

**HALIFAX COUNTY BOARD OF SUPERVISORS
HALIFAX COUNTY PLANNING COMMISSION
Joint Meeting
County Administration Building
Board of Supervisors Meeting Room
1050 Mary Bethune Street
Halifax, VA 24558
January 17, 2023 / 6:15 PM**

A. CALL TO ORDER – Zoning Administrator

Zoning Administrator Detrick Easley called the organizational meeting to order at 6:15 p.m.

Planning Commissioner Watts gave the invocation.

B. ATTENDANCE ROLL CALL

Planning Commission members attending were: Mr. P. Riddle, ED1; Mr. D. Francis, ED2; Mr. B. Pearce, ED3; Ms. M. Cowan, ED5; Mr. J. Beard, ED6; Mr. J. Watts, ED7 and Ms. G. Smith-Mangum, ED8.

Planning Commissioner absent was: Mr. D. Reese, ED4

Staff members attending were: Mr. Scott Simpson, County Administrator; Mr. Detrick Easley, Planning/Zoning Administrator; and Ms. Olivia Epps, Strategic Programs Coordinator; and Mrs. Charlene Hendricks, Executive Administrative Assistant.

Planning Commission conducted Roll Call and determined a quorum was present.

C. ORGANIZATION

Mr. Easley opened the floor for nominations of Chairman for the Calendar Year 2023.

Motion made by Commissioner Smith-Mangum, seconded by Commissioner Watts, to nominate Commissioner Mattie Cowan to serve as Chairman for 2023.

Mr. Easley asked if there were any other nominations for Chairman. There were no further nominations.

Mr. Easley asked for a roll call vote on the question of Commissioner Cowan as Chair.

ROLL CALL VOTE

Commissioner Pete Riddle	Yes
Commissioner Will Reese	Absent
Commissioner Bruce Pearce	Yes
Commissioner Dustin Francis	Yes
Commissioner Mattie Cowan	Abstained
Commissioner John Beard	Yes
Commissioner Jimmy Watts	Yes
Commissioner Gwendolyn Smith-Mangum	Yes

Mr. Easley stated Commissioner Cowan had been elected as Madam Chair for the Calendar Year 2023 by a 6-0 vote with one abstention.

Mr. Easley relinquished control of the meeting to Madam Chair Cowan.

Madam Chair Cowan opened the floor for nominations of Vice Chairman for the Calendar Year 2023.

Motion made by Commissioner Riddle, seconded by Commissioner Smith-Mangum, to nominate Commissioner Watts to serve as Vice Chairman for 2023.

Madam Chair Cowan asked if there were any other nominations for Vice Chairman.

Motion made by Commissioner Pearce, seconded by Commissioner Riddle, to close nominations and do so by voice vote.

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. P. Riddle, Mr. D. Francis, Mr. B. Pearce, Ms. M. Cowan, Mr. J. Beard,
Mr. J. Watts and Ms. G. Smith-Mangum

Nays:	No one
Abstained:	No one
Absent During Vote:	Mr. D. Reese
Absent During Meeting:	Mr. D. Reese

Madam Chair Cowan asked for a roll call vote on the question of Commissioner Watts as Vice Chair. There were no further nominations.

ROLL CALL VOTE

Commissioner Pete Riddle	Yes
Commissioner Will Reese	Absent
Commissioner Bruce Pearce	Yes
Commissioner Dustin Francis	Yes
Commissioner Mattie Cowan	Yes
Commissioner John Beard	Yes
Commissioner Jimmy Watts	Abstained
Commissioner Gwendolyn Smith-Mangum	Yes

Madam Chair Cowan stated Commissioner Jimmy Watts had been elected Vice Chairman for the 2023 Calendar Year by a 6-0 vote with no abstention.

D. CONFIRMATION OF 2023 MEETING SCHEDULE

Madam Chair Cowan said the next item to be addressed is the Confirmation of 2023 Meeting Schedule and she confirmed with Mr. Easley all dates listed are on Tuesday's at 6:30 p.m.

Motion made by Madam Chair Cowan to approve the 2023 Meeting Schedule as presented.

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. P. Riddle, Mr. D. Francis, Mr. B. Pearce, Ms. M. Cowan, Mr. J. Beard,
Mr. J. Watts and Ms. G. Smith-Mangum

Nays: No one
Abstained: No one
Absent During Vote: Mr. D. Reese
Absent During Meeting: Mr. D. Reese

E. PLANNING COMMISSION RECESSED UNTIL 6:30 P.M. JOINT MEETING

Madam Chair Cowan recessed the planning commission meeting until 6:30 p.m. for the Joint Meeting with the Board of Supervisors.

F. ADOPTION OF AGENDA

Motion made by Commissioner Pearce, seconded by Vice Chairman Watts, to adopt the Agenda as presented in the meeting packet.

VOTE

Motion passed 8-0 by the following vote:

Ayes: Mr. P. Riddle, Mr. D. Francis, Mr. B. Pearce, Mr. D. Reese, Ms. M. Cowan, Mr. J. Beard, Mr.
J. Watts, and Ms. G. Smith-Mangum

Nays: No one
Abstained: No one
Absent During Vote: No one
Absent During Meeting: No one

G. COMMISSIONER OF REVENUE REPORT ON ASSESSMENT OF SOLAR FACILITIES

Chairman Short said the first item on the agenda is the Commissioner of Revenue Report on Solar Facility Assessment.

Mr. Easley stated he invited Mr. Tim Spainhour, a Halifax County Assessor, and he will be providing information on the assessment of solar facilities. He said some questions were asked at the last meeting about how taxes were generated for solar facilities and how property changes from real estate to commercial once a solar facility is built.

Mr. Spainhour introduced himself and stated he would like to do a brief presentation on solar farms. He said there are different classes of solar farms. He began by discussing 5MW solar farms explaining they are 100 percent exempt on machinery and equipment and the land is assessed at a commercial rate by the County. He stated solar farms over 5MW to 20 MW are 80 percent exempt for the first 5 years of the project, 70 percent exempt for the second 5 years of the project, and 60 percent exempt for the remaining years in service under Virginia Code § 58.1-3660. He noted the County will assess the land, improvements, and machinery and equipment.

