Agenda
Board of Supervisors
Isle of Wight County
December 14, 2023

1. Call to Order (5:00 P.M.)
2. Approval of Agenda
3. Closed Meeting
4. Reconvene Open Meeting at 6:00 P.M.
5. Invocation - Chairman William M. McCarty
6. Citizens' Comments
7. Consent Agenda
   A. Budget Amendment - Animal Friendly License Plate Program

      Resolution to Amend the FY2023-24 Grant Fund Budget and Appropriate Funds from the Virginia Department of Motor Vehicles Animal Friendly License Plate Program ($1,260)
   B. Budget Amendment - Insurance Proceeds

      Resolution to Amend the FY2023-24 Budget and Appropriate Insurance Proceeds ($2,530)
   C. Budget Amendment - Litter Grant

      Resolution to Amend the FY2023-24 Operating Budget and Appropriate Funding for a Virginia Department of Environmental Quality Litter Prevention & Recycling Grant ($19,629)
   D. Budget Amendment - National Night Out

      Resolution to Amend the Budget and Appropriate Funding for National Night Out

E. Lease Modification Agreement

Authorization to Execute a Lease Modification Agreement

F. Minutes

- September 21, 2023 Regular Minutes
- October 16, 2023 Joint Meeting with Town of Smithfield
- October 19, 2023 Regular Meeting Minutes

8. Regional and Inter-Governmental Reports

A. Regional Reports

9. Appointments

A. Appointments List

10. Special Presentations / Appearances

A. Recognition of Supervisor Grice

Resolution to Recognize and Commend Richard "Dick" Grice

B. International Association of Emergency Managers Award

Recognition of Will Drewery by the International Association of Emergency Managers (IAEM) Region 3

11. County Attorney's Report

A. By-Laws and Rules of Procedure

Review of Isle of Wight County Board of Supervisors' By-Laws and Rules of Procedure

12. County Administrator's Report

A. Energy Task Force

Energy Task Force Update

B. Board of Supervisors' Meeting Schedule

Consideration of the Board of Supervisors' Meeting Schedule for Calendar Year 2024

C. Matters for the Board's Information

13. Unfinished / Old Business

A. Budget Amendment - Schools Compensation Appropriation

Resolution to Amend the Budget and Appropriate Funding for School Employees' Compensation ($485,616)

B. Route 17 Arterial Plan

Discussion of Route 17 Arterial Plan Alternatives

C. Proposed Short-Term Rental Ordinance Revisions

Ordinance to Amend Appendix B. Zoning: Article III, Section 3-6000 (Use Types), Article IV (Zoning Districts and Boundaries), Article V (Supplementary Use Regulations), and Section 5-5005 for the Purpose of Allowing Short Term Rentals as a Commercial Use Type in Residential Zoning Districts Under Certain Conditions

D. Short-Term Rental Registry

Ordinance to Amend and Reenact Chapter 10, Licenses, Short Term Rental Registry of the Isle of Wight County Code

E. CUP-13-23 Carver Solar Megawatt Amendment

Application of Carver Solar I, LLC to Increase the Nameplate Electrical Power Generation Capacity of the Proposed Carver Solar Energy Generation Facility from 71 MW to 91 MW

F. Carver Solar Energy Generation Facility Siting Agreement

Consideration of a Siting Agreement for the Carver Solar Energy Generation Project

14. New Business

A. Legislative Matter - Septic Pump-Out Requirements

Support for Legislative Action re: Septic Pump-Out Requirements

15. Adjournment

ISSUE:

Resolution to Amend the FY2023-24 Grant Fund Budget and Appropriate Funds from the Virginia Department of Motor Vehicles Animal Friendly License Plate Program ($1,260)

BACKGROUND:

The Virginia Department of Motor Vehicles sells Animal Friendly license plates as a part of its special license plate program. A portion of the revenue is set aside to support the sterilization programs for dogs and cats.

BUDGETARY IMPACT:

Increase the FY 2023-24 Grant Fund Operating Budget by $1,260.

RECOMMENDATION:

Adopt a resolution to accept and appropriate Animal Friendly License Plate funds.

ATTACHMENTS:

Description	Type	Upload Date
Resolution	Resolution	11/20/2023
Correspondence from DMV	Backup Material	11/20/2023

RESOLUTION TO AMEND THE FY 2023-24 GRANT FUND BUDGET AND APPROPRIATE FUNDING FROM THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES

WHEREAS, the Board of the County of Isle of Wight, Virginia desires to accept and appropriate funding from the Virginia Department of Motor Vehicles who sell Animal Friendly license plates as part of its special license plate program and sets aside a portion of the revenues derived from said sales for distribution to support sterilization programs for dogs and cats; and,

WHEREAS, the Board of Supervisors desires to amend the FY 2023-24 Grant Fund Budget by $1,260 to support sterilization programs for dogs and cats.

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Isle of Wight, Virginia that $1,260 or so much as shall be received from the Virginia Department of Motor Vehicles be appropriated to the Grant Fund Operating Budget to support sterilization programs for dogs and cats.

BE IT FURTHER RESOLVED that the County Administrator of the County of Isle of Wight, Virginia is authorized to make the appropriate accounting adjustments in the budget and to do all things necessary to give this resolution effect.

Adopted this 14th day of December 2023.

_____
William M. McCarty, Sr., Chairman

_____
Carey Mills Storm, Clerk

Approved as to form:

_____
Robert W. Jones, Jr., County Attorney

RECEIVED
OCT 16 2023
BY: 4s

COMMONWEALTH of VIRGINIA

Department of Motor Vehicles
2300 West Broad Street

Gerald F. Lackey, Ph.D.
Commissioner

Post Office Box 27412
Richmond, VA 23269-0001

October 13, 2023

County Administrator
Isle of Wight County
17090 Monument Cir.
Post Office Box 80
Isle of Wight, VA 23397

Dear County Administrator:

The Department of Motor Vehicles sells the Animal Friendly license plate, which is authorized by Virginia Code, §46.2-749.2:7, as part of its special license plate program. This plate is issued to supporters of dog and cat sterilization programs at a cost of $25.00 per year in addition to the prescribed fee for vehicle registration. After the first 1,000 sets of plates are sold, $15.00 of each fee is made available to the locality in which the vehicle is registered, to be used to support sterilization programs for dogs and cats. This money is set aside in a special fund titled the Dog and Cat Sterilization Fund for distribution to localities, regardless of the amount of funds involved. For Fiscal Year 2023, DMV's records indicate that your locality is due $1,260.00 from this Fund.

Virginia Code §46.2-749.2:7 requires each locality to certify that this money will be used to support sterilization of dogs and cats. If your locality does not have a program for this purpose, the statute provides the locality options. You may make the funds available to any private, nonprofit sterilization program for dogs and cats in your locality or decline receipt of funds. Any funds that are declined shall be distributed to other affected localities on a pro rata basis.

Attached to this letter is a form to make your choice pertaining to the amount stated above. Complete the form and return it no later than December 08, 2023, to:

Financial Management Services
Department of Motor Vehicles
Post Office Box 25700
Richmond, Virginia 23260
Attn: Accounts Payable, Room 711
Fax: (804) 367-6339

If the form is not received by the above date, it will be assumed that your locality is declining the funds. If you have any questions regarding the Animal Friendly Plate, the funds due your locality or about completing the Certification of Funds form FMS 225, please email DMV at accountspayable@dmv.virginia.gov.

With kindest regards.

Sincerely,

Gerald F. Lackey

Gerald F Lackey

GFL:ARH

Attachment

ISSUE:

Resolution to Amend the FY2023-24 Budget and Appropriate Insurance Proceeds ($2,530)

BACKGROUND:

The County received insurance proceeds for repair of a 2015 Chevrolet Colorado in the amount of $2,530 from State Farm Insurance. The insurance proceeds of $2,530 need to be budgeted and appropriated to the Public Utility Fund Budget for FY2023-24.

The department has requested that these insurance proceeds received be budgeted to the line item that will allow the repair of County vehicles. Any additional budget amount required would be done through the Department's existing available budget.

Fleet Repairs - Utility Services $2,530 State Farm

BUDGETARY IMPACT:

Adoption of the resolution will increase the FY2023-24 Public Utility Fund budget by $2,530.

RECOMMENDATION:

Adopt a resolution to budget and appropriate insurance proceeds and authorize the department budget line item to be increased by the insurance proceeds amount to repair County vehicles.

ATTACHMENTS:

Description	Type	Upload Date
Resolution	Resolution	12/14/2023

RESOLUTION TO AMEND THE FY 2023-24 OPERATING BUDGET AND APPROPRIATE FUNDING FOR REPAIR OF COUNTY VEHICLES FROM INSURANCE PROCEEDS

WHEREAS, the County of Isle of Wight, Virginia has received insurance proceeds from State Farm Insurance for a damaged County vehicle; and,

WHEREAS, the Board of Supervisors desires to amend the FY 2023-2024 Public Utility Fund budget in the amount of $2,530 for repair of the damaged County vehicle; and,

WHEREAS, the Board of Supervisors needs to appropriate $2,530 from insurance proceeds to the Public Utility Fund for repair of this vehicle.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Isle of Wight County, Virginia, that the FY 2023-24 budget is hereby amended and the funds appropriated in the amount of $2,530 for vehicle repairs.

BE IT FURTHER RESOLVED that the County Administrator of Isle of Wight County, Virginia is authorized to make the appropriate accounting adjustments and to do all things necessary to give this resolution effect.

Adopted this 14th day of December 2023.

_____
William M. McCarty, Sr., Chairman

_____
Carey Mills Storm, Clerk

Approved as to form:

_____
Robert W. Jones, Jr., County Attorney

ISSUE:

Resolution to Amend the FY2023-24 Operating Budget and Appropriate Funding for a Virginia Department of Environmental Quality Litter Prevention & Recycling Grant ($19,629)

BACKGROUND:

The Virginia Department of Environmental Quality (DEQ) provides funds for litter prevention and recycling grants to localities under a non-competitive grant program based on population and road miles. These grants have been awarded for local litter prevention and recycling program implementation, continuation, and/or expansion.

The County has been awarded $19,629. This grant will provide continued funding for the County's Isle Be Green Litter Prevention and Recycling Program.

BUDGETARY IMPACT:

The grant award will increase revenues and expenses in the Grants Fund to support the County's litter prevention and recycling program. Local matching funds are not required.

RECOMMENDATION:

Adopt a resolution to accept and appropriate funding for the Virginia Litter Prevention and Recycling Grant.

ATTACHMENTS:

Description	Type	Upload Date
Resolution	Resolution	11/15/2023
Correspondence from DEQ	Backup Material	11/20/2023

RESOLUTION TO AMEND THE FY 2023-2024 OPERATING BUDGET AND APPROPRIATE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY LITTER PREVENTION AND RECYCLING GRANT FUNDING

WHEREAS, the Board of Supervisors of the County of Isle of Wight, Virginia desires to accept funding from Virginia Department of Environmental Quality Grant for Litter Prevention and Recycling; and,

WHEREAS, the Board of Supervisors needs to amend the FY 2022-2023 Grant Fund Budget and appropriate funding in the amount of $19,629 for State Grant funding for Public Works Budget for Litter Prevention and Recycling.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Isle of Wight County, Virginia, that the FY 2023-2024 Grant Fund budget is hereby amended, and funds appropriated in the amount of $19,629 or as much as shall be received for Litter Prevention and Recycling.

BE IT FURTHER RESOLVED that the County Administrator of Isle of Wight County, Virginia is authorized to make the appropriate accounting adjustments and to do all things necessary to give this resolution effect.

Adopted this 14th day of December 2023.

_____
William M. McCarty, Chairman

_____
Carey Mills Storm, Clerk

Approved as to Form:

_____
Robert W. Jones Jr., County Attorney

Michael M. Etheridge

From: ceds@deq.virginia.gov
Sent: Monday, October 30, 2023 2:16 PM
To: Randy Keaton; Michael M. Etheridge
Cc: Michael M. Etheridge
Subject: FY2024 Non-Competitive Litter Prevention and Recycling Grant

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

1111 E. Main Street, Suite 1400, Richmond, Virginia 23219
P.O. Box 1105, Richmond, Virginia 23218
(800) 592-5482 FAX (804) 698-4178
www.deq.virginia.gov

Travis A. Voyles
Acting Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus, PE, PWD, PWS Emeritus
Director
(804) 698-4020

October 30, 2023

Randy Keaton
County Administrator
Isle of Wight County
P.O Box 80
Isle of Wight County, VA 23397

Dear Randy Keaton:

I am pleased to inform you that a total grant award of **$19,629.00** has been approved for the **Isle of Wight County** Litter Prevention and Recycling Program activities and the Extended Polystyrene (EPS) campaign for the period of July 1, 2023 to June 30, 2024.

The total grant award amount above includes the following:
Non-Competitive Grant Award: $19,629.00

Processing of the grant awards is underway, and a payment for this amount should be received within the next two weeks if funds can be transferred electronically (EDI) or in thirty days if processing by check is required.

If you have any questions or need additional information, please contact Prina Chudasama at prina.chudasama@deq.virginia.gov or at (804) 659-1530.

Sincerely,

Sanjay Thirunagari
Programs Manager
Division of Land Protection & Revitalization

ISSUE:

Resolution to Amend the Budget and Appropriate Funding for National Night Out

BACKGROUND:

The Isle of Wight County Sheriff's Office has participated in National Night Events for several years. National Night Out is a campaign to take law enforcement into communities, aiming to build strong ties between the two. Sponsorships from businesses and community groups help to make this possible.

The Isle of Wight County Sheriff's Office was given $3,750 in sponsorships to help fund National Night Events in Isle of Wight County. The funds come from the ads placed in the annual Sheriff's Office Calendar and from local sources.

BUDGETARY IMPACT:

The sponsorship money for $3,750 will need to be set into a budget line item for this purpose.

RECOMMENDATION:

Adopt a resolution to amend the budget and appropriate funds.

ATTACHMENTS:

Description	Type	Upload Date
Resolution	Resolution	11/30/2023

RESOLUTION TO AMEND THE FY 2023-24 GRANT FUND BUDGET AND APPROPRIATE FUNDING FOR NATIONAL NIGHT OUT

WHEREAS, the Board of Supervisors desires to accept funding received from various community partners in support of the National Night Out program provided through Isle of Wight County Sheriff's Office; and,

WHEREAS, the Board of Supervisors desires to amend to the FY 2023-24 Grant Fund Budget in the amount of $3,750 for the Isle of Wight County Sheriff's Office National Night Out; and,

WHEREAS, the Board of Supervisors needs to appropriate $3,750 to the FY2023-24 Grant Fund Budget of Isle of Wight County, Virginia for the Isle of Wight County Sheriff's Office National Night Out.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Isle of Wight County, Virginia, that the FY 2023-24 budget is hereby amended, and funds appropriated in the amount of $3,750 or so much as shall be received for the National Night Out program.

BE IT FURTHER RESOLVED that the County Administrator of Isle of Wight County, Virginia is authorized to make the appropriate accounting adjustments and to do all things necessary to give this resolution effect.

Adopted this 14th day of December 2023.

_____
William M. McCarty, Sr., Chairman

_____
Carey Mills Storm, Clerk

Approved as to Form:

_____
Robert W. Jones Jr., County Attorney

ISSUE:

Authorization to Execute a Lease Modification Agreement

BACKGROUND:

The adopted FY2023-24 Operating Budget included new vehicles to be purchased via a Master Lease Purchase Program. At its meeting on August 3, 2023, the Board authorized an agreement for financing with HomeTrust Bank at an annual interest rate of 3.84% (in the absence of default or change in tax status).

As a result of the financing for the Riverside Hospital project, the County no longer qualifies for bank qualified financing. In this regard, the County's financing will be non-bank qualified and, as such, the interest rate will increase to an annual interest rate of 4.49%.

BUDGETARY IMPACT:

Approval of this request will require that the first payment due February 11, 2024 will increase from $66,516.64 to $67,655.02 and will continue semi-annually for the next nine (9) payments thereafter; with the final payment due on August 11, 2028.

RECOMMENDATION:

Authorize execution of the lease modification agreement.

ATTACHMENTS:

Description	Type	Upload Date
Bond Modification Agreement	Agreement	12/8/2023

HomeTrust Bank
Since 1926

LEASE #2468107863 MODIFICATION AGREEMENT

WHEREAS, Isle of Wight County, VA executed a Municipal Lease and Option Agreement with HomeTrust Bank dated August 11, 2023 for the sum of Six Hundred Thousand and 00/100 Dollars ($600,000.00), which Municipal Lease and Option Agreement is hereby incorporated herein as a part of this instrument; and

WHEREAS, the undersigned has found it necessary and does hereby request a modification of the terms of said lease in order to adjust the interest rate and payment amount from a Bank-Qualified finance transaction to a Non-Bank Qualified finance transaction.

WHEREAS, the parties desire to restate the modified terms of said lease so that there shall be no misunderstanding of the matter;

WHEREFORE, it is hereby agreed that, as of the date of this Agreement, Municipal Lease and Option Agreement shall be modified as set forth below:

The Municipal Lease and Option Agreement Schedule B: Payment Schedule is hereby modified such that:

1. The interest rate will increase from 3.84% to 4.49%;

2. The first payment due February 11, 2024 will increase from $66,516.64 to $67,655.02 and will continue semi-annually for the next nine (9) payments thereafter; with the final payment due on August 11, 2028.

in all other respects the lease terms will remain unchanged and the Municipal Lease and Option Agreement shall remain in full force and effect.

SIGNED, sealed and delivered this 14h day of December, 2023.

HOMETRUST BANK	ISLE OF WIGHT COUNTY, VA
By: _____	By: _____
Print Name: John M. Tench	Print Name: Randy R. Keaton
Title: Senior Vice President	Title: County Administrator

Location
324 Ridgefield Court
Asheville, NC 28806

800.627.1632 p
828.350.3079 p
828.665.2490 f

Mailing Address
PO Box 10
Asheville, NC 28802-0010

hometrustbanking.com

ISSUE:

- September 21, 2023 Regular Minutes
- October 16, 2023 Joint Meeting with Town of Smithfield
- October 19, 2023 Regular Meeting Minutes

BACKGROUND:

The above-noted minutes are offered for review and adoption by the Board.

BUDGETARY IMPACT:

None

RECOMMENDATION:

Adopt the following sets of minutes:

- September 21, 2023 Regular Minutes
- October 16, 2023 Joint Meeting with Town of Smithfield
- October 19, 2023 Regular Meeting Minutes

ATTACHMENTS:

Description	Type	Upload Date
9-21-2023 Regular Meeting Minutes	Cover Memo	12/5/2023
October 16, 2023 Joint Town Meeting Minutes	Cover Memo	12/5/2023
October 19, 2023 Regular Minutes	Cover Memo	12/5/2023

REGULAR MEETING OF THE ISLE OF WIGHT COUNTY BOARD OF SUPERVISORS HELD IN THE ROBERT C. CLAUD, SR. BOARD ROOM OF THE ISLE OF WIGHT COUNTY COURTHOUSE LOCATED AT 17090 MONUMENT CIRCLE, ISLE OF WIGHT, VIRGINIA ON THURSDAY, THE TWENTY-FIRST DAY OF SEPTEMBER IN THE YEAR TWO THOUSAND AND TWENTY-THREE

BOARD MEMBERS PRESENT:

William M. McCarty, Sr., District 2, Chairman
Joel C. Acree, District 4, Vice-Chairman
Richard L. Grice, District 1
Don G. Rosie, II, District 5
Rudolph Jefferson, District 3

STAFF MEMBERS PRESENT:

Randy R. Keaton, County Administrator
Donald T. Robertson, Assistant County Administrator
Robert W. Jones, Jr., County Attorney
Carey Mills Storm, Clerk

CALL TO ORDER

Chairman McCarty called the regular meeting to order at 5:00 p.m.

APPROVAL OF AGENDA

On motion of Supervisor Jefferson, the agenda was unanimously (5-0) adopted as presented with Supervisors McCarty, Acree, Jefferson, Grice and Rosie voting in favor of the motion and no Supervisor voting against the motion.

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County Attorney Jones requested a closed meeting pursuant to Section 2.2-3711(A) of the *Code of Virginia* on the following: Discussion regarding the

appointment of specific appointees to County boards, committee or authorities as set forth in the agenda, pursuant to subsection 1; discussion regarding the negotiation of the sale of County real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board, pursuant to subsection 3; and consultation with legal counsel regarding actual or probable litigation regarding Chesapeake Bay Preservation Area, Zoning Violations, and Drainage Outfalls, where such consultation would adversely affect the negotiating or litigation posture of this public body pursuant to subsection 7.

Supervisor Jefferson moved to enter the closed meeting for the reasons stated by County Attorney Jones. The motion was unanimously adopted (5-0).

At 6:00 p.m., Vice-Chairman Acree moved that the Board reconvene into open session which passed by unanimous vote (5-0).

County Attorney Jones reminded the Board that in accordance with Section 2-10(G) of the Board's Rules & Procedure, all those who participated in the closed meeting are reminded that all matters discussed in closed meeting are to remain confidential, as provided under the Virginia Freedom of Information Act, and that such matters as were discussed in closed meeting should not be acted upon or discussed in public by any participant unless and until a public, formal action of the Board of Supervisors is taken on that particular subject matter.

Upon motion of Supervisor Jefferson and all voting in favor (5-0), the following Resolution was adopted:

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and,

WHEREAS, Section 2.2-3712(D) of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was

conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors.

VOTE

AYES: Acree, Grice, McCarty. Rosie and Jefferson

NAYS: 0

ABSENT DURING VOTE: 0

ABSENT DURING MEETING: 0

INVOCATION

Supervisor Rosie delivered the invocation and led the Pledge of Allegiance to the American flag.

CITIZENS' COMMENTS

Herb DeGroft of Mill Swamp Road addressed the Board regarding the school's operating budget shortfall; recommended that a centralized bus facility be built; and, reminded the Board that there has been no activity on the Nike Ajax missile.

Randall Errington of Yellowhammer Road addressed the Board regarding increased traffic at the Dairy Queen in Windsor on Route 460; the Stoup property; and, the 2% cap on solar farms in the County.

Shelly Perry of Smithfield addressed the Board regarding the housing development at the Sherwin Williams near the Smithfield High School and the school's operating budget shortfall.

CONSENT AGENDA

On motion of Supervisor Jefferson, the following Consent Agenda was unanimously (5-0) adopted as presented with Supervisors McCarty, Acree, Jefferson, Grice and Rosie voting in favor of the motion and no Supervisor voting against the motion:

RESOLUTION TO AMEND THE FY 2023-24 OPERATING BUDGET AND APPROPRIATE FUNDING FOR REPAIR AND REPLACEMENT OF COUNTY PROPERTY FROM INSURANCE PROCEEDS

WHEREAS, the County of Isle of Wight, Virginia has received insurance proceeds from VaCorp Insurance for damaged County vehicles and property; and,

WHEREAS, the Board of Supervisors of the County of Isle of Wight, Virginia desires to amend the FY 2023-2024 Public Utility Fund budget in the amount of $670 for repair of damaged County vehicles and the FY 2023-2024 General Fund budget in the amount of $1,947 for replacement of stolen County property; and,

WHEREAS, the Board of Supervisors needs to appropriate from insurance proceeds $670 to the Public Utility Fund and $1,947 to the General Fund for repair and replacement of damaged County vehicles and property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Isle of Wight County, Virginia, that the FY 2022-23 budget is hereby amended and the funds appropriated for $2,617.

BE IT FURTHER RESOLVED that the County Administrator of Isle of Wight County, Virginia is authorized to make the appropriate accounting adjustments and to do all things necessary to give this resolution effect.

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RESOLUTION TO AMEND THE FY 2023-24
OPERATING BUDGET AND APPROPRIATE FUNDING FOR THE
FIFTH DISTRICT COURT JUVENILE DETENTION AGREEMENT

WHEREAS, the County of Isle of Wight is a locality in Virginia's Fifth Judicial District and has agreed to act as fiscal agent for the Juvenile Detention facility agreement between the Middle Peninsula Juvenile Detention Commission and the Cities of Suffolk and Franklin and the Counties of Isle of Wight and Southampton; and,

WHEREAS, the County of Isle of Wight, as fiscal agent, will pay the quarterly cost of reserving residential placement at the detention facility and subsequently bill the participating localities in quarterly increments for their portion of the reserve cost based on a 3-year average detention population for the Cities of Suffolk ($664,441) and Franklin ($80,242) and Southampton County ($53,104); and,

WHEREAS, the Board of Supervisors needs to budget recovered costs revenue and appropriate funding in the amount of $797,787 in the County's General Fund for payment to the juvenile detention facility in excess of the amount budgeted for Isle of Wight County's portion.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Isle of Wight County, Virginia, that the FY 2023-24 General Fund budget is hereby amended and funds appropriated in the amount of $797,787 to Fifth District Court Services for the juvenile detention agreement.

BE IT FURTHER RESOLVED that the County Administrator of Isle of Wight County, Virginia is authorized to make the appropriate accounting adjustments and to do all things necessary to give this resolution effect.

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RESOLUTION TO AMEND THE FY 2023-24 GRANT FUND BUDGET AND
APPROPRIATE FUNDING FROM THE LIBRARY OF VIRGINIA

CIRCUIT COURT RECORDS PRESEVATION PROGRAM

WHEREAS, the Board of Supervisors desires to budget and appropriate funding from the Library of Virginia Circuit Court Records Preservation Program to provide resources to help preserve and make accessible permanent circuit court records in Isle of Wight County, Virginia; and,

WHEREAS, the Board of Supervisors needs to amend the FY 2023-24 Grant Fund Budget in the amount of $50,565 to preserve and make accessible permanent circuit court records; and,

WHEREAS, the Board of Supervisors needs to appropriate $50,565 to preserve and make accessible permanent circuit court records in Isle of Wight County, Virginia.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Isle of Wight County, Virginia, that the FY 2023-24 Grant Fund budget is hereby amended and funds appropriated in the amount of $50,565.

BE IT FURTHER RESOLVED that the County Administrator of Isle of Wight County, Virginia is authorized to make the appropriate accounting adjustments and to do all things necessary to give this resolution effect.

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RESOLUTION TO AMEND THE FY 2023-2024 OPERATING BUDGET
AND APPROPRIATE FUNDING FOR THE
SHERIFF'S CAPITAL OUTLAY PROJECT

WHEREAS, Isle of Wight County Sheriff's Office recently seized as evidence a Ford Mustang where the lien holder waived all rights to the vehicle, and said vehicle was sold at public auction for the sum of $9,300; and,

WHEREAS, the Board of Supervisors desires to amend the FY 2023-2024 General Fund budget in the amount of $9,300 from the sale of the abandoned vehicle; and,

WHEREAS, the Board of Supervisors needs to appropriate $9,300 to the FY 2023-2024 Sheriff's Office Capital Outlay for renovations to the recently acquired Mobile Command bus.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Isle of Wight, Virginia, that the FY 2023-2024 General Fund Budget is hereby amended, and funds appropriated to the Sheriff's Office Capital Outlay in the amount of $9,300 for the continued renovations of the Mobile Command bus.

BE IT FURTHER RESOLVED that the County Administrator of Isle of Wight County is authorized to make the appropriate accounting adjustments and to do all things necessary to give this resolution effect.

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RESOLUTION OF THE BOARD OF SUPERVISORS OF ISLE OF WIGHT COUNTY, VIRGINIA REGARDING THE APPROVAL OF ISSUANCE OF BONDS BY THE ECONOMIC DEVELOPMENT AUTHORITY OF ISLE OF WIGHT COUNTY FOR THE BENEFIT OF RIVERSIDE HEALTHCARE ASSOCIATION, INC.

WHEREAS, the Economic Development Authority of Isle of Wight County, Virginia (the "Authority") is empowered by the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2 of the Code of Virginia of 1950, as amended (the "Act") to issue its revenue bonds for the purposes of, among other things, financing or refinancing medical facilities for use by organizations that are exempt from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), thereby promoting the safety, health, welfare, convenience, and prosperity of the residents of the Commonwealth of Virginia (the "Commonwealth");

WHEREAS, the Authority has approved the application of Riverside Healthcare Association, Inc., a Virginia nonstock corporation (the "Borrower"), whose primary business address is 701 Town Center Drive, Newport News, Virginia 23606, requesting that the Authority issue up to

$300,000,000 of its revenue bonds in one or more series at one time or from time to time (the "Bonds");

WHEREAS, the Authority will loan the proceeds of the Bonds to the Borrower to finance and refinance all or a portion of the costs associated with the projects described below:

(1) The acquisition, development, constructing and equipping of a new hospital and related medical buildings in Smithfield, Virginia, to be owned and operated by the Borrower or an affiliate thereof, which are expected to be located in and around 19339 Benns Grant Boulevard and 19375 Benns Grant Boulevard, Smithfield, Virginia; and

(2) The financing of, if and as needed, amounts required for reserves, working capital, capitalized interest, costs of issuance and other financing expenses related to the issuance of the Bonds (collectively (1) and (2), the "Plan of Finance");

WHEREAS, following notice given as required by Section 147(f) of the Code and Section 15.2-4906 of the Act, the Authority held a public hearing on September 12, 2023, regarding the Plan of Finance and issuance of the Bonds as required by Section 147(f) of the Code and Section 15.2-4906 of the Act;

WHEREAS, Section 147(f) of the Code provides that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of the bonds and Section 15.2-4906 of the Act sets forth the procedure for such approval;

WHEREAS, the Authority issues its bonds on behalf of Isle of Wight County, Virginia (the "County"), and the facilities to be financed and refinanced with the proceeds of the Bonds are located in the County and the Board of Supervisors of the County (the "Board"), constitutes the highest elected governmental unit of the County;

WHEREAS, in accordance with Section 15.2-4906 of the Act, the Authority has recommended that the Board approve the Plan of Finance and the

issuance of the Bonds, solely to the extent required by Section 147(f) of the Code and Section 15.2-4906 of the Act; and

WHEREAS, a copy of the Authority's inducement resolution approving the issuance of the Bonds, subject to the terms to be agreed upon, and a certificate of the public hearing have been filed with the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF ISLE OF WIGHT COUNTY, VIRGINIA AS FOLLOWS:

1. Subject to paragraph (2) below, the Board hereby approves the issuance of the Bonds, in an aggregate principal amount up to $300,000,000, by the Authority for the benefit of the Borrower, solely to the extent required by Section 147(f) of the Code and Section 15.2-4906 of the Act, to permit the Authority to assist in accomplishing the Plan of Finance.

