

**Sussex County Board of Supervisors Regular Meeting**  
**Thursday, February 17, 2022 – 6 pm**  
**General District Courtroom – Sussex Judicial Center**  
**15098 Courthouse Road, Sussex VA 23884**

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**1. Commencement**

- 1.01 Call to Order/Determine Quorum
- 1.02 The Invocation
- 1.03 The Pledge of Allegiance
- 1.04 Agenda Amendment(s)
- 1.05 Approval of Regular Agenda

**2. Approval of Consent Agenda**

- 2.01 Approval of Minutes: January 27, 2022 Rescheduled Regular Meetings
- 2.02 Warrants and Vouchers
- 2.03 Treasurer’s Report & Financial Update – *for information only*
- 2.04 Departmental Reports – *for information only*
- 2.05 ARPA Utility Relief Funds Budget Amendment

**3. Recognitions/Awards/Presentation**

- 3.01 Waverly Pool Request for Assistance  
Sussex County Youth and Adult Recreation Association (SCYARA)

**4. Public Hearing** – none

**5. Appointments**

- 5.01 Appointment to the Housing Oversight Board
- 5.02 Nomination for Appointment to Board of Equalization
- 5.03 Authority Alternate At-Large Position
- 5.04 Appointment to the Department of Social Services Advisory Board Sussex Service

**6. Action Items**

- 6.01 Sheriff MDT Lease Agreement
- 6.02 Sheriff Electronic Ticket Ordinance

**7. Citizens’ Comments**

**8. Unfinished Business**

- 8.01 Solar Farm Zoning and Comprehensive Plan Amendments
- 8.02 Redistricting Mapping Update

**9. New Business** - none

**10. Board Members Comments**

- 10.01 Blackwater District

- 10.02 Courthouse District
- 10.03 Henry District
- 10.04 Stony Creek District
- 10.05 Wakefield District
- 10.06 Waverly District

**11. Closed Session** – none

**12. Recess/Adjournment**

- 12.01 Recess/Adjournment
- 12.02 Next Regular Meeting, March 17, 2022 @ 6 p.m.

**At a Rescheduled Regular Meeting of the  
Sussex County Board of Supervisors  
Thursday, January 27, 2022 at 6 pm**

**BOARD MEMBERS PRESENT**

Debbie P. Jones  
Wayne O. Jones  
Susan M. Seward  
Rufus E. Tyler, Sr.  
Steve White, Tie Breaker

**BOARD MEMBER ABSENT**

C. Eric Fly, Sr.

**STAFF PRESENT:**

Richard Douglas, County Administrator  
David Conmy, Deputy County Administrator  
Jeff Gore, County Attorney  
Deste J. Cox, Treasurer  
Lisa Danuser, Solid Waste Manager  
G. Reid Foster, Public Safety  
Ernest Giles, Sheriff  
William Hagy, Director of Social Services  
William Jenkins, General Registrar  
Eric Johnson, Captain  
Kelly W. Moore, Director of Finance  
Michael Poarch, Planner  
Vincent L. Robertson, Commonwealth's Attorney  
Shilton R. Butts, Assistant to the County Administrator/  
Deputy Clerk to the Board of Supervisors

**1. Commencement**

**1.01 Call to Order/Determine Quorum**

The January 27, 2022 rescheduled regular meeting of the Sussex County Board of Supervisors was called to order by Chair Seward.

**1.02 The Invocation**

The Invocation was offered by Supervisor Fly.

**1.03 The Pledge of Allegiance**

The Pledge of Allegiance was recited by all.

1.04 BOS Organizational Meeting for Calendar Year 2022

*Ms. Seward turned the meeting over to County Administrator Douglas*

a. Election of Chairman for Calendar Year 2022

County Administrator Douglas opened the floor for nominations for the Chairman for the Board of Supervisors for Calendar Year 2022.

ON MOTION OF SUPERVISOR D. Jones, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors nominates Susan B. Seward for Chairman for Calendar Year 2022.

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors closed nominations of said name of Susan B. Seward.

Supervisor Fly – Aye

Supervisor Seward - Aye

Supervisor D. Jones – Aye

Supervisor Tyler – Absent during vote

Supervisor W. Jones – Aye

Supervisor Seward is the Chairman of the Board of Supervisors for Calendar Year 2022.

County Administrator Douglas turned the meeting back over to the Chairman.

b. Election of Vice Chairman for Calendar Year 2022

Chairman Seward opened the floor for nominations for Vice Chairman of the Board of Supervisors for Calendar Year 2022.

ON MOTION OF SUPERVISOR D. JONES, seconded SUPERVISOR FLY and carried: RESOLVED that the Sussex County Board of Supervisors nominates Wayne O. Jones as Vice Chairman for Calendar Year 2022.

Supervisor Fly – Aye

Supervisor Seward - Aye

Supervisor D. Jones – Aye

Supervisor Tyler – Absent during vote

Supervisor W. Jones – Aye

Supervisor W. Jones is the Vice Chairman of the Board of Supervisors for Calendar Year 2022.

c. Establishment of dates, times and place of regular meetings

The Board of Supervisors regular meetings will remain the 3<sup>rd</sup> Thursday of each month at 6:00 p.m. in the Sussex Judicial Center – General District Courtroom located at 15098 Courthouse Road, Sussex, Virginia 23884.

#### d. Adoption of Rules and Procedures

There were no changes in the Rules and Procedures.

Chairman Seward recommended the Finance and Personnel Committees remain as they are. It was noted that the Personnel Committee only had two members. It was stated that the new Board member (from vacant position) would be assigned to the Personnel Committee.

#### 1.05 Agenda Amendments

Supervisor Fly requested to add under Item 6. Action Items, as Item 6.03 Lifestar Resolution. County Administrator Douglas requested to remove under Item 3. Recognition, Item 3.04a. Sussex County Youth and Adult Recreation Association (SCYARA).

County Administrator Douglas stated that Ms. Beverly Walkup was unable to be in attendance for Item 4. Public Hearing; however, she requested that the Board move forward with the Public Hearing, but not take action until the February Board meeting. As a result, there would be no 4.02 and 4.03 Action on Comprehensive Plan and Zoning Ordinance Amendments, respectfully.

County Administrator Douglas requested to move under Item 6. Action Items, Item 6.01 Dell Computer Lease Agreement.

#### 1.05 Approval of Agenda

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the January 27, 2022 rescheduled regular agenda inclusive of: (1) adding under Item 6. Action Items, as Item 6.03 Lifestar Resolution; (2) removing under Item 3. Recognition, Item 3.04a. Sussex County Youth and Adult Recreation Association (SCYARA); (3) removing under Item 4. Public Hearing, Items 4.02 and 4.03. Action on Comprehensive Plan and Zoning Ordinance Amendments, respectfully; and (4) removing under Item 6. Action Items, Item 6.01 Dell Computer Lease Agreement. All Board members present voted aye.

### **2. Approval of Consent Agenda**

ON MOTION OF SUPERVISOR W. JONES, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves the Consent agenda inclusive of the following: (a) December 16, 2021 regular Meeting minutes; (b) the Approval of Warrants and Vouchers; (c) the Treasurer's Report; (d) Financial Update; and (e) Departmental Reports; and (3) Release of Burn Ban. All Board members present voted aye.

*Chairman Seward noted the Release of Burn Ban under the Consent Agenda due to having enough precipitation.*

### **3. Recognitions/Awards/Presentation**

### 3.01 FY21 Audit of Sussex County – Taylor Stover

Mr. Taylor Stover, Audit Manager with Robinson, Farmer Cox was in attendance at the meeting and gave a brief review of the FY21 Final Audit Report.

Mr. Stover stated that three opinions statements were issued. Opinions on financial statements??., internal controls and federal order compliance. All of which are modified opinions.

The County has a \$9 million general unassigned general fund balance. The County's tax collection percentage is 99.7% when including delinquent tax collections. The County finished the year with \$96,000 still in the CARES Act balance. On June 30, 2021, the County received its first allocation of approximately \$1.1 million in ARPA Funds.

He stated that a management letter was issued to the County of recommendations or comments of area of improvement that has to be discussed.

There was brief discussion of the Sheriff's office expenditure policy updated to include invoices being turned over to the Finance Department that are not properly coded. There was a discussion of credit cards. Credit cards should only be used when going through the accounts payable policy can't be used. He suggests use according to the County policy. He discussed Animal Services receipts turnover for cash money on a weekly basis. There was discussion that the Department of Social Services is required to annually approve their continuity of operation plan which hasn't been done since FY19. There was discussion of special welfare accounts. He stated that anytime you have an SSI dedicated account, a supplemental income account for individuals in special welfare, they are required to receive their portion of the interest accredited to their account which has not been done. There was a small variance in reconciliation of ledger with DSS and the Treasurer's office. It was recommended that the departments meet to correct.

There were no findings.

A copy of the representation/management letter was included in the Board packet. The Audit Book was provided to the Board members.

### 3.02 Introduction of Deputy County Administrator – David Conmy

County Administrator Douglas introduced David Conmy as the new Deputy County Administrator, after beginning employment on January 10<sup>th</sup>. His primary focus will be on economic development. David brings a wide range of skills and experience to the position.

A copy of David Conmy's resume was included in the Board packet.

### 3.03 Route 35/Route 40 Road Safety Assessment – Tommy Catlett

Mr. Tommy Catlett, Resident Engineer for VDOT Franklin Residency was in attendance to present a recently completed road safety assessment (RSA) for the Jerusalem Road (VA Route 35) at

Sussex Road (VA Route 40) intersection, including a recommendation to consider a modular roundabout.

Mr. Catlett stated the intersection of Jerusalem Road (VA Route 35) at Sussex Road (VA Route 40) is controlled by a static stop sign, flashing intersection beacons and overhead flashers. The current speeds on these routes are 55 mph. Consultants took counts which were consistent with VDOT's historical counts—roughly 4,000 vehicles at intersection per day with approximately 25% trucks. A crash analysis was done from 2017 to 2020 for a total of 17 crashes, 65% angle crashes.

Mr. Catlett discussed a short-term category of improvement at Jerusalem Road (VA Route 35) at Sussex Road (VA Route 40) intersection. The short term category is comprised of improvements that could be implemented by local or state forces, which includes measures such as trimming foliage to improve visibility, replacing signage, adjustments to signal timings, modification, or upgrades to pavement markings, etc. Installing solar power LED stop sign that comes on when a car approach was discussed.

The intermediate term category consists of potential improvements that are candidates for funding under the Highway Safety Improvement Program (HSIP), some of which that may not be within VDOT's ability to correct using existing manpower or funding sources. A four-way stop was discussed.

The long term safety improvements may be identified and documented; however, they are not the primary focus of this RSA. Improvements in long-term category are generally more extensive and therefore are not normally good candidates for state/local forces or HSIP funding. Improvements in the long-term category require more extensive planning and design before implementation can be considered. These also typically involve environmental or right-of-way impacts. A round about FHWA single lane to reduce traffic that causes injury and reduce delay was discussed.

There was inquiry as to whether truck traffic was taken into consideration.

Mr. Catlett stated that the presentation was provided for information and feedback at this time. A letter of support would be good. The process was a joint process. Once the design and estimates are done, timing will need to be secured.

He spoke briefly about the Princeton Road entrance.

Road Safety Assessment for Jerusalem Plank Road and Sussex Road was included in the Board packet.

*Supervisor Tyler entered at 6:45 p.m.*

### 3.04 Potential Recreation Projects

- a. Sussex County Youth and Adult Recreation Association

This item was removed and rescheduled for the February 17, 2022 regular Board meeting.

b. Airfield 4-H Conference Center – Supervisor Fly

Supervisor Fly stated that due to loss of business during the pandemic, there is an opportunity with the 4-H Center and Sussex County to use the facility and tie in as a County as a park and recreation facility for the County. If contracted out, it will continue to be more private. The staffing can serve and develop programming for the citizens and the adults in Sussex County. The 4-H Center has 104 programs developed by different universities. There are a huge range of programs and opportunities for the citizens.

Supervisor Fly wants to know if the County is interested in securing a contract with 4-H Center before it's contracted out.

County Administrator Douglas stated that he had conversations with Southampton and Surry Counties regarding their interest. Costs for use of facility and staff would be approximately \$250,000 a year.

Supervisor Tyler recommended forming a committee of recreation, school division, and citizens to come up with a plan to bring back to the Board.

Supervisor Fly recommended form a Park and Recreation committee from the Board of Supervisors.

Deputy County Administrator Conmy stated that he also reached out to the Cameron Foundation.

There was a discussion of a pilot program. County Administrator Douglas and Deputy County Administrator Conmy are to bring information back to the Board.

#### **4. Public Hearing**

##### 4.01 Solar Ordinance Comprehensive Plan Amendment and Ordinance Amendment

County Administrator Douglas stated that Ms. Beverly Walkup, Planning Director, was unable to be in attendance. The Public Hearing would be held to receive any comments; however, no action will be taken until February.

In summary, County Administrator Douglas stated that the amendments restrict the size of the solar facility. It sets a minimum and maximum size of a facility and protects of farm land.

Chairman Seward opened the Public Hearing.

The following staff report was included in the Board packet:

The Planning Commission and Board of Supervisors previously considered Comprehensive Plan and Zoning Ordinance amendments regarding solar energy and battery storage facilities as



contained in the attached report prepared by Darren Coffey, AICP, The Berkley Group at a joint meeting on September 17, 2021.

Since the meeting, staff worked with The Berkley Group and Crater Planning District Commission to develop a map showing prime agricultural lands in the County. The map is contained in the proposed comprehensive plan modification document and may be referenced therein.

Staff also worked with Mr. Coffey to provide the rationale for the 100-acre minimum as follows: 1 MW of solar takes about 15-20 acres of land in Sussex County due to the environmental constraints on much of the land. Therefore, a 5 MW facility would probably have to be on 80-100 acres or more. Smaller facilities are exempt from the revenue options provided by the state, take as much time to process as a larger facility application, and fragment the established and preferred land use patterns of the county as stated in the comp plan. The Board has stated that it does not want to consider smaller facilities for these reasons, therefore a larger minimum project size addresses all of those issues.

The Planning Commission at its regular meeting on October 4, 2021, again considered the amendments and requested staff to bring back more information on the location of prime agricultural soils and the rationale for the 100-acre minimum.

The Planning Commission conducted a public hearing on the Comprehensive Plan and the Zoning amendments on December 6, 2021.

The Commission voted to recommend approval of the Comprehensive Plan amendment (8-1-1) adding the recommended criteria that solar and battery storage facilities be “located less than or equal to one (1) mile from a transmission line”.

The Commission voted to recommend approval of the Zoning Ordinance amendment (9-0-1).

Report by Darren Coffey, dated August 30, 2021; Resolution/Proposed Modifications to the 2004-2005 Comprehensive Plan in Consideration of Solar and Battery Storage Facilities (December 7, 2021); and, Ordinance to Amend and Reenact Article I, Sections 16.1, Definitions and Article XXIII, Solar and Battery Facilities were included in the Board packet.

Chairman Seward closed the Public Hearing.

Public comments were heard from John Jeremko and Willem Dalbotten of UEGI.COM.

Board comments were heard from Chairman Seward.

Chairman Seward closed the Public Hearing.

No action was taken. Ms. Beverly Walkup, Planning Director, will review all the changes/amendments at the February Board meeting.

## **5. Appointments**

### 5.01 Appointment to the Housing Oversight Board

County Administrator Douglas stated that Tanisha Green submitted her letter of resignation from the Housing Oversight Board. The purpose of the Board is to provide fair and equitable application oversight of the Pocahontas Community Improvement Grant, Phases I and II, and the Regional Urgent Needs Grant Program as required under the County's contract with the funding agency, Virginia Department of Housing and Community Development.

The criteria for Mrs. Green's replacement is as follows: Active member of community, already have an existing relationship with many of the neighbors, and having been an active participant in organizing the neighborhood during the Planning Grant process. They should understand the intent of the program and be able to assist the County in communicating with project area residents to assure they fully understand the program.

A copy of Ms. Tanisha Green's resignation letter was included in the Board packet.

No action was taken.

### 5.02 Appointment to the Planning Commission

County Administrator Douglas stated that the terms of Ms. Brenda Burgess, 205 West Main Street, and Mr. Roger King, Post Office Box 349, both of Waverly, Virginia 23890, are due to expire on the Planning Commission January 31, 2022. Staff has contacted Ms. Burgess and Mr. King. Ms. Burgess is unable to continue to serve. Mr. King is willing to serve, if reappointed.

Copies of Declining & Confirmation Letters and a list of the Planning Commission members were included in the Board packet.

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby reappoints Mr. Roger, Post Office Box 349, Waverly, Virginia 23890, to the Planning Commission with terms expiring January 31, 2026. All Board members present voted aye.

### 5.03. Department of Social Services Advisory Board

County Administrator Douglas stated that this item was tabled from previous Board of Supervisors regular meetings agenda. The Board discussed contacting members of the former DSS Administrative Board in regards to their interest in serving on the Advisory Board. There was also the Board's general consensus to have representation from each district. A list of names was also provided by Mr. Hagy, the Director of Social Services. Three members—Stony Creek, Wakefield and Waverly Districts—were interested contingent upon further information provided.

No action was taken.

### 5.04 Nomination for Appointment to Board of Equalization

County Administrator Douglas stated that this item has been tabled from previous meetings. There were a number of individuals interested to consider.

The four members currently serving on the Board of Equalization are: (1) Ms. Antoinette Jones, 13174 Shands Road, Stony Creek, Virginia 23882; (2) Mr. Dennis Mason, 407 East Main Street, Wakefield, VA 23888; (3) Ms. Carla Mayes, 28237 Petersburg Road, Waverly, VA 23890; and, (4) Mr. Jerry Parham, 33117 Sussex Drive, Waverly, VA 23890.

Appointments and qualifications were included in the Board packet.

Staff recommends that the Board recommends an individual(s) for nomination for appointment by the Circuit Court Judge to fill the vacancy and set the terms for the Board of Equalization.

Virginia State §§ 58.1-3374 Appointments and 58.1-3374 Qualifications of members; vacancies were included in the Board packet.

No action was taken.

#### 5.05 Appointment to Sussex Service Authority Alternate At-Large Position

County Administrator Douglas stated that this item has been on previous Board agendas. Staff was advised by Mr. Frank Irving, of Sussex Service Authority, that there was a vacancy for an unexpired term on the Sussex Service Authority for an alternate in the At-Large position.

The position is for any citizen who resides in Sussex County (prefer them to be in our service area, but not mandatory) and is not an elected official. The position is currently held by Sam Harrison but he has moved out of Sussex County and is no longer eligible. He will continue to serve until his replacement has been appointed.

This position will serve through December 2022 at which time they can be renewed for another four-year term.

No action was taken.

### **6. Action Items**

#### 6.01 Dell Computer Lease Agreement

This item was removed during agenda amendments.

#### 6.02 Request for Funds for Grocery Store Market Analysis

County Administrator Douglas stated that staff has been in discussion with Wakefield's Great Valu Market ownership and the Town of Stony Creek about a potential expansion into the vacant grocery building in Stony Creek. The Great Valu Market is strongly interested in expanding to that location but is requesting that the County or Town fund a grocery field study/market analysis

that would justify locating a store in Stony Creek. They have previously utilized and are recommending a consultant, ROIC Analytics, to complete the market analysis, at a cost up to \$9,000. The Town of Stony Creek has agreed to cover 25 percent of the study costs, approximately \$2,250, and is requesting assistance from the county to fund the balance of this analysis.

Staff recommends that up to \$6,750 in ARPA funds be used (a budget amendment would be forthcoming at a future meeting) to complete the proposed market analysis, and that the County Administrator be authorized to execute a professional services master agreement with ROIC Analytics to complete this work.

The ROIC Analytics Statement of Work for Grocery Field Study and Professional Services Master Agreement were included in the Board packet.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves up to \$6,750 in ARPA funds to be used to complete the proposed market analysis with the budget amendment at a future meeting, and that the County Administrator be authorized to execute a professional services master agreement with ROIC Analytics to complete this work. All Board members present voted aye.

### 6.03 Lifestar Resolution

County Administrator Douglas stated that there are a resolution and an amendment to Lifestar services agreement with Lifestar EMS Contractor for consideration. The resolution appoints Lifestar as the County's emergency medical services provider for essentially the eastern part of the County. Lifestar is essentially providing emergency medical service in this portion of the County. Waverly Rescue volunteers. They are just doing it with Waverly Rescue Squad ambulances which are housed at Waverly Rescue Squad. The only thing that would change with this is the ambulances will be Lifestar ambulances. They contract amendment is basic. A \$450 a day agreement is being added with Lifestar to provide two fully stocked ALS ambulances 24/7 operating under Lifestar licensure.

There was inquiry as to billing. It was stated that Mr. Bryant was willing to do the billing and pay the County. They will have to work on details.

County Administrator Douglas stated that the County has a legal obligation to provide nurse and medical services to its residence. Waverly Rescue Squad has provided services for years for the eastern part of the County. Since 2016, the County has contracted with EMS ambulance services to provide 100% of the EMS staffing for the Waverly Rescue Squad which equates to a cost of approximately \$700,000 a year. Waverly Rescue Squad volunteers and does not run calls. Waverly Rescue Squad maintains the licensure, handle billing and maintain trucks—administrative functions.

County Administrator Douglas stated that Mr. Reid Foster, Sussex County's Public Safety Coordinator, is charged with working with the various volunteer fire and rescue organizations to coordinate the provision of services within the County. Under the new squad leadership in the last few months, the County's relationship has deteriorated. A good faith effort was made to work

with the rescue squad to identify the issues. Staff met with some of the Waverly Rescue Squad leadership in November to discuss various operational and communication concerns. He believes he made a good faith effort to develop a memorandum of understanding that outlined operations and procedures for addressing operational issues between Waverly Rescue Squad, Lifestar and the County. There was a good faith effort to improve the overall communication and cooperation between the three entities.

County Administrator Douglas stated that unfortunately communication and cooperation has not improved since the meeting. It has gotten worse. A couple days prior, Waverly leadership asked the Public Safety Coordinator to leave the property at the State EMS inspection at Waverly Rescue Squad. On Wednesday, County staff met with Lifestar to discuss how things were going to move forward, in which Lifestar leadership voiced his concerns to County staff about working within a hostile work environment at Waverly Rescue Squad and the inability of Lifestar to retain employees and adequately meet the provisions of his contracts within the County because of these working conditions and restrictions of certain employees being allowed or not being allowed to work.

County Administrator Douglas stated that the resolution switches the designated EMS provider in the eastern part of the County from Waverly Rescue Squad to Lifestar. He stated that it does not shut the doors at Waverly Rescue Squad. It maintains them as a secondary provider. It allows their volunteers to support Lifestar on calls as they are available and or it allows the Rescue Squad to staff with volunteers as a back-up ambulance that can come and support when there are additional calls, if needed.

The rates for the service will stay the same, \$48.00 an hour with an additional \$450 per day for each of the two ambulances.

Mr. Frankie Bryant, Lifestar Ambulance Services, Inc., gave a brief overview. He stated that EMS staffing across Virginia has decreased due to loss of classes and are constantly losing providers. He stated that if something doesn't change within the next 60 days, they will not be able to provide service. Willing to be working partners. Situation is costing them personnel and will not be able to meet needs.

Mr. Foster stated that he wanted to stress that this matter was urgent. He wasn't sure that in 60 days that he would have a contract with Lifestar if something didn't change that night. They are prepared to move forward tonight.

There were continued discussions of how to move forward with this matter.

A copy of the resolution and Lifestar contract amendment agreement were provided to the Board members.

Supervisor Fly recommended making the effective date, March 1, 2022. Initially, Supervisor Tyler made motion, seconded by Supervisor D. Jones to adopt the resolution, effective March 1, 2022; however, he made a substitution motion changing the effective date to January 27, 2022.

ON MOTION OF SUPERVISOR TYLER, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby adopts the resolution appointing Lifestar Ambulance Service, Inc. as the county's emergency medical services provider for certain portions of the county, to-wit:

Whereas, the County is required by state law to either directly provide emergency medical services to its citizens or to contract for such services to be provided by licensed emergency services agencies; and

Whereas, the County has been fulfilling this requirement by utilizing Waverly Rescue Squad, Inc. ("Waverly Rescue") to provide emergency medical services to county citizens in certain portions of the County as set out herein; and

Whereas, for many years the dedicated volunteers and agents of Waverly Rescue provided these vital services directly to citizens of the County; and

Whereas, since October 2016, the County has been providing substantially all the funds for the actual provision of these services pursuant to a contract with Lifestar Ambulance Services, Inc. ("Lifestar"), while Waverly Rescue Squad, Inc. has reduced its role to billing and other administrative functions; and

Whereas, to enhance coordination of services with the County, reduce administrative inefficiencies, and improve overall emergency medical services to citizens, the Board of Supervisors desires to no longer utilize Waverly Rescue for any related services, and to appoint Lifestar directly as the County's provider of emergency medical services in all portions of the County previously served by Waverly Rescue, namely the "Waverly Rescue First Due Area" of the County; and

Now Therefore, Be It Resolved by the Sussex County Board of Supervisors that Lifestar Ambulance Service, Inc, a licensed provider of emergency medical services in the Commonwealth of Virginia, is hereby designated and appointed as the County's provider of emergency medical services in the Waverly Rescue First Due Area of the County pursuant to the authority granted under Virginia Code Sections 32.1-111.4:3 and 32.1-111.4:7; and

Be it further resolved that this designation shall be contingent upon Lifestar complying with all applicable state regulations and requirements and providing the County with a valid state license to perform such services in the County; and

Be it further resolved that corresponding amendments to the October 2016 County Contract with Lifestar are hereby approved, reflecting the contents of this Resolution, including removing the references to Waverly Rescue, providing that the licensed provider shall be Lifestar in the Waverly Rescue First Due Area, as well as amending the contract to include an initial 3-year term with two optional 1 year renewal terms; and

Be it further resolved that any and all prior Board or other County actions designating or approving Waverly Rescue as the County's licensed provider of emergency medical services in

the County are hereby repealed and rescinded and that the County Administrator shall forthwith notify Waverly Rescue, Lifestar, and appropriate state officials of the passage of this Resolution.

Approved by the Sussex County Board of Supervisors and effective 27<sup>th</sup> day of February, 2022.

Voting aye: Supervisors D. Jones, Seward, Tyler

Voting nay: Supervisor Fly

Abstained: Supervisor W. Jones

County Administrator Douglas stated the second item is the amendment to the operations and management agreement for emergency medical services. He noted one change recommended by Mr. Steve White, BOS Tie Breaker, at Amendment 3., at the end of paragraph E, after (ODEMSA), add the language Tidewater Emergency Council protocol.

## **7. Citizens' Comments**

- Lavern Ford (Stony Creek District) – Redistricting; travel to vote; transportation distance to vote for citizens.

## **8. Unfinished Business**

### 8.01 Voting District Mapping

County Administrator Douglas stated that Mr. Alec Brebner, Executive Director of Crater Planning District Commission, was in attendance. He stated that direction was needed from the Board on how to move forward to adjust for the present population and to review district mapping.

He stated once the Board agreed on a consensual map and then they could move forward with advertising for a public hearing.

Supervisor Tyler stated that he wanted to meet with Mr. Brebner before the Board moved forward with the map.

Supervisor Fly recommends that the Board, as a whole, schedule a work session to review maps with a GIS specialist/expert who have software for 5, 6 or 7 districts.

County Attorney Gore stated that the process now is to apply to the Virginia Attorney General for approval. No more DOJ pre-clearance. Will need to be done by March or April at the latest.

Supervisor Tyler requested a copy of stipulation and conditions. He also recommended a committee to do a draft and bring back to the Board. The committee will consist of Supervisors Fly, Tyler and W. Jones, the county administrator along with Mr. Bill Jenkins, the General Registrar, to sit in on the meeting. The committee will meet at the Crater Planning District Commission in Petersburg, Virginia.

## **9. New Business**

## 9.01 Electronic Summons System Fee Ordinance

County Administrator Douglas stated that Sheriff Giles is requesting consideration of an ordinance that would allow for the assessment of an additional \$5.00 as part of costs in each criminal or traffic case in the district or circuit courts of the county. This revenue would be designated for the implementation and maintenance of an electronic summons system. In order to move forward, a public notice is required to be advertised that would allow for consideration of an ordinance.

Sheriff Giles stated that this program will pay for itself.

Staff recommends approval of a public notice to consider the electronic summons system ordinance at the February regular meeting, if the Board of Supervisors is in agreement to consider such an ordinance.

A copy of the Public meeting notice and draft electronic summons system fee ordinance were included in the Board packet.

ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR W. JONES and carried: RESOLVED that the Sussex County Board of Supervisors hereby authorizes the County Administrator to move forward with advertising the public notice that will allow for consideration of an ordinance for the electronic summons systems fee. All Board members present voted aye.

## **10. Board Member Comments**

10.01 Blackwater District – Be safe.

10.02 Courthouse District – Treasurer’s Report.

10.03 Henry District – none

10.04 Stony Creek District – none

10.05 Wakefield District – none.

10.06 Waverly District – absent

## **11. Closed Session**

There was no Closed Session.

## **12. Adjournment**

12.01 Adjournment



ON MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR W. JONES and carried:  
RESOLVED that the January 27, 2022 rescheduled regular meeting of the Sussex County Board  
of Supervisors hereby adjourned at 9:08 p.m.

Voting aye: Supervisors Fly, D. Jones, W. Jones, Seward, Tyler

Voting nay: none

#### 12.02 Next Meeting

The next regular Board of Supervisors meeting will be held on Thursday, February 17, 2022 at 6  
p.m.

DRAFT

SUSSEX COUNTY  
TREASURER'S REPORT  
AND  
FINANCIAL UPDATE

SUBMITTED BY DESTE J. COX, TREASURER

JANUARY 31, 2022



## TREASURER'S OFFICE

**DESTE JARRATT COX**  
**TREASURER**  
**SUSSEX COUNTY**

**15074 COURTHOUSE ROAD**  
**P.O. BOX 1399**  
**SUSSEX, VA. 23884**

**Phone (434)246-1086 or**  
**(434)246-1087**  
**Fax (434)246-2347**

Statement of money in the banks to the credit of Sussex County as shown by the Treasurer's books at the close of business January 31, 2022

**BB&T #201- SUSSEX, VA**

Bank Balance -----	\$11,525.16	
Bank Fees/Adjustments -----	\$195.36	
Deposits in Transit -----	\$0.00	
Outstanding Checks -----	\$0.00	\$11,720.52

**BSV #301- STONY CREEK, VA**

Bank Balance-----	\$11,560,550.34	
Bank Fees/Returned Checks-----	(\$292.90)	
Credit Card Fees/Adjustments-----	\$3,309.05	
Deposits in Transit -----	\$1,052.64	
Outstanding Checks-----	(\$986,045.00)	\$10,578,574.13

**SONA/PRIMIS #401- WAVERLY, VA**

Bank Balance-----	\$14,189.44	
Deposits in Transit-----	(\$9.86)	\$14,179.58
Investments and CD's-----		
#30380034 - SONA #451	\$2,315,631.94	
#30383118 - SONA #451	\$1,014,287.75	
#30383043 - SONA #451	\$2,009,181.18	
		\$5,339,100.87

**QZAB -06 #702** Investment Balance----- \$1,951,968.61

**LGIP INVESTMENT #803** Investment Balance----- \$2,386,616.83

**VA INV POOL #804** Investment Balance----- \$622,515.53

**TOTAL IN BANKS REC W/GL-----** \$20,904,676.07

Letters or statements from each of the above mentioned banks are on file in the Treasurer's Office of Sussex County certifying the balance as listed above.