Mr. Spainhour said for solar farms over 20 MW, exemptions are the same as over 5MW to 20 MW. He stated the County will assess the land at a commercial rate and any improvements such as fences and offices. He noted the Virginia State Corporation Commission (SCC) will assess machinery and equipment. He explained leased land for solar farms is assessed at a commercial rate of \$12,000 per acre by the County and fencing and improvements to the land are assessed by Halifax County but if a utility company owns the land, the SCC will assess the total parcel. He said once the land has been graded and the installation of the equipment has started, the assessment changes from agricultural to commercial. He stated Conditional Use Permits (CUP) are used to determine which parcels are included in the project, research is done on all the deeds to determine the percentage of each parcel being used for the project, information is obtained from the project manager and building inspector's office for the fencing amount and other improvements, and if the land was in the land use program prior to the solar farm, the owner would be subject to roll back taxes.

Mr. Spainhour discussed the Waterstrider solar facility in the Nathalie area. He said there were several parcels included in the solar project and stated the total amount for the undeveloped value is \$1,262,195, and the new value is \$15,860,755, which is a difference of \$14,598,560. He noted the project used a total of 1,152 acres of land, the machinery and equipment value was \$25,791,368, the exempt amount was \$102,805,341, the total assessed value was \$41,652,123, and the total tax revenue amount was \$208,260.62.

Mr. Spainhour stated the next solar project is Piney Creek solar facility, which is located on Rodgers Chapel Road. He said the solar project was 80MW, the total amount for the undeveloped value is \$1,359,076, and the new value is \$10,273,323, which is a difference of \$8,914,247. He commented the project used 855 acres of land and said the value for machinery and equipment will be determined this year.

Mr. Spainhour said the Watlington Solar project is located on Hyco Road and Bill Tuck Highway and it is a 20MW facility. He stated the undeveloped value is \$596,340 and the new value is \$2,915,280, which is a difference of \$2,318,940. He noted the project used 242 acres of land and the value for machinery and equipment will be determined this year.

Mr. Spainhour said the Sunnybrook Solar project is located on Claysmill Road. He said it is a 51MW solar facility, the undeveloped value is \$937,308 and the new value is \$4,341,856, which is a difference of \$3,404,548. He noted the project used 368 acres of land and the value for machinery and equipment will be determined this year.

Mr. Spainhour said the Powell's Creek Solar project is a 70MW facility and it is located in the Alton area. He stated the undeveloped value is \$850,252 and the new value is \$8,819,500, which is a difference of \$7,969,248. He commented the project uses 734 acres of land and the value for machinery and equipment will be determined this year.

Madam Chair Cowan asked if the assessment amounts are yearly and he stated that is correct.

Commissioner Pearce asked Mr. Spainhour to verify the total acreage for the Waterstrider and Piney Creek Solar facilities. Mr. Spainhour said the total acreage for Waterstrider is 1,152, and the total acreage for Piney Creek is 855.

Commissioner Francis asked Mr. Spainhour if the planning commissioners could get a copy of the presentation for future reference. There was some additional discussion about leased land and Commissioner Francis wanted to know at what point does that reassessment start for the property owner who is leasing the land. Mr. Spainhour said once the land is cleared and posts begin to be set, the property then becomes commercial. Commissioner Francis stated neighboring Counties are having issues because reassessments are being done before payments have started to the property owners, so they are paying higher taxes before their payments start. Mr. Spainhour said he reviewed reassessments at the end of December.

Commissioner Francis said if utility owns the property, SCC does the assessment. He asked for some clarity on the issue and if it is a favorable rate for the localities. Mr. Spainhour said it is a favorable rate and explained SCC does the assessment and sends the County a notice in November which is added to tax statements.

Supervisor Brandon asked what is the assessed rate if it is done through SCC versus assessment through the County. Mr. Spainhour said the rate is the same and noted SCC provides the value to the County. Supervisor Brandon wanted to know how the value compares and if the assessments increase or decrease. Mr. Spainhour stated the County assesses the land, and there is no machinery and equipment assessment available yet. Supervisor Brandon stated he is referring to the sites that are assessed by SCC and Mr. Spainhour stated there has not been an SCC assessment yet, but there should be one next year.

Mr. Simpson said there are about a couple of different components to keep in mind. He said Mr. Spainhour's presentation is more for the land use aspect of it so it's really the physical real estate. He said their assessment is where the land goes from agricultural to commercial and then the machinery and tools is the second component. He said the Commissioner's office does the machinery and tools assessment for 20MW or less and for anything larger than that, the SCC sends that information. He used the Watlington solar project to explain the taxation process. He stated he anticipates SCC will be consistent across the State because currently increased land values are being seen in their assessments. He noted another component for all of the different taxation pertains to the County's Revenue Share Ordinance because projects are subject to machinery tools tax or newer projects have opted in and are now subject to the Revenue Share Ordinance of the County. He said the Revenue Share Ordinance generates more revenue than the machinery and tools. He commented some of the older projects under machinery and tools have a declining revenue stream because their assets are being depreciated and paying on less of an asset as the years go by. He said Revenue Share projects actually increase in revenue 10 percent every five years.

Mr. Simpson stated Halifax County has a good mix of projects, so when one set of projects begins to decline in revenue, the others are coming behind it and increasing in revenue. He noted the County's revenue stream for the next 25 years is constant, which is good from a budgeting standpoint. He stated every time a project begins construction, the Building and Zoning staff works with the Commissioner's Office to make sure they have the site plans and all the information needed to begin working up the project, so they can be prepared when the project goes online and construction begins. He commented as soon as the posts begin to be set to build the solar facility, the land becomes commercial and he explained in detail how the assessments are completed and tax statements are sent out. He stated revenue share invoices are different and they will generate directly from the County Treasurer's Office or County Administration because it is more of a fee instead of a tax.