2. The approval of the issuance of the Bonds by the Board does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Plan of Finance or the Borrower, the economic viability of the facilities to be financed as part of the Plan of Finance, or any other matters relating to the Bonds, the facilities to be financed or refinanced with the proceeds of the Bonds, or the Plan of Finance. The Bonds shall not constitute a debt, liability or obligation of the County. In accordance with the Act, the Bonds shall not be deemed to constitute a debt or a pledge of faith and credit or taxing power of the Commonwealth or any political subdivision thereof, including the Authority and the County. The Bonds shall provide that neither the Commonwealth, nor any political subdivision thereof, including the County and the Authority, shall be obligated to pay the principal of or interest on the Bonds or other costs incident thereto except from the revenues and moneys pledged therefor by the Borrower.

3. This resolution shall take effect immediately upon its adoption. As provided in the Authority's inducement resolution, the authority to issue bonds shall continue in full force and effect for a period of one year from the adoption of the Authority's inducement resolution, unless specifically extended by the Authority.

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RESOLUTION TO DESIGNATE OCTOBER 8-14, 2023 AS
FIRE PREVENTION WEEK

WHEREAS, Isle of Wight County is committed to ensuring the safety and security of all those who live, work, visit, and play in the County; and,

WHEREAS, the members of County's seven volunteer fire and emergency medical services agencies and the career fire and rescue staff of Isle of Wight County are dedicated to reducing the occurrence of death, injuries, and property damage through the identification of risks, education of citizens, and response to emergency incidents; and,

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and,

WHEREAS, County residents who are responsive to public education measures are better able to take personal steps to increase their safety from fire, especially in their homes; and,

WHEREAS, each year during the second full week in October, fire departments and other emergency services professionals across the country work to educate everyone about simple but important actions they can take to keep themselves and those around them safe from home fires.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Isle of Wight County, Virginia that October 8-14, 2023, is designated as "Fire Prevention Week" in Isle of Wight County.

BE IT FURTHER RESOLVED that the Board of Supervisors of Isle of Wight County extends its appreciation to the men and women of the County's Fire and Rescue agencies for the tireless work they do to keep residents safe throughout the year.

//

Recognition of Mrs. Grace J. Keen at Riverview Park Memorial Garden

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RESOLUTION TO SUPPORT APPLICATION FOR AND APPROPRIATION
OF REVENUE SHARING GRANT FUNDS FOR THE RECONSTRUCTION
AND STREET ACCEPTANCE OF THE
LAWNES POINTE ON THE JAMES PROJECT

WHEREAS**,** the Board of Supervisors desires to submit an application for an allocation of Revenue Sharing funds of up to, but not to exceed $765,000 for the reconstruction and street acceptance of certain streets within the Lawnes Point on the James subdivision; and,

WHEREAS**,** the Board of Supervisors is committed to providing up to $1,530,000 in project front-funding, with a total local match contribution not to exceed $765,000 the reconstruction and street acceptance of certain streets within the Lawnes Point on the James subdivision; and,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Isle of Wight County, Virginia, that the County hereby supports and makes application for this project under the Virginia Department of Transportation Revenue Sharing Program.

BE IT FURTHER RESOLVED that the County Administrator of Isle of Wight County, Virginia is authorized to execute all project documents and make such accounting adjustments and appropriations, and execute such agreements, work orders, contracts, change orders, and other documents as necessary to give this resolution effect and complete the design and construction this project.

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RESOLUTION TO SUPPORT APPLICATION FOR AND APPROPRIATION
OF REVENUE SHARING GRANT FUNDS FOR THE CONSTRUCTION OF
ROUTE 10 AND TURNER DRIVE IMPROVEMENTS

WHEREAS, the Board of Supervisors desires to submit an application for an allocation of Revenue Sharing funds of up to, but not to exceed, $5,000,000 for the construction of Route 10 (Benns Church Blvd) and Turner Drive (Rt 644) Improvements, to include dual westbound left turn lanes, a single lane roundabout, and related ancillary signal, pedestrian, and utility improvements; and,

WHEREAS, the Board of Supervisors is committed to providing up to $10,000,000 in project front-funding, with a total local match contribution not to exceed $5,000,000 for the construction of Route 10 (Benns Church Blvd) and Turner Drive (Rt 644) Improvements; and,

WHEREAS, Isle of Wight County is committed to public safety and economic development benefits that this project will provide for the community and is partnering with local public and private stakeholders to bring this improvement to the corridor; and,

WHEREAS, Isle of Wight County has the staff resources and expertise, including the required State certifications and training, to locally administer this project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Isle of Wight County, Virginia, that the County hereby supports and makes application for this project under the Virginia Department of Transportation Revenue Sharing Program.

//

Acquisition of Replacement of Ten 2023 Dodge Durango Sport Utility Vehicles for the Sheriff's Office as replacement vehicles for patrol and other departmental operations at a total cost of $405,870

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Minutes of June 15, 2023 Regular Meeting Minutes; July 13, 2023 Work Session Minutes; July 13, 2023 Regular Meeting Minutes; and August 3, 2023 Work Session Minutes

REGIONAL AND INTER-GOVERNMENTAL REPORTS

Supervisor Rosie reported that at the most recent meeting of the Hampton Roads Military Federal Facilities Alliance, the potential for the Federal government shut down in 13 days was discussed. He encouraged everyone to write to their respective Congressman/Senator and share their concerns.

APPOINTMENTS

Supervisor Acree moved that Garry Windley be appointed to replace Pat Humphries on the Fire & Rescue Advisory Board. The motion was unanimously (5-0) adopted with Supervisors McCarty, Acree, Jefferson, Grice and Rosie voting in favor of the motion and no Supervisor voting against the motion.

SPECIAL PRESENTATIONS

Paul Matticks and George Bowman, the newly hired Assistant Administrator for the Franklin residency, addressed the Board relative to current and future maintenance and repair projects in the County.

Supervisor Jefferson asked VDOT to investigate a vehicle being parked in the right-of-way at 9612 Old Stage Highway.

Supervisor Acree advised that a patch of roadway on Cedar Grove Road needs to be repatched.

Supervisor Rosie advised that the ditch work performed in the Carrsville area needs to be redone and River Run Trail is beginning to get extremely rough. He advised that there is a huge pothole at the light at Route 258 and 58.

Supervisor Grice asked that VDOT not begin work on two projects simultaneously and that when the bridge is complete, that a 25 mph be installed on the bridge.

Chairman McCarty inquired about the timeline for Smiths Neck Road and advised that where it has already been paved on Reynolds Drive, there is a hole.

//

Lynn Briggs, Chairperson, Energy Task Force, provided information related to the Task Force's members and meeting schedule; past and future meetings summaries; its mission and goals and anticipated deliverables.

Supervisor Grice asked the Task Force to discuss storage technology.

//

The Board took a brief recess before returning to open session and hearing a presentation from Jaimie Belch, Therapeutic Recreation Specialist, on Parks and Recreation programs for children and adults with disabilities.

PUBLIC HEARING

Trenton Blowe, Planning & Zoning, presented background information on the following:

Application (CUP-5-23) of Waverton Associates, Inc., Applicant, and James River Crossings, Inc., Property Owner, for a Conditional Use Permit for a Mini-Warehouse Storage Facility on Property Identified as Tax Map Number 34-01-079 Located on Lori Ann Way in the Crossings Planned Development.

The public hearing was opened and Jerry Bowman, President of James River Crossings and Phil Smith, Waverton Associates, appeared and spoke in favor.

The public hearing was closed.

Chairman McCarty moved that the application be approved. The motion was adopted with Supervisors McCarty, Acree, Jefferson, Grice and Rosie voting in favor of the motion and no Supervisor voting against the motion.

COUNTY ADMINISTRATOR'S REPORT

Will Drewery, Emergency Management Coordinator, provided a briefing on the unnamed storm with regard to anticipated amount of rainfall, wind and storm surge.

//

The Board was apprised that its Retreat is set for October 25, 2023 in the 757 room at the Hampton Roads Planning District Commission building in Chesapeake.

//

The following matters for the Board's information were highlighted:

. Delinquent Tax Collections – July 2023
. Cash Position – July 2023
. Statement of Treasurer's Activity – July 2023 – Supervisor Grice
. Incidents by Zone Map – August 2023
. Incidents by Zone Data – August 2023
. Station Activity Report – August 2023
. Museum Report – August 2023

//

The Board was notified that the date selected for a joint meeting with the Town of Smithfield is October 15, 2023 at 4:00 p.m.

//

County Administrator Keaton advised that he would be out of the office for the first two weeks of October to attend the annual ICMA Conference and vacation.

NEW BUSINESS

Conditional Use Permit (CUP) Application (CUP-11-23) for Amendment to the Original Nuby Run Solar Energy Generation Facility Conditions of Approval of CUP-5-21 Located on Orbit Road on Tax Parcel Number 39-01-038

Amy Ring, Community Development Director, provided background information on the Nuby Run Solar Energy amendment request.

Ben Stagg, the property owner, took responsibility and agreed to replant the area that was cleared.

Jeff Ryan, owner/operator of the solar facility, represented that there had been a misunderstanding of the conditions as they applied to the entire parcel and not just the limits of the site development.

Vice-Chairman Acree moved that the application be approved. The motion was adopted with Supervisors McCarty, Acree, Jefferson, Grice and Rosie voting in favor of the motion and no Supervisor voting against the motion.

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County Administrator Keaton informed the Board that the **C**ounty previously had budgeted funding for the acquisition of fire apparatus (ladder truck). Carrsville Volunteer Fire Department (VFD) has advised that a Pierce ladder truck is best suited to meet that Department's needs. The Pierce truck is slightly more expensive than an E-One truck; however, Atlantic/Pierce is offering a discount for prepayment that makes the Pierce truck the least expensive. The Carrsville VFD would like to move forward on purchasing a Pierce ladder truck at a cost of $1,881,713 after the pre-payment discount of $145,000 and funding is currently available. $1,300,000 was originally budgeted for the ladder truck and $600,000 was budgeted for an engine for Carrsville VFD that does not have to be purchased

at this time and $125,000 from the engine budget was then used to cover the extra cost for the Smithfield ladder truck, leaving $475,000 that can be applied to the Carrsville ladder. The remaining $106,713 can come from leftover funds in the SCBA budget due to the grant that the County received, so no formal action is needed by the Board at this time.

Vice-Chairman Acree recommended that the County assist Carrsville Fire Department in obtaining an appraisal of the truck to give the County an idea of the value of the truck.

ADJOURNMENT

At 9:00 p.m., Chairman McCarty declared the meeting adjourned.

_____
William M. McCarty, Sr., Chairman

_____
Carey Mills Storm, Clerk

JOINT MEETING OF THE ISLE OF WIGHT COUNTY BOARD OF SUPERVISORS AND THE SMITHFIELD TOWN COUNCIL HELD AT THE SMITHFIELD CENTER LOCATED AT 220 NORTH CHURCH STREET, SMITHFIELD, VIRGINIA 23430 AT 5:00 P.M. ON MONDAY THE SIXTEENTH DAY OF OCTOBER IN THE YEAR TWO THOUSAND AND TWENTY-THREE

BOARD MEMBERS PRESENT:
William M. McCarty, Sr., District 2, Chairman
Joel C. Acree, District 4, Vice-Chairman
Richard L. Grice, District 1
Don G. Rosie, II, District 5
Rudolph Jefferson, District 3

STAFF MEMBERS PRESENT:
Randy R. Keaton, County Administrator
Donald T. Robertson, Assistant County Administrator
Robert W. Jones, Jr., County Attorney
Carey Mills Storm, Clerk

SMITHFIELD TOWN COUNCIL
Steve Bowman, Mayor
Valerie C. Butler, Vice-Mayor
T. Carter Williams
Randy Pack
Wayne Hall
Beth Haywood
Michael G. Smith
Renee Rountree

CALL TO ORDER

Chairman McCarty opened the joint meeting at 5:00 p.m. and welcomed those present.

//

The issue of cameras in school zones was brought up for discussion. Following general discussion on the unsolicited proposals received regarding speed enforcement in school zones, Mayor Bowman inquired where the County stands with regards to the various cameras available.

Chairman McCarty explained that consideration is being given to cameras in school zones only based on the Sheriff's recommendation.

County Administrator Keaton advised that he has contacted the Towns of Smithfield and Windsor. The Town of Smithfield is interested and the Town of Windsor is not because its schools are located in a 25-mph zone anyway. He added that the school zones may need to be reviewed by VDOT to determine if they are accurate in their current location. Jamie Oliver, Transportation Manager, advised that VDOT is willing to reevaluate the school zones and report back to staff on its findings.

Mayor Bowman remarked that it is the consensus of the Council that the Town of Smithfield follow the County's lead. He stated that the Council feels that this is a Town and school issue.

County Attorney Jones advised that the two bodies must agree in that if it is a school within the County, the County gets the revenue and if it is located in the Town, the Town would get a portion of the revenue.

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Regarding the Museum and the Memorandum of Understanding between the County and the Town, it was discussed that in 2018 the two bodies returned to splitting the cost associated with the Museum. It was recommended that this matter be further discussed at a future Intergovernmental meeting.

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Concerning quarterly Intergovernmental meetings, the Board and the Town agreed with the establishment of a regular schedule for meetings/discussions between both entities.

//

Several transportation improvement projects are anticipated in and near the Town. It was agreed that coordination will be necessary regarding the proposed upcoming projects.

The County and Town are witnessing increased activity regarding actual and/or potential residential development. A significant amount of development will occur in or near the Town. The Board and Council may wish to appoint a "working group" to look at potential growth and determine what are the anticipated impacts on infrastructure and services.

//

Chris Morello, Economic Development Director provided a presentation on current and proposed development projects throughout the County.

The Board and Council may wish to discuss and develop a Memorandum of Understanding relative to the provision of building inspection services in the Town.

ADJOURNMENT

At 7:10 p.m., Chairman McCarty declared the joint meeting adjourned.

_____
William M. McCarty, Sr., Chairman

_____
Carey Mills Storm, Clerk

REGULAR MEETING OF THE ISLE OF WIGHT COUNTY BOARD OF SUPERVISORS HELD IN THE ROBERT C. CLAUD, SR. BOARD ROOM OF THE ISLE OF WIGHT COUNTY COURTHOUSE LOCATED AT 17090 MONUMENT CIRCLE, ISLE OF WIGHT, VIRGINIA ON THURSDAY, THE NINETEENTH DAY OF OCTOBER IN THE YEAR TWO THOUSAND AND TWENTY-THREE AT 5:00 P.M.

BOARD MEMBERS PRESENT:

William M. McCarty, Sr., District 2, Chairman
Joel C. Acree, District 4, Vice-Chairman
Richard L. Grice, District 1
Don G. Rosie, II, District 5
Rudolph Jefferson, District 3

STAFF MEMBERS PRESENT:

Randy R. Keaton, County Administrator
Donald T. Robertson, Assistant County Administrator
Robert W. Jones, Jr., County Attorney
Carey Mills Storm, Clerk

CALL TO ORDER

Chairman McCarty called the regular meeting to order at 5:00 p.m.

APPROVAL OF AGENDA

On motion of Supervisor Jefferson, the agenda was adopted (4-0) as amended to include discussion under Old Business regarding school grant funding with Supervisors McCarty, Jefferson, Grice and Rosie voting in favor of the motion; no Supervisor voting against the motion; and, Supervisor Acree absent for the vote.

CLOSED MEETING

Supervisor Jefferson moved to enter a closed meeting pursuant to Section 2.2-3711(A) of the Code of Virginia, for the limited purpose of: A discussion regarding the appointment of specific appointees to County boards, committee or authorities

as set forth in the agenda, pursuant to subsection 1; a discussion regarding the negotiation of the sale of County real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board, pursuant to subsection 3; and, consultation with legal counsel regarding actual or probable litigation regarding Chesapeake Bay Preservation Area, Zoning Violations, and Drainage Outfalls, where such consultation would adversely affect the negotiating or litigation posture of this public body pursuant to subsection 7. The motion was adopted unanimously (4-0) with Supervisors McCarty, Grice, Rosie and Jefferson voting in favor of the motion; no Supervisor voting against the motion; and Supervisor Acree absent for the vote.

At 5:10 p.m., Supervisor Acree arrived at the meeting.

At 6:00 p.m., Supervisor Jefferson moved to return to open session. The motion was adopted unanimously (5-0) with Supervisors McCarty, Acree, Grice, Rosie and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

County Attorney Jones reminded the Board that in accordance with Section 2-10(G) of the Board's Rules & Procedure, all those who participated in the closed meeting are reminded that all matters discussed in closed meeting are to remain confidential, as provided under the Virginia Freedom of Information Act, and that such matters as were discussed in closed meeting should not be acted upon or discussed in public by any participant unless and until a public, formal action of the Board of Supervisors is taken on that particular subject matter.

Vice-Chairman Acree moved that the following Certification of Closed Meeting Resolution be adopted:

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and,

WHEREAS, Section 2.2-3712(D) of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors.

VOTE

AYES: Acree, Grice, McCarty, Rosie and Jefferson

NAYS: 0

ABSENT DURING VOTE: 0

ABSENT DURING MEETING: 0

INVOCATION

Pastor Gregg Gray of Calvary Church delivered the invocation and led the Pledge of Allegiance to the American flag.

CITIZENS' COMMENTS

Carolyn Torre of 32 Main Street in Smithfield requested a public apology be given to her husband responsive to false accusations of him being fired as Commander of the VFW because he had been found guilty of fraudulent activities.

Stephen Kirkpatrick of the Western Tidewater Free Clinic thanked the Board for its past financial support and advised that the Clinic would be providing medical, dental and mental health services to approximately 300 County patients this year.

Herb DeGroft recommended no additional money be allocated for storage of central records at the old Hardy Elemental School. He extended an invitation to

the Board to attend the Veterans Day event on South Church Street on November 11th.

CONSENT AGENDA

Following an overview of the Consent Agenda by County Administrator Keaton, Vice-Chairman Acree moved to adopt the following Consent Agenda as presented which passed unanimously (5-0) with Supervisors McCarty, Acree, Jefferson, Grice and Rosie voting in favor of the motion and no Supervisor voting against the motion:

A. Resolution to Amend the FY2023-24 Grant Fund Budget and Appropriate Funding for the Virginia 9-1-1 Enterprise GIS Software Grant ($3,000)

B. Resolution to Amend the FY2023-24 Public Schools Budget and Reappropriate Direct Aid to Public Education Funds ($714,957)

C. Resolution to Amend the FY2023-24 Operating Budget and Appropriate Funds for Nike Park Extended Wetlands Credits ($250,000)

D. Resolution to Amend the FY2023-24 Grant Fund Budget and Appropriate Funding for the Virginia 9-1-1 Service Board Staffing Recognition Grant ($51,250)

E. Resolution to Amend the FY2023-24 Operating Budget and Appropriate Grant Funds to the Schools FY2023-24 Operating Budget ($18,431)

F. Resolution to Amend the FY2023-24 Operating Budget and Appropriate Title IV, Part A Grant Funds to the Schools FY2023-24 Operating Budget ($25,075)

G. Resolution Declaring a Local Emergency to Exist in Isle of Wight County, Virginia

H. Resolution to Rescind a Declaration of Local Emergency in Isle of Wight County, Virginia

I. Minutes

. August 17, 2023 Regular Meeting Minutes
. September 7, 2023 Joint Work Session w/School Board

REGIONAL AND INTER-GOVERNMENTAL REPORTS

As discussed at the most recent meeting of the Western Tidewater Workforce Alliance, Supervisor Grice reported of the need to look at affordable housing to determine how the County can participate in the process of developing areas to build affordable housing.

As discussed at the most recent meeting of the Hampton Roads Transportation Planning Organization, Chairman McCarty reported on the program designed to assist those who need assistance with their toll costs and easy passes. Effective October 29, 2023, the annual income requirement has been increased from $50,000 to $65,000.

APPOINTMENTS

Vice-Chairman Acree moved to appoint Jeff Smith to serve on the Wetlands Board representing the Windsor District. The motion was adopted unanimously (5-0) with Supervisors McCarty, Acree, Grice, Rosie and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

Assistant County Administrator Robertson brought to the Board's attention that it had adopted bylaws for the County's Commission on Adults with Disabilities at its August 17, 2023 meeting. Said Commission is to consist of 10 individuals (two from election district and currently there are four individuals who have expressed an interest in serving.

SPECIAL PRESENTATIONS

Vice-Chairman Acree moved to adopt the following Resolution in recognition of Ms. Judy Wells' service upon her recent retirement:

RESOLUTION IN RECOGNITION OF THE SERVICE OF JUDITH C. "JUDY" WELLS

WHEREAS, Mrs. Judith C. “Judy” Wells began her employment with the County of Isle of Wight, Virginia in 1984; and,

WHEREAS, after serving for several years as Chief Deputy, Mrs. Wells was elected as Isle of Wight County Treasurer and began her first term in August 2003; and,

WHEREAS, during her tenure as Treasurer, Mrs. Wells served with distinction in leading the Isle of Wight County Treasurer’s Office in achieving and maintaining accreditation from the Treasurers’ Association of Virginia since 2012; and,

WHEREAS, Mrs. Wells faithfully served Isle of Wight County as a dedicated employee for thirty-nine years until her retirement in July 2023.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Isle of Wight, Virginia recognizes and appreciates Judith C. “Judy” Wells for outstanding achievement and distinguished service to the citizens of Isle of Wight County in the role of County Treasurer.

BE IT FURTHER RESOLVED that the Isle of Wight County Board of Supervisors extends to Judith C. “Judy” Wells its best wishes for her future endeavors and orders that a copy of this Resolution be spread upon the minutes of this Board this nineteenth day of October 2023.

The motion was adopted unanimously (5-0) with Supervisors McCarty, Acree, Grice, Rosie and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

In addition to a formal presentation resolution, Ms. Wells was also presented with a clock on behalf of the Treasurer’s Association of Virginia.

//

The Board received an overview from VDOT of the upcoming James River Bridge extended closure maintenance project which will need to be closed for an extended period of time for maintenance on two separate occasions between November 15, 2023 and February 15, 2024. Each closure will be 100 hours over a weekend and there will be a two-week gap in between closures.

//

Vice-Chairman Acree requested a report regarding the reasoning for the removal of lighting/stop lights on the James River Bridge.

Supervisor Rosie requested removal of overgrown shrubbery at the Carrsville Convenience Center and along the overpass.

Supervisor Rosie requested action be taken to alleviate the rough road conditions on River Run Trail.

Supervisor Grice requested a status report regarding the completion date of the maintenance project on the Cypress Creek Bridge.

//

Jamie Oliver, Transportation Manager, gave a brief presentation on the Sugar Hill Road/Route 17 intersection project in which VDOT is requesting the Board to support a Highway Safety Improvement Program application for one of the interim measures in the recent Sugar Hill Road RSA study which would consist of an off-set right-turn lane to allow for a continuous Green-T to be installed in the future.

//

Following a brief recess, Chairman McCarty called for the County Attorney's report.

At the request of County Attorney Jones who advised that official specific action be taken by the Board regarding its upcoming retreat, Supervisor Grice moved that the Board conduct its annual retreat on October 25, 2023 beginning at 9:00 a.m. at the Hampton Roads Planning District Commission located at 723 Woodland Drive in Chesapeake Virginia. The motion was unanimously adopted (5-0).

<u>PUBLIC HEARING</u>

VEPCO Easement Request

County Attorney Jones addressed the Board regarding consideration of granting a utility easement across County-owned land to Virginia Electric and Power Company. He explained that the County is in the process of constructing a booster pump station as part of the Hardy water line extension project and VEPCO is seeking an easement to allow it to provide underground electric service to serve the new booster pump station located at 10200 North Church Street in Smithfield. The requested easement would cross a County-owned parcel (Tax Parcel umber 21-01-0001B). The Department of Utilities has advised that the proposed easement would not adversely affect the County property.

Chairman McCarty opened the public hearing and called for comments by those in favor of or in opposition to the request.

Upon no one appearing, Chairman McCarty closed the public hearing and called for comments by the Board.

Supervisor Jefferson moved to approve the request. The motion was adopted unanimously (5-0) with Supervisors McCarty, Acree, Grice, Rosie and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

COUNTY ADMINISTRATOR'S REPORT

County Administrator Keaton notified the Board that the County has received a Distinguished Budget Presentation Award from the Government Finance Officers Association for its ninth consecutive year. Said award is the highest form of recognition in governmental budgeting and represents a significant accomplishment by a government organization and its management.

Following a review of the County's proposed 2024 legislative items, staff was requested to identify specific unfunded mandates under legislative items.

Matters for the Board's information was highlighted as follows:

. Incidents by Zone Map – September 2023
. Incidents by Zone Data – September 2023
. Station Activity Report – September 2023
. Museum Report – September 2023

. Senior Services Flyer

At the suggestion of Supervisor Jefferson, County Administrator Keaton offered to have a Medicare representative conduct an educational program to assist County residents on Medicare options.

Unfinished / Old Business

County Administrator Keaton is to send a copy of the recent information received by the schools to the Board regarding school grant funding.

New Business

Supervisor Rosie moved that Chairman McCarty be designated as the County's Voting Delegate and Vice-Chairman Acree as the County's Alternate Delegate at the upcoming VACo Annual business meeting. The motion was adopted unanimously (5-0) with Supervisors McCarty, Acree, Grice, Rosie and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

Application (Misc-15-23) of James River Crossings, Inc., owner, for a Master Signage Plan pursuant to Article IX Section 9-1006D of the Zoning Ordinance for the Property at the Intersection of Brewers Neck Boulevard, Spadea Way and Carrollton Boulevard.

In accordance with staff's recommendation to approve the proposed Master Signage Plan, Chairman McCarty moved to approve the application as presented. The motion was adopted unanimously (5-0) with Supervisors McCarty, Acree, Grice, Rosie and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

County Administrator Keaton notified the Board that the County had received a grant in the amount of $850,000 from VDOT for Gwaltney Way to extend the road 1,000 feet, as well as water and sewer.

Regarding the Tidewater Logistics Center application that is currently under review, Ms. Ring was requested to include homeowners along Lovers Lane at the appropriate

time so that their concerns with lighting and failing septic systems can be addressed and their constructive input received.

ADJOURNMENT

At 8:45 p.m., Chairman McCarty declared the meeting adjourned.

_____
William M. McCarty, Sr., Chairman

_____
Carey Mills Storm, Clerk

BACKGROUND:

The Board of Supervisors has previously directed that an opportunity be provided for monthly status briefings from Board members who serve as representatives on various regional committees and authorities on behalf of the County.

BUDGETARY IMPACT:

None

RECOMMENDATION:

Receive the report.

ATTACHMENTS:

Description	Type	Upload Date
Regional Reports	Cover Memo	8/3/2023

2023

BOARD OF SUPERVISORS'

REGIONAL ORGANIZATIONS (BY MEMBER)

ACREE

- *Hampton Roads Planning District Commission*
- *Western Tidewater Water Authority*
- *Western Tidewater Community Transportation Collaborative*

GRICE

- *Eastern Virginia Regional Industrial Facility Authority*
- *Hampton Roads Alliance*
- *Hampton Roads Workforce Council*
- *Western Tidewater Water Authority*

JEFFERSON

- *Western Tidewater Regional Jail*

McCARTY

- *Hampton Roads Transportation Advisory Committee*
- *Hampton Roads Transportation Planning Organization*
- *Western Tidewater Regional Jail*

ROSIE

- *Hampton Roads Military Federal Facilities Alliance*

KEATON

- *Hampton Roads Planning District Commission*
- *Hampton Roads Transportation Planning Organization*
- *Southeastern Public Service Authority*
- *Western Tidewater Regional Jail*
- *Western Tidewater Water Authority*

2023
BOARD OF SUPERVISORS'
REGIONAL ORGANIZATIONS (BY ORGANIZATION)

Eastern Virginia Regional Industrial Facility Authority	*Grice*
Hampton Roads Alliance	*Grice*
Hampton Roads Military & Federal Facilities Alliance:	*Rosie*
Hampton Roads Planning District Commission:	*Acree* *Keaton*
Hampton Roads Transportation Accountability Committee:	*McCarty*
Hampton Roads Transportation Planning Organization:	*McCarty* *Keaton*
Hampton Roads Workforce Council	*Grice*
Southeastern Public Service Authority	*Keaton* *Etheridge - (Alternate)*
Western Tidewater Community Transportation Collaborative	*Acree*
Western Tidewater Regional Jail:	*Jefferson* *McCarty* *Keaton*
Western Tidewater Water Authority:	*Grice* *Acree* *Keaton*

BACKGROUND:

Board members will consider and make appointments of individuals to various local and region organizations as noted on the Appointments Page.

BUDGETARY IMPACT:

None

RECOMMENDATION:

Appoint individuals to various local and region organizations as noted on the Appointments Page.

