

Range of Checking Accts: 100GENERAL to 100GENERAL Range of Check Dates: 05/09/24 to 06/30/24
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
100GENERAL					
215206	05/14/24	ANTH0010 Anthem - Health	339.09		1986
215207	05/14/24	ANTH0015 Anthem - Dental	38.48		1986
215208	05/15/24	AFLAC005 Aflac	131.86		1987
215209	05/15/24	ANTH0010 Anthem - Health	8,822.74		1987
215210	05/15/24	ANTH0010 Anthem - Health	407.14		1987
215211	05/15/24	ANTH0015 Anthem - Dental	604.26		1987
215212	05/15/24	DSSFL005 DSS FLOWER FUND	90.00		1987
215213	05/15/24	GRAY0105 Grayson Co Treasurer'S Office	115.84		1987
215214	05/15/24	MINNE005 Minnesota Life	110.55		1987
215215	05/15/24	NTALI005 NTA LIFE	67.63		1987
215216	05/15/24	SKYLI005 DSS Christmas Club	1,170.00		1987
215217	05/15/24	VAAS0015 VACORP	149.50		1987
215218	05/15/24	VACU0005 VA CREDIT UNION, INC	266.30		1987
215219	05/15/24	WASHI010 WASHINGTON NATIONAL	29.39		1987
215220	05/20/24	DUNCA005 Duncan Hokie Honda	14,974.67		1993
215221	05/22/24	1908C005 1908 Courthouse Foundation	2,475.00		1997
215222	05/22/24	4IMPR005 4imprint, Inc.	481.30		1997
215223	05/22/24	ADAMS005 Adams Building Supply	0.00	05/22/24 VOID	0
215224	05/22/24	ADAMS005 Adams Building Supply	301.62		1997
215225	05/22/24	AMAZO005 Amazon Capital Services, Inc.	566.89		1997
215226	05/22/24	APPAL005 Appalachian Power	1,073.83		1997
215227	05/22/24	APPAL015 APPALACHIAN JUVENILE COMMISSIO	225.00		1997
215228	05/22/24	ARCET005 ARC 3 GASES	217.72		1997
215229	05/22/24	BERKL005 Berkley Investments, LLC	39,840.00		1997
215230	05/22/24	BLUE3005 Blue 360 Media, LLC	91.95		1997
215231	05/22/24	BOUND005 Bound Tree Medical LLC	636.30		1997
215232	05/22/24	BRIGH005 brightspeed	1,298.12		1997
215233	05/22/24	CBHAN005 C & B Handling, LLC	236.55		1997
215234	05/22/24	CENT0015 Century Link	179.23		1997
215235	05/22/24	CINTA005 Cintas Corp, #532	0.00	05/22/24 VOID	0
215236	05/22/24	CINTA005 Cintas Corp, #532	1,851.15		1997
215237	05/22/24	CITY0010 City of Galax	32,645.07		1997
215238	05/22/24	COMCA015 COMCAST BUSINESS	774.51		1997
215239	05/22/24	COREM005 CORE & MAIN	137.42		1997
215240	05/22/24	DEXIM005 DEX Imaging	442.26		1997
215241	05/22/24	DISTR005 District III Governmental Coop	1,386.75		1997
215242	05/22/24	EASTC005 EAST COAST EMERGENCY VEHICLES	1,258.10		1997
215243	05/22/24	EDMUN005 Edmunds & Associates, Inc	399.61		1997
215244	05/22/24	EUGEN010 Eugene R McCurdy	2,000.00		1997
215245	05/22/24	FERGU010 FERGUSON ENTERPRISES INC.	1,186.05		1997
215246	05/22/24	FITZG005 Fitzgerald Peterbilt II, LLC	449.20		1997
215247	05/22/24	FLEET005 Fleetpride	1,303.82		1997
215248	05/22/24	FOODC005 Food City, Store #866	158.40		1997
215249	05/22/24	FRIES020 Friesland Corp.	1,266.44		1997
215250	05/22/24	GALA0020 Galax Volunteer Fire Dept	27,000.00		1997
215251	05/22/24	GALA0025 Galax Grayson Ems	37,361.16		1997
215252	05/22/24	GALAX040 Galax Gazette	598.85		1997
215253	05/22/24	GAZET005 Gazette Press, Inc	99.50		1997
215254	05/22/24	GRANI010 Granite Telecommunications,LLC	2,254.31		1997

215255	05/22/24	GRAY0015	Grayson Co Commonwealth's Atty	72.80		1997
215256	05/22/24	GRAY0040	Grayson/Galax Health Dept.	835.36		1997
215257	05/22/24	GRAY0055	Grayson Co School Board	7,523.37		1997
215258	05/22/24	HIGHC005	High Country Springs, Llc	62.90		1997
215259	05/22/24	HURTP005	HURT & PROFFITT	8,374.65		1997
215260	05/22/24	IDENI005	Idenity Links, Inc.	342.15		1997
215261	05/22/24	INDE0015	Independence Tire Co	173.00		1997
215262	05/22/24	JONES025	JONES EXCAVATIONS LLC	19,150.00		1997
215263	05/22/24	JRUBL005	J.Ruble&Sons Truck Sales Inc.	69,500.00		1997
215264	05/22/24	KNOWI005	KNOWINK, LLC	9,010.00		1997
215265	05/22/24	KURTC005	Kurt Card	27.00		1997
215266	05/22/24	LOWES015	Lowe's Home Center	1,415.65		1997
215267	05/22/24	MANSF005	Mansfield Oil Company	0.00	05/22/24 VOID	0
215268	05/22/24	MANSF005	Mansfield Oil Company	12,118.32		1997
215269	05/22/24	MERRI005	Merritt Supply, Inc	268.12		1997
215270	05/22/24	NAPAA010	Napa Auto Parts	531.28		1997
215271	05/22/24	NATI0020	National Pools Of Roanoke, Inc	3,534.00		1997
215272	05/22/24	NEWR0025	New River Valley Juvenile Dete	14,500.00		1997
215273	05/22/24	NEWR0030	New River Valley Reg Jail	80,923.20		1997
215274	05/22/24	NTAIN005	Nta, Inc.	48.36		1997
215275	05/22/24	NWCID005	Nwcd, Inc	416.06		1997
215276	05/22/24	OLDDO005	Old Dominion Slush Puppie	1,205.00		1997
215277	05/22/24	OMNIL005	OMNILINK Systems	392.50		1997
215278	05/22/24	ONESO005	ONESOURCE PARTS, LLC	267.14		1997
215279	05/22/24	PAPER005	Paper Clip	778.20		1997
215280	05/22/24	PENNC005	PennCare	21,250.60		1997
215281	05/22/24	PIED0010	Piedmont Truck Center, Inc	181.81		1997
215282	05/22/24	PMGNE005	PMG Newspapers, Central NC/VA	2,176.15		1997
215283	05/22/24	PROF0010	Professional Networks, Inc	35.00		1997
215284	05/22/24	RECOV005	Recovery Through Fitness	900.00		1997
215285	05/22/24	RMHEA005	R&M HEATING	8,260.00		1997
215286	05/22/24	ROBYN005	Robyn Dillon	1,390.00		1997
215287	05/22/24	ROUSE005	Rouse House LLC	32.60		1997
215288	05/22/24	SALLY020	Sally Richardson	225.00		1997
215289	05/22/24	SANDS005	Sands Anderson Pc	1,967.00		1997
215290	05/22/24	SHRED005	SHRED-IT	182.22		1997
215291	05/22/24	SOUT0025	Southern Software, Inc	780.00		1997
215292	05/22/24	SOUTH030	Southwest Soils, Inc.	66.00	05/22/24 VOID	1997 (Reason: didnt print)
215294	05/22/24	SOUTH060	Southern Corrosion, Inc	250.00		1997
215295	05/22/24	SPILL005	Spilman Thomas & Battle, PLLC	2,500.00		1997
215296	05/22/24	STAPL015	Staples, Inc.	306.54		1997
215297	05/22/24	THELA010	THE LANE GROUP GALAX	23,940.00		1997
215298	05/22/24	TIMPE005	Tim Pennington	36.00		1997
215299	05/22/24	TOWN0010	TOWN OF INDEPENDENCE	1,171.21		1997
215300	05/22/24	TRICO005	Tri-County Glass, Inc	466.55		1997
215301	05/22/24	UNIFI005	Unifirst Corporation	687.91		1997
215302	05/22/24	USCEL005	Us Cellular	0.00	05/22/24 VOID	0
215303	05/22/24	USCEL005	Us Cellular	1,655.24		1997
215304	05/22/24	VADEP005	Va Dept Of Motor Vehicles	3,525.00		1997
215305	05/22/24	VANES005	Vanessa Hollifield	23.50		1997
215306	05/22/24	VERIZ010	Verizon Wireless (PSA)	240.28		1997
215307	05/22/24	VIRGI055	VIRGINIA UTILITY PROTECTION SE	6.90		1997
215308	05/22/24	WORKF005	WORKFORCE UNLIMITED, LLC	1,912.50		1997
215309	05/22/24	XEROX005	Xerox Corporation	640.87		1997
215310	05/29/24	ANTH0010	Anthem - Health	339.09		2001
215311	05/29/24	ANTH0015	Anthem - Dental	38.48		2001
215312	05/30/24	AFLAC005	Aflac	131.86		2003
215313	05/30/24	ANTH0010	Anthem - Health	276.12		2003
215314	05/30/24	ANTH0010	Anthem - Health	8,195.91		2003
215315	05/30/24	ANTH0015	Anthem - Dental	564.59		2003
215316	05/30/24	DSSFL005	DSS FLOWER FUND	90.00		2003

215317	05/30/24	GRAY0105	Grayson Co Treasurer'S Office	115.84		2003
215318	05/30/24	MINNE005	Minnesota Life	110.55		2003
215319	05/30/24	NTALI005	NTA LIFE	67.63		2003
215320	05/30/24	SKYLI005	DSS Christmas Club	1,170.00		2003
215321	05/30/24	VAAS0015	VACORP	149.50		2003
215322	05/30/24	VACU0005	VA CREDIT UNION, INC	266.30		2003
215323	05/30/24	WASHI010	WASHINGTON NATIONAL	29.39		2003
215324	05/30/24	AIRME005	AirMedCare Network	4,190.00		2004
215325	05/31/24	AFLAC005	Aflac	611.12		2005
215326	05/31/24	AMER0010	American Heritage Life Ins Co	47.58		2005
215327	05/31/24	ANTH0010	Anthem - Health	63,080.67		2005
215328	05/31/24	ANTH0015	Anthem - Dental	4,139.92		2005
215329	05/31/24	BOSTO005	Boston Mutual Life Ins Co	635.56		2005
215330	05/31/24	GRAY0105	Grayson Co Treasurer'S Office	2,341.37		2005
215331	05/31/24	INGO0005	Ing	100.00		2005
215332	05/31/24	MINNE005	Minnesota Life	739.34		2005
215333	05/31/24	VAAS0015	VACORP	754.54		2005
215334	05/31/24	ANTH0010	Anthem - Health	678.18		2006
215335	05/31/24	ANTH0015	Anthem - Dental	39.53		2006
215336	05/31/24	VAAS0015	VACORP	14.06		2006
215337	05/31/24	ANTH0010	Anthem - Health	4,282.60		2007
215338	06/06/24	1STDE005	1ST DEFENSE PEST CONTROL, LLC	75.00		2011
215339	06/06/24	ADAMS005	Adams Building Supply	461.96		2011
215340	06/06/24	ADVAN025	Advance Auto Parts	136.80		2011
215341	06/06/24	AMAZO005	Amazon Capital Services, Inc.	1,569.55		2011
215342	06/06/24	AMORT005	A.Morton Thomas and Associates	2,598.95		2011
215343	06/06/24	APPAL005	Appalachian Power	1,229.76		2011
215344	06/06/24	APRIL020	Manna Tees Apparel	215.86		2011
215345	06/06/24	ARCET005	ARC 3 GASES	308.79		2011
215346	06/06/24	BKTUN005	Bkt Uniforms	88.99		2011
215347	06/06/24	BOUND005	Bound Tree Medical LLC	432.78		2011
215348	06/06/24	CARR0020	Carroll-Grayson-Galax Solid Wa	41,255.45		2011
215349	06/06/24	CENT0015	Century Link	184.77		2011
215350	06/06/24	CINTA005	Cintas Corp, #532	0.00	06/06/24 VOID	0
215351	06/06/24	CINTA005	Cintas Corp, #532	979.68		2011
215352	06/06/24	CITY0010	City of Galax	720.00		2011
215353	06/06/24	COMCA015	COMCAST BUSINESS	482.00		2011
215354	06/06/24	COMMI005	Commissioners Of Revenue Assoc	275.00		2011
215355	06/06/24	CPICO005	CPI COMMUNICATIONS	1,624.03		2011
215356	06/06/24	EDMUN005	Edmunds & Associates, Inc	5,204.64		2011
215357	06/06/24	ELEC0010	Election Systems & Software	3,639.77		2011
215358	06/06/24	ELKC0010	Elk Creek Rescue Squad	525.38		2011
215359	06/06/24	FERGU010	FERGUSON ENTERPRISES INC.	453.75		2011
215360	06/06/24	FIELD005	Fielder Electric Motor Repair	200.00		2011
215361	06/06/24	FITZG005	Fitzgerald Peterbilt II, LLC	924.21		2011
215362	06/06/24	FRIES020	Friesland Corp.	224.12		2011
215363	06/06/24	GALA0010	Galax Gazette	69,303.16	06/06/24 VOID	2011 (Reason: wrong vendor)
215364	06/06/24	GAZET005	Gazette Press, Inc	315.00		2011
215365	06/06/24	GRAY0060	Grayson Co Sheriff'S Office	85.27		2011
215366	06/06/24	GRAY0100	Gray Service Center	15,000.00		2011
215367	06/06/24	GREAT010	Great American Financial Serv.	485.32		2011
215368	06/06/24	HILLS005	Hill Studio Pc	24,000.00		2011
215369	06/06/24	HRGAR005	H & R Garage	145.00		2011
215370	06/06/24	HURTP005	HURT & PROFFITT	725.20		2011
215371	06/06/24	JONES025	JONES EXCAVATIONS LLC	1,260.00		2011
215372	06/06/24	KINGS005	Kings Tire Service	1,110.00		2011
215373	06/06/24	LCR00005	LCR	199.32		2011
215374	06/06/24	MANSF005	Mansfield Oil Company	0.00	06/06/24 VOID	0
215375	06/06/24	MANSF005	Mansfield Oil Company	12,141.77		2011
215376	06/06/24	MERRI005	Merritt Supply, Inc	69.50		2011
215377	06/06/24	MTRO0015	Mt Rogers Regional Partnership	30.67		2011

215378	06/06/24	NAPAA010	Napa Auto Parts	102.31		2011
215379	06/06/24	NATIO020	National Pools Of Roanoke, Inc	5,652.00		2011
215380	06/06/24	NWCDI005	Nwcd, Inc	646.21		2011
215381	06/06/24	OLDD0005	Old Dominion Slush Puppie	784.00		2011
215382	06/06/24	PAPER005	Paper Clip	0.00	06/06/24 VOID	0
215383	06/06/24	PAPER005	Paper Clip	696.75		2011
215384	06/06/24	PIED0010	Piedmont Truck Center, Inc	249.96		2011
215385	06/06/24	PMGNE005	PMG Newspapers, Central NC/VA	2,911.55		2011
215386	06/06/24	PRIN0015	Printelect	900.00		2011
215387	06/06/24	ROBYN005	Robyn Dillon	1,400.00		2011
215388	06/06/24	SALLY020	Sally Richardson	300.00		2011
215389	06/06/24	SANDR070	Sandra L Terry	250.00		2011
215390	06/06/24	SHUPE005	Mike Harrison Shupe	9,575.43		2011
215391	06/06/24	SOUT0015	Southeast Energy, Inc	1,868.00		2011
215392	06/06/24	SPORT005	BSN SPORTS	17,716.00		2011
215393	06/06/24	SUNT0010	Truist	0.00	06/06/24 VOID	0
215394	06/06/24	SUNT0010	Truist	0.00	06/06/24 VOID	0
215395	06/06/24	SUNT0010	Truist	23,960.55		2011
215396	06/06/24	SWIR005	S.W. Virginia Commissioners Of	25.00		2011
215397	06/06/24	TACS	Taxing Authority Consulting	4,529.30		2011
215398	06/06/24	TOWN0010	TOWN OF INDEPENDENCE	23.95		2011
215399	06/06/24	TREA0010	Treasurer Of Virginia,M.E.	20.00		2011
215400	06/06/24	TREAS010	Treasurer of Virginia	298.61		2011
215401	06/06/24	TROUT005	Troutdale Vol Fire & Rescue	1,874.77		2011
215402	06/06/24	TRUC0010	Truck Service Enterprise, Inc	3,524.34		2011
215403	06/06/24	USPOS005	Us Postal Service	154.00		2011
215404	06/06/24	WALKE005	Walkers Welding & Muffler Shop	866.40		2011
215405	06/06/24	WORDS005	Wordsprint, Inc.	1,437.38		2011
215406	06/06/24	WORKF005	WORKFORCE UNLIMITED, LLC	911.25		2011
215407	06/06/24	XEROX005	Xerox Corporation	213.35		2011
215408	06/06/24	ABPRI005	A & B Printing	576.00		2012
215409	06/06/24	APPAL020	Appalacian Power (ASAP)	200.00		2012
215410	06/06/24	BANKO005	Bank Of Marion - Visa	873.91		2012
215411	06/06/24	COMMO015	Commission On Vasap	662.66		2012
215412	06/06/24	DONNA015	Donna B. Hill	284.52		2012
215413	06/06/24	KISER005	Kiser Computer Consulting, Llc	280.00		2012
215414	06/06/24	SCOTT010	SCOTT E MORRIS	175.00		2012
215415	06/06/24	SPECI005	Special Markets Ins Consultant	235.00		2012
215416	06/06/24	TOWN0015	Town Of Marion	100.00		2012
215417	06/06/24	GALA0025	Galax Grayson Ems	69,303.16		2013

Checking Account Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	200	11	859,884.88	69,369.16
Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u>	<u>0.00</u>
Total:	200	11	859,884.88	69,369.16

Report Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	200	11	859,884.88	69,369.16
Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u>	<u>0.00</u>
Total:	200	11	859,884.88	69,369.16

Grayson County Board of Supervisors
Regular Meeting
June 13, 2024

Members attending in person: R. Brantley Ivey, Michael S. Hash, Tracy A. Anderson, Mary Dickenson Tomlinson, and Mitchell D. Cornett

Staff attending in person: Stephen A. Boyer, Mitchell L. Smith, Nicole Edwards and Linda C. Osborne

IN RE: OPENING BUSINESS

Supervisor Anderson made the motion to amend the agenda, moving item 3 (Budget Amendments) under the consent agenda, to new business; move Grayson County Access Road Approval item under new business and the Deferred Compensation Approval to the consent agenda; duly seconded by Supervisor Hash. Motion carried 5-0.