Madam Chair Cowan asked if all of the new solar facilities going forward would be revenue sharing. Mr. Simpson said all of the solar projects from late 2021 and early 2022 going forward are under revenue share including Staunton Solar and Clover Creek. He discussed some of the smaller solar projects and noted some of those projects are exempt from machinery and tools. He commented there are payment streams pursuant to the CUP and all facilities are still subject to land assessment for real estate taxes.

The Planning Commission and Board of Supervisors thanked Mr. Spainhour for the thorough presentation.

H. PINEY CREEK SOLAR PRESENTATION

Chairman Short said representatives from the Piney Creek Solar Project, located on Rogers Chapel Road, will present a short PowerPoint on their project status, as well as answer any questions or concerns from the Board of Supervisors and Planning Commission.

Mr. Easley said he and Mr. Simpson had the opportunity to visit Piney Creek Solar facility on Chapel Roger's Road last Friday for a tour. He stated they were impressed with the way the site is performing and the progress being made. He said there were comments made by individuals at Citizens' Comment time wanting to know what are solar projects giving back to the community. He stated he asked Jacob Metzger, Project Manager for Kiewit Power, to attend the meeting to present a short presentation on the efforts they are making to give back to the community and employ local contractors.

Mr. Metzger introduced himself and he said Kiewit Power is contracted on behalf of Dominion to physically engineer a permit and build the Piney Creek Solar Project. He presented an aerial photo of the Piney Creek site layout and noted about 70 percent of the construction has been completed for the project. He provided an overview of the project and he said he had been working with permitting and engineering since 2021 trying to find the best layout. He noted there is a 200-foot existing vegetative buffer and visual screen along Rogers Chapel Road and the feeders to Piney Creek run between various blocks of the project. He stated there are historical cemetery locations, which have been identified, delineated, and avoided early on during the initial assessments of the project. He commented the project has easy access from Rogers Chapel Road.

Mr. Metzger said the permitting for the project was split into two parts. He stated the first 50 percent of the project was in part one and then the northern half is in part two. He said the project is an 80MW project with approximately 870 acres of total space, including conservative open spaces, with about 457 acres being utilized for solar panels and basins. He noted commissioning, completion, and permit close-out is planned for later this year in 2023. He said there is about 500,000 yards worth of earthwork, 23 miles of super silt fence on the exterior of the job in 56 different water catch basins that are installed prior to grading work, close to 186,000 tracking solar panels, and 300,000 man hours that will be worked on the job.

Mr. Metzger discussed the 3 major phases of the job noting that the majority of solar projects will be built in about the same sequence. He said the first phase is Civil Works, which is where the primary work is done. He noted the trees get logged and local entities are used to help with this part, exterior basins and ditches get installed, clearing, grubbing, and grading are done, and roads and pads are installed for the internal infrastructure of the job.

Mr. Metzger discussed the second phase for Enviro controls and said typically a crew of 15 to 20 people work full-time on the environmental aspects of the project such as basin control, matting, seeding, temporary and permanent stabilization, and fiber matting rolls.

Mr. Metzger stated the primary phase is the solar and electrical. He discussed the structural W sections that support the entirety of the tracker system and racking system and stated they are designed to continuously track the sun throughout the day as well as any reflective sunlight from the ground and generate power from the backside of the panel. He said the panels are installed and hooked up, and the underground wire is run to the inverter, which is essentially a big transformer skid that helps collect power and push it back to the substation.

Mr. Metzger said some of the project highlights include flexible coordination with State permitting, excellent partnership with local subs and suppliers, zero recordable injuries through 2022/2023 and

no serious injuries through the project, a great relationship and coordination with local officials and offices, pro-active approach to Environmental protections, excellent stabilization and growth during early construction, and robust E&S measures, and giving back to the community. He presented a slide, which listed some of the local partners for the project and noted there are about 25 different sub-suppliers, land leases, material suppliers, subcontractors, vendors, services, and maintenance agreements all across Halifax County and South Central Virginia. He noted the grand total for services is approximately \$15 million and anticipates the amount will be considerably more at the completion of the project.

Mr. Metzger stated they have participated in several different local donations, charities, and community drives including the Clover Fire Department, Halifax School District, and food pantries, which generated thousands of dollars.

Commissioner Beard asked what percentage of local workers are currently being utilized. Mr. Metzger stated the most recent headcount indicated approximately 200 resulting in local workers being about 100, which is about 50 percent. He said a lot of staff who work on the solar projects travel, so there are approximately 25 to 30 people who are transplants on each job site.

Commissioner Francis wanted to know if the 100 workers will be able to continue working with their company if they could go to another location, or if the employment is just for the duration of this project. Mr. Metzger stated there are approximately 3,000 workers within the company and there are sites located in other States. He said once employees' resumes are on file, they can easily be forwarded and utilized on any future projects within the area or any other location.

Commissioner Beard wanted to know if jobs are advertised in the newspaper and the Virginia Employment Commission. Mr. Metzger said they have local drives for open positions, applications are available on line, and there is a hiring office located at the Piney Creek solar project. He commented once the solar project is established, there is a steady stream of traffic for employment.

The Planning Commission and Board of Supervisors thanked Mr. Metzger for the thorough presentation.

I. BUSINESS ITEMS

Public Hearings:

1. Proposed Solar Facility Siting Agreement with Sedge Hill Solar, LLC (ED #4)

a. County Administrator Overview

Mr. Simpson said Virginia Code was amended about a year or so ago allowing siting agreements which provides the ability to host solar projects in the County. He stated the General Assembly has added solar into the legislation for siting agreements along with other activities, such as landfills, which require siting agreements. He stated a siting agreement has been negotiated with Sedge Hill Solar. He commented siting agreements between municipalities and solar developers have become standardized over the last 8 months or so.

