

Virginia:

At the regular monthly meeting of the Board of Supervisors held at the Charles City County Government Administration Building on **Tuesday, July 26, 2022, at 6:00 pm** in the 226th year of the Commonwealth and 388th year of the County.

PRESENT: William G. Coada, Chairman
Byron M. Adkins, Sr. Vice Chairman
Gilbert Smith, Member

RE: CALL TO ORDER & PLEDGE OF ALLEGIANCE

The Board's Chairman, Mr. William G. Coada called to order the regular monthly Board of Supervisors meeting. The Pledge of Allegiance was said in unison by the Board of Supervisors. Board Member, Mr. Gilbert Smith made a motion to go into Executive Session for legal. The motion was passed unanimously. The board returned from Executive Session and Mr. Gilbert Smith made a motion to return to Open Session. The motion was passed unanimously.

RE: ADOPTION OF THE AGENDA

Mr. William G. Coada asked for a motion to adopt the agenda with the amendment to add Item 1A, under Executive Session. A motion was made by Vice Chairman, Mr. Byron M. Adkins, Sr. to adopt the agenda with the amendment to add item 1A under Executive Session. The motion was passed unanimously.

RE: CONSENT AGENDA

County Administrator, Ms. Michelle Johnson requested approval of the consent agenda. Approval of Board of Supervisors Meeting Minutes, June 28, 2022, the Joint Board of Supervisors Town Hall Minutes, July 12, 2022, Jacobs Invoice for services through June 17, 2022, and appropriations for August 2022. Ms. Michelle Johnson asked for the consent agenda to be adopted. The Board Member, Mr. Gilbert Smith motioned to approve the consent agenda with the amendments. The motion was passed unanimously.

SCHOOL BOARD
 Rodney Tyler, Chair
 Joy Harris, Vice Chair
 Martha Hams
 E. Preston Adkins
 Royce Paige



10035 Courthouse Road
 Charles City, Virginia 23030

Dalphine A. Joppy, Ed.D.
 Superintendent

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Charles City County Board of Supervisors
 Post Office 128
 Charles City, Virginia 23030

July 19, 2022

To: Charles City County Board of Supervisors

The Charles City County School Board respectfully requests the following appropriations for operations of schools for Appropriations for the period starting August 1, 2022 and ending September 30, 2022.

FY23 Budget (Pending)*	Adjustments	FY23 Budget as Amended	Prior Approved YTD Appropriations	This Request - August 1, 2022 to September 30, 2022	Year to Date Appropriation Requested	Balance, Unrequested at This Time
\$ 12,688,517	\$ -	\$ 12,688,517	\$ 1,268,852	\$ 2,537,703	\$ 3,806,555	\$ 8,881,962

Total Appropriations by Month:	July	\$ 2,268,852	Oct-Dec	\$ -	April-June	\$ -
	Aug-Sept	\$ 2,537,703	Jan-Mar	\$ -		
	Total Year to Date				\$ 3,806,555	

* Includes Self-Sustaining Grants Fund

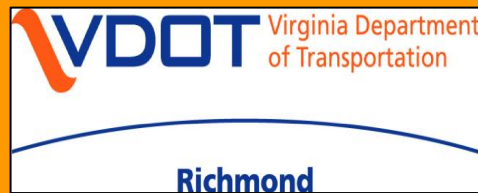
Approved:

Chair, Charles City County School Board

Sincerely,

Dalphine A. Joppy, Ed.D.
 Superintendent of Schools

RE: PRESENTATIONS



ASHLAND RESIDENCY

**MARSHALL WINN
RESIDENCY ADMINISTRATOR**

VDOT Call Center (800) 367-ROAD

CHARLES CITY COUNTY July 2022

MAINTENANCE:

JEFF ALLGOOD

Pothole Repair

- 612 Ruthville Rd
- 627 Old Neck Rd

Contractor Pothole Repair

- 614 Sturgeon Point Rd
- 615 The Glebe Ln
- 609 Barnetts Rd

Asphalt Patch w Tar & #8 Stone

- 623 Wilcox Neck Rd

Sweep Roadway

- 623 Wilcox Neck Rd
- 627 Old Neck Rd

Shoulder Repair

- 609 Barnetts Rd @ Saw Mill; cut high shoulders w/ Gradall
- 5 John Tyler Memorial Hwy; Parrish Hill Church
- 5 John Tyler Memorial Hwy; Sherwood Forest

Driveway Repair w/ Stone

- 638 Mapisco Rd
- 624 Horse Shoe Rd; 19151

Ditch Repair w Gradall

- 623 Wilcox Neck Rd; 12023

Ditch Cleaning w Gradall

- 610 Green Oak Rd

Ditch Cleaning w R/A Tractor

- 648 New Quarters Rd
- 614 Sturgeon Point Rd
- 615 The Glebe Ln @ 614 Sturgeon Point Rd
- 625 West Run Rd
- 631 Cool Hill Rd
- 603 Old Union Rd

Pipe Replace

- 648 New Quarters Rd; Cross-Road
- 648 New Quarters Rd @ 607 Church Ln; Cross-Road
- 625 West Run Rd; 5610 Driveway

Pipe Cleaning (807 Ft)

- 607 Church Ln
- 625 West Run Rd
- 615 The Glebe Ln
- 623 Wilcox Neck Rd
- 624 Horse Shoe Rd
- 613 Sandy Point Rd
- 614 Sturgeon Point Rd

