

**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 Wimmer, 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. Anita 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