IN RE: PUBLIC HEARING(S)

- A public hearing to receive public comment(s) on a Special Use Permit for Tax Map #62-A-78E and Tax Map #62-A-78F. The proposed request is to establish a recreational primitive campground on both parcels. Supervisor Anderson made the motion to open the public hearing; duly seconded by Supervisor Hash. Motion carried 5-0. Mrs. Jada Black, Planning & Community Development Director, addressed the Board and gave the following summary: the Planning Commission has reviewed Diana Goodwin, owners/operator of Blue Ridge Ventures, LLC's application for a special use permit regarding the property located at 62-A078E and 62-A-78F. The subject property is considered vacant land, zoned Rural Farm, and located within the Wilson District. The purpose of the special use permit was to establish a 15-site primitive campground using both parcels, which total approximately 63 acres. Findings: Zoning Compliance: a special use permit is required to establish a campground in the rural farm district per §3-11 of the Zoning Ordinance. A campground is defined as any lot or planned development on which 3 or more campsites are occupied or intended for occupancy by unrelated persons and intended for the accommodation of camping for periods of overnight or longer. §3-12 regulates the health, safety, and welfare of uses and provides general requirement for specified uses such as campgrounds. Impact on Surrounding Properties: the proposed use may have adverse effects on the surrounding properties and the community: increased traffic through the residential neighborhood; noise pollution – vehicles, noise from campers; fire risk – not managed properly can pose a significant fire risk to adjacent properties/residents; trash & pollution – without proper facilities, there could be a trash buildup/pollution, harming the environment; wear/tear on the road – impacts from heavy vehicles leading to potholes, erosion / costly repairs; legal issues – legal complications have already risen over property rights, easement usage between landowners; conflicts over maintenance to shared access – nothing has been finalized over shared maintenance; safety concerns of adjoining residential development – could attract a transient population, increase the risk of crime, vandalism, and other safety concerns – additional foot traffic & unfamiliar faces can make a resident feel less secure in their own neighborhood; strain on resources of local law enforcement/fire departments in the event of an emergency could be impacted – local law enforcement can take several minutes to arrive, and fire is a paid volunteer service that could take several minutes to respond; decrease property values should the campground become known for noise, traffic or environmental issues, it could potentially decrease the property value, making it harder for residents to see their homes or affecting their investment value. Community Input: The Planning Commission heard from 6 adjoining property owners and local residents of the Whitetop Community at the May 21, 2024 public hearing – 6 spoke with the following concerns: additional vehicle traffic along the right-of-way, lighting, trespassing, maintenance of a shared right-of-way unknown, civil dispute of right-of-way, fires, parking, illegal drug activity, trash, property depreciation, fire insurance rate increases, and unmanaged campground, intimidation and threats. Recommendation: based on the Code of Virginia, the Planning Commission

recommends the following: the proposed use would have adverse impacts on the character of the neighborhood; the proposed use would have adverse impacts to the shared access right-of-way used by all adjoining landowners; the proposed use would have an adverse impact on the abutting property. The Planning Commission did make a motion by resolution with a 7-0 vote: Be it resolved, that in order to assure compliance with Virginia Code §15.2-2286(A)(3) & (7) and Zoning Ordinance §1-4 and 3-12, it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare, and good zoning practice, I move that the Special Use Permit request 20240069 as presented, be recommended for disapproval to the Board of Supervisors as the issuance of a Special Use Permit would not be in compliance with the Grayson County Zoning Ordinance. Conclusion: based on the Planning Commission's findings and recommendations, the special use permit application should be denied. However, the Board of Supervisors does have the final approval to deny, modify, or approve the application as submitted. Should the Board of Supervisors consider the same recommendation by the Planning Commission, the applicant will be notified of the Board's decision and provided with information on the appeals process, as required in §15.2-2285F of the Code of Virginia.

- Dalton Loggins of Highland Pkwy/Whitetop/Va – against campground; safety concerns; been harassed along with other neighbors – and survey stakes have been placed on my property; 100% against the campground
- Gary Pennington of Highlands Pkwy/Whitetop/Va – been harassed, very inconsiderate of neighbors; don't have a 40' right of way; against campground
- Vicky Pennington of Highlands Pkwy/Whitetop/Va – not organized for a campground; very concerned about fires and what will happen; have good neighbors; whole area will be hurt
- Diana Goodwin of Highlands Pkwy/Whitetop/Va – disclosed that she is acquainted with Supervisor Cornett as they are both realtors; noted that she had emailed the Board of Supervisors including a copy of the Planning Commission's staff report expressing potential legal and ethical concerns regarding their consideration and denial of this special use permit – serious concerns of the path of integrity and the process; wants the campground and it's primitive in nature at this time; staff report was inaccurate; conversations during the Planning Commission meeting were inappropriate
- Sandra Billings of Dolinger Rd/Whitetop/Va – primitive campground is not needed; will decrease land value; local campground in area for use; spoke about Damascus and trussell 17 and transients; concerned about safety; put campground on own property;

Supervisor Ivey requested the emails received (listed below) for public hearing comment be entered into the minutes:

- Virginia McGlothlin Peterson, and I own land adjacent to the proposed Primitive Campground at Whitetop, owned by Blue Ridge Ventures .While I will be at the BOS meeting Thursday evening, and plan to make comments, I did want the board to be aware of several issues. This proposed primitive campground has actually been operating since July of 2022, without a permit. After the Planning Commission Meeting, held May 21, during which the committee voted to decline the application, we were advised 3 camping spots could be operated without a permit. At that time, advertising for the campground offered 8 sites. Since that meeting, the advertising has changed to 5 sites offered, with a new "lodging" shed added. In the presentation on May 21 by the operator, Diana Goodwin

emphatically stated "No campfires would be allowed". However, in reviewing the current advertisement, as of June 11, campfires are allowed at the RV site listed, and at one "shed lodging" site. Aside from the operator continuing to move forward with setting up additional "lodging" after having the permit application declined, and advertising more than the 3 spots allowed, the open campfires are a serious threat to the residents and properties adjacent to the sites. There is no monitoring, no staff onsite, no way for campers who may need emergency assistance to contact them, and no property boundary markings. This operator appears to be moving ahead with development of the proposed campground as if it has been approved. I have attached screenshots of the advertisement for reference (on file with the board packet).

- Garry Greer – owner of the Creeper Trail Bike Rental & Shuttle located at 16153 Highlands Parkway, we have been in business for the last 18yrs. providing bike rental & shuttle service for the Virginia Creeper Trail. Recently a lady named Diana Goodwin (AKA Dede Miller) contacted me to let me know that she is going to start a campground for hikers in the Whitetop community not far from my business and wanted to recommend her customers to me for shuttle service if needed, I told her I would be glad to help if possible, even told her I would recommend her on my website, however shortly after this brief conversation I found out that she has been causing all kinds of problems for the adjoining property owners there. A friend of mine has a nephew that lives on one of those adjoining properties and he shared several text messages from Diana that I read and found to be threatening, and unnecessary, I would even classify these texts as being harassment. Needless to say i have reconsidered my position on supporting this business in any way whatsoever, people who think they can bully and harass others with veiled threats and lies will receive no support from my business, as a matter of fact I would like to recommend that she not be allowed to continue with the proposed campground, if she is treating her neighbors with the disrespect I saw in her text messages I can only imagine how she would treat any potential customers. I hope that when the Grayson County Board of Supervisors meet on June 13th, that they consider the concerns and issues of those Whitetop residents effected by this proposed business and act accordingly. They especially need to listen carefully to those living next door to this property, that have already had multiple issues with this person. I will continue to send all camping referrals to Jon and Beverly at Creeper Trail Campground in Whitetop, where I know they will be taken care of and treated with kindness respect.
- Debbie Poe – I’m against the camp ground proposal in Whitetop – leave our mountains alone just like they are
- Marsha Roop – I say no to a camp ground – leave our small community the way it is – untouched. Why does everyone moving in to our community want to commercialize it? I say no.
- Cliff Wilson of Lake City/FL - I want to begin by apologizing for my tardiness and for using my work email as this is not related to my office, my position, or my profession as an Attorney. My name is Cliff Wilson Jr. and my wife, Andrea, and I own 12 acres in Whitetop which sits directly across Hwy 58, to the northeast, of the proposed Whitetop

Campground. My wife's family is originally from Mountain City and I have family and roots in the Mountains of east Tennessee. I tell you this to say that I first discovered this beautiful area of SW Virginia nearly 20 years ago when I was hunting in Mountain City with my Father-in-law. To say that we both fell in love with the area would be an understatement. My wife and I have always planned on retiring in the Mountains and we eventually decided on NE Tennessee or SW Virginia when we first started looking for property. One of the main reasons we were interested in this area was because of its rural nature. Although we are in Florida, we live on the Florida/Georgia state line in a very rural area. Much like Grayson County, a good portion of our home County in Florida is part of a National Forest (Osceola) and we live very close to the Forest border. Again, I say this so you will have some perspective into our thought process in selecting your beautiful County as a place where we plan to eventually relocate. I was notified by a friend in Grayson County about the proposed campground the day before the Planning Board meeting and I have reviewed said meeting. I have also reviewed the application that has been submitted by Blue Ridge Ventures. In my opinion, the plan for this campground is woefully lacking in any details which would alleviate any concerns about how this would operate with absolutely no on-site oversight. This is very concerning to me when we are talking about a 15-site campground in the middle of a quiet, country neighborhood. Furthermore, I must say it was quite shocking to see and hear the pushback from the residents of the adjacent properties and I agree wholeheartedly with their concerns. Blue Ridge Ventures' presentation actually solidified my thoughts that the plan for this project is extremely thin on details. As they say, the devil is in the details and this is especially true when the details for this project seem to be extremely lacking on alleviating the concerns of the neighbors, including myself and my wife. It also did not alleviate my concerns when I heard the seemingly ongoing disputes between Blue Ridge Ventures and most, if not all, of the adjacent property owners. I understand that growth can probably be expected in Whitetop and the surrounding areas given the outdoor activities that are abundantly available and the beauty of the area. However, I think everyone would agree that growth that is unfettered and allowed haphazardly is going to ruin what we all seem to love about this area. My wife and I want to become part of this community and help maintain the lifestyle that people are accustomed to living. That does not mean that we should never support growth in our community, but this is certainly not the type of growth that is needed or wanted. I would please urge each of you to vote to deny this permit

Supervisor Tomlinson made the motion to close the public hearing; duly seconded by Supervisor Hash. Motion carried 5-0.

- A public hearing to receive public comment(s) to consider amendments to the Grayson County Comprehensive Plan involving the adoption of Utility Scale Renewable Energy Policies. Supervisor Cornett made the motion to open the public hearing; duly seconded by Supervisor Tomlinson. Motion carried 5-0. Mrs. Black addressed the Board and noted that Michael Zehner, Director of Planning & Community Development with the Berkley Group is attending via zoom. Mrs. Black noted the following: amendments were made to

the Comprehensive Plan to provide for utility scaled wind & solar facilities also identifying that utility scaled wind facilities are not an appropriate land use for within the county; additionally identifying and amending the zoning ordinance to identify and regulate proper disposal methods for solar panels to minimize environmental impacts, establishing acreage limitations for utility scaled solar and preventing over-development and prohibit utility wind scaled facilities as an allowed use and further creating a mountain ridge overlay district to protect mountain top ridgelines for unsuitable development. Public hearing was held on May 21 regarding the amendments included in the packet minus the mountain ridge overlay – the Planning Commission felt that this request needed a thorough review and discussion before submitting that particular piece to the Board of Supervisors for consideration – currently the Planning Commission is working with the Berkley Group to address the ridge overlay. Mrs. Black noted that the county attorney has reviewed the proposed ordinance, however, the modifications which was struck has not been reviewed (on file with the board packet).

- Joe Bonacquisti of Kindrick Rd/Mouth of Wilson/VA – thanked Board and Planning Commission in their pursuit of the zoning ordinance and the renewable energy and looks forward to the mountain ridge overlay plan
- Bepe Kafka of Sugar Camp Ln/Independence/VA – amazing job on the documents, very thorough and clear but there are 2 points: 13-14.3.2 regarding yearly groundwater monitoring – need to specify what they have to monitor for and Buck Mountain used to be a haven for wild ginseng and suggested acquiring a naturalist to do a plant survey
- (Email) John & Olivia Bass – we along with the vast majority of Grayson County citizens strongly oppose littering our mountain ridges with unsightly, noisy, avian wildlife destroying wind turbine towers. Wind energy is not financially feasible. For instance, the break even point for one turbine installation is about 23 years – this means that the turbine will not be paid off until 3 years after its expected lifespan – clearly, wind turbines are not economical and they certainly do not in any way benefit Grayson County – Bottomley should not be given the right to besmirch one of the tallest mountains in our state for his own profiteering.

Supervisor Anderson made the motion to close the public hearing; duly seconded by Supervisor Tomlinson. Motion carried 5-0.

Mr. Boyer noted that the Recreational Primitive Campground is not listed on the agenda under new business with staff thinking that the Board would make their decision immediately following the public hearing. Supervisor Cornett made the motion to amend the agenda; duly seconded by Supervisor Tomlinson. Motion carried 5-0. Supervisor Anderson made the motion to accept the Planning Commission's recommendation to deny the permit; duly seconded by Supervisor Cornett. Roll call vote as follows: Tracy A. Anderson – aye; Michael S. Hash – aye; Mitchell D. Cornett – aye; Mary E. Dickenson Tomlinson – aye; R. Brantley Ivey – aye. Motion carried 5-0.