Respectfully submitted:

  
 \_\_\_\_\_  
 Deste J. Cox, Treasurer

kbe

**SUSSEX COUNTY - DESTE J. COX, TREASURER**  
**REVENUE/EXPENDITURE SUMMARY REPORT**  
**JANUARY 2022**

**General Fund** **FUND BALANCE as of 01/31/22 = \$ 12,218,308**

				<b>ANNUAL BUDGET</b>	<b>CURRENT MONTH ACTIVITY</b>	<b>YTD ACTUAL 01/31/2022</b>	<b>PRIOR FY - YTD Through 01/31/2021</b>	<b>COLLECTED % YTD</b>
<b>REVENUES</b>								
Real Estate - 2021				4,950,093	86,320	4,821,752	4,825,511	97.4%
Public Service Corp - 2021				753,613	0	728,273	746,151	96.6%
Personal Property - 2021				2,705,677	75,857	2,794,828	2,629,246	103.3%
Machinery & Tools - 2021				804,883	39,424	587,628	1,097,731	73.0%
Local Sales & Use Taxes (net)				902,062	89,862	636,977	546,596	70.6%
Transient Occupancy Tax				40,000	7,200	53,378	18,107	133.4%
Consumer Utility Taxes				88,000	11,317	54,754	43,079	62.2%
Business License Taxes				62,050	1,669	19,438	28,144	31.3%
Motor Vehicle Licenses				223,032	10,373	174,377	179,694	78.2%
Landfill Tipping Fees				4,851,000	448,514	3,235,592	3,426,336	66.7%
Delinquent Taxes RE				161,000	10,278	93,321	141,581	58.0%
Delinquent Tax Personal Property				104,500	5,251	58,073	73,094	55.6%
Penalties - All Property				105,000	13,594	38,180	46,967	36.4%
Interest - All Property				26,000	1,548	17,962	20,100	69.1%
Court Fines				940,000	64,695	487,766	31,416	51.9%
State				4,127,137	284,045	2,924,238	2,757,486	70.9%
Federal				1,500	0	84,077	1,602,654	5605.1% **
Designated Use of Fund Balance				3,766,864	0	0	0	0.0%
<b>EXPENDITURES</b>								
				<b>ANNUAL BUDGET</b>	<b>CURRENT MONTH ACTIVITY</b>	<b>YTD ACTUAL 01/31/2022</b>	<b>PRIOR FY - YTD Through 01/31/2021</b>	<b>SPENT % YTD</b>
General Government				3,565,616	251,732	1,351,912	2,849,219	37.9%
Judicial Administration				1,216,502	98,162	676,469	649,050	55.6%
Fire, Rescue, EMS				2,080,956	222,575	1,395,753	1,011,223	67.1%
Sheriff's Operations & Jail				5,888,468	423,363	2,947,811	2,421,441	50.1%
Public Works				1,101,989	85,616	817,396	701,741	74.2%
Health & Welfare				1,175,528	63,967	824,633	493,762	70.1%
Education				7,753,652	483,187	3,822,788	295,071	49.3%
Parks Rec & Cultural Enrichment				255,151	46,538	200,973	186,299	78.8%
Planning/Community Dev				1,648,853	41,156	397,986	1,392,732	24.1%
Debt Service				1,534,697	56,585	1,392,342	1,470,948	90.7%

\*\*FYE22 YTD Actual includes ARPA Municipal Grant

\*\*FYE21 includes CARES Act funding

**SUSSEX COUNTY  
REVENUE/EXPENDITURE SUMMARY REPORT  
JANUARY 2022**

**Capital Projects Fund - Fund 302** **FUND BALANCE as of 01/31/22 = \$ 126,114 plus \$701,196 F&R Dedicated Funds**

<i>REVENUES</i>				<i>ANNUAL BUDGET</i>	<i>CURRENT MONTH ACTIVITY</i>	<i>YTD ACTUAL 01/31/2022</i>	<i>PRIOR FY - YTD Through 01/31/2021</i>	<i>COLLECTED % YTD</i>
Gifts/Donations Fire & Rescue				0	0	0	5,000	0.0%
Transfer from General Fund				0	0	0	150,000	0.0%
<b>Total Capital Projects Fund Revenues</b>				<b>0</b>	<b>0</b>	<b>0</b>	<b>155,000</b>	<b>0.0%</b>
<i>EXPENDITURES</i>				<i>ANNUAL BUDGET</i>	<i>CURRENT MONTH ACTIVITY</i>	<i>YTD ACTUAL 12/31/2021</i>	<i>PRIOR FY - YTD Through 12/31/2020</i>	<i>SPENT % YTD</i>
Replace E911 Equip				56,322.00	0	0	0	0.0%
Voting Machines				8,625.00	0	0	0	0.0%
Sheriff Patrol Vehicle				122,134.00	0	68,394	68,394	56.0%
Transfer to Other Funds				175,054	0	175,054	406,866	100.0%
Communications				20,000.00	0	0	0	0.0%
Renovations-Co. Buildings				256,303.00	0	0	0	0.0%
School Projects				27,000.00	0	0	0	0.0%
Animal Shelter & Complex				0.00	0	0	23,880	0.0%
<b>Total Capital Projects Fund Expenditures</b>				<b>665,438</b>	<b>-</b>	<b>243,448</b>	<b>499,140</b>	<b>36.6%</b>

**SUSSEX COUNTY  
REVENUE/EXPENDITURE SUMMARY REPORT  
JANUARY 2022**

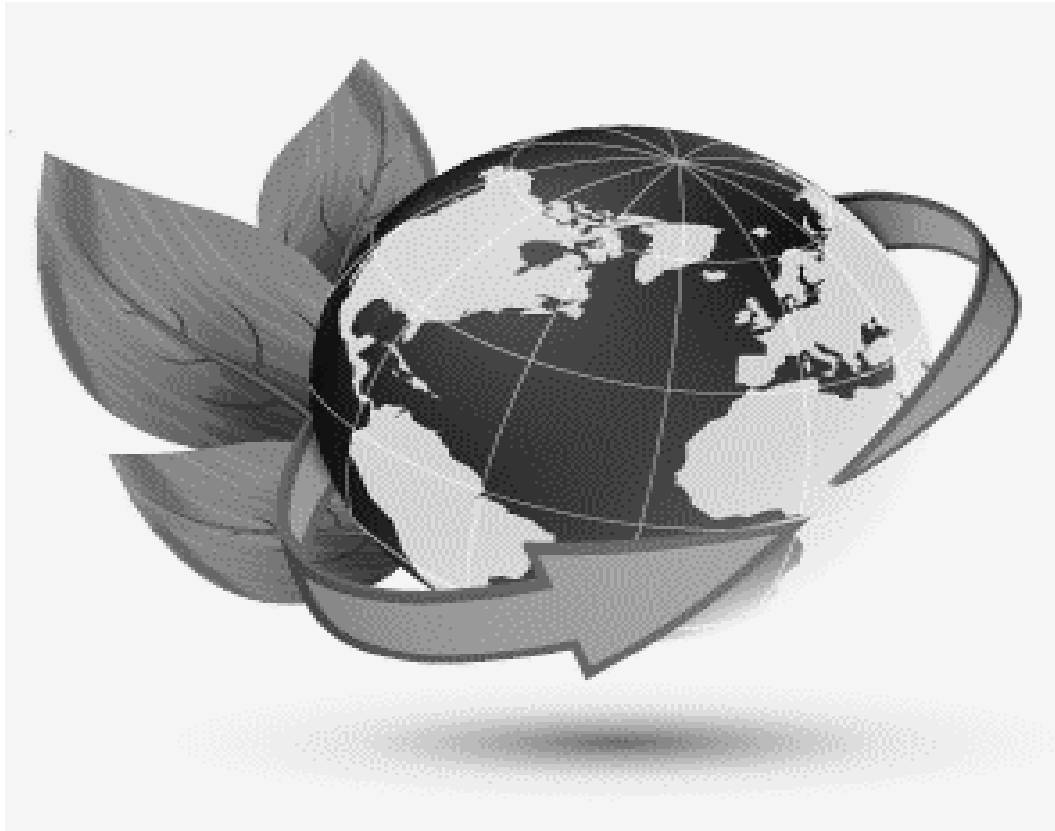
**Reserve Fund 135** **FUND BALANCE as of 01/31/22 = \$ 4,574,410**

<i>REVENUES</i>				<i>ANNUAL BUDGET</i>	<i>CURRENT MONTH ACTIVITY</i>	<i>YTD ACTUAL 01/31/2022</i>	<i>PRIOR FY - YTD Through 01/31/2021</i>	<i>COLLECTED % YTD</i>
				0	0	0	0	0.0%
<b>Total Reserve Fund Revenues</b>				<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0%</b>
<i>EXPENDITURES</i>				<i>ANNUAL BUDGET</i>	<i>CURRENT MONTH ACTIVITY</i>	<i>YTD ACTUAL 01/31/2022</i>	<i>PRIOR FY - YTD Through 01/31/2021</i>	<i>SPENT % YTD</i>
Transfer to General Fund				176,020	0	176,020	96,027	100.0%
Transfer to VPA Fund				579	0	579	0	100.0%
<b>Total Reserve Fund Expenditures</b>				<b>176,599</b>	<b>0</b>	<b>176,599</b>	<b>96,027</b>	<b>100.0%</b>

## General Fund

				ANNUAL	CURRENT MONTH	ACTUAL 01/31/2022	YTD 01/31/2021	Spent %
EXPENDITURES BY DEPARTMENT				BUDGET	ACTIVITY	YEAR TO DATE	PRIOR FISCAL YEAR	YTD
Board of Supervisors				166,733	8,786	71,344	118,365	42.8%
Administration				1,986,631	97,756	555,226	2,111,755	27.9%
Contingency Acct				128,001	0	0	0	0.0%
IT & Central Acct				43,000	14,798	38,296	37,424	89.1%
County Attorney				150,000	12,985	98,397	71,769	65.6%
Registrar/Board of Elections				254,369	15,157	115,564	127,412	45.4%
Com of Rev/Reassess				405,230	54,998	221,849	152,848	54.7%
Treas/Lic Bureau				431,651	47,252	251,235	229,645	58.2%
<b>General Government</b>				<b>3,565,616</b>	<b>251,732</b>	<b>1,351,912</b>	<b>2,849,219</b>	<b>37.9%</b>
Courts				103,072	10,430	51,854	52,675	50.3%
Clerk of Courts				416,544	31,032	228,656	214,534	54.9%
Com Atty/Vic Wit				696,886	56,700	395,959	381,841	56.8%
<b>Judicial Administration</b>				<b>1,216,502</b>	<b>98,162</b>	<b>676,469</b>	<b>649,050</b>	<b>55.6%</b>
Fire/Rescue/EMS				1,744,947	194,886	1,166,361	790,374	66.8%
Aminal Control				336,009	27,689	229,392	220,849	68.3%
<b>Fire, Rescue, EMS</b>				<b>2,080,956</b>	<b>222,575</b>	<b>1,395,753</b>	<b>1,011,223</b>	<b>67.1%</b>
Court Sec/Spot/FO/E911				3,758,077	262,419	1,784,276	1,435,013	47.5%
Confinement of Inmates				1,989,715	154,656	1,099,487	925,798	55.3%
Crater Crim Justice Aca.				140,676	6,289	64,049	60,631	45.5%
<b>Sheriff's Operations &amp; Jail</b>				<b>5,888,468</b>	<b>423,363</b>	<b>2,947,811</b>	<b>2,421,441</b>	<b>50.1%</b>
Building & Grounds				365,254	23,253	257,880	310,503	70.6%
Envir Inspections				251,988	8,736	93,540	79,725	37.1%
General Works				289,747	19,550	139,582	52,151	48.2%
Convenience Ctrs.				195,000	34,077	326,394	259,362	167.4%
<b>Public Works</b>				<b>1,101,989</b>	<b>85,616</b>	<b>817,396</b>	<b>701,741</b>	<b>74.2%</b>
Health - Outside Agencies				224,552	0	187,473	150,394	83.5%
Com. Support Services - Outside Agencies				203,815	186	149,287	83,431	73.2%
Local Contrib to DSS				425,523	43,755	223,955	159,702	52.6%
Local Contrib to CSA				321,638	20,026	263,918	100,235	82.1%
<b>Health &amp; Welfare</b>				<b>1,175,528</b>	<b>63,967</b>	<b>824,633</b>	<b>493,762</b>	<b>70.1%</b>
Educ Contrib - Outside Agencies				4,482	0	2,982	4,482	66.5%
Local Contrib to Sch Fd				7,749,170	483,187	3,819,806	290,589	49.3%
<b>Education</b>				<b>7,753,652</b>	<b>483,187</b>	<b>3,822,788</b>	<b>295,071</b>	<b>49.3%</b>
Library/Cultural - Outside Agencies				199,151	46,538	152,613	156,299	76.6%
Recreational Contrib- Outside Agencies				56,000	0	48,360	30,000	86.4%
<b>Parks Rec &amp; Cultural Enrichment</b>				<b>255,151</b>	<b>46,538</b>	<b>200,973</b>	<b>186,299</b>	<b>78.8%</b>
DHCD UNOS Grt				824,517	0	133,838	93,339	16.2%
VHDA COVID19 Grt				34,476	0	0	5,524	0.0%
Planning/Building/Zoning				487,866	27,956	262,873	282,534	53.9%
CDBG Pocahantas Grt				228,987	13,200	-54,338	28,203	-23.7%
Crater Planning Com				9,790	0	4,895	9,790	50.0%
IDA				12,500	0	0	949,017	0.0%
Va Gateway Region				47,417	0	47,417	21,025	100.0%
Crater SBDC				3,300	0	3,300	3,300	100.0%
<b>Planning/Community Dev</b>				<b>1,648,853</b>	<b>41,156</b>	<b>397,986</b>	<b>1,392,732</b>	<b>24.1%</b>
Debt Service				1,534,697	56,585	1,392,342	1,470,948	90.7%
<b>Debt Service</b>				<b>1,534,697</b>	<b>56,585</b>	<b>1,392,342</b>	<b>1,470,948</b>	<b>90.7%</b>

# **Solid Waste Management Services**



**February 17, 2022  
Monthly Report**

# **Department of Social Services**



**SUSSEX COUNTY  
SOCIAL SERVICES**



## **February 17, 2022 Monthly Report**



**CRISIS APPLICATIONS**

**January 2022**

Number of Applications Pending from January 2022	17
Number of Applications Received	25
Number of Applications Approved	4
Number of Applications Denied	4
Number of Applications Pending at the end of month	0

Submitted by: Jessica Upton

Benefits Programs Supervisor

2/7/22

## Family Services January report

### CPS & CPS On-going

# of Open CPS Ongoing Cases	2
# of New CPS Referrals	7
# of Screen outs	2
# of Family Assessments (total)	21
# of Investigations	6
# Of Children in foster care	7

### Home Studies

# of New Request	0
# of continuing request	0
# completed	0

### Adult Services

# of Adult Services Cases	21
# of Companion- recipients	1
# of recipients on waiting list for companion services	46
# of companion services providers	1
# of personal care screening initiated	2
# of personal care screenings completed	4
# number of nursing home screenings initiated	0
# of Nursing home screenings completed	0
# of ACR screenings completed	0
#of ACR reassessments	0
# of closed adult services cases	8

### Adult Protective Services

# of APS reports received this month	4
# of invalid reports	1
# of On-going investigations	9
# of persons receiving APS services	29
# of guardianship cases	12
# of closed APS	11

### Intake

# Of Crisis Assistance Intake	1
3 of clients emergency food	1

**Origin / Material Summary Report**

**Criteria: 01/01/2022 12:00 AM to 01/31/2022 11:59 PM**

**Business Unit Name: Atlantic Waste Disposal - S05136 (USA)**

Origin	Material	Tons
DC	Special Misc-Tons	509.53
<b>Origin Total</b>		<b>509.53</b>
DE	MSWT	275.06
DE	Special Misc-Tons	61.47
<b>Origin Total</b>		<b>336.53</b>
MD	POTW Sludge-Tons	411.49
MD	Sludge Indus-Tons	23.30
MD	SludgeIndus-Tons	20.40
<b>Origin Total</b>		<b>455.19</b>
NC	CDTC	55.28
NC	Cont Soil Met-Tons	1,477.34
NC	MSWT	3,287.80
NC	Special Misc-Tons	3,038.02
<b>Origin Total</b>		<b>7,858.44</b>
NY	MSWT	52,164.29
<b>Origin Total</b>		<b>52,164.29</b>
PA	MSWT	47.42
<b>Origin Total</b>		<b>47.42</b>
SUSS BUS	MSWT	46.42
SUSS BUS	Sludge Indus-Tons	689.30
<b>Origin Total</b>		<b>735.72</b>
SUSS RES	MSWT	384.25
<b>Origin Total</b>		<b>384.25</b>
VA	Auto Fluff-Tons	1,443.11
VA	CDTC	80.44
VA	MSWT	20,662.26
VA	OLCHT	7,780.83
VA	SludgeIndus-Tons	691.72
VA	Special Misc-Tons	1,057.71
<b>Origin Total</b>		<b>31,716.07</b>
<b>Totals</b>		<b>94,207.44</b>

# Planning Department



## February 17, 2022 Monthly Report

# Planning & Zoning Department Monthly Report for January 2022

*Michael Poarch, County Planner*

## **Community Development/Special Programs Grant Administration**

### *Current Developments*

- *Site Plan Review for Waverly Solar LLC and Pit Crew LLC.*
- *ESC Plan Review for Waverly RNG Project*

### *Sussex County Urgent Need (UNOS) Project*

- *Seven (7) housing projects have been completed under the UNOS project, including four (4) substantial reconstructions and three (3) rehabilitations.*
- *One (1) housing rehabilitation project is close to completion.*
- *One (1) housing rehabilitation project is under contract.*
- *Two (2) substantial reconstructions are waiting for manufactured homes to be set-up on each site.*
- *One (1) housing rehabilitation project has been negotiated down and pending contract signing.*
- *Façade Improvements for two (2) businesses are waiting for a shipment of materials to start the work.*

### *Pocahontas Neighborhood Improvement Project*

- *Five (5) housing projects have been completed under the Pocahontas project, including three (3) substantial reconstructions and two (2) rehabilitations.*
- *One (1) housing project has been negotiated down and pending contract signing.*
- *Pending DHCD approval for a contract extension for a period of nine (9) months. The contract expired on January 22, 2022.*

## **Planning & Zoning**

- *No Planning Commission meeting was held in the month of January.*
- *Three (3) Zoning Applications were reviewed and approved for January; one (1) for single family dwelling with a detached garage, one (1) for house addition, and one (1) for single family dwelling.*
- *Two (2) new address assignments were issued for new residential construction on Railroad Bed Road and Henry Road for January.*

## **Erosion & Sediment Control**

- *Required Monthly Land Disturbance Report to DEQ are up-to-date.*
- *Four (4) E&S projects are active with inspections being made within a two week period or after each significant rainfall event.*

# Planning & Zoning Department

## Monthly Report for December 2021

*Michael Poarch, County Planner*

### **Community Development/Special Programs Grant Administration**

#### Current Developments

- *The Fairfield Inn is open.*
- *Site Plan Review for Waverly Solar LLC and Pit Crew LLC are underway.*

#### Sussex County Urgent Need (UNOS) Project

- *Seven (7) housing projects have been completed under the UNOS project, including four (4) substantial reconstructions and three (3) rehabilitations.*
- *One (1) housing rehabilitation project has work underway with 85% completion.*
- *One (1) housing rehabilitation project is under contract.*
- *Two (2) substantial reconstructions are under contract with emergency procurement.*
- *One (1) housing project has been negotiated down and pending contract signing.*
- *Façade Improvements for two (2) businesses have been contracted under emergency and sole source procurement with Binswanger Glass to install storefront glass and should greatly improve the street appeal from Main Street.*

#### Pocahontas Neighborhood Improvement Project

- *Five (5) housing projects have been completed under the Pocahontas project, including three (3) substantial reconstructions and two (2) rehabilitations.*
- *One (1) housing project has been negotiated down and pending contract signing.*
- *Approach on proposed alternatives for street improvements, including streetlights, sidewalks, and connector road.*

### **Planning & Zoning**

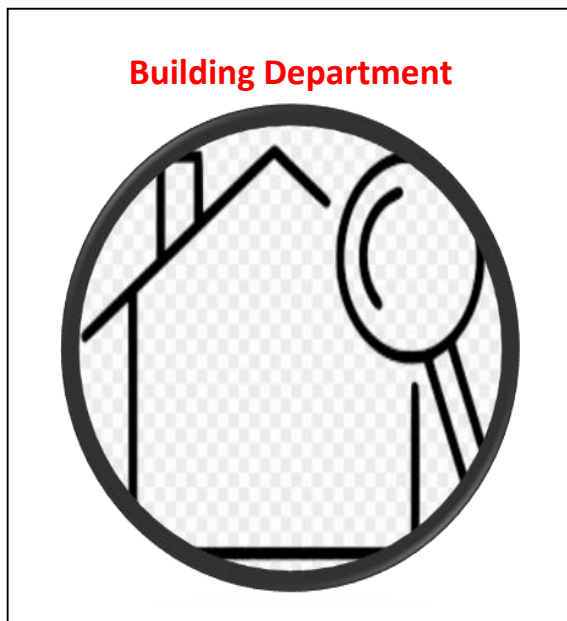
- *The Planning Commission considered the following amendments at its December meeting:*
  - *Comprehensive Plan Amendment for Solar Facilities. The Planning Commission voted to recommend approval of the amendment subject to the addition of solar facilities being less than or equal to (1) one mile from a transmission line.*
  - *Zoning Ordinance Amendment for Solar Facilities. The Planning Commission voted to recommend approval of the amendment.*
- *Seven (7) Zoning Applications were reviewed and approved for December; one (1) for garage, one (1) for ground mount solar for single-family residence, two (2) for single family dwellings, one (1) for a group home, one (1) for an antenna upgrade to existing tower, and one (1) for two additional self-storage buildings at Pinehaven on Rt. 301 in Jarratt.*

- *One (1) new address assignment was issued for new residential construction on Harrell Road for December.*

### ***Erosion & Sediment Control***

- *Required Monthly Land Disturbance Reports to DEQ are up-to-date.*
- *Four (4) E&S projects are active with inspections being made within a two-week period or after each significant rainfall event.*

# **BUILDING INSPECTIONS DEPARTMENT**



## **February 17, 2022 Monthly Report**





## MEMORANDUM

DATE: February 7, 2022  
 TO: Richard Douglas, County Administrator  
 FROM: Matt Westheimer, Building Official  
 SUBJECT: January 2022 - Monthly Report

Please accept this as the January 2022 update for the Building Department.

### BUILDING ACTIVITY

- January 2022

<i>Building Permits</i>	<i>Electrical Permits</i>	<i>Plumbing &amp; Sprinkler Permits</i>	<i>Mechanical Permits</i>	<i>Field Inspections</i>	<i>Improvement Value</i>	<i>Revenue Generated</i>
12	15	6	11	97	\$1,424,373.00	\$8,184.96

- January 2021

<i>Building Permits</i>	<i>Electrical Permits</i>	<i>Plumbing &amp; Sprinkler Permits</i>	<i>Mechanical Permits</i>	<i>Field Inspections</i>	<i>Improvement Value</i>	<i>Revenue Generated</i>
7	7	2	6	33	\$405,412.00	\$4,600.38

- January 2022 – December 2022 (Yearly totals)

<i>Building Permits</i>	<i>Electrical Permits</i>	<i>Plumbing &amp; Sprinkler Permits</i>	<i>Mechanical Permits</i>	<i>Field Inspections</i>	<i>Improvement Value</i>	<i>Revenue Generated</i>
12	15	6	11	97	\$1,424,373.00	\$8,184.96

<i>Inspections completed within 24 hours For January</i>	<i>100%</i>
<i>Plans reviewed within 10 business days For January</i>	<i>100%</i>



# **Sheriff's Department**



## **February 17, 2022 Monthly Report**



**"ONE FAMILY, ONE MISSION,  
ONE GOAL"**

**Sheriff E. L. Giles, Sr.**  
Sussex County Sheriff's Office  
P. O. Box 1326  
Sussex, Virginia 23884

Telephone 434-246-5000  
Fax 434-246-5714  
[www.sussexsheriffva.com](http://www.sussexsheriffva.com)  
Email [egiles@susova.us](mailto:egiles@susova.us)

**Sussex County Sheriff's Office Monthly Report  
Month of JANUARY 2022**

**PATROL**

<b>CALLS FOR SERVICE</b>	
<b>Type:</b>	<b>Total:</b>
Sheriff	902
Fire	171
Rescue	448
Animal Control	110
Traffic	702
Town of Wakefield	18
<b>TOTAL</b>	<b>2,351</b>

**COURTS**

<b>Court:</b>	<b>Days of Court:</b>
Circuit Court	4
General District	12
JDR Court	5

<b>Court:</b>	<b>Judges:</b>
Circuit Court	2
General District	4
JDR Court	3

**CIVIL**

<b>Type:</b>	<b>Total:</b>
Subpoenas Served	279
Jury Summoned	0
Criminal Warrants	49
DMV Notices	0
Levies	0
TDO	1
ECO	1
Other Civil	124

<b>Fines and Forfeitures</b>	<b>\$862,106.72</b>
<b>Sheriff's Fees</b>	<b>\$853.00</b>
<b>Courthouse Security</b>	<b>\$6,768.28</b>

<b>Total Fuel Used:</b>	<b>2,072.4 gallons</b>
-------------------------	------------------------

## JAIL

During the month of JANUARY 2022, our average daily population was 34.19 inmates. The jail booked in 27 individuals during JANUARY.

The classification of these inmates as reported by the Commonwealth of Virginia's LIDS computer system is as follows:

Pre- Trial	31 inmates, having been confined a total of 588 days.
Sentenced Misdemeanant	8 inmates, having been confined a total of 53 days.
Sentenced Felons	6 inmates, having been confined a total of 186 days.
Others	8 inmates, convicted but not sentenced.
Weekenders	4 inmates, serving misdemeanor sentences.

Transports of inmates for various reasons are listed below:

Court / Jail	2
Medical	1
Juvenile	0
Road Crew	0
TDO	2
TOTAL	5

**BOARD ACTION FORM**

**Agenda Item:** Consent #2.05

**Subject:** ARPA Utility Relief Funds Budget Amendment

**Board Meeting Date:** February 17 2022

=====

**Summary:** Attached for your consideration is a budget amendment that accounts for funds received on behalf of and to be distributed to the Sussex Service Authority and the Town of Waverly, related to the ARPA SLFRF Municipal Utility Assistance Program through the Virginia Department of Housing and Community Development. \$32,522.95 was received for the Town of Waverly, and \$50,953.77 was received for the Sussex Service Authority. For your information, the award letters and fiscal agent MOU with the Town of Waverly and Sussex Service Authority are attached.

**Attachment:** Budget amendment; ARPA SLFRF Municipal Assistance Locality Authority Fiscal Agent MOUs; funding award letters

=====

**ACTION:** Staff recommends approval of budget amendment allowing for pass through of ARPA utility funds to the Town of Waverly and Sussex Service Authority

**MOTION BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<u>Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Member</u>	<u>Aye</u>	<u>Nay</u>
Fly	___	___	W. Jones	___	___
Futrell	___	___	Seward	___	___
D. Jones	___	___	Tyler	___	___
		White (Tie Breaker)	___	___	



Ralph S. Northam  
Governor

R. Brian Ball  
Secretary of  
Commerce and Trade

# COMMONWEALTH of VIRGINIA

Erik C. Johnston  
Director

## DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

October 29, 2021

### VIA EMAIL

Richard Douglas  
County Administrator  
Sussex County/Sussex Service Authority/Town of Waverly

Re: Award Letter, Guidance, and Required Certification and Comparison Analysis for COVID-19 ARPA SLFRF Municipal Utility Assistance Program

Dear Richard Douglas:

On behalf of Governor Northam, it gives me great pleasure to inform you that Sussex County/Sussex Service Authority/Town of Waverly has been awarded \$32,522.95 in federal State and Local Fiscal Recovery Funds (SLFRF) through the American Recovery Plan Act (ARPA) for the COVID-19 ARPA SLFRF Municipal Utility Assistance Program. Your award shall be used to directly assist residential municipal utility customers of Sussex County/Sussex Service Authority/Town of Waverly with arrearages greater than 60 days for the time period between March 12, 2020, and August 31, 2021. This funding is being provided under CFDA 21.027 – Coronavirus State and Local Fiscal Recovery Funds (SLFRF).

Please read the additional program guidance included with this letter carefully before proceeding with additional steps. Given the tight timeline for utilization of these funds and to receiving funds in an expedited manner, you must return the attached forms through a web portal. You are required to partner with a city or county to act as the fiscal agent to receive the funds from the Department of Accounts (DOA). The city or county will then forward funds to the municipal utility to apply to eligible residential utility customer accounts. In order to pre-qualify your eligible residential utility customer accounts and apply relief automatically, you will need to complete the Utility Arrearage Analysis in Appendix A. Once the project is complete, DOA will follow up regarding project outcomes and compliance. It is incumbent on Sussex County/Sussex Service Authority/Town of Waverly and the partnering city or county to ensure project expenses are properly documented and verified in case of audit.

For questions contact DHCD staff member David Conmy at [utility@dhcd.virginia.gov](mailto:utility@dhcd.virginia.gov).

Sincerely,

Handwritten signature of Erik Johnston in black ink.

Erik Johnston  
Director, Virginia Department of Housing and Community Development

CC: David Von Moll, Comptroller, Department of Accounts  
Encl: COVID-19 ARPA SLFRF Municipal Utility Assistance Program: Guidance and Required Certification; Appendix A: Utility Arrearage Analysis to Substantiate Residential Customer Pre- Qualification; and Frequently Asked Questions

**COVID-19 ARPA SLFRF MUNICIPAL UTILITY ASSISTANCE PROGRAM:**

**Guidance and Required Certification**

Based on the response that the Virginia State Corporation Commission (SCC) received from your utility system in the Application for Utility Assistance Funds (Municipal Utilities), the SCC has determined your award amount which is reflected in your award letter. Accordingly, the award letter, guidance, and required certification will serve as the next steps in facilitating this program.

**Pre-Qualification & Eligibility**

This program is funded through the State and Local Fiscal Recovery Funds (SLFRF) of the American Rescue Plan Act (ARPA). One of the most important elements of ARPA federal guidance as it relates to this new Utility Assistance program is the ability to pre-qualify certain populations for eligibility rather than requiring individual customer applications/attestations. It is a best practice to pre-qualify groups and populations with relief programs as the customers with the lowest incomes and largest impacts from COVID-19 are least likely to provide customer attestations to any utility with which they have debt. This policy decision that is authorized in the federal guidelines is critical to ensure quick and equitable access to relief for residential customers negatively impacted by the pandemic.

This guidance supports the Commonwealth's determination as a recipient that for this SLFRF utility relief program that the population group of residential customers with arrearages over 60 days as of August 31, 2021, are households that experienced a negative economic impact due to COVID-19, which is determined by these households having an unpaid arrearage greater than 60 days during the pandemic. Unpaid utility arrearages demonstrate housing insecurity for this population group which [Treasury's 7-19-2021 FAQ](#) demonstrates negative economic impacts from the pandemic (see question 2.17, Pages 9 through 11). **Accordingly, the Commonwealth has determined that individual customer attestations are not required for this program once a utility analysis is provided.**

Only residential customers are eligible for this utility assistance. Municipal utilities shall pay the full amount of arrearages owed by eligible residential customers; however, funding may be limited and may not fully address the eligible arrearages for which your utility system applied. Therefore, utility systems are required to proportionately distribute their award to the population/group of all residential utility customers that are 60+ days in arrears as of August 31, 2021.

Because this program does not require customer attestation, 100% of your award amount must be directed to assisting eligible residential utility customers. Utilization of your award amount for direct administrative costs is prohibited. **Utilities must ensure residential customers eligible for this relief have the funding credited to their account as soon as possible and must reflect this relief on the soonest billing statement possible given the specific billing system utilized by the utility. Should the application of any assistance render a customer due a balance necessitating a cash refund payable to the customer, such assistance shall be proportionally reduced as to achieve a zero balance.**

**Management of Award Funds**

Upon receipt of any funds, utilities shall maintain separate ARPA COVID-19 Utility Assistance Funds and record direct assistance payments to residential customers on their books in accordance with applicable accounting standards. Utilities may not direct any funds provided in this paragraph to new deposits, down payments, fees, late fees, interest charges, or penalties.

Your award amount must be disbursed through a partnering county or city that will serve as the fiscal agent with the Department of Accounts (DOA) disbursing funds and having responsibility for sub-recipient monitoring. Consequently, municipal utility systems, especially those that are not directly managed by a city or a county, will need to partner with a city or county to serve as the fiscal agent for this program. Cities and counties may serve as the fiscal agent for more than one municipal utility system. In order to receive your funding for this program, the chief administrative officer for the partnering city or county and the authorized official representing the municipal utility will be required to certify their respective organization's participation in this program and its adherence to all associated federal ARPA SLFRF guidance and regulations. A standard certification for this program requiring signatures from both officials on behalf of their respective organizations has been included near the end of this document.

### **Program Certification & Compliance**

The SCC has calculated the proportional share of available funding for each municipal utility system that applied by the SCC's application deadline. This information was forwarded to DHCD, which is facilitating the award letter and certification process for municipal utilities and their partnering city or county.

In order to receive the ARPA SLFRF funding amount calculated by SCC, each city and county and their partner municipal utility system(s) must complete a certification form (at the end of this document). The certification form must be signed by the chief administrative officer for the city or county and the authorized official representing the municipal utility partner. In the event more than one municipal utility partners with a city or county, a separate certification will be needed for each partnership.

These certifications will be accepted by DHCD bi-weekly based on the following pre-determined schedule:

- November 5, 2021
- November 19, 2021
- December 3, 2021
- December 17, 2021
- January 7, 2022
- **\*COB Friday, January 21, 2022 – Certification Final Deadline**

**\*January 21, 2022, will be the last date DHCD will accept certifications from awarded utilities. Any municipal utility that does not submit their certification by this date will forfeit their award and the funds will be used by the Commonwealth for other purposes in alignment with ARPA.**

Upon receipt of bi-weekly certifications from DHCD, DOA will process distributions to cities and counties – including those serving as fiscal agents on behalf of towns, authorities, and other regional level utilities – on a monthly basis.

The certification establishes that the awarded municipal utility and their city or county fiscal agent will abide by U.S. Treasury guidance and other regulatory matters concerning the use of ARPA SLFRF. The intent is for this allocation to pass through the county or city directly to the municipal utility to serve eligible municipal utility customers. The municipal utility as the customer utility relief program operator should develop a sub-agreement with the county or city fiscal agent assuring the city or county fiscal agent that the municipal utility will be responsible for compliance with state and federal law.

Upon receipt by DHCD of a complete and accurate certification form from the county/city and municipal utility, the Department of Accounts (DOA) will then distribute funds directly to cities and counties, which will serve as the fiscal agent on behalf of their partner municipal utility(ies). DOA will also be the lead state agency working with the city or county and their partnered utility system(s) on monitoring to ensure



compliance with the program and federal guidelines.

**Please note that approval of an allocation for purposes of this utility assistance program does not represent any assurance, legal or otherwise, that the approved project complies with all federal guidelines related to the use of these funds. Cities and counties in addition to their partner municipal utility(ies) are strongly encouraged to consult their legal counsel prior to expending the federal ARPA Fiscal Recovery Funds that have been awarded through this program. Applicants are recommended to read and understand the federal guidance and the frequently asked questions can be obtained at the following links:**

<https://www.govinfo.gov/content/pkg/FR-2021-05-17/pdf/2021-10283.pdf>

<https://home.treasury.gov/system/files/136/SLFRPFAQ.pdf>

**This information is routinely updated, so guidance may have changed since you last consulted it.**

Compliance with the federal guidance is the responsibility of the city or county submitting the application on behalf of a municipal utility and failure to do so could result in disallowed expenses requiring repayment of the associated funds to the federal government. If the city or county fails to repay any funds spent for non-qualifying expenses on behalf of a municipal utility as required by the federal government, the State Comptroller will recover such amounts from future state payments to the locality via the State Aid Intercept Program. Consequently, cities and counties are encouraged to develop agreements or memorandums of understanding (MOU) with their partner municipal utility system(s) to indemnify cities and counties in the event the municipal utility system does not adhere to U.S. Treasury guidelines and consequently subjects the city or county to such State Aid Intercept action(s).

Further, the State Comptroller's office (DOA) has subrecipient monitoring responsibilities that will necessitate evaluation and additional correspondence with cities and counties regarding the use of funds. Cities and counties are encouraged to develop MOUs that will help establish clarity concerning responsibility and accountability among all parties regarding this requirement.

Please note that the certification statement includes an acknowledgment that recipients may not receive reimbursement or recipients may be required to return funds to the federal government if it is determined that those funds were spent for purposes that do not qualify. It is important to understand that the burden of ensuring that all ARPA Fiscal Recovery Funds are spent for qualifying purposes falls to the city or county working on behalf of the municipal utility. Again, cities and counties are encouraged to develop MOUs that will help establish clarity concerning responsibility and accountability among all parties regarding this requirement.

Awardees are responsible for maintaining all necessary documentation to ensure compliance with the federal requirements. The State Comptroller is responsible for all sub-recipient monitoring and may require additional information in the future from each city or county and/or their partner municipal utility system(s) to address that responsibility.