ATTACHMENTS:

Description	Type	Upload Date
Appointments Page	Cover Memo	12/3/2023
Energy Task Force	Cover Memo	8/22/2023
Fire & Rescue Advisory Board	Cover Memo	12/3/2023

BOARDS/COMMISSIONS/COMMITTEES

Boards/Commissions/Committees	Appointees	Contact	District	Expiration	
Chamber of Commerce	Don Robertson, Ex-officio			July	2023
Commission on Adults with Disabilities	Appoint two for each district				
Commission on Aging	Maggie Richards - Resigned	757-371-9010	Windsor/District 4	Dec.	2023
Energy Task Force	Representative for District 5 (See Attached)				
Fire & Rescue Advisory Board	(See Attached)			January	2024
Historical Architectural Review Com.	W. Lee Duncan	757-356-1112	Hardy/District 3	Jan.	2023
Social Services Board	Reginia Joyner	757-478-6381	Windsor/District 4	June	2023
WT Mental Health Com. Services Board	Denise Tynes			Dec.	2023
WT Mental Health Com. Services Board	Don Robertson			Dec.	2023
WT Mental Health Com. Services Board	Toni Brown	757-334-2355		Dec.	2023

ENERGY TASK FORCE

Created: February 23, 2023

APPOINTEES	DISTRICT	DATE APPOINTED
Thomas Distefano 15151 Batiste Court Carrollton, VA 23314 (757) 708-0880	2	23-Feb-23
Lewis Edmonds 23427 John Henry Street Windsor, VA 23487 (757) 871-6550	4	16-Mar-23
Lynn Barlow Briggs 211 North Mason Street Smithfield, Virginia 23430 (757) 365-1611	1	16-Mar-23
David Tucker 6251 Old Stage Highway Smithfield, VA 23430 (757) 334-3726	3	16-Mar-23
DISTRICT 5 (VACANT)	5	
AT-LARGE APPOINTEE (Town of Smithfield) Michael G. Smith 104 Commerce Street Smithfield, VA 23430 (757) 576-4203		4/27/2023
At-LARGE APPOINTEE (Town of Windsor) Edward (Gibby) Dowdy 9 Bank Street Windsor, VA 23487		6/1/2023

FIRE & RESCUE ADVISORY BOARD

Created April 2020

DEPARTMENT	PRIMARY/ALTERNATE	APPOINTED	TERM EXPIRES
		ONE-YEAR TERM	
CARROLLTON VFD	PRIMARY		
	Tim Nunez	Jan-23	1/1/2024
	14153 Bartlett Circle		
	Carrollton, Virginia 23314		
	763-9929		
	firechiefcvfd10@gmail.com		
	ALTERNATE		
	Scott Brower	Jan-23	Jan-24
	2 Tinkers Lane		
	Carrollton, Virginia 23314		
	803-5656		
	delifieldfarm@gmail.com		
CARRSVILE VFD	PRIMARY		
	Judson West	Jan-23	Jan-24
	7549 Indian Trail		
	Suffolk, Virginia 23437		
	375-8589		
	eng208@aol.com		
	ALTERNATE		
	Weston Jamison	Jan-23	Jan-24
	32505 Harvest Drive		
	Carrsville, Virginia 23315		
	353-7402		
	jamisoncvfd@yahoo.com		

RUSHMERE VFD	PRIMARY		
	Brandon Jefferson	Jan-23	Jan-24
	116 Wellingtom Circle		
	Smithfield, Virginia 23430		
	771-3266		
	brano114@aol.com		
	ALTERNATE		
	Kevin Parker	Jan-23	Jan-24
	9042 Parkers 3 Lane		
	Smithfield, Virginia 23430		
	262-7714		
	kparker7714@gmail.com		
SMITHFIELD VFD	PRIMARY		
	Chris Edwards	Jan-23	Jan-24
	15064 Four Square Road		
	Smithfield, Virginia 23430		
	620-9289		
	ALTERNATE		
	Charlie Kempton	Jan-23	Jan-24
	1804 South Church Street		
	Smithfield, Virginia 23430		
WINDSOR VFD	PRIMARY		
	Lee Marshall	Jan-23	Jan-24
	Post Office Box 412		
	Windsor, Virginia 23487		
	620-9470		

	ALTERNATE Dale Scott 9 Virginia Avenue Windsor, Virginia 23487 650-8781 tdalescott@gmail.com	Jan-23	Jan-24
ISLE OF WIGHT VR	PRIMARY Brian Carroll 8461 Stallings Creek Smithfield, Virginia 23430 647-8628 bcarroll@isleofwightus.net	Jan-23	Jan-24
	ALTERNATE Chad Owens 5228 Duck Town Road Zuni, Virginia 23898 765-465-7019 cowens.iwvrs@gmail.com	Jan-23	Jan-24
WINDSOR VRS	PRIMARY Keith Griffin 13074 Shiloh Drive Windsor, Virginia 23487 871-3394 kkeith.griffin@yahoo.com	Jan-23	Jan-24

	ALTERNATE Beth Hecker 4320 White Drive Suffolk, Virginia 23434 334-3127 bethhecker4@yahoo.com delifieldfarm@gmail.com	Jan-23	Jan-24
DEPARTMENT OF EMER. SERVICES	PRIMARY Garry T. Windley Post Office Box 80 Isle of Wight, VA 23397 757-357-8218 gwindley@isleofwightus.net		Jan-24
	ALTERNATE Will Drewery 18316 Sedley Road Sedley, VA 23878 757-615-2316 wdrewery@isleofwightus.net	Jan-23	Jan-24

Notification of Appointment to:
Garry Windley, Emergency Services

Meeting Schedule: First Wednesday monthly
Purpose: May bring matters forward to the Board of Supervisors for consideration and/or the Board may assign specific items tro the advisory board to review.

ISSUE:

Resolution to Recognize and Commend Richard "Dick" Grice

BACKGROUND:

Supervisor Richard "Dick" Grice's term on the Board of Supervisors will end on December 31, 2023. The Board may wish to adopt a resolution to recognize and commend Mr. Grice for his years of service to the citizens of Isle of Wight as a member of the Board of Supervisors.

BUDGETARY IMPACT:

None.

RECOMMENDATION:

Adopt and present a resolution of recognition and commendation.

ATTACHMENTS:

Description	Type	Upload Date
Resolution	Resolution	12/11/2023

RESOLUTION TO RECOGNIZE AND COMMEND
RICHARD L. "DICK" GRICE

WHEREAS, Richard L. "Dick" Grice has served as a member of the Isle of Wight County Board of Supervisors from January 2016 through December 2023; and,

WHEREAS, Mr. Grice has served as Chairman of the Board of Supervisors from January 2021 through December 2021 after having served as Vice-Chairman of the Board of Supervisors from January 2020 through December 2020; and,

WHEREAS, Mr. Grice has been a catalyst to promote and enhance successful community and regional partnerships, to include, but not limited to, his service on the Eastern Virginia Regional Industrial Facility Authority, Hampton Roads Alliance, Hampton Roads Workforce Council, Western Tidewater Community Transportation Collaborative, Western Tidewater Water Authority; and,

WHEREAS, his immeasurable contributions and dedication to the Board of Supervisors have materially improved the effectiveness of the Board and the quality of life of the citizens of Isle of Wight County.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Isle of Wight, Virginia that Richard L. "Dick" Grice be recognized and commended for his outstanding service to the Board and the citizens of Isle of Wight and that this Resolution be presented as a token of the Board's gratitude and esteem.

BE IT FURTHER RESOLVED that the Isle of Wight County Board of Supervisors extends to Richard L. "Dick" Grice its best wishes for his future endeavors and orders that a copy of this Resolution be spread upon the minutes of this Board meeting this 14th day of December 2023.

Adopted this 14th day of December 2023.

William M. McCarty, Sr., Chairman

Carey Mills Storm, Clerk

Approved as to Form:

Robert W. Jones, Jr., County Attorney

ISSUE:

Recognition of Will Drewery by the International Association of Emergency Managers (IAEM) Region 3

BACKGROUND:

Will Drewery, Isle of Wight County's Emergency Management Coordinator, was recently recognized by the International Association of Emergency Managers (IAEM) Region 3 as a 2023 “Rising Star” Award Winner. The IAEM will present the award to Mr. Drewery.

BUDGETARY IMPACT:

None.

RECOMMENDATION:

For the Board's information.

ISSUE:

Review of Isle of Wight County Board of Supervisors' By-Laws and Rules of Procedure

BACKGROUND:

As required by the Board of Supervisors' By-Laws and Rules of Procedure, the Board is to begin considering any proposed changes or revisions to its by-laws and rules at this time. The Board is asked to provide any comments or suggestions they deem appropriate so that the County Attorney may revise the by-laws and rules accordingly in preparation for the Board's annual by-laws and rules of procedure adoption at its organizational meeting in January 2024.

BUDGETARY IMPACT:

None.

RECOMMENDATION:

Review and provide any suggested revisions to the By-Laws and Rules of Procedure the Board deems appropriate for consideration and final adoption at the Board's Organizational Meeting in January 2024.

ATTACHMENTS:

Description	Type	Upload Date
By-laws and Rules of Procedure - 2023	Backup Material	11/6/2023

ISLE OF WIGHT COUNTY BOARD OF SUPERVISORS BY-LAWS AND RULES OF PROCEDURE

Revised and Adopted January 5, 2023

ARTICLE 1 – PURPOSE AND BASIC PRINCIPLES

SEC. 1-1. PURPOSE OF BY-LAWS AND RULES OF PROCEDURE

A. To enable County government to transact business expeditiously, transparently and efficiently affording every opportunity for the citizens to witness and participate in the operation of government;

B. To protect the rights of each individual Board Member;

C. To preserve the spirit of cooperation among Board members; and

D. To determine the will of the Board on all matters.

SEC. 1-2. FIVE BASIC PRINCIPLES UNDERLYING BY-LAWS AND RULES OF PROCEDURE

A. Only one subject may claim the attention of the Board at one time;

B. Each item presented for consideration is entitled to full and free discussion;

C. Every member has rights equal to every other member;

D. The will of the majority must be carried out, and the rights and opinions of the minority must be preserved and respected; and

E. Each member shall remain respectful of fellow board members, even in times of disagreement, in speech and in behavior.

ARTICLE 2 – MEETINGS

SEC. 2-1. WHEN AND WHERE REGULAR AND WORK SESSION MEETINGS HELD

A. The time and place of regular meetings and work sessions of the Board of Supervisors (hereinafter referred to as "the Board") shall be established at each annual organizational meeting. Such regular meetings shall be held in the Robert C. Claud, Sr. Board Room on the third (3rd) Thursday of the month unless otherwise set by the Board. Such meetings shall begin at 5:00 p.m. for closed session purposes only, with all other matters to be heard and considered at 6:00 p.m. Should the Board subsequently change the date, time or place of a regular meeting, it shall comply with the requirements of Section 15.2-1416 of the Code of Virginia (1950, as amended).

B. Work session meetings shall be held on the first (1st) Thursday of every month, at the same place as regular meetings, and shall begin at 6:00 p.m. unless otherwise set by the Board. The purpose of such work sessions shall be to allow the Board an opportunity to further review items either held over by the Board from a regular meeting or such other items as may come before the Board at a regular meeting in the future. The Board shall not take any action to approve or

deny any item before it during a work session, reserving such action solely to its regular meetings, except in matters which require immediate action due to time constraints or deadlines, fiscal policies and/or emergencies.

SEC. 2-2. CONTINUED MEETINGS

A regular or work session meeting shall be continued to the immediately following regular meeting date, time and place, unless otherwise set, if the Chair, or Vice Chair if the Chair is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend the regular meeting. Such finding shall be communicated to the members and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

SEC. 2-3. MEETING ADJOURNMENT

Meetings of the Board shall adjourn when all business, or the agenda, before the body is complete, however it is not the Board's intent to begin a new agenda item after 11:00 p.m. unless and until a motion to extend the time has been offered and passed by a majority vote of the members present and voting. Any agenda item not conducted may be carried over to another meeting date. Any public hearing advertised for a regular meeting but not conducted may be rescheduled to another earliest possible convenient date, without further advertising when the date and time of the reconvened meeting is publicly announced at the preceding meeting.

SEC. 2-4. SPECIAL OR EMERGENCY MEETINGS

A. The Board may hold such special or emergency meetings, as deemed necessary, at such date, time and place as it may find convenient; and it may adjourn from time to time. A special or emergency meeting of the Board shall be called pursuant to Sections 15.2-1417 and 15.2-1418 of the Code of Virginia (1950, as amended).

B. Special or emergency meetings may be called by the Chair or any two (2) members in writing to the County Clerk for any purpose stated in the notice of the special or emergency meeting pursuant to Section 15.2-1418 of the Code of Virginia (1950, as amended). Only matters specified in the notice shall be considered unless all of the members of the Board are present.

C. Notice, reasonable under the circumstances, to the public and press of any special or emergency meeting shall be given contemporaneously with the notice provided the members of the Board, and the County Attorney.

SEC. 2-5. LEGAL HOLIDAY

When a regularly scheduled meeting falls on a legal holiday, the meeting shall be held on the preceding business day unless the meeting is cancelled by a majority of the Board.

SEC. 2-6. ANNUAL ORGANIZATIONAL MEETING

A. The Board shall meet on the first (1st) Thursday of January of each year which shall be known as the annual organizational meeting. The County Administrator shall preside during the annual organizational meeting pending the election of the Chair of the Board.

B. The Chair shall be elected at the annual meeting for a term of one year, ending at the commencement of the organizational meeting the following year.

C. Following the election of the Chair, he or she shall assume the Chair and conduct the election of the Vice Chair for the same term.

D. Following the election of the Vice Chair, the Board shall:

1. Appoint the Clerk of the Board (as set forth herein);

2. Establish dates, times and places for its regular meetings;

3. Adopt its By-Laws and Rules of Procedure; and

4. Appoint Board members to standing and ad hoc committee; and

5. Conduct any other necessary business as determined by a majority vote of the Board.

SEC. 2-7. PROCEDURE FOR ELECTION OF OFFICERS

A. The following procedures shall be followed to elect the Chair and Vice Chair:

1. The presiding officer shall call for nominations from the membership.

2. Any member, after being recognized by the presiding officer, may place one or more names in nomination and discuss his or her opinions on the qualifications of the nominee(s).

3. When all nominations have been made, the presiding officer shall close the nominating process and call for the vote.

4. Each member may cast one vote for any one nominee.

5. A majority of those voting shall be required to elect the officer.

B. Officers shall serve until replaced.

SEC. 2-8. SEATING ARRANGEMENT

The Board Chair shall occupy the center seat on the dais with the Vice Chair occupying the seat at his or her immediate left. The remaining members of the Board shall determine their seating arrangement by seniority with the most senior member selecting his or her seat first and the remaining members selecting their respective seats in seniority order based on years served on the Board. In the event that two or more Board members have equal seniority, the selection of seating for those members shall be by alphabetical order.

SEC. 2-9. QUORUM AND METHOD OF VOTING

A. At any meeting, a majority of the Board shall constitute a quorum.

B. All actions authorized by the Board shall be pursuant to a roll call vote which shall be taken by the Clerk or Deputy Clerk of the Board. The Clerk or Deputy Clerk shall call the name of each member and receive in reply the vote of such member as either "Yes" or "No" on the measure being considered. At the beginning of any meeting, the Clerk shall conduct a silent roll call of members present and absent.

C. The order of voting shall be as called by the Clerk of the Board, with the Chair voting last.

D. If there is an abstention, it shall be the responsibility of the Chair to note the abstention for the record and to request that the member abstaining state his or her reason for abstaining for the record.

E. A tie vote fails.

F. A motion to approve which fails shall be deemed a denial of the question on the floor.

SEC. 2-10. CLOSED MEETING

A. Closed meetings shall only be used when the matter to be discussed is exempt from open meeting requirements pursuant to the Virginia Freedom of Information Act.

B. No meeting shall become a closed meeting until the Board takes an affirmative recorded vote in open session. Any member dissenting in such vote shall state the reason for the dissent.

1. The motion to move to closed session shall state specifically the purpose or purposes which are the subject of the closed meeting and reasonably identify the substance of the matters to be discussed. The motion shall make specific reference to the applicable exemption(s) under the Freedom of Information Act, which authorizes the closed meeting.

2. The County Attorney shall assist the members in formulating the proper motion to move to closed session in accordance with the requirements of the Freedom of Information Act.

C. No resolution(s), ordinance(s), rule(s), contract(s), regulation(s) or motion(s) considered in a closed meeting shall become effective until the Board reconvenes in an open meeting and takes a vote of the membership on such resolution(s), ordinance(s), rule(s), contract(s), regulation(s) or motion(s) which shall have its substance reasonably identified in the open meeting.

D. At the conclusion of a closed meeting, the Board shall reconvene in open session immediately thereafter and shall cast a vote certifying that to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements were discussed; and

2. Only public business matters identified in the motion convening the closed meeting were heard, discussed or considered.

Any member who believes that there was a departure from the above requirements shall so state prior to the Chair's call for the vote, indicating the substance of the departure that, in his or her judgment, has taken place.

E. The failure of the certification to receive the affirmative vote of the majority of the members present during the closed meeting shall not affect the validity or confidentiality of the closed meeting with respect to matters considered therein in compliance with the Freedom of Information Act.

F. The Board may permit non-members to attend a closed meeting if their presence will reasonably aid the Board in its consideration of an issue.

G. Prior to the certification of a closed meeting pursuant to the Virginia Freedom of Information Act, the County Attorney shall be responsible for remind all closed meeting participants of the intent that such closed meeting discussions remain confidential, as provided for under the Virginia Freedom of Information Act, and that such matters as discussed in closed meeting should not be acted upon or discussed in public by any participant unless and until a formal action is taken by the Board in accordance with Section 2-10(C) above.

SEC. 2-11. ELECTRONIC MEETINGS

Except as provided for in this Section 2-11, the Board shall not conduct any meeting wherein the public business is discussed or transacted through telephonic, video, electronic or other communication means where the members are not physically assembled.

A. Quorum Physically Assembled – a Board member may participate in a meeting through electronic communication means from a remote location that is not open to the public if:

1. on or before the day of a meeting, the Board member notifies the Chair of the Board that he or she is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the emergency or personal matter, and the Board (a) approves the member's participation by a majority vote of the members present at a meeting and (b) the Board records in its minutes the specific nature of the emergency or personal matter and the remote location from which the member participated. In deciding whether or not to approve a Board member's request to participate from a remote location, the Board shall not consider the identity of the member making the request or the matters that will be considered or voted on at the meeting. If a Board member's participation from a remote location is disapproved, such disapproval will be recorded in the minutes with specificity. Such participation by a Board member shall be limited each calendar year to two meetings or twenty-five percent (25%) (rounded up) of the meetings of the Board, whichever is greater; or

2. a Board member notifies the Chair that he or she is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance and the Board records this fact and the remote location from which the member participated in the minutes.

A Board member may participate in a meeting by electronic means pursuant to this subsection A only when a quorum of the Board is physically assembled at the primary or central meeting location and the Board makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

B. Quorum Not Physically Assembled – the Board may meet by electronic communication means without a quorum physically assembled at one location when the Governor of the Commonwealth of Virginia has declared a state of emergency in accordance with Section 44-146.17 of the Code of Virginia (1950, as amended), *provided that*:

1. the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location, and

2. the purpose of the meeting is to address the emergency.

If it holds a meeting pursuant to this subsection B, the Board shall:

1. give public notice using the best available method given the nature of the emergency contemporaneously with the notice provided members of the Board;

2. make arrangements for public access to the meeting;

3. make available to the public, at the time of the meeting, agenda packets and all materials, unless exempt, that will be distributed to members of the Board in sufficient time for

duplication and forwarding, as best as practicable given the emergency, to all locations at which public access will be provided;

4. record minutes of the meeting; and

5. record in the minutes votes taken by name in roll-call fashion.

The nature of the emergency, the fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held shall be stated in the minutes of the meeting.

C. Reporting – if a Board meeting is held by electronic communication means, the Board shall:

1. make a written report of the following to the Virginia Freedom of Information Advisory Council and the Joint Commission on Technology and Science by December 1 of each calendar year:

a. the total number of electronic communication meetings held that year;
b. the dates and purposes of the meetings;
c. a copy of the agenda for each meeting;
d. the number of sites for each meeting;
e. the types of electronic communication means by which the meetings where held;
f. the number of participants, including members of the public, at each meeting location;
g. the identity of the members of the Board recorded as absent and those recorded as present at each meeting location;
h. a summary of any public comment received about the electronic communication meetings; and
i. a summary of the Board's experience using electronic communication meetings, including its logistical and technical experience.

2. make copies of the public comment form prepared by the Virginia Freedom of Information Advisory Council available to the public.

SEC. 2-12. SECURITY

A. In an effort to increase the safety of the citizens, staff and elected officials, security shall be provided at all official meetings of the Board (regular, work sessions meetings, special called and emergency meeting).

B. Security shall be provided at all informal gatherings scheduled by individual Board Members, which are scheduled offsite or after hours, such as Town Hall and informational meetings.

ARTICLE 3 – OFFICERS

SEC. 3-1. CHAIR AND VICE CHAIR

The Chair shall preside over all meetings of the Board. The Vice Chair serves in the absence of the Chair. In the absence from any meeting of both the Chair and Vice Chair, the members present shall choose one of their members as temporary chair. The Chair shall recommend all appointments to standing or ad hoc Board Committees to be approved by majority vote of the Board.

SEC. 3-2. CLERK

The Clerk of the Board shall be appointed by the Board at its annual organizational meeting, and the duties and responsibilities of the Clerk shall be as set out in Sections 15.2-1538 and 15.2-1539 of the Code of Virginia (1950, as amended). The Board may also designate a Deputy Clerk, and at the discretion of the Board, any County employee can be designated as Temporary Clerk.

SEC. 3-3. PARLIAMENTARIAN

The County Attorney, or his or her designee, shall serve as the Parliamentarian for the purpose of interpreting these By-Laws and Rules of Procedure, *Robert's Rules of Order* and the Code of Virginia, as may be directed by the Chair, or as required as a result of a point of order raised by any one or more Board member. If the County Attorney, or his or her designee, is unavailable, the County Administrator shall serve as the Parliamentarian.

SEC. 3-4. PRESERVATION OF ORDER

A. At meetings of the Board, the Chair shall preserve order and decorum.

B. Board members shall not speak until recognized by the Chair. Board members shall address the Chair or address other members through the Chair. After being recognized by the Chair, a Board member shall not be interrupted, except when a point of order is called or when requested to yield the floor by another member.

ARTICLE 4 – CONDUCT OF BUSINESS

SEC. 4-1. ORDER OF BUSINESS

A. At regular meetings of the Board on the third (3rd) Thursday of the month, the order of business shall generally be as follows:

1. Call to Order – Silent Roll Call of Members (commencing at 5 p.m.)

2. Approval of Agenda

3. Closed Meeting (if necessary)

4. Return to Open Session/Public Meeting (commencing at 6 p.m.)

5. Invocation - Pledge of Allegiance

6. Citizens' Comments

7. Consent Agenda

8. Regional & Inter-Governmental Reports

9. Appointments (if necessary)

10. Special Presentations

11. Public Hearings (if necessary)

12. County Attorney's Report (if necessary)

13. County Administrator's Report

14. Unfinished/Old Business

15. New Business

16. Adjournment

B. The above order of business may be modified by the County Administrator, after the Chair has been notified, to facilitate the business of the Board.

C. Regional reports and special presentations are limited to five (5) minutes per speaker. This time may be extended at the discretion of the Chair.

D. Citizens' Comments shall be governed by the following rules:

1. Citizens' Comments shall be for the limited purpose of allowing members of the public to present any matter, which, in their opinion, deserves the attention of the Board. They shall not serve as a forum for debate with the Board or individual members of the Board.

2. Board members shall not discuss issues raised or questions raised by the public, within the same meeting, except by consent of a majority of the Board members present.

3. Citizens wishing to speak during the Citizens' Comments portion of the agenda shall sign the registration form, identifying, with reasonable certainty, the subject matter of his or her comments prior to the commencement of the Citizens' Comments portion of the

agenda. Citizens who do not sign the registration form prior to the commencement of Citizens' Comments may address the Board after all others who had signed the registration form have had an opportunity to speak.

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4. Remarks shall be addressed directly to the Board and not to staff, the audience or the media.

5. The Chair shall open Citizens' Comments.

6. The Chair will explain the Citizens' Comments policy prior to the commencement of the first citizen's comment(s) being received by the Board.

7. The Chair will call on each speaker who has signed the registration form in the order upon which their name shall appear on the registration form.

Each speaker shall clearly state their name and address and/or election district of residence and shall be subject to a four (4) minute time limitation. A timer with a lighting system shall be used for keeping track of a Speaker's time. Speakers will receive a yellow light warning one (1) minute prior to the expiration of their presentation time. Speakers will receive a red light at the expiration of their time and shall be asked to end their comments. The Parliamentarian shall be responsible for noting the expiration of time limits, and the Chair shall be responsible for enforcing it. If the speaker represents a group of individuals in attendance at a particular meeting, there shall be a time limit of six (6) minutes. Members of a group in attendance shall forfeit their right to speak on the same topic. For purposes of this section, a "group" shall constitute ten (10) or more individuals. No speaker shall address the Board more than once during Citizens' Comments at any single Board meeting and citizens shall not donate their unused speaking time to another speaker. Notwithstanding the time limitations stated herein, the Chair may, at his or her discretion, allow any citizen to speak beyond the designated time limitation for a reasonable period of time in order to conclude his or her remarks.

8. There shall be no comment during Citizens' Comments on a matter for which a public hearing is scheduled during the same meeting.

9. There shall be no comment during Citizens' Comments on a matter which has already been the subject of a previous public hearing where no final vote has been taken by the Board.

10. Any issue raised by the public which the Board wishes to consider may be put on the agenda for the next Board meeting by a majority vote.

11. Public comment shall be germane to policies, affairs and services of the county government.

12. The above rules notwithstanding, members of the public may present written comments to the Board or to individual Board members at any time during the meeting. Such written comments shall be submitted through the Clerk and shall become a part of the record.

SEC. 4-2. CONSENT AGENDA

A. The Consent Agenda shall be introduced by a motion "to approve", and shall be considered by the Board as a single item.

B. Upon the request of any Board member, an item may be removed from the Consent Agenda for consideration after approval of the remaining items on the consent agenda.

SEC. 4-3. SPECIAL PRESENTATIONS

Special presentations shall be for the purpose of informing the Board of matters of public interest, as well as to provide the Board an opportunity to properly recognize individuals and organizations, either public or private, for the outstanding service or work they perform for or in Isle of Wight County. Any governmental agencies or entity, organization or individual wishing to present an item to the Board shall contact the County Administrator fourteen (14) days prior to the Board's regularly scheduled meeting to seek inclusion in the Board's agenda.

SEC. 4-4. CONDUCT OF MEETINGS

When two or more members of the Board wish to speak at the same time, the Chair shall name the one to speak. The Chair may call a brief recess at any time. The Chair may order the expulsion of a disorderly member of the public, subject to appeal to the full Board. The Chair may automatically adjourn, without benefit of any motion or debate, any meeting of the Board. All Board members shall maintain proper decorum when addressing any citizens and applicants that appear before the Board.

SEC. 4-5. FORM OF PETITIONS, ETC.

Every petition, communication or address to the Board shall be in respectful language and is encouraged to be in writing.

SEC. 4-6. MOTIONS

A. Members are required to obtain the floor before making motions or speaking, which they can do while seated.

B. Motions need not be seconded.

C. Informal discussion of a subject is permitted while no motion is pending.

D. An amended or substitute motion shall be allowed to any motion properly on the floor; it shall have precedence over an existing motion and may be discussed prior to being voted

on. If the amended or substitute motion fails, the former motion can then be voted upon. If the amended or substitute motion passes, the amended or substitute motion shall be deemed the main motion and shall stand as having been passed by such vote. If an amended or substitute motion fails, a second amended or substitute motion may be made. No more than two (2) amended or substitute motions may be made.

E. When a motion is under debate, no motion shall be received unless it be one to amend, substitute, commit or refer for study, postpone, call for the previous question, lay on the table, or to adjourn.

F. The Chair can speak in all discussion and can make motions and vote in the same fashion as all other members.

G. A motion to call for the question is in order and the right of every Board member to call when they feel discussion has been exhausted and or repeated, thus belaboring the business before the governing body A motion to call for the question requires a two-thirds majority vote of those present. The Chair shall not recognize a motion to call for the question until every Board member desiring to speak on the main motion has had such an opportunity.

H. When a vote upon any motion has been announced, it may be reconsidered on the motion of any member who voted with the prevailing side provided that such motion shall be made at the session of the Board at which it was decided. Such motion for reconsideration shall be decided by a majority of the votes of the members present. A member present at the meeting but temporarily absent during a vote may move for reconsideration.

I. Subject to applicable law, the Board may consider a motion to rescind at any time to address a matter or issue upon which a vote has been take, following such notice as may be required.

J. Should a decision be made to reconsider or rescind a land use decision, subject to notice and public hearings, as may be required by law, the Board may choose to act on such request without referring the matter to the Planning Commission for its consideration.

K. A motion to adjourn shall always be in order and supersedes all business before the Board.

SEC. 4-7. DECISIONS ON POINTS OF ORDER

The Chair, when presiding at a meeting of the Board, without vacating the chair, shall refer any point of order to the Parliamentarian. The Parliamentarian shall advise the Chair who shall then make a ruling on the point of order. A Board member may appeal the ruling of the Chair to the full Board which shall decide the matter by majority decision.