Mr. Simpson referenced page 24 of the Board meeting packet, which contained the numbers for the Sedge Hill Solar project. He said the Capital payment schedule is \$80,000 within ninety days of approval of the Conditional Use Permit (CUP). When construction is commenced, which is classified as the acquisition of the erosion sediment control permit, the County will receive a siting payment of \$500,000. He stated within ninety days of the commercial operation of the facility, the County will receive \$200,000, which will be residual for ten years totaling \$2 million for a grand

total of \$2,580,000. He noted from a County staff standpoint, negotiations have been conducted in a good faith mutual agreement with the developer.

Mr. Simpson said State Code requires a public hearing to allow public comments related to the siting agreement. He emphasized there will be no comments related to the solar project CUP since that public hearing was held last month. He said the Board of Supervisors will need a recommendation from the Planning Commission regarding the siting agreement and will give consideration at the next Regular Meeting on February 6, 2023.

b. Applicant Presentation

Jon Puvak, attorney for Sedge Hill Solar, introduced himself and he said Mr. Simpson had gone through all of the relevant details and he believes fair negotiations have been reached. Mr. Puvak stated he is excited to see the solar project moving forward. He commented there are tax revenue and revenue share and the siting agreement is additional money that can be added to the General Fund. He said reimbursement of expenses is also included in the siting agreement. He concluded his presentation and said he would be happy to answer any questions.

Supervisor Brandon wanted to verify who is responsible for the decommissioning process and restoring the land back to its original condition. Mr. Puvak said that is the obligation of the developer and the agreement is listed in the County's siting conditions, which includes a bond to cover those costs.

Chairman Short said if there are no other questions, we could open the public hearing.

c. Board of Supervisors Open Public Hearing
Planning Commission Open Public Hearing

Board of Supervisors Chairman Short opened the Public Hearing on behalf of the Board of Supervisors. Planning Commission Madam Chair Cowan opened the Public Hearing on behalf of the Planning Commission.

d. Public Comment

Madam Chair Cowan asked if anyone wanted to speak in favor to please come forward.

No one wished to speak in favor of the siting agreement.

Madam Chair Cowan asked if anyone wanted to speak in opposition.

No one wished to speak in opposition of the siting agreement.

Supervisor Pannell asked Mr. Simpson to clarify for the citizens what the public hearing is being conducted for at this meeting. Mr. Simpson said at the Joint Meeting on December 20, 2022, the Planning Commission and Board of Supervisors had the public hearing relating to the Conditional Use Permit (CUP) for the Sedge Hill solar project. He stated the Planning Commission made a recommendation to the Board of Supervisors to approve the CUP. He said this month the public hearing is related to the siting agreement, which is a 16 page agreement for the financial aspects of the project for revenue sharing, taxation, decommissioning, and other items of the legal structure for financing the project. He noted if there are comments related to the siting agreement, those can

be heard at this public hearing. He commented the public hearing for questions or concerns for the physical location of the solar project and Conditional Use Permit was held last month.

No one wished to speak on the proposed siting agreement.

- e. Planning Commission Clos Public Hearing
Board of Supervisors Close Public Hearing

Planning Commission Madam Chair Cowan closed the Public Hearing on behalf of the Planning Commission. Board of Supervisors Chairman Short closed the Public Hearing on behalf of the Board of Supervisors.

2. Conditional Use Permit Application ED #5

Applicant: Dean Jones of Jones Auction & Realty Inc.
Landowner: Halifax County
PRN: 26305
Location: Plywood Trail
Business Name: Woods Creek RV Park
Proposed Use: 60 Lot RV Park

a. Zoning Administrator Overview

Mr. Easley said Mr. Jones has applied for a Conditional Use Permit (CUP) for a 60 Lot RV park to be located on Plywood Trail. He said the property is currently owned by the County and Mr. Jones has a purchase agreement. He stated VDOT has confirmed the entrance to the site and he noted sewage and water are available for the site. He presented a map from the Webgis website and discussed the location. He noted the site conditions are mirrored from the recently approved RV park located in Mount Laurel.

Mr. Easley stated County staff is making every effort to eliminate RV parks from becoming a permanent residence. He said Mr. Jones has received and reviewed the site conditions, which are included in the Board packet. He referred the Planning Commission and Board of Supervisors to page 42 of the Board packet, which is an RV Park Reporting Form. He stated the Reporting Form would need to be submitted to County staff by Mr. Jones on a quarterly basis. He noted the form will include information about individuals who are staying at the RV park and the rental reason.

Mr. Easley said Mr. Jones has prepared a presentation to present to the Board of Supervisors and Planning Commission before the public hearing is opened.

b. Applicant Presentation

Mr. Jones introduced himself and he said is requesting the approval of the CUP for the Woods Creek RV Park. He said he has a contract to purchase 24 acres, which fronts Highway 360 near the South Boston Speedway and continues down Plywood Trail with approximately 900 feet of road frontage. He stated you can see the Speedway, which will be approximately 100 yards away, the Fairgrounds, which will be approximately 200 yards away, over 2,000 feet away from Bohler-Uddeholm Specialty Metals, and approximately 2,500 feet away from the first house on Eastover Drive.

Mr. Jones stated the Woods Creek RV Park would be located on the southernmost part of the entire tract and would be on approximately 8.3 acres. He noted the entrance to the RV park would be directly across from the road from the back entrance to the Speedway and Fairgrounds, which is the road that goes up beside the cell phone towers. He said the RV park would hold up to 60 RV spaces, but it will probably be less than that number and certainly not more.

Mr. Jones said the Virginia Health Department has a minimum requirement of 25 feet in width and 1,600 square feet of space per camping site. He stated all of the camping sites will be 3,300 square feet and there will be an 8-foot strip of grass or landscape area between all of the camping sites. He noted he will have a men's bathhouse and a women's bathhouse. He said the RV park will also have a laundry area for park guests only and all facilities will have a key code entrance.

Mr. Jones commented there is an electric transmission line that runs North to South across the property including the 8.3 acres, but he plans to have as much natural area and landscape as possible. He stated nothing can be built under the right of way of the transmission line. He said his marketing niche will include solar workers, traveling nurses, construction workers like the ones that will be building the new high school, pipeline workers, and new hires moving to the area. He used Hitachi and Sunshine Mills as examples and noted new hires would probably not buy a house the first week or so of being in the area since it could take several weeks or months to learn the area and purchase a home. He commented they could stay in the RV park instead of a small hotel room. He said the RV park would be good for families passing through attending various festivals throughout the year and individuals who are attending races at the South Boston Speedway.