Beaverdam Removal

- 614 Sturgeon Point Rd
- 620 Lewis Tyler Ln
- 626 Old Elam Cemetery Rd

Tree Removal / Cleanup

- 618 Adkins Rd

Tree Limbing / Cleanup

- 155 Courthouse Rd
- 652 Wiant Ln
- 661 The Loop Rd

Tree Debris Cleanup

- 618 Adkins Rd; 3 trees in road
- 155 Courthouse Rd

Contractor Mow - 1st Cut

- All Secondary Routes

Mow Primary Routes

- 5 John Tyler Memorial Hwy; East/West
- 156 Roxbury Rd
- 106 Roxbury Rd
- 155 Courthouse Rd

Mow Secondary Routes

- 644 Courthouse Green Way
- 603 Old Union Rd
- 615 The Glebe Ln

Weed Eating

- 5 John Tyler Memorial Hwy

Site Distance Cutting w R/A Tractor

- 609 Barnetts Rd; 3331
- 609 Barnetts Rd; 5041
- 614 Sturgeon Point Rd
- 619 Weyanoke Rd
- 638 Mapisco Rd
- 629 Alpine Rd
- 661 The Loop Rd
- 155 Courthouse Rd
- 623 Wilcox Neck Rd @ 627 Old Neck Rd

Signs

- 627 Old Neck Rd; Speed Limit

Debris

- 155 Courthouse Rd
- 609 Barnetts Rd; Couch
- 627 Old Neck Rd @ 623 Wilcox Neck Rd; Gravel

Litter / Trash Bag Pickup (52 Bags)

- 619 Weyanoke Rd
- 638 Mapisco Rd
- 5 John Tyler Memorial Hwy
- 602 Lot Cary Rd

Bike Trail

- Blow Trail & Bridges
- Cut Grass West of 155 Courthouse Rd
- Cut Grass near 618 Adkins Rd

- Cut Grass East of 623 Wilcox Neck Rd
- Repair Wooden Deck Boards on Bridges

Miscellaneous

- Dead Animal Removal; Primary & Secondary
- Stock Pile #21-A Stone
- Cut Grass on Primary & Secondary Routes
- 30 Eltham Rd; assist New Kent AHQ

Work Requests

- 56 Received
- 53 Completed

Emergency Callout after Hours (2)

- 155 Courthouse Rd; Tree down in roadway
- 5 John Tyler Memorial Hwy @ 618 Adkins Rd; High water in road

Next Month's Agenda

- Customer Complaints
- Bike Trail Cleanup
- Litter Pickup County-Wide
- 615 The Glebe Ln; Pull Shoulder & Ditches
- Pot hole & Asphalt Repair

The VDOT representative, Mr. Marshall Winn reviewed the July monthly report for VDOT. There were fifty-six work orders and completed fifty-three. VDOT had two callouts and completed the second cycle of primary mowing. The first cycle of primary mowing is completed. There were eight hundred feet of pipe cleaning done. Fifty-two bags of trash were picked up. There was an incident over the weekend where someone dumped a pile of shingles on Charles City Road. VDOT cleaned this up this morning. Ditching on the Glebe will start next week. Shoulder and ditch work will begin in that area as well. Dead pine was cut over near Union Baptist Church today. Mr. Russell Crawley approved where we could cut. Mr. William Coada asked if the Board had any questions or comments. Mr. Byron M. Adkins, Sr. thanked Mr. Stanley for his continued support and efforts, and communication. Mr. Byron M. Adkins, Sr. asked Mr. Marshall Winn if the ditch cleaning will consist of dirt being hauled out. Mr. Marshall Winn responded this will be dirt hauled out.

Mr. William G. Coada stated at the joint town hall meeting it was discussed that patching and pothole repair had been done in preparation for the bike races. Mr. Marshall Winn stated he did not know about this. Mr. William G. Coada asked Mr. Marshall Winn if he could look into this. It was noted that VDOT did the repairs. He advised Mr. Marshall Winn to let Ms. Michelle Johnson know his findings. Mr. Lonnie Joyner is looking for an exception for his driveway for his business. It is too close to the road. He submitted his request to the downtown VDOT office

possibly sixty days or more ago and has not received a response. Mr. Marshall Winn gave his email address as a point of contact.

Mr. William G. Coada asked if any citizens had questions or comments for the VDOT representative that they please come to the podium to capture their feedback.

Mr. Bill Walton: He thanked Mr. Marshall Winn for repairing the potholes for the races at Wilcox Neck Road, The Glebe Lane, and Sturgeon Point Road. He asked if anything has been done about the truck traffic on The Glebe, Sturgeon Point, Sand Hill, and Wilcox Neck Road. VDOT paints the lines, then puts down asphalt, and then comes back and paints the lines and puts tar and gravel over it; a waste of time. This has been done this year.

Mrs. Linda Cooke: She showed Mr. Marshall Winn a paper that had a picture of a sign. She asked Mr. Marshall Winn if this was a VDOT sign. Mr. Marshall Winn stated that it was indeed a VDOT sign. Mr. Marshall Winn asked where the sign was located. Mrs. Linda Cooke stated near Route 617 off Monguy Road. The sign is either on the wrong side of the road or the wrong side of the post. She states that the sign says you are entering Charles City County, when in fact you are leaving Charles City County. Mrs. Cooke advised that her husband is working on Charles City roads. There is a portion of the road that is paved and a portion that is not. Her husband is working his tractor on the roads. On Route 617 in New Kent County, 2.75 miles are all off surface roads. These roads are not in Charles City. How can these roads be maintained, and not the ones in Charles City County? Mr. Marshall Winn advised he would look into this.

Mr. Sullivan: Courthouse Road in front of the building has not been repaired or maintained. Nothing has been done to improve the road. It is dangerous for bikers. VDOT should resurface. On Field Road, this is part state and part private. Charles City built an opening, and it is only 14 feet wide. It is supposed to be 18 feet wide. Mr. Marshall Winn stated that it depends on if it is widened on that part of the road.