The certification form contains more specific details on the responsibilities of the city/county and partnered municipal utility. The signed certification form should be submitted to DHCD through the following web portal according to the aforementioned pre-determined schedule:

<http://s.alchemer.com/s3/COVID-19-ARPA-SLFRF-Municipal-Utility-Relief-Program>

If you have any questions regarding the appropriate use of ARPA SLFRF, please refer to the U.S. Treasury Website and guidance linked above. For questions about this process or technical questions about the certification form or the distribution of the funds, please first refer to the FAQ documents provided and then send unresolved inquiries to: [utility@dhcd.virginia.gov](mailto:utility@dhcd.virginia.gov)

(Please replace the yellow highlighted sections with your information in the Certification and Certification Addendum)

**Certification:**

**CERTIFICATION FOR USE OF STATE AND LOCAL FISCAL RECOVERY FUNDS**

**by**

**(CITY OR COUNTY NAME)**

**on behalf of**

**(MUNICIPAL UTILITY NAME)**

We, the undersigned, represent **(CITY OR COUNTY NAME)** and are working in partnership with **(MUNICIPAL UTILITY NAME)** (the utility), and we certify that:

1. On behalf of **(MUNICIPAL UTILITY NAME), (CITY OR COUNTY NAME)** is requesting the allotment of funding from the Commonwealth of Virginia's share of the State and Local Fiscal Recovery Funds pursuant to section 602 of the Social Security Act, as added by section 9901 of the American Rescue Plan Act, Pub. L. No. 117-2 (Mar. 11, 2021) and appropriated in Item 479.20, Chapter 1, 2021 Acts of Assembly, Special Session II.
2. We understand that the Commonwealth of Virginia will rely on this certification as a material representation for distributing State and Local Fiscal Recovery funds to **(CITY OR COUNTY NAME) on behalf of (MUNICIPAL UTILITY NAME)**.
3. We understand that it is our responsibility to ensure that funds are distributed by **(CITY OR COUNTY NAME)'s to (MUNICIPAL UTILITY NAME)** for the approved uses of the State and Local Fiscal Recovery funds provided under section 602 of the Social Security Act will be used only to cover those costs that:
  - a. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); or otherwise adhere to official federal guidance issued or that will be issued regarding what constitutes an eligible expenditure; and
  - b. fulfill the purposes as appropriated by the General Assembly in Paragraphs B.1 and B.2 of Item 479.20, Chapter 1, 2021 Acts of Assembly, Special Session II.
4. We understand that funds provided pursuant to this certification are for necessary obligations incurred within the eligible program period for customer arrearages as of August 31, 2021, and must be expended to cover such obligations no later than February 28, 2022; and that any funds that are not obligated on or before February 28, 2022, by **(CITY OR COUNTY NAME) and (MUNICIPAL UTILITY NAME)**, must be returned to Commonwealth of Virginia no later than March 31, 2022.
5. We understand that **(CITY OR COUNTY NAME) on behalf of (MUNICIPAL UTILITY NAME)** will not be eligible to receive funding after the final certification deadline of January 21, 2022, from State and Local Fiscal Recovery Funds and **(MUNICIPAL UTILITY NAME)** may not commit to any such expenditures, pay any related expenses, or provide any such services from within existing resources not otherwise designated for such expenditures unless authorized by the General

Assembly and the Governor in a future appropriation act. We further understand that after the State and Local Fiscal Recovery funds are expended, the program and related services will end at that time unless other fund sources have been appropriated for those purposes.

6. We understand that expenditure of the State and Local Fiscal Recovery funds provided pursuant to this certification must adhere to official federal guidance issued or that will be issued regarding what constitutes a necessary and qualifying expenditure. Any State and Local Fiscal Recovery funds that cannot be expended by (MUNICIPAL UTILITY NAME) in a manner that adheres to official federal guidance shall be returned to the Commonwealth of Virginia so that it may be reprogrammed or returned to the federal government. I understand that any funds spent in violation of federal guidance may be subject to repayment by (CITY OR COUNTY NAME).
1. We understand that (CITY OR COUNTY NAME) and (MUNICIPAL UTILITY NAME) are responsible for retaining documentation of all uses of the State and Local Fiscal Recovery funds, including but not limited to contracts, MOUs, past due account ledgers, and/or grant award documents. Such documentation shall be produced upon request.
2. We understand that (CITY OR COUNTY NAME) and (MUNICIPAL UTILITY NAME) are responsible for maintaining proper accounting records to segregate these State and Local Fiscal Recovery expenditures from those supported by other fund sources and that all such records will be subject to audit.
3. We agree to follow and fully participate in reporting requirements issued by the Department of Accounts for the purposes of ensuring the Commonwealths' compliance with federal reporting guidance for State and Local Fiscal Recovery funds.
4. We understand that State and Local Fiscal Recovery funds provided pursuant to this certification must be used for a qualifying purpose as stated in federal law and guidance and (MUNICIPAL UTILITY NAME) may not identify this qualifying category as revenue replacement unless prior permission has been granted by the Governor pursuant to Paragraph B.3.a of Chapter 1, 2021 Acts of Assembly, Special Session II.
5. We understand that any State and Local Fiscal Recovery funds received pursuant to this certification cannot be used for expenditures for which (MUNICIPAL UTILITY NAME) has received from any other emergency COVID-19 supplemental funding (whether state, federal, or private in nature) for that same expense nor may State and Local Fiscal Recovery funds be used for purposes of matching other federal funds unless specifically authorized by federal statute, regulation, or guideline.

We certify that I have read the above certifications and my statements contained herein are true and correct to the best of our knowledge.

<b>City or County Chief Administrative Officer (CAO)</b>	<b>Authorized Official Representing Municipal Utility Allocated Funds by SCC</b>
Name of City or County:	Name of Municipal Utility:
Printed Name of CAO:	Printed Name of Municipal Utility Official:
Signature:	Signature:
Title:	Title:
Date:	Date:

**Please provide city/county DUNS number:** \_\_\_\_\_

**Please provide municipal utility DUNS number:** \_\_\_\_\_

Certification Addendum

**Federal Requirements for information to be included in agreement between county/city and municipal utility**

**§200.332 Requirements for pass-through entities.**

All pass-through entities must:

(a) Ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, include the changes in subsequent subaward modification. When some of this information is not available, the pass-through entity must provide the best information available to describe the Federal award and subaward. Required information includes:

(1) Federal award identification. (Coronavirus State and Local Fiscal Recovery Funds (ARPA SLFRF), ALN 21.027.)

(i) Subrecipient name (which must match the name associated with its unique entity identifier); (Name of City or County)

(ii) Subrecipient's unique entity identifier; (City or County DUNS number)

(iii) Subaward Period of Performance Start and End Date; (October 29, 2021, and March 31, 2022, deadline to return funds)

(iv) Subaward Budget Period Start and End Date; (October 29, 2021, and March 31, 2022, deadline to return funds)

(v) Amount of Federal Funds Obligated by this action by the pass-through entity to the subrecipient; \$32,522.95

(vi) Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity including the current financial obligation; \$32,522.95

(vii) Total Amount of the Federal Award committed to the subrecipient by the pass-through entity; \$32,522.95

(viii) Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA); (ARPA SLFRF: Municipal Utility Relief Program to Assist Residential Customers)

(ix) Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the Pass-through entity; (U.S. Treasury Department awarding agency / Commonwealth of Virginia pass-through entity / Contact for Pass-through Entity: Erik Johnston, Director, VA Department of Housing and Community Development, 600 East Main Street, Suite 300, Richmond, VA 23219, (804) 371-7000)

(x) Assistance Listings number and Title; the pass-through entity must identify the dollar amount made available under each Federal award and the Assistance Listings Number at time of disbursement; (CFDA Number and Title are 21.027, Coronavirus State and Local Fiscal Recovery Funds.)

(xi) Identification of whether the award is R&D; and (This is not R&D award)

(xii) Indirect cost rate for the Federal award (including if the de minimis rate is charged) per §200.414. (No indirect costs can be charged by county/city or municipal utility)



COVID-19 ARPA SLFRF Municipal Utility Relief Program

Certification Addendum

Appendix A: Utility Arrearage Analysis to Substantiate Residential Customer Pre- Qualification

In order for the Commonwealth to authorize pre-qualification of the municipal utility's residential customer population impacted by the COVID-19 pandemic (i.e., residential customers with 60+ day arrearages as of August 31, 2021), by municipal utilities participating in the COVID-19 ARPA SLFRF Municipal Utility Relief Program, each awarded municipal utility is required to demonstrate that the program population is experiencing negative economic impacts as a result of the pandemic. Pre-qualification is based on guidance from the U.S. Treasury indicating that it is acceptable to demonstrate that households receiving assistance are within a population that experienced a negative economic impact and endorsing use of categories of populations for program implementation purposes (e.g., populations that have experienced unemployment, have experienced increased housing or food insecurity, or are low- or moderate-income). Consistent with the population-based approach to identifying negative economic impacts, in the context of the Municipal Utility Relief Program the Commonwealth is requiring each municipal utility to answer one of the following comparative questions to demonstrate that 60+ day residential customer population arrearages have been negatively impacted as compared to the program population's status prior to the pandemic. The following data backed analysis demonstrating negative economic impacts of the pandemic on the basis of increased residential customer population arrearages under either comparison test will authorize the municipal utility's residential customer population group to be eligible without the need for individual customer attestations. **All municipal utilities must complete this analysis. If the analysis demonstrates the negative economic impacts, the municipal utility will be required to pre-qualify their program population and provide this assistance to this entire population group without individual customer attestations. Municipal utilities, whose analysis does not prequalify the entire population group will be required to collect individual customer attestations. Utilities must submit with this Appendix accounting data supporting the selected option.**

**1. Comparison 1 (Accounts Receivable Comparison). Please provide the following or certify that the utility has the following:**

- a. As of 2-29-2020 [or a billing cycle ended prior to March 1, 2020]
  - i. Total Accounts Receivable Arrearage Balance / Annual Virginia jurisdictional Operating Revenues. **Answer:** \_\_\_\_\_
- b. As of 8-31-2021 [or a billing cycle ended prior to September 1, 2021]
  - i. Total Accounts Receivable Arrearage Balance plus CRF received in 2020 / Annual Virginia jurisdictional Operating Revenues. **Answer:** \_\_\_\_\_
- c. Is 1.a. is less than 1.b.? **Answer:** \_\_\_\_\_ (If YES, the municipal utility's residential customer population meets the requirements for residential customer population pre-qualification.)

**OR**

**2. Comparison 2 (Arrearage Dollar Value Comparison)**

- a. What is the dollar value of the municipal utility's total 60+ day residential utility customer arrearages as of 8-31-2021 plus previously paid utility relief during the pandemic (e.g., CRF Municipal Utility Relief already paid or other utility relief paid that demonstrates the higher total arrearages that would otherwise be present)? Please note this figure can also



COVID-19 ARPA SLFRF Municipal Utility Relief Program

Certification Addendum

Appendix A: Utility Arrearage Analysis to Substantiate Residential Customer Pre- Qualification

be provided without including the additional utility relief provided during the pandemic.

**Answer:** \_\_\_\_\_

- b. What is the dollar value of the 1, 2, 3, 4 or 5 year average (circle one as applicable) of total 60+ day residential utility customer arrearages in the municipal utility's most recent fiscal year(s) that ended pre-pandemic (i.e., before March 1, 2020). **Answer:**  
\_\_\_\_\_
- c. Is 2.a. is greater than 2.b.? **Answer:** \_\_\_\_\_ (If YES, the municipal utility's residential customer population meets the requirements for residential customer population pre-qualification.)

**OR**

**3. Comparison 3 (Percent of Customer Base Comparison)**

- a. What is the percent of the municipal utility's residential utility customer accounts with 60+ day arrearages out of all municipal utility customer accounts as of 8-31-2021? **Answer:** \_\_\_\_\_
- b. What is the percent of the municipal utility's residential utility customer accounts with 60+ day arrearages out of all municipal utility customer accounts as of 3-1-2020 (or as of the end of the most recent fiscal year that ended prior to 3-1-2020)? **Answer:**  
\_\_\_\_\_
- c. Is 3.a. is greater than 3.b.? **Answer:** \_\_\_\_\_ (If YES, the municipal utility's residential customer population meets the requirements for residential customer population pre-qualification.)

For municipal utilities that are unable to complete Comparison 1, Comparison 2, or Comparison 3 but still think they could otherwise demonstrate their program population is experiencing negative economic impacts as a result of the pandemic compared to pre-pandemic times, please contact DHCD staff to discuss potential alternative means for computing and demonstrating such a comparison.

COVID-19 ARPA SLFRF Municipal Utility Relief Program  
Frequently Asked Questions

CARES Act

1. Do we still need to send back the remaining funds (CARES Act) that were originally allocated by December 1, 2021?
  - a. Yes. Please coordinate with your city/county fiscal agent (if applicable) and reach out to the Virginia Department of Accounts (DOA) for additional technical questions on this matter: [complianceoversight@doa.virginia.gov](mailto:complianceoversight@doa.virginia.gov). A memo from the DOA was circulated to every city and county on October 18, 2021, that contains instructions on how to return these funds, so please reach out to your city or county chief administrative officer for more information.
2. How does this relate to the previous CARES Act program?
  - a. The biggest distinctions with this program compared to the past program are:
    - i. Municipal utilities can pre-qualify their residential customers, so individual customer attestations are not necessary.
    - ii. Only available for residential municipal utility customers with 60+ day arrearages between March 12, 2020, and August 31, 2021.

Administration and Timing

1. For the pre-qualification calculation, if we are not able to generate an August 31, 2021, detail listing of only residential account balances, should we then use all balances, including commercial, and then apply an estimated % of residential balances as a total of all balances?
  - a. We suggest each utility produce whatever estimate most closely answers the question of August 31, 2021, residential 60+ day arrearages. For additional documentation, we suggest including the methodology you used for producing your calculation for your internal records in the case of an audit.
2. Once a municipality goes through this process and certifies is there an estimate on when a locality would receive the funds?
  - a. DHCD will process certifications that it receives from awarded municipal utilities on a bi-weekly basis. The Virginia Department of Accounts (DOA) will then process these bi-weekly certifications at the end of each month. It normally takes 3 to 5 business days for DOA funds to be deposited.
3. How long will we have to allocate these funds if approved?
  - a. Awarded municipal utilities in coordination with their partner city/county fiscal agent will need to return unspent funds to the Commonwealth no later than March 31, 2022. Any municipal utility and/or partner city/county fiscal agent that believes it will be unable to meet this deadline should contact the Virginia Department of Housing and Community Development (DHCD) as soon as possible.

Covered Costs and Time Periods

1. What type of utilities are covered?
  - a. Eligible municipal utilities include water, waste water, gas, and electricity.
2. Our utility bill includes services other than water and sewer (e.g. stormwater, refuse, taxes, administrative fees). Is awarded money for the SLFRF Utility Relief Program limited to water and

COVID-19 ARPA SLFRF Municipal Utility Relief Program  
Frequently Asked Questions

sewer only or is the municipal utility allowed to pay the customer's entire arrearage for eligible periods?

- a. Awarded funding is for the purpose of water, sewer, gas, and electricity only. However, we understand that many utility systems operate an accounting system that cannot isolate these types of services when applying relief. We recommend documenting the relief provided after you receive your award, so that these amounts are tracked in some way with the purpose of ensuring that the net effect can be neutralized in some way.
3. What arrearage dates are covered for this program?
  - a. March 12, 2020, through August 31, 2021.
4. Is the arrears specifically for residential accounts 60+ days behind using a bill date of 3/12/20 or the due date 3/12/20?
  - a. Because the relief is being provided to assist residential utility customers who may have experienced an economic hardship, you may provide relief to accounts 60+ days using a due date of 3/12/2020. It is certainly possible that there are eligible residential customers who became unable to pay a utility bill covering a period of time that occurred just before the pandemic because of an economic hardship that occurred at the very beginning of the pandemic.
5. What do municipalities do between date of application and date of grant as it relates to customers who may continue to pay down their eligible arrearage balances?
  - a. It is possible that utilities could receive payments from residential customers for eligible arrearages between the date of your application and the date of receiving your award. In this scenario, utilities could instead provide a higher proportion of relief to their remaining residential utility customers who still have qualified arrearages as of 8/31/2021. We are not expecting that utilities will receive 100% of their requested amount, but this could at least allow for greater assistance to your remaining eligible residential utility customer accounts. Additional guidance suggests that relief should be provided to your residential utility customers by (i) establishing each residential customer's percentage of arrearages over 60 Days to total municipal utility residential arrearages over 60 Days, and (ii) applying that percentage to total ARPA Fund dollars received by the municipal utility. As shown below, this formula will yield each customer's allotment of ARPA Funds:
    - i. 
$$\frac{\text{Residential "Customer A" Arrearage Balance over 60 Days}}{\text{All Residential Arrearages Over 60 Days}} \times \text{ARPA Funds Received} = \text{Individual Customer Arrearage Reduction}$$
  - b. Finally, the budget language establishing this program states the following:
    - i. Utilities must ensure residential customers eligible for this relief have the funding credited to their account as soon as possible and must reflect this relief on the soonest billing statement possible given the specific billing system utilized by the utility. Should the application of any assistance render a customer due a balance necessitating a cash refund payable to the customer, such assistance shall be proportionally reduced as to achieve a zero balance.
6. Can we include multi-family residential accounts, even if they're classified as commercial accounts?

COVID-19 ARPA SLFRF Municipal Utility Relief Program  
Frequently Asked Questions

- a. Residential multi-family dwellings - even if classified as commercial property/accounts - are eligible for this program if the forgiveness is passed along to the residential customer by the property owner(s).
7. We understand any funds received are applicable based on a pro-rata share as proportion of the delinquent balance. We have a unique situation that over 80% of our delinquency is attributable to one account, a residential apartment complex that is many months in arrears. Is there a maximum relief or cap on how much relief a single account can receive under the program?
- a. The budget language establishing this program does not place a maximum cap on relief provided nor does the Interim Final Rule speak to a capped amount for relief. Because a residential apartment complex would include multiple residential households, it would be reasonable to infer that the large delinquency is attributable to multiple households comprising the one account. Therefore, on a residential household-by-household basis, we assume this amount would be much smaller.
8. Can I assume that applications for ARPA funds should include inactive accounts, or is it just intended to only credit accounts with an active water account?
- a. Inactive accounts, accounts that are final or in collections may also be assisted provided that that such relief is applied to the portion of the final/in collections account that occurred/accrued between March 12, 2020, and August 31, 2021.
9. Are taxes included as part of this?
- a. DHCD cannot make a definitive interpretation on this question and suggest that you consult with your local attorney for official guidance. The budget language establishing this program states: "Utilities may not direct any funds provided in this paragraph to new deposits, down payments, fees, late fees, interest charges, or penalties."
  - a.

**MEMORANDUM OF UNDERSTANDING  
FOR COVID-19 ARPA SLFRF MUNICIPAL UTILITY ASSISTANCE PROGRAM  
IMPLEMENTATION**

**THIS MEMORANDUM OF UNDERSTANDING FOR COVID-19 ARPA SLFRF MUNICIPAL UTILITY ASSISTANCE PROGRAM IMPLEMENTATION** (“Memorandum”) is made and entered into the 26 day of January, 2022 by and between the **County of Sussex, Virginia** (“County”) and the **Town of Waverly, Virginia** (“Town”) (each a “Party” and jointly the “Parties”).

**BACKGROUND**

A. Federal American Rescue Plan Act Funds. In response to the COVID-19 pandemic disaster, the United States federal government enacted the American Rescue Plan Act (“ARPA”) to provide funding for numerous programs, including \$130.2 billion for local governments through the establishment of the Coronavirus State and Local Fiscal Recovery Fund (“SLFRF”). The Commonwealth of Virginia received approximately \$4.3 billion as its share.

B. Federally Authorized Uses. Among other federally authorized uses, ARPA and the U.S. Treasury’s implementing regulations authorize the Commonwealth of Virginia to use SLFRF funds to provide assistance to households, including utility assistance, that respond to the COVID-19 public health emergency. *See* 86 Fed. Reg. 26,786, 26,794 (May 17, 2021); 31 C.F.R. § 35.6(b)(8).

C. Virginia’s Utility Assistance Program. In August 2021, the General Assembly passed and the Governor approved amendments to the State Budget appropriating \$120,000,000 for utility assistance to be administered by the State Corporation Commission (“SCC”) and, as to the municipal utilities, also by the Virginia Department of Housing and Community Development (“DHCD”). *See* Item 479.20 B 2 e, Chapter 1, 2021 Acts of Assembly, Special Session II. For municipal utilities, DHCD has established the Municipal Utility Assistance Program (the “Program”) that is the subject of this Memorandum.

D. Town’s SLFRF Award. As a water and/or wastewater service provider and eligible “municipal utility” within the meaning of the Program, the Town has applied through the SCC for a suballocation of the appropriated utility assistance funds for the purpose of providing direct assistance to its residential customers in accordance with applicable federal and state laws, regulations and guidance (“SLFRF Rules”). DHCD has issued an award letter to the Town (Exhibit A hereto) committing to funding assistance for eligible residential customers of the Town in a specified amount (“Town SLFRF Funds”).

E. Residential Utility Assistance & Pre-Qualification Process. According to DHCD’s COVID-19 ARPA SLFRF Municipal Utility Assistance Program guidance distributed to the Town as part of DHCD’s award letter (“DHCD Guidance”), federal ARPA guidance as it relates

**SUSSEX COUNTY – TOWN OF WAVERLY  
MEMORANDUM OF UNDERSTANDING  
COVID-19 ARPA SLFRF MUNICIPAL UTILITY ASSISTANCE PROGRAM IMPLEMENTATION**

to utility assistance programs allows the Commonwealth to pre-qualify certain populations for eligibility rather than requiring individual customer applications/attestations as was previously required for purposes of earlier CARES Act funding. Accordingly, the Commonwealth has determined that the population group of residential customers with water and wastewater utility bill arrearages over 60 days as of August 31, 2021, are households that experienced a negative economic impact due to COVID-19. The Commonwealth based its determination on the occurrence of an unpaid arrearage greater than 60 days during the pandemic, on the basis that unpaid residential utility bill arrearages also demonstrate housing insecurity, and on the U.S. Treasury's 7-19-2021 FAQ (Question 2.17, Pages 9 through 11). Accordingly, the Commonwealth has determined that individual residential customer attestations are not required for this Program upon completion of a satisfactory utility analysis in the manner specified in DHCD's Appendix A (Utility Arrearage Analysis to Substantiate Residential Customer Pre-Qualification) of its Addendum to its Certification for Use of SLFRF.

F. Local Implementation. The County and the Town desire to collaborate for the timely, effective and efficient implementation of the Program and provision of assistance to their eligible residential utility customers in accordance with the SLFRF Rules. The DHCD Guidance requires that the award to the Town be disbursed through a partnering city or county serving as the fiscal agent with the Virginia Department of Accounts ("DOA"). The County is willing to serve as the required fiscal agent to facilitate assistance to eligible residential customers.

## AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises and obligations set forth in this Memorandum, including the recitals set forth above which are a material part of this Memorandum, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Fiscal Agent. The County agrees to act as the Town's fiscal agent as required by DHCD for the limited purpose of this Program.

2. Joint Certification. The County, in its capacity as fiscal agent, agrees to make the certification required by DHCD substantially in the form as shown in Exhibit B hereto (or any modification thereto made by DHCD and found to be agreeable by the County).

3. Funds Pass-Through. The County agrees to transfer the Town SLFRF Funds to the Town promptly upon the County's receipt of such funds from DOA.

4. Compliance and Recordkeeping by Town. The Town agrees to comply with all applicable SLFRF Rules and maintain records of its expenditures of the Town SLFRF Funds for a period of five years and provide the County with copies of such records at no expense upon its request.

**SUSSEX COUNTY – TOWN OF WAVERLY  
MEMORANDUM OF UNDERSTANDING  
COVID-19 ARPA SLFRF MUNICIPAL UTILITY ASSISTANCE PROGRAM IMPLEMENTATION**

5. Repayment and Indemnification by Town. If the United States or the Commonwealth lawfully requires repayment of some or all of the Town SLFRF Funds, the Town agrees to repay such amount to the County (or directly to the United States or the Commonwealth as applicable) for such purpose within twenty (20) days of any such requirement. In addition, Town agrees to indemnify and hold the County harmless from any liability to the United States or the Commonwealth resulting from any act or omission of the Town in its administration of the Town SLFRF Funds, including as a result of any violation by the Town of the SLFRF Rules. In the event that any suit or proceeding is brought against the County by the United States or the Commonwealth, the Town, upon notice given to it by the County, will pay all costs of defending the County in any such action or other proceeding, including attorney's fees. In the event of any settlement or any final judgment being awarded against the County, either independently or jointly with the Town, the Town will pay such settlement or judgment in full, pay all costs and expenses thereof, and hold the County harmless therefrom. The Town shall bear no responsibility for the acts or omissions of the County or its officers or employees.

6. Return of Unexpended Town SLFRF Funds. If all of the Town SLFRF Funds are not expended to assist utility customers by any applicable deadline under the Program such that Town is obligated to return unexpended funds to the Commonwealth, the Town and the County shall coordinate to accomplish the return of such funds in a timely manner in accordance with the SLFRF Rules.

7. Acknowledgment of Required Information. In accordance with the DHCD Guidance and related federal requirements for pass-through entities (2 C.F.R. §200.332), Town hereby acknowledges receipt of Exhibit C hereto and the additional information set forth therein.

8. Further Cooperation. The Parties shall continue to cooperate with each other as reasonably necessary to confirm or bring about the transfers contemplated by this Agreement.

9. Term. This Memorandum shall be in effect from the date on which it is executed by the Parties through June 30, 2022.

10. Governing Law; Severability. This Agreement shall be construed in accordance with and governed for all purposes by the laws of the Commonwealth of Virginia. If any word or provision of this Agreement as applied to any Party or to any circumstance is adjudged by a court to be invalid or unenforceable, the same shall in no way affect any other circumstance or the validity or enforceability of any other word or provision.

11. Entire Agreement; Amendments. This Agreement contains the entire integrated agreement between the Parties as to the subject matter hereof and supersedes all previous written and oral negotiations, commitments, proposals and writings. No amendments may be made to this Agreement except by a writing signed by both Parties.

**SUSSEX COUNTY – TOWN OF WAVERLY  
MEMORANDUM OF UNDERSTANDING  
COVID-19 ARPA SLFRF MUNICIPAL UTILITY ASSISTANCE PROGRAM IMPLEMENTATION**

12. Counterparts; Signatures; Copies. This Agreement may be executed in counterparts, both of which shall be deemed an original, but all of which together shall constitute one and the same instrument. A facsimile or scanned signature may substitute for and have the same legal effect as an original signature. Any copy of this executed Agreement made by photocopy, facsimile or scanner shall be considered the original for all purposes.

13. Authorization. Each Party represents that its execution, delivery and performance under this Agreement have been duly authorized by all necessary action on its behalf, and do not and will not violate any provision of its charter or enabling legislation or result in a material breach of or constitute a material default under any agreement, indenture, or instrument of which it is a party or by which it or its properties may be bound or affected.

IN WITNESS WHEREOF, the Parties hereto have caused the execution of this Memorandum of Understanding as of the date first written above.

**TOWN of WAVERLY, VIRGINIA**

§ 83,467.72

By: Angela McPhaul  
Angela McPhaul, Mayor

**SUSSEX COUNTY, VIRGINIA**

By: \_\_\_\_\_  
Richard Douglas, County  
Administrator

[END OF SIGNATURES]

**SUSSEX COUNTY – TOWN OF WAVERLY  
MEMORANDUM OF UNDERSTANDING  
COVID-19 ARPA SLFRF MUNICIPAL UTILITY ASSISTANCE PROGRAM IMPLEMENTATION**



**MEMORANDUM OF UNDERSTANDING  
FOR COVID-19 ARPA SLFRF MUNICIPAL UTILITY ASSISTANCE PROGRAM  
IMPLEMENTATION**

**EXHIBIT A**

**SLFRF Award Letter**

**SUSSEX COUNTY – TOWN OF WAVERLY  
MEMORANDUM OF UNDERSTANDING  
COVID-19 ARPA SLFRF MUNICIPAL UTILITY ASSISTANCE PROGRAM IMPLEMENTATION**

**MEMORANDUM OF UNDERSTANDING  
FOR COVID-19 ARPA SLFRF MUNICIPAL UTILITY ASSISTANCE PROGRAM  
IMPLEMENTATION**

**EXHIBIT B**

**DHCD Joint Certification Form**

**SUSSEX COUNTY – TOWN OF WAVERLY  
MEMORANDUM OF UNDERSTANDING  
COVID-19 ARPA SLFRF MUNICIPAL UTILITY ASSISTANCE PROGRAM IMPLEMENTATION**

**MEMORANDUM OF UNDERSTANDING  
FOR COVID-19 ARPA SLFRF MUNICIPAL UTILITY ASSISTANCE PROGRAM  
IMPLEMENTATION**

**EXHIBIT C**

**Pass-Through Information Requirements**

The following pass-through information requirements pertaining the subaward to Town (i.e., the County's transfer of the Town SLFRF Funds) are set forth below in satisfaction of 2 C.F.R. §200.332 and as directed by the DHCD Guidance. The Federal Award Identification for funds (subaward) addressed by this Memorandum is the Coronavirus State and Local Fiscal Recovery Funds (ARPA SLFRF), ALN/CFDA 21.027.

- (i) Subrecipient's Name: Sussex County
- (ii) Subrecipient's Unique Entity Identifier: [COUNTY'S DUNS NUMBER]
- (iii) Federal Award Date: [FROM FINAL AWARD LETTER]
- (iv) Subaward Period of Performance Start and End Date:  
October 29, 2021 to March 31, 2022 (Return of Funds Deadline)
- (v) Subaward Budget Period Start and End Date:  
October 29, 2021 to March 31, 2022 (Return of Funds Deadline)
- (vi) Amount of Federal Funds Obligated by this Action by the Pass-Through Entity to the Subrecipient: [INSERT AMOUNT FROM AWARD LETTER]
- (vii) Total Amount of Federal Funds Obligated to the Subrecipient by the Pass-Through Entity Including the Current Financial Obligation: [INSERT AMOUNT FROM AWARD LETTER ASSUMING COUNTY HAS NOT PROVIDED OTHER FEDERAL FUNDS TO TOWN]
- (viii) Total Amount of the Federal Award Committed to the Subrecipient by the Pass-Through Entity: [INSERT AMOUNT FROM AWARD LETTER ASSUMING COUNTY HAS NOT PROVIDED OTHER FEDERAL FUNDS TO TOWN]
- (ix) Federal Award Project Description, as Required to be Responsive to the Federal Funding Accountability and Transparency Act (FFATA): ARPA SLFRF: Municipal Utility Relief Program to Assist Residential Customers
- (x) (A) Name of Federal Awarding Agency: U.S. Treasury Department

SUSSEX COUNTY – TOWN OF WAVERLY  
MEMORANDUM OF UNDERSTANDING  
COVID-19 ARPA SLFRF MUNICIPAL UTILITY ASSISTANCE PROGRAM IMPLEMENTATION

(B) Name of Pass-Through Entity: Commonwealth of Virginia

(C) Contact Information for Awarding Official of the Pass-Through Entity:

Erik Johnston, Director

VA Department of Housing and Community Development

600 East Main Street, Suite 300

Richmond, VA 23219

(804) 371-7000

- (xi) Assistance Listings Number and Title:  
21.027, Coronavirus State and Local Fiscal Recovery Funds
- (xii) Identification of Whether the Award is R&D  
Not R&D Award
- (xiii) Indirect Cost Rate for the Federal Award (including if the de minimis rate is charged) per §200.414:  
N/A (No Indirect Costs Can Be Charged by County/City or Municipal Utility)

**RESOLUTION #22-11**  
**FY22 BUDGET AMENDMENT**

BE IT RESOLVED by the Sussex County Board of Supervisors that the following budget amendment for the General Government and hereby is made for the period of July 1, 2021 through June 30, 2022. This resolution will amend the budget to include federal funding from COVID-19 ARPA Utility Relief.

**FUND # 100**  
**GENERAL FUND**

REVENUE

Fund 100 Federal Revenue	
COVID-19 Relief Funding	<u>\$83,476.72</u>
<b>Total Revenues</b>	<b>\$83,476.72</b>

EXPENDITURE

Fund 100 General Government	<u>\$83,476.72</u>
<b>Total Expenditures</b>	<b>\$83,476.72</b>

\_\_\_\_\_  
Susan B. Seward, Chairman  
Sussex County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Richard Douglas, Clerk  
Sussex County Board of Supervisors

Adopted this 17<sup>th</sup> day of February, 2022.

**BOARD ACTION FORM**

**Agenda Item:** Recognition #3.01

**Subject:** Waverly Pool Request for Assistance  
Sussex County Youth and Adult Recreation Association (SCYARA)

**Board Meeting Date:** February 17 2022

=====

**Summary:** Mr. William Ricks, on behalf of the Sussex County Youth and Adult Recreation Association, will present a request for assistance for improvements to the Waverly Pool.

**Attachment:** None

=====

**ACTION:** At the discretion of the Board of Supervisors

**MOTION BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<u>Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Member</u>	<u>Aye</u>	<u>Nay</u>
Fly	___	___	Seward	___	___
D. Jones	___	___	Tyler	___	___
W. Jones	___	___	White (Tie Breaker)	___	___

**BOARD ACTION FORM**

**Agenda Item:** Appointments #5.01

**Subject:** Housing Oversight Board

**Board Meeting Date:** February 17, 2022

=====

**Summary:** Tanisha Green submitted her letter of resignation from the Housing Oversight Board. The purpose of the Board is to provide fair and equitable application oversight of the Pocahontas Community Improvement Grant, Phases I and II, and the Regional Urgent Needs Grant Program as required under the County’s contract with the funding agency, Virginia Department of Housing and Community Development. The criteria for Mrs. Green’s replacement is as follows:

- Active member of community, already have an existing relationship with many of the neighbors, and having been an active participant in organizing the neighborhood during the Planning Grant process. They should understand the intent of the program and be able to assist the County in communicating with project area residents to assure they fully understand the program.