Mr. Jones referenced a slide included in his presentation and pointed out grass, trees, landscaping, and the entrance sign. He noted there will be clean gravel sites with grass, landscaping, wood timbers for each individual campsite, and individual hookups for electricity, water, and sewer. He said each hookup would include a 50 amp breaker as well as two 30 amp hookups and two 20 amp hookups. He stated he has a signed letter from VDOT for the entrance and exit on the site plans and an email from the Halifax County Water and Sewer Authority verifying a connection for water and sewer. He stated he would need to have a pump station for sewage, which will be pumped 1,000 feet along his property, across Ms. Tennant's property, and then a connection can be made at the Service Authority pump station located at Shepherd's Gate. He verified he has a signed easement allowing him to cross over Ms. Tennant's property.

Mr. Jones said he signed the site conditions when he applied for the CUP and he is in agreement with all of the conditions with the exception of no campfires. He stated he is asking that the Planning Commission and Board of Supervisors revisit the restriction of no campfires because most of the guests that stay in RV parks enjoy campfires to make smores with their children and sit by campfires and spend time with their families. He requested that the site conditions include verbiage requiring all campfires to be attended in a controlled setting. He noted there is a fire hydrant 100 feet from the RV park on Plywood Trail.

Mr. Jones presented a list of the adjoining property owners who have signed a letter of support for the construction and opening of Woods Creek RV Park. He stated some of the signatures are hard to read, but the PRN numbers are included. He noted he went to see Bruce Wilkins first because of the location of his home and the 24 acres of the proposed property for the RV park surrounds him on three sides. He listed other names who signed the letter of support as follows: Michael Lewis, Shirley & Lafelle Elliott, Guy Haskins, Lynn Cox, and Stuart Rutledge, Jr., who are property owners located across Highway 360 from the 24 acres of the proposed property; Dorothy Day and Ben Hilty, who own property on Plywood Trail; Josh Zach, who is the new owner of Buster's Collision Center on East Shore Drive; Gary Vaughan, Judy Fallen, and Linda Tennant, who own property and houses on Shepherds Gate. He also noted that Linda Barton, who owns the Christian radio station, and Bobby Conner representing the Heritage Festival both signed the letter of support as well.

Mr. Jones said Woods Creek RV Park will be a tremendous asset to Halifax County. He stated Halifax County is going through the process of approving approximately 26 solar facility projects

and all types of RV guests as listed earlier, including solar farm employees, can stay there. He noted if they cannot find somewhere to stay, they will live outside of Halifax County and people spend their money where they sleep. He said guests staying at Woods Creek RV Park would be buying their gas, groceries, clothing, and supplies in Halifax County and the South Boston area because of the location of the proposed RV park. He emphasized the County will benefit from the sales tax generated from the RV guests and from the hospitality taxes, and noted many local businesses will benefit from business generated from the guests staying at Woods Creek RV Park.

Mr. Jones stated he had a good meeting with Steve Lewis, Plant Manager for Bohler Uddeholm Specialty Metals, who plans on speaking tonight. He said Mr. Lewis is concerned that the company's property may need to be fenced in because of a Foreign Trade Zone certification, which they are in the process of getting approved. He noted the plant is located approximately 2,000 feet from the proposed property and there is an existing fence located around the perimeter of their property. He stated he is a property owner in the Town of Halifax and South Boston and he is a good neighbor. He stated he would put it in writing that he will have a fence installed on the three sides of the RV Park excluding the road frontage if necessary.

Madam Chair Cowan stated there are adjoining landowners who are not included on his list. Mr. Jones said he was unable to get a signature for the IDA because they don't take a stand on zoning matters. He stated he has an email from the IDA, which he can provide to the Planning Commission and Board of Supervisors. He noted the only other adjoining property owner resides in Blairs, Virginia and he only has a post office box. He said he was able to find a physical address on the Webgis site for Pittsylvania County and had tried to locate him two times, but he was unable to get him to answer the door. He stated one of his neighbors indicated that he is a recluse. Madam Chair Cowan wanted to know if anyone resides on his property in Halifax County and Mr. Jones stated it is vacant land.

Supervisor Throckmorton asked Mr. Jones how would the quiet time be enforced and if an attendant would be available at the campsite. Mr. Jones stated all of the guests staying at the RV park would have his contact information and they could call him with any issues or concerns.

Supervisor Brandon asked Mr. Jones if he intended on establishing a driveway where the power lines are located. Mr. Jones said he does plan to establish driveways underneath the power lines. Supervisor Brandon wanted to know if he intended to have parking available underneath the power lines and Mr. Jones verified he does not plan to have any permanent parking underneath those lines.

Supervisor Pannell referenced site condition number 14, which states no open flames shall be allowed inside the park, except for cooking. He asked Mr. Jones if he is requesting that the Planning Commission add an additional number to allow open campfires. Mr. Jones said when he submitted the CUP application, he attached the site conditions noting that he agreed to all of the conditions except number 14. He said he is respectfully asking the Planning Commission and Board of Supervisors to allow an open campfire in an attended controlled environment. He stated he would also have a camera system installed.

Commissioner Beard asked Mr. Jones if he planned to provide the rules and regulations for the proposed RV park to all of the guests who stay there. Mr. Jones verified that the guests would be provided with a copy of the rules and regulations for the RV park.

Chairman Short said if there are no more questions, we could open the public hearing.

- c. Board of Supervisors Open Public Hearing
Planning Commission Open Public Hearing

Board of Supervisors Chairman Short opened the Public Hearing on behalf of the Board of Supervisors. Planning Commission Madam Chair Cowan opened the Public Hearing on behalf of the Planning Commission.

d. Public Comment

Madam Chair Cowan asked if there is anyone who would like to speak in favor. There was no one who wished to speak in favor.