SEC. 4-8. SUSPENDING RULES

One or more of these By-Laws and Rules of Procedure may be temporarily suspended by a majority vote of the members present, or by unanimous consent.

SEC. 4-9. ROBERT'S RULES OF ORDER

The proceedings of the Board, except as otherwise provided in these By-Laws and Rules of Procedure and by applicable state law, shall be governed by *Robert's Rules of Order.*

ARTICLE V – PUBLIC HEARINGS

SEC. 5-1. PUBLIC HEARING AUTHORIZATION

The County Administrator, or his/her designee, shall be authorized to set public hearings for such regular meetings as are appropriate in order to effectuate the timely consideration of matters requiring Board consideration.

SEC. 5-2. FORMAT FOR PUBLIC HEARINGS

A. The following format shall be followed for all Public Hearings conducted before the Board:

1. The Chair will make a brief statement identifying the matter to be heard and verify that all legal notification requirements have been met.

2. The Chair will call upon the appropriate county staff member to present the item to be heard. Staff presentations should be concise.

3. The applicant may appear on his own behalf, or be represented by counsel or an agent. The applicant, or his counsel or agents, shall have a combined total of ten (10) minutes to speak to the application.

4. The Chair will open the floor to public comment, if any, after the applicant, or his counsel or agent, has spoken. Any private citizen may speak for or against the issue. The Clerk shall prepare a registration form for citizens to sign their name, address and/or election district of residence. The Chair shall call each speaker in the order that their name appears on the registration form. Each speaker shall clearly state his or her name, address and/or election district of residence for the record. Citizen comments are limited to four (4) minutes per citizen speaker. If the speaker represents a group of individuals in attendance at a particular meeting, there shall be a time limit of six (6) minutes. Members of a group shall forfeit their right to speak on the same topic. For purposes of this section, a "group" shall constitute ten (10) or more individuals. The applicant, or his counsel or agent, shall be given the opportunity for rebuttal, which shall last for no more than five (5) minutes. Notwithstanding the time limitations stated herein, the Chair may, at his or her discretion, allow any citizen to speak beyond the designated time limitation for a reasonable period of time in order to conclude his or her remarks.

5. A timer with a lighting system shall be used for keeping track of a Speaker's time. Speakers will receive a yellow light warning one (1) minute prior to the expiration of their presentation time. Speakers will receive a red light at the expiration of their time and will be asked to end their comments.

6. The Parliamentarian shall be responsible for noting the expiration of time limits, and the Chair shall be responsible for enforcing it.

7. Upon the conclusion of public comments or the applicant's rebuttal, the Chair shall close the public hearing.

B. When a public hearing shall have been closed by order of the Chair, no further public comments shall be received by the Board. However, any Board member may ask a question of any person who spoke during the public hearing after being recognized by the Chair to do so.

C. Following the close of the public hearing, the Chair may entertain a motion to dispose of the issue and the Board may debate the merits of the issue.

ARTICLE 6 – AGENDA

SEC. 6-1. PREPARATION

A. The Clerk shall prepare an agenda, at the direction of the County Administrator, for the regularly scheduled meetings conforming to the order of business specified in Section 4-1 entitled "Order of Business".

B. All items which are requested to be placed on the agenda which have not been submitted within the prescribed deadline, as set by the County Administrator, shall be placed on the next regular agenda for consideration.

C. Nothing herein shall prohibit the Board from adding or removing items to the agenda, provided that such a request is in the form of a motion, voted upon by a majority of the Board. Members must use discretion in requesting the addition of items to the agenda. It is considered desirable to have items listed on the published agenda.

SEC. 6-2. DELIVERY OF AGENDA

The Board agenda and related materials shall be received by each member of the Board and the County Attorney on the Friday before the scheduled regular meeting. The Clerk of the Board may request an adjustment to the delivery schedule due to special circumstances.

SEC. 6-3. COPIES

The Clerk shall prepare or cause to be prepared extra copies of the agenda and shall make the same available to the public and the press in the Office of the County Administrator and on the County website. The Clerk shall also have at least one hard copy available at each regular meeting.

SEC. 6-4. COMMENTS, QUERIES OF BOARD MEMBERS

Board members are to observe the following rules during the discussion of agenda items:

1. The Chair shall ensure that Board comments are constructive and contain no personal attacks of staff or other Board members.

2. The Chair shall keep discussion germane to the subject. Points of clarification shall be limited to questions only. The Chair shall rule other comments out of order.

3. Board members may address questions to the County Administrator or staff member presenting at the meeting. Staff members should be at the podium when addressing Board members' questions. All legal questions should be addressed to the County Attorney.

ARTICLE 7 – BOARD, AUTHORITIES, COMMISSIONS AND COMMITTEES

SEC. 7-1. APPOINTMENTS TO BOARDS, AUTHORITIES, COMMISSIONS & COMMITTEES

Members of all boards, authorities, commissions and committees shall be appointed by a majority of the Board after review of qualifications and discussion in Closed Meeting. Proposed appointments shall be voted upon under the Appointments section of the Agenda. Appointees' terms shall run in accordance with the applicable by-laws of such boards, authorities, commission or committees to which the appointee is appointed, unless a shorter term is specified by the Board. Subject to any state law provisions to the contrary, all appointees to boards, commissions and committees serve and may be removed, with or without cause, at the pleasure of the Board.

SEC. 7-2. ATTENDANCE

Members of any standing or ad hoc board, authority, committee or commission of the Board, or of any committee to which the Board appoints a member, shall be expected to attend every scheduled meeting of the body to which they have been appointed. It shall be the duty of the chair of any Board of Supervisors' appointed committee to annually report to the Board, but in no event later than the Board's regular meeting in March, the level of attendance of members for that particular body for the prior calendar year. Any member of an appointed body who fails to attend a minimum of seventy-five percent (75%) of the scheduled meetings of that particular body in any given calendar year may, at the discretion of the Board, be deemed to have forfeited his or her membership on that body. In the event that the Board determines that an appointee has forfeited his or her appointment pursuant to this section, the Clerk of the Board shall notify, in writing, the appointee of his or her removal from that body based upon his or her failure to attend there required percentage of scheduled meetings and shall thank the appointee for his or her service to the community. Upon the appointment of any appointee, the Clerk of the Board shall forward to the member a copy of this section.

SEC. 7-3. PLANNING COMMISSION MEMBERS ATTENDANCE

Notwithstanding the foregoing provision, a member of the Planning Commission may be removed from office by the Board without limitation in the event that the commission member is absent from any three (3) consecutive meetings of the commission, or is absent from any four (4) meetings of the commission within any twelve (12) month period. In either such event, a successor shall be appointed by the Board for the unexpired portion of the term of the member who has been removed.

SEC. 7-4. BY-LAWS AND RULES OF PROCEDURE OF BOARDS, AUTHORITIES, COMMISSIONS AND COMMITTEES

The By-Laws and Rules of Procedure of any board, authority, commission or committee not established by state law shall be submitted to the Board for approval prior to becoming effective.

SEC. 7-5. ROLE OF STANDING OR AD HOC BOARD COMMITTEES; DESIGNATED STANDING COMMITTEES; MEETING REQUIREMENTS

A. The role of any standing or ad hoc committee(s) of the Board, as they may be created from time to time, shall be to review and consider all matters properly placed before them by motion of the Board. After review and consideration of such matters, the standing or ad hoc committee shall provide the Board with its formal recommendation for action through such report as may be determined appropriate by the County Administrator in the Board's regular agenda as set forth herein.

B. The following standing committees are hereby created by the Board for the purposes stated:

1. Public Works – responsible for the review and recommendation of matters related trash/refuse, public buildings and fleet issues;

2. Community Development – responsible for the review and recommendation of matters related to economic development, planning and zoning, inspections and public utilities;

3. Parks, Recreation and Cultural – responsible for the review and recommendation of matters related to parks and recreation and cultural development;

4. Personnel – responsible for the review and recommendation of matters related to personnel policies and procedures, wages and benefits for public employees, oversight of the timely coordination of the County Administrator and County Attorney's performance reviews, participation in periodic review of recommendations related to the organizational structure of County departments, and participation in the review of recommendations regarding contracted services for the County;

5. Public Safety – responsible for the review and recommendation of matters related to law enforcement, fire and rescue and all support services related thereto;

6. Franklin Intergovernmental Relations – responsible for the review and recommendation of matters related to intergovernmental operations between Isle of Wight County the City of Franklin;

7. Smithfield Intergovernmental Relations – responsible for the review and recommendation of matters related to intergovernmental operations between Isle of Wight County and the Town of Smithfield;

8. Windsor Intergovernmental Relations – responsible for the review and recommendation of matters related to intergovernmental operations between Isle of Wight County and the Town of Windsor; and

9. Joint Tourism – responsible for the review and recommendation of matters related to the efforts of the jointly funded tourism office by Isle of Wight County and the Town of Smithfield.

ARTICLE 8 – GENERAL OPERATING POLICY

SEC. 8-1. ACTIONS BY INDIVIDUAL MEMBERS OF THE BOARD

It shall be the policy of the Board that no member(s) shall exert individual action or direct any county employee or initiate any action or assert their individual preference(s) in a manner that would require a county employee to perform any action contrary to the laws, ordinances or policies of Isle of Wight County or which would require the expenditure of public funds in any amount without the approval of the Board. Further, no member of the Board shall seek nor accept more favorable treatment from county officers or employees than would be given to other members of the Board, nor attempt to influence the decisions or recommendations of county appointees, officers or employees. Notwithstanding the foregoing, each Board member may, and is encouraged, to share information with county appointees, officers and employees and to promote a positive working environment for all employees.

SEC. 8-2. NUMBERING AND INDEXING OF RESOLUTIONS, ORDINANCES AND PROCLAMATIONS

It shall be the responsibility of the Clerk to number and index all resolutions, ordinances and proclamations of the Board. Resolutions and proclamations shall be numbered consecutively and use the last two digits of the calendar year. For example, for the first resolution in January, 2014, the resolution number would be shown as: Resolution No. 14-01.

SEC. 8-3. MINUTES OF THE BOARD

The minutes of the Board meeting shall reflect the official acts of the Board and names of the public commenting during public hearings and citizen comments, as well as a summary of the Board's proceedings at each meeting. They shall reflect the issues discussed and Board comments in summary form.

SEC. 8-4. AMENDING BY-LAWS

These by-laws may be amended with the concurrence of two-thirds (2/3) of the members present at any meeting subsequent to the introduction of a suggested by-laws amendment.

SEC. 8-6. ENACTMENT OF BY-LAWS AND RULES OF PROCEDURE

No later than December 1st of each year, the County Attorney shall deliver a copy of the most recently enacted By-Laws and Rules of Procedure to each member and member-elect of the Board, soliciting any proposed changes to the same. The County Attorney shall prepare proposed amendments based on any such Board comments as directed by passage of a motion and include them in the Agenda for consideration at the Organizational Meeting.

Adopted this 6th day of January, 2022.

Chair

Carey Mills-Storm, Clerk

Approved as to form:

Robert W. Jones, Jr., County Attorney

ISSUE:

Energy Task Force Update

BACKGROUND:

The Energy Task Force (ETF) is committed to providing regular updates to the Board relative to its progress and findings. In this regard, the ETF has provided a brief written update in anticipation of the Board's meeting on Thursday.

BUDGETARY IMPACT:

None.

RECOMMENDATION:

For the Board's information.

ATTACHMENTS:

Description	Type	Upload Date
Correspondence from the Energy Task Force	Backup Material	12/12/2023

Local Roots, Global Reach

ISLE OF WIGHT COUNTY, VIRGINIA

MEMORANDUM

TO: **Isle of Wight County Board of Supervisors**

FROM: **Energy Task Force Members**

SUBJECT: **Energy Task Force Update**

DATE: **December 11, 2023**

The mission of the County's Energy Task Force (ETF) is to assess the strengths, weaknesses, opportunities, and vulnerabilities of the county's energy planning to date and provide recommendations to enhance sustainability, reliability, and economic growth.

The ETF recognizes that solar energy has received significant attention within the county. However, the ETF is conducting a comprehensive study of a variety of energy sources and, as such, has a much broader scope than just solar energy. Providing input on the approval of proposed solar farms is not currently a goal or deliverable identified by the Task Force. Ultimately, the information submitted to the Board of Supervisors by the ETF will provide guidance to the county regarding future energy decisions.

Since its inception, the ETF has met seven times and heard from knowledgeable sources on existing energy infrastructure capacity, current and emerging energy generation and storage technologies, and strategies and programs underway by energy providers. Topics have included: electric, gas, offshore wind, hydrogen, solar, small modular reactors and battery storage.

At its November meeting, members divided into smaller groups to begin addressing the task force deliverables identified by the group and previously shared with the Board of Supervisors in September:

1. Identify energy-related gaps in the County's Comprehensive Plan and additional areas for inclusion in the County's Zoning Ordinance.
2. Recognize opportunities for leveraging increased shares of job creation and economic development from emerging energy sources for the County.
3. Define the complexity and rapidity of change in the energy environment for the County.
4. Provide an assessment on the need for an advisory organization or other resources for ongoing technical analysis.
5. Recommend methods for the County to educate the public, including the business community, and gain input on energy-related matters.

P.O. Box 80
17146 Monument Circle
Isle of Wight, VA 23397
(757) 356-1962
InsideTheIsle.com

In January 2024, the ETF will hear about Virginia's Energy Plan and other Commonwealth energy initiatives from Chelsea Jenkins, Deputy Secretary of Commerce & Trade. Staff is also working to secure future speakers from PJM and the State Corporation Commission.

The ETF meets on the second Monday of each month through June 2024. Meetings are open to the public and meeting information is listed on both the County and Economic Development website calendars. The speakers presentations for July, August and October-December, are recorded and available on the County website under On Demand Meeting Video Archive (Other).

The ETF is still looking to fill the vacant District 5 seat. Interested District 5 residents should contact the County's Economic Development Department at 757-356-1962.

cc: Randy Keaton, County Administrator
Don Robertson, Assistant County Administrator
Bobby Jones, County Attorney
Kristi Sutphin, Economic Development

ISSUE:

Consideration of the Board of Supervisors' Meeting Schedule for Calendar Year 2024

BACKGROUND:

The Board of Supervisors has traditionally held its regular meetings on the third Thursday of each month. The Board has also held a work session on the first Thursday of each month.

In anticipation of the Board's Organizational Meeting on January 4, 2024, the Board may wish to review and give consideration to any adjustments that will need to made to the Board's meeting schedule for its regular meetings and work sessions for calendar year 2024.

BUDGETARY IMPACT:

None.

RECOMMENDATION:

Per the Board's discussion.

ATTACHMENTS:

Description	Type	Upload Date
2024 Meeting Schedule	Backup Material	11/17/2023

2024

Board of Supervisors'

Meeting/Invocation Schedule

DATE	TIME	MEETING	INVOCATION
Thursday, January 4th	11:00 a.m.	Organizational	Acree
Thursday, January 4th	Following Organizational	Work Session	
Thursday, January 18th	5:00 p.m.	Regular Meeting	Jefferson
Thursday, February 1st	6:00 p.m.	Work Session	Rosie
Thursday, February 15th	5:00 p.m.	Regular Meeting	Rountree
Thursday, March 7th	6:00 p.m.	Work Session	McCarty
Thursday, March 21st	5:00 p.m.	Regular Meeting	Acree
Thursday, April 4th	6:00 p.m.	Work Session	Jefferson
Thursday, April 18th	5:00 p.m.	Regular Meeting	Rosie
Thursday, May 2nd	6:00 p.m.	Work Session	Rountree
Thursday, May 16th	5:00 p.m.	Regular Meeting	McCarty
Thursday, June 6th	6:00 p.m.	Work Session	Acree
Thursday, June 20th	5:00 p.m.	Regular Meeting	Jefferson
Thursday, July 11th	3:00 p.m.	Work Session	Rosie
Thursday, July 11th	5:00 p.m.	Regular Meeting	Rosie
Thursday, August 1st	6:00 p.m.	Work Session	Rountree
Thursday, August 15th	5:00 p.m.	Regular Meeting	McCarty
Thursday, September 5th	6:00 p.m.	Work Session	Acree
Thursday, September 19th	5:00 p.m.	Regular Meeting	Jefferson
Thursday, October 3rd	6:00 p.m.	Work Session	Rosie
Thursday, October 17th	5:00 p.m.	Regular Meeting	Rountree
Thursday, November 7th	6:00 p.m.	Work Session	McCarty
Thursday, November 21st	5:00 p.m.	Regular Meeting	Acree
Thursday, December 12th	3:00 p.m.	Work Session	Jefferson
Thursday, December 12th	5:00 p.m.	Regular Meeting	Jefferson
Thursday, January 2, 2025	11:00 a.m.	Organizational	Rosie
Thursday, January 2, 2025	Following Organizational	Work Session	

BACKGROUND:

The matters attached to this Board report are included as a means of providing information to the Board relative to matters of interest. These items do not require any action by the Board.

BUDGETARY IMPACT:

None

RECOMMENDATION:

For the Board's information.

ATTACHMENTS:

Description	Type	Upload Date
Delinquent Tax Collections - September 2023	Backup Material	11/21/2023
Cash Position - September 2023	Backup Material	11/21/2023
Statement of Treasurer's Activity - September 2023	Backup Material	11/21/2023
Incidents by Zone Map - November 2023	Backup Material	12/8/2023
Incidents by Zone Data - November 2023	Backup Material	12/8/2023
Station Activity Report - November 2023	Backup Material	12/8/2023
Museum Report - November 2023	Backup Material	12/8/2023

COUNTY OF ISLE OF WIGHT
TAX BILLINGS & COLLECTIONS AS OF SEPTEMBER 2023
REAL ESTATE

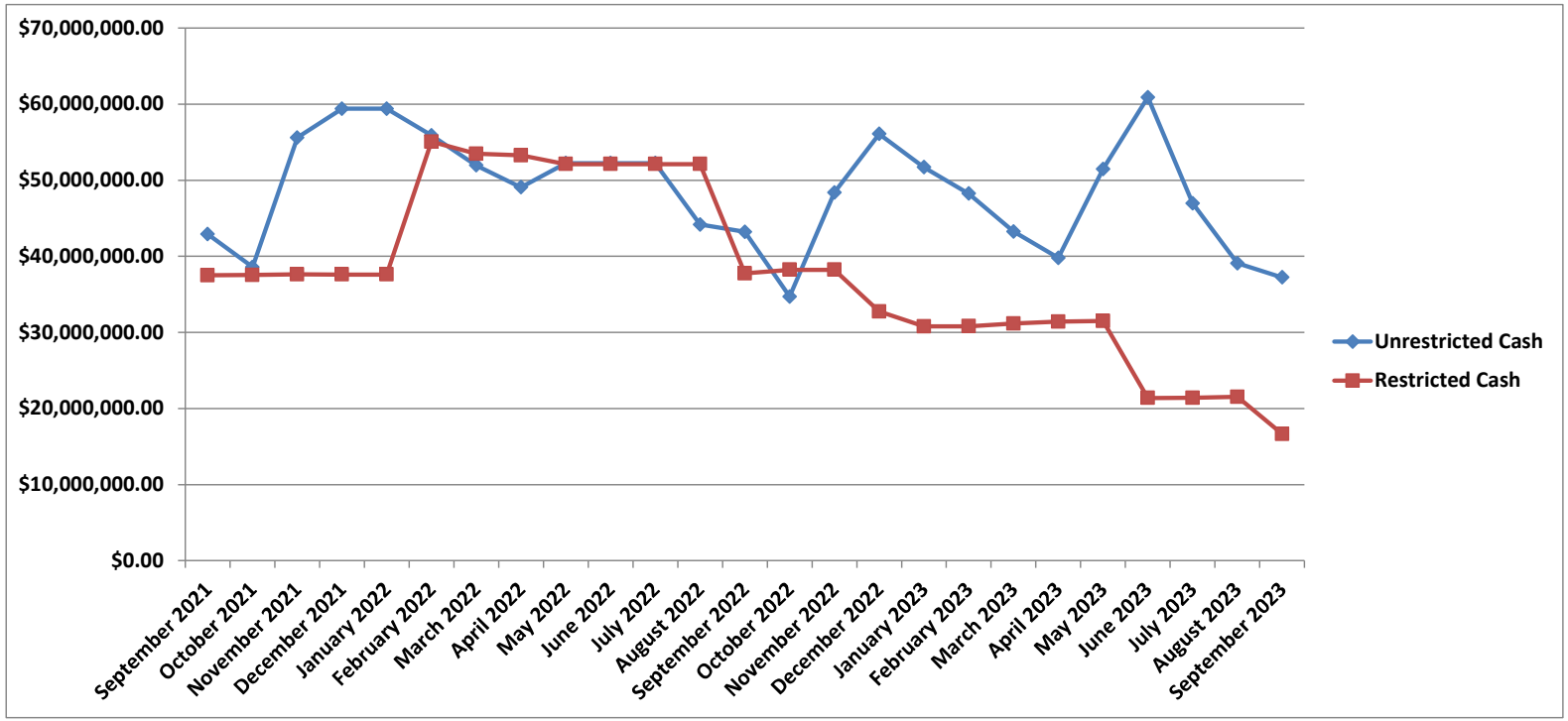
TAX YEAR	TAX LEVY	SUPPLEMENTS	PUBLIC SERVICE	ADJUSTMENTS & ABATEMENTS	TOTAL TAX LEVIES	TAX COLLECTED	TAX OUTSTDG.	% COLLECTED	% UNC.
Prior 2018					$ 245,001,592.40	$ 244,988,404.42	$ 13,187.98	99.99%	0.01%
2019-2020	$ 39,703,728.23	$ 262,410.88	$ 1,455,114.04	$ (1,134,549.72)	$ 40,286,703.43	$ 40,274,243.93	$ 12,459.50	99.97%	0.03%
2020-2021	$ 40,264,498.73	$ 398,497.88	$ 1,637,435.57	$ (1,261,284.49)	$ 41,039,147.69	$ 40,996,769.88	$ 42,377.81	99.90%	0.10%
2021-2022	$ 41,155,420.28	$ 368,710.60	$ 1,535,777.50	$ (1,505,314.91)	$ 41,554,593.47	$ 41,400,782.99	$ 153,810.48	99.63%	0.37%
2022-2023	$ 41,962,855.68	$ 409,785.11	$ 1,428,098.18	$ (1,841,781.68)	$ 41,958,957.29	$ 41,440,706.38	$ 518,250.91	98.76%	1.24%
					DELINQUENT REAL ESTATE =	$ 740,086.68		99.82%	0.18%

PERSONAL PROPERTY

PERSONAL PROPERTY

TAX	TAX LEVY	SUPPLEMENTS	PUBLIC SERVICE	ADJUSTMENTS	TOTAL TAX	TAX COLLECTED	TAX OUTSTDG.	% COLLECTED	% UNC.
prior 2015					$ 89,503,008.18	$ 67,213,000.52	$ 106,334.92	75.10%	0.12%
2018	$ 14,385,655.01	$ 1,445,325.25	$ 29,880.46	$ (1,100,415.06)	$ 14,760,445.66	$ 14,706,220.69	$ 54,224.97	99.63%	0.37%
LIC. FEE	$ 995,518.00	$ 172,363.00	$ -	$ (90,401.00)	$ 1,077,480.00	$ 1,065,141.65	$ 12,338.35	98.85%	1.15%
2019	$ 15,920,628.76	$ 1,442,262.52	$ 38,859.89	$ (1,054,976.37)	$ 16,346,774.80	$ 16,256,783.38	$ 89,991.42	99.45%	0.55%
LIC. FEE	$ 986,732.00	$ 154,039.00	$ -	$ (45,616.00)	$ 1,095,155.00	$ 1,077,420.78	$ 17,734.22	98.38%	1.62%
2020	$ 16,352,666.74	$ 1,398,476.36	$ 38,691.28	$ (1,019,872.79)	$ 16,769,961.59	$ 16,648,458.78	$ 121,502.81	99.28%	0.72%
LIC. FEE	$ 942,740.00	$ 130,837.00	$ -	$ (28,546.00)	$ 1,045,031.00	$ 1,024,026.33	$ 21,004.67	97.99%	2.01%
2021	$ 19,301,665.16	$ 1,279,604.50	$ 46,882.14	$ (1,519,016.62)	$ 19,109,135.18	$ 18,873,874.78	$ 235,260.40	98.77%	1.23%
LIC. FEE	$ 959,443.00	$ 161,957.00	$ -	$ (38,336.00)	$ 1,083,064.00	$ 1,050,523.67	$ 32,540.33	97.00%	3.00%
2022	$ 22,290,687.31	$ 2,045,693.43	$ 34,783.40	$ (1,748,156.10)	$ 22,623,008.04	$ 21,732,427.71	$ 890,580.33	96.06%	3.94%
LIC. FEE	$ 971,360.00	$ 127,614.00	$ -	$ (33,243.70)	$ 1,065,730.30	$ 999,530.24	$ 66,200.06	93.79%	6.21%
2023	$ 7,749,736.57	$ 488,000.86		$ (423,690.71)	$ 7,814,046.72	$ 6,209,206.39	$ 1,604,840.33	79.46%	20.54%
LIC. FEE	$ 990,267.00	$ 93,658.00		$ (22,033.00)	$ 1,061,892.00	$ 806,262.24	$ 255,629.76	75.93%	24.07%
					DELINQUENT PERSONAL PROP. =	$ 3,508,182.57		86.71%	1.81%
					TOTAL DELINQUENT=	**$ 4,248,269.25**		95.62%	0.70%

CASH POSITION



COUNTY OF ISLE OF WIGHT

STATEMENT OF THE TREASURER'S ACCOUNTABILITY

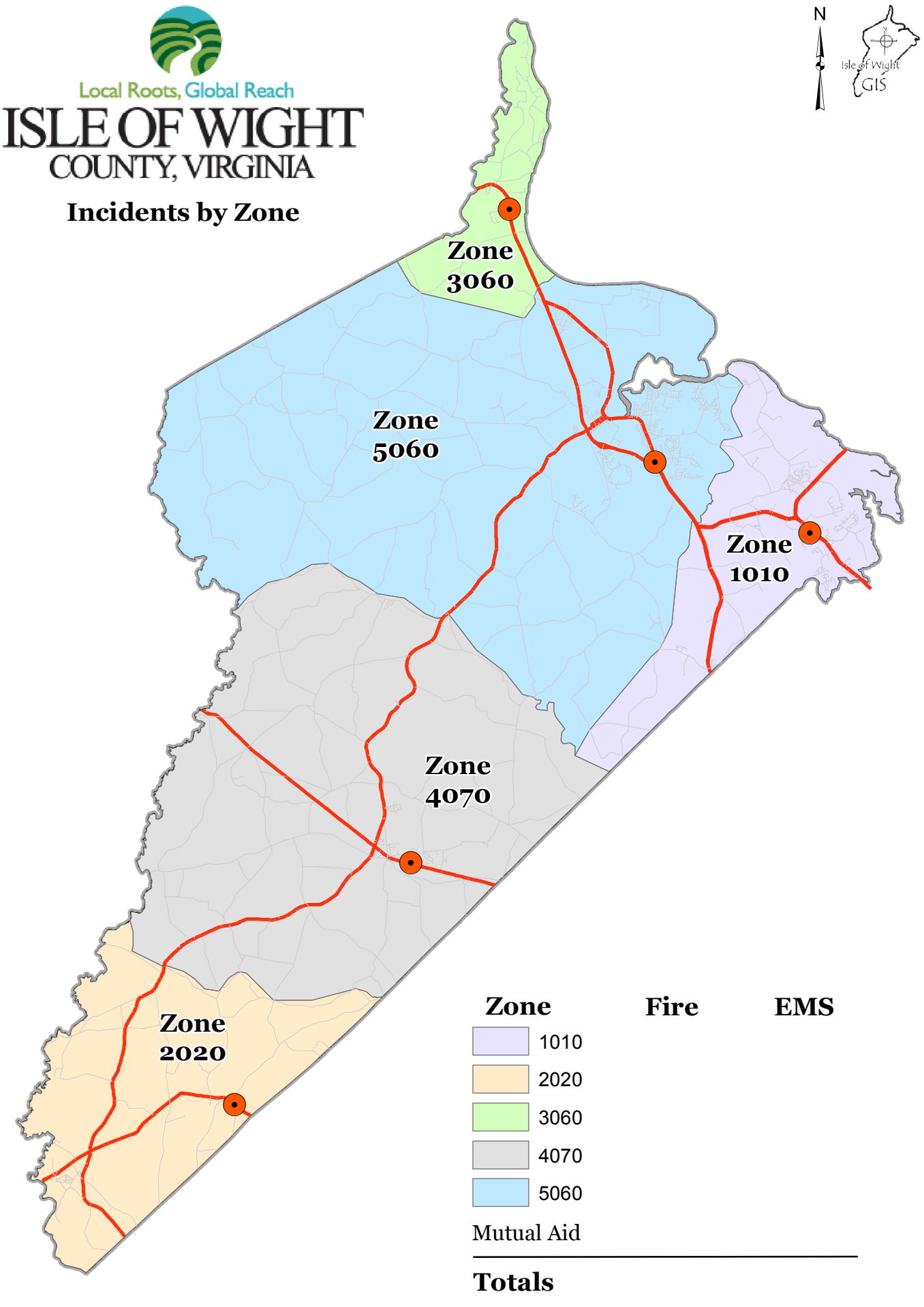
September 2023

Institution	Instrument	Rate	Balance	Previous Year Balance
	Cash			
	Petty Cash		$2,300.00	$1,950.00
SUB TOTAL				
	Checking Accounts			
Bank of America	General Fund Checking	2.18%	$2,439,698.51	$5,277,946.58
Bank of America	School General Fund Checking	2.18%	$2,783,820.55	$1,878,767.01
Bank of America	DSS General Fund Checking	2.18%	$2,559,727.10	$2,330,317.49
Bank of America	County Payroll Account	2.18%	$105,933.58	$94,782.08
Bank of America	School Payroll Account	2.18%	$277.25	$882,202.26
Bank of America	DSS Payroll Account	2.18%	$23.30	$0.00
SUB TOTAL			**$7,889,480.29**	**$10,464,015.42**
	Investments			
Bank of America	Emergency Fund Checking	2.28%	$2,659.91	$2,606.87
LGIP	General Fund Investment	5.45%	$20,281,889.33	$24,339,431.30
VIP	VIP Long Term	5.31%	$79,359.39	$77,545.97
VIP	VIP Short Term	5.31%	$8,979,726.22	$8,343,321.15
SUB TOTAL			**$29,343,634.85**	**$32,762,905.29**
	Restricted Funds			
Bank of America	School Escrow Fund	2.18%	$0.00	$0.00
Bank of America	General Recoupment Funds	2.18%	$14,937.42	$16,282.06
Bank of America	Special Welfare Funds	2.18%	$0.00	$0.00
Bank of America	Special Welfare Donated Funds	2.18%	$18,136.54	$13,991.90
Bank of America	Special Welfare Child Support	2.18%	$567.74	$381.10
Bank of America	School's Camp Foundation	2.18%	$25,464.91	$24,934.90
Farmers Bank	School Food Service Funds	1.00%	$1,554,039.67	$834,365.60
BNY Mellon	Pace Funds		$1,917,017.06	$2,433,877.21
Bank of America	County Escrow Fund	2.18%	$10,853.14	$6,299.84
Bank of America	Opioid Funds		$106,138.26	$0.00
SUB TOTAL			**$3,647,154.74**	**$3,330,132.61**
	Bond Proceeds--Invested in SNAP			
	2012 Public Utility Bond	5.48%	$0.00	$1,873,229.55
	2012 Public Utility Bond Interest	5.48%	$0.00	$346,195.37
	2016 Bond	5.48%	$0.00	$348,676.19
	2016 Bond Interest	5.48%	$0.00	$203,498.77
	2020A Bond	5.48%	$0.00	$12,765,226.41
	2020A Bond Interest	5.48%	$6,845.48	$223,141.26
	2022 GO Bond	5.48%	$12,042,004.60	$18,509,158.87
	2022 GO Bond Interest	5.48%	$953,753.45	$150,091.41
SUB TOTAL			**$13,002,603.53**	**$34,419,217.83**
TOTAL OF ALL FUNDS			**$53,885,173.41**	**$80,978,221.15**