**Recommendation:** Per the Board’s discussion.

**Attachment:** Resignation Letter

=====

**ACTION:** None

**MOTION BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

<u>Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Member</u>	<u>Aye</u>	<u>Nay</u>
Fly	___	___	W. Jones	___	___
Futrell	___	___	Seward	___	___
D. Jones	___	___	Tyler	___	___
		White (Tie Breaker)	___	___	

January 5, 2022

Sussex County  
Housing Department  
P.O. Box 1397  
Sussex, Virginia 23884

To Whom It May Concern,

Please be advised that this letter is written to inform you of my decision to resign from my position on the Housing Oversight Board, effective January 10, 2022.

My other commitments have become too great for me to be able to fulfill the requirements of my position on the board, and I feel it is best for me to make room for someone with the time to devote to the job.

It has been a pleasure being a part of the Housing Oversight Board. I am grateful for all we have accomplished over the years, and I have no doubt that the board will continue to make even greater successes in the future.

If I can be of any assistance during the time it will take to fill the position, please don't hesitate to ask.

Best Regards,

*Tanisha Green*

Tanisha Green



**BOARD ACTION FORM**

**Agenda Item:** Appointments #5.02

**Subject:** Nominations for Appointments to the Board of Equalization

**Board Meeting Date:** February 17 2022

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**Summary:** This item has been on previous Board agendas. County Administrator Douglas stated that there were a number of individuals interested to consider.

The four members currently serving on the Board of Equalization are: (1) Ms. Antoinette Jones, 13174 Shands Road, Stony Creek, Virginia 23882; (2) Mr. Dennis Mason, 407 East Main Street, Wakefield, VA 23888; (3) Ms. Carla Mayes, 28237 Petersburg Road, Waverly, VA 23890; and, (4) Mr. Jerry Parham, 33117 Sussex Drive, Waverly, VA 23890.

Appointments and qualifications are included in the Board packet.

**Recommendation:** That the Board recommends an individual(s) for nomination for appointment by the Circuit Court Judge to fill the vacancy and set the terms for the Board of Equalization.

**Attachments:** § 58.1-3374 Appointments and §58.1-3374 Qualifications of members; vacancies

=====  
**ACTION:** That the Board recommends an individual(s) for nomination for appointment by the Circuit Court Judge to fill the vacancy and set the terms for the Board of Equalization.

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<b><u>Member</u></b>	<b><u>Aye</u></b>	<b><u>Nay</u></b>	<b><u>Member</u></b>	<b><u>Aye</u></b>	<b><u>Nay</u></b>
Fly	___	___	W. Jones	___	___
Futrell	___	___	Seward	___	___
D. Jones	___	___	Tyler	___	___
		White (Tie Breaker)	___	___	

Code of Virginia  
Title 58.1. Taxation  
Subtitle III. Local Taxes  
Chapter 32. Real Property Tax  
Article 14. Boards of Equalization

## § 58.1-3370. Appointment

A. The circuit court having jurisdiction within each city and each county other than those counties operating under § 58.1-3371 shall, in each tax year immediately following the year a general reassessment or annual or biennial assessment is conducted in such city or county, appoint for such city or county a board of equalization of real estate assessments, unless such county or city has a permanent board of equalization appointed according to law. In addition, at the request of the local governing body, the circuit court may appoint alternate members as provided in subsection B of § 58.1-3373, and the provisions of that subsection shall apply mutatis mutandis.

B. The term of any board of equalization appointed under the authority of this section shall expire one year after the effective date of the assessment for which it was appointed. However, if a taxpayer applies to the commissioner of the revenue or other official performing the duties imposed on commissioners of the revenue for relief from a real property tax assessment prior to the expiration of the board of equalization's term, and the term of the board of equalization expires prior to a final determination on such application for relief, and the taxpayer advises the circuit court that he wishes to appeal the determination to the board of equalization, then the circuit court may reappoint the board of equalization to hear and act on such appeal.

Code 1950, § 58-895; 1975, c. 575; 1979, c. 577; 1983, c. 304; 1984, cc. 273, 675; 1991, c. 240; 2014, c. 19; 2018, c. 604.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

## § 58.1-3374. Qualifications of members; vacancies

Except as provided in § 58.1-3371 or 58.1-3373, every board of equalization shall be composed of not less than three members nor more than five members or the number of local election districts in the locality, whichever is greater. In addition to such regular members, at the request of the local governing body, the circuit court for any locality shall appoint one alternate member in the case of a board with less than five members, and two alternate members in the case of a board with five or more members. The qualifications, terms and compensation of alternate members shall be the same as those of regular members. A regular member when he knows he will be absent from or will have to abstain from any proceeding at a meeting shall notify the chairman of the board of equalization at least 24 hours prior to the meeting of such fact. The chairman may select an alternate to serve in the absent or abstaining member's place and the records of the board shall so note. Such alternate member may vote on any proceeding in which a regular member is absent or abstains.

All members of every board of equalization, including alternate members, shall be residents, a majority of whom shall be freeholders, in the county or city for which they are to serve and shall be selected from the citizens of the county or city. Appointments to the board of equalization shall be broadly representative of the community. Thirty percent of the members of the board shall be commercial or residential real estate appraisers, other real estate professionals, builders, developers, or legal or financial professionals, and at least one such member shall sit in all cases involving commercial, industrial or multi-family residential property, unless waived by the taxpayer. No member of the board of assessors shall be eligible for appointment to the board of equalization for the same reassessment. In order to be eligible for appointment, each prospective member of such board shall attend and participate in the basic course of instruction given by the Department of Taxation under § 58.1-206. In addition, at least once in every four years of service on a board of equalization, each member of a board of equalization shall take continuing education instruction provided by the Tax Commissioner pursuant to § 58.1-206. Any vacancy occurring on any board of equalization shall be filled for the unexpired term by the authority making the original appointment.

On any board or panel thereof considering appeals of commercial or multi-family residential property in a locality with a population exceeding 100,000, 30 percent of the members of such board or panel shall be commercial or multi-family residential real estate appraisers who are licensed and certified by the Virginia Real Estate Appraiser Board to serve as general real estate appraisers, other commercial or multi-family real estate professionals or licensed commercial or multi-family real estate brokers, builders, developers, active or retired members of the Virginia State Bar, or other legal or financial professionals whose area of practice requires or required knowledge of the valuation of property, real estate transactions, building costs, accounting, finance, or statistics. For the purposes of this section, commercial or multi-family residential property shall be defined as any property that is either operated as or zoned for use as commercial, industrial or multi-family residential rental property.

Code 1950, § 58-899; 1979, c. 577; 1983, c. 304; 1984, c. 675; 1995, c. 24; 2003, c. 1036; 2009, c. 25; 2010, c. 552; 2011, c. 10; 2013, c. 197; 2016, c. 38.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

**BOARD ACTION FORM**

**Agenda Item:** Appointments #5.03

**Subject:** SSA Alternate At-Large Position

**Board Meeting Date:** February 17 2022

=====

**Summary:** This item has been on previous Board agendas. Staff was advised by Mr. Frank Irving, of Sussex Service Authority, that there was a vacancy for an unexpired term on the Sussex Service Authority for an alternate in the At-Large position.

The position is for any citizen who resides in Sussex County (prefer them to be in our service area, but not mandatory) and is not an elected official. The position is currently held by Sam Harrison but he has moved out of Sussex County and is no longer eligible. He will continue to serve until his replacement has been appointed.

This position will serve through December 2022 at which time they can be renewed for another four-year term.

**Recommendation** That Board makes an appointment to fill the unexpired term of the alternate in the At-Large position on the Sussex Service Authority Board, through expiring December 31, 2022 at which time a reappointment for a four-year term will need to be made.

**Attachment:** None

=====

**ACTION:** That Board makes an appointment to fill the unexpired term of the alternate in the At-Large position on the Sussex Service Authority Board, through expiring December 31, 2022 at which time a reappointment for a four-year term will need to be made.

**MOTION BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

<u>Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Member</u>	<u>Aye</u>	<u>Nay</u>
Fly	___	___	W. Jones	___	___
Futrell	___	___	Seward	___	___
D. Jones	___	___	Tyler	___	___

White  
(Tie Breaker)    \_\_\_    \_\_\_

**BOARD ACTION FORM**

**Agenda Item:** Appointments #5.04

**Subject:** Appointment of the Department of Social Services Advisory Board

**Board Meeting Date:** February 17 2022

=====

**Summary:** This item was tabled from previous Board of Supervisors regular meetings agenda.

The Board discussed contacting members of the former DSS Administrative Board in regards to their interest in serving on the Advisory Board. There was also the Board’s general consensus to have representation from each district. A list of names was also provided by Mr. Hagy, the Director of Social Services.

Vice Chairman Jones has recommended Ms. Viola Brown, 119 Williams Lane, Wakefield, Virginia 23888, to be appointed as Wakefield District representative. Supervisor Fly has recommended Ms. Leah Brantley, 9531 Jerusalem Plank Road, Waverly, Virginia 23890.

Three members—Stony Creek, Wakefield and Waverly Districts—were interested contingent upon further information provided.

**Recommendation:** none

**Attachments:** Biographies of Ms. Viola Brown and Ms. Leah Brantley

=====

**ACTION:**

**MOTION BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

\_\_\_\_\_

<u>Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Member</u>	<u>Aye</u>	<u>Nay</u>
Fly	___	___	W. Jones	___	___
Futrell	___	___	Seward	___	___
D. Jones	___	___	Tyler	___	___
		White (Tie Breaker)	___	___	

**Application Form for  
Sussex County Boards and Commissions**

Application for:  New Appointment       Reappointment

Board or Commission Applying for: Department of Social Services Advisory Board

NAME: Viola D. Brown

Home Address: 119 Williams Lane

City/Town: Wakefield Zip Code: 23888 Home Phone: N/A Cell Phone: 757-758-4998

Work Phone: N/A Email address: Charityzo1004@gmail.com

Occupation: Retired Employer: N/A

Employer Address: N/A

Previous Work Experience: Licensed Practical Nurse (LPN) - Commonwealth of Virginia Eastern State Hospital  
Central State Hospital; Southside Virginia Training

42 Years of Services

Volunteer experience (List and Describe): : Volunteer at Church; Mobile Food Bank Southeastern Virginia  
Board of Elections - Poll Worker

Do you currently hold any elected or appointed office in Sussex County?  Yes  No

If yes, please list the office: \_\_\_\_\_

Have you ever held any elected or appointed office in Sussex County in the past?  Yes  No

If yes, please list the office: \_\_\_\_\_

If appointed, can you attend the regularly scheduled date and time of Board or Commission meeting?  Yes  No

Do you have conflict of interest or personal connection to the Board of Commission?  Yes  No

If yes, please explain/describe: \_\_\_\_\_

Highest degree of education earned: 2 Years Post Graduate

School attended: \_\_\_\_\_ Field of Study: Nursing

Do you have any relatives currently employed by Sussex County?  Yes  No

If yes, please explain/describe: Dispatcher

- |   |  |   |                                      |
|---|--|---|--------------------------------------|
| <input type="checkbox"/> Accounting     | <input type="checkbox"/> EMS                   | <input type="checkbox"/> Information System | <input type="checkbox"/> Real Estate |
| <input type="checkbox"/> Administration | <input type="checkbox"/> Engineering           | <input type="checkbox"/> Inspections        |                                      |
| <input type="checkbox"/> Auditing       | <input type="checkbox"/> Finance/Banking       | <input type="checkbox"/> Landscaping Law    |                                      |
| <input type="checkbox"/> Budgeting      | <input type="checkbox"/> Fire Service          | <input type="checkbox"/> Law                |                                      |
| <input type="checkbox"/> Construction   | <input checked="" type="checkbox"/> Healthcare | <input type="checkbox"/> Planning           |                                      |
| <input type="checkbox"/> Contracting    | <input type="checkbox"/> Housing               | <input type="checkbox"/> Public Relations   |                                      |
| <input type="checkbox"/> Education      | <input type="checkbox"/> Housing Inspections   | <input type="checkbox"/> Purchasing         |                                      |

**Staff Use Only**

**Recommended by:** Vice Chairman Wayne O. Jones

**District:** Wakefield

Please return completed form to: Mrs. Shilton R. Butts  
 Assistant to the County Administrator/  
 Deputy Clerk to the Board  
 Post Office 1397 (mailing)  
 20135 Princeton Road (physical)  
 Sussex, Virginia 23884 (mailing)  
 Stony Creek, Virginia 23882 (physical)

If you have any questions, please call 434 246 1000. Thanks.



**BOARD ACTION FORM**

**Agenda Item:** Action Items #6.01

**Subject:** Sheriff Mobile Data Terminal (MDT) Lease Agreement

**Board Meeting Date:** February 17 2022

=====  
**Summary:** Sheriff Giles is requesting consideration of approval of lease agreement with Dell for the three-year lease of 25 new Mobile Data Terminals (MDTs) for the Sheriff’s Office Patrol Deputies.

The Sheriff is requesting to fund the first year’s lease payment from within the Sheriff’s Department operational budget. He is requesting the funds for the first payment to come from ARPA funds the County awarded Animal Services in lieu of Animal Services purchasing the K9 unit a 2018 Ford Explorer valued at \$30,000.00 from the Sheriff’s office. For the additional two years’ payments, the Sheriff is requesting the funds be appropriated to his Field Operations Equipment/Lease Purchase budget line item #51100-1253-512-510. Currently, our MDT’s are nine years old. He advised that the current MDT’s are failing in the field and having major issues due to the technology is obsolete now.

**Recommendation:**

**Attachments:** Letter from Sheriff Giles, Quote from Dell for Lease Agreement, Additional Quotes for Procurement Purposes,

=====  
**REQUESTED ACTION:**

**MOTION BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

<u>Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Member</u>	<u>Aye</u>	<u>Nay</u>
Fly	___	___	W. Jones	___	___
Futrell	___	___	Seward	___	___
D. Jones	___	___	Tyler	___	___
			White (Tie Breaker)	___	___

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# Sussex County Sheriff's Office



## Memorandum

To: Mr. Richard Douglas, County Administrator

From: Sheriff E.L. Giles, Sr.

CC: Sussex County Board Members

I am requesting for the Board of Supervisors to approve the attached lease agreement with Dell for the three-year lease of 25 new Mobile Data Terminals (MDT's) for the Sheriff's Office Patrol Deputies. I am requesting to fund the first year's lease payment from within my operational budget. The funds for the first payment will come from ARPA funds the County awarded Animal Control in lieu of Animal Control purchasing the K9 unit a 2018 Ford Explorer valued at \$30,000.00 from the Sheriff's Office. For the additional two years' payments, I am requesting the funds be appropriated to my Field Operations Equipment/Lease Purchase budget line item #51100-1253-512-510. Currently our MDT's are nine years old. The current MDT's are failing in the field and having major issues due to the fact that the technology is obsolete now. Attached is the quote for the lease of the MDT's through Dell along with additional quotes for procurement purposes.

I appreciate your time and consideration for the request. Should you have any questions, please let me know.

A handwritten signature in blue ink, appearing to read "Ernest L. Giles, Sr.", written in a cursive style.

Ernest L. Giles, Sr., Sheriff



Prepared For:

Sussex County  
Sussex Courthouse

January 26, 2022

Thank you for giving Dell Financial Services L.L.C. ("DFS") the opportunity to provide a technology financing solution. Enclosed is a financing proposal for your new technology needs. We look forward to discussing this opportunity in further detail with you. If you have any questions, please contact me at the phone number or email address below.

Term	36
Option	FMV
Payments:	Annual
Consolidation:	Monthly
Payments Due:	Advance
Interim Rent:	None
	3
	Payments

Dell Quote Number	Summary Product Description	Product Price	Quantity	Extended Price	Rate Factor	3 Payments
3000104632615.2	Dell Lat 5420 Rugged	\$3,000.00	25	\$75,000.00	0.31460	\$23,595.00
3000104632615.2	Docking Station	\$460.00	25	\$11,500.00	0.35540	\$4,087.10
	Personal Property Management Fee				0.025705	\$2,223.48
<b>TOTAL</b>				<b>\$86,500.00</b>		<b>\$29,905.58</b>

Proposal Expiration Date:  
February 25, 2022

**PLEASE NOTE:**

**Personal Property Taxes (PPT) will apply to this lease.**

Leasing and financing provided by Dell Financial Services L.L.C. or its affiliate or designee ("DFS") to qualified customers. Offers may not be available or may vary in certain countries. Where available, offers may be changed without notice and are subject to product availability, credit approval, execution of documentation provided by and acceptable to DFS, and may be subject to minimum transaction size. Offers not available for personal, family or household use. Dell and the Dell logo are trademarks of Dell Inc. Proposal is property of DFS, contains confidential information and shall not be duplicated or disclosed in whole or part. Proposal is not a firm offer of financing. Pricing and rates based upon the final amount, configuration and specification of the supplied equipment, software, services or fees. Prorata payment may be due in the first payment cycle. Proposal excludes additional costs to customer such as shipping, maintenance, filing fees, applicable taxes, insurance and similar items. Proposal valid through the expiration date shown above, or if none is specified, for 30 calendar days from date of presentation.

**End of Term Options:**

**Fair Market Value (FMV) Lease:**

- Exercise the option to purchase the products at the then fair market value.
- Return all products to lessor at the lessee's expense.
- Renew the lease on a month to month or fixed term basis.

**Cheryl Aldridge**  
Inside Sales Account Management IV  
Dell | Financial Services  
office + 1 512 724 3451  
[cheryl\\_aldrige@dell.com](mailto:cheryl_aldrige@dell.com)

January 26, 2022

**Additional Information:**

**LEASE QUOTE:** The Lease Quote is exclusive of shipping costs, maintenance fees, filing fees, licensing fees, property or use taxes, insurance premiums and similar items which shall be for Lessee's account. Lessee will pay payments and all other amounts without set-off, abatement or reduction for any reason whatsoever. Additionally, Lessee shall declare and pay all sales, use and personal property taxes to the appropriate taxing authorities. If you are sales tax exempt, please provide a copy of your Exemption Certificate with the Lease Contract. If Lessee provides the appropriate tax exemption certificates to DFS, sales and use taxes will not be collected by DFS. However, if your taxing authority assesses a **personal property tax** on leased equipment, and if DFS pays that tax under your lease structure, Lessee must reimburse DFS for that tax expense in connection with the Lessee's lease.

**PURCHASE ORDER:** The Purchase Order must be made out to Dell Financial Services L.L.C., One Dell Way, RR8-23, Round Rock, TX 78682. The Purchase Order will need to include the quote number, quantity and description of the equipment. Please be sure to indicate that the PO is for a lease order and shows the type of lease, the term length, and payment frequency. The date of the lease quote referenced should be included. Please be sure to include any applicable shipping costs as a line item and include your address as the SHIP TO destination.

**INSURANCE:** The risk of loss on the equipment is borne solely by the Lessee. Lessee shall be required to purchase and maintain during the Term (i) comprehensive public liability insurance naming Lessor as additional insured; and (ii) "all-risk" physical damage insurance in a minimum amount of the Purchase Price, naming DFS as first loss payee.

**APPROPRIATION COVENANT:** The Lease will contain an appropriation of funds clause. The Lessee will covenant that it shall do all things legally within its power to obtain and maintain funds from which the payments may be paid.

**DOCUMENTATION:** In addition to a duly executed Agreement, other documents as reasonably requested by DFS may be required, such as but not limited to, opinions of counsel, IRS tax exemption forms (if applicable), and audited financials.

**PROPOSAL VALIDITY / APPROVALS:** This is a proposal based upon market conditions and is valid for 30 days. is subject to final credit approval, review of the economics of the transaction, and execution of mutually acceptable documentation. Upon expiration, lease rates may be changed in the event that market rates change.



## GAMBER-JOHNSON DOCKING STATIONS FOR THE DELL® LATITUDE RUGGED & RUGGED EXTREME NOTEBOOKS

GAMBER-JOHNSON ITEM NUMBER	DELL SKU	DESCRIPTION	COMPATIBLE WITH	IMAGE	RF PASS-THROUGH	POWER SUPPLY	PORTS	BEST SUITED FOR
7160-0882-00	A9777894	Dell® Latitude Rugged Notebook Docking Station - NO RF	Dell® Latitude: 12 Rugged Ext 7204/7214/ 14 Rugged Ext 7404/7414/7424 14 Rugged 5404/5420/5424/ 5414 14 Rugged 5430 14 Rugged Ext 7330		No	No	1 x RJ45 Ethernet 3 x USB 3.01 1 x USB 2.01 1 x HDMI 1 x VGA 2 x RS-232 Serial 1 x HEADPHONE JACK 1 x MIC JACK 1 x Power Input	Customers looking for port replication to connect peripherals, low profile, front-facing lock/release.
7160-0882-03	A9780511	Dell® Latitude Rugged Notebook Docking Station - TRI RF	Dell® Latitude: 12 Rugged Ext 7204/7214/ 14 Rugged Ext 7404/7414/7424 14 Rugged 5404/5420/5424/ 5414 14 Rugged 5430 14 Rugged Ext 7330		TRI-RF TNC	No	1 x RJ45 Ethernet 3 x USB 3.01 1 x USB 2.01 1 x HDMI 1 x VGA 2 x RS-232 Serial 1 x HEADPHONE JACK 1 x MIC JACK 1 x Power Input	Customers looking for port replication to connect peripherals, and external antenna connections. Dock is low profile, with front-facing lock/ release.
7160-0883-00	A9780512	Dell® Latitude Rugged Notebook Cradle - NO RF	Dell® Latitude: 12 Rugged Ext 7204/7214/ 14 Rugged Ext 7404/7414/7424 14 Rugged 5404/5420/5424/ 5414 14 Rugged 5430 14 Rugged Ext 7330		No	No	No port replication	Customers looking to secure their computer but will not need to connect peripherals. Low profile, front-facing lock/ release.
7160-0883-03	A9795024	Dell® Latitude Rugged Notebook Cradle - TRI RF	Dell® Latitude: 12 Rugged Ext 7204/7214/ 14 Rugged Ext 7404/7414/7424 14 Rugged 5404/5420/5424/ 5414 14 Rugged 5430 14 Rugged Ext 7330		TRI-RF TNC	No	No port replication	Customers looking to secure their computer and connect to an external antenna but will not need port replication.
7170-0551-00	A9777895	KIT: Dell® Latitude Rugged Notebook Docking Station - NO RF with LIND 90W Auto Power Supply	Dell® Latitude: 12 Rugged Ext 7204/7214/ 14 Rugged Ext 7404/7414/7424 14 Rugged 5404/5420/5424/ 5414 14 Rugged 5430 14 Rugged Ext 7330		No	Yes - External	1 x RJ45 Ethernet 3 x USB 3.01 1 x USB 2.01 1 x HDMI 1 x VGA 2 x RS-232 Serial 1 x HEADPHONE JACK 1 x MIC JACK 1 x Power Input	Customers looking for port replication to connect peripherals, low profile, front-facing lock/release. Includes power supply.
7170-0551-03	A9777897	KIT: Dell® Latitude Rugged Notebook Docking Station - TRI RF with LIND 90W Auto Power Supply	Dell® Latitude: 12 Rugged Ext 7204/7214/ 14 Rugged Ext 7404/7414/7424 14 Rugged 5404/5420/5424/ 5414 14 Rugged 5430 14 Rugged Ext 7330		TRI-RF TNC	Yes - External	1 x RJ45 Ethernet 3 x USB 3.01 1 x USB 2.01 1 x HDMI 1 x VGA 2 x RS-232 Serial 1 x HEADPHONE JACK 1 x MIC JACK 1 x Power Input	Customers looking for port replication to connect peripherals, and external antenna connections. Dock is low profile, with front-facing lock/ release.



## GAMBER-JOHNSON DOCKING STATIONS FOR THE DELL® LATITUDE RUGGED TABLET

GAMBER-JOHNSON ITEM NUMBER	DELL SKU	DESCRIPTION	COMPATIBLE WITH	IMAGE	RF PASS-THROUGH	POWER SUPPLY	PORTS	BEST SUITED FOR
7160-0840-00	A9777898	Dell® Latitude Rugged Tablet Docking Station - No RF	Dell® Latitude: 12 Rugged Tablet 7202/7212/7220		No	No	1 x RJ45 Ethernet 2 x USB 3.0/10 1 x USB 2.0/10 1 x DISPLAY 1 x VGA 2 x RS-232 Serial 1 x AUX/MIC (front-facing) 1 x Power Input	Customers looking for port replication and one-hand docking/release.
7160-0840-02	A9777900	Dell® Latitude Rugged Tablet Docking Station - Dual RF	Dell® Latitude: 12 Rugged Tablet 7202/7212/7220		Dual-RF TNC	No	1 x RJ45 Ethernet 2 x USB 3.0/10 1 x USB 2.0/10 1 x DISPLAY 1 x VGA 2 x RS-232 Serial 1 x AUX/MIC (front-facing) 1 x Power Input	Customers looking for port replication, one-hand docking/release with external antenna connections.
7160-0881-00	A9780510	Dell® Latitude Rugged Tablet Docking Station - No RF	Dell® Latitude: 12 Rugged Tablet 7202/7212/7220		No	No	No port replication	Customers looking for a less expensive alternative than a docking station and do not need port replication.
7170-0552-00	A9777899	KIT: Dell® Latitude Rugged Tablet Docking Station - No RF with LIND 12-16V Auto Power Supply	Dell® Latitude: 12 Rugged Tablet 7202/7212/7220		No	Yes - External	1 x RJ45 Ethernet 2 x USB 3.0/10 1 x USB 2.0/10 1 x DISPLAY 1 x VGA 2 x RS-232 Serial 1 x AUX/MIC (front-facing) 1 x Power Input	Customers looking for port replication and one-hand docking/release.
7170-0552-02	A9666281	KIT: Dell® Latitude Rugged Tablet Docking Station- Dual RF with LIND 12-16V Auto Power Supply	Dell® Latitude: 12 Rugged Tablet 7202/7212/7220		Dual-RF TNC	Yes - External	1 x RJ45 Ethernet 2 x USB 3.0/10 1 x USB 2.0/10 1 x DISPLAY 1 x VGA 2 x RS-232 Serial 1 x AUX/MIC (front-facing) 1 x Power Input	Customers looking for port replication, one-hand docking/release with external antenna connections.



## A quote for your consideration

Based on your business needs, we put the following quote together to help with your purchase decision. Below is a detailed summary of the quote we've created to help you with your purchase decision.

To proceed with this quote, you may respond to this email, order online through your [Premier page](#), or, if you do not have Premier, use this [Quote to Order](#).

<b>Quote No.</b>	<b>3000104632615.2</b>	<b>Sales Rep</b>	Erik Ponce
<b>Total</b>	<b>\$86,500.00</b>	<b>Phone</b>	(800) 456-3355, 6182946
<b>Customer #</b>	1453579	<b>Email</b>	Erik_Ponce@Dell.com
<b>Quoted On</b>	Jan. 26, 2022	<b>Billing To</b>	ACCOUNTS PAYABLE
<b>Expires by</b>	Feb. 25, 2022		COUNTY OF SUSSEX
<b>Contract Code</b>	C000000614001		SUSSEX COURTHOUSE
<b>Customer Agreement #</b>	VA-190822-DELL		PO BOX 1397
<b>Deal ID</b>	21737971		SUSSEX, VA 23884-0397

### Message from your Sales Rep

Please contact your Erik Ponce if you have any questions or when you're ready to place an order 512-725-0081. Thank you for shopping with Dell!

Regards,  
Erik Ponce

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### Shipping Group

<b>Shipping To</b>	<b>Shipping Method</b>
ERIC DANUSER COUNTY OF SUSSEX 20135 PRINCETON RD SUSSEX, VA 23884 (434) 246-6463	Standard Ground

Product	Unit Price	Quantity	Subtotal
Dell Latitude 5420 Rugged	\$3,000.00	25	\$75,000.00
Gamber-Johnson Docking Station with Lind 90W Power Supply (No RF) - docking station - VGA	\$460.00	25	\$11,500.00

Action Items - Page 7

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<b>Subtotal:</b>	<b>\$86,500.00</b>
<b>Shipping:</b>	<b>\$0.00</b>
<b>Environmental Fee:</b>	<b>\$0.00</b>
<b>Non-Taxable Amount:</b>	<b>\$86,500.00</b>
<b>Taxable Amount:</b>	<b>\$0.00</b>
<b>Estimated Tax:</b>	<b>\$0.00</b>
<hr/>	
<b>Total:</b>	<b>\$86,500.00</b>



## Shipping Group Details

### Shipping To

ERIC DANUSER  
 COUNTY OF SUSSEX  
 20135 PRINCETON RD  
 SUSSEX, VA 23884  
 (434) 246-6463

### Shipping Method

Standard Ground

	Quantity	Subtotal
<b>Dell Latitude 5420 Rugged</b>		
Estimated delivery if purchased today: Mar. 11, 2022 Contract # C000000614001 Customer Agreement # VA-190822-DELL	<b>25</b>	<b>\$75,000.00</b>
<b>\$3,000.00</b>		

Description	SKU	Unit Price	Quantity	Subtotal
Dell Latitude 5420 Rugged, CTO	210-AQPT	-	25	-
8th Gen Intel Core i7-8650U Processor (Quad Core, 8M Cache, 1.9GHz,15W, vPro)	379-BDHD	-	25	-
Windows 10 Pro (Includes Windows 11 Pro License) English, French, Spanish	619-AQMP	-	25	-
No Microsoft Office License Included – 30 day Trial Offer Only	658-BCSB	-	25	-
Intel Core i7-8650U Processor Base with AMD Radeon RX540 Graphics 128 Bit	338-BPTH	-	25	-
No Out-of-Band Systems Management - vPro Disabled	631-ABWH	-	25	-
32GB, 2x16GB, 2400MHz DDR4 Non-ECC	370-AGKE	-	25	-
M.2 256GB PCIe NVMe Class 40 Solid State Drive	400-BBTW	-	25	-
14" FHD WVA (1920 x 1080) Embedded Touch, Outdoor-Readable Screen	391-BDVP	-	25	-
Full Security - Fingerprint Reader, Contacted Smartcard Reader, Contactless Smartcard Reader	346-BEVD	-	25	-
RFID Module Label	389-DOOP	-	25	-
RFID Module Label	389-DOQY	-	25	-
Dell USB,USB,AUDIO,Smart Card left I/O module	590-TEXZ	-	25	-
SYSTEM RATING LABEL	389-DOPP	-	25	-
Sealed Internal RGB Backlit English Keyboard	580-ABYR	-	25	-
Intel Dual Band Wireless AC 8265 (802.11ac) 2x2 + Bluetooth 4.2 Driver	555-BEPE	-	25	-
Intel Dual Band Wireless AC 8265 (802.11ac) 2x2	555-BDGD	-	25	-
WLAN Bracket	575-BBYW	-	25	-
No Mobile Broadband Card	362-BBBB	-	25	-
3 Cell 51Whr 3-Year Limited Hardware Warranty ExpressCharge Capable Primary Battery	451-BCOQ	-	25	-
90 Watt AC Adapter	492-BCNQ	-	25	-
No Anti-Virus Software	650-AAAM	-	25	-
OS-Windows Media Not Included	620-AALW	-	25	-
E5 Power Cord 1M US	537-BBBD	-	25	-
Quick Referene Guide	340-CHGB	-	25	-
Factory Installed Rigid handle tied sku	540-BCIH	-	25	-

US Order	332-1286	-	25	-
3 Cell 51Whr 3-Year Limited Hardware Warranty ExpressCharge Capable Secondary Battery	451-BCOR	-	25	-
SERI Guide (English/Spanish)	340-AGIN	-	25	-
Regulatory Label included	389-BEYY	-	25	-
TPM Enabled	340-AJPV	-	25	-
System Driver, Dell Latitude 5420	640-BBRG	-	25	-
Dell Developed Recovery Environment	658-BCUV	-	25	-
Shuttle SHIP Material	328-BCXL	-	25	-
Directship Info Mod	340-CKTD	-	25	-
Intel(R) Core(TM) i7 Processor Label	389-CGBC	-	25	-
No Option Included	340-ACQQ	-	25	-
No Resource USB Media	430-XXYG	-	25	-
ENERGY STAR Qualified	387-BBNJ	-	25	-
BTO Standard shipment Air	800-BBGF	-	25	-
No UPC Label	389-BDCE	-	25	-
No Additional IO Ports	590-TEYC	-	25	-
No Option Included	340-ACQQ	-	25	-
RGB Camera	319-BBFN	-	25	-
No AutoPilot	340-CKSZ	-	25	-
ProSupport Plus: Next Business Day Onsite, 3 Years	808-6797	-	25	-
Dell Limited Hardware Warranty Initial Year	808-6805	-	25	-
ProSupport Plus: Accidental Damage Service, 3 Years	808-6817	-	25	-
ProSupport Plus: Keep Your Hard Drive, 3 Years	808-6818	-	25	-
ProSupport Plus: 7X24 Technical Support, 3 Years	808-6847	-	25	-
Thank you for choosing Dell ProSupport Plus. For tech support, visit <a href="http://www.dell.com/contactdell">www.dell.com/contactdell</a> or call 1-866-516-3115	997-8367	-	25	-

		Quantity	Subtotal
<b>Gamber-Johnson Docking Station with Lind 90W Power Supply (No RF) - docking station - VGA</b>	\$460.00	25	\$11,500.00
Estimated delivery if purchased today: Mar. 08, 2022 Contract # C000000614001 Customer Agreement # VA-190822-DELL			

Description	SKU	Unit Price	Quantity	Subtotal
Gamber-Johnson Docking Station with Lind 90W Power Supply (No RF) - docking station - VGA	A9777895	-	25	-

<b>Subtotal:</b>	<b>\$86,500.00</b>
<b>Shipping:</b>	<b>\$0.00</b>
<b>Environmental Fee:</b>	<b>\$0.00</b>
<b>Estimated Tax:</b>	<b>\$0.00</b>
<b>Total:</b>	<b>\$86,500.00</b>

## Important Notes

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### Terms of Sale

This Quote will, if Customer issues a purchase order for the quoted items that is accepted by Supplier, constitute a contract between the entity issuing this Quote ("Supplier") and the entity to whom this Quote was issued ("Customer"). Unless otherwise stated herein, pricing is valid for thirty days from the date of this Quote. All product, pricing and other information is based on the latest information available and is subject to change. Supplier reserves the right to cancel this Quote and Customer purchase orders arising from pricing errors. Taxes and/or freight charges listed on this Quote are only estimates. The final amounts shall be stated on the relevant invoice. Additional freight charges will be applied if Customer requests expedited shipping. Please indicate any tax exemption status on your purchase order and send your tax exemption certificate to [Tax\\_Department@dell.com](mailto:Tax_Department@dell.com) or [ARSalesTax@emc.com](mailto:ARSalesTax@emc.com), as applicable.