Madam Chair asked if there is anyone who would like to speak in opposition.

Dennis Stewart

Mr. Stewart introduced himself and said he is the former Plant Manager for Wabash Magnetics. He said he currently serves on the Halifax County Social Services Board and the Board of Zoning Appeals. He stated he has been a homeowner for 42 years on Eastover Drive, which will be directly affected by the proposed RV park noting that his house is the last house heading east towards Buster's Auto Art. He said listening to Mr. Jones' comments and presentation, he does not see any names of residents who live on Eastover Drive and they will be more affected than anybody residing across the road on Highway 360. He commented the traffic is continuous and stated he had to pick which days to mow grass when the power plant was built. He emphasized when employees from the power plant were going to work or leaving work, residents had to be in their yards because of the heavy traffic. He emphasized the traffic is a safety issue and expressed concerns about the type of individuals who will be staying at the RV park.

Mr. Stewart asked if any of the Board members had visited Plywood Trail in the last several days. He encouraged Board members to ride down to the transfer station. He commented trucks continuously go through there throwing trash out everywhere, and the road is beaten up. He said two trees fell across the road and one of those trees was cut in half and pushed over in the ditch and it's still laying there. He stated it is an embarrassment to the neighborhood and he asked the Planning Commission and Board of Supervisors to have consideration for the people who reside there.

Steve Lewis

Mr. Lewis introduced himself and said he is the Plant Manager for Voestalpine High Performance Metals formerly known as Bohler-Uddeholm Specialty Metals. He stated the plant owns and leases land from the IDA, which adjoins the proposed RV park. He said over the past year, the plant has been working with US Customs and Border Patrol to secure a Foreign Trade Zone (FTZ) status at their facility otherwise known as FTZ and they have invested over \$150,000 in the venture. He stated this past week, US Customs and Border Patrol inspected the facility, and barring any unforeseen paperwork issues, the plant should receive a new zone status within a couple of weeks.

Mr. Lewis said US Customs and Border Patrol's main issue with granting an FTZ is theft deterrence in security. He stated the plant has security cameras and a fire alarm system. He commented after watching the presentation by Mr. Jones, the main purpose of the proposed RV park is to house workers from the solar facilities or others passing through the area, so most of the rentals would have no connection to the community. He stated contact names and numbers will be available for the renters, but expressed concerns about the other individuals who would be staying there with them. He said theft, trespassing, and the possibility of vandalism are major concerns for their organization. He emphasized if they were to lose the pending FTZ, it would be detrimental to their cash flow and growth for the facility. He noted the FTZ allows the plant to operate without worrying about tariffs and quotas and they will be able to competitively sell in markets outside of North America. He said the plant has made significant investments over the past year and they are currently looking at another multimillion-dollar investment.

Mr. Lewis stated he had a conversation with Mr. Jones about using the property to make money, but not at others' expense. He said other adjacent property owners do not want an RV park in their backyard and noted property values don't usually increase once they are allowed in a neighborhood. He commented maintenance of the property is the responsibility of the landowner and noted Mr. Jones is involved in quite a few ventures, so he is concerned if the approval of the proposed RV park passes, it could quickly become an eyesore without the proper oversight or limitations and rules to who is going to oversee it once it's done.

Commissioner Francis said Mr. Jones referenced a fence and it sounds like an agreement can be reached for it. He asked if the fence would suffice to the plant's concerns. Mr. Lewis said he did not know if the fence would be enough explaining the rules and regulations for US Customs and Border are strict. He verified currently there is no existing fence surrounding the Voest Alpine property but there is a fence facade as you enter the property. He said if FTZ ask them to install a fence, the expense would not be worth it to them. He noted the issue is not something you want to necessarily bring to their attention.

Commissioner Francis said if Mr. Jones decided to divide the property out in parcels to sell for individuals to build homes, would it make a difference as opposed to an RV park. Mr. Lewis stated looking at it from a business standpoint, it would not make much of a difference because of security issues. He commented he considers Voest Alpine High Performance Metals to be a substantial employer to the County.

Madam Chair Cowan wanted to know how soon the plant would have an answer from FTZ. Mr. Lewis said he anticipated an answer as early as next week because the plant should go live on February 11th. She stated with the required site conditions and the RV Park Reporting Form, some of his issues and concerns should be addressed.

- e. Planning Commission Close Public Hearing
Board of Supervisors Close Public Hearing

Hearing no further comments, Planning Commission Madam Chair Cowan closed the Public Hearing on behalf of the Planning Commission. Board of Supervisors Chairman Short closed the Public Hearing on behalf of the Board of Supervisors.

Mr. Jones asked if he could answer some of the concerns issues from Citizens' Comment time. He said he is in agreement with Mr. Stewart that some of the roads need improvement due to the traffic from the heavy trucks. He stated he disagrees that there will be an increase in traffic on Eastover Drive due to the proposed RV park because most individuals would be traveling on Highway 360. Mr. Jones said he could be wrong but he thought there was an existing fence around the perimeter of Voest Alpine High Performance Metals. He commented he has walked the property line several times because he thought that was going to be the route needed for the sewer line. He addressed the concerns of other individuals that might be staying with a renter and said the lease states there can only be up to four people per campsite and they would have to be related. He stated if they are not related, they will be required to get their own campsite.

J. PLANNING COMMISSION RECESS FOR 5 MINUTES

Madam Chair Cowan said the Planning Commission would recess for 5 minutes at 7:51 p.m.

K. PLANNING COMMISSION RECONVENED

The Planning Commission reconvened at 7:54 p.m.

L. MINUTES CORRECTION/APPROVAL

A. December 20, 2022 Planning Commission/Board of Supervisors Joint Meeting

Motion made by Commissioner Riddle, seconded by Commissioner Francis, to approve the December 20, 2022 Minutes as presented in the packet.