Local Roots, Global Reach

ISLE OF WIGHT COUNTY, VIRGINIA

Incidents by Zone



ISLE OF WIGHT

Incidents by Zone

Agency: IWFR, Event date/Time range: 11/01/2023 00:00:00 - 11/30/2023 23:59:59

Station/Beat Code	Nature Code	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	FIRE ALARM	0	1	1	100%	0:02:23	0:08:12	0:22:44	0:33:19	0:33:19
	Subtotals for FIRE	**0**	**1**	**1**	**100%**	**0:02:23**	**0:08:12**	**0:22:44**	**0:33:19**	**0:33:19**
	Totals for	**0**	**1**	**1**	**100%**	**0:02:23**	**0:08:12**	**0:22:44**	**0:33:19**	**0:33:19**
1010	ABDOMINAL PAIN	0	1	1	1%	0:01:36	0:09:11	1:11:33	1:22:20	1:22:20
	ABRASIONS BRUISES ETC	0	1	1	1%	0:00:30	0:12:20	0:21:47	0:34:37	0:34:37
	ACCIDENT UNKNOWN INJURIES	0	9	9	7%	0:01:09	0:05:16	0:42:12	7:17:40	0:48:38
	ACCIDENT WITH ENTRAPMENT	0	1	1	1%	0:03:54	0:04:16	0:52:53	1:01:03	1:01:03
	ACCIDENT WITH INJURIES	0	3	3	2%	0:01:18	0:03:11	1:07:07	3:34:47	1:11:36
	ALARM - MEDICAL	0	2	2	2%	0:02:22	0:08:39	0:12:00	0:46:01	0:23:01
	BACK PAIN (NON TRAUMATIC)	0	1	1	1%	0:01:08	0:14:42	1:02:59	1:18:49	1:18:49
	BLEEDING/HEMORRHAGING	0	3	3	2%	0:01:50	0:10:34	1:01:48	3:42:38	1:14:13
	CHEST PAIN	0	6	6	5%	0:01:40	0:07:16	0:25:51	3:28:42	0:34:47
	CHILD OR ANIMAL LOCKED IN CAR	0	1	1	1%	0:00:08	0:05:18	0:08:27	0:13:53	0:13:53
	DIFFICULTY BREATHING	0	12	12	10%	0:01:26	0:07:37	1:07:23	14:04:46	1:10:24
	FALLS AND RELATED INJURIES	0	15	15	12%	0:01:39	0:07:42	0:57:05	16:36:37	1:06:26
	FRACTURES OR BROKEN BONES	0	1	1	1%	0:01:19	0:11:12	1:24:04	1:36:35	1:36:35
	HEADACHE	0	1	1	1%	0:00:27	0:05:23	0:21:51	0:27:41	0:27:41
	HEART PROBLEMS	1	2	3	2%	0:01:04	0:09:40	0:53:33	3:02:08	1:00:43
	LIFT ASSIST	1	6	7	6%	0:01:46	0:09:15	0:07:40	1:59:52	0:17:07
	OVERDOSE	1	0	1	1%	0:00:06	0:07:50	1:26:48	1:34:44	1:34:44
	PAIN	0	6	6	5%	0:02:03	0:12:18	0:31:50	4:37:09	0:46:12
	PSYCHIATRIC PROBLEMS	0	4	4	3%	0:00:33	0:11:52	1:27:50	6:41:04	1:40:16
	SEIZURE	0	5	5	4%	0:01:00	0:05:40	1:34:54	8:27:51	1:41:34

Station/Beat Code	Nature Code	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	SHOOTING	0	1	1	1%	0:00:06	0:13:33	2:30:10	2:43:49	2:43:49
	SICK / ILL OR RESCUE	0	20	20	17%	0:01:36	0:07:40	1:03:28	24:14:34	1:12:44
	STROKE	0	2	2	2%	0:01:18	0:06:48	1:13:15	2:42:41	1:21:21
	UNCONSCIOUS OR FAINTING	0	1	1	1%	0:01:14	0:02:19	3:24:47	3:28:20	3:28:20
	Subtotals for EMS	**3**	**104**	**107**	**88%**	**0:01:18**	**0:08:19**	**1:02:58**	**115:38:21**	**1:12:07**
	BRUSH FIRE	0	2	2	2%	0:01:29	0:03:47	1:17:29	2:45:31	1:22:46
	FIRE ALARM	0	7	7	6%	0:01:20	0:04:41	0:11:18	1:38:35	0:14:05
	FIRE OTHER NOT LISTED	1	0	1	1%	0:02:18	0:01:31	0:07:22	0:11:11	0:11:11
	SMELL OF GAS INSIDE/OUTSIDE	1	1	2	2%	0:01:15	0:08:02	0:16:00	0:50:34	0:25:17
	SMELL OR ODOR OF SMOKE	0	1	1	1%	0:01:21	0:16:45	0:11:03	0:29:09	0:29:09
	STRUCTURE FIRE	0	1	1	1%	0:00:39	0:05:03	0:26:23	0:32:05	0:32:05
	Subtotals for FIRE	**2**	**12**	**14**	**12%**	**0:01:24**	**0:06:38**	**0:24:56**	**6:27:05**	**0:32:26**
	Totals for 1010	**5**	**116**	**121**	**100%**	**0:01:19**	**0:07:59**	**0:55:22**	**122:05:26**	**1:04:11**
2020	ACCIDENT UNKNOWN INJURIES	0	1	1	3%	0:02:56	0:05:28	1:09:26	1:17:50	1:17:50
	BITE	0	1	1	3%	0:00:08	0:12:33	2:16:10	2:28:51	2:28:51
	BLEEDING/HEMORRHAGING	0	2	2	5%	0:01:45	0:09:34	1:21:31	3:05:39	1:32:50
	CHILD OR ANIMAL LOCKED IN CAR	0	1	1	3%	0:00:07	0:12:02	0:09:36	0:21:45	0:21:45
	DIFFICULTY BREATHING	0	8	8	21%	0:02:04	0:08:37	0:56:20	8:56:11	1:07:01
	FALLS AND RELATED INJURIES	0	1	1	3%	0:01:13	0:09:18	0:16:27	0:26:58	0:26:58
	LIFT ASSIST	0	4	4	10%	0:02:07	0:08:17	0:36:21	2:24:32	0:36:08
	PAIN	0	1	1	3%	0:01:34	0:11:30	0:18:30	0:31:34	0:31:34
	POSSIBLE DOA	0	1	1	3%	0:01:01	0:11:12	0:13:45	0:25:58	0:25:58
	PSYCHIATRIC PROBLEMS	0	1	1	3%	0:03:03	0:16:36	1:55:21	2:15:00	2:15:00
	SEIZURE	0	1	1	3%	0:01:27	0:11:07	0:55:25	1:07:59	1:07:59
	SICK / ILL OR RESCUE	0	9	9	23%	0:01:29	0:13:01	1:08:13	12:24:29	1:22:43
	STROKE	0	2	2	5%	0:01:45	0:08:21	0:57:51	2:15:53	1:07:57

Station/Beat Code	Nature Code	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	UNCONSCIOUS OR FAINTING	0	1	1	3%	0:00:45	0:02:57	1:34:24	1:38:06	1:38:06
	Subtotals for EMS	**0**	**34**	**34**	**87%**	**0:01:32**	**0:10:02**	**0:59:14**	**39:40:45**	**1:10:03**
	ARCING WIRES DOWN POWER LINES	0	1	1	3%	0:00:41	0:05:41	1:13:00	1:19:22	1:19:22
	FIRE OTHER NOT LISTED	1	0	1	3%	0:00:51	0:07:29	0:35:58	0:44:18	0:44:18
	STRUCTURE FIRE	0	2	2	5%	0:01:28	0:09:26	0:38:32	1:38:51	0:49:26
	Subtotals for FIRE	**1**	**3**	**4**	**10%**	**0:01:00**	**0:07:32**	**0:49:10**	**3:42:31**	**0:57:42**
	FIRE TEST CALL	0	1	1	3%	0:00:00	0:00:00	0:00:00	0:00:00	0:00:00
	Subtotals for TEST	**0**	**1**	**1**	**3%**	**0:00:00**	**0:00:00**	**0:00:00**	**0:00:00**	**0:00:00**
	Totals for 2020	**1**	**38**	**39**	**100%**	**0:01:26**	**0:09:36**	**0:57:28**	**43:23:16**	**1:07:52**
3060	ABDOMINAL PAIN	0	1	1	4%	0:01:45	0:15:29	0:53:38	1:10:52	1:10:52
	BLEEDING/HEMORRHAGING	0	2	2	7%	0:02:57	0:19:05	0:38:29	2:01:01	1:00:31
	CARDIAC ARREST	0	1	1	4%	0:02:38	0:16:21	0:12:48	0:31:47	0:31:47
	CHEST PAIN	0	2	2	7%	0:01:32	0:16:43	1:12:06	3:00:41	1:30:21
	DIFFICULTY BREATHING	0	4	4	15%	0:01:23	0:15:34	1:10:04	5:48:06	1:27:02
	FALLS AND RELATED INJURIES	0	4	4	15%	0:01:13	0:16:00	0:52:24	4:38:31	1:09:38
	PAIN	0	3	3	11%	0:01:50	0:20:57	0:41:55	3:14:06	1:04:42
	RESPIRATORY ARREST	0	1	1	4%	0:00:18	0:09:27	1:39:28	1:49:13	1:49:13
	SEIZURE	0	1	1	4%	0:00:54	0:10:52	1:20:45	1:32:31	1:32:31
	SICK / ILL OR RESCUE	0	2	2	7%	0:00:53	0:18:20	1:07:09	2:52:44	1:26:22
	UNCONSCIOUS OR FAINTING	0	3	3	11%	0:02:13	0:14:00	1:13:55	4:30:24	1:30:08
	Subtotals for EMS	**0**	**24**	**24**	**89%**	**0:01:36**	**0:15:43**	**1:00:15**	**31:09:56**	**1:17:33**
	BURNING COMPLAINT	0	1	1	4%	0:01:37	0:09:28	0:12:20	0:23:25	0:23:25
	CARBON MONOXIDE ALARM	0	1	1	4%	0:01:23	0:00:00	0:00:00	0:07:36	0:07:36
	FIRE ALARM	0	1	1	4%	0:01:41	0:11:20	0:01:57	0:14:58	0:14:58

Station/Beat Code	Nature Code	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
Subtotals for FIRE		**0**	**3**	**3**	**11%**	**0:01:34**	**0:10:24**	**0:07:08**	**0:45:59**	**0:15:20**
Totals for 3060		**0**	**27**	**27**	**100%**	**0:01:36**	**0:14:54**	**0:52:04**	**31:55:55**	**1:04:13**
4070	ABDOMINAL PAIN	0	3	3	2%	0:01:55	0:14:55	0:58:30	3:46:02	1:15:21
	ABRASIONS BRUISES ETC	0	1	1	1%	0:00:08	0:25:54	0:40:49	1:06:51	1:06:51
	ACCIDENT UNKNOWN INJURIES	0	5	5	4%	0:01:12	0:05:18	1:34:09	8:23:17	1:40:39
	ACCIDENT WITH ENTRAPMENT	0	1	1	1%	0:00:33	0:03:49	5:12:49	5:17:11	5:17:11
	ACCIDENT WITH INJURIES	0	4	4	3%	0:00:50	0:05:29	1:09:31	5:03:23	1:15:51
	ALARM - MEDICAL	0	1	1	1%	0:01:12	0:08:15	0:28:18	0:37:45	0:37:45
	ALLERGIC REACTIONS	0	1	1	1%	0:00:40	0:02:11	2:17:53	2:20:44	2:20:44
	ASSAULT WITH INJURIES	0	1	1	1%	0:00:19	0:05:01	0:10:24	0:15:44	0:15:44
	BLEEDING/HEMORRHAGING	0	3	3	2%	0:02:29	0:16:29	0:54:17	3:39:45	1:13:15
	CARDIAC ARREST	0	2	2	2%	0:00:42	0:06:50	0:36:41	1:28:24	0:44:12
	CHEST PAIN	1	8	9	7%	0:01:17	0:11:26	0:58:11	10:25:25	1:09:29
	CHOKING	0	1	1	1%	0:01:05	0:15:44	0:22:53	0:39:42	0:39:42
	DIABETIC PROBLEMS	0	1	1	1%	0:03:03	0:13:17	0:25:15	0:41:35	0:41:35
	DIFFICULTY BREATHING	0	15	15	11%	0:01:34	0:10:57	0:58:47	17:49:31	1:11:18
	FALLS AND RELATED INJURIES	0	13	13	10%	0:01:53	0:10:29	0:59:59	15:40:38	1:12:21
	FRACTURES OR BROKEN BONES	0	2	2	2%	0:01:30	0:14:30	1:26:46	3:25:30	1:42:45
	HEADACHE	0	1	1	1%	0:00:08	0:07:09	1:08:10	1:15:27	1:15:27
	HEART PROBLEMS	0	3	3	2%	0:01:48	0:12:41	0:44:58	2:58:23	0:59:28
	LIFT ASSIST	1	10	11	8%	0:01:22	0:12:08	0:11:25	4:45:05	0:25:55
	OVERDOSE	0	2	2	2%	0:01:12	0:12:01	1:04:43	2:35:52	1:17:56
	PAIN	0	4	4	3%	0:01:28	0:09:02	0:49:42	4:00:48	1:00:12
	POSSIBLE DOA	0	1	1	1%	0:00:43	0:07:17	0:03:26	0:11:26	0:11:26
	PSYCHIATRIC PROBLEMS	0	1	1	1%	0:00:07	0:11:59	0:48:07	1:00:13	1:00:13
	SEIZURE	0	4	4	3%	0:01:00	0:06:29	0:51:50	3:57:18	0:59:20

Station/Beat Code	Nature Code	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	SICK / ILL OR RESCUE	0	17	17	13%	0:01:14	0:09:09	0:54:15	18:18:52	1:04:38
	STROKE	0	5	5	4%	0:01:59	0:13:17	0:40:33	4:39:11	0:55:50
	UNCONSCIOUS OR FAINTING	0	4	4	3%	0:01:22	0:06:49	1:11:00	5:16:43	1:19:11
	Subtotals for EMS	**2**	**114**	**116**	**87%**	**0:01:13**	**0:10:19**	**1:01:36**	**129:40:45**	**1:13:07**
	ARCING WIRES DOWN POWER LINES	0	1	1	1%	0:01:52	0:08:18	0:03:55	0:14:05	0:14:05
	BRUSH FIRE	0	4	4	3%	0:01:20	0:08:03	0:35:44	3:00:29	0:45:07
	CAR FIRE	0	3	3	2%	0:01:06	0:13:02	0:48:50	3:08:57	1:02:59
	CARBON MONOXIDE ALARM	0	1	1	1%	0:03:39	0:11:59	0:22:37	0:38:15	0:38:15
	FIRE ALARM	0	2	2	2%	0:01:21	0:08:35	0:34:03	0:53:37	0:26:49
	FIRE DEPT COMMUNITY RELATIONS	0	1	1	1%	0:01:39	0:11:25	0:22:38	0:35:42	0:35:42
	FIRE OTHER NOT LISTED	0	1	1	1%	0:00:49	0:02:44	0:20:44	0:24:17	0:24:17
	SMELL OF GAS INSIDE/OUTSIDE	0	1	1	1%	0:01:40	0:09:19	0:22:46	0:33:45	0:33:45
	STRUCTURE FIRE	0	3	3	2%	0:01:35	0:07:51	1:48:58	5:55:15	1:58:25
	Subtotals for FIRE	**0**	**17**	**17**	**13%**	**0:01:40**	**0:09:02**	**0:35:35**	**15:24:22**	**0:44:23**
	Totals for 4070	**2**	**131**	**133**	**100%**	**0:01:20**	**0:10:00**	**0:55:06**	**145:05:07**	**1:05:56**
5060	ABDOMINAL PAIN	0	4	4	2%	0:02:13	0:09:56	1:04:49	5:07:51	1:16:58
	ABRASIONS BRUISES ETC	1	4	5	2%	0:01:19	0:13:49	0:46:20	4:15:31	0:51:06
	ACCIDENT UNKNOWN INJURIES	0	12	12	5%	0:01:37	0:04:20	0:44:05	10:00:34	0:50:03
	ACCIDENT WITH ENTRAPMENT	0	2	2	1%	0:01:24	0:05:25	0:58:11	2:10:00	1:05:00
	ACCIDENT WITH INJURIES	1	4	5	2%	0:00:40	0:04:04	0:34:02	3:09:47	0:37:57
	ALARM - MEDICAL	0	3	3	1%	0:01:35	0:11:50	0:03:11	0:39:18	0:13:06
	ALLERGIC REACTIONS	0	3	3	1%	0:00:59	0:08:34	1:03:13	3:38:22	1:12:47
	BACK PAIN (NON TRAUMATIC)	0	1	1	0%	0:02:04	0:13:40	1:32:57	1:48:41	1:48:41
	BITE	0	1	1	0%	0:00:59	0:09:36	0:19:01	0:29:36	0:29:36
	BLEEDING/HEMORRHAGING	0	10	10	4%	0:01:44	0:08:28	0:40:23	8:25:44	0:50:34
	CARDIAC ARREST	0	3	3	1%	0:00:57	0:11:04	0:35:34	2:22:43	0:47:34

Station/Beat Code	Nature Code	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	CHEST PAIN	0	9	9	3%	0:01:15	0:10:05	0:41:24	7:54:43	0:52:45
	CHILD OR ANIMAL LOCKED IN CAR	0	1	1	0%	0:00:05	0:05:45	0:08:13	0:14:03	0:14:03
	DIABETIC PROBLEMS	1	0	1	0%	0:00:11	0:08:53	1:12:07	1:21:11	1:21:11
	DIFFICULTY BREATHING	2	26	28	11%	0:01:20	0:11:42	0:53:52	31:00:19	1:06:26
	FALLS AND RELATED INJURIES	0	23	23	9%	0:01:27	0:10:38	1:03:56	29:08:35	1:16:02
	FRACTURES OR BROKEN BONES	0	1	1	0%	0:00:45	0:12:53	1:56:34	2:10:12	2:10:12
	HEART PROBLEMS	0	6	6	2%	0:01:27	0:08:37	1:08:12	7:49:39	1:18:17
	LIFT ASSIST	1	20	21	8%	0:01:23	0:10:06	0:12:57	8:21:38	0:23:53
	MEDIC STANDBY	4	0	4	2%	0:00:00	0:21:38	4:11:02	13:39:42	3:24:56
	OBSTETRICS	0	2	2	1%	0:01:31	0:06:40	0:42:59	1:42:21	0:51:11
	OVERDOSE	0	1	1	0%	0:00:30	0:07:48	0:14:30	0:22:48	0:22:48
	PAIN	0	11	11	4%	0:01:25	0:10:49	0:50:44	11:32:35	1:02:58
	POSSIBLE DOA	0	2	2	1%	0:01:02	0:08:52	0:27:02	1:13:52	0:36:56
	PSYCHIATRIC PROBLEMS	0	3	3	1%	0:00:16	0:16:13	0:51:48	3:24:52	1:08:17
	SEIZURE	0	4	4	2%	0:00:52	0:09:41	0:50:41	4:04:56	1:01:14
	SICK / ILL OR RESCUE	2	48	50	19%	0:01:35	0:10:08	0:50:41	50:40:27	1:00:49
	STROKE	0	2	2	1%	0:01:28	0:07:20	1:46:19	3:50:14	1:55:07
	UNCONSCIOUS OR FAINTING	0	11	11	4%	0:01:13	0:05:46	1:09:29	14:01:18	1:16:29
	WELFARE CHECK	0	1	1	0%	0:00:10	0:12:40	0:12:10	0:25:00	0:25:00
	Subtotals for EMS	**12**	**218**	**230**	**87%**	**0:01:09**	**0:09:54**	**0:55:33**	**235:06:32**	**1:03:44**
	ASSIST BOATER	0	1	1	0%	0:00:18	0:07:19	0:35:46	0:43:23	0:43:23
	BRUSH FIRE	0	3	3	1%	0:00:57	0:07:18	0:46:20	1:57:02	0:39:01
	BURNING COMPLAINT	0	1	1	0%	0:03:04	0:14:46	0:08:10	0:26:00	0:26:00
	CAR FIRE	0	3	3	1%	0:00:52	0:04:37	0:42:12	2:23:05	0:47:42
	FIRE ALARM	0	9	9	3%	0:02:23	0:04:50	0:08:46	2:02:50	0:13:39
	FIRE DEPT COMMUNITY RELATIONS	1	0	1	0%	0:00:00	0:00:00	2:46:39	2:46:39	2:46:39
	FIRE OTHER NOT LISTED	0	3	3	1%	0:03:22	0:08:18	0:37:31	2:27:35	0:49:12

Station/Beat Code	Nature Code	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	RUPTURE GAS LINE	0	1	1	0%	0:01:55	0:05:00	0:21:25	0:28:20	0:28:20
	SMELL OF GAS INSIDE/OUTSIDE	0	4	4	2%	0:01:25	0:07:52	0:18:08	1:49:40	0:27:25
	SMELL OR ODOR OF SMOKE	0	1	1	0%	0:00:48	0:06:10	0:41:42	0:48:40	0:48:40
	STANDBY	5	0	5	2%	0:00:01	0:00:00	2:20:17	11:41:29	2:20:18
	STRUCTURE FIRE	0	2	2	1%	0:01:32	0:07:13	0:25:21	1:08:12	0:34:06
	TRANSFORMER FIRE OR POWER LINE	0	1	1	0%	0:02:29	0:07:46	0:31:41	0:41:56	0:41:56
	Subtotals for FIRE	**6**	**29**	**35**	**13%**	**0:01:36**	**0:07:23**	**0:48:00**	**29:24:51**	**0:54:20**
	Totals for 5060	**18**	**247**	**265**	**100%**	**0:01:17**	**0:09:13**	**0:53:16**	**264:31:23**	**1:00:53**
SOU	FIRE MUTUAL AID	0	1	1	50%	0:02:33	0:16:03	3:56:52	4:15:28	4:15:28
	RESCUE MUTUAL AID	0	1	1	50%	0:01:24	0:00:00	0:00:00	0:07:37	0:07:37
	Subtotals for MUTA	**0**	**2**	**2**	**100%**	**0:01:58**	**0:16:03**	**3:56:52**	**4:23:05**	**2:11:32**
	Totals for SOU	**0**	**2**	**2**	**100%**	**0:01:58**	**0:16:03**	**3:56:52**	**4:23:05**	**2:11:32**
SRY	RESCUE MUTUAL AID	0	1	1	100%	0:01:41	0:33:39	0:15:01	0:50:21	0:50:21
	Subtotals for MUTA	**0**	**1**	**1**	**100%**	**0:01:41**	**0:33:39**	**0:15:01**	**0:50:21**	**0:50:21**
	Totals for SRY	**0**	**1**	**1**	**100%**	**0:01:41**	**0:33:39**	**0:15:01**	**0:50:21**	**0:50:21**
SUF	FIRE MUTUAL AID	0	1	1	100%	0:01:20	0:00:00	0:00:00	0:16:52	0:16:52
	Subtotals for MUTA	**0**	**1**	**1**	**100%**	**0:01:20**	**0:00:00**	**0:00:00**	**0:16:52**	**0:16:52**
	Totals for SUF	**0**	**1**	**1**	**100%**	**0:01:20**	**0:00:00**	**0:00:00**	**0:16:52**	**0:16:52**

ISLE OF WIGHT COUNTY

FIRE-EMS ACTIVITY REPORT 2023

STATION RESPONSES	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	YTD
CARROLLTON	121	128	141	117	107	142	128	118	126	156	154		1438
CARRSVILLE	40	37	30	49	47	37	42	50	47	44	54		477
RUSHMERE	4	7	7	5	2	8	7	9	6	7	9		71
WINDSOR FIRE	30	37	37	33	25	33	34	41	25	43	41		379
SMITHFIELD FIRE	61	63	76	47	52	76	52	56	59	81	82		705
IOW RESCUE	264	267	289	223	249	256	275	249	262	303	293		2930
WINDSOR RESCUE	119	113	114	106	121	106	131	126	121	140	130		1327
TOTAL STATION RESPONSES													**7327**

VOL. ACTIVITY HOURS	1ST QUARTER	2ND QUARTER	3RD QUARTER	4TH QUARTER	YTD
CARROLLTON					0
CARRSVILLE					
RUSHMERE					0
WINDSOR FIRE					0
SMITHFIELD FIRE					
IOW RESCUE					
WINDSOR RESCUE					0
TOTAL VOL. HOURS REPORTED					**0**

Note: *1. Station Responses- Data pulled from E911 Computer Aided Dispatch (CAD) system* *n/r not reported*

2. VOL. Activity Hours- Information as reported by Volunteer Agencies

Isle of Wight County Museum &
Isle of Wight County Historic Resources

November 2023 Report

J.L. England, Museum Director & Isle of Wight County Historic Resources Manager

Isle of Wight County Museum 103 Main Street, Smithfield

- **VISITATION**: 696
- **SPECIAL EVENTS**
  - **Nov. 17. LUNCH & LEARN: A Vital Connection...The James River Bridge.** Opened November 17, 1928, the James River Bridge has linked Warwick County/Newport News to Isle of Wight County for 95 years. This look-back examines life before the bridge - when colonial ferries and steamers served this purpose. The historical journey begins with the dedication of the original crossing which was hailed as the world's longest bridge over water. It will continue through the construction of the current structure, and it will further detail the story of how the bridge received its official name. 19 guests.
  - **Nov. 17. An Evening with St. Nick.** Visit with St. Nick and enjoy an evening of holiday refreshments, crafts and a special reading of *Twas the Night Before Christmas* by Clement Clarke Moore. Perfect for families. Make your visit with St. Nick a little more special. Bring a wrapped gift for St. Nick to give to your child. Pre-registration will give you the opportunity to provide some information about your child so St. Nick can talk with him or her! Call the head elf for your reservation: 757-356-1223. 65 guests.
  - **Nov. 22. LUNCH & LEARN: Happy 218th Birthday, Benjamin Huger!** Join us for this lecture about the life of Benjamin Huger, 1805-1877, the career U.S. Army ordnance officer who fought with distinction during the Mexican-American War and served as a Confederate general during the Civil War. Isle of Wight County's Fort Huger is named for him. 8 guests.

- **LIVESTREAMING EVENTS.** We continue to connect to visitors, supporters, fans and the community via social media. Our livestreaming tours and programs on Facebook are driving traffic and enhancing interaction on our sites. Events this month, still viewable in the videos section of our Facebook page, include:
  - **Nov. 2. LIVE at 12:05: What is GPR?** Ground Penetrating Radar (GPR) uses radar pulses to survey the subsurface. A useful tool often used by archaeologists, GPR records the radio waves that reflect, refract, or scatter back to the surface off of anomalies beneath the soil. As museum professionals who work closely with archaeologists, we often get questions about GPR. We hope this summary helps answer some of those quandaries!
  - **Nov. 9. LIVE at 12:05: 19th Century Glasses.** A closer look at two pairs of glasses in the collection from the 1800s:

opera glasses and green-tinted spectacles with double lenses. Scroll below to see an image of those lenses. Tinted lenses are nothing new as 18th and 19th century spectacles were available in blue and green and sometimes amber.