**Governing Terms:** This Quote is subject to: (a) a separate written agreement between Customer or Customer's affiliate and Supplier or a Supplier's affiliate to the extent that it expressly applies to the products and/or services in this Quote or, to the extent there is no such agreement, to the applicable set of Dell's Terms of Sale (available at [www.dell.com/terms](http://www.dell.com/terms) or [www.dell.com/oemterms](http://www.dell.com/oemterms)), or for cloud/as-a-Service offerings, the applicable cloud terms of service (identified on the Offer Specific Terms referenced below); and (b) the terms referenced herein (collectively, the "Governing Terms"). Different Governing Terms may apply to different products and services on this Quote. The Governing Terms apply to the exclusion of all terms and conditions incorporated in or referred to in any documentation submitted by Customer to Supplier.

**Supplier Software Licenses and Services Descriptions:** Customer's use of any Supplier software is subject to the license terms accompanying the software, or in the absence of accompanying terms, the applicable terms posted on [www.Dell.com/eula](http://www.Dell.com/eula). Descriptions and terms for Supplier-branded standard services are stated at [www.dell.com/servicecontracts/global](http://www.dell.com/servicecontracts/global) or for certain infrastructure products at [www.dellemc.com/en-us/customer-services/product-warranty-and-service-descriptions.htm](http://www.dellemc.com/en-us/customer-services/product-warranty-and-service-descriptions.htm).

**Offer-Specific, Third Party and Program Specific Terms:** Customer's use of third-party software is subject to the license terms that accompany the software. Certain Supplier-branded and third-party products and services listed on this Quote are subject to additional, specific terms stated on [www.dell.com/offeringspecificterms](http://www.dell.com/offeringspecificterms) ("Offer Specific Terms").

**In case of Resale only:** Should Customer procure any products or services for resale, whether on standalone basis or as part of a solution, Customer shall include the applicable software license terms, services terms, and/or offer-specific terms in a written agreement with the end-user and provide written evidence of doing so upon receipt of request from Supplier.

**In case of Financing only:** If Customer intends to enter into a financing arrangement ("Financing Agreement") for the products and/or services on this Quote with Dell Financial Services LLC or other funding source pre-approved by Supplier ("FS"), Customer may issue its purchase order to Supplier or to FS. If issued to FS, Supplier will fulfill and invoice FS upon confirmation that: (a) FS intends to enter into a Financing Agreement with Customer for this order; and (b) FS agrees to procure these items from Supplier. Notwithstanding the Financing Agreement, Customer's use (and Customer's resale of and the end-user's use) of these items in the order is subject to the applicable governing agreement between Customer and Supplier, except that title shall transfer from Supplier to FS instead of to Customer. If FS notifies Supplier after shipment that Customer is no longer pursuing a Financing Agreement for these items, or if Customer fails to enter into such Financing Agreement within 120 days after shipment by Supplier, Customer shall promptly pay the Supplier invoice amounts directly to Supplier.

Customer represents that this transaction does not involve: (a) use of U.S. Government funds; (b) use by or resale to the U.S. Government; or (c) maintenance and support of the product(s) listed in this document within classified spaces. Customer further represents that this transaction does not require Supplier's compliance with any statute, regulation or information technology standard applicable to a U.S. Government procurement.

For certain products shipped to end users in California, a State Environmental Fee will be applied to Customer's invoice. Supplier encourages customers to dispose of electronic equipment properly.

Electronically linked terms and descriptions are available in hard copy upon request.

**Getech**

Eric Danuser <edanuser@sussex.k12.va.us>

Tue 1/18/2022 5:28 PM

To: Jessica Harrison <jharrison@susova.us>; Ernest Giles <egiles@susova.us>

 2 attachments (970 KB)

Getac S410 G4 - TuffBooks4Less.pdf; Getac S410 G4 TuffBooks4Less.pdf;

Good evening,

I was not able to find an exact match for the Dells but here are two very similar ones. The problem is comparing apples to apples. Some components are not available except in the Dell version.

Getech S410 Verizon 1 \$3999.00 x 30 = \$119,970.00

Getech S410 Verizon 2 \$5069.00 x 30 = \$152,070.00

Eric Danuser  
IT Systems Manager  
Sussex County Public Schools  
[edanuser@sussex.k12.va.us](mailto:edanuser@sussex.k12.va.us)  
Mobile 434-262-9070  
Office 434-246-6463

4L LESS



Search the store



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HOME > SEMI-RUGGED > GETAC S410 G4 - I7-1165G7 2.8GHZ - 512GB PCIe SSD - 32GB RAM - TOUCH

# Getac S410 G4 - i7-1165G7 2.8Ghz - 512GB PCIe SSD - 32GB Ra

Model: SP4NSCQASCXE



~~\$4,174.00~~ **\$3,999.00** You save \$175.00!

- Call For Availability
- Free Lifetime Tech Support
- 3 Year Warranty
- Ask about our buy back & trade-in program
- Great lease rates available

## Overview

Condition: New

The Getac S410 Notebook delivers landmark performance, sec durability unsteen in a semi-rugged laptop this thin. Experience multi-factor authentication and customization features to fit ai into a thinner, more durable design.

[Read More](#) →

## Trade-In Program

When you are ready to upgrade your Panasonic Toughbooks v refurbished models, we can buy back your old equipment. **Get invoice pricing!**

[Learn More](#) →

Quantity: 1

Add to Cart



DESCRIPTION

VIDEOS

SHOW REVIEWS

**\*\*AVERAGE LEAD TIME: 4-6 WEEKS\*\***

### Standard Specs:

- Model: SP4NSCQASCXE
- Condition: New
- Hard Drive: 512GB PCIe SSD
- RAM Memory: 32GB Ram
- Processor: Intel Core i7-1165G7 2.8Ghz (up to 4.7Ghz)
- Operating System: Windows 10 Pro
- Screen Size: 14" Sunlight Readable Touchscreen
- FHD Webcam
- Stylus
- US Membrane Backlit Keyboard
- US Power Cord

4L 4 LEGS



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HOME > SEMI-RUGGED > GETAC S410 G4 - I7-1185G7 3.0GHZ - 4G LTE (EM7511) - GPS - TOUCH

# Getac S410 G4 - i7-1185G7 3.0GHz - 4G LTE (EM7511) - GPS - T

Model: SP5N9CQASCXE



~~\$5,274.00~~ **\$5,069.00** You save \$205.00!

- Call For Availability
- Free Lifetime Tech Support
- 3 Year Warranty
- Ask about our buy back & trade-in program
- Great lease rates available

### Overview

Condition: New

The Getac S410 Notebook delivers landmark performance, sec durability unseen in a semi-rugged laptop this thin. Experience multi-factor authentication and customization features to fit a into a thinner, more durable design.

[Read More →](#)

### Trade-In Program

When you are ready to upgrade your Panasonic Toughbooks v refurbished models, we can buy back your old equipment. **Go invoice pricing!**

[Learn More →](#)

Quantity: 1

[Add to Cart](#)



DESCRIPTION

VIDEOS

SHOW REVIEWS

**\*\*AVERAGE LEAD TIME: 4-6 WEEKS\*\***

#### Standard Specs:

- Model: SP5N9CQASCXE
- Condition: New
- Hard Drive: 512GB PCIe SSD
- RAM Memory: 64GB Ram
- Processor: Intel Core i7-1185G7 3.0GHz
- Operating System: Windows 10 Pro
- Screen Size: 14" Sunlight Readable Touchscreen
- vPro
- FHD Webcam
- Stylus
- US Membrane Backlit Keyboard

Quote 2



# Quote

**Developing Solutions You Can Depend On**

Date	August 4, 2021
Valid Until	October 3, 2021
Quote #	Q080321
Ship Quote	4-6 weeks ARO

**Customer:**

Sussex County

**Quote/Project Description**

Panasonic FZ-55

Attention: Eric Danuser

Item	Description	Qty	Unit Price	Extend Total
1	FZ-55 Laptop: Win10 Pro, i5-8365U 1.6Ghz, 14" multi-touch, 16GB Ram, 512 SSD, Wi-Fi, BT, 4G LTE, Dual Pass, Backlit Keyboard Contactless Smartcard Reader, and 3 Year Toughbook Warranty. FZ-55C26GCVM MSRP \$ 3,366.00 ea.	1	2995.00	2,995.00
2	Havis Universal Laptop Cradle UT-1003 MSRP \$ 312.09	1	275.00	275.00
3	CF-31 Trade-in	1	-100.00	100.00

**Special Notes and Instructions**

Subtotal	\$	3,170.00
Shipping	\$	-
Installation	\$	-
Sales Tax	\$	-
<b>Total</b>	<b>\$</b>	<b>3,170.00</b>

Please confirm your acceptance of this quote by signing this document

Signature

Print Name

Date

**Thank you for your business!**

Should you have any questions concerning this quote, please contact Rich Goldberg at 609-313-2773

153 Cooper Road, West Berlin, NJ, 08091

Tel: 856-768-4310 Fax: 856-753-9290 E-mail: rgoldberg@wirelessce.com Web: www.wirelessce.com







**QUOTE**

# QUO-5649

2022-01-19

Sales Agent: Jim Jenkins

Email: [jjenkins@patrolpc.com](mailto:jjenkins@patrolpc.com)

Phone: (508) 699-0249



**Advanced Electronic Design Inc**

344 John Dietsch Blvd, Unit 2  
North Attleboro, MA, US 02763  
(508) 699-0458

**DRAFT**

Attention		
Jessica Harrison	<a href="mailto:jharrison@susova.us">jharrison@susova.us</a>	(434) 246-5000

Bill To	Ship To
VA - Sussex County SO 20212 Thorton Square Sussex, VA - 23884	VA - Sussex County SO 20212 Thorton Square Sussex, VA - 23884

Expiry Date	Shipping Rate	Payment Terms
2022-03-20	GROUND	NET 30

Item	Description	Type	Unit Price	Qty	Line Total
<b>RH-M1</b>	RhinoTab® M1 UltraRugged® (12.1" Sunlight Readable Display - 1200 NITS+, Projected Capacitive Touch Screen, Internal Battery, Ambient Light Sensor, WIFI 802.11 2.45GHz B/G/N/AC + BlueTooth, GPS, Front 2MP Camera, Rear 5MP Camera w/ Flash, Dual Digital Microphones, Stereo Speakers)	SALE	\$3,199.00	30	\$95,970.00
<b>MotherBoard: MB-i7-RH-M1</b>	RhinoTab® M1 Motherboard (i7): Intel Core i7-5650U Processor (2.2GHz/3.1GHz, 4MB Cache, 2 Core, HD6000 Graphics, 2 USB 3.0 ports, 2 mPCIe half card slots, TPM v2.0)		\$225.00		\$6,750.00
<b>RAM: RAM-8GB-DDR3</b>	8GB DDR3-1600 RAM		INCLUDED		INCLUDED
<b>Hard-Drive: SSD-240GB-MSATA</b>	240GB mSATA 6GB/sec SSD		INCLUDED		INCLUDED
<b>Operating System: OS-W10E64-RH-M1</b>	Windows 10 IoT Enterprise 64 Bit Operating System for RH-M1 w/ CBB License.		\$209.00		\$6,270.00
<b>Overlay: OVR-S-RH-M1</b>	Standard RhinoTab® M1 Bezel Overlay Package		INCLUDED		INCLUDED
<b>Cellular: CELL-VER-URC1-FN-RH-M1</b>	RhinoTab® M1 Embedded URC-1 Verizon 4G LTE Cellular Modem (w/ Internal Antenna). Band 14 Certified.		\$545.00		\$16,350.00
<b>Carrying Method: ACC-HANDLE-RH-M1</b>	RhinoTab® M1 Side-Mount Rhino Handle		\$30.00		\$900.00
<b>Warranty: WRNT-3YR-RH-M1</b>	3 Year RhinoTab® M1 Computer Warranty (Tablet Only)		INCLUDED		INCLUDED
<b>RD-V1</b>	Patrol PC® RhinoDock™ Low Profile Dock (Non-Configurable) - 1 10/100/1G Ethernet, 4 USB 3.0, 4 RF Pass-Thru, 2 Ports for External Power Control and Ignition Sense	SALE	\$499.00	28	\$13,972.00
<b>Power Cable: CBL-PWR-6FT</b>	6 FT Fused Power Cable		INCLUDED		INCLUDED
<b>Warranty: WRNT-3YR-RD-V-1</b>	3 Year RhinoDock™ Warranty (RD-V-1 Dock Only)		INCLUDED		INCLUDED
<b>KBD-TG3-BLT-X3818</b>	Rugged Backlit Keyboard - TG3 KBA-BLT-X3818 82 Backlit Red Illuminated Keyboard with Touchpad / Coiled Cord - 3 Year manufacturer's warranty. (KBA-BLT-5RBUVS-BKC)	SALE	\$259.00	28	\$7,252.00
<b>MNT-VEH-TM-5502UDB-UNIB-E</b>	Westin Tablet and Keyboard Mount with Two Telescopic Posts. 12" Tablet Post with G.R.I.P. Tilt/Swivel and Single Arm with Universal Display Bracket with VESA 75, VESA 100 & 2X4 Patterns (UDB-01). 10" Keyboard Post with G.R.I.P. Tilt/Swivel and Double Arm with Triple Pivot and Adjustable Tray for 12" Keyboard. Telescopic Mid Section with the Next Generation Under the Seat UNIBASE	SALE	\$589.00	6	\$3,534.00

Quote 4

EVOLUTION (See list of vehicles) Chevrolet SUBURBAN, EQUINOX (2018-2020), Dodge CHARGER (2011+) and CARAVAN (2011+), Ford CROWN VICTORIA (1992-2012), EDGE (2013+), ESCAPE (2013+), EXPLORER (2020+), POLICE INTERCEPTORS SEDAN and UTILITY (2011+), EXPEDITION (2018+), TRANSIT CONNECT (2002-2020), FUSION (2013+), RANGER (2019+) & TRANSIT (2013+) (Specify Year of Vehicle)

<b>MNT-VEH-TM-5126AP-PIS</b>	Westin On-Dash Tablet and Keyboard Mount. Tablet Mount with Single Arm, Double Pivot, and G.R.I.P. Tilt/Swivel with Adaptor Plate with VESA 75, VESA 100 & 2X4 Patterns (AP-5120-UNIV). Keyboard Mount with 10" Telescopic Post and Double Arm with Triple Pivot, G.R.I.P. Tilt/Swivel with Adjustable Tray for 12" Keyboard for Ford POLICE INTERCEPTOR SEDAN. (2011 - 2019)	SALE	\$579.00	2	\$1,158.00
<b>MNT-VEH-TM-5126AP-PIU</b>	Westin On-Dash Tablet and Keyboard Mount. Tablet Mount with Single Arm, Double Pivot, and G.R.I.P. Tilt/Swivel with Adaptor Plate with VESA 75, VESA 100 & 2X4 Patterns (AP-5120-UNIV).. Keyboard Mount with 10" Telescopic Post and Double Arm with Triple Pivot, G.R.I.P. Tilt/Swivel with Adjustable Tray for 12" Keyboard for Ford POLICE INTERCEPTOR UTILITY (2011 - 2019)	SALE	\$579.00	10	\$5,790.00
<b>MNT-VEH-TM-5502UDB-DUR</b>	Westin Tablet and Keyboard Mount with Two Telescopic Posts. 12" Tablet Post with G.R.I.P. Tilt/Swivel and Single Arm with Universal Display Bracket with VESA 75, VESA 100 & 2X4 Patterns (UDB-01). 10" Keyboard Post with G.R.I.P. Tilt/Swivel and Double Arm with Triple Pivot and Adjustable Tray for 12" Keyboard. Telescopic Mid Section on Under the Seat Base for Dodge DURANGO; Jeep GRAND CHEROKEE (Specify Year)	SALE	\$589.00	1	\$589.00
<b>MNT-VEH-TM-5126AP-PIU-20</b>	Westin On-Dash Tablet and Keyboard Mount. Tablet Mount with Single Arm, Double Pivot, and G.R.I.P. Tilt/Swivel with Adaptor Plate with VESA 75, VESA 100 & 2X4 Patterns (AP-5120-UNIV).. Keyboard Mount with 10" Telescopic Post and Double Arm with Triple Pivot, G.R.I.P. Tilt/Swivel with Adjustable Tray for 12" Keyboard for Ford POLICE INTERCEPTOR UTILITY (2020)	SALE	\$579.00	9	\$5,211.00
<b>PWR-AC-15V-90W-NC</b>	90W A/C Power Adapter US Plug (100-250VAC in, 15VDC Out, 1 Year Manufacturer's Warranty). Included with Computer Purchase.	SALE		14	

I have read and understood the following terms and conditions.

Will a matching PO be issued for this order? YES  NO

**Subtotal:** \$163,746.00  
**Shipping Cost:** \$1,400.00  
**Total:** \$165,146.00

**Printed Name:** \_\_\_\_\_

**Date of Approval:** \_\_\_\_\_

\_\_\_\_\_  
**Signature of Approval**

**Terms & Conditions:**

Sales tax, if applicable, will be invoiced in accordance with purchaser's tax rate. Unpaid balances accrue 1.5% interest per month.



 100% Designed & Manufactured in the U.S.A.

# Patrol PC RhinoTab<sup>®</sup> M1

## Portable Tablet MDT for Police, Fire, EMS



## Portability Without Compromise

Patrol PC's RhinoTab<sup>®</sup> Ultra-Rugged Tablet delivers the performance of a full-sized MDT/MDC, with all the benefits and flexibility of a portable tablet without sacrificing screen size, brightness, ease-of-use, durability, or system performance and expandability. Powered by Intel's 5th Generation Core i5 and i7 processors, it's the perfect combination of form and function.

Optimized for use In-Vehicle, On-Scene, In-Agency, At-Home

All-In-One Tablet Minimizes Size, Weight, Space Consumed

Rugged Aluminum Frame - Resistant to Shock, Heat, & Cold

12.1" Sunlight Readable & Impact Resistant Touchscreen

Advanced Connectivity & Communications

Enhanced Ease-of-Use, Ergonomics, & Safety

Flexible, Customizable, Scalable and Future Upgradable

Extended Warranty available up to (7) Years

Lowest Cost of Ownership & Maintenance Over Time



# RhinoTab® MI & RhinoDock® Specifications & Options

## PROCESSORS

- Intel 5300U 5<sup>th</sup> Gen Core i5 (2.3/2.7GHz, 3MB Cache)
- Optional Intel 5600U 5<sup>th</sup> Gen Core i7 (2.6/3.2GHz, 4MB Cache)

## RAM

- 2 SO-DIMM Slots for between 8GB-16GB of DDR3L-1600 RAM

## GRAPHICS

- Intel HD Graphics 5500

## TOUCHSCREEN

- Projected Multi-touch Capacitive Touchscreen
- Supports Windows gestures

## DISPLAY

- 1400+ NIT High-Brightness Industrial 12.1" XGA display
- Temperature Rating: -30°C to +70°C
- High Contrast Ratio: 700:1
- Wide viewing angle: 160° Horizontal, 140° Vertical
- Wide dimming range for comfortable viewing in very dim environments

## AUDIO

- Integrated Stereo Speakers
- Realtek ALC269 High Definition Audio Codec
- Dual digital microphone with Acoustic Echo Cancellation, Beam Forming, Noise Suppression Technology

## CAMERAS

- 2MP Front-Facing Camera
- 5MP Rear-Facing Camera with high-power LED flash

## DURABILITY

- Machined Aluminum Chassis
- Operating Temperature (-15F to +149F) (Fan-less design)
- Fiber reinforced high strength plastic
- Designed to IP65 and MIL-STD 810G standards for outdoor use
- Internal seal to protect ports
- Optional screen film for touchscreen protection
- Optically bonded chemically strengthened impact resistant touchscreen
- Sealing docking connector rated for 20,000 cycles

## INPUT

- 2 USB 3.0 Side Ports
- 1 Hard Button
- 6 user-configurable Capacitive Buttons
- 1 Capacitive Slider with user-configurable modes

## STORAGE

- Up to two mSATA SSD Drives
- 120 GB to 2TB SSD Capacity
- SSD Read/Write Speeds greater than 500MB/s

## WIRELESS CAPABILITIES

- Internal Intel Wireless Dual-Band 802.11B/G/N/AC w/ Bluetooth
- Internal GPS (210 PRN channels, 66 Search channels, 22 track channels, -165 dBm sensitivity)

## OPTIONS

- Internal Verizon 4G LTE Cellular Card
- Internal Honeywell 2D eCitation Barcode Scanner

## SECURITY

- Trusted Platform Module (TPM) v2.0
- SSD Hardware Encryption
- Optional internal NFC RFID reader with 13.5 MHz antenna.

## POWER

- Direct Vehicle Power Connection – Operating from 8V – 16V
- Vehicle Battery Voltage Monitor
- Over-voltage and reverse polarity protection
- Lithium-Ion Battery (11.1V, 7200mAh) capable of low temperature operation

## RhinoDock

- Low-profile Dock Station
- 6 USB 3.0 Ports Standard (up to 10)
- 1 Gigabit Ethernet Standard (up to 4)
- 4 RF Pass-Through: GPS (1), Wi-Fi (1), Cellular MIMO (2)
- Up to 4 Expansion Slots for either additional USB 3.0 ports, Gigabit Ethernet ports, or eSATA ports with power
- 4 Ports for External Power Control and Ignition Sense Control
- 2 user-controllable fans for cooling tablet in extreme conditions
- Direct Vehicle Power Connection
- 1 Mini-PCIe full size expansion card slot for 2 Optional RS-232 Serial Ports (direct hardware, not virtual)
- Key-lockable
- 1 uHDMI Video Output

## RhinoDock Value

- Ultra-low-profile Dock Station
- 4 USB 3.0 Ports
- 1 Gigabit Ethernet
- 4 RF Pass-through: GPS (1), Wi-Fi (1), Cellular MIMO (2)
- 2 Ports for External Power Control and Ignition Sense Control
- 1 user-controllable fan for cooling tablet in extreme conditions
- Direct Vehicle Power Connection
- Key-lockable

## OPERATING SYSTEM SOFTWARE

- Windows 10

## DIMENSIONS & WEIGHT

- 10.99" x 9.6" x 1.15" (RhinoTab® Tablet)
- 4.4 LBS (RhinoTab® Tablet)



Advanced Electronic Design, Inc.  
344 John Dietsch Blvd  
North Attleboro, MA 02763

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### **Patrol PC® UltraRugged™ Printer Mount System Sole Source Letter**

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May 20, 2021

Patrol PC is a worldwide sole-source provider of the UltraRugged™ Printer Mount System, a mobile printing solution designed for officer safety, comfort and efficiency. Our exclusive, patent-protected system boasts the following benefits.

- Compatible with Brother RuggedJet Series 4 and PocketJet Series 7 Printers
- Attaches to factory headrest – no modifications or special tools required
- Allows full access to console space, electronic equipment, cup holders and center-mounted long arms
- No universal mounts – every component is designed and engineered for the specific printer and vehicle model enabling precisely located, safe and secure installation
- Precision machined 6061 T6 billet aluminum components
- Crash tested at University of Michigan's Transportation Research Institute to ensure unrestricted use of front passenger seat
- Fully compatible with most partitions and center-mounted gun racks
- Unique removable paper carrier for quick and easy roll changing (PocketJet model)
- Made in the USA, Limited Lifetime Warranty

Thank you for your consideration of our printer mount system for your agency, and feel free to contact me if you have any questions/issues.

Best Regards,

A handwritten signature in black ink, appearing to read 'David Swithers', with a long, sweeping horizontal stroke extending to the right.

**David J. Swithers**  
**President**

Patrol PC, a division of Advanced Electronic Design, Inc.  
508-699-0458 | [dswithers@patrolpc.com](mailto:dswithers@patrolpc.com)

**BOARD ACTION FORM**

**Agenda Item:** Action Items #6.02

**Subject:** Electronic Summons System Fee Ordinance (Ordinance #22-01)

**Board Meeting Date:** February 17 2022

=====  
**Summary:** Sheriff Giles is requesting consideration of an ordinance that would allow for the assessment of an additional \$5 as part of costs in each criminal or traffic case in the district or circuit courts of the county. This revenue would be designated for the implementation and maintenance of an electronic summons system. A public notice has been advertised to allow for the consideration of this ordinance, and the draft ordinance was prepared by the County Attorney.

**Recommendation:** Staff recommends approval of Ordinance #22-01

**Attachment(s):** Public notice and draft electronic summons system fee ordinance

=====  
**REQUESTED ACTION:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**MOTION BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

<u>Member</u>	<u>Aye</u>	<u>Nay</u>		<u>Member</u>	<u>Aye</u>	<u>Nay</u>
Fly	___	___		W. Jones	___	___
Futrell	___	___		Seward	___	___
D. Jones	___	___		Tyler	___	___
			White (Tie Breaker)	___	___	

**SUSSEX COUNTY  
ORDINANCE #22-01**

**AN ORDINANCE TO ASSESS AN ADDITIONAL SUM OF FIVE DOLLARS (\$5.00) AS PART OF THE COSTS IN EACH CRIMINAL OR TRAFFIC CASE IN THE DISTRICT OR CIRCUIT COURTS OF SUSSEX COUNTY FOR THE IMPLEMENTATION AND MAINTENANCE OF AN ELECTRONIC SUMMONS SYSTEM**

**WHEREAS**, Va. Code Section 17.1-279.1 allows for the governing body of any locality to impose a fee not to exceed five dollars (\$5.00) as part of the costs for each criminal and traffic case in district or circuit courts; and

**WHEREAS**, such fee must be used to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system; and

**WHEREAS**, the Sussex County Board of Supervisors desires to assess said “Electronic Summons System” fee; and

**NOW, THEREFORE**, it is ordained by the Board of Supervisors of Sussex County, Virginia, that the ordinance establishing an Electronic Summons System Assessment is hereby adopted as follows:

In addition to all other fees imposed by law, there is hereby imposed in each criminal or traffic case in the Sussex District and Circuit Courts, where the defendant is charged with a violation of any such statute or ordinance by a local law-enforcement agency, a fee of five dollars (\$5.00) as authorized by Section 17.1-279.1 of the Code of Virginia.

Such assessment shall be ordered as part of court costs collected by the Clerk of Court, who shall remit the fees to the Treasurer of Sussex County. The Treasurer shall hold such funds subject to appropriation by the Board of Supervisors to the Sheriff’s Office of Sussex County to be used solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

The assessment provided for in this section shall be in addition to all other costs prescribed by law for such purposes by the Code of Virginia, as it may be amended.

This Ordinance shall take effect upon adoption.

Adopted by the Sussex Board of Supervisors this 17<sup>th</sup> day of February, 2022.

By:

\_\_\_\_\_  
Susan B. Seward, Chairman  
Board of Supervisors  
County of Sussex, Virginia

ATTEST:

\_\_\_\_\_  
Clerk to the Board

SUSSEX COUNTY BOARD OF SUPERVISORS  
PUBLIC NOTICE

At its regular meeting on February 17, 2022, the Board of Supervisors shall consider adoption of an ORDINANCE TO ASSESS AN ADDITIONAL SUM OF FIVE DOLLARS (\$5.00) AS PART OF THE COSTS IN EACH CRIMINAL OR TRAFFIC CASE IN THE DISTRICT OR CIRCUIT COURTS OF SUSSEX COUNTY FOR THE IMPLEMENTATION AND MAINTENANCE OF AN ELECTRONIC SUMMONS SYSTEM.

This ordinance, authorized by Va. Code §17.1-279.1 allows the County Board of Supervisors to assess in each criminal or traffic case in the Sussex District and Circuit Courts, where the defendant is charged with a violation of any such statute or ordinance by a local law-enforcement agency, a sum not in excess of five dollars (\$5.00). Such assessment shall be ordered as part of court costs collected by the Clerk of Court, who shall remit the fees to the Treasurer of Sussex County. The Treasurer shall hold such funds subject to appropriation by the Board of Supervisors to the Sheriff's Office of Sussex County to be used solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

A full copy of the proposed ordinance may be obtained on the Sussex County website at: [www.sussexcountyva.gov](http://www.sussexcountyva.gov). Questions may be directed to the Richard, County Administrator, at [rdouglas@sussexcountyva.gov](mailto:rdouglas@sussexcountyva.gov).



**BOARD ACTION FORM**

**Agenda Item:** Unfinished Business #8.01

**Subject:** Solar Farm Zoning and Comprehensive Plan Amendments

**Board Meeting Date:** February 17 2022

=====

**Summary:** A public hearing was held at the January regular meeting to receive public input on proposed amendments to the county’s comprehensive plan and zoning ordinance, related to revised solar farm requirements. These amendments are primarily related to minimum and maximum size and other siting requirements identified in the attached staff report. The Planning Commission voted to recommend approval of the comprehensive plan and zoning ordinance amendments at its January regular meeting, and staff recommends approval as well. Staff will present an overview of these amendments prior to Board consideration.

**Attachment:** Staff Report on Proposed Modifications to the 2004-2005 Comprehensive Plan of Sussex County and Zoning Amendments in Consideration of Solar and Battery Storage Facilities

=====

**ACTION:** Staff recommends approval of the proposed amendments to the county’s comprehensive plan and zoning ordinance related to solar and battery storage facilities as presented in the attached staff report.

**MOTION BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<u>Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Member</u>	<u>Aye</u>	<u>Nay</u>
Fly	___	___	Seward	___	___
D. Jones	___	___	Tyler	___	___
W. Jones	___	___	White (Tie Breaker)	___	___

**Staff Report**  
**Proposed Modifications to the 2004-2005 Comprehensive Plan of Sussex County and Zoning Amendments in Consideration of Solar and Battery Storage Facilities**

**Report Date: January 4, 2022**  
**Board of Supervisors Meeting Date: January 20, 2022**

**SUMMARY:**

The Planning Commission and Board of Supervisors previously considered Comprehensive Plan and Zoning Ordinance amendments regarding solar energy and battery storage facilities as contained in the attached report prepared by Darren Coffey, AICP, The Berkley Group at a joint meeting on September 17, 2021.

Since the meeting, staff worked with The Berkley Group and Crater Planning District Commission to develop a map showing prime agricultural lands in the County. The map is contained in the proposed comprehensive plan modification document and may be referenced therein.

Staff also worked with Mr. Coffey to provide the rationale for the 100-acre minimum as follows:

1 MW of solar takes about 15-20 acres of land in Sussex County due to the environmental constraints on much of the land. Therefore, a 5 MW facility would probably have to be on 80-100 acres or more. Smaller facilities are exempt from the revenue options provided by the state, take as much time to process as a larger facility application, and fragment the established and preferred land use patterns of the county as stated in the comp plan. The Board has stated that it does not want to consider smaller facilities for these reasons, therefore a larger minimum project size addresses all of those issues.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission at its regular meeting on October 4, 2021, again considered the amendments and requested staff to bring back more information on the location of prime agricultural soils and the rationale for the 100-acre minimum.

The Planning Commission conducted a public hearing on the Comprehensive Plan and the Zoning amendments on December 6, 2021.

The Commission voted to recommend approval of the Comprehensive Plan amendment (8-1-1) adding the recommended criteria that solar and battery storage facilities be “located less than or equal to one (1) mile from a transmission line”.

The Commission voted to recommend approval of the Zoning Ordinance amendment (9-0-1).

2. Recommend denial of the amendments.
3. Defer action for further discussion and consideration.

**ATTACHMENTS:**

- Report by Darren Coffey, dated August 30, 2021
- Resolution/Proposed Modifications to the 2004-2005 Comprehensive Plan in Consideration of Solar and Battery Storage Facilities
- Ordinance to Amend and Reenact Article I, Sections 16.1, Definitions and Article XXIII, Solar and Battery Facilities



**TO:** Planning Commission and Board of Supervisors, Sussex County, Virginia

**FROM:** Darren Coffey, AICP

**DATE:** August 30, 2021

**RE:** Comprehensive Plan and Zoning Ordinance Amendments Regarding Solar Energy and Battery Storage Facilities

Sussex County staff requested a consultant review the Comprehensive Plan and Zoning Ordinance with consideration to additional amendments as may be appropriate regarding solar energy and battery storage facilities. The County is in the process of reviewing solar energy facility applications and, as a result, staff has gained a better understanding of the land use issues related to these uses.

Sussex County has approved four solar facilities (one with battery storage) and one battery storage facility adjacent to a substation. The County has been contacted by several additional developers regarding potential applications for additional facilities.

Solar facilities are large scale industrial/commercial facilities that can take up agricultural, industrial, or commercial land for at least twenty years or more. Battery energy storage facilities are also an industrial land use but require more safety requirements than solar facilities. Any proposed location of these facilities needs to be carefully weighed against other potential uses of the same property.

Virginia has seen a dramatic increase in its installed solar capacity reaching 2,500 MW installed by 2021. The Virginia Energy Plan (October 2, 2018) calls for 30% of energy to be generated by renewable sources by 2030 and 100% by carbon free sources by 2040. Dominion Energy has committed to solar as necessary for clean energy growth. They project they could add at least 5,200 megawatts of solar in the state over the next 25 years (to 2045) to meet customers' energy needs.

This accelerated development of renewable energy will increase the duties of local governments and state agencies tasked with land use, permitting, and environmental decision making. Local governments must determine if solar facility applications are in accord with their Comprehensive Plan (a "2232 review") and in compliance with their land use ordinances.

In Virginia, notable solar facilities laws (based on the facility size in MW<sub>AC</sub>) are:

- Any size needs a 2232 review (§ 15.2-2232).
- Any size can have a CUP condition for payment (§ 15.2-2288.8).
- ≤5MW are exempt from M&T tax (§ 58.1-3660).
- >5MW and <150 MW qualify for the state M&T step down tax exemption (§ 58.1-3660).

In 2019, there was also a recommendation to work with the Crater Planning District Commission or another regional planning entity to identify, catalogue, and map relevant features, including:

- Major electrical facilities (i.e., transmission lines, transfer stations, generation facilities, etc.),
- Brownfield sites and County-owned capped landfills, and
- Prime Farmland including areas of prime farmland or farmlands of statewide importance as defined by the USDA and Commonwealth of Virginia, respectively.

### Analysis

This language describes the specific criteria or siting parameters for solar facilities, energy generation stations, or other types of uses. However, the County has indicated a desire to consider changing some of the parameters.

It does not address battery storage facilities.