VOTE

Motion passed 8-0 by the following vote:

Ayes: Mr. P. Riddle, Mr. D. Francis, Mr. B Pearce, Mr. D. Reese, Ms. M. Cowan, Mr. J. Beard, Mr. J. Watts, and Ms. G. Smith-Mangum

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

M. PLANNING COMMISSION DISCUSSION & RECOMMENDATION

1. Proposed Solar Facility Siting Agreement with Sedge Hill Solar, LLC (ED #4)

Motion made by Commissioner Reese, seconded by Commissioner Pearce, to recommend the Board of Supervisors approve the Siting Agreement for Sedge Hill Solar, LLC.

VOTE

Motion passed 7-1 by the following vote:

Ayes: Mr. D. Francis, Mr. B Pearce, Mr. D. Reese, Ms. M. Cowan, Mr. J. Beard, Mr. J. Watts, and Ms. G. Smith-Mangum

Nays: Mr. P. Riddle

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

2. Conditional Use Permit Application ED #5

Applicant: Dean Jones of Jones Auction & Realty, Inc.

Landowner: Halifax County

PRN: 26305

Location: Plywood Trail

Business Name: Woods Creek RV Park

Proposed Use: 60 Lot RV Park

Commissioner Francis said the Planning Commission does not want to do something to help one person run a business that could potentially hurt another business. He commented he wishes he knew more about it, but he feels like there are enough stipulations in place with the site conditions

that will address some of those concerns. He stated it was previously discussed that Mr. Jones is involved in other business ventures, but it wasn't really touched on how he plans on monitoring the RV park. He wanted to know if Mr. Jones is going to have a representative that would be making routine spot checks. Madam Chair Cowan stated Mr. Jones will be required to complete the RV Park Reporting Form every 6 months and Mr. Jones had stated he would provide renters with his contact number.

Mr. Easley said when the RV park in Mount Laurel was approved, the Planning Commission recommended a sign be put up at the entrance of the park including the manager's name and contact number or his designee. He noted the Planning Commission could also make the same recommendation for Woods Creek RV Park.

Commissioner Francis stated Mr. Jones has agreed to purchase the property from the County and he agrees with the statement made by Mr. Jones that people are going to spend money where they sleep. He said with the increase of solar facilities in the County, RV parks will be needed for those workers.

Commissioner Reese said he is in agreement with Commissioner Francis, but he noted we don't want it to be a hindrance to Voestalpine High Performance Metals and prevent them from getting their FTZ certification. He commented more areas to stay are needed for traveling workers and stated that VDOT is responsible for the road issues. He noted he is okay with the contained and attended campfire being added to the site conditions.

Vice Chairman Watts said he is in agreement with Commissioner Francis and Commissioner Reese. He stated there is not enough information on what it would take to satisfy the certification for the plant.

Commissioner Riddle said his concern is the same as the other commissioners regarding what steps are needed to resolve the FTZ issue at Voestalpine High Performance Metals. He noted he supports RV parks and he is in agreement that most campers have open campfires to roast hot dogs and so forth. He commented campfires need to be looked at again.

Commissioner Pearce said he is in agreement with all of the comments. He noted there are people that come into the County every year for the County Fair and transient workers.

Commissioner Smith-Mangum said she is in agreement with all the issues that have been discussed.

Madam Chair Cowan said the proposed RV park will be located in her district and she feels that the RV park is needed. She noted we do have transient workers coming into the County and noted there is not enough housing to support them. She stated Voestalpine High Performance Metals has been in the County for quite a while and contributes to the community. She emphasized the site conditions which are in place will address any issues that may arise. She noted there are law enforcement officers who can enforce the speed limit on Eastover Drive and they should be notified if someone is out there violating the speed limit. She stated if there is trash on the road, VDOT needs to be notified. She said Mr. Jones is required to report back to County staff for the operations of the RV park and if any of the site conditions are not being met, the RV park will be shut down. She commented if citizens have any problems, they can reach out to County staff and she supports recommending the approval of the CUP to the Board of Supervisors with changes as discussed.

Mr. Easley said site condition number 14 states no open flames except for cooking. He stated site condition number 14 could be removed altogether or remain and allow open flames for cooking. Mr. Simpson stated he would recommend editing site condition 14 to state that attended contained campfires will be allowed.

Mr. Easley stated Commissioner Francis brought up contact information being included for Mr. Jones if any issues or concerns arise. He noted site condition number 25 could be edited to include posting signage at the entrance of the RV park with contact information for Mr. Jones or his designee.

Motion made by Madam Chair Cowan, seconded by Commissioner Riddle, to recommend to the Board of Supervisors to approve the Conditional Use Permit for Woods Creek RV Park with the following changes: edit site condition number 14 to allow attended and contained open campfires, and edit site condition number 25 to include signage at the entrance of the RV park to include contact information for the applicant or his designee.

VOTE

Motion passed 8-0 by the following vote:

Ayes: Mr. P. Riddle, Mr. D. Francis, Mr. B Pearce, Mr. D. Reese, Ms. M. Cowan, Mr. J. Beard, Mr. J. Watts, and Ms. G. Smith-Mangum

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

Madam Chair Cowan stated the recommendations from the Planning Commission will be presented at the Board of Supervisors Regular Meeting on February 6, 2023.

N. DISCUSSION ON SOLAR FACILITY DENSITY REGULATION

Mr. Easley said there are 17 approved solar facilities located in the County. He noted Ms. Epps created a spreadsheet that shows every solar facility in the County including megawatts, total acres, and acres under panel. He stated there has been some discussion on the density calculation and currently the County allows 5 percent of solar in a 5-mile radius. He said the total site area is not included, only what is under panel.

Mr. Easley referenced a solar map which is included in the Board packet and he said the circle on the map shows every solar site within a 5-mile radius. He wanted to know if the Planning Commission is in agreement with the 5-mile radius or if they want to discuss recommending a reduction.

Madam Chair Cowan asked for verification of the State guidelines and County Ordinance. Mr. Easley said County Ordinance allows 5 percent in a 5-mile radius, but he noted the Board of Supervisors has the authority to exceed the 5 percent if they feel like a proposed solar facility is a good project.