Mr. Byron M. Adkins, Sr stated two truck drivers who travel Glebe Lane, and Sturgeon Point Road frequently would like to have VDOT ride with them to get a first-hand perspective of what it is like traveling those particular roads.

Mr. William G. Coada stated the bike races discussion will occur in the next few months. He asked Mr. Marshall Winn if the bike path is maintained by VDOT. Mr. Marshall Winn stated yes, they do. Mr. William G. Coada asked if a biker runs the stop sign on the bike path, are they in violation of running a stop sign in the state of Virginia? Mr. Marshall Winn responded he thought this to be true. Mr. William G. Coada asked Major Leslie Comer what his response would be. Major Leslie Comer responded he was unsure if it is a stop sign violation or a violation of something else. Mr. William G. Coada advised that he was under the impression that bikers are to obey all rules of the road. He asked Major Leslie Comer to get back to Ms. Michelle Johnson with this information. Mr. William G. Coada stated that he would like to know if the Charles City County deputies can issue a summons.

VDOT Representative, Mr. Philip Frazier presented to the Board of Supervisors on the Old Union Road, and Charles City Road truck restriction. He stated that emergency vehicles and

campers would not be in this request. You have to restrict on both sides of the county. There is a proposed alternate route that is from VDOT. You have to look at the conditions that were met and not met. The following items show conditions met:

Charles City Road

CTB Guidelines Criteria	Criteria Met?
1. A reasonable alternative route is provided	NO
2. The character and/or frequency of the truck traffic on the road to be restricted are not compatible with the affected area.	YES
3. The roadway is residential in nature-typically there must be at least 12 dwellings combined on both sides within 150 feet of the roadway centerline per 1,000 feet of roadway.	NO
4. The road to being restricted is functionally classified as local or collector.	YES

Old Union Road

CTB Guidelines Criteria	Criteria Met?
1. A reasonable alternative route is provided	NO
2. The character and/or frequency of the truck traffic on the road to be restricted are not compatible with the affected area.	YES
3. The roadway is residential in nature-typically there must be at least 12 dwellings combined on both sides within 150 feet of the roadway centerline per 1,000 feet of roadway.	NO
4. The road to being restricted is functionally classified as local or collector.	YES

Mr. Philip Frazier advised that the issue is going to be criteria number one. “That a reasonable alternative route was not submitted.” The reasonable alternate route for Old Union Road is 2.2 miles in length which is about four minutes. Route 106 is about 5-19.2 miles in length which is about 25 minutes. Route 60, is about 14.9 miles in length, about twenty-two minutes. A reasonable alternate route for Charles City Road is 4.4 miles in length which is about

seven minutes. Route 16, is 5-20.6 miles in length, 26 minutes. Route 60, 13.1 miles in length is about 18 minutes. The number of crashes for Old Union Road for trucks is a total of four at Route 106 from Route 603 to Route 5 at Route 156 with the County alternate route. Crashes for Charles City Road for trucks are 10 at the Charles City County alternate route using Route 106, from Route 600 to Route 5/ Route 156. Henrico County's alternate Route at Route 3 from Route 156 to Route 16 is 13 truck crashes. Mr. Byron M. Adkins, Sr asked what is the timeframe of the crash data report. Mr. Phillip Frazier responded six years.

Mr. William G. Coada asked Mr. Phillip Frazier why would VDOT not advise the county the criteria for the through truck restriction were not met eighteen months ago. Board Member, Mr. Gilbert Smith, said he appreciated Mr. Phillip Frazier coming to let the board know their decision. He does not want anyone harmed, or even worse killed due to trucks coming through. Mr. Byron M. Adkins, Sr stated possibly having some other safety measures put in place or developed.

Mr. Phillip Frazier advised Old Union Road does meet the criteria, however, Charles City Road does not. Charles City Road becomes the alternate route. Charles City and VDOT can partner to improve our roads. Mr. Byron M. Adkins, Sr asked if there were lines on Old Union Road. Ms. Michelle Johnson stated yes, there are lines on Old Union Road. Mr. William G. Coada asked Mr. Washington if there were lines on Old Union Road. Mr. Washington responded, yes. Mr. William G. Coada advised the board was waiting for signs to be put regarding the truck restriction. He also stated he would never support co-funding in Charles City County. The question was asked by Mr. William G. Coada how much does it cost to widen, put down lines, and put asphalt on a road? Mr. Phillip Frazier responded, 1-foot to either side, \$350,000 per center lane mile. Ms. Michelle Johnson stated the county will work with VDOT to see if they have any other options.

Director of Information Technology, Mrs. Wendy Payne presented to the board The current status of Charles City Information Technology. Mrs. Wendy Payne started with the top 10 projects on March 2, 2022- June 30, 2022.

Vendor Management: Implemented forms for staff to track vendor communications. The form will create a reference file for vendor management

Elections and Public Safety Support: IT staff was sworn in by the Registrar's office to provide technical support. Collaborated with the Virginia State Board of Elections in identifying the technical support areas.

Create a backup dispatch center located in the new Fire/EMS station for disaster recovery: IT met with the Fire Station developers to discuss the infrastructure needed to finalize a Backup Dispatch Center in our new Roxbury Fire and EMS station.

All server rooms will have card key access and sufficient HVAC systems: IT has worked with the Public Works Department in preparation to provide adequate cooling in our server rooms to preserve our newly replaced network infrastructure. Card Key access has been purchased and is pending installation.

Access to Virginia Criminal Information Network (VCIN) in the office of the Commonwealth Attorney: VCIN equipment has been installed in the Commonwealth Attorney's office and a designated member of his staff has received the VCIN certification. Commonwealth Attorney's office approved by Criminal Justice (CJUS).