- A public hearing to receive public comment(s) to consider the adoption of the Grayson County Zoning Ordinance concerning the regulation of solar energy and wind energy generating facilities, along with other amendments for renewable energy to clarify their regulation/amendments to clarify the regulation of communication towers separate from towers associated with wind energy generating facilities, and to update procedures for consideration of special use permits. Supervisor Cornett made the motion to open the public hearing; duly seconded by Supervisor Hash. Motion carried 5-0. Mrs. Black noted that Michael Zehner of the Berkley Group is attending via zoom and will address any questions/comments as needed regarding the amendments (included in the board packet) – Mr. Zehner noted that solar panel disposal was incorporated into the ordinance in 3-14.3.3.9 as part of the Decommissioning and Reclamation Plan and it was already in 3-14.3.6.6.10 as part of the Decommissioning and Reclamation. Mrs. Black noted that the additional language that was added was for the percentage and came up with 3.14.3.6.6.10 under letter h and iii which states the amount of funds required to be deposited in the escrow account shall be the full amount of the estimated decommissioning cost without regard to the possibility of salvage value, plus 10%. Mr. Zehner also noted that regarding disposal of panels, 3-14.3.6.6 – Damaged Panels; Storage was added. Still working on the overlay language. Ground water monitoring language can be added but need the language on what to include – Mr. Zehner note that we can use the standard language which gives the county discretion to indicate how the ground water monitoring is to be conducted by the property/facility owner – not be overly specific and could be through a special use permit – the Board of Supervisors can still grant special use permits/variances beyond these requirements – Mr. Zehner noted that an applicant could seek a variance or zoning administration can waive certain things required for the application sighting agreement for solar facility is broad latitude (3-14.3.2.7).
 - Denby Bonacquisti of Kindreck Rd/Mouth of Wilson/VA – thanked the Board and looking forward to getting this completed

Supervisor Tomlinson made the motion close the public hearing; duly seconded by Supervisor Cornett. Motion carried 5-0.

- A public hearing to receive public comment(s) to consider changes to Chapter 7, Transportation, of the Grayson County Comprehensive Plan which includes adding the required project information and maps to the Transportation Chapter to support VDOT's Smart Scale Project for Skyline Hwy (Rt. 89) at Mt. Vale Road (Rt. 168) right turn-lane improvement. Supervisor Cornett made the motion to open the public hearing; duly seconded by Supervisor Anderson. Motion carried 5-0. Since there were no speakers signed up, Supervisor Tomlinson made the motion to close the public hearing; duly seconded by Supervisor Hash. Motion carried 5-0.
- A public hearing to receive public comment(s) to consider the adoption of the Grayson County Erosion and Sediment Control Ordinance in accordance with Chapters 68 and 758

of the Acts of Assembly. These Acts, referred to as the “Consolidation Bill,” combine stormwater management and erosion and sediment control requirements under the Virginia Erosion and Stormwater Management Act (VESMA) §62.1-44.15:51 through §62.1-44.15:66 of the Code of Virginia. Supervisor Cornett made the motion to open the public hearing; duly seconded by Supervisor Tomlinson. Motion carried 5-0.

- Denby Bonecquisti of Kindreck Rd/Mouth of Wilson/Va – curious about what’s going on with this, what’s it about?

Supervisor Anderson made the motion to close the public hearing; duly seconded by Supervisor Tomlinson. Motion carried 5-0. Supervisor Ivey noted that this is simply updating our Stormwater policy based on Virginia Code – consolidating Stormwater and Erosion & Sediment Control – the County is required to have this ordinance adopted by July 1.

The Board took a break at 6:53pm and the meeting reconvened at 7:00pm.

IN RE: NEW BUSINESS

- Resolution – Comprehensive Plan Addendum

Mr. Boyer read the resolution (listed below). Supervisor Hash made the motion to approve; duly seconded by Supervisor Cornett. Discussion took place and Supervisor Ivey noted that some type of regulation is needed but hate to penalize landowners; Supervisor Anderson and Cornett both noted it’s about representing the people; Supervisor Hash noted this will give flexibility; Supervisor Tomlinson agrees and appreciates all the work that has went into to this. Roll call vote as follows: Tracy A. Anderson – aye; Michael S. Hash – aye; Mitchell D. Cornett – aye; Mary E. Dickenson Tomlinson – aye; R. Brantley Ivey – aye. Motion carried 5-0.

**RESOLUTION
ADOPTING THE UTILITY SCALE RENEWABLE FACILITIES POLICIES
COMPREHENSIVE PLAN ADDENDUM**

WHEREAS, under Section 15.2-2229 of the Virginia Code, the Board of County Supervisors may consider amendments to the Comprehensive Plan; and

WHEREAS, Section 15.2-2230 of the Virginia Code requires a review of the Comprehensive Plan every five years to determine whether it needs to be amended; and

WHEREAS, due to the increase in renewable facilities permit applications, changes in State law, and the increased demand for renewable energy generation facilities, there is a need to update the Comprehensive Plan; and

WHEREAS, on May 7, 2024, the Board of County Supervisors initiated an amendment to the Comprehensive Plan to address utility scale renewable energy facilities; and

WHEREAS, the intent is to provide policies and a development vision showing how the County may utilize its land resources to accommodate the increase in utility scale renewable energy generation facilities; and

WHEREAS, the Planning Commission held a public hearing on May 21, 2024, after notice in accordance with Section 15.2-2204 of the Code of Virginia, and heard citizen testimony regarding the proposed amendments to the Comprehensive Plan; and

WHEREAS, the Planning Commission, by Resolution, found that the proposed amendment to the Comprehensive Plan guides and accomplishes a coordinated, adjusted and harmonious development of the territory which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants, including the elderly and persons with disabilities;

NOW, THEREFORE, BE IT RESOLVED that the Grayson County Board of Supervisors does hereby adopt Comprehensive Plan Amendment, Utility-Scale Renewable Energy Facilities Policies, attached hereto, to be incorporated into the Comprehensive Plan and referenced in the Table of Contents thereof.

Adopted this day 13th day of June 2024 in the County of Grayson, Virginia

By: _____
R. Brantley Ivey, Chair
Grayson County Board of Supervisors

Attest: _____
Stephen A. Boyer, Clerk
Grayson County Board of Supervisors

CERTIFICATE OF VOTES

The record of the roll-call vote by the members of the Grayson County Board of Supervisors on the foregoing Resolution, duly adopted upon a roll-call vote at a public meeting held on June 13th 2024, as follows:

<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
R. Brantley Ivey				

Michael S. Hash				
Tracy A. Anderson				
Mary E. Dickenson Tomlinson				
Mitchell D. Cornett				

- Resolution – Zoning Ordinance Amendment – Renewable Energy and Procedures

Reading of the resolution (on file in the county office) was waived. For the record, the Board of Supervisors has the authority to offer variances and can suggest changes at any time. Supervisor Tomlinson made the motion to approve; duly seconded by Supervisor Anderson. Roll call vote as follows: Tracy A. Anderson – aye; Michael S. Hash – aye; Mitchell D. Cornett – aye; Mary E. Dickenson Tomlinson – aye; R. Brantley Ivey – aye. Motion carried 5-0.

ORDINANCE

TO AMEND THE ZONING ORDINANCE OF GRAYSON COUNTY, VIRGINIA ZONING FOR THE REGULATION OF SOLAR ENERGY AND WIND ENERGY GENERATING FACILITIES, ALONG WITH OTHER AMENDMENTS FOR RENEWABLE ENERGY USES TO CLARIFY THEIR REGULATION, AND TO UPDATE PROCEDURES RELATED TO THE CONSIDERATION OF SPECIAL USE PERMITS

ARTICLE I. Purpose(s) and Authority.

WHEREAS, section 15.2-2204 *et.seq.* of the Code of Virginia (1950, as amended) established that any locality may, by ordinance, establish regulations on zoning and planning; and

WHEREAS, the Grayson County Board of Supervisors have determined that it is in the best interest of public health, safety, and general welfare to amend and update regulations related to renewable energy uses, and specifically solar energy and wind energy generating facilities; and

WHEREAS, the Grayson County Board of Supervisors have determined that utility-scale wind facilities are not considered to be an appropriate land use in the County given their potential impacts on adjacent and nearby uses, the County’s natural resources and important viewsheds, and shall be prohibited; and

WHEREAS, the Grayson County Board of Supervisors have further determined that is in the best interest of public health, safety, and general welfare to update procedures related to the consideration of special use permits; and

WHEREAS, the Grayson County Planning Commission held a public hearing and recommended passage of this Ordinance on May 21, 2024; and

WHEREAS, the Board of Supervisors of the County of Grayson, Virginia, held a public hearing on this Ordinance.

ARTICLE II. Construction.

For the purposes of this ordinance amendment, underlined works (underline) shall be considered as additions to the existing Zoning Ordinance language and strikethrough words (strikethrough) shall be considered deletions to existing language. Any portions of the adopted Zoning Ordinance which are not repeated herein but are instead replaced by an ellipses (“...”) shall remain as they currently exist with the Zoning Ordinance.

ARTICLE III. Amendment of the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Grayson County, Virginia, after public notice, public hearing, and consideration of the best interests of the public health, safety, and welfare, that the Zoning Ordinance of Grayson County, Virginia, shall be amended, as follows:
PART I.

That **Article 2, Definitions, of the Zoning Ordinance**, be amended by adding the following terms and definitions, inserted therein in customary alphabetical order with numbering and renumbering of sections as necessary:

Brownfield: A former industrial or commercial site typically containing low levels of environmental pollution such as hazardous waste or industrial byproducts.

Solar Energy Generating Facility (Solar Facility): Solar energy generating devices, inverters, a substation, ancillary equipment, buildings, security fencing, access roads, setbacks, and screening on the site. Solar energy generating devices utilize sunlight as an energy source to heat or cool buildings, heat or cool water, or produce mechanical power by means of any combination of collecting, transferring, or converting solar generated energy. The term applies to, but is not limited to, solar photovoltaic systems, solar thermal systems, and solar hot water systems. The following words, terms and phrases pertaining to solar energy generating facilities, when used in the Grayson County Zoning Ordinance or in the administration thereof, shall have the following meanings ascribed to them:

Accessory Solar Facility: A solar facility comprised of photovoltaics attached to and/or incorporated into building components and/or materials for structures, such as roofs or shingles, along with supporting equipment, the facility being an accessory use to the principal use of the property and not exceeding 50 kW. Such facilities may be ground-mounted. Supporting equipment commonly includes panels, racking, inverters, performance monitoring, grid connection, and energy storage systems.

Large-Scale Solar Energy Facility: A ground-mounted solar facility that generates electricity from sunlight on an area adequate to support a rated capacity of one megawatt (MW) alternating current or greater.

Operator: The company or individual responsible for the overall operation and management of the solar facility.

Owner: The company or person who owns all or a portion of a solar facility.

Participating landowner: A person who owns real property under lease or other property agreement with the owner or operator of a solar facility.

Photovoltaic (PV): Materials and devices that absorb sunlight and convert it directly into electricity.

Project; Project Area: These terms, when used in the context of identifying the limits or area of a facility, or the distance or separation of a facility or its components from other features, shall refer to the entirety of one or more parcels or leased portions of parcels upon which a facility is proposed to be sited.

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

Small-Scale Solar Energy Facility: A ground-mounted solar facility that generates electricity from sunlight on an area adequate to support a rated capacity of one megawatt (1 MW) alternating current or less.

Viewshed: The view of an area from a specific vantage point. It includes all surrounding points that are in line of sight with that location.

Wind Energy Generating Facility (Wind Facility): A facility or project that generates electricity from wind and consists of one (1) or more wind turbines and may include other accessory structures and buildings, including substations, post-construction meteorological towers, electrical infrastructure, and other appurtenant structures and facilities within the boundaries of the site. This includes, but is not limited to, transmission, storage, collection and supply equipment, substations, transformers, service and access roads, and one or more wind turbines. The following words, terms and phrases pertaining to wind energy generating facilities, when used in the Grayson County Zoning Ordinance or in the administration thereof, shall have the following meanings ascribed to them:

Accessory Wind Facility: A wind facility comprised of a tower and wind turbine that has a wind turbine height less than one hundred (100) feet and a rated capacity less than 100KW, along with supporting equipment, the facility being an accessory use to the principal use of the property. Supporting equipment commonly includes turbines, towers, controllers, inverters, grounding systems, foundations, and energy storage systems.

Rated capacity: The maximum capacity of a wind facility based on the sum total of each turbine's nameplate capacity, which is typically specified by the manufacturer with a label on the turbine equipment.

Temporary meteorological tower (MET) or wind monitoring tower: A free-standing tower equipped with instrumentation, such as anemometers, designed to provide real-time data pertaining to wind speed and direction, and used to assess the wind resources at a particular site.

Tower: Towers include vertical structures that support the electrical generator, rotor blades, or meteorological equipment. This includes a structure on which a wind turbine is mounted, or on which anemometers and other instrumentation are mounted in the case of MET towers.

Utility-Scale Wind Energy System: A wind facility with a rated capacity of one (1) megawatt (MW) or greater that generates electricity from wind, and consists of one (1) or more wind turbines and other accessory structures and buildings, including substations, post-construction meteorological towers, electrical infrastructure, and other appurtenant structures and facilities within the boundaries of the site. Two (2) or more wind turbines otherwise spatially separated but under common ownership or operational control, which are connected to the electrical grid under a single interconnection agreement, shall be considered a single utility-scale wind energy project.

Wind turbine: A device that converts wind energy into electricity through the use of a wind turbine generator. A wind turbine typically consists of a tower, nacelle, rotor, blades, controller and associated mechanical and electrical conversion components.

Wind turbine height: The vertical height of a wind turbine as measured from the existing grade to the highest vertical point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation.

PART II. That **Article 3, General Requirements for All Zone Districts, Section 3-14, of the Zoning Ordinance**, be amended as follows:

3-14 Renewable Energy Infrastructure. Includes Wind Energy Generating Facilities, Hydropower Systems, Solar Energy Generating Facilities, Solar Thermal Systems, and Combustion units.

The purpose of this section is to provide guidance, regulations, and standards on zoning requirements as it relates to renewable energy infrastructure in the unincorporated areas of Grayson County. Renewable Energy Infrastructure is allowed in ~~in~~ all zone districts in accordance with the standards set forth in this ~~article~~ Section. Unless stated otherwise, structures associated with renewable energy infrastructure require a zoning permit.

Wind Turbines/Towers. Wind turbines/towers under 100 feet in height (measured from the adjacent grade to the uppermost portion of the turbine) ~~are allowed in all zone districts with a zoning permit.~~ Wind turbines and/or the collection of wind turbines that have rated capacity of less than 100 KW ~~is allowed in all zone districts.~~ Proposed towers of a greater height (over 100 ft.) and/or towers that are proposed to be luminated shall require a Special Use Permit. Permitted towers shall be located at ~~_____~~ a setback distance from any adjacent property line and any public street, at the distance in feet that equals or exceeds the proposed height of the tower and wind turbine plus 25% of this distance.

Solar Photovoltaic and Solar Thermal Systems. Solar components proposed for ~~_____~~ existing roof or existing structures will not require a zoning permit. When solar is ~~_____~~ proposed for a stand-alone rack system or when a new structure is proposed, the structure or rack system will require a zoning permit and will follow the street and yard setbacks for the zone district. Solar photovoltaic and solar thermal systems with rated capacity of under 100KW ~~or the equivalent is allowed in all zone districts.~~ Utility scale solar power facilities will require a Special Use Permit. For the purpose of this Ordinance Utility Scale Solar are those systems with rated capacity of over 100 KW of electricity.

3-14.1 Hydropower Systems. Micro-hydro systems for personal use or business use ~~are allowed in all zone districts and will not require a zoning permit.~~ Utility and utility scale hydropower systems ~~will require a Special Use Permit~~ are permitted either by-right or subject to a Special Use Permit as specified within the applicable zoning districts in Article 4. For the purpose of this Ordinance Utility Scale Hydropower are those systems with rated capacity of over 100 KW of electricity. Landowners should reference state and/or federal requirements for use of the waterway when the use of the waterway is regulated by state or federal law.

3-14.2 Combustion Units. Combustion units that are located inside the principal building or those that are an accessory to a home or business ~~are allowed in all zone districts~~ permitted either by-right or subject to a Special Use Permit as specified within the applicable zoning districts in Article 4 when the fuel source is woody biomass, coal or agricultural in nature. Incineration units where the primary fuel is solid waste and/or other products other than woody biomass or agricultural and/or when the unit is designed for off-site, utility scale electrical generation or when proposed as part of a commercial based solid waste disposal unit, shall require a location in the Industrial District.

3-14.3 Solar Energy Generating Facilities

3-14.3.1 Applicability and Permitting. The requirements set forth in this Section shall govern the location, siting, development, construction, installation, operation and decommissioning of solar energy generating facilities in the County. Solar facilities are permitted either by-right or subject to a Special Use Permit as specified within the applicable zoning districts in Article 4. Regardless of whether uses are allowed by-right or only with a Special Use Permit, a Zoning Permit is required pursuant to Section 3-5.

