MATTERS

a. Legislative Session Instructions and Recommendations

County Administrator, Bobbie Tassinari, presented the Preliminary Virginia Association of Counties 2020 Legislative Program. She requested instructions as to how the Board would like her to respond and communicate with the General Assembly in the 2020 session.

Supervisor Moren requested text message updates.

b. Presentation to the Board of Supervisors Concerning the Financial and Program Overview of the County

Scrivener's Note: Exhibit 4b as referenced are attached to these Minutes.

c. Request for Additional Fire and Emergency Medical Services Personnel in FY2020

Interim Fire Chief, Laura Nunnally, presented her request for the addition of three full time Firefighter/EMT-B's to King William County Fire and Emergency Medical Services. With the addition of three full-time operational employees the full-time staffing will consist of nine providers and three full-time provides per shift. The need for these additional three positions was not anticipated at the time of development of the FY 19-20 County budget. The additional employees are required to provide adequate support to the community in fire and emergency management services.

Agenda Item 5. ADMINISTRATIVE MATTERS

a. Introduction of Parks and Recreation Manager

County Administrator, Bobbie Tassinari, introduced Jennifer Leleux, the new Parks and Recreation Manager.

Mrs. Leleux stated she looked forward to working with everyone.

b. Purchase of Parcels 22-34A and 22-34G

The Board of Supervisors authorized the County Administrator at the December 16, 2019 Board meeting to make an offer on two parcels available for sale located at 7864 and 7890 Richmond Tappahannock Hwy. The parcels are adjacent to the existing County property, located at 7636 Richmond Tappahannock Hwy., where Station One is located. The offer was made and accepted by the property owner on December 23, 2019 with an anticipated closing date of February 6, 2020. There are currently two tenants in the building and they are operating on a month-to-month rental

agreement with the current property owner. The offer to the property owner included a six-month timeframe from closing for the current tenants to vacate the premises. Because the County would prefer the tenants relocate within the County the move out dates can be flexible if needed. The building will be inspected within the standard 30-day period by a licensed inspector to ensure there are no unforeseen issues with the structure, well or septic system. The building is ADA compliant and from all visual indications in good repair. The anticipated usage of the facility will include space for the Sheriff's Office as well as new space for existing County departments that have outgrown their current location. These departments will be identified over the next 60 days. Resolutions authorizing the purchase of the parcels and the use of funds will be brought forward to the Board of Supervisors at the January 27, 2020 meeting. Purchasing the property at this time will allow maintenance and renovation costs to be incorporated into the FY2021 budget process.

c. Update on Radio Upgrade Project

County Administrator, Bobbie Tassinari, stated Tower Sites have informally been contacted to advise them of the King William radio project implementation and start discussions of space availability and Motorola will be setting up a "kick-off" meeting with King William County in January to begin the project. After the kick-off meeting Motorola and King William County will work together to formally contact the Tower Sites for leasing.

d. 2019 Comprehensive Annual Financial Report (Formal Presentation Jan 27)

County Administrator, Bobbie Tassinari, stated the CAFR had been provided and the formal presentation will be given at the upcoming meeting.

Chairman Greenwood welcomed Supervisor Moren and Garber.

Supervisor Hodges stated West Point had been doing a military training recently for the citizens concerned.

Agenda Item 6. ADJOURN

Upon motion of Supervisor Hodges, second by Supervisor Garber, the meeting was adjourned by the following roll call vote:

Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski – Vice Chairman	Aye
Supervisor, 3rd District: William L. Hodges	Aye
Supervisor, 1st District: Stephen K. Greenwood - Chairman	Aye

COPY TESTE:

Stephen K. Greenwood, Chairman
Board of Supervisors

Olivia S. Lawrence
Clerk to the Board

**MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
REGULAR MEETING OF JANUARY 27, 2020**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 27th day of January, 2020, beginning at 7:00 p.m. in the Board Meeting Room of the County Administration Building.

Agenda Item 1. CALL TO ORDER

Chairman Greenwood called the meeting to order.

Agenda Item 2. ROLL CALL

The members were polled:

Supervisor, 2nd District: Travis J. Moskalski – Vice Chair	Aye
Supervisor, 3rd District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber Jr.	Aye
Supervisor, 5th District: Edwin H. Moren Jr.	Aye
Supervisor, 1st District: Stephen K. Greenwood – Chairman	Aye

Also, in attendance:

Bobbie H. Tassinari, County Administrator
Krista Cole, Planning Assistant
Andrew McRoberts, County Attorney

Agenda Item 3. MOMENT OF SILENCE

The Chairman called for a moment of silence.

Agenda Item 4. PLEDGE OF ALLEGIANCE

The Chairman led the pledge of allegiance.

Agenda Item 5. REVIEW AND ADOPTION OF MEETING AGENDA

There was general discussion of the meeting agenda items.

Supervisor Moskalski moved for the adoption of the agenda for this meeting; motion was seconded by Supervisor Hodges.

The members were polled:

Supervisor, 3rd District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber Jr.	Aye
Supervisor, 5th District: Edwin H. Moren Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski – Vice Chair	Aye
Supervisor, 1st District: Stephen K. Greenwood – Chairman	Aye

Agenda Item 6. PUBLIC COMMENT PERIOD

Chairman Greenwood opened the public comment period.

Ms. Jackie Davis, Executive Director of the Bay Consortium Workforce Development, spoke to the Board and provided handouts on what the Consortium does for the communities. Ms. Davis stated the Workforce Development Board is made up of sixteen jurisdictions which administers federally funded employment and training programs. Ms. Davis thanked the Board for their support and made herself available to answer questions.

Mr. Kevin Weber, from the 3rd District, spoke to the improvement his household has received once contracting for service with Atlantic Broadband. He stated he has the full spectrum of services and he is able to telecommute with no issues while his family utilizes the other features of the service with no issues. He stated he is very pleased with the service being provided by Atlantic Broadband.

Chairman Greenwood hearing no other comments closed the Public Hearing Period.

Agenda Item 7. CONSENT AGENDA

Supervisor Moskalski moved for the approval of the Consent Agenda; motion was seconded by Supervisor Hodges.

The Chairman called for any discussion.

There being no discussion the Consent Agenda was approved by the following roll call vote:

Supervisor, 4th District: C. Stewart Garber Jr.	Aye
Supervisor, 5th District: Edwin H. Moren Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski – Vice Chair	Aye
Supervisor, 3rd District: William L. Hodges	Aye
Supervisor, 1st District: Stephen K. Greenwood – Chairman	Aye

Agenda Item 8. PRESENTATIONS

a. 2019 Comprehensive Annual Financial Report

Mr. Travis Gilmer, with Brown, Edwards and Company, LLP, certified public accountants under contract with the County presented the 2019 Comprehensive Annual Financial Report (CAFR) findings. He addressed the Certificate of Achievement received by the County for the 2018 CAFR and what it entails to receive that award. He pointed out the information within the Transmittal Letter and what information can be found within that section. Mr. Gilmer stated that their opinion for the 2019 CAFR was clean with no significant issues identified. He also directed the Board to the Management Discussion and Analysis section of the CAFR that provides a summary of the Exhibits included in the more technical portion of the document. A question was asked by the Board as to why the Segregation of Duties finding continued to show up in the annual CAFR. Mr. Gilmer explained that in localities with small staff numbers complete separation of duties was almost impossible to attain. He did state that the County and Schools have implemented separation of duties to the best of their abilities within the staffing framework they have in place.

Agenda Item 9. OLD BUSINESS

a. Resolution 20-02 & Resolution 20-03 Approving the Purchase of Parcels 22-34A and 22-34G

The Board of Supervisors authorized the County Administrator at the December 16, 2019 Board meeting to make an offer on two parcels available for sale located at 7864 and 7890 Richmond Tappahannock Hwy. The parcels (22-34A and 22-34G) are adjacent to the existing County property, located at 7636 Richmond Tappahannock Hwy., where Station One is located. The Board of Supervisors, at the January 13, 2020 work session, was made aware the County's offer for the property was accepted on December 23, 2019 with an anticipated closing date of February 6, 2020.

The County Administrator spoke to the handouts received by the Board on the purchase of the property earlier in the day. The Building Analysis Report provided by Empire Home Inspections identified some issues that you would expect to see in a 35-year old building but that overall the property was in good shape. Documentation on termite inspections and septic system was provided to the Board as well. Supervisor Garber brought up the conversations he had with the Health Department concerning the change in use that would impact the well and septic system. The County Administrator stated County staff would work with the Health Department to ensure the usage planned for the building would be in compliance with Health Department standards.

Upon motion of Supervisor Hodges, second by Supervisor Garber, Resolution 20-02 was approved by the following roll call vote:

Supervisor, 5th District: Edwin H. Moren Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski – Vice Chair	Aye
Supervisor, 3rd District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber Jr.	Aye
Supervisor, 1st District: Stephen K. Greenwood – Chairman	Aye

RESOLUTION 20-02

RESOLUTION OF KING WILLIAM COUNTY BOARD OF SUPERVISORS TO AUTHORIZE THE purchase OF REAL ESTATE LOCATED IN KING WILLIAM COUNTY, IDENTIFIED AS TAX MAP NO. 22-34A and TAX MAP NO. 22-34G

WHEREAS, A.W. Lewis (the "Owner") is the owner of real property located in King William County identified as Tax Map No. 22-34A and Tax Map No. 22-34G (the "Property");

WHEREAS, the Owner has agreed to sell the Property to the County for a purchase price of \$450,000.00, pursuant to a Commercial Purchase Agreement dated as of December 18, 2019 (the "Purchase Agreement"), a copy of which is attached hereto; and,

WHEREAS, the Board of Supervisors of King William County, Virginia has deemed it to be in the best interests of the County and its inhabitants for the County to purchase the Property from the Owner; and,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF KING WILLIAM COUNTY, VIRGINIA:

1. The Board of Supervisors hereby approves and ratifies the Purchase Agreement, the purchase of the Property from the Owner, and acceptance from the Owner of a deed of the Property as provided in the Purchase Agreement (the "Deed").
2. The Board of Supervisors hereby authorizes Bobbie H. Tassinari, County Administrator, to execute the Deed to accept the Property, and such ancillary documents as may be necessary to the transaction contemplated by the Purchase Agreement, all for and on behalf of the County.

Upon motion of Supervisor Moskalski, second by Supervisor Hodges, Resolution 20-03 was approved by the following roll call vote:

Supervisor, 2nd District: Travis J. Moskalski – Vice Chair	Aye
Supervisor, 3rd District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber Jr.	Aye
Supervisor, 5th District: Edwin H. Moren Jr.	Aye

RESOLUTION 20-03

**FY2020 FUNDING SOURCE FOR PURCHASE OF
TAX PARCELS 22-34A AND 22-34G**

WHEREAS, the King William County Board of Supervisors authorized the County Administrator to make an offer on Tax Parcels 22-34A and 22-34G located at 7864 and 7890 Richmond Tappahannock Hwy at the December 16, 2019 meeting; and

WHEREAS, the offer was accepted by the property owner on December 23, 2019 with an anticipated closing date of February 6, 2020; and

WHEREAS, the King William County Board of Supervisors wishes to utilize Proffer Fund 305 for the purchase of real property located at 7864 and 7890 Richmond Tappahannock Hwy, Aylett, Virginia (Tax Parcels #22-34A and 22-34G) comprised of 2.78 acres including a brick and wood building of 8,265 square feet; and

WHEREAS, the funds (Fund 305) have been appropriated within the FY2020 budget and are available for the purchase of the real property;

NOW, THEREFORE, BE IT RESOLVED by the King William County Board of Supervisors authorizes the use of Fund 305 revenue for the purchase of real property located at 7864 and 7890 Richmond Tappahannock Hwy. (Tax Parcels #22-34A and 22-34G).

b. Resolution 20-04 to Approve Additional Fire and Emergency Medical Services Personnel in FY2020

Chief of Fire and Emergency Services, Laura Nunnally, presented Resolution 20-04 to fund three additional full-time Fire Medics for the Fire and Emergency Medical Services Department. The three positions would bring the total of full-time Fire Medics for the County to nine (9) positions. The addition of the three positions will enhance the services provided to County residents. In addition, the addition of full-time staff will provide for three full-time providers per shift. As presented to the Board on January 13th by Chief Laura Nunnally, the new hires will be fully certified Fire and EMT providers. This will reduce the time needed to acclimate the new personnel to the King William County method of providing service. The addition of the staff positions will also assist in alleviating some of the overtime the County is currently expending to provide three providers per shift (currently made up of full-time and part-time personnel). The County Administrator and Chief Laura Nunnally are requesting the Board of Supervisors approve three (3) new Fire Medic positions to be funded from General Fund Unassigned monies. Projected costs associated with this request total \$75,225. This entails six (6) months of base salary for three positions of \$63,750 and associated benefits of \$11,475.

Supervisor Moskalski requested the Resolution to be tabled due to receiving some information from a concerned constituent immediately prior to the Board meeting. He stated he wanted to have all of the facts prior to voting on the Resolution. Upon motion of Supervisor Moskalski, second by Supervisor Hodges, Resolution 20-04 was tabled by the following roll call vote:

Supervisor, 2nd District: Travis J. Moskalski – Vice Chair	Aye
Supervisor, 3rd District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber Jr.	Aye
Supervisor, 5th District: Edwin H. Moren Jr.	Aye
Supervisor, 1st District: Stephen K. Greenwood – Chairman	Aye

c. Public Hearing and Consideration of Ordinance 01-20 Sweet Sue Solar Farm

Supervisor Garber announced as an owner of Tax Map Parcel 19-58, adjacent to proposed parcel of land being used, disqualified himself from any involvement in Sweet Sue Solar Farm and stepped down from the dais.

Director of Community Development, Ron Etter, presented Ordinance 01-20. This is a request for Conditional Use Permit 03-19 for the installation of a 77 MW new solar photovoltaic generation facility. The Tax Map Parcels for the proposed projects are 20-11, 20-15B, 20-31, 20-32, 20-38, 20-33, 20-37 and 27-1. The total project area will consist of approximately 1262 acres of land. The expected fenced area of the Project will encompass approximately 576 acres. The adjacent properties consist of twenty-seven parcels zoned A-C consisting of mainly farm land, houses and accessory structures. Fourteen adjacent parcels are zoned R-1 and two parcels are zoned R-R consisting of mainly single-family residential dwellings. The Future Land Use Map in the 2016 Comprehensive Plan indicates Rural Land Use for the property. The property is located in the Manquin (4th) voting district.

The Planning Commission voted 3 to 2 to recommend approval to the Board of Supervisors with the following conditions:

1. The applicant shall meet the development standards listed below:
 - a) Location standards for utility-scale solar facilities. The location standards stated below for utility-scale solar facilities are intended to mitigate the adverse effects of such uses on adjoining property owners, the area, and the County.
 - 1) The minimum area of a utility-scale solar facility shall be no less than two acres and the maximum area shall be no greater than 1,500 acres.
 - 2) The equipment, improvements, structures, and percent of acreage coverage of a utility-scale solar facility shall be shown on the approved concept plan and site plan. The percent of acreage coverage shall not exceed 65%.

- 3) Provide an inventory of all solar facilities – existing or proposed – within a four-mile radius.
- b) A utility-scale solar facility shall be constructed and maintained in substantial compliance with the approved concept plan.
- c) The minimum setback to property lines of parcels with dwellings shall be 200 feet. The minimum setback to all other property lines shall be 150 feet.
- d) The maximum height of the lowest edge of the photovoltaic panels shall be 10 feet as measured from the finished grade. The maximum height of primary structures and accessory buildings shall be 15 feet as measured from the finished grade at the base of the structure to its highest point, including appurtenances. The Board of Supervisors may approve a greater height based upon the demonstration of a significant need where the impacts of increased height are mitigated.
- e) The facilities, including fencing, shall be significantly screened from the ground-level view of adjacent properties by a buffer zone at least 100 feet wide that shall be landscaped with plant materials consisting of an evergreen and deciduous mix (as approved by the Zoning Administrator, except to the extent that existing vegetation or natural land forms on the site provide such screening as determined by the Zoning Administrator. In the event existing vegetation or land forms providing the screening are disturbed, new plantings shall be provided which accomplish the same, within 30 days of discovery. Opaque architectural fencing may be used to supplement other screening methods but shall not be the primary method.
- f) The facilities shall be enclosed by security fencing on the interior of the buffer area (not to be seen by other properties) not less than seven feet in height and topped with razor/barbed wire, as appropriate. A performance bond reflecting the costs of anticipated fence maintenance shall be posted and maintained. Failure to maintain the security fencing shall result in revocation of the Conditional Use Permit and the facility's decommissioning.
- g) Ground cover on the site shall be native vegetation and maintained in accordance with the Landscaping Maintenance Plan in accordance with established performance measures of the approved Landscaping Plan. (King William County Ordinance 86. Zoning, Article XI. Landscaping) A performance bond reflecting the costs of anticipated landscaping maintenance shall be posted and maintained. Failure to maintain the landscaping shall result in revocation of the Conditional Use Permit and the Facility's decommissioning.
- h) The Applicant shall identify an access corridor for wildlife to navigate through the solar facility. The proposed wildlife corridor shall be shown on the site plan submitted to the County. Areas between fencing shall be kept open to allow for the movement of migratory animals and other wildlife.
- i) The design of support buildings and related structures shall use materials, colors, textures, screening and landscaping that will blend the facilities to the natural setting and surrounding structures.
- j) The owner or operator shall maintain the solar facility in good condition. Such maintenance shall include, but not be limited to, painting, structural integrity of the equipment and structures, as applicable, and maintenance of the buffer areas and

landscaping. Site access shall be maintained to a level acceptable to the County, in general accordance with Virginia Department of Transportation standard 24VAC30-73-70 for low commercial entrances. The project owner shall be responsible for the cost of maintaining the solar Facility and access roads, and the cost of repairing damage to private roads occurring as a result of construction and operation. The operator will repair damaged roads within 30 days of notification by the County.

k) A utility-scale solar facility shall be designed and maintained in compliance with standards contained in applicable local, state and federal building codes and regulations that were in force at the time of the permit approval.

l) A utility-scale solar facility shall comply with all permitting and other requirements of the Virginia Department of Environmental Quality.

m) The applicant shall provide proof of adequate liability insurance for a solar facility prior to beginning construction and before the issuance of a zoning or building permit to the Zoning Administrator.

n) Lighting fixtures, as approved by the County, shall be the minimum necessary for safety and security purposes to protect the night sky by facing downward and to minimize off-site glare. No facility shall produce glare that would constitute a nuisance to the public during construction or general operation. Any exceptions shall be enumerated on the Concept Plan and approved by the Zoning Administrator.

o) No signage of any type may be placed on the facility other than notices, warnings, and identification information required by law.

p) All facilities must meet or exceed the standards and regulations of the Federal Aviation Administration (FAA), State Corporation Commission (SCC) or equivalent, and any other agency of the local, state or federal government with the authority to regulate such facilities that are in force at the time of the application.

q) At all times, the solar facility shall comply with the County's noise ordinance.

r) Any other condition added by the Planning Commission or Board of Supervisors as part of a Conditional Use Permit approval.

2. Decommissioning. The following requirements shall be met:

a) Solar facilities which have reached the end of their useful life or have not been in active and continuous service for a period of one year shall be removed at the owner's or operator's expense, except if the project is being repowered or a force majeure event has or is occurring requiring longer repairs; however, the County may require evidentiary support that a longer repair period is necessary.

b) The owner or operator shall notify the Zoning Administrator by certified mail of the proposed date of discontinued operations and plans for removal.

c) Decommissioning shall include removal of all solar electric systems, buildings, cabling, electrical components, security barriers, roads, foundations, pilings, and any other associated facilities, so that any agricultural ground upon which the facility and systems were located is again tillable and suitable for agricultural or forestry uses. The site shall be graded and re-seeded to restore it to as natural a pre-development condition as possible or replanted with pine seedlings to stimulate pre-timber pre-development conditions as indicated on the Preliminary Site Plan. Any exception to site restoration, such

as leaving access roads in place or seeding instead of planting seedlings must be requested by the land owner in writing, and this request must be approved by the Board of Supervisors (other conditions might be more beneficial or desirable at that time).

d) The site shall be re-graded and re-seeded or replanted within 12 months of removal of solar facilities. Re-grading and re-seeding or replanting shall be initiated within a six-month period of removal of equipment.

e) Decommissioning shall be performed in compliance with the approved decommissioning plan. The Board of Supervisors may approve any appropriate amendments to or modifications of the decommissioning plan.

f) Hazardous material from the property shall be disposed of in accordance with federal and state law.

g) The estimated cost of decommissioning shall be guaranteed by the deposit of funds in an amount equal to the estimated cost in an escrow account at a federally insured financial institution approved by the County unless otherwise provided for in subsection 5) below.

1) The applicant shall deposit the required amount into the approved escrow account before any building permit is issued to allow construction of the solar facility.

2) The escrow account agreement shall prohibit the release of the escrow funds without the written consent of the County Administrator and County Attorney. The County shall consent to the release of the escrow funds upon the owner's or occupant's compliance with the approved decommissioning plan. The County Administrator and County Attorney may approve the partial release of escrow funds as portions of the approved decommissioning plan are performed.

3) The amount of funds required to be deposited in the escrow account shall be the full amount of the estimated decommissioning cost without regard to the possibility of salvage value.

4) The owner or occupant shall recalculate the estimated cost of decommissioning every five years. If the recalculated estimated cost of decommissioning exceeds the original estimated cost of decommissioning by ten percent (10%), then the owner or occupant shall deposit additional funds into the escrow account to meet the new cost estimate. If the recalculated estimated cost of decommissioning is less than ninety percent (90%) of the original estimated cost of decommissioning, then the County may approve reducing the amount of the escrow account to the recalculated estimate of decommissioning cost upon approval by the County Administrator and County Attorney.

5) The County may approve alternative methods to secure the availability of funds to pay for the decommissioning of a utility-scale solar facility, such as a performance bond, letter of credit, or other security approved by the County Administrator and County Attorney.

h) If the owner or operator of the solar facility fails to remove the installation in accordance with the requirements of this permit or within the proposed date of decommissioning, the County may collect the surety and the County or hired third party may enter the property to physically remove the installation.

3. Applicants for new solar facilities shall coordinate with the County's Fire and Emergency Services staff to provide materials, education and training to the departments serving the property with fire and emergency services in how to safely respond to on-site emergencies.

4. A solar facility shall be constructed, maintained, and operated in substantial compliance with:

a) The approved concept plan.

b) The conditions imposed pursuant to this Conditional Use Permit.

5. The applicant shall pay a supplemental application fee to cover the actual cost of any review of the erosion and sediment control plan and the stormwater plans.

6. The applicant shall pay a supplemental application fee to cover the actual cost of any erosion and sediment control and stormwater inspections.

7. If the solar facility does not receive a building permit within 18 months of approval of the Conditional Use Permit, the Permit shall be terminated.

8. If the solar facility is declared to be unsafe by the Zoning Administrator or building official, the facility must be in compliance within 14 days or the Conditional Use Permit shall be terminated, and solar electric systems, buildings, cabling, electrical components, security barriers, roads, foundations, pilings, and any other associated facilities, removed from the property.

9. The owner and operator shall give the County written notice of any change in ownership, operator, or Power Purchase Agreement within 30 days.

10. All Federal, State, and County permit required reviews and approvals must be obtained prior to the commencement of land disturbance activities.

11. The erosion and sediment control (ESC) plan shall be prepared and implemented as a sequential progression, demonstrating that not more than 25% of the Site be disturbed and not stabilized at any one-time during construction. The erosion and sediment control plan will provide the means and measures to achieve stabilization of the disturbed areas to comply with this condition. The plan shall be reviewed by the County or by a qualified third party, however, the third-party review shall not supersede any requirements imposed by state agencies. The applicant shall construct, maintain, and operate the solar facility in compliance with the approved plan.

12. Traffic Management. The applicant shall comply with all Virginia Department of Transportation recommendations for traffic management during construction of the site and decommissioning of the site.

13. The roads will need to be maintained in good condition during the construction phase and be brought back to the original condition, or improved, upon completion of the project and decommissioning phase.

14. The applicant shall be required to consult with the Department of Conservation and Recreation's Division of Dam Safety and Floodplain Management to conduct an inspection and evaluation of the dams within the project area, to determine and assure their future safety and shall make whatever repairs and renovations as deemed to be appropriate by the Dam Safety Division prior to the issuance of final permits for construction of the solar facility.

15. The construction hours are restricted from 7:00AM to 7:00PM Monday through Saturday.

16. A Facility Stormwater Pollution Prevention Plan (SWPPP) shall be developed and implemented for the Sweet Sue solar facility and shall be maintained for the duration of the facility's operation. The Stormwater Pollution Prevention Plan is intended to document the selection, design, and installation of control measures, including Best Management Practices (BMPs), to minimize the pollutants in all stormwater discharges from the facility, and to meet applicable effluent limitations and water quality standards, as applicable. The SWPPP will require County review and approval prior to operation and annually thereafter.

The plan shall include, at a minimum, the following items:

- a) Pollution prevention team.
- b) Site description. The Stormwater Pollution Prevention Plan shall include the following:
 - a. Activities at the facility.
 - b. A general location map (e.g., United States Geological Survey (USGS) quadrangle or other map) with enough detail to identify the location of the facility and the receiving waters within one mile of the facility.
 - c. A site map identifying the following:
 - (1) The boundaries of the property and the size of the property (in acres);
 - (2) The location and extent of significant structures and impervious surfaces;
 - (3) Locations of all stormwater conveyances including ditches, pipes, swales, and inlets, and the directions of stormwater flow (use arrows to show which ways stormwater will flow);
 - (4) Locations of all existing structural and source control measures, including BMPs;
 - (5) Locations of all surface water bodies, including wetlands;
 - (6) Locations of potential pollutant sources;
 - (7) Locations of activities exposed to precipitation: equipment maintenance and cleaning areas; loading and unloading areas; locations used for the treatment, storage or disposal of wastes; areas; access roads; and machinery;
 - (8) Locations of stormwater outfalls and an approximate outline of the area draining to each outfall, and location of municipal storm sewer systems, if the stormwater from the facility discharges to them. Outfalls shall be numbered using a unique numerical identification code for each outfall (e.g., Outfall No. 001, No. 002, etc.);
 - (9) Location and description of all non-stormwater discharges;
 - (10) Location of any storage piles containing salt used for deicing or other commercial or industrial purposes;
 - (11) Locations and sources of run-on to the site from adjacent property, where the run-on contains significant quantities of pollutants; and
 - (12) Locations of all stormwater monitoring points.
- c) Receiving waters and wetlands. The name of all surface waters receiving discharges from the site, including intermittent streams, dry sloughs, and arroyos. Provide a description of wetland sites that may receive discharges from the facility.
- d) A summary of potential pollution sources (solar panel type and contents, inverters, collection system components, substation, access roads, and O&M building).

- e) Stormwater controls, type and location.
- f) The operator shall implement the following types of control measures to prevent and control pollutants in the stormwater discharges from the facility, unless it can be demonstrated and documented that such controls are not relevant to the discharges.
 - 1) Good housekeeping. The permittee shall keep clean all exposed areas of the facility that are potential sources of pollutants to stormwater discharges.
 - 2) Eliminating and minimizing exposure.
 - 3) Preventive maintenance. The operator shall have a preventive maintenance program that includes regular inspection, testing, maintenance and repairing of all equipment and systems to avoid situations that could result in leaks, spills and other releases of pollutants in stormwater discharged from the facility.
 - 4) Sediment and erosion control. The plan shall identify areas at the facility that, due to topography, land disturbance (e.g., construction, landscaping, site grading), or other factors, have a potential for soil erosion. The operator shall identify and implement structural, vegetative, and stabilization control measures to prevent or control on-site and off-site erosion and sedimentation. Flow velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel if the flows would otherwise create erosive conditions.
 - 5) Management of runoff. The plan shall describe the stormwater runoff management practices (i.e., permanent structural control measures) for the facility. These types of control measures are typically used to divert, infiltrate, reuse, or otherwise reduce pollutants in stormwater discharges from the site.
- g) Routine facility inspections. Facility personnel who possess the knowledge and skills to assess conditions and activities that could impact stormwater quality at the facility and who can also evaluate the effectiveness of control measures shall regularly inspect all areas of the facility exposed to stormwater. The inspection frequency shall be specified in the plan based upon a consideration of the level of industrial activity at the facility, but shall be at a minimum quarterly unless more frequent intervals are specified elsewhere or written approval is received from the County for less frequent intervals. Inspections shall be performed during periods when the facility is in operation. At least once each calendar year, the routine facility inspection shall be conducted during a period when a stormwater discharge is occurring.
- h) The Operations and Maintenance plan detailing procedures and a regular schedule for preventive maintenance of all control measures, and shall include a description of the back-up practices that are in place should a runoff event occur while a control measure is off-line. The effectiveness of non-structural control measures shall also be maintained by appropriate

means. All control measures identified in the Plan shall be maintained in effective operating condition and shall be observed at least annually during active operation (i.e., during a stormwater runoff event) to ensure that they are functioning correctly. Where discharge locations are inaccessible, nearby downstream locations shall be observed. The observations shall be documented in the Stormwater Pollution Prevention Plan.

17. Comprehensive site compliance evaluation. The operator shall conduct comprehensive site compliance evaluations at least once each calendar year. The evaluations shall be done by qualified personnel who possess the knowledge and skills to assess conditions and activities that could impact stormwater quality at the facility, and who can also evaluate the effectiveness of control measures.; evidence of, or the potential for, pollutants entering the drainage system; evidence of pollutants discharging to surface waters at all facility outfalls, and the condition of and around the outfall, including flow dissipation measures to prevent scouring; review of stormwater related training performed, inspections completed, maintenance performed, quarterly visual examinations, and effective operation of control measures, including BMPs; results of both visual and any analytical monitoring done during the past year shall be taken into consideration during the evaluation.

18. The applicant shall pay \$1,000.00 per inspection for each County inspection conducted at the facility during construction and operation of the facility.

19. The applicant shall pay \$10,000.00 annually for review, monitoring, and renewal of the Facility's Stormwater Pollution Prevention Plan.

Chairman Greenwood opened the Public Comment period.

1. Jason Fox of Essex County, stated he had family that lives within King William County and spoke in favor of Sweet Sue Solar Farm.

2. Mark Remick, of District 2, asked the Board to look closely at the decommissioning plan and investigate the company more as their parent company went bankrupt in 2013.

3. Casey Remick, asked how tax revenue of \$2.8 million had been calculated.

4. Catherine Stanley, of District 4, stated there were hundreds of citizens against Sweet Sue Solar Farm and the site is positioned on a plateau with steep slopes posing a threat to groundwater.

5. Yvonne Broaddus, of District 4, stated citizens should consider the benefits of Sweet Sue Solar Farm and that she supports sustainable energy.

6. Marshall Campbell, of TM 20-27, stated his primary concerns are with the topography and adjoining wetlands as they can destroy wildlife and the ecosystem.

7. Earnest Alexander, stated he has worked for Mr. David Chenault since 1988 and there is no reason to question what he has chosen to do with his land.

8. Steven Graves, Sr., of District 4, stated he does not approve of Sweet Sue Solar Farm.
9. Daniel Yelenek, of Enfield Road, stated he supports Sweet Sue Solar Farm.
10. Keith Clark, stated this project poses no threat.
11. Patience Murphy, stated solar energy is our future and Invenergy has done everything to ensure this is a safe project.
12. Amanda Porch, of District 4, stated the slope of the land makes this project unsuitable for the facility.
13. Catherine Barlow, of District 4 and 5, stated she is not in favor of Sweet Sue Solar Farm.
14. John Breeden, of District 3, submitted he statement to the Board stating his support of Sweet Sue Solar Farm.
15. Andrea Blake, District 4, was unable to attend but forwarded an e-mail with her concerns of the facility and requested it go into record.

Chairman Greenwood closed the public hearing.

Supervisor Moren requested the County hire a third-party engineering firm to provide more detailed information concerning the concerns voiced by the citizens and Planning Commission. Supervisor Moskalski requested the topic be tabled until the General Assembly has worked through some pending legislation directed at solar facilities. Further discussion ensued between the Board members. Chairman Greenwood stated there was enough information available to make a decision on the CUP. The item was tabled.

Agenda Item 10. NEW BUSINESS

There was no new business.

Agenda Item 11. ADMINISTRATIVE MATTERS FROM COUNTY ADMINISTRATOR

a. Board Information

County Administrator, Bobbie Tassinari, presented informational items to the Board.

Agenda Item 12. BOARD MEMBER COMMENTS

Supervisor Hodges stated he always votes as he sees fit.

Supervisor Moskalski thanked everyone for attending and stated he believes more research is needed concerning Sweet Sue and solar farms in general.

Supervisor Garber stated he looks forward to working with the Board.

Supervisor Moren stated it is different from this side of the dais and he appreciates the input the citizens have given.

Agenda Item 13. CLOSED MEETING

a. Motion to Convene Closed Meeting

Upon motion of Supervisor Moskalski, seconded by Supervisor Hodges, the Board acted to convene a Closed Meeting pursuant to § 2.2-3711(A) (7) of the Code of Virginia to consider a personnel matter involving the appointment of individuals to Boards and Commissions.

The roll call vote on the motion was as follows:

Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood – Vice Chair	Aye
Supervisor, 4th District: David E. Hansen	Aye
Supervisor, 5th District: Robert W. Ehrhart II	Aye
Supervisor, 1st District: William L. Hodges –Chairman	Aye

b. Motion to Reconvene in Open Session

Having completed the Closed Meeting, Chairman Greenwood reconvened the regular meeting back to order in Open Session.

c. Certification of Closed Meeting

Chairman Greenwood called for a motion to approve Standing Resolution 1 (SR- 1) In accordance with Section 2.2-3717(D) of the Code of Virginia, 1950, as amended.

Supervisor Moskalski moved that the King William County Board of Supervisors adopt the following SR-1 Resolution certifying that the Closed Meeting was conducted in conformity with the requirements of the Virginia Freedom of Information Act; the motion was seconded by Supervisor Hodges.

Chairman Greenwood announced the motion was properly moved and properly seconded; he called for any discussion. There being no discussion among Board members SR-1 was adopted.

The roll call vote in favor of this motion was as follows:

Supervisor, 3rd District: Stephen K. Greenwood – Vice Chair	Aye
Supervisor, 4th District: David E. Hansen	Aye
Supervisor, 5th District: Robert W. Ehrhart II	Aye
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 1st District: William L. Hodges –Chairman	Aye

STANDING RESOLUTION – 1 (SR-1)
A RESOLUTION TO CERTIFY COMPLIANCE WITH THE
FREEDOM OF INFORMATION ACT REGARDING MEETING IN CLOSED MEETING

WHEREAS, the King William County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and,

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the King William County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law,

NOW, THEREFORE, BE IT RESOLVED that the King William County Board of Supervisors on this 27th day of January, 2020, hereby certifies that, to the best of each member’s knowledge:

1. Only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were heard, discussed, or considered in the closed meeting to which this certification resolution applies, by the King William County Board of Supervisors.
2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the King William County Board of Supervisors.

DONE this the 27th day of January, 2020.

Agenda Item 14. APPOINTMENTS

Upon the motion of Supervisor Moskalski, seconded by Supervisor Hodges, C. Meade Rhoads was appointed to the Economic Development Authority for a term expiring June 30, 2021 by the following roll call vote:

Supervisor, 4th District: C. Stewart Garber Jr. Aye
Supervisor, 5th District: Edwin H. Moren Jr. Aye
Supervisor, 2nd District: Travis J. Moskalski – Vice Chair Aye
Supervisor, 3rd District: William L. Hodges Aye
Supervisor, 1st District: Stephen K. Greenwood – Chairman Aye

Upon the motion of Supervisor Moskalski, seconded by Supervisor Hodges, Bobbie Tassinari, County Administrator and a designee of her choosing, was appointed to the Bay Consortium as alternates by the following roll call vote:

Supervisor, 5th District: Edwin H. Moren Jr. Aye
Supervisor, 2nd District: Travis J. Moskalski – Vice Chair Aye
Supervisor, 3rd District: William L. Hodges Aye
Supervisor, 4th District: C. Stewart Garber Jr. Aye
Supervisor, 1st District: Stephen K. Greenwood – Chairman Aye

Upon the motion of Supervisor Moskalski, seconded by Supervisor Hodges, Mr. Otto O. Williams was appointed to the Middle Peninsula Planning District Commission as a citizen representative for a term expiring December 31, 2020 by the following roll call vote:

Supervisor, 2nd District: Travis J. Moskalski – Vice Chair Aye
Supervisor, 3rd District: William L. Hodges Aye
Supervisor, 4th District: C. Stewart Garber Jr. Aye
Supervisor, 5th District: Edwin H. Moren Jr. Aye
Supervisor, 1st District: Stephen K. Greenwood – Chairman Aye

Agenda Item 15. ADJOURN

Upon motion of Supervisor Moskalski, second by Supervisor Hodges, the meeting was adjourned by the following roll call vote:

Supervisor, 2nd District: Travis J. Moskalski – Vice Chair Aye
Supervisor, 3rd District: William L. Hodges Aye
Supervisor, 4th District: C. Stewart Garber Jr. Aye
Supervisor, 5th District: Edwin H. Moren Jr. Aye
Supervisor, 1st District: Stephen K. Greenwood – Chairman Aye

COPY TESTE:

Stephen K. Greenwood, Chairman
Board of Supervisors

Olivia S. Lawrence
Clerk to the Board

AGENDA ITEM 7.b.



Natasha Langston
Director of Financial Services

Board of Supervisors

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

DATE: February 4, 2020
TO: King William County Board of Supervisors
FROM: Natasha Langston, Director of Financial Services
SUBJECT: Monthly Expenditures

County Expenditures are as follows:

County Administration Funds 01/2020	2,255,950.65
Department of Social Services 01/2020	118,364.17
Comprehensive Services Act 01/2020	73,717.11
Tax Refunds 01/2020	-

Total General Fund, Social Services,
CSA & Tax Refunds Amount:

2,448,031.93

AGENDA ITEM 8.a.



Arts Alive



Stage
Performance
Series

Children's
Summer
Camps



Scholarships

Visual Art
Workshops
& Exhibits



2019 - 2020

Stage Performance Series - 5 per year

Featuring *national talent*



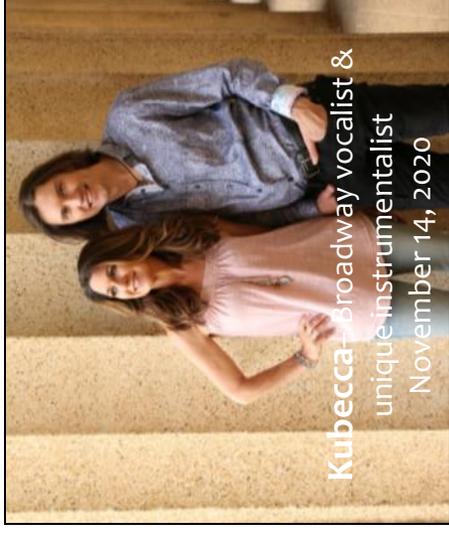
428 season
subscribers for the
2019-2020 season
(**highest enrollment**)
150 from King William
County (35%)



2020-2021 Performance Series Line Up:



'50s & '60s
September 19, 2020



Kubecca - Broadway vocalist & unique instrumentalist
November 14, 2020



Sons of Serendip
Back by popular demand!
December 4, 2020



Farewell Angelina - All Female
Country Group - February 20, 2021



The Every Set - Tribute Band
May 1, 2021

Summer Arts Camp - June 2019

Week-long camp with classes in visual arts, dance, theatre, and music

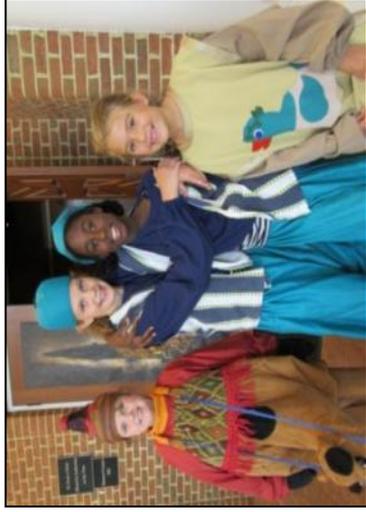


- **Extensive offerings:** 49 different classes
- **High attendance:** 158 campers – 71 were from King William County (45%)
- 17 of the 34 volunteers where from King William County
- **Commitment:** Dates set for June 22-26, 2020



Missoula Drama Camp- August 2019

Week-long camp filled with rehearsals and workshops culminating in 2 performances



- **Professional staff:** Paid actors from Missoula Children's Theatre in Montana provided scripts, costumes, and expertise.
- **High participation:** 60 campers (+7 on waiting list) performed *Aladdin* – **35 were from King William County (58%)**.
- **Community involvement:** Over 300 citizens attended the performances
- **Commitment:** Date set for August 3-8, 2020

Community Highlights

Each year **Arts Alive Inc.**, offers **three \$1,000** scholarships to graduating seniors in our service areas who are pursuing a career in visual and performing arts. The 2019 recipient of the C. Herbert Brown, Jr. Performing Arts Scholarship was **Janiece Deveaux**, from West Point High School.



- Facilitated and supported partnerships with local businesses
- Stimulated local economy through art events, attracting people to the area for accommodations, shopping, dining



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Over 25 Years Experience • Little Old on Parkway!

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Visual Art Workshops and Exhibitions



Art workshops

- **Professional:** taught by Virginia Museum of Fine Arts educators and local artists
- **Affordable:** \$15 per workshop
- **Accessible:** Record number of participants in 2019; almost all workshops were full.



Art Exhibitions

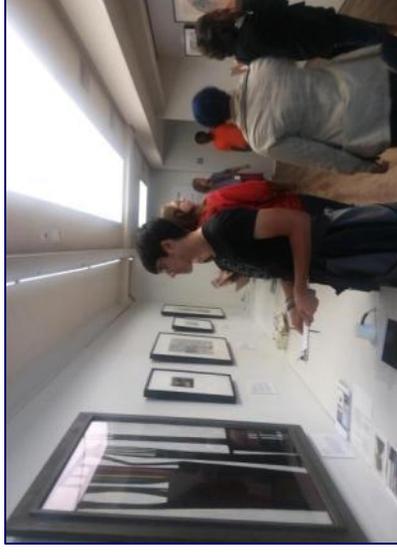
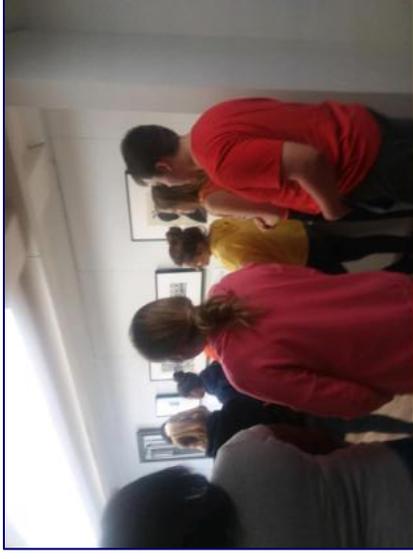
- **Local:** Displays located at the Robinson/Olsson Fine Arts Center
- **Diverse:** Displays rotate with each performance
- **Features many local artists**



Partnered with Upper King William Branch library to establish art exhibits featuring local artists

Community Highlights

Arts Alive proudly partnered with the Virginia Museum of Fine Arts to bring the **Artmobile** to the community. This new state-of-the-art traveling museum and art studio was stationed at Crab Carnival in October and engaged approximately 1000 students and visitors.



Community Highlights

Arts Alive supported the Three Rivers Cultural Festival on November 9 at Hockley Retreat in King and Queen County. This project commemorated the 400th anniversary of key historical events that occurred in Virginia during 1619, and continue to influence our nation today.



Three Rivers
Customs, Cultures & Cuisine

November 9 | 12-5pm
| Hockley Retreat |
Shacklefords, VA

JOIN US FOR A CELEBRATION
OF THE REGION'S
FOOD, HISTORY,
ART & MUSIC

Park at West Point Public
Schools or First Baptist Church
of Hockley and take the free
shuttle to the venue provided
throughout the event

WWW.THREERIVERSCULTURE.COM
Purchase tickets online or at
The Exchange On Main
706 Main Street, West Point, VA
\$10 General Admission
\$25 Culinary Ticket

AMERICAN EVOLUTION™
CUSTOMS
CULTURES
&
CUISINE
FESTIVAL
presented by
TOWNEBANK

AMERICAN
EVOLUTION™
Virginia to America | 1619-2019
DEMOCRACY · DIVERSITY · OPPORTUNITY

Engaged local teachers and artists for annual summer camps and workshops, providing a source of income.

Community Highlights

- Supported and partnered with local organizations through multiple avenues such as event participation, speaking engagements, complimentary event tickets, donations, prizes, ads, and/or gift certificates.
- Created a fundraising opportunity for local organizations, allowing them to provide refreshments during intermission for our performances and keeping 100% of the proceeds.
- Supported the education community, offering 2 free tickets to a performance for new teachers in our service counties (84 teachers total) as a way to show our appreciation and welcome teachers to the area.
- Donated 4 season tickets to West Point Music Boosters to encourage students to attend musical performances.

KING WILLIAM COUNTY FEST



**King & Queen
Woman's Club**



WoodmenLife
Standing Strong For Generations

*New Kent Middle School's
Odyssey of the Mind Club*

*King William Girl
Scout Travel Troop 53*

**New Kent Jr.
Women's Club**

The Monday Club



**Williamsburg Memorial Park
3rd Annual 1K Run**

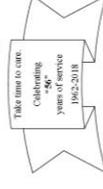
**Friends of the West
Point Library**

**King & Queen County
Public Schools
National Honor Society**



**New Kent
Chamber
of COMMERCE**

NEW KENT WOMAN'S CLUB
New Kent County, VA



**King & Queen
Community Pride Day**

Exciting Year Ahead

Arts Alive would like to bring the **VMFA on the Road: An Artmobile for the 21st Century** to King William County. It is free of charge to the localities and charges no admission. This exhibit was popular both with the students and the general public when it was featured at Crab Carnival last fall.

In the spring of 2020, VMFA will launch their next tour featuring **Landscapes of Virginia**. This would be a great addition to County Fest, including student visits during the prior days. **Arts Alive** will follow up with Parks and Rec and the School Superintendent about this exciting opportunity.





Thank you
King William County
for your on-going support in
Keeping the Arts Alive!

Arts Alive loves feedback!
How can we better serve and partner with
King William County?

AGENDA ITEM 8.b.



December 3, 2019

**STATEMENT IN SUPPORT OF FY 2020-2021
KING WILLIAM COUNTY FUNDING REQUEST OF \$5,440**

INTRODUCTION

Legal Aid Works® is a private, non-profit corporation providing free representation in civil legal matters¹ to indigent individuals² and families within its service area. Legal Aid Works® was initially organized by a group of volunteer Fredericksburg attorneys in 1973. Over 46 years later, services are provided by a staff of 22 (19 full-time and 3 part-time) and by participating private attorneys on a pro bono basis to approximately 1200 eligible clients per year through three offices in Fredericksburg (Planning District #16), Tappahannock (Northern Neck and upper Middle Peninsula), and Culpeper (Planning District #9). A total of sixteen counties and the city of Fredericksburg are served. However, even with the participation of several pro bono attorneys, we turn away two out of every three eligible clients due to lack of resources.

According to the 2010 Census, the program service area contains 52,573 persons at or below 125% of the poverty line and therefore eligible for free legal services from Legal Aid Works®. Since 1990, **the poverty population for Legal Aid Works®' service area grew by 16.1% between 1990 and 2000. Between 2000 and 2010 it grew another 33.9% program-wide. The difficult economy has created more clients in need of our services. According to the 2010 Census, 1,470 indigent citizens of King William County qualify for our services.**

¹ Legal Aid Works® provides representation in family matters (spouse abuse, custody, support and divorce), income maintenance (Welfare, Food Stamps, Social Security/SSI, unemployment compensation, and veteran's benefits), consumer issues (bankruptcy, unfair/illegal sales and collection practices, contracts/warranties, loans/installment purchases), housing (public/subsidized housing, landlord/ tenant, foreclosures), and health issues (insurance, Medicaid, Medicare). Legal Aid Works® provides no services in criminal cases.

² The federal Legal Services Corporation Act defines as indigent, and eligible for services, a person whose gross household income is less than 125% of the current federal poverty guidelines. A copy of Legal Aid Works® current eligibility levels for various household sizes is attached as **EXHIBIT A**. The vast majority of Legal Aid Works® clients are either the working poor or the recipients of government benefits based upon age or disability.

Main Office

Fredericksburg
500 LAFAYETTE BLVD.
SUITE 100
FREDERICKSBURG, VA 22401
540.371.1105
FAX 540.371.1114
LAWFRED@LEGALAIDWORKS.ORG
LEGALAIDWORKS.ORG

Branch Offices

Tappahannock
804.443.9393
LAWTAPP@LEGALAIDWORKS.ORG

Culpeper
540.825.3131
LAWCULP@LEGALAIDWORKS.ORG

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ESSEX
FAUQUIER
FREDERICKSBURG
KING GEORGE
KING & QUEEN
KING WILLIAM
LANCASTER
MADISON
NORTHUMBERLAND
ORANGE
RAPPAHANNOCK
RICHMOND
SPOTSYLVANIA
STAFFORD
WESTMORELAND



FUNDING HISTORY AND EFFECT ON SERVICES

Since 1980, Legal Aid Works® number of clients has grown by as much as 294% despite a reduction in federal funding and a 30% cut in staff during the 1980s. Legal Aid Works® and the nine other legal aid programs in Virginia replaced much of their federal funding losses in the 1980s and 1990s by obtaining alternative funding from the state³, Title IIIB⁴, local United Ways⁵, and local governments.

During 1996-2011, however, Legal Aid Works® faced a series of funding crises. While our client requests for services increased over 50%, our funding declined by over 20%. Repeated cuts in FY 2011 through FY 2016 put Legal Aid Works® in a precarious funding situation where more reduction in an already lean staffing and budget will have devastating effects.

All the legal needs of the King William County residents who qualify as indigent are attempted to be met by the team of two attorneys, two paralegals and one secretary in our Tappahannock office. This team serves the residents of seven counties (Essex, King and Queen, King William, Lancaster, Northumberland, Richmond and Westmoreland).

The Board-approved resource development plan has resulted in (1) increased pro bono participation from the local bar and from volunteers in general to help offset reduced staff services to clients, and (2) generation of various fundraising initiatives. Altogether, Legal Aid Works® has been able to replace some of its federal and state funding losses, but there is a continuing lack of funding for FY 20 which it proposes to address in part by trying to engage in more aggressive fundraising.

This request for level funding from King William County in FY 2021 is the result of consideration of all the circumstances described in this letter. It represents an effort to balance the contradictory consequences of a challenging economy, which serves to decrease local government revenues (well over 20% since FY 2008) but which at the same time serves to greatly increase demand for client services (+53.5% since FY 2007) that must be met without a corresponding increase in staff.

³ The program currently receives \$536,189 from the state from general revenue funding and a \$9 fee on all civil filings in courts across the state.

⁴ Title IIIB funding under the Older Americans Act comes through the local Area Agencies on Aging, which furnished approximately \$6,411 to Legal Aid Works® in FY 2019 (10/01/18-9/30/19) to represent elderly clients 60 years or older.

⁵ Legal Aid Works® currently receives \$52,000 from Rappahannock United Way, but RUW has announced they are ceasing all grants starting in July of 2020.

A mostly level funding request overall in local funding for FY 2021 will set current requested local government funding to \$153,404, which is less than the \$203,096 received in FY 2008, the \$191,539 received in FY 2009, and the \$177,843 received in FY 2010. The \$153,404 will be spread among one city, sixteen counties, and two towns in Legal Aid Works® service area. See attached **EXHIBIT B** for FY 2020 funding history and for actual requests to each jurisdiction for 2021. The budgeted overall local funding of \$153,404 will amount to just \$127.84 for each client served by Legal Aid Works®. If we do not receive at least level local funding, Legal Aid Works® will not be able to maintain its current level of services.

We hope that you will look upon this request favorably given (1) the magnitude of our recent federal, state, and local funding cuts, (2) the internal cost-cutting that we have already undertaken, (3) our efforts to increase pro bono and volunteer services, and (4) our efforts to obtain additional non-federal and non-state funding from a variety of sources, including from our own clients and from special events. **As a result of these ongoing efforts, Legal Aid Works® served 2,162 clients in FYE 2019 and obtained \$539,547 in monetary benefits and avoided \$385,346 in claims. Total benefits awarded and claims avoided amounted to \$924,893.**

Legal Aid Works® enclosed FY 2021 budget (**EXHIBIT C**) shows that the amount we hope to receive in local government funding for FY 2021 will enable Legal Aid Works® to maintain existing staff with a modest cushion of operating reserves. Historically, in an effort to avoid reductions in client service, Legal Aid Works® has reduced most of its non-personnel expenses.

The average program-wide cost of \$127.84 for each client represented with local government dollars by Legal Aid Works® in FY 2019 is far less than the benefits provided to the client and the community. For example, Legal Aid Works® helps low income residents in appeals for benefits such as Social Security and SSI⁷, in cases involving domestic violence, child and spousal support,⁸ and in cases involving unfair consumer practices. If lack of funding forces us to close offices, such as our branch in Tappahannock, the King William county court system would have to deal with many more indigent clients whose cases would take longer to resolve without legal assistance, more county resources, and result in fewer and lower awards when not represented by counsel.

⁷ Legal Aid Works® representation of clients has brought many thousands of dollars in income to King William County residents over the past several decades.

⁸ As an example, for FYE 6/30/13 Legal Aid Works® obtained about 90 civil protective orders against domestic violence. For FYE 6/30/13 Legal Aid Works® obtained \$817,151.30 in court-awarded child and spousal support.

CONCLUSION

If you require additional information, please let us know. We have enclosed our eligibility guidelines (**Exhibit A**), a chart of Legal Aid Works® FY 2021 local funding requests (**Exhibit B**), Legal Aid Works® FY 2021 budget (**Exhibit C**), and Legal Aid Works® Audit and management letter for FYE 6/30/19 (**Exhibit D**). Also enclosed are the July 2019 edition of Legal Aid Works® 2019-2020 Guide to Virginia Landlord-Tenant Law and Local Rental Housing for the Northern Neck and Middle Peninsula. We look forward to your consideration of our request, and we thank you for your past support.

Sincerely,

Ann H. Kloeckner

Ann H. Kloeckner, Esq.
Executive Director
(540) 371-1105, Ext. 116

Legal Aid Works® Financial Eligibility Guidelines

Only individuals determined to be financially eligible under LAW's policies may receive free legal assistance. Eligibility depends on a number of factors, including Applicant's:

- Income
- Assets
- Exceptional Expenses
- County of residence (within LAW service area)

Note that that even if the Applicant qualifies for free legal assistance with LAW, representation will be offered contingent on current caseload and scope of legal practice being offered at time of application. Caseload and scope will vary from time to time depending on resources. LAW does not accept any criminal or traffic cases.

Factors to be considered for Applicant Eligibility:

Income:

Applicant's household income is not to exceed: 125% of the Federal Poverty Guidelines.

Any Applicant with household income in excess of 125% of Federal Poverty Guidelines, but below 200% of FPG, should see "Exceptional Expenses" below.

All sources of Applicant's income will be counted. This will include household gross (before taxes) pay from employment, alimony, child support received, disability income from any source, cash assistance from friends or relatives, general assistance (welfare), pension, social security, spousal income, SSI, TANF, unemployment compensation, veteran's benefits, worker's compensation, income from trust/interest/dividend.

Exceptions:

- The income of a spouse will not be counted if that spouse is adverse in this legal case. (Example - an Applicant in a protective order matter will not have her spouse's income counted, nor would spousal income count in a Divorce case.)

- Applicants over age 65 fall under Title III funding, and may use the 200% Federal Poverty Guidelines to determine eligibility.
- Applicants who are victims of domestic violence may use the 200% Federal Poverty Guidelines to determine eligibility.

Assets:

Eligible Applicants shall not have excess resources. Excluded (not counted) resources shall be limited to:

- a. 1 residence house and lot.
- b. 5 acres of land – which the house is on.
- c. One Essential motor vehicle.
- d. Cash/savings/checking -- \$3000/ \$4000 for couple.
- e. Stocks & bonds -- \$3,000 / \$4000 for couple (if liquid).
- f. Total on other items -- \$7000 (other valuable personal property such as jewelry, furniture, pianos, artwork, silverware.)

Exceptional Expenses:

Any Applicant with household income in excess of 125% of Federal Poverty Guidelines, but below 200% of FPG, may have certain approved Expenses taken into consideration in order to decrease their countable household income.

Most standard household expenses will NOT be deducted from an Applicant's Income. Exceptional Expenses may be deducted from households falling within 200% of FPG only if eligible expenses are actually paid regularly from Income.

Exceptional Expenses include:

- Child Care
- Child Support Payments made for children outside the home
- Medical Costs if they are ongoing and excessive in comparison to Income (out of the ordinary, i.e., if applicant were paying COBRA or any other insurance that costs “out of the ordinary”, or is a huge percentage of gross household income.
- Work Transportation if Applicant works outside the county of residence

EXHIBIT B

FY 2021 LOCAL FUNDING REQUESTS

Jurisdiction	FY 2020 Award	FY 2021 Request
Fredericksburg	\$29,380	\$29,380
Spotsylvania	\$28,684	\$28,684
Stafford	\$32,445	\$32,445
King George	\$0.00	\$4,403
Caroline	\$1,500	\$1,500
Fauquier	\$13,613	\$13,613
Culpeper Co.	\$3,645	\$3,645
Culpeper Town	\$0.00	\$0.00
Orange	\$3,500	\$3,500
Madison	\$0.00	\$2,000
Rappahannock	\$2,147	\$2,147
Essex	\$8,500	\$8,500
King & Queen	\$4,712	\$4,712
King William	\$5,440	\$5,440
Richmond	\$2,467	\$2,467
Northumberland	\$9,056	\$9,056
Lancaster	\$0.00	\$5,600
Westmoreland	\$8,964	\$8,964
Total	\$154,053	\$166,056

Legal Aid Works
Profit & Loss Budget vs. Actual
 July 2018 through June 2019

Non County Funding History FY21 (Projected)

LEGAL AID WORKS®
 KING WILLIAM COUNTY GOVERNMENT
 2021 COUNTY FUNDING REQUEST

	<u>Jul '20 - Jun 21</u>
Ordinary Income/Expense	
Income	
30000 · Grants	
30100 · LSCV-State	536,189.00
30101 · LSCV-CARE	80,000.00
30102 · LSCV-BOA	90,000.00
30110 · LSNV	52,500.00
30200 · Foundation Grants	15,000.00
30300 · Local Funds	154,053.00
30310 · CDBG	8,400.00
30340 · VSDVVF	30,400.00
30350 · VSTOP	23,558.00
30400 · Title IIIB-Agencies on Aging	9,511.81
30500 · SAFE	<u>1,800.00</u>
Total 30000 · Grants	1,001,411.81
31000 · Fundraising	
31010 · Church	2,000.00
31022 · PAFD	
31023 · Bar Association Donations	5,000.00
31022 · PAFD - Other	<u>4,000.00</u>
Total 31022 · PAFD	9,000.00
31040 · FOLAW	10,000.00
31050 · Events	<u>7,500.00</u>
Total 31000 · Fundraising	28,500.00
32000 · Contributions - Unrestricted	
32100 · Donations	
32100 · Donations - Other	<u>5,000.00</u>
Total 32100 · Donations	5,000.00
32200 · Client Donations	300.00
32300 · Equal Justice Society - Monthly	2,000.00
32000 · Reserves - Other	<u>460,133.82</u>
Total 32000 · Contributions - Unrestricted	467,433.82
33000 · Donated Services	0.00
35000 · Fees, Tax Benefits	
35501 · Guardian Ad Litem Fees	15,000.00
35000 · Fees, Tax Benefits - Other	<u>0.00</u>
Total 35000 · Fees, Tax Benefits	<u>15,000.00</u>
Total Income	<u><u>1,512,345.63</u></u>
Gross Profit	<u>1,512,345.63</u>

AGENDA ITEM 8.c.



King William County
Est. 1702

Board of Supervisors

Tripp Lawrence
Fiscal Specialist

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

DATE: February 19, 2020
TO: King William County Board of Supervisors
FROM: Tripp Lawrence, Fiscal Specialist Senior
SUBJECT: Fire & EMS Grants for King William County

Summary

The information listed below is to update the Board on grants that the County has either been Granted, are in the process of applying for, or looking to apply/reapply for in coming fiscal year. The information given will not include full details of our proposals. If you would like further detail or have ideas/suggestions for grants to pursue, please reach out to the Fire Chief or Director of Financial Services and we will be happy to discuss this topic in greater detail.

Current Accepted Grants

LEMPG

The Local Emergency Management Performance Grant (LEMPG) is provided by the Virginia Department of Emergency Management to assist with funding local Emergency Management Services Departments. The Emergency Management Performance Grant (EMPG) Program plays an important role in the implementation of the National Preparedness System by supporting the building, sustainment and delivery of core capabilities essential to achieving the National Preparedness Goal of a secure and resilient nation. The total grant award is \$15,000 requiring fifty percent of that award to be local match. Traditionally, we have used this grant to assist with funding services to both our primary and secondary EOC, education for the members of our Emergency Services Department, and educational materials for citizens. This year, we have used some of these funds to upgrade the technology in the Emergency Management Department and continue the education of our staff. In the future, we hope to use these funds to help pay for our Mass Notification System (currently contracted to Everbridge) as well as continue to educate and inform both our staff and citizens about emergency preparedness.

REPP

The Radiological Emergency Preparedness Program (REPP) is also provided by the Virginia Department of Emergency Management to support the activities of local emergency management agencies in establishing, maintaining and operating such emergency plans, programs and capabilities to deal with nuclear accidents as are required by the Nuclear Regulatory Commission and the Federal Emergency Management Agency with respect to nuclear power stations. The annual funding amount received is \$10,000, with \$15,000 being received this year due to only accepting half of the proposed amount in fiscal year 2019. This grant requires no local match. This year, we are using funds from this grant to fund systems vital to the operation of our Fire & EMS.

RSAF

The Rescue Squad Assistance Fund (RSAF) is provided by the Virginia Department of Health to support the purchase of EMS equipment and vehicles, computers, EMS management programs, courses/classes and projects benefiting the recruitment and retention of EMS members. Over the last two fiscal years, King William County has utilized this grant to purchase new apparatus, specifically ambulances, to help our growing EMS presence within the county. This grant is also requires a local match, which we provide through the funding of our Capital Projects.

Four-For-Life

The Four-For-Life Program is provided by the Virginia Department of Health to provide funding for training of volunteer or salaried emergency medical service personnel of licensed, non-profit emergency medical service agencies or the purchase of necessary equipment and supplies for licensed, non-profit emergency medical service agencies. These funds are split evenly between King William County Fire & EMS, West Point Volunteer Fire Department and Rescue Squad, and Mangohick Volunteer Fire Department. This grant requires no local match.

Aid to Localities Program

The Aid to Localities Program is provided by the Virginia Department of Fire Programs and the Virginia Fire Services Board. The funds allocated are to be used for the training volunteer or career firefighting personnel, funding fire prevention and public safety education programs, constructing/improving/expanding regional or local fire service training facilities, purchasing emergency medical care and equipment for fire personnel, payment of personnel costs related to fire and medical training for fire personnel, or for purchasing personal protective equipment, vehicles, equipment and supplies for use in the receiving locality specifically for fire service purposes. Similarly to the Four-For-Life funds, the funds from this program are distributed equally between King William County Fire & EMS, Mangohick Volunteer Fire Department, and West Point Volunteer Fire Department and Rescue Squad.

Application in Process

AFG

The Assistance to Firefighters Grant Program (AFG) is issued by the Department of Homeland Security to provide critically needed resources that equip and train emergency personnel to recognized standards, enhance operational efficiencies, foster interoperability, and support community resilience. Our current request is to replace our 1994 Pierce Fire Engine with a new engine to provide reliable fire coverage throughout the County. As we are a jurisdiction of under 100,000 residents, we are within an award range of up to \$1 million. This grant does come with a local match, however because we are a jurisdiction of less than 20,000 residents this match is only five percent. We are currently working with Vickers Consulting to create our narrative for this grant cycle. They have been successful in preparing vehicle requests for this particular grant and have been extremely helpful in the process thus far. As this is a serious need for King William County and our Fire & EMS Department, we thought it would be wise to enlist assistance to increase our chances of being successful. We will receive award information by April, 30th 2020 and if this bid is unsuccessful Vickers will rework our narrative and assist in reapplying next year for a minimal fee.

Fire House Subs Public Safety Foundation

We recently applied for a Firehouse Subs Public Safety Foundation Grant to assist with the purchase of new fire equipment. The funds in this grant are made available to provide lifesaving equipment and prevention education tools to first responders and public safety organizations. Our current request is to purchase a full set of replacement hose. Our current hose selection ranges from ten to twenty years old coupled with us having to borrow our 4' LDH from Mangohick Volunteer Fire Department. The total of this expenditure for the full complement of hose and accessories is just north of \$20,000 and we hope to hear about our award status within the next one to two months.

Future Proposals

AGF

We have been working very closely with Motorola regarding the replacement of our aging radios. Through speaking with their grant finding staff, we have discovered that due to the age of our radios, replacement could be eligible through the AFG grant within the next two years. To be eligible, the equipment must be at least eight years old which many of our radios will be surpassing in 2021. Another possibility is that if the current proposal is unsuccessful, we would resubmit our apparatus proposal in 2021.

VRIRS Hardware Grant

The Virginia Fire Incident Reporting System (VFIRS) Hardware Grant is provided by the Virginia Department of Fire Programs for purchase or upgrade of existing personal computers and/or tablets for proper reporting of incidents under VFIRS. We were able to utilize this grant in

fiscal year 2019 but due to changes in the department in the timeframe for reapplication, we did not meeting the deadline for fiscal year 2020. We plan to apply in the summer for fiscal year 2021 and, if successful, utilize the funds to assist in continuing to upgrade the reporting Technology within the department.

Emergency Signal

The Fire Chief and I have been looking into funding sources to assist in the installation of an emergency signal at the exit of Station 1 on US 360. There is a strong case for need around this project as that is a sixty mile per hour zone and there is limited visibility for the east bound traffic due to the buildings in front of the exit as well as west bound traffic due to the sharp curve and elevation of the landscape in that area. We have looked into DMV and VDOT grants but none of the recent reviews have allowed for such a project. We will continue to research.

AGENDA ITEM 9.a.

CUP-03-19

Sweet Sue Solar Facility

**Complete application
information may be obtained
from:**

**King William Planning
Department**

180 Horse Landing Rd. #4

King William, VA 23086

Phone: 804-769-4980



King William
County
Est. 1702

Board of Supervisors

Department of Community Development

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Fourth District
Edwin H. Moren, Fifth District

Date: January 27, 2020
To: Board of Supervisors
From: Ron Etter, Director of Community Development
Subject: CUP-03-19 – Owners: Guy David Chenault, Susie Ann Chenault and T. Frank Flippo & Sons, LLC
Applicant: Sweet Sue Solar, LLC

Request

This is a request for Conditional Use Permit 03-19 for the installation of a 77 MW new solar photovoltaic generation facility. The Tax Map Parcels for the proposed projects are 20-11, 20-15B, 20-31, 20-32, 20-38, 20-33, 20-37 and 27-1. The total project area will consist of approximately 1262 acres of land. The expected fenced area of the Project will encompass approximately 576 acres. The adjacent properties consist of twenty-seven parcels zoned A-C consisting of mainly farm land, houses and accessory structures. Fourteen adjacent parcels are zoned R-1 and two parcels are zoned R-R consisting of mainly single-family residential dwellings. The Future Land Use Map in the 2016 Comprehensive Plan indicates Rural Land Use for the property. The property is located in the Manquin (4th) voting district.

Existing/Proposed Uses

Existing uses: Agricultural, residential
Existing structures: Homes, accessory structures, farm structures
Proposed uses: Solar power station
Proposed structures: Solar power station infrastructure, i.e. panels, mounts, wiring, fencing, etc.

Materials/Background

The Conditional Use packet includes the following:

- Attachment 1: Application
- Attachment 2: Book provided by Invenergy with the required conditional use permit information. (Project information, maps, etc.)
- Attachment 3: Site Plans
- Attachment 4: Zoning Ordinance Section 86-456
- Attachment 5: Public Comment
- Attachment 6: Solar Permit by Rule (PBR) Guidance – Department of Environmental Quality
- Attachment 7: Impact Study Update
- Attachment 8: Correspondence
- Attachment 9: Army Corps of Engineers Preliminary Jurisdictional Determination

Public Notice

The applicant held two community meetings on August 21, 2019 and September 17, 2019. Letters were sent to adjacent property owners and advertisements were ran in the Country Courier and Tidewater Review on August 14, 2019 and September 4, 2019. A third community meeting was held by the applicant on November 21, 2019.