Mobile Data Terminals (MDT) for Fire & EMS and Toughbooks for Sheriff Deputies: Information Technology has configured all devices and pending updates from our CAD Vendor in preparation for the physical installation.

First Cellular Public Safety Network in Charles City: IT has worked with Verizon to create the first Cellular/Wireless Network for the Public safety staff. This function promoted a seamless transition for Public Safety as they navigate between Cellular and wireless networks.

Replacement of department laptops in preparation for software upgrades: All laptops reported as having slow processing have been replaced to improve our day-to-day operations.

A centralized HVA management for public works accessibility: The HVAC Systems for the Government Administration Building and the Library have been configured for network management

Improve the Parcel Records Viewer for Public Use: Our Parcel Record Viewer will launch in January of 2023.

New initiatives in Charles City County Information Technology are:

- Website quick link on the main page to access agendas and minutes
- Increased technology training for government users
- Next-gen 911 technical requirements are 95% complete
- Message board implementation in County facilities
- Website Redesign- finalization date TBD

There were no questions at this time regarding the Information Technology presentation.

Assistant County Administrator, Dr. Rhonda Russell recognized the Spring 2022 Neighborhood College Graduates. She asked the graduates to join her at the podium. The graduates were Lloyd Carter, Byron M. Adkins, Sr, Rita Cotman, Regina Harris, Paula Cotman, and Bernice Adkins. Sylvia Christian was selected as the class speaker. She gave an inspiring speech about the class and gave a raving acknowledgment to Ms. Michelle Johnson that ended in a standing ovation for all of the hard work she is doing in Charles City County. The graduates received their certificates from Mr. William G. Coadas as pictures were taken to capture the celebratory moment.

Mr. William G. Coadas presented Human Resources Director, Mrs. Thalia Bowen with a plaque and a monetary gift from the county. Mrs. Thalia Bowen will be leaving the county after twenty-two years of service due to her family relocating. The county advised Mrs. Thalia Bowen that they will miss her and wish her well in her future endeavors. Mrs. Thalia Bowen thanked the board for the good wishes as she and her family embark on this new endeavor. It is bittersweet.

Charles City County raised her. She states she is an honorary citizen. She thanked the board for the opportunity to serve the county.

RE: PUBLIC COMMENT PERIOD

Mr. William G. Coada opened the first comment period of the evening. The disclosure was given that those commenting individually have three minutes, and as a group will have five minutes. The board does not answer questions, nor establish dialogue during the Public Comment period.

Mr. Lloyd Carter: Buchanan County rural community of 21,000 people is not getting the response they thought they would from the Governor because of the emergency with flooding. As the county closes out Vision 2040, they might want to revisit our flood plan. We only have 7,000 people in our community are we going to have the support that we think we will have from the Governor? Something the board might want to take a second look at.

Mr. Washington: He was very disappointed with the VDOT decision regarding the Old Union and Charles City Road truck restrictions. He extended a thank you to the board for the work they have done. VDOT looks at numbers, and the county looks at people. One death is too much. He also thanked the board for assisting Thalia with her career journey in Charles City County. She is a real jewel.

Mr. William G. Coada closed the comment period.

RE: PUBLIC HEARING

Ms. Michelle Johnson read the public hearing notice for the combined public hearings 09-2022(a text amendment submitted by Borrego Solar to add to Section 3 definitions of the Charles City County Zoning Ordinance) and 10-2022(a text amendment submitted by Borrego Solar to add Section 5-3).

Notice is hereby given that the **Charles City County Board of Supervisors will hold a public hearing on July 26, 2022, at 6:00 P.M.** or as soon thereafter as possible, in the Government Administration Building, located at 10900 Courthouse Road, Charles City, VA 23030 to receive public comment on and consider the following:

TXT Amendment-09-2022: A text amendment submitted by Borrego Solar to add to Section 3 Definitions of the Charles City County Zoning Ordinance *Small Scale Solar Energy Facility* and *Medium Scale Solar Energy Facility*. Further to modify the existing definition of a Solar Facility by adding the term *Utility Scale* to specify the existing Solar Facility definition is a larger operation than the other 2 definitions being added.

TXT Amendment-10-2022: A text amendment submitted by Borrego Solar to add Section 5-3 Uses with Special Use Permit *Small Scale Solar Energy Facility*, and *Medium Scale Solar Energy Facility* and to modify the existing Solar Facility use to *Utility-Scale Solar Energy Facility*.

A presentation from Borrego, Ms. Jessie Robinson, and Mr. Andrew Kavanaugh was presented to the board. Andrew gave the project overview and Jessie talked about community outreach. Types of Solar Projects are small/medium scale which is 15 to 40 acres, and Utility-Scale which is 40 plus acres.

EXISTING ORDINANCE

Solar Energy Facility: A facility greater than 5 megawatts (MW) consisting of solar panels, modules, accessory structures, and related equipment (e.g., heat exchanger, pipes, inverter, wiring, storage) that collects solar energy and converts it into heat and/or electricity. This definition is not intended to regulate solar structures on individual residential or business properties primarily serving the energy needs of the subject property, so long as such structures meet applicable requirements of local, state, and federal regulations. (Amended 6/27/2017)

PROPOSED ZONING ORDINANCE TEXT AMENDMENTS:

Solar Energy Facility, Small Scale: A facility that generates electricity from sunlight on an area adequate to support a rated capacity of greater than one megawatt (1 MW) but less than two megawatts (2 MW), consisting of solar panels, modules, accessory structures, and related equipment (e.g., heat exchanger, pipes, inverter, wiring, storage) that collects solar energy and converts it into heat and/or electricity. This definition is not intended to regulate solar structures on individual residential or business properties primarily serving the energy needs of the subject property, so long as such structures meet applicable requirements of local, state, and federal regulations.