3-14.3.2 Application Process. In addition to application materials required as outlined in subsection 3-14.3.3, Application Requirements, and procedural requirements as outlined in Section 5-11, Special Use Permit, all solar facilities for which a Special Use Permit is required shall be subject to the following procedural requirements:

3-14.3.2.1 Pre-Application Meeting. Prior to submission of a Special Use Permit application, a pre-application meeting shall be held with the Zoning Administrator to discuss the location, scale, and nature of the proposed use, what will be expected during that process, as well as the potential for a siting agreement, if applicable.

3-14.3.2.2 Third-Party Review. The County is authorized to hire an independent third-party consultant, and may choose to do so at their discretion, to review any Special Use Permit application and all associated documents for completeness and compliance with this section and any other state and federal codes. Any costs associated with the review shall be paid by the applicant. Any payment of such fees would in no way be a substitute of payment for any other application review fees otherwise required by the County.

3-14.3.2.3 Completeness/Compliance Review. Upon submission, the Zoning Administrator and/or a third-party reviewer shall review the application and determine whether it is complete (i.e., that all required application materials have been submitted) and compliant (i.e., that the application and proposed use meet all required regulations and standards). Based upon this review, the Zoning Administrator may determine that an application is incomplete and/or noncompliant and either reject the application or require the applicant to submit additional or revised application materials prior to proceeding to further review.

3-14.3.2.4 Neighborhood Meeting. Following application submission and at least 14 days prior to the review conducted pursuant to subsection 3-14.3.2.5, Comprehensive Plan Review, a public neighborhood meeting shall be held to give the community an opportunity to hear from the applicant and to ask questions regarding the proposed application. The meeting shall adhere to the following requirements:

- a. The applicant shall inform the Zoning Administrator and adjacent property owners in writing of the date, time, and location of the meeting, at least 14 but no more than 21 days, in advance of the meeting date.
- b. The date, time and location of the meeting shall be advertised in a newspaper of record in the County by the applicant, at least 14 but no more than 21 days, in advance of the meeting date.
- c. The meeting shall be held within the County, at a location open to the public with adequate parking and seating facilities that will accommodate persons with disabilities.
- d. The meeting shall give members of the public the opportunity to review application materials, ask questions of the applicant, and provide feedback.
- e. The applicant shall provide the Planning Office/Department with a summary of any input received from members of the public at the meeting and copies of any written submissions from the public.

3-14.3.2.5 Comprehensive Plan Review. Pursuant to §15.2-2232., of the Code of Virginia, the Planning Commission shall consider, at a public meeting, whether the general or approximate location, character, and extent of the proposed solar facility is substantially in accord with the County's Comprehensive Plan or part thereof. The Planning Commission shall communicate its findings to the Board of Supervisors, indicating its approval or disapproval with written reasons therefor.

The Board of Supervisors may overrule the action of the Planning Commission by a vote of a majority of its membership. Failure of the Planning Commission to act within 60 days of a submission, unless the time is extended by the governing body, shall be deemed approval. The owner or owners or their agents may appeal the decision of the Planning Commission to the governing body within 10 days after the decision of the Planning Commission. The appeal shall be by written petition to the Board of Supervisors setting forth the reasons for the appeal. The appeal shall be heard and determined within 60 days from its filing. A majority vote of the Board of Supervisors shall overrule the commission. In conducting this review, the Planning Commission may perform this review at a meeting separate from and preceding any public hearing on the Special Use Permit application. The Planning Commission may hold a public hearing as part of this review, and shall hold a public hearing if directed to do so by the Board of Supervisors.

3-14.3.2.6 Consideration of Special Use Permit by the Planning Commission and Board of Supervisors. The Planning Commission and Board of Supervisors shall consider, review, and take action on Special Use Permit applications as specified by Section 5-11, Special Use Permit.

3-14.3.2.7 Siting Agreement. For Solar Energy Generating Facilities requiring a Special Use Permit, applicants shall enter into a siting agreement with the County, pursuant to and as authorized by Article 7.3, Siting of Solar Projects and Energy Storage Projects, of the Code of Virginia, unless this requirement is waived by the Board of Supervisors.

3-14.3.3 Application Requirements. In addition to application materials required pursuant to Section 5-11, Special Use Permit, all Special Use Permit applications for solar facilities for which a Special Use Permit is required shall include the following materials and information, to be furnished by the applicant with any costs in developing, procuring, or preparing such materials and information to be borne by the applicant:

3-14.3.3.1 Project Narrative. A detailed narrative identifying the applicant, facility owner, site owner, and operator, if known at the time of application, and describing the proposed energy facility, including an overview of the project and its location; the project area and the area to be fenced; the current use of the site; the estimated time for construction, any phasing schedule, location of staging areas or off-site storage facilities, and proposed date for commencement of operations; the planned maximum rated capacity of the facility; the approximate number, representative types and expected footprint of equipment to be constructed, including the maximum number of photovoltaic panels; specifications for proposed equipment, including the manufacturer and model, materials, color and finish, and racking type for solar facilities; ancillary facilities; and how and where the electricity will be transmitted, including the location of the proposed electrical grid interconnection.

3-14.3.3.2 Concept Plan. A concept plan as a visual summary of the project. The concept plan shall be prepared by a professional, state-licensed engineer and shall include the following:

- a. Identification of subject parcels and property lines and/or leased portions of parcels and limits of leased areas, and fenced areas, along with areas in acreage and square feet;
- b. Identification of required setbacks;
- c. Existing and proposed buildings and structures, including identification of buildings, structures, or features to be removed or retained; preliminary locations, total area, and heights of proposed solar panels, ancillary equipment, and other proposed structures; the location of proposed fencing, driveways, internal roads, and structures; and the location of points of ingress/egress;
- d. The location and nature of proposed buffers and screening elements, including vegetative and constructed buffers, and existing landforms (i.e., natural berms, hills, rocky outcrops, etc.) intended to be used as a buffer or screening;
- e. Existing and proposed access roads, drives, turnout locations, and parking;
- f. Location of substations, electrical cabling from the facility to substations, ancillary equipment, buildings, and structures, including those within any applicable setback;
- g. Fencing or other methods of ensuring public safety;
- h. Proposed lighting;
- i. Aerial imagery showing the proposed location and boundaries of the facility, fenced areas, ingress/egress, and the closest distance to all adjacent property lines and buildings, noting their uses; and
- j. Additional information may be required as determined by the Zoning Administrator, such as a scaled elevation view of the property and other supporting drawings, photographs of the proposed site, photo or other realistic simulations or modeling of the proposed project from potentially sensitive locations as deemed necessary by the Zoning Administrator to assess the visual impact of the project, landscaping and screening plan, coverage map, and additional information that may be necessary for a technical review of the proposal.

3-14.3.3.3 Grading Plan. A draft grading plan that limits grading to the greatest extent practicable. The Plan shall include:

- a. Existing and proposed contours;
- b. Locations and amount of topsoil to be stripped and stockpiled onsite (if any);
- c. Percent of the site to be graded;
- d. An earthwork balance achieved on-site with no import or export of soil; and
- e. Indicate natural flow patterns in drainage design and amount of impervious surface.

3-14.3.3.4 Landscape Plan. A draft landscape plan identifying:

- a. The location of existing vegetation and the limits of proposed clearing;
- b. All proposed ground cover, screening and buffering materials, landscaping, and elevations;
- c. Locations of wildlife corridors; and
- d. Landscape maintenance requirements.

3-14.3.3.5 Visual Impact Analysis. An analysis demonstrating project siting and proposed mitigation, if necessary, so that the proposed facility minimizes impacts on the visual character, viewsheds, and/or vistas of the County. At a minimum the visual impact analysis shall include accurate, to scale, photographic simulations showing the relationship of the facility and its associated equipment and development to its surroundings. The photographic simulations shall show such views of the facility from locations such as property lines, roadways, and/or scenic viewsheds/vistas as deemed necessary by the County in order to assess the visual impact of the facility. The total number of simulations and the perspectives from which they are prepared shall be established by the Zoning Administrator after the pre-application meeting. Visual representations shall be in color and shall include actual pre-construction photographs and accurate post-construction simulations of the height and breadth of the facility. All visual representations will include existing, as well as proposed buildings and tree coverage.

3-14.3.3.6 Community Impact Assessment. An assessment of the impact of the proposed facility on the immediate vicinity as well as the greater County. The assessment shall be prepared by one or more individuals or firms acting within their professional competency, shall be presented in written form, and shall analyze in specific terms the probable impact of the facility on the vicinity and community over time. Specific attention, as may be appropriate to the individual proposal, should be given but not be limited to the following elements:

- a. Consistency of the proposed facility with applicable policies contained in the County's Comprehensive Plan;
- b. Anticipated direct revenues to the county from real estate and personal property taxes;
- c. An assessment of employment opportunities to be created by the proposed development;
- d. An assessment of the short- and long-term economic impact of the proposed development;
- e. If the development is replacing an existing enterprise, including agriculture and forestry, an assessment of the impact the current enterprise has on the local economy and how the local economy will be impacted by the loss of the existing enterprise;
- f. Fire, rescue, and law enforcement requirements as compared to existing capacities and facilities;
- g. Sewer and stormwater management needs as compared to existing capacities and facilities to address:
 - i. Adequacy of existing utilities, water, sewer, public services, and public facilities in the vicinity of the development;
 - ii. Public and private improvements both offsite and onsite that are proposed for construction and a cost estimate for providing these improvements; and
 - iii. Other public and quasi-public facility and service impacts including refuse collection and disposal systems intended to serve the development.
- h. Socioeconomic changes and impacts to result from the proposed development;

- i. The costs in both capital and operating funds of providing services to the proposed development; and
- j. What efforts, if any, are proposed to mitigate the service demands or costs to the county.

The Zoning Administrator may waive certain elements of the impact assessment where the nature of the proposed facility makes such elements inapplicable.

3-14.3.3.7 Environmental Impact Assessment. An assessment of the impact of the proposed facility to include the following:

- a. A statement regarding any site and viewshed impacts, including direct and indirect impacts to national or state forests and grasslands, national or state parks, County parks, wildlife management areas, conservation easements, recreational areas, or any known historic or cultural resources within 5 miles of the project parcels.; and
- b. An inventory of wetlands, rivers, streams, and floodplains, to be delineated and mapped, in order to provide baseline data for the evaluation of the current proposal and evaluation of the satisfactory decommissioning as required. The inventory and mapping of floodplain shall not be construed to allow development within regulatory flood plain areas without a flood plain development permit.

3-14.3.3.8 Traffic and Transportation Assessment. An assessment of the impact of the proposed facility, including construction processes, on traffic and transportation infrastructure, to include the following:

- a. The time of day that operations and construction transport activities will occur;
- b. A map showing the desired primary and secondary transportation routes for operations and construction traffic;
- c. Characteristics of operations and construction loaded vehicles, including:
 - i. Length, height, width, curb weight;
 - ii. Maximum load capacity;
 - iii. Number of axles, including trailers;
 - iv. Distance between axles and
 - v. Vehicle registration plates
- d. Haul route(s)

After review, the County may require a full traffic study to be accepted by an engineer approved by the County.

3-14.3.3.9 Decommissioning and Reclamation Plan. A draft decommissioning and reclamation plan certified by an engineer with a professional engineering license in the Commonwealth of Virginia, to include the following and demonstrating compliance with the requirements of Section 3-14.3.6.10, Decommissioning and Reclamation:

- a. The anticipated life of the project, along with the basis for determining the anticipated life of the project;
- b. The estimated decommissioning cost in current dollars;
- c. How said estimate was determined;
- d. The method of ensuring that funds will be available for decommissioning and restoration;
- e. The method that the decommissioning cost will be kept current;
- f. The manner in which the facility will be decommissioned and the site restored; and
- g. Anticipated plans for the disposal and/or recycling of project equipment and components, including the identification of disposal and/or recycling sites located in the County.

3-14.3.4 Minimum Development Standards for Solar Energy Generating Facilities. The following minimum development standards shall apply to solar energy generating facilities, as stipulated:

3-14.3.4.1 Compliance with building codes and standards. Solar facilities shall be designed and maintained in compliance with standards contained in applicable local, state and federal building codes and regulations that were in force at the time of the permit approval. Facilities subject to a Special Use Permit shall be constructed and maintained in substantial compliance with the approved Concept Plan.

3-14.3.4.2 Multiple uses. Small- and large-scale solar facilities may be located on parcels with other active agricultural, residential, commercial, or industrial uses.

3-14.3.4.3 Location, dimensional, and setback standards.

- a. Accessory solar facilities and small-scale solar facilities shall be subject to the applicable setbacks of the zoning district in which the facility is located.
- b. Large-scale solar facilities shall be subject to the following location, dimensional, and setback standards:
 - i. The maximum project area of a solar facility shall be 500 acres.
 - ii. The area of solar panel coverage for any single solar facility project may not exceed 65 percent of the total acreage of the project.
 - iii. Solar facilities shall not be located closer than 1 mile to any town or city boundaries, or from properties in the Rural Residence (RR), Highland/Recreation-Public (HR-P), or Shoreline Recreation (SR) zoning districts. The distance requirement from town or city boundaries may be reduced or waived as part of a Special Use Permit if the Planning Commission and Board of Supervisors receive a written statement from the applicable chief administrative official expressing no objection to the proposed location of a facility closer than 1 mile.
 - iv. No solar facility shall be located within 2 miles of another existing or permitted large-scale solar facility.
 - v. Solar facilities interconnecting to transmission lines shall be located within 2 miles of transmission line corridors.

- vi. Solar facilities shall meet all setback requirements for primary structures for the zoning district in which the facility is located and the requirements set forth below (the more restrictive requirements shall apply).
- vii. The minimum setback of structures and uses associated with the facility, including fencing, PV panels, parking areas, and outdoor storage, but not including landscaping and berming, shall be:
 - a. 150 feet from adjacent property lines.
 - b. 150 feet from all public rights-of-way.
 - c. 250 feet from a dwelling.

The Planning Commission may recommend and the Board of Supervisors may require increased setbacks up to 300 feet in situations where the height of structures or the topography affects the visual impact of the facility. These setback requirements shall not apply to the internal property lines of those parcels on which a solar facility is located. Access, erosion and stormwater structures, and interconnection to the electrical grid may be made through setback areas provided that such are generally perpendicular to the property line.

3-14.3.4.4 Height. For accessory, small-, and large-scale solar facilities, the maximum height of the lowest edge of photovoltaic panels shall be 10 feet as measured from the finished grade. The maximum height of panels, buildings, structures and other components of a solar facility shall be 15 feet, which shall be measured from the highest natural grade below each element. This limit shall not apply to utility poles, substations, or the interconnection to the overhead electric utility grid. The Board of Supervisors may approve a greater height based upon the demonstration of a significant need where the impacts of increased height are mitigated.

3-14.3.4.5 Density. Absent specific authorization by the Board of Supervisors as part of a Special Use Permit, no more than 3 percent of the land area in any given 5-mile radius shall be approved for use as the fenced area for a large-scale solar facility. Under circumstances deemed appropriate by the Board of Supervisors, the Board may approve a denser development for large-scale solar facilities, and establish the maximum density permitted for the subject solar facility.

3-14.3.4.6 Buffer and Screening. For large-scale solar facilities, such facilities, including security fencing that is not ornamental, shall be screened from the ground-level view of adjacent properties and public streets by a buffer zone at least 100' in width. The buffer shall be located within the setbacks required under this Section and shall run around the entire perimeter of the property. The buffer shall be maintained for the life of the facility. Screening may also be required in other locations to screen specific uses or structures. A recommendation that the screening and/or buffer creation requirements be waived or altered may be made by the Planning Commission when the applicant proposes to use existing wetlands or woodlands to satisfy the screening requirement. The wetlands or woodlands shall be permanently

protected as a designated buffer and the overall buffer shall measure at least 75 feet. Screening methods may include:

- a. Existing Screening: Existing vegetation, topography, buildings, open space, or other elements located on the site may be considered as part of the required screening. Existing trees and vegetation may be retained within the buffer area except where dead, diseased, or as necessary for development or to promote healthy growth.
- b. Vegetative Screening: In the event existing vegetation or landforms providing the screening are inadequate or disturbed, new plantings shall be provided in a landscaped strip at least 50 feet wide. Landscaping intended for screening shall consist of a combination of non-invasive species, pollinator species, and native plants, shrubs, trees, grasses, forbs, and wildflowers. Trees intended for screening shall consist of a combination of evergreen and deciduous trees that are 5-6 ft. in height at time of planting. A triple row of trees shall be placed on average at 15 feet on center. A list of appropriate plant materials shall be available at the Planning Office. Species listed on DCR's Invasive Plant Species list shall not be used.
- c. Berming: Berms shall generally be constructed with a 3:1 side slope to rise ratio, 4-6 ft. above the adjacent grade, with a 3 ft. wide top with appropriate pollinator-friendly native plants, shrubs, trees, forbs, and wildflowers. The outside edges of the berm shall be sculpted such that there are vertical and horizontal undulations to give variations in appearance. When completed, the berm should not have a uniform appearance like a dike.
- d. Opaque Architectural Fencing: Fencing intended for screening shall be at least 50 percent visually solid as viewed on any line perpendicular to the fence from adjacent property or a public street. Such fencing may be used in combination with other screening methods but shall not be the primary method. A typical example is the use of wood privacy fencing and landscaping to screen structures such as substations. Depending on the location, ornamental features may be required on the fence. Fencing material shall not include plastic slats.