Notice of the Board of Supervisor's Public Hearing scheduled for January 27, 2020 were mailed to adjacent property owners and to the applicants on January 8, 2020. Legal advertisements were run in the Tidewater Review on January 15, 2020 and January 22, 2020, notifying the public of the Board of Supervisor's Public Hearing Scheduled for January 27, 2020.

ANALYSIS

The application and preliminary site plan appear to be in general compliance with the requirements for obtaining a Conditional Use Permit (CUP). The final site plan will require greater detail to include erosion sediment control, stormwater management plans, with associated studies and calculations.

There are no deed restrictions barring the proposed use of the property.

As is readily seen in the aerial views (see GIS Map), most parcels surrounding the proposed project site are larger parcels and/or heavily wooded or fields and therefore provide adequate buffer zones to the Project Site. The applicant's report contains measures to preserve and augment the natural buffer area around the Project Site. (InVenergy, Sweet Sue Solar Energy Center CUP Application Report dated August 7, 2019, Section 2.5.6 Screening, Landscaping and Viewshed, page 16.)

Conditional Use Permit Analysis

On September 28, 2015, the Board of Supervisors adopted a Zoning Ordinance text amendment which permits solar power stations by conditional use permit (CUP) in the A-C (Agricultural-Conservation) district. The ordinance included application requirements, public notice procedures, and minimum development standards. The designation of a use as a conditional use in a zoning district means that the use may not be appropriate in all cases, depending upon whether conditional use permit conditions can be met.

Application requirements of Section 86-456 (g) have been met. Section 86-452 of the Zoning Ordinance states a conditional use should be approved if it is found that:

1. The location is appropriate and not in conflict with the comprehensive plan.
Staff Comment: Complies. All parcels involved are zoned A-C and designated Rural in the 2016 Future Land Use Map of the Comprehensive Plan.
2. The public health, safety, morals and general welfare will not be adversely affected.
Staff Comment: The application appears to address potential impacts to the public.
3. Necessary safeguards will be provided for the protection of surrounding property, persons, and the neighborhood values.
Staff Comment: The Conceptual Layout depicts the location of the solar panels in relation to adjacent properties. The proposed solar project appears to meet the site plan requirements.

Recommendation

The Planning Commission voted 3 to 2 to recommend approval to the Board of Supervisors with following conditions:

- 1. The applicant shall meet the development standards listed below:**
 - a) Location standards for utility-scale solar facilities. The location standards stated below for utility-scale solar facilities are intended to mitigate the adverse effects of such uses on adjoining property owners, the area, and the County.**
 - 1) The minimum area of a utility-scale solar facility shall be no less than two acres and the maximum area shall be no greater than 1,500 acres.**
 - 2) The equipment, improvements, structures, and percent of acreage coverage of a utility-scale solar facility shall be shown on the approved concept plan and site plan. The percent of acreage coverage shall not exceed 65%.**
 - 3) Provide an inventory of all solar facilities – existing or proposed – within a four mile radius.**
 - b) A utility-scale solar facility shall be constructed and maintained in substantial compliance with the approved concept plan.**
 - c) The minimum setback to property lines of parcels with dwellings shall be 200 feet. The minimum setback to all other property lines shall be 150 feet.**
 - d) The maximum height of the lowest edge of the photovoltaic panels shall be 10 feet as measured from the finished grade. The maximum height of primary structures and accessory buildings shall be 15 feet as measured from the finished grade at the base of the structure to its highest point, including appurtenances. The Board of Supervisors may approve a greater height based upon the demonstration of a significant need where the impacts of increased height are mitigated.**
 - e) The facilities, including fencing, shall be significantly screened from the ground-level view of adjacent properties by a buffer zone at least 100 feet wide that shall be landscaped with plant materials consisting of an evergreen and deciduous mix (as approved by the Zoning Administrator, except to the extent that existing vegetation or natural land forms on the site provide such screening as determined by the Zoning Administrator. In the event existing vegetation or land forms providing the screening are disturbed, new plantings shall be provided which accomplish the same, within 30 days of discovery. Opaque architectural fencing may be used to supplement other screening methods but shall not be the primary method.**
 - f) The facilities shall be enclosed by security fencing on the interior of the buffer area (not to be seen by other properties) not less than seven feet in height and topped with razor/barbed wire, as appropriate. A performance bond reflecting the costs of anticipated fence maintenance shall be posted and maintained. Failure to maintain the security fencing shall result in revocation of the Conditional Use Permit and the facility's decommissioning.**
 - g) Ground cover on the site shall be native vegetation and maintained in accordance with the Landscaping Maintenance Plan in accordance with established performance measures of the approved Landscaping Plan. (King William County Ordinance 86. Zoning, Article XI. Landscaping) A performance bond reflecting the costs of anticipated landscaping maintenance shall be posted and maintained. Failure to maintain the landscaping shall result in revocation of the Conditional Use Permit and the Facility's decommissioning.**
 - h) The Applicant shall identify an access corridor for wildlife to navigate through the solar facility. The proposed wildlife corridor shall be shown on the site plan submitted to the County. Areas between fencing shall be kept open to allow for the movement of migratory animals and other wildlife.**

- i) The design of support buildings and related structures shall use materials, colors, textures, screening and landscaping that will blend the facilities to the natural setting and surrounding structures.**
- j) The owner or operator shall maintain the solar facility in good condition. Such maintenance shall include, but not be limited to, painting, structural integrity of the equipment and structures, as applicable, and maintenance of the buffer areas and landscaping. Site access shall be maintained to a level acceptable to the County, in general accordance with Virginia Department of Transportation standard 24VAC30-73-70 for low commercial entrances. The project owner shall be responsible for the cost of maintaining the solar Facility and access roads, and the cost of repairing damage to private roads occurring as a result of construction and operation. The operator will repair damaged roads within 30 days of notification by the County.**
- k) A utility-scale solar facility shall be designed and maintained in compliance with standards contained in applicable local, state and federal building codes and regulations that were in force at the time of the permit approval.**
- l) A utility-scale solar facility shall comply with all permitting and other requirements of the Virginia Department of Environmental Quality.**
- m) The applicant shall provide proof of adequate liability insurance for a solar facility prior to beginning construction and before the issuance of a zoning or building permit to the Zoning Administrator.**
- n) Lighting fixtures, as approved by the County, shall be the minimum necessary for safety and security purposes to protect the night sky by facing downward and to minimize off-site glare. No facility shall produce glare that would constitute a nuisance to the public during construction or general operation. Any exceptions shall be enumerated on the Concept Plan and approved by the Zoning Administrator.**
- o) No signage of any type may be placed on the facility other than notices, warnings, and identification information required by law.**
- p) All facilities must meet or exceed the standards and regulations of the Federal Aviation Administration (FAA), State Corporation Commission (SCC) or equivalent, and any other agency of the local, state or federal government with the authority to regulate such facilities that are in force at the time of the application.**
- q) At all times, the solar facility shall comply with the County's noise ordinance.**
- r) Any other condition added by the Planning Commission or Board of Supervisors as part of a Conditional Use Permit approval.**

2. Decommissioning. The following requirements shall be met:

- a) Solar facilities which have reached the end of their useful life or have not been in active and continuous service for a period of one year shall be removed at the owner's or operator's expense, except if the project is being repowered or a force majeure event has or is occurring requiring longer repairs; however, the County may require evidentiary support that a longer repair period is necessary.**
- b) The owner or operator shall notify the Zoning Administrator by certified mail of the proposed date of discontinued operations and plans for removal.**
- c) Decommissioning shall include removal of all solar electric systems, buildings, cabling, electrical components, security barriers, roads, foundations, pilings, and any other associated facilities, so that any agricultural ground upon which the facility and systems were located is again tillable and suitable**

for agricultural or forestry uses. The site shall be graded and re-seeded to restore it to as natural a pre-development condition as possible or replanted with pine seedlings to stimulate pre-timber pre-development conditions as indicated on the Preliminary Site Plan. Any exception to site restoration, such as leaving access roads in place or seeding instead of planting seedlings must be requested by the land owner in writing, and this request must be approved by the Board of Supervisors (other conditions might be more beneficial or desirable at that time).

- d) The site shall be re-graded and re-seeded or replanted within 12 months of removal of solar facilities. Re-grading and re-seeding or replanting shall be initiated within a six-month period of removal of equipment.
- e) Decommissioning shall be performed in compliance with the approved decommissioning plan. The Board of Supervisors may approve any appropriate amendments to or modifications of the decommissioning plan.
- f) Hazardous material from the property shall be disposed of in accordance with federal and state law.
- g) The estimated cost of decommissioning shall be guaranteed by the deposit of funds in an amount equal to the estimated cost in an escrow account at a federally insured financial institution approved by the County unless otherwise provided for in subsection 5) below.
 - 1) The applicant shall deposit the required amount into the approved escrow account before any building permit is issued to allow construction of the solar facility.
 - 2) The escrow account agreement shall prohibit the release of the escrow funds without the written consent of the County Administrator and County Attorney. The County shall consent to the release of the escrow funds upon the owner's or occupant's compliance with the approved decommissioning plan. The County Administrator and County Attorney may approve the partial release of escrow funds as portions of the approved decommissioning plan are performed.
 - 3) The amount of funds required to be deposited in the escrow account shall be the full amount of the estimated decommissioning cost without regard to the possibility of salvage value.
 - 4) The owner or occupant shall recalculate the estimated cost of decommissioning every five years. If the recalculated estimated cost of decommissioning exceeds the original estimated cost of decommissioning by ten percent (10%), then the owner or occupant shall deposit additional funds into the escrow account to meet the new cost estimate. If the recalculated estimated cost of decommissioning is less than ninety percent (90%) of the original estimated cost of decommissioning, then the County may approve reducing the amount of the escrow account to the recalculated estimate of decommissioning cost upon approval by the County Administrator and County Attorney.
 - 5) The County may approve alternative methods to secure the availability of funds to pay for the decommissioning of a utility-scale solar facility, such as a performance bond, letter of credit, or other security approved by the County Administrator and County Attorney.
- h) If the owner or operator of the solar facility fails to remove the installation in accordance with the requirements of this permit or within the proposed date of decommissioning, the County may collect the surety and the County or hired third party may enter the property to physically remove the installation.

3. **Applicants for new solar facilities shall coordinate with the County’s Fire and Emergency Services staff to provide materials, education and training to the departments serving the property with fire and emergency services in how to safely respond to on-site emergencies.**
4. **A solar facility shall be constructed, maintained, and operated in substantial compliance with:**
 - a) **The approved concept plan.**
 - b) **The conditions imposed pursuant to this Conditional Use Permit.**
5. **The applicant shall pay a supplemental application fee to cover the actual cost of any review of the erosion and sediment control plan and the stormwater plans.**
6. **The applicant shall pay a supplemental application fee to cover the actual cost of any erosion and sediment control and stormwater inspections.**
7. **If the solar facility does not receive a building permit within 18 months of approval of the Conditional Use Permit, the Permit shall be terminated.**
8. **If the solar facility is declared to be unsafe by the Zoning Administrator or building official, the facility must be in compliance within 14 days or the Conditional Use Permit shall be terminated, and solar electric systems, buildings, cabling, electrical components, security barriers, roads, foundations, pilings, and any other associated facilities, removed from the property.**
9. **The owner and operator shall give the County written notice of any change in ownership, operator, or Power Purchase Agreement within 30 days.**
10. **All Federal, State, and County permit required reviews and approvals must be obtained prior to the commencement of land disturbance activities.**

COMMENTARY

Solar facilities that are 150 megawatts or less capacity require a Virginia Department of Environmental Quality (DEQ) “permit by rule” (PBR). Included in this packet is the Solar Permit by Rule (PBR) Department of Environmental Quality GUIDANCE Memo for “Small Renewable Energy Projects (Solar)”. The Guidance document addresses pre-construction natural-resource analyses, mitigation plans, post-construction monitoring, and other permit by rule requirements and issues. Elements included in obtaining a permit by rule include, but are not limited to:

- Notice of intent, to be published in the Virginia Register, for a small renewable energy project. A small renewable energy project is one with a rated capacity greater than five megawatts and a disturbance zone of greater than ten acres.
- Certification by the governing body of the locality that the project complies with all applicable land use ordinances.
- Interconnection studies.
- Final interconnection agreement.
- Certification of the project’s maximum generation capacity.
- Environmental impacts regarding national ambient air quality standards.
- Analysis of the beneficial and adverse impacts of the project on natural resources. For wildlife, that analysis shall be based on information on the presence, activity, and migratory behavior of wildlife to be collected at the site for a period of time dictated by the site conditions and biology of the wildlife being studied, not exceeding 12 months.

- Provide a mitigation plan pursuant to 9VAC15-60-60 that details reasonable actions to be taken by the owner or operator to avoid, minimize, or otherwise mitigate such impacts, and to measure the efficacy of those actions. The mitigation plan shall be an addendum to the operating plan of the solar energy project and the owner or operator shall implement the mitigation plan as deemed complete and adequate by the department. The mitigation plan shall be an enforceable part of the permit by rule.
- Operating plan detailing operating procedures and contact information for facility operator.
- That all environmental permits have been obtained.
- Certification that the applicant is not a utility under Title 56 of the Code of Virginia or is a utility and that the project's costs are not recovered from Virginia customers under base rates, a fuel factor charge or a rate adjustment clause OR the utility is a cooperative.
- Require public hearings and summary of comments.

In addition to the permit by rule, proposed projects that involve land disturbance greater than one-acre in size require a Department of Environmental Quality Construction General Permit (CGP) be issued prior to any construction activities.

A Stormwater Pollution Prevention Plan (SWPPP) has to be prepared and approved prior to issuance of the Construction General Permit. The Stormwater Pollution Prevention Plan must include a legible site plan identifying:

- (1) Directions of stormwater flow and approximate slopes anticipated after major grading activities;
- (2) Limits of land disturbance including steep slopes and natural buffers around surface waters that will not be disturbed;
- (3) Locations of major structural and nonstructural control measures, including sediment basins and traps, perimeter dikes, sediment barriers, and other measures intended to filter, settle, or similarly treat sediment, that will be installed between disturbed areas and the undisturbed vegetated areas in order to increase sediment removal and maximize stormwater infiltration;
- (4) Locations of surface waters;
- (5) Locations where concentrated stormwater is discharged;
- (6) Locations of any support activities, including (i) areas where equipment and vehicle washing, wheel wash water, and other wash water is to occur; (ii) storage areas for chemicals such as acids, fuels, fertilizers, and other lawn care chemicals; (iii) concrete wash out areas; (iv) vehicle fueling and maintenance areas; (v) sanitary waste facilities, including those temporarily placed on the construction site; and (vi) construction waste storage.

The SWPPP must include an approved erosion and sediment control (ESC) plan designed and approved in accordance with the Virginia Erosion and Sediment Control Regulations (9VAC25-840), implemented to:

- (1) Control the volume and velocity of stormwater runoff within the site to minimize soil erosion;
- (2) Control stormwater discharges, including peak flow rates and total stormwater volume, to minimize erosion at outlets and to minimize downstream channel and stream bank erosion;
- (3) Minimize the amount of soil exposed during the construction activity;
- (4) Minimize the disturbance of steep slopes;
- (5) Minimize sediment discharges from the site in a manner that addresses (i) the amount, frequency, intensity, and duration of precipitation; (ii) the nature of resulting stormwater runoff; and (iii) soil characteristics, including the range of soil particle sizes present on the site;
- (6) Provide and maintain natural buffers around surface waters, direct stormwater to vegetated areas to increase sediment removal, and maximize stormwater infiltration, unless infeasible;
- (7) Minimize soil compaction and, unless infeasible, preserve topsoil;
- (8) Ensure initiation of stabilization activities, as defined in 9VAC25-880-1, of disturbed areas immediately whenever any clearing, grading, excavating, or other land disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 days; and

- (9) Utilize outlet structures that withdraw stormwater from the surface (i.e., above the permanent pool or wet storage water surface elevation), unless infeasible, when discharging from sediment basins or sediment traps.

11. The erosion and sediment control (ESC) plan shall be prepared and implemented as a sequential progression, demonstrating that not more than 25% of the Site be disturbed and not stabilized at any one-time during construction. The erosion and sediment control plan will provide the means and measures to achieve stabilization of the disturbed areas to comply with this condition. The plan shall be reviewed by the County or by a qualified third party, however, the third party review shall not supersede any requirements imposed by state agencies. The applicant shall construct, maintain, and operate the solar facility in compliance with the approved plan.

COMMENTARY

The Stormwater Pollution Prevention Plan must have a stormwater management plan that includes a description of, and all necessary calculations supporting, all post-construction stormwater management measures that will be installed prior to the completion of the construction process to control pollutants in stormwater discharges after construction operations have been completed. Structural measures should be placed on upland soils to the degree possible. Such measures must be designed and installed in accordance with applicable Virginia Erosion and Sediment Control Program (VESCP) authority, Virginia Stormwater Management Program (VSMP) authority, state, and federal requirements, and any necessary permits must be obtained.

The Stormwater Pollution Prevention Plan must include a Pollution Prevention Plan which describes the pollution prevention practices and procedures that will be implemented to:

- (1) Prevent and respond to leaks, spills, and other releases including (i) procedures for expeditiously stopping, containing, and cleaning up spills, leaks, and other releases; and (ii) procedures for reporting leaks, spills, and other releases in accordance with Federal, State and Local regulatory requirements;
- (2) Prevent the discharge of spilled and leaked fuels and chemicals from vehicle fueling and maintenance activities (e.g., providing secondary containment such as spill berms, decks, spill containment pallets, providing cover where appropriate, and having spill kits readily available);
- (3) Prevent the discharge of soaps, solvents, detergents, and wash water from construction materials, including the clean-up of stucco, paint, form release oils, and curing compounds (e.g., providing (i) cover (e.g., plastic sheeting or temporary roofs) to prevent contact with stormwater; (ii) collection and proper disposal in a manner to prevent contact with stormwater; and (iii) a similarly effective means designed to prevent discharge of these pollutants);
- (4) Minimize the discharge of pollutants from vehicle and equipment washing, wheel wash water, and other types of washing (e.g., locating activities away from surface waters and stormwater inlets or conveyance and directing wash waters to sediment basins or traps, using filtration devices such as filter bags or sand filters, or using similarly effective controls);
- (5) Direct concrete wash water into a leak-proof container or leak-proof settling basin. The container or basin shall be designed so that no overflows can occur due to inadequate sizing or precipitation. Hardened concrete wastes shall be removed and disposed of in a manner consistent with the handling of other construction wastes. Liquid concrete wastes shall be removed and disposed of in a manner consistent with the handling of other construction wash waters and shall not be discharged to surface waters;
- (6) Minimize the discharge of pollutants from storage, handling, and disposal of construction products, materials, and wastes including (i) building products such as asphalt sealants, copper flashing, roofing materials, adhesives, and concrete admixtures; (ii) pesticides, herbicides, insecticides, fertilizers, and landscape materials; and (iii) construction and domestic wastes such as packaging materials, scrap construction materials, masonry products, timber, pipe and electrical cuttings, plastics, Styrofoam, concrete, and other trash or building materials;
- (7) Prevent the discharge of fuels, oils, and other petroleum products, hazardous or toxic wastes, waste concrete, and sanitary wastes;
- (8) Address any other discharge from the potential pollutant-generating activities not addressed above;
- (9) Minimize the exposure of waste materials to precipitation by closing or covering waste containers during precipitation events and at the end of the business day, or implementing other similarly effective practices.

Minimization of exposure is not required in cases where the exposure to precipitation will not result in a discharge of pollutants; and describe procedures for providing pollution prevention awareness of all applicable wastes, including any wash water, disposal practices, and applicable disposal locations of such wastes, to personnel in order to comply with the conditions of this general permit. The operator shall implement the procedures described in the SWPPP. Inspections for compliance with the Stormwater Pollution Prevention Plan requirements must be (1) conducted by the operator at least once every five business days; or (2) At least once every ten business days and no later than 24 hours following a measurable storm event. In the event that a measurable storm event occurs when there are more than 24 hours between business days, the inspection shall be conducted on the next business day.

Erosion and sediment control inspections are conducted by the County every two weeks and within 48 hours of a rain event. The Department of Environmental Quality is responsible for stormwater and pollution prevention inspections.

- 12. Traffic Management. The applicant shall comply with all Virginia Department of Transportation recommendations for traffic management during construction of the site and decommissioning of the site.**
- 13. The roads will need to be maintained in good condition during the construction phase and be brought back to the original condition, or improved, upon completion of the project and decommissioning phase.**
- 14. The applicant shall be required to consult with the Department of Conservation and Recreation's Division of Dam Safety and Floodplain Management to conduct an inspection and evaluation of the dams within the project area, to determine and assure their future safety and shall make whatever repairs and renovations as deemed to be appropriate by the Dam Safety Division prior to the issuance of final permits for construction of the solar facility.**
- 15. The construction hours are restricted from 7:00AM to 7:00PM Monday through Saturday.**
- 16. A Facility Stormwater Pollution Prevention Plan (SWPPP) shall be developed and implemented for the Sweet Sue solar facility and shall be maintained for the duration of the facility's operation. The Stormwater Pollution Prevention Plan is intended to document the selection, design, and installation of control measures, including Best Management Practices (BMPs), to minimize the pollutants in all stormwater discharges from the facility, and to meet applicable effluent limitations and water quality standards, as applicable. The SWPPP will require County review and approval prior to operation and annually thereafter.**

The plan shall include, at a minimum, the following items:

- a) Pollution prevention team.
- b) Site description. The Stormwater Pollution Prevention Plan shall include the following:
 - a. Activities at the facility.
 - b. A general location map (e.g., United States Geological Survey (USGS) quadrangle or other map) with enough detail to identify the location of the facility and the receiving waters within one mile of the facility.
 - c. A site map identifying the following:
 - (1) The boundaries of the property and the size of the property (in acres);
 - (2) The location and extent of significant structures and impervious surfaces;
 - (3) Locations of all stormwater conveyances including ditches, pipes, swales, and inlets, and the directions of stormwater flow (use arrows to show which ways stormwater will flow);
 - (4) Locations of all existing structural and source control measures, including BMPs;
 - (5) Locations of all surface water bodies, including wetlands;
 - (6) Locations of potential pollutant sources;
 - (7) Locations of activities exposed to precipitation: equipment maintenance and cleaning areas; loading and unloading areas; locations used for the treatment, storage or disposal of wastes; areas; access roads; and machinery;
 - (8) Locations of stormwater outfalls and an approximate outline of the area draining to each outfall, and location of municipal storm sewer systems, if the stormwater from the facility discharges to them. Outfalls shall be numbered using a unique numerical identification code for each outfall (e.g., Outfall No. 001, No. 002, etc.);
 - (9) Location and description of all non-stormwater discharges;
 - (10) Location of any storage piles containing salt used for deicing or other commercial or industrial purposes;
 - (11) Locations and sources

of run-on to the site from adjacent property, where the run-on contains significant quantities of pollutants; and (12) Locations of all stormwater monitoring points.

- c) **Receiving waters and wetlands.** The name of all surface waters receiving discharges from the site, including intermittent streams, dry sloughs, and arroyos. Provide a description of wetland sites that may receive discharges from the facility.
 - d) **A summary of potential pollution sources** (solar panel type and contents, inverters, collection system components, substation, access roads, and O&M building).
 - e) **Stormwater controls, type and location.**
 - f) **The operator shall implement the following types of control measures to prevent and control pollutants in the stormwater discharges from the facility, unless it can be demonstrated and documented that such controls are not relevant to the discharges.**
 - 1) **Good housekeeping.** The permittee shall keep clean all exposed areas of the facility that are potential sources of pollutants to stormwater discharges.
 - 2) **Eliminating and minimizing exposure.**
 - 3) **Preventive maintenance.** The operator shall have a preventive maintenance program that includes regular inspection, testing, maintenance and repairing of all equipment and systems to avoid situations that could result in leaks, spills and other releases of pollutants in stormwater discharged from the facility.
 - 4) **Sediment and erosion control.** The plan shall identify areas at the facility that, due to topography, land disturbance (e.g., construction, landscaping, site grading), or other factors, have a potential for soil erosion. The operator shall identify and implement structural, vegetative, and stabilization control measures to prevent or control on-site and off-site erosion and sedimentation. Flow velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel if the flows would otherwise create erosive conditions.
 - 5) **Management of runoff.** The plan shall describe the stormwater runoff management practices (i.e., permanent structural control measures) for the facility. These types of control measures are typically used to divert, infiltrate, reuse, or otherwise reduce pollutants in stormwater discharges from the site.
 - g) **Routine facility inspections.** Facility personnel who possess the knowledge and skills to assess conditions and activities that could impact stormwater quality at the facility and who can also evaluate the effectiveness of control measures shall regularly inspect all areas of the facility exposed to stormwater. The inspection frequency shall be specified in the plan based upon a consideration of the level of industrial activity at the facility, but shall be at a minimum quarterly unless more frequent intervals are specified elsewhere or written approval is received from the County for less frequent intervals. Inspections shall be performed during periods when the facility is in operation. At least once each calendar year, the routine facility inspection shall be conducted during a period when a stormwater discharge is occurring.
 - h) **The Operations and Maintenance plan detailing procedures and a regular schedule for preventive maintenance of all control measures, and shall include a description of the back-up practices that are in place should a runoff event occur while a control measure is off-line. The effectiveness of non-structural control measures shall also be maintained by appropriate means. All control measures identified in the Plan shall be maintained in effective operating condition and shall be observed at least annually during active operation (i.e., during a stormwater runoff event) to ensure that they are functioning correctly. Where discharge locations are inaccessible, nearby downstream locations shall be observed. The observations shall be documented in the Stormwater Pollution Prevention Plan.**
17. **Comprehensive site compliance evaluation.** The operator shall conduct comprehensive site compliance evaluations at least once each calendar year. The evaluations shall be done by qualified personnel who possess the knowledge and skills to assess conditions and activities that could impact stormwater quality at the facility, and who can also evaluate the effectiveness of control measures.; evidence of, or the potential for, pollutants entering the drainage system; evidence of pollutants discharging to surface waters at all

facility outfalls, and the condition of and around the outfall, including flow dissipation measures to prevent scouring; review of stormwater related training performed, inspections completed, maintenance performed, quarterly visual examinations, and effective operation of control measures, including BMPs; results of both visual and any analytical monitoring done during the past year shall be taken into consideration during the evaluation.

- 18. The applicant shall pay \$1,000.00 per inspection for each County inspection conducted at the facility during construction and operation of the facility.**
- 19. The applicant shall pay \$10,000.00 annually for review, monitoring, and renewal of the Facility's Stormwater Pollution Prevention Plan.**

Attachment 1

Application for CUP-03-19

Sweet Sue Solar

KING WILLIAM COUNTY, VIRGINIA
APPLICATION FOR A
CONDITIONAL USE PERMIT

1. **Owner Information:**

Name: Multiple – see attached table

Address: Multiple – see attached table

Phone Number: Multiple – see attached table

Email: Multiple – see attached table

2. **Applicant/Point of contact Information (if different from owner):**

Name: Sweet Sue Solar, LLC

Address: 1 S Wacker Drive, Suite 1800, Chicago, IL 60606

Phone Number: (312) 224-1400 Email: ebarry@invenergyllc.com

3. **Property Information:**

Tax Map #: Multiple – see attached table

Zoning District: Manquin

Property Address: Multiple – see attached table

Property Total Acreage: 1345 acres

Acreage of CUP area: 1276 acres

Instrument/Deed Book #: Multiple – see attached table

4. **Project Description:** Attached as a separate sheet

5. **Site Plan:** Attach a Preliminary Site Plan which complies with the requirements of the Zoning Ordinance Sec. 86-494

6. **Standards:** Attach as a separate sheet information how the application does not impact, or mitigates its impacts, as related to the general standards found in Zoning Ordinance Sec. 86-173(5) and specific standards for the use, if applicable.

I hereby certify that the information presented in this application is complete and accurate to the best of my knowledge. County officials and employees are authorized to enter up on the property described herein during regular working hours for the purpose of performing assigned duties in connection with this application.

Signature of Owner or Applicant:



If not signed by the property owner, attached authorization to apply on behalf of the owner.

STATE OF: Illinois COUNTY OF: COOK, to-wit:

The foregoing instrument was acknowledged before me this 5 day of August, 2019.

Melanie Frank

Notary Public

06/03/2023

My Commission Expires



Owner Information Table – Sweet Sue Solar CUP Application

Owner Name	Address	Phone Number	Email Address
Guy David Chenault and Susie Ann Chenault	2129 Enfield Road Aylett, VA 23009	(804) 512- 9988	sweet4sue@gmail.com
T. Frank Flippo & Sons, LLC	PO Box 38 Doswell, VA 23047	(804) 798- 6616	nelson@flippolumber.com

Property Information Table – Sweet Sue Solar CUP Application

Tax Parcel #	Owner	Property Address	Instrument/ Deed Book	Acreeage
20 11	Guy David Chenault and Susie Ann Chenault	N/A	DB 215, Page 642	104.45
20 15B	Guy David Chenault and Susie Ann Chenault	N/A	DB 222, Page 304	49.82
20 31	Guy David Chenault and Susie Ann Chenault	N/A	DB 112, Page 15	124.5
20 32	Guy David Chenault and Susie Ann Chenault	1950 Enfield Road, Aylett VA 23009	DB 112, Page 15	300
20 38	Guy David Chenault and Susie Ann Chenault	1950 Enfield Road, Aylett VA 23009	DB 112, Page 17	152
20 33	Guy David Chenault and Susie Ann Chenault	1950 Enfield Road, Aylett VA 23009	DB 112, Page 17	177.75
20 37	T. Frank Flippo & Sons, LLC	N/A	DB 77, Page 478	374.4
27 1	T. Frank Flippo & Sons, LLC	N/A	DB 125, Page 299	62.45

**Revenue Transmittal Planning/Building Department
King William County, VA**

Aug 7 2019
Date

Name: Henry J. Jones

Subdivision: _____

Permit No: _____

Address: 1234 Main St, Suite 100
Chesapeake, VA 23041

Tax Map No: _____

<u>Dept.</u>	<u>Description</u>	<u>Amount</u>
COPIES	Sale Of Copies (Maps, Data, Etc.)	\$ _____
CONUSE	Conditional Use/Rezoning Ap.	\$ <u>2,500.00</u>
VARINC	Variance Applications	\$ _____
APPEAL	Appeals Fees-Zoning Decisions	\$ _____
HISREV	Hist. Pres. & Architectural Review Bd.	\$ _____
SITE	Site Plan	\$ _____
SIGN	911 Road Sign Maintenance	\$ _____
BOND	Escrow Acct. for Cash Bonds	\$ _____
ERSE	Erosion/Sediment Control	\$ _____
PROF	Cash Proffers	\$ _____
SUBD	Subdivision Application	\$ _____
WETL	Wetlands Board	\$ _____
ZPER	Zoning Permits	\$ _____
BPER	Building Permits	\$ _____
SURC	Building Permit Surcharge	\$ _____
PLNR	Building Plans Review Fee	\$ _____
RENSP	Re-Inspection Fee / Penalty	\$ _____
FPCP	Fire Prevention	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
TOTAL REMITTANCE TO TREASURER		\$ <u>2,500.00</u>

Henry J. Jones
Signature and Date
Planning Office

ck# 100639
Signature and Date
Treasurer's Office

Ronald Etter

From: Barry, Eddie <EBarry@invenergyllc.com>
Sent: Thursday, November 21, 2019 9:18 AM
To: Ronald Etter; Sherry Graham
Cc: Jen Moore
Subject: Supplement to CUP Application
Attachments: Application Supplement - Site Plan Exhibit 4 Updated 20191118.pdf; Application Supplement - Adjacent Landowner List.pdf

Ron and Sherry,

Please find attached two supplements to the CUP application for Sweet Sue Solar, including:

1. Supplemental Exhibit 4 to the preliminary site plan showing adjoining parcel and owner information
2. Supplemental adjoining landowner list

Please let me know if you have any questions or require any additional information.

Best regards,

Eddie Barry

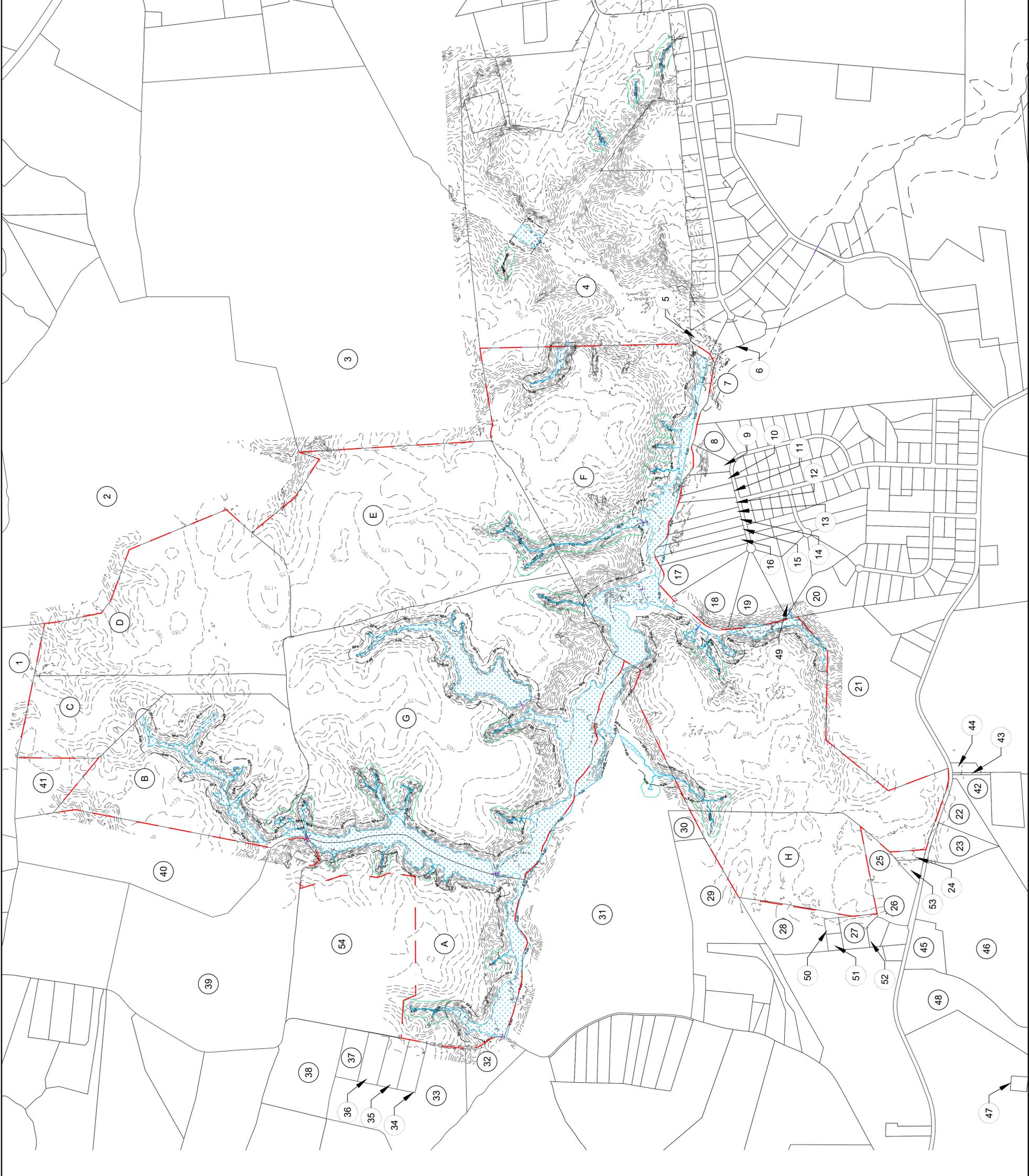
Edward D. Barry | Manager, Renewable Development
Invenergy | One South Wacker Drive, Suite 1800, Chicago, IL 60606
ebarry@invenergyllc.com | W 312-638-8544 | C 337-580-5407 | @InvenergyLLC

Learn about Invenergy's commitment to social, environmental and economic sustainability in our Invenergy Impact report: Invenergyllc.com/Impact.

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KHA PROJECT	116621007
DATE	JULY 2019
SCALE AS SHOWN	
DESIGNED BY	KHA
DRAWN BY	KHA
CHECKED BY	KHA

No.	REVISIONS	DATE	BY



LEGEND

	PROJECT BOUNDARY
	RPA
	100' VOLUNTARY WETLAND OFFSET
	100' VOLUNTARY WETLAND BOUNDARY
	100' YEAR FLOOD PLAIN BOUNDARY
	EXISTING CONTOUR (5' INTERVAL)
	CULVERT
	WETLANDS

NOTE: ONLY A PORTION OF PARCEL 20-33 WILL BE USED FOR THE PROPOSED PROJECT. THE PORTION WITHIN THE PROJECT LIMITS IS SHOWN AS PARCEL 'A' AND THE REMAINDER IS SHOWN AS PARCEL 'B'



Tax Parcel #	Owner 1 Last Name	Owner 1 First Name	Owner 2 Last Name	Owner 2 First Name	Mailing Address	City	State	Zip	Property Address	City	State	Zip
20-41	ABRAMS	CONNIE H	ATKINSON	WALTER K	550 ARZORIAN LANE	AYLETT	VA	23009	550 ARZORIAN LANE	AYLETT	VA	23009
27-11F	BAKER	MILES K	BARLOW	CATHERINE D.	4408 RIVER RD	MECHANICSVILLE	VA	23116	3678 MANFIELD ROAD	AYLETT	VA	23009
27B-3-C-2	BARLOW	KEITH M.	BARLOW		2301 WAKEMA RD	WEST POINT	VA	23181	145 N. MONCUIN DRIVE	AYLETT	VA	23009
27-11A	CAMPBELL	ERWIN M.			2964 KING WILLIAM ROAD	AYLETT	VA	23106	N/A			
27-12	CAMPBELL	ERWIN M.			468 PLEASANT GREEN LANE	MANQUIN	VA	23106	468 PLEASANT GREEN LANE	MANQUIN	VA	23106
20-33	CHENAULT	GUY D	CHENAULT	SUSIE ANN	468 PLEASANT GREEN LANE	MANQUIN	VA	23106	468 PLEASANT GREEN LANE	MANQUIN	VA	23106
20-33	CHENAULT	GUY D	CHENAULT	SUSIE ANN	2120 ENFIELD RD	AYLETT	VA	23009	1950 ENFIELD ROAD	AYLETT	VA	23009
20-33	CHENAULT	GUY D	CHENAULT	SUSIE ANN	2120 ENFIELD RD	AYLETT	VA	23009	N/A			
21C-3-E-8	CLOUSE	WILBUR R	CLOUSE	MARATHA B	165 W PEARL ST	BARTOW	FL	33830	796 TERRA ALTA DRIVE	AYLETT	VA	23009
27B-3-C-4	COLEMAN	THOMAS W	COLEMAN	PAWELA T	198 N MONCUIN DR	AYLETT	VA	23009	198 N MONCUIN DR	AYLETT	VA	23009
19-57B	CRISWELL	CHARLES H	CRISWELL	KAREN	8161 MARLEY DRIVE	MECHANICSVILLE	VA	23116	1611 ENFIELD ROAD	AYLETT	VA	23009
19-57C	CRISWELL	STEPHEN CRAIG	CRISWELL	LORI	1711 ENFIELD RD	AYLETT	VA	23009	N/A			
19-57A	CRISWELL	STEPHEN CRAIG	CRISWELL	LORI	1711 ENFIELD RD	AYLETT	VA	23009	1711 ENFIELD RD	AYLETT	VA	23009
27B-2-C-52	DEEMY	DAVID B	DEEMY	VIRGINIA J	38 N MONCUIN DR	AYLETT	VA	23009	38 N MONCUIN DR	AYLETT	VA	23009
27-8A	DEPERSIO	PETER JOHN	LANE-DEPERSIO	AMANDA ELINDA	4188 MANFIELD RD	AYLETT	VA	23009	4188 MANFIELD RD	AYLETT	VA	23009
27B-2-C-53	FEDERAL NATIONAL MORTGAGE ASSOC.	CHARLES STEWART			P.O. BOX 650043	DALLAS	TX	75265	58 N MONCUIN DR	AYLETT	VA	23009
19-58	GARBER	LEE	GARBER	TAMARAH F	1757 ENFIELD RD	AYLETT	VA	23009	N/A			
27-8	GOVE	STEPHEN R	GOVE	ANGELA	4250 MANFIELD RD	MANQUIN	VA	23106	4250 MANFIELD RD	MANQUIN	VA	23106
20-40	GRAVES	RALPH L	GRAVES	BARBARA F	435 ADAMS LN	AYLETT	VA	23009	435 ADAMS LN	AYLETT	VA	23009
20-36	GRIFFIN	RALPH L			240 MANQUIN DR	AYLETT	VA	23009	N/A			
21C-3-E-9	HARRISON	JAMES MICHAEL	HARRISON	JENNIFER MULLEN	792 TERRA ALTA DR	AYLETT	VA	23009	792 TERRA ALTA DR	AYLETT	VA	23009
20-12	HOPKINS	GUY G			19725 VIA GRANDE DR	SARATOGA	CA	95070	N/A			
27B-3-C-1	JENKINS	WILLIAM DAVID SR	JENKINS	FREIDA C	7732 MARSHALL ARCH DR	MECHANICSVILLE	VA	23111	1124 MONCUIN DRIVE	AYLETT	VA	23009
27-3A	KING	JOHN W.	KING	DOROTHY B.	210 MCPHEARSON DRIVE	AYLETT	VA	23009	210 MCPHEARSON DRIVE	AYLETT	VA	23009
27-3	KING	JOHN W. ET AL	C/O JAMES W. KING		8889 NEWTON ROAD	ST. STEPHENS CHURCH	VA	23148	236 MCPHEARSON DRIVE	AYLETT	VA	23009
20-27	KW MORRISON LLC	JAMES C			6520 BOUNDARY RUN DR	MECHANICSVILLE	VA	23111	N/A			
26-68C	LEHMAN	LUCY	LEHMAN	SUSAN P	PO BOX 280	MANQUIN	VA	23106	3953 MANFIELD ROAD	AYLETT	VA	23009
27B-3-C-6	LUCY	LESLIE S			240 N MONCUIN DR	AYLETT	VA	23009	240 N MONCUIN DR	AYLETT	VA	23009
27-6	MCKENDREE METHODIST CHURCH	SHERI R	C/O E.L. CAMPBELL		P.O. BOX 277	MANQUIN	VA	23106	N/A			
27B-3-C-8	MCKINNEY	ELWOOD	MCPHERSON	IRENE	246 N MONCUIN DR	AYLETT	VA	23009	246 N MONCUIN DR	AYLETT	VA	23009
27-4	MCPHERSON	VASHI R	MIRPURI	PRIVA V	1509 LEICESTER RD	RICHMOND	VA	23225	N/A			
27B-2-C-54	MIRPURI	VASHI R	MIRPURI	PRIVA V	102 N MONCUIN DR	AYLETT	VA	23009	2102 MONCUIN DRIVE	AYLETT	VA	23009
27B-3-C-7	MONDY	THOMAS	MONDAY	KIMBERLY R	1465 MAHIXON ROAD	MANQUIN	VA	23106	N/A			
26-68	PEARSON	WILLIAM C.	PEARSON	WANDA M.	P.O. BOX 66	MANQUIN	VA	23106	4815 MANFIELD ROAD	MANQUIN	VA	23106
26-68A	PEARSON	WILLIAM C.	PEARSON	WANDA M.	P.O. BOX 66	MANQUIN	VA	23106	N/A			
26-68B	PEARSON	WILLIAM C.	PEARSON	WANDA M.	P.O. BOX 66	MANQUIN	VA	23106	N/A			
20-10	POLLARD	JAMES	POLLARD	ELLETT DOUGLAS	10049 ARAGON DR	MANQUIN	VA	23106	4511 MANFIELD ROAD	MANQUIN	VA	23106
27-22	PORCH	AMANDA			107 VENTER RD	MECHANICSVILLE	VA	23116	N/A			
26-68D	PRICE	NOBLE R	PRICE II	NOBLE RAY	4071 MANFIELD RD	AYLETT	VA	23009	107 VENTER RD	AYLETT	VA	23009
20-15	REED	WALTER LEROY	REED	MARY M	7128 KING WILLIAM RD	AYLETT	VA	23009	4071 MANFIELD RD	AYLETT	VA	23009
27-2	RICHARDSON	FLOYD B JR		JEAN A	180 MCPHEARSON DR	AYLETT	VA	23009	180 MCPHEARSON DR	AYLETT	VA	23009
27B-2-C-51	ROBINS	CLIFTON			10 N MONCUIN DR	AYLETT	VA	23009	10 N MONCUIN DR	AYLETT	VA	23009
27-10	ROCK SPRING BAPTIST CHURCH				P.O. BOX 182	MANQUIN	VA	23106	4134 MANFIELD ROAD	MANQUIN	VA	23106
27-9	ROCK SPRING BAPTIST CHURCH				P.O. BOX 182	MANQUIN	VA	23106	4134 MANFIELD ROAD	MANQUIN	VA	23106
27-4A	RUFFIN	ENRIE			119 MCPHEARSON DRIVE	AYLETT	VA	23009	119 MCPHEARSON DRIVE	AYLETT	VA	23009
27B-3-C-5	SMITH	CHARLIE E	SULLIVAN	CARRIE L	224 N MONCUIN DR	AYLETT	VA	23009	224 N MONCUIN DR	AYLETT	VA	23009
27B-3-C-3	STANEM	CARRIE			178 N MONCUIN DR	AYLETT	VA	23009	178 N MONCUIN DR	AYLETT	VA	23009
27B-2-C-20	STYERS	MICHAEL DAVID			307 DEVONSHIRE DR	AYLETT	VA	23009	307 DEVONSHIRE DR	AYLETT	VA	23009
20-34	TOWNSEND	BETTY ROSE	C/O MRS. J. TIMOTHY SEXTON		8808 SIERRA RD	HENRICO	VA	23229	N/A			
27-11B	TUCKER	LUCAS C.			3859 MANFIELD RD	AYLETT	VA	23116	1567 ENFIELD ROAD	AYLETT	VA	23009
19-57	WILSON	JANET			9411 POWHICKERY COURT	MECHANICSVILLE	VA	23116	1567 ENFIELD ROAD	AYLETT	VA	23009
27B-3-C-9	WILSON	GARY D.	WILSON	MARIE M.	2415 N. MONCUIN DRIVE	AYLETT	VA	23009	2415 N. MONCUIN DRIVE	AYLETT	VA	23009
19-59	WOOD	COLLEEN D	C/O COLLEEN DAUGHTERY		5809 COLD HARBOR RD	MECHANICSVILLE	VA	23111	N/A			

Invenergy Report, August 7, 2019

**“Available For Review
In The County
Community Development Office”**

(No Insert)

**Adjacent and Vicinity
Property Owner List**

TAX MAP	FIRST NAME	ADDRESS1	STREET ADDRESS	CITY, STATE	ZIP	PHYSICAL	PHYSICAL	PHYSICAL	PHYSICAL	PHYSICAL	PHYSICAL
27B-2-C-26	A COLIN CAMPBELL		190 DEVONSHIRE DRIVE	AYLETT VA	23009	190	DEVONSHIRE DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-3-C-22	A ROY NEWELL		120 MANQUIN COURT	AYLETT VA	23009	120	MANQUIN COURT	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-C-9	ADAM MICHAEL BESSELLIEU		99 KENDAL DRIVE	AYLETT VA	23009	99	KENDAL DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
20-4E & 4F	ALVIE & SHIRLEY ROLAND		P O BOX 157	AYLETT, VA	23009	790	ESTATES ROAD	AYLETT VA	23009	PHYSICAL	PHYSICAL
26-2B	ANDREW D POLLARD	C/O JUDITH J POLLARD	1913 FLINTWOOD DR	HENRICO VA	23238	0			0		
27B-2-B-18	ANDREW W MURDOCK III		395 MANQUIN DRIVE	AYLETT VA	23009	395	MANQUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-3-C-29	ARTHUR W DANDRIDGE		118 KENDAL DRIVE	AYLETT VA	23009	118	KENDAL DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-D-19	BAILEY WARD		91 RAINWATER DRIVE	AYLETT VA	23009	91	RAINWATER DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-3-C-24	BARBARA J SLATER		115 MANQUIN COURT	AYLETT VA	23009	115	MANQUIN COURT	AYLETT VA	23009	PHYSICAL	PHYSICAL
21C-3-D-2	BENJAMIN K SHUMAKER		565 TERRA ALTA DRIVE	AYLETT VA	23009	565	TERRA ALTA DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-B-12	BERNITA S FAJARDO		211 MANQUIN DRIVE	AYLETT, VA	23009	211	MANQUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-3-C-10	BILLY LEE BUTLER III	P O BOX 842	237 N MONCUIN DRIVE	AYLETT VA	23009	237 N	MONCUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-C-34	BONNIE S FARMER		90 ETNA MILLS RD	MANQUIN VA	23106	168	MANQUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
21-24B	BRAD R STANLEY		279 ADAMS LANE	AYLETT VA	23009	279	ADAMS LANE	AYLETT V	23009	PHYSICAL	PHYSICAL
20-20	BRADLEY LTD LLC		P O BOX 217	MECHANICSVILLE VA	23111	0			0		
27B-2-B-20	BRIAN J WHOLAVER		453 MANQUIN DRIVE	AYLETT, VA	23009	453	MANQUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-3-C-14	BRIAN K THOMAS		589 MANQUIN DR	AYLETT VA	23009	589	MANQUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-A-8	BRIAN M PHAUP		94 WYSOR DRIVE	AYLETT, VA	23009	94	WYSOR DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27-7	BRYAN HERNDON		4306 MANFIELD RD	AYLETT VA	23009	4306	MANFIELD ROAD	AYLETT VA	23009	PHYSICAL	PHYSICAL
27-22B	CARLTON E BOSHER JR	PORCH AMANDA	109 VENTER ROAD	AYLETT VA	23009	109	VENTER ROAD	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-3-C-3	CARRIE STAKEM		178 N MONCUIN DRIVE	AYLETT VA	23009	178 N	MONCUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-C-17	CHARLES CASSICK III		235 DEVONSHIRE DRIVE	AYLETT VA	23009	235	DEVONSHIRE DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
20-1-22	CHARLES D PEARMAN		196 FLAG LANE	AYLETT VA	23009	196	FLAG LANE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-3-C-5	CHARLIE E SMITH		224 NORTH MONCUIN DRIVE	AYLETT, VA	23009	224	MONCUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-D-6	CHRISTOPHER D WELDON		490 MANQUIN DRIVE	AYLETT VA	23009	490	MANQUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-C-32	CHRISTOPHER PERRY		8071 MCCLELLAN RD	MECHANICSVILLE VA	23111	77	WYSOR DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-1-C-4	CHRISTOPHER S ROCKHILL		3262 MANFIELD ROAD	AYLETT VA	23009	3262	MANFIELD ROAD	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-C-51	CLIFTON ROBINS		10 N MONCUIN DRIVE	AYLETT VA	23009	10 N	MONCUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-1-C-3	DANIEL JOHNSON		3234 MANFIELD RD	AYLETT VA	23009	3234	MANFIELD ROAD	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-C-45	DARRELL N HEATH		188 RAINWATER DRIVE	AYLETT VA	23009	188	RAINWATER DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-C-52	DAVID B DEEMY		38 NORTH MONCUIN DRIVE	AYLETT VA	23009	38	MONCUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-D-17	DAVID N HODGES JR		4485 ROCK WREN DR	PROVIDENCE FORGE VA	23140	173	RAINWATER DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-C-39	DAVID ROYER		310 MANQUIN DRIVE	AYLETT, VA	23009	310	MANQUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-D-8	DAVID SHAWN OTEY		548 MANQUIN DRIVE	AYLETT VA	23009	548	MANQUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
21C-3-D-18	DEAN ALLEN MILES		1033 CHISWICK ROAD	RICHMOND VA	23235	837	VENTER ROAD	AYLETT VA	23009	PHYSICAL	PHYSICAL
20-15C	DEAN M IRWIN		7348 KING WILLIAM ROAD	AYLETT VA	23009	7348	KING WILLIAM ROAD	AYLETT VA	23009	PHYSICAL	PHYSICAL
20-16D	DEAN M IRWIN		P O BOX 272	AYLETT, VA	23009	7320	KING WILLIAM ROAD	AYLETT VA	23009	PHYSICAL	PHYSICAL
20-7R	DONNA NADLES-NEU BALLENTINE		322 ESTATES ROAD	AYLETT, VA	23009	322	ESTATES ROAD	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-1-B-4	DOUGLAS W & IVA HOWK		3132 MANFIELD ROAD	AYLETT, VA	23009	0			0		
21C-1-D-12	EDWARD LOGAN JESSIE JR		1097 VENTER ROAD	AYLETT VA	23009	1097	VENTER ROAD	AYLETT VA	23009	PHYSICAL	PHYSICAL
19C-1	EDWARD M O'DONNELL		849 ENFIELD ROAD	AYLETT VA	23009	849	ENFIELD ROAD	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-3-C-21	ELIZABETH A MAURER		116 MANQUIN COURT	AYLETT, VA	23009	116	MANQUIN COURT	AYLETT VA	23009	PHYSICAL	PHYSICAL
21-16B	ELVIN R ROLLS		723 KENNEDY ST NW	WASHINGTON DC	20011	9742	KING WILLIAM ROAD	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-B-14	ERIC BROWN		267 MANQUIN DRIVE	AYLETT VA	23009	267	MANQUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-3-C-16	ERIC C MCCRAY		537 MANQUIN DRIVE	AYLETT VA	23009	537	MANQUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
20-1-8	ERIC J SPOTT		123 WOOD LANE	AYLETT VA	23009	123	WOOD LANE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-A-7	ESTATE OF LEO W BROOKS		70 WYSOR DR	AYLETT, VA	23009	70	WYSOR DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-B-7	ESTATE OF RANDOLPH T MUNDY		67 MANQUIN DRIVE	AYLETT, VA	23009	67	MANQUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-D-4	HUNTER A FAULKNER		438 MANQUIN DRIVE	AYLETT VA	23009	438	MANQUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-C-53	FEDERAL NATIONAL MORTGAGE ASSOC		P O BOX 650043	DALLAS TX	75265	58 N	MONCUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
21C-3-C-9	FRANK M CASH		468 TERRA ALTA DRIVE	AYLETT, VA	23009	468	TERRA ALTA DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
21C-3-D-17	GARY C KAPOLKA		867 VENTER ROAD	AYLETT VA	23009	867	VENTER ROAD	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-3-C-9	GARY D WILSON		245 NORTH MONCUIN DRIVE	AYLETT VA	23009	245 N	MONCUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-A-6	GEOFFREY W VAUGHAN		96 MANQUIN DRIVE	AYLETT VA	23009	96	MANQUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-B-8	GLENN WITT		101 MANQUIN DRIVE	AYLETT, VA	23009	101	MANQUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-B-11	GORDON C DAVIS JR		183 MANQUIN DRIVE	AYLETT VA	23009	183	MANQUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-3-C-13	HAROLD E DOWNEY III		607 MANQUIN DR	AYLETT, VA	23009	607	MANQUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-D-12	HELEN RASUL		309 RAINWATER DR	AYLETT VA	23009	0			0		
28-1	HIGHVIEW JOURNEY LLC		15250 LAZY CREEK RD	BEAVERDAM VA	23015	0			0		
27B-1-B-3	JACK G BARBOUR JR		3108 MANFIELD ROAD	AYLETT, VA	23009	3108	MANFIELD ROAD	AYLETT VA	23009	PHYSICAL	PHYSICAL
21C-3-E-9	JAMES M HARRISON		792 TERRA ALTA DRIVE	AYLETT VA	23009	792	TERRA ALTA DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-C-12	JAMES RYAN FOGG		111 DEVONSHIRE DRIVE	AYLETT VA	23009	111	DEVONSHIRE DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-D-9	JEFFREY L HUFFMAN		578 MANQUIN DRIVE	AYLETT, VA	23009	578	MANQUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-3-C-20	JEFFREY T LANE		114 MANQUIN COURT	AYLETT VA	23009	114	MANQUIN COURT	AYLETT VA	23009	PHYSICAL	PHYSICAL
27B-2-D-11	JENKINS JAMES R		5231 OAKFOREST DRIVE	CHESTERFIELD VA	23832	51 N	MONCUIN DRIVE	AYLETT VA	23009	PHYSICAL	PHYSICAL

27B-2-D-13	JEROME I NEWBILL	287 RAINWATER DRIVE	AYLETT VA	23009	287	RAYNATER DRIVE	AYLETT	VA	23009
21-7-3	JEROME K RUTLEDGE	119 HICKORY WOODS ROAD	AYLETT VA	23009	119	HICKORY WOODS ROAD	AYLETT	VA	23009
21C-3-D-20	JIMMY L ELLETT	76 NEWTON DRIVE	AYLETT VA	23009	76	NEWTON DRIVE	AYLETT	VA	23009
27B-1-A-1	JOHN A JARRATT	2928 MANFIELD RD	AYLETT, VA	23009	2928	MANFIELD ROAD	AYLETT	VA	23009
27B-2-C-36	JOHN AMOS	P O BOX 2236	ASHLAND VA	23005	226	MANQUIN DRIVE	AYLETT	VA	23009
27B-2-C-29	JOHN C SCHLOSSER	60 DEVONSHIRE DRIVE	AYLETT VA	23009	60	DEVONSHIRE DRIVE	AYLETT	VA	23009
27B-1-C-6	JOHN E EDGE	3330 MANFIELD ROAD	AYLETT VA	23009	3330	MANFIELD ROAD	AYLETT	VA	23009
27B-1-A-2	JOHN R WILKINSON JR	2954 MANFIELD ROAD	AYLETT, VA	23009	2954	MANFIELD ROAD	AYLETT	VA	23009
27B-2-A-5	JOSEPH W DAVIS	68 MANQUIN DRIVE	AYLETT, VA	23009	68	MANQUIN DRIVE	AYLETT	VA	23009
27B-3-C-23	JUDY ANN WORK	119 MANQUIN COURT	AYLETT VA	23009	119	MANQUIN COURT	AYLETT	VA	23009
27B-2-C-33	KELLY C HINNANT	136 MANQUIN DRIVE	AYLETT VA	23009	136	MANQUIN DRIVE	AYLETT	VA	23009
27B-2-C-31	KENDALL PACE	101 WYSOR DRIVE	AYLETT VA	23009	101	WYSOR DRIVE	AYLETT	VA	23009
27B-2-D-16	KENDAN P SHOUP	195 RAINWATER DR	AYLETT VA	23009	195	RAINWATER DRIVE	AYLETT	VA	23009
27B-2-D-15	KRYSTAL DANIELLE HOPSON	229 RAINWATER DRIVE	AYLETT VA	23009	229	RAINWATER DRIVE	AYLETT	VA	23009
27B-2-C-14	LAWRENCE E JOHNSON JR	159 DEVONSHIRE DRIVE	AYLETT VA	23009	159	DEVONSHIRE DRIVE	AYLETT	VA	23009
27B-2-C-24	LEANN VANOSTRAND	254 DEVONSHIRE DRIVE	AYLETT VA	23009	254	DEVONSHIRE DRIVE	AYLETT	VA	23009
27B-2-C-46	LEE P MARTIN JR	4132 INNSLAKE DR	GLEN ALLEN VA	23060	212	RAINWATER DRIVE	AYLETT	VA	0
27B-2-C-49	LEON J HENCE	400 NORTH 8TH STREET SUITE 117	RICHMOND VA	23219	300	RAINWATER DRIVE	AYLETT	VA	23009
27B-3-C-6	LESLIE S LUCY	240 NORTH MONQUIN DRIVE	AYLETT VA	23009	240 N	MONQUIN DRIVE	AYLETT	VA	23009
21C-3-D-21	LINDA J THURMOND	110 NEWTON DRIVE	AYLETT, VA	23009	110	NEWTON DRIVE	AYLETT	VA	23009
27B-2-B-6	LINDA L HOFFMAN	96 KENDAL DRIVE	AYLETT VA	23009	96	KENDAL DRIVE	AYLETT	VA	23009
27B-2-C-42	LINWOOD DAVENPORT SR	34 WOODLIN LANE	MANQUIN VA	23106	106	RAINWATER DRIVE	AYLETT	VA	23009
27B-3-C-27	LUCAS J HERNON	36 DEVONSHIRE DRIVE	AYLETT VA	23009	36	DEVONSHIRE DRIVE	AYLETT	VA	23009
27B-2-C-38	MARCUS CARTER	288 MANQUIN DRIVE	AYLETT, VA	23009	288	MANQUIN DRIVE	AYLETT	VA	23009
27B-3-C-25	MARGARET C LAVERI	96 MANQUIN COURT	AYLETT, VA	23009	96	MANQUIN COURT	AYLETT	VA	23009
27B-2-C-16	MARIE A CLARY	207 DEVONSHIRE DRIVE	AYLETT, VA	23009	207	DEVONSHIRE DRIVE	AYLETT	VA	23009
21C-3-E-4	MARK C GARNETT	175 NEWTON DRIVE	AYLETT VA	23009	175	NEWTON DRIVE	AYLETT	VA	23009
27B-2-C-41	MEGAN STAPLES	84 RAINWATER DRIVE	AYLETT, VA	23009	84	RAINWATER DRIVE	AYLETT	VA	23009
27B-2-C-20	MICHAEL DAVID STYERS	307 DEVONSHIRE DR	AYLETT, VA	23009	307	DEVONSHIRE DRIVE	AYLETT	VA	23009
21C-3-D-22	MICHAEL HOOVER	150 NEWTON DRIVE	AYLETT VA	23009	150	NEWTON DRIVE	AYLETT	VA	23009
21C-3-D-1	MICHAEL W TOOMBS	617 TERRA ALTA DRIVE	AYLETT VA	23009	617	TERRA ALTA DRIVE	AYLETT	VA	23009
27B-3-C-2	MILES K BAKER	2301 WAKEMA ROAD	WEST POINT VA	23181	154 N	MONQUIN DRIVE	AYLETT	VA	23009
27B-2-C-28	NICHOLAS C PAGE	86 DEVONSHIRE DRIVE	AYLETT VA	23009	86	DEVONSHIRE DRIVE	AYLETT	VA	23009
27B-2-B-9	NOKOMIS CUSTALOW	125 MANQUIN DRIVE	AYLETT VA	23009	125	MANQUIN DRIVE	MANQUIN	VA	23106
21C-3-D-4	PAMELA M WALKER	483 TERRA ALTA DR	AYLETT, VA	23009	483	TERRA ALTA DRIVE	AYLETT	VA	23009
27B-1-C-5	PAULETTE J CLARK	3296 MANFIELD RD	AYLETT VA	23009	3296	MANFIELD ROAD	AYLETT	VA	23009
27B-2-C-15	PERRY ROACH	179 DEVONSHIRE DRIVE	AYLETT VA	23009	179	DEVONSHIRE DRIVE	AYLETT	VA	23009
27B-2-D-10	PHYLLIS ROSS	608 MANQUIN DRIVE	AYLETT VA	23009	608	MANQUIN DRIVE	AYLETT	VA	23009
20-16	PKI PROPERTIES, LLC	P O BOX 154	AYLETT VA	23009	5816	KING WILLIAM ROAD	AYLETT	VA	23009
21C-3-E-3	RAYMOND C & JOY L GERARD	73 NEWTON DRIVE	AYLETT, VA	23009	0	NEWTON DRIVE	AYLETT	VA	0
21C-3-E-2	RAYMOND C GERARD	73 NEWTON DRIVE	AYLETT, VA	23009	73	NEWTON DRIVE	AYLETT	VA	23009
27B-2-C-35 & 27B-2-D-2	RICHARD A WITHEROW	2125 RETREAT DRIVE	MECHANICSVILLE VA	23111	196	MANQUIN DRIVE	AYLETT	VA	23009
27B-3-C-28	RICHARD B WOOLARD	10 DEVONSHIRE DR	AYLETT VA	23009	10	DEVONSHIRE DRIVE	AYLETT	VA	23009
27B-2-C-50	RICHARD HUFNER JR	328 RAINWATER DRIVE	AYLETT VA	23009	328	RAINWATER DRIVE	AYLETT	VA	23009
27B-2-C-48	RICHARD L STAFFORD	266 RAINWATER DRIVE	AYLETT VA	23009	266	RAINWATER DRIVE	AYLETT	VA	23009
27B-1-C-2	ROBERT D WARD	3206 MANFIELD ROAD	AYLETT VA	23009	3206	MANFIELD ROAD	AYLETT	VA	23009
21C-3-D-3	RODNEY A INGE	525 TERRA ALTA DRIVE	AYLETT, VA	23009	525	TERRA ALTA DRIVE	AYLETT	VA	23009
27B-2-C-40	ROGER CLEMENTS	PO BOX 31	HANOVER, VA	23069	54	RAINWATER DRIVE	AYLETT	VA	23009
27B-3-C-15	RONALD C MARTIN	1809 W MAIN ST	RICHMOND VA	23220	559	MANQUIN DRIVE	MANQUIN	VA	23106
27B-3-C-11	SANDRA S POWELL	221 N MONQUIN DR	AYLETT VA	23009	221	MONQUIN DRIVE	AYLETT	VA	23009
27B-2-D-3	SCOTT A BRUCE SR	8218 MECHANICSVILLE TURNPIKE	MECHANICSVILLE VA	23111	412	MANQUIN DRIVE	AYLETT	VA	23009
27B-2-D-7	SCOTT A MORAN	1031 MITCHELLS MILL	AYLETT VA	23009	0	MANQUIN DRIVE	AYLETT	VA	0
27B-2-B-13	SHARON CROWDER	241 MANQUIN DRIVE	AYLETT, VA	23009	241	MANQUIN DRIVE	AYLETT	VA	23009
27B-2-C-25	SHAWN BARRETT RICE	228 DEVONSHIRE DR	AYLETT VA	23009	228	DEVONSHIRE DRIVE	AYLETT	VA	23009
27B-3-C-8	SHERI R MCKINNEY	246 N MONQUIN DRIVE	AYLETT VA	23009	246 N	MONQUIN DRIVE	AYLETT	VA	23009
27B-2-D-5	DARYL W SKLAR	466 MANQUIN DRIVE	AYLETT VA	23009	466	MANQUIN DRIVE	AYLETT	VA	23009
27B-2-B-10	STEPHEN MCCRAY	153 MANQUIN DRIVE	AYLETT, VA	23009	153	MANQUIN DRIVE	AYLETT	VA	23009
21C-3-D-5	STEVEN L FOSTER JR	P O BOX 1946	MECHANICSVILLE, VA	23116	0	MONQUIN DRIVE	AYLETT	VA	0
27B-3-C-12	STEVEN S BROADDUS	199 NORTH MONQUIN DRIVE	AYLETT VA	23009	199	MONQUIN DRIVE	AYLETT	VA	23009
27B-2-D-18	SUSIE R GLASCO	135 RAINWATER DR	AYLETT VA	23009	135	RAINWATER DR	AYLETT	VA	23009
27B-3-C-7	THOMAS MONDY	1465 MAHIXON RD	MANQUIN VA	23106	0	MANQUIN DRIVE	AYLETT	VA	0
27B-1-B-2	THOMAS R SHELTON	3080 MANFIELD ROAD	AYLETT, VA	23009	3080	MANFIELD ROAD	AYLETT	VA	23009
27B-3-C-4	THOMAS W COLEMAN	198 N MONQUIN DRIVE	AYLETT, VA	23009	198	MONQUIN DRIVE	AYLETT	VA	23009
27B-2-A-10	THOMAS WAYNE SEAY	154 WYSOR DR	AYLETT VA	23009	154	WYSOR DRIVE	AYLETT	VA	23009
27B-2-B-19	TIA M STONEBRAKER	423 MANQUIN DRIVE	AYLETT VA	23009	423	MANQUIN DRIVE	AYLETT	VA	23009
27B-2-C-47	TIMOTHY GEORGE JOHNSON	240 RAINWATER DRIVE	AYLETT VA	23009	240	RAINWATER DRIVE	AYLETT	VA	23009