- **Nov. 14. LIVE at 12:05: Aquaculture Makes a Comeback!** Many areas in Isle of Wight County have long been known for their participation in the aquaculture of oyster farming. An oyster "gold rush" occurred after the American Civil War and was in full swing by the 1890s when 24 million bushels were recorded as harvested from Virginia during a record year. Environmental factors and over-harvesting contributed to the depletion of Virginia oysters and in 2001, only an estimated 1% of the historic oyster population remained. Beginning around 1899, Virginians began practicing aquaculture by planting, growing, and harvesting oyster beds rather than dredging and tonging for wild oysters. Aquaculture has recently increased in popularity and it appears that our oyster population is well on its way to thriving once again.
- **Nov. 16. LIVE at 12:05: On the Nice List.** Tomorrow night's annual Christmas tree lighting for Town of Smithfield Virginia. The evening will feature music, festive lights, cider, cookies and more. Be sure to join us here at the museum to meet both St. Nick and Clement Clarke Moore who will read his famous poem "Twas the Night Before Christmas."

- **Nov. 21. LIVE at 12:05: Colonial Epicenter.** In conjunction with Historic Smithfield, we redesigned the sign across the street from 1750 Isle of Wight Courthouse. It was installed yesterday afternoon. Stop by the sign on your next stroll down Main Street for a little history.
- **Nov. 28. LIVE at 12:05: McCourt Label Co. Pharmacy Cabinet.** Check out this circa 1910 Pharmacy Cabinet by McCourt Label Co. This particular cabinet was used right here in Smithfield by Simpson's Pharmacy. Several of the label rolls are still included in the drawers. To see this new addition to the Isle of Wight County Museum collection in person, visit our Country Store Exhibit.

- **Nov. 30. LIVE at 12:05: New Signage for the Isle of Wight County Courthouse District.** Join Director Jennifer England for a brief walking tour of the Isle of Wight County Virginia Courthouse District and check out the new plaques recently installed to note the

courthouse wall, clerk's office and courthouse. Visit soon for your own tour or join us in 2024 for a guided walking tour of the site.

- **MY ISLE: MEMORIES & RECOLLECTIONS**
  - This video series' inaugural episode on Nov. 22 featured Charles David Jones and Ronnie Jones and their memories of peanut farming in Isle of Wight County.
- **BEHIND THESE WALLS**
  - This video series, launched in 2020, allows some of the county's most interesting structures to share their stories. **Fort Boykin** is in production to air in December. View all episodes in this series on our YouTube Channel, Facebook page or website: www.historicisleofwight.com/behind-these-walls.html.
- **GROUPS/TOURS/PROGRAMS**
  - **Nov. 1. Colonel William Allen Chapter, Smithfield, Daughters of the American Revolution**. 28 guests.
  - **Nov. 2. FAM tour, Smithfield and Isle of Wight County Tourism**. 4 guests.
  - **Nov. 9. Student, Norfolk State University**, Norfolk. 1 guest.
  - **Nov. 14. Lake Prince Woods Retirement Community**, Suffolk. 10 guests.
  - **Nov. 15. Isle of Wight Chamber of Commerce Student Leadership Institute**. 25 students.
  - **Nov. 20. Williamsburg Landing Retirement Community,** Williamsburg. 13 guests.
  - **Thanksgiving Day, Nov. 23. Sailors from the USS *Wasp***. 4 sailors.
  - **Nov. 28. Rushmere Community Development Corporation**, Isle of Wight County. 15 guests.
- **GIFT SHOP**
  - No updates.
- **EXHIBIT/PROJECT UPDATE**
  - **Historic Smithfield.** The sign across the street from the 1750 Courthouse was installed. The Sinclair sign – located on South Church Street - is now in production.
  - **Sprigg Wing, Phase II: Crops, Trade & Merchants.** A new timeline as well as exhibits about colonial businesses, the tobacco industry and mills are in production.
  - **First Residents.** Awaiting mounting of longleaf pine tree branches.
  - **Civil War Trails.** New signage for Forts Huger and Boykin in production.
  - **Local Treasures**. Currently on display is the collection of **Robert Cox** which showcases artifacts recovered from one of Isle of Wight County's early courthouses, the **Mount Holly Courthouse**. This exhibit concept displays the private collections of Isle of Wight County residents and/or those with a connection to the area. For more information and

applications: www.historicisleofwight.com/local-treasures.html.

- **English Telephone Box**. The phone box in front of the Bank of Southside Virginia is part of the Isle of Wight County Museum's collection. Dishman Fabrications LLC of Yorktown is working to schedule the return of the door and glass. Once complete and exhibits are installed, a reception and/or ribbon-cutting will be organized.
- **Steamboats & Life on the Water; Unusual Objects.** Under development.
- **Online Exhibits Under Development**: Vietnam War Veterans in Isle of Wight County, Unsung Heroes of Isle of Wight County.
- **ISLE Be Home for Christmas.** This book project is collecting photographs, postcards, stories, mementos, songbooks, recipes and more that detail the holiday season in Isle of Wight County. To be published in November 2024.
- **Nike-Ajax N-75.** A book about the former missile battery in Carrollton is in production. To be published in 2024.

- **ARTIFACTS**
  - Additions included photographs and a late 19th century doll.
  - Town of Smithfield Records. Digitization has begun. The first of eight books is in progress.
- **STAFF TRAINING AND REQUIREMENTS**
  - Mid-term evaluations were completed for all staff.
  - Curator Rachel Popp applied for the Digital POWRR Peer Assessment Program, a year-long online training program for cultural heritage professionals interested in deepening their knowledge of digital preservation assessment procedures. Acceptance letters are anticipated in December.

Financials

• Gift Shop Sales (including tax):	$ 1,029.96
• Donations:	$ 310.00
• Admission:	$ 834.03
• Program/Lecture Fees:	$ 0.00
Total Monthly Deposit:	**$ 2,173.99**

Social Media/Online Presence

- Visit our website at www.historicisleofwight or www.hamcamva.com.
- **LIVE at 12:05.** Each Tuesday and Thursday, we host pop-up broadcasts on the museum's Facebook page. These programs were seen on the Ham Cam, but since COVID-19, programs and livestreaming from Facebook make these programs more mobile. Our segments – shot in the museum or at any of our historic sites - highlight events at the museum, announcements or artifacts from our collection. Tune in each Tuesday and Thursday at 12:05 p.m. on the museum's Facebook page to learn a bit about local history.
- **Facebook:** Isle of Wight County Museum: 3.5K likes and 4.2K followers. Daily posts.
- **Facebook:** World's Oldest Ham: 292/307 likes/followers. Semi-weekly posts.
- **Facebook:** Town of Smithfield. Periodic posts, responses and maintenance.

- **Twitter.** @WorldsOldestHam. The world's oldest ham has his own account. 1,390 followers.
- **Instagram.** @Isleofwightcountymuseum. 1,137 followers.
- **YouTube.** Isle of Wight County Museum. 119 subscribers.
- **Google Reviews.** 4.7/5 overall rating.
- **TripAdvisor.** 4.5/5 star overall rating.
- **Yelp.** 4.5/5 star overall rating.
- **Foursquare/Swarm.** 7.3/10 rating.
- **#Museum30.** This worldwide daily photo challenge for museums and museum professionals during the month of November highlights multiple themes.

Media Coverage/Promotion/Advertising/Lobbying

- Various pieces in area publications including calendars and events.
- **Nov. 3. Eaten Magazine**. Interview with https://eatenmagazine.com.
- **Nov. 7. WAVY-TV 10: The Hampton Roads Show**. Reck on the Road: Windsor Castle - https://shorturl.at/cotuN.
- **Nov. 8. *Smithfield Times***. Article: Battle of the Smithfields reverberates four decades later.
- **Nov. 14. Virginia Department of Historic Resources**. Blog: Research on Smithfield Seal Matrix Artifact – www.dhr.virginia.gov/blog-posts/medieval-catholic-seal-matrix-smithfield-virginia-inscription/?fbclid=IwAR2LSKIh61ydEYsb-DYjH5s3mb3F5gEiPgDL2QMjcxHkZpG1WDcxxj8VMYs.
- **Nov. 22. *Smithfield Times***. Cutline: Christmas Secrets; Cutline: Future bank.
- **Nov. 24. Smithfield Times**. Article: Trial date set for Rountree, son-in-law accused of taking opponent's campaign signs - https://www.smithfieldtimes.com/2023/11/24/trial-date-set-for-rountree-son-in-law-accused-of-taking-opponents-campaign-signs.

Outreach Lectures & Events

- **Nov. 3. Isle of Wight County Parks and Recreation RISE Program**. Topic: Cold War history. 17 guests.
- **Nov. 8. Newport News-Warwick Chapter, Daughters of the American Revolution, Newport News**. Topic: Hessians during the American Revolution. 18 guests.
- **Nov. 14. Main Street Baptist Preschool**, Smithfield. Topic: Turkeys. 11 students and 3 teachers.
- **Nov. 15. 1750 Courthouse Annual Meeting**, Smithfield. Topic: Isle of Wight County Museum, Community Partner. 25 guests.

- **Nov. 16. Shakespeare Club**, Smithfield. Topic: Cookbook History. 12 guests**.**
- **Nov. 16. Carrollton Elementary School, The Learning Center & Multiple Disabilities**. Topic: Turkeys. 16 students and 2 teachers.
- **Nov. 17. Hardy Elementary School, The Learning Center & Multiple Disabilities**. Topic: Turkeys. 36 students and 3 teachers.
- **Nov. 20. The Chesapeake Retirement Community**, Newport News. Topic: Cookbook History. 36 guests.
- **Nov. 29. Riverside Lifelong Health & Rehabilitation**, **Magnolia Manor,** Smithfield. Topic: Women's Land Army. 10 guests.

Windsor Castle 705 Cedar Street, Smithfield

- **Nov. 5. Windsor Castle Walking Tour.** From the site's pre-colonial existence to the present day, Windsor Castle tells the fascinating history of the development of Smithfield. Join us for this walking tour through history as we explore the house and several of the outbuildings. Meet on the front steps of Windsor Castle, 301 Jericho Road, Smithfield. $5 per person. 18 guests**.**
- **Nov. 15. Isle of Wight Chamber of Commerce Student Leadership Institute**. 25 students.
- **Nov. 21. Bookworm Discoveries at Windsor Castle Park.** Join the Blackwater Regional Library and Isle of Wight County Museum at Windsor Castle Park for outdoor-themed programming featuring themes of agriculture, nature and bugs! This fun and free opportunity to learn a little local history with STEAM themes while enjoying some fresh air and the chance to check out some books is perfect for bookworms of all ages. Dressing as a bookworm is optional but encouraged! Today's theme: Corn. 10 guests.

Fort Boykin 7410 Fort Boykin Trail, Isle of Wight County

- No updates.

Fort Huger 15080 Talcott Terrace, Isle of Wight County

- No updates.

Nike-Carrollton Park 13036 Nike Park Road, Carrollton

- **Nike-Ajax Missile Restoration.** Isle of Wight County Public Utilities is at work on the site plan for the missile. A request for a quote on the geotech and structural design has been requested.

Boykin's Tavern, 1820 Clerk's Office & Isle of Wight County Court House Complex 17146 Monument Circle, Isle of Wight County

- Boykin's Tavern Visitors: 3
- **Interpretive Plaques.** Plaques for the Isle of Wight County Courthouse, Clerk's Office and Courthouse Wall were installed by Isle of Wight County Public Works.

Meetings

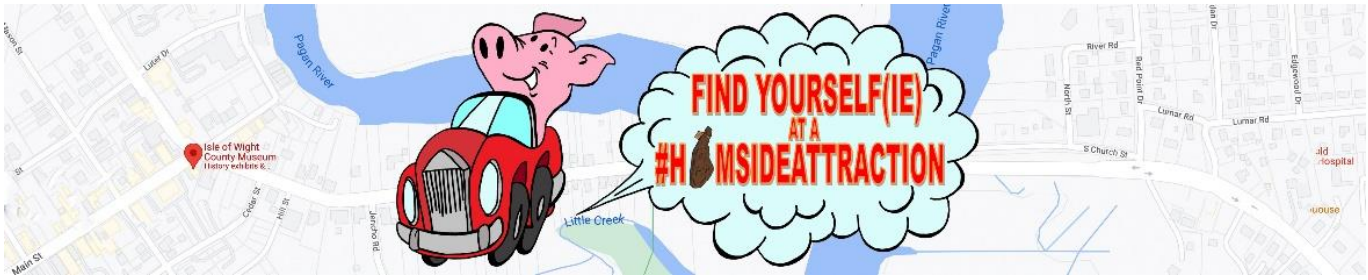
- Nov. 21. Town of Smithfield staff meeting.
- Nov. 27. Town of Smithfield Town Council Committees.

Other Events & Notable Information

- **Volunteer Hours**: 147
- **The Schoolhouse Museum**
  - No updates.
- **Ivy Hill Cemetery**
  - No updates.
- **Isle of Wight County Department of Community Development & Planning**
  - Written comments provided for Tidewater Logistics Center, Conditional Rezoning (ZA-04-23), Comprehensive Plan Amendment (LUP-01-23), 2nd Submittal.
- **Virginia American Revolution 250 Commission**
  - Smithfield Times Article Series: 2024-2026. The first two articles of this monthly series – as well as a specialty logo from the 250 Commission - were delivered for publication in January and February 2024.
  - Nov. 1. Virtual meeting with the 250 Commission.

ISLE OF WIGHT COUNTY VIRGINIA 250 AMERICAN REVOLUTION

- **Storage**
    - The Isle of Wight County Museum Foundation graciously funded updates to the museum's on-site storage. The first phase included multiple filing cabinets and shelving installed in the Sprigg Wing's upstairs space, and the second phase included the installation of shelving and a rolling cart for paintings inside the museum's main gallery vault. To prepare for this, everything had to be removed from the vault and then placed back inside once the improvements were made. It was a multi-week procedure with the end result being more professional and safer for our collection.
    - Early in the month of November, we enlisted several Town and County employees to relocate many boxes of archaeological material and ledgers. A 20-minute project for this crew shaved hours off this project. Teamwork makes the dream work!
- **Virginia Tourism Corporation Small Business Marketing Leverage Grant.** The final reimbursement check was received by the Town's Treasurer. Visit our campaign landing page here: www.historicisleofwight.com/find-yourselfie-at-a-hamside-attraction.html.



Safety & Repairs

- None.

Selections from Our Website and Social Media

November 15, 2023

Daniel from British Columbia and Fran of Visit Smithfield VA stopped by for a visit with the World's Oldest Ham!

ISSUE:

Resolution to Amend the Budget and Appropriate Funding for School Employees' Compensation ($485,616)

BACKGROUND:

The State appropriated funding to provide an additional two percent compensation supplement for SOQ funded positions, effective January 1, 2024. The School Board previously provided a five percent local salary increase, effective July 1, 2023, for all SOQ and non-SOQ positions.

Based on the County's Composite Index, the State is providing funding in the amount of $312,221 for SOQ positions. The local match plus the funding needed to cover the two percent increase for non-SOQ positions is $485,616.

BUDGETARY IMPACT:

Approval of this request will increase the FY2023-24 School's budget in the amount of $797,837.

RECOMMENDATION:

Per the Board's discussion and direction.

ATTACHMENTS:

Description	Type	Upload Date
Resolution	Resolution	11/14/2023

RESOLUTION TO AMEND THE FY2023-24 COUNTY AND SCHOOL BUDGETS AND APPROPRIATE FUNDS FOR SCHOOL EMPLOYEES' COMPENSATION

WHEREAS, the Board of Supervisors appropriated funding by category for the Isle of Wight County School Board for the FY2023-2024 school year; and,

WHEREAS, the School Board previously provided a five percent local salary increase, effective July 1, 2023, for all SOQ and non-SOQ positions; and,

WHEREAS, the Commonwealth of Virginia appropriated funding in the amount of $312,221 to provide an additional two percent compensation supplement for SOQ funded positions, effective January 1, 2024; and,

WHEREAS, local funding in the amount of $485,616 is needed to fund the two percent compensation increase local match for the State appropriation for SOQ positions and to fund the two percent compensation increase for non-SOQ positions; and,

WHEREAS, the School Board is requesting that funding in the amount of $797,837 be budgeted and appropriated categorically; and,

WHEREAS, the Board of Supervisors desires to increase the Isle of Wight County FY2023-2024 contribution to Schools by $485,616 to fund the two percent compensation increase for SOQ and non-SOQ positions; and,

WHEREAS, the Board of Supervisors must budget and appropriate $485,616 to the FY2023-2024 General Fund Budget for the two percent compensation increase for SOQ and non-SOQ positions.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Isle of Wight, Virginia that the FY 2023-2024 General Fund budget be amended and funds appropriated in the amount of $485,616 to the County Contribution to Schools for the two percent School employee compensation increase; and,

BE IT FURTHER RESOLVED by the Board of Supervisors of Isle of Wight County, Virginia, that the FY2023-24 Schools' budget is hereby amended and funds appropriated to the following categories in the Schools' FY2023-24 budget; and

Category		
Instruction	$	638,270
Admin, Att, Health		39,892
Transportation		87,762
Operations		12,835
Food Services		7,978
Technology		11,101
Total	**$**	**797,837**

BE IT FURTHER RESOLVED that the County Administrator of Isle of Wight County, Virginia is authorized to make the appropriate accounting adjustments and to do all things necessary to give this resolution effect.

Adopted this 16th day of November, 2023.

_____
William M. McCarty, Sr., Chairman

_____
Carey Mills Storm, Clerk

Approved as to Form:

_____
Robert W. Jones Jr., County Attorney

ISSUE:

Discussion of Route 17 Arterial Plan Alternatives

BACKGROUND:

Staff from VDOT have requested that the Board of Supervisors review and consider its preferences relative to the proposed Arterial Plan for Route 17.

The Board may wish to provide feedback to VDOT relative to the preferred option for the Route 17 Arterial Plan.

BUDGETARY IMPACT:

None.

RECOMMENDATION:

Per the Board's discussion and direction.

ISSUE:

Ordinance to Amend Appendix B. Zoning: Article III, Section 3-6000 (Use Types), Article IV (Zoning Districts and Boundaries), Article V (Supplementary Use Regulations), and Section 5-5005 for the Purpose of Allowing Short Term Rentals as a Commercial Use Type in Residential Zoning Districts Under Certain Conditions

BACKGROUND:

The Board of Supervisors initiated reconsideration of the proposed short-term rental regulations that were previously recommended for approval by the Planning Commission to the Board of Supervisors in November 2021. The Board discussed additional revisions at their June 1, 2023, worksession, to include the creation of a short-term rental registry program, and requested that the most recent proposed changes be sent to the Planning Commission for their review and recommendation.

The Planning Commission began its initial discussion of the latest proposed short-term rental ordinance revisions at their July 25, 2023, regular meeting and held a public hearing on the proposed changes at their October 24, 2023, regular meeting. The Planning Commission voted to recommend approval of the proposed Zoning Ordinance revisions with the change that short term rentals be permitted in the Rural Agricultural Conservation and Rural Residential Zoning Districts by conditional use permit instead of by right by a vote of ten in favor and zero against (10-0).

The Board of Supervisors held a public hearing on the proposed short term rental regulations at their November 16, 2023, regular meeting. Following a discussion on the proposed Ordinance changes, the Board directed staff to revise the proposed changes to permit the use in all residential zoning districts following a thirty day notice to adjacent property owners. If no objections are received, Planning and Zoning may issue a permit for a short term rental. If objections are received within the thirty day notice window, the applicant must then apply for a conditional use permit.

Room rentals are currently regulated by Section 5-1005.B of the Zoning Ordinance which allows the rental of up to two rooms as an accessory use on residential properties as follows:

The renting out of one (1) or two (2) rooms within a single-family residence (which one (1) or two (2) rooms do not themselves constitute a separate dwelling unit) to not more than two (2) persons who are not part of the family that resides in the single-family dwelling.

Short-term rentals as a stand-alone use type is not currently included in the Zoning Ordinance, and therefore is prohibited. Anyone wishing to utilize their property as a short-term rental outside of the current ordinance regulations would need to obtain a special use permit.

A redline copy of the proposed Ordinance changes are attached to the staff report.

BUDGETARY IMPACT:

None.

RECOMMENDATION:

The Planning Commission voted to recommend approval of the proposed Zoning Ordinance revisions with the change that short term rentals be permitted in the Rural Agricultural Conservation and Rural Residential Zoning Districts by conditional use permit instead of by right by a vote of ten in favor and zero against (10-0).

Staff also recommends approval of the draft Ordinance changes relating to the Short Term Rental use type.

ATTACHMENTS:

Description	Type	Upload Date
STR Ordinance Redline Changes	Backup Material	12/5/2023
Use Table Redline	Backup Material	12/5/2023
BOS Ordinance for Adoption	Ordinance	12/5/2023

Proposed Zoning Ordinance Revisions – Short Term Rentals
Revised December 5, 2023

New proposed changes are in red underlined text. Language proposed to be deleted is shown in red text with ~~strikethrough~~ markings.

1. **Add Short Term Rentals as a commercial use type in Article III, "Use Types."**

Sec. 3-6000. - Commercial use types.

Short Term Rental.\ the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than thirty consecutive days, in exchange for a charge for the occupancy. A short term rental operator shall be further defined as the proprietor of any dwelling, lodging, or sleeping accommodations offered as a short-term rental, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other possessory capacity

2. **The following changes are proposed for uses and bulk regulations for various zoning districts in Article IV, "Zoning Districts":**

Sec. 4-1005. - Table of permissible uses.

Table 1
Table of Permissible Uses (ATTACHED)

Sec. 4-2002. Permitted uses, Rural Agricultural Conservation District

D. Commercial uses:
* Commercial equipment repair, accessory to dwelling
* Construction office, temporary
Lawn and garden services
Real estate office, temporary
*Short Term Rental
* Taxidermy
Veterinary hospital/clinic

Sec. 4-3002. - Permitted uses, Rural Residential District

D. Commercial uses:
* Construction office, temporary
Real estate office temporary
* Short-Term Rental

Sec. 4-4002. - Permitted uses, Village Center District

E. Commercial uses:

Sec. 4-5002. – Permitted uses, Neighborhood Conservation District

D. Commercial uses:

Sec. 4-6002. – Permitted uses, Suburban Estate District

D. Commercial uses:

Sec. 4-7002. - Permitted uses, Suburban Residential District

D. Commercial uses:

Sec. 4-8002. – Permitted uses, Urban Residential District

E. Commercial uses:

Sec. 4-15002. - Conditional uses, Planned Residential District

D. Commercial uses:

Sec. 4-16002. – Permitted uses, Planned Mobile Home Park District

C. Commercial Uses
* Short-Term Rental

Sec. 4-18002. – Permitted uses, Planned Mixed Use District

E. Commercial uses:
* Antique shop
Business support service
* Construction office, temporary
Event center
Garden center
* Golf course
Itinerant merchant
* Micro-brewery, distillery, cidery
* Motor vehicle parts/supply, retail
Peddler
Personal improvement service
Personal service
Real estate office, temporary
* Restaurant, drive-in fast food
Restaurant, general
Retail sales
*Short Term Rental
Studio, fine arts
Veterinary hospital/clinic

Wholesale sales

Sec. 5-1005. - Accessory uses to residential principal uses.

The following activities, so long as they satisfy the general criteria set forth above, are specifically regarded as accessory uses to residential principal uses:

A. Hobbies or recreational activities of a noncommercial nature.

~~B. The renting out of one (1) or two (2) rooms within a single-family residence (which one (1) or two (2) rooms do not themselves constitute a separate dwelling unit) to not more than two (2) persons who are not part of the family that resides in the single-family dwelling.~~

C. Yard sales or garage sales, so long as such sales are not conducted on the same lot more than three (3) days (whether consecutive or not) during any ninety-day period. (7-7-05; 9-17-15; 7-19-18; 11-15-18.)

Sec. 5-5005. - Supplementary use regulations for commercial use types.

DD. Short Term Rentals

1. A zoning permit is required. A zoning permit shall not be issued for a short term rental until the following procedure has been completed:
   a. The zoning administrator is to send written notification by certified letter to the last known address of each adjacent property owner advising them of the proposed short term rental and informing them that the permit may be issued if written comments are not received within thirty (30) days.
   b. The property shall also be posted with a sign pursuant to section 9-1006 for no less than fourteen (14) days prior to the expiration of the thirty-day period.
   c. If the zoning administrator receives no written objection from any property owner so notified within thirty (30) days of the date of sending the notification letter, and the zoning administrator determines that the proposed short term rental otherwise complies with the zoning ordinance and the requirements for sewage disposal, the zoning administrator may issue a zoning permit for the short term rental.
   d. If the zoning administrator receives written objection from any property owner so notified within thirty (30) days of the date of sending the notification letter, then the zoning administrator may not issue a zoning permit unless and until such time as a conditional use permit for the proposed short term rental is approved by the board of supervisors with a recommendation by the planning commission.
2. An authorized agent must be designated as a point of contact who is available to be contacted and to address conditions occurring at the short term rental within thirty (30) minutes. Physical responses to the site of the short term rental is not required. The Operator shall be notified in writing of failed attempts to receive timely responses from the authorized agent. Failure to respond in a timely manner shall result in a complaint subject to the penalties set forth below.
3. The Operator must register their short term rental unit with the Community Development Department and receive a registration number.

4. The Operator authorizes County employees to enter the subject property upon reasonable advanced written notice to the Operator, at least one (1) time during the calendar year for which registration is valid, to verify the short term rental is being operated in accordance with applicable regulations.
5. The zoning permit may not be transferred.
6. No more than one (1) short term rental may be operated on any lot.
7. Operators may enter into rental agreements with only one (1) party per legal dwelling unit per twenty four (24) hour period.
8. A residential dwelling unit located within a building that contains three (3) or more dwelling units may not be operated as a short term rental.
9. The maximum number of lodgers per night, over the age of eighteen (18) years, shall not exceed two persons per bedroom but in no case shall exceed sixteen persons ~~six (6~~). This number shall be reduced to conform to the occupancy requirements of the Virginia uniform Building code and/or the Virginia Department of Health.
10. The number of persons allowed to gather at a short term rental at any one time shall not exceed twice the maximum number of permitted overnight guests, including children. Only the maximum number of overnight guests shall be permitted at a short term rental between the hours of 10:00 PM and 7:00 AM. Short term rentals shall not be used as event centers as defined by the Zoning Ordinance.
11. Operators must obtain a business license and register for transient occupancy and state sales tax.
12. Short term rentals must meet current building and zoning regulations and be subject to a safety inspection from the County to confirm the installation of smoke alarms, fire extinguisher and a posted emergency exit plan prior to permit approval.
13. One off-street space per guest room is required in addition to the parking required for the house.
14. No visible evidence of the conduct of a short term rental is allowed on the outside of the property.
15. The owner/operator shall not prepare meals for guests.
16. Operator shall provide proof of liability insurance to rental activity at registration and each subsequent renewal of at least one million dollars. Such insurance coverage must remain in place at all times the short term rental is being operated.
17. Accessory structures, not including permitted accessory dwelling units, shall not be used or occupied as short term rentals.
18. All advertisements for any short term rental shall include the short term rental registration number for such dwelling.
19. A zoning permit for a short term rental may be revoked by the Zoning Administrator, or designee, for the following reasons:
    i. In the event of three (3) or more substantiated complaints of violation of applicable state or local laws, ordinances and regulations, as they relate to short term rentals, within a calendar year; or
    ii. Authorized agent's failure to respond in a timely manner more than twice; or
    iii. Failure to maintain compliance with any regulation set forth in this section. An Operator whose short term rental zoning permit has been revoked shall not be eligible

to receive any new short term rental zoning permit for the remaining portion of the calendar year in which the permit was revoked, and for the entire following year.

20. Except as provided in this section, nothing herein nor the issuance of a zoning permit shall be construed to prohibit, limit, or otherwise supersede existing local authority to regulate short term rental of property through general land use and zoning authority. Nothing in this section shall be construed to supersede or limit contracts or agreements between or among individuals or private entities related to the use of real property, including recorded declarations and covenants; the provisions of condominium instruments of a condominium created pursuant to the Condominium Act (§ 55-79.39 et seq.) of the Code of Virginia, 1950, as amended; the declaration of a common interest community as defined in Code of Virginia, 1950, § 55-528, as amended; the cooperative instruments of a cooperative created pursuant to the Virginia Real Estate Cooperative Act (§ 55-424 et seq.) of the Code of Virginia, 1950, as amended; or any declaration of a property owners' association created pursuant to the Property Owners' Association Act (§ 55-508 et seq.).