3-14.3.4.7 Ground Cover. For large-scale solar facilities, ground cover on the site shall be native vegetation and maintained in accordance with the landscaping plan in accordance with established performance measures. A performance bond reflecting the costs of anticipated maintenance shall be posted and maintained. Failure to maintain the ground cover shall result in revocation of the Special Use Permit and the facility's decommissioning. The operator shall notify the County prior to application of pesticides and fertilizers. The County reserves the right to request soil and water testing.

3-14.3.4.8 Security Fencing. For large-scale solar facilities, such facilities shall be enclosed by security fencing on the interior of the buffer area (not to be seen by other properties) at a minimum of 7 feet in height and topped with razor/barbed wire, as appropriate. The height and/or location of the fence may be altered in the conditions for any particular special use permit. Fencing must be installed on the interior of the vegetative buffer. Fencing shall be placed around sections of the infrastructure (not the entire site) to provide access corridors for wildlife to navigate through the facility. All fencing shall

be constructed so as to substantially lessen the likelihood of entry into a solar facility by unauthorized individuals. A performance bond reflecting the costs of anticipated fence maintenance shall be posted and maintained. Failure to maintain the security fencing shall result in revocation of the discretionary-use Permit and the facility's decommissioning.

3-14.3.4.9 Wildlife Corridors. For large-scale solar facilities, the Applicant shall identify access corridor(s) for wildlife to navigate through and across the solar facility. The proposed wildlife corridor(s) shall be shown on the site plan submitted to the County. Areas between fencing shall be kept open to allow for the movement of migratory animals and other wildlife. Access corridors for wildlife to navigate through the solar facility shall be identified and shown on the Concept Plan submitted to the County.

3-14.3.4.10 Lighting. For large-scale solar facilities, proposed lighting fixtures as approved by the County to minimize off-site glare and shall be the minimum necessary for safety and/or security purposes. No facility shall produce glare that would constitute a nuisance to the public. Any exceptions shall be enumerated on the Concept Plan and approved by the Zoning Administrator. Lighting on the site shall comply with any Dark Skies Ordinance the Board of Supervisors may adopt or, from time to time, amend.

3-14.3.4.11 Signage. For all solar facilities, no signage of any type may be placed on the facility other than notices, warnings, and identification information required by law. Warning signage shall be placed on solar equipment to the extent appropriate or legally required. Solar equipment shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar energy project. All signs, flags, streamers, or similar items, both temporary and permanent, are prohibited on solar equipment except as follows:

- a. manufacturer's or installer's identification;
- b. appropriate warning signs and placards;
- c. signs that may be required by a federal or state agency; and
- d. signs that provide a 24-hour emergency contact phone number and warn of any danger. Educational signs providing information about the project and benefits of renewable energy may be allowed as provided in the local sign ordinance.

3-14.3.4.12 Transmission Lines. Any new electrical transmission lines associated with a solar facility may be located either above or below ground in a manner to be least intrusive and mitigate their impact to surrounding properties.

3-14.3.6 Construction, Operational, and Decommissioning Requirements for Solar Energy Generating Facilities. The following requirements shall be met during the construction phase and/or throughout the operational life of solar facilities subject to a Special Use Permit:

3-14.3.6.1 Noise/Sound. Audible sound from solar facilities shall not exceed sixty (60) decibels, as measured from any adjacent non-participating landowners' property line. This level may be exceeded during short-term exceptional circumstances, such as severe weather. The owner or operator of a solar facility shall measure and document, on a continuing basis, which shall not be less frequent than annually, or upon request by the County, that noise

levels comply with the decibel limit established herein; any violation will constitute a zoning violation.

3-14.3.6.2 Groundwater Monitoring. Ground water monitoring to assess the level of groundwater contamination shall take place prior to, and upon completion of construction of a project, throughout the area of the facility. Ground water monitoring shall take place every five years of the operation of the facility, and upon completion of decommissioning. Results from said monitoring shall be delivered to the County.

3-14.3.6.3 Coordination of Local Emergency Services; Emergency Response Plan.

Prior to completion of construction, the owner or operator of a facility shall coordinate with the County's emergency services to provide materials, education, and/or training on how to safely respond to on-site emergencies, and to develop, implement and periodically update, including exercising of, an emergency response plan. Emergency personnel will be given a key or code to access the property in case of an on-site emergency.

3-14.3.6.4 Monitoring and Maintenance. The owner or operator shall maintain the solar facility in good condition. Such monitoring and maintenance shall include, but not be limited to, painting, evaluating the structural integrity of equipment, foundations, structures, fencing and security barriers, as applicable, maintenance of the buffer areas, and landscaping. Site access shall be maintained to a level acceptable to the County. The project owner shall be responsible for the cost of maintaining the facility and access roads, and the cost of repairing damage to private roads occurring as a result of construction and operation. Failure to maintain the Solar Facility may result in revocation of the Special Use Permit and the facility's decommissioning.

3-14.3.6.5 Liability Insurance. The owner or operator of a facility shall provide to the Zoning Administrator written evidence of liability insurance in an amount acceptable to the purchasing utility provider prior to beginning construction and before the issuance of a zoning permit.

3-14.3.6.6 Damaged Panels; Storage. All physically damaged panels or any portion or debris thereof shall be collected by the facility operator and removed from the site or stored on site in a location protected from weather and wildlife and from any contact with ground or water until removal from the site can be arranged; storage of damaged panels or portion or debris thereof shall not exceed thirty (30) days beyond any required period for insurance, warranty claim or in event of force majeure, for which reasonable documentation shall be submitted to and approved by the Zoning Administrator. For the purposes of the foregoing, force majeure shall be defined to include strikes, lockouts or other labor disturbances, inability to secure labor or materials in the open market, acts of God or other element of nature or accidents, delays or conditions arising from or relating to acts of war, domestic or international terrorism, pandemic, civil disturbances or riots, or any other matter or condition that is beyond the reasonable anticipation and control of the Applicant.

3-14.3.6.7 Compliance with Local, State, and Federal Requirements. During the term of issued Special Use Permits, operation of facilities shall fully comply with all applicable local regulations, as well as all applicable state and federal regulations, including but not limited to, the U.S. Environmental Protection Agency (EPA), Federal Aviation Administration (“FAA”), State Corporation Commission (“SCC”) or equivalent, any state departments related to environmental quality, parks, and wildlife protection, as well as all the applicable regulations of any other agencies that were in force at the time of the permit approval.

3-14.3.6.8 Inspections.

- a. The applicant, owner, or operator will allow designated County representatives or employees access to a facility for inspection purposes. The County representative or employee will provide the facility operator with 24-hour notice prior to such inspection when practicable.
- b. The applicant or owner of a facility shall reimburse the County its costs in obtaining an independent third-party to conduct inspections required by local and state laws and regulations.

3-14.3.6.9 Change in Ownership. Notice of any change of ownership of the facility shall be provided to the County within ten (10) working days of any such change.

3-14.3.6.10 Decommissioning and Reclamation.

- a. Solar facilities which have reached the end of their useful life or have not been in active and continuous service for a period of 6 months shall be removed at the owner’s or operator’s expense, except if the project is being repowered or a force majeure event has or is occurring requiring longer repairs; however, the County may require evidentiary support that a longer repair period is necessary.
- b. The owner or operator shall notify the Zoning Administrator by certified mail of the proposed date of discontinued operations and plans for removal.
- c. Decommissioning shall be performed in compliance with an approved Decommissioning Plan, which must be submitted for approval by the Board of Supervisors prior to the issuance of a Zoning Permit. The draft Decommissioning Plan and the final Decommissioning Plan must demonstrate compliance with the requirements of this section. The Board of Supervisors may approve any appropriate amendments to or modifications of the Decommissioning Plan.

- d. Decommissioning shall include removal of all electric systems, buildings, cabling, electrical components, security barriers, roads, foundations, pilings, and any other associated facilities, so that any agricultural ground upon which the facility and/or system was located is again tillable and suitable for agricultural uses. The site shall be graded and re-seeded to restore it to as natural a condition as possible, unless the landowner requests in writing that the access roads or other land surface areas not be restored, and this request is approved by the Board of Supervisors (other conditions might be more beneficial or desirable at that time).
- e. The site shall be re-graded and re-seeded to as natural condition as possible within 12 months of removal of facilities. Re-grading and re-seeding shall be initiated within a 6-month period of removal of equipment.
- f. Any exception to site restoration, such as leaving driveways, entrances, or landscaping in place, or substituting plantings, shall be requested by the landowner in writing, and this request must be approved by the Zoning Administrator.
- g. Hazardous material from the property shall be disposed of in accordance with federal and state law.
- h. The estimated cost of decommissioning shall be guaranteed by the deposit of funds in an amount equal to the estimated cost in an escrow account at a federally insured financial institution approved by the County.
- i. The applicant shall deposit the required amount into the approved escrow account before any building permit is issued to allow construction of the solar facility.
 - ii. The escrow account agreement shall prohibit the release of the escrow funds without the written consent of the County. The County shall consent to the release of the escrow funds upon the owner's or occupant's compliance with the approved decommissioning plan. The County may approve the partial release of escrow funds as portions of the approved decommissioning plan are performed.
 - iii. The amount of funds required to be deposited in the escrow account shall be the full amount of the estimated decommissioning cost without regard to the possibility of salvage value, plus 10%.
 - iv. The owner or occupant shall recalculate the estimated cost of decommissioning every five years. If the recalculated estimated cost of decommissioning exceeds the original estimated cost of decommissioning by ten

percent (10%), then the owner or occupant shall deposit additional funds into the escrow account to meet the new cost estimate. If the recalculated estimated cost of decommissioning is less than ninety percent (90%) of the original estimated cost of decommissioning, then the County may approve reducing the amount of the escrow account to the recalculated estimate of decommissioning cost.

- v. The County may approve alternative methods to secure the availability of funds to pay for the decommissioning of a utility-scale solar facility, such as a performance bond, letter of credit, or other security approved by the County.
- vi. If the owner or operator of the solar facility fails to remove the installation in accordance with the requirements of this permit or within the proposed date of decommissioning, the County may collect the surety and the County or hired third party may enter the property to physically remove the installation.

3-14.4 Wind Energy Generating Facilities. Accessory wind facilities that are accessory to a principal use of a property are permitted either by-right or subject to a Special Use Permit as specified within the applicable zoning districts in Article 4. Utility-scale wind energy systems, or any wind energy generating facility constituting a principal use of property, are prohibited in all zoning districts.

PART III.

That **Article 3, General Requirements for All Zone Districts, Sections 3-15 and 3-15.1, of the Zoning Ordinance**, be amended as follows:

By renaming Section 3-15 as "Communication Tower & Antenna Regulations," and further amending as follows:

3-15 Communication Tower & Antenna Regulations. The purpose of this section is to establish general guidelines for the siting of communication towers and antennas. The goals of this section include; encouraging the towers in non-residential areas when possible, minimizing the total number of towers by providing adequate service through co-location where possible and to site the towers in ways that minimize negative visual impacts to the community. Proposed towers of greater height (over 100ft) and/or towers that are proposed to be illuminated shall require a Special Use Permit. Permitted towers shall be located at a setback distance from any adjacent property line and any public street, at a distance in feet that equals or exceeds the proposed height of the communications tower plus 25% of this distance.

3-15.1 Applicability. This section shall only apply to towers and antennas that are installed at heights greater than fifty (50) feet. Towers used for wind turbines shall be governed by **Article 3-14** and are not subject to and are exempt from this section.

The purpose of this section is for communications towers, albeit when other towers over fifty (50) feet are proposed applicable sections shall apply.

The placement of an antenna on (or in) an existing structure or existing tower or pole shall be allowed by right, when the additional height of the tower on the existing structure does not exceed an additional twenty (20) feet or more and the addition can meet Building Code Requirements.

Any tower structure or addition to a structure that may require FAA lighting will adhere to the requirements in this section.

PART IV.

That **Article 4, Zone Districts and Official Zoning Map, of the Zoning Ordinance**, be amended as follows:

By deleting all references to “Renewable Energy Infrastructure in accordance with Article 3.14” as contained in the lists of Uses Permitted for the Rural Farm District (RF), Rural Residential (RR), Commercial District (C), and Industrial (I) District (IND) zoning districts;

By adding “Accessory Solar Facilities in accordance with Section 3.14,” “Accessory Wind Facilities in accordance with Section 3.14,” “Combustion Units in accordance with Section 3.14,” and “Micro-hydro systems in accordance with Section 3.14” in the lists of Uses Permitted for the Rural Farm District (RF), Rural Residential (RR), Commercial District (C), Industrial (I) District (IND), and Service District (SD) zoning districts, such uses to be inserted in customary alphabetical order with alphabetizing and re-alphabetizing of subsections as necessary;

By adding “Small-Scale Solar Facilities in accordance with Section 3.14” in the lists of Uses Permitted for the Rural Farm District (RF) and Industrial (I) District (IND) zoning districts, such use to be inserted in customary alphabetical order with alphabetizing and re-alphabetizing of subsections as necessary;

By adding “Large-Scale Solar Energy Facilities in accordance with Section 3.14” and “Utility scale hydropower systems in accordance with Section 3.14” in the lists of Special Uses Permitted for the Rural Farm District (RF) and Industrial (I) District (IND) zoning districts, such uses to be inserted in customary alphabetical order with alphabetizing and re-alphabetizing of subsections as necessary; and

PART V.

That **Section 5-11, Special Use Permit, of Article 5, Administration of Zoning Ordinance, of the Zoning Ordinance**, be amended as follows:

5-11 Special Use Permit. (sometimes referred to as conditional use permits). The Zoning District regulations (**See Article 4- Zone District**) delineate a number of uses that are allowed by right. Those uses that require another level of review to ensure that the health, safety and welfare of the public can be met, are listed as Special Uses for the Zone District. When a Special Use is listed for the zone district a Special Use Permit application can be submitted. To apply for a Special Use Permit;

- 1) Consult with the Zoning Administrator for submittal of the application and fees, including any use-specific application requirements.
- 2) A date and time for the next available Planning Commission meeting will be scheduled to ensure that the public hearing notice requirements can be met.
- 3) The Planning Commission will review the application, hold a public hearing and make a recommendation to the Board of Supervisors.
- 4) The Board of Supervisors will review the application, hold a public hearing and issue a determination regarding the Special Use Permit application.

The Planning Commission, in considering its recommendation, and the Board of Supervisors, in considering its action, will take into account whether the proposed Special Use Permit as submitted, or as modified, is detrimental to or has undue adverse impacts on the public’s general health, safety, and welfare, and is consistent with the County’s Comprehensive Plan or to specific elements of such plan, and to official policies adopted in relation thereto, including the purposes and standards of the Zoning Ordinance. Conditions may be imposed upon individual Special Use Permits to mitigate potential or anticipated negative impacts and/or to ensure consistency with the Comprehensive Plan or specific elements thereof, and the purposes and standards for the Zoning Ordinance.

The Special Use Permit, when granted by the Board of Supervisors, will be based on the site plan and application materials submitted by the applicant, and subject to any conditions imposed thereon. Should the applicant choose to amend or change any aspect of the original application, or site plan, or conditions, the applicant can apply for an amendment to the Special Use Permit by following the procedure listed above.

Special Use Permits are granted to the tax map number(s) identified in the original application, and approval will remain with the land as long as the use (use listed with the original application) is valid, regardless of property ownership.

PART VI. This ordinance shall be effective immediately. The Zoning Code of Grayson County, Virginia shall be revised as set forth herein, subject to Article, Section, and Subsection titles and numbers amendment by the Editor as necessary for consistency. Should any section or provision of this ordinance be decided by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or of the Zoning Ordinance of Grayson County.