### Recommended Amendments

#### Short Term

➤ Modify the Comprehensive Plan as follows:

Under Chapter II: Concerns and Aspirations, section B. Issues and Existing and Emerging Conditions (p.II-12), revise the text as noted in red:

#### 23. Utility-scale Solar Facilities

As used in this Comprehensive Plan, a utility-scale solar facility is a facility that generates electricity from sunlight ~~which will be used to provide electricity to a utility provider or a large private user~~ with a generating capacity in excess of one megawatt ~~alternating current (1 MW<sub>AC</sub>)~~. Sussex's abundant agricultural and forest land combined with its electrical infrastructure and transportation system appear to be attractive to the solar industry. These facilities are an industrial scale land use that occupy significant acreage. Many utility-scale solar facilities are located on agricultural or forested land that may have had other future land use potential or land use designations.

Commented [DN1]: to match definition in zoning

The County will consider utility-scale solar facilities as a ~~primary use~~ in districts zoned agricultural or industrial with preference for brownfields and County-owned capped landfills. The following site features should be addressed to mitigate the potential negative impacts of utility-scale solar facilities on County land use patterns as part of the evaluation of a Conditional Use Permit (CUP) application:

- the total size shall be more than ~~100~~ but less than ~~5,000~~ ~~4,500~~ contiguous acres;
- ~~large contiguous projects are preferred over small decentralized or large~~ ~~discontiguous projects to prevent land fragmentation;~~
- ~~laid out appropriately on the project parcels;~~

### Analysis

This language describes the specific criteria or siting parameters for solar facilities. However, the County has indicated a desire to consider changing some of the parameters.

It does not address battery storage facilities.

### Recommended Amendments

- Under ARTICLE I. GENERAL INFORMATION, Sec. 16-1 Definitions, add the following definitions:

**“2232 review”**

The review required by the *Code of Virginia* (§15.2-2232) for features not shown on the adopted master plan, including public utility facilities.

**“Acreage coverage”**

The total acres covered by PV pods, buildings, inverters, a substation, battery storage, ancillary equipment, and fencing around these items but excluding wildlife corridors, mandated setbacks, wetlands, and other avoided natural or cultural features outside of the security fencing on the project site.

**“Battery Energy Storage Facilities (battery facilities)”**

One or more battery cells for storing electrical energy stored in a Battery Energy Storage System (“BESS”) with a Battery Management System (“BMS”). Facilities are generally used to supplement grid storage capacity. Battery facilities may be permitted as:

- an accessory use to utility-scale solar facilities, other energy generation facilities, or substations; or
- a primary use on a parcel contiguous to utility-scale solar facilities, other energy generation facilities, and substations.

**“Disturbance zone”**

The area within the site directly impacted by construction and operation of the facility.

**“Electric Power Plant”**

A facility designed and operated for the generation and distribution of electricity for the primary purpose of selling electricity generated to the electric power grid, including facilities which use fossil fuels, solar energy, hydroelectric energy, geothermal energy, biomass energy or wind energy as a resource. This definition does not apply to on-site generation equipment when such use is an accessory use.

**“PV pod”**

Contiguous rows of solar panels, including the space between rows, fenced together in a group. A solar facility is typically comprised of multiple pods.

**“Reclamation”**

**“Solar facility, shared”**

A facility that generates electricity from sunlight that was not constructed by an investor-owned utility that will be part of an investor-owned utility’s shared solar pilot program. A shared solar facility does not exceed five megawatts (5 MW) alternating current, serves at least three subscribers, has at least 40 percent of its capacity subscribed by customers with subscriptions of 25 kilowatts or less, is connected to the electric distribution grid serving the public, and is located on a single parcel. This facility type is a subset of either rooftop, small-scale, medium-scale, or utility-scale solar facility.

- Under ARTICLE I. GENERAL INFORMATION, Sec. 16-1 Definitions, replace the following definitions with this text:

**“Decommissioning and Reclamation Plan”**

A plan to disconnect, remove, and properly dispose of equipment, facilities, or devices and reclaim the site.

**“Solar Facility, Medium-Scale”**

A ground-mounted facility that generates electricity from sunlight on a facility area between one to ten acres or having a rated capacity of between 250 kW to one megawatt (MW) alternating current (excluding Solar Facility, Multi-Family Shared). Facilities are generally used to reduce onsite consumption of utility power for agricultural, commercial, and industrial applications.

**“Solar Facility, Small-Scale”**

A ground-mounted facility that generates electricity from sunlight on a facility area of less than one acre or having a rated capacity of less than 250 kW alternating current (excluding Solar Facility, Multi-Family Shared). Facilities are generally used to reduce onsite consumption of utility power for residential, agricultural, commercial, and industrial applications.

**“Solar Facility, Utility-Scale”**

A ground-mounted facility that generates electricity from sunlight on a facility area of more than ten acres. This size is approximately equivalent to a rated capacity of about one megawatt (MW) alternating current or greater (excluding Solar Facility, Multi-Family Shared). Facilities are generally used to provide electricity to a utility provider. These facilities typically include inverters, a substation, a switchyard, and a generator lead line (gen-tie line) to interconnect to a grid transmission line.

- Under ARTICLE XII. SITE PLAN REQUIREMENTS, Sec. 16-202 When required, add a new item at the end of the list:

8. Battery energy storage facilities.

- Update ARTICLE XXIII. SOLAR FACILITIES as indicated in the attached file.

**RESOLUTION #2021-1**

**A RESOLUTION OF THE SUSSEX COUNTY PLANNING COMMISSION IN SUPPORT OF THE PROPOSED MODIFICATIONS TO THE 2004-2005 COMPREHENSIVE PLAN AND PROPOSED ZONING ORDINANCE AMENDMENTS IN CONSIDERATION OF SOLAR AND BATTERY STORAGE FACILITIES**

**WHEREAS**, the Board of Supervisors of Sussex County, Virginia adopted the 2004-2005 Comprehensive Plan on October 20, 2005; and

**WHEREAS**, the Board of Supervisors amended the Comprehensive Plan on April 2, 2019 to address utility-scale solar facilities; and

**WHEREAS**, the County has seen considerable interest from development companies desiring to locate more and more solar facilities within the County, including battery energy storage facilities, and

**WHEREAS**, these renewable energy facilities have the potential to impact prime agricultural, industrial, or commercial land, and need to be carefully weighed against other potential use of the same property; and

**WHEREAS**, the Sussex County Planning Commission and Board of Supervisors has determined that greater clarity and specificity is needed for how the County reviews and potentially authorizes renewable energy facilities.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of Sussex County recommends the proposed modifications contained in the attached document entitled, "Proposed Modifications to the 2004-2005 Comprehensive Plan in Consideration of Solar and Battery Storage Facilities," amended April 2, 2019, and the accompanying zoning amendments.

**BE IT FURTHER RESOLVED** that the Planning Commission of Sussex County urgently requests the Board of Supervisors approve said modifications contained therein as an amendment to the Comprehensive Plan, and the proposed Ordinance to Amend and Reenact Article I, Definitions and Article XXIII Solar and Battery Facilities.

Adopted and passed by the Sussex County Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Those voting aye: \_\_\_\_\_.

Those voting nay: \_\_\_\_\_.

Motion \_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
Beverly Walkup, Director of Planning and Zoning



# Proposed Modifications to the 2004-2005 Comprehensive Plan in Consideration of Solar and Battery Storage Facilities

*(Revised April 2, 2019 and \_\_\_\_\_)*



Prepared by Planning Staff:  
Content provided by Darren K. Coffey, AICP, The Berkley Group  
November 8, 2021 (draft)

The Sussex County, Virginia 2004-2005 Comprehensive Plan was adopted on October 20, 2005. The plan was revised by the Sussex County Board of Supervisors on April 2, 2019 to include land use policy guidance and recommendations for regulating utility-scale solar facilities.

*Adopted Amendment from April 2019*

The Comprehensive Plan 2004-2005 update was adopted on October 20, 2005 and updated for solar facilities on April 2, 2019. The updated plan defined “utility-scale solar facility as a facility that generates electricity from sunlight which will be used to provide electricity to a utility provider or a large private user with a generating capacity in excess of one megawatt (1 MW). They were classified as an industrial scale land use with the potential to occupy significant acreage.

The plan also recognized that many utility-scale solar facilities are located on agricultural or forested land that may have had other future land use potential or land use designations. Therefore, Sussex’s abundant agricultural and forest land combined with its electrical infrastructure and transportation system would be attractive to the solar industry.

The County considered solar facilities in districts zoned agricultural or industrial with preference for brownfields and County-owned capped landfills. The following site features we established to address mitigating the potential negative impacts of utility-scale solar facilities on County land use patterns as part of the evaluation of a Conditional Use Permit (CUP) application. These recommendations were included in Chapter II: Concerns and Aspirations, section B. Issues and Existing and Emerging Conditions enumerated as item 23 (p.11-12):

- the total size shall be larger than two (2) acres but less than 1,500 contiguous acres with no more than 65% PV panel coverage;
- located outside planning areas or community hubs;
- located outside forested areas to preserve forest resources;
- further than three (3) miles from any village or town boundary;
- further than two (2) miles from other existing or permitted solar facilities; and
- proximity to residences; historic, cultural, recreational, or environmentally-sensitive areas; and scenic viewsheds.

In 2019, there was also a recommendation to work with the Crater Planning District Commission or another regional planning entity to identify, catalogue, and map relevant features, including:

- Major electrical facilities (i.e., transmission lines, transfer stations, generation facilities, etc.),
- Brownfield sites and County-owned capped landfills, and
- Prime Farmland including areas of prime farmland or farmlands of statewide importance as defined by the USDA and Commonwealth of Virginia, respectively.

Since this comprehensive plan guidance was adopted, Sussex County has approved four solar facilities (one with battery storage) and one battery storage facility adjacent to a substation and staff has been contacted by several additional developers regarding potential applications for additional facilities.

<b>Summary Statistics of Approved Solar/Battery Storage Facilities</b>					
<b>Project Name</b>	<b>Project Area</b>	<b>Site Area</b>	<b>MW<sub>AC</sub></b>	<b>MW/Acre Ratio</b>	<b>Average Project Area Coverage Percentage</b>
<b>Cabin Point Solar</b> (Approved August 2020)	1,468 acres	1,842 acres	75 with Battery Energy Storage System (BESS)	1,842 acres/75 MW= <b>24.6 acres per megawatt</b>	1468 ÷ 1842 = 80%
<b>Sappony Solar</b> (Approved August 2016)	250 acres	371 acres	20	371 acres/20 MW= <b>18.6 acres per megawatt</b>	250 ÷ 371 = 67%
<b>Shands Energy Center (primary use)</b> (Approved May 2021)	2 acres	32.28 acres	Battery Energy Storage System (BESS)	N/A	2 ÷ 32 = 6%
<b>Waverly Solar</b> (Approved March 2019)	2,000+/- acres	2,700 acres	118	2,700 acres/118 MW= <b>22.9 acres per megawatt</b>	2000 ÷ 2700 = 74%

With solar utility scale solar facilities having the potential to take up agricultural, industrial, or commercial land for at least twenty years or more, a number of Comprehensive Plan and Zoning Ordinance amendments are recommended for discussion by the Planning Commission and Board of Supervisors.

Additionally, the County recognizes battery energy storage facilities as an industrial land use that requires more safety requirements than solar facilities.

Therefore, the goal is to bring greater clarity and specificity for how the County reviews and potentially authorizes renewable energy facilities moving forward, and any proposed location of these renewable energy facilities need to be carefully weighed against other potential uses of the same property.

*Proposed Comprehensive Plan and Zoning Ordinance Amendments*

In an effort to continue the protection of prime agricultural, forest and industrial lands in the County, the proposed revisions are recommended to:

**Chapter II: Concerns and Aspirations, section B. Issues and Existing and Emerging Conditions under enumerated item 23 (p.11-12) of the 2004-2005 Sussex County Comprehensive Plan**

**23. Utility-Scale Solar Facilities**

As used in this Comprehensive Plan, a utility-scale solar facility is a facility that generates electricity from sunlight which will be used to provide electricity to a utility provider or a large private user with a generating capacity in excess of one megawatt alternating current (1 MWAC). Sussex's abundant agricultural and forest land combined with its electrical infrastructure and transportation system appear to be attractive to the solar industry. These facilities are an industrial scale land use that occupy significant acreage. Many utility-scale solar facilities are located on agricultural or forested land that may have had other future land use potential or land use designations.

The County will consider utility-scale solar facilities as a primary use in districts zoned agricultural or industrial with preference for brownfields and County-owned capped landfills. The following site features should be addressed to mitigate the potential negative impacts of utility-scale solar facilities on County land use patterns as part of the evaluation of a Conditional Use Permit (CUP) application:

- the total size shall be more than 100 but less than 5,000 contiguous acres;
- large contiguous projects are preferred over small decentralized or large discontinuous projects to prevent land fragmentation;
- laid out appropriately on the project parcels;
- laid out with no more than 65% equipment and building coverage;
- located outside planning areas or community hubs;
- located outside forested areas to preserve forest resources;
- located outside prime agricultural land;
- further than three (3) miles from any village or town boundary;
- further than two (2) miles from other existing or permitted solar facilities; and
- located to minimize negative impacts in proximity to residences; historic, cultural, recreational, or environmentally-sensitive areas; and scenic viewsheds.

*1 mile from transmission line?*

Battery energy storage facilities are also an industrial land use but require more safety requirements than solar facilities. The County will consider battery facilities as:

- an accessory use to utility-scale solar facilities, other energy generation facilities, or substations; or
- a primary use on a parcel contiguous to utility-scale solar facilities, other energy generation facilities, and substations.

### **Article XXIII of the Zoning Ordinance**

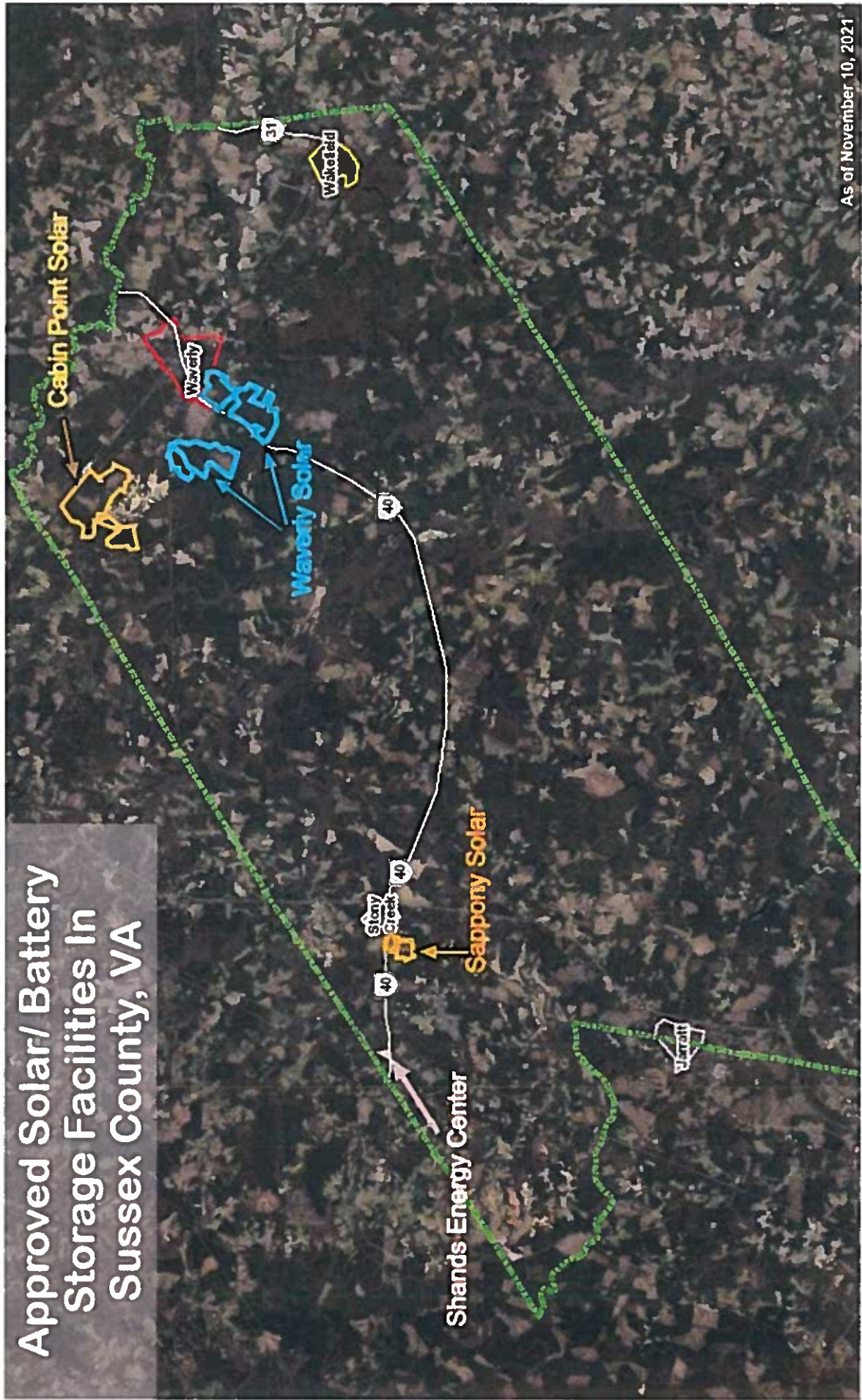
The following changes shall be made to the Sussex County Zoning Ordinance.

- The minimum area of a utility-scale solar facility shall be more than 100 acres.
- Other administrative changes as shown in the Sussex Article XXIII document dated 8-25-21.
- These changes include recommended reorganization of the article for better flow and a reflection of best practices to date.

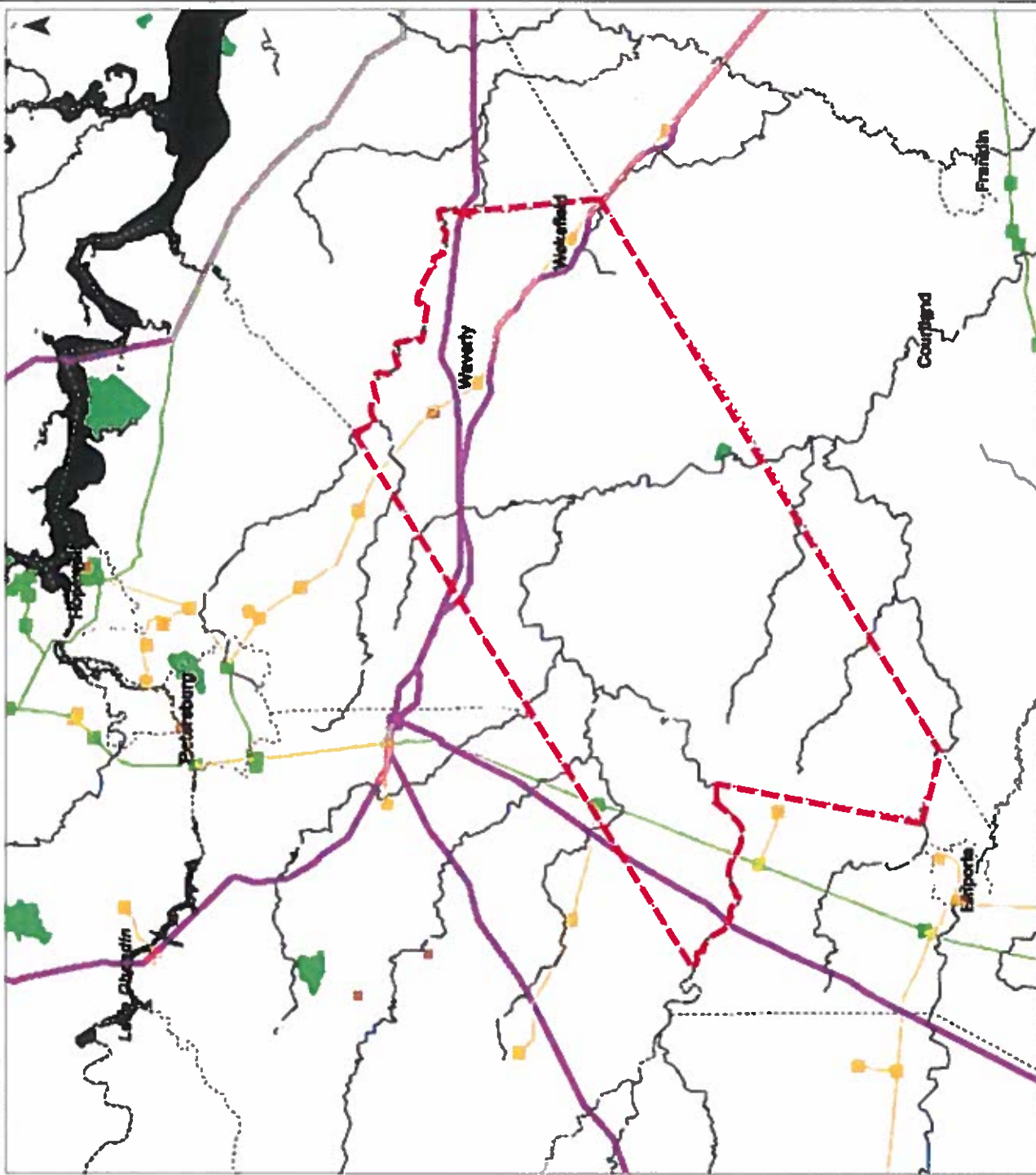
### *Map Attachments*

- *Approved Solar/Battery Storage Facilities Map*
- *Major Transmission Lines and Substations Map*
- *Agricultural Land and Soils Map*

# Approved Solar/ Battery Storage Facilities In Sussex County, VA



As of November 10, 2021



This map was generated using data on the Northeast Ocean Data Portal on 11/10/2021.  
www.northeastoceandata.org



**Countries**

**Electric\_Transmission\_...**

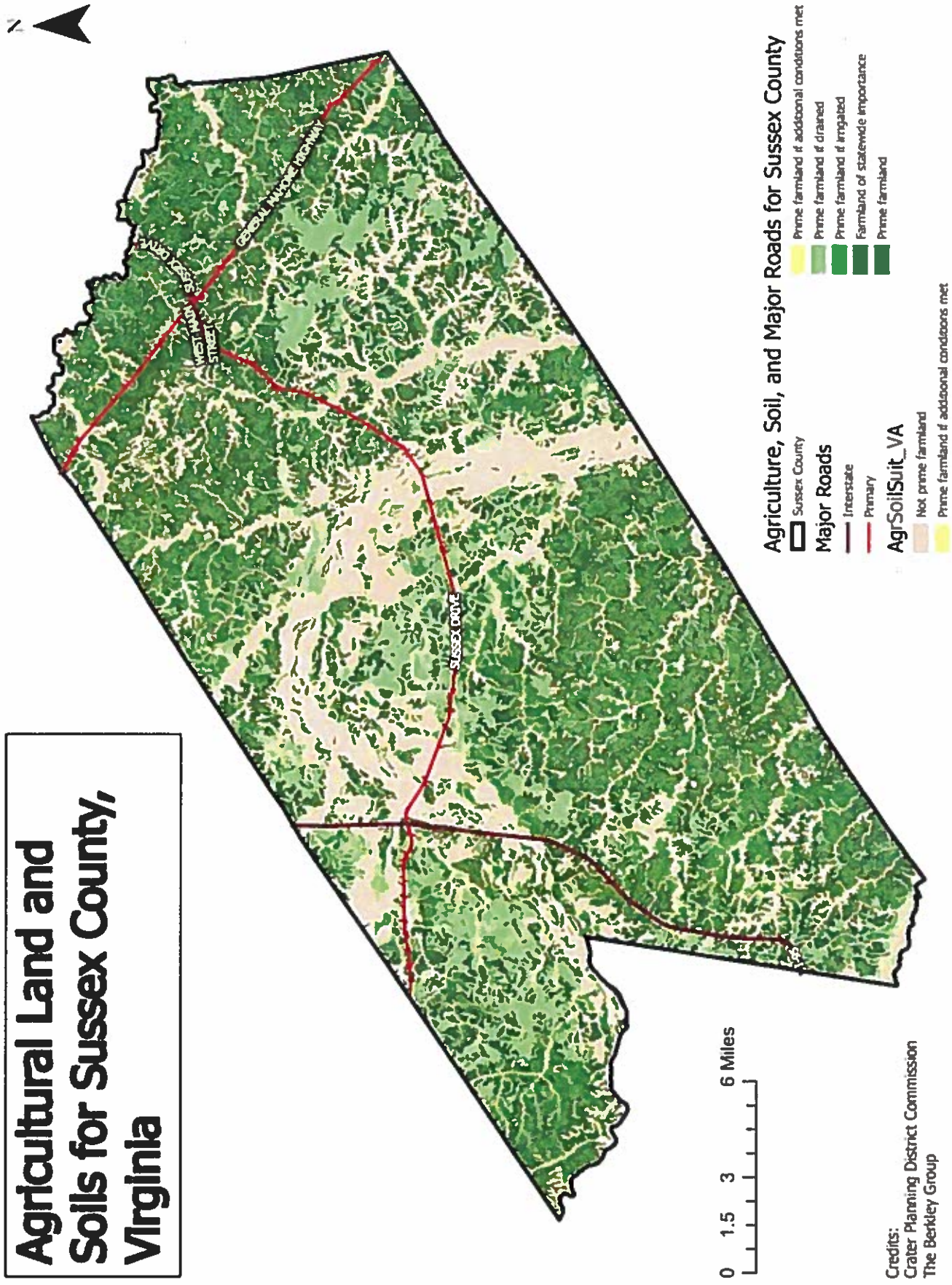
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- 34; 46; 69; 115; 138; 155; 161
- 220; 230
- 345
- 450; 500
- 765

**Electric\_Substations\_M...**

- NOT AVAILABLE
- 34; 46; 69; 115; 138; 155; 161
- 220; 230
- 345
- 450; 500
- 765

## Major Transmission Lines and Substations defined by voltage (KV) in Sussex County, VA

# Agricultural Land and Soils for Sussex County, Virginia



**Agriculture, Soil, and Major Roads for Sussex County**

**Agriculture**

- Prime farmland if additional conditions met
- Prime farmland if drained
- Prime farmland if irrigated
- Farmland of statewide importance
- Prime farmland

**Soil**

- Not prime farmland
- Prime farmland if additional conditions met

**Major Roads**

- Interstate
- Primary

**AgrSoilSuit\_VA**

0 1.5 3 6 Miles

Credits:  
Crater Planning District Commission  
The Berkley Group



**An Ordinance to Amend and Reenact the Following Sections of the Sussex County Code, Appendix B, Zoning: Article I, Section 16-1 Definitions and Article XXIII, Solar and Battery Facilities, Supplementary Use Regulations.**

WHEREAS, the Board of Supervisors of Sussex County, Virginia, has the legislative authority to make reasonable changes to the ordinances that govern the orderly growth and development of Sussex County; and

WHEREAS, the Sussex County Board of Supervisors is also concerned about the compatibility of uses on public and private lands within Sussex County and seeks to allow flexibility in the administration of the ordinance regulations while protecting the health, safety, and general welfare of present and future residents and businesses of the County.

**NOW, THEREFORE, BE IT ORDAINED by the Sussex County Board of Supervisors that Appendix B, Zoning, Article I, Section 16-1 Definitions be amended and reenacted to add the following definitions:**

**ARTICLE XXIII**

**SOLAR AND BATTERY FACILITIES**

**Sec. 16-1 Definitions (add these definitions)**

2232 review means the review required by the Code of Virginia (section 15.2-2232) for features not shown on the adopted master plan, including public utility facilities.

Acres coverage means the total acres covered by PV pods, buildings, inverters, a substation, battery storage, ancillary equipment, and fencing around these items but excluding wildlife corridors, mandated setbacks, wetlands, and other avoided natural or cultural features outside of security fencing on the project site.

Applicant means the person or entity who submits an application to the locality for a permit under this ordinance.

Battery storage facility means a type of energy storage power station that uses a group of batteries to store electrical energy as a source of power on electrical grids.

Battery energy storage facilities (battery facilities) means one or more battery cells for storing electrical energy stored in a Battery Energy Storage System ("BESS") with a Battery Management System ("BMS"). Facilities are generally used to supplement grid storage capacity. Battery facilities may be permitted as:

- an accessory use to utility-scale solar facilities, other energy generation facilities, or substations;  
or
- a primary use on a parcel contiguous to utility-scale solar facilities, other energy generation facilities, and substations.

***Brownfield*** means former industrial or commercial sites typically containing low levels of environmental pollution such as hazardous waste or industrial byproducts.

***Decommissioning and reclamation plan*** means a plan to disconnect, remove, and properly dispose of equipment, facilities, or devices and reclaim the site.

***Disturbance zone*** means the area within the site directly impacted by construction and operation of the facility.

***Electric power plant*** means a facility designed and operated for the generation and distribution of electricity for the primary purpose of selling electricity generated to the electric power grid, including facilities which use fossil fuels, solar energy, hydroelectric energy, geothermal energy, biomass energy or wind energy as a resource. This definition does not apply to on-site generation equipment when such use is an accessory use.

***Integrated PV*** means photovoltaics incorporated into building materials, such as shingles.

***Operator*** means the person responsible for the overall operation and management of a facility.

***Owner*** means the person who owns all or a portion of a facility.

***Photovoltaic or "PV"*** means materials and devices that absorb sunlight and convert it directly into electricity.

***PV pod*** means contiguous rows of solar panels or other photovoltaic materials/devices, including the space between rows, fenced together in a group. A solar facility is typically comprised of multiple pods.

***Rated capacity*** means the maximum capacity of a solar facility based on the sum total of each photovoltaic system's nameplate capacity.

***Reclamation*** means the employment, during and after an operation, of procedures reasonably designed to minimize as much as practicable the disruption from an operation and provide for the establishment of plant cover, stabilization of soil, protection of water resources, or other measures appropriate to the subsequent beneficial use of the affected lands. Reclamation shall comply with all State and Federal regulations related to air quality, water quality and water law, and stormwater.

***Site*** means the entire area containing a facility.

***Siting agreement*** means an agreement entered into between the Applicant and the County as defined in the Code of Virginia (section 15.2-2316).

***Solar energy generating facilities (solar facilities)*** means photovoltaic devices, inverters, a substation, ancillary equipment, buildings, security fencing, access roads, setbacks and screening on the site.

***Solar facility, community*** means a facility that generates electricity from sunlight that was not constructed by an investor-owned utility that will be part of an investor-owned utility's community solar pilot program. A community solar facility does not exceed two megawatts (2 MW) alternating current. This facility type is a subset of either rooftop, small-scale, medium-scale, or utility-scale solar facility.

Solar facility, floating means a floating facility that generates electricity from sunlight. This facility type is a subset of either small-scale, medium-scale, or utility-scale solar facility.

Solar facility, medium-scale means a ground mounted facility that generates electricity from sunlight on a facility area between one to ten acres or having a rated capacity of between 250 kW to one megawatt (MW) alternating current (excluding Solar facility, multi-family shared). Facilities are generally used to reduce onsite consumption of utility power for agricultural, commercial, and industrial applications.

Solar facility, multi-family shared means a ground-mounted facility that generates electricity from sunlight that was not constructed by an investor-owned utility and that will be part of an investor-owned utility's multi-family shared solar pilot program. A multi-family shared solar facility does not exceed three megawatts (3 MW) alternating current at any single location or that does not exceed five megawatts (5 MW) alternating current at contiguous locations owned by the same entity or affiliated entities, serves at least three subscribers, is connected to the electric distribution grid, and is located on a parcel of land on the premises of the multi-family utility customer or adjacent thereto.

Solar facility, power purchase agreement (PPA) means a facility that generates electricity from sunlight that was not constructed by an investor-owned utility and that will be part of an investor-owned utility's power purchase agreement solar pilot program. A facility has capacity of no less than 50 kilowatts and no more than three megawatts (3 MW) alternating current. This facility type is a subset of either rooftop, small-scale, medium-scale, or utility-scale solar facility.

Solar facility, rooftop means a rooftop PV or integrated PV facility that generates electricity from sunlight as an accessory use.

Solar facility, shared means a facility that generates electricity from sunlight that was not constructed by an investor-owned utility that will be part of an investor-owned utility's shared solar pilot program. A shared solar facility does not exceed five megawatts (5 MW) alternating current, serves at least three subscribers, has at least 40 percent of its capacity subscribed by customers with subscriptions of 25 kilowatts or less, is connected to the electric distribution grid serving the public, and is located on a single parcel. This facility type is a subset of either rooftop, small scale, medium-scale, or utility-scale solar facility.

Solar facility, small-scale means a ground-mounted facility that generates electricity from sunlight on a facility area of less than one acre or having a rated capacity of less than 250 kW alternating current (excluding Solar facility, multi-family shared). Facilities are generally used to reduce onsite consumption of utility power for residential, agricultural, commercial, and industrial applications.

Solar facility, utility-scale means a ground-mounted facility that generates electricity from sunlight on a facility area of more than ten acres. This size is approximately equivalent to a rated capacity of about one megawatt (MW) alternating current or greater (excluding Solar facility, multi-family shared). Facilities are generally used to provide electricity to a utility provider. These facilities typically include inverters, a substation, a switchyard, and a generator lead line (gen-tie line) to interconnect to a grid transmission line.

**NOW, THEREFORE, BE IT ORDAINED** by the Sussex County Board of Supervisors that **Appendix B, Zoning, Article XXIII, Solar and Battery Facilities** be amended and reenacted as follows:

**Sec. 16-401 Statement of intent**

The purpose of this section is to establish requirements for construction and operation of solar and battery facilities and to provide standards for the placement, design, construction, monitoring, modification, and removal of solar facilities; address public safety, minimize impacts on scenic, natural, and historic resources; and provide adequate financial assurance for decommissioning

**Sec. 16-402 Applicability**

This article shall apply to all solar and battery facilities constructed after the effective date of this article, including any physical modifications to any existing solar facilities that materially alter the type, configuration, or size of such facilities or other equipment.

**Sec. 16-403 Zoning districts**

~~(a)~~ Rooftop and ~~S~~ small-scale solar facilities may be installed by-right in all zoning districts ~~as an accessory use~~ to provide electricity to individual structures; provided a site plan (as applicable) has been submitted to the zoning administrator for review and approval; all Federal, State, and Local regulations have been followed; and the system is located upon the property or structure being served. Rooftop facilities on commercial or industrial buildings shall also submit an engineering study to the Building Official Office for review and approval.

~~(b)(a)~~ \_\_\_\_\_

~~(b)~~ Medium-scale solar facilities may be installed by-right as an accessory use in the Industrial Districts to provide electricity for use on-site for commercial and industrial applications; provided a site plan has been submitted to the zoning administrator for review and approval; all Federal, State and Local regulations have been followed; the system is located on the property or structure to be served; and the system is in accord with the underlying zoning requirements of the districts.