27B-2-C-27	TIMOTHY LAYNE	138 DEVONSHIRE DRIVE	AYLETT VA	23009	138	DEVONSHIRE DRIVE	AYLETT	VA	23009
27B-1-A-3	TONY C LAYNE SR	2982 MANFIELD RD	AYLETT VA	23009	2982	MANFIELD ROAD	AYLETT	VA	23009
27B-2-D-14	TONY N FAVARO	255 RAINWATER DRIVE	AYLETT VA	23009	255	RAINWATER DRIVE	AYLETT	VA	23009
27B-3-C-17	TONYA WITHEROW	2125 RETREAT DRIVE	MECHANICSVILLE VA	23111	511	MANQUIN DRIVE	AYLETT	VA	23009
27B-2-A-9	TRUSTEE STEVEN J ALLEN	9285 PAMUNKEY CREST DR	MECHANICSVILLE VA	23111	128	WYSOR DRIVE	AYLETT	VA	23009
27B-2-C-54	VASHI R MIRPURI	102 NORTH MONQUIN DRIVE	AYLETT VA	23009	2102	MONQUIN DRIVE	AYLETT	VA	23009
27B-1-A-4	VICTOR JOBB	118 MEHIXON CREEK LANE	MANQUIN, VA	23106	3006	MANFIELD ROAD	AYLETT	VA	23009
27B-2-C-44	WALTER I PEACO	158 RAINWATER DR	AYLETT VA	23009	158	RAINWATER DRIVE	AYLETT	VA	23009
27B-2-B-5	WARREN H BALLARD JR	72 KENDAL DRIVE	AYLETT, VA	23009	72	KENDAL DRIVE	AYLETT	VA	23009
27B-2-C-43	WENDY J MUELLER	132 RAINWATER DRIVE	AYLETT VA	23009	132	RAINWATER DRIVE	AYLETT	VA	23009
21C-3-E-7 & 8	WILBUR R CLOUSE	165 W PEARL ST	BARTOW FL	33830	0	RAINWATER DRIVE	AYLETT	VA	23009
21C-3-D-23	WILLIAM D BRASWELL	737 TERRA ALTA DR	AYLETT VA	23009	737	TERRA ALTA DR	AYLETT	VA	23009
27B-3-C-1	WILLIAM DAVID JENKINS SR	7732 MARSHALL ARCH DRIVE	MECHANICSVILLE VA	23111	124	MONQUIN DRIVE	AYLETT	VA	23009
27B-2-C-11	WILLIAM F BLACKBURN	87 DEVONSHIRE DR	AYLETT VA	23009	87	DEVONSHIRE DRIVE	AYLETT	VA	23009
27B-2-C-37A	WILLIAM F MOORE	260 MANQUIN DRIVE	AYLETT, VA	23009	260	MANQUIN DRIVE	AYLETT	VA	23009
27B-2-C-30	WILLIAM H YOUNG	155 WYSOR DRIVE	AYLETT VA	23009	155	WYSOR DRIVE	AYLETT	VA	23009
27B-3-C-26	ZACKARY KYLE FARR	477 MANQUIN DRIVE	AYLETT VA	23009	477	MANQUIN DRIVE	AYLETT	VA	23009
27B-1-C-7	ADAM NICHOLS	3462 FALLOWBROOK FRST	YORK SC	29745	3366	MANFIELD ROAD	AYLETT	VA	23009
27B-2-B-16	ADAM SHEPHERD	333 MANQUIN DR	AYLETT VA	23009	333	MANQUIN DR	AYLETT	VA	23009
20-4J	ALVIN P RICHARDSON	512 ESTATES ROAD	AYLETT, VA	23009	512	ESTATES ROAD	AYLETT	VA	23009
27-22	AMANDA PORCH	107 VENTER RD	AYLETT VA	23009	107	VENTER ROAD	AYLETT	VA	23009
20-1-18	AMIE L VOLLMER	208 WOOD LANE	AYLETT VA	23009	208	WOOD LANE	AYLETT	VA	23009
27-28	ANITA S PITTS	25 DORRELL ROAD	AYLETT, VA	23009	0	ENFIELD ROAD	AYLETT	VA	23009
20-7K	ARTHUR BOWLER SR	2918 ENFIELD RD	AYLETT VA	23009	2918	ENFIELD ROAD	AYLETT	VA	23009
20-7N	ARTHUR JEFFREY BOWLER JR	2900 ENFIELD RD	AYLETT, VA	23009	2900	ENFIELD RD	AYLETT	VA	23009
21-7-2	AYRON W PITTS	71 HICKORY WOODS ROAD	AYLETT VA	23009	71	HICKORY WOODS ROAD	AYLETT	VA	23009
21-7-7	AYRON W PITTS	82 HICKORY WOODS ROAD	AYLETT, VA	23009	82	HICKORY WOODS ROAD	AYLETT	VA	23009
19-1-4	BAXTER LIVING TRUST	2619 ENFIELD ROAD	AYLETT VA	23009	2619	ENFIELD ROAD	AYLETT	VA	23009
20-34	BETTY ROSE TOWNSEND	8808 SIERRA RD	HENRICO, VA	23229	0	ENFIELD ROAD	AYLETT	VA	23009
26-67 & 5	BRANTLEY H SLATER	1713 BELLEVUE AVENUE APT C826	RICHMOND VA	23227	0	ENFIELD ROAD	AYLETT	VA	23009
20-35B	CALVIN F TRIMMER	514 ENFIELD RD	AYLETT VA	23009	514	ENFIELD ROAD	AYLETT	VA	23009
21C-1-D-14	CAROL A LEWIS	1015 VENTER ROAD	AYLETT VA	23009	1015	VENTER ROAD	AYLETT	VA	23009
21C-3-C-7	CAROL BUSH TALLEY	526 TERRA ALTA DR	AYLETT VA	23009	526	TERRA ALTA DRIVE	AYLETT	VA	23009
21C-2-B-9	CARY D DONALDSON	13937 KING WILLIAM ROAD	KING WILLIAM, VA	23086	1353	VENTER ROAD	AYLETT	VA	23009
27B-2-C-10	CHARLES E CONLAN	61 DEVONSHIRE DRIVE	AYLETT VA	23009	61	DEVONSHIRE DRIVE	AYLETT	VA	23009
27-19A	CHARLES F CHENAULT JR	P O BOX 705	MANQUIN VA	23106	3225	MANFIELD ROAD	AYLETT	VA	23009
19-57B	CHARLES H CRISWELL	8161 MARLEY DRIVE	MECHANICSVILLE VA	23116	1611	ENFIELD ROAD	AYLETT	VA	23009
21C-1-D-15	CHARLES SHAVER	993 VENTER ROAD	AYLETT VA	23009	993	VENTER ROAD	AYLETT	VA	23009
19-51, 56, & 58	CHARLES STEWART GARBER JR	1757 ENFIELD ROAD	AYLETT, VA	23009	1757	ENFIELD ROAD	AYLETT	VA	23009
20-3	CHARLES W REED JR	379 BEADLES ROAD	AYLETT, VA	23009	6752	KING WILLIAM ROAD	AYLETT	VA	23009
19-4-1	CHRISTOPHER P BROWN	2801 ENFIELD ROAD	AYLETT VA	23009	2801	ENFIELD ROAD	AYLETT	VA	23009
21-16G	CHRISTOPHER SPAIN	49 ADAMS LANE	AYLETT VA	23009	49	ADAMS LANE	AYLETT	VA	23009
19-28	COATS ROBERT H OR HIS SUCCESSOR(S)	8111 SIGNAL HILL RD	MECHANICSVILLE VA	23111	5918	KING WILLIAM ROAD	AYLETT	VA	23009
27B-2-B-17	CODEY A GRAHAM	365 MANQUIN DRIVE	AYLETT VA	23009	365	MANQUIN DRIVE	AYLETT	VA	23009
19-59	COLLEEN D WOOD	5809 COLD HARBOR RD	MECHANICSVILLE VA	23111	0	ARZORIAN LANE	AYLETT	VA	23009
20-42	CONNIE H ABRAMS	550 ARZORIAN LANE	AYLETT, VA	23009	550	ARZORIAN LANE	AYLETT	VA	23009
20-47	CP MANQUIN LLC A VIRGINIA LLC	PO BOX 235	MECHANICSVILLE, VA	23111	0	TERRA ALTA DRIVE	AYLETT	VA	23009
21C-3-C-2	DANIEL C TAYLOR	692 TERRA ALTA DRIVE	AYLETT VA	23009	692	HICKORY WOODS ROAD	AYLETT	VA	23009
21-7-6	DARRELL GENE TOMAN	124 HICKORY WOODS ROAD	AYLETT, VA	23009	124	VENTER ROAD	AYLETT	VA	23009
21C-1-B-1 & 14	DAVID A COUTU	1263 VENTER ROAD	AYLETT, VA	23009	1263	TERRA ALTA DRIVE	AYLETT	VA	23009
21C-3-D-7	DAVID B GRESSETT	365 TERRA ALTA DRIVE	AYLETT, VA	23009	365	HAILEY'S COURT	AYLETT	VA	23009
19-4-5	DAVID E RHEA	91 HAILEY'S COURT	AYLETT VA	23009	91	VENTER ROAD	AYLETT	VA	23009
27-25A2	DAVID PORCH	276 VENTER RD	AYLETT VA	23009	276	TERRA ALTA DRIVE	AYLETT	VA	23009
21C-2-B-6	DEBBIE S LONG	P O BOX 300	AYLETT VA	23009	125	TERRA ALTA DRIVE	AYLETT	VA	23009
20-41	DEBRA HARPER	PO BOX 2410	MECHANICSVILLE, VA	23116	0	VENTER ROAD	AYLETT	VA	23009
21-16E	DENISE MSITH	7237 CEDAR AVENUE	JESSUP, MD	20794	0	ENFIELD ROAD	AYLETT	VA	23009
21C-1-D-16	DONALD E CUNNINGHAM	949 VENTER ROAD	AYLETT, VA	23009	949	TERRA ALTA DRIVE	AYLETT	VA	23009
19C-5B	DONALD E YOUNG	1079 ENFIELD ROAD	AYLETT VA	23009	1079	ESTATES ROAD	AYLETT	VA	23009
21C-3-C-4	DONALD W BARFIELD	624 TERRA ALTA DRIVE	AYLETT VA	23009	624	VENTER ROAD	AYLETT	VA	23009
20-4	DONNA F BALSINGER	248 ESTATES ROAD	AYLETT, VA	23009	248	ENFIELD ROAD	AYLETT	VA	23009
20-43	DOUGLAS A SIMS JR	1063 WOODBURY ROAD	WALKERTON VA	23177	777	ENFIELD ROAD	AYLETT	VA	23009
19C-5A	DOUGLAS W TOMLIN	1041 ENFIELD RD	AYLETT VA	23009	1041	KING WILLIAM ROAD	AYLETT	VA	23009
20-7E & 7H	EDWARD D YOUNG	80 RHODE ISLAND LANE	WEST POINT VA	23181	0	ADAMS LANE	AYLETT	VA	23009
21-16A	EDWARD J CURRIN	9602 KING WILLIAM ROAD	AYLETT VA	23009	9602	KING WILLIAM ROAD	AYLETT	VA	23009
21-16D	EDWARD L BLAKE JR	211 ADAMS LANE	AYLETT VA	23009	211	ADAMS LANE	AYLETT	VA	23009
21-14A	EDWARD SCOTT GERSHOWITZ	9434 KING WILLIAM RD	AYLETT VA	23009	9434	KING WILLIAM ROAD	AYLETT	VA	23009

27-20	ELLEN K MARTIN		3377 MANFIELD ROAD	MANQUIN, VA	23106	3377	MANFIELD ROAD	MANQUIN	VA	23106
27-4	ELWOOD MCPHERSON	C/O ANNETTE JACKSON	1509 LEICESTER ROAD	RICHMOND VA	23225	0				0
21-37	EMMA ELIZABETH LIFE HERRING		P O BOX 434	MANQUIN VA	23106	10260	KING WILLIAM ROAD	AYLETT	VA	23009
27-4A	ENRIE RUFFIN		119 MCPHEARSON DRIVE	AYLETT VA	23009	119	MCPHEARSON DRIVE	MANQUIN	VA	23106
21-7-4	ERIC M POWELL		139 HICKORY WOODS RD	AYLETT VA	23009	139	HICKORY WOODS ROAD	AYLETT	VA	23009
26-63	ERWIN CAMPBELL		11 MANFIELD ROAD	MANQUIN, VA	23106	11	MANFIELD ROAD	MANQUIN	VA	23106
26-65, 65A, 11, 11A, 12	ERWIN M CAMPBELL		468 PLEASANT GREEN LANE	MANQUIN, VA	23106	4998	MANFIELD ROAD	MANQUIN	VA	23106
26-65B	ERWIN MALCOLM CAMPBELL		468 PLEASANT GREEN LANE	MANQUIN, VA	23106	4986	MANFIELD ROAD	MANQUIN	VA	23106
19-63 & 26-1	ERWIN SCOTT CAMPBELL		11 ENFIELD ROAD	MANQUIN VA	23106	291	ENFIELD ROAD	MANQUIN VA	VA	23106
20-4K	FARMER MCCOY III		450 ESTATES ROAD	AYLETT VA	23009	450	ESTATES ROAD	AYLETT	VA	23009
21C-3-C-13	FAYE C GARZA		310 TERRA ALTA DRIVE	AYLETT VA	23009	310	TERRA ALTA DRIVE	AYLETT	VA	23009
21C-3-12	FLORENCE P COOKE		2662 WALKERTON RD	WALKERTON VA	23177	0				0
27-2	FLOYD B RICHARDSON JR		180 MCPHEARSON DRIVE	AYLETT, VA	23009	180	MCPHEARSON DRIVE	AYLETT	VA	23009
21-31B & 4B	G W ABRAMS JR		1628 VENTER RD	AYLETT, VA	23009	1628	VENTER ROAD	AYLETT	VA	23009
20-1-23	GARY D BAUGH		195 FLAG LANE	AYLETT, VA	23009	195	FLAG LANE	AYLETT	VA	23009
20-19	GARY L BAREFORD JR.		7738 KING WILLIAM ROAD	AYLETT, VA	23009	7738	KING WILLIAM ROAD	AYLETT	VA	23009
19C-3A	GARY R EDWARDS		925 ENFIELD ROAD	AYLETT VA	23009	925	ENFIELD ROAD	AYLETT	VA	23009
21C-2-A-4	GENNY LEE INGLE		94 TERRA ALTA DRIVE	AYLETT VA	23009	94	TERRA ALTA DRIVE	AYLETT	VA	23009
20-4B	GEOFFREY KYLE KING		74 ESTATES ROAD	AYLETT VA	23009	74	ESTATES ROAD	AYLETT	VA	23009
19-1-5	GEORGE & NANCY MCFADEN		2565 ENFIELD ROAD	AYLETT, VA	23009	2565	ENFIELD ROAD	AYLETT	VA	23009
13-17A	GEORGE AND BETTINA REED		7153 KING WILLIAM ROAD	AYLETT, VA	23009	7153	KING WILLIAM ROAD	AYLETT	VA	23009
27-12A	GEORGE R SMITH JR		148 PLEASANT GREEN LANE	MANQUIN VA	23106	148	PLEASANT GREEN LANE	MANQUIN	VA	23106
20-35A	GEORGE TRIMMER		514 ENFIELD RD	AYLETT VA	23009	514	ENFIELD ROAD	AYLETT	VA	23009
28-4	GEORGE WILEY ABRAMS		1628 VENTER ROAD	AYLETT, VA	23009	1078	VENTER ROAD	AYLETT	VA	23009
21C-3-C-5	GLORIA BROGDON		592 TERRA ALTA DR	AYLETT VA	23009	592	TERRA ALTA DRIVE	AYLETT	VA	23009
20-1-13	GRADY LEON PARTAIN		92 DEER HAVEN LANE	AYLETT VA	23009	92	DEER HAVEN LANE	AYLETT	VA	23009
20-3A	GRANTLAND & THERESA RICE		6822 KING WILLIAM ROAD	AYLETT, VA	23009	6822	KING WILLIAM ROAD	AYLETT	VA	23009
20-15A & 2B	GRANTLAND C RICE		6822 KING WILLIAM RD	AYLETT, VA	23009	0				0
20-2	GRANTLAND CAREY RICE		6822 KING WILLIAM ROAD	AYLETT, VA	23009	0				0
19-50A	GUY D CHENAULT		2120 ENFIELD ROAD	AYLETT, VA	23009	0				0
20-8 & 9	GUY DAVID CHENAULT		2120 ENFIELD ROAD	AYLETT, VA	23009	0				0
20-12	GUY G HOPKINS III		19725 VIA GRANDE DRIVE	SARATOGA CA	95070	0				0
21-44 & 45	HAROLD L LONGEST		8011 BELL CREEK ROAD	MECHANICSVILLE VA	23111	0				0
19-48 & 49	HARRY HULBERT		2399 ENFIELD ROAD	AYLETT, VA	23009	2399	ENFIELD ROAD	AYLETT	VA	23009
20-22	HARRY W REED 111		170 UPSHAW RD	AYLETT, VA	23009	7839	KING WILLIAM ROAD	AYLETT	VA	23009
27B-2-C-23	HENRY T WILLIAMS		286 DEVONSHIRE DRIVE	AYLETT VA	23009	286	DEVONSHIRE DRIVE	AYLETT	VA	23009
19C-2	HOWARD R DURVIN		883 ENFIELD ROAD	AYLETT VA	23009	883	ENFIELD ROAD	AYLETT	VA	23009
21C-1-B-4	JAMES C GIBSON		1309 VENTER ROAD	AYLETT VA	23009	1309	VENTER ROAD	AYLETT	VA	23009
26-68C 27B-1-C-1	JAMES C LEHMAN JR		P O BOX 280	MANQUIN VA	23106	3953	MANFIELD ROAD	AYLETT	VA	23009
21C-2-A-4B	JAMES E BOYER	G CURTIS OVERMAN JR	10 MADISON LANE SOUTH	NEWPORT NEWS VA	23606	0				0
20-4L	JAMES E ESTOK		292 ESTATE ROAD	AYLETT, VA	23009	292	ESTATE ROAD	AYLETT	VA	23009
20-1-7	JAMES P TILLEY		156 WOOD LANE	AYLETT, VA	23009	156	WOOD LANE	AYLETT	VA	23009
20-10	JAMES PULLER POLLARD JR		10049 ARAGON DRIVE	MECHANICSVILLE, VA	23116	0				0
19-4-2	JAMES W GREUENHAGEN JR		2817 ENFIELD ROAD	AYLETT VA	23009	2817	ENFIELD ROAD	AYLETT	VA	23009
19-4-4	JAMES W LUGINBUHL TRUSTEE		80 HAILEY'S COURT	AYLETT VA	23009	80	HAILEY'S COURT	AYLETT	VA	0
27-11F	JANE ATKINSON		4408 RIVER ROAD	MECHANICSVILLE	23116	3678	MANFIELD ROAD	AYLETT	VA	23009
19-57	JANET WILSON		9411 POWHICKERY COURT	MECHANICSVILLE VA	23116	1567	ENFIELD ROAD	AYLETT	VA	23009
21C-2-A-2	JASON E LEWIS		180 TERRA ALTA DRIVE	AYLETT VA	23009	180	TERRA ALTA DRIVE	AYLETT	VA	23009
19-1-2	JEAN MARIE AMOROSO		2483 ENFIELD ROAD	AYLETT, VA	23009	2483	ENFIELD ROAD	AYLETT	VA	23009
27-19	JEANNE L CHENAULT	CHENAULT HENRY SCOTT JR	7337 HIGHLANDER PL	MECHANICSVILLE VA	23111	1055	MANFIELD ROAD	MANQUIN	VA	23106
21C-3-E-5	JERRY FRANCIS		759 TERRA ALTA DRIVE	AYLETT, VA	23009	759	TERRA ALTA DRIVE	AYLETT	VA	23009
21C-2-B-8	JESSE M BURGESS		217 TERRA ALTA DRIVE	AYLETT VA	23009	217	TERRA ALTA DRIVE	AYLETT	VA	23009
21C-3-C-6	JOHN C CAMERON		564 TERRA ALTA DRIVE	AYLETT VA	23009	564	TERRA ALTA DRIVE	AYLETT	VA	23009
20-41D	JOHN C PHIFER JR		100 TUTELO TURN	YORKTOWN VA	23693	0				0
27-11E	JOHN E HALL		3484 MANFIELD ROAD	AYLETT VA	23009	3484	MANFIELD ROAD	AYLETT	VA	23009
21C-3-D-9	JOHN ERIC DUROSE III		13093 OLD RIDGE ROAD	BEAVERDAM VA	23015	271	TERRA ALTA DRIVE	AYLETT	VA	23009
21C-1-B-3	JOHN J SIMONS		6339 WHITE OAK ROAD	SANDSTON, VA	23150	1181	VENTER RD	AYLETT	VA	23009
21-24A & 23	JOHN LEWIS JOHNSON		268 DABNEY RD	AYLETT VA	23009	0				0
27B-1-B-1	JOHN P HUDNALL SR		8350 BEATTIES MILL RD	MECHANICSVILLE VA	23111	3058	MANFIELD ROAD	AYLETT	VA	23009
21-16	JOHN PATRICK KOSEK		230 DABNEYS ROAD	AYLETT VA	23009	230	DABNEYS ROAD	AYLETT	VA	23009
20-4G	JOHN PATRICK KOSEK		668 ESTATES ROAD	AYLETT, VA	23009	668	ESTATES ROAD	AYLETT	VA	23009
21C-2-A-3	JOHN S ARNOLD JR		130 TERRA ALTA DR	AYLETT VA	23009	130	TERRA ALTA DRIVE	AYLETT	VA	23009
27-3A	JOHN W KING		210 MCPHEARSON DR	AYLETT VA	23009	210	MCPHEARSON DRIVE	AYLETT	VA	23009
27-3	JOHN W KING	C/O JAMES KING	8889 NEWTOWN ROAD	ST STEPHENS CHURCH VA	23148	236	MCPHEARSON DRIVE	MANQUIN	VA	23106
19-1-1	JOHN W TURNAGE		2441 ENFIELD ROAD	AYLETT, VA	23009	2441	ENFIELD ROAD	AYLETT	VA	23009
21-14	JOSEPH M GERSHOWITZ		10421 GEORGETOWN RD	MECHANICSVILLE VA	23116	0				0

20-4M	JOSEPH W BALSINGER JR	172 ESTATES ROAD	AYLETT, VA	23009	172	ESTATES ROAD	AYLETT	VA	23009
21C-3-C-11	JOSHUA N PARCHER	394 TERRA ALTA DRIVE	AYLETT VA	23009	394	TERRA ALTA DRIVE	AYLETT	VA	23009
20-23	JUDITH K GWATHMEY	837 MT ELAM RD	FITCHBURG MA	1420	0				0
27B-2-C-22	KATHERINE L FUHR	302 DEVONSHIRE DRIVE	AYLETT VA	23009	302	DEVONSHIRE DRIVE	AYLETT	VA	23009
19-64 & 19-64A	KAY C LOWE	655 ENFIELD RD	AYLETT VA	23009	655	ENFIELD ROAD	AYLETT	VA	23009
19-65 & 20-35	KEITH M BARLOW	2964 KING WILLIAM ROAD	AYLETT VA	23009	0				0
21C-1-D-13	KERRIE SUSAN ARKWEILL	1065 VENTER ROAD	AYLETT, VA	23009	1065	VENTER ROAD	AYLETT	VA	23009
27-26	KEVIN BRANDON PACE	2904 MANFIELD ROAD	AYLETT, VA	23009	2904	MANFIELD ROAD	AYLETT	VA	23009
20-23B	KING WILLIAM SENIOR CITIZENS ASSOC	8306 KING WILLIAM ROAD	AYLETT, VA	23009	8306	KING WILLIAM ROAD	AYLETT	VA	23009
20-27	KW MORRISON LLC	6520 BOUNDARY RUN DRIVE	MECHANICSVILLE VA	23111	0				0
21-36	LAWRENCE A LIPSCOMB III	6410 HORSEPEN ROAD	RICHMOND VA	23226	0				0
27-8	LEE GOVE	4250 MANFIELD ROAD	MANQUIN VA	23106	4250	MANFIELD ROAD	MANQUIN	VA	23106
20-23A	LEROY BERKLEY	723 KENNEDY ST NW	WASHINGTON DC	20011	7782	KING WILLIAM ROAD	AYLETT	VA	23009
20-7J	LEWIS WILLIAM BANKS	80 RHODE ISLAND LANE	WEST POINT VA	23181	2820	ENFIELD ROAD	AYLETT	VA	23009
26-67A	LINDA A SLATER	13287 SCOTCHTOWN RD	BEAVERDAM VA	23015	4770	MANFIELD ROAD	AYLETT	VA	23009
21C-2-B-5	LINDA M KIRACOFE	AYLETT VA	AYLETT, VA	23009	0				0
20-17 & 18	LINDA R CECIL	7624 KING WILLIAM ROAD	AYLETT, VA	23009	7624	KING WILLIAM ROAD	AYLETT	VA	23009
20-42A	LISA WAITMAN	899 VENTER ROAD	AYLETT, VA	23009	899	VENTER ROAD	AYLETT	VA	23009
20-16A	LONGEST REALTY LLC	220 INGRAM BAY DRIVE	HEATHSVILLE VA	22473	6773	KING WILLIAM ROAD	AYLETT	VA	23009
27-11B	LUCAS C TUCKER	3859 MANFIELD ROAD	AYLETT VA	23009	3859	MANFIELD ROAD	AYLETT	VA	23009
26-64	MARGARET HOPE TAYLOR	5027 MANFIELD ROAD	MANQUIN, VA	23106	5027	MANFIELD ROAD	MANQUIN	VA	23106
21-7-1	MARIA TYREE	39 HICKORY WOODS ROAD	AYLETT VA	23009	39	HICKORY WOODS ROAD	AYLETT	VA	23009
27-25A1	MARK A WESSON	330 VENTER ROAD	AYLETT VA	23009	330	VENTER ROAD	AYLETT	VA	23009
20-22B	MARK C RICE	7961 KING WILLIAM ROAD	AYLETT VA	23009	7961	KING WILLIAM ROAD	AYLETT	VA	23009
20-1-19	MARTIN B CONE JR	506 DOE CROSSING PLACE	AYLETT VA	23009	506	DOE CROSSING PLACE	AYLETT	VA	23009
20-1-20	MARTIN G YOUNG	228 DEER HAVEN LANE	AYLETT VA	23009	228	DEER HAVEN LANE	AYLETT	VA	23009
27-6	MCKENDREE METHODIST CHURCH	P O BOX 277	MANQUIN, VA	23106	0				0
27-23	MCRAE O SEPLH	11901 ASHINGTON WAY	RICHMOND VA	23236	0				0
19C-4	MELVIN F NEWTON	999 ENFIELD ROAD	AYLETT VA	23009	999	ENFIELD ROAD	AYLETT	VA	23009
21C-3-C-8	MICHAEL CALLAHAN JR	498 TERRA ALTA DR	AYLETT VA	23009	498	TERRA ALTA DRIVE	AYLETT	VA	23009
20-1-1 & 3	MICHAEL D THOMPSON	189 SPRING HILL LANE	AYLETT VA	23009	189	SPRING HILL LANE	AYLETT	VA	23009
19-65D	MICHAEL LEON EGLESTON SR	658 ENFIELD RD	AYLETT, VA	23009	658	ENFIELD ROAD	AYLETT	VA	23009
27-11C	MICHAEL M WILLIAMS	7623 POWHATAN TRAIL	KING WILLIAM VA	23086	3586	MANFIELD ROAD	AYLETT	VA	23009
21C-2-B-7	MICHELE A ROSSON	167 TERRA ALTA DRIVE	AYLETT, VA	23009	167	TERRA ALTA DRIVE	AYLETT	VA	23009
20-1-21	MITCHELL W MCCLINTOCK	194 FLAG LANE	AYLETT VA	23009	194	FLAG LANE	AYLETT	VA	23009
21-7-5	NANCY ROCHELLE	138 HICKORY WOODS ROAD	AYLETT VA	23009	138	HICKORY WOODS ROAD	AYLETT	VA	23009
27-24C	NICHOLAS R MCGRAW	343 VENTER RD	AYLETT, VA	23009	343	VENTER ROAD	AYLETT	VA	23009
26-68D	NOBLE R PRICE II	4071 MANFIELD ROAD	AYLETT VA	23009	4071	MANFIELD ROAD	AYLETT	VA	23009
27-24A	PATRICIA A. GARNETT	568 VENTER ROAD	AYLETT, VA	23009	568	VENTER ROAD	AYLETT	VA	23009
21-22	PATRICIA GWATHMEY	4140 AUDOBON PLACE	LYNCHBURG VA	24503	0				0
21C-1-D-11	PATRICK S KENNEY	1133 VENTER ROAD	AYLETT VA	23009	1133	VENTER ROAD	AYLETT	VA	23009
20-17A	PAUL B CECIL	7406 KING WILLIAM ROAD	AYLETT VA	23009	7406	KING WILLIAM ROAD	AYLETT	VA	23009
20-4K1	PAUL D TOMAN	410 ESTATES ROAD	AYLETT, VA	23009	410	ESTATES ROAD	AYLETT	VA	23009
27-8A	PETER JOHN DEPERIO	4188 MANFIELD ROAD	AYLETT VA	23009	4188	MANFIELD ROAD	AYLETT	VA	23009
20-36 & 27B-2-C-37	RALPH L GRIFFIN	240 MANQUIN DRIVE	AYLETT VA	23009	0				0
21C-3-E-6	RANDY L EDDY JR	791 TERRA ALTA DRIVE	AYLETT VA	23009	791	TERRA ALTA DRIVE	AYLETT	VA	23009
21-26A	RAPPAHANNOCK ELECTRIC COOPERATIVE	P O BOX 7388	FREDERICKSBURG, VA	22404	1501	VENTER ROAD-SUBSTATION	AYLETT	VA	23009
21C-3-E-10	REBECCAC ERVIN	766 TERRA ALTA DRIVE	AYLETT, VA	23009	766	TERRA ALTA DRIVE	AYLETT	VA	23009
19-65C	REBECCA DOUCET	610 ENFIELD RD	AYLETT VA	23009	610	ENFIELD ROAD	AYLETT	VA	23009
27-24 & 25	REUBEN W FARLEY	122 BAYSIDE LANE	MONTROSS VA	22520	452	VENTER ROAD	MANQUIN	VA	23106
20-1	RICE'S STAKE & WOOD PRODUCTS INC	6858 KING WILLIAM ROAD	AYLETT, VA	23009	6858	KING WILLIAM ROAD	AYLETT	VA	23009
21-25	RICHARD W PAUL	7311 MCCLELLAN RD	MECHANICSVILLE, VA	23111	0				0
21C-3-C-1	RIONNE HAHN	716 TERRA ALTA DRIVE	AYLETT, VA	23009	716	TERRA ALTA DRIVE	AYLETT	VA	23009
21C-3-D-6	RITA LASANDRA ROBINSON	409 TERRA ALTA DRIVE	AYLETT, VA	23009	409	TERRA ALTA DRIVE	AYLETT	VA	23009
19-65B	ROBERT C AMISS	802 ENFIELD ROAD	AYLETT VA	23009	802	ENFIELD ROAD	AYLETT	VA	23009
20-7U	ROBERT C FERGUSON	2758 ENFIELD ROAD	AYLETT VA	23009	2758	ENFIELD ROAD	AYLETT	VA	23009
21-16F	ROBERT L MOODY JR	117 ADAMS LANE	AYLETT VA	23009	117	ADAMS LANE	AYLETT	VA	23009
19-60	ROBERT L STEVENS JR	THE LODGE, K102	MECHANICSVILLE, VA	23111	7368	DABNEYS MILL ROAD	AYLETT	VA	23009
27-10 & 9	ROCK-SPRING BAPTIST CHURCH	P O BOX 182	MANQUIN VA	23106	4134	MANFIELD ROAD	MANQUIN	VA	23106
20-1-24	ROGER L FOGG	193 FLAG LANE	AYLETT VA	23009	193	FLAG LANE	AYLETT	VA	23009
27B-2-B-15	ROGER LEE SHEPHERD	106 HANOVER AVENUE	SANDSTON VA	23150	303	MANQUIN DRIVE	AYLETT	VA	23009
21C-2-A-1	RYAN M HOY	220 TERRA ALTA DRIVE	AYLETT VA	23009	220	TERRA ALTA DRIVE	AYLETT	VA	23009
19-65A	SAMUEL GREENWOOD	638 ENFIELD RD	AYLETT VA	23009	638	ENFIELD ROAD	AYLETT	VA	23009
19C-3B	SAMUEL LEE JENKINS JR	961 ENFIELD ROAD	AYLETT VA	23009	961	ENFIELD ROAD	AYLETT	VA	23009
26-66	SAMUEL W NEWCOMB	4960 MANFIELD ROAD	MANQUIN VA	23106	4960	MANFIELD ROAD	MANQUIN	VA	23106
21-16C	SARAH R BLAKE	247 ADAMS LANE	AYLETT VA	23009	247	ADAMS LANE	AYLETT	VA	23009

20-16B & 2A	SHELIA S PARSLEY	7276 HIDDEN LAKE ESTATE DRIVE	MECHANICSVILLE VA	23111	7072	KING WILLIAM ROAD	AYLETT	VA	23009
27B-2-C-18	SHERYL L BRADLEY	261 DEVONSHIRE DRIVE	AYLETT VA	23009	261	DEVONSHIRE DRIVE	AYLETT	VA	23009
20-26B	SHIRLEY MOORE	8190 JANICE AVENUE	MECHANICSVILLE, VA	23111	8969	KING WILLIAM ROAD	AYLETT	VA	23009
20-1A	SOLID ROCK GOSPEL TABERNACLE	P O BOX 35	ST STEPHENS CHURCH VA	23148	6878	KING WILLIAM ROAD	AYLETT	VA	0
20-1-12	STEPHEN A LANG	127 DOE CROSSING PLACE	AYLETT, VA	23009	127	DOE CROSSING PLACE	AYLETT	VA	23009
19-57A & 57C	STEPHEN CRAIG CRISWELL	1711 ENFIELD RD	AYLETT VA	23009	1711	ENFIELD ROAD	AYLETT	VA	23009
20-40 & 21-24 & 14B	STEPHEN R GRAVES	435 ADAMS LANE	AYLETT, VA	23009	435	ADAMS LANE	AYLETT	VA	0
21-15	STEPHEN R GRAVES SR	439 ADAMS LANE	AYLETT VA	23009	0				0
21C-3-D-8	STEVE C MASON	351 TERRA ALTA DRIVE	AYLETT VA	23009	351	TERRA ALTA DRIVE	AYLETT	VA	23009
27B-2-C-19	STEVEN H SPICER	293 DEVONSHIRE DRIVE	AYLETT, VA	23009	293	DEVONSHIRE DRIVE	AYLETT	VA	23009
27-21A	STEVEN SOUTHER	3416 MANFIELD ROAD	AYLETT VA	23009	3416	MANFIELD ROAD	AYLETT	VA	23009
20-4D	STUART F BUSH	6618 KING WILLIAM ROAD	AYLETT, VA	23009	6618	KING WILLIAM ROAD	AYLETT	VA	23009
20-41A	STUART L PRINCE	262 ARZORIAN LANE	AYLETT, VA	23009	262	ARZORIAN LANE	AYLETT	VA	23009
19-44	SUSIE A CHENAULT	2717 ENFIELD RD	AYLETT VA	23009	2717	ENFIELD ROAD	AYLETT	VA	23009
19-1-3	SUSIE ANNE CHENAULT	2120 ENFIELD ROAD	AYLETT VA	23009	2120	ENFIELD ROAD	AYLETT	VA	23009
21-29	TAYLOR MERLESS	P O BOX 94	AYLETT VA	23009	0				0
19C-6A & 6B	TERESA H JESTER	15128 N WALES FARM RD	HANOVER VA	23069	1129	ENFIELD ROAD	AYLETT	VA	23009
20-21	THOMAS H FARMER	11545 HANOVER COURTHOUSE ROAD	HANOVER VA	23069	0				0
19-50	THOMAS L MUNDY	6000 KING WILLIAM ROAD	AYLETT, VA	23009	0				0
20-4C	THOMAS L WOODSON	138 ESTATES ROAD	AYLETT, VA	23009	138	ESTATES ROAD	AYLETT	VA	23009
21C-3-C-3	THOMAS O COWDREY	662 TERRAL ALTA DRIVE	AYLETT VA	23009	662	TERRA ALTA DRIVE	AYLETT	VA	23009
20-1-17	THOMAS R GRESCH	160 WOOD LANE	AYLETT VA	23009	160	WOOD LANE	AYLETT	VA	23009
27-11D	THOMAS R WADDY JR	3516 MANFIELD ROAD	AYLETT, VA	23009	3516	MANFIELD ROAD	AYLETT	VA	23009
27-25A	THOMAS ROBERT DILL	40 VENTER ROAD	AYLETT VA	23009	40	VENTER ROAD	MANQUIN	VA	23106
21-22A	TIFFANI B NASH	239 PARKWOOD DR	AYLETT VA	23009	0				0
20-4E1	TIMOTHY K SHOPE	746 ESTATES ROAD	AYLETT, VA	23009	746	ESTATES ROAD	AYLETT	VA	23009
20-1-6	TRUSTEE BRIAN W RIMMER	158 WOOD LANE	AYLETT VA	23009	158	WOOD LANE	AYLETT	VA	23009
21-23A	TRUSTEE NANCY J. OSGOOD	PO BOX 245	MANQUIN, VA	23106	270	DABNEY ROAD	MANQUIN	VA	23106
13-17 & 18	TRUSTEES UNDER THE DONALD B LONGEST	220 INGRAM BAY DRIVE	HEATHSVILLE VA	22473	6773	KING WILLIAM ROAD	AYLETT	VA	23009
21C-3-D-24, 2A	VAN C WALKER	659 TERRA ALTA DRIVE	AYLETT, VA	23009	659	TERRA ALTA DRIVE	AYLETT	VA	23009
20-19B & 19A	VETERANS OF FOREIGN WARS	8968 KING WILLIAM ROAD	AYLETT VA	23009	0				0
20-15 & 16C	WALTER LEROY REED	7128 KING WILLIAM ROAD	AYLETT, VA	23009	7128	KING WILLIAM ROAD	AYLETT	VA	23009
20-4A	WAYNE EARLY	6686 KING WILLIAM ROAD	AYLETT VA	23009	6686	KING WILLIAM ROAD	AYLETT	VA	23009
21C-3-C-10	WELLS FARGO BANK	1600 SOUTH DOUGLASS RD	ANAHEIM CA	92806	434	TERRA ALTA DRIVE	AYLETT	VA	23009
21-39	WILLIAM PITTS JR	71 HICKORY WOODS RD	AYLETT VA	23009	82	HICKORY WOODS RD	AYLETT	VA	23009
26-68 & 68B	WILLIAM C PEARSON	P O BOX 66	MANQUIN, VA	23106	4815	MANFIELD ROAD	MANQUIN	VA	23106
20-1-10	WILLIAM HAINES	8646 KING WILLIAM RD	AYLETT VA	23009	8646	KING WILLIAM ROAD	AYLETT	VA	23009
27-24E, & 24B	WILLIAM P DAUGHERTY	P O BOX 293	AYLETT VA	23009	0				0
27-24D	WILLIAM P DAUGHERTY	PO BOX 293	AYLETT, VA	23009	0				0
19-1-6	WILLIAM T COGBILL	2509 ENFIELD ROAD	AYLETT, VA	23009	2509	ENFIELD ROAD	AYLETT	VA	23009
19-4-3	WYATT H TALLEY	37 HAILEYS COURT	AYLETT VA	23009	37	HAILEYS COURT	AYLETT	VA	23009
20-4H	ZACHARY T CARLSON-MORRISON	308 ESTATES ROAD	AYLETT VA	23009	308	ESTATES ROAD	AYLETT	VA	23009

Newspaper Ad for CUP-03-19

Sweet Sue Solar

**King William County
Public Hearing Notice**

The Board of Supervisors of King William County, Virginia will hold a Public Hearing on Monday, January 27, 2020 at 7:00 p.m., or as soon thereafter, in the Board Meeting Room of the County Administration Building, 180 Horse Landing Road, King William, Virginia to receive public comment on the following matter:

CUP-03-19: Owners – T. Frank Flippo & Sons, LLC, Guy David Chenault & Susie Ann Chenault
Applicant – Sweet Sue Solar, LLC

A request for a Conditional Use Permit to install a 77 MW new solar photovoltaic generation facility which consist of approximately 1262 acres of land. The expected fenced area of the project will encompass approximately 576 acres. The properties are located on tax map parcels 20-11, 20-15B, 20-31, 20-32, 20-38, 20-33, 20-37, and 27-1. The property will have an access road on Enfield and an access road on Manfield. All parcels are zoned A-C (Agricultural-Conservation), and the Future Land Use Map in the 2016 Comprehensive Plan indicates Rural Land use for the property.

All interested persons may appear and present their views at the above time and place. If a member of the public cannot attend, comments may be submitted by mail to 180 Horse Landing Road, #4, King William, VA 23086; by fax to (804)769-4978, or by email to sgraham@kingwilliamcounty.us. Comments received by 12:00 noon on the day of the hearing will be distributed to Board members and made a part of the public record. All records pertaining to this matter may be viewed in the Office of Community Development at 180 Horse Landing Road, King William, VA during regular business hours. Anyone needing assistance or accommodations under the provisions of the American with Disabilities Act should contact the Office of Community Development at (804)769-4978 or sgraham@kingwilliamcounty.us.

By Authority of
Ron W. Etter
Director of Community Development
Secretary to the Planning Commission
Ad to run January 15th and 22nd

**Adjacent and Vicinity Property
Owners Letter**



King William
County
Est. 1702

Board of Supervisors

Department of Community Development

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Fourth District
Edwin H. Moren, Fifth District

January 6, 2020

**RE: Notice to Adjacent Property Owners
Request for Conditional Use Permit
Case CUP 03-19
Tax Map Parcels 20-11, 20-15B, 20-31, 20-32, 20-38, 20-33, 20-37, 27-1.
Owner/Applicants: Sweet Sue Solar, LLC (Applicant)
T. Frank Flippo & Sons, LLC & Guy David Chenault & Susie Ann Chenault (Owners)**

Dear Land Owner:

The King William County Board of Supervisors will hold a Public Hearing on the matter(s) listed below. The meeting will be held on Monday, January 27, 2020 at 7:00 p.m., or as soon thereafter, in the Board Meeting Room of the County Administration Building, 180 Horse Landing Road, King William, Virginia to receive public comment on the following matter:

This request is for a Conditional Use Permit to install a 77 MW new solar photovoltaic generation facility which consist of approximately 1262 acres of land. The expected fenced area of the project will encompass approximately 576 acres. All parcels are zoned A-C, and the Future Land Use Map in the 2016 Comprehensive Plan indicates Rural Land Use for the property. The property is located in the Manquin (4th) voting district.

You are being notified of this hearing because your property is adjacent to or in close proximity to the above-stated request. All interested persons may appear and present their views at the above time and place. If a member of the public cannot attend, comments may be submitted by mail to 180 Horse Landing Road, #4, King William, VA 23086; by fax to (804) 769-2235, or by email to sgraham@kingwilliamcounty.us. Comments received by 12:00 noon on the day of the hearing will be distributed to the Board Members and made a part of the public record. All records pertaining to this matter may be viewed in the Office of Community Development at 180 Horse Landing Road, King William, VA, during regular business hours. Anyone needing assistance or accommodation under the provisions of the American with Disabilities Act should contact the Office of Community Development at (804) 769-4978 or sgraham@kingwilliamcounty.us.

Sherry L. Graham
Zoning Administrator

**Owner Notifications
for
CUP-03-19
Sweet Sue Solar
Public Hearing**



King William
County
Est. 1702

Board of Supervisors

Department of Community Development

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Fourth District
Edwin H. Moren, Fifth District

January 8, 2020

Mr. Guy Davis Chenault
Ms. Susie Ann Chenault
2129 Enfield Road
Aylett, VA 23009

RE: Application For A Conditional Use Permit 03-19, To Install A Solar Facility On Property Located On Tax Map Parcels 20-11, 20-15B, 20-31, 20-32, 20-38, 20-33, 20-37, 27-1.

Dear Mr. and Ms. Chenault:

The Board of Supervisors will hold a Public Hearing on Monday, January 27, 2020 at 7:00 p.m. in the Board Meeting Room of the County Administration Building, 180 Horse Landing Road, King William, Virginia to consider your request for a conditional use permit in order to install a solar facility on property located on tax map parcels 20-11, 20-15B, 20-31, 20-32, 20-38, 20-33, 20-37, 27-1.

Your attendance is strongly encouraged. If you have any questions, please do not hesitate to call.

Sincerely,

Sherry L. Graham
Zoning Administrator



King William
County
Est. 1702

Board of Supervisors

Department of Community Development

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Fourth District
Edwin H. Moren, Fifth District

January 8, 2020

T. Frank Flippo & Sons, LLC
P.O. Box 38
Doswell, VA 23047

RE: Application For A Conditional Use Permit 03-19, To Install A Solar Facility On Property Located On Tax Map Parcels 20-11, 20-15B, 20-31, 20-32, 20-38, 20-33, 20-37, 27-1.

Dear Mr. Flippo:

The Board of Supervisors will hold a Public Hearing on Monday, January 27, 2020 at 7:00 p.m. in the Board Meeting Room of the County Administration Building, 180 Horse Landing Road, King William, Virginia to consider your request for a conditional use permit in order to install a solar facility on property located on tax map parcels 20-11, 20-15B, 20-31, 20-32, 20-38, 20-33, 20-37, 27-1.

Your attendance is strongly encouraged. If you have any questions, please do not hesitate to call.

Sincerely,

Sherry L. Graham
Zoning Administrator

**Applicant Notification
for
CUP-03-19 Sweet Sue Solar**



King William
County
Est. 1702

Board of Supervisors

Department of Community Development

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Fourth District
Edwin H. Moren, Fifth District

January 8, 2020

Mr. Eddie Barry
Sweet Sue Solar, LLC
1 S Wacker Drive
Suite 1800
Chicago, IL 60606

RE: Application For A Conditional Use Permit 03-19, To Install A Solar Facility On Property Located On Tax Map Parcels 20-11, 20-15B, 20-31, 20-32, 20-38, 20-33, 20-37, 27-1.

Dear Mr. Barry:

The Board of Supervisors will hold a Public Hearing on Monday, January 8, 2020 at 7:00 p.m. in the Board Meeting Room of the County Administration Building, 180 Horse Landing Road, King William, Virginia to consider your request for a conditional use permit in order to install a solar facility on property located on tax map parcels 20-11, 20-15B, 20-31, 20-32, 20-38, 20-33, 20-37, 27-1.

Your attendance is strongly encouraged. If you have any questions, please do not hesitate to call.

Sincerely,

Sherry L. Graham
Zoning Administrator



King William
County
Est. 1702

Board of Supervisors

Department of Community Development

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Fourth District
Edwin H. Moren, Fifth District

January 8, 2020

Ms. Jennifer R. Moore, Esquire
Fallon, Myers & Marshall, LLP
110 Main Street
Warrenton, VA 20186

RE: Application For A Conditional Use Permit 03-19, To Install A Solar Facility On Property Located On Tax Map Parcels 20-11, 20-15B, 20-31, 20-32, 20-38, 20-33, 20-37, 27-1.

Dear Ms. Moore:

The Board of Supervisors will hold a Public Hearing on Monday, January 27, 2020 at 7:00 p.m. in the Board Meeting Room of the County Administration Building, 180 Horse Landing Road, King William, Virginia to consider your request for a conditional use permit in order to install a solar facility on property located on tax map parcels 20-11, 20-15B, 20-31, 20-32, 20-38, 20-33, 20-37, 27-1.

Your attendance is strongly encouraged. If you have any questions, please do not hesitate to call.

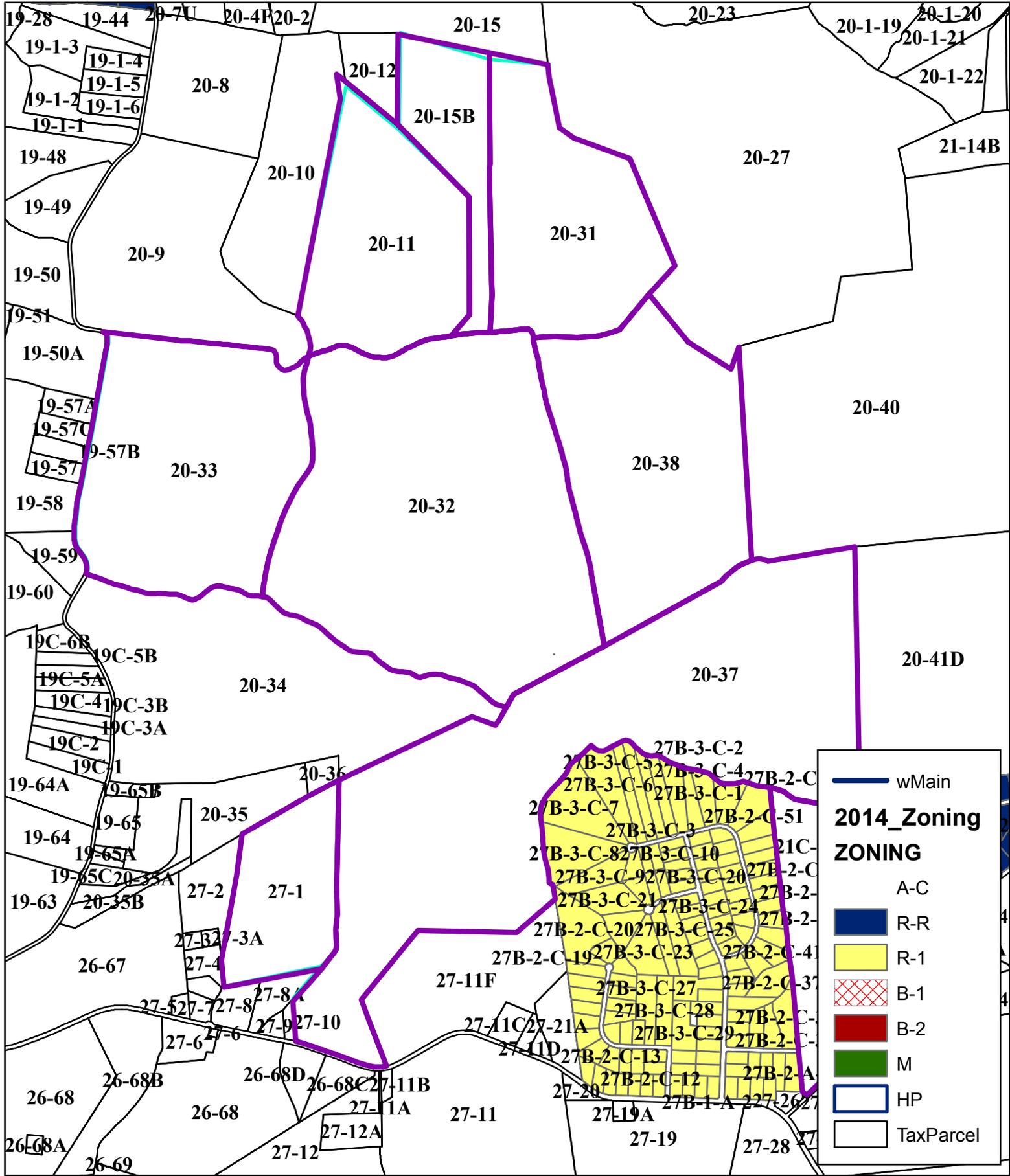
Sincerely,

Sherry L. Graham
Zoning Administrator

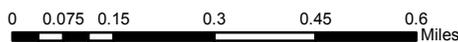
**Community Meeting Attendee
Lists**

Zoning Map

CUP-03-2019
APPLICANT: DAVID G. CHENAULT
TAX PARCELS: 20-11, 20-15B, 20-31, 20-32, 20-33, 20-38, 20-37, & 27-1



THIS MAP IS FOR PLANNING PURPOSES ONLY
 CREATED BY BETTY BROOKS
 08/14/2019



2014_Zoning

ZONING

- A-C
- R-R
- R-1
- B-1
- B-2
- M
- HP
- TaxParcel

GIS Map

Attachment 4
Current Zoning Ordinance
Section 86-456(g)

- (7) Whenever the special use exception permit issued by the board of supervisors shall have expired, or whenever the operation shall have ceased for any period exceeding 12 consecutive months, then all plants, buildings, structures (except fences), stockpiles and equipment shall be entirely removed from the premises, and the premises shall be restored as required in this subsection (f).
 - (8) The board of supervisors may renew a permit, after a public hearing, provided that an application therefor is filed within 60 days before its expiration date, in the same manner as for an original permit, provided that the applicant is carrying out the requirements of the existing permit in good faith.
- (g) *Solar power stations* .
- (1) *Application requirements* . Each applicant requesting a conditional use permit under this supplementary regulation shall submit the following:
 - a. A complete conditional use permit application form.
 - b. Twelve sets (11 inches x 17 inches or larger), one reduced copy (8½ inches x 11 inches) and one electronic copy of site plans, including elevations and landscape plans if required. Site plans shall meet the requirements of section 86-494 "Requirements; content and form."
 - c. An identification card for the subject property from the office of the commissioner of the revenue for the county, tax bill or title showing the ownership of the subject parcel.
 - d. Proof that the applicant has authorization to act upon the owner's behalf.
 - e. Identification of the intended utility company who will interconnect to the facility.
 - f. An estimated construction schedule.
 - g. List of all adjacent property owners, their tax map numbers and addresses.
 - h. Aerial imagery which shows the proposed location of the power station, fenced area and driveways with the closest distance to all adjacent property lines and dwellings.
 - i. Estimates for the cost of decommissioning and scrap value of the facility.
 - j. The county may require other information deemed necessary to assess compliance with this section.
 - (2) *Public notice* .
 - a. *Community meeting* : A community meeting shall be held by the applicant prior to the public hearing with the planning commission.
 1. The applicant shall inform the community development department and adjacent property owners in writing of the date, time and location of the meeting, at least seven but no more than 14 days, in advance of the meeting date.
 2. The date, time and location of the meeting shall be advertised in the county's newspaper of record by the applicant, at least seven but no more than 14 days, in advance of the meeting date.
 3. The meeting shall be held within the county, at a location open to the general public with adequate parking and seating facilities which may accommodate persons with disabilities.
 4. The meeting shall give members of the public the opportunity to review application materials, ask questions of the applicant and provide feedback.
 5. The applicant shall provide to the community development department a summary of any input received from members of the public at the meeting.
 - (3) *Development standards* .

- a. The minimum lot size is 40 contiguous acres.
- b. The design of support buildings and related structures shall, to the extent possible, use materials, colors, textures, screening and landscaping that will blend the facilities to the natural setting and surrounding structures.
- c. No signage of any type may be placed on the facility other than notices, warnings, and identification information required by law.
- d. Maximum height of primary structures and accessory buildings shall generally be 15 feet as measured from the finished grade at the base of the structure to its highest point, including appurtenances. The board of supervisors may approve a greater height based upon a demonstration of a significant need where the impacts of increased height are mitigated.
- e. All facilities must meet or exceed the standards and regulations of the Federal Aviation Administration ("FAA"), State Corporation Commission ("SCC") or equivalent, and any other agency of the local, state or federal government with the authority to regulate such infrastructure that are in force at the time of the application or which applies retroactively.
- f. To ensure the structural integrity of the infrastructure, the owner shall ensure that it is designed and maintained in compliance with standards contained in applicable local, state and federal building codes and regulations that were in force at the time of the permit approval.
- g. All newly installed utilities including but not limited to, electric, fiber, CATV and telephone serving the site which are visible from the ground-level view of adjacent properties zoned residential, agricultural, PUD Planned Unit Development, R-C Rural Conservation, dwellings not owned by the owner of the subject property and public rights-of-ways, shall be screened from view or placed underground, unless prohibited by the state or federal agency regulating such utilities. Screening requirements may be reduced if agreed to in writing by the adjacent property owner who the screening would serve.
- h. The facilities shall be enclosed by security fencing not less than six feet in height.
- i. The facilities, including fencing, shall be significantly screened from the ground-level view of adjacent properties zoned residential, agricultural, PUD Planned Unit Development, R-C Rural Conservation, dwellings not owned by the owner of the subject property and public rights-of-way by a buffer zone at least four feet wide that shall be landscaped with plant materials, except to the extent that existing vegetation or natural land forms on the site provide such screening. In the event existing vegetation or land forms providing the screening are disturbed, new plantings shall be provided which accomplish the same. Fencing may be used to supplement other screening methods, but shall not be the primary method. Screening requirements may be reduced if agreed to in writing by the adjacent property owner who the screening would serve.
- j. Lighting shall be the minimum necessary for safety and/or security purposes and shall use shielded fixtures to minimize off-site glare.
- k. No facility shall produce glare that would constitute a nuisance to the public.
- l. The minimum setback to property lines of properties zoned residential, agricultural, PUD Planned Unit Development, R-C Rural shall generally be 100 feet. Facilities may be located closer to such property lines based on mitigating their impacts by a reduced height, alternative designs, camouflaging or screening, however a power station may not be in any case located closer than 25 feet to such properties. The minimum setback to the property lines of properties zoned industrial, commercial or to any other property owned by the same owner as the subject property shall be that required by the zoning ordinance for other primary structures in that zoning district. Setback requirements may be reduced if agreed to in writing by the adjacent property owner but shall not be reduced below the

minimum required by the zoning ordinance for other primary structures in that zoning district.

m. Any other condition added by the board of supervisors as part of a conditional use permit approval.

(4) *Coordination of local emergency services* . Applicants for new solar power stations shall coordinate with the county's emergency services staff to provide materials, education and/or training to the departments serving the property with emergency services in how to safely respond to on-site emergencies.

(5) *Decommissioning* . Any solar power station that is not in active use for a continuous period of 24 months shall be considered abandoned, and the owner of any such facility, the land owner of the property on which a station is located upon or their successors or assigns shall remove the facilities within six months of receipt of notice from the county. Decommissioning includes the removal of the solar systems, buildings, cabling, electrical components, roads, foundations, pilings, and fencing to a depth of 36 inches. Any agricultural land upon which the facility was located shall be restored to tillable soil suitable for agricultural use, forestry, ponds and/or wetlands. The zoning administrator may permit the fence, underground cables, roads and support buildings to remain with the property owner's approval so long as they continue to be screened as required. When a facility is deemed to be abandoned, an owner wishing to extend the time for removal shall submit an application stating the reason for such extension. The zoning administrator may extend the time for removal or reactivation up to an additional six months upon a showing of good cause. If the facility is not removed within the specified time, the county may contract for removal. Thereafter, the county may cause removal of the facility with costs being borne by the owner of the facilities and/or the land owner. All costs there of shall be charged to the landowner and become a lien on the property on which the facility was located. The owner of the facility shall secure the costs of decommissioning by providing and keeping in force a decommissioning agreement and financial surety in a form agreed to by the county attorney. The owner of the facilities shall every five years submit updated cost estimates for decommissioning the facilities and scrap value, adjusted for changes in inflation, scrap value and other factors. At its option, the county may require the surety amount be increased based on the net cost of decommissioning.

(h) *Pet crematories.*

(1) The minimum lot size is ten contiguous acres.

(2) The minimum setback to existing off-site dwellings not owned by the subject property owner shall be 200 feet.

(3) The minimum setback to property lines and/or rights-of-way not owned by the subject property owner shall be 100 feet.

(4) The unit may not be used for disposal of waste, household trash or garbage.

(5) Only one animal may be cremated at a time.

(6) The unit shall either be fully concealed within a building to appear as a garage, shed, barn or other permitted residential or agricultural accessory structure or shall be fully screened from view from adjacent properties not owned by the subject property owner and any public roads, rights-of-way or easements, by an opaque fence, new evergreen plantings, existing vegetation or natural topography, which must be maintained or replaced as needed to screen the unit.

(7) The unit shall be located or constructed so that pets delivered and picked up for cremation shall not be at any time visible from adjacent properties not owned by the subject property owner and any public roads, rights-of-way or easements.

(8) Animals not cremated immediately upon delivery shall be kept in refrigerated storage to prevent decomposition.

(9) There shall be no on-site burials of pets.

Attachment 5

Letter of Concern for

CUP-3-19

Sweet Sue Solar Farm

(Adjacent Property Owner)

**Industrial Solar Farms: An In-Depth Look at
How Industrial Solar Farms Impact the Rural Tidewater
Counties of the Middle Peninsula and Northern Neck
by the Essex County Conservation Alliance**

Introduction

This paper addresses the potential impact of industrial solar farms on the rural tidewater counties of the Middle Peninsula and the Northern Neck. As the pace of solar development rapidly quickens and decisions are made with increasing frequency, this paper aims to equip decision makers and the public alike with the information they need to take an informed stance on this issue and make decisions that best benefit the future of the community.

The focus of this paper is on the conversion and development of rural farm and forest lands into utility-scale solar-power generation stations, known as solar farms. This paper **does not** address the personal use of solar panels installed by a property owner to provide electricity for the owner's home, farm, or business.

Based on the evidence presented here and other existing case studies, it is clear that solar farms are industrial activities that are unrelated to agriculture.

Accordingly, if approved by a rural county's board of supervisors, solar farms should be restricted to areas that are already appropriately zoned for industrial use. While the authors of this paper support solar power as an alternative energy source, we strongly oppose the destruction of productive farm and forest lands as a means of producing solar energy.

The popular term *solar farm* is a dangerously misleading concept, as solar farms pose a direct and very real threat to the agriculture, forestry, scenic beauty, unspoiled natural resources, and water systems that not only attract residents and visitors to the region but provide the vast majority of jobs for residents and tax revenues for local governments. The following research supports this stance and is presented in hopes of helping county policy

makers and landowners make decisions regarding solar farms that preserve for future generations the scenic characteristics and quality of life benefits traditionally enjoyed by citizens of the tidewater counties of the Middle Peninsula and Northern Neck.

Issues to Consider When Evaluating a Proposal for a Solar Farm

Most citizens who live in the rural tidewater counties of the Middle Peninsula and the Northern Neck may have little direct knowledge of solar farms or the issues that should be evaluated by a local board of supervisors when a solar farm proposal is presented for approval. A brief discussion of the conversion process when agricultural land is turned into a commercial solar site and a basic understanding of how solar farms operate are necessary to provide the framework for an analysis of the issues.

1. Utility-Scale Solar Farms Are Not Farms

They are industrial projects that convert large tracts of farmland and forests into rows of glass panels containing highly toxic materials.

The first point to understand is that a solar farm is an industrial site that has nothing to do with farming or forestry or the ancillary activities related to agriculture. To the contrary, a solar farm is an industrial activity where productive farm or forestry acreage is converted into an electric power generation station. The term *solar farm* is a complete misnomer. It has its origin in the fact that solar companies have found it cost efficient to lease farmland in rural counties on which to erect their solar generation panels because land cleared for farming is already exposed to direct sunlight. For all intents and purposes, a solar farm is an industrial enterprise that is wholly unrelated to and not supportive of any farm or forestry use. In fact, the construction of a solar power generation site on land previously dedicated to farming is actually destructive of the underlying farm acreage because the site is typically cleared of much of its top soil, compacted, and chemically treated to control plant growth.

In the site preparation stage, as noted above, trees and vegetation are cut, the land is leveled, and chemicals and herbicides are used to eliminate plant growth on the acreage

where large numbers of solar panels will be clustered. An interconnected above-ground mounting system is then erected to hold rows of solar-powered photovoltaic (PV) panels in a concentrated configuration that tracks the sun. Electricity generated by the solar panels is carried by electrical wires and cables to high-voltage transmission lines where it ultimately enters a central power grid that distributes electric power through a transmission and distribution system to consumers. The land disturbance is not confined to the footprint of the operating site but also includes the associated construction of access roads, rights of way, and the upgrading or constructing of transmission lines.

The scope of the land disturbance activity and the size of the geographical area it directly impacts depend on the number of megawatts of electricity the solar farm is engineered to produce. Typical solar farms in rural Virginia may consist of 150 to 300 acres, but they can be significantly larger. For example, the Coronal Energy solar farm in Essex County operates on a lease covering 200 acres and is engineered to produce 20 megawatts of electricity (equal to 20 million watts per hour). A much larger solar site was recently approved by Charles City County for a 340-megawatt solar project on 1400 acres. The Charles City County solar project will be operated by the Sustainable Power Group (aka sPower), a Utah-based entity. The same company (sPower) has also submitted an application to Spotsylvania County's board of supervisors to operate an even larger 500-megawatt solar farm which, if approved, would encompass approximately 6300 acres and would be the largest solar generating project in Virginia.

The vast majority of solar farms in rural Virginia are operated by limited liability companies (LLCs) pursuant to leases signed by the property owners. As the surge in solar farms sweeps across rural Virginia, many farmers who own large tracts of productive farmland are being offered leases or option contracts that commit them to lease their land so that it can be converted to a solar power generation site. In Essex County, for example, Coronal Energy obtained a five-year option to lease 274 acres from one property owner in the southern end of the county, and Hexagon Energy, LLC has obtained options to lease two tracts of 138 acres and 182 acres from other property owners near Center Cross. More recently, Innovative Solar Systems, LLC, a solar energy company in North Carolina, has

sent mailings to farm owners in Essex's Occupacia District offering to lease tracts of "clear clean" farmland over 150 acres which are near "large power lines."

2. The Economic Impact of Solar Farms on a Rural County May Be Negative

Farm employees lose jobs, work is lost in farm service occupations, few permanent jobs are created, the cost of county services go up, the increase in property taxes may be minimal, and revenue from tourism may be adversely affected.

Solar farms are touted by industry advocates as being good for a state's economy because they provide a clean source of renewable energy that attracts business and provides employment opportunities in rural areas where the solar plants are typically located. This is a contention that should not be readily accepted. In the rural counties of tidewater Virginia, a solar farm may actually have a negative effect on the local economy and damage the economic interests of local residents. **We should remember that farms and forests that are targeted by the solar companies are the primary economic engines of our rural communities.**

When a farm is converted to a solar power site, farm employees, who are usually local residents of the county and who have directly farmed the land for many years, are displaced. In addition, local residents, in a variety of farm-related occupations, who performed contract services to the site are impacted. For example, in a rural farming community, many of the jobs held by local residents are with off-site businesses that provide the farm supplies and services a working farm requires. These contract services pertain to crop production, irrigation, harvesting and sale of crops, transportation of produce, maintenance of farm machinery such as combines and tractors, crop insurance, insect control, and a variety of other services. None of these services are required by a solar farm.

The loss of farm-related employment is not offset by employment opportunities at the solar site. In this respect, it is important to understand that a solar generating site differs materially from a local manufacturing plant or a retail sales facility, which requires regular

employment forces. While some local employees may be used as part of the construction crew that clears and levels the site, their jobs are temporary, ending when the site preparation work is completed. The solar panels and ground mounting systems that are manufactured elsewhere are installed by specialized contractors, not by local employees. When the solar site begins to generate power, there are few, if any, regular employees at the site, with the possible exception of a few maintenance employees.

The reality is that a PV solar farm typically provides little, if any, regular employment to local residents of a rural area. Moreover, the electrical energy the solar farm produces affords no particular benefit to the residents and local businesses in the rural county where the solar farm is located. None of the power generated by a PV solar farm is channeled to a local resident, local business, or directly to any local consumer. It is sold to public utilities or electric power contractors who purchase it for sale to a central grid.

Solar industry representatives can be expected to argue that the county will experience an increase in property tax revenue if farmland is converted to a solar generation site. While it is true that real estate taxes applicable to the tract of land are likely to increase, so will the cost to the county for providing services to the site, which include utilities, fire, and other emergency services. One emergency incident at the solar site could cost the county more than any increase in the real estate tax revenue it experiences. Moreover, the county will receive no property tax revenue on the solar panels and mounting system or other equipment installed by the solar operator because they are exempt from local taxation pursuant to incentives granted by Virginia's General Assembly.

In assessing the economic impact of solar farms, a county should also consider whether their presence detracts from the characteristics of the county that attract new families and businesses to the area. Residents of the Middle Peninsula and the Northern Neck place a high value on the fact that they live in a scenic area, with abundant tidal waters, and largely unspoiled natural resources. They also take pride in the fact that this is an area acclaimed for its historical significance. This is the image promoted by the local governments of this tidewater region in their comprehensive plans and on their websites. It is an aesthetically pleasing image that is marketed to attract retirees and tourism to the

area and to reaffirm the conservation goals and values of local government to existing residents.

The conversion of scenic farmland to solar project sites with rows of glass panels is an image in sharp contrast with the website descriptions promoted by local governments. It is also an image that is inconsistent with the advice of economic consultants who have been engaged to assist the local counties in promoting their tourism goals. Tourism is recognized as a critically important economic element for the tidewater counties of the Northern Neck and Middle Peninsula. For example, data released for 2017 by the United States Travel Association showed that tourism revenue for the five counties of the Northern Neck reached \$273,391,000, and that tourism supported 2772 jobs and accounted for tourism-related tax revenue of approximately \$7,604,000. By any objective analysis, the proliferation of solar farms in this tidewater region is likely to have an adverse economic impact on tourism revenue.

3. Solar Farms Pose Significant Environmental Risks

Productive topsoil is destroyed, runoff and erosion of contaminated soil can occur, storms can damage solar panels containing highly toxic metals known to be carcinogens, clean-up of toxic waste product is difficult and very costly, and there is no certified regional means of solar panel toxic waste treatment, recycling, or decommissioning.

Advocates who support a solar farm proposal typically argue that because solar energy draws its power from the sun, it is friendly to the environment. They usually contrast solar power farms with traditional power stations that burn fossil fuels, which pose greater harm to the environment by creating greenhouse gas emissions, particularly carbon dioxide (CO₂), and impact both air and water quality. The comparative harm to the environment caused by a solar power farm versus a carbon fueled power station is not the issue. The relevant environmental question that needs to be addressed when a solar farm is proposed concerns the impact on the local environment if land is converted from its existing farm or forestry use to a solar power generation station. This is a question that requires a thorough environmental assessment because the potential for substantial

environmental damage can be significant and long lasting, can impact neighboring properties, and be very costly to remediate.