Commissioner Francis wanted to know if the Commonwealth has authority over solar density within in a County. Mr. Easley verified solar guidelines are determined by the locality and County Ordinances.

Madam Chair Cowan said since County Ordinance determines the solar density, the Planning Commission could make a recommendation to the Board of Supervisors to make changes to adjust the percentage. Mr. Easley stated that is correct, and a public hearing would be required.

Madam Chair Cowan asked the Planning Commissioners what are their thoughts on the 5 percent in a 5-mile radius.

Commissioner Francis and Commissioner Riddle were in agreement by reviewing the map that a decrease in the percentage is needed. Commissioner Francis recommended decreasing the solar density to 2.5 percent in a 5-mile radius. Mr. Easley stated some discussion is needed on why they are proposing to reduce the density.

Commissioner Francis said when you look at the map, the area being hit the hardest seems to be where most people live and there is not enough information out there on solar projects yet. He stated acres of land are going to be tied up for 30 to 40 years and looking at some of the pictures from active solar facilities, it looks like a wasteland along the panels. He commented the equipment has been on the land and the grading has been done, so the infrastructure of the soil has been destroyed and the topsoil is damaged. He expressed concerns if it is a 40 year project and the solar panels have been sitting down barricaded, the soil is going to be useless. He said comments have been made that the land is going to be restored to its status before the solar projects began, but no one has explained how they will take a 40 year old piece of dirt that's been abused and how it is going to be fertile enough to grow anything.

Commissioner Francis said there is no way to determine if what is being approved will be good for the County in the long run. He said at the end of the solar projects, there is a possibility we will have land that is no longer usable. He noted the County is still a big agricultural County and asked if we destroy the land, how are we doing good by the County.

Commissioner Francis stated taxes have been discussed in detail and the advantages to the land being changed to commercial. He wanted to know what happens after the solar project is complete and when the land is converted back, how will it affect the property owners.

Mr. Easley referenced Mr. Spainhour's presentation and he said the question was asked what triggers land to be changed from agricultural to commercial. Mr. Spainhour stated the grading of land does not trigger the change, but the driving of the post is what changes the land to commercial. He said when that post is off of the property, the land will convert back to open land and the assessment will convert back to agricultural.

Commissioner Riddle wanted to know if it is anywhere in writing that once the post is removed from the property, the land will revert back to agricultural. Mr. Easley said the County could not assess something for commercial if there is no commercial operation. The County is re-assessed every 2 years.

Commissioner Francis said the way we think now might not be how things are perceived 40 years from now and noted it would be nice to have it in writing.

Madam Chair Cowan stated prior to solar projects being approved in the County, there used to be solar committee meetings. She said establishing a committee would be beneficial especially if a decrease from 5 percent in a 5-mile radius is being discussed. She suggested having the County Administrator form a committee for further consideration.

Mr. Simpson said a committee could be set up with a few members from the Planning Commission, Board of Supervisors, and County staff. He suggested the percentage being reviewed because the 2.5 percent and 5 percent could be arbitrary numbers and there is no substance behind why those numbers are what they are. He commented he would like to see County staff go back and review all 17 solar projects from day one, in the order they were approved, and determine if it had been 2.5 percent would those projects have qualified. He noted even at the 2.5 percent, most likely Sedge Hill would still qualify. He said County staff would have a better understanding of changing the density in the Ordinance and how it would have affected anything done up to this point. He stated the project area also needed to be reviewed and discussed to determine the project area considered in the density calculation.

Madam Chair Cowan stated the Planning Commissioners want to know more about solar projects and the committee could help provide answers, which will obtain the best decisions being made for

the County. She noted the County was a great Agricultural County, but it is not anymore because the land is not being used for farming. She wanted to know how should the land be used to provide some type of revenue. She pointed out that a good portion of landowners don't reside in the County.

Madam Chair Cowan asked if there were any other concerns to discuss.

Commissioner Pearce said several fire departments have reached out to him to see if they could get some type of solar facility training in case a fire takes place at one of the solar projects. He stated once all of the solar facilities are in operation, training would be necessary to determine the proper protocol. He said there are concerns for the adjoining woodlands and wetlands that are adjacent to the solar projects. He pointed out there have been droughts in the County over the last few years and firemen and first responders need to know how to respond for their safety and others.

Vice Chairman Watts said if there is a grass fire underneath the solar panels, the firemen needed to know the hazards. Mr. Simpson said some of those issues were addressed in the pre-construction meeting for each project. He stated maybe some of those fire departments who have reached out don't have a solar project in their districts. He explained when a solar project is getting ready to break ground, County staff and the developer will meet with the fire department to review all of their access roads and points. He stated there are muster stations so if there's a problem, people will go to a certain place. He said the fire department is provided with different training and explanations about the panels and how they operate.

Mr. Simpson stated once the projects are ready to go into commercial operation and generate electricity, the developers will bring the fire departments back out to review the facility after its constructed. He said some of those plans are in place, but some of the fire departments may not be aware because they are not involved in the project. He noted the fire department that is the first due and the second due in that project area is included in the training.

Commissioner Francis wanted to know if there is a reason all of the County fire departments couldn't be included in the solar facility training. Mr. Simpson stated there is no reason and at one of the upcoming Fire Commission meetings, when the 12 Chiefs and EMS departments are together, the County could ask a few of the developers with the solar facilities to attend the meeting and provide an overview of fire safety and protocol for the solar facilities.

Commissioner Reese asked if the Virginia Department of Forestry could also be included in the training. Mr. Simpson said he thought that would be a good idea.

O. PLANNING COMMISSION ADJOURN

Motion made by Commissioner Francis, seconded by Commissioner Riddle, to adjourn the meeting.

VOTE

Motion passed 8-0 by the following vote:

Ayes: Mr. P. Riddle, Mr. D. Francis, Mr. B Pearce, Mr. D. Reese, Ms. M. Cowan, Mr. J. Beard, Mr. J. Watts, and Ms. G. Smith-Mangum

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

The meeting adjourned at 8:21 p.m.