Adopted this day 13th day of June 2024 in the County of Grayson, Virginia

By: _____

R. Brantley Ivey, Chair
Grayson County Board of Supervisors

Attest: _____

Stephen A. Boyer, Clerk
Grayson County Board of Supervisors

CERTIFICATE OF VOTES

The record of the roll-call vote by the members of the Grayson County Board of Supervisors on the foregoing Ordinance, duly adopted upon a roll-call vote at a public meeting held on June 13th, 2024, as follows:

<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
R. Brantley Ivey				
Michael S. Hash				
Tracy A. Anderson				

Mary E. Dickenson Tomlinson				
Mitchell D. Cornett				

- Resolution – Comprehensive Plan Amendment Chapter 7, Smart Scale Round 6 Transportation Project at Rt. 89 & Mt. Vale Rd Right-turn Lane Improvement Project
Reading of the resolution (listed below) was waived. Supervisor Cornett made the motion to approve; duly seconded by Supervisor Hash. Roll call vote as follows: Tracy A. Anderson – aye; Michael S. Hash – aye; Mitchell D. Cornett – aye; Mary E. Dickenson Tomlinson – aye; R. Brantley Ivey – aye. Motion carried 5-0.

**RESOLUTION
RECOMMENDING SMART SCALE ROUND 6 TRANSPORTATION PROJECT
AT ROUTE 89 AND MT. VALE ROAD RIGHT-TURN LANE IMPROVEMENT PROJECT
COMPREHENSIVE PLAN AMENDMENT**

WHEREAS, under Section 15.2-2229 of the Virginia Code, the Grayson County Board of Supervisors may consider amendments to the Comprehensive Plan; and

WHEREAS, Section 15.2-2230 of the Virginia Code requires a review of the Comprehensive Plan every five years to determine whether it needs to be amended; and

WHEREAS, due to VTrans identifying a potential safety improvement for Grayson County at Route 89 and Route 618, there is a need to update the Comprehensive Plan; and

WHEREAS, on April 11, 2024, the Grayson County Board of Supervisors initiated a resolution of support of Virginia’s Smart Scale project; and

WHEREAS, the intent is to include Route 89 Skyline Highway at Route 618 Mt. Vale Road right turn lane improvement with a storage length of 200’ and a taper length of 200’. All shoulders in the project extent will be constructed to have a minimum of 4’ paved shoulder width, with the installation of a guardrail adjacent to the right-turn lane; and

WHEREAS, the Grayson County Board of Supervisors finds that this amendment guides and accomplishes a coordinated, adjusted, and harmonious development of the territory, which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the inhabitants, including the elderly and persons with disabilities;

NOW, THEREFORE, BE IT RESOLVED THAT the Grayson County Planning Commission does hereby recommend that the Grayson County Board of Supervisors adopt Comprehensive Plan Amendment, Round 6, Smart Scale Transportation Amendment for Route 89 at Mt. Vale Road Right Turn Lane Improvement project.

Adopted this day 13th day of June 2024 in the County of Grayson, Virginia

By: _____

R. Brantley Ivey, Chair
Grayson County Board of Supervisors

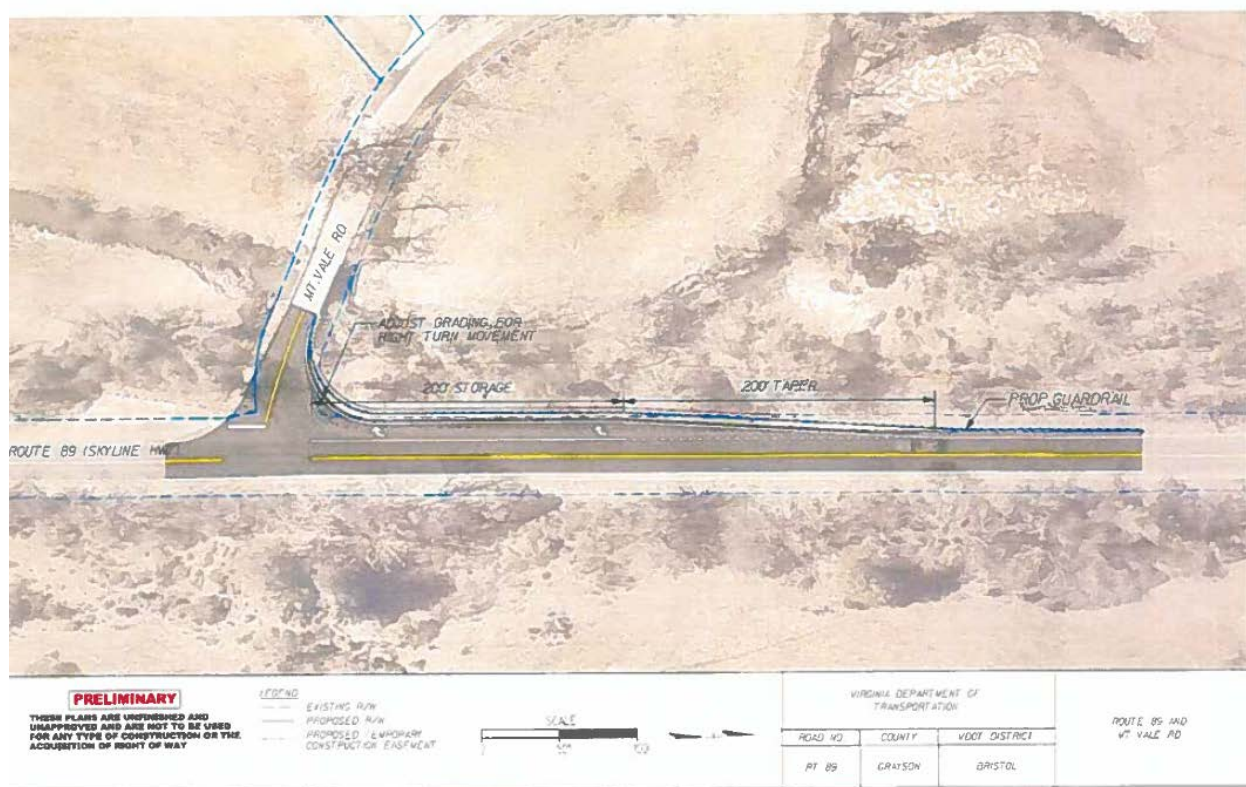
Attest: _____

Stephen A. Boyer, Clerk
Grayson County Board of Supervisors

CERTIFICATE OF VOTES

The record of the roll-call vote by the members of the Grayson County Board of Supervisors on the foregoing Resolution, duly adopted upon a roll-call vote at a public meeting held on June 13th 2024, as follows:

<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
R. Brantley Ivey				
Michael S. Hash				
Tracy A. Anderson				
Mary E. Dickenson Tomlinson				
Mitchell D. Cornett				



- Ordinance – Erosion & Sediment Control Program

Supervisor Tomlinson made the motion to adopt the ordinance (listed below); duly seconded by Supervisor Hash. Discussion regarding time frame and it was noted that Grayson County usually takes care of it within 7-10 day. Roll call vote as follows: Tracy A. Anderson – aye; Michael S. Hash – aye; Mitchell D. Cornett – aye; Mary E. Dickenson Tomlinson – aye; R. Brantley Ivey – aye. Motion carried 5-0.

ORDINANCE
OF THE COUNTY OF GRAYSON, VIRGINIA
EROSION AND SEDIMENT CONTROL PROGRAM

Section 1.1. TITLE, PURPOSE, AND AUTHORITY

- A. This ordinance shall be known as the ‘Erosion and Sediment Control Ordinance of **Grayson County.**’ The purpose of this ordinance is to prevent the unreasonable degradation of properties, stream channels, waters and other natural resources of the **County of Grayson** by establishing requirements for the effective control of soil erosion, sediment deposition and non-agricultural runoff and by establishing procedures whereby these requirements shall be administered and enforced.
- B. This ordinance is authorized by § 62.1-44.15:54 of the Code of Virginia.

Section 1.2. DEFINITIONS

The following words and terms, when used in this ordinance, shall have the following meanings unless the context clearly indicates otherwise.

"Agreement in lieu of a plan" means a contract between the **VESCP authority** and the owner that specifies conservation measures that must be implemented to comply with the requirements of this ordinance for the construction of a (i) single-family detached residential structure or (ii) farm building or structure on a parcel of land with a total impervious cover percentage, including the impervious cover from the farm building or structure to be constructed, of less than five percent; this contract may be executed by the **VESCP authority** in lieu of formal site plan.

"Applicant" means any person submitting an erosion and sediment control plan for approval in order to obtain authorization for land-disturbing activities to commence.

"Board" means the State Water Control Board.

"Certified inspector for ESC" means an employee or agent of the VESCP authority who (i) holds a certificate of competence from the department in the area of project inspection or (ii) is enrolled in the department’s training program for project inspection and successfully completes such program within one year after enrollment.

"Certified plan reviewer for ESC" means an employee or agent of the VESCP authority who (i) holds a certificate of competence from the department in the area of plan review, (ii) is enrolled in the department’s training program for plan review and successfully completes such program within one year after enrollment, or (iii) is licensed as a professional engineer, architect, landscape architect, land surveyor pursuant to Article 1 (§

54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia, or professional soil scientist as defined in § 54.1-2200.

"Certified program administrator for ESC" means an employee or agent of the VESCP authority who holds a certification from the department in the classification of program administrator or (ii) is enrolled in the department's training program for program administration and successfully completes such program within one year after enrollment.

"Clearing" means any activity which removes the vegetative ground cover including, root mat removal or topsoil removal.

"County" means the County of **Grayson**.

"Department" means the Virginia Department of Environmental Quality.

"District" or "Soil and Water Conservation District" refers to the **New River** Soil and Water Conservation District.

"Erosion and sediment control plan" or "plan" means a document containing material for the conservation of soil and water resources of a unit or group of units of land. It may include appropriate maps, an appropriate soil and water plan inventory and management information with needed interpretations, and a record of decisions contributing to conservation treatment. The plan shall contain all major conservation decisions to ensure that the entire unit or units of land will be so treated to achieve the conservation objectives.

"Erosion impact area" means an area of land that is not associated with a current land-disturbing activity but is subject to persistent soil erosion resulting in the delivery of sediment onto neighboring properties or into state waters. This definition shall not apply to any lot or parcel of land of 10,000 square feet or less used for residential purposes.

"Farm building or structure" means the same as that term is defined in § 36-97 of the Code of Virginia and also includes any building or structure used for agritourism activity, as defined in § 3.2-6400, and any related impervious surfaces including roads, driveways, and parking areas.

"Excavating" means any digging, scooping or other methods of removing earth materials.

"Filling" means any depositing or stockpiling of earth materials.

"Grading" means any excavating or filling of earth material or any combination thereof, including the land in its excavated or filled conditions.

"Land disturbance" or "land-disturbing activity" means a man-made change to the land surface that may result in soil erosion or has the potential to change its runoff characteristics, including the clearing, grading, excavating, transporting, and filling of land.

"Land-disturbing permit or approval" means a permit or an approval allowing a land-disturbing activity to commence issued by **VESCP authority** after the requirements of § 62.1-44.15:55 of the Code of Virginia have been met.

"Natural channel design concepts" means the utilization of engineering analysis and fluvial geomorphic processes to create, rehabilitate, restore, or stabilize an open conveyance system for the purpose of creating or recreating a stream that conveys its bankfull storm event within its banks and allows larger flows to access its bankfull bench and its floodplain.

"Owner" means the same as provided in § 62.1-44.3 of the Code of Virginia. For a land-disturbing activity that is regulated under Article 2.4 (§ 62.1-44.15:51 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia and this ordinance, "owner" also includes the owner or owners of the freehold of the premises or lesser estate therein, mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, or other person, firm, or corporation in control of a property.

"Peak flow rate" means the maximum instantaneous flow from a prescribed design storm at a particular location.

"Percent impervious" means the impervious area within the site divided by the area of the site multiplied by 100.

"Permittee" means the person to whom the permit is issued.

"Person" means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, county, city, town, or other political subdivision of the Commonwealth, governmental body, including a federal or state entity as applicable, any interstate body, or any other legal entity.

"Responsible Land Disturber" or "RLD" means an individual holding a certificate issued by the department who is responsible for carrying out the land-disturbing activity in accordance with the approved erosion and sediment control plan. The RLD may be the owner, applicant, permittee, designer, superintendent, project manager, contractor, or any other project or development team member. The RLD must be designated on the erosion and sediment control plan or permit as defined in the Virginia Erosion and Stormwater Management Regulation (9VAC25-875) as a prerequisite for engaging in land disturbance. The RLD must be designated on the erosion and sediment control plan or permit as defined in this ordinance as a prerequisite for engaging in land disturbance.

"Runoff volume" means the volume of water that runs off the land development project from a prescribed storm event.

"Single-family detached residential structure" means a noncommercial dwelling that is occupied exclusively by one family.

"State waters" means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands.

"Transporting" means any moving of earth materials from one place to another place other than such movement incidental to grading when such movement results in destroying the vegetative ground cover either by tracking or the buildup of earth materials to the extent that erosion and sedimentation will result from the soil or earth materials over which such transporting occurs.

"Town" means the incorporated town of **Independence, Fries, and Troutdale**.

"Virginia Erosion and Sediment Control Program" or "VESCP" means a program approved by the department that is established by a VESCP authority for the effective control of soil erosion, sediment deposition, and nonagricultural runoff associated with a land-disturbing activity to prevent the unreasonable degradation of properties, stream channels, waters, and other natural resources and shall include such items where applicable as local ordinances, rules, policies and guidelines, technical materials, and requirements for plan review, inspection, and evaluation consistent with the requirements of the Erosion and Sediment Control Law (ESCL).

"Virginia Erosion and Sediment Control Program authority" or "VESCP authority," for purposes of this ordinance, means **the County of Grayson** that has been approved by the department to operate a Virginia Erosion and Sediment Control Program in accordance with Article 2.4 (§ 62.1-44.15:51 et seq.) of Chapter 3.1, the State Water Control Law, of Title 62.1 of the Code of Virginia.

"VESCP plan-approving authority" means the **Grayson County Erosion and Sediment Control Program Administrator** is responsible for determining the adequacy of a plan submitted for land-disturbing activities on a unit or units of lands and for approving plans.

"VPDES Permit" means a General VPDES (Virginia Pollutant Discharge Elimination System) Permit for Discharges of Stormwater from Construction Activities, 9VAC25-880, issued by the department pursuant to § 62.1-44.15 of the Code of Virginia for stormwater discharges from a land-disturbing activity.

Section 1.3. LOCAL EROSION AND SEDIMENT CONTROL PROGRAM

Pursuant to § 62.1-44.15:54 of the Code of Virginia, the **VESCP authority** hereby establishes a Virginia Erosion and Sediment Control Program (VESCP) and adopts the regulations promulgated by the Board (for the effective control of soil erosion and sediment deposition to prevent the unreasonable degradation of properties, stream channels, waters and other natural resources)

- A. For plans approved on and after July 1, 2014, the flow rate capacity and velocity requirements for natural and man-made channels shall be satisfied by compliance with water quantity requirements specified 9VAC25-875-600, unless such land-disturbing activities are in accordance with the grandfathering provisions of 9VAC25-875-490.
- B. Pursuant to § 62.1-44.15:53 of the Code of Virginia, an erosion control plan shall not be approved until it is reviewed by a certified plan reviewer for ESC. Inspections of land-disturbing activities shall be conducted by a certified inspector for ESC. The Erosion and Sediment Control Program of **Grayson County** shall contain a certified program administrator for ESC, a certified plan reviewer for ESC, and a certified inspector for ESC (who may be the same person.)
- C. **Grayson County** hereby designates the **Erosion and Sediment Control Program Administrator** as the VESCP plan-approving authority.
- D. The program and regulations provided for in this ordinance shall be made available for public inspection at the office of the **Department of Planning and Community Development**.

Section 1.4. REGULATED LAND-DISTURBING ACTIVITIES

- A. Land-disturbing activities that meet one of the criteria below are regulated as follows:
 - 1. [Land-disturbing activity that disturbs [10,000] square feet or more, is less than one acre, not in an area of a locality designated as a Chesapeake Bay Preservation Area, and not part of a common plan of development or sale, is subject to criteria defined in Article 2 (9VAC25-875-540 et seq.) of Part V of the Virginia Erosion and Stormwater Management Regulation (Regulation).]