Solar Energy Facility, Medium Scale: A facility that generates electricity from sunlight on an area adequate to support a rated capacity greater than two megawatts (2 MW) alternating current but less than five megawatts (5 MW) alternating current, consisting of solar panels, modules, accessory structures, and related equipment (e.g., heat exchanger, pipes, inverter, wiring, storage) that collects solar energy and converts it into heat and/or electricity. This definition is not intended to regulate solar structures on individual residential or business properties primarily serving the energy needs of the subject property, so long as such structures meet applicable requirements of local, state, and federal regulations.

Solar Energy Facility, Utility Scale: A facility that generates electricity from sunlight on an area adequate to support a rated capacity of five megawatts (MW) alternating current or greater, consisting of solar panels, modules, accessory structures, and related equipment (e.g., heat exchanger, pipes, inverter, wiring, storage) that collects solar energy and converts it into heat and/or electricity. This definition is not intended to regulate solar structures on individual residential or business properties primarily serving the energy needs of the subject property, so long as such structures meet applicable requirements of local, state, and federal regulations.

SMALL-SCALE SOLAR BENEFITS

- Increases local revenue (taxes & voluntary payment)
- For Shared Solar, the ability for Dominion Energy customers to subscribe and receive a bill credit
- Temporary installation

- Quiet neighbor
- No increase to traffic
- Allows soil to sit fallow and increases soil productivity
- Diversifies the local economy without burdening infrastructure
- Creates 30-40 construction jobs; 2 long-term jobs
- Provides clean energy to the grid, powering local homes, restaurants, and businesses
- Improves reliability of the interconnection grid
- Native seed mix allows for an increase in groundwater recharge and reduced runoff
- No pesticides or fertilizers are used, which will contribute to improved public health and general welfare.

Mr. William G. Coady opened the first comment period of the public hearing for the evening. The disclosure was given that those commenting individually have three minutes, and as a group will have five minutes. The board does not answer questions, nor establish dialogue during the Public Comment period.

Gerald Barnes: Lives by the proposed plan. There was no discussion about the storage of the other panels. He is against solar panels. He posed the question of how would people feel about being surrounded by panels. It is not a pleasant site. It is not the right thing to do.

Lloyd Carter: Anywhere the county has three phases they can put this. There is a three-phase current on Route 155.

Mr. William G. Coady closed the public comment period.

Mr. William G. Coady asked the Civil Engineer for Borrego, Mr. Andrew Kavanaugh to come to the podium. Mr. William G. Coady asked what two to four long-term jobs would this project bring. Mr. Andrew Kavanaugh stated the jobs would be maintenance, electrical work, and mowing. Mr. William G. Coady asked if these jobs would be stationed in Charles City County. Ms. Jessie Robinson responded the jobs would be contracted to hire. Mr. Andrew Kavanaugh asked if there were any specifics the board was looking at. Mr. William G. Coady asked if the solar panel project was to be approved, do you have decommissioning plans in place and how often will it be amended. Mr. Andrew Kavanaugh responded yes, there is a decommissioning plan in place, and it is amended every five years. Ms. Rhonda Russell advised that a SUP is required. Mr. William G. Coady stated that it is .34% of the land mass is what is being looked at. Ms. Jessie Robinson stated yes, that is the percentage. Mr. William G. Coady asked what the life span is for the solar panels. Ms. Jessie Robinson said it is two years with the option to expand to forty years.

Mr. William G. Coady advised when a company comes to the board and wants to amend our ordinance it scares me. We are looking at having solar panels on every corner. We have consumed a lot of the county with solar panels.

Mr. Gilbert Smith asked if the SUP had been applied for and sent to the Planning Commission. Mr. Gary Mitchell from the Community Development department advised the SUP has been submitted and presented to the Planning Commission, but not the new information. Mr.

Gilbert Smith stated that he agreed with Mr. William G. Coada about developers coming in and wanting to do business. How much land mass will we lose if we keep getting solar panels? The solar panels need to slow down or stop.

Mr. William G. Coada stated there is a SUP that has been postponed due to advertising issues. If this SUP gets approved the county will have over 78% of its land mass sitting under solar panels. He thinks the county has done its part in the green movement in the country.

Mr. Gilbert Smith stated that the Charles City County Board of Supervisors finds that public necessity, convenience, general welfare, and good zoning practice would not be served with the approval of the zoning ordinance text amendment as requested by Borrego; Charles City County deems that the requested text amendment is not in compliance with the Charles City Comprehensive Plan. The adoption of the text amendment would alter the land use designations and character of this area of the County. Mr. Gilbert Smith made the following motion to deny this zoning text amendment. Charles City County Board of Supervisors hereby denies the zoning text amendment requested by Borrego, in accordance with §15.2-2200 of the *Code of Virginia*, 1950 as amended based upon the foregoing reasons. The motion was passed unanimously.

Ms. Michelle Johnson read the public hearing notice for the combined public hearings 01-2022 (Charles City County to repeal Division 2, Section 5-4 Area Requirements, 02-2022 (To amend Section 3 Definition of the Charles City Zoning ordinance), 03-2022 (To amend Section 3 Definitions of the Charles City County Zoning Ordinance by revisions and additions)