The requisite environmental assessment should encompass the footprint of the proposed site and the access roads, right of ways, and transmission lines necessary for its operation. The assessment should also evaluate the project's water requirements, its potential impact on the aquifer and on any water bodies in close proximity to the site. There may also be areas of special concern that require protection such as wetlands, or locations where endangered plants grow, or which serve as critical habitat for protected wildlife.

Because the area of the project site where the solar panels will be located will be denuded of trees and leveled, and the use of chemicals and herbicides will be applied to control plant growth, there is always the potential at a solar farm for storm water runoff and erosion. Ground that has been cleared of trees may not be able to absorb significant rainfall, resulting in runoff and erosion of contaminated soil. The environmental assessment should address this risk and require containment barriers and berms. In addition, all chemicals and herbicides used for grounds clearance and maintenance should be identified and records should be maintained and available for inspection to show the volume and frequency of their use, and the location where they are stored.

The environmental assessment should also require disclosure of all toxic metals contained in the solar panels, such as cadmium telluride, cadmium sulfides, lead, silicon tetrachloride, chromium, copper indium selenide, and other metals known to be carcinogens. Because the solar modules are clustered in the open, they are exposed to extreme weather, including high wind conditions that could damage and dislodge the solar panels. In a worst-case situation, such as the tornado that devastated a twenty-eight-mile path from the Middle Peninsula to the Northern Neck on February 24, 2016, a solar plant in the path of such a storm would likely experience massive damage to its solar panels with glass and toxic materials strewn over a wide area far beyond the footprint of the solar site. The 2016 tornado that struck Essex and Richmond counties destroyed a large number of

homes and deposited massive amounts of debris in the marshes, wetlands, and tidal waters. It was fortunate that there was no solar farm in the path of the 2016 tornado.

Just two years later, in January 2018, Essex County residents learned first-hand about the environmental risks posed by a solar farm when Coronal Energy's 200-acre solar station, located just off US Route 17 near Dunnsville, Virginia, experienced heavy rainfall for several days. On that occasion, tons of muddy sediment eroded from the Coronal site and poured into a tributary of the Rappahannock River, and ultimately, into the river itself, which is part of the Chesapeake Bay watershed. During the permitting process for this solar site, Coronal representatives had promised Essex's planning commission that storm water runoff and erosion would not be a problem.

While solar industry representatives may be inclined to dismiss the concerns of local residents about the risk of environmental damage when severe storms hit a solar farm, there are ample real-life incidents that demonstrate the validity of these concerns. For example, in April 2015, a tornado struck a 550-megawatt solar farm known as the Desert Sunlight Solar Project, located just six miles north of Desert Center, California. The tornado destroyed over 150,000 cadmium telluride solar panels. The damage was so great that broken glass modules containing toxic metals were strewn beyond the footprint of the site and had to be collected and moved to staging areas via trucks and trailers. Other instances of environmental damage at the same solar site include heavy runoff of storm water, erosion, and flooding, which impacted the habitat for certain species of protected wildlife. Additional examples of significant environmental damage at solar power sites due to severe weather conditions include that of a large solar farm in Humacao, Puerto Rico, which supplied nearly 40 percent of the island's solar generated electricity. In 2017, strong winds from Hurricane Maria hit the Humacao site, ripping a large number of the station's solar panels from their foundation and destroying the glass panels. And in 2016, a 60-acre solar station near Little Falls, Minnesota, was extensively damaged by 90 mph winds that destroyed twenty-five rows of solar panels, leaving twisted racks, crushed solar panels, and damaged wiring.

Hurricanes, tornados, and thunderstorms, of course, do not follow a predictable pattern and make no distinction between the types of structures that lie in their path. As solar farms increase in number, so will the number of weather related incidents in which solar panels are significantly damaged or destroyed. Each major incident will require costly clean-up activities and may have significant environmental consequences for years to come.

Experts differ on the extent to which solar panels that are damaged or broken in a severe storm create a significant risk of exposure to the toxic metals they contain, or the extent to which cadmium and other toxic materials may leach into the groundwater. The solar waste problem, of course, is not just confined to panels that are damaged by storms or other events. It encompasses solar panels that are taken out of service and replaced by new panels, technologically improved to produce greater conductivity. This is a growing toxic waste problem of immense proportion.

In the United States, there is no requirement for damaged or replaced solar panels to be recycled by the manufacturer or sent to a hazardous waste disposal center. In fact, there is no federal requirement to even classify them as hazardous waste. As a consequence, the panels are often sent to landfills where they may be crushed and exposed to the weather along with nontoxic waste. Researchers at the Electric Power Research Institute have warned against the practice of disposing of solar panels in “regular landfills” out of concern that “toxic materials may leach into the soil.” To date, these warnings have been largely ignored by solar corporations and solar panel manufacturers, and by state and federal regulatory authorities.

Many articles have been written that describe the disposal of solar panels as a growing national and international issue. The current trend for the increased use of solar power as an alternative form of clean energy, aided by state and federal financial incentives, ignores this problem. Unless it is addressed as a national priority, the problem will become particularly acute when industrial solar farms are decommissioned.

The problem of solar waste disposal is not just a United States issue. Japan's Environment Ministry has issued a warning that by the year 2040, Japan is likely to have 800,000 tons of solar panel waste, with no current plan for safely disposing of it. China, which has more solar plants than any other country, has an even greater solar waste disposal problem. Only Europe requires solar power manufacturers to collect and safely dispose of the solar power panels they produce.

In the United States, the manufacturers of solar panels are not charged with the cost of recycling or safe disposal of solar panel waste product. This is also an expense which may not be built into the business model of the corporate entities that operate solar farms, the vast majority of which are special-purpose entities incorporated as LLCs that may lack the financial reserves to absorb the cost of hazardous waste disposal. This is a problem that cannot be indefinitely ignored or postponed. If solar panel manufacturers and solar farm entities do not absorb the expense, it may ultimately fall into the lap of the owner of the property and the county where the solar farm is located.

4. The Impact on Local Residents Living near the Solar Project

The conversion of agricultural property to an industrial site can adversely affect the property values, health and safety, and quality of life of local residents.

As noted in the previous sections of this article, when a commercial solar project is approved in a rural farming community, the impact on the county and its local residents can be far reaching with lasting consequences. Those who experience the most immediate impact are the families who live in closest proximity to the proposed solar plant. Many of these families may have purchased property and built or bought homes in the area in reliance on the fact that the land proposed for a commercial solar generation site was zoned for agricultural use. Zoning plays a big part in a family's decision to move to a new area. This may be particularly true of retirees who chose the area for its quality of life benefits and scenic characteristics.

There can be no doubt that residential property values may be diminished by any industrial activity that poses an environmental or health risk or by other characteristics that diminish

the quality of life of nearby residents. This is an understandable concern of the residents of any community, and it is one of the primary points of concern that the residents of Fawn Lake, a waterfront retirement community in Spotsylvania County, Virginia, have recently expressed in opposition to the massive 500-megawatt solar power generation site proposed by the Utah-based Sustainable Power Group (sPower). The group of local citizens in opposition to the project number in the hundreds and call themselves the Concerned Citizens of Spotsylvania County. sPower is actually a consortium of limited liability solar entities. The project would include three tracts of forest land encompassing over eight squares miles of Spotsylvania County in an area zoned for “agricultural use”. The sPower project calls for the installation of 1.8 million solar panels on a 6300-acre forest site in close proximity to Fawn Lake.

The sPower proposal, which at this time is under review by the Spotsylvania County Board of Supervisors, has created a fire storm of opposition from Fawn Lake residents and other citizens of Spotsylvania. The opposition group has contended that the proposed solar power site could create significant health and environmental risks to area residents, that it would drive down property values, and that in an environmental emergency the clean-up costs of toxic materials could be massive and would ultimately have to borne in large measure by the county and its tax payers. The Fawn Lake opponents also contend that the sPower solar project is likely to adversely affect home sales because it would discourage people from wanting to buy homes in the area, and that it is so massive in size (nearly half the size of Manhattan) that it would forever change the historic character of the County. The proposed site is located just a few miles away from the historic Civil War battlefield area where the Battle of the Wilderness, the Battle of Chancellorsville, and the Battle of Spotsylvania Court House took place.

The opposition group has also disputed sPower’s economic forecasts, pointing out that lower property values and declining home sales would cause the county to lose tax revenue, that solar power sites pose the risk of electrical fires caused by arc flashes and power surges that could require county services by fire and rescue squads, and that sPower’s forecast of jobs was grossly inflated because the site clearance workers would be temporary employees and less than thirty-five permanent jobs would be created. In

addition, the citizens' group cited studies showing that solar-power-generation sites are costly to tax payers because they are artificially propped up by federal subsidies and state tax credits that far exceed what other power producers receive. The Concerned Citizens of Spotsylvania County also cited studies showing that the electric rates paid by consumers would actually increase, not be reduced, by solar power because it is intermittent, rather than continuous. Public regulated utilities are required to purchase solar power, but maintaining the continuous power flow the grid requires necessitates expensive additions to the power-generating capacity of traditional energy companies, including new transmission lines. These costs are passed along to the consumer in increased electric rates.

An additional point of contention in the sPower proposal is the projected decommissioning cost to restore the land at some point in the future to its original condition. If restoration is even possible, the cost would be enormous. Spotsylvania has projected the cost to be \$36,000,000, whereas sPower has projected about \$11,000,000. The sPower projection assumes credits for the value of recycled materials.

As previously noted, recycling of solar panels is not currently required by law in the United States. A current analysis of decommissioning costs is highly speculative. If outdated or damaged solar panels are classified as hazardous waste, as they should be, the decommissioning cost would skyrocket. In the meantime, the environmental problem of how to deal with the toxic materials in solar panels is growing. County governments should insist that the solar entities that propose to erect the solar panels and operate utility-scale solar farms are financially secure, and that they provide secured bonds to cover the anticipated cost of cleaning up solar waste at any time during the solar farm's operation as well as the cost of decommissioning.

In recent years, there has been a huge surge in the number of solar farms structured as LLCs that have commenced operation in East Coast states, including Maryland, Virginia, and North Carolina. At the same, there are news reports of solar LLCs that have declared bankruptcy and have gone out of business. When this occurs, employees may be laid off and the solar assets of the bankrupt company sold to satisfy or partially satisfy creditors.

Under those circumstances, the solar farm may be shuttered, leaving the owner of the land and the county with solar power waste product and unresolved environmental issues, and the landowner may never be able to put the land back into productive acreage.

For anyone concerned about tracking corporate accountability and liability, the corporate structure of sPower warrants further comment. It illustrates the difficulty of assessing financial responsibility when there are multiple limited liability corporations working on the same project. According to filings with Virginia's State Corporation Commission, sPower is actually the sPower Development Company, LLC, which is a wholly owned direct subsidiary of FTP Power, LLC, which is 50 percent owned by AES Lumos Holdings, LLC, and 50 percent owned by PIP5 Lumos, LLC. sPower has its own special-purpose subsidiary LLCs, which include Pleinmont Solar 1, LLC, Pleinmont Solar 2, LLC, Highlander Solar Energy Station 1, LLC, and Richmond Spider Solar, LLC. Each of these subsidiary LLCs of sPower are allocated different amounts of megawatt generation in four separate phases of the project. None of these companies involved in the project are regulated utilities.

5. Risks to Wildlife and Destruction of Critical Wildlife Habitat

Rural farms and forests in the tidal counties of the Chesapeake Bay Region provide vital habitat essential for the survival of countless numbers of migratory and nonmigratory wildlife species. These critical habitat areas are being threatened by solar business entities that view farms and forests as assets to exploit for private gain.

As solar farms spread across the Chesapeake Bay region, there is growing concern about their impact on wildlife, both migratory and domestic, and on the destruction of critical natural resource habitat that is necessary for the survival of many wildlife species. The legislative initiatives that support solar as a climate-friendly, renewable-energy source never contemplated the threat it would pose to ecologically important farmland and forests, or to critical wildlife habitat areas. We are now seeing more instances where solar

companies are proposing the destruction of vast amounts of forestland and environmentally important farmland.

The problem lies in the fact that utility-scale PV solar farms are relatively inefficient in that they require up to ten acres of land per megawatt. Moreover, the land they require is almost always productive farmland or forestland that already serves an important economic and social purpose while also contributing positively to the environment. Trees and plants, which solar farms destroy, absorb carbon dioxide (CO₂) during plant growth. The carbon they capture during photosynthesis in the process known as carbon sequestration would otherwise rise and trap heat in the atmosphere. In this way, plants and trees are key players in our efforts to combat global warming.

From an environmental and ecological point of view, it makes no sense to destroy and replace farmland and forestland with rows of solar panels containing toxic metals. Farms and forests not only absorb carbon, they also absorb water, which helps to avoid erosion and runoff, and they provide critical habitat for countless numbers of wildlife species, plants, and insects. It would be hard to develop a list of wildlife species that can survive in the operating footprint of a solar farm.

Many articles have been written that document the mortality of wildlife, including protected and endangered species, caused by solar energy generating plants. The destruction of habitat is the primary cause, but at some solar plants, the death of wildlife has been directly due to the intense heat generated from the solar panels. In California, where large concentrating solar plants (CSP) use power towers consisting of mirrors to concentrate energy from the sun to drive turbines, the solar energy production process creates high-temperature solar beams that are so hot they ignite insects, birds, and bats that fly through them. One CSP where this has occurred is the Ivanpah solar plant in the Mojave Desert, a 392-megawatt plant located on 3500 acres. **The US Fish and Wildlife Service (USFWS) has referred to this type of large-scale solar project as a megatrap for wildlife.**

The Ivanpah solar plant is one of three California CSP plants that were investigated by the USFWS Office of Law Enforcement in 2013 for large numbers of bird deaths. Many of the

birds had been fatally singed, while others died when they collided with the ground or structures at the sites. Investigators concluded that the lake effect of the reflective solar panels causes birds, bats and their insect prey to confuse the solar facility for a lake or pond. If they descend too fast, they crash and die. USFWS performed a mortality analysis covering the first two years of the Ivanpah plant's operation. The number of birds killed in the solar station's first full year of operation was 5128, and in the second year it was 5181. Of the birds whose deaths could be attributed to a definitive cause, 46 percent died of "singeing" and 54 percent to "collisions."

The concentrating solar technology, in which solar energy is collected and converted to thermal energy, is one of the alternative energy developments supported by the US Department of Energy. It has been used at large solar projects in California, Nevada, and Arizona. If integrated into the electrical power generation capacity at a utility's traditional carbon fueled plant, it may have the potential to help reduce carbon fuel emissions. Research for this article did not reveal the existence of any concentrating solar plant in operation on the East Coast, except for a hybrid solar/natural gas plant operated by Florida Power & Light Company in Indiantown, Florida. As of this date, concentrating solar technology has not been utilized and may not be currently feasible at utility-scale solar farms on the East Coast. The lake effect issue, however, is a subject of significant concern at East Coast utility-scale projects, particularly those covering large acreage tracts in tidal regions where the rows of glass panels are more likely to cause migratory birds to believe they constitute rivers or lakes.

The reduction of carbon emissions through renewable energy initiatives, which includes the greater use of solar power, has long been a goal of environmental groups who have consistently urged federal and state authorities to protect our environment and to conserve critical natural resources and wildlife habitat areas. **The production of solar power, as one means of helping to reduce our reliance on fossil fuels, was never intended to be a license for the solar industry to destroy productive farmland, forests, and unspoiled natural resources which are the cornerstones of most rural communities. We should not be surprised that solar business entities, which are usually**

nonresident corporations, view our open space lands and forests as assets to be exploited, not assets to be preserved.

In the Chesapeake Bay region, a vast network of tidal rivers, farms, and forests span the landscape and create a coordinated ecosystem that is important to the survival of thousands of species of migratory and nonmigratory wildlife, many of which are designated by federal and state agencies to be endangered, protected, or species of concern. One significant forested property in this network is the Nanjemoy Peninsula in Charles County, Maryland.

An article published in March 2019, in the *Bay Journal*, describes proposed solar farm sites on a heavily forested section of the Nanjemoy Peninsula, which conservation groups contend would destroy critical wildlife habitat and threaten the survival of numerous bird species. This dispute centers around a plan by a Miami-based solar energy company to clear 400 acres of trees from two sites on the Nanjemoy Peninsula. Charles County's land use plan, which was adopted in 2016, calls for conservation of farmland and large contiguous forests, and specifically identifies the Nanjemoy Peninsula, which borders the Potomac River, as a "priority preservation area." The Audubon Society has designated it an "important bird area" because it provides habitat and nesting for a "highly diverse assemblage" of birds that require large connected forests to breed. The Nanjemoy Peninsula has also been designated a "targeted ecological area" by Maryland's Department of Natural Resources. This is a designation that guides government land acquisition for parks and nature preserves. Community activists and conservation groups have urged Maryland's Department of the Environment to deny the necessary permits for the project. At this time, no decision on the proposal has been made.

Summary

As the spread of solar farms continues, it is clear that some of the most scenic, historic, and ecologically important areas of the Chesapeake Bay region are being targeted by solar entities as potential sites for solar farms. There is no question that this includes farms and forests in the Middle Peninsula and Northern Neck, which often

adjoin wetlands, marshes and tidal waters, and which provide critically important habitat for migratory and nonmigratory wildlife.

County governments should be fully cognizant of the risks that solar farms pose to the counties of our tidewater region, the taxpayers, and even to the individual property owners who lease property to the solar energy entities. As explained in this paper, the economic and environmental risks are substantial and may impact local residents who own properties well beyond the footprint of the solar sites. The location and size of a proposed solar generation site are factors that contribute to the scope of the environmental risk and to wildlife habitat destruction.

Local residents must understand that a solar farm is an industrial business that has nothing to do with farming or forestry. The solar farm corporation that leases the farmland is almost always a limited liability company, often thinly capitalized under a business model propped up by energy tax credits and legislative incentives. There is no guarantee that it will stay in business for the term of the lease, or, if it goes out of business, that it will have the financial resources to pay the waste clean-up and decommissioning costs. There are many solar farm LLCs that have declared bankruptcy in recent years.

The only thing certain is that productive farmland will be lost when converted to a solar generating site, and the land may never again be suitable for farming. When farmland is stripped of its topsoil, regularly treated with herbicides to control plant growth, compacted, and shielded from rain and sunlight by solar panels, the soil beneath the panels can become dead dirt that has been so depleted of organic matter that it is unsuited to crop production. **Because solar farms are industrial properties that are by design destructive of farmland, they should not be approved for conditional or permitted use in an area designated by the county as an agricultural district.** Nor should they be approved in any environmentally sensitive area where they would pose a threat to wildlife. If approved at all, solar farms should be sited in an industrial district where other industrial activities are authorized.

We must recognize that cropland and forests play major roles in combating global warming because they absorb carbon dioxide during plant growth. They are essential components of a clean environment, and they provide much of the critical habitat necessary for the survival of countless species of animals and birds. Farms and forests are not only ecologically important to our tidewater region but are also the primary economic engines. A 2017 report on the economic impact of farms and forests in Virginia, commissioned by Virginia's Secretary of Agriculture and Forestry, and prepared by the Weldon Cooper Center for Public Service, stated that agriculture and forestry together have an economic impact of over \$91 billion, that they provide more than 442,000 jobs, and that every job in agriculture and forestry supports another 1.7 jobs in our state's economy. The Weldon Cooper report also addresses the economic impact of agriculture and forestry on tourism and the environmental and societal benefits they provide. The report notes that Virginia agritourism and forest recreation account for millions of visitors and billions of dollars of tourism-related spending. They also provide "substantial environmental and other societal benefits" because they "improve air and water quality, mitigate flood vulnerability, provide wildlife habitat, and aid biodiversity" while also providing "scenic amenities that contribute to the quality of life."

Conclusion

Each year, the tidewater counties of the Middle Peninsula and the Northern Neck lose more farmland and forest land to development activities and urban sprawl. Utility scale solar farms are the latest threat to the preservation of farms and forests in our region. They typically require up to ten acres of land to produce a single megawatt, and are targeting large tracts (1000 acres or more) of our most productive farmland and forestland. We must recognize the serious nature of the industrial solar farm threat and strongly urge that our local planning commissions and boards of supervisors reject proposals for solar farms in zoning districts that are intended to preserve farmland and forestland. It makes no sense to sacrifice productive farmland and forestland, which provide employment opportunities

and societal benefits to local residents, for a solar generating plant that provides so little direct value to our region.

We should understand that solar energy is only one of the alternative clean energy sources that are being produced or developed in various parts of the world to address global warming. Grasslands, crops, and wood pellets from timber harvesting are some of the other sources of energy currently being used in Europe, which, unlike solar panels, do not create a waste product of toxic metals. As alternative energy sources to fossil fuels are developed, farmland and forestland are likely to be renewable sources of crops and trees which can be used as fuel for the production of clean energy.

Research and Paper prepared by
The Essex County Conservation Alliance
www.essexcca.com

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From: [Catherine Stanley](#)
To: [Sherry Graham](#)
Subject: Sweet Sue Solar Energy Center Concerns
Date: Friday, September 13, 2019 3:23:32 PM

Catherine G. Stanley
279 Adams Lane
Aylett, VA 23009
804-339-2395

September 13, 2019

Mrs. Sherry Graham
Zoning Administrator
King William County

Re: Proposed Sweet Sue Solar Energy Center

Dear Mrs. Graham,

My family and I are current residents in the 4th District of Aylett. Our family farm is located off of Adams Lane and is known as Denbeigh Farm. Since the mid 1970's this land has been used for cultivating timber and breeding Polled Hereford cattle. After reading the full conditional use permit application submitted by Invenergy and attending the first community meeting on August 21, 2019, our family has several concerns we feel need to be addressed by the Planning Commission, Wetlands Board and the Zoning Administration. Our concerns are as follows:

First, the environmental impact of the wetlands included in this proposal and those located within our adjoining tract #20-40 require a more thorough analysis. Only a partial study has been completed by the applicant. The application states that approximately 112 acres of non-tidal jurisdictional features (33,000 linear feet) mainly streams with adjacent wetlands were identified within Project Area. The application states that a RPA buffer of 100' will allowed for which is the minimum requirement. Given the uncertainty of the long term impacts of 35-40 years of equipment erosion, storm water run-off and other potential "acts of God" the protection of our wetlands should be more carefully scrutinized.

The study included in the application does not take into account the slope gradient differential between the adjoining landowner G.D. Chenault the adjoining tract #20-40, owned by my father, Stephen R. Graves, Sr., nor does it take into consideration the erosion and run off within the adjoining ravines and wetlands that flow through the westerly portion of our farm which then feeds into Governors Swamp. A sediment and control plan should be conducted by a third party certified engineer to include detail control measures and drawings intended to control erosion and the prevention of off-site damage from run off.

Secondly, our farm and the adjoining woodland and agricultural tracts are a natural breeding ground and habitat for wildlife such Bald Eagles, Northern Bobwhite Quail, Virginia Whitetail Deer, Bobcats, and Turkeys as well as other species none of which were mentioned in the application. A detailed environmental impact study should be conducted as to the impacts this project will have on these species prior to any further

decision making.

Third, the Buffers, Screenings and Set Backs the applicant has allowed for along the project perimeter are minimal. Of particular concern is the perimeter of our tract #20-40. The current plan is insufficient in width, vegetation and height for the proposed buffer and screening. Berms and retention ponds are not mentioned but should also be considered. The Enfield and Manfield road perimeters buffers should also be reconsidered. The beauty of our rural landscape should be preserved and maintained. The Northern Neck, Essex and Middlesex counties have created "eye sores" that have permanently altered the balance between growth and the rural character of their communities.

Last but certainly not least, the Decommissioning Plan. The applicant is requesting for a surety based on the net value of the decommissioning cost for the project. I understand that our current zoning requirement state that the plan must be resubmitted and updated to the county every five years. We strongly request a more thorough assessment of this issue considering that this a potential 40 year commitment and the fact that we cannot accurately forecast the financial viability of Invenergy (the applicant) and other mitigating factors that far into the future that perhaps a shorter time frame of 24-36 months be considered. Our county should not be caught in a position of financial burden as a result of any defaults by the applicant or any future applicant.

The rich history, agriculture, rivers and rural beauty of our county are just some of King William greatest assets. I encourage you to thoughtfully consider this current solar application and its lasting potential impacts it presents to his community. Solar is here in Virginia but should be regulated by our county in a responsible and sustainable manor. Should you wish to visit our property for a first hand perspective please contact us. We appreciate your consideration of these concerns and look forward to a response.

Sincerely,

Catherine Graves Stanley,
Stephen R. Graves, Sr. and family

cc: King William Co. Planning Commission
King William Co. Wetlands Board
Ron Etter, Director of Community Development

Attachment 6

Solar Permit by Rule Guidance

**Department of Environmental
Equality**

Solar Permit by Rule (PBR) GUIDANCE
Department of Environmental Quality (DEQ)
Section II: Methodology

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REGULATION	GUIDANCE
<p>NOTES: In addition to the general provisions found in Section I (General) of this Guidance, the applicant should follow the specific Methodology suggested in Section II, as provided in the right-hand columns below.</p> <p>For purposes of brevity, only regulatory sections that have Guidance associated with them are set forth within the left-hand column of this table. The prefix “9 VAC15-60” should be assumed to precede each subsection number (e.g., 9 VAC 15-60-10, 9 VAC 15-60-20). A full copy of the Solar PBR regulation can be found at http://lis.virginia.gov/000/reg/TOC09015.HTM#C0040 and at http://www.deq.virginia.gov/Programs/RenewableEnergy/LawsRegulationsGuidance.aspx. Applicants should read this regulation in its entirety in conjunction with this Guidance document, since applicants are responsible for complying with all regulatory provisions.</p> <p>DISCLAIMER: This document is provided as Guidance and, as such, sets forth standard operating procedures for the agency. It does not mandate any particular method nor does it prohibit any alternative method. If alternative proposals are made, such proposals should be reviewed and accepted or denied based on their technical adequacy and compliance with appropriate laws and regulations.</p>	
<p>9 VAC 15-60-</p>	
<p>10. Definitions.</p>	
<p>20. Authority and Applicability</p>	
<p>30. Application</p> <p>A. Requirements</p> <p>The owner or operator of a small solar energy project with a rated capacity greater than five megawatts and a disturbance zone greater than 10 acres, provided that the project does not otherwise meet the criteria for Part III (9VAC15-60-130 A or B) of this chapter, shall submit to the department a complete application in which he satisfactorily accomplishes all of the following:</p>	<p><i>This section lists the 15 basic application requirements as set forth in the 2009 statute and as amended in 2017. If a particular requirement warrants detailed explanation, then that explanation is set forth either in this Guidance document, in a subsequent section of the regulation, or in both. For example, the Analyses, Determination of Significant Adverse Impact, and Mitigation requirements in subparagraphs 7 and 8 of this section are spelled out in three subsequent regulatory sections.</i></p>

REGULATION	GUIDANCE
<p>1. In accordance with § 10.1-1197.6 B 1 of the Code of Virginia, and as early in the project development process as practicable, furnishes to the department a notice of intent, to be published in the Virginia Register, that he intends to submit the necessary documentation for a permit by rule for a small renewable energy project;</p>	<p><i>Applicants should furnish this notice of intent (NOI) to DEQ as soon as possible, but certainly after the applicant believes that the proposed project can meet local land use requirements (that is, that the proposed project appears capable of meeting the requirements for a special use permit or other locally-designated permission, and not that the project has necessarily been granted a special use permit, etc.). Once a NOI has been received by DEQ, the applicant can access the expertise from the sister agencies that will be involved in the review of the application, i.e., Department of Historic Resources (DHR), the Department of Game and Inland Fisheries (DGIF) and the Department of Conservation and Recreation (DCR).</i></p> <p><i>Please refer to the attached Sample Notice of Intent (Full PBR Projects) when drafting the Notice of Intent. The agency prefers that this notice be transmitted by electronic mail to mary.major@deq.virginia.gov.</i></p> <p><i>A copy of the NOI (including date originally submitted) should be included in the final application package.</i></p>
<p>2. In accordance with § 10.1-1197.6 B 2 of the Code of Virginia, furnishes to the department a certification by the governing body of the locality or localities wherein the small renewable energy project will be located that the project complies with all applicable land use ordinances;</p>	<p><i>The local government certification should either be a letter on official letterhead stationery from a responsible official of the local government (e.g., county administrator or his designee) or the Local Governing Body Certification Form attached to this Guidance. If the local governing body prefers to write the letter on official letterhead stationery, the letter should state that the proposed project (identified by the name of the applicant, the proposed location including project coordinates, and other relevant information) complies with all applicable land use ordinances.</i></p>
<p>3. Interconnection studies. 4. Final interconnection agreement</p>	<p><i>Interconnection: If a project does not interconnect to the electric grid (i.e., it does not sell electricity at wholesale back to the grid), then the applicant will not be able to comply with criteria 3 and 4. Based on informal advice from the Office of the Attorney General (OAG), however,</i></p>

REGULATION	GUIDANCE
	<i>DEQ still has jurisdiction to consider and approve PBR coverage for such projects. (See Section I -General of this Guidance document for further information.)</i>
5. Certification regarding project's maximum generation capacity.	<i>Project cannot exceed 150MW.</i>
6. In accordance with § 10.1-1197.6 B 6 of the Code of Virginia, furnishes to the department an analysis of potential environmental impacts of the small renewable energy project's operations on attainment of national ambient air quality standards;	<i>The applicant may fulfill the requirements of subparagraph 6 by submitting a statement that the proposed project's operations will create no significant negative impacts on the attainment of NAAQS and by providing an analysis projected amounts of pollutants avoided on an annual basis.</i>
7. In accordance with § 10.1-1197.6 B 7 of the Code of Virginia, furnishes to the department, where relevant, an analysis of the beneficial and adverse impacts of the proposed project on natural resources. The owner or operator shall perform the analyses prescribed in 9VAC15-60-40. For wildlife, that analysis shall be based on information on the presence, activity, and migratory behavior of wildlife to be collected at the site for a period of time dictated by the site conditions and biology of the wildlife being studied, not exceeding 12 months;	
8. In accordance with § 10.1-1197.6 B 8 of the Code of Virginia, furnishes to the department a mitigation plan pursuant to 9VAC15-60-60 that details reasonable actions to be taken by the owner or operator to avoid, minimize, or otherwise mitigate such impacts, and to measure the efficacy of those actions;	<i>See, Guidance to subsections 50 & 60 below.</i>

REGULATION	GUIDANCE
<p>provided, however, that the provisions of this subdivision shall only be required if the department determines, pursuant to 9VAC15-60-50, that the information collected pursuant to § 10.1-1197.6 B 7 of the Code of Virginia and 9VAC15-60-40 indicates that significant adverse impacts to wildlife or historic resources are likely. The mitigation plan shall be an addendum to the operating plan of the solar energy project and the owner or operator shall implement the mitigation plan as deemed complete and adequate by the department. The mitigation plan shall be an enforceable part of the permit by rule;</p>	
<p>9. Certification regarding project design.</p>	
<p>10. Operating plan.</p>	<p><i>The operating plan should include an explanation of how the facility will operate post construction including contact information should a problem arise at the facility..</i></p>
<p>11. Site plan.</p>	
<p>12. In accordance with § 10.1-1197.6 B 12 of the Code of Virginia, furnishes to the department a certification signed by the applicant that the small solar energy project has applied for or obtained all necessary environmental permits;</p>	<p><i>The applicant’s environmental permit certification letter should state which environmental permits are necessary for the proposed project (or local stormwater permit if the locality has such jurisdiction) and the status of the applicant’s application for each (“applied for” or “obtained”). If no environmental permits are necessary for the proposed project, then the applicant should so state in his certification letter. A suggested format for the applicant’s environmental permit certification appears as an attachment to this Guidance.</i></p>

REGULATION	GUIDANCE
	<p><u>“Applied for”</u></p> <p><i>For purposes of this regulation, the term “<u>applied for</u>” all necessary environmental permits means that the applicant has submitted an application to the receiving agency for each necessary environmental permit. The applicant should certify that he has “applied for” each permit by providing to DEQ the name of the permit, name and address of the receiving agency, name of the staff person at the receiving agency to whom the application was addressed (if available), and the date on which the application was submitted.</i></p> <p><u>“Obtained”</u></p> <p><i>If the applicant has “<u>obtained</u>” the necessary environmental permits by the time he submits his PBR application, then he may either append copies of these permits or append a letter on agency stationery from the appropriate agency staff member that the permit(s) has been issued and the date of issuance/approval.</i></p>
<p>13. In accordance with § 10.1-1197.6 H and I of the Code of Virginia, furnishes to the department a certification signed by the applicant that the small solar energy project is being proposed, developed, constructed, or purchased by a person that is not a utility regulated pursuant to Title 56 of the Code of Virginia or provides certification that (i) the project’s costs are not recovered from Virginia jurisdictional customers under base rates, a fuel factor charge, or a rate adjustment clause or (ii) the applicant is a utility aggregation cooperative formed under Article 2 (§ 56-231.38 et seq.) of Chapter 9.1 of Title 56 of the Code of Virginia.</p>	<p><i>The applicant should certify that he is not a utility regulated under Title 56 of the Code of Virginia by submitting the non-utility Certification Form provided below.</i></p> <p><i>If the applicant is a utility, then he should submit the Utility Certification Form and must certify, by checking the appropriate box, that the project’s costs are not recovered from Virginia customers under base rates, a fuel factor charge or a rate adjustment clause OR the utility is a cooperative.</i></p>
<p>14. In accordance with § 10.1-1197.6 B 13 and 14 of the Code of Virginia, conducts a 30-day public review</p>	<p><i>It is the responsibility of the applicant to conduct both the public meeting and the 30-day public review and comment period. All the materials that</i></p>

REGULATION	GUIDANCE
<p>and comment period and holds a public meeting pursuant to 9VAC15-60-90. The public meeting shall be held in the locality or, if the project is located in more than one locality, in a place proximate to the location of the proposed project. Following the public meeting and public comment period, the applicant shall prepare a report summarizing the issues raised by the public and include any written comments received and the applicant's response to those comments. The report shall be provided to the department as part of this application; and</p>	<p><i>are intended to be submitted in the PBR application must be available during this comment period, except for the summary report of the comment period and permit fee. This public comment is separate from any public meetings conducted to receive local approval - any previous public meetings will not substitute for this public comment period.</i></p>
<p>15. In accordance with 9VAC15-40-110, furnishes to the department the appropriate fee.</p> <p>B. Agency Determination</p>	<p><i>See 9VAC15-60-110 and Guidance for Section 110 below for details regarding fees.</i></p>
<p>40. Analysis</p> <p>A. Wildlife</p> <p>To fulfill the requirements of §10.1-1197.6 B 7 of the Code of Virginia, the applicant shall conduct pre-construction wildlife analyses. The analyses of wildlife shall include the following:</p>	<p><i>The general approach is for the applicant to perform <u>desktop studies</u> of the project area. If the desktop studies indicate the presence of relevant wildlife as specified in the regulation or this Guidance, then the applicant will proceed to perform <u>mitigation</u> (as set forth in 9VAC15-60-50 and 9VAC15-60-60). Results of all studies will be reported to DEQ, along with the applicant's analysis of beneficial and adverse impacts of the</i></p>

REGULATION	GUIDANCE																																								
	<p><i>proposed project on relevant wildlife.</i></p> <p>Shelf life:</p> <p><i>This list provides a general guideline for how long a negative survey (a survey where <u>no</u> STATE-listed species was found) remains valid.</i></p> <table border="0"> <thead> <tr> <th data-bbox="989 521 1423 548"><u>Taxon/Species</u></th> <th data-bbox="1430 521 1843 548"><u># of years negative survey valid</u></th> </tr> </thead> <tbody> <tr> <td colspan="2"><u>Mammals</u></td> </tr> <tr> <td><i>All listed bats</i></td> <td><i>3 years</i></td> </tr> <tr> <td><i>Other listed mammals</i></td> <td><i>2 years</i></td> </tr> <tr> <td colspan="2"><u>Birds</u></td> </tr> <tr> <td><i>Gull-billed tern (Sterna nilotica)</i></td> <td><i>1 years</i></td> </tr> <tr> <td><i>Peregrine falcon (Falco peregrinus)</i></td> <td><i>1 years</i></td> </tr> <tr> <td><i>Wilson's plover (Charadrius wilsonia)</i></td> <td><i>1 years</i></td> </tr> <tr> <td><i>Bald eagle (Haliaeetus leucocephalus)</i></td> <td><i>1 years</i></td> </tr> <tr> <td><i>Other listed birds</i></td> <td><i>2 years</i></td> </tr> <tr> <td colspan="2"><u>Fish</u></td> </tr> <tr> <td><i>All listed fish</i></td> <td><i>2 years</i></td> </tr> <tr> <td colspan="2"><u>Amphibians</u></td> </tr> <tr> <td><i>All listed amphibians</i></td> <td><i>2 years</i></td> </tr> <tr> <td colspan="2"><u>Reptiles</u></td> </tr> <tr> <td><i>All listed reptiles</i></td> <td><i>2 years</i></td> </tr> <tr> <td><u><i>All listed isopods and amphipods</i></u></td> <td><i>3 years</i></td> </tr> <tr> <td><u><i>All listed mollusks</i></u></td> <td><i>2 years</i></td> </tr> <tr> <td><u><i>All other listed invertebrates</i></u></td> <td><i>2 years</i></td> </tr> <tr> <td colspan="2">-----</td> </tr> </tbody> </table>	<u>Taxon/Species</u>	<u># of years negative survey valid</u>	<u>Mammals</u>		<i>All listed bats</i>	<i>3 years</i>	<i>Other listed mammals</i>	<i>2 years</i>	<u>Birds</u>		<i>Gull-billed tern (Sterna nilotica)</i>	<i>1 years</i>	<i>Peregrine falcon (Falco peregrinus)</i>	<i>1 years</i>	<i>Wilson's plover (Charadrius wilsonia)</i>	<i>1 years</i>	<i>Bald eagle (Haliaeetus leucocephalus)</i>	<i>1 years</i>	<i>Other listed birds</i>	<i>2 years</i>	<u>Fish</u>		<i>All listed fish</i>	<i>2 years</i>	<u>Amphibians</u>		<i>All listed amphibians</i>	<i>2 years</i>	<u>Reptiles</u>		<i>All listed reptiles</i>	<i>2 years</i>	<u><i>All listed isopods and amphipods</i></u>	<i>3 years</i>	<u><i>All listed mollusks</i></u>	<i>2 years</i>	<u><i>All other listed invertebrates</i></u>	<i>2 years</i>	-----	
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	<p><i>Prepared by DGIF; last updated: November 19, 2010</i></p> <p><i>Sensitive Information (wildlife) and FOIA</i></p> <p><i>It is important to note that the locations of and specific information regarding caves and certain plant and animal species are considered sensitive and may be exempt from the Virginia Freedom of Information Act. <u>See</u> Section I of this Guidance.</i></p>
<p>1. Desktop surveys and maps. The applicant shall obtain a wildlife report and map generated from DGIF's Virginia Fish and Wildlife Information Service web-based application (9VAC15-60-120 C 3) or from a data and mapping system including the most recent data available from DGIF's subscriber-based Wildlife Environmental Review Map Service of the following: (i) known wildlife species and habitat features on the site or within two miles of the boundary of the site and (ii) known or potential sea turtle nesting beaches located within one-half mile of the disturbance zone.</p>	<p><i>Desktop Surveys and Maps</i></p> <p><i>The applicant should provide a report, including a map, of the desktop and field surveys conducted to determine the existence or potential existence of wildlife. The applicant should obtain a list of wildlife from DGIF and DCR for the proposed site and attach it to the application. The report should provide relevant, available details of any wildlife found onsite, including species, detection location(s), age, size, spatial distribution, and evidence of reproduction.</i></p>
<p>2. Desktop map for avian resources in Coastal Avian Protection Zones (CAPZ). The applicant shall consult the "Coastal Avian Protection Zones" map generated on the department's Coastal GEMS geospatial data system (9VAC15-60-120 C 1) and determine whether the proposed solar energy project site will be located in part or in whole within one or more CAPZ.</p>	<p><i>If a proposed project will be located anywhere near a coastal area, the applicant should consult Coastal GEMS to determine whether the project site fall in part or in whole within one or more CAPZ. <u>See</u> Section III – CAPZ Narrative – of this Guidance document for specific instructions.</i></p>
<p>B. Historic Resources</p> <p>Analyses of historic resources. To fulfill the requirements of § 10.1-1197.6 B 7 of the Code of Virginia, the applicant shall also conduct a preconstruction historic resources</p>	<p><i>These regulations require that a DOI-qualified consultant perform the specified historic resources analyses, in conformance with DHR's guidelines. The general approach is for the applicant/DOI-qualified</i></p>

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<p>analysis. The analysis shall be conducted by a qualified professional meeting the professional qualification standards of the Secretary of the Interior's Standards for Archeology and Historic Preservation (9VAC15-60-120 B 2) in the appropriate discipline. The analysis shall include each of the following:</p>	<p><i>person to perform analyses within tiered study areas, including desktop and field investigations. Results of all studies will be reported to DEQ, along with the applicant's analysis of beneficial and adverse impacts of the proposed project on relevant historic resources.</i></p> <p>Sensitive Information (historic resources) and FOIA</p> <p><i>It is important to note that the locations of and specific information regarding archaeological sites are considered sensitive and may be exempt from the Virginia Freedom of Information Act (see http://www.dhr.virginia.gov/pdf_files/FOIAPolicyDHR.pdf and Section I of this Guidance).</i></p>
<p>1. Compilation of known historic resources. The applicant shall gather information on known historic resources within the disturbance zone and within one-half mile of the disturbance zone boundary and present this information on the context map referenced in 9VAC15-60-70 B, or as an overlay to this context map, as well as in tabular format.</p>	<p>Compilation of Known Historic Resources</p> <p><i>The Archives at the Department of Historic Resources serve as the primary repository of data on known historic resources. These data may be obtained in person at DHR's main office at 2801 Kensington Avenue, Richmond, VA, through DHR's subscription-based Data Sharing System, or by request through DHR's fee-based Archives Search Service. More information can be found on DHR's website at http://www.dhr.virginia.gov/archives/archiv_info.htm. Secondary data repositories that should be checked include local planning offices and historical societies.</i></p> <p><i>Areas and properties that can be demonstrated through topographic or similar analyses to have no view to the project can be excluded from this study.</i></p> <p>Shelf life: <i>The data submitted in compliance with this section should be current within one year of the submission date.</i></p>
<p>2. Architectural survey. The applicant shall conduct a field survey of all architectural resources, including cultural landscapes, 50 years of age or older within the</p>	<p>Architectural Survey</p>

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<p>disturbance zone and within one-half mile of the disturbance zone boundary and evaluate the eligibility of any identified resource for listing in the VLR.</p>	<p><i>All studies should be completed in accordance with the appropriate DHR guidelines for conducting cultural resource surveys. See GUIDELINES FOR CONDUCTING HISTORIC RESOURCES SURVEY IN VIRGINIA (October 2011), which can be found at http://www.dhr.virginia.gov/pdf_files/Survey%20Manual-RevOct.2011Final.pdf. Areas and properties that can be demonstrated through topographic or similar analyses to have no view to the project can be excluded from this study.</i></p> <p>Shelf life: <i>The data submitted in compliance with this section should be current within seven years of the submission date.</i></p>
<p>3. Archaeological survey. The applicant shall conduct an archaeological field survey of the disturbance zone and evaluate the eligibility of any identified archaeological site for listing in the VLR. As an alternative to performing this archaeological survey, the applicant may make a demonstration to the department that the project will utilize nonpenetrating footings technology and that any necessary grading of the site prior to construction does not have the potential to adversely impact any archaeological resource.</p>	<p>Archaeological Survey</p> <p><i>All studies should be completed in accordance with the applicable DHR guidelines for conducting archaeological investigations. See GUIDELINES FOR CONDUCTING HISTORIC RESOURCES SURVEY IN VIRGINIA (October 2011), which can be found at http://www.dhr.virginia.gov/pdf_files/Survey%20Manual-RevOct.2011Final.pdf.</i></p> <p>Shelf life: <i>The data submitted in compliance with this section may be gathered at any time prior to submission.</i></p>
<p>C. Other Natural Resources</p> <p>Analyses of other natural resources. To fulfill the requirements of § 10.1-1197.6 B 7 of the Code of Virginia, the applicant shall also conduct a preconstruction desktop survey of natural heritage resources within the disturbance zone.</p>	<p>Natural Heritage Resources</p> <p><i>The definition of “natural heritage resources” is pursuant to §10.1-209 of the Code of Virginia. Current lists of natural heritage resources can be found on DCR’s web site at http://www.dcr.virginia.gov/natural_heritage/infoservices.shtml#lists.</i></p> <p><i>Ecological Community Group definitions and descriptions, along with methods, can be found on the Department of Conservation and Recreation’s website at:</i></p>

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	<p>http://www.dcr.virginia.gov/natural_heritage/nchome.shtml.</p> <p>A list of natural heritage resource animal and plant species can be found at https://vanhde.org.</p> <p>For desktop surveys, natural heritage resource and state threatened and endangered species information can be found by contacting the Department of Conservation and Recreation, Natural Heritage Program at 804-371-2708, or directly on-line at Natural Heritage Data Explorer https://vanhde.org via a data subscription agreement: http://www.dcr.virginia.gov/forms/DCR199-005.pdf.</p> <p>A list of invasive plant species is found at http://www.dcr.virginia.gov/natural_heritage/documents/invlist.pdf.</p> <p>For natural heritage resources, the applicant is encouraged to take all reasonable measures to avoid adverse impacts. Where impacts are identified, the applicant is encouraged to take action to mitigate or reduce such impacts or to explain why such impacts could not be avoided. Where appropriate, DEQ may approve mitigation of likely significant adverse impacts on natural heritage resources as part of a required wildlife mitigation plan.</p>
<p>D. Summary report.</p> <p>The applicant shall provide to the department a report presenting the findings of the studies and analyses conducted pursuant to subsections A, B, and C of this section, along with all data and supporting documents. The applicant shall assess and describe the expected beneficial and adverse impacts, if any, of the proposed project on wildlife and historic resources identified by these studies and analyses.</p>	

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<p>50. Determination of Likely Significant Adverse Impact</p> <p>A. Wildlife</p> <p>The department shall find that significant adverse impacts to wildlife are likely whenever the wildlife analyses prescribed in 9VAC15-60-40 A document that any of the following conditions exists:</p> <ol style="list-style-type: none"> 1. State-listed T&E wildlife are found to occur within the disturbance zone or the disturbance zone is located on or within one-half mile of a known or potential sea turtle nesting beach. 2. The disturbance zone is located in part or in whole within zones 1, 2, 3, 4, 5, 10, 11, 12, or 14 on the Coastal Avian Protection Zones (CAPZ) map. 	
<p>B. Historic Resources</p> <p>The department shall find that significant adverse impacts to historic resources are likely whenever the historic resources analyses prescribed by 9VAC15-60-40 B indicate that the proposed project is likely to diminish significantly any aspect of a historic resource's integrity.</p>	<p><i>Significant adverse impacts are such that the project will alter, directly or indirectly, any of the characteristics of an historic resource in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Definitions of these aspects of integrity can be found at 17 VAC 5-30-50.</i></p>
<p>60. Mitigation plan.</p> <p>A. Adverse Impact</p> <p>If the department determines that significant adverse impacts to wildlife or historic resources or both are likely, then the applicant shall prepare a mitigation plan.</p>	

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<p>B. Wildlife</p> <p>Mitigation measures for significant adverse impacts to wildlife shall include:</p> <ol style="list-style-type: none"> 1. For state-listed T&E wildlife, the applicant shall take all reasonable measures to avoid significant adverse impacts or shall demonstrate in the mitigation plan what significant adverse impacts cannot practicably be avoided and why additional proposed actions are reasonable. These additional proposed actions may include best practices to avoid, minimize, or offset adverse impacts to resources analyzed pursuant to 9VAC15-60-40 A or C. 	<p><i>This regulation does not mandate a mitigation plan for impacts to SGCN or to natural heritage resources. The applicant is required, however, to perform pre-construction surveys and analyses for both (see 9VAC15-60-40 A & C). This provision makes clear that the applicant may voluntarily opt to propose best practices to mitigate for Tier 1 & 2 SGCN, natural heritage resources, or any other resource analyzed pursuant to 9VAC15-60-40 A or C, when he cannot fully avoid impacts to T&E species <u>per se</u>.</i></p>
<ol style="list-style-type: none"> 2. For proposed projects where the disturbance zone is located on or within one-half mile of a known or potential sea turtle nesting beach, the applicant shall take all reasonable measures to avoid significant adverse impacts or shall demonstrate in the mitigation plan what significant adverse impacts cannot practicably be avoided, and why additional proposed mitigation actions are reasonable. Mitigation measures shall include the following: <ol style="list-style-type: none"> a. Avoiding construction within likely sea turtle crawl or nesting habitats during the turtle nesting and hatching season (May 20 through October 31). If avoiding construction during this period is not possible, then conducting daily crawl surveys of the disturbance zone (May 20 through August 31) and one mile beyond the northern and 	

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<p>southern reaches of the disturbance zone (hereinafter "sea turtle nest survey zone") between sunrise and 9 a.m. by qualified individuals who have the ability to distinguish accurately between nesting and nonnesting emergences.</p> <p>b. If construction is scheduled during the nesting season, then including measures to protect nests and hatchlings found within the sea turtle nest survey zone.</p> <p>c. Minimizing nighttime construction during the nesting season and designing project lighting during the construction and operational phases to minimize impacts on nesting sea turtles and hatchlings.</p>	
<p>3. For projects located in part or in whole within zones 1, 2, 3, 4, 5, 10, 11, 12, or 14 on the Coastal Avian Protection Zones (CAPZ) map, contribute \$1,000.00 per megawatt of rated capacity, or partial megawatt thereof, to a fund designated by the department in support of scientific research investigating the impacts of projects in CAPZ on avian resources.</p>	<p><i>CAPZ Avian Mitigation Measures</i></p> <p><i>See Section III – CAPZ Narrative – of this Guidance document for details.</i></p> <p><i>Payment of contributions toward research should be addressed as follows:</i></p> <p><i>Department of Environmental Quality</i></p> <p><i>Receipts Control</i></p> <p><i>P. O. Box 1104</i></p> <p><i>Richmond, Virginia 23218</i></p>
<p>C. Historic Resources</p>	

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<p>Mitigation measures for significant adverse impacts to historic resources shall include:</p> <ol style="list-style-type: none"> 1. Significant adverse impacts to VLR-eligible or VLR-listed architectural resources shall be minimized, to the extent practicable, through design of the solar energy project or the installation of vegetative or other screening. 	<p><i>If the owner of the affected historic property agrees to screening, a landscape plan should be prepared and submitted to DEQ. This plan should include a graphic representation of the effectiveness of the screening. The applicant should implement the approved landscape plan and accept responsibility for the survival of any plantings for two years after planting. Documentation of the completion and assessment of the efficacy of the screening should be submitted to DEQ. The two-year responsibility window will begin from the date of receipt of documentation.</i></p>
<ol style="list-style-type: none"> 2. If significant adverse impacts to VLR-eligible or VLR-listed architectural resources cannot be avoided or minimized such that impacts are no longer significantly adverse, then the applicant shall develop a reasonable and proportionate mitigation plan that offsets the significantly adverse impacts and has a demonstrable public benefit and benefit for the affected or similar resource. 	<p><i>A schedule for mitigation implementation should be included in the application.</i></p>
<ol style="list-style-type: none"> 3. If any identified VLR-eligible or VLR-listed archaeological site cannot be avoided or minimized to such a degree as to avoid a significant adverse impact, significant adverse impacts of the project will be mitigated through archaeological data recovery. 	<p><i>Any necessary data recovery plan should include: (a) the property, properties, or portions of properties where site specific data recovery plans will be carried out; (b) the portion(s) of the site to be preserved in place, if any, as well as the measures to be taken to ensure continued preservation; (c) research questions to be addressed through data recovery with an explanation of their relevance and importance; (d) methods to be used with an explanation of their relevance to the</i></p>

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	<p><i>research questions; (e) methods to be used in analysis, data management, and dissemination of data, including a schedule; (f) proposed disposition of recovered materials and records; (g) proposed methods of disseminating the results of the work to the interested public; and (h) a schedule for the submission of progress reports to DEQ.</i></p>
<p>70. Site Plan and Context Map.</p>	<p><i>Site Plan: It is recommended that the site plan include the following:</i></p> <ol style="list-style-type: none"> <i>1. Property lines and setback lines.</i> <i>2. Existing and proposed buildings and structures, including preliminary location(s) of the proposed solar equipment.</i> <i>3. Existing and proposed access roads, drives, turnout locations, and parking.</i> <i>4. Location of substations, electrical cabling from the solar systems to the substations, ancillary equipment, buildings, and structures (including those within any applicable setbacks), if applicable.</i> <p><i>Applicants are required to submit an as-built map post-construction.</i></p>
<p>80. Design Standards. 90. Public participation.</p>	
<p>100. Change of Ownership, Modifications, Termination.</p>	<p><i>Applicants should note the notification requirements under 9VA15-100 if <u>control of a project</u> is sold or transferred to an entity different than the original applicant, <u>even if the name of the project does not change</u>. Enforcement actions, if required, could be brought against the owner/operator listed in PBR as well as the new entity for operating without a permit.</i></p>

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<p>110. Fees.</p>	<p><i>See regulatory text for details regarding fees. At this time projects over 100MW but less than or equal to 150MW will pay the same fee as project greater than 75MW and less than or equal to 100 MW.</i></p> <p><i>Note Regarding Fees: The correct address to which payments should be addressed is</i></p> <p><i>Department of Environmental Quality</i></p> <p><i>Receipts Control</i></p> <p><i>P. O. Box 1104</i></p> <p><i>Richmond, Virginia 23218</i></p> <p><i>Applicants should check with DEQ Renewable Energy staff regarding the appropriate project/fund coding that should be entered on their check to ensure proper crediting of payments.</i></p>
<p>120. Internet Resources.</p> <p>1. Coastal GEMS application, 2010, Virginia Department of Environmental Quality. Available at the following Internet address:</p> <p>http://www.deq.virginia.gov/coastal/coastalgems.html.</p> <p>NOTE: This website is maintained by the department. Assistance and information may be obtained by contacting Virginia Coastal Zone Management Program, Virginia Department of Environmental Quality, 629 E. Main Street, Richmond, Virginia 23219, (804) 698-4000.</p>	<p><i>The Coastal GEMS website has been changed. Please click the following to access: Coastal GEMS Website.</i></p>

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<p>130. Smaller Projects.</p> <p>Small solar energy projects less than or equal to five megawatts or less than or equal to 10 acres or meeting certain categorical criteria.</p> <p>A. Less than 500 kW</p> <p>The owner or operator of a small solar energy project is not required to submit any notification or certification to the department if he meets at least one of the following criteria:</p> <ol style="list-style-type: none"> 1. The small solar energy project has either a rated capacity equal to or less than 500 kilowatts or a disturbance zone equal to or less than two acres; or 2. The small solar project falls within at least one of the following categories, without regard to the rated capacity or the disturbance zone of the project: <ol style="list-style-type: none"> a. The small solar energy project is mounted on a single-family or duplex private residence. b. The small solar energy project is mounted on one or more buildings less than 50 years old or, if 50 years of age or older, have been evaluated and determined by DHR within the preceding seven (7) years to be not VLR-eligible. c. The small solar energy project is mounted over one or more existing parking lots, existing roads, or other previously disturbed areas and 	<p><i>Projects that qualify under Section 130 are sometimes referred to as “de minimis” projects, because they generally have little impact on natural resources. They are deemed to be covered by the Solar PBR, but the regulatory requirements are significantly less than those for projects that are greater than 5 MW which are covered by Section 30 et seq.</i></p> <p><i><u>No</u> notice to DEQ and <u>no</u> local government certification of compliance with land use ordinances are required for projects described in subsection A (1 and 2). Although these projects are deemed to be covered by the Solar PBR, they are exempt from notification and from substantive requirements. Projects in this subsection include those having a rated capacity less than or equal to 500 kW, having a disturbance zone less than or equal to 2 acres, or meeting at least one of the specified categorical exemptions in A. 2. (e.g., mounted on a residence, over an existing parking lot).</i></p>

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<p>any impacts to undisturbed areas do not exceed an additional two (2) acres.</p> <p>d. The small solar energy project utilizes integrated PV only, provided that the building or structure on which the integrated PV materials are used is less than 50 years old or, if 50 years of age or older, has been evaluated and determined by DHR within the preceding seven (7) years to be not VLR-eligible.</p>	
<p>B. Between 500kW and 5MW</p> <p>The owner or operator of a small solar energy project with either a rated capacity greater than 500 kilowatts and less than or equal to five megawatts or a disturbance zone greater than two acres and less than or equal to 10 acres shall notify the department and shall submit a certification by the governing body of the locality or localities wherein the project will be located that the project complies with all applicable land use ordinances.</p>	<p><i>Both notice to DEQ and submission to DEQ of local government certification of compliance with land use ordinances are required for projects either greater than 500 kW up to or equal to 5 MW in rated capacity <u>or</u> disturbance zone greater than 2 acres to less than or equal to 10 acres.</i></p> <p><i>For notice to DEQ, please refer to the attached Sample Notice of Intent (Section 130 Projects). The agency's preference is that this notification be provided by electronic mail to mary.major@deq.virginia.gov.</i></p> <p><i>For local government certification, please use the attached Local Government Certification form, which may also be submitted by electronic mail to mary.major@deq.virginia.gov.</i></p> <p><i>Applicants are urged to confer with DGIF staff, especially with regard to compliance with the Virginia Endangered Species Act, if T&E species are found to occur within the disturbance zone or the disturbance zone is located on or within ½ mile of a known or potential sea turtle nesting beach.</i></p>

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<p>140. Enforcement.</p>	<p><i>Applicants need to supply the as-built post construction map of the project as required under 9VAC15-60-70. Applicants should supply any other mitigation documentation post construction if required including documentation for landscape screening plans.</i></p> <p><i>NOTE: All commitments submitted within the application documents become enforceable actions.</i></p>

(Notice of Intent for Solar Energy Project—“de minimis” Section 130 projects)

COMPANY LETTERHEAD

[Date]

Ms. Mary E. Major
Renewable Energy Program
Department of Environmental Quality
P. O. Box 1105
Richmond, VA 23218
mary.major@deq.virginia.gov

Dear Ms. Major:

On behalf of **[company/applicant]**, I am hereby providing notice to the Department of Environmental Quality of our intention to construct a small renewable energy project (solar) in **[city/county]**, Virginia, pursuant to Virginia Regulation 9VAC15-60-130.B. This project will be subject to provision 9VAC15-60-130.B because the rated capacity of the project will be **[a number equaling 5 megawatts or less]**.

[Applicant should provide a brief description of the proposed project and its location, including the approximate dimensions of the site, approximate number of solar panels, and other key characteristics.]

Attached to this letter, please find a certification by **[governing body of the locality or localities wherein the project will be located]** that the project complies with all applicable land use ordinances.

If the Department has questions regarding this project, please contact **[name]** at **[email address and telephone number]**.

Sincerely yours,

[name]
[title]

[Note: Brackets indicate where applicant should provide project-specific information.]

(Notice of Intent for Solar Energy Project – full PBR projects)

COMPANY LETTERHEAD

[Date]

Ms. Mary E. Major
Renewable Energy Program
Department of Environmental Quality
P. O. Box 1105
629 East Main Street
Richmond, VA 23218
mary.major@deq.virginia.gov

Dear Ms. Major:

On behalf of **[company/applicant]**, I am hereby providing notice to the Department of Environmental Quality of our intention to submit the necessary documentation for a permit by rule for a small renewable energy project (solar) in **[city/county]**, Virginia, pursuant to Virginia Regulation 9VAC15-60.

[Applicant should provide a brief description of the proposed project and its location, including the location coordinates, approximate dimensions of the site including total acreage, approximate number of solar panels, and other key characteristics. Include approximate rated capacity in AC. Projects in this category should have rated capacity greater than 5 MW and not exceeding 150 MW.]

If the Department has questions regarding this project, please contact **[name]** at **[email address and telephone]**.

Sincerely yours,

[name]
[title]

[Note: Brackets indicate where applicant should provide project-specific information.]

**Virginia Department of Environmental Quality
Small Renewable Energy Projects (Solar)
Local Governing Body Certification Form**

Facility Name and Location:

Applicant's Name:

Applicant's Mailing Address:

Telephone Number and Email Address:

The applicant or his representative is submitting an application for a small renewable energy permit by rule from the Virginia Department of Environmental Quality. In accordance with § 10.1 - 1197.6 B 2 of the Code of Virginia, before such permit application can be considered complete, the applicant must obtain a certification from the governing body of the locality or localities in which the small renewable energy project will be located that the project complies with all applicable land use ordinances.

The undersigned requests that a responsible official of the local governing body sign the certification statement below. In addition, by signing below, the applicant affirms that he has also submitted this form to other localities, if any, in which the proposed project will be located.

Applicant's signature:

Date:

The undersigned local government representative certifies that the proposed small renewable energy project complies with all applicable land use ordinances, as follows:

(Check one block)

The proposed facility **complies with** all applicable land use ordinances.

The proposed facility **does not comply** with all applicable land use ordinances.

Signature of authorized local government representative:

Date:

Type or print name:

Title:

County, City or Town:

**Virginia Department of Environmental Quality
Small Renewable Energy Projects (Solar)
Environmental Permit Certification Form**

Facility Name and Location:

Applicant's Name & Title:

Applicant's Mailing Address:

Telephone Number and Email Address:

The applicant is submitting an application for a small renewable energy permit by rule from the Virginia DEQ. In accordance with § 10.1-1197.6 B 12 of the Code of Virginia, before such permit application can be considered complete, the applicant must certify that the small renewable energy project has applied for or obtained all necessary environmental permits.

List all state and local environmental permits that are necessary for the small renewable energy project listed above. Indicate for each whether the permit has been applied for and/or obtained. If the permit has been obtained, attach either a copy of the permit or a letter from the appropriate agency staff member on agency stationery stating that the permit has been issued and the date of issuance. If a permit has not yet been obtained but has been applied for, provide the name of the permit, name and address of the receiving agency, name of the staff person at the receiving agency to whom the application was addressed (if available), and the date on which the application was submitted. If no permits are necessary, write the word "none" in the first column.

Permit	Permitting Agency / Authority, Address, Contact Person	Applied for (Date)	Obtained (Date)

I hereby certify that the information provided above (and any attached information) is correct and fulfills the requirements of § 10.1-1197.6 B 12 of the Code of Virginia and 9 VAC 15-40-30 A 12.

Applicant's Signature

Date:

**Virginia Department of Environmental Quality
Small Renewable Energy Projects (Solar)
Non-Utility Certification Form**

Facility Name and Location:

Applicant's Name:

Applicant's Mailing Address:

Telephone Number and Email Address:

The applicant or his authorized representative an application for a small renewable energy permit by rule from the Virginia Department of Environmental Quality. In accordance with § 10.1 -1197.6 H of the Code of Virginia, before such permit application can be considered complete, the applicant must certify the project is proposed, developed, constructed or purchase by a person that is NOT a utility regulated pursuant to Title 56 of the Code of Virginia.

The undersigned is a responsible official for the proposed project and certifies that the project is proposed, developed, constructed or purchased by a person that is NOT a utility regulated pursuant to Title 56 of the Code of Virginia.

Applicant's signature:

Date:

**Virginia Department of Environmental Quality
Small Renewable Energy Projects (Solar)
Utility Certification Form**

Facility Name and Location:

Applicant's Name:

Applicant's Mailing Address:

Telephone Number and Email Address:

The applicant or his authorized representative is submitting an application for a small renewable energy permit by rule from the Virginia Department of Environmental Quality. In accordance with § 10.1 -1197.6 I 1 and 2 of the Code of Virginia, before such permit application can be considered complete, the applicant must certify that the project is proposed, developed, constructed or purchased by either a public utility which meets specific criteria or a utility aggregation cooperative.

The undersigned is a responsible official for the proposed project and certifies that the project is proposed, developed, constructed or purchased by:

(Check one block)

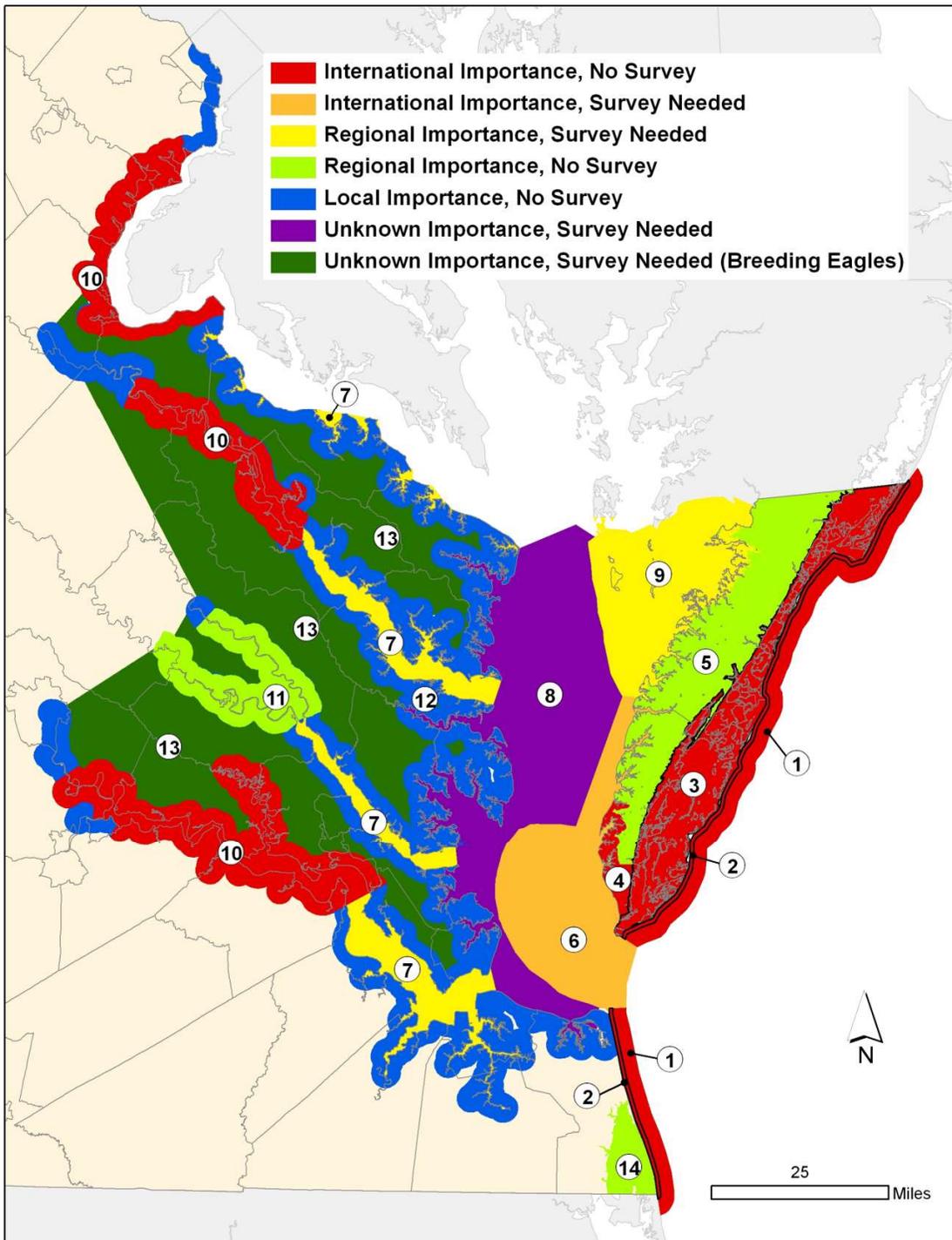
A public utility; the project's costs are not recovered from Virginia jurisdictional customers under base rates, a fuel factor charge under § 56-249.6, or a rate adjustment clause under subdivision A 6 of § 56-585.1.

A utility aggregation cooperative formed under Article 2 (§ 56-231.38 et seq.) of Chapter 9.1 of Title 56.

Applicant's Signature:

Date:

Coastal Avian Protection Zones (CAPZ) Map (PDF Version – 9/2/2011)



Attachment 7

Impact Study Guide

**Provided for Review in
King William Planning & Zoning Office**



Christopher W. Mashburn, MAI, AI-GRS, ASA
3025 Bridges Street, Suite 9
Morehead City, North Carolina 28557
Tel: 252-247-0404
Fax: 252-240-2869
Email: chris@mashburnappraisal.com

November 25, 2019

Mr. Stephen R. Graves, Sr.
435 Adams Lane
Aylett, VA 23009

Re: Proposed Sweet Sue Solar Project – King William County, VA

This letter is submitted for the purpose of providing comments regarding the “Solar Impact Study” which was developed by Kirkland Appraisals, LLC. This study was submitted to the County by Invenergy as part of the approval process for the special use permit for the proposed industrial solar facility in King William County, Virginia.