Section 1.5. ACTIVITIES NOT REQUIRED TO COMPLY WITH THE ESCL

- A. Notwithstanding any other provisions of the Erosion and Sediment Control Law for Localities Not Administering a Virginia Erosion and Stormwater Management Program (ESCL), the following activities are not required to comply with the ESCL unless otherwise required by federal law:
 - 1. Disturbance of a land area of less than 10,000 square feet in size.
 - 2. Minor land-disturbing activities such as home gardens and individual home landscaping, repairs, and maintenance work;
 - 3. Installation, maintenance, or repair of any individual service connection;
 - 4. Installation, maintenance, or repair of any underground utility line when such activity occurs on an existing hard surfaced road, street, or sidewalk, provided the land-disturbing activity is confined to the area of the road, street, or sidewalk that is hard surfaced;
 - 5. Installation, maintenance, or repair of any septic tank line or drainage field unless included in an overall plan for land-disturbing activity relating to construction of the building to be served by the septic tank system;

6. Permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted pursuant to Title 45.2 of the Code of Virginia;
7. Clearing of lands specifically for bona fide agricultural purposes; the management, tilling, planting, or harvesting of agricultural, horticultural, or forest crops; livestock feedlot operations; agricultural engineering operations, including construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation; or as additionally set forth by the board in regulations. However, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Chapter 11 (§ 10.1-1100 et seq.) of Title 10.1 of the Code of Virginia or is converted to bona fide agricultural or improved pasture use as described in subsection B of § 10.1-1163 of the Code of Virginia;
8. Installation of fence and sign posts or telephone and electric poles and other kinds of posts or poles;
9. Shoreline erosion control projects on tidal waters when all of the land-disturbing activities are within the regulatory authority of and approved by local wetlands boards, the Virginia Marine Resources Commission, or the United States Army Corps of Engineers; however, any associated land that is disturbed outside of this exempted area shall remain subject to the ESCL and the regulations adopted pursuant thereto;
10. Land-disturbing activities in response to a public emergency where the related work requires immediate authorization to avoid imminent endangerment to human health or the environment. In such situations, the VESCP authority shall be advised of the disturbance within seven days of commencing the land-disturbing activity, and compliance with the administrative requirements of subsections 1.6, 1.7 and 1.8 of this ordinance are required within 30 days of commencing the land-disturbing activity;
11. Discharges to a sanitary sewer or a combined sewer system that are not from a land-disturbing activity; and
12. Repair or rebuilding of the tracks, rights-of-way, bridges, communication facilities, and other related structures and facilities of a railroad company.

Section 1.6. SUBMISSION AND APPROVAL OF PLANS; CONTENTS OF PLANS

- A. Except as provided herein, no person may engage in any regulated land-disturbing activity until he or she has submitted to the **VESCP authority** an erosion and sediment control plan for the regulated land-disturbing activity and such plan has been approved by the **VESCP authority**. No approval to begin a land disturbing activity will be issued unless evidence of VPDES permit coverage is obtained where it is required.

Where the land-disturbing activity results from the construction of a (i) single-family detached residential structure or (ii) farm building or structure on a parcel of land with a total impervious cover percentage, including the impervious cover from the farm building or structure to be constructed, of less than five percent, an agreement in lieu of a plan may be substituted for an erosion and sediment control plan if executed by the VESCP plan- approving authority.

- B. The standards contained within the "Virginia Erosion and Stormwater Management Regulation (9VAC25-875)" the Virginia Stormwater Management Handbook, as amended and any local handbook or publication are to be used by the applicant when making a submittal under the provisions of this ordinance and in the preparation of an erosion and sediment control plan. The VESCP plan-approving authority, in considering the adequacy of a submitted plan, shall be guided by the same standards, regulations and guidelines. When the standards vary between the publications, the Virginia Erosion and Stormwater Management Regulation shall take precedence.
- C. The VESCP plan-approving authority shall review erosion and sediment control plans submitted to it and grant written approval within 60 days of the receipt of the plan if it determines that the plan meets the requirements of the Erosion and Sediment Control Law for Localities not Administering a Virginia Erosion and Stormwater Management Program and 9VAC25-875, and if the person responsible for carrying out the plan certifies that he or she will properly perform the erosion and sediment control measures included in the plan and will comply with the provisions of this ordinance. In addition, as a prerequisite to engaging in the land-disturbing activities shown on the approved plan, the person responsible for carrying out the plan shall provide the name of the responsible land disturber to the VESCP authority, as required by 9VAC25-875-300 and 9VAC25-875-550, who will be in charge of and responsible for carrying out the land-disturbing activity. Failure to provide the name of the responsible land disturber, prior to engaging in land-disturbing activities may result in revocation of the approval of the plan and the person responsible for carrying out the plan shall be subject to the penalties provided in this ordinance.

However, the VESCP plan-approving authority may waive the Responsible Land Disturber certificate requirement for an agreement in lieu of a plan for construction of a single-family detached residential structure. If a violation occurs during the land-disturbing activity associated with the construction of the single-family detached residential structure, then the person responsible for carrying out the agreement in lieu of a plan shall correct the violation and provide the name of the responsible land disturber to the VESCP authority.

Failure to provide the name of the responsible land disturber shall be a violation of this ordinance.

- D. When the plan is determined to be inadequate, written notice of disapproval stating the specific reasons for disapproval shall be communicated to the applicant within 45 days. The notice shall specify such modifications, terms and

conditions that will permit approval of the plan. If no action is taken within 45 days, the plan shall be deemed approved and the person authorized to proceed with the proposed activity.

- E. The **VESCP authority** shall act on any erosion and sediment control plan that has been previously disapproved within 45 days after the plan has been revised, resubmitted for approval, and deemed adequate.
- F. The **VESCP authority** may require changes to an approved plan when:
 - 1. The inspection reveals that the plan is inadequate to satisfy applicable regulations; or
 - 2. The person responsible for carrying out the plan finds that because of changed circumstances or for other reasons the approved plan cannot be effectively carried out, and proposed amendments to the plan, consistent with the requirements of this ordinance, are agreed to by the VESCP plan-approving authority and the person responsible for carrying out the plans.
- G. Variances: The VESCP plan-approving authority may waive or modify any of the standards that are deemed to be inappropriate or too restrictive for site conditions, by granting a variance. A variance may be granted under these conditions:
 - 1. At the time of plan submission, an applicant may request a variance to become part of the approved erosion and sediment control plan. The applicant shall explain the reasons for requesting variances in writing. Specific variances which are allowed by the VESCP plan-approving authority shall be documented in the plan.
 - 2. During construction, the person responsible for implementing the approved plan may request a variance in writing from the VESCP plan-approving authority. The VESCP plan-approving authority shall respond in writing either approving or disapproving such a request. If the VESCP plan-approving authority does not approve a variance within 10 days of receipt of the request, the request shall be considered to be disapproved. Following disapproval, the applicant may resubmit a variance request with additional documentation.
 - 3. The **VESCP authority** shall consider variance requests judiciously, keeping in mind both the need of the applicant to maximize cost effectiveness and the need to protect off-site properties and resources from damage.
- H. In order to prevent further erosion, the **VESCP authority** may require approval of a plan for any land identified in the local program as an erosion impact area.
- I. When a land-disturbing activity will be required of a contractor performing construction work pursuant to a construction contract, the preparation, submission, and approval of an erosion and sediment control plan shall be the responsibility of the owner.
- J. As an alternative to submitting soil erosion control and stormwater management plans pursuant to § 62.1-44.15:34 of the Code of Virginia to the **VESCP authority**, any person engaging in more than one jurisdiction in the creation and operation of a wetland mitigation or stream restoration bank that has been approved and is

operated in accordance with applicable federal and state guidance, laws, or regulations for the establishment, use, and operation of (i) a wetlands mitigation or stream restoration bank, pursuant to a mitigation banking instrument signed by the Department, the Marine Resources Commission, or the U.S. Army Corps of Engineers, or (ii) a stream restoration project for purposes of reducing nutrients or sediment entering state waters may submit standards and specifications for Department approval that describe how land-disturbing activities shall be conducted.

Section 1.7. EROSION AND SEDIMENT CONTROL PLAN; CONTENTS OF PLANS

- A. An erosion and sediment control plan shall be filed for a development and the buildings constructed within, regardless of the phasing of construction. The erosion and sediment control plan shall be consistent with the criteria, techniques, and methods in 9VAC25- 875-560. The erosion and sediment control plan shall contain all major conservation decisions to ensure that the entire unit or units of land will be so treated to achieve the conservation objectives in 9VAC25-875-560. The erosion and sediment control plan may include:
 - 1. Appropriate maps;
 - 2. An appropriate soil and water plan inventory and management information with needed interpretations; and
 - 3. A record of decisions contributing to conservation treatment.
- B. The person responsible for carrying out the plan shall provide the name of an individual holding a certificate who will be in charge of and responsible for carrying out the land- disturbing activity to the VESMP authority. [Note: The VESMP authority may waive the Responsible Land Disturber certificate requirement for an agreement in lieu of a plan in accordance with § 62.1-44.15:34 or § 62.1-44.15:55 of the Code of Virginia.]
- C. If individual lots or sections in a residential development are being developed by different property owners, all land-disturbing activities related to the building construction shall be covered by an erosion and sediment control plan **or an "Agreement in Lieu of a Plan" signed by the property owner.**
- D. Land-disturbing activity of less than 10,000 square feet on individual lots in a residential development shall not be considered exempt from the provisions of the VESMA, ESCL, or this ordinance if the total land-disturbing activity in the development is equal to or greater than 10,000 square feet.

Section 1.8. PERMITS; FEES; SECURITY FOR PERFORMANCE

- A. Agencies authorized under any other law to issue grading, building, or other permits for activities involving land-disturbing activities shall not issue any such permit unless the applicant submits with his application an approved erosion and sediment control plan, certification that the plan will be followed and evidence of VPDES permit coverage where it is required.
- B. No person may engage in any land-disturbing activity until he or she has acquired a land- disturbing permit (unless the proposed land-disturbing activity is specifically

exempt from the provisions of this ordinance), has paid the fees and has posted the required bond.

- C. An administrative fee of **\$100.00 plus \$15.00 per acre** shall be paid to **the VESCP authority** at the time of submission of the erosion and sediment control plan.
- D. No land-disturbing permit shall be issued until the applicant submits with his or her application an approved erosion and sediment control plan [or agreement in lieu of an approved erosion and sediment control plan] and certification that the plan will be followed.
- E. All applicants for permits shall provide to the **County of Grayson** a performance bond with surety, cash escrow, or an irrevocable letter of credit acceptable to the VESCP authority to ensure that measures could be taken by the **County of Grayson** at the applicant's expense should the applicant fail, after proper notice, within the time specified to initiate or maintain appropriate conservation measures required of him or her by the approved plan as a result of his land-disturbing activity. The amount of the bond or other security for performance shall not exceed the total of the estimated cost to initiate and maintain appropriate conservation action based on unit price for new public or private sector construction in the locality and a reasonable allowance for estimated administrative costs and inflation which shall not exceed twenty- five percent of the cost of the conservation action. Should it be necessary for the **VESCP authority** to take such conservation action, the **VESCP authority** may collect from the applicant any costs in excess of the amount of the surety held. Within sixty (60) days of adequate stabilization, as determined by Erosion and Sediment Control Program Administrator in any project or section of a project, such bond, cash escrow or letter of credit, or the unexpended or unobligated portion thereof, shall be either refunded to the applicant or terminated, based upon the percentage of stabilization accomplished in the project or project section. These requirements are in addition to all other provisions relating to the issuance of permits and are not intended to otherwise affect the requirements for such permits.

Section 1.9. MONITORING, REPORTS, AND INSPECTIONS

- A. The responsible land disturber, as provided by § 62.1-44.15:52, shall be in charge of and responsible for carrying out the land-disturbing activity and provide for periodic inspections of the land-disturbing activity. The person responsible for carrying out the plan shall monitor the land-disturbing activity. The person responsible for carrying out the plan will maintain records of these inspections and maintenance, to ensure compliance with the approved plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation.
- B. The **Erosion and Sediment Control Inspector or his designee** shall periodically inspect the land-disturbing activity in accordance with 9VAC25-875-330 to ensure compliance with the approved plan and to determine whether the measures

required in the plan are effective in controlling erosion and sedimentation. The Erosion and Sediment Control Inspector or his designee shall be granted the right of entry onto properties to inspect and determine compliance with this chapter. The owner, permittee, or person responsible for carrying out the plan shall be given notice of the inspection and shall such inspection in accordance with § 62.1-44.15:60 and the land-disturbing permit.

If the **Erosion and Sediment Control Inspector or his designee** determines that there is a failure to comply with the plan, notice to comply may be served upon the permittee or person responsible for carrying out the plan. Such notice shall be served by delivery by facsimile, e-mail, or other technology; by mailing with confirmation of delivery to the address specified in the permit application or in the plan certification, if available, or in the land records of the locality; or by delivery at the site of the land-disturbing activities to the agent or employee supervising such activities.

The notice to comply shall specify the measures needed to comply with the land-disturbance approval conditions or shall identify the plan approval or land-disturbance approval needed to comply with this article and shall specify a reasonable time within which such measures shall be completed. Upon failure to comply within the specified time, any plan approval or land-disturbance approval may be revoked and the permittee or person responsible for carrying out the plan shall be subject to the penalties provided by this ordinance.

- C. Upon issuance of an inspection report denoting a violation of § 62.1-44.15:55 of the Code of Virginia, the [position title] may, in conjunction with or subsequent to a notice to comply as specified in this ordinance, issue an order requiring that all or part of the land-disturbing activities permitted on the site be stopped until the specified corrective measures have been taken.

If land-disturbing activities have commenced without an approved plan, the **Grayson County Erosion and Sediment Control Program Administrator** may issue an order requiring that all of the land-disturbing activities be stopped until an approved plan or any required permits are obtained.

Where the alleged noncompliance is causing or is in imminent danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the Commonwealth, or where the land-disturbing activities have commenced without an approved plan, such a stop work order may be issued without regard to whether the alleged violator has been issued a notice to comply as specified in this ordinance. Otherwise, such an order may be issued only after the alleged violator has failed to comply with such a notice to comply.

The stop work order shall be served in the same manner as a notice to comply and shall remain in effect for a period of seven days from the date of service pending application by the **VESCP authority** or permit holder for appropriate relief to the Circuit Court of **the County of Grayson**. The **VESCP authority** shall serve such order for disturbance without an approved plan upon the owner by mailing with confirmation of delivery to the address specified in the land records. The order shall be posted on the site where the disturbance is occurring, and shall remain in

effect until permits and plan approvals are secured, except in such situations where an agricultural exemption applies.

If the alleged violator has not obtained an approved plan within seven days from the date of service of the stop work order, the **Grayson County Erosion and Sediment Control Program Administrator** may issue an order to the owner requiring that all construction and other work on the site, other than corrective measures, be stopped until an approved plan has been obtained. Such an order shall be served upon the owner by mailing with confirmation of delivery to the address specified in the plan or the land records of **VESCP authority**.

The owner may appeal the issuance of an order to the Circuit Court of **the County of Grayson**.

Any person violating or failing, neglecting or refusing to obey an order issued by **Grayson County Erosion and Sediment Control Program Administrator** may be compelled in a proceeding instituted in the Circuit Court of **the County of Grayson** to obey same and to comply therewith by injunction, mandamus or other appropriate remedy.

Upon completion and approval of corrective action or obtaining an approved plan, the order shall immediately be lifted.

Nothing in this section shall prevent the **Grayson County Erosion and Sediment Control Program Administrator** from taking any other action authorized by this ordinance or other applicable laws.

Section 1.10. PENALTIES, INJUNCTIONS, AND OTHER LEGAL ACTIONS

- A. Any person who has violated or failed, neglected, or refused to obey any order, notice, or requirement of the **VESCP authority**, any condition of a land-disturbance approval, or any provision of this ordinance shall, upon a finding of the District Court of **the County of Grayson**, be assessed a civil penalty. The civil penalty for any one violation shall be not less than \$100 nor more than \$1,000, except that the civil penalty for commencement of land-disturbing activities without an approved plan shall be \$1,000. Each day during which the violation is found to have existed shall constitute a separate offense. In no event shall a series of specified violations arising from the same operative set of facts result in civil penalties which exceed a total of \$10,000, except that a series of violations arising from the commencement of land-disturbing activities without an approved plan for any site shall not result in civil penalties which exceed a total of \$10,000.
- B. The **Grayson County Erosion and Sediment Control Program Administrator**, or the owner or property which has sustained damage, or which is in imminent danger of being damaged, may apply to the Circuit Court of the **County of Grayson** to enjoin a violation or a threatened violation of §§ 62.1-44.15:55 or 62.1-44.15:58 of the Code of Virginia, without the necessity of showing that an adequate remedy at law does not exist.

However, an owner of property shall not apply for injunctive relief unless (i) he has notified in writing the person who has violated the local program, and the program authority, that a violation of the local program has caused, or creates a probability of causing, damage to his property, and (ii) neither the person who has violated the local program nor the program authority has taken corrective action within fifteen days to eliminate the conditions which have caused, or create the probability of causing, damage to his property.