TXT Amendment-01-2022: Charles City County to repeal Division 2, Section 5-4 Area Requirements, 5-5 Setback Requirements, 5-6 Width Requirements, 5-7 Yard Requirements, 5-8 Height Requirements, 6-4 Area Requirements, 6-5 Setback Requirements, 6-6 Width Requirements, 6-7 Yard Requirements, 6-8 Height Requirements, 7-4 Area Requirements, 7-5, Setback Requirements, 7-6 Width Requirements, 7-7 Yard Requirements, 7-8 Height Requirements, 8-4 Area Requirements, 8-5 Setback Requirements, 8-6 Width Requirements, 8-7 Yard Requirements, 8-8 Height Requirements, 9-4 Area Requirements, 9-5 Setback Requirements, 9-6 Width Requirements, 9-7 Yard Requirements, 9-8 Height Requirements, 10-4 Area Requirements, 10-5 Setback Requirements, 10-6 Width Requirements, 10-7 Yard Requirements, 10-8 Height Requirements, 11-4 Area Requirements, 11-5 Setback Requirements, 11-6 Width Requirements, 11-7 Yard requirements, 11-8 Height Requirements, 12-4 Area Requirements, 12-5 Setback Requirements, 12-6 Width Requirements, 12- Yard Requirements, 12-8 Height Requirements, 13-4 Area Requirements, 13-5 Setback Requirements, Section 13-6 Width Requirements, 13-7 Yard Requirements, 13-8 Height Requirements 14-4 Area Requirements, 14-4 Setback Requirements, 14-6 Width Requirements, 14-7 Yard Requirements, and 14-8 Height Requirements and adopt a new section entitled *Section 34 Lot Area and Bulk Requirements* which shall contain a comprehensive list by zoning district of all Lot Area and Bulk Requirements. This new section will contain the setbacks, lot sizes, lot frontage, lot coverage, lot width, building height, and lot depth for

all existing Zoning Districts in a single section of the ordinance. These requirements are spread through different sections of the ordinance and the new section brings these items into a new single section of the ordinance. The new section clarifies the existing lot and bulk area requirements. By placing them in a single section of the ordinance it will assist in the administration of the ordinance and provide clear transparency of ordinance requirements. This new section also includes a setback averaging process for pre-existing lots in the Agricultural Zoning District.

TXT Amendment-02-2022: To amend *Section 3 Definitions* of the Charles City Zoning ordinance by addition of several new definitions for terms used in the ordinance for which there is no definition. The terms being proposed for addition are buffer, lot frontage, and VDOT.

TXT Amendment-03-2022: To Amend Section 3 Definitions of the Charles City County Zoning Ordinance by revisions and additions to the following terms: Lot Area and Bulk Area, Ultimate VDOT Right-of-way (ROW), Ultimate ROW Determination, lot, Building - principal, Building - accessory and setback.

Mr. Gary Mitchell presented the Lot & Bulk Area Requirements. There are 3 text amendments:

Add a table that consolidates all zoning, subdivision, water protection, etc. ordinances into a single location which clarifies the requirements for plats and site plan preparation. Add a section to allow setback averaging when pre-existing structures, on existing lots do not meet current setbacks. Add several definitions to the ordinance, an example is the word Buffer, used in several places in the ordinance but is not specifically defined. Currently, we are up to 8 different ordinances that have to be considered when developing property

The text amendments will make the administration of the ordinance more efficient and transparent

These text amendments consolidate and clarify the requirements when a property owner wants to develop their property

Mr. William G. Coad asked if these text amendments will make it easier to acquire structures built in Charles City County. Mr. Gary Mitchell responded yes, it would.

Mr. William G. Coad opened the second comment period of the public hearing for the evening. The disclosure was given that those commenting individually have three minutes, and as a group will have five minutes. The board does not answer questions, nor establish dialogue during the Public Comment period.

Ms. Tina Armstead: Advocate the change in the variant text as it relates to the existing properties less than 100 feet off the road. There should be some advantages for homes that are less than 100

feet off the road. Most of the homes were built well before his variance was put in place. They should be exempt from county variances. Citizens need assistance with properties; especially the seniors. The process is grueling, and most citizens do not understand the process and are frustrated by it. Utilize fewer county resources. \$1,000 is a lot and is hard to come by nowadays for some citizens. Allow funds to be reallocated to schools, reading, and social services. Residual retention, allow for future growth of this royal oasis.

Mr. William G. Coada closed the public comment period.

Mr. Gilbert Smith made a motion on the staff recommendation to approve TXT amendments 01-2022, 02-2022, and 03-2022. The motion was passed unanimously.

RE: BOARD OF SUPERVISORS APPOINTMENTS

Mr. Gilbert Smith motioned to appoint Mr. Richard Schoen and Mr. Michael Englert to the Landfill Advisory Board. The motion was passed unanimously.

Mr. Byron M. Adkins, Sr, made a motion to appoint Glenda Greene to the District Three Broadband Board, Brian Wade to the Transportation Boards and Commission, Lakeisha Bradby to the Parks & Recreation Advisory Board, Lara Templin to the Center for Local History (she is replacing Mr. John Tabb), Patricia Bajerst, Marion Christian, and Dr. Yvonne Smith- Jones to the Parrish Hill School Planning Committee. The motion was passed unanimously.

Mr. Byron M. Adkins, Sr. made a motion for the Board of Equalization to go from a three-member board to a five-member board. Three core members and two at-large. The motion was passed unanimously.

Mr. William G. Coada had no appointments at this time.

Mr. Gilbert Smith is looking for three appointments for the Board of Zoning Appeals, Housing Task Force, and Heritage Public Library.

RE: COUNTY ADMINISTRATOR'S REPORT

Mr. William G. Coada asked Mr. Kevin Sullivan to give a summary of the voting machines. Mr. Kevin Sullivan stated the state legislature has passed a law the county needs to have seven voting machines. The county currently has four; one for each district and one in the registrar's office for an absentee ballot. This change in the law is that each district has a separate machine. Mr. William G. Coada asked if two of these voting machines are being used in the registrar's office. Mr. Kevin Sullivan's response was no, currently, the machines are from the voting system. The registrar has ordered two machines. \$8,000 will be refunded. The machines that we currently have will be sold back. They are seven that will be bought. These should be available to citizens in November. Everyone will be trained by the election date. Mr. William G. Coada asked if the dollar amount to buy machines from NES will be \$172,000 and if we will be

in compliance. Mr. Kevin Sullivan stated yes, that is the correct amount, and yes, we will comply.