~~(c)~~ Medium and utility-scale ~~S~~ solar facilities shall be permitted in zoning districts as follows:

Solar Facility	General Agricultural, A-1	Limited Industrial, I-1	General Industrial, I-2	Residential Multi-Family, R-1
Multi-family shared	CUP	CUP	CUP	CUP
Medium-scale	CUP	By-right	By-right	-
Utility-scale	CUP	CUP	CUP	-

~~(d)~~ Battery facilities shall be subject to a Conditional Use Permit and permitted as follows:  
1. An accessory use to utility-scale solar facilities, other energy generation facilities, or substations; or  
2. A primary use on a parcel contiguous to utility-scale solar facilities, other energy generation facilities, and substations.

<u>Battery Facility</u>	<u>General Agricultural, A-1</u>	<u>Limited Industrial, I-1</u>	<u>General Industrial, I-2</u>	<u>Residential Multi-Family, R-1</u>
<i>Primary use</i>	CUP	CUP	CUP	-
<i>Accessory use</i>	CUP	CUP	CUP	CUP

(e) Solar facilities should locate on brownfields, County-owned capped landfills, or near existing industrial uses, where feasible.

(e)

**Sec. 16-404** Conditional Use Permit process

- (a) Pre-application meeting. A pre-application meeting shall be held with the zoning administrator to discuss the location, scale, and nature of the proposed use, what will be expected during that process, and the potential for a siting agreement.
- (b) Neighborhood meeting. A public meeting shall be held prior to the public hearing with the Planning Commission to give the community an opportunity to hear from the applicant and ask questions regarding the proposed project.
  - 1. The applicant shall inform the Zoning Administrator's Office 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 Zoning Administrator a summary of any input received from members of the public at the meeting.

(c) Submittal of the permit application and fees.

1. There is a combined application for the 2232 review and CUP permit.

(e)2. There are separate fees for the 2232 review and CUP permit.

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Commented [DN1]: ask the board. should we amend the fee schedule to combine the 2232 and CUP fees for solar?

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~~1~~ (d) ~~Comprehensive Plan~~ 2232 review. The Code of Virginia §15.2-2232 requires a review of public utility facility proposals by the Planning Commission to determine if their general or approximate location, character, and extent are substantially in accord with the Comprehensive Plan or part thereof.

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~~2~~ 1. The Planning Commission must determine, at a public hearing meeting, that whether the project is in substantial accord with the Comprehensive Plan. Failure of the Planning Commission to act within 60 days of submission, unless the time is extended by the Board of Supervisors, shall be deemed approval.

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~~4~~ a. If the Planning Commission approves the 2232 review, the project shall be recommended for a public hearing for the CUP permit.

~~3~~ b.

~~4~~ If the Planning Commission does not approve the 2232 review, the applicant may appeal the decision to the Board of Supervisors within 10 days after the decision of the Planning Commission. The appeal shall be by written petition to the Board of Supervisors setting forth the reasons for the appeal. The appeal shall be heard and determined within 60 days from its filing unless the time is extended by the applicant. A majority vote of the Board of Supervisors shall overrule the Planning Commission.

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2. If the Board of Supervisors agree to negotiate a Siting Agreement in accordance with Code of Virginia § 15.2-2316.8, the 2232 review process may be delayed until negotiations are complete. If the siting agreement is approved, it fulfills the requirement for a 2232 review.

(d) If the Planning Commission does not reach this determination, the applicant may appeal the decision to the Board of Supervisors in accordance with state code.

3. Consideration of the Conditional Use Permit by the Planning Commission. The Planning Commission must consider the Conditional Use Permit application at a public hearing. The Planning Commission has three options:

1. Recommend approval of the application to the Board of Supervisors to include recommendation conditions, if applicable with written reasons for its decision.
2. Recommend denial of the application to the Board of Supervisors with written reasons for its decision.
3. Defer the application for further discussion and consideration.

(e) If the Planning Commission does not recommend the project to the Board of Supervisors for a permit, the applicant may appeal the decision to the Board of Supervisors.

4. Consideration of the Conditional Use Permit by the Board of Supervisors. The Board of Supervisors must consider the Conditional Use Permit application at a public hearing. The Board of Supervisors has three options:

1. Approve the application to include recommended conditions, if applicable with written reasons for its decision.
2. Deny the application with written reasons for its decision.
3. Defer the application for further discussion and consideration.

(b) 5. Siting agreement. The process may also include negotiating a Siting Agreement in accordance with Code of Virginia § 15.2-2316.8. The Board of Supervisors must consider the Siting Agreement at a public hearing. An approved siting agreement fulfills the requirement for a 2232 review (§ 15.2-2232).

Sec. 16-405 Conditional Use Permit application

(a) Application packet including:

1. Completed County application form and checklist.
2. Documents demonstrating the ownership of the subject parcel(s).
3. Proof that the applicant has authorization to act upon the owner's behalf.
4. Identification of the intended utility company who will interconnect to the facility.
5. List of all adjacent property owners, their tax map numbers, and addresses.
6. A description of the current use and physical characteristics of the subject parcels.
7. A description of the existing uses of nearby properties.
8. A narrative identifying the applicant, owner, or operator, and describing the proposed solar facility project, including an overview of the project and its location, approximate rated capacity of the solar facility project, the approximate number of panels, representative types, expected footprint of solar equipment to be constructed, and type and location of interconnection to electrical grid.
9. Aerial imagery which shows the proposed location of the solar facility, fenced area, driveways, and interconnection to electrical grid with the closest distance to all adjacent property lines and dwellings along with main points of ingress/egress.
10. Payment of the application fee and any additional review costs, advertising, or other required staff time.

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(b) Concept plan. A concept plan prepared by an engineer with a professional engineering license in the Commonwealth of Virginia, that shall include the following:

1. Project title information including tax parcel number, zoning, owner names, address, and phone numbers of the subject parcels.
2. Neighboring property information including tax parcel number, zoning, and owner names.
3. Property lines and setback lines, existing wetlands, waterways, and floodplains.
4. Locations and types of soils on site.
5. Areas of steep slopes.
6. Existing and proposed buildings and structures including preliminary locations of the proposed solar panels and related equipment.
7. Existing and proposed points of ingress/egress including access roads, drives, turnout locations, and parking.
8. Location of substations, electrical cabling from the solar facility systems to the substations, ancillary equipment, buildings, and structures including those within any applicable setback.
9. Fencing or other methods of ensuring public safety.
10. Areas of steep slopes.
10. 10. Locations of topsoil to be removed and preserved.
11. 11. Locations of stormwater drainage and erosion and sediment control features.
12. 12. Setbacks.
13. 13. The location and nature of proposed buffers and screening elements, including vegetative and constructed buffers.

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(c) An estimated construction schedule.

(d) Environmental inventory and impact statement regarding any site and viewshed impacts, including direct and indirect impacts to national and state forests, national or state parks, wildlife

management areas, conservation easements, recreational areas, or any known historic or cultural resources within three (3) miles of the proposed project using information provided by the Virginia Department of Environmental Quality (DEQ), the Virginia Department of Conservation (DCR), Virginia Department of Wildlife Resources (DWR), Virginia Department of Historic Resources (DHR), and/or a report prepared by a qualified third party, such as ConserveVirginia or Virginia Cultural Resource Information System.

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- (e) A visual impact analysis demonstrating project siting and proposed mitigation, if necessary, so that the solar facility minimizes impact on the visual character of the County.
1. The applicant shall provide accurate, to scale, photographic simulations showing the relationship of the solar facility and its associated amenities and development to its surroundings. The photographic simulations shall show such views of solar structures from locations such as property lines and roadways, as deemed necessary by the County in order to assess the visual impact of the solar facility.
  2. The total number of simulations and the perspectives from which they are prepared shall be established by the zoning administrator after the pre-application meeting.
- (f) Solar facility inventory. An inventory of all solar facilities – existing or proposed – within a four (4) mile radius.
- (g) Draft traffic study. The study shall include modelling the construction and decommissioning processes. County staff will review the study in cooperation with VDOT.

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~~(h) Draft grading plan. The plan shall indicate:~~

- ~~1. Areas of steep slopes.~~
- ~~2. Locations of topsoil to be removed and preserved.~~
- ~~3. Locations of stormwater drainage and erosion and sediment control features.~~

(i)(h) Draft landscaping plan. The plan shall indicate:

1. All ground cover, screening and buffering materials, landscaping, and elevations.
  - a. Ground cover shall be native vegetation where compatible with site conditions.
  - b. Screening vegetation shall include pollinator plants where compatible with site conditions.
  - c. Only EPA approved herbicides shall be used for vegetative and weed control at the solar energy facility by a licensed applicator. No herbicides shall be used within 150 feet of the location of an approved ground water well. The Applicant shall submit an herbicide land application plan prior to approval of the certificate of occupancy (or equivalent). The plan shall specify the type of herbicides to be used, the frequency of land application, the identification of approved groundwater wells, wetlands, streams, and the distances from land application areas to features such as wells, wetlands, streams, and other bodies of water. The operator shall notify the County prior to application of pesticides and fertilizers. The County reserves the right to request soil and water testing.
2. Locations of wildlife corridors.
3. Maintenance requirements.



(4)(i) Draft decommissioning and reclamation plan. A detailed decommissioning and reclamation plan, certified by an engineer, which shall include the following:

1. The anticipated life of the project. The applicant shall provide the basis for determining the anticipated life of the project.
2. The estimated decommissioning and reclamation cost in current dollars. The applicant shall provide a cost estimate for the decommissioning and reclamation of the facility prepared by a professional engineer or contractor who has expertise in the removal of solar facilities. The decommissioning and reclamation cost estimate shall explicitly detail the cost without any reduction for salvage value.
3. The method of ensuring that funds will be available for decommissioning and reclamation. A proposed method of providing appropriate escrow, surety, or security for the cost of the decommissioning and reclamation plan. The surety shall be updated when the decommissioning and reclamation cost estimate is updated. 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 d below.
  - a. 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.
  - b. The escrow account agreement shall prohibit the release of the escrow funds without the written consent of the County. The County shall consent to the release of the escrow funds upon on the owner's or occupant's compliance with the approved decommissioning and reclamation plan. The County may approve the partial release of escrow funds as portions of the approved decommissioning plan are performed.
  - c. The amount of funds required to be deposited in the escrow account shall be the full amount of the estimated decommissioning and reclamation cost.
  - d. The County may approve alternative methods to secure the availability of funds to pay for the decommissioning and reclamation of a solar facility, such as a performance bond, letter of credit, or other security approved by the County.
4. The method that the estimated cost will be kept current. The decommissioning and reclamation cost estimate shall include a mechanism for calculating increased removal costs due to inflation. This cost estimate shall be recalculated every five (5) years and the surety shall be updated accordingly. If the recalculated estimated cost exceeds the original estimated cost 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 is less than ninety percent (90%) of the original estimated cost, then the County may approve reducing the amount of the escrow account to the recalculated estimate of cost.
5. The manner in which the site will be decommissioned and reclaimed. This will include:
  - a. Notice to the Zoning Administrator by certified mail and in person of the proposed date of discontinued operations and plans for removal.
  - b. A traffic study submitted with application modelling the decommissioning processes. County staff will review the study in cooperation with VDOT.
  - c. An estimated deconstruction schedule.
  - d. 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/or system was located is again tillable and suitable for agricultural or forestall uses.

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- e. The site shall be graded and re-seeded or replanted within 12 months of removal of solar facilities to restore it to as natural a pre-development condition as possible. Re-grading and re-seeding or replanting shall be initiated within a six-month period of removal of equipment. Any exception to site restoration, such as leaving access roads in place or re-seeded or replanted must be requested by the landowner in writing, and this request must be approved by the Board of Supervisors.
- f. Hazardous material from the property shall be disposed of in accordance with federal and state law.

~~(h)(j)~~ Additional information may be required as determined by the Zoning Administrator, such as a scaled elevation view of the property and other supporting drawings, photographs of the proposed site, photo or other realistic simulations or modeling of the proposed project from potentially sensitive locations as deemed necessary by the Zoning Administrator to assess the visual impact of the project, landscaping plan, coverage map, and additional information that may be necessary for a technical review of the proposal.

~~(i) Eighteen sets (11" x 17" or larger), one reduced copy (8 1/2" x 11") and one electronic copy of the concept plan, including elevations and landscape plans as required.~~

**Sec. 16-406 Minimum development and performance standards**

(a) A utility-scale solar facility shall be constructed, operated, and maintained in substantial compliance with the approved concept plan with allowances for changes required by the Virginia Department of Environmental Quality (DEQ) Permit by Rule (PBR) or State Corporation Commission (SCC) permit process.

(b) 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 ~~two (2 more than 100)~~ acres, and the maximum area shall be less than 1,500 contiguous 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%.

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(c) Height.

- 1. The maximum height of the lowest edge of photovoltaic panels shall be 10 feet as measured from the finished grade. The maximum height of the highest edge of photovoltaic panels shall not exceed 15 feet as measured from the finished grade.
- 2. The maximum height of other facility structures shall not exceed 15 feet. This limit shall not apply to utility poles or the interconnection to the overhead electric utility grid.
- 3. 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.

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~~(d) Setbacks. Solar facilities shall meet all setback requirements for primary structures for the zoning district in which the facility is located and the requirements set forth below (the more restrictive requirements shall apply).~~

1. The minimum setback of structures and uses associated with the facility, including fencing, PV panels, parking areas, and outdoor storage, but not including landscaping and berming, shall be:

- a. 150 feet from adjacent property lines.
- b. 150 feet from all public rights-of-way.
- c. 300 feet from a dwelling.

2. The Planning Commission or Board of Supervisors may require increased setbacks up to 400 feet in situations where the height of structures or the topography affects the visual impact of the facility.

3. These setback requirements shall not apply to internal property lines of those parcels on which a solar facility is located.

4. Access, erosion and stormwater structures, and interconnection to the electrical grid may be made through setback areas provided that such are generally perpendicular to the property line.

5. Vehicular access to the site shall be a minimum of 50 feet from the nearest dwelling located on adjacent property.

(d) \_\_\_\_\_

1. \_\_\_\_\_ "Principal Solar Facility Structure" shall include the "Solar facilities" excluding the project roads and transmission poles.

(e) Buffer. The buffer shall be located within the setbacks required under this Section and shall run around the entire perimeter of the property. The buffer shall be maintained for the life of the facility.

A minimum 150-foot setback shall be maintained from a Principal Solar Facility Structure to the adjoining property line of other parcels.

2. Screening. A minimum 300-foot setback shall be maintained from a Principal Solar Facility Structure to a dwelling.

3. There shall be no setbacks between internal lot lines between parcels in the project area.

(e) The maximum height of the lowest edge of the photovoltaic panels shall be 40 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.

(f) Screening. The facilities, including security fencing that is not ornamental, shall be screened from the ground level view of adjacent properties or a public street in the buffer zone. Screening may also be required in other locations to screen specific uses or structures. A recommendation that the screening and/or buffer creation requirements be waived or altered may be made by the Planning Commission when the applicant proposes to use existing wetlands or woodlands to satisfy the screening requirement. The wetlands or woodlands shall be permanently protected as a designated buffer and the overall buffer shall measure at least 150 feet. Screening methods may include:

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1. Existing Screening. Existing vegetation, topography, buildings, open space, or other elements located on the site may be considered as part of the required screening. Existing trees and vegetation may be retained within the buffer area except where dead, diseased, or as necessary for development or to promote healthy growth.

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2. Vegetative Screening. In the event existing vegetation or landforms providing the screening are inadequate or disturbed, new plantings shall be provided in a landscaped strip at least 50 feet wide. Landscaping intended for screening shall consist of a combination of non-invasive species, pollinator species, and native plants, shrubs, trees, grasses, forbs, and wildflowers. Trees intended for screening shall consist of a combination of evergreen and deciduous trees that are 5-6 ft. in height at time of planting. A triple row of trees shall be placed on average at 15 ft. on center. A list of appropriate plant materials shall be available at the Planning Office. Species listed on DCR's Invasive Plant Species list shall not be used.

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3. Berming. Berms shall generally be constructed with a 3:1 side slope to rise ratio, 4-6 ft. above the adjacent grade, with a 3 ft. wide top with appropriate pollinator-friendly native plants, shrubs, trees, forbs, and wildflowers. The outside edges of the berm shall be sculpted such that there are vertical and horizontal undulations to give variations in appearance. When completed, the berm should not have a uniform appearance like a dike.

4. Opaque Architectural Fencing. Fencing intended for screening shall be at least 75 percent visually solid as viewed on any line perpendicular to the fence from adjacent property or a public street. Such fencing may be used in combination with other screening methods but shall not be the primary method. A typical example is the use of wood privacy fencing and landscaping to screen structures such as substations. Depending on the location, ornamental features may be required on the fence. Fencing material shall not include plastic slats.

(c) Security Fence. The facilities shall be enclosed by security fencing not less than six (6) feet in height and topped with 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 CUP and the facility's decommissioning.

(f) 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 native plant materials consisting of an evergreen and deciduous mix (as approved by County staff), except to the extent that existing vegetation or natural landforms on the site provide such screening as determined by the Zoning Administrator. In the event existing vegetation or landforms providing the screening are disturbed, new plantings shall be provided which accomplish the same. Opaque architectural fencing may be used to supplement other screening methods but shall not be the primary method.

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(g) Ground cover on the site shall be native vegetation and maintained in accordance with the landscaping plan in accordance with established performance measures. A performance bond reflecting the costs of anticipated landscaping maintenance shall be posted and maintained. Failure to maintain the landscaping ground cover shall result in revocation of the CUP and the facility's decommissioning. The operator shall notify the County prior to application of pesticides and fertilizers. The County reserves the right to request soil and water testing.

(h) The Applicant shall identify access corridor(s) for wildlife to navigate through and across

the Solar Facility. The proposed wildlife corridor(s) 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.

~~(+)(h)~~ 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.

~~(+)(i)~~ 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. 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.

~~(+)(j)~~ Inspections.

1. The Applicant will allow designated County representatives or employees access to the facility for inspection purposes with 24-hour notice.

2. The Applicant shall reimburse the County its costs in obtaining an independent third-party to conduct inspections required by local and state laws and regulations.

2.

~~—~~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. ~~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.~~

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~~(m)(l)~~ 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.

~~(+)(m)~~ Lighting fixtures as approved by the County shall be the minimum necessary for safety and/or 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. Any exceptions shall be enumerated on the Concept Plan and approved by the zoning administrator.

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

~~(p)(o)~~ At all times, the solar facility shall comply with the County's noise ordinance.

~~(q)(a)~~ ~~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.~~

~~(p)~~ Coordination of local emergency services. Applicants for new solar facilities 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.

~~(q)~~ Decommissioning

1. Solar facilities which have reached the end of their useful life or have not been in active and continuous service for a period of six (6) months 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.
2. The owner or operator shall notify the zoning administrator by certified mail and in person of the proposed date of discontinued operations and plans for removal.
3. 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/or system was located is again tillable and suitable for agricultural or forestall 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 Concept Plan. Any exception to site restoration, such as leaving access roads in place or seeding instead of planting seedlings must be requested by the landowner in writing, and this request must be approved by the Board of Supervisors.
4. 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.
5. Decommissioning and reclamation shall be performed in compliance with the approved decommissioning and reclamation plan. The Board of Supervisors may approve any appropriate amendments to or modifications of the decommissioning plan.
6. Hazardous material from the property shall be disposed of in accordance with federal and state law.
7. 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.

~~(r)~~ Any other condition added by the Planning Commission or Board of Supervisors as part of a CUP approval.

Sec. 16-407 Special provisions for battery facilities.

In addition to the above general provisions, application requirements, and development and performance standards, the following additional requirements shall be met for the approval of a Battery Energy Storage Facility:

- (a) Battery Energy Storage Facilities shall be constructed, maintained, and operated in accordance with national industry standards and regulations including the most current adopted edition of the National Electrical Code, International Fire Code of the International Code Council, and the National Fire Protection Association Fire Code. The batteries will be NFPA (National Fire Protection Agency) compliant. In the event of a conflict between the national industry standards and these Conditions, the national industry standards shall control so that as technology advances, updated technology may be used.
- (b) Battery cells shall be placed in a Battery Energy Storage System ("BESS") with a Battery Management System ("BMS"). The BESS shall provide a secondary layer of physical containment to the batteries and be equipped with cooling, ventilation, and fire suppression systems. Each individual battery shall have 24/7 automated fire detection and extinguishing technology built in. The BMS shall monitor individual battery module voltages and temperatures, container temperature and humidity, off-gassing of combustible gas, fire, ground fault and DC surge, and door access and be able to shut down the system before Thermal Runaway takes place.
- (c) The Battery Energy Storage System will be placed on an appropriate foundation and screened with vegetation outside of environmentally sensitive areas.
- (d) Access to all batteries and electrical switchgear shall be from the exterior for normal operation and maintenance. Access to the container interior shall not be permitted while the system is in operation except for safety personnel and first responders.
- (e) Qualifications and experience from selected developers and integrators shall be provided including disclosure of fires or other hazards at facilities.
- (f) Safety testing and failure modes analysis data from selected developers and manufacturers shall be provided.
- (g) The latest applicable product certifications shall be provided.
- (h) The Solar Facility operator or owner shall be responsible for any environmental remediation required by the county or the state and the costs of such remediation. All remediation shall be completed in a timely manner.
- (i) Battery storage shall be developed in collaboration with technical experts and first responders to utilize technology-appropriate best practices for safe energy storage systems including, but not limited to, the following:
  - 1. Adequate access/egress for the first responders.

2. Adequate facility signage (on battery chemistry and person to contact);
3. Accessible Safety Data Sheets;
4. System specific emergency response plans;
5. Training for first responders on the type of system, potential hazards and risks, and system specific emergency response plans;
6. Adequate water sources and fire suppression appliances for the fire fighters if required in the emergency response plans;
7. Signage on Hazardous Materials present in the vicinity;
8. Emergency lighting;
9. Separate battery modules to make it easier to isolate a failed battery from the rest;
10. Sufficient disconnect and shutdown capability including a master kill switch to disable and discharge batteries;
11. System appropriate sensors and alarms;
12. Air ventilation and fire suppression systems;
13. Drainage for water runoff; and
14. Other practices as recommended by experts or local first responders.

- (j) The Solar Facility operator or owner shall conduct regular on-site inspections of the battery units and submit a written report to the Zoning Administrator on their condition, at least once every six (6) months. The Solar Facility operator or owner shall conduct monthly inspections electronically of the battery units and submit a written report to the Zoning Administrator.

**Sec. 16-408** Special provisions for substations.

In addition to the above general provisions, application requirements, and development and performance standards, the following additional requirements shall be met for the approval of a substation:

- (a) Siting. Substations located within the Solar Facility shall be sited in accordance with these regulations.
- (b) Term and Special Permits. Substations included as part of the Solar Facility shall have the same term as the Solar Facility. However, Substations may have a life longer than that of the larger Solar Facility, and, alternatively, may individually and not as part of a Solar Facility receive a Conditional Use Permit in accordance with these regulations.

**Sec. 16-409** **Conditions**

- (a) The Board of Supervisors may consider conditions addressing a proposed solar and/or battery facility, including, but not limited to, the following:
1. A solar facility shall be constructed, maintained, and operated in substantial compliance with:
    - i. The development standards under this article.
    - ii. The approved concept plan.
    - iii. Any other conditions imposed pursuant to a Conditional Use Permit.



(b) Site Plan Requirements. In addition to all Virginia site plan requirements and site plan requirements of the Zoning Administrator, the Applicant shall provide the following plans for review and approval for the Solar Facility prior to the issuance of a building permit:

1. *Construction Management Plan.* The Applicant shall prepare a "Construction Management Plan" for each applicable site plan for the Solar Facility, and each plan shall address the following:
  - i. Traffic control methods (in coordination with the Virginia Department of Transportation [VDOT] prior to initiation of construction):
    - a. Lane closures
    - b. Signage
    - c. Flagging procedures
  - ii. Site access planning. Directing employee and delivery traffic to minimize conflicts with local traffic.
  - iii. Site security. The Applicant shall implement security measures prior to the commencement of construction of Solar Facilities on the Project Site.
  - iv. Lighting. During construction of the Solar Facility, any temporary construction lighting shall be positioned downward, inward, and shielded to eliminate glare from all adjacent properties. Emergency and/or safety lighting shall be exempt from this construction lighting condition.
  - v. Water Supply. In the event that on-site wells are used during construction of the solar energy facility, the Applicant shall prepare and submit for review to the County hydrogeologic information necessary for the County to determine the potential impact to pre-existing users for the same aquifer proposed to be used for the solar energy facility and a plan to mitigate impacts to pre-existing users within the area of impact of the Project. If the County, in consultation with the Department of Environmental Quality, determines that the installation of a well will not adversely affect existing users, the Applicant may proceed with well construction in compliance with approval by the Department of Environmental Quality. At the end of the construction of the solar energy facility, the well shall not thereafter be used except only for personal toilet and lavatory facilities as required by the Uniform Statewide Building Code for operations and maintenance buildings.
2. *Construction Mitigation Plan.* The Applicant shall prepare a "Construction Mitigation Plan" for each applicable site plan for the Solar Facility, and each plan shall address the effective mitigation of dust, burning operations, hours of construction activity, access and road improvements, and handling of general construction complaints as set forth and described in the application materials and to the satisfaction of the Zoning Administrator. Damage to public roads related to construction activities shall be repaired as soon as possible and not postponed until construction completion. The Applicant shall provide written notice to the Zoning Administrator of the plans for making such repairs, including time within which repairs will be commenced and completed, within thirty (30) days of any written notice received from the Zoning Administrator.
  - i. Driving of posts shall be limited to 7:00 am to 6:00 pm, Monday through Saturday. Driving of posts shall be prohibited on state and federal holidays. The Applicant may request permission from the County Administrator to conduct post driving activity on Sunday, but such permission will be granted or denied at the sole discretion of the County Administrator.

- ii. Other construction activity on-site shall be permitted Monday through Sunday in accordance with the provisions of the County's Noise Ordinance.
- iii. During construction, the setbacks may be used for staging of materials and parking. No material and equipment laydown area, construction staging area, or construction trailer shall be located within 200 feet of any property containing a residential dwelling.
- iv. Construction lighting shall be minimized and shall be directed downward.

3. ~~Erosion and Sediment Control Plan.~~ The County will have a third-party review with corrections completed prior to County review and approval. The owner or operator shall construct, maintain, and operate the project in compliance with the approved plan. An E&S bond (or other security) will be posted for the construction portion of the project. ~~The grading. In addition to state and local requirements, the plan shall:~~

- ~~i. Clearly show existing and proposed contours; and~~
- ~~ii. Note the locations and amount of topsoil to be removed (if any) and the percent of the site to be graded.~~

4. ~~Stormwater Management Plan.~~ The County will have a third-party review with corrections completed prior to County review and approval. The owner or operator shall construct, maintain, and operate the project in compliance with the approved plan. A storm water control bond (or other security) will be posted for the project for both construction and post construction as applicable and determined by the Zoning Administrator.

5. ~~Grading plan.~~ The Applicant will submit a final grading plan for review and approval by the Zoning Administrator. The Project shall be constructed in compliance with the Grading Plan as determined and approved by the Zoning Administrator or his designee prior to the commencement of any construction activities and a bond or other security will be posted for the grading operations. ~~The grading plan shall:~~

- ~~i. Clearly show existing and proposed contours;~~
- ~~ii. Note the locations and amount of topsoil to be removed (if any) and the percent of the site to be graded;~~
- ~~iii. Limit grading to the greatest extent practicable by avoiding steep slopes and laying out arrays parallel to landforms;~~
- ~~iv. An earthwork balance will be achieved on-site with no import or export of soil;~~
- ~~v. In areas proposed to be permanent access roads which will receive gravel or in any areas where more than a few inches of cut are required, topsoil will first be stripped and stockpiled on-site to be used to increase the fertility of areas intended to be seeded;~~
- ~~vi. Take advantage of natural flow patterns in drainage design and keep the amount of impervious surface as low as possible to reduce storm water storage needs;~~
- ~~vii. Provide for the installation of all stormwater and erosion and sediment control infrastructure ("Stormwater Infrastructure") at the outset of the project to ensure protection of water quality. Once all Stormwater Infrastructure is complete and approved by the VLSCP authority, no more than 50 percent of the land disturbance areas as reflected on the Site Plan shall be disturbed without soil stabilization at any one time. Stabilization, for purposes of erosion and sediment control, shall mean the~~

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~~application of seed and straw to disturbed areas, which shall be determined by the VASCP authority.~~

~~6.5~~ **Landscaping Plan.** The Applicant will submit a final landscaping plan for review and approval by the Zoning Administrator. The owner or operator shall construct, maintain, and operate the facility in compliance with the approved plan. A separate security shall be posted for the ongoing maintenance of the project's land cover and vegetative buffers in an amount deemed sufficient by the Zoning Administrator. Failure to maintain the landscaping in accordance with the plan may result in the issuance of a notice of violation by the Zoning Administrator. The Applicant (or the operator) shall promptly communicate with the Zoning Administrator within 30 days of the date of the notice of violation and submit a plan in writing satisfactory to the Zoning Administrator to remedy such violation no later than 180 days after the date of the notice of violation. Failure to remedy the violation before the end of the 180-day cure period may result in revocation of the CUP.

- i. Ground cover shall be native vegetation where compatible with site conditions and, in all cases, shall be approved by the Zoning Administrator.
- ii. Screening vegetation shall include pollinator plants where compatible with site conditions and, in all cases, shall be approved by the Zoning Administrator.
- iii. Only EPA approved herbicides shall be used for vegetative and weed control at the solar energy facility by a licensed applicator. No herbicides shall be used within 150 feet of the location of an approved ground water well. The Applicant shall submit an herbicide land application plan prior to approval of the certificate of occupancy (or equivalent). The plan shall specify the type of herbicides to be used, the frequency of land application, the identification of approved groundwater wells, wetlands, streams, and the distances from land application areas to features such as wells, wetlands, streams and other bodies of water. The operator shall notify the County prior to application of pesticides and fertilizers. The County reserves the right to request soil and water testing.

~~7.6~~ **Decommissioning and Reclamation Plan.** The Applicant will submit a final decommissioning and reclamation plan in accordance with these regulations for review and approval by the Zoning Administrator.

~~8.7~~ The Applicant shall reimburse the County its costs in obtaining independent third-party reviews as required by these conditions.

- (c) The design, installation, maintenance, and repair of the Solar Facility in accordance with the most current National Electrical Code (NFPA 70) available (2014 version or later as applicable).
- (d) If the solar facility does not receive a building permit within eighteen (18) months of approval of the Conditional Use Permit, the Permit shall be terminated.
- (e) If the solar facility is declared to be unsafe by the zoning administrator or building official, the facility must be in compliance within fourteen (14) days or the Conditional Use Permit shall be terminated, and system removed from the property.
- ~~(f)~~ The owner and operator shall give the County written notice of any change in ownership, operator, or Power Purchase Agreement within thirty (30) days.

#### Sec. 16-410 Additional Conditions

- (a) In approving a conditional use permit, the Board of Supervisors may consider conditions that require:

1. Dedication of real property of substantial value; or
2. Substantial cash payments for or construction of substantial public improvements, the need for which is not generated solely by the granting of a conditional use permit, so long as such conditions are reasonably related to the project.

(b) The Board may include other reasonable conditions as permitted by state law and as otherwise provided for in this Article.

(c) Once a condition is granted, it shall continue in effect until a subsequent amendment changes the zoning on the property for which conditions were granted. However, such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

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Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Susan Seward, Chairman of the Board of Supervisors

Attest:

\_\_\_\_\_  
Shilton Ricks-Butts, Clerk

Approved as to Form:

\_\_\_\_\_  
Jeff Gore County Attorney

(A)

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**An Ordinance to Amend and Reenact the Following Sections of the Sussex County Code, Appendix B, Zoning: Article I, Section 16-1 Definitions and Article XXIII, Solar and Battery Facilities, Supplementary Use Regulations.**

WHEREAS, the Board of Supervisors of Sussex County, Virginia, has the legislative authority to make reasonable changes to the ordinances that govern the orderly growth and development of Sussex County; and

WHEREAS, the Sussex County Board of Supervisors is also concerned about the compatibility of uses on public and private lands within Sussex County and seeks to allow flexibility in the administration of the ordinance regulations while protecting the health, safety, and general welfare of present and future residents and businesses of the County.

**NOW, THEREFORE, BE IT ORDAINED** by the Sussex County Board of Supervisors that **Appendix B, Zoning, Article I, Section 16-1 Definitions** be amended and reenacted to add the following definitions:

**Sec. 16-1 Definitions (add these definitions)**

*2232 review* means the review required by the Code of Virginia (section 15.2-2232) for features not shown on the adopted master plan, including public utility facilities.

*Acreage coverage* means the total acres covered by PV pods, buildings, inverters, a substation, battery storage, ancillary equipment, and fencing around these items but excluding wildlife corridors, mandated setbacks, wetlands, and other avoided natural or cultural features outside of security fencing on the project site.

*Applicant* means the person or entity who submits an application to the locality for a permit under this ordinance.

*Battery storage facility* means a type of energy storage power station that uses a group of batteries to store electrical energy as a source of power on electrical grids.

*Battery energy storage facilities (battery facilities)* means one or more battery cells for storing electrical energy stored in a Battery Energy Storage System (“BESS”) with a Battery Management System (“BMS”). Facilities are generally used to supplement grid storage capacity. Battery facilities may be permitted as:

- an accessory use to utility-scale solar facilities, other energy generation facilities, or substations; or
- a primary use on a parcel contiguous to utility-scale solar facilities, other energy generation facilities, and substations.

*Brownfield* means former industrial or commercial sites typically containing low levels of environmental pollution such as hazardous waste or industrial byproducts.

*Decommissioning and reclamation plan* means a plan to disconnect, remove, and properly dispose of equipment, facilities, or devices and reclaim the site.

***Disturbance zone*** means the area within the site directly impacted by construction and operation of the facility.

***Electric power plant*** means a facility designed and operated for the generation and distribution of electricity for the primary purpose of selling electricity generated to the electric power grid, including facilities which use fossil fuels, solar energy, hydroelectric energy, geothermal energy, biomass energy or wind energy as a resource. This definition does not apply to on-site generation equipment when such use is an accessory use.