Mr. Graves has requested that I analyze and provide comments on the “Solar Impact Study” and relay some of those comments in this letter. Based on my analysis of the study, there are a few items presented in the report that pose significant questions and should be clarified. These items are listed below with explanations:

- 1) **Matched Pair 1 – Goldsboro, NC** All of the data is from 2014, which is five years prior to the date of the report, and it does not appear any follow-up was completed except one sale that occurred in 2015. Furthermore, it does not appear as though appreciation of home sales was taken into account in the analysis.
- 2) **Matched Pair 4 – Mulberry Selmer, TN** When the adjusted sales prices are ordered from oldest date to newest, the report data clearly indicated a decrease in value.
- 3) **Matched Pair 9 – San Antonio, TX** This section analyzed sales outside of San Antonio, Texas. The report shows an increase in sale prices for homes adjacent to a solar facility; however, no mention is given to appreciation of homes that are not adjacent to solar facilities in the same competitive neighborhood.
- 4) Discussion of stigma associated with solar facilities.
- 5) There are very limited, if any, references to conversations with the buyers and sellers who purchased or sold the homes that are used as comparable properties. Furthermore, it is unclear if the writer has visited the proposed site.



1) In regard to Matched Pair 1 located in Goldsboro, NC, all of the data is from 2012-2014, which is the period prior to the construction of the facility, and then concluding shortly after construction was complete. Sale prices for properties adjoining the solar farm appear to remain stable from the period before the solar farm was announced to the period after the solar facility was complete; however, based on the same data, nearby sales appreciated 3.86% annually.

Based on the data presented, sales adjoining the solar facility remained stable from 2012-2014 while sales of homes not adjacent to the solar facility increased in value during the same period 7.71%. This indicates that while nearby homes appreciated 7.71%, the homes adjoining the solar facility did not enjoy the same appreciation in their homes' value (3.86% for homes adjacent to the solar facility).

The analysis does go on to say that one of the parcels adjacent to the solar farm did sell in 2015 for \$7,500 more than when it was purchased in 2013, which is an annual appreciation of 1.4% compared to the other nearby sales of 3.86% annually. **Stated another way: the homes adjacent to solar facilities appreciated at half the rate of homes not near solar facilities.** No other data subsequent to 2015 was supplied in the analysis.

2) Matched Pair 4 is located on page 28 of the report. On page 29, the following data is presented:

Matched Pairs										
#	TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	\$/GBA	Style	Parking
68&7	0900 A 011.00	Henson	Jul-14	\$130,000	2.65	2007	1,511	\$86.04	1 Story	2 Garage
12	0900 A 003.00	Amerson	Aug-12	\$130,000	1.20	2011	1,586	\$81.97	1 Story	2 Garage
15	099C A 003.00	Smallwood	May-12	\$149,900	1.00	2002	1,596	\$93.92	1 Story	4 Garage
16	099C A 002.00	Hessing	Jun-15	\$130,000	1.00	1999	1,782	\$72.95	1 Story	2 Garage
		Average		\$134,975	1.46	2005	1,619	\$83.72		
		Median		\$130,000	1.10	2005	1,591	\$84.00		
Adjustments*										
#	TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	Style	Parking	Total
68&7	0900 A 011.00	Henson	Jul-14	\$130,000	-\$7,500	\$2,600	\$6,453	\$0	\$0	\$131,553
12	0900 A 003.00	Amerson	Aug-12	\$130,000	\$0	\$0	\$0	\$0	\$0	\$130,000
15	099C A 003.00	Smallwood	May-12	\$149,900	\$0	\$6,716	-\$939	\$0	-\$15,000	\$140,706
16	099C A 002.00	Hessing	Jun-15	\$130,000	\$0	\$7,800	-\$14,299	\$0	\$0	\$123,501
		Average		\$134,975	-\$1,875	\$4,286	-\$2,196	\$0	-\$3,750	\$131,440
		Median		\$130,000	\$0	\$4,673	-\$470	\$0	\$0	\$130,776

If the adjusted values are arrayed according to the date in which they sold, it would present as follows:

May 2012 - \$140,706
 August 2012 - \$130,000
 July 2014 - \$131,553
 June 2015 - \$123,501

Without any other data or explanation, it would appear, based on the adjusted sale prices for the sales comparables used in the study, **home prices decreased in value from May of 2012 to June 2015 by 12.23%** (change in percent from \$140,706 to \$123,502).

3) Matched pair 9 examines sales outside of San Antonio, Texas. The table below is presented on page 39 in the study and is given as evidence that sales of homes near solar facilities appreciate in value.

7703 Redstone Mnr (B)			7807 Redstone Mnr (B)			7734 Sundew Mist (S)		
	<u>Date</u>	<u>Price</u>		<u>Date</u>	<u>Price</u>		<u>Date</u>	<u>Price</u>
Sale	10/3/2012	\$149,980	Sale	5/11/2012	\$136,266	Sale	5/23/2012	\$117,140
Sale	3/24/2016	\$166,000	Sale	8/11/2014	\$147,000	Sale	11/18/2014	\$134,000
	<u>Time - YRS</u>	<u>% Incr.</u>		<u>Time - YRS</u>	<u>% Incr.</u>		<u>Time - YRS</u>	<u>% Incr.</u>
	3.47	10.7%		2.25	7.9%		2.49	14.4%
	<u>Per Year</u>	<u>3.1%</u>		<u>Per Year</u>	<u>3.5%</u>		<u>Per Year</u>	<u>5.8%</u>
Years	3.5	<u>10.8%</u>	Years	2.5	<u>8.7%</u>	Years	2	<u>11.6%</u>

This data indicates that homes adjacent to solar facilities increased in value between 3.1% and 5.8% annually. However, brief research of the same area indicates that during the same period, homes in the same city appreciated approximately 7.17% annually. **In other words, homes not near solar facilities appreciated at double the rate as those adjacent to solar facilities.**

This same trend emerged in Matched Pair 1 in Goldsboro where homes not adjacent to solar facilities appreciated at twice the rate as those near solar facilities.

4) On page 80, the reports states "There is no stigma associated with solar farms and solar farms and people generally respond favorably towards such a use." The next sentence states "While an individual may express concerns about proximity to a solar farm, there is no specific stigma associated with a solar farm."

Stigma is defined as "An adverse public perception regarding a property; the identification of a property with a condition that exacts a penalty on the marketability of the property and may also result in a diminution in value."

Based on the two examples above, and without any additional research, there appears to be a stigma toward solar facilities. In both examples above, the rate of appreciation for homes adjacent to solar facilities was approximately half of those sales not near solar facilities. Furthermore, the statement in the report that "an individual may express concerns about proximity to a solar farm" is, in essence, validation that there is stigma associated with these uses.

5) An important component of matched paired sales are conversations with the buyer and seller of each of the paired sales. Conversations with these parties to the transactions provide insight into the reasons the buyers and sellers made the decisions they did. While the report references conversations with developers and realtors, these conversations only provide the opinions and thoughts on a general level of the impact of a solar facility. Furthermore, they may not represent the thoughts of actual buyers or sellers living adjacent to a solar facility.

Mention of conversations with the buyers and sellers of the matched pairs does not exist in the report; therefore, the motivations and reasons behind purchase and sale decisions are unknown. This leads the reader to assume that property values are not impacted. However, as was shown in the data presented in the report, it does appear that there is an impact on property values since sales adjacent to solar facilities do not appreciate as quickly as other homes in the same neighborhood/region.

Lastly, it is not stated in the report as to whether or not the individual signing the report visited the proposed site or surrounding neighborhood. This brings into question if the report is able to adequately compare matched paired sales used with parcels adjacent to the proposed solar facility.

In conclusion, the impact study submitted by the applicant brings into question the possible value impact of a solar facility on adjacent properties. Based on my reading of the study, there are sufficient concerns raised so as to question the conclusion of the report and to justify a more in-depth study into possible value impacts on adjacent property owners caused by a solar facility.

This is further reinforced by the fact that to date, very little analysis has been completed on this subject, and there could be a negative impact on adjacent property owners due to the presence of a solar facility. If there are any questions regarding this letter, or if I can be of further assistance, please do not hesitate to contact me.

Respectfully submitted,



Christopher W. Mashburn, MAI, AI-GRS, ASA
Certified General Real Estate Appraiser
North Carolina License # A8051

From: [Catherine Stanley](#)
To: [Mike Derdeyn](#)
Subject: Fwd: Appraisal Information Sweet Sue Solar
Date: Monday, December 2, 2019 3:36:58 PM

[EXTERNAL]

Begin forwarded message:

From: John Turnage <johnturnagerealtor@gmail.com>
Date: December 1, 2019 at 6:40:16 PM EST
To: Catherine Stanley <279stanley@gmail.com>
Subject: Re: Appraisal Information Sweet Sue Solar

Catherine,

I hope you had a nice Thanksgiving. Per your request, I reviewed the Kirkland appraisal as well as the rebuttal from Chris Mashburn. I tend to agree with many of Mashburn's points. To add a couple of my own:

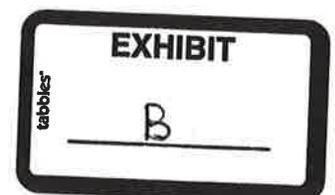
1) Most of the projects used as comparables in the Kirkland report were approved or constructed after 2016. I believe that is not enough time to adequately judge the full impact to property values. Most of these are in rural areas, with very few sales, and comparable sales do not appear to factor in any repairs or improvements that may have been made to the homes to achieve a higher sales price. (Perhaps they painted the interior, or added a deck, etc) Also external market factors such as available housing inventory at the time of sale, local economic factors such as jobs, etc.

2) Specific to farmland in King William, we need to realize that this is becoming a growth area and that most farms and large tracts of land are now being sold mainly for development. The appraisal does not take into account the future development potential of the raw land surrounding the project.

From a sales perspective, given two lots available for sale with all else being equal, a lot with a view of solar panels is likely to sell for less than the same lot without such a view. So to summarize, yes, I do believe a large solar farm in this particular residential area is likely to have a detrimental effect on nearby property values.

I hope this helps. Please feel free to contact me anytime with questions.

John



December 2, 2019

VIA EMAIL

John B. Breeden, Chairman
iljbreedden@aol.com

Donald M. Wagner
puddin5515wags@aol.com

Bonnie J. Hite
hitebeane@yahoo.com

Janie Rhoads
janierhoads@hotmail.com

Stephen K. Greenwood
sgreenwood@kingwilliamcounty.us

Sweet Sue Solar, LLC (the "Applicant") Conditional Use Permit Application

Members of the Planning Commission:

This firm and the undersigned represent Stephen Graves, a landowner who is directly impacted by the Applicant's Conditional Use Permit Application. For the reasons set forth below, we respectfully request that the Planning Commission recommend the denial of the Application.

We have had a chance to review the 179-page submission by the Applicant (the "Application") for a 77 MW solar panel installation (the "Project") on 1,262 acres of land (the "Project Area"), including (i) the property valuation and (ii) representations regarding wetlands.

In evaluating a conditional use permit application, the Planning Commission is tasked with finding that, among other things, the proposed use (i) will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use and (ii) will not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood. To properly evaluate the impacts on neighboring properties associated with the Project, the Planning Commission will need to critically evaluate the Application relating to such impacts – particularly the (i) property valuation, and (ii) wetlands.

A cursory review of the Application suggests that the information upon which the Applicant relies is, at best, unreliable. Indeed, the Application appears to be directed towards misleading the Planning Commission in certain key respects. For example, the Applicant claims

that “[t]he Project will have “no impact on value of adjoining or abutting property.” (Application, § 2.6)

The Project Will Have a Negative Impact on Property Values

Studies show that solar installations have a negative impact on property values. For example, a 2018 University of Texas study found that 70% of survey respondents believed that solar installations decreased values for nearby residential property – making clear that the market of potential home buyers associates proximity to a solar installation with a negative impact on property values. Rai, Varun, et al., *An Exploration of Property-Value Impacts Near Utility-Scale Solar Installations*, Policy Research Project, LBJ School of Public Affairs, University of Texas at Austin (May 2018). In addition, the study found through a survey of real estate appraisers that there was a **negative impact for properties** located within (i) **1000 feet of a 1.5 MW facility**, (ii) **0.5 miles of a 50 MW facility**, and (iii) **1 mile from a 100 MW facility**. Id.

Here, the Applicant is proposing a **77 MW facility**. For installations of this size, real estate professionals opine that **there will be a negative impact on houses located within 0.5-1 miles of the installation**, yet the Applicant’s installation will be located only **200 feet from existing houses**.

This research is borne out by the attached letter from Mashburn Appraisal Group, which reviewed the property valuation provided by the Applicant and found that (i) the matched pairs analysis was not properly done and (ii) the matched pairs relied upon by Applicant actually show a negative impact on property values. See November 25, 2019 Appraisal Review Letter (“Mashburn Letter”) attached as **Exhibit A**. Indeed, using the data provided by the Applicant, Mashburn made the following findings:

- Regarding Matched Pair 1 “[t]he homes adjacent to solar facilities appreciated at **half the rate of homes not near solar facilities**.” (Mashburn Letter at p. 2)
- Regarding Matched Pair 2 - “**home prices decreased in value . . . by 12.23%**” (Mashburn Letter at p. 2)
- Matched Pair 9 – “**homes not near solar facilities appreciated at double the rate as those adjacent to solar facilities**” (Mashburn Letter at p. 3).

John Turnage, a local realtor with Virginia Capital Realty, likewise noted that the Applicant’s matched pairs analysis was flawed because (i) the projects used as comparables were approved or constructed after 2016, which is not enough time to assess the impact on property values, (ii) the projects were in rural areas with very few sales, and (iii) the Applicant’s valuation did not take into account market factors such as available housing, inventory, local economic factors, etc. See December 1, 2019 Email from John Turnage attached as **Exhibit B**.

Mr. Turnage also noted that:

- The valuation “does not take into account the future development potential of the raw land surrounding the Project;” and
- The Project “is likely to have a detrimental effect on nearby property values.”

The Project Does Not Protect Wetlands

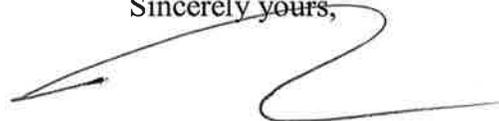
The Applicant makes certain representations regarding wetlands in the Project Area, refers to certain studies conducted by Kimley Horn to delineate those wetlands, and proposes only a 100-foot buffer for construction activity – without any representations regarding vegetation to be included within that buffer. As the Planning Commission should recognize, the protection of wetlands – and preventing them from over-sedimentation – is critical to the citizens of this County. According to the EPA, wetlands (i) protect water quality in rivers, streams, and wells, (ii) reduce flood damage, (iii) provide essential habitats for fish, waterfowl, and other animals, and (iv) replenish aquifers.

The Planning Commission should be particularly concerned with the impact on groundwater and aquifers. King William County is in one of only two Groundwater Management Areas in the Commonwealth – the Eastern Virginia Groundwater Management Area. The State Water Control Board is authorized to declare a groundwater management area only where, among other things, (i) ground water levels in the area are declining or are expected to decline excessively, or (ii) the available ground water supply has been or may be overdrawn. Va. Code § 62.1-257. Thus, King William County has a water problem and the Planning Commission needs to make sure that it does not take any action to exacerbate that problem. Groundwater quality and aquifer replenishment are critical to the future of King William County and the Planning Commission cannot blindly allow the degradation of those resources.

Conclusion

The Planning Commission should recommend denial of the Application because the Project (i) will be detrimental to the property or improvements in the neighborhood because of its negative impact on property values and (ii) will adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use due to the impacts on wetlands and groundwater.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael E. Derdeyn". The signature is fluid and cursive, starting with a large loop on the left and ending with a long horizontal stroke on the right.

Michael E. Derdeyn

cc: Ron Etter, King William County Planning Department
planningdir@kingwilliamcounty.us

Attachment 8
Correspondence
for
CUP-03-19
Sweet Sue Solar

**Sweet Sue Solar Energy Center
Final Review and Recommendations to Board of Supervisors
January 7, 2020**

The Sweet Sue Solar Energy Center, LLC is a subsidiary of Invenergy Solar Development North America, LLC. Invenergy submitted an application for a conditional use permit on August 7, 2019, and since that time has held three community meetings and has participated in two public hearings before the planning commission.

There has been some fairly significant opposition to this application, voiced at the community meetings and the public hearings as well as letters and documents submitted to the planning staff and planning commission. Much of the opposition was from the Graves family whose farm, Denbeigh, shares a border of 5400 feet along the east and south sides of the proposed solar center. The solar panels proposed along the eastern border appear to be located within 100 feet of the Graves property. Of particular significance are two reports submitted by the Graves family.

The first report, "Industrial Solar Farms: An In-Depth Look at How Industrial Solar Farms Impact the Rural Tidewater Counties of the Middle Peninsula and Northern Neck". The report was developed by the Essex County Conservation Alliance and details issues with solar farms, both in the local areas as well as those facilities across the country. Of particular interest is Coronal Energies 200 acre solar station located just off Route 17 near Dunnsville in Essex County. The report details the results of a heavy rainfall that lasted for several days and resulted in tons of sediment being washed into a tributary of the Rappahannock River. This, as well as other issues cited at various locations does provide a wakeup call for those responsible for review and approval of solar facilities as well as those responsible for the construction, maintenance and oversight of these facilities to assure that proper precautions are taken protect against such problems.

The second report was in response to a report on property values which was provided in Invenergy's application for a conditional use permit. The report submitted by the Law Firm of Flora and Pettit challenged the methodology in the report provided by Invenergy. The conclusions drawn by each of the reports are inconclusive as to the similarity of the properties assessed. Only one short section of the Sweet Sue Solar Center can be seen from a public road and the solar panels on that section will be located approximately 700 feet from that road. The remainder of the solar center is surrounded by natural vegetation and will be screened from view. The nearest dwelling is over 700 feet from the nearest solar panels. It is unlikely that land values will be affected by this facility since, for all practical purposes the site will be "invisible" to surrounding properties, there will be no noise from the site and little if any activity will occur on a daily basis.

Another issue of concern is the economic impact of this project on the County revenue. A report submitted by Invenergy in October provides an analysis and concludes that the average property tax revenue from the Sweet Sue Solar project over a thirty year period would be \$87,057. These figures should be reviewed and confirmed by staff and the Commissioner of Revenue. It needs to be noted that such revenue could be diminished by staff time for monitoring and inspecting the facility unless the contract with the applicant provides for the applicant to be responsible for the costs associated with all such review by staff or an independent consultant hired by the County for that purpose.

The planning staff and the planning commission have reviewed all comments, letters and reports submitted for and in opposition to the Sweet Sue Solar Centers application for a conditional use permit and are recommending 18 conditions to be imposed on the applicant. In addition, the applicant will be required to comply with the applicable Department of Environmental Qualities (DEQ) rules and regulations as well as other state and federal requirements. We believe that if all such rules and regulations are responsibly enforced the 576 acre solar facility, under normal conditions, could be approved.

However, I firmly believe there is a fatal flaw with the Sweet Sue Solar Center because of its location. Specifically, the 576 acre site is located on a plateau surrounded on its southern and eastern borders by relatively steep slopes descending from 30 feet to 60 feet to extensive wetlands bordering Webb Creek and Governors Run. These two streams join at the southeastern end of the site to form Moncuin Creek which flows under Venter Road, Route 360 and Route 661 and to the Pamunkey River. As a result of its location, the proposed Sweet Sue Solar center poses a significant risk to public and private properties as well as wildlife habitat adjacent to and downstream from the solar center. Over the thirty plus year life of this project it is reasonable to expect to experience a rainfall event of the magnitude of a 50 year storm such as the County experienced with tropical storm Gaston a few years ago. As with Gaston the streams and wetlands, private properties and public roads adjacent to as well as downstream from this project could experience severe flooding and property damage which could include closure of public roads for an extended period of time. It is my belief that the severity of such a storm could be exacerbated by increased velocity and volume of runoff from the 576 acre site due to the impervious solar panels covering 60% to 80% of the 576 acre solar center.

Were it not for the location of this 576 acre Sweet Sue Solar Center, I would have no qualms with recommending approval of this project with the conditions we have recommended. However, given the increased risks involved with the location of this project with the probability of runoff from a major rainfall event, I see no responsible course other than to recommend that the board of supervisors deny Sweet Sue Solar Centers application for a conditional use permit.

Respectfully submitted

Don Wagner

Sherry Graham

From: Ronald Etter
Sent: Thursday, January 02, 2020 8:40 AM
To: Sherry Graham
Subject: FW: Sweet Sue Solar

For file
Thanks,
R

From: John [mailto:jljbreedden@aol.com]
Sent: Saturday, December 28, 2019 4:46 PM
To: 'Robert Fauteux' <bob@math-ft.com>
Cc: 'Campbell Enterprises' <mc440@comcast.net>; 'Arthur Mourino' <apmourin@vcu.edu>; Ronald Etter <REtter@kingwilliamcounty.us>
Subject: RE: Sweet Sue Solar

Mr. Fauteux,
Thank you for your email concerning the Sweet Sue Solar project.

My study of solar facilities began before the King William County (KWC) Board of Supervisors (BOS) added solar as a permitted use in the Zoning Code. These studies included a Virginia Land Use Education Program class and a site visit to a solar facility in North Carolina in 2016. While I do not see much benefit of solar facilities to the county, I see no risk to the neighborhood where they might be sited or to the county in general if adequate conditions for their construction and maintenance are imposed as a part of a Conditional Use Permit.

The *Code of Virginia* allows reasonable conditions to be required as a part of the Conditional Use process. Certain conditions were required of the Hollyfield solar project here in KWC and it was built and is operating, as far as I know, with no adverse effects to the neighbors or the county. I believe the Conditions proposed by KWC staff for Sweet Sue are adequate to protect both the neighbors and the county and I don't believe the BOS has any legitimate reason to deny the application.

That said, assuming the new or a future General Assembly doesn't impose requirements for counties to allow such facilities, I would be comfortable in recommending the new BOS remove solar facilities as allowable uses in the county, at least unless or until our revised Comprehensive Plan addressed the issue.

I am copying Ron Etter, the KWC Director of Community Development, should he like to add anything. Thank you for your email and I would be happy to discuss this particular application with you or the siting of solar facilities in general.
Regards,
John Breedden

From: Robert Fauteux <bob@math-ft.com>
Sent: Friday, December 27, 2019 9:05 AM
To: jljbreedden@aol.com
Cc: Campbell Enterprises <mc440@comcast.net>; Arthur Mourino <apmourin@vcu.edu>
Subject: Fwd: Sweet Sue Solar

Mr. Breeden,

My name is Robert Fauteux. I am a partner in KWMorrison LLC. Our property is tax parcel 20-27 . KWMorrison LLC has approximately 8 tenths of a mile of frontage with the proposed Sweet Sue Solar Project.

I have to ask, Is it a good idea to cover AG land with Solar Generators in the name of Green Energy? These are not Farms by any stretch of the term. The greenest energy since the dawn of time is photosynthesis. AG land has something green growing on it much of the year.

Solar panels do not clean one rain drop that fall on or around them.They do not take in carbon dioxide. They do not create oxygen. They do not provide habitat for wildlife or pollinators. AG land does all this naturally.

All landowners near one of these sites will be affected. Surrounding Property values will decrease. Waterways near the site will be compromised. Wildlife will be compromised.

Perhaps all Solar Facilities should be treated as industrial sites and have the same restrictions in place. Example: 15 foot berms on all outskirts. Larger buffers. Restrictions on how many solar projects can encompass any parcel of land.

I believe King William county needs to have a comprehensive plan in place for the next 40 years before granting conditional-use permits for these solar facilities. The future of King William county really could be compromised if too many of these facilities come into play.

Please do not rush in your decision on Sweet Sue Solar. More studies as well as a true comprehensive plan need to be established.

40 years is a long time.

Thank you for your time,
Robert Fauteux

Attachment 9

**Army Corps of Engineers
Preliminary Jurisdiction Determination**



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1011

January 2, 2020

PRELIMINARY JURISDICTIONAL DETERMINATION

Northern Virginia Regulatory Section
NAO-2019-01634 (Moncuin Creek)

Ms. Katie Crum, CPWD
Kimley-Horn and Associates
4525 Main Street, Suite 1000
Virginia Beach, Virginia 23456

Dear Ms. Crum:

This letter is in regard to the request submitted by Kimley Horn and Associates on behalf of Invenergy for a preliminary jurisdictional determination for waters of the U.S., including wetlands, on several parcels of land totaling approximately 1304 acres located south and west of King William Road (Route 30), north of Manfield Road (Route 605), and east of Enfield Road in King William County, Virginia.

The attached map entitled "Sweet Sue Solar Confirmation King William County, VA" (Figures 8.A through 8.E) prepared by Kimley Horn, revised November 18, 2019 and December 26, 2019, and stamped as received by the Corps on December 26, 2019 depicts the approximate location of wetlands and waters identified within the defined project limits. The basis for this delineation includes application of the Corps' *1987 Wetland Delineation Manual* and *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region* and the positive indicators of wetland hydrology, hydric soils, and hydrophytic vegetation and the presence of an ordinary high water mark. This letter is not confirming the Cowardin classifications of these aquatic resources.

The Norfolk District has relied on the information and data provided by the applicant or agent. If such information and data subsequently prove to be materially false or materially incomplete, this verification may be suspended or revoked, in whole or in part, and/or the Government may institute appropriate legal proceedings.

Discharges of dredged or fill material, including those associated with mechanized landclearing, into waters and/or wetlands on this site may require a Department of the Army permit and authorization by state and local authorities including a Virginia Water Protection Permit from the Virginia Department of Environmental Quality (DEQ), a permit from the Virginia Marine Resources Commission (VMRC) and/or a permit from your local wetlands board. This letter is a confirmation of the Corps preliminary jurisdiction for the waters and/or wetlands on the subject property and does not authorize any work in these areas. Please obtain all required permits before starting work in the delineated waters/wetland areas.

This is a preliminary jurisdictional determination and is therefore not a legally binding determination regarding whether Corps jurisdiction applies to the waters or wetlands in question. Accordingly, you may either consent to jurisdiction as set out in this preliminary jurisdictional determination and the attachments hereto if you agree with the determination, or you may request and obtain an approved jurisdictional determination.

Enclosed is a copy of the "Preliminary Jurisdictional Determination Form". Please review the document, sign, and return one copy to me either via email (keith.r.goodwin@usace.army.mil) or via standard mail to U.S. Army Corps of Engineers, Regulatory Office, and ATTN: Keith Goodwin, 803 Front Street Norfolk, Virginia 23510 within 30 days of receipt and keep one for your records. This delineation of waters and/or wetlands can be relied upon for no more than five years from the date of this letter. New information may warrant revision.

If you have any questions, please contact me at (757) 201-7327 or via email at keith.r.goodwin@usace.army.mil.

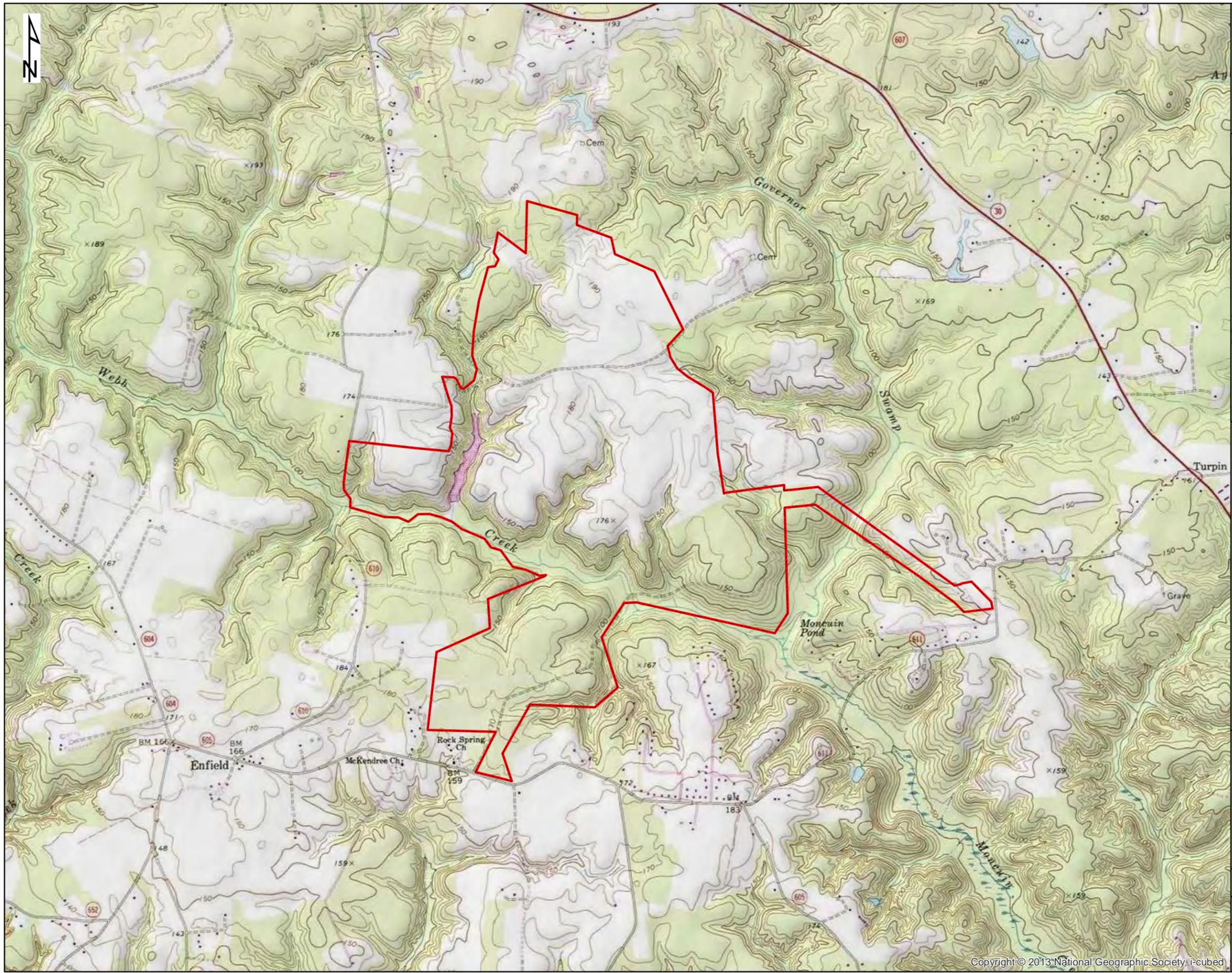
Sincerely,

A handwritten signature in black ink that reads "Keith R. Goodwin". The signature is written in a cursive style with a large, stylized "K" and "G".

Keith R. Goodwin
Environmental Scientist
Northern Virginia Regulatory Section

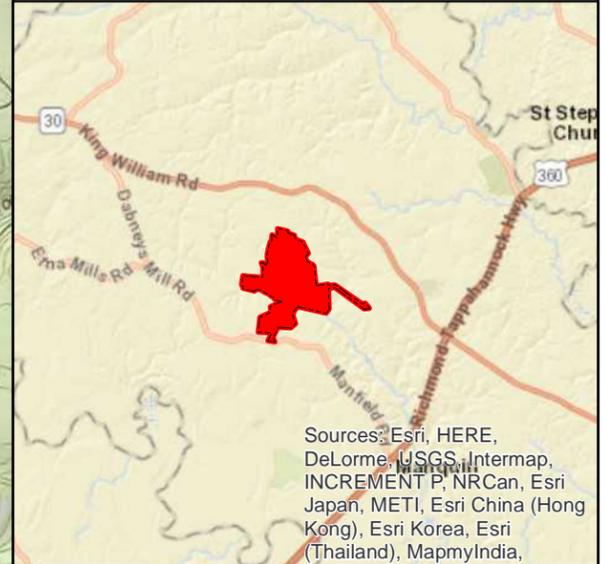
Enclosures: Wetland Delineation Maps
Preliminary Jurisdictional Determination Form
Supplemental Preapplication Information

Cc: King William County
Virginia Department of Environmental Quality



**SWEET SUE SOLAR
KING WILLIAM COUNTY, VA**

**FIGURE 1. PROJECT LIMITS OVERLAIN ON
USGS TOPOGRAPHIC MAP**



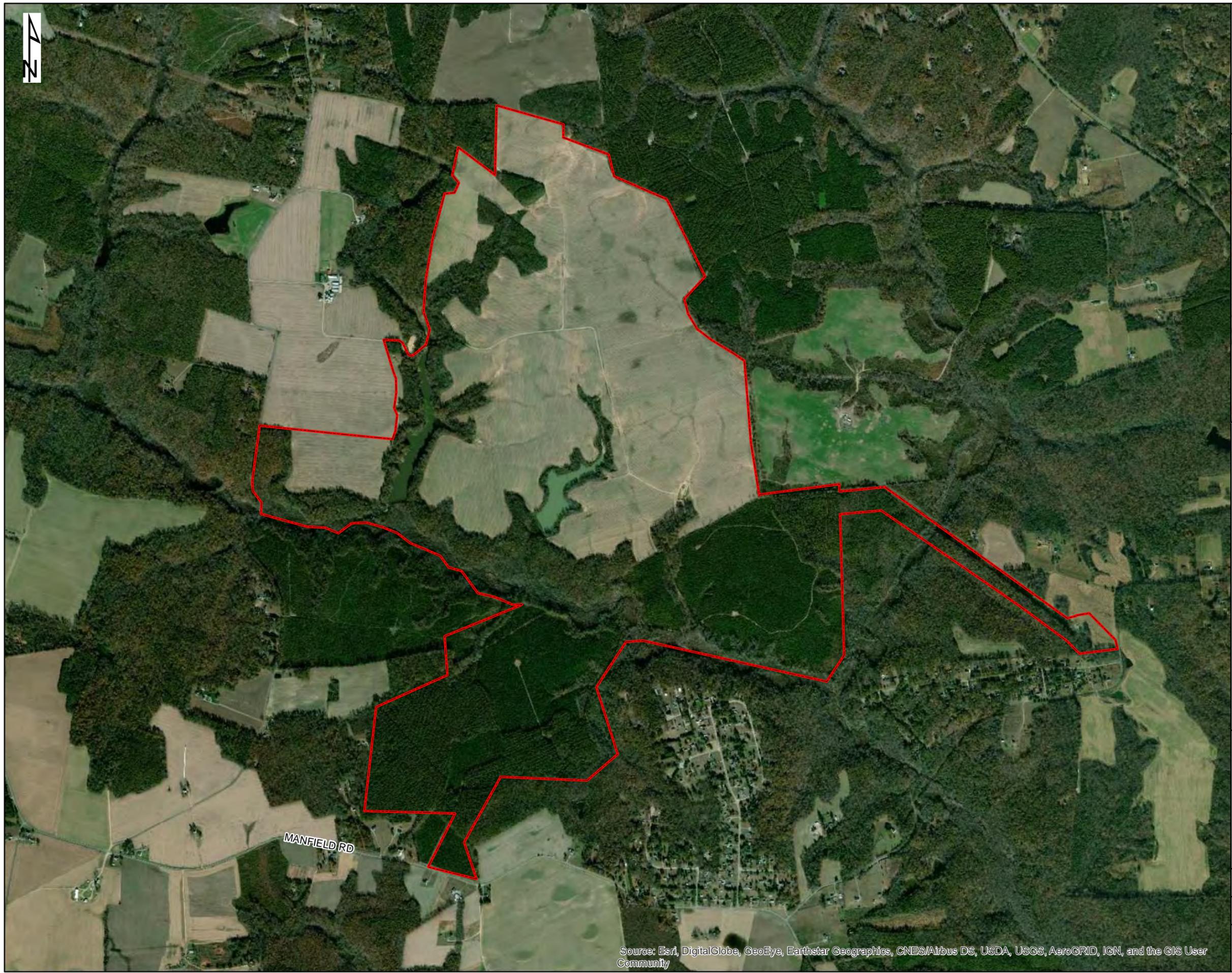
LEGEND
 PROJECT LIMITS

NOTES:

DATE: 08/05/2019

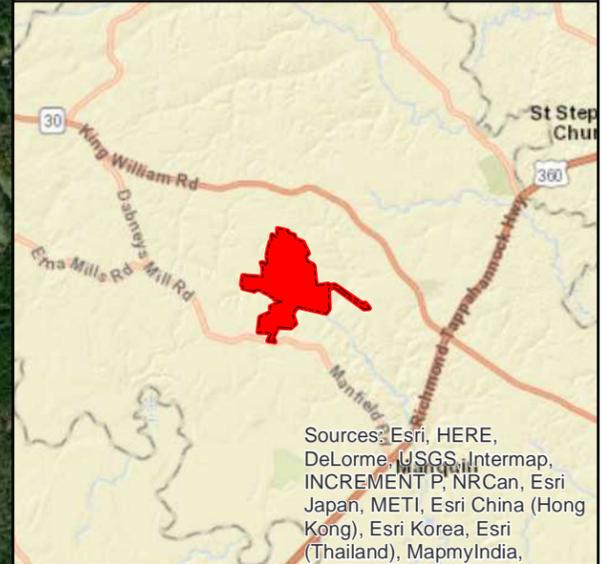
SCALE: 1 IN = 2,000 FT

12



**SWEET SUE SOLAR
KING WILLIAM COUNTY, VA**

**FIGURE 2. PROJECT LIMITS OVERLAIN ON
2017 AERIAL PHOTOGRAPH**



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia,

LEGEND

 PROJECT LIMITS

NOTES:

DATE: 08/05/2019

SCALE: 1 IN = 1,500 FT



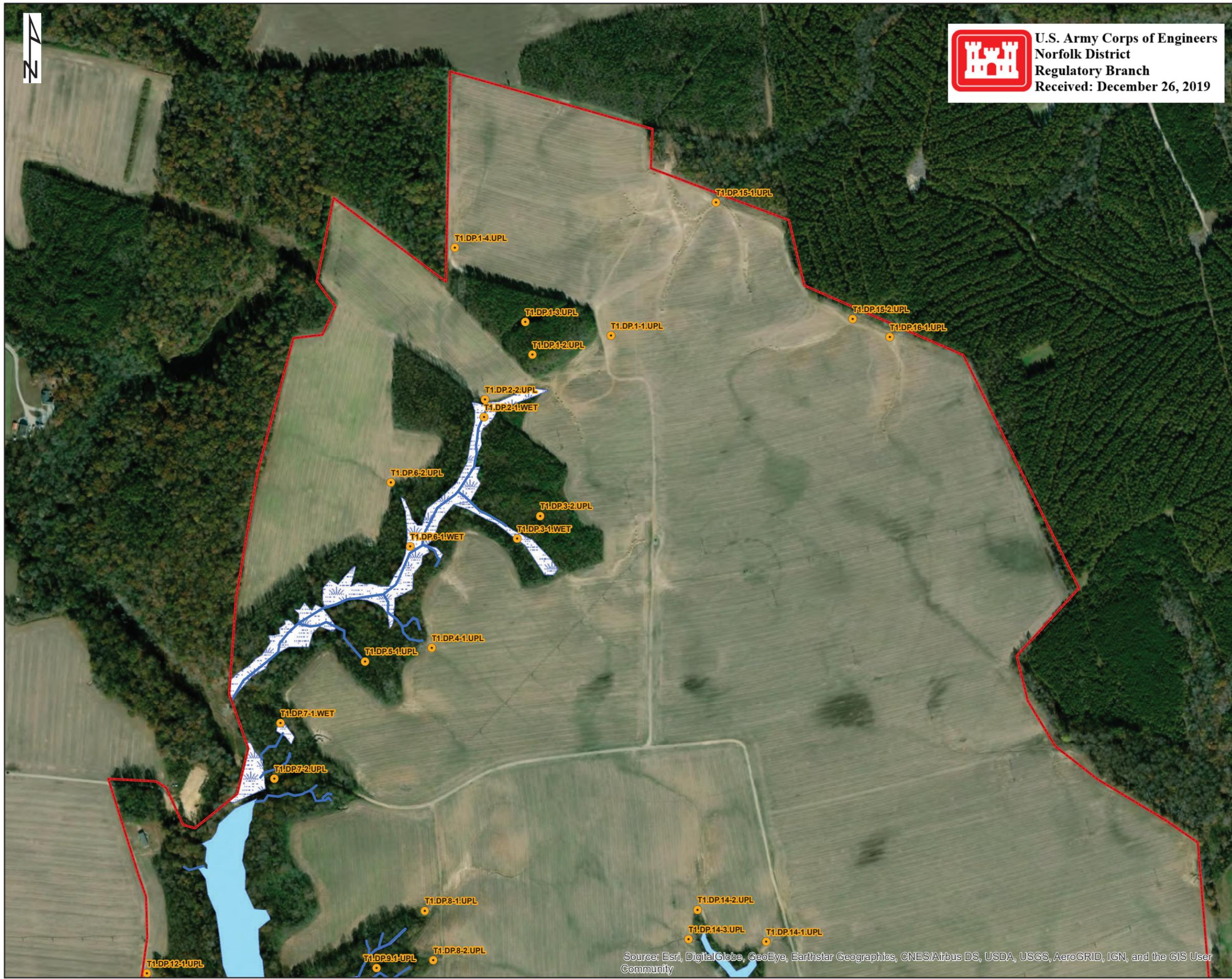
17



U.S. Army Corps of Engineers
Norfolk District
Regulatory Branch
Received: December 26, 2019

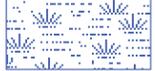
SWEET SUE SOLAR CONFIRMATION
KING WILLIAM COUNTY, VA

FIGURE 8.A - NORTH
PROJECT LIMITS & PRELIMINARY
WETLAND DELINEATION
OVERLAIN ON 2017 AERIAL PHOTOGRAPH



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors,

LEGEND

-  PROJECT LIMITS
-  DATA POINT
-  STREAMS
-  OPEN WATER
-  WETLAND

NOTES:
1. W/U BOUNDARY IS PRELIMINARY & SUBJECT TO CONFIRMATION BY THE USACE.
2. WETLANDS EXTEND OFF-SITE AND ARE NOT GEOGRAPHICALLY ISOLATED.

DATE REVISED: 12/26/2019

SCALE: 1 IN = 500 FT

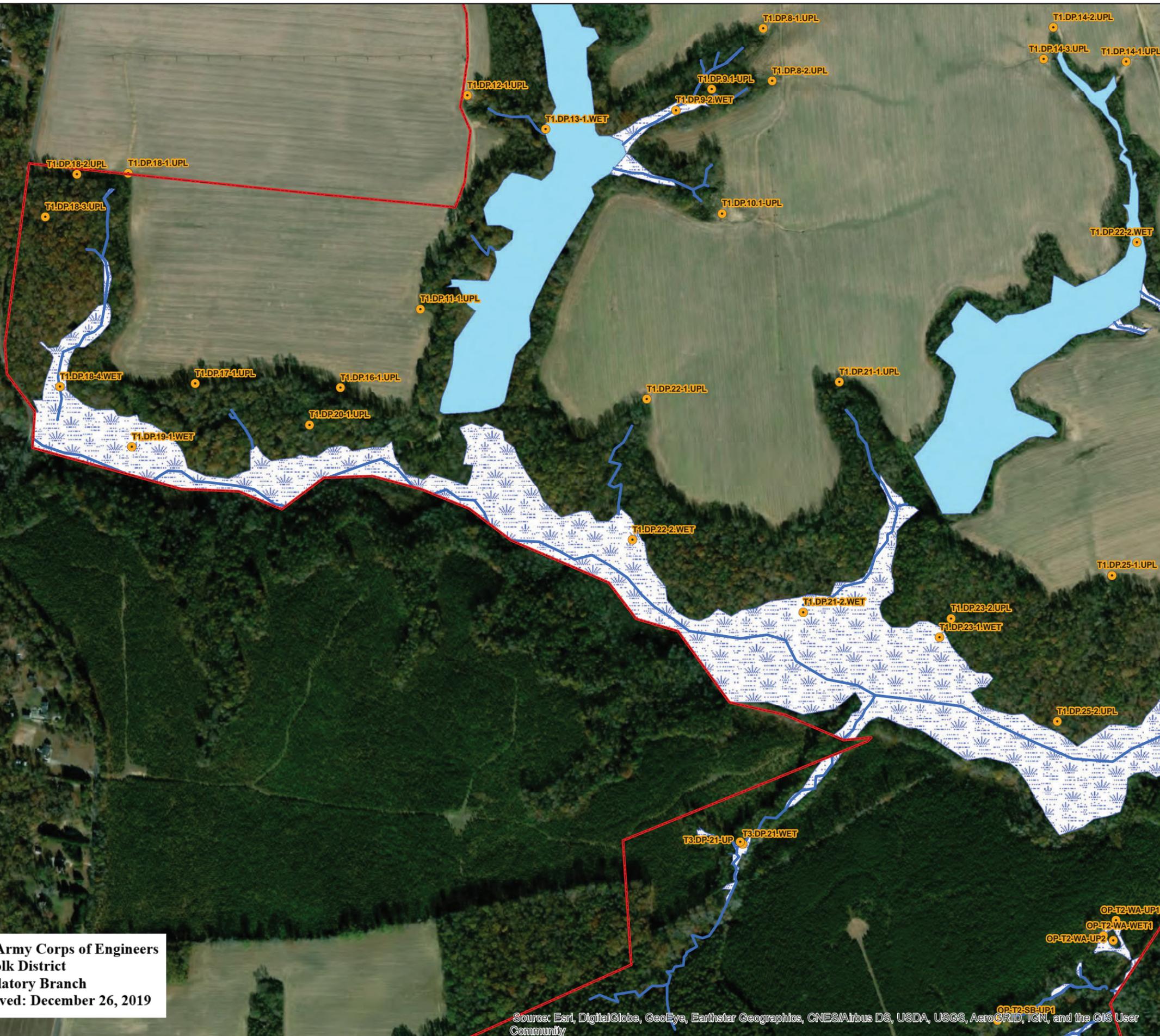


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

North arrow pointing up.

**SWEET SUE SOLAR CONFIRMATION
KING WILLIAM COUNTY, VA**

**FIGURE 8.B - CENTRAL WEST
PROJECT LIMITS & PRELIMINARY
WETLAND DELINEATION
OVERLAIN ON 2017 AERIAL PHOTOGRAPH**



LEGEND

-  PROJECT LIMITS
-  DATA POINT
-  STREAMS
-  OPEN WATER
-  WETLAND

NOTES:
 1. W/U BOUNDARY IS PRELIMINARY & SUBJECT TO CONFIRMATION BY THE USACE.
 2. WETLANDS EXTEND OFF-SITE AND ARE NOT GEOGRAPHICALLY ISOLATED.

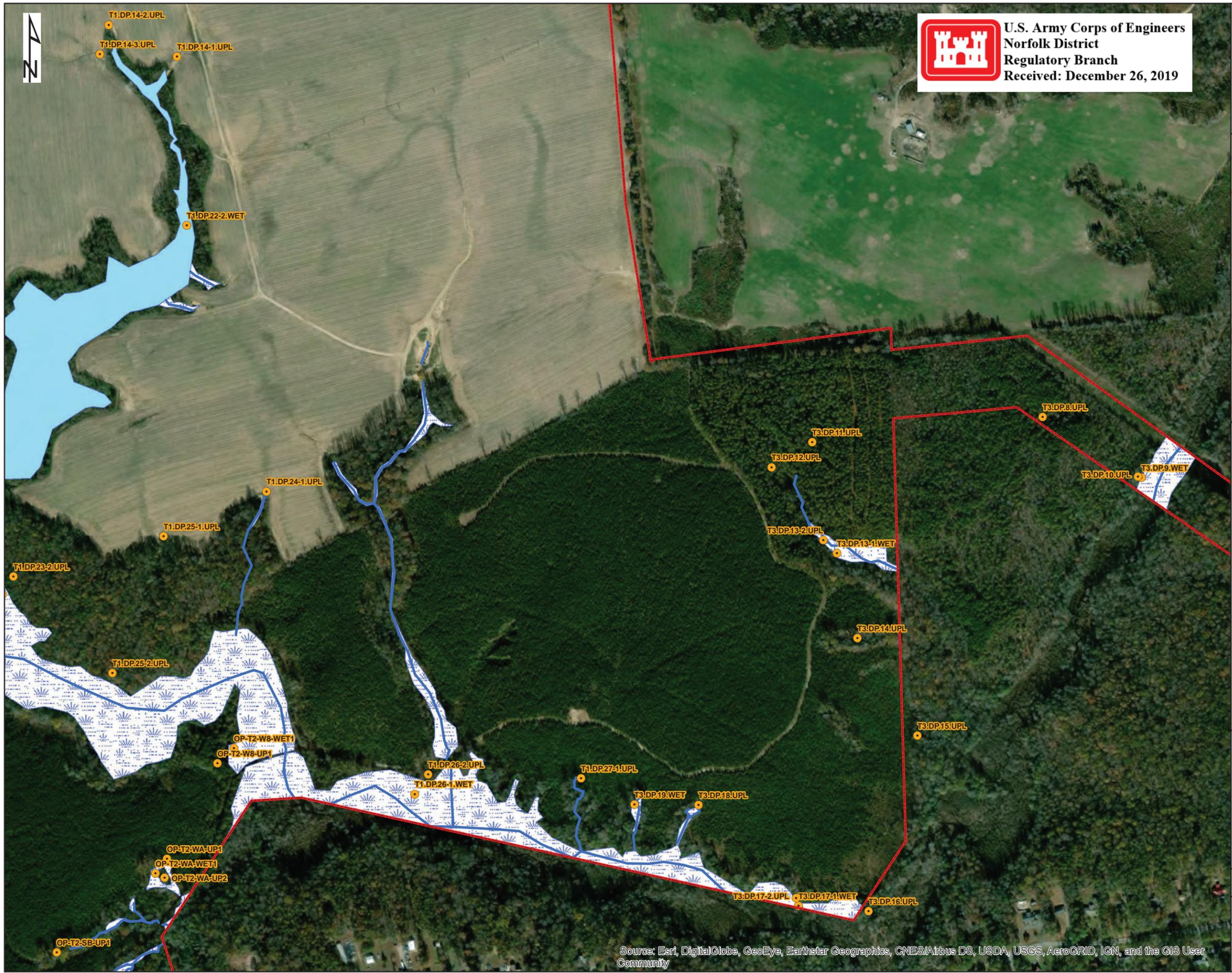
DATE REVISED: 12/26/2019

SCALE: 1 IN = 500 FT

 **U.S. Army Corps of Engineers
Norfolk District
Regulatory Branch
Received: December 26, 2019**

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Kimley & Horn




U.S. Army Corps of Engineers
 Norfolk District
 Regulatory Branch
 Received: December 26, 2019

SWEET SUE SOLAR CONFIRMATION
KING WILLIAM COUNTY, VA

FIGURE 8.C - CENTRAL
PROJECT LIMITS & PRELIMINARY
WETLAND DELINEATION
OVERLAIN ON 2017 AERIAL PHOTOGRAPH



LEGEND

-  PROJECT LIMITS
-  DATA POINT
-  STREAMS
-  OPEN WATER
-  WETLAND

NOTES:
 1. W/U BOUNDARY IS PRELIMINARY & SUBJECT TO CONFIRMATION BY THE USAGE.
 2. WETLANDS EXTEND OFF-SITE AND ARE NOT GEOGRAPHICALLY ISOLATED.

DATE REVISED: 12/26/2019

SCALE: 1 IN = 500 FT

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

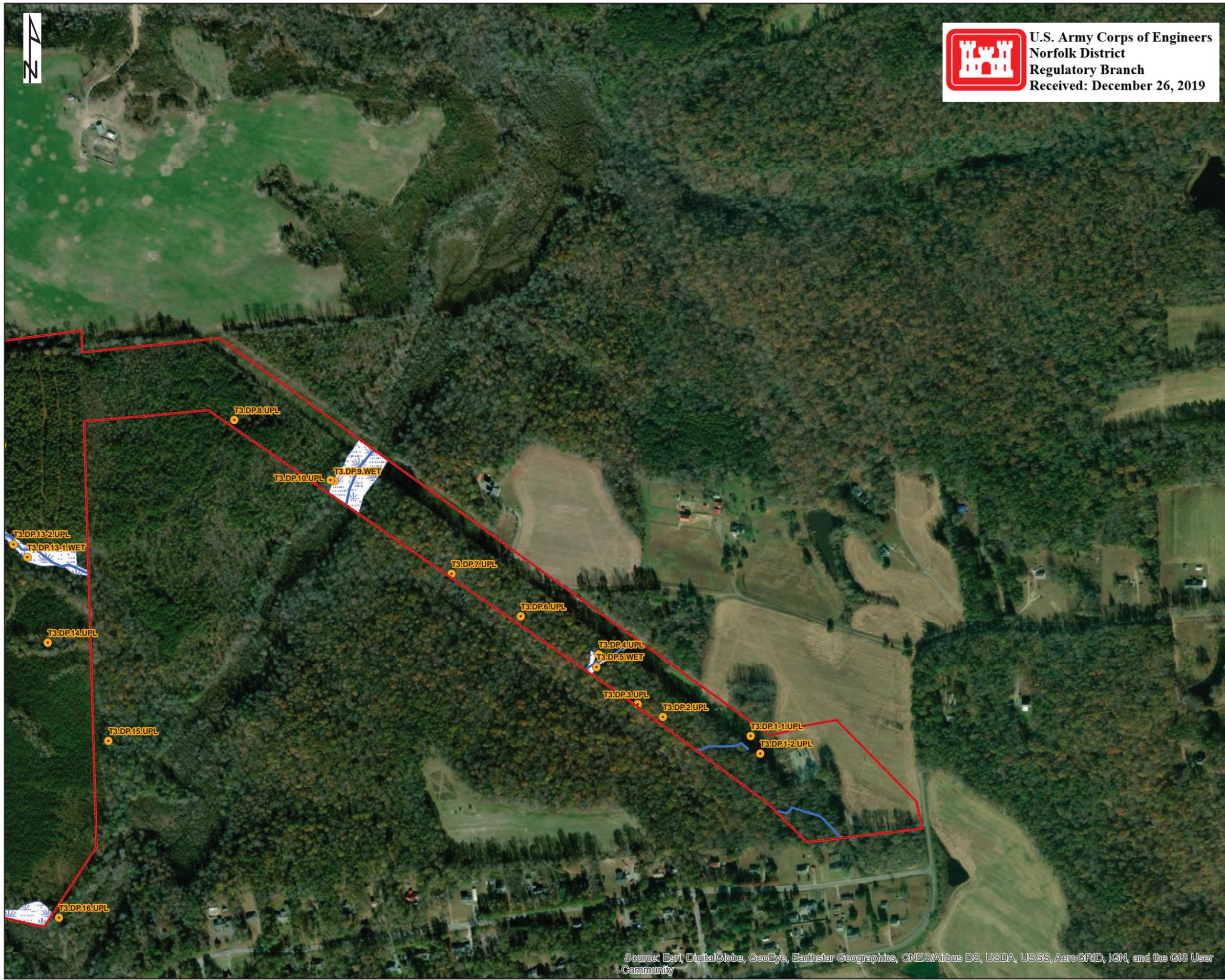
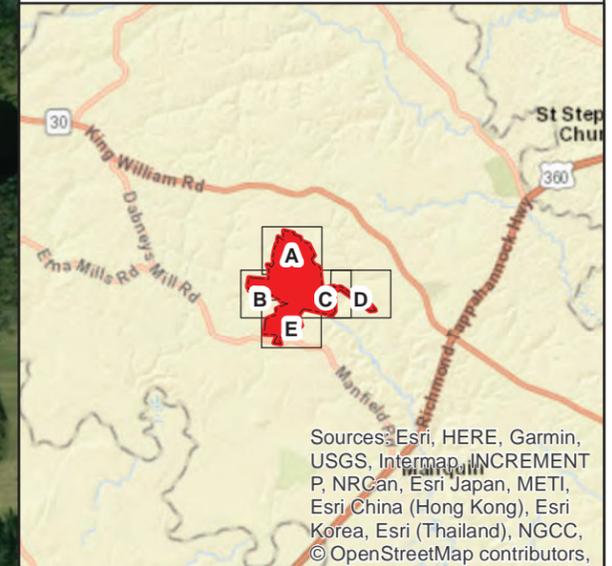




U.S. Army Corps of Engineers
Norfolk District
Regulatory Branch
Received: December 26, 2019

**SWEET SUE SOLAR CONFIRMATION
KING WILLIAM COUNTY, VA**

**FIGURE 8.D - CENTRAL EAST
PROJECT LIMITS & PRELIMINARY
WETLAND DELINEATION
OVERLAIN ON 2017 AERIAL PHOTOGRAPH**



LEGEND

-  PROJECT LIMITS
-  DATA POINT
-  STREAMS
-  OPEN WATER
-  WETLAND

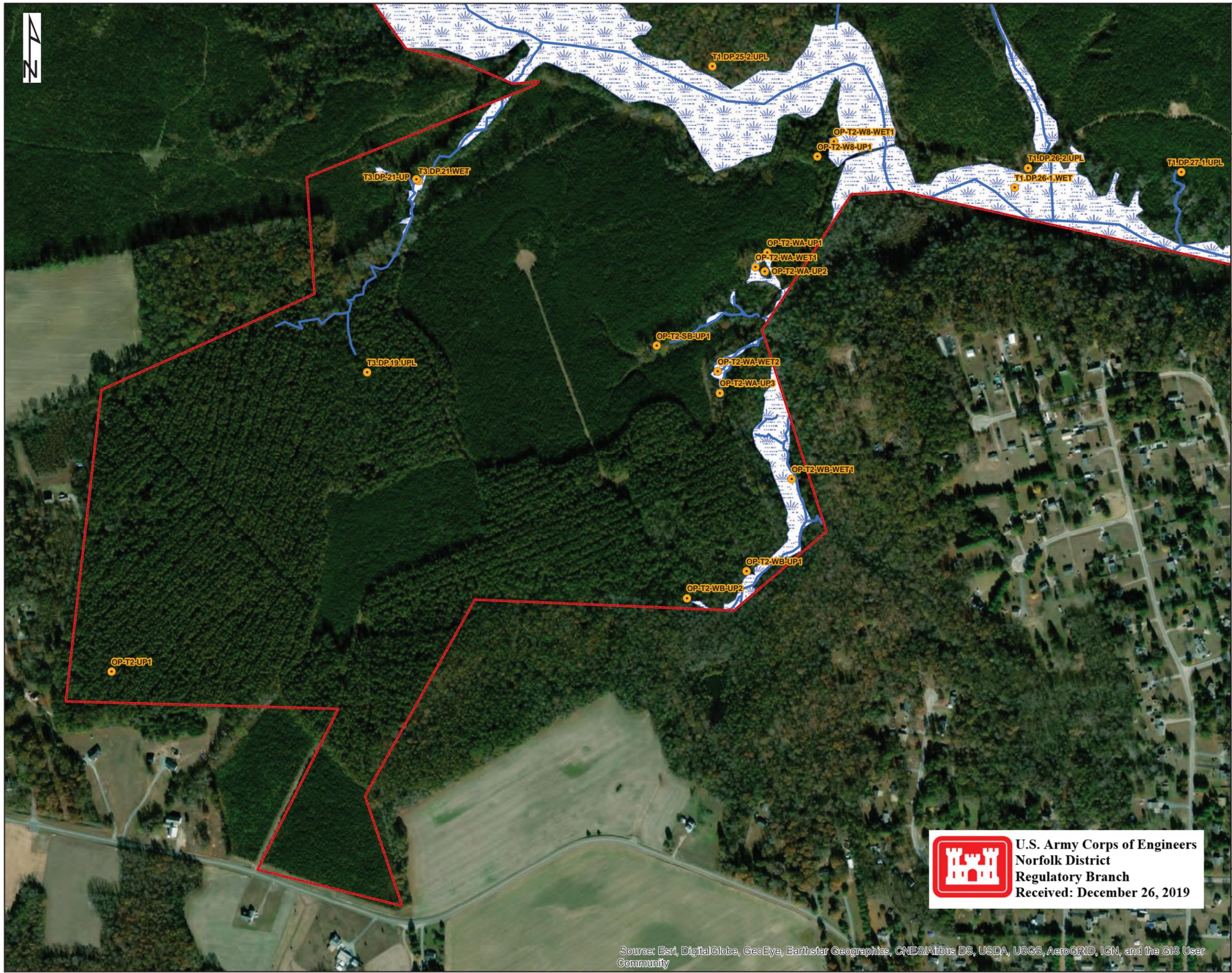
- NOTES:**
1. W/U BOUNDARY IS PRELIMINARY & SUBJECT TO CONFIRMATION BY THE USACE.
 2. WETLANDS EXTEND OFF-SITE AND ARE NOT GEOGRAPHICALLY ISOLATED.

DATE REVISED: 12/26/2019

SCALE: 1 IN = 500 FT

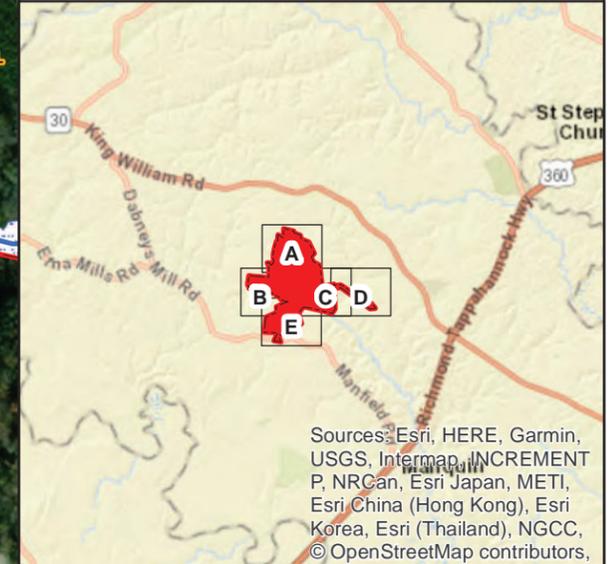


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**SWEET SUE SOLAR CONFIRMATION
KING WILLIAM COUNTY, VA**

**FIGURE 8.E - SOUTH
PROJECT LIMITS & PRELIMINARY
WETLAND DELINEATION
OVERLAIN ON 2017 AERIAL PHOTOGRAPH**



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors,

LEGEND

-  PROJECT LIMITS
-  DATA POINT
-  STREAMS
-  OPEN WATER
-  WETLAND

NOTES:
 1. W/U BOUNDARY IS PRELIMINARY & SUBJECT TO CONFIRMATION BY THE USACE.
 2. WETLANDS EXTEND OFF-SITE AND ARE NOT GEOGRAPHICALLY ISOLATED.

 **U.S. Army Corps of Engineers
Norfolk District
Regulatory Branch
Received: December 26, 2019**

DATE REVISED: 12/26/2019

SCALE: 1 IN = 500 FT

Kimley & Horn



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1011

January 2, 2020

Supplemental Preapplication Information

Project Number: NAO-2019-01634

1. A search of the Virginia Department of Historic Resources data revealed the following:

- No known historic properties are located on the property.
- Tribal consultation may be required.
- The following known architectural resources are located on the property:
- The following known archaeological resources are located on the property:
- The following known historic resources are located in the vicinity of the property (potential for effects to these resources from future development):

DHR #050-5104	4188 Manfield Road	Dwelling
DHR #050-5103	4134 Manfield Road	Rock Spring Baptist Church
DHR #050-5105	2120 Enfield Road	Farmstead

NOTE:

- 1) *The information above is for planning purposes only. In most cases, the property has not been surveyed for historic resources. Undiscovered historic resources may be located on the subject property or adjacent properties and this supplemental information is not intended to satisfy the Corps' requirements under Section 106 of the National Historic Preservation Act (NHPA).*
- 2) *Prospective permittees should be aware that Section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant.*

2. A search of the data supplied by the U.S. Fish & Wildlife Service, the Virginia Department of Conservation and Recreation and the Virginia Department of Game and Inland Fisheries revealed the following:

- No known populations of threatened or endangered species are located on or within the vicinity of the subject property.
- The following federally-listed species may occur within the vicinity of the subject property:
Northern long-eared bat (*Myotis septentrionalis*)
- The following state-listed (or other) species may occur within the vicinity of the subject property:

Please note this information is being provided to you based on the preliminary data you submitted to the Corps relative to project boundaries and project plans. Consequently, these findings and recommendations are subject to change if the project scope changes or new information becomes available and the accuracy of the data.

PRELIMINARY JURISDICTIONAL DETERMINATION FORM

BACKGROUND INFORMATION:

A. REPORT COMPLETION DATE FOR PRELIMINARY JURISDICTIONAL DETERMINATION (JD): Thursday, January 2, 2020

B. NAME AND ADDRESS OF PERSON REQUESTING PRELIMINARY JD:

Requestor: Mr. Edward D. Barry	Agent: Ms. Katie Crum
Invenergy	Kimley Horn and Associates
One South Wacker Drive, Suite 1800	4525 Main Street, Suite 1000
Chicago, Illinois 60606	Virginia Beach, Virginia 23456

C. DISTRICT OFFICE: Norfolk District (CENAO-REG)

FILE NAME: Sweet Sue Solar

FILE NUMBER: NAO-2019-01634

D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:
(USE THE ATTACHED TABLE TO DOCUMENT MULTIPLE WATERBODIES AT DIFFERENT SITES)

State: **VIRGINIA** County/parish/borough: King William City:

Center coordinates of site (lat/long in degree decimal format):

Latitude: 37.7613° N Longitude: -77.1924° W

Universal Transverse Mercator: 18 S 306879.00 m E 4181594.55 m N

Name of nearest waterbody: Webb Creek; Govenor Swamp. Tributaries to Moncuin Creek

Identify (estimate) amount of waters in the review area:

Non-wetland waters: 33,474 linear feet; variable width (ft); and/or 30.30 acres.

Cowardin Class: R2; R4; POW (30.30 acres)

Stream Flow: Perennial; Intermittent

Wetlands: 81.71 acres

Cowardin Class: PFO; PSS; PEM

Name of any water bodies on the site that have been identified as Section 10 waters:

Tidal:

Non-Tidal:

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date:

Field Determination. Date(s): October 31, 2019; November 8, 2019

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring “pre-construction notification” (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant’s acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable.

3. This preliminary JD finds that there “*may be*” waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

SUPPORTING DATA:

Data reviewed for preliminary JD (check all that apply) - checked items should be included in case file and, where checked and requested, appropriately reference sources below.

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:
Maps entitled "SWEET SUE SOLAR CONFIRMATION KING WILLIAM COUNTY, VA" FIGURES 8.A THROUGH 8.E, prepared by Kimley Horn, revised November 18, 2019 and December 26, 2019 and stamped as received by the Corps on December 26, 2019, provide the approximate location of wetlands and waters identified within the defined project limits.

- Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 - Office concurs with data sheets/delineation report.
 - Office does not concur with data sheets/delineation report.
- Data sheets prepared by the Corps:
- Corps navigable waters' study:
- U.S. Geological Survey Hydrologic Atlas:
 - USGS NHD data.
 - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: Beulahville and Manquin, Virginia
- USDA Natural Resources Conservation Service Soil Survey.