Mr. Byron M. Adkins, Sr appreciates the efforts of the electoral board. Thank you for your efforts to assist the county with staying compliant. Mr. William G. Coada motioned the county to dedicate \$72,000 from the fund balance to report from the general fund to the electoral board. The motion was passed unanimously.

Sands Anderson, Charles City County Attorney gave information on the Solar Revenue Share Ordinance. Section 58.1-2636 of the Virginia Code authorizes any locality to adopt an ordinance to assess an annual revenue share on any solar project, subject to certain exemptions. The amount of annual revenue share can be up to \$1,400 per megawatt of capacity for the project. The only downside to the revenue share provisions is that the locality cannot assess M& T on the equipment (solar panels) that are part of the project. The request is to approve setting and advertising a public hearing for consideration of the solar revenue share ordinance at the August 23, 2022, board meeting.

Mr. William G. Coada asked if there is any depreciation. Sands Anderson replied there is no depreciation. You cannot apply this to existing projects. Citizens can opt in if they choose to. Mr. William G. Coada stated he ran numbers on all eighty solar farms, and on year eight they would have gone negative. Mr. William G. Coada asked Sands Anderson to give an example with a hypothetical figure and to get back to Ms. Michelle Johnson in a week or so. Mr. William G. Coada made a motion to approve setting and advertising a public hearing for consideration of the solar revenue share ordinance at the August 23, 2022, board meeting. The motion was passed unanimously.

Ms. Michelle Johnson presented the Ordinance for Taxes to the Commissioner of Revenue. This is an ordinance to amend the Charles City County code of ordinances to authorize the Treasurer to approve refunds of erroneous local taxes pursuant to Virginia Code ANN 58.1-3981. Mr. Gilbert Smith motioned to approve the ordinance for taxes for the Commissioner of Revenue. The motion was passed unanimously.

Ms. Michelle Johnson updated the board on the DEQ Notice of Violation. The county received four notices of violations from the Department of Environmental Quality for county wastewater facilities. They were: (1) Ruthville Community Center Wastewater Treatment Plant- Nov No. w2022-07-P-0001, (2) Charles City Administration Building- NOV No. W2022-P-0002, (3) Hideway Sewer Treatment Plant- NOV. No. W2022-07-P-0003, (4) Mt. Zion Rustic Water Treatment Plant- NOV No. W2022-07-P-0004. Staff met with DEQ representatives, Bowman Engineering, and Sydnor (CC third-party vendor) to discuss the findings and corrective action that would need to be completed to resolve the violations.

Training will be provided by DEQ for Charles City staff and Sydnor representatives.

Data will be resubmitted for all plants to verify reporting is correct. (Public Works Director, Mr. Ricky Hicks has completed this)

Charles City will recommend that the Ruthville plant be replaced with an already purchased plant that is currently located in Indiana.

Charles City will replace the Administration Building system for the regional wastewater plant. (\$185,000 to replace)

Most of the Hideaway problem is a result of I&I being disbursed into the system from the Mt. Zion system that is currently under construction. (Infrastructure and inflow-rainwater)

More research will need to be done for Mt. Zion because there are currently metals naturally in the soil that has caused the data to be skewed. (Received warnings about natural happenings)

After the plan is submitted, DEQ will evaluate and create the consent order for all the facilities and work with the county to resolve the issue.

The county is unsure what the fines will be. Sydnor has given the county a corrective action plan that we received on July 8, 2022. The calculations were done incorrectly, and we have to go back to February 2021. Mr. William G. Coady asked if the county can recoup some of its money. Ms. Michelle Johnson stated she is working on this.

Ms. Michelle Johnson presented the board with the Emergency Operations plan for 2022. We have added Covid protocol, Emergency Shelter Guidelines, Social Services shelter measures, and Fire & EMS. The county will go through some simulations with our EOC. Eighteen people on our Emergency Management Team had a hand in this plan. Mr. Byron M. Adkins, Sr stated this is one of the most organized, well-put-together plans I have ever seen. This needs to be an ongoing living document when the county goes into a disaster. This doesn't mean we don't prepare as you do not know what we will come up against. This exceeds anything I have seen before. Ms. Michelle Johnson stated Chief James "Jimmy" Johnson, and Public Works Director, Mr. Ricky Hicks were trained, and they can order items through WebEOC. We can plan five days out for these types of orders. Mr. Byron M. Adkins, Sr asked to add a public comment about Assistance with Buckingham County. Ms. Michelle Johnson stated this will go to VDEM for audit on an annual basis. Mr. Byron M. Adkins, Sr motion to approve the Emergency Operations Plan 2022. The motion was passed unanimously.

Ms. Michelle Johnson gave an update on all upcoming events:

Summer Sports Camps:

Camps Offered Basketball Tuesday through Thursday, July 26th -July 28th

Baseball/ Softball Tuesday through Thursday, August 2nd- August 4th

Football Tuesday- Thursday, August 9th- August 11th

\$15 per participant per camp. Minimum of three participants to facilitate

Ages 8-14 2:00-6:00 p.m.

Ages 15-18 6:00- 8:00 p.m.

Basketball Camp will be held at the Ruthville Gymnasium, 13100 The Glebe Lane, Charles City, VA. 23030

Basketball/Softball & Football Camps will be held at the Social Center Park 8320 Ruthville Rd, Providence Forge, VA. 23140

Virtual Vision 204 Goal 7; Tourism Wednesday, July 27, 2022, at 6:00 pm. Zoom link will be provided on the county website

Caregiver Support with Senior Connections. July 27, 2022, at 5:00 pm at the Heritage Public Library (Charles City location).