***Integrated PV*** means photovoltaics incorporated into building materials, such as shingles.

***Operator*** means the person responsible for the overall operation and management of a facility.

***Owner*** means the person who owns all or a portion of a facility.

***Photovoltaic or "PV"*** means materials and devices that absorb sunlight and convert it directly into electricity.

***PV pod*** means contiguous rows of solar panels or other photovoltaic materials/devices, including the space between rows, fenced together in a group. A solar facility is typically comprised of multiple pods.

***Rated capacity*** means the maximum capacity of a solar facility based on the sum total of each photovoltaic system's nameplate capacity.

***Reclamation*** means the employment, during and after an operation, of procedures reasonably designed to minimize as much as practicable the disruption from an operation and provide for the establishment of plant cover, stabilization of soil, protection of water resources, or other measures appropriate to the subsequent beneficial use of the affected lands. Reclamation shall comply with all State and Federal regulations related to air quality, water quality and water law, and stormwater.

***Site*** means the entire area containing a facility.

***Siting agreement*** means an agreement entered into between the Applicant and the County as defined in the Code of Virginia (section 15.2-2316).

***Solar energy generating facilities (solar facilities)*** means photovoltaic devices, inverters, a substation, ancillary equipment, buildings, security fencing, access roads, setbacks and screening on the site.

***Solar facility, community*** means a facility that generates electricity from sunlight that was not constructed by an investor-owned utility that will be part of an investor-owned utility's community solar pilot program. A community solar facility does not exceed two megawatts (2 MW) alternating current. This facility type is a subset of either rooftop, small-scale, medium-scale, or utility-scale solar facility.

***Solar facility, floating*** means a floating facility that generates electricity from sunlight. This facility type is a subset of either small-scale, medium-scale, or utility-scale solar facility.

***Solar facility, medium-scale*** means a ground mounted facility that generates electricity from sunlight on a facility area between one to ten acres or having a rated capacity of between 250 kW to one megawatt (MW) alternating current (excluding Solar facility, multi-family shared). Facilities are generally used to reduce onsite consumption of utility power for agricultural, commercial, and industrial applications.

*Solar facility, multi-family shared* means a ground-mounted facility that generates electricity from sunlight that was not constructed by an investor-owned utility and that will be part of an investor-owned utility's multi-family shared solar pilot program. A multi-family shared solar facility does not exceed three megawatts (3 MW) alternating current at any single location or that does not exceed five megawatts (5 MW) alternating current at contiguous locations owned by the same entity or affiliated entities, serves at least three subscribers, is connected to the electric distribution grid, and is located on a parcel of land on the premises of the multi-family utility customer or adjacent thereto.

*Solar facility, power purchase agreement (PPA)* means a facility that generates electricity from sunlight that was not constructed by an investor-owned utility and that will be part of an investor-owned utility's power purchase agreement solar pilot program. A facility has capacity of no less than 50 kilowatts and no more than three megawatts (3 MW) alternating current. This facility type is a subset of either rooftop, small-scale, medium-scale, or utility-scale solar facility.

*Solar facility, rooftop* means a rooftop PV or integrated PV facility that generates electricity from sunlight as an accessory use.

*Solar facility, shared* means a facility that generates electricity from sunlight that was not constructed by an investor-owned utility that will be part of an investor-owned utility's shared solar pilot program. A shared solar facility does not exceed five megawatts (5 MW) alternating current, serves at least three subscribers, has at least 40 percent of its capacity subscribed by customers with subscriptions of 25 kilowatts or less, is connected to the electric distribution grid serving the public, and is located on a single parcel. This facility type is a subset of either rooftop, small-scale, medium-scale, or utility-scale solar facility.

*Solar facility, small-scale* means a ground-mounted facility that generates electricity from sunlight on a facility area of less than one acre or having a rated capacity of less than 250 kW alternating current (excluding Solar facility, multi-family shared). Facilities are generally used to reduce onsite consumption of utility power for residential, agricultural, commercial, and industrial applications.

*Solar facility, utility-scale* means a ground-mounted facility that generates electricity from sunlight on a facility area of more than ten acres. This size is approximately equivalent to a rated capacity of about one megawatt (MW) alternating current or greater (excluding Solar facility, multi-family shared). Facilities are generally used to provide electricity to a utility provider. These facilities typically include inverters, a substation, a switchyard, and a generator lead line (gen-tie line) to interconnect to a grid transmission line.

**NOW, THEREFORE, BE IT ORDAINED** by the Sussex County Board of Supervisors that **Appendix B, Zoning, Article XXIII, Solar and Battery Facilities** be amended and reenacted as follows:

**Sec. 16-401 Statement of intent**

The purpose of this section is to establish requirements for construction and operation of solar and battery facilities and to provide standards for the placement, design, construction, monitoring, modification, and removal of solar facilities; address public safety, minimize impacts on scenic, natural, and historic resources; and provide adequate financial assurance for decommissioning.

**Sec. 16-402 Applicability**

This article shall apply to all solar and battery facilities constructed after the effective date of this article, including any physical modifications to any existing solar facilities that materially alter the type, configuration, or size of such facilities or other equipment.

**Sec. 16-403 Zoning districts**

- (a) Rooftop and small-scale solar facilities may be installed by-right in all zoning districts as an accessory use to provide electricity to individual structures; provided a site plan (as applicable) has been submitted to the zoning administrator for review and approval; all Federal, State, and Local regulations have been followed; and the system is located upon the property or structure being served. Rooftop facilities on commercial or industrial buildings shall also submit an engineering study to the Building Official Office for review and approval.
- (b) Medium-scale solar facilities may be installed by-right as an accessory use in the Industrial Districts to provide electricity for use on-site for commercial and industrial applications; provided a site plan has been submitted to the zoning administrator for review and approval; all Federal, State and Local regulations have been followed; the system is located on the property or structure to be served; and the system is in accord with the underlying zoning requirements of the districts.
- (c) Solar facilities shall be permitted in zoning districts as follows:

Solar Facility	General Agricultural, A-1	Limited Industrial, I-1	General Industrial, I-2	Residential Multi-Family, R-1
<i>Multi-family shared</i>	CUP	CUP	CUP	CUP
<i>Medium-scale</i>	CUP	By-right	By-right	-
<i>Utility-scale</i>	CUP	CUP	CUP	-

- (d) Battery facilities shall be subject to a Conditional Use Permit and permitted as follows:
  1. An accessory use to utility-scale solar facilities, other energy generation facilities, or substations; or
  2. A primary use on a parcel contiguous to utility-scale solar facilities, other energy generation facilities, and substations.

Battery Facility	General Agricultural, A-1	Limited Industrial, I-1	General Industrial, I-2	Residential Multi-Family, R-1
<i>Primary use</i>	CUP	CUP	CUP	-
<i>Accessory use</i>	CUP	CUP	CUP	CUP

- (e) Solar facilities should locate on brownfields, County-owned capped landfills, or near existing industrial uses, where feasible.

**Sec. 16-404 Conditional Use Permit process**



- (a) Pre-application meeting. A pre-application meeting shall be held with the zoning administrator to discuss the location, scale, and nature of the proposed use, what will be expected during that process, and the potential for a siting agreement.
- (b) Neighborhood meeting. A public meeting shall be held prior to the public hearing with the Planning Commission to give the community an opportunity to hear from the applicant and ask questions regarding the proposed project.
  - 1. The applicant shall inform the Zoning Administrator's Office 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 Zoning Administrator a summary of any input received from members of the public at the meeting.
- (c) Submittal of the permit application and fees.
  - 1. There is a combined application for the 2232 review and CUP permit.
  - 2. There are separate fees for the 2232 review and CUP permit.
- 1. (d). 2232 review. The *Code of Virginia* §15.2-2232 requires a review of public utility facility proposals by the Planning Commission to determine if their general or approximate location, character, and extent are substantially in accord with the Comprehensive Plan or part thereof.
- 2. 1. The Planning Commission must determine, at a public meeting, whether the project is in substantial accord with the Comprehensive Plan. Failure of the Planning Commission to act within 60 days of submission, unless the time is extended by the Board of Supervisors, shall be deemed approval.
- 3. a. If the Planning Commission approves the 2232 review, the project shall be recommended for a public hearing for the CUP permit. b.
- 4. If the Planning Commission does not approve the 2232 review, the applicant may appeal the decision to the Board of Supervisors within 10 days after the decision of the Planning Commission. The appeal shall be by written petition to the Board of Supervisors setting forth the reasons for the appeal. The appeal shall be heard and determined within 60 days from its filing unless the time is extended by the applicant. A majority vote of the Board of Supervisors shall overrule the Planning Commission.
  - 2. If the Board of Supervisors agree to negotiate a Siting Agreement in accordance with Code of Virginia § 15.2-2316.8, the 2232 review process may be delayed until negotiations are complete. If the siting agreement is approved, it fulfills the requirement for a 2232 review.
- 3. Consideration of the Conditional Use Permit by the Planning Commission. The Planning Commission must consider the Conditional Use Permit application at a public hearing. The Planning Commission has three options:
  - 1. Recommend approval of the application to the Board of Supervisors to include recommendation conditions, if applicable.
  - 2. Recommend denial of the application to the Board of Supervisors with written reasons for its decision.

3. Defer the application for further discussion and consideration.
4. Consideration of the Conditional Use Permit by the Board of Supervisors. The Board of Supervisors must consider the Conditional Use Permit application at a public hearing. The Board of Supervisors has three options:
  1. Approve the application to include recommended conditions, if applicable.
  2. Deny the application with written reasons for its decision.
  3. Defer the application for further discussion and consideration.
5. Siting agreement. The process may also include negotiating a Siting Agreement in accordance with Code of Virginia § 15.2-2316.8. The Board of Supervisors must consider the Siting Agreement at a public hearing. An approved siting agreement fulfills the requirement for a 2232 review (§ 15.2-2232).

#### **Sec. 16-405 Conditional Use Permit application**

- (a) Application packet including:
  1. Completed County application form and checklist.
  2. Documents demonstrating the ownership of the subject parcel(s).
  3. Proof that the applicant has authorization to act upon the owner's behalf.
  4. Identification of the intended utility company who will interconnect to the facility.
  5. List of all adjacent property owners, their tax map numbers, and addresses.
  6. A description of the current use and physical characteristics of the subject parcels.
  7. A description of the existing uses of nearby properties.
  8. A narrative identifying the applicant, owner, or operator, and describing the proposed solar facility project, including an overview of the project and its location, approximate rated capacity of the solar facility project, the approximate number of panels, representative types, expected footprint of solar equipment to be constructed, and type and location of interconnection to electrical grid.
  9. Aerial imagery which shows the proposed location of the solar facility, fenced area, driveways, and interconnection to electrical grid with the closest distance to all adjacent property lines and dwellings along with main points of ingress/egress.
  10. Payment of the application fee and any additional review costs, advertising, or other required staff time.
- (b) Concept plan. A concept plan prepared by an engineer with a professional engineering license in the Commonwealth of Virginia, that shall include the following:
  1. Project title information including tax parcel number, zoning, owner names, address, and phone numbers.
  2. Neighboring property information including tax parcel number, zoning, and owner names.
  3. Existing wetlands, waterways, and floodplains.
  4. Locations and types of soils on site.
  5. Areas of steep slopes.
  6. Existing and proposed buildings and structures including preliminary locations of the proposed solar panels and related equipment.
  7. Existing and proposed points of ingress/egress including access roads, drives, turnout locations, and parking.
  8. Location of substations, electrical cabling from the solar facility systems to the substations,

- ancillary equipment, buildings, and structures including those within any applicable setback.
9. Fencing or other methods of ensuring public safety.
  10. 10. Locations of topsoil to be removed and preserved.
  11. 11. Locations of stormwater drainage and erosion and sediment control features.
  12. 12. Setbacks
  13. 13. The location and nature of proposed buffers and screening elements, including vegetative and constructed buffers.
- (c) An estimated construction schedule.
- (d) Environmental inventory and impact statement regarding any site and viewshed impacts, including direct and indirect impacts to national and state forests, national or state parks, wildlife management areas, conservation easements, recreational areas, or any known historic or cultural resources within three (3) miles of the proposed project using information provided by the Virginia Department of Environmental Quality (DEQ), the Virginia Department of Conservation (DCR), Virginia Department of Wildlife Resources (DWR), Virginia Department of Historic Resources (DHR), and/or a report prepared by a qualified third party, such as ConserveVirginia or Virginia Cultural Resource Information System.
- (e) A visual impact analysis demonstrating project siting and proposed mitigation, if necessary, so that the solar facility minimizes impact on the visual character of the County.
1. The applicant shall provide accurate, to scale, photographic simulations showing the relationship of the solar facility and its associated amenities and development to its surroundings. The photographic simulations shall show such views of solar structures from locations such as property lines and roadways, as deemed necessary by the County in order to assess the visual impact of the solar facility.
  2. The total number of simulations and the perspectives from which they are prepared shall be established by the zoning administrator after the pre-application meeting.
- (f) Solar facility inventory. An inventory of all solar facilities – existing or proposed – within a four (4) mile radius.
- (g) Draft traffic study. The study shall include modelling the construction and decommissioning processes. County staff will review the study in cooperation with VDOT.
- (h) Draft landscaping plan. The plan shall indicate:
1. All ground cover, screening and buffering materials, landscaping, and elevations.
    - a. Ground cover shall be native vegetation where compatible with site conditions.
    - b. Screening vegetation shall include pollinator plants where compatible with site conditions.
    - c. Only EPA approved herbicides shall be used for vegetative and weed control at the solar energy facility by a licensed applicator. No herbicides shall be used within 150 feet of the location of an approved ground water well. The Applicant shall submit an herbicide land application plan prior to approval of the certificate of occupancy (or equivalent). The plan shall specify the type of herbicides to be used, the frequency of land application,

the identification of approved groundwater wells, wetlands, streams, and the distances from land application areas to features such as wells, wetlands, streams, and other bodies of water. The operator shall notify the County prior to application of pesticides and fertilizers. The County reserves the right to request soil and water testing.

2. Locations of wildlife corridors.
3. Maintenance requirements.
- (i) Draft decommissioning and reclamation plan. A detailed decommissioning and reclamation plan, certified by an engineer, which shall include the following:
  1. The anticipated life of the project. The applicant shall provide the basis for determining the anticipated life of the project.
  2. The estimated decommissioning and reclamation cost in current dollars. The applicant shall provide a cost estimate for the decommissioning and reclamation of the facility prepared by a professional engineer or contractor who has expertise in the removal of solar facilities. The decommissioning and reclamation cost estimate shall explicitly detail the cost without any reduction for salvage value.
  3. The method of ensuring that funds will be available for decommissioning and reclamation. A proposed method of providing appropriate escrow, surety, or security for the cost of the decommissioning and reclamation plan. The surety shall be updated when the decommissioning and reclamation cost estimate is updated. 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 d below.
    - a. 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.
    - b. The escrow account agreement shall prohibit the release of the escrow funds without the written consent of the County. The County shall consent to the release of the escrow funds upon on the owner's or occupant's compliance with the approved decommissioning and reclamation plan. The County may approve the partial release of escrow funds as portions of the approved decommissioning plan are performed.
    - c. The amount of funds required to be deposited in the escrow account shall be the full amount of the estimated decommissioning and reclamation cost.
    - d. The County may approve alternative methods to secure the availability of funds to pay for the decommissioning and reclamation of a solar facility, such as a performance bond, letter of credit, or other security approved by the County.
  4. The method that the estimated cost will be kept current. The decommissioning and reclamation cost estimate shall include a mechanism for calculating increased removal costs due to inflation. This cost estimate shall be recalculated every five (5) years and the surety shall be updated accordingly. If the recalculated estimated cost exceeds the original estimated cost 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 is less than ninety percent (90%) of the original estimated cost, then the County may approve reducing the amount of the escrow account to the recalculated estimate of cost.
  5. The manner in which the site will be decommissioned and reclaimed. This will include:
    - a. Notice to the Zoning Administrator by certified mail and in person of the proposed date of discontinued operations and plans for removal.
    - b. A traffic study submitted with application modelling the decommissioning processes. County staff will review the study in cooperation with VDOT.

- c. An estimated deconstruction schedule.
  - d. 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/or system was located is again tillable and suitable for agricultural or forestall uses.
  - e. The site shall be graded and re-seeded or replanted within 12 months of removal of solar facilities to restore it to as natural a pre-development condition as possible. Re-grading and re-seeding or replanting shall be initiated within a six-month period of removal of equipment. Any exception to site restoration, such as leaving access roads in place or re-seeded or replanted must be requested by the landowner in writing, and this request must be approved by the Board of Supervisors.
  - f. Hazardous material from the property shall be disposed of in accordance with federal and state law.
- (j) Additional information may be required as determined by the Zoning Administrator, such as a scaled elevation view of the property and other supporting drawings, photographs of the proposed site, photo or other realistic simulations or modeling of the proposed project from potentially sensitive locations as deemed necessary by the Zoning Administrator to assess the visual impact of the project, landscaping plan, coverage map, and additional information that may be necessary for a technical review of the proposal.

**Sec. 16-406 Minimum development and performance standards**

- (a) A utility-scale solar facility shall be constructed, operated, and maintained in substantial compliance with the approved concept plan with allowances for changes required by the Virginia Department of Environmental Quality (DEQ) Permit by Rule (PBR) or State Corporation Commission (SCC) permit process.
- (b) 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 more than 100 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%.
- (c) Height.
  - 1. The maximum height of the lowest edge of photovoltaic panels shall be 10 feet as measured from the finished grade. The maximum height of the highest edge of photovoltaic panels shall not exceed 15 feet as measured from the finished grade.
  - 2. The maximum height of other facility structures shall not exceed 15 feet. This limit shall not apply to utility poles or the interconnection to the overhead electric utility grid.
  - 3. 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.
- (d) Setbacks. Solar facilities shall meet all setback requirements for primary structures for the zoning district in which the facility is located and the requirements set forth below (the more restrictive requirements shall apply).

1. The minimum setback of structures and uses associated with the facility, including fencing, PV panels, parking areas, and outdoor storage, but not including landscaping and berming, shall be:
  - a. 150 feet from adjacent property lines.
  - b. 150 feet from all public rights-of-way.
  - c. 300 feet from a dwelling.
2. The Planning Commission or Board of Supervisors may require increased setbacks up to 400 feet in situations where the height of structures or the topography affects the visual impact of the facility.
3. These setback requirements shall not apply to internal property lines of those parcels on which a solar facility is located.
4. Access, erosion and stormwater structures, and interconnection to the electrical grid may be made through setback areas provided that such are generally perpendicular to the property line.
5. Vehicular access to the site shall be a minimum of 50 feet from the nearest dwelling located on adjacent property.

(e) **Buffer.** The buffer shall be located within the setbacks required under this Section and shall run around the entire perimeter of the property. The buffer shall be maintained for the life of the facility.

**Screening.** (f) **Screening.** The facilities, including security fencing that is not ornamental, shall be screened from the ground-level view of adjacent properties or a public street in the buffer zone. Screening may also be required in other locations to screen specific uses or structures. A recommendation that the screening and/or buffer creation requirements be waived or altered may be made by the Planning Commission when the applicant proposes to use existing wetlands or woodlands to satisfy the screening requirement. The wetlands or woodlands shall be permanently protected as a designated buffer and the overall buffer shall measure at least 150 feet. Screening methods may include:

1. **Existing Screening:** Existing vegetation, topography, buildings, open space, or other elements located on the site may be considered as part of the required screening. Existing trees and vegetation may be retained within the buffer area except where dead, diseased, or as necessary for development or to promote healthy growth.
2. **Vegetative Screening:** In the event existing vegetation or landforms providing the screening are inadequate or disturbed, new plantings shall be provided in a landscaped strip at least 50 feet wide. Landscaping intended for screening shall consist of a combination of non-invasive species, pollinator species, and native plants, shrubs, trees, grasses, forbs, and wildflowers. Trees intended for screening shall consist of a combination of evergreen and deciduous trees that are 5-6 ft. in height at time of planting. A triple row of trees shall be placed on average at 15 ft. on center. A list of appropriate plant materials shall be available at the Planning Office.

Species listed on DCR's Invasive Plant Species list shall not be used.

3. **Berming:** Berms shall generally be constructed with a 3:1 side slope to rise ratio, 4-6 ft. above the adjacent grade, with a 3 ft. wide top with appropriate pollinator-friendly native plants, shrubs, trees, forbs, and wildflowers. The outside edges of the berm shall be sculpted such that there are vertical and horizontal undulations to give variations in appearance. When completed, the berm should not have a uniform appearance like a dike.
4. **Opaque Architectural Fencing.** Fencing intended for screening shall be at least 75 percent visually solid as viewed on any line perpendicular to the fence from adjacent property or a public street. Such fencing may be used in combination with other screening methods but shall not be the primary method. A typical example is the use of wood privacy fencing and landscaping to screen structures such as substations. Depending on the location, ornamental features may be required on the fence. Fencing material shall not include plastic slats.
  - (e) **Security Fence.** The facilities shall be enclosed by security fencing not less than six (6) feet in height and topped with 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 CUP and the facility's decommissioning.
  - (f) **Ground cover on the site shall be native vegetation and maintained in accordance with the landscaping plan in accordance with established performance measures. A performance bond reflecting the costs of anticipated maintenance shall be posted and maintained. Failure to maintain the ground cover shall result in revocation of the CUP and the facility's decommissioning. The operator shall notify the County prior to application of pesticides and fertilizers. The County reserves the right to request soil and water testing.**
  - (g) **The Applicant shall identify access corridor(s) for wildlife to navigate through and across the Solar Facility. The proposed wildlife corridor(s) 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.**
  - (h) **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.**
  - (i) **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. 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.**
  - (j) **Inspections.**
    1. **The Applicant will allow designated County representatives or employees access to the facility for inspection purposes with 24-hour notice.**
    2. **The Applicant shall reimburse the County its costs in obtaining an independent third-party to conduct inspections required by local and state laws and regulations.**
  - (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) 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.
- (m) Lighting fixtures as approved by the County shall be the minimum necessary for safety and/or 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. Any exceptions shall be enumerated on the Concept Plan and approved by the zoning administrator.
- (n) No signage of any type may be placed on the facility other than notices, warnings, and identification information required by law.
- (o) At all times, the solar facility shall comply with the County's noise ordinance.
- (p) Coordination of local emergency services. Applicants for new solar facilities 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.
- (q) Decommissioning
  1. Solar facilities which have reached the end of their useful life or have not been in active and continuous service for a period of six (6) months 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.
  2. The owner or operator shall notify the zoning administrator by certified mail and in person of the proposed date of discontinued operations and plans for removal.
  3. 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/or system was located is again tillable and suitable for agricultural or forestall 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 Concept Plan. Any exception to site restoration, such as leaving access roads in place or seeding instead of planting seedlings must be requested by the landowner in writing, and this request must be approved by the Board of Supervisors.
  4. 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.
  5. Decommissioning and reclamation shall be performed in compliance with the approved



decommissioning and reclamation plan. The Board of Supervisors may approve any appropriate amendments to or modifications of the decommissioning plan.

6. Hazardous material from the property shall be disposed of in accordance with federal and state law.
  7. 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.
- (r) Any other condition added by the Planning Commission or Board of Supervisors as part of a CUP approval.

**Sec. 16-407** Special provisions for battery facilities.

In addition to the above general provisions, application requirements, and development and performance standards, the following additional requirements shall be met for the approval of a Battery Energy Storage Facility:

- (a) Battery Energy Storage Facilities shall be constructed, maintained, and operated in accordance with national industry standards and regulations including the most current adopted edition of the National Electrical Code, International Fire Code of the International Code Council, and the National Fire Protection Association Fire Code. The batteries will be NFPA (National Fire Protection Agency) compliant. In the event of a conflict between the national industry standards and these Conditions, the national industry standards shall control so that as technology advances, updated technology may be used.
- (b) Battery cells shall be placed in a Battery Energy Storage System (“BESS”) with a Battery Management System (“BMS”). The BESS shall provide a secondary layer of physical containment to the batteries and be equipped with cooling, ventilation, and fire suppression systems. Each individual battery shall have 24/7 automated fire detection and extinguishing technology built in. The BMS shall monitor individual battery module voltages and temperatures, container temperature and humidity, off-gassing of combustible gas, fire, ground fault and DC surge, and door access and be able to shut down the system before Thermal Runaway takes place.
- (c) The Battery Energy Storage System will be placed on an appropriate foundation and screened with vegetation outside of environmentally sensitive areas.
- (d) Access to all batteries and electrical switchgear shall be from the exterior for normal operation and maintenance. Access to the container interior shall not be permitted while the system is in operation except for safety personnel and first responders.
- (e) Qualifications and experience from selected developers and integrators shall be provided including disclosure of fires or other hazards at facilities.

- (f) Safety testing and failure modes analysis data from selected developers and manufacturers shall be provided.
- (g) The latest applicable product certifications shall be provided.
- (h) The Solar Facility operator or owner shall be responsible for any environmental remediation required by the county or the state and the costs of such remediation. All remediation shall be completed in a timely manner.
- (i) Battery storage shall be developed in collaboration with technical experts and first responders to utilize technology-appropriate best practices for safe energy storage systems including, but not limited to, the following:
  1. Adequate access/egress for the first responders;
  2. Adequate facility signage (on battery chemistry and person to contact);
  3. Accessible Safety Data Sheets;
  4. System-specific emergency response plans;
  5. Training for first responders on the type of system, potential hazards and risks, and system-specific emergency response plans;
  6. Adequate water sources and fire suppression appliances for the fire fighters if required in the emergency response plans;
  7. Signage on Hazardous Materials present in the vicinity;
  8. Emergency lighting;
  9. Separate battery modules to make it easier to isolate a failed battery from the rest;
  10. Sufficient disconnect and shutdown capability including a master kill switch to disable and discharge batteries;
  11. System-appropriate sensors and alarms;
  12. Air ventilation and fire suppression systems;
  13. Drainage for water runoff; and
  14. Other practices as recommended by experts or local first responders.
- (j) The Solar Facility operator or owner shall conduct regular on-site inspections of the battery units and submit a written report to the Zoning Administrator on their condition, at least once every six (6) months. The Solar Facility operator or owner shall conduct monthly inspections electronically of the battery units and submit a written report to the Zoning Administrator.

**Sec. 16-408** Special provisions for substations.

In addition to the above general provisions, application requirements, and development and performance standards, the following additional requirements shall be met for the approval of a substation:

- (a) **Siting.** Substations located within the Solar Facility shall be sited in accordance with these regulations.
- (b) **Term and Special Permits.** Substations included as part of the Solar Facility shall have the

same term as the Solar Facility. However, Substations may have a life longer than that of the larger Solar Facility, and, alternatively, may individually and not as part of a Solar Facility receive a Conditional Use Permit in accordance with these regulations.

**Sec. 16-409 Conditions**

- (a) The Board of Supervisors may consider conditions addressing a proposed solar and/or battery facility, including, but not limited to, the following:
- I. A solar facility shall be constructed, maintained, and operated in substantial compliance with:
    - i. The development standards under this article.
    - ii. The approved concept plan.
    - iii. Any other conditions imposed pursuant to a Conditional Use Permit.
- (b) Site Plan Requirements. In addition to all Virginia site plan requirements and site plan requirements of the Zoning Administrator, the Applicant shall provide the following plans for review and approval for the Solar Facility prior to the issuance of a building permit:
1. *Construction Management Plan*. The Applicant shall prepare a "Construction Management Plan" for each applicable site plan for the Solar Facility, and each plan shall address the following:
    - i. Traffic control methods (in coordination with the Virginia Department of Transportation [VDOT] prior to initiation of construction):
      - a. Lane closures
      - b. Signage
      - c. Flagging procedures
    - ii. Site access planning. Directing employee and delivery traffic to minimize conflicts with local traffic.
    - iii. Site security. The Applicant shall implement security measures prior to the commencement of construction of Solar Facilities on the Project Site.
    - iv. Lighting. During construction of the Solar Facility, any temporary construction lighting shall be positioned downward, inward, and shielded to eliminate glare from all adjacent properties. Emergency and/or safety lighting shall be exempt from this construction lighting condition.
    - v. Water Supply. In the event that on-site wells are used during construction of the solar energy facility, the Applicant shall prepare and submit for review to the County hydrogeologic information necessary for the County to determine the potential impact to pre-existing users for the same aquifer proposed to be used for the solar energy facility and a plan to mitigate impacts to pre-existing users within the area of impact of the Project. If the County, in consultation with the Department of Environmental Quality, determines that the installation of a well will not adversely affect existing users, the Applicant may proceed with well construction in compliance with approval by the Department of Environmental Quality. At the end of the construction of the solar energy facility, the well shall not thereafter be used except only for personal toilet and lavatory facilities as required by the Uniform Statewide Building Code for operations and maintenance buildings.

2. *Construction Mitigation Plan.* The Applicant shall prepare a "Construction Mitigation Plan" for each applicable site plan for the Solar Facility, and each plan shall address the effective mitigation of dust, burning operations, hours of construction activity, access and road improvements, and handling of general construction complaints as set forth and described in the application materials and to the satisfaction of the Zoning Administrator. Damage to public roads related to construction activities shall be repaired as soon as possible and not postponed until construction completion. The Applicant shall provide written notice to the Zoning Administrator of the plans for making such repairs, including time within which repairs will be commenced and completed, within thirty (30) days of any written notice received from the Zoning Administrator.
  - i. Driving of posts shall be limited to 7:00 am to 6:00 pm, Monday through Saturday. Driving of posts shall be prohibited on state and federal holidays. The Applicant may request permission from the County Administrator to conduct post driving activity on Sunday, but such permission will be granted or denied at the sole discretion of the County Administrator.
  - ii. Other construction activity on-site shall be permitted Monday through Sunday in accordance with the provisions of the County's Noise Ordinance.
  - iii. During construction, the setbacks may be used for staging of materials and parking. No material and equipment laydown area, construction staging area, or construction trailer shall be located within 200 feet of any property containing a residential dwelling.
  - iv. Construction lighting shall be minimized and shall be directed downward.
3. *Erosion and Sediment Control Plan.* The County will have a third-party review with corrections completed prior to County review and approval. The owner or operator shall construct, maintain, and operate the project in compliance with the approved plan. An E&S bond (or other security) will be posted for the construction portion of the project. In addition to state and local requirements, the plan shall:
  - i. Clearly show existing and proposed contours; and
  - ii. Note the locations and amount of topsoil to be removed (if any) and the percent of the site to be graded.
4. *Stormwater Management Plan.* The County will have a third-party review with corrections completed prior to County review and approval. The owner or operator shall construct, maintain, and operate the project in compliance with the approved plan. A storm water control bond (or other security) will be posted for the project for both construction and post construction as applicable and determined by the Zoning Administrator.
5. *Landscaping Plan.* The Applicant will submit a final landscaping plan for review and approval by the Zoning Administrator. The owner or operator shall construct, maintain, and operate the facility in compliance with the approved plan. A separate security shall be posted for the ongoing maintenance of the project's land cover and vegetative buffers in an amount deemed sufficient by the Zoning Administrator. Failure to maintain the landscaping in accordance with the plan may result in the issuance of a notice of violation by the Zoning Administrator. The Applicant (or the operator) shall promptly communicate with the Zoning Administrator within 30 days of the date of the notice of violation and submit a plan in writing satisfactory to the Zoning Administrator to remedy such violation no later than 180 days after the date of the notice of violation. Failure to remedy the violation before the end of the 180-day cure period may result in revocation of the CUP.
  - i. Ground cover shall be native vegetation where compatible with site conditions and, in all cases, shall be approved by the Zoning Administrator.

- ii. Screening vegetation shall include pollinator plants where compatible with site conditions and, in all cases, shall be approved by the Zoning Administrator.
- iii. Only EPA approved herbicides shall be used for vegetative and weed control at the solar energy facility by a licensed applicator. No herbicides shall be used within 150 feet of the location of an approved ground water well. The Applicant shall submit an herbicide land application plan prior to approval of the certificate of occupancy (or equivalent). The plan shall specify the type of herbicides to be used, the frequency of land application, the identification of approved groundwater wells, wetlands, streams, and the distances from land application areas to features such as wells, wetlands, streams and other bodies of water. The operator shall notify the County prior to application of pesticides and fertilizers. The County reserves the right to request soil and water testing.
- 6. *Decommissioning and Reclamation Plan.* The Applicant will submit a final decommissioning and reclamation plan in accordance with these regulations for review and approval by the Zoning Administrator.
- 7. The Applicant shall reimburse the County its costs in obtaining independent third-party reviews as required by these conditions.
- (c) The design, installation, maintenance, and repair of the Solar Facility in accordance with the most current National Electrical Code (NFPA 70) available (2014 version or later as applicable).
- (d) If the solar facility does not receive a building permit within eighteen (18) months of approval of the Conditional Use Permit, the Permit shall be terminated.
- (e) If the solar facility is declared to be unsafe by the zoning administrator or building official, the facility must be in compliance within fourteen (14) days or the Conditional Use Permit shall be terminated, and system removed from the property.
- (f) The owner and operator shall give the County written notice of any change in ownership, operator, or Power Purchase Agreement within thirty (30) days.

**Sec. 16-410 Additional Conditions**

- (a) In approving a conditional use permit, the Board of Supervisors may consider conditions that require:
  - 1. Dedication of real property of substantial value; or
  - 2. Substantial cash payments for or construction of substantial public improvements, the need for which is not generated solely by the granting of a conditional use permit, so long as such conditions are reasonably related to the project.
- (b) The Board may include other reasonable conditions as permitted by state law and as otherwise provided for in this Article.
- (c) Once a condition is granted, it shall continue in effect until a subsequent amendment changes the zoning on the property for which conditions were granted. However, such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Susan Seward, Chairman of the Board of Supervisors

Attest:

\_\_\_\_\_ Shilton Ricks-Butts, Clerk

Approved as to Form:

\_\_\_\_\_ Jeff Gore County Attorney

**BOARD ACTION FORM**

**Agenda Item:** Unfinished Business #8.02

**Subject:** Redistricting Mapping Update

**Board Meeting Date:** February 17 2022

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**Summary:** The redistricting mapping committee met at the Crater PDC office in Petersburg on February 11 to review various redistricting options for the consideration of the Board of Supervisors. The committee will provide an update on the status of redistricting options for the full board’s consideration. Once the board decides on a potential redistricting map, a public hearing will be scheduled as a next step.

**Attachment:** None

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**ACTION:** None anticipated

**MOTION BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

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\_\_\_\_\_

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\_\_\_\_\_

<u>Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Member</u>	<u>Aye</u>	<u>Nay</u>
Fly	___	___	Seward	___	___
D. Jones	___	___	Tyler	___	___
W. Jones	___	___	White (Tie Breaker)	___	___