Citation: USDA-NCSS Digital SSURGO and STATSGO Data
- National wetlands inventory map(s). Cite name: USFWS Digital Wetland and Riparian Data
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation: (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): 2018; 2013; 2009

or Other (Name & Date):
- Previous determination(s):

File no. and date of response letter:
- Other information (please specify):

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

 Signature
 Regulatory Project Manager
 (REQUIRED)

January 2, 2020

 Date

 Signature of person requesting
 Preliminary JD
 (REQUIRED, unless obtaining the signature is impracticable)

 Date

Site	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e., wetland vs. non- wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 404/10)
WTL-1	37.7638	-77.1994	0.481 acres	Wetland	Section 404
WTL-2	37.7562	-77.1866	1.511 acres	Wetland	Section 404
WTL-3	37.7562	-77.1683	0.153 acres	Wetland	Section 404
WTL-4	37.7518	-77.1921	0.303 acres	Wetland	Section 404
WTL-5	37.7525	-77.1923	0.187 acres	Wetland	Section 404
WTL-6	37.7540	-77.1826	0.159 acres	Wetland	Section 404
WTL-7	37.7646	-77.1990	0.778 acres	Wetland	Section 404
WTL-8	37.7539	-77.1817	0.151 acres	Wetland	Section 404
WTL-9	37.7540	-77.1837	0.080 acres	Wetland	Section 404
WTL-10	37.7549	-77.1660	0.033 acres	Wetland	Section 404
WTL-11	37.7580	-77.1897	0.134 acres	Wetland	Section 404
WTL-12	37.7597	-77.1999	0.075 acres	Wetland	Section 404
WTL-13	37.7604	-77.2064	0.046 acres	Wetland	Section 404
WTL-14	37.7628	-77.2022	0.024 acres	Wetland	Section 404
WTL-15	37.7646	-77.2016	0.034 acres	Wetland	Section 404
WTL-16	37.7664	-77.2016	0.010 acres	Wetland	Section 404
WTL-17	37.7684	-77.1999	0.137 acres	Wetland	Section 404
WTL-18	37.7680	-77.1999	0.024 acres	Wetland	Section 404
WTL-19	37.7675	-77.1996	0.035 acres	Wetland	Section 404
WTL-20	37.7600	-77.1956	0.071 acres	Wetland	Section 404
WTL-21	37.7589	-77.1727	1.439 acres	Wetland	Section 404
WTL-22	37.7577	-77.1979	50.394 acres	Wetland	Section 404
WTL-23	37.7579	-77.1785	0.901 acres	Wetland	Section 404
WTL-24	37.7538	-77.1644	0.028 acres	Wetland	Section 404
WTL-25	37.7547	-77.1985	0.047 acres	Wetland	Section 404
WTL-26	37.7525	-77.1995	0.073 acres	Wetland	Section 404
WTL-27	37.7596	-77.1867	0.504 acres	Wetland	Section 404
WTL-28	37.7628	-77.2088	0.253 acres	Wetland	Section 404
WTL-29	37.7712	-77.1954	0.621 acres	Wetland	Section 404
WTL-30	37.7710	-77.1970	0.055 acres	Wetland	Section 404
WTL-31	37.7700	-77.1975	0.063 acres	Wetland	Section 404
WTL-32	37.7697	-77.1986	0.038 acres	Wetland	Section 404
WTL-33	37.7539	-77.1854	12.294 acres	Wetland	Section 404
WTL-34	37.7706	-77.1982	5.965 acres	Wetland	Section 404
WTL-35	37.7620	-77.1906	0.155 acres	Wetland	Section 404
WTL-36	37.7616	-77.1910	0.142 acres	Wetland	Section 404
WTL-37	37.7549	-77.1972	0.693 acres	Wetland	Section 404
WTL-38	37.7504	-77.1913	3.616 acres	Wetland	Section 404
STR-1	37.7704	-77.1986	1713.020 linear feet	Stream	Section 404
STR-2	37.7716	-77.1961	318.120 linear feet	Stream	Section 404

Site	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e., wetland vs. non- wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 404/10)
STR-3	37.7710	-77.1970	166.870 linear feet	Stream	Section 404
STR-4	37.7700	-77.1977	366.094 linear feet	Stream	Section 404
STR-5	37.7701	-77.1974	153.188 linear feet	Stream	Section 404
STR-6	37.7700	-77.1989	439.637 linear feet	Stream	Section 404
STR-7	37.7682	-77.2001	202.544 linear feet	Stream	Section 404
STR-8	37.7679	-77.2000	220.429 linear feet	Stream	Section 404
STR-9	37.7675	-77.1991	68.709 linear feet	Stream	Section 404
STR-10	37.7674	-77.1992	157.005 linear feet	Stream	Section 404
STR-11	37.7675	-77.1998	361.343 linear feet	Stream	Section 404
STR-12	37.7664	-77.2015	111.474 linear feet	Stream	Section 404
STR-13	37.7646	-77.2015	330.713 linear feet	Stream	Section 404
STR-14	37.7648	-77.1980	318.710 linear feet	Stream	Section 404
STR-15	37.7645	-77.1991	418.47 linear feet	Stream	Section 404
STR-16	37.7637	-77.1990	589.18 linear feet	Stream	Section 404
STR-17	37.7636	-77.1983	22.93 linear feet	Stream	Section 404
STR-18	37.7635	-77.1985	72.75 linear feet	Stream	Section 404
STR-19	37.7628	-77.2022	194.96 linear feet	Stream	Section 404
STR-20	37.7602	-77.2063	265.83 linear feet	Stream	Section 404
STR-21	37.7597	-77.1999	610.11 linear feet	Stream	Section 404
STR-22	37.7620	-77.1906	148.14 linear feet	Stream	Section 404
STR-23	37.7616	-77.1910	160.48 linear feet	Stream	Section 404
STR-24	37.7578	-77.1898	815.89 linear feet	Stream	Section 404
STR-25	37.7578	-77.1871	1345.11 linear feet	Stream	Section 404
STR-26	37.7595	-77.1867	890.00 linear feet	Stream	Section 404
STR-27	37.7541	-77.1838	466.32 linear feet	Stream	Section 404
STR-28	37.7539	-77.1826	309.05 linear feet	Stream	Section 404
STR-29	37.7539	-77.1816	320.32 linear feet	Stream	Section 404
STR-30	37.7579	-77.1789	857.61 linear feet	Stream	Section 404
STR-31	37.7562	-77.1681	276.17 linear feet	Stream	Section 404
STR-32	37.7549	-77.1660	295.92 linear feet	Stream	Section 404
STR-33	37.7539	-77.1644	431.90 linear feet	Stream	Section 404
STR-34	37.7524	-77.1924	537.66 linear feet	Stream	Section 404
STR-35	37.7525	-77.1914	36.94 linear feet	Stream	Section 404
STR-36	37.7526	-77.1919	129.30 linear feet	Stream	Section 404
STR-37	37.7515	-77.1923	73.54 linear feet	Stream	Section 404
STR-38	37.7517	-77.1922	48.49 linear feet	Stream	Section 404
STR-39	37.7520	-77.1918	294.89 linear feet	Stream	Section 404
STR-40	37.7517	-77.1922	123.23 linear feet	Stream	Section 404
STR-41	37.7519	-77.1922	108.15 linear feet	Stream	Section 404
STR-42	37.7510	-77.1914	128.42 linear feet	Stream	Section 404

Site	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e., wetland vs. non- wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 404/10)
STR-43	37.7494	-77.1908	1233.49 linear feet	Stream	Section 404
STR-44	37.7482	-77.1920	117.27 linear feet	Stream	Section 404
STR-45	37.7563	-77.1958	279.57 linear feet	Stream	Section 404
STR-46	37.7545	-77.1979	1490.81 linear feet	Stream	Section 404
STR-47	37.7525	-77.1999	499.01 linear feet	Stream	Section 404
STR-48	37.7546	-77.1981	154.63 linear feet	Stream	Section 404
STR-49	37.7724	-77.1962	523.50 linear feet	Stream	Section 404
STR-50	37.7555	-77.1862	465.58 linear feet	Stream	Section 404
STR-51	37.7543	-77.1861	332.20 linear feet	Stream	Section 404
STR-52	37.7589	-77.1727	335.66 linear feet	Stream	Section 404
STR-53	37.7521	-77.1991	108.19 linear feet	Stream	Section 404
STR-54	37.7528	-77.1991	331.36 linear feet	Stream	Section 404
STR-55	37.7507	-77.1914	171.72 linear feet	Stream	Section 404
STR-56	37.7495	-77.1905	142.44 linear feet	Stream	Section 404
STR-57	37.7566	-77.1953	9071.00 linear feet	Stream	Section 404
STR-58	37.7637	-77.2087	706.28 linear feet	Stream	Section 404
STR-59	37.7615	-77.2095	692.37 linear feet	Stream	Section 404
STR-60	37.7601	-77.1956	400.89 linear feet	Stream	Section 404
STR-61	37.7582	-77.1956	766.20 linear feet	Stream	Section 404
STR-62	37.7592	-77.1950	50.02 linear feet	Stream	Section 404
STR-63	37.7593	-77.1952	161.77 linear feet	Stream	Section 404
STR-64	37.7654	-77.1981	540.40 linear feet	Stream	Section 404
OW-1	37.7636	-77.2013	16.64 acres	Open Water	Section 404
OW-2	37.7612	-77.1929	13.665 acres	Open Water	Section 404

ORDINANCE 01-20

**AN ORDINANCE APPROVING CONDITIONAL USE PERMIT CUP-03-19
SWEET SUE SOLAR ENERGY CENTER**

WHEREAS, Section 86-456 of the King William County Code provides for the development of solar power stations associated with properties of the A-C, Agricultural-Conservation zoning district following review and approval of a Conditional Use Permit; and

WHEREAS, applicant Sweet Sue Solar LLC, LLC submitted a Conditional Use Permit application, #CUP-03-19 on behalf of the Property Owners Guy David Chenault, Susie Ann Chenault and T. Frank Flippo & Sons, LLC proposing to operate a solar power station on Tax Map Parcels 20-11, 20-15B, 20-31,20-32, 20-38, 20-33, 20-37, and 27-1; and

WHEREAS, staff in the King William County Department of Community Development have proposed conditions to mitigate potential impacts of the use on the public; and

WHEREAS, the Planning Commission voted three votes in favor and two votes against, to recommend the Board of Supervisors approve such application as proposed; and

WHEREAS, the Board of Supervisors conducted a public hearing on January 27, 2020 to consider CUP-03-19; and

NOW, THEREFORE, BE IT RESOLVED, the King William County Board of Supervisors this 24th day of February, 2020, hereby approves CUP-03-19, with the following eighteen (18) conditions:

1. The applicant shall meet the development standards listed below:

a) Location standards for utility-scale solar facilities. The location standards stated below for utility-scale solar facilities are intended to mitigate the adverse effects of such uses on adjoining property owners, the area, and the County.

1)The minimum area of a utility-scale solar facility shall be no less than two acres and the maximum area shall be no greater than 1,500 acres.

2)The equipment, improvements, structures, and percent of acreage covered by the facility footprint of a utility-scale solar facility shall be shown on the approved concept plan and site plan. The percent of acreage coverage shall not exceed 65%. The facility footprint is defined as the fenced area encompassing all solar facilities, including ground-mounted solar panels, inverters and the project substation.

3)Provide an inventory of all utility scale solar facilities – existing or proposed – within a four mile radius.

b) A utility-scale solar facility shall be constructed and maintained in substantial compliance with the approved concept plan.

- 44 c) The minimum setback to residential dwellings (existing at the time of Conditional Use Permit
45 approval), shall be 400 feet. The minimum setback to all other property lines shall be 100
46 feet.
- 47 d) The maximum height of the lowest edge of the photovoltaic panels shall be 10 feet as
48 measured from the finished grade. The maximum height of primary structures and accessory
49 buildings shall be 15 feet as measured from the finished grade at the base of the structure to
50 its highest point, including appurtenances. The Board of Supervisors may approve a greater
51 height based upon the demonstration of a significant need where the impacts of increased
52 height are mitigated.
- 53 e) The facilities, including fencing, shall be significantly screened from the ground-level view of
54 adjacent .landscaped with plant materials consisting of an evergreen and deciduous mix (as
55 approved by the Zoning Administrator, except to the extent that existing vegetation or natural
56 land forms on the Site provide such screening as determined by the Zoning Administrator.
57 Following completion of construction activities and during operation of the facility, if the
58 existing vegetation or land forms which provide the screening are disturbed, new plantings
59 shall be provided which accomplish the same, within 30 days of discovery. Opaque
60 architectural fencing may be used to supplement other screening methods but shall not be
61 the primary method.
- 62 f) The facilities shall be enclosed by security fencing on the interior of the buffer area (not to be
63 seen by other properties) not less than seven feet in height, inclusive of one foot of
64 razor/barbed wire on top of the security fencing, as appropriate. A performance bond
65 reflecting the costs of anticipated fence maintenance shall be posted and maintained. Failure
66 to maintain the security fencing shall result in revocation of the Conditional Use Permit and
67 the facility's decommissioning.
- 68 g) Ground cover on the Site shall consist of non-invasive species with native vegetation and
69 maintained in accordance with the Landscaping Maintenance Plan in accordance with
70 established performance measures of the approved Landscaping Plan. (King William County
71 Ordinance 86. Zoning, Article XI. Landscaping). A performance bond reflecting the costs of
72 anticipated landscaping maintenance shall be posted and maintained. Failure to maintain the
73 landscaping shall result in revocation of the Conditional Use Permit and the Facility's
74 decommissioning.
- 75 h) The Applicant shall identify an access corridor for wildlife to navigate through the solar
76 facility. The proposed wildlife corridor shall be shown on the site plan submitted to the
77 County. Areas between fencing shall not restrict the movement of migratory animals and
78 other wildlife.
- 79 i) The design of support buildings and related structures shall use materials, colors, textures,
80 screening and landscaping that will blend the facilities to the natural setting and surrounding
81 structures.
- 82 j) The owner or operator shall maintain the solar facility in good condition. Such maintenance
83 shall include, but not be limited to, painting, structural integrity of the equipment and
84 structures, as applicable, and maintenance of the buffer areas and landscaping. Site access
85 shall be maintained to a level acceptable to the County, in general accordance with Virginia
86 Department of Transportation standard 24VAC30-73-70 for low commercial entrances, or
87 other VDOT required standards. The project owner shall be responsible for the cost of
88 maintaining the solar Facility and access roads, and the cost of repairing damage to private
89 roads occurring as a result of construction and operation. The operator will repair damaged

90 private roads within 30 days of notification by the County. Repair of damaged public roads
91 with be conducted in accordance with VDOT requirements.

92 k) A utility-scale solar facility shall be designed and maintained in compliance with standards
93 contained in applicable local, state and federal building codes and regulations that were in
94 force at the time of the permit approval.

95 l) A utility-scale solar facility shall comply with all permitting and other requirements of the
96 Virginia Department of Environmental Quality.

97 m) The applicant shall provide proof of adequate liability insurance for a solar facility prior to
98 beginning construction and before the issuance of a zoning or building permit to the Zoning
99 Administrator.

100 n) Lighting fixtures, as approved by the County, shall be the minimum necessary for safety and
101 security purposes to protect the night sky by facing downward and to minimize off-site
102 glare. No facility shall produce glare that would constitute a nuisance to the public during
103 construction or general operation. Any exceptions shall be enumerated on the Concept Plan
104 and approved by the Zoning Administrator.

105 o) No signage of any type may be placed on the facility other than notices, warnings, and
106 identification information required by law.

107 p) All facilities must meet or exceed the standards and regulations of the Federal Aviation
108 Administration (FAA), State Corporation Commission (SCC) or equivalent, and any other
109 agency of the local, state or federal government with the authority to regulate such facilities
110 that are in force at the time of the application.

111 q) At all times, the solar facility shall comply with the County's noise ordinance.

112 r) Any other condition added by the Planning Commission or Board of Supervisors as part of a
113 Conditional Use Permit approval.

114 2. Decommissioning. The following requirements shall be met:

115 a) Solar facilities which have reached the end of their useful life or have not been in active and
116 continuous service for a period of one year shall be removed at the owner's or operator's
117 expense, except if the project is being repowered or a force majeure event has or is occurring
118 requiring longer repairs; however, the County may require evidentiary support that a longer
119 repair period is necessary.

120 b) The owner or operator shall notify the Zoning Administrator by certified mail of the
121 proposed date of discontinued operations and plans for removal.

122 c) Decommissioning shall include removal of all solar electric systems, buildings, cabling,
123 electrical components, security barriers, roads, foundations, pilings, and any other
124 associated facilities, so that any agricultural ground upon which the facility and systems
125 were located is again tillable and suitable for agricultural or forestry uses. The Site shall be
126 graded and re-seeded to restore it to as natural a pre-development condition as possible or
127 replanted with pine seedlings to stimulate pre-timber pre-development conditions as

128 indicated on the Preliminary Site Plan. Any exception to site restoration, such as leaving
129 access roads in place or seeding instead of planting pine seedlings must be requested by the
130 land owner in writing, and this request must be approved by the Board of Supervisors (other
131 conditions might be more beneficial or desirable at that time).

132 d) The Site shall be re-graded and re-seeded or replanted within 12 months of removal of solar
133 facilities. Re-grading and re-seeding or replanting shall be initiated within a six-month
134 period of removal of equipment.

135 e) Decommissioning shall be performed in compliance with the approved decommissioning
136 plan. The Board of Supervisors may approve any appropriate amendments to or
137 modifications of the decommissioning plan.

138 f) Hazardous material from the property shall be disposed of in accordance with federal and
139 state law.

140 g) The estimated cost of decommissioning shall be guaranteed by the deposit of funds in an
141 amount equal to the estimated cost in an escrow account at a federally insured financial
142 institution approved by the County unless otherwise provided for in subsection 5) below.

143 1) The applicant shall deposit the required amount into the approved escrow account
144 before any building permit is issued to allow construction of the solar facility.

145 2) The escrow account agreement shall prohibit the release of the escrow funds without
146 the written consent of the County Administrator and County Attorney. The County
147 shall consent to the release of the escrow funds upon the owner's or occupant's
148 compliance with the approved decommissioning plan. The County Administrator and
149 County Attorney may approve the partial release of escrow funds as portions of the
150 approved decommissioning plan are performed.

151 3) The amount of funds required to be deposited in the escrow account shall be the full
152 amount of the estimated decommissioning cost without regard to the possibility of
153 salvage value.

154 4) The owner or occupant shall recalculate the estimated cost of decommissioning every
155 five years. If the recalculated estimated cost of decommissioning exceeds the original
156 estimated cost of decommissioning by ten percent (10%), then the owner or occupant
157 shall deposit additional funds into the escrow account to meet the new cost estimate.
158 If the recalculated estimated cost of decommissioning is less than ninety percent
159 (90%) of the original estimated cost of decommissioning, then the County may
160 approve reducing the amount of the escrow account to the recalculated estimate of
161 decommissioning cost upon approval by the County Administrator and County
162 Attorney.

163 5) The County may approve alternative methods to secure the availability of funds to
164 pay for the decommissioning of a utility-scale solar facility, such as a performance
165 bond, letter of credit, or other security approved by the County Administrator and
166 County Attorney.

167 h) If the owner or operator of the solar facility fails to remove the installation in accordance
168 with the requirements of this permit or within the proposed date of decommissioning, the

169 County may collect the surety and the County or hired third party may enter the property
170 to physically remove the installation.

171 3. Applicants for new solar facilities shall coordinate with the County's Fire and Emergency
172 Services staff to provide materials, education and training to the departments serving the
173 property with fire and emergency services on how to safely respond to on-site emergencies.

174 4. A solar facility shall be constructed, maintained, and operated in substantial compliance with:

175 a) The approved concept plan.

176 b) The conditions imposed pursuant to this Conditional Use Permit.

177 5. The applicant shall pay a supplemental application fee to cover the actual cost of any review of
178 the erosion and sediment control plan and the stormwater plans.

179 6. The applicant shall pay a supplemental application fee to cover the actual cost of any erosion
180 and sediment control and stormwater inspections.

181 7. If the solar facility does not receive a building permit within 24 months of approval of the
182 Conditional Use Permit, the Permit shall be terminated.

183 8. If the solar facility is declared to be unsafe by the Zoning Administrator or Building Official, the
184 facility must be in compliance within 14 days or other such time frame as determined by the
185 Zoning Administrator or Building Official. Failure to comply shall result in the Conditional Use
186 Permit being terminated, and solar electric systems, buildings, cabling, electrical components,
187 security barriers, roads, foundations, pilings, and any other associated facilities, removed from
188 the property.

189 9. The owner and operator shall give the County written notice of any change in ownership,
190 operator, or Power Purchase Agreement within 30 days.

191 10. All Federal, State, and County permit required reviews and approvals must be obtained prior to
192 the commencement of land disturbance activities.

193
194

195 11. The erosion and sediment control (ESC) plan shall be prepared and implemented as a sequential
196 progression, demonstrating that not more than 25% of the Site be disturbed and not stabilized
197 at any one time during construction. The erosion and sediment control plan will provide the
198 means and measures to achieve stabilization of the disturbed areas to comply with this
199 condition. The plan shall be reviewed by the County or by a qualified third party, however, the
200 third party review shall not supersede any requirements imposed by state agencies. The
201 applicant shall construct, maintain, and operate the solar facility in compliance with the
202 approved plan.

203

- 204 12. Traffic Management. The applicant shall comply with all Virginia Department of Transportation
205 recommendations for traffic management during construction of the Site and decommissioning
206 of the Site.
207
- 208 13. The roads shall be maintained in good condition during the construction phase and be brought
209 back to the original condition, or improved, upon completion of the construction and
210 decommissioning phases.
211
- 212 14. The applicant shall consult with the Virginia Department of Conservation and Recreation's
213 Division of Dam Safety and Floodplain Management to conduct an inspection and evaluation of
214 the dams within the project area and assure compliance with the Dam Safety Regulations
215 (4VAC50-20). The applicant shall make whatever repairs and renovations required by the Dam
216 Safety Division prior to the issuance of final permits for construction of the solar facility.
217
- 218 15. The construction hours are restricted from 7:00AM to 7:00PM Monday through Saturday. This
219 includes decommissioning activities.
220
- 221 16. A Facility Stormwater Pollution Prevention Plan (SWPPP) shall be developed and implemented
222 for the Sweet Sue solar facility and shall be maintained for the duration of the facility's
223 operation. The Stormwater Pollution Prevention Plan is intended to document the selection,
224 design, and installation of control measures, including Best Management Practices (BMPs), to
225 minimize the pollutants in all stormwater discharges from the facility, and to meet applicable
226 effluent limitations and water quality standards, as applicable. The SWPPP will require County
227 review and approval prior to operation and annually thereafter.
228

229 The plan shall include, at a minimum, the following items:
230

- 231 a) Pollution prevention team.
232 b) Site description. The Stormwater Pollution Prevention Plan shall include the following: a.
233 Activities at the facility. b. A general location map (e.g., United States Geological Survey
234 (USGS) quadrangle or other map) with enough detail to identify the location of the facility
235 and the receiving waters within one mile of the facility. c. A site map identifying the
236 following: (1) The boundaries of the property and the size of the property (in acres); (2)
237 The location and extent of significant structures and impervious surfaces; (3) Locations of
238 all stormwater conveyances including ditches, pipes, swales, and inlets, and the directions
239 of stormwater flow (use arrows to show which ways stormwater will flow); (4) Locations of
240 all existing structural and source control measures, including BMPs; (5) Locations of all
241 surface water bodies, including wetlands; (6) Locations of potential pollutant sources; (7)
242 Locations of activities exposed to precipitation: equipment maintenance and cleaning areas;
243 loading and unloading areas; locations used for the treatment, storage or disposal of wastes;
244 areas; access roads; and machinery; (8) Locations of stormwater outfalls and an
245 approximate outline of the area draining to each outfall, and location of municipal storm
246 sewer systems, if the stormwater from the facility discharges to them. Outfalls shall be
247 numbered using a unique numerical identification code for each outfall (e.g., Outfall No. 001,
248 No. 002, etc.); (9) Location and description of all non-stormwater discharges; (10) Location
249 of any storage piles containing salt used for deicing or other commercial or industrial
250 purposes; (11) Locations and sources of run-on to the site from adjacent property, where
251 the run-on contains significant quantities of pollutants; and (12) Locations of all
252 stormwater monitoring points.

- 253 c) Receiving waters and wetlands. The name of all surface waters receiving discharges from
254 the site, including intermittent streams, dry sloughs, and arroyos. Provide a description of
255 wetland sites that may receive discharges from the facility.
- 256 d) A summary of potential pollution sources (solar panel type and contents, inverters,
257 collection system components, substation, access roads, and O&M building).
- 258 e) Stormwater controls, type and location.
- 259 f) The operator shall implement the following types of control measures to prevent and
260 control pollutants in the stormwater discharges from the facility, unless it can be
261 demonstrated and documented that such controls are not relevant to the discharges.
- 262
- 263 1) Good housekeeping. The permittee shall keep clean all exposed areas of the facility
264 that are potential sources of pollutants to stormwater discharges.
- 265 2) Eliminating and minimizing exposure.
- 266 3) Preventive maintenance. The operator shall have a preventive maintenance
267 program that includes regular inspection, testing, maintenance and repairing of all
268 equipment and systems to avoid situations that could result in leaks, spills and other
269 releases of pollutants in stormwater discharged from the facility.
- 270 4) Sediment and erosion control. The plan shall identify areas at the facility that, due to
271 topography, land disturbance (e.g., construction, landscaping, site grading), or other
272 factors, have a potential for soil erosion. The operator shall identify and implement
273 structural, vegetative, and stabilization control measures to prevent or control on-
274 site and off-site erosion and sedimentation. Flow velocity dissipation devices shall
275 be placed at discharge locations and along the length of any outfall channel if the
276 flows would otherwise create erosive conditions.
- 277 5) Management of runoff. The plan shall describe the stormwater runoff management
278 practices (i.e., permanent structural control measures) for the facility. These types
279 of control measures are typically used to divert, infiltrate, reuse, or otherwise
280 reduce pollutants in stormwater discharges from the site.
- 281
- 282 g) Routine facility inspections. Facility personnel who possess the knowledge and skills to
283 assess conditions and activities that could impact stormwater quality at the facility and who
284 can also evaluate the effectiveness of control measures shall regularly inspect all areas of
285 the facility exposed to stormwater. The inspection frequency shall be specified in the plan
286 based upon a consideration of the level of industrial activity at the facility, but shall be at a
287 minimum quarterly unless more frequent intervals are specified elsewhere or written
288 approval is received from the County for less frequent intervals. Inspections shall be
289 performed during periods when the facility is in operation. At least once each calendar year,
290 the routine facility inspection shall be conducted during a period when a stormwater
291 discharge is occurring.
- 292
- 293 h) The Operations and Maintenance plan detailing procedures and a regular schedule for
294 preventive maintenance of all control measures, and shall include a description of the back-
295 up practices that are in place should a runoff event occur while a control measure is off-line.
296 The effectiveness of non-structural control measures shall also be maintained by
297 appropriate means. All control measures identified in the Plan shall be maintained in
298 effective operating condition and shall be observed at least annually during active operation
299 (i.e., during a stormwater runoff event) to ensure that they are functioning correctly. Where
300 discharge locations are inaccessible, nearby downstream locations shall be observed. The
301 observations shall be documented in the Stormwater Pollution Prevention Plan.
- 302
- 303 17. Comprehensive site compliance evaluation. The operator shall conduct comprehensive site
304 compliance evaluations at least once each calendar year. The evaluations shall be done by

305 qualified personnel who possess the knowledge and skills to assess conditions and activities
306 that could impact stormwater quality at the facility, and who can also evaluate the effectiveness
307 of control measures.; evidence of, or the potential for, pollutants entering the drainage system;
308 evidence of pollutants discharging to surface waters at all facility outfalls, and the condition of
309 and around the outfall, including flow dissipation measures to prevent scouring; review of
310 stormwater related training performed, inspections completed, maintenance performed,
311 quarterly visual examinations, and effective operation of control measures, including BMPs;
312 results of both visual and any analytical monitoring done during the past year shall be taken
313 into consideration during the evaluation.

314
315 18. The applicant shall pay a supplemental fee, as determined by the Board of Supervisors, to cover
316 the cost to contract with an engineering firm with the with the experience and knowledge of
317 solar facility planning, construction and operation, including a working knowledge of federal
318 and state requirements, to conduct plan reviews, evaluations of submittals construction and
319 operation monitoring and inspections, to include decommission management.

AGENDA ITEM 9.b.



King William County
Est. 1702

Board of Supervisors

Director of Financial Services

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
David E. Hansen, Fourth District
Robert W. Ehrhart, Fifth District

DATE: February 24, 2019

TO: King William County Board of Supervisors

FROM: Natasha Langston, Director of Financial Services

SUBJECT: Resolution 20-11 – Budget Amendment and Reimbursement Request Using Restricted General Fund Balance

Summary

Staff is requesting a total of \$221,241.18 from the Restricted General Fund. Of the amount requested, \$107,111.33 to be reimbursed to King William County for expenses paid by the County for the Schools. The remaining amount of \$114,129.85 is for encumbered School expenses that the County will pay vendors within this fiscal year. See **Attachment A** with supporting invoices for details.

Background

At the October 7, 2019 Board meeting the FY 2019 Special School Tax District Property Tax Levies and Non-Split Levy Reconciliation was presented. This annual reconciliation is presented to the Board of Supervisors upon closing of the prior fiscal year and in preparation of the Comprehensive Annual Financial Report (CAFR).

At the October 7th meeting, \$610,617.75 was cited to be reflected as Restricted General Fund within the General Fund Balance. On February 10, 2020, the Board of Supervisors approved the Schools request of \$86,178.00 from the restricted fund balance to replace the intercom system at Cools Springs Elementary. The balance in the restricted funds within the general fund balance currently is \$524,439.75.



King William County
Est. 1702

Board of Supervisors

Director of Financial Services

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
David E. Hansen, Fourth District
Robert W. Ehrhart, Fifth District

Recommendation(s)

Staff recommends approval of this request.

Attachment

- Resolution 20-11
- Attachment A with supporting invoices

ATTACHMENT A

Fiscal Year 2020

Expenses Paid by King William County for King William Public Schools

BRIGHT FINANCIAL SOFTWARE

ANNUAL MAINTENANCE FY2020(AUGUST 1, 2019 THRU July 31, 2020)	\$ 1,579.50	Paid
ESD DOWNLOAD SUPPORT	\$ 390.00	Paid
TECH SUPPORT FY2020(JAN 1, 2020 - JUNE 30, 2020)	\$ 2,328.00	Paid
TECH SUPPORT FY2020-JULY 1, 2019 - DECEMBER 2019	\$ 2,400.00	Paid
Total BAI Expenses	\$ 6,697.50	

AUDIT SERVICES

Field Audit FY 2019	5,100.00	Paid
Final Billing on 6/30/19 FS & Comp Audit	8,295.00	Paid
Planning, Interim, and Final Field Work Preparation FY2019	6,900.00	Paid
School Activity Audit FY2019	5,425.00	Paid
Total Brown Edwards Expenses	\$ 25,720.00	

RADIOS

Hanover County Bi-Annual Service	\$ 44,129.85	Paid
" "	\$ 44,129.85	Encumbrance
Motorola Annual Agreement	\$ 29,642.38	Paid
Total Radio Based Expenses	\$ 117,902.08	

OTHER

Expeni Annual Payment	\$ 921.60	Paid
Financial Software Implementation	\$ 70,000.00	Encumbrance

TOTAL FOR KWPS

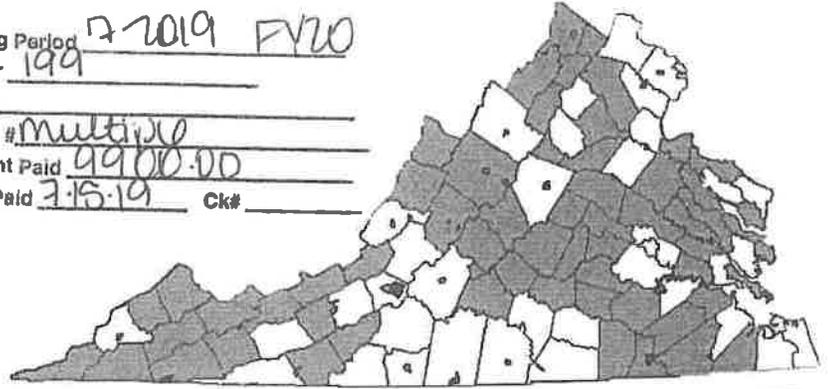
\$ 221,241.18

\$ 107,111.33	Paid
\$ 114,129.85	Encumbrance



PO BOX 249 LIMESTONE, TN 37681
 PHONE: (800) 933-3509 FAX: (423) 257-1999
 HTTP://WWW.BAI-MAP.COM

Posting Period 7-2019 FY20
 Vendor 199
 PO # _____
 Ledger # Multiple
 Amount Paid 9,900.00
 Date Paid 7-15-19 Ck# _____



COUNTY OF KING WILLIAM
ATTN: ACCOUNTS PAYABLE
180 HORSE LANDING ROAD, #4
KING WILLIAM, VA 23086

Date: **05/31/2019**
 Invoice No: **20190531006**
 Customer No: **4010**
TERMS DUE UPON RECEIPT

Description	Unit	Rate	Amount
BALNET Software Services Annual Maintenance from August 1, 2019 to July 31, 2020 05/31/2019 CORNELISON, JAMES KE Q-BAINET	1.00	2,277.00	2,277.00
BALNET Commissioners Package Annual Maintenance from August 1, 2019 to July 31, 2020 05/31/2019 CORNELISON, JAMES KE Q-BAINET	1.00	1,623.00	1,623.00
BALNET Treasurer's Package Annual Maintenance from August 1, 2019 to July 31, 2020 05/31/2019 CORNELISON, JAMES KE Q-BAINET	1.00	3,000.00	3,000.00
BALNET Finance Package Annual Maintenance from August 1, 2019 to July 31, 2020 05/31/2019 CORNELISON, JAMES KE Q-BAINET	1.00	3,000.00	3,000.00

ANNUAL MAINTENANCE FY2020

AUGUST 1, 2019 THRU July 31, 2020

	PACKAGE	SOFTWARE SERVICES	TOTAL	
COMMISSIONER	1,623.00	379.50	2,002.50	4-100-012310-3320
TREASURER	3,000.00	379.50	3,379.50	4-100-012410-3320
FINANCE (5) USERS	1,500.00	379.50	1,879.50	4-100-012110-3320
DSS (1) USER	300.00	379.50	679.50	4-201-053100-4101
PLANNING		379.50	379.50	4-100-081100-3320
SCHOOLS (4) USERS	1,200.00	379.50	1,579.50	0-100-000100-1013
	<u>6,423.00</u>	<u>1,897.50</u>	<u>9,900.00</u>	

FY2020
12/1

RECEIVED
 JUN 25 2019

BY:



P.O. Box 249
 3425 Hwy 11E
 Limestone, TN 37681
 (800)933-3509 Fax(423)257-19999

INVOICE

ESD ANNUAL SUPPORT SERVICES

Invoice No.: ESD2019-55
 Invoice Date: 02/01/2019
 Due Date: 06/01/2019

*Vendor 5
199*

Bill To:

**Customer No. 4010
 COUNTY OF KING WILLIAM
 180 HORSE LANDING ROAD
 P.O. BOX 215
 KING WILLIAM, VA.
 230860**

Description	
ESD Download Support Due by June 1, 2019	\$2730.00
<i>split between FINANCE/COR/TRE/BUILDING/PLANNING/DSS/SCHOOLS</i>	
<i>\$390.00 each</i>	
ESD Support Services for June 1, 2019 thru May 31, 2020	

Prepaid

0-100-000100-1050

Posting Period 5.2019
 Vendor 199
 PO # _____
 Ledger # _____
 Amount Paid 2730.00
 Date Paid 5.15.19 Ck# _____

Balance Due \$2730.00



P.O. Box 249
 3425 Hwy 11E
 Limestone, TN 37681
 (800)933-3509 Fax(423)257-1999

INVOICE

TECHNICAL SUPPORT

Invoice WATS20192-4010
 Invoice Date: 09/01/2019
 Due Date: 01/01/2020

Bill To:

Customer No. 4010
COUNTY OF KING WILLIAM
180 HORSE LANDING ROAD
P.O. BOX 215
KING WILLIAM, VA.230860

Description

Amount Is Due by January 1		\$12600.00	
TECH SUPPORT FY2020			
		JAN 1, 2020 - JUNE 30, 2020	
	USERS	\$ 12,222.00	TOTAL 3% discount if paid by 10/15/19
FINANCE	5	0.24 2,910.00	4-100-012110-3320
COMMISSIONER	4	0.19 2,328.00	4-100-012310-4101
TRE	4	0.19 2,328.00	4-100-012410-3320
PLANNING	2	0.10 1,164.00	4-100-081100-3160
BUILDING	1	0.05 582.00	4-100-034100-3160
DSS	1	0.05 582.00	4-201-053100-4101
SCHOOLS	4	0.19 2,328.00	0-100-000100-1013
	21	12,222.00	

Balance Due \$12600.00



P.O. Box 249
 3426 Hwy 11E
 Limestone, TN 37681
 (800)933-3509 Fax(423)257-1999

INVOICE

TECHNICAL SUPPORT

Invoice WATS20191-4010
 Invoice Date: 06/23/2019
 Due Date: 07/01/2019

Bill To:

Customer No. 4010
COUNTY OF KING WILLIAM
180 HORSE LANDING ROAD
P.O. BOX 215
KING WILLIAM, VA.230860

Description

Amount Is Due by July 1		\$12600.00	
Support for Period July 1,2019 thru December 31, 2019			
TECH SUPPORT FY2020	JULY 1, 2019 - DECEMBER 2019		
	USERS	\$	TOTAL
FINANCE	5	0.24	3,000.00
COMMISSIONER	4	0.19	2,400.00
TRE	4	0.19	2,400.00
PLANNING	2	0.10	1,200.00
BUILDING	1	0.05	600.00
DSS	1	0.05	600.00
SCHOOLS	4	0.19	2,400.00
	21		12,600.00
			4-100-012110-3320
			4-100-012310-4101
			4-100-012410-3320
			4-100-081100-3160
			4-100-034100-3160
			4-201-053100-4101
			0-100-000100-1013

Posting Period 6. 2019
 Vendor 199
 PO # _____
 Ledger # 0.100.000100.1060
 Amount Paid 12,600.00
 Date Paid 6.28.19 Ck# _____

Balance Due \$12600.00

Due July 1

Rem

BROWN EDWARDS
certified public accountants

319 McClanahan Street, SW
 Roanoke, VA 24014
 540-345-0936
 Federal Tax Id: 54-0504608

RECEIVED
 JUL 25 2019

County of King William
 180 Horse Landing Road #4
 King William, VA 23086

BY:

Invoice No. 1234150
 Date 07/01/2019
 Client No. 0617605.000

For professional services rendered:

Planning and interim fieldwork preparation - June 30, 2019 County and Schools CAFR Audit:

	<u>Hours</u>
Partner	1.00
Director	0.25
Senior Manager	30.25
In-Charge	1.25
Associate	<u>122.33</u>
Total Professional hours incurred to date:	<u>155.08</u>

Posting Period 8-2019
 Vendor 4057
 PO # _____
 Ledger # _____
 Amount Paid 17,000.00
 Date Paid 8/15/19 Ck# _____

Total costs incurred to date: \$ 17,481.04-
 Total billed to date: 0.00
 Unbilled costs: \$ 17,481.04

Current Amount Due \$ 17,000.00

*30% Schools per
 Brown Edwards
 \$ 5,100.00*

*FY20
 4-100-012110-3120
 nj*

To pay by credit card or ACH securely, please visit our site at: <https://becpas.com/payments>.
 Credit card payments are subject to a 3% surcharge.
 Invoice Payable Upon Receipt. A finance charge of 1.5% per month will accrue after 30 days.

BROWNEEDWARDS

certified public accountants

319 McClanahan Street, SW
 Roanoke, VA 24014
 540-345-0936
 Federal Tax Id: 54,0504608

County of King William
 180 Horse Landing Road #4
 King William, VA 23086

Invoice No. 1244690
 Date 12/12/2019
 Client No. 0617605.000

Final billing on the June 30, 2019 Financial Statement and Compliance Audit:

County	\$ 66,100.00
GASB 75 OPEB Audit and Accounting Assistance	<u>1,550.00</u> 67,650.00
Interim Billing Applied	<u>(40,000.00)</u>
Current Amount Due	<u>\$ 27,650.00</u>

Posting Period 12-2019
 Vendor 41057
 PO # _____
 Ledger # → multiple →
 Amount Paid 27,650.00
 Date Paid 12-31-19 Ck# _____

split w/ schools
 30% schools per Brown & Edwards
 \$ 8,295.00
~~\$13,825.00~~
 \$13,825.00
 0-100-000100-1013
 4-100-012110-3120

To pay by credit card or ACH securely, please visit our site at: <https://becpas.com/payments>.
 Credit card payments are subject to a 3% surcharge.
 Invoice Payable Upon Receipt. A finance charge of 1.5% per month will accrue after 30 days.

BROWN EDWARDS

certified public accountants

319 McClanahan Street, SW
 Roanoke, VA 24014
 540-345-0936
 Federal Tax Id: 54-0504608

County of King William
 180 Horse Landing Road #4
 King William, VA 23086

Invoice No. 1238691
 Date 09/26/2019
 Client No. 0617605.000

For professional services rendered:

Planning, interim & final fieldwork preparation: June 30, 2019 County & Schools CAFR Audit:

	<u>Hours</u>
Partner	2.50
Director	5.50
Senior Manager	84.00
Senior	24.50
In-Charge	43.00
Associate	<u>150.21</u>
Total Professional hours incurred to date:	<u>309.71</u>

Posting Period 10-2019
 Vendor 4657
 PO # _____
 Ledger # Multipl
 Amount Paid 23,000.00
 Date Paid 10-11-19 Ck# _____

Total costs incurred to date: \$ 40,849.48
 Total billed to date: (17,000.00)
 Unbilled costs: \$ 23,849.48

Current Amount Due \$ 23,000.00

0-100-000100-1013 \$ ~~11,500.00~~
 4-100-012110-3120 \$ 11,500.00
 UH

30% Schools per
 Brown & Edwards
 \$6,900.00

To pay by credit card or ACH securely, please visit our site at: <https://becpas.com/payments>.
 Credit card payments are subject to a 3% surcharge.
 Invoice Payable Upon Receipt. A finance charge of 1.5% per month will accrue after 30 days.

 **BROWN EDWARDS**
certified public accountants

319 McClanahan Street, SW
Roanoke, VA 24014
540-345-0936
Federal Tax Id: 54-0504608

County of King William
180 Horse Landing Road #4
King William, VA 23086

Invoice No. 1234837
Date 07/24/2019
Client No. 0617605.000

Completion of June 30, 2019 Student Activity Fund Audit.

Current Amount Due \$ 5,425.00

Posting Period 8-2019 FY 20
Vendor 4057
PO # _____
Ledger # 4-100-12110-3120
Amount Paid 5425.00
Date Paid 8-15-19 Ck# _____

To pay by credit card or ACH securely, please visit our site at: <https://becpas.com/payments>.
Credit card payments are subject to a 3% surcharge.
Invoice Payable Upon Receipt. A finance charge of 1.5% per month will accrue after 30 days.



HANOVER COUNTY

INVOICE

Invoice Date: October 30, 2019

Charge to:

King William County
 C/o County Administrator
 P.O. Box 215
 King William, VA 23086

Remit Payment to:

Hanover County
 Emergency Communications Department
 ATTN: Curt Shaffer
 P.O. Box 470
 Hanover, VA 23069

Phone: 804-365-6142
 E-mail: cjshaffer@hanovercounty.gov

Federal ID#: 54-6001340

BUDGET	DESCRIPTION	TOTAL COST
FY20	King William County's Share — <u>First half</u> FY20 Payment July 1, 2019 —Dec 30, 2019.	
	Pursuant to Attachment A—Hanover/King William Communications System Agreement dated Oct 22, 2012.	
	King William FY20 Share based on 319 subscribers = \$360,859.32	\$180,429.66
	<i>TRUE RADIO COUNT 323 PER MOTOROLA</i>	
	<i>\$ 558.61/Radio</i>	
	<i>79 Radios (Schools) x 558.61 = \$ 44,129.85</i>	
TOTAL REMITTANCE DUE HANOVER COUNTY		\$180,429.66



Motorola Solutions, Inc.
 500 West Monroe
 Chicago IL 60661
 United States
 Federal Tax ID: 36-1115800

ORIGINAL INVOICE			
Transaction Number 8230249203	Transaction Date 28-OCT-2019	Transaction Total 121,570.92 USD	
P.O. Number 19-192	P.O. Date	Customer Account No 1036688094	
Payment Terms Net Due in 30 Days		Payment Due Date 27-NOV-2019	
Bill To Address KING WILLIAM COUNTY VIRGINIA ATTN: Accounts Payable 180 HORSE LANDING RD # 4 KING WILLIAM VA 23086 United States			
IMPORTANT INFORMATION Service From: 01-OCT-2019 Service To: 30-SEP-2020 Sales Order(s): USC000008909-ROCT19 For all invoice payment inquiries contact SLT3AR@motorolasolutions.com Telephone: 800-247-2346 Fax: +1(631)883-4238			
SPECIAL INSTRUCTIONS / COMMENTS General Comment: Regular Invoice			
Total Tax VA 0.00 USD Subtotal USD Total Tax USD Total USD Amount Due			121,570.92 0.00 121,570.92 121,570.92

Posting Period 2-2020
 Vendor 4178
 PO # 2200
 Ledger # Multiple
 Amount Paid 121,570.92
 Date Paid 2-15-2020 Ck# _____

Please detach here and return the bottom portion with your payment

Payment Coupon					
Transaction Number 8230249203	Customer Account No 1036688094	Payment Due Date 27-NOV-2019	Transaction Total 121,570.92 USD	Amount Paid	
Please put your Transaction Number and your Customer Account Number on your payment for prompt processing.					
KING WILLIAM COUNTY VIRGINIA ATTN: Accounts Payable 180 HORSE LANDING RD # 4 KING WILLIAM VA 23086 United States		Wire Transfer Details CHICAGO Routing Transit No: 026009593 SWIFT: BOFAUS3N Bank Account No: 3756319819	Send Payments To: Motorola Solutions, Inc. 13104 Collections Center Drive Chicago IL 60693 United States		
DIVERSION CONTRARY TO EXPORT CONTROL LAW IS PROHIBITED					



King William County Public Schools
 Att.: Deborah Stickley
 PO Box 185 18548 King William Road, King William
 VA 23086
 United States of America

Expeni IvS
 Symfonivej 20
 2730 Herlev
 Denmark

Tax ID: 38916335
 support@expeni.com

Customer is paying for both KWPCS and KingWilliam companies.

Invoice

Invoice number: 1361

Invoice date: Jan 4, 2020

Due date: Jan 14, 2020

Description	Quantity	Unit price	Price
Online Purchase Order System Subscription			
Dec 2019 - Nov 2020 20 users - King William County Public Schools	12	160.00 USD	1,920.00 USD
		12 months discount (5%)	-96.00 USD
Online Purchase Order System Subscription			
Dec 2019 - Nov 2020 20 users - King William County	12	160.00 USD	1,920.00 USD
		12 months discount (5%)	-96.00 USD
Nontaxable amount: 3,648.00 USD		Total excluding VAT	3,648.00 USD
Taxable amount: 0.00 USD		VAT	0.00 USD
		Total including VAT	3,648.00 USD
	Exchange rate:	1 USD = 6.73 DKK	

The amount is due on Jan 14, 2020.

Payment methods accepted

Pay online with debit/credit card



0-100-000100-1013
~~\$ 1824.00~~ 921.40
 Due from Schools

Paid w/ Finance
 Card on 1.14.2020

YH

4-100-012110-3320
 \$ 1824.00

County Cost

4-100-012110-3320
 \$ 902.40

July 2018 - Nov 2018
 School paid Co.
 portion



King William County Public Schools
 Att.: Deborah Sticklely
 PO Box 185 18548 King William Road, King William
 VA 23086
 United States of America

Expeni IvS
 Symfonivej 20
 2730 Herlev
 Denmark
 Tax ID: DK38916335
 support@expeni.com

Customer is paying for both KWPCS and KingWilliam companies.

Invoice

Invoice number: 1095 Invoice date: Jul 2, 2018 Due date: Jul 9, 2018

Description	Quantity	Unit price	Price
Online Purchase Order System Subscription May 2018 - Nov 2018 20 users - company 1	7	160.00 USD	1,120.00 USD
		6 months discount (6%)	-67.20 USD
Online Purchase Order System Subscription June 2018 - Nov 2018 20 users - company 2	6	160.00 USD	960.00 USD
		6 months discount (6%)	-57.60 USD
		Total excluding VAT	1,955.20 USD
		VAT	0.00 USD
		Total including VAT	1,955.20 USD
Exchange rate:		1 USD = 6.22 DKK	

County

902.40

Nontaxable amount: 1,955.20 USD
 Taxable amount: 0.00 USD

The amount is due on Jul 9, 2018.

Payment methods accepted

Pay online with debit/credit card



*paid by Schools
8-21-18*

Purchase Order # 111-20180524
Date: 05/24/2018

KING WILLIAM COUNTY PUBLIC SCHOOLS
 PO Box 185
 18548 King William Road
 King William, VA 23086

Status: Closed

Summary: **Expeni P.O. Program**

Vendor: Expeni Company name: Manual PO Number:	Requester: Nick Cammarano SBO: IT Approver: DEBORAH STICKLEY Decision: Approved Decision Date: 07/19/2018 Approver: Stacy Johnson Decision: Approved Decision Date: 07/19/2018
--	--

#	Description	Unit Price	Qty	TAX	Total (USD)
1	Expeni Subscription 6 months -KWCPS <i>Budget: Software and Licenses FY19 68200-6040-10</i>	160.00	7.00	0.00 %	1,120.00
2	Expeni Subscription 6 months -King William County <i>Budget: Software and Licenses FY19 68200-6040-10</i>	160.00	6.00	0.00 %	960.00
Total excluding TAX					2,080.00 USD
TAX					0.00 USD
Total including TAX					2,080.00 USD

Date: 1/07/20

Accounts Payables Paid Check Inquiry
005 - KING WILLIAM SCHOOLS

Time: 15:10:07

Company Number: 005 Vendor: 002889 CARD SERVICES CENTER

Invoice Number: 7420847JR0002XG Correction: Invoice Date: 7/19/2018

Check Number : 0025869
Check Date : 8/21/2018
Gross Amount : \$1,955.20
Cash Discount : \$.00
Net Amount : \$1,955.20

Paid : P
Due Date . . . : 8/14/2018
Manual Check: R
Terms Code . . :
Terms Desc . . :

G/L Number : 4205068200604010
Description : PO 111
Entry Date : 8/21/2018
Batch# : 00906
Process/Print Date . . : 8/21/2018
Reconciliation Code :

Accounting Period: 201808
P.O. Number . . . : 0000000
Control Number . . :
1099 Vendor . . . :

Refund Reason Code...:
Additional Desc.....:

F3=Exit

F11=Pcard Detail

RESOLUTION 20-11
APPROPRIATING RESTRICTED GENERAL FUNDS
AS FY2020 REIMBURSEMENTS TO KING WILLIAM COUNTY
FOR KING WILLIAM COUNTY PUBLIC SCHOOLS EXPENSES

WHEREAS, the King William County Board of Supervisors at the October 7, 2019 Board meeting was presented with the Fiscal Year 2019 Special School Tax District Property Tax Levies and Non-Split Levy Reconciliation; and

WHEREAS, the Director of Financial Services prepares the annual reconciliation of revenue collected in the prior fiscal year that will be reflected within the General Fund as Restricted for KWCPSS use; and

WHEREAS, the Fiscal Year 2019 reconciliation designated \$610,617.75 for use within the General Fund as restricted and is cited in the 2019 Comprehensive Annual Financial Report Balance Sheet, Exhibit 3; and

WHEREAS, King William County Board of Supervisors approved the request from King William County Public Schools to utilize \$86,178 from the Restricted Funds for an emergency procurement of the intercom system at Cools Springs Elementary; and

WHEREAS, the Director of Financial Services is requesting \$221,241.18 for reimbursement of annual operating costs associated with the KWCPSS; and

WHEREAS, the new balance of the Restricted Fund after reimbursement will be as follows; and

Restricted General Fund	\$610,617.75
KWCPSS Emergency Procurement	- 86,178.00
Reimbursement to KWC	<u>-221,241.18</u>
New Restricted General Fund Balance	<u>\$303,198.57</u>

NOW, THEREFORE, BE IT RESOLVED by the King William County Board of Supervisors this 24th day of February 2020, they approve reimbursement of \$221,241.18 to the FY2020 County budget from Restricted General Fund for expenditures related to KWCPSS.

AGENDA ITEM 9.c.



King William County
Est. 1702

Board of Supervisors

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

DATE: February 24, 2020

TO: King William County Board of Supervisors

FROM: Nita McInteer, Human Resources Manager

SUBJECT: Recommended Amendments to the King William County Personnel Policies and Procedures Manual

SUMMARY

The following recommendations were brought to the Board of Supervisors at the February 10, 2020 work session. These revisions were discussed with the Board and are being brought forward for formal approval to update the King William County Personnel Policies and Procedures Manual. Minor work corrections are not identified in the list of updates though they are highlighted in the attachments.

CONSIDERATION/OPTION

The staff recommends approval of Resolution 20-09 – Amendments to the King William County Personnel Policies and Procedures Manual.

Chapter 2: Classification

Section 2-1: Employment Categories.

- Removing the term “permanent” as it refers to employment. All employees are considered “at will” employees for an indefinite period and that no employment contract exist.
- Clarifying the hours expected of part-time employees.

180 Horse Landing Road #4 • King William, Virginia 23086

Phone: 804-769-4929 • Fax: 804-769-4964

www.kingwilliamcounty.us



King William County
Est. 1702

Board of Supervisors

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

Chapter 3: Pay Plan

Section 3-2 c: Definitions. Clarify performance review dates.

Section 3-15 c. Premium Pays. Eliminate “On-Call Pay” as it is no longer a category used.

Chapter 10 Disciplinary Policy

Section 10-5: Available Disciplinary Actions. Add language to clarify progression is not required to be followed.

Chapter 11 Grievance Policy and Procedures

Section 11-4: Coverage. Remove the term “permanent”.

Chapter 12 Separation and Termination

Section 12-7: Clearing Debt and Property Accounts. Correct language regarding outstanding property and the final paycheck.

Chapter 13 Miscellaneous Employment Policies

Section 13-2: Hours of Work. Include language pertaining to part-time employees.

Section 13-10: Americans with Disabilities Act. Update ADA Coordinator to reflect Human Resources Manager instead of County Administrator.

Section 13-27 Electronic Communication and Social Media B. Personal Use. Update language to provide further clarification of repercussions during personal use.

180 Horse Landing Road #4 • King William, Virginia 23086

Phone: 804-769-4929 • Fax: 804-769-4964
www.kingwilliamcounty.us



King William County
Est. 1702

Board of Supervisors

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

ATTACHMENT

Resolution 20-09.

180 Horse Landing Road #4 • King William, Virginia 23086

Phone: 804-769-4929 • Fax: 804-769-4964
www.kingwilliamcounty.us

41 continuing need or funding for the function being performed. Unless designated otherwise at the
42 time of employment, individuals in these positions are eligible for certain benefits or certain pro-
43 rated benefits if they are full-time or regularly scheduled part-time at least twenty (20) hours per
44 week.

45 Work as Required (WAR) Position - positions that are established on a full-time or part-
46 time basis but for a seasonal or temporary period of time and part time positions established for
47 less than 20 hours per week. Individuals in these positions work only when required and are not
48 eligible for benefits.

49 Exempt Position - A position identified as exempt from the minimum wage and overtime
50 requirements of the Fair Labor Standards Act.

51 Non-Exempt Position - A position identified as subject to the minimum wage and
52 overtime requirements of the Fair Labor Standards Act.

53 **Section 2-2: Position Classification Plan**

54
55 The Position Classification Plan is the official system of grouping positions on the salary
56 scale based on established classification factors.

57 Classification is the entire process of assigning and reassigning individuals to positions,
58 and positions to pay grades.

59 For classification purposes, a position is a group of assigned duties and responsibilities
60 as outlined in the job description requiring full or part time employment of one person. A position
61 may be occupied or vacant.

62 The job description includes job title, a general statement of the job, specific duties and
63 responsibilities of the position, and the knowledge, skills, and abilities needed to perform the job.
64 Department Heads have the responsibility of assuring that job descriptions for positions in their
65 departments are accurate and reflect essential functions.

66 Classification factors include essential job duties and responsibilities, knowledge, skills,
67 and abilities needed to perform the job, role within the organization, and internal and external

68 job evaluation. (A job duty is essential if performing the function is the reason the position exists
69 and if not performing the function alters the nature of the position.)

70 **Section 2-3: Creation and Maintenance of Classification Specifications**

71
72 Prior to the establishment of a new position, a job description covering the duties,
73 responsibilities and minimum qualifications for the proposed position(s) shall be developed and
74 submitted to the designated personnel officer for review.

75 The designated personnel officer shall examine the proposed position, recommend the
76 proper classification, and forward the request to the County Administrator for approval.

77 No person shall be appointed, promoted, demoted, transferred, or paid in any position
78 until the position has been first established.

79 **Section 2-4: Maintenance of Classification Plan**

80
81 The pay classification of each position shall be reviewed as directed by the County
82 Administrator.

83 Abolished positions shall be removed from the Classification Plan.

84
85 The designated personnel officer is responsible for maintaining an official copy of the
86 Position Classification Plan, as approved or amended by the Board or by the County
87 Administrator. The official copy includes a schematic list of positions and their respective pay
88 grade and any amendments. A copy of the official classification plan shall be available in the
89 designated personnel office for inspection by the public or any employee under reasonable
90 conditions during normal operating hours and shall be provided to the Board of Supervisors
91 annually, together with a summary of changes which have been approved by the County
92 Administrator or the Board during the fiscal year.

93 **Section 2- 5: Position Allocation List**

94
95 The designated personnel officer shall maintain the official list of all authorized positions in
96 County service by department or agency and shall cause changes to be made to the list only when

97 authorized. A copy of the Position Allocation List shall be provided to the Board of Supervisors
98 annually, together with a summary of changes which have been approved by the County
99 Administrator or the Board during the fiscal year.

100 **Chapter 3: Pay Plan**

101 **Section 3-1: General**

102 This chapter sets forth the manner in which the pay system operates and how various
103 types of expected transactions should affect an employee.
104

105 a. These policies shall apply to all employees who enter, serve in, and leave
106 classified positions.

107 b. Exceptions and deviations from these policies shall be handled on a case by case
108 basis through the appropriate Department Head and the County Administrator and shall, when
109 necessary, be the subject of supplements to this policy.

110 c. It shall be the responsibility of the designated personnel officer to administer
111 these policies and to facilitate the resolution of problems and issues that may arise from time to
112 time.
113

114 **Section 3-2: Definitions**

115 a. Date of Employment (DOE). The month, day, and year on which an employee
116 began working for the County.

117 b. Grade Entry Date (GED). The month, day, and year that employees enter their
118 current grade. This date may be the same as the date of employment or another date as a result
119 of promotion, demotion or other action set forth in this policy.

120 c. Performance Review Date (PRD). That *first annual review date that begins occurs*
121 one year after the GED, *upon conclusion of the probationary period. All full and part-time*
122 *employees will receive an annual PRD by March 1 each year for their performance in the previous*
123 *calendar year. and continues thereafter. The annual PRD is always the first of the month. For*
124 *calendar year. and continues thereafter. The annual PRD is always the first of the month. For*
125

126 employees with GED's before the 15th of any month, the PRD shall be the first day of that month.
127 For employees with GED's after the 15th day of any month, the PRD shall be the first day of the
128 following month.

129 **Section 3-3: Pay Structure**

130 The pay plan for the authorized positions of the County shall consist of:

- 131 a. The assigned pay grades; and
- 132 b. Rules providing for application of the scales and fixing the rates of pay for
133 individual employees within the pay grades.
134
135
136

137 Persons employed in an authorized position on a part-time basis will be paid at an hourly
138 rate equal to a full-time employee in the same classification. Progression through the assigned
139 pay grade shall be as set forth in this chapter.

140 **Section 3-4: Entry Rate of Pay**

141 The entry rate of pay for any position shall be the lowest or minimum rate in the pay grade
142 for the position, unless education, training or experience would qualify the employee for a higher
143 entry rate and the higher rate is approved by the County Administrator. Employees who are re-
144 entering County employment after resignation or discharge normally enter the grade for their
145 position at the lowest or minimum rate in the pay grade for the position unless approved otherwise
146 by the County Administrator.
147

148 **Section 3-5: Pay for Performance Increases**

149 a. Employees are eligible for a pay for performance increases on their performance
150 review date (PRD) until they reach the maximum salary for their position. Once an employee has
151 reached the maximum salary for their pay grade they are ineligible for pay for performance
152 increases until such time as they have rendered 20 years of service to King William County. On
153 the first PRD following the completion of 20 years of service and on each PRD thereafter, such
154 employees are again eligible for a pay for performance increase.
155

156 b. Salary increases provided for by movement within a pay grade shall not accrue
157 solely as a result of the completion of a required period of service, but shall be based on the
158 established performance appraisal process.

159 c. When authorized, employees will receive a pay for performance salary increase.
160
161 The average percentage or dollar increase and the range of allowable increases are established
162 annually by the County Administrator based on the total funds allocated by the Board of
163 Supervisors for such purpose as part of the budget approval process.

164 d. The established salary scale for employees who work a forty-hour week is
165 computed on 2080 work hours per year. The established salary scale for employees who work a
166 thirty-five-hour week is computed on 1820 work hours per year. Some public safety employees
167 may be assigned different schedules and work hours based on departmental needs and Fair
168 Labor Standards Act guidelines. All rates in the pay scale are those authorized for full-time
169 employment for a period of 12 months and include compensation for holidays.

170 e. Pay for performance salary increases are effective on the PRD unless otherwise
171 established by the Board. Department Heads will be advised of the approved allowable increases
172 and the date by which completed performance reviews must be received in the designated
173 personnel office. An employee is not eligible for a pay increase until the
174 performance review form has been completely processed and no pay increases will be given
175 until the forms are properly completed, signed and received by the designated personnel office.

176 **Section 3-6: Reclassification**
177

178 Reclassification is defined as a change to the class, title or grade assigned to a particular
179 class title. Reclassification is not a promotion or demotion. When an employee's position is
180 reclassified, the duties have not changed substantially.

181 a. If an employee is changed from one classification to a classification carrying a
182 higher pay grade as a result of reclassification, the employee's rate of pay will not change unless

183 the minimum of the higher classification is above the present rate of pay in which case the
184 employee will be placed at the minimum of the higher pay grade. The PRD will remain
185 unchanged.

186 b. If an employee is changed from one classification to a classification carrying a
187 lower pay grade, the employee's rate of pay will not change unless the maximum of the lower
188 classification is lower than the present rate of pay in which case the employee shall be placed at
189 the maximum of the lower pay grade. The PRD will remain unchanged.

190 **Section 3-7: Promotion**

191 A promotion is defined as elevation to a job with a substantial increase in duties and
192 responsibilities which is a logical step upward in the same career field. Movement to a new
193 position in a different career field is considered to be a new hire rather than a promotion. A
194 promoted employee will receive a 5% salary increase or the minimum salary of the new grade
195 whichever is higher. The effective date of all promotions will be the first day of the month. The
196 PRD shall be established as set forth in Section 3-2.
197

198 **Section 3-8: Temporary Promotion**

199 An employee who is temporarily promoted from one classified position to another shall
200 receive an immediate salary increase not more than 10% for the period of the temporary
201 assignment, provided the assignment is expected to be thirty (30) or more calendar days. A
202 temporary promotional assignment for less than thirty (30) calendar days shall not receive any
203 additional compensation; however, a retroactive 5% increase is authorized should the
204 assignment eventually be thirty or more calendar days. Temporary promotions must be
205 approved by the County Administrator.
206

207 **Section 3-9: Demotion**

208 A voluntary or involuntary demotion is defined as assignment to a position with a
209 decrease in duties and responsibilities and is distinguished from a downward reclassification
210

211 resulting from a formal review of duties and responsibilities. An employee demoted from one
212 classified position to another is placed on the lower pay grade at a salary equal to a 5% reduction
213 for each grade difference between the new grade and the old grade. In unusual circumstances the
214 Department Head may petition the County Administrator to adjust the amount of the salary
215 reduction either upward or downward. The PRD shall be established as set forth in Section 3-2.

216 **Section 3-10: Transfers**

217
218 A transfer to a new position in a new career path or in the same salary grade does not
219 result in promotion. When transfer of an employee from one department to another involves a
220 promotion or demotion the rules of the appropriate action shall apply. When employees transfer
221 between departments to the same class or position no change of status or PRD occurs.

222 **Section 3-11: Reinstatement**

223
224 An employee who has been separated because of a reduction in force or who has resigned
225 in good standing is eligible for reinstatement. Approval of requests for reinstatement is reserved
226 to the County Administrator upon recommendation of the Department Head. Employees re-
227 entering County employment normally enter the grade for their position at the entry level for
228 that position. In other than normal circumstances, the Department Head may
229 petition the County Administrator for approval of a beginning salary above the entry level on the
230 pay grade specified for the relevant classification. If an individual is reinstated within three
231 (3) months of separation from the County, the employee's original date of employment and PRD
232 are amended to reflect the period of non-employment. The employment date for those reinstated
233 after a three (3) month separation is the date of reinstatement and such reinstated employees
234 shall be treated as new hires subject to a probationary period of employment.

235 **Section 3-12: Administrative Increase**

236
237 An administrative increase is one within the pay range of a grade that is awarded to an
238 employee for successful completion of educational or training classes pertaining to their position.

239 In lieu of such increase, a one (1) pay period adjustment may be provided. Employees may receive
240 an administrative increase or pay period adjustment upon recommendation of the Department
241 Head and approval of the County Administrator.

242 **Section 3-13: Career Ladders**

243 The term “career ladder” refers to jobs within the same career field that perform a core
244 of the same essential functions, but at differing skill levels. From one level up to the next level,
245 the knowledge, skill, and ability increases, the supervision required of the incumbent decreases,
246 and the responsibilities and work behaviors become more difficult and/or complex.
247

248 The County Administrator may establish appropriate career ladders conforming to the
249 following criteria:

- 250 a. Career ladders must meet organizational, staffing and professional development
251 goals.
- 252 b. Career ladder skills must be recognizable in the market.
- 253 c. Clear, identifiable requirements must be met to progress from one level to the
254 next.
255
256
257

258 The employee’s supervisor may recommend advancement based on the completion of
259 designated requirements for the higher classification level and a review of the employee’s
260 qualifications, experience and work performance. A career ladder advancement is not automatic and
261 must be approved by the employee’s supervisor and Department Head.

262 Employees reclassified through the career ladder process receive an increase in salary in
263 the same manner as a promotion. Employees who fail to maintain required skills/certifications
264 required by a higher level position on the career ladder shall be moved down the career ladder
265 to a position for which they do qualify and such move shall be treated as a demotion under this
266 policy. Such action is in addition to and does not preclude any appropriate disciplinary measures.

267 **Section 3-14: Pay Scale and Compression Adjustments**

269 Periodically, as market conditions warrant, the Board of Supervisors may approve pay
270 scale adjustments to the schematic list of titles. All employees will receive the same percentage
271 increase on the same date as authorized by the Board with the exception of those who are above
272 the maximum salary for their pay grade. In those cases, the salary of the affected employees is
273 not changed until such time as the adjusted pay grade exceeds the individual's salary.

274 "Compression" refers to the situation that occurs when there is only a small difference in
275 compensation between employees regardless of their skills or experience. Compression is often
276 the result of the market-rate for a given job outpacing the increases historically given by the
277 County to long serving (tenured) employees. Therefore, new employees often may only be
278 successfully recruited only by offering them as much or more than tenured employees. It is the
279 policy of the Board to undertake a compression study not more frequently than every three (3)
280 years or as may be recommended by the designated personnel officer and County
281 Administrator to achieve certain levels of internal equity so that people in relatively similar
282 positions in the County receive equitable compensation.

283 **Section 3-15: Premium Pays**

284 Premium pays are authorized as follows:

285
286
287 a. Overtime Pay

288
289 Overtime may be approved when necessary to accomplish particular tasks. The County
290 Administrator shall designate those positions eligible for overtime pay or compensatory leave
291 and those not eligible for such pay or leave in accordance with the standards of the Fair Labor
292 Standards Act (FLSA). Positions designated as exempt or non-exempt from the provisions of the
293 FLSA are so identified in the approved County Pay Plan. All overtime hours must be approved in
294 writing by supervisor prior to being incurred. The signed overtime form should be attached to
295 the employee time report for the month it was incurred.

296 The overtime pay rate is one-half times the regular hourly rate of pay or time worked, in

297 addition to the regular hourly rate or time worked. Overtime compensation is paid or granted in
298 accordance with applicable state and federal laws. Except when otherwise required by state or
299 federal law, compensation paid for a leave of absence is not counted as hours worked for
300 overtime purposes and paid holidays, are not counted as hours worked for overtime purposes.

301 Overtime hours are credited to employees in compensatory time the month after it is
302 earned. Compensatory time off, at the rate of one-and one-half times the number of hours
303 worked, must be taken within the following pay period. Any leave taken in that pay period
304 (annual or sick) will be credited with the compensatory time before being applied. Any remaining
305 compensatory time not used in that pay period will be remitted to the employee in that pay
306 period.

307 b. Holiday Pay

308 With the exception of work-as-required employees, employees who do not work on a
309 holiday are entitled to pay equal to the employees' regularly scheduled hours of work not to
310 exceed eight (8) hours. An employee shall forfeit eligibility to be compensated for a holiday
311 observed by the County unless he/she actually works the last scheduled day before the holiday
312 and the first scheduled work day after the holiday or is on approved, sick, annual or non- exempt
313 compensatory leave on such days.

314 c. ~~Special Pays~~

315 ~~On-call pay. Non-exempt employees who are required to be available by telephone or~~
316 ~~beeper after regular working hours and to respond in a reasonable period of time when called,~~
317 ~~are eligible to receive on-call pay. Employees who are required to be on-call receive one dollar~~
318 ~~(\$1.00) per hour for each hour on-call. Department Heads identify and the County Administrator~~
319 ~~approves those positions considered essential to County operations after normal working hours~~
320 ~~that are eligible to receive on-call pay.~~

322 **Section 3-16: Additional Pay and Overtime Procedures**

323 Holiday Premium Pay: Those non-exempt employees who work during any declared
324

325 Holiday are paid overtime for those hours worked during such holiday leave time.

326 Employees called back: Non-exempt employees required to return to a work site, at least
327 one hour after the termination of the employee's regular work shift, shall receive a minimum of
328 two hours at the applicable pay rate.