*National Night Out, August 2, 2022, from 5:00 pm-8:30 pm at Harrison Park, 5201 Harrison Park Road, Charles City Virginia, 23030. Live Band & DJ, free food, games, bounce house, public safety displays, contests, door prizes, and more.
For more information contact (804) 829-9265.*

Seaside Jar Candle. Adult craft class, Charles City- Wednesday, August 3, 2022, at 2:00 p.m. New Kent- Tuesday, August 16, 2022, at 6:00 p.m. Heritage Public Library.

HPG Chamber Presents August After Hours, hosted at Indian Fields Tavern and Sponsored by PRIMIS. Thursday, August 4, 2022, 4:00 pm-7:00 p.m. with Live music.

Train with Dre of Infinite Bodies -Aqua Fitness. Session 3 Friday, August 5th, 12th, 19th, and 26th from 6:00 pm- 6:45 p.m. The cost is \$40 per person. No make-up/refunds in the event of weather cancellations. Need a swimsuit and towel.

Charles City County Summer Concert Series. The concert is back at Harrison Park for the August and September concerts. Live performance by Julius Pittman & The Revival. Sponsored by Bowman Consulting, Blue Heron, Waste Management, Rivers Rest, and Dominion Energy. Gates open at 4:00 pm, Concert starts at 5 pm. No pets.

Vision 2040 Goal 8: Transportation. Monday, August 8, 2022, at 6:00 pm at the GAB in the auditorium. Free and open to the public.

Virtual Vision 2040 Goal 8: Transportation Wednesday, August 10, 2022, at 6:00 pm. A zoom link will be provided on the county website.

Intro to 3D Printing Workshop: Join us on August 3, 2022, at the New Kent Heritage Public Library, or on August 10, 2022, at the Charles City County Heritage Public Library. Registration is required. Ages 13 and up. New Kent (804) 966-2480, Charles City County (804) 652-2450.

Fire & EMS Town Hall Meeting, Thursday, August 11, 2022, at 6:00 pm at the Government Administration Building in the auditorium.

Farmers & Artisans Market sponsored by Dominion Energy, August 20, 2022, 9:00 a.m. – noon. 10900 Courthouse Road, Charles City, VA. 23030.

*Junior Fire Academy, August 27, 2022, from 9:00 a.m.-2:00 p.m. Government Administration Building, 10900 Courthouse Road, Charles City, Virginia, 23030.
For more information, call (804) 652-4511*

Cruisers Bike Rentals. Behind the Charles City County Visitors Center, 10780 Courthouse Road, Charles City, VA. 23030. Hourly rates. Fully contactless.

RE: PUBLIC COMMENT PERIOD

Mr. William G. Coada opened the first comment period of the evening. The disclosure was given that those commenting individually have three minutes, and as a group will have five minutes. The board does not answer questions, nor establish dialogue during the Public Comment period.

Anne Kinney: The county meetings are not on the calendar on the website

Preston Adkins: Dollar General on Route 155 needs a fence put up. Robberies have happened and it is very concerning. The trees and bushes make the roads look smaller. Cars have to pull over. We don't have ditches anymore. Also, football season is about to start, and the concert series stage needs to be moved before the season starts.

Mr. William G. Coada closed the public comment period.

RE: BOARD DIRECTIVES/COMMENTS

Board member, Mr. Gilbert Smith, had no directives at this time.

Vice-Chairman, Mr. Byron M. Adkins, Sr thank you to Public Works. Our senior citizens were out of water due to an issue, and it was resolved promptly. He commended Dr. Rhonda Russell for the Neighborhood College. This could be an onboarding for new hires and anyone who serves on the county's boards and commissions. He thanked the citizens who participated in the college. It gives a better understanding of the county business. Mr. Byron M. Adkins, Sr, citizens from District Three, staff, and Ms. Michelle Johnson, took a full tour of the Chickahominy River. He appreciates the staff holding its first Criminal Community Board meeting here. The staff is dedicated, we will drop the ball sometimes, but we work hard.

Chairman, Mr. William G. Coada stated at the joint town hall the bike races were discussed. There will be a special meeting dedicated to the bike races. How many bike races do we have scheduled for this year? Ms. Michelle Johnson responded possibly four to six. Mr. William G. Coada advised the meeting will be scheduled for August 30, 2022, from 6:30 pm – 8:30 pm, at the Government Administration Building in the auditorium. Send an invite to local churches, place ads in the Chronicle, and invite the Ruritans. He would like a statement from the Sheriff's Office about the benefits of being hired for the bike races. Mr. William G. Coada asked Major Leslie Comer if he would contact him about the legalities of the bike races. Ms. Michelle Johnson stated an outline will be put together.

RE: EXECUTIVE SESSION

Mr. William G. Coad asked if an Executive Session was necessary. Ms. Michelle Johnson responded there was a need for an Executive Session for Investment of Public Funds, Legal, and Personnel. Mr. Gilbert Smith made a motion to go into an Executive Session to discuss Personnel, Investment of Public Funds, and Legal. The motion was passed unanimously.

The motion was made by Mr. Gilbert Smith to return to Open Session. The motion was passed unanimously. The motion was made by Mr. Gilbert Smith to certify the Board of Supervisors only discussed public business matters exempted from statutory open meeting requirements identified in the motion to convene to Executive Session. The motion passed unanimously.

There being no further business, the Board **adjourned until Tuesday, August 23, 2022, at 6:00 pm for the Regular Monthly Board of Supervisors meeting.**

Prepared by Executive Assistant, Miranda Pyne