Use Descriptions	RAC	RR	VC	NC	SE	SR	UR	LC	GC	LI	GI	GIC	PDR	PDMH	PDCP	PDMX
AGRICULTURAL USE TYPES																
Agricultural Crop Service Tower and Antenna (*)	P	C	P	C												
Agricultural Farm Equipment Sales and Service	C		C					P	P	P	P	P			P	C
Agricultural Farm Product Processing, Warehousing and Distribution Service	P		P					C		P	P	P			P	
Agricultural Feed Seed and Farm Supply Service	C		P					P	P	P	P	P			P	C
Agricultural Service/Agent	P	P	P					P	P	P	P	P			P	
Agriculture	P	P	P	C						C	C	C				
Agritourism (See Part 2A)	P	P	P													
Aquaculture	P	P	P	C					C	C	C	C				
Aquaculture, Waterfront Business	C	C	P						C	C	C	C				
Commercial Feedlot (*)	P		C							C	P	C				
Fair, Agricultural	P		C													
Family Burial Plot	P															
Farm Employee Housing (*)	C	C	C													
Farmer's Market	P		P					P	P				P			P
Forestry Operation, Silvicultural and/or Timbering (*)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Greenhouse, Commercial and/or Nursery																
• In conjunction with residence	P	C	P	C	C											
• Not in conjunction with residence	P		P					P	P	P	P	P			P	C
Greenhouse, Private	P	P	P	P	P	C	C	C	C				C			C
Livestock Auction Market (*)	P		C							C	P	C			C	
Reptile Breeding (*)	C								C	C	C					
Sawmill, Private (*)	P															
Stable, Commercial (*)																
• In conjunction with residence	P	C	C	C	C								C			C
• Not in conjunction with residence	P		C					C	C							
Stable, Private (*)	P	P	C	C	C								C			
Viticulture	P	P	P	C						C	C	C				
Wayside Stand (*)	P	P	P	C												
RESIDENTIAL USE TYPES																
Accessory Apartment (*)																
• Residential Accessory Apartment	P	P	P*	C	P*	C	C						P*			P*
• Commercial Accessory Apartment			C					P	P				P		C	P
Boathouse (*)	P	P	P	P	P	P	C						C			C
Community Recreation (*)		C		C	C	C	C						P	P		P
Condominium (*)				C			P						P			P
Congregate Housing (*)			C			C	P						P			P

Dwelling, Multifamily Conversion (*)	C		C	C	C	C	P						C			C
Dwelling, Single-Family	P	P	P	P	P	P	P						P			P
Dwelling, Single-Family, Farm	P															
Dwelling Two-Family Duplex (*)	C	C	C	C		P	P						P			P
Family Day Care Home (*)	P	P	P	P	P	P	P						P			P
Group Home	P	P	P	P	P	P	P	C					C			C
Guest House (*)	P	P		C	C											
Home Occupation, Type I (*)	P	P	P	P	P	P	P						P	P		P
Home Occupation, Type II (*)	P	P	C	C												
Kennel, Private (*)	P	P														
Manufactured Home, Class A (*)	P	P	C											P		
Manufactured Home, Class B (*)	P													P		
Manufactured Home, Class C																
Manufactured Home, Family Member Residence (*)	P															
Manufactured Home, Temporary Residence (*)	P															
Manufactured Home Park														P		
Manufactured Home Subdivision														P		
Multifamily Dwelling (*)			C			C	P						P			P

Temporary Emergency Housing (*)	P	P	P	P	P	P	P						P			P
Townhouse (*)			C	C		C	P						P			P
CIVIC USE TYPES																
Administrative Service	P		P					P	P	P	P	P			P	P
Adult Care Center (*)	C		C					C	P	P	P	P	C		P	C
Assisted Living Facility	C		C					C	P				C			C
Cemetery (*)																
• Animal	C	C	C	C												
• Church	C	C	C	C	C	C	C	C	C				C			C
• Private	C	C	C	C				C	C	C					C	C
• Public	C	C	C	C				C	C	C					C	C
Child Care Center (*)	C	C	C	C	C			P	P	P			C		P	C
Child Care Institution (*)	C	C	C					C	C				C			C
Club	C	C	C	C	C	C	C	P	P				C		P	C
Community Center (*)	C		P					P	P				P		P	P
Correctional Facility	C										C	C				
Crisis Center	C	C	C					P	P						P	
Cultural Service	C	C	P	C	C	C	C	P	P				P			P
Educational Facility College/ University	C							C	C				C		C	C
Educational Facility Primary/Secondary (*)	C	C	C	C	C	C	P	P	P				P		P	P
Halfway House	C	C	C	C	C	C	C	P					C			C
Life Care Facility	C	C	C	C	C	C	P	P	P				P			P
Modular Classroom (*)	P	P	P	P	P	P	P	P	P				P		P	P
Nursing Home (*)	C	C	C	C	C	C	C	P	P				P		P	P
Park & Ride Facility	P		C					P	P	P	P	P	C	C	P	C

Post Office	P		P		C	C	C	P	P				P		P	P
Public Sports/Event Facility	C		C					C	P	P					P	C
Public Maintenance & Service Facility (*)	C		C					C	C	P	P	P			P	
Public Park and Recreational Area (*)	P	P	P	P	P	P	P	P	P				P			P
Public Safety Service	P	C	P	C	C	C	C	P	P	P	P	P	C		P	P
Religious Assembly (*)	C	C	C	C	C	C	C	C	C				C			C
Rehabilitation Service			C					P	P						P	P
Transit Station	C		C					C	P	P	P	P			P	P
Utility Service/Major (*)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Utility Service/Minor (*)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
OFFICE USE TYPES																
Financial Institution			C					P	P						P	P
General Office			C				C	P	P	P		P			P	P
Laboratory			C					P	P	P	P				P	C
Medical Office			C				C	P	P						P	C
COMMERCIAL USE TYPES																
Adult Entertainment Establishment (*)											C					
Auction Establishment	C		C					C	P	P	P	P			P	
Bed and Breakfast (*)	C	C	P	C	C	C	C	C	C				C			C
Boarding House	C	C	C	C	C	C	C						C			C
Boating and Fishing Facilities	C		C					C	C	C	P	P			P	C

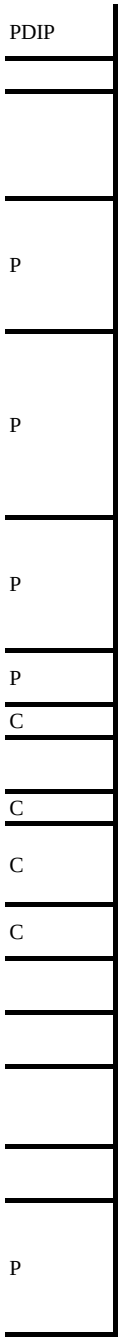
Business Support Service								P	P	C					P	P
Business or Trade School	C		C					C	P	P	P	P			P	C
Campground (*)	C															
Campground, Workforce (*)	C															
Car Wash			C					P	P	P	P				P	C
Catering								C	P						P	C
Commercial Equipment Repair, Accessory to Dwelling (*)	P	C	P	C	C	C										
Commercial Indoor Amusement			C					C	P	P					C	C
Commercial Indoor Entertainment			C					C	P	P			C		P	C
Commercial Indoor Sports & Recreation (*)	C		C				C	P	P	P			C		P	C
Commercial Outdoor Entertainment/ Sports & Recreation (*)	C							C	C	C	C				C	C
Commercial Outdoor Swimming Pool & Tennis Facility (*)	C	C	C	C	C	C	C	C	C				C		C	C
Construction Office, Temporary (*)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Construction Sales & Service								C	P	P	P	P			C	
Contractor Office and Storage Facility (*)	C		C					C	P	P	P	P			P	
Convenience Store (*)	C		C					C	C	P	P				C	C

Crematorium (*)	C		C					C	C	C					C	
Dance Hall								C	C	C						
Equipment Sales and Rental	C								C	P	P	P			C	
Event center	C		P					P	P						P	P
Flea Market (*)	C		C					C	C	C	C					
Funeral Home (*)	C		C					P	P	C					P	C
Garden Center (*)	C		C					P	P	P	P	P			P	P
Gasoline Station (*)	C		C					C	C	C	C				C	C
General Store, Country	C	C	P	C												
Golf Course (*)	C	C	C	C	C	C	C	P	P				P		P	P
Golf Driving Range (*)	C		C					P	P	P					P	C
Hospital								C	P						C	C
Hospital, Special Care								C	C						C	C
Hotel/Motel/Motor Lodge/Inn			C					C	P	C					P	C
Itinerant Merchant								P	P						P	P
Kennel, Commercial (*)	C							C	C	C	C				C	
Laundry									C	P	P					
Lawn and Garden Services	P							P	P	P	P					
Manufactured Home Sales									C	C					C	
Marina (*)	C	C	C	C	C	C	C	C	P	C			C		P	C
Medical Clinic			C					C	P						C	C
Micro-Brewery, Distillery, Cidery (*)								C	P	P	P	P			P	P
Mini-Warehouse (*)								C	C	P	P	P			P	

Motor Vehicle Dealership/New (*)								C	P						P	
Motor Vehicle Dealership/Used (*)								C	C						C	
Motor Vehicle/ Outdoor Storage									C	P	P	P			C	
Motor Vehicle Parts/ Supply, Retail (*)			C					P	P	P	P				P	P
Motor Vehicle/ Rental (*)								C	P	P	P				P	
Motor Vehicle Repair Service/Major (*)			C					C	P	P	P				C	
Motor Vehicle Repair Service/Minor (*)			C					C	P	P	P				C	C
Pawn Shop								C	P	P						
Peddler			P					P	P	P	P	P			P	P
Personal Improvement Service			C					P	P	C					P	P
Personal Service			C					P	P	C					P	P
Real Estate Office, Temporary	P	P	P	P	P	P	P						P	P		P
Recreational Vehicle Sales & Service								C	C						C	
Restaurant, Drive-In Fast Food (*)			C					C	P	C					P	P
Restaurant, General			C				C	C	P	C					P	P
Retail Sales			C				C	P	P	P					P	P
Short Term Rental (*)	P	P	P	P	P	P	P						P	P		P
Studio, Fine Arts	C		C				C	P	P	P					P	P
Tattoo Parlor								C	P	P	P				P	C

Taxidermy (*)	P		C					C	P	P	P					
Truck Stop								C	C	P	P					
Veterinary Hospital/ Clinic	P		C				P	P	P						P	P
Wholesale Sales	C		C					P	P	P	P	P			P	P
INDUSTRIAL USE TYPES																
Abattoir or Livestock Processing (*)	C										C	P				
Asphalt or Concrete Plant (*)											C	C				
Brewery, Distillery, Cidery										P	P	P				
Construction Yard (*)	C								C	P	P	P			C	
Custom Manufacturing	C		C					C	P	P	P				P	C
Industry, Type I	C									P	P	P			C	
Industry, Type II										C	P	P				
Industry, Type III											C	C				
Landfill, Industrial (*)	C									C	C	C				
Landfill, Rubble (*)	C									C	C	C				
Landfill, Sanitary (*)	C															
Meat Packing											P	P				
Recycling Center (*)	C									P	P	P				
Refuse and Recycling Center	C		C						C	P	P	P			C	
Resource Extraction (*)	C										C	C				
Sawmill, Commercial										C	P	P				
Scrap and Salvage Service (*)	C									C	C	C				

Shipping Container (*)	C	C		C	C	C		C	C	P	P	P			C	
Towing Service Storage										C	C	C				
Yard (*)																
Transfer Station	C									P	P	P				
Warehousing and Distribution	C									P	P	P				
MISCELLANEOUS USE TYPES																
Amateur Radio Tower (*)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Aviation Facility, Commercial (*)	C										C	C				
Aviation Facility, General (*)	C										C	C			C	
Aviation Facility, Private (*)	C	C									C	C			C	
Communication Tower (*)	C	C	C	C				C	C	C	C	C			C	C
Composting System, Confined Vegetative Waste or Yard (*)	C															
Hunt Club	P		C													
Parking Facility, Surface/Structure								C	C	C	C	C			C	C
Reconstructed Wetland (*)	P	C	C	C	C	C	C	C	C	C	C	C	P	C	C	P
Shooting Range, Outdoor (*)	C										C	C				
Turkey Shoot (*)	P										C	C				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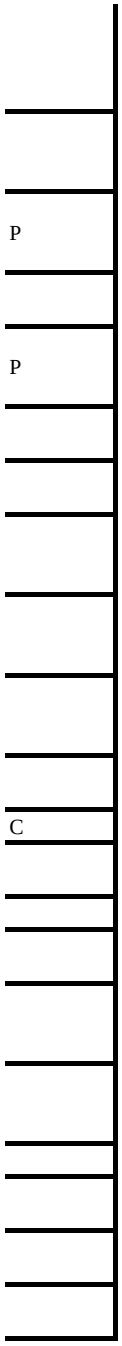
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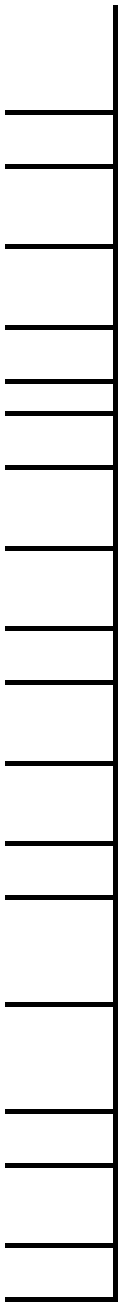

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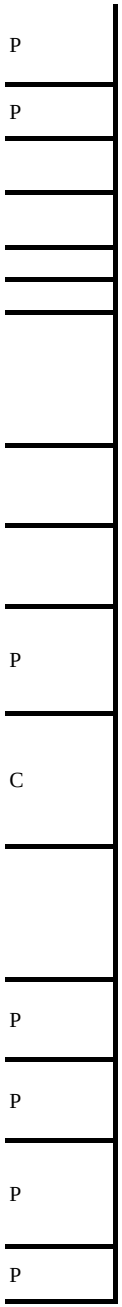
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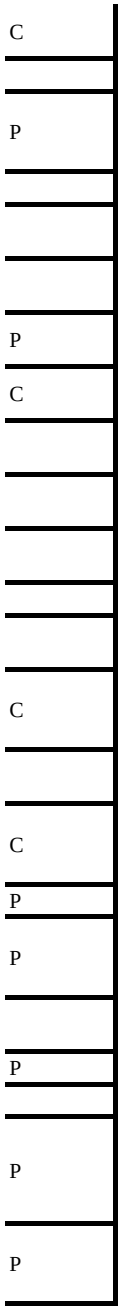
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AN ORDINANCE
TO AMEND THE FOLLOWING SECTIONS OF APPENDIX B. ZONING: ARTICLE III, SECTION 3-6000 (USE TYPES), FOR THE PURPOSE OF DEFINING SHORT TERM RENTAL AS A COMMERCIAL USE, ARTICLE IV (ZONING DISTRICTS AND BOUNDARIES) FOR THE PURPOSE OF ALLOWING SHORT TERM RENTALS AS A PERMITTED OR CONDITIONAL USE IN CERTAIN ZONING DISTRICTS, AND ARTICLE V (SUPPLEMENTARY USE REGULATIONS), SECTION 5-1005 AND 5-5005, FOR THE PURPOSE OF INCLUDING PERFORMANCE CRITERIA FOR SHORT TERM RENTAL USES IN THE COMMERCIAL SUPPLEMENTAL USE TYPE REGULATIONS

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

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

NOW, THEREFORE, BE IT ORDAINED by the Isle of Wight County Board of Supervisors that the following specific sections of the Articles of Appendix B, Zoning, of the Isle of Wight County Code be amended and reenacted as follows:

Article III. Use Types.

Sec. 3-6000. Commercial use types.

Adult entertainment establishment.\ An establishment having a substantial or significant portion of its stock in trade books, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or related to "specified sexual activities" or "specified anatomical areas," or an establishment with a segment or section devoted to the sale or display of such material. This use includes any adult bookstore, adult mini-motion-picture theater, adult picture theater, cabaret, drug paraphernalia store, and internet sweepstakes cafe.

Auction establishment.\ A structure or enclosure where goods are sold by auction on a recurring basis. Expressly excluded from this use are non-recurring auctions of property, possessions, estates, and other items located at the premises where the auction is being conducted.

Bed and breakfast.\ A dwelling or portion thereof, in which lodging is provided by the owner or operator who resides on the premises. This use offers short-term lodging rooms and meals for transient guests, none of who remain for more than fourteen (14) consecutive nights each. This definition shall include the term tourist home.

Boarding house.\ A single-family dwelling unit, or part thereof, with three (3) or more rooms that are rented individually or collectively by long-term residents (at least month-to-month

tenants) as opposed to overnight or weekly guests. A boarding house may make provisions for serving meals.

Boat repair yard.\ See "marina" listed under commercial use types.

Boating and fishing facilities.\ Facilities catering to the general public, whether an admission is charged or not, where provisions are made for fishing from the shoreline or from a pier and/or launching or rental of boats are available on-site.

Business support service.\ Establishment or place of business engaged in the sale, rental or repair of office equipment, supplies and materials, or the provision of services used by office, professional and service establishments. Typical uses include office equipment and supply firms, small business machine repair shops, convenience printing and copying establishments, mail and packaging stores, as well as temporary labor services.

Business or trade school.\ A use providing education or training in business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as an educational facility, either primary and secondary, or college and university, or as a home occupation.

Campground.\ Any site, lot, parcel or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins, tents, and recreational equipment, recreational vehicles, and which is primarily used for recreational purposes and retains an open air or natural character.

Campground, workforce.\ A small campground facility intended for the temporary workforce routinely required by establishments in the community for periods of up to one hundred and twenty (120) days at a time, and are intended to have only the minimum essential services necessary for recreational vehicles.

Car wash.\ Washing and cleaning of vehicles. Typical uses include automatic conveyor machines and self-service car washes.

Catering.\ Any establishment engaged in the preparation of food and beverages, or where food containers or supplies are kept, handled, prepared, packaged or stored for off-site distribution to individuals, events, and satellite operations.

Commercial equipment repair, accessory to dwelling.\ The repair and/or maintenance of mechanical, electrical, or electronic devices and equipment, such as, computers, televisions, lawnmowers, household appliances, machine parts, and other similar devices.

Commercial indoor amusement.\ Establishments which provide games of chance, skill or scoring other than an incidental use of the premises. Games would include pinball and video machines, pool and billiard tables and other similar amusement or entertainment devices, whether or not they are coin-operated, and also card games, bingo, and off-track betting. Typical uses include game rooms, pool halls, video arcades, and bingo parlors.

Commercial indoor entertainment.\ Predominantly spectator uses conducted within an enclosed building. Typical uses include motion picture theaters, drama theaters, concert or music halls.

Commercial indoor sports and recreation.\ Predominantly participant uses conducted within an enclosed building. Typical uses include bowling alleys, ice- and roller-skating rinks, indoor

racquetball, squash courts, swimming, and/or tennis facilities, archery and indoor shooting ranges and similar uses.

Commercial outdoor entertainment/sports and recreation.\ Predominantly spectator uses conducted in open or partially enclosed or screened facilities. Typical uses include motor vehicle, boat, motorcycle or animal racing facilities/complexes, drive-in movies, miniature golf, amphitheaters and outdoor amusement parks, motorized cart and motorcycle tracks, and motorized model airplane flying facilities. Professional and semi-professional athletic fields shall also be included in this use.

Commercial outdoor swimming pool and tennis facility.\ Outdoor pools or tennis facilities operated by a commercial entity that are open to the general public usually requiring membership or some form of payment.

Construction office, temporary.\ A trailer used as a temporary office during a construction operation. This use includes construction office trailers occupied in conjunction with residential or nonresidential development.

Construction sales and service.\ Establishments or places of business primarily engaged in retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures, but specifically excluding motor vehicle or equipment supplies otherwise classified herein. Typical uses include building material stores and home supply establishments.

Contractor office and storage facility.\ An establishment or place of business engaged in the construction of residential or commercial structures including trades that assist in building construction or remodeling including carpentry, electrical, masonry, painting, metalworking, flooring installation, ductwork, plumbing, heating, au conditioning, roofing, and other similar trades.

Convenience store.\ Establishments primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as prepackaged food and beverages, limited household supplies and hardware.

Crematorium.\ A location used for cremation containing properly installed, certified apparatus for this process.

Dance hall.\ Any establishment open to the general public where dancing is permitted and a cover charge is directly or indirectly required for entry into the establishment. However, a restaurant licensed to serve food and beverages having a dance floor with an area not exceeding ten percent (10%) of the total floor area of the establishment shall not be considered a dance hall.

Equipment sales and rental.\ Establishments primarily engaged in the sale or rental of tools, trucks, tractors, construction equipment, and similar industrial equipment. Included in this use type is the incidental storage, maintenance, and servicing of such equipment.

Event center.\ A multipurpose facility with flexible indoor/outdoor space, typically used for activities such as weddings, conventions, meetings, job fairs, and trade shows.

Flea market.\ Occasional or periodic commercial activities held in an open area or enclosed structure where groups of sellers rent space on a short-term basis to display, barter, or sell goods to the general public. A fee may be charged for expected buyers for admission, or a fee may be charged for the privilege of offering or displaying such merchandise. A flea market is composed of semi-closed or outdoor stalls, stands, or spaces.

Funeral home.\ Establishments engaged in undertaking services such as preparing the dead for burial, and arranging and managing funerals. This use excludes crematorium, which is defined separately.

Garden center.\ Establishments engaged primarily in the retail sale of trees, shrubs, seeds, fertilizers, pesticides, plants, plant materials, and garden supplies, primarily for agricultural, residential and commercial consumers.

Gasoline station.\ A facility for the retail sale of motor vehicle fuels, oils, and accessories, where repair is incidental, where no more than two (2) abandoned vehicles or other motor vehicles shall be stored on the premises. May include the sale of propane or kerosene as an accessory use.

General store, country.\ A single store, the ground floor area of which is four thousand (4,000) square feet or less and which offers for sale, primarily, most of the following articles: bread, milk, cheese, candy, papers and magazines, and general hardware articles. Gasoline may also be offered for sale but only as a secondary activity of a country general store.

Golf course.\ A tract of land for playing golf, improved with tees, greens, fairways, hazards, and which may include clubhouses and shelters. Included would be executive or par three (3) golf courses.

Golf driving range.\ A limited area on which golf players do not walk, but onto which they drive golf balls from a common driving tee.

Hospital.\ A building or group of buildings having room facilities for one (1) or more patients, used for providing services for the inpatient medical or surgical care of sick or injured humans and which may include related facilities such as laboratories, outpatient departments, training facilities, central service facilities, ambulance stops and helicopter landing sites, and other incidental and subordinate uses integral to hospital operations.

Hospital, special care.\ A special care hospital shall mean an institution rendering care primarily for patients with mentally-related illness, or under treatment for alcoholism, substance abuse, etc.

Hotel/motel/motor lodge/inn.\ A building or group of attached or detached buildings containing lodging units intended primarily for rental or lease to transients by the day or week. Such uses generally provide additional services such as daily maid service, restaurants, taverns, or public banquet halls, ballrooms, and meeting rooms and/or recreation facilities.

Itinerant merchant.\ A person who shall engage in, do or transact any temporary or transient business in the county, either in one (1) locality or in traveling from place to place in the sale of goods, services, wares and merchandise, and who, for the purpose of carrying on such business, shall hire, lease, use or occupy any building or structure, motor vehicle, tent, car, boat or public room, or any part thereof, including rooms in hotels, lodging houses or houses of private entertainment, any street, alley or other public place in any city or town or any public road in any county, for a period of less than one (1) year, for the exhibition of or sale of such goods, wares or merchandise.

Kennel, commercial.\ The boarding, breeding, raising, grooming or training of two (2) or more dogs, cats, or other household pets of any age not owned by the owner or occupant of the premises.

Laundry.\ Establishments primarily engaged in the provision of laundering, cleaning or dyeing services other than those classified as personal services. Typical uses include bulk laundry and cleaning plants, diaper services, or linen supply services.

Lawn and garden services.\ Establishments primarily engaged in performing a variety of lawn and garden services, including Bermuda sprigging services, cemetery upkeep, garden maintenance, garden planting, lawn care, lawn fertilizing services, lawn mowing services, lawn mulching services, lawn seeding services, lawn spraying services, lawn sprigging services, mowing highway center strips and edges, seeding highway strips, sod laying and turf installation.

Manufactured home sales.\ Establishment primarily engaged in the display, retail sale, rental, and minor repair of new and used manufactured homes, parts, and equipment.

Marina.\ A use for docking or mooring of more than four (4) boats (excluding paddle or rowboats) or providing services to boats, including servicing and repair, sale of fuel and supplies, and provisions of lodging, goods, beverages. A yacht or boat club shall be considered a marina.

Medical clinic.\ A facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an outpatient basis including emergency treatment, diagnostic services, training, administration and services to outpatients, employees, or visitors. This use may include ambulance stops, helicopter landing sites, and other incidental and subordinate uses integral to providing outpatient care. This would include medical offices in excess of ten thousand (10,000) square feet of floor area.

Micro-brewery, distillery, cidery.\ See "Brewery, distillery, cidery" listed under industrial use types. A micro-brewery, distillery, cidery shall not exceed fifteen thousand (15,000) barrels per year in production.

Mini-warehouse.\ A building designed to provide rental storage space in cubicles where each cubicle has a maximum floor area of four hundred (400) square feet. Each cubicle shall be enclosed by walls and ceiling and have a separate entrance for the loading and unloading of stored goods.

Motor vehicle dealership, new.\ The use of a building, land area or other premises for the display of new and used automobiles, trucks, vans, or motorcycles for sale or lease, including warranty repair work and other major and minor repair service conducted as an accessory use.

Motor vehicle dealership, used.\ Any lot or establishment where two (2) or more used motor vehicles, including automobiles, trucks, and motorcycles are displayed at one (1) time for sale or lease, including warranty repair work and other major and minor repair service conducted as an accessory use.

Motor vehicle/outdoor storage.\ The outdoor storage of ten (10) or more operable motor vehicles, and/or watercraft, except when used in conjunction with a bonafide agricultural operation. Motor vehicles in this use shall include such items as cars, trucks, sports utility vehicles, motorcycles, watercraft, motor homes or RVs. This use shall specifically include vehicle impound areas for operable vehicles.

Motor vehicle parts/supply, retail.\ Retail sales of automobile parts and accessories. Typical uses include automobile parts and supply stores which offer new and factory rebuilt parts and accessories, and include establishments which offer minor automobile repair services.

Motor vehicle/rental.\ Rental of motor vehicles and light trucks and vans, including incidental parking and servicing of vehicles for rent or lease. Typical uses include auto rental agencies and taxicab dispatch areas.

Motor vehicle repair service/major.\ Repair of construction equipment, commercial trucks, agricultural implements and similar heavy equipment, including automobiles, where major engine and transmission repairs are conducted. Typical uses include automobile and truck repair garages, transmission shops, radiator shops, body and fender shops, equipment service centers, machine shops and other similar uses where major repair activities are conducted.

Motor vehicle repair service/minor.\ Repair of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. Typical uses include tire sales and installation, wheel and brake shops, oil and lubrication services, automobile glass repair and similar repair and service activities where minor repairs and routine maintenance are conducted.

Pawn shop.\ A use engaged in the loaning of money on the security of property pledged in the keeping of the pawnbroker and the incidental sale of such property.

Peddler.\ A person who shall carry from place to place any goods, wares or merchandise and offer to sell or barter the same or actually sell or barter the same. All persons who do not keep a regular place of business, whether it is a house or a vacant lot or elsewhere, open at all times in regular business hours and at the same place, who shall offer for sale goods, wares and merchandise, shall be deemed a "peddler."

Personal improvement service.\ Establishment primarily engaged in the provision of informational, instructional, personal improvements and similar services. Typical uses include driving schools, health fitness centers or gyms, reducing salons, dance studios, handicraft and hobby instruction, and baseball and basketball instruction facilities.

Personal service.\ Establishment or place of business engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barber shops; grooming of pets; seamstresses, tailors, or shoe repairs; florists; and laundromats and dry-cleaning stations serving individuals and households, massage therapy and chiropractic services.

Real estate office, temporary.\ A Class A or B manufactured home, single-family home or other structure used on a temporary basis as a real estate sales office in conjunction with residential development.

Recreational vehicle sales and service.\ Retail sales of recreational vehicles and boats, including service and storage of vehicles and parts and related accessories.

Restaurant, drive-in fast food.\ An establishment primarily engaged in the preparation of food and beverages, for either take-out, delivery or table service, primarily served in disposable containers at a counter, a drive-up or drive-through service facility or offers curb service.

Restaurant, general.\ An establishment engaged in the preparation of food and beverages. This use is characterized by table service to customers in nondisposable containers.

Retail sales.\ Sale or rental with incidental service of goods and merchandise for personal or household use which is not otherwise specifically described in the listing of commercial use types contained herein. Such uses include bakeries, drug stores, bookstores, furniture, gifts, hardware, grocery stores, clothing stores, and floral retail shops.

Short Term Rental.\ The provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than thirty consecutive days, in exchange for a charge for the occupancy. A short term rental operator shall be further defined as the proprietor of any dwelling, lodging, or sleeping accommodations offered as a short-term rental, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other possessory capacity.

Studio, fine arts.\ A building, or portion thereof, used as a place of business for visual art, which may include sculptors, artists or photographers.

Tattoo parlor.\ Any establishment placing designs, letters, scrolls, figures, symbols or any other mark upon or under the skin of any person with ink or other substance resulting in the permanent coloration of the skin, including permanent makeup or jewelry, by the aid of needles or any other instrument designed to touch or puncture skin, except when performed by a medical doctor, veterinarian, registered nurse or other medical professional licensed pursuant to Title 54.1 of the Code of Virginia in the performance of professional duties. Such establishment may also perform body piercing.

Taxidermy.\ A building where animal skins are prepared, stuffed and mounted for sale.

Truck stop.\ An establishment containing a mixture of uses which cater to the traveling public and in particular motor freight operators. A truck stop might include such uses as fuel pumps, restaurants, overnight accommodations, retail sales related to the motor freight industry, and similar uses.

Truck terminal.\ See "warehousing and distribution" listed under industrial use types.