329 Emergencies: This paragraph shall not apply to; firefighters and emergency medical services
330 providers, deputies sheriff and communication dispatchers. Essential personnel required to work in
331 addition to their normally scheduled hours during periods of authorized emergency conditions leave
332 will receive pay at their normal hourly rate for all such hours worked in addition to their normally
333 scheduled hours, until total hours actually worked exceed the applicable over- time threshold. In
334 addition, such essential personnel will receive compensatory leave, on an hour
335 for hour basis, for any hours of required work performed during the periods of authorized
336 emergency conditions leave that fall within their normally scheduled work hours. Such
337 compensatory time shall be used at a time approved by the appropriate supervisor. Any hours in
338 which employees are not required to work during the period of emergency conditions leave will not
339 count toward over-time eligibility. Employees in any other approved leave status (i.e., vacation, sick,
340 military etc.) will remain in that status.

341 **Section 3-17: Maintenance of the Pay Plan**

342
343 Periodically, the County Administrator may cause to be made a comprehensive review of all
344 factors affecting employee compensation. The review when undertaken, will consider rates of
345 pay for comparable positions in the area, fringe benefits, general wage data, the County's financial
346 condition and other pertinent factors. Prior to implementing changes to the employee pay plan
347 or compensation package based on such review, approval of the Board is required.

348 **Chapter 10: Disciplinary Policy**

349
350 **Section 10-1: Policy**

351
352 It is the policy of the County to discourage behavior that violates rules, policies,

353 procedures, acceptable standards of ethical conduct, regulations, or laws, or that results in
354 unacceptable performance. Disciplinary action is to be in proportion to the seriousness of the
355 violation. Supervisors are primarily responsible for beginning the disciplinary process when
356 situations that warrant discipline occur.

357 **Section 10-2 : Purpose**

358
359 The primary purpose of discipline is to supplement and strengthen self-discipline within
360 each individual and within each work group. It is the County's intention to foster an employment
361 relationship with high morale that promotes self-discipline in every employee and group discipline
362 within every work team.

363 **Section 10-3: Reasons for Disciplinary Measures**

364 Reasons for discipline include, but are not limited to, the following:

- 365 • Commission of any act constituting a crime under Federal or State law or County
366 ordinance while on County time or property, or any act of such a nature
367 (including a violation of law) as to indicate unfitness or unsuitability for contin-
368 ued employment in the particular position, regardless of where or when such act
369 is committed.
- 370 • Disregard for work or safety rules.
- 371 • Failure to follow County or department policies or procedures whether the
372 same are established in writing or by standard practice.
- 373 • Failure to meet job standards.
- 374 • Falsification or improper use of County records.
- 375 • Gambling on County time or property.
- 376 • Incompetence or inefficiency in the performance of required job duties.
- 377 • Insubordination.
- 378 • Lying, cheating, or stealing in any of the forms these might take.
- 379
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- 387

- 388 • Misuse of position with the County.
 - 389
 - 390 • Placing property or persons at risk of injury.
 - 391
 - 392 • Possession, use, distribution or sale of, or reporting to work under the influence
 - 393 of, alcohol or controlled substances. The term “controlled substance” means any
 - 394 drug, narcotic, or other substance that the use or possession of is prohibited or
 - 395 controlled by federal or state law or regulation.
 - 396 • Provoking, instigating, or participating in a fight while on duty or on County
 - 397 property.
 - 398 • Refusal to comply with reasonable instructions from an authorized supervisor.
 - 399
 - 400 • Recurring tardiness.
 - 401
 - 402 • Sleeping on the job.
 - 403
 - 404 • Use of offensive, abusive, threatening, coercive, indecent or discourteous
 - 405 language towards supervisors, other employees, or members of the public.
 - 406 • Violation of the County’s harassment policy set forth in Chapter 13.
 - 407
 - 408 • Weapons possession and/or physical violence.
 - 409
 - 410 • Willful or negligent damage to County property.
 - 411
- The preceding examples are intended only as guidelines and disciplinary action is not

412 limited to these offenses.

413 **Section 10-4: Use of Disciplinary Measures**

414 Graduated forms of discipline will frequently be used in addressing disciplinary matters.

415

416 Employees will often be informed and reminded about accepted standards and rules of conduct

417 before more severe disciplinary action is taken. However, even in the absence of prior disciplinary

418 measures, any infraction may incur serious disciplinary action up to and including termination.

419 **Section 10-5: Available Disciplinary Actions**

420 The following measures of discipline are established, and, unless otherwise specifically

421 provided, are documented on prescribed forms available from the designated personnel office.

422

423 *Depending on the nature and seriousness of the problem the appropriate level of discipline may be*
424 *imposed without consideration to the progression. For example, it is not necessary to issue a Verbal*
425 *or Written Reprimand if the offense is such a nature to warrant a suspension or termination.*

426 Department Heads must approve any disciplinary measure imposed beyond a verbal warning,
427 including dismissals.

428 a. Verbal Warning or Reprimand

429 This measure may be imposed by the immediate supervisor and is used in situations where
430 the violation is considered to be minor and the warning or reprimand can be expected to resolve the
431 problem or alert the employee of expected future conduct and the consequences of reoccurrence of
432 the behavior in question. Verbal warnings or reprimands are not documented for any official file, but
433 shall be noted in writing by the supervisor for the supervisor's use in the event that further discipline
434 is needed.
435

436 b. Written Warning or Reprimand

437 This measure is used for more significant first violations or repeated minor infractions.
438 Employees are advised that the behavior must improve or further specified action will be taken.
439

440 c. Suspension

441 Suspension for up to ten (10) days without pay may be used when a more serious violation
442 occurs or when previous warnings have not succeeded in bringing about the desired change in the
443 employee's behavior. For suspensions without pay of five (5) days or longer, the employee shall be
444 notified in writing of the reasons for the proposed suspension and shall be afforded an opportunity
445 to schedule an administrative hearing with the Department Head prior to the proposed effective date.
446 In order to insure compliance with the Fair Labor Standards Act, employees designated as exempt
447 must be suspended in increments of days that represent a full workweek. In certain appropriate
448 cases, suspension with pay may be imposed.
449

450 d. Demotion or Salary Reduction

454 These measures may be used in place of, or in addition to, suspensions when dealing with
455 violations deemed serious enough to otherwise warrant a suspension.

456 e. Dismissal

457 This measure is used for the most serious violations or when other measures have failed. It
458 is also used when it is the opinion of management that no level of discipline will be successful in
459 correcting the behavior. The Department Head, prior to dismissing an employee, shall compile the
460 complete disciplinary record and forward it to the designated personnel officer. Prior to any final
461 decision concerning the dismissal of a non-probationary employee, the Department Head shall
462 conduct an administrative termination hearing, if requested by the affected employee, to determine
463 whether the charges leading to the recommendation for dismissal are founded. (See Chapter 12 on
464 Separation and Termination.)
465

466 **Section 10-6: Review of Proposed Action**

467 In each instance of the imposition of a disciplinary action beyond a verbal warning or
468 reprimand, a copy of the prescribed disciplinary form must be sent to the designated personnel office
469 for inclusion in the employee's official personnel file. To assure the consistency of discipline
470 throughout the County workforce, all disciplinary actions beyond verbal warnings must be reviewed
471 for compliance and consistency by the designated personnel officer prior to approval by the
472 Department Head. In the event the personnel officer believes that the proposed action is not in
473 accord with policy or is inconsistent with other actions taken in the County workforce, the personnel
474 officer shall forward the matter to the County Administrator for review and decision. The designated
475 personnel officer shall keep the County Administrator informed of all current disciplinary actions.
476

477 **Chapter 11: Grievance Policy and Procedures**

478 **Section 11-1: Purpose**

479 This Chapter establishes an effective process for the fair, expeditious, and orderly adjustment
480
481
482

483 of grievances before they become major issues of discontent or dispute. Nothing in this Chapter is
484 intended to imply that employees may be dismissed only “for cause” or to otherwise alter an
485 employee’s “at will” status. Employees also have access to the open door policy for discussion of
486 employment issues. (See Section 13-17).

487 **Section 11-2: Policy**

488
489 The County seeks to employ and retain the most qualified persons available for positions
490 with the County and is justly proud of the accomplishments of its staff in serving the public. When
491 an employee of the County believes that any condition affecting him or her is unjust, inequitable,
492 arbitrarily applied or a hindrance to work performance, the employee may use the following
493 procedure without fear of reprisal. The same procedure may be followed by a group of employees.
494 Because justice delayed is justice denied, grievances must be resolved with dispatch.

495 Responsible action under the grievance procedure is a right of employment. Each step of the
496 procedure is to be conducted with the open, thoughtful communication and mutual respect that is
497 characteristic of successful day-to-day contact between employees and their supervisors.
498 Responsibility for finding satisfactory solutions to employment-related problems is shared by all
499 participants at each stage of the grievance procedure.

500 **Section 11-3: Objectives**

501
502 The grievance procedure is intended to provide an immediate and fair method for resolving
503 problems that may arise during the course of an employee's service with the County. The grievance
504 procedure is designed to assure the employee of the fairness of the process by providing for a right
505 of appeal in the event that an employee believes that fair treatment has been denied.

506 Through the good faith observance of this procedure, the County hopes to prevent conditions
507 which may give cause for grievance. This can be achieved in many ways, among which are:

- 508 a. a reduction in employee concerns caused by supervisory
509 decisions;

- 510 b. a more uniform application and interpretation of policies and conditions which
- 511 govern employment;
- 512 c. avoidance of prejudice;
- 513
- 514 d. alerting management to supervisory problems.

515 **Section 11-4: Coverage**

516 This grievance procedure is available to all regular ~~permanent~~ full-time and part-time County
517 employees in the classified service (See Section 1-3), except probationary employees, Deputy or
518 Assistant County Administrators, Department Heads and employees otherwise covered by applicable
519 grievance procedures of State or local agencies. The procedure is not available to employees in the
520 unclassified service. The procedure is available to regular ~~permanent~~ employees of constitutional
521 offices of the County or the Department of Social Services when the constitutional officer has
522 requested that their employees be covered and the Board of Supervisors has approved such request,
523 or the local social services board has adopted this procedure pursuant to the provisions of Sections
524 63.2-219 or 2.2-3008 of the Code of Virginia. Law enforcement officers as defined in Section 9.1-500
525 of the Code of Virginia have the option of using this procedure or the law enforcement officer's
526 procedure set out in Chapter 5 of Title 9.1 of the Code of Virginia. The procedure is also available
527 to employees of such other agencies as may from time to time be specified in the Code of Virginia
528 when the prerequisites established by state law have been met.

531 The County Administrator shall be responsible for creating and maintaining and up to date
532 list of those positions not covered by this grievance procedure.

533 **Section 11-5: Definition of Grievance**

534 a. A grievance is a complaint or dispute relating to the employment of the employee or
535 employees making the complaint. A grievance involves, but is not necessarily limited to, one or more
536 of the following:

- 537 (1) Disciplinary actions, including those that involve dismissal, demotion or suspension,

539 provided that dismissals shall be grievable whenever resulting from formal discipline or
540 unsatisfactory job performance;

541 (2) Concerns regarding the meaning, interpretation or application of personnel policies,
542 procedures, rules and regulations;

543 (3) Acts of retaliation¹ for using the grievance procedure or for participation in the
544 grievance of another County employee;

545 (4) Complaints of discrimination on the basis of race, color, creed, religion political
546 affiliation, age, disability, national origin or sex;

547 (5) Acts of retaliation* because the employee has complied with any law of the United
548 States or of the Commonwealth, has reported any violation of such law to a governmental
549 authority, or has sought any change in law before the Congress of the United States or the
550 General Assembly. Acts of retaliation* because an employee has reported an incident of
551 fraud, abuse, or gross mismanagement.

552 b. The Board of Supervisors and its management team retain the exclusive right to
553 manage the affairs and operations of County government. Accordingly, the following complaints,
554 among others, are non-grievable:

555 (1) The contents of ordinances, resolutions, statutes, or established personnel policies,
556 procedures, rules, and regulations;

557 (2) Work activity accepted by the employee as a condition of employment or work
558 activity which may be reasonably expected to be a part of the job content;

559 (3) Establishment and revision of wages or salaries, position classifications or general
560 benefits;

561 (4) Failure to promote except where the employee can show that established
562 promotional policies or procedures were not followed or applied fairly;

563 (5) The methods, means, and personnel by which such work activities are to be

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- conducted;
- (6) Non-disciplinary discharge, demotion, suspension from work or layoff because of lack of work or reduction in work force, or job abolition, except where such action affects an employee who has been reinstated within the previous six months as the result of a grievance;
- (7) The hiring, promotion, transfer, assignment and retention of employees;
- (8) The relief of employees from duties of the County in emergencies.

In any grievance brought under the exception contained in (6) above, the action shall be upheld upon a showing by the County that: (a) there was a valid business reason for the action, and (b) the employee was notified of such reason in writing prior to the effective date of the action.

Section 11-6: Determination of Grievability

Decisions regarding whether or not a matter is grievable, including questions of access to the procedure, shall be made by the County Administrator at the request of the County or the grievant. The issue of grievability may be raised at any step of the procedure subsequent to the submission of a written grievance and prior to the panel hearing, but once raised the issue shall be resolved before further processing of the grievance. The issue of grievability must be resolved prior to the panel hearing or it shall be deemed to have been waived. The request for a determination of grievability is made by completing Grievance Form D and forwarding it to the County Administrator. The decision on grievability shall be made within ten (10) calendar days of the request. A copy of the ruling shall be sent to the grievant. Decisions concerning grievability may be appealed by the grievant to the Circuit Court of King William County for a hearing on the issue of grievability.

Proceedings for review of the County Administrator's decision shall be instituted by filing a notice of appeal on Grievance Form D with the County Administrator within ten (10) calendar days from the date of the grievant's receipt of the decision, and giving a copy thereof to all other parties. Within ten (10) calendar days thereafter, the County Administrator or his designee shall transmit to

592 the Clerk of the Circuit Court a copy of the decision, a copy of the notice of appeal, and the exhibits.
593 A list of the evidence furnished to the court shall also be furnished to the grievant. The failure of the
594 County Administrator to transmit the record within the time allowed shall not prejudice the rights
595 of the grievant. The court, on motion of the grievant, may issue a writ of certiorari requiring the
596 County Administrator to transmit the record on or before a certain date. The court shall hear and
597 decide the appeal within the time frames established by Va. Code Section 15.2-1507. The court may
598 affirm the decision of the County Administrator or may reverse or modify the decision. The decision
599 of the court is final and not appealable.

600 **Section 11-7: Procedural Steps**

601 Step I: Supervisory Level. An employee who has an employment-related complaint or
602 problem first discusses it directly with his or her immediate supervisor. The grievance need not be
603 placed in written form at this step. The grievance shall be reported within twenty (20) calendar days
604 from the time that the employee first becomes aware of the condition or work activity giving rise to
605 the grievance. The supervisor shall render a response to the aggrieved employee within five
606 (5) workdays of the complaint. This first step is intended to provide for an informal, initial
607 processing of employee complaints by the immediate supervisor through a non-written, discussion
608 format.
609

610 Step II: Department Head Level. If a satisfactory resolution of the problem is not reached
611 through Step I, the employee may file a written grievance, identifying the nature of the complaint and
612 the expected remedy, on Grievance Form A. The written grievance is presented to the Department
613 Head and a copy is given to the immediate supervisor within five (5) workdays of the supervisor's
614 response to Step I. A meeting to review the grievance shall be held among the grievant, the
615 immediate supervisor and the Department Head within five (5) workdays of receipt of the written
616 grievance, unless this time limit is extended by mutual agreement for a period not to exceed five (5)
617 workdays. The Department Head shall provide a written reply to the grievant within five (5)

618 workdays after the second step meeting. Concurrently, a copy of the grievance and reply, together
619 with a copy of all related materials, shall be forwarded by the Department Head to the designated
620 personnel officer. For purposes of this policy, "Department Head" shall mean the head of the
621 employee's department; in the case of employees of constitutional offices, it shall mean the
622 constitutional officer; in the case of employees of the Department of Social Services or other agencies,
623 it shall mean the director of that department or agency.

624 Step III: County Administrator Level. If a satisfactory resolution of the problem is not reached
625 at the second step, the employee may submit the written grievance on Grievance Form A
626 to the designated personnel officer; provided, however, that an employee of a constitutional officer
627 or the Department of Social Services or other agency covered by this procedure may, in the
628 employee's discretion, proceed immediately to Step IV. Submission of the written grievance to the
629 third step shall occur within five (5) workdays of the second step reply. The designated personnel
630 officer will coordinate the Step III meeting. The County Administrator and the immediate supervisor
631 shall meet with the employee within five (5) workdays or indicate that an extension is necessary.
632 Such extension shall not exceed five (5) additional workdays except by mutual agreement of the
633 County Administrator and the grievant. The Department Head or other intermediate supervisor may
634 attend this meeting if requested by the grievant, the immediate supervisor, or the County
635 Administrator. Using Form B, a written reply by the County Administrator shall be provided to the
636 grievant within five (5) workdays of this meeting.

637 Step IV: Panel Level. If the response of the County Administrator does not resolve the
638 grievance, the employee may proceed with the grievance by requesting a panel hearing (or a hearing
639 before an administrative hearing officer if both parties agree). This request shall be made in writing
640 to the County Administrator on Grievance Form B within five (5) workdays of the grievant's receipt
641 of a response from Step III, or Step II if applicable. The County Administrator shall insure selection
642 of the panel and arrange an organizational meeting of the grievance panel within ten (10) working

643 days of receipt of the request. The date of the hearing shall be established at the organizational
644 meeting and shall be within ten (10) working days of such meeting. The County Administrator shall
645 provide the panel with copies of the grievance record at their organizational meeting. The County
646 Administrator shall provide the grievant with a list of the documents furnished to the panel. The
647 grievant and/or the grievant's attorney, at least ten (10) days prior to the scheduled panel hearing,
648 shall be allowed access to and copies of all relevant files intended to be used in the grievance
649 proceeding. Documents, exhibits, and lists of witnesses shall be exchanged between the parties in
650 advance of any panel hearing.

651
652 **Section 11-8: Panel Procedures**

653
654 The panel (or hearing officer) is charged with the responsibility of interpreting the
655 application of appropriate government policies and procedures in the case. It does not have the
656 prerogative to formulate or to alter existing policies or procedures nor to direct subsequent action
657 of management when the panel determines that the action of management grieved was
658 inappropriate.

659 The conduct of the panel hearing is as follows:

- 660
661 a. The panel determines the propriety of attendance at the hearing of persons not
662 having a direct interest in the hearing, and, at the request of either party, the hearing
663 shall be private.
- 664 b. The panel may at the beginning of the hearing ask for statements clarifying the issues
665 involved.
- 666 c. Exhibits, when offered, may be received in evidence by the panel, and when so
667 received, are marked and made part of the record.
- 668 d. The grievant and then the grievant's supervisor, or their representative(s), present
669 the claim and proofs and witnesses who submit to questions or other examination
670 or cross-examination. The panel may, at its discretion, vary this procedure but must

671 afford full and equal opportunity to all parties and witnesses for presentation of any
672 material or relevant proofs.

673 e. The parties may offer evidence and shall produce such additional evidence as the
674 panel may deem necessary to an understanding and determination of the dispute.
675 The panel is the judge of relevancy and materiality of the evidence offered. The panel
676 has the authority to determine the admissibility of evidence, without regard to the
677 burden of proof or the rules of evidence. All evidence shall be presented in
678 the presence of the panel and the parties, except by mutual consent of the parties.
679 Documents, exhibits, and lists of witnesses shall be exchanged between the parties a
680 minimum of three working days in advance of the hearing. Hearings are not intended
681 to be conducted like proceedings in courts.

682 f. The panel chair shall specifically inquire of all parties whether they have any further
683 proofs to offer or witnesses to be heard. Upon receiving negative replies, the
684 chairman shall declare the hearing closed.

685 g. The hearing may be reopened by the panel on its own motion or upon application
686 of a party for good cause shown at any time before a decision is made.

687 h. The majority decision of the panel is final and binding in all its determinations, and
688 shall be consistent with existing policies, procedures, and law. No panel member
689 shall be allowed to abstain from voting.

690 i. Any relief granted by the panel shall not be final if the County Administrator, or his
691 designee, determines that the relief granted is not consistent with law or written
692 policy of the County. In the event that the County Administrator has had a direct
693 personal involvement with the event or events giving rise to the grievance, the
694 question of consistency of the relief granted by the panel with law or written policy
695 of the County shall be made by the Commonwealth's Attorney.

696 j. Either party may petition the circuit court for an order requiring the implementa-
697 tion of the decision of the panel.

698 The decision shall be filed in writing by the panel chairman with the County Administrator
699 not later than ten (10) working days after completion of the hearing. The decision shall be prepared
700 in the format shown on Grievance Form C. Copies of the decision shall be transmitted to the
701 employee and to the employee's supervisor by the County Administrator within five (5) working
702 days after the County Administrator receives it.

703 **Section 11-9: General Provisions**

- 704
- 705 a. Step II is not observed by direct reports of Department Heads; such grievants pro-
706 ceed from Step I to Step III.
- 707 b. A grievance shared by a group of employees begins at Step II, using Step I time limits.
- 708 c. References to "workdays" are to the days during which the administrative offices of
709 the County are customarily open, from Monday through Friday, not including
710 holidays observed by the County. All time periods listed in this procedure may be
711 extended by mutual agreement of the grievant and the County Administrator, or by
712 others as specifically provided elsewhere in this procedure.
- 713 d. After the initial filing of a written grievance, failure of either party to comply with all
714 substantial procedural requirements of the grievance procedure, including the panel
715 hearing, without just cause, shall result in a decision in favor of the other party on
716 any grievable issue, provided the party not in compliance fails to correct the
717 noncompliance within five (5) workdays of receipt of written notification by the
718 other party of the compliance violation. Such written notification by the grievant
719 shall be made to the County Administrator. The County Administrator, may require
720 a clear written explanation of the basis for just cause extensions or exceptions. The
721 County Administrator, shall determine compliance issues. Compli- ance

determinations made by the County Administrator shall be subject to judicial review upon the filing of a petition with the circuit court seeking such review within thirty (30) days of the compliance determination.

e. All stages of the grievance beyond the first step shall be prepared in writing on forms supplied by the designated personnel office.

f. The only persons who may normally be present at Step I or II meetings are the grievant, the individual hearing the matter, and appropriate witnesses for each side. The grievant shall bear the cost, if any, of calling the grievant's witnesses. Witnesses shall be present only while actually providing testimony. At Step III, the grievant, at his option, may have present a representative of his choice. If the grievant is represented by legal counsel, the County may also be represented by counsel. Either or both parties may be represented by legal counsel at Step IV.

g. Once an employee reduces the grievance to writing, the specific relief expected to be obtained through use of this procedure must be stated on the appropriate form and may not later be changed by the grievant.

h. The determination that an employee is not covered by this grievance procedure or that a complaint is not grievable shall not be construed to restrict any employee's right to seek, or management's right to provide, customary administrative review of complaints outside the scope or coverage of the grievance procedure.

Section 11-10: Composition of Panel

The panel shall be impartial and composed of three (3) members. One member shall be chosen by the grievant, one member shall be chosen by the County Administrator and the third member shall be chosen by the first two. If no agreement on a third member can be reached, the selection shall be made by the Judge of the Circuit Court. In all cases, the third panel member shall be the Chairperson of the panel.

773
774 The County is a member of the Virginia Retirement System (VRS) and employees are
775 entitled to retire pursuant to the rules established by VRS.

776 **Section 12-3: Death**

777 When an employee dies while in the service of the County, all compensation due is paid to
778 the legal representative of the employee's estate or any other properly designated individual.
779 Assistance and benefit counseling is provided to survivors of the employee by the designated
780 personnel office. Pay and benefits accrue to the last day of actual service provided to the County.

781 **Section 12-4: Termination**

782 Termination is defined as a separation for disciplinary reasons. The process for termination
783 is as set forth below:
784

785 a. If termination of a non-probationary employee is warranted, the Department Head
786 shall provide the employee with a written notice of proposed termination. In situations when it is
787 not possible to personally deliver a written notice to an employee, the notice may be sent as provide
788 in paragraph (d) of this section. Such notice shall set forth the following:

789 (1) A statement of the reasons for which the dismissal of the employee is being
790 considered, in sufficient detail to enable the employee to understand fully the violation, infraction,
791 conduct or offense for which dismissal is being considered.

792 (2) That the employee's past performance, including any prior disciplinary
793 records, has been considered;

794 (3) The effective date of the proposed dismissal, which should be no sooner than
795 seventy-two (72) hours from the employee's receipt of the notice;

796 (4) That the employee is suspended, generally with pay, but for no longer than
797 five (5) work days from the date of the notice of proposed dismissal or until a final decision is made,
798 whichever occurs sooner.

799 (5) That the employee has the right to respond either in writing or in person, at

800 the option of the employee, within two (2) working days of receipt of the notice;

801 (6) That the employee has the right to file a grievance pursuant to the County's
802 grievance policy, if termination is imposed;

803 b. If the employee requests the right to respond in person, the Department Head
804 should immediately schedule an informal hearing.

805 (1) The employee should be afforded an opportunity to explain his or her side
806 of the story, to present any documentary evidence on his or her behalf, and to argue his or her side
807 of the case.

808 (2) Such hearings are intended to be informal and legal representatives are not
809 permitted.
810
811

812 c. If, after the hearing or consideration of the employee's written response, the
813 Department Head finds that the charge or charges against the employee are valid and support the
814 dismissal, a written notice of such dismissal shall be given to the employee.

815 d. After reasonable attempts have been made to deliver in person a written notice of
816 proposed termination or notice of termination to an employee, delivery may be made by sending
817 notice by certified mail to the last known address of the employee. For purposes of this section, such
818 notice shall be deemed to have been received either on the actual day it was received, or, five
819 (5) days after it was mailed, whichever date is earlier.

820 **Section 12-5: Employee Separation Procedures**

821
822

823 All pay and benefits accrue to the last day of actual service provided to the County and
824 employees cannot expect to receive any compensation or benefits for periods of time beyond the last
825 day of actual service, including pay for holidays, sick or vacation days, etc., that occur or accrue after
826 the last day of actual service. Since benefit accruals occur on the last day of the month, the employee
827 must have actual service on the last day of the month in order to receive this accrual. For purposes
828 of this section, actual service shall mean the last day the employee actually worked or was on

829 approved leave.

830 **Section 12-6: Layoffs**

831 Any involuntary separation other than for disciplinary reasons is considered a layoff.

832
833 Layoffs occur when in the opinion of the County Administrator proper management
834 requires a reduction or change in the work force or the elimination of certain positions or
835 programs. Employees to be laid off are, at a minimum, given the same notice as that required when
836 an employee resigns.
837

838 **Section 12-7: Clearing Debt and Property Accounts**

839 Employees who separate from County service must clear all debts to the County and account
840 for and turn in all County equipment or other property in their possession or for which they are
841 responsible, including keys, uniforms, tools, equipment, credit cards, identification cards, books,
842 manuscripts, papers, etc. to the Department Head. It is the responsibility of the Department Head to
843 forward a list to the designated personnel office of any property held by the separating employee or
844 a statement that all such property has been returned. ~~The employee's last check will be held by the~~
845 ~~designated personnel office until all such property has been returned.~~ *The value of the unreturned*
846 *property may be deducted from the employee's final paycheck in accordance to FLSA regulations.*
847

848 Failure to clear all debts and turn in all County property will result in the initiation of lawful
849 collection procedures to recover any losses.

850 **Section 12-8: Separation Pay**

851 Generally, all compensation due and any settlement for accrued leave is included in the
852 paycheck due on the next regularly scheduled payday.
853

854 **Section 12-9: Post-Separation Benefits**

855 The designated personnel office will provide information and counseling to separate
856 employees regarding the availability of post separation benefits such as health insurance, life
857 insurance, and retirement account options.
858

859 **Section 12-10: Severance Pay**
860

861 Severance pay may be approved by the County Administrator for separations that do not
862 involve gross misconduct if deemed to be in the best interest of the County. When approved, the
863 amount of severance pay shall not be more than 1/12th of the terminating employee's annual salary
864 rate.

865 **Section 12-11: Exit Interviews**
866

867 The designated personnel office may conduct exit interviews of separating employees when
868 it deems necessary. An exit interview properly conducted often corrects misinformation, modifies
869 negative attitudes, and provides valuable information to the employer. Such interviews become a
870 part of the employee's official personnel file and the employee's signature is required to acknowledge
871 the correctness of the information on the interview form. When required by the designated
872 personnel office, the exit interview is a prerequisite to final payment of any sums due the employee.

873 **Chapter 13: Miscellaneous Employment Policies**

874 **Section 13-1: Applicability**

875 This Chapter applies to the classified service and to the unclassified service to the extent set
876 forth in any contract or, in the absence of a contract, to the extent the Board is authorized by law to
877 apply the particular policy to the unclassified service.

878 **Section 13-2: Hours of Work**
879

880 The standard weekly work period for all King William County Employees shall be from
881 12:01 a.m. Saturday through midnight Friday. The core hours for administrative offices of the
882 County to be open for public business are 8:30 a.m. to 4:30 p.m., Mondays through Fridays,
883 including periods of lunch.

884 The normal work schedule for regular full-time employees is thirty-five (35) hours per week,
885 seven (7) hours per day, Mondays through Fridays. The workday begins at 8:30 a.m. and ends at 4:30
886 p.m. and includes an hour lunch period. Because of differing requirements, schedules may vary from

887 these times. Department Heads may adjust the workday beginning and ending times and lunch
888 schedules provided that full-time employees work seven (7) hours each day (not including a lunch
889 period) and administrative offices are adequately staffed and open from 8:30 a.m.
890 to 4:30 p.m., Monday through Friday. Any regular schedule for more or less than seven (7) hours per
891 workday must be approved by the Department Head with notice to the County Administrator. The
892 fifty-two (52) week work year consists of 1820 work hours.

893 *Part-time employees will work varied hours and days. Part-time employees are to report at their*
894 *designated time, date and location per the published schedule. Failure to report for an assigned shift*
895 *may be considered an absence without notice and the employee may be subject to disciplinary action or*
896 *termination.*

897 **Section 13-3: Time and Attendance Records**

898 Attendance and time reports for employees are prepared by each department and agency of
899 the County and are furnished to the designated personnel office for proper posting and accounting
900 of hours worked, leave balances, etc.
901

902 **Section 13-4: Emergency Closing of County Facilities**

903 Working hours and schedules may be adjusted by the County Administrator in response to
904 inclement weather or other emergency conditions. Individuals are notified through media or
905 telephone "calling trees" of the change in hours or schedules.
906

907 Employees' essential to operations during inclement weather or emergencies may be
908 required to report to work as normally scheduled. Such employees are generally notified by the
909 Department Head in advance of any announcement to report to work as scheduled and receive pay
910 in accordance with policy. Others, in the interest of safety, receive paid emergency conditions leave.
911 Please see Section 5-11 for information regarding emergency conditions leave.

912 **Section 13-5: Holidays**

913 King William County observes the following holidays and other such holidays as may be
914

915 prescribed by the Board of Supervisors:

916	New Year's Day	First day of January
917		
918	Lee-Jackson Day	Friday preceding Martin Luther King Day
919		
920	Martin Luther King Day	Third Monday in January
921		
922	Washington's Birthday	Third Monday in February
923		
924	Memorial Day	Last Monday in May
925		
926	Independence Day	Fourth day of July
927		
928	Labor Day	First Monday in September
929		
930	Columbus Day	Second Monday in October
931		
932	Veteran's Day	Eleventh day of November
933		
934	Thanksgiving	Fourth Thursday in November
935		
936	Day After Thanksgiving	Fourth Friday in November
937		
938	Christmas Day	Twenty-fifth day of December
939		

940 In addition to the above holidays the County will follow special state holidays as announced
941 by the Governor. When a holiday falls on a Saturday, the preceding Friday shall be observed; when a
942 holiday falls on a Sunday, the following Monday shall be observed.

943 The Board of Supervisors may designate other days as official holidays of the County. When
944 granted, employees receive compensation in the same manner as is the case for other holidays.

945 **Section 13-6: Uniforms and Personal Equipment**

946 The County may provide personal equipment and/or uniforms for certain employees. Job
947 descriptions of employees required to wear uniforms will include this requirement within the
948 description body. All clothing and equipment issued by the County shall be inventoried by the issuing
949 department and remains the property of the County. Non-serviceable clothing and equipment is
950 replaced on a one-for-one basis when the particular item is returned to the County's inventory.
951

952 Employees are expected to maintain issued uniforms and equipment and return them to the

953 County's inventory upon separation from service. All lost or negligently damaged clothing or
954 equipment will be replaced at the employee's expense.

955 **Section 13-7: Bonds**

956 The County provides funding for adequate bonding of employees when required by the
957 assigned position or when it is in the best interest of the County to do so.
958

959 **Section 13-8: Use of Alcohol and Controlled Substances**

960 a. All Employees.

961 It is the policy of the County to maintain a work place that is free from the effects of drug and
962 alcohol abuse. The County is gravely concerned when its employees violate laws, create situations
963 that cause potential safety hazards to themselves or to their fellow employees, or are parties to an
964 act or situation that is detrimental to the image of the County in the eyes of the public it serves.
965
966

967 In furtherance of this policy and concern, unless prescribed by a duly licensed physician and
968 the employee's supervisor is notified in advance, the possession, use, gift, distribution, sale, or being
969 under the influence of any of the following substances by an employee in the course of County
970 employment is prohibited and is cause for dismissal:

- 971 • Amphetamines.
- 972
- 973 • Barbiturates.
- 974
- 975 • Hallucinogens.
- 976
- 977 • Any other substance defined and listed as a controlled substance in the "The Drug
978 Control Act" (Chapter 34 of Title 54.1 of the Code of Virginia, 1950, as amended).
- 979 • Any drug, narcotic, or other substance that the use or possession of is prohibited or
980 controlled by federal or state law or regulation.

981 As a condition of employment each employee shall notify his or her supervisor if arrested
982 for any criminal drug statute violation within one (1) workday after such arrest. Upon subsequent
983 conviction the employee shall also notify the supervisor within one (1) workday.

984 Additionally, being in possession of or drinking alcoholic beverages in the course of
985 employment, or reporting for work in an intoxicated condition or under the influence of alcohol, are
986 causes for dismissal. For purposes of this policy, "in the course of employment" or "work" refers to
987 normal working hours, including lunch periods, periods between office hours and night
988 meetings of boards and agencies attended by the employee, and in addition includes after hours
989 activities and functions during which an employee is serving in an official capacity as a
990 representative of the County.

991 The fact of intoxication or degree of influence must be a determination made by the
992 Department Head or supervisor involved. Any employee who is observed by a supervisor to exhibit
993 overt symptoms of the use of alcohol or other prohibited substances shall be required to submit to
994 testing for both alcohol and other prohibited substances.

995 In furtherance of this policy, any position whose work involves the operation of a County
996 vehicle or vehicular equipment on more than an occasional or intermittent basis in order to carry
997 out County business; any position with direct responsibilities for public safety and health; and any
998 position whose work involves hazardous or potentially hazardous equipment will be entered into a
999 random drug screen pool. This random drug screen pool will be separate from the random drug
1000 screen pool as described in Section 13-8 (b)(3). The County Administrator shall designate the
1001 aforementioned positions and may add or delete positions from the list as deemed appropriate. The
1002 designated personnel officer shall administer the County's random drug testing program in
1003 accordance with applicable federal and state laws and regulations.

1004 Employees who test positive or who refuse to submit to such testing for alcohol or other
1005 prohibited substances shall be subject to disciplinary action up to and including dismissal.

1006 b. Commercial Drivers (Covered Employees).

1007 In order to comply with the federal Omnibus Transportation Employees Testing Act of 1991
1008 ("the Act") and maintain a safe workplace free from illegal drug use and the misuse of alcohol, it shall
1009

1010 be a condition of employment for those employees of the County who are required, in connection
1011 with their employment, to operate a vehicle requiring a commercial driver's license (hereinafter
1012 "covered employees"), to submit to periodic breath analysis or urinalysis to test for the use of alcohol
1013 or other drugs and controlled substances as set out in this Policy. The County
1014 Administrator shall promulgate standard operating procedures to affect the implementation of this
1015 policy consistent with the Act.

1016 The unlawful possession or use of alcohol or any controlled substance by any covered
1017 employee while operating a vehicle requiring a commercial driver's license, or while performing any
1018 "safety sensitive function" with respect to such a vehicle or the use of any substance to a degree to
1019 which renders the covered employee incapable of safely operating a motor vehicle, is prohibited.

1020 For purposes of this Policy, the term "controlled substance" means any drug, narcotic, or
1021 other substance that the use or possession of is prohibited or controlled by federal or state law or
1022 regulation. With respect to drugs, narcotics, and other substances that the use or possession of is not
1023 prohibited but is merely controlled by law, the term "controlled substance" shall mean any such
1024 drug, narcotic, or other substance which has been used or possessed in violation of such law or
1025 regulation. The County Administrator shall designate those controlled substances for which testing
1026 will be conducted as mandated or authorized by the Act and by regulations of the United States
1027 Department of Transportation, but at a minimum covered employees shall be tested for
1028 amphetamines (including methamphetamines), cocaine, THC (including but not being limited to
1029 marijuana and other cannabanoids), opiates, phencyclidine (PCP), or any derivative thereof. All
1030 references in this Policy to testing for controlled substances shall mean testing for those substances
1031 identified in the preceding sentence and for any other drug or substance designated by the County
1032 Administrator.

1033 For purposes of this Policy, a "safety sensitive function" includes being present on County
1034 property waiting to be dispatched, inspecting or servicing a vehicle, operating a vehicle, being in or

1035 upon a vehicle while the vehicle is being operated, supervising or assisting in the loading or
1036 unloading of the vehicle, or repairing or obtaining assistance for or attending a disabled vehicle.

1037 For purposes of this Policy, a covered employee will be deemed to be using alcohol or a
1038 controlled substance while driving a vehicle or performing a safety sensitive function if the covered
1039 employee partakes of, or ingests, any alcohol or controlled substance during work hours, or if the
1040 covered employee performs any such job functions while under the influence of alcohol or any
1041 controlled substance.

1042 For purposes of this Policy, a covered employee will be deemed "under the influence of"
1043 alcohol if a test conducted pursuant to this Policy reveals that the covered employee's blood alcohol
1044 concentration (BAC), expressed in terms of grams of alcohol per 210 liters of breath, is 0.02 or higher,
1045 or regardless of the BAC level in the event that the covered employee becomes impaired in their
1046 ability to perform a "safety sensitive function" as a result of alcohol use. Moreover, a covered
1047 employee will be deemed under the influence of alcohol if the covered employee has consumed
1048 alcohol within four hours of operating a vehicle or performing any safety sensitive function. Covered
1049 employees discovered to have a BAC level of 0.02 or higher may, if not dismissed, be subjected to
1050 the requirements of this Policy for return to duty testing, and follow up testing, and the requirement
1051 for counseling as set out in section IV of this Policy. Absent of any observable evidence of impairment,
1052 a BAC level of less than 0.02 shall be considered a negative test for alcohol.

1053 For purposes of this Policy, a covered employee will be deemed "under the influence of" a
1054 controlled substance if a urinalysis or other test conducted pursuant to this Policy reveals the
1055 presence of any controlled substance. A covered employee will not be deemed under the influence of
1056 a controlled substance if the controlled substance is contained in a medication for which the covered
1057 employee has been given a prescription by a physician or other person licensed to prescribe drugs
1058 or medications, and the covered employee has taken the medication in accordance with the dosage
1059 set out in the prescription.

1060 In order to ensure full compliance with this Policy, all covered employees shall be required
1061 to submit to periodic testing for the presence of alcohol or controlled substances, by means of breath
1062 analysis tests or urinalysis, whenever requested to do so by the County. The refusal by any covered
1063 employee to submit to such testing, when requested by a supervisor, is prohibited, and any such
1064 refusal shall be treated for all purposes under this policy as a positive test for controlled substances,
1065 or a BAC test level of 0.02 or higher, as the case may be. As a result, such refusal may be cause for
1066 dismissal. The County, or its agents, will administer such tests routinely or periodically at the
1067 following times or upon the occurrence of the following events:

1068 (1) Pre-employment Testing or Transfer within the County to a Safety Sensitive
1069 Position: Prior to the first time that any new covered employee performs any job functions, or prior
1070 to the time that any current covered employee first performs any safety sensitive functions as a result
1071 of a transfer into a position requiring the performance of safety sensitive functions, the covered
1072 employee will be tested for alcohol and controlled substances. The County Administrator is
1073 authorized to make exceptions for covered employees who have been successfully tested within the
1074 previous six months for alcohol or controlled substances by a testing method that conforms to the
1075 requirements of the Act.

1076 As part of the job application process, an applicant for a position requiring a
1077 commercial driver's license or the performance of safety sensitive functions will be required to
1078 execute appropriate releases and consents allowing the County to obtain from the applicant's
1079 previous employers any records pertaining to the applicant's use of alcohol or controlled substances
1080 within the previous two years, including records of test results showing a BAC level of
1081 0.02 or greater, or showing the presence of any controlled substance, or indicating that the applicant
1082 has refused to be tested.

1083 (2) Post-Accident Testing: Following an accident involving a vehicle, the County will
1084 test any covered employee who receives a traffic citation for a moving traffic violation arising

1085 from the accident, or in the event the accident results in a loss of life, will also test any covered
1086 employee who was performing a safety sensitive function with respect to the vehicle at the time of
1087 the accident.

1088 Any covered employee subject to being tested following an accident shall remain
1089 available for such testing for a period of up to eight hours following the accident, or until such
1090 testing has been performed, or the covered employee has refused to consent to being tested.

1091 For purposes of this paragraph, an "accident" is any use of a vehicle which results in
1092 personal injury or property damage.

1093 (3) Random Testing: The County will conduct random unannounced testing of all
1094 covered employees, at such times as deemed appropriate. No covered employee will be removed
1095 from the random sampling pool for any period of time by virtue of having been required at any time
1096 to submit to random testing. The selection of covered employees to be tested randomly shall be
1097 based on a scientifically valid method for random selection, as permitted by the Act or procedures
1098 thereunder. Any covered employee notified of selection for random testing shall proceed
1099 immediately (or as soon thereafter as possible) to the testingsite.

1100 (4) Reasonable Suspicion Testing: The County may test any covered employee who
1101 exhibits behavior which gives rise to a reasonable suspicion on the part of the employee's supervisor
1102 that the covered employee has violated the prohibitions of this Policy with respect to alcohol or
1103 controlled substances. In the absence of any testing, a covered employee whose conduct gives rise to
1104 a reasonable suspicion of impairment from alcohol or controlled substances shall perform no safety
1105 sensitive functions with respect to any vehicle until at least 24 hours have elapsed, or an alcohol test
1106 reveals a BAC level of less than 0.02 and the covered employee evidences no impairment as a result
1107 of alcohol or controlled substance use, whichever first occurs.

1108 (5) Return to Duty Testing: Any covered employee who has violated the provisions
1109 of this Section shall be tested for the presence of alcohol or controlled substances, as the

1110 case may be, before being allowed to operate a vehicle or perform any safety sensitive function. In
1111 the case of a violation of a prohibition related to alcohol, the return to duty test for alcohol must
1112 reveal a BAC of less than 0.02 and the covered employee must evidence no impairment in his or her
1113 ability to perform safety sensitive functions as a result of alcohol use.

1114 (6) Follow-Up Testing: In the event of a determination that a covered employee is
1115 in need of counseling or other assistance to resolve problems related to the abuse or misuse of
1116 alcohol or controlled substances, the covered employee shall submit to periodic testing as
1117 determined by the counselor, but in any case not less than six (6) tests in the first twelve months
1118 following the covered employee's return to duty.

1119 Referral To Counseling. Before any covered employee who violates any prohibitions set out
1120 in this Section is allowed to return to employment with the County the covered employee shall be
1121 evaluated by a substance abuse professional to determine what assistance, if any, is needed to assist
1122 the covered employee in resolving problems associated with abuse of alcohol or controlled
1123 substances. The County Administrator or designee shall assist the covered employee in locating a
1124 suitable substance abuse professional, and shall advise the covered employee of any resources
1125 available to resolve such issues. It shall be the responsibility of the covered employee to pay for any
1126 costs associated with the evaluation, or any recommended counseling or treatment. It shall be a
1127 condition for continued employment that the covered employee shall successfully comply with all
1128 recommendations for counseling or treatment recommended by the substance abuse professional.
1129 Any such counseling or treatment program shall include follow-up testing as provided above.
1130 Nothing in this paragraph shall obligate the County to offer continued employment to any covered
1131 employee who violates any of the prohibitions of this Section.

1132 Testing Procedures, Record Retention, and Confidentiality. The County Administrator shall
1133 promulgate procedures to ensure that all testing, record keeping and retention, and confidentiality
1134 of records, shall comply with the Act and the regulations of the Federal Department of

1135 Transportation promulgated thereunder as they may be amended from time to time.

1136 Penalties For Violations. Covered employees may be disciplined by the County for any
1137 violation of this Section, including without limitation the use or possession of alcohol or controlled
1138 substances on the job, the performance of safety sensitive functions or other job duties while under
1139 the influence of alcohol or controlled substances, the refusal to be tested in accordance with this
1140 Section, the refusal to execute a release form as required by this Section, or the refusal to comply
1141 with treatment or counseling as recommended by a substance abuse professional. All of the
1142 incidences cited above are cause for dismissal.

1143 Though paragraph (b) pertains to covered employees who must possess a Commercial
1144 Driver's License in order to perform their job duties or who are employed in related safety sensitive
1145 positions, it neither adds to nor detracts from paragraph (a) of this section which addresses the use
1146 of alcohol and controlled substances regardless of Commercial Driver's License or safety sensitive
1147 status.

1148 **Section 13-9: Harassment**

1149
1150 a. Policy Statement: Employees shall be treated with respect and courtesy. Abusing the
1151 dignity of others through derogatory or objectionable conduct will not be tolerated and is cause for
1152 disciplinary action. The County does not tolerate sexual or other types of harassment of its employees
1153 and will promptly initiate an investigation whenever a complaint is brought to the attention of
1154 management. Any employee who perceives the conduct of co-workers, supervisors, visitors,
1155 contractors, volunteers, customers and others entering the workplace to be harassing are expected
1156 to immediately inform the individual(s) that the conduct is unwelcomed and make a report through
1157 the complaint procedure outlined in this section.

1158 b. Sexual Harassment: Sexual harassment is an infringement of an employee's right to
1159 work in an environment free from sexual pressure of any kind. The determining factor as to
1160 whether or not an action or remark is offensive is if the recipient deems it to be so and if a

1161 reasonable person in similar circumstances would find it offensive.

1162 (1) Sexual harassment may consist of unwanted advances, requests for sexual
1163 favors, or other verbal/nonverbal or physical conduct of a sexual nature when submission to such
1164 conduct is made either explicitly or implicitly a term or condition of employment; using the
1165 submission to or rejection of, such conduct as the basis for decisions affecting the individual; or
1166 conduct which has the purpose or effect of unreasonably interfering with the individual's work,
1167 performance, or full participation in the benefits of employment, or creates an intimidating, hostile,
1168 or offensive environment for work.

1169 (2) Sexual harassment may take many forms and includes physical assault, subtle
1170 or overt pressure or direct requests for sexual favors, inappropriate display of sexually suggestive
1171 objects or pictures, a pattern of unwelcomed and unwanted conduct that would be offensive to a
1172 reasonable person including unnecessary touching, using sexually abusive language or gestures
1173 (including remarks about a person's clothing, body, or body movements, or sexual activities) and
1174 teasing and joking of a sexual nature.

1175 c. Enforcement: Enforcement of this policy is the responsibility of all employees.

1176 (1) Department Heads are to advise all employees that County policy prohibits all
1177 types of harassment and that complaints of such harassment should be brought to the attention of
1178 management. Department Heads must also advise all employees of this policy and the means by
1179 which complaints can be filed and resolved.

1181 (2) Department Heads are also to brief all supervisors on the problems of sexual
1182 harassment and their duty to take timely corrective action when they believe that such problems
1183 exist.

1184 (3) Prior to the initiation of an investigation and the imposition of
1185 remedial/disciplinary actions, the Department Head shall notify the designated personnel officer
1186 that a complaint has been received. The designated personnel officer will assist with the investigation

1187 of violations of this policy and handling any follow up necessary to ensure compliance.

1188 (4) Employees must report any known or suspected violations of this policy.

1189 (5) Impeding an investigation or otherwise covering up a violation is prohibited
1190
1191 conduct. Any employee who willfully fails or refuses to cooperate with the investigation of a
1192 harassment complaint shall also be the subject of a disciplinary action.

1193 (6) Employees bringing complaints or identifying potential violations, or
1194 witnesses interviewed during the investigation will be protected from retaliatory acts.

1195 (7) If a violation by a County employee is found, remedial/disciplinary action will
1196 be imposed on the offending employee(s).

1197 d. Complaint Procedure: Employees must initiate a complaint on any matter that is
1198 believed to be in violation of this policy.

1199 (1) Employees may report a violation or bring a complaint in person, by phone, or
1200 in writing. Any employee found, on investigation, to have brought a complaint in bad faith shall be
1201 subject to disciplinary action.

1202 (2) Employees may complain to their immediate supervisor, or in the event the
1203 immediate supervisor is the source of the complaint, to the next supervisor in the organizational
1204 chain of command. If preferred, employees may go outside the chain of command and complain to
1205 the designated personnel officer or any Department Head.

1206 (3) If the complaint is brought anonymously, the County will have the matter
1207 investigated but may be limited in its ability to investigate the matter fully.

1208 (4) The County reserves the right to have the matter investigated by persons
1209 external to the organization.

1210 e. Investigations and Confidentiality of Information: Complaints will be investigated
1211 promptly. Although absolute confidentiality cannot be legally guaranteed, to the extent possible, the
1212 complaint and information from witnesses will be kept confidential and the complainant and

witnesses will be protected from retaliatory action by a harasser.

(1) All employees are charged with maintaining confidentiality of information.

(2) If the complainant has not already confronted the accused, and name of the complainant must be revealed to the accused, the complainant will be informed prior to that communication.

(3) State and Federal law may require disclosure of information in certain circumstances.

(4) In the event that the County Administrator, or any elected official of the County, is the subject of the complaint, the investigating official shall be the Commonwealth's Attorney. The Commonwealth's Attorney shall provide a written report to the appropriate body or official authorized to discipline the offender and/or correct the behavior and/or take such other steps as the Commonwealth's Attorney deems necessary.

f. Rights of the Accused: An employee accused of violating this policy will be fully informed of the allegations and will be able to offer to management an explanation or defense to the charges prior to any report being prepared. If a violation should be found, the accused employee will be provided an opportunity to respond to the charges prior to the imposition of remedial/disciplinary action.

g. Retaliation Prohibited: Retaliation for reporting harassment is illegal and is contrary to this policy. Retaliation embraces more than just economic harm; it includes words and actions that are intimidating or hostile.

(1) If any employee who has made a complaint or has participated in an investigation believes they are being retaliated against for doing so, they should report it to their immediate supervisor, or in the event the immediate supervisor is the source of the complaint, to the next supervisor in the organizational chain of command. If preferred, employees may go outside the chain of command and complain to the designated personnel officer or any Department Head.

1242 (2) Those who are found to be acting in a retaliatory fashion will be disciplined for
1243 such conduct.
1244
1245

1246 h. Remedial Action: Appropriate disciplinary action will be taken against those who
1247 violate this policy. Such discipline will be consistent with the County's disciplinary policies. Remedial
1248 actions may also include participation in further training or counseling. Interim actions may be taken
1249 when there is a reasonable belief that the employee involved in the complaint may be adversely
1250 affected by the status quo. Interim actions may include, but are not limited to, internal transfers or
1251 the placement of the accused on leave until such time as the investigation is concluded.

1252 i. Questions: The designated personnel officer is available to discuss any concerns of
1253 employees or questions arising under this policy.

1254 j. Application and Distribution: This harassment policy shall apply to all officers and
1255 employees of the County including all those in the classified and unclassified service. A copy of this
1256 policy shall be distributed to all present employees of the County. Each such employee shall
1257 acknowledge his or her receipt in writing and such acknowledgement shall be kept on file. New
1258 employees of the County shall be furnished with a copy of this policy at the time of hire and they
1259 shall provide written acknowledgement of the receipt of same.

1260 **Section 13-9.1: Workplace Violence Prevention Policy**

1261 The County strives to maintain a safe and secure workplace. Accordingly, the County
1262 does not tolerate any acts or threats of violence in the workplace, whether involving a friend,
1263 acquaintance, stranger or family member. The County will not tolerate any acts or threats of
1264 stalking or domestic violence against any employee while on County property or while
1265 conducting the County's business. Employees who threaten, harass, or abuse anyone either at
1266 the workplace, or away from the workplace, while conducting the County's business and/or
1267 using any of the County's property, such as computers, telephones, facsimile machines, mail,
1268 vehicles, or other means, may be subject to disciplinary action up to and including discharge.
1269

1270 Employees who become aware of threats or acts of stalking or domestic violence that
1271 may occur or have occurred in the workplace must immediately inform their Department Head.
1272 In addition, employees with stalking or domestic violence Protective Orders must provide their
1273 Department Head with a copy of the Order. In response to possible threats, the Department
1274 Head will confer with the designated personnel office, and others as needed, to undertake an
1275 assessment of the risk and implement a safety response plan specific to the circumstances of
1276 the threat, implementing security options to minimize the risk. This plan will take into
1277 consideration the needs and rights of the targeted employee and others in the workplace,
1278 maintaining confidentiality when to do so would not interfere with safety needs.

1279 **Section 13-9.2: Safety Policy**

1280 It is the policy of the County to maintain a work place that is both safe and healthful for
1281 employees. Prevention of occupational-induced injuries and illnesses is of such consequence
1282 that it shall be given precedence over operating productivity, whenever necessary. No
1283 employee shall be required to work at a task that is not safe or healthful. Employees shall
1284 inform their supervisor immediately of any unsafe or unhealthful situation they encounter. It is
1285 the responsibility of every employee at every level of the organization to cooperate with others
1286 in detecting hazards and, in turn, controlling them.

1288 **Section 13-10: Americans with Disabilities Act**

1289 Procedures for filing complaints alleging discrimination on the basis of disability in the
1290 provision of County services are as follows:

- 1291
- 1292 a. The ~~County Administrator~~ *Human Resources Manager* is hereby designated as the
1293 County's Americans with Disabilities Act Coordinator (ADA Coordinator). The office address is 180
1294 Horse Landing Road, King William, Virginia 23086, and the telephone number is (804) 769-4927.
1295 The ADA Coordinator shall be responsible for coordinating the County's efforts to comply with 28
1296 C.F.R. Part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services.

1297 b. It is the policy of the County to comply fully with the requirements of the ADA
1298 applicable to local governments and that no qualified individual with a disability as defined in the
1299 ADA shall, on the basis of such disability, be excluded from participation in or be denied the benefits
1300 of the services, programs or activities of the County, or be subjected to discrimination by the County.

1301 c. This procedure is adopted pursuant to the requirements of 28 C.F.R. Section
1302 35.107(b), and is intended to provide for prompt and equitable resolution of complaints alleging any
1303 action by the County that is prohibited by the ADA.

1304 d. Persons who wish to complain of a perceived violation of any provision of the ADA
1305 are encouraged to contact the ADA Coordinator. The ADA Coordinator shall promptly investigate the
1306 complaint, and attempt to resolve it to the satisfaction of the complainant if determined to be well
1307 founded.

1308 e. If the ADA Coordinator is not able to resolve a complaint to the satisfaction of the
1309 complainant, the complainant may submit to the County Administrator a signed written complaint,
1310 containing the complainant's name and address and a description of the alleged discriminatory
1311 action in sufficient detail to describe the date and nature of the alleged violation.

1312 f. The County Administrator shall promptly investigate any written complaint, and, if
1313 unable to resolve the complaint to the complainant's satisfaction, shall schedule a meeting with the
1314 complainant within fifteen (15) days of receiving the complaint, at which meeting the complainant
1315 shall be accorded the opportunity to present evidence as to the nature of the complaint. A record of
1316 such meeting shall be maintained, and the County Administrator shall provide the complainant with
1317 a written response to the complaint within seven (7) days of the meeting. This response shall be final,
1318 but shall not impair the complainant's right to pursue other remedies, State or Federal.

1319 **Section 13-11: Use of Tobacco Products in Public Facilities and Vehicles**

1320 Smoking or use of tobacco products is not allowed in County owned or leased offices,
1321 buildings, or vehicles with the exception of the Courthouse facilities. The Courthouse comes under
1322

1323 the auspices of the Judge of the Circuit Court who establishes the smoking/tobacco use policy within
1324 the Courthouse. Tobacco products include but are not limited to cigarettes, cigars, e- cigarettes (vape
1325 pens), pipes, chewing tobacco and snuff.

1326 Persons less than eighteen years of age are strictly prohibited from using or possessing
1327 tobacco products while at work or on County premises.

1328 **Section 13-12: Political Activity**

1329 Every County employee is entitled to exercise the right to vote and may join or affiliate with
1330 civic organizations of a partisan or political nature, attend political meetings, advocate and support
1331 the principles and policies of civic or political organizations in accordance with Federal, State, and
1332 local laws.
1333

1334 No employee, may (1) engage in any political campaigning or electioneering while on duty;
1335 (2) be required to contribute to, solicit for, or act as a custodian of funds for political purposes; (3)
1336 be coerced or compelled to contribute by any other employee of the County for political purposes;
1337 or (4) use any County supplies, materials, equipment or facilities for political purposes or to aid a
1338 political candidate, party or cause.
1339

1340 **Section 13-13: Gifts and Gratuities**

1341 An employee is subject to disciplinary action if the employee accepts gifts or gratuities of
1342 value from any individual, organization or business concern with which they have official
1343 relationships in the business of County government. The provisions of the Virginia Conflict of
1344 Interest Act govern the acceptance of gifts and gratuities and County employees should familiarize
1345 themselves with the provisions of that Act. County related business trips paid for by others must
1346 receive prior approval of the Board of Supervisors. Although certain courtesy gifts of nominal value
1347 may be accepted under law, as a general rule employee should discourage any gifts whenever
1348 possible.
1349

1350 **Section 13-14: Outside Employment**

1352 A full-time position with King William County is considered to be the employee's primary
1353 occupation. Employees may not engage in other employment which presents a conflict of interest
1354 with their County position and/or which interferes with and detracts from the efficient and
1355 effective performance of their duties with the County. County employees should notify their
1356 department head if they are currently engaged or plan to become engaged in other or secondary
1357 employment as a courtesy. At no time should the secondary employment impact the employee's
1358 primary occupation with the County.

1359 **Section 13-15: Employment of Immediate Family Members/Nepotism**
1360

1361 It shall be the policy of the County to avoid relationships by blood or marriage among
1362 employees in positions which require a supervisory link in the organizational chain. Employment of
1363 immediate family members in the same department or division where the relationship, influence or
1364 physical location could create conflicts, difficulties or a supervisor - subordinate situation is
1365 prohibited. Any employment of immediate family members in the same department is subject to
1366 review and prior approval of the County Administrator.

1367 Immediate family members are defined as: spouse, parent, guardian, brother, sister, son,
1368 daughter, aunt, uncle, grandparent, grandchild, or any of these as a relationship in-law or as a step
1369 relation.

1370 This policy pertains to new hires, promotions, demotions, transfers and reinstatements.
1371

1372 **Section 13-16: Reference Inquiries**
1373

1374 Inquiries regarding employment reference checks, whether written or telephonic, are
1375 referred to the designated personnel office for response. It is the policy of the County to release only
1376 information which is in the public domain, i.e, classification title, salary, and dates of employment.
1377 Reasons for termination, and references as to character and performance are not to be released
1378 without written authorization from the subject of the information. Referring inquiries to the
1379 designated personnel officer assures proper application of policy in these matters and is

1380 recommended.

1381 **Section 13-17: Open Door Policy**

1382
1383 Employees have the opportunity to use the organization’s “chain of command” whenever
1384 they desire to raise job related concerns to higher levels of supervision. The issue must first be
1385 discussed with the immediate supervisor. If the issue cannot be resolved, the employee has the right
1386 to discuss the concern with the next level of supervision. Until a resolution can be found, the
1387 employee may continue up the organizational chain, talking eventually with the Department Head,
1388 and finally the County Administrator. No adverse effect on the employee shall result from the use of
1389 this prerogative. If the employee has filed a formal grievance, this process is not available and the
1390 use of this process shall not toll the time periods within which a grievance must be filed.

1391 Normally, both the employee and a supervisor will be present when discussing the issue with
1392 a higher level of supervision or management. If the job-related issue happens to involve the actual
1393 person in the employee's chain of command, the employee has the right after attempting to resolve
1394 the issue with the supervisor involved, to seek a solution through the organizational command.

1395 **Section 13-18: Confidential Information**

1396
1397 An employee may not make use of or permit others to make use of confidential information
1398 acquired by virtue of employment with the County for the purpose of furthering the employee's or
1399 another’s private interest. To do so is grounds for dismissal.

1400 **Section 13-19: Travel and Expense Reimbursement Policy**

1401
1402 Travel funds, when approved in the annual budget, are provided for employees who travel
1403 on official County business. The County Administrator approves such travel for Department Heads.
1404 Constitutional Offices may elect to deviate from this section in the use of personal vehicles versus
1405 County fleet vehicles and reimbursement rates for their employees. Department Heads are delegated
1406 the authority to approve travel for assigned employees. While specific determinations will be made
1407 by the applicable approving authority, expenditures to be paid for by the County shall be in

1408 connection with travel or official business to an area where the employee incurs costs that he or she
1409 would not normally incur had the travel or business not taken place. There will be no travel advances
1410 unless unusual circumstances exist and such advances are approved, prior to being made, by the
1411 County Administrator.

1412 Other business-related expenses may be reimbursed with the approval of the Department
1413 Head or County Administrator as appropriate.

1414 Requests for reimbursements for expenses are made on a voucher which itemizes all
1415 expenses and includes all appropriate receipts. The voucher is submitted as soon as practical but no
1416 later than thirty (30) days after completion of the travel. Reimbursement for such expenses will
1417 normally be made within two (2) weeks of submission of the voucher. The employee certifies to the
1418 accuracy of the expenses by submission of the voucher. The Finance Office validates travel vouchers
1419 and establishes internal procedures to assure proper accounting and control of reimbursement
1420 payments.

1421 The County maintains a fleet available for travel for County employees. When traveling, the
1422 employee must first attempt to obtain a fleet vehicle. If no fleet vehicle is available then the employee
1423 may elect to drive their personal vehicle. If an employee elects to drive their personal vehicle when
1424 a fleet vehicle is available the County will reimburse at the lower rate of \$0.246 per mile.
1425 Reimbursement for mileage will be calculated from the employee's routine place of business to the
1426 destination using a site such as MapQuest or Google Maps, whichever reflects the lower mileage.

1427 https://www.doa.virginia.gov/reference/CAPP/CAPP_Topics_Cardinal/20335-2019-July.pdf
1428

1429 **Section 13-20: Membership in Professional Organizations**

1430 When approved by the County Administrator or Department Head, as appropriate, and
1431 subject to budget constraints, the County will pay the professional dues for membership in job-
1432 related associations, travel expenses, and registration fees required for attendance at annual
1433 meetings, training sessions or similar gatherings of appropriate professional associations.
1434

1435 **Section 13-21: Personal Appearance**

1436
1437 A neat professional appearance – business casual - is a requirement of employment and it is
1438 expected that all employees will exercise good judgment and dress appropriately for their jobs.
1439 Department Heads are responsible for compliance within their departments.

1440 **Section 13-22: Solicitations**

1441
1442 The solicitation of County employees on County property other than for participation in b-
1443 ona fide benefit programs offered by the employer or when specifically, authorized by the County
1444 Administrator is prohibited.

1445 **Section 13-23: Special Licensing Requirements**

1446
1447 When required as a condition of employment, any licenses or certifications required for
1448 County positions are identified as a licensing requirement of work in the official position classifica-
1449 tion description.

1450 **Section 13-24: Weapons Possession**

1451
1452 Other than the Sheriff, Sheriff's deputies and officers, Animal Control Officers, and any other
1453 County employee whose official job description requires that a weapon be carried, no County
1454 employee shall carry about his or her person any weapon during work hours or while on County
1455 property, unless the carrying of such weapon is approved in writing by the County Administrator. In
1456 addition, other than the aforementioned positions, no employee shall store any weapons on County
1457 property including weapons stored in private vehicles, unless such storage is specifically authorized
1458 by state law or is approved in writing by the County Administrator.

1459 The term weapon shall include, but not be limited to, the following: (a) any pistol, revolver,
1460 rifle, shotgun, or other weapon designed or intended to propel a missile of any kind, or (b) dirk,
1461 bowie knife, switchblade knife, ballistic knife, slingshot, spring stick, metal knucks, blackjack, or (c)
1462 any flailing instrument consisting of two (2) or more rigid parts connected in such a manner as to
1463 allow them to spring freely, which instrument may also be known as a nunchuck, nunchucks,

nunchalcu, shuriken or fighting chains or (d) any disc, of whatever configuration, having at least two (2) points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or (e) any weapon of like kind as those enumerated.

Section 13-25: Use of County Vehicles

County vehicles are provided for the use by employees and authorized volunteers in conducting official business of the County. Personal use of County vehicles is prohibited. Certain employees are required or allowed to take a County vehicle home at night, as they are required to respond to the needs of the County outside of normal business hours. Take home vehicles must be approved by the County Administrator who shall maintain a current record of all authorized take home vehicles. Take home vehicles are not to be driven to secondary employment.

Operators of County vehicles should practice “defensive driving” and anticipate and observe the actions of other drivers and control their own vehicle in such a manner so as to avoid an accident. Operators of County vehicles and all passengers therein shall properly use seatbelts at all times. Injury resulting from a failure to wear seatbelts may constitute gross negligence on the part of the individual and upon case review may jeopardize an employee’s eligibility for relief normally provided under the worker’s compensation or disability claims. Smoking is not permitted in County vehicles.

Section 13-26: Bidding to Purchase County Property

No County employee or member of his/her immediate family shall be eligible to bid to purchase any County property at County sponsored auctions. For the purpose of this policy, a member of the immediate family shall be defined as any person who is a natural or legally defined offspring, spouse, or parent of the employee.

Section 13-27: Electronic Communication and Social Media

It is the policy of the County to ensure the appropriate, responsible, and safe use of electronic communications and social media by employees. This policy establishes minimum standards for

1492 all County employees.

1493 Employee Responsibilities and Requirements

1494
1495 A. Business Use

1496 County provided electronic communications tools are the property of King William
1497
1498 County and are provided to facilitate the effective and efficient conduct of governmental
1499 business. Users are permitted access to the Internet and electronic communications tools
1500 to assist in the performance of their jobs. Some users may also be permitted to access and
1501 use social media to conduct County business.

1502 B. Personal Use

1503 Personal use means use that it is not job-related. In general, incidental and occasional
1504 personal use of King William County's electronic communications tools including the
1505 Internet is permitted as long as the personal use does not interfere with the user's
1506 productivity or work performance, does not interfere with any other employee's
1507 productivity or work performance, and does not adversely affect the efficient operation
1508 of the County's systems and networks. Personal use of social media that refers to any
1509 aspect of the work environment should be done in a responsible and professional
1510 manner. *All personnel are advised that content posted, on-duty or off-duty, on social media
1511 pursuant to their official duties is not protected by the First Amendment and may result in
1512 disciplinary action up to and including termination.*

1514
1515 C. User Requirements

1516 1. General Requirements

1517 When using electronic communications tools and social media, users should:

- 1518 • Be responsible and professional in their activities. Employees should conduct
1519 themselves in a manner that supports the County's mission and the performance
1520
1521
1522

1523 of their duties.

- 1524 • Exercise the appropriate care to protect the County’s electronic communications
1525 tools against the introduction of viruses, spyware, malware, or other harmful
1526 attacks. When using the County’s electronic communications tools, social media
1527 or Internet access, employees must:
 - 1528 • Use the Internet, electronic communications tools and social media only in
1529 accordance with County policy;
 - 1530 • Maintain the conditions of security (including safeguarding of passwords) under
1531 which they are granted access to such media;
 - 1532 • Check with the appropriate County or contracted staff prior to downloading or
1533 accessing a file or document if the source of the file or other circumstances raises
1534 doubts about its safety.
 - 1535 • Be respectful of the County, other employees, customers, vendors, and others
1536 when posting and communicating information. Users should be sensitive to
1537 referring to or including others in their communications and posts and should be
1538 aware of any associated potential liabilities. Users may desire to obtain consent
1539 prior to communicating or posting information about the work place.

1540
1541 2. Business Use Requirements

1542 When using electronic communications tools and social media, users should:

- 1543 • Use their accurate identities and state their affiliation when using electronic
1544 communications or social media for business purposes.
- 1545 • Ensure the security of sensitive or confidential information when communicating
1546 electronically or posting the information on internal or external websites including
1547 social media.