- C. In addition to any criminal or civil penalties provided under this ordinance, any person who violates any provision of the Erosion and Sediment Control Law may be liable to **VESCP authority** in a civil action for damages.
- D. Without limiting the remedies which may be obtained in this section, any person violating or failing, neglecting, or refusing to obey any injunction, mandamus, or other remedy obtained pursuant to this section shall be subject, in the discretion of the court, to a civil penalty not to exceed \$2,000 for each violation. A civil action for such violation or failure may be brought by the **VESCP authority**. Any civil penalties assessed by a court shall be paid into the treasury of **the County of Grayson**, except that where the violator is the locality itself or its agent, the court shall direct the penalty to be paid into the state treasury.
- E. With the consent of any person who has violated or failed, neglected or refused to obey any regulation or condition of a permit or any provision of this ordinance or order of the **VESCP authority**, the **County of Grayson** may provide for the payment of civil charges for violations in specific sums, not to exceed the limit specified in Subsection D of this section. Such civil charges shall be instead of any appropriate civil penalty which could be imposed under Subsection A or D.
- F. The Commonwealth's Attorney shall, upon request of the County of Grayson, take legal action to enforce the provisions of this ordinance.

Section 1.11. APPEALS AND JUDICIAL REVIEW

- A. Final decisions of the **VESCP authority** under this ordinance shall be subject to review by the **County of Grayson** Circuit Court, provided an appeal is filed within 30 days from the date of any written decision adversely affecting the rights, duties, or privileges of the person engaging in or proposing to engage in land-disturbing activities.

Adopted this 13th day of June 2024 in the County of Grayson, Virginia.

R. Brantley Ivey, Chair
Grayson County Board of Supervisors

ATTEST: _____
Stephen A. Boyer, Clerk
Grayson County Board of Supervisors

CERTIFICATE OF VOTES

The record of the roll-call vote by the members of the Grayson County Board of Supervisors on the foregoing Ordinance, duly adopted upon a roll-call vote at a public meeting held on June 13th, 2024, as follows:

<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
R. Brantley Ivey				
Michael S. Hash				
Tracy A. Anderson				
Mary E. Dickenson Tomlinson				
Mitchell D. Cornett				

- Grayson County Access Road Approval – moved to the consent agenda
- Resolution – Casino Gaming Tax Usage

Mr. Boyer noted that the County has to designate what fund the Casino Gaming Tax proceeds will be used for which will be to public safety, specifically the provision of emergency medical and fire services as budgeted in Fiscal Year 2025. Supervisor Anderson made the motion to approve the resolution (listed below); duly seconded by Supervisor Hash. Roll call vote as follows: Tracy A. Anderson – aye; Michael S. Hash – aye; Mitchell D. Cornett – aye; Mary E. Dickenson Tomlinson – aye; R. Brantley Ivey – aye. Motion carried 5-0.

RESOLUTION **CASINO GAMING TAX PROCEEDS USAGE**

WHEREAS, the County of Grayson is a beneficiary member of the Bristol Transportation District Regional Improvement Commission, which directs funding to its fourteen (14) members on an equal share basis, dividing casino gaming tax proceeds to the benefit of education, public safety, transportation or some combination thereof; and

WHEREAS, the Regional Improvement Commission is charged with disbursing the funds annually and with auditing the use of such funds to ensure compliance with the Code of Virginia; and,

WHEREAS, the Regional Improvement Commission has requested all member localities to indicate their planned budget uses of the funds derived from the gaming tax.

NOW, THEREFORE, BE IT RESOLVED, by the Grayson County Board of Supervisors does hereby resolve to direct the entirety of its Fiscal Year 2025 gaming tax proceeds to public safety, specifically the provision of emergency medical and fire services as budgeted in Fiscal Year 2025; and

BE IT FURTHER RESOLVED that the Grayson County Board of Supervisors directs its representative to the Regional Improvement Commission to convey this intention to the Commission and to provide such documentation as may be required to the Commission in support of this funding.

Adopted this 13th day of June 2024, in the County of Grayson, Virginia.

By: _____
R. Brantley Ivey, Chair
Grayson County Board of Supervisors

Attest: _____
Stephen A. Boyer, Clerk
Grayson County Board of Supervisors

The record of the roll-call vote by the members of the Board of Supervisors of Grayson County, Virginia, on the foregoing Resolution, duly adopted by the Board upon a roll-call vote at a public meeting held on June 13th, 2024, as follows:

Name	Aye	Nay	Abstain	Absent
R. Brantley Ivey				
Michael S. Hash				
Tracy A. Anderson				
Mary E. Dickenson Tomlinson				
Mitchell D. Cornett				

- Resolution – Amendment to Local Holiday Schedule

Reading of the resolution was waived. Supervisor Anderson made the motion to approve the holiday schedule; duly seconded by Supervisor Tomlinson. Roll call vote as follows: Tracy A. Anderson – aye; Michael S. Hash – aye; Mitchell D. Cornett – aye; Mary E. Dickenson Tomlinson – aye; R. Brantley Ivey – aye. Motion carried 5-0.

RESOLUTION

THE GRAYSON COUNTY BOARD OF SUPERVISORS

AMENDMENT TO THE 2016 LOCAL HOLIDAY SCHEDULE

WHEREAS, the County of Grayson recognizes various federal, state and local holidays within each calendar year; and,

WHEREAS, the Grayson County Board of Supervisors has the authority to set the Local Holiday Schedule for the observance of federal, state and local holidays to be recognized and observed within the County of Grayson, Virginia; and,

WHEREAS, from time to time the Board may choose to amend the Local Holiday Schedule and grant additional time for observance of holidays; and,

WHEREAS, it is the desire of the Board to accommodate a consistent holiday schedule, when possible, with county departments and local state offices, constitutional offices, and courts services operating on behalf of the county and serving its citizens.

NOW, THEREFORE, BE IT RESOLVED, that the Grayson County Board of Supervisors does hereby amend the 2016 Local Holiday Schedule and grants additional days of observance as follows:

Friday, July 5, 2024
Thursday, December 26, 2024
Tuesday, December 31, 2024

Full Day Closing
Full Day Closing
Full Day Closing

Adopted this 13th day of June, 2024, in the County of Grayson, Virginia.

By: _____
R. Brantley Ivey, Chair
Grayson County Board of Supervisors

Attest: _____
Stephen A. Boyer, Clerk
Grayson County Board of Supervisors

CERTIFICATE OF VOTES

The record of the roll-call vote by the members of the Board of Supervisors of Grayson County, Virginia, on the foregoing Resolution, duly adopted by the Board upon a roll-call vote at a public meeting held on June 13th, 2024, as follows:

Name	Aye	Nay	Abstain	Absent
R. Brantley Ivey				
Michael S. Hash				
Tracy A. Anderson				
Mary E. Dickenson Tomlinson				
Mitchell D. Cornett				

- Resolution – Approve Budget for FY 2024 – FY 2025

Mr. Boyer noted this is a resolution (listed below) to adopt the July 1, 2024, through June 30, 2025 budget. Supervisor Hash made the motion to approve the resolution; duly seconded by Supervisor Anderson. Discussion took place and the Board thanked staff for all their hard work. Once the budget is approved, the Board requested it be added to the County Facebook page and the County website. Mr. Boyer also noted that progress on the new website is moving forward but will take a little time. Reading of the resolution was waived. Roll call vote as follows: Tracy A. Anderson – aye; Michael S. Hash – aye; Mitchell D. Cornett – aye; Mary E. Dickenson Tomlinson – aye; R. Brantley Ivey – aye. Motion carried 5-0.

RESOLUTION

A RESOLUTION ADOPTING THE BUDGET FOR THE COUNTY OF GRAYSON, VIRGINIA FOR THE FISCAL YEAR OF JULY 1, 2024, THROUGH JUNE 30, 2025 APPROPRIATING FUNDS FOR ALL CONTEMPLATED EXPENSES OF THE COUNTY FOR THE FISCAL YEAR AND PLACING LEVIES UPON ALL REAL ESTATE, PERSONAL PROPERTY, MACHINERY & TOOLS, MERCHANT’S CAPITAL, AND ALL OTHER

LEVIES AND FEES AS PREVIOUSLY IMPOSED OR MODIFIED BY THE BOARD

WHEREAS, pursuant to Chapter 25 of Title 15.2 of the Code of Virginia, the Grayson County Board of Supervisors has prepared a budget for this county setting forth the contemplated expenditures and the aggregate amount to be appropriated for the current year; and,

WHEREAS, notice and publication and synopsis to the same were published in the newspaper of general circulation in Grayson County, Virginia, and at least one public hearing was held at least seven days prior to the approval of the budget as provided by Section 15.2-2506 of the Code of Virginia; and,

NOW, THEREFORE, BE IT RESOLVED AND ENACTED by the Board, after due notice, public hearing and mature consideration of the said budget, that the attached budget be, and is hereby adopted as the budget of the County of Grayson for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND ENACTED that there is hereby levied a tax of \$0.57 on each \$100.00 of assessed value of real estate and improvements situated thereon in the County and a tax of \$2.25 per \$100.00 on assessed value of tangible personal property and a fee of \$25.00 per vehicle assessed by the County and segregated pursuant to Title 15.2, Chapter 25 of the Code of Virginia, and amendments thereto including tangible personal property of public utilities located and doing business within the County and upon all other properties subject to taxation by the County and herein otherwise provided for; a tax of \$1.75 per \$100.00 of assessed value on machinery and tools; and \$6.70 per \$100.00 of assessed value on merchant’s capital.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND ENACTED by the Board that all other assessments, taxes, and fees previously imposed by the County unless repealed are again levied, assessed, and imposed as set forth previously by the Board and shall remain in full force and effect until changed by the Board.

THIS RESOLUTION of the Board shall be effective July 1st, 2024.

Adopted the 13th day of June 2024, in the County of Grayson, Virginia.

By: _____
R. Brantley Ivey, Chairman
Grayson County Board of Supervisors

ATTEST

By: _____
Stephen A. Boyer, Clerk
Grayson County Board of Supervisors

CERTIFICATE OF VOTES

The record of the roll-call vote by the members of the Grayson County Board of Supervisors on the foregoing Resolution, duly adopted upon a roll-call vote at a public meeting held on June 13th, 2024, as follows:

<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
R. Brantley Ivey				
Michael S. Hash				
Tracy A. Anderson				
Mary E. Dickenson Tomlinson				
Mitchell D. Cornett				

BUDGET ADVERTISEMENT
COUNTY OF GRAYSON, VIRGINIA
- Fiscal Year 2024-2025 -

The budget synopsis is prepared and published for informative and fiscal planning purposes only. The budget is for the fiscal year commencing July 1, 2024, and ending June 30, 2025. The inclusion in the budget of any item or items does not constitute an obligation on the part of the Board of Supervisors of this County to appropriate any funds for that item or purpose. The budget has been prepared based on estimates and requests submitted to the Board of Supervisors by officers and department heads of the County. There is no allocation or designation of any funds of this County for any purpose until such time as there has been an appropriation for that purpose by the Board of Supervisors. **The Grayson County Board of Supervisors will convene a public hearing on Thursday, May 23, 2025, at 3:05 p.m., or as soon thereafter as it may be heard, in the Boardroom of the Grayson County Courthouse, 129 Davis Street, Independence, Virginia to receive comments regarding the following proposed budget for Fiscal Year 2024-2025. Anyone wishing to comment must be present at the hearing or written comments may be submitted to the County Administrator prior to the hearing at P.O. Box 217, Independence, VA 24348.**

**REVENUE ESTIMATES
FISCAL YEAR 2024-2025**

General Fund - From Local Sources	21,524,336
General Fund - From State Sources	7,432,002
General Fund - From Federal Sources	379,790
Total General Fund Revenues	29,336,128
Law Library	7,000
Alcohol Safety Action Program	325,462
PSA Program	456,556
Restricted Funds – DARE	4,000
Restricted Funds – Federal Relief (ARPA)	1,950,286
Restricted Funds -Economic Development Authority	824,000
Restricted Funds – Network Authority	2,509,500
Restricted Funds – Capital Improvements (CIP & Bay)	300,000

**EXPENDITURES ESTIMATES
FISCAL YEAR 2024-20254**

Board of Supervisors	68,665
County Administrator	826,884
Personnel Contingency	185,000
Legal/Audit Services	209,550
Commissioner of Revenue	316,861
Treasurer	336,230
Information Technology	417,731
General Registrar & Electoral Board	290,307
Circuit Court Judge’s Office	20,100
District Court	7,720
Magistrate	1,450
Juvenile Court Services	90,556

Clerk of Circuit Court	537,135
Juvenile Community Corrections	98,000
Commonwealth's Attorney	569,971
Victim Witness	84,126
Law Enforcement	3,018,994
Emergency Operations	2,231,258
Care of Prisoners	936,408
Day Report	83,651
Building Inspection	213,024
Animal Control	149,919
Refuse Disposal	435,000
Refuse Collection	1,094,170
Recycling	193,918
Maintenance – All Co Properties	663,114
Local Health Department	180,000
Mental Health	65,000
Social Services	3,576,718
District III Coop	15,207
Child Services Act	700,000
Community College	18,836
Recreational Park	473,813
Regional Library	400,000
Economic Dev – Agriculture	115,244
GATE Center	34,430
Planning Commission	28,750
Zoning / Planning Dept	138,949
Local Support	120,000
Agriculture Agent	92,958
Enhanced 911 Commission	255,983
Airport	56,560
Soil Conservation	6,000
Economic Development	236,982
Other Community Development	663,653
Tourism	231,460
Transfers – School (RLE)	6,643,491
Transfers – School (Debt Service)	1,243,996
Transfers - School (Above RLE)	585,000
Transfers – non-departmental	373,356
Total General Fund Expenditures	29,336,128
Law Library	7,000
Alcohol Safety Action Program	325,462
Public Service Authority	456,566
Restricted Funds - DARE	4,000
Restricted Funds - Fed Relief (ARPA)	1,950,286
Restricted Funds – Economic Development Authority	824,000
Restricted Funds – Network Authority	2,509,500
Restricted Funds – Capital Improvement (CIP & Bay)	300,000

The Board of Supervisors of the County of Grayson, Virginia, hereby proposes the following in taxes for Fiscal Year 2024-2025 as follows: **\$0.54** (fifty-four cents) per \$100 (one hundred dollars) of assessed valuation as of January 1, 2024 on all taxable real estate located in Grayson County; a levy of **\$2.25** (two dollars and twenty-five cents) per \$100 (one hundred dollars) of assessed valuation of personal property located in Grayson County on January 1, 2025; a levy of **\$1.75** (one dollar and seventy-five cents) per \$100 (one hundred dollars) of assessed valuation of machine & tools located in Grayson County on January 1, 2025 and a levy of **\$6.70** (six dollars and seventy cents) per \$100 (one hundred dollars) of assessed valuation of merchant's capital located in Grayson County on January 1, 2025. The respective levies hereby ordered being also applicable to the real estate and tangible personal property of public service corporations, based upon the assessment as fixed by the State Corporation Commission, and duly certified. A copy of the proposed General Operating Budget along with copies of the proposed budgets of the other funds is available for public inspection at the County Administrator's Office during normal working hours.

- Network Authority meeting date/time

Mr. Tom Revels noted that a Network Authority meeting needs to take place before the end of June to discuss, timeline on implementation and budget items. Thursday, June 27, 2024, at 4pm was the chosen date.

- Budget Amendments

Budget amendments was pulled from the consent agenda and placed under new business. Discussion took place regarding departments being over budget for the year and invoices being placed in the incorrect accounts: Magistrate, Juvenile Court, Emergency Operations, County Administration, Galax-Grayson EMS, Refuse Collection, Treasurer Department, Parks & Recreation, Sheriff Department. Mrs. Edwards noted that these are typically done in the June end-of-year closeout meeting, not a regular board meeting as now. Supervisor Hash made the motion to approve the budget amendments; duly seconded by Supervisor Cornett. Motion carried 5-0.

IN RE: COUNTY ADMINISTRATOR'S REPORT

None

IN RE: REGISTERED SPEAKER(S) AND PUBLIC COMMENT(S)

- Joe Bonacquisti of Kindreck Rd/Mouth of Wilson/VA – spoke regarding the last closed session contrary to §2.237.11 – public was not invited back in after the meeting reconvened and then the vote should take place – need more transparency
- Kathy Cole of Black Rock Mtn Rd/Independence/VA – withdrew her time to speak
- Deny Bonacquisti of Kindreck Rd/Mouth of Wilson/VA – spoke regarding notices and communication – need to place meeting notices on front page of website

IN RE: ADJOURN

Supervisor Tomlinson made the motion to adjourn; duly seconded by Supervisor Hash. Motion carried 5-0.