Veterinary hospital/clinic.\ Any establishment rendering surgical and medical treatment of animals. Boarding of animals shall only be conducted indoors, on a short-term basis, and shall only be incidental to such hospital/clinic use, unless also authorized and approved as a commercial kennel.

Wholesale sales.\ Businesses engaged in the sale of goods primarily via mail order to other businesses and/or businesses engaged in the repackaging and resale of goods. Included in this use type are businesses that publish and operate mail order catalogues and wholesale operations that buy in large quantities for repackage or resale to mail order and internet sales customers. This use shall exclude warehousing and distribution, which is regulated as a separate use.

Article IV. - Zoning Districts and Boundaries.

Part 1. - Zoning Districts and Boundaries. Sec. 4-1005. - Table of permissible uses.

Table 1
Table of Permissible Uses

P = Permitted, C = Conditional Use, (*) = Supplementary Use Regulations																	
Use Descriptions	RAC	RR	VC	NC	SE	SR	UR	LC	GC	LI	GI	GIC	PDR	PDMH	PDCP	PDMX	PDIP
AGRICULTURAL USE TYPES																	
Agricultural Crop Service Tower and Antenna (*)	P	C	P	C													
Agricultural Farm Equipment Sales and Service	C		C					P	P	P	P	P			P	C	P
Agricultural Farm Product Processing, Warehousing and Distribution Service	P		P					C		P	P	P			P		P
Agricultural Feed Seed and Farm Supply Service	C		P					P	P	P	P	P			P	C	P
Agricultural Service/Agent	P	P	P					P	P	P	P	P			P		P
Agriculture	P	P	P	C						C	C	C					C
Agritourism (See Part 2A)	P	P	P														
Aquaculture	P	P	P	C					C	C	C	C					C
Aquaculture, Waterfront Business	C	C	P						C	C	C	C					C
Commercial Feedlot (*)	P		C							C	P	C					C
Fair, Agricultural	P		C														
Family Burial Plot	P																
Farm Employee Housing (*)	C	C	C														
Farmer's Market	P		P					P	P				P			P	
Forestry Operation, Silvicultural and/or Timbering (*)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Greenhouse, Commercial and/or Nursery																	
• In conjunction with residence	P	C	P	C	C												

• In conjunction with residence	P	C	P	C	C												
• Not in conjunction with residence	P		P					P	P	P	P	P			P	C	P
Greenhouse, Private	P	P	P	P	P	C	C	C	C				C			C	
Livestock Auction Market (*)	P		C							C	P	C			C		P
Reptile Breeding (*)	C									C	C						
Sawmill, Private (*)	P																
Stable, Commercial (*)																	
• In conjunction with residence	P	C	C	C	C								C			C	
• Not in conjunction with residence	P		C					C	C								
Stable, Private (*)	P	P	C	C	C								C				
Viticulture	P	P	P	C						C	C	C					C
Wayside Stand (*)	P	P	P	C													
RESIDENTIAL USE TYPES																	
Accessory Apartment (*)																	
• Residential Accessory Apartment	P	P	P*	C	P*	C	C						P*			P*	
• Commercial Accessory Apartment			C					P	P				P		C	P	
Boathouse (*)	P	P	P	P	P	P	C						C			C	
Community Recreation (*)		C		C	C	C	C						P	P		P	
Condominium (*)				C			P						P			P	
Congregate Housing (*)			C			C	P						P			P	
Dwelling, Multifamily Conversion (*)	C		C	C	C	C	P						C			C	

Dwelling, Single-Family	P	P	P	P	P	P	P						P			P	
Dwelling, Single-Family, Farm	P																
Dwelling Two-Family Duplex (*)	C	C	C	C		P	P						P			P	
Family Day Care Home (*)	P	P	P	P	P	P	P						P			P	
Group Home	P	P	P	P	P	P	P	C					C			C	
Guest House (*)	P	P		C	C												
Home Occupation, Type I (*)	P	P	P	P	P	P	P						P	P		P	
Home Occupation, Type II (*)	P	P	C	C													
Kennel, Private (*)	P	P															
Manufactured Home, Class A (*)	P	P	C											P			
Manufactured Home, Class B (*)	P													P			
Manufactured Home, Class C																	
Manufactured Home, Family Member Residence (*)	P																
Manufactured Home, Temporary Residence (*)	P																
Manufactured Home Park														P			
Manufactured Home Subdivision														P			
Multifamily Dwelling (*)			C			C	P						P			P	
Temporary Emergency Housing (*)	P	P	P	P	P	P	P						P			P	
Townhouse (*)			C	C		C	P						P			P	
CIVIC USE TYPES																	
Administrative Service	P		P					P	P	P	P	P			P	P	P
Adult Care Center (*)	C		C					C	P	P	P	P	C		P	C	P
Assisted Living Facility	C		C					C	P				C			C	
Cemetery (*)																	

• Animal	C	C	C	C													
• Church	C	C	C	C	C	C	C	C	C				C			C	
• Private	C	C	C	C				C	C	C					C	C	C
• Public	C	C	C	C				C	C	C					C	C	C
Child Care Center (*)	C	C	C	C	C	C		P	P	P			C		P	C	C
Child Care Institution (*)	C	C	C					C	C				C			C	
Club	C	C	C	C	C	C	C	P	P				C		P	C	
Community Center (*)	C		P					P	P				P		P	P	
Correctional Facility	C										C	C					C
Crisis Center	C	C	C					P	P						P		
Cultural Service	C	C	P	C	C	C	C	P	P				P			P	
Educational Facility College/ University	C							C	C				C		C	C	
Educational Facility Primary/Secondary (*)	C	C	C	C	C	C	P	P	P				P		P	P	
Halfway House	C	C	C	C	C	C	C	P					C			C	
Life Care Facility	C	C	C	C	C	C	P	P	P				P			P	
Modular Classroom (*)	P	P	P	P	P	P	P	P	P				P		P	P	
Nursing Home (*)	C	C	C	C	C	C	C	P	P				P		P	P	
Park & Ride Facility	P		C					P	P	P	P	P	C	C	P	C	P
Post Office	P		P		C	C	C	P	P				P		P	P	
Public Sports/Event Facility	C		C					C	P	P					P	C	P
Public Maintenance & Service Facility (*)	C		C					C	C	P	P	P			P		P
Public Park and Recreational Area (*)	P	P	P	P	P	P	P	P	P				P			P	
Public Safety Service	P	C	P	C	C	C	C	P	P	P	P	P	C		P	P	P
Religious Assembly (*)	C	C	C	C	C	C	C	C	C				C			C	
Rehabilitation Service			C					P	P						P	P	
Transit Station	C		C					C	P	P	P	P			P	P	P
Utility Service/Major (*)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P
Utility Service/Minor (*)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
OFFICE USE TYPES																	
Financial Institution			C					P	P						P	P	
General Office			C				C	P	P	P		P			P	P	C

Laboratory			C					P	P	P	P				P	C	P
Medical Office			C				C	P	P						P	C	
COMMERCIAL USE TYPES																	
Adult Entertainment Establishment (*)											C						
Auction Establishment	C		C					C	P	P	P	P			P		P
Bed and Breakfast (*)	C	C	P	C	C	C	C	C	C				C			C	
Boarding House	C	C	C	C	C	C	C						C			C	
Boating and Fishing Facilities	C		C					C	C	C	P	P			P	C	P
Business Support Service								P	P	C					P	P	P
Business or Trade School	C		C					C	P	P	P	P			P	C	P
Campground (*)	C																
Campground, Workforce (*)	C																
Car Wash			C					P	P	P	P				P	C	
Catering								C	P						P	C	
Commercial Equipment Repair, Accessory to Dwelling (*)	P	C	P	C	C	C											
Commercial Indoor Amusement			C					C	P	P					C	C	
Commercial Indoor Entertainment			C					C	P	P			C		P	C	
Commercial Indoor Sports & Recreation (*)	C		C				C	P	P	P			C		P	C	P
Commercial Outdoor Entertainment/Sports & Recreation (*)	C							C	C	C	C				C	C	C
Commercial Outdoor Swimming Pool & Tennis Facility (*)	C	C	C	C	C	C	C	C	C				C		C	C	
Construction Office, Temporary (*)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Construction Sales & Service								C	P	P	P	P			C		P
Contractor Office and Storage Facility (*)	C		C					C	P	P	P	P			P		P

Convenience Store (*)	C		C					C	C	P	P				C	C	P
Crematorium (*)	C		C					C	C	C					C		C
Dance Hall								C	C	C							
Equipment Sales and Rental	C								C	P	P	P			C		P
Event center	C		P					P	P						P	P	
Flea Market (*)	C		C					C	C	C	C						
Funeral Home (*)	C		C					P	P	C					P	C	
Garden Center (*)	C		C					P	P	P	P	P			P	P	P
Gasoline Station (*)	C		C					C	C	C	C				C	C	C
General Store, Country	C	C	P	C													
Golf Course (*)	C	C	C	C	C	C	C	P	P				P		P	P	
Golf Driving Range (*)	C		C					P	P	P					P	C	
Hospital								C	P						C	C	
Hospital, Special Care								C	C						C	C	
Hotel/Motel/Motor Lodge/Inn			C					C	P	C					P	C	C
Itinerant Merchant								P	P						P	P	
Kennel, Commercial (*)	C							C	C	C	C				C		C
Laundry									C	P	P						P
Lawn and Garden Services	P							P	P	P	P						P
Manufactured Home Sales									C	C					C		
Marina (*)	C	C	C	C	C	C	C	C	P	C			C		P	C	P
Medical Clinic			C					C	P						C	C	
Micro-Brewery, Distillery, Cidery (*)								C	P	P	P	P			P	P	P
Mini-Warehouse (*)								C	C	P	P	P			P		P
Motor Vehicle Dealership/New (*)								C	P						P		
Motor Vehicle Dealership/Used (*)								C	C						C		
Motor Vehicle/ Outdoor Storage									C	P	P	P			C		P
Motor Vehicle Parts/ Supply, Retail (*)			C					P	P	P	P				P	P	P
Motor Vehicle/ Rental (*)								C	P	P	P				P		P
Motor Vehicle Repair Service/Major (*)			C					C	P	P	P				C		P

Motor Vehicle Repair Service/Minor (*)			C					C	P	P	P				C	C	P
Pawn Shop								C	P	P							
Peddler								P	P						P	P	
Personal Improvement Service			C					P	P	C					P	P	P
Personal Service			C					P	P	C					P	P	P
Real Estate Office, Temporary	P	P	P	P	P	P	P						P	P		P	
Recreational Vehicle Sales & Service								C	C						C		
Restaurant, Drive-In Fast Food (*)			C					C	P	C					P	P	P
Restaurant, General			C				C	C	P	C					P	P	P
Retail Sales			C				C	P	P	P					P	P	
Short Term Rentals(*)	P	P	P	P	P	P	P						P	P		P	
Studio, Fine Arts	C		C				C	P	P	P					P	P	
Tattoo Parlor								C	P	P	P				P	C	P
Taxidermy (*)	P		C					C	P	P	P						
Truck Stop								C	C	P	P						P
Veterinary Hospital/ Clinic	P		C				P	P	P						P	P	
Wholesale Sales	C		C					P	P	P	P	P			P	P	P
INDUSTRIAL USE TYPES																	
Abattoir or Livestock Processing (*)	C										C	P					C
Asphalt or Concrete Plant (*)											C	C					C
Brewery, Distillery, Cidery										P	P	P					P
Construction Yard (*)	C								C	P	P	P			C		P
Custom Manufacturing	C		C					C	P	P	P				P	C	P
Industry, Type I	C									P	P	P			C		P
Industry, Type II										C	P	P					P
Industry, Type III											C	C					C
Landfill, Industrial (*)	C									C	C	C					
Landfill, Rubble (*)	C									C	C	C					C
Landfill, Sanitary (*)	C																
Meat Packing											P	P					P
Recycling Center (*)	C									P	P	P					P
Refuse and Recycling Center	C		C						C	P	P	P			C		P

Resource Extraction (*)	C										C	C					C
Sawmill, Commercial										C	P	P					
Scrap and Salvage Service (*)	C									C	C	C					C
Shipping Container (*)	C	C		C	C	C		C	C	P	P	P			C		P
Towing Service Storage										C	C	C					
Yard (*)																	
Transfer Station	C									P	P	P					P
Warehousing and Distribution	C									P	P	P					P
MISCELLANEOUS USE TYPES																	
Amateur Radio Tower (*)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Aviation Facility, Commercial (*)	C										C	C					C
Aviation Facility, General (*)	C										C	C			C		C
Aviation Facility, Private (*)	C	C									C	C			C		C
Communication Tower (*)	C	C	C	C				C	C	C	C	C			C	C	C
Composting System, Confined Vegetative Waste or Yard (*)	C																
Hunt Club	P		C														
Parking Facility, Surface/Structure								C	C	C	C	C			C	C	P
Reconstructed Wetland (*)	P	C	C	C	C	C	C	C	C	C	C	C	P	C	C	P	C
Shooting Range, Outdoor (*)	C										C	C					C
Turkey Shoot (*)	P										C	C					C

Sec. 4-2002. Permitted uses

D. Commercial uses:
* Commercial equipment repair, accessory to dwelling
* Construction office, temporary
Lawn and garden services
Real estate office, temporary
* Short-Term Rental

* Taxidermy
Veterinary hospital/clinic
E. Miscellaneous uses:
* Amateur radio tower
Hunt club
* Reconstructed wetland
* Turkey shoot

Sec. 4-3002. - Permitted uses

D. Commercial uses:
* Construction office, temporary
Real estate office temporary
* Short-Term Rental

Sec. 4-4002. – Permitted uses

D. Commercial uses:
* Bed and breakfast
* Commercial equipment repair, accessory to dwelling
* Construction office, temporary
Event center
General store, country
Real estate office, temporary
*Short Term Rental

Sec. 4-5002. – Permitted uses

D. Commercial uses:
* Construction office, temporary
Real estate office, temporary
*Short-Term Rental

Sec. 4-6002. – Permitted uses

D. Commercial uses:
* Construction office, temporary
Real estate office, temporary
* Short-Term Rental

Sec. 4-7002. – Permitted uses

D. Commercial uses:
* Construction office, temporary
Real estate office, temporary
* Short-Term Rental

Sec. 4-8002. - Permitted uses

E. Commercial uses:
* Construction office, temporary
Real estate office, temporary
* Short-Term Rental
Veterinary hospital/clinic

Sec. 4-15002. – Permitted uses

D. Commercial uses:
* Construction office, temporary
* Golf course
Real estate office, temporary
*Short-Term Rental

Sec. 4-16002. – Permitted uses

D. Commercial Uses
* Construction office, temporary
Real estate office, temporary
* Short-Term Rental

Sec. 4-18002. - Permitted uses

E. Commercial uses:
* Antique shop
Business support service
* Construction office, temporary
Event center
Garden center
* Golf course
Itinerant merchant
* Micro-brewery, distillery, cidery
* Motor vehicle parts/supply, retail
Peddler
Personal improvement service
Personal service
Real estate office, temporary
* Restaurant, drive-in fast food
Restaurant, general
Retail sales
*Short-Term Rental
Studio, fine arts
Veterinary hospital/clinic

Wholesale sales

Article V. - Supplementary Use Regulations.

Sec. 5-1005. - Accessory uses to residential principal uses.

The following activities, so long as they satisfy the general criteria set forth above, are specifically regarded as accessory uses to residential principal uses:

A. Hobbies or recreational activities of a noncommercial nature.
B. Yard sales or garage sales, so long as such sales are not conducted on the same lot more than three (3) days (whether consecutive or not) during any ninety-day period.

Sec. 5-5005. - Supplementary use regulations for commercial use types.

DD. Short Term Rentals

1. A zoning permit is required. A zoning permit shall not be issued for a short term rental until the following procedure has been completed:
   a. The zoning administrator is to send written notification by certified letter to the last known address of each adjacent property owner advising them of the proposed short term rental and informing them that the permit may be issued if written comments are not received within thirty (30) days.
   b. The property shall also be posted with a sign pursuant to section 9-1006 for no less than fourteen (14) days prior to the expiration of the thirty-day period.
   c. If the zoning administrator receives no written objection from any property owner so notified within thirty (30) days of the date of sending the notification letter, and the zoning administrator determines that the proposed short term rental otherwise complies with the zoning ordinance and the requirements for sewage disposal, the zoning administrator may issue a zoning permit for the short term rental.
   d. If the zoning administrator receives written objection from any property owner so notified within thirty (30) days of the date of sending the notification letter, then the zoning administrator may not issue a zoning permit unless and until such time as a conditional use permit for the proposed short term rental is approved by the board of supervisors with a recommendation by the planning commission.
2. An authorized agent must be designated as a point of contact who is available to be contacted and to address conditions occurring at the short term rental within thirty (30) minutes. Physical responses to the site of the short term rental is not required. The Operator shall be notified in writing of failed attempts to receive timely responses from the authorized agent. Failure to respond in a timely manner shall result in a complaint subject to the penalties set forth below.
3. The Operator must register their short term rental unit with the Community Development Department and receive a registration number.
4. The Operator authorizes County employees to enter the subject property upon reasonable advanced written notice to the Operator, at least one (1) time during the

calendar year for which registration is valid, to verify the short term rental is being operated in accordance with applicable regulations.

5. The zoning permit may not be transferred.
6. No more than one (1) short term rental may be operated on any lot.
7. Operators may enter into rental agreements with only one (1) party per legal dwelling unit per twenty four (24) hour period.
8. A residential dwelling unit located within a building that contains three (3) or more dwelling units may not be operated as a short term rental.
9. The maximum number of lodgers per night, over the age of eighteen (18) years, shall not exceed two persons per bedroom but in no case shall exceed sixteen persons ~~six (6)~~. This number shall be reduced to conform to the occupancy requirements of the Virginia uniform Building code and/or the Virginia Department of Health.
10. The number of persons allowed to gather at a short term rental at any one time shall not exceed twice the maximum number of permitted overnight guests, including children. Only the maximum number of overnight guests shall be permitted at a short term rental between the hours of 10:00 PM and 7:00 AM. Short term rentals shall not be used as event centers as defined by the Zoning Ordinance.
11. Operators must obtain a business license and register for transient occupancy and state sales tax.
12. Short term rentals must meet current building and zoning regulations and be subject to a safety inspection from the County to confirm the installation of smoke alarms, fire extinguisher and a posted emergency exit plan prior to permit approval.
13. One off-street space per guest room is required in addition to the parking required for the house.
14. No visible evidence of the conduct of a short term rental is allowed on the outside of the property.
15. The owner/operator shall not prepare meals for guests.
16. Operator shall provide proof of liability insurance to rental activity at registration and each subsequent renewal of at least one million dollars. Such insurance coverage must remain in place at all times the short term rental is being operated.
17. Accessory structures, not including permitted accessory dwelling units, shall not be used or occupied as short term rentals.
18. All advertisements for any short term rental shall include the short term rental registration number for such dwelling.
19. A zoning permit for a short term rental may be revoked by the Zoning Administrator, or designee, for the following reasons:
    i. In the event of three (3) or more substantiated complaints of violation of applicable state or local laws, ordinances and regulations, as they relate to short term rentals, within a calendar year; or
    ii. Authorized agent's failure to respond in a timely manner more than twice; or
    iii. Failure to maintain compliance with any regulation set forth in this section. An Operator whose short term rental zoning permit has been revoked shall not be eligible to receive any new short term rental zoning permit for the remaining

portion of the calendar year in which the permit was revoked, and for the entire following year.

20. Except as provided in this section, nothing herein nor the issuance of a zoning permit shall be construed to prohibit, limit, or otherwise supersede existing local authority to regulate short term rental of property through general land use and zoning authority. Nothing in this section shall be construed to supersede or limit contracts or agreements between or among individuals or private entities related to the use of real property, including recorded declarations and covenants; the provisions of condominium instruments of a condominium created pursuant to the Condominium Act (§ 55-79.39 et seq.) of the Code of Virginia, 1950, as amended; the declaration of a common interest community as defined in Code of Virginia, 1950, § 55-528, as amended; the cooperative instruments of a cooperative created pursuant to the Virginia Real Estate Cooperative Act (§ 55-424 et seq.) of the Code of Virginia, 1950, as amended; or any declaration of a property owners' association created pursuant to the Property Owners' Association Act (§ 55-508 et seq.).

DATE:_____

READ AND PASSED: _____
Chairman

TESTE: _____
Clerk

Approved as to Form:

_____
Robert W. Jones, Jr., County Attorney

ISSUE:

Ordinance to Amend and Reenact Chapter 10, Licenses, Short Term Rental Registry of the Isle of Wight County Code

BACKGROUND:

As part of the County's effort to enforce the regulation of short term residential rentals and monitor such activities, an annual registration of such properties is warranted. The proposed ordinance establishes an annual registration requirement of any one offering a short term residential rental. In addition to such registration, an operator would also be required to comply with all other applicable land use and zoning requirements, as well as obtain a business license and register for transient occupancy and state sales tax.

BUDGETARY IMPACT:

None.

RECOMMENDATION:

Adopt an ordinance to amend the County Code regarding a Short Term Rental Registry.

ATTACHMENTS:

Description	Type	Upload Date
Ordinance Amendment	Ordinance	11/8/2023

AN ORDINANCE TO AMEND AND REENACT
THE ISLE OF WIGHT COUNTY CODE
BY
BY ENACTING
CHAPTER 10. LICENSES, ARTICLE II, DIVISION 10,
SHORT TERM RENTAL REGISTRY

WHEREAS, the Board of Supervisors of Isle of Wight County, Virginia, has deemed it necessary and appropriate to update its current ordinances in order to more clearly set forth local ordinances for the benefit of the public, in order to accurately reflect current practices, to correct inaccuracies, and to conform to those provisions set forth in the Code of Virginia (1950, as amended); and

WHEREAS, the Board of Supervisors deems such a revision necessary as a means to protect the health and welfare of the citizens of Isle of Wight County, Virginia;

NOW, THEREFORE, BE IT ORDAINED by the Isle of Wight County Board of Supervisors, Virginia, that Chapter 10. Licenses of the Isle of Wight County Code be amended and reenacted as follows:

Chapter 10. - Licenses
Article II. – License Tax Schedule.
Division 9. – Short Term Rental Registry.
Sec. 10-40 - Definitions. The following definitions apply to this article unless the context requires a different meaning:
"Operator" means the proprietor of any dwelling, lodging, or sleeping accommodations offered as a short-term rental, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, license, or any other possessory capacity.

"Short-term rental" means the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy.

Sec. 10-41 - Registry*.* There is hereby established a registry for short term residential rentals. Upon offering any short term rental, all operators shall register with the County's Department of Community Development annually. This registration shall be ministerial in nature and shall require the Operator to provide the complete name of the operator and the address of each property in the county offered for short-term rental by the Operator.

Sec. 10-42 - Other requirements*.* Operators must obtain a business license and register for transient occupancy and state sales tax.

Sec. 10-43 - Annual Fee. A fee of $_____ shall be charged for each registration for the purpose of defraying the costs of establishing and maintaining the registry set forth herein,

Sec. 10-44 - Registry exemptions*.* Registration is not required if the Operator or short-term rental is exempted from registration pursuant to Code of Virginia § 15.2-983(B)(2).

Sec. 10-45 - Penalties*.* Failure to register a property within 30 days of being offered for rental shall result in a penalty to be paid by the Operator in the amount of $500.00 per violation. Each day a property is offered for rental that is not registered in accordance with this section is a separate violation. Unless and until such time as the Operator pays the penalty and registers such property, the Operator may not offer such property for rental. Upon repeated violation of the registration requirement as it relates to a specific property, and upon notice, the Operator shall be prohibited from registering that property and from offering that property for short term rental.

Sec. 10-46 - Non-contravention*.* Except as provided in this section, nothing herein nor the issuance of a registration shall be construed to prohibit, limit, or otherwise supersede existing local authority to regulate short term rental of property through general land use and zoning authority. Nothing in this section shall be construed to supersede or limit contracts or agreements between or among individuals or private entities related to the use of real property, including recorded declarations and covenants; the provisions of condominium instruments of a condominium created

pursuant to the Condominium Act (§ 55-79.39 et seq.) of the Code of Virginia, 1950, as amended; the declaration of a common interest community as defined in Code of Virginia, 1950, § 55-528, as amended; the cooperative instruments of a cooperative created pursuant to the Virginia Real Estate Cooperative Act (§ 55-424 et seq.) of the Code of Virginia, 1950, as amended; or any declaration of a property owners' association created pursuant to the Property Owners' Association Act (§ 55-508 et seq.).

Adopted this 16th day of October, 2023.

William M. McCarty, Chairman
Isle of Wight Board of Supervisors

Attest:

Carey Mills-Storm, Clerk
Approved as to Form:

Robert W. Jones, Jr., County Attorney

ISSUE:

Application of Carver Solar I, LLC to Increase the Nameplate Electrical Power Generation Capacity of the Proposed Carver Solar Energy Generation Facility from 71 MW to 91 MW

BACKGROUND:

The Board of Supervisor approved the original conditional use permit (CUP-6-22) on August 17, 2023, for a 71 MW facility 637 acres. The applicant proposes to increase the name plate electrical power generation capacity of the project from 71 MW to 91 MW. There is no proposed increase in the originally approved facility size or infrastructure. All of the originally approved conditions will remain the same.

BUDGETARY IMPACT:

TBD

RECOMMENDATION:

Staff recommends approval of the new conditional use permit amending the original conditional use permit.

ATTACHMENTS:

Description	Type	Upload Date
Carver Solar Application	Backup Material	12/5/2023

RECEIVED
NOV 17 2023
By: .....

REQUEST FOR AMENDMENT

TO

CUP-06-022
CUP-13-23 25907
FOR THE

CARVER SOLAR PROJECT

ISLE OF WIGHT COUNTY, VIRGINIA

November 2023

Prepared by: Carver Solar I, LLC
1105 Navasota Street
Austin, TX 78702
Contact: Ryan Gilchrist
Tel: (203) 804-1207

Exhibits

Exhibit 1 Application Forms

I. Summary or Request

At their regular meeting on August 17th, 2023, the Board of Supervisors approved CUP-06-22 to allow a 71MW Utility-Scale Solar Facility, known as Carver Solar ("Project"), to be constructed on 637 acres of land in Isle of Wight County, Virginia ("County") following a 16-month process from the original application in April 2022. This Request for an Amendment to the CUP ("Request") is submitted to the County by Carver Solar I, LLC ("Applicant") to amend the nameplate electrical power generation capacity of the Project from 71MW to 91MW. The reasons for the Request include 1) increased electrical capacity of the transmission system identified at the point of interconnection as confirmed by PJM (via an amendment to the Interconnection Services Agreement increasing the injection rights to 91 MW without any additional system upgrades) and 2) increases in solar panel efficiencies since the original CUP application more than 19 months ago. The boundary and design envelope of the Project established in CUP-06-022 will not be changed, no changes to the conditions are being requested, and no changes to the proposed interconnection facilities or transmission system will be required. The completed application forms are attached as **Exhibit 1**.

II. Increased County Revenue

The 91 MW Project will provide an estimated **$14 million** in revenue to the County over its 40-year life via the following three tax buckets: 1) forecasted $2.83M increase in real property taxes, 2) $7.97M via the greater of Revenue Share or Machinery & Tools tax, and 3) $3.26M in proposed voluntary payments under the updated Siting Agreement paid over years 1-20. The voluntary payments included in the amended Siting Agreement and the revenue from taxation of the equipment have scaled linearly with the increase from 71MW to 91MW. These changes represent an estimated **$2.47 million** increase from the 71MW version of the Project over the 40-year life of the project.

***

Local Roots. Global Reach.
ISLE OF WIGHT
COUNTY, VIRGINIA
DEPARTMENT OF PLANNING AND ZONING

APPLICATION FOR CONDITIONAL / SPECIAL USE PERMIT

This application should be used to petition for a permit for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions be acceptable in certain specific locations. The following application requirements are consistent with the procedures set forth in Section 1-1017, *Conditional Uses*, and Section 1-1018, *Special Use Permits for Uses Not Provided For*, of the Isle of Wight County Zoning Ordinance, as amended.

A. APPLICATION FOR (CHECK ALL THAT APPLY):

[X] Conditional Use Permit (Are applicant proposed conditions attached?): _____ Yes X No

The proposed use or activity is listed as a conditional use in the RAC zoning district as per Section 4-2003 in Article IV of the Isle of Wight County Zoning Ordinance.

[ ] Special Use Permit (Are applicant proposed conditions attached?): _____ Yes _____ No

Proposed Use or Activity: Utility Scale Solar Facility

B. PROJECT DESCRIPTION:

Project Name: Carver Solar 1, LLC

Property Address (if any): _____

Election District: 04 and 05

Comprehensive Plan Designation: Solar Farm

The use permit will apply to _____ acres out of _____ total acres

Tax Parcel Identification # attached Number of acres to be effected: attached

Tax Parcel Identification # _____ Number of acres to be effected: _____

Tax Parcel Identification # _____ Number of acres to be effected: _____

Proposed Utilities (check all that apply): Public Water _____ Private Well _____

Public Sewer _____ Private Septic _____

Attachment to Application for Conditional Use Permit

List of Parcels and Participating Owners

TPIN	Parcel Acres	Owner Name	Address	City	State	Zip
53-01-022	140.86	CLEMENTS, CARTER R & JOYCE G	23093 ANTIOCH RD	WINDSOR	VA	23487
53-01-022E	3.02	CLEMENTS, CARTER R	23093 ANTIOCH RD	WINDSOR	VA	23487
53-01-006	118.83	WILLIAMS