- 1550 • Ensure information is accurate prior to posting on social media sites, County
1551 websites, or other electronic media sites. If it is discovered that information is
1552 inaccurate after posting, users should work to quickly correct the errors.

1553
1554 3. Personal Use Requirements

1555 *Personnel are free to express themselves as private citizens on social media sites to the*
1556 *degree that their speech does not impair working relationships in the community, impede*
1557 *performance of duties, or negatively affect the public perception of King William County*
1558 *personnel.* When using electronic communications and social media, users should:

- 1560 • Be clear that their communication or posting is personal and is not a
1561 communication of the County when using electronic communications or social
1562 media for personal use, including personal use of social media outside of the work
1563 environment. For example:

- 1565 • Users should use their personal email addresses and not those related to their
1566 positions with the County when communicating or posting information for
1567 personal use.
- 1568 • Users may use a disclaimer when posting opinions or views for personal use such
1569 as, “The views expressed on this (website, blog, social media site) are my own and
1570 do not reflect the views of my employer King William County.” when appropriate
1571 to ensure these views are not viewed as official County communications.

1572
1573 D. Prohibited Activities

1574 Certain activities are prohibited when using the County’s Internet and electronic
1575 communications media or using social media in reference to the work environment.
1576 Employees who engage in prohibited activities may be subject to disciplinary action
1577 according to Section 10-3: Reasons for Disciplinary Measures. Investigative activities
1578 performed by personnel within the Sheriff’s Office, Commonwealth’s Attorney Office,
1579

1580 Clerk of the Courts, Commissioner of Revenue’s Office, Treasurer’s Office and General
1581 Registrar Office are excluded from this section.

1582 Prohibited activities include, but are not limited to:

- 1583 • Any use that is in violation of applicable local, state, and federal law.
- 1584 • Accessing, uploading, downloading, transmitting, printing, posting, or storing
- 1585 information with sexually explicit content as prohibited by law (see Code of Virginia
- 1586 §2.2-2827).
- 1587 • Accessing, uploading, downloading, transmitting, printing, posting, or storing
- 1588 fraudulent, threatening, obscene, intimidating, defamatory, harassing, discriminatory, or
- 1589 otherwise unlawful messages or images.
- 1590 • Accessing, uploading, downloading, transmitting, printing, communicating, or posting
- 1591 access-restricted County information, proprietary County information, sensitive data or
- 1592 records, or copyrighted materials.
- 1593 • Using proprietary County information, data or records, and social media to locate
- 1594 customers for personal reasons.
- 1595 • Posting information or sending electronic communications such as email using
- 1596 another’s identity.
- 1597 • Permitting a non-user to use for purposes of communicating the message of some third-
- 1598 party individual or organization.
- 1599 • Posting photos, videos, or audio recordings taken in the work environment without
- 1600 written consent.
- 1601 • Using County logos without written consent.
- 1602 • Texting, emailing, or using hand-held electronic communications devices while
- 1603 operating a County vehicle.
- 1604
- 1605
- 1606

1609 King William County has the following responsibilities and requirements related to this policy.
1610

1611 A. Monitor Usage
1612

1613 No user shall have any expectation of privacy in any message, file, image or data created,
1614 sent, retrieved, received, or posted in the use of the County's equipment and/or access.
1615 King William County has a right to monitor any and all aspects of electronic
1616 communications and social media usage. Such monitoring may occur at any time,
1617 without notice, and without the user's permission. In addition, except for exemptions
1618 under the Act, electronic records may be subject to the Freedom of Information Act
1619 (FOIA) and, therefore, available for public distribution.
1620

1621 Constitutional Offices are exempt from the requirement of County monitoring of usage. It
1622 is the responsibility of the Constitutional Officer to monitor the usage of employees
1623 within their own offices. In addition, requests for information to Constitutional Offices
1624 under the Freedom of Information Act (FOIA) must be submitted directly to the
1625 Constitutional Officer or their designated contact.
1626

1627 B. Communication
1628

1629 King William County is responsible for ensuring employees have access to, read,
1630 understand, and acknowledge this policy and any related policies. With regard to use of
1631 electronic communications and social media, King William County is responsible for:

- 1632 • Communicating this policy to current and new users.
- 1633 • Retaining electronic records in accordance with the retention requirements of the
1634 Library of Virginia.
1635

1636
1637 C. Address Violations
1638

1639 Violations of this policy must be addressed under Section 10-3, Reason for Disciplinary
1640 Measures. The appropriate level of disciplinary action will be determined on a case-by-
1641 case basis by the County Administrator or Department Head, with sanctions up to or
1642 including termination depending on the severity of the offense, consistent with Chapter
1643 10: Disciplinary Policy.

1644

AGENDA ITEM 9.d.
No attachment

AGENDA ITEM 10.

New Business

None

AGENDA ITEM 11.a.



King William County
Est. 1702

Board of Supervisors

County Administrator

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

Date: February 24, 2020
To: King William County Board of Supervisors
From: Bobbie Tassinari, County Administrator
RE: FY2020 Mid-Year Actuals vs. Appropriated

SUMMARY

The mid-year appropriated versus actuals for fiscal year 2020 are attached for your review. As of February 17, 2020, revenue collections are 63% of the projected annual level.

Overall expenditures are at 65.8% of the projected annual level. The percentage reflects the initial and quarterly payments transferred to outside agencies, regional partners and the KWCPs. As revenue is collected these percentage differences will better align with revenue collections.

Budget Amendments identified within the report include:

- Resolution 19-60 rolling funds forward to FY20 to help offset the increased costs associated with new legal counsel.
- Resolution 19-61 rolling funds forward to FY20 for the EDA to utilize in starting up a grant incentive program.
- Resolution 20-04 approving the use of General Fund Unassigned funds to support three (3) new Fire Medic positions within the Fire and Emergency Medical Services Department.

ATTACHMENTS

- FY2020 General Fund Revenue to Date
- FY2020 General Fund Expenditures to Date
- FY2020 Other Funds Revenue to Date
- FY2020 Other Funds Expenditures to Date



King William County
Est. 1702

Board of Supervisors

County Administrator

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
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Edwin H. Moren, Jr., Fifth District

GENERAL FUND REVENUE CATEGORY	FY2020 REVENUE APPROPRIATED AMOUNT	Y-T-D REVENUE COLLECTED	APPROPRIATED VS ACTUAL REVENUE DIFFERENCE
Real Property Taxes	\$12,382,831.00	\$5,882,505.00	\$6,500,326.00
Public Service Corp. Tax	\$440,000.00	\$402,654.00	\$37,346.00
Personal Property Tax	\$3,628,410.00	\$3,384,403.00	\$244,007.00
Machinery & Tools Tax	\$1,716,819.00	\$1,893,465.00	-\$176,646.00
P & I on Taxes	\$306,000.00	\$190,476.00	\$115,524.00
Other Local Taxes	\$1,347,820.00	\$801,289.00	\$546,531.00
Consumer's Utility Tax	\$220,000.00	\$139,935.00	\$80,065.00
Utility Gross Receipts	\$70,000.00	\$26,362.00	\$43,638.00
BPOL Tax	\$375,000.00	\$75,717.00	\$299,283.00
Motor Vehicle License Tax	\$415,000.00	\$368,993.00	\$46,007.00
Bank Stock Tax	\$104,000.00	\$0.00	\$104,000.00
Recordation & Wills Tax	\$205,000.00	\$195,756.00	\$9,244.00
Food & Beverage Tax	\$420,000.00	\$253,542.00	\$166,458.00
Animal Licenses	\$5,750.00	\$3,775.00	\$1,975.00
Land Use Fees	\$20,000.00	\$41,829.00	-\$21,829.00
Transfer Fees	\$500.00	\$492.00	\$8.00
Permit & Other Licenses	\$294,500.00	\$242,743.00	\$51,757.00
Fines & Forfeitures	\$80,500.00	\$43,450.00	\$37,050.00
Bank Interest	\$75,000.00	\$87,320.00	-\$12,320.00
Rev. From the Use of Property	\$50,000.00	\$36,556.00	\$13,444.00
Court Costs	\$18,900.00	\$2,419.00	\$16,481.00
Commonwealth Atty Fees	\$1,250.00	\$833.00	\$417.00
Charges for Law Enforcement	\$300.00	\$244.00	\$56.00
Charges Comm. Dev.	\$750.00	\$355.00	\$395.00
Prior Yr Exp. Refunds	\$0.00	\$0.00	\$0.00
Local Rev. Agreements	\$3,500.00	\$2,552.00	\$948.00
Local Rev. Agreements - Other	\$400.00	\$16,225.00	-\$15,825.00
Recovered Costs	\$44,800.00	\$3,586.00	\$41,214.00
Non-Categorical Aid	\$1,570,331.00	\$1,323,725.00	\$246,606.00
Constitutional Officers	\$1,340,085.00	\$632,074.00	\$708,011.00
Other Categorical Aid	\$127,300.00	\$82,736.00	\$44,564.00
Public Safety	\$50,000.00	\$34,244.00	\$15,756.00
Fund Transfers	\$260,391.00	\$0.00	\$260,391.00
SUB-TOTAL	\$25,575,137.00	\$16,170,255.00	\$9,404,882.00
FY2020 SUPPLEMENTAL FUNDING	\$93,159.88	\$0.00	\$93,159.88
TOTAL	\$25,668,296.88	\$16,170,255.00	\$9,498,041.88

180 Horse Landing Road #4 • King William, Virginia 23086
804-769-4927 • fax: 804-769-4964
www.kingwilliamcounty.us



King William County
Est. 1702

Board of Supervisors

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GENERAL FUND EXPENDITURE CATEGORY	FY2020 EXPENSE		APPROPRIATED VS
	APPROPRIATED AMOUNT	Y-T-D EXPENDITURES	ACTUAL EXPENDITURES DIFFERENCE
General/Financial Administration	\$ 1,580,185.00	\$ 1,001,426.18	\$ 578,758.82
Board of Elections	\$ 190,923.00	\$ 87,832.63	\$ 103,090.37
Courts	\$ 353,909.00	\$ 172,765.77	\$ 181,143.23
Commonwealth's Attorney	\$ 336,925.00	\$ 182,942.17	\$ 153,982.83
Law Enforcement	\$ 2,775,946.00	\$ 1,510,861.09	\$ 1,265,084.91
Fire and Rescue Services	\$ 1,286,302.00	\$ 1,006,010.13	\$ 280,291.87
Correction and Detention	\$ 991,535.00	\$ 671,748.06	\$ 319,786.94
Inspections	\$ 187,571.00	\$ 104,301.27	\$ 83,269.73
Other Protection	\$ 142,080.00	\$ 29,921.47	\$ 112,158.53
Sanitation and Waste Removal	\$ 884,681.00	\$ 647,720.89	\$ 236,960.11
Maintenance/Building/Grounds	\$ 716,623.00	\$ 456,904.09	\$ 259,718.91
Health and Special Needs	\$ 183,007.00	\$ 148,007.00	\$ 35,000.00
Community Aid	\$ 758,312.00	\$ 408,449.94	\$ 349,862.06
Planning and Community Development	\$ 571,881.00	\$ 341,195.73	\$ 230,685.27
Environmental Management	\$ 46,936.00	\$ 14,706.36	\$ 32,229.64
Miscellaneous	\$ 710,193.00	\$ 342,703.56	\$ 367,489.44
Clearing Accounts	\$ -	\$ -	\$ -
Transfers	\$ 13,858,128.00	\$ 9,708,553.05	\$ 4,149,574.95
SUB-TOTAL	\$ 25,575,137.00	\$ 16,836,049.39	\$ 8,739,087.61
FY2020 SUPPLEMENTAL FUNDING	\$ 30,471.88	\$ -	\$ 30,471.88
TOTAL	\$ 25,605,608.88	\$ 16,836,049.39	\$ 8,769,559.49



King William County
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<u>OTHER FUNDS - REVENUE:</u>			
REVENUE CATEOGRY <u>OTHER FUNDS</u>	FY2020 REVENUE APPROPRIATED AMOUNT	Y-T-D REVENUE COLLECTED	APPROPRIATED VS ACTUAL REVENUE DIFFERENCE
School Reserve Fund - 190	\$200,000.00	\$0.00	\$200,000.00
Virginia Public Assistance (Social Services) - 201	\$1,390,972.00	\$587,417.00	\$803,555.00
Regional Animal Shelter - 204	\$309,638.00	\$253,950.00	\$55,688.00
School Operating Fund - 205	\$26,670,406.00	\$17,418,219.00	\$9,252,187.00
School Textbook Fund - 206	\$360,000.00	\$92,381.00	\$267,619.00
School Cafeteria Fund - 207	\$939,430.00	\$520,858.00	\$418,572.00
Forfeiture Asset Revenue - Sheriff's Office - 208	\$5,000.00	\$697.00	\$4,303.00
Forfeiture Asset Revenue - Commonwealth Attorney's Office - 209	\$1,000.00	\$0.00	\$1,000.00
Four-For-Life - 210	\$18,000.00	\$0.00	\$18,000.00
Fire Programs - 211	\$39,000.00	\$25.00	\$38,975.00
Victim Witness Program - 213	\$128,399.00	\$46,910.00	\$81,489.00
Childrens Services Act - 220	\$1,398,362.00	\$483,531.00	\$914,831.00
Employee Recognition Fund - 221	\$2,000.00	\$5,542.00	-\$3,542.00
Leave Pay Out Fund - 222	\$30,000.00	\$2,241.00	\$27,759.00
Emergency Management Services Billing Fund - 240	\$300,000.00	\$103,006.00	\$196,994.00
Cash Proffer Fund - 305	\$435,500.00	\$513,551.00	-\$78,051.00
Capital Improvement Plan Fund - 310	\$2,243,450.00	\$1,520,801.00	\$722,649.00
School Capital Improvement Plan Fund - 315	\$2,140,690.00	\$0.00	\$2,140,690.00
Debt Service Fund - 401	\$2,340,690.00	\$2,371,936.00	-\$31,246.00
Water Fund - 501	\$550,000.00	\$349,673.00	\$200,327.00
Sewer Fund - 502	\$175,000.00	\$235,380.00	-\$60,380.00
Parks and Recreation Fund - 503	\$284,408.00	\$151,936.00	\$132,472.00
School Health Insurance Fund - 606	\$3,426,000.00	\$2,091,509.00	\$1,334,491.00
School Regional Alternative Education Fund - 705	\$516,224.00	\$94,918.00	\$421,306.00
School Regional Adult Education Fund - 710	\$252,110.00	\$190,873.00	\$61,237.00
State Sales Tax Fund - 734	\$2,885,361.00	\$1,623,079.00	\$1,262,282.00
VJCCCA Fund - 737	\$186,249.00	\$103,122.00	\$83,127.00
Project Life Saver Fund - 790	\$5,500.00	\$1,200.00	\$4,300.00
DARE Fund - 791	\$900.00	\$1,987.00	-\$1,087.00
Sheriff's Donation Fund - 792	\$1,250.00	\$1,010.00	\$240.00
Fire & EMS Donation Fund - 793	\$1,000.00	\$0.00	\$1,000.00
Horse Rescue Fund - 794	\$0.00	\$2,707.00	-\$2,707.00
SUB-TOTAL	\$47,236,539.00	\$28,768,459.00	\$18,468,080.00
FY2020 AMENDMENT TO FUNDING	\$0.00	\$0.00	\$0.00
TOTAL - OTHER FUNDS	\$47,236,539.00	\$28,768,459.00	\$18,468,080.00



King William County
Est. 1702

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Edwin H. Moren, Jr., Fifth District

<u>OTHER FUNDS - EXPENDITURES:</u>			
EXPENDITURE CATEOGRY OTHER FUNDS	FY2020 EXPENSE APPROPRIATED	Y-T-D EXPENSE	APPROPRIATED VS ACTUAL EXPENSE DIFFERENCE
School Reserve Fund - 190	\$200,000.00	\$0.00	\$200,000.00
Virginia Public Assistance (Social Services) - 201	\$1,390,972.00	\$714,663.00	\$676,309.00
Regional Animal Shelter - 204	\$309,638.00	\$190,587.00	\$119,051.00
School Operating Fund - 205	\$26,670,406.00	\$13,582,805.00	\$13,087,601.00
School Textbook Fund - 206	\$360,000.00	\$309,463.00	\$50,537.00
School Cafeteria Fund - 207	\$939,430.00	\$557,511.00	\$381,919.00
Forfeiture Asset Revenue - Sheriff's Office - 208	\$5,000.00	\$0.00	\$5,000.00
Forfeiture Asset Revenue - Commonwealth Attorney's Office - 209	\$1,000.00	\$0.00	\$1,000.00
Four-For-Life - 210	\$18,000.00	\$3,240.00	\$14,760.00
Fire Programs - 211	\$39,000.00	\$20,157.00	\$18,843.00
Victim Witness Program - 213	\$128,399.00	\$52,078.00	\$76,321.00
Childrens Services Act - 220	\$1,398,362.00	\$453,660.00	\$944,702.00
Employee Recognition Fund - 221	\$2,000.00	\$1,457.00	\$543.00
Leave Pay Out Fund - 222	\$30,000.00	\$20,540.00	\$9,460.00
Emergency Management Services Billing Fund - 240	\$300,000.00	\$72,846.00	\$227,154.00
Cash Proffer Fund - 305	\$435,500.00	\$500,554.00	-\$65,054.00
Capital Improvement Plan Fund - 310	\$2,243,450.00	\$374,855.00	\$1,868,595.00
School Capital Improvement Plan Fund - 315	\$2,140,690.00	\$2,330,273.00	-\$189,583.00
Debt Service Fund - 401	\$2,340,690.00	\$2,306,193.00	\$34,497.00
Water Fund - 501	\$550,000.00	\$173,956.00	\$376,044.00
Sewer Fund - 502	\$175,000.00	\$19,100.00	\$155,900.00
Parks and Recreation Fund - 503	\$284,408.00	\$184,460.00	\$99,948.00
School Health Insurance Fund - 606	\$3,426,000.00	\$2,750,004.00	\$675,996.00
School Regional Alternative Education Fund - 705	\$516,224.00	\$184,274.00	\$331,950.00
School Regional Adult Education Fund - 710	\$252,110.00	\$143,675.00	\$108,435.00
State Sales Tax Fund - 734	\$2,885,361.00	\$1,434,782.00	\$1,450,579.00
VJCCCA Fund - 737	\$186,249.00	\$92,855.00	\$93,394.00
Project Life Saver Fund - 790	\$5,500.00	\$1,046.00	\$4,454.00
DARE Fund - 791	\$900.00	\$0.00	\$900.00
Sheriff's Donation Fund - 792	\$1,250.00	\$285.00	\$965.00
Fire & EMS Donation Fund - 793	\$1,000.00	\$0.00	\$1,000.00
Horse Rescue Fund - 794	\$0.00	\$2,100.00	-\$2,100.00
SUB-TOTAL	\$47,236,539.00	\$26,477,419.00	\$20,759,120.00
FY2020 AMENDMENT TO FUNDING	\$0.00	\$0.00	\$0.00
TOTAL - OTHER FUNDS	\$47,236,539.00	\$26,477,419.00	\$20,759,120.00



COMMISSIONERS

Essex County
Hon. Edwin E. Smith, Jr.
Hon. John C. Magruder
Mr. Don Blanton
Mr. Michael A. Lombardo

Town of Tappahannock
Hon. Roy M. Gladding

Gloucester County
Hon. Ashley C. Chriscoe
(Vice-Chairman)
Hon. Michael R.
Winebarger
Dr. William G. Reay
Mr. J. Brent Fedors

King and Queen County
Hon. Sherrin C. Alsop
Hon. R. F. Bailey
Mr. Thomas J.
Swartzwelder
(Chairman)

King William County
Hon. Ed Moren, Jr.
Hon. Travis J. Moskalski
(Treasurer)
Vacant

Town of West Point
Hon. James Pruett

Mathews County
Hon. Michael C. Rowe
Hon. Melissa Mason
Mr. Thornton Hill

Middlesex County
Hon. Wayne H. Jessie, Sr.
Hon. Reggie Williams, Sr.
Mr. Gordon E. White
Mr. Matthew L. Walker

Town of Urbanna
Hon. Diane Gravatt
Ms. Holly Gailey

Secretary/Director
Mr. Lewis L. Lawrence

**TO: Middle Peninsula County Administrators and Town Managers
Assistant Co. Administrators and Assistant Town Managers
County Board of Supervisors
Town Council Members
MPPDC Board of Commissioners
Planning Directors
Economic Development Authority Members**

FROM: Lewie Lawrence, MPPDC Executive Director

DATE: January 28, 2020

RE: Synopsis of MPPDC Meeting of January 22, 2020

In an effort to bring broader awareness to the work of the Middle Peninsula Planning District Commission to all elected officials and locality administrators and to alert you as to items that may require local participation or input, after each monthly meeting MPPDC staff will transmit a quick update on items discussed at the PDC meeting.

We hope this is of benefit to you. Please do not hesitate to contact me or my staff if you have any questions or want more information on any of the topics discussed.

Thank you.

Attachment

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***Middle Peninsula Planning District Commission
Meeting***

7:00 P.M.

Wednesday, January 22, 2020

125 Bowden Street

Saluda VA 23149

- I. Welcome and Introductions
- II. Approval of November Minutes (December was joint holiday meeting; no action was taken)
- III. Approval of November and December Financial Report
- IV. Executive Director's Report on Staff Activities for the Months of December and January
- V. MPCBPAA Update
MPCBPAA Chairman, Melinda Conner reported the PAA met with Draper Aden last week to discuss Captain Sinclair's Recreation Area's Nutrient Bank and the challenges that will be faced. Also discussed was the use of MPCBPAA sites for dredge spoils. The MPCBPAA will meet again in February.
- VI. MPA Update
Travis Moskalski, MPA Chairman reported the MPA hosted a ThanksPartners event on November 18th at Rappahannock Oyster in Richmond. The event was well attended with over 100 guests in attendance including VEDP staff and Virginia Secretary of Commerce and Trade, Brian Ball. The December meeting was a joint holiday dinner involving the MPPDC, MPCBPAA, MPA Board members and guests. Over 60 people were in attendance with Virginia Secretary of Commerce and Trade, Brian Ball as the guest speaker. The first Advisory Board meeting was held this month as the MPA moves into a new phase. Chairman Moskalski stated he and his fellow board members are excited about the year to come and thanked everyone for their continued support.
- VII. MPPDC Public Relations/Communications Update
Stephanie Heinatz, Consociate Media reported Consociate staff continues to work on press outreach while looking at social channels to promote events at the regional level. Work continues on "Fight the Flood" and Eco-Tourism III projects. Ms. Heinatz recommended the MPPDC website be revamped and would like the Commission to consider this need when the new budget is adopted.

- VIII. Public Comment
None

AGENDA ITEMS FOR DISCUSSION

IX. General Assembly Update

MPPDC Executive Director, Lewie Lawrence directed the Commission's attention to the Legislative Report from Robert Crockett, Advantus Strategies in their meeting packet. Over 2600 bills have been presented at the General Assembly during its first full week. The legislature will have until March 8th to address all legislation, including the Governor's proposed budget. The next critical date for the legislature is "Crossover Day", the last day for a bill to pass out of the chamber in which it was introduced and move forward for consideration in the opposite chamber, when each Chamber must deal with legislation introduced in its chamber. Crossover is February 11th. The Chair of the House of 'Ag' committee is Del. Ken Plum, a long-time member of the House of Delegates who represents part of Fairfax County. Many of the bills of interest to the Middle Peninsula have been referred to the Chesapeake subcommittee, which is chaired by Del. Alfonso Lopez, who represents part of Fairfax and the city of Arlington. Key members of the Chesapeake subcommittee include Del. David Bulova (D), of Fairfax; Del. Nancy Guy, a freshman Democrat from Virginia Beach; Del. Shelly Simonds, a freshman Democrat from Newport News; Del. Margaret Ransome of the Northern Neck; and Del. Rob Bloxom of the Eastern Shore. Advantus' presence to educate this subcommittee is important here. MPPDC Deputy Director, Curt Smith gave a PowerPoint presentation with an overview of the 2020 General Assembly. Prior to the January 17th deadline 3,118 bills were filed. Advantus is focusing on top priority legislation including HB1675 Siting of Solar Energy Facilities. MPPDC staff are monitoring bills via Richmond Sunlight Photosynthesis tool <https://www.richmondsunlight.com/bills/>. There are many more bills introduced this session that would work in favor of rural communities and fewer bills introduced that present challenges for rural communities compared to recent sessions. This session, there are 34 solar/alternative energy bills and 220 bills related to relevant topics including transportation, coastal resilience/recurrent flooding, environmental health, stormwater, local government matters, etc.

X. Commissioner Priorities

MPPDC Executive Director, Lewie Lawrence drew the Commission's attention to the Commissioner's Priorities document included in the meeting packet. The MPPDC Overall Program Design/Budget Committee uses the Commissioner's Priority sheets to help shape the work program for the upcoming year. Commissioners were asked to share their thoughts concerning services or policy issues they would like for the OPD Committee to consider when designing MPPDC's FY2021 work program. The Commissioner's Priorities sheet will also be sent to all local Government Administrators to be returned to MPPDC Staff on or before February 25th.

XI. Adoption of 2020 MPPDC Meeting Schedule

MPPDC Executive Director, Lewie Lawrence provided the Commission with a draft of the CY2020 MPPDC Meeting Schedule. The Commission will meet on the 4th Wednesday of each month except for November and December when it will meet on the 3rd Wednesday. There will be no meeting in August. Meetings will be held at the Regional Board Room in Saluda. The CY2020 Annual Meeting Schedule was approved as presented.

XII. Committee Appointments

OPD & Budget Committee

Chairman Swartzwelder appointed representatives to the OPD & Budget Committee. The Commission approved the appointments made by Chairman Swartzwelder to the OPD & Budget Committee. The following Board members were appointed:

Travis Moskalski – King William County
Holly Gailey – Town of Urbanna
Dr. Willy Reay – Gloucester County
Jamie Pruett – Town of West Point

Nominating Committee

Chairman Swartzwelder appointed representatives to the Nominating Committee. The Commission approved the appointments made by Chairman Swartzwelder to the Nominating Committee. The following Board members were appointed:

Ashley Chriscoe – Gloucester County
Wayne Jessie – Middlesex County
John Magruder – Essex County
Mike Rowe – Mathews County

XIII. Other Business

Chairman Swartzwelder drew the Commission's attention to a Resolution in Support of Local Option Sales Tax Legislation from Gloucester County. Mr. Swartzwelder briefed the Commission and requested a motion to adopt the Resolution in Support of Local Option Sales Tax Legislation. Mr. Winebarger moved to adopt the Resolution in Support of Local Option Sales Tax Legislation as presented. Mr. Moskalski seconded the motion; motion carried.

XIV. Adjournment

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Middle Peninsula PDC – Legislative Report #2

January 17, 2020

As the General Assembly nears the end of its first full week, more than 1,670 House bills have been introduced and more than 1,000 senate bills. The legislature will have until March 8 (scheduled adjournment sine die) to address all legislation, including the Governor’s proposed budget. The next critical date for the legislature is crossover, when each Chamber has to deal with legislation introduced in its chamber. Crossover is February 11.

The final day to introduce legislation was Friday, January 17. Legislation critical to the Middle Peninsula has been introduced by Del. Keith Hodges, and an update on that legislation is provided below, as is a short summary of each bill.

Other bills of interest are provided as well, including a short overview of the omnibus transportation bills introduced on behalf of the Administration (SB890 and HB1414). These are large and complicated bills, and a thorough review to determine its impact to rural coastal Virginia is recommended. There are several bills introduced dealing with coastal resiliency and recurrent flooding, and stormwater. These bills are being monitored.

With respect to committees, all of the committees are now populated, and subcommittees named. Much of the work of the Middle Peninsula resides in the Agriculture, Chesapeake, and Natural Resources Committee in the House of Delegates and the Agriculture, Conservation and Natural Resource Committee in the Senate.

The Chair of the House ‘Ag’ committee is Del. Ken Plum, a long-time member of the House of Delegates who represents part of Fairfax County. Many of the bills of interest to the Middle Peninsula have been referred to the Chesapeake subcommittee, which is chaired by Del. Alfonso Lopez, who represents part of Fairfax and the city of Arlington. Key members of the Chesapeake subcommittee include Del. David Bulova (D), of Fairfax; Del. Nancy Guy, a freshman Democrat from Virginia Beach; Del. Shelly Simonds, a freshman Democrat from Newport News; Del. Margaret Ransome of the Northern Neck; and, Del. Rob Bloxom of the Eastern Shore.

The Senate ‘Ag’ Committee is chaired by Sen. Chap Peterson of Fairfax City, a long-time member of the committee.

Provided below is a short summary of MPPDC introduced legislation:

HB 1267: Land bank entities; planning district commissions: Permits localities to designate a planning district commission as a land bank entity. Currently, localities may create an authority or designate certain existing nonprofit organizations as a land bank entity. Land Banks are an important tool to address vacant and substandard housing issues in your community.

HB 1313/HB1314 Chief Resiliency Officer: Establishes a framework for statewide coordination for flooding matters using existing code under the Flood Plain Management. MPPDC staff continues to provide statewide leadership focusing on administrative and government process improvements for increased

statewide collaboration on flooding matters. HB 1313 is expected to be modified this week – to improve its focus.

HB 1364 Resource Protection Areas; improvement plans: This bill authorizes state water control board to promulgate regulations to allow for citizens to create a plan enhance the environmental and water quality functionality of the RPA by adding native plants and organic material to the RPA. Implementation of plan includes certain landowner requirements. This legislation will help with both water quality and flood protection.

HB 1366 Commissioner of Health and the Director of the Department of Environmental Quality: Directs the Commissioner of Health and the Director of the Department of Environmental Quality to develop a program to remediate septic systems in recurrently flooded areas of Resource Protection Areas by allowing owners of septic systems located in portions of Resource Protection Areas that are subject to recurrent flooding to add soil over the septic system tank and to the septic system drain field, when appropriate to improve septic system drain field absorption and protect the public health and safety

HB 1373 Flood Resiliency Clearing House Program: Directs the Department of Conservation and Recreation to develop a Flood Resiliency Clearing House Program for coordinating flood mitigation solutions that manage both water quality and flooding.

HB 1375 Living shorelines; resiliency: Helps to link water quality and resiliency by adding to the definition of living shoreline the following permissive statement: When practicable, a living shoreline may enhance coastal resilience and attenuation of wave energy and storm surge.

Other bills of specific interest to the MPPDC include:

HB 1675 Siting of solar energy facilities. Requires any applicant seeking to locate a commercial solar photovoltaic (electric energy) generation or storage facility on any census tract meeting the eligibility requirements for an opportunity zone as designated by the federal Internal Revenue Service to execute a siting agreement with the host locality in which the census tract is located, prior to the issuance of a permit by rule or certificate of public need. The bill grants localities various powers in executing such siting agreement and contains certain requirements for the agreement provisions. The bill does not apply to any solar photovoltaic (electric energy) generation or storage facility that has received zoning or site plan approval, preliminary or otherwise, from the host locality on or before January 1, 2020.

HB 1258 Coordinator of emergency services; West Point. Adds the Town of West Point to the towns that have the coordinator of emergency services appointed by the mayor or town manager with consent of the town council.

HB 1262 Transient occupancy tax; certain counties. Adds Appomattox, Mathews, Middlesex, and New Kent Counties to the list of counties that may impose a transient occupancy tax at a rate above two percent, but not to exceed five percent. The revenue attributable to a rate in excess of two percent shall be used solely for tourism and travel purposes. Current law allows all counties to impose a transient occupancy tax at a rate not to exceed two percent.

HJ 102 Coastal Flooding, Joint Subcommittee on; continued, appropriations. Continues the Joint Subcommittee on Coastal Flooding for two additional years, through the 2021 interim.

Transportation

HB 1414 (Filler-Corn) and SB 890 (Saslaw) propose major changes to the funding and distribution of transportation resources in the Commonwealth. These are Administration bills filed by the Speaker of the

House and Majority Leader of the Senate, and propose to generate additional revenues to be used for transportation needs and streamline how funding is distributed. The proposed legislation also contains various proposals that strive to improve safety on Virginia's roadways. Key items in the bill include:

The bills propose raising the existing gas tax by four cents a year for three years, resulting in a statewide tax of 28.2 cents per gallon by July 1, 2023. The bills also seek to raise the tax on diesel fuel to 27 cents per gallon by July 1, 2022. Both taxes will be adjusted annually based on the Consumer Price Index for all Urban Consumers (CPI-U).

Creates a new highway use fee on fuel-efficient vehicles. This new fee would require fuel-efficient vehicles to pay 85% of the difference between the fuel tax paid by an average vehicle and what the fuel-efficient vehicle pays.

In a **presentation** to the Senate Finance and Appropriations Committee's Transportation Subcommittee, Secretary of Transportation Shannon Valentine stated that these proposals seek to address decreases or declines in revenues collected from the existing gas tax even as the overall vehicle miles traveled (VMT) on Virginia roadways increases

The bills proposes streamlining the existing transportation funding system by diverting all existing and proposed revenues into a single **fund**, with sets aside \$85 million and \$60 million for the Statewide Special Structures Fund and the Route 58/Northern Virginia Transportation District Debt Service respectively. The remaining funds would be split 51.24 percent and 48.76 percent between the Highway Maintenance and Operating Fund (HMOF) and the Transportation Trust Fund (TTF) for Distribution respectively. Included in the special structures fund include numerous bridges in the Middle Peninsula and the R. O. Norris Bridge connected the Middle Peninsula and Northern Neck.

The bills also halve the state's motor vehicle registration fees while maintaining existing local authority to levy fees up to the current rate of \$40.75 for vehicles weighing below 4,000 pounds.

The bills also provide for debt authorization for the Interstate 81 Corridor Improvement Program and index regional fuels taxes in Northern Virginia, Hampton Roads, and the I-81 Corridor to be indexed to CPI-U instead of the distributor price of fuel.

Lastly, the bills would enable localities to reduce the speed limit to less than 25 miles per hour on any highway within its boundaries that is located within a business or residential district.

A summary of bills associated with coastal resiliency/flooding and a comprehensive list of introduced solar bills are attached in separate documents.

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Regional Animal Shelter 2020 Monetary and In-Kind Donation Record

Month	Monetary Donations	YTD Monetary Donations	In-Kind Donation Value	YTD In-Kind Donation Value
January	\$ 406.00	\$ 406.00	\$ 560.00	\$ 560.00
February				
March				
April				
May				
June				
July				
August				
September				
October				
November				
December				

Program activities shown in this publication reflect the Bay Aging strategic plan and indicates staff is meeting their program's strategic goals. In the spirit of advocacy, please share Board Notes with Boards of Supervisors, the community, civic groups and others interested in community affairs.

WHAT'S NEW

The joy of giving certainly has a lot to give back! Peace, happiness, smile - these are some of the instant returns of giving. Giving means helping in a way, which ultimately makes us recall the simplest meaning of humanity ...

Thomas Keneally. June 5, 2015.

As they did last year, Bay Aging partnered with Home Instead Senior Care to provide 142 seniors living with low or no-incomes who might not otherwise have received any gifts. The *Be a Santa to a Senior* gifts were delivered to seniors throughout the Middle Peninsula and Northern Neck. St. Paul's Mission, based in Westmoreland County, provided many, many gifts for needy seniors living in their community. The great cooks at the Abingdon Ruritan Club provided a wonderful holiday meal for seniors at the Gloucester Active Lifestyle Center. These are a few examples of giving from the community to their seniors. We hope you will enjoy the photos below and on the next page.



Left photo Bay Aging Board Chairman Stanley Clarke delivering gifts to the Essex Adult Day Care.

Right photo from left to right: Bay Aging staff member Stephanie Hutton, Port Town Village resident Linda Liverman, Board Director Marcia Jones and Bay Aging staff member Jett Bullion.



Seniors at the Mathews Active Lifestyle Center had a wonderful day sharing good food, camaraderie and making their Santa craft.



Left photo: Bay Transit bus driver Larry Chatham with the Bay Transit "sleigh" filled with gifts.

Right photo: Mathews County seniors were very pleased indeed that Santa left no coal ... not even a nugget!



Left and right photos: Seniors at the Westmoreland Active Lifestyle Center in joyful, Christmas spirit. Ho, Ho, Ho!



Board Director Marcia Jones bringing joy to Port Town Village resident James Walker.

ADMINISTRATION

Finance

- The annual Bay Aging financial audit on-site visit occurred the week before Christmas. Staff expects to have a draft statement from the auditors in late January 2020.

IT

- Staff continues to be diligent about keeping Bay Aging current with new technology as it emerges.

Human Resources

- Staff is preparing for the Office of Federal Contract Compliance Programs (OFCCP) Focused Review Audit. Although Bay Aging has not received the letter with a date for the site visit, the website is updated with non-discrimination language and information and all job postings are listed with the Virginia Connections website and the Department of Aging and Rehabilitative Services. In addition, job postings are shared with the Peninsula Center for Independent Living. Policies and processes are being reviewed.
- Staff is partnering with Catchafire Consultant Rob Lockard to design a new annual staff evaluation form and leader evaluation form. Final feedback phase ended January 10, 2020. Update will be available by the end of January.
- The compensation program design project is in the works. This project includes a review of market salary data to determine competitive salaries for Bay Aging positions. A preliminary summary review is in process.
- Staff is very pleased to report that the Bay Aging Leadership Institute has launched. The first orientation session took place January 22, 2020. Stay tuned for updates!
- The new tiered compensation plan for home care staff recruitment is working well with over 200 applications received since November 2019.
- Staff met with Alzheimer's Association representative Kelly Lukschander where she thanked the Bay Aging team for the donations and support for the Alzheimer's Walk. The enthusiasm was amazing as the team registered on 9/3/2019 and raised \$3,630 by 9/30/2019! Bay Aging was awarded the Top Team 2019 Award for raising the most money in the shortest amount of time! **Go Team!**



COMMUNITY LIVING

Virginia Insurance Counseling and Assistance Program (VICAP)

- VICAP program staff and volunteers recently completed a very active Medicare Annual Enrollment. Between September and December there were 546 customer contacts in the Northern Neck/Middle Peninsula and 768 in the Peninsula area. In addition, staff delivered 11 presentations and outreach events in the Northern Neck/Middle Peninsula and 12 presentations and outreach events in the Peninsula.
- In this same period, VICAP Counselors assisted 245 people with Medicare Part D prescription and Medicare Advantage Plan searches, helping them save over \$270,000 in healthcare costs.

Home Care

- The Home Care Department is serving approximately 90 clients weekly which is over 970 service hours per week (approximately 3,800 service hours monthly).
- Veteran Administration referrals continue to increase as staff is now providing in home care to 25 veterans in Bay Aging's service area.
- Bay Aging is working with Peninsula Area Agency on Aging to expand private pay in home services to their service area of the Peninsula/James City County/York County. This service is being developed under Bay Health Solutions. Marketing material has been developed and a website is in production.
- The incentives initiated to attract and retain employees to include a tiered payment program that rewards staff who commit to working more hours each month with a higher hourly wage were implemented.
 - This wage is attractive to staff and is extremely competitive in our area. Since initiation in November, Bay Aging has received over 200 applications for Home Care Aide positions giving the Home Care Department the capacity to serve the growing care needs in the region.
 - Bay Aging is actively recruiting home care aides in all areas of the Northern Neck, Middle Peninsula, as well as New Kent, Williamsburg and Newport News.
- Implementation of Electronic Visit Verification software is underway. Staff trainings have been ongoing since December 2019 with a pilot launch that began January 16, 2020. This software creates efficiencies in the department by requiring Home Care Aides to clock in and out using their cellular devices with GPS tracking. Administrative staff will be able to ensure timeliness to visits, capture better documentation, and reduce the time required to process billing and payroll for the department.
- The Home Care Department revised its intake assessment forms, client plans of care, and service agreements to provide better, more comprehensive services. All department forms are being converted into electronic forms to make client intake more efficient and to better communicate with staff and clients/caregivers.
- Adult Day Care Center staff is focused on marketing efforts to attract new clients to the centers. Participant enrollment is increasing.
- The Gloucester Adult Day Care Center was inspected by the Department of Social Services in December 2019 with no deficient areas of practice noted.
- Staff is investigating engaging either a debt collection agency or attorney and developing a policy to collect delinquent accounts.

Dementia Friendly Communities

- Bay Home Care staff and aides received Dementia Training from Bay Aging's dementia master trainer Rachel Palekas to increase awareness and understanding on signs of dementia and how to respond effectively to clients living with dementia, their care partners and families.
 - Bay Aging's goal is to have all staff trained to appropriately respond to people living with dementia.
- Staff developed a bulk mailing to solicit participation from different segments of the community to come together to help champion dementia friendly communities. Two task force groups will be formed – one to represent the Middle Peninsula and the other to represent the Northern Neck. The mailing went to hospitals, businesses, legal/financial planning, faith communities, police and first responders, transportation, home and community services, housing, community services board, health department, social services departments, school systems and local county government. Board Directors are invited to become members of a task force. Please contact Rachel Palekas at 804.286.9202 x1327 or rpalekas@bayaging.org to attend the kick-off meeting.
 - **Northern Neck Meeting:** January 28, 2020 from 1:30-2:30 p.m. at Rappahannock Westminster-Canterbury, 132 Lancaster Drive, Irvington
 - **Middle Peninsula Meeting:** February 4, 2020 from 10-11:00 a.m. at Port Town Village, 111 Port Town Village Lane, Urbanna
- *Creating a Dementia Friendly Middle Peninsula and Northern Neck* flyer was developed and is included in the Board package. This informational flyer is meant to be used when talking with others in the community about dementia friendly communities. The backside of the flyer contains valuable quick tips to know the ten signs of Alzheimer's disease and other dementias and how to talk with people living with dementia. Want multiple copies? Please contact Rachel!

VAAACares® Care Coordination

- Bay Aging continues to partner with a Commonwealth Coordinated Care Plus (CCC Plus) MCO to provide health screenings to members enrolled in Virginia's Medicaid expansion program.
- Staff completed over 40,000 outreaches and health screenings.
- VAAACares® continues to pursue opportunities for additional work with Medicaid MCO plans to complete CCC Plus assessments and assist with Medicaid services across the state.

Community Living

- Staff processed nine Temporary Assistance to Needy Families (TANF) requests to assist families with children age 18 and younger. Financial assistance was provided so families would not lose electricity and heat, losing access to water, or becoming homeless.
- Processed 34 new Meals on Wheels enrollees.
- Processed 75 intake requests resulting in home visits.
- Active Lifestyle Centers held Christmas celebrations with special music and activities for their seniors.
- From June 28 through December 31, 2019, over 6,712 pounds of fresh fruits and vegetables were delivered to home delivered meals and congregate clients! Bay Aging and Healthy Harvest Food Bank (HHFB) are making a nutritional impact on seniors' diets. At this time seniors living in Essex, Richmond, Middlesex, Lancaster, Westmoreland, Northumberland, West Point (King & Queen and King William) are receiving HHFB fruits and vegetables. Gloucester will soon be going online.
- **SAVE THE DATE!** Annual May Day Celebration, Friday, May 22, 2020 at the Deltaville Maritime Museum.

VAAACARES® / Care Transitions

- Managed Care Organization
 - Received over 11,890 referrals to date.
 - In the period November 2017 to December 2019, 4,455 billable home visits were made.
 - Bay Aging Coaches are expanding to other areas of Virginia. Recently hired Coaches to cover Tidewater, South Richmond/Petersburg, Danville/Martinsville, and far Southwest Virginia.
- Sentara Healthcare
 - The Sentara Williamsburg project met the goals of enrolling over 200 patients by December 2019 along with reducing ED and hospital admission utilization of enrolled patients. All enrolled patients received an extensive variety of community services supports and education during their enrollment.
 - The project was renewed for 2020.
- Valley Healthcare Winchester Memorial Medical Center (VHWMMC)
 - VHWMMC is a new partnership for VAAACares®. The objective of the partnership is to leverage the evidence-based care transitions program to reduce and impact 30-day Medicare readmissions and to improve the overall patient experience for Valley Health patients. This partnership will have one employee supported by the health system as well as VAAACares® staff. To ensure success and optimize the partnership, Valley Health committed to refer a minimum of 80-100 patients each month with an enrollment goal of at least 60 patients per month. VAAACares® will provide all necessary training for Valley Health and VAAACares® staff. Training and implementation began January 13, 2020.
- Bay Rivers Telehealth Alliance (BRTA)
 - New funding opportunities are being explored for 2020 and beyond. Bay Aging will participate if opportunities become available.
 - The Rural Health Outreach – Cardiovascular pilot has Bay Aging Coaches partnering with Riverside physician groups located in White Stone, Callao

Veteran Directed Care (VDC)

- As of December 31, 2019, 230 veterans were enrolled in the program –
 - 221 from Richmond VAMC and 9 from Hampton VAMC
 - December 2019 NEW enrollees –
 - Richmond VAMC – 10
 - Hampton VAMC – 1
 - November 2019 NEW enrollees –
 - Richmond VAMC – 17
 - Hampton VAMC – 0
- Electronic Visit Verification software pilot begins in February 2020 with 15 veterans participating in the pilot.
- Staff participated in the VFW's two-day membership drive held on December 5 and 6, 2019 at the Northumberland Sheriff's Office by providing outreach information on the VDC program.
- The Administration for Community Living attended a learning session focused on the Veteran Directed Care program on December 17, 2019. Several VDC participants and their care partners attended the session in Urbanna to share with influential national level community living administrators about how the program has impacted their lives.

- “Spoke” activity is growing with Peninsula Agency on Aging managing 18 VDC cases, Eastern Shore Community Action Agency and Area Agency on Aging is managing 1 case, and Senior Services of Southeastern Virginia is managing 2 cases.
- The **2019 fourth quarter satisfaction survey rating is 100%**!

What Care Partners Are Saying ...

“I am speaking for him because he cannot communicate. Bay Aging is good at listening and working on any issues there might be. Mary Jane is great. We have a good amount of “say” in what’s going on with his care.”

“This is my ninth year caring for my parents. My parents were very close and now Mother has died and Father is quite ill. I wish I had known about the VDC program earlier but I am glad we have it now.”

COMMUNITY ACTION

- Bay Aging’s Community Action Program has recently begun implementing its FY-20 Program Year for both the Community Services Block Grant (CSBG) and Temporary Assistance to Needy Families (TANF) Programs. As part of this effort, Bay Aging recently executed Memorandums of Understanding (MOUs) with non-profit community service partners located throughout the Middle Peninsula and the Northern Neck Regions. These partners help provide a variety of services to TANF eligible clients who are located throughout Bay Aging’s CSBG Service Area.
 - Middle Peninsula Re-Entry Council: assists people leaving incarceration with case management and support services to strengthen the family and create opportunities for self-sufficiency
 - Rappahannock Community College: provides individualized career prep for high school students in 12-weekly workshops; this is a partnership with the Boys and Girls Club of the Northern Neck
 - Northern Neck YMCA: provides scholarships for infant and preschool child care
 - Northumberland Department of Social Services: provides child care subsidies and employment prep in partnership with the Northumberland YMCA
 - Job Assistance Center: present a workshop series for employment and work-life balance
 - Mathews YMCA: distributes scholarships for 2020 summer camp
 - Middlesex YMCA: distributes scholarships for 2020 summer camp and transportation for campers
 - Rural Infant Child Services Program (RISP): provides transportation for case managers to provide therapy services to children with disabilities in their home
 - Boys and Girls Club of the Northern Neck: distributes scholarships for teens to participate in in programs
 - Gloucester YMCA: distributes scholarships for after-school programming
 - Northern Neck Middlesex Free Health Clinic: provides dental services
- In the period November 22, 2019 through January 3, 2020, Emergency Services were provided to nine families (15 children). Services helped keep the lights on and homes heated and prevented homelessness.

DEVELOPMENT

- Development staff attended the annual December Meeting of the Abingdon Ruritan Club where the members gave donations to several community organizations. Bay Aging received \$4,000: \$1,000 for the Gloucester Adult Day Care, \$1,000 for the Gloucester Senior Center, and \$2,000 for Meals on Wheels.
- 2020 Business Partner Giving Campaign: Bay Aging development staff reached out to seventeen (17) of our business partners including banks, insurance providers, and construction companies that support Bay Housing asking to be included in their 2020 charitable giving plans. The Bay Aging Foundation has already received \$2,000 in donations from B.H. Baird Insurance, D Mowry Construction and Sonny Merryman and another \$2,500 in pledges from Consociate Media, Atlantic Union Bank and Atlantic Spray Systems.
- December 2019 Funding Appeal: Bay Aging used our non-profit bulk mail permit to mail out about 250 donation requests to prospective donors in the Salesforce database. This still, “in-progress” campaign has generated nine donations totaling \$1,075 which is a 298% return on investment. Special thanks to Bay Aging and Bay Aging Foundation board members Reverend Maria Harris, Cynthia Talcott, Bill Doyle and Stanley Clarke for making donations to the end-of-year (EOY) funding appeal.

Yes, I will help provide meals, shelter, transportation, and care for our seniors and people living with disabilities.

\$1,000 \$500 \$250 \$100 \$50 Other \$ ____

\$ ____ to help as many people as possible

In memory of _____

In honor of _____

Acknowledgement address _____

Mail: Check payable to Bay Aging Foundation. Send in enclosed envelope.
Online: <https://bavaging.org/support/>

Please send periodic email updates _____

Thank You!

Established in 1978, Bay Aging is a nonprofit 501(c)(3) organization.
Bay Aging federal tax exempt ID: 54-1085032.

- Several area churches sent generous donations during the holiday season.
- Radio Interviews:
 - On December 11th, 2019 Michael Norvell participated in the sixth of a series of ongoing monthly radio interviews with the radio personalities at Two Rivers Communications stations 104.9 WIGO Country and 101.7 BAY FM. This interview focused on Bay Aging participating in the “Be a Santa to a Senior” program for the second year in a row.
 - On December 19th, 2019 Norvell participated in another radio interview with Carol Day, the new morning radio personality at WRAR and WNNT. The interview focused on Bay Aging participating in the “Be a Santa to a Senior” program and promoted the Meals on Wheels program.
 - On January 14th, 2020, Norvell participated in the seventh of a series of ongoing monthly radio interviews with the radio at Two Rivers Communications stations 104.9 WIGO Country and 101.7 BAY FM. This interview focused on Bay Aging’s home care and adult day care services supporting a radio advertising campaign on the same subject which was launched on January 11th, 2020.

- **Media Events/Earned Media:**
 - As we did last year, Bay Aging partnered with Home Instead Senior Care to provide 142 deserving seniors with gifts this holiday season through the “Be a Santa to a Senior” (BASTAS) program. Bay Aging board members Stanley Clarke and Marcia Jones teamed up with Bay Aging and Home Instead Senior Care staff to deliver gifts to Bay Aging’s Adult Day Care center in Tappahannock, the Warsaw/Essex County Active Lifestyle Center, Northumberland Active Lifestyle Center, our senior apartments and active lifestyle centers and Adult Day Care facility in Urbanna, Gloucester, Kilmarnock and West Point. The BASTAS gift distribution was very well covered by the local media including the front page of the December 25, 2019 edition of the Northern Neck News, Northumberland Echo, the Westmoreland News, the Southside Sentinel and the Rappahannock Times.
 - Bay Aging’s press release entitled “Bay Aging provides respite for caregivers” was published on November 21, 2019 by the Gloucester-Mathews Gazette-Journal and the Southside Sentinel.
 - Bay Aging’s press release summarizing highlights of the December 17th, 2019 Veteran Directed Care Learning Session was covered in the 1/9/2020 issue of the Gloucester-Mathews Gazette-Journal and the January 9, 2020 issue of the Rappahannock Record.
- **Presentations to Civic Organizations, MCAC and the Essex County – Tappahannock TRIAD:**
 - Since the last Board of Directors meeting on November 21st, 2019, development staff attended the December 11, 2019 meeting of the Northern Neck Rotary Club where the Bay Aging Foundation was presented with a check for \$2,000. The development staff continues to schedule and conduct presentations with area civic organizations such as the Rotary, Lions, Kiwanis and Ruritan Clubs as well as local chambers of commerce including Kiwanis Club of Gloucester Point on January 15, 2019.
 - On November 21st, 2019 Bay Aging staff gave a presentation and showed several of the new Bay Aging video vignettes to the Mathews County Resource Council at the Mathews County Library. As usual, the audience was surprised at the myriad of different programs and services offered by Bay Aging.
 - Bay Aging development staff gave a presentation at the January 7th, 2020 meeting of the Essex County-Tappahannock TRIAD, which is a partnership among law enforcement, older residents, community organizations and others to enhance the safety and quality of life of seniors.
- **Bay Transit Bus Shelter Installations:** Installation of a new Bay Transit bus shelter at Port Town Village was completed on January 11, 2020. Bay Aging staff are working with Mr. Brandon Galbreath, the Facility Manager at Riverside Walter Reed Hospital to schedule the installation of a Bay Transit bus shelter there during Q1 of 2020. Riverside has pledged to cover the installation cost.



BAY HOUSING:

Multi-Family Housing

Multi-Family Housing:

- **Daffodil Gardens Phase Two (40 planned age- and income-restricted rental housing units in Gloucester):** As previously reported, this project has an allocation of tax credits under the Virginia Housing Development Authority (VHDA) 9% competitive Low Income Housing Tax Credit Program.
 - The development team, consisting of Bay Aging (developer), Virginia Community Development Corporation (tax credit syndicator), dBF Associates, Architects, Parker General Contractors, Bay Design Group (civil engineer and surveyor), Virginia Community Capital (construction and bridge loan provider), Applegate & Thorne-Thomsen (tax credit syndicator attorneys) and Geddy, Harris, Franck & Hickman,

L.L.P. (Bay Aging's closing attorney), are holding weekly teleconferences in preparation for a year 2020 first quarter initial closing and construction start.

- There are currently 67 people on the resident application interest list.
- Home Instead Senior Care provided Christmas gifts to apartment residents at Daffodil Gardens, Port Town Village I and II, Winters Point, and Tartan Village I and II through their "Be a Santa to a Senior" program.
- Hands Across Middlesex provided Christmas Day meals for Port Town Village I and II residents.
- Salvation Army provided gifts for Parker View residents.
- The Bob Fox Foundation delivered complete holiday dinners to residents of Mill Pond Village and Parker Run.
- On January 23, 2020, the Virginia Housing Development Authority performed a standard annual audit inspection of homes participating in Bay Aging's Housing Choice Voucher Program and reviewed program information on file at the Bay Housing office. Results will be shared when received.
- Bay Housing competitively applied for and was awarded an AmeriCorps Volunteer in Service to America (VISTA) slot to continue capacity building initiatives related to the region's homeless response system. The VISTA member will begin the 12-month service term in August 2020. Recruitment is currently underway.
- The Department of Housing and Community Development (DHCD) performed a monitoring visit of homeless programs operating under the Virginia Homeless Solutions Program Grant on December 3, 2019. The monitoring resulted in no findings for financial or facility review. One finding was identified related to a specific worksheet component of client case files. The worksheets have been corrected and a policy is now in place to ensure additional checks for future operation. Since July, the homeless programs have supported 15 families (39 people) exiting homelessness into permanent housing through Rapid Rehousing and assisted 145 people, experiencing a housing crisis, identify resources through Coordinated Entry.
- On November 27, 2019 Bay Housing staff submitted a \$20,000 Capacity Building Grant for the purpose of contracting with The Spark Mill to lead Bay Aging through a company-wide 12-month succession planning process. The grant award outcome is currently pending.
- Bay Housing staff participated in the annual Virginia Governor's Housing Conference in Hampton, November 20-22, 2019. Governor Northam spoke on initiatives related to eviction prevention and increasing supportive housing for people with disabilities and mental illness. Staff identified multiple potential opportunities for future exploration through learning engagements and networking.

From a Port Town Village resident to the complex manager Wunderly Ward – "The completed bus shelter is so nice. Please extend my thanks to those who worked so hard to see it's completion and as always...thank you for all you do!"

Single Family Housing

- Staff completed a several months-long project involving weatherization of 49 multi-family apartment units on Claudia Drive in Gloucester County. Presently, the crew is working weatherization projects on homes located in the counties of Richmond, Lancaster and Essex and the Town of White Stone.
- Single Family Housing recently completed work on its last job to close out the FY19 Indoor Plumbing Rehabilitation (IPR) Program year. During this last year, a home was rehabbed in Essex County, a home in Caroline County was substantially reconstructed as was a home in Northumberland County.
- FY20 IPR program year is already set up with new three new jobs, which are all substantial reconstructions: 1) Gloucester County; 2) Westmoreland County; and 3) Lancaster County.

- The Single Family Housing program has worked over the last two years to provide Rehab Specialist Services for the Town of White Stone as part of the White Stone Neighborhood Improvement Community Development Block Grant (CDBG) Project. In December 2019 work was completed on the last home. In all, 15 homes were either rehabbed or substantially reconstructed through the Town's project.
- Single Family Housing has also worked over the last two years providing Rehab Specialist Services for Essex County as part of the County's Tappahannock Tornado Recovery CDBG Project. Staff is presently coordinating the bidding and construction of the last two homes of this project.
- Bay Aging was recently designated by the Virginia Department of Housing and Community Development (DHCD) as a Community Based Development Organization (CBDO). **Bay Aging is only the second organization to receive this designation from DHCD**, which will allow the more flexibility in implementing current single family housing opportunities as well as future opportunities.

Bay Transit

- Bay Transit partnered with Google and Google Transit to create interactive maps of the deviated fixed routes to allow the general public to plan trips using Bay Transit's route maps and schedules. Google Transit has already done this extensively in urban areas around the United States but is just starting to partner with rural transit systems. **Bay Transit is one of the first pilot programs in the nation and the first in Virginia for introducing this technology to rural communities.** Bay Transit is also encouraging millennials to use public transportation and spread the word about the benefits of using public transportation.
- Facility assessments were completed by transit consultant Kimley-Horn and awaiting the final report. As expected the 10-year old Warsaw location requires upgrades – especially to the roof and parking lot. Staff plans to apply for grant funding from the Virginia Department of Rail and Public Transportation to facilitate the upgrades.
- Bay Transit acquired four new propane powered buses to replace ones that have met their useful life.
 - There are now 12 such buses in its fleet and found that they burn fuel cleaner than gas powered.
 - Propane fueling stations are located at the regional transit facilities in Warsaw and Gloucester.
 - At approximately \$0.85 per gallon, Bay Transit is realizing a significant cost savings for fuel.
- All ridership information is included on the "Dashboard" page.

Miscellaneous Updates

- December 3-5, Kathy Vesley was in D.C. as a guest of National Association of Area Agencies on Aging (n4a) and Administration for Community Living (ACL). Five Area Agencies on Aging (AAAs) Directors from the nation's 622 Directors were invited to help design new business models for AAAs.
- Urbanna Professional Center: Bay Aging continues to work with an architect to finalize plans for the new office complex. Construction services for the remodel will go out to bid soon.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE

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(804) 527-5020 Fax (804) 527-5106

www.deq.virginia.gov

Matthew J. Strickler
Secretary of Natural Resources

David K. Paylor
Director

James J. Golden
Regional Director

February 7, 2020

Ms. Bobbie Tassinari
County Administrator
Box 215
King William, Virginia 23086

RE: 2018 Annual Report Review
King William County Landfill
Permit Number 153
Phase II Monitoring

- Date of final closure 5/21/1994
- Date GPS established 10/4/2002
- Date of initial GPS exceedance 6/3/2003
- Date of CAP implementation 10/5/2010

Dear Ms. Tassinari:

This letter acknowledges the receipt and review of the 2018 Annual Report for the above-listed facility, dated April 2019, submitted to the Virginia Department of Environmental Quality (DEQ) by LaBella Associates, D.P.C, P.C. on behalf of King William County, as required by 9VAC20-81-250.E.2.a.(1).

The facility is currently closed and monitors groundwater on a semi-annual basis.

The Department's review has determined the technical content of the submission meets the reporting requirements of 9 VAC 20-81-250.E.2.a.(2) and the Department's Submission Instructions.

The laboratory report for the first semi-annual 2018 sampling report was dated June 26, 2018. The Groundwater Protection Standard (GPS) exceedance notification for this event was received by the Department on October 16, 2018. Please ensure all future GPS exceedance notifications are submitted within the timeframe required by 9VAC20-81-250.C.3.e.(3).(a).

Please note that the information in this letter is based solely on materials supplied by the Permittee or their environmental representative. The resulting review of those materials was undertaken with respect to applicable portions of the VSWMR and/or Department Guidance. This letter does not make or imply a final determination of compliance with the VSWMR, nor does it constitute a final case decision regarding any of the groundwater actions undertaken at the above-listed solid waste facility.

King William County Sanitary Landfill, Permit #153
2018 Annual Report
February 7, 2020
Page 2 of 2

If you have any additional questions regarding the facility's groundwater monitoring program, please feel free to contact me at (804) 527-5005 or eric.seavey@deq.virginia.gov.

Sincerely,



Eric A. Seavey, P.G.
Groundwater Remediation Specialist

cc: Geoff Christe, DEQ-CO (electronic only)
Hillary Elder, LaBella Associates, D.P.C., P.C. (electronic only)
Stephen B. Geissler, P.E., VPPSA (electronic only)

AGENDA ITEM 13.

CLOSED MEETING MOTIONS

- PERSONNEL** – In accordance with Section 2.2-3711(A)(1) of the code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to consider a personnel matter involving the (choose from list below):

1. appointment of individuals to Boards and Commissions.
 2. interview of a prospective candidate for employment

(or the)

- | | | |
|---|---|--|
| <input type="checkbox"/> 3. Employment | <input type="checkbox"/> 6. Promotion | <input type="checkbox"/> 9. Salary |
| <input type="checkbox"/> 4. Assignment | <input type="checkbox"/> 7. Performance | <input type="checkbox"/> 10. Discipline |
| <input type="checkbox"/> 5. Appointment | <input type="checkbox"/> 8. Demotion | <input type="checkbox"/> 11. Resignation |

of a specific public officer/appointee/employee.

- PUBLIC PROPERTY** – In accordance with Section 2.2-3711 (A)(3) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting regarding real property used for a public purpose, specifically pertaining to (choose one of the following):

1. the acquisition of real property for a public purpose.
 2. the disposition of (name publicly held real property involved).

because discussion in an open meeting may adversely the bargaining position or negotiating strategy of the Board.

- PROTECTION OF PRIVACY OF INDIVIDUALS** – In accordance with Section 2.2-3711(A)(4) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting regarding a personal matter not related to public business in order to protect the privacy of individuals.
- PROSPECTIVE BUSINESS OR INDUSTRY OR EXPANSIONS OF EXISTING BUSINESS OR INDUSTRY** – In accordance with Section 2.2-3711(A)(5) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to discuss a prospective business or industry or expansion of an existing business or industry where no previous announcement has been made.
- INVESTING OF PUBLIC FUNDS** – In accordance with Section 2.2-3711(A)(6) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to discuss the investing of public funds where competition or bargaining is involved and where discussion in open session would adversely affect the financial interest of the County.

November 2017

- LEGAL MATTERS** – In accordance with Section 2.2-3711(A)(7) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to (choose one of the following):
- 1. consult with legal counsel, consultants, and/or staff on a matter of actual litigation in which the County is involved.
 - 2. consult with legal counsel, consultants, and/or staff on a matter of probable litigation in which the County may become involved.

because discussion in an open meeting may adversely the litigation position or negotiating strategy of the Board.

- LEGAL MATTERS** – In accordance with Section 2.2-3711(A)(8) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to consult with legal counsel on a specific legal matter (identify matter in general terms at a minimum) requiring the provision of legal advice by counsel.

- HAZARDOUS WASTE SITING** – In accordance with Section 2.2-3711(A)(14) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to discuss the terms, conditions, and provisions of a hazardous waste siting agreement after a finding in open meeting that an open meeting will have an adverse effect upon the negotiating position of the Board or the establishment of the terms, conditions and provisions of the siting agreement, or both.

- TERRORIST ACTIVITY** – In accordance with Section 2.2-3711(A)(19) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to:

- 1. discuss plans to protect public safety relating to terrorist activity or specific cybersecurity threats or vulnerabilities and briefings by staff members, legal counsel, law-enforcement, or emergency service officials concerning actions taken to respond to such activity or a related threat to public safety;
- 2. discuss reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure.

- PUBLIC CONTRACTS** – In accordance with Section 2.2-3711(A)(29) of the Code of Virginia, because discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board, I move that the Board of Supervisors convene in Closed Meeting to:

- 1. discuss the award of a public contract involving the expenditure of public funds;
- 2. interview bidders or offerors;
- 3. discuss the terms or scope of a public contract.

BOARD OF SUPERVISORS
COUNTY OF KING WILLIAM
KING WILLIAM, VIRGINIA

Resolution

At a [regular or special] meeting of the King William County Board of Supervisors held in the King William County Administration Building, on the _____ day of _____, 20____:

Present

Vote

William L. Hodges
Travis J. Moskalski
Stephen K. Greenwood
C. Stewart Garber, Jr.
Edwin H. Moren, Jr.

On motion of _____, seconded by _____, which carried _____, the following resolution was adopted:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT REGARDING MEETING IN CLOSED MEETING

WHEREAS, the King William County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 D. of the Code of Virginia requires a certification by the King William County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the King William County Board of Supervisors this the _____ day of _____, 20____, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the King William County Board of Supervisors.

AGENDA ITEM 14.a.



King William County
Est. 1702

Board of Supervisors

Department

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
David E. Hansen, Fourth District
Robert W. Ehrhart, Fifth District

DATE: February 14, 2020
TO: King William County Board of Supervisors
FROM: **Jennifer Leleux, Parks and Recreation Manager**
SUBJECT: **Recreation Commission approved new member application**

SUMMARY

Ms. Nita McInteer has applied for the Recreation Commission. Her application was brought the commission at the February 6th meeting. Ms. McInteer has lived in King William County for over 20 years. She has her BA from VCU in Political Science. Nita and her family are very involved in the community and she participates in the 4-H shooting sports team with her daughter. Ms. McInteer is a Financial Specialist Senior for the county.

CONSIDERATION/OPTION

Discussion was made and then voted on from the Recreation Commission to pass along her application to the Board for approval.

ATTACHMENT

Nita McInteer application



Application to Serve on a County Board/Commission/Committee

(Please type or print clearly)

Name Nita McInteer

Home Address 305 Sweet Air Ln
King William 23086

Phone 921-7657 Fax _____ Email nita.mcinteer@gmail.com

County Election District of Residence First District Second District Third District
 Fourth District Fifth District

Employer King William County Phone 769-4968

Business Address 180 Horse Landing Rd., King William

Education BA Political Science VCU
Diploma/Degree School Attended

How long have you been a resident of King William County? 20 years

Civic Activities (include other Boards/Commissions/Committees)
4-H Shooting Sports Team for King William

Memberships in Fraternal, Business, Church, or Social Organizations (include offices held)

Indicate your top three Boards/Commissions/Committees choices (you must select at least one specific choice)

1st Choice Parks & Rec Board

2nd Choice _____

3rd Choice _____

Signature _____ Date Submitted _____

Return this application to:
Olivia Schools, Deputy Clerk to the Board
180 Horse Landing Road #4
King William, VA 23086
Fax: (804) 769-4964
Email: deputyclerk@kingwilliamcounty.us

Date Received _____
Copy to Board _____
Updated _____
RECEIVED
FEB 03 2020
BY: _____

This application will be kept on file for 2 years. Thank you for your application.



Application to Serve on a County Board/Commission/Committee

(Please type or print clearly)

Name JAMES BRYANT HEALEY

Home Address 1741 Woodbury Rd
Walkerton Va 23177

Phone 804-3852539 Fax _____ Email Sanfranboy24@yahoo.com

County Election District of Residence First District Second District Third District
 Fourth District Fifth District

Employer VDOT Phone _____

Business Address King William

Education GED Diploma/Degree King + Queen School Attended

How long have you been a resident of King William County? 22 years

Civic Activities (include other Boards/Commissions/Committees)

10 years on board King William little league, fire department, Mathaponi church,
Memberships in Fraternal, Business, Church, or Social Organizations (include offices held)

Indicate your top three Boards/Commissions/Committees choices (you must select at least one specific choice)

1st Choice Parks + Rec

2nd Choice _____

3rd Choice _____

Signature James Healey Date Submitted 2-10-20

Return this application to:
Olivia Schools, Deputy Clerk to the Board
180 Horse Landing Road #4
King William, VA 23086
Fax: (804) 769-4964
Email: deputyclerk@kingwilliamcounty.us

Date Received _____
Copy to Board _____
Updated _____

This application will be kept on file for 2 years. Thank you for your application.

RESOLUTION 20-12

APPOINTMENT/REAPPOINTMENT TO RECREATION COMMISSION

WHEREAS, the term of Eugene Rivara on the Recreation Commission has been vacated as of December 31, 2019, and

WHEREAS, the Board of Supervisors now desires to make an appointment or reappointment to this position;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of King William, Virginia that _____ be appointed or reappointed to the aforementioned organization for a term ending December 31, 2023.

DONE this the 24th day of February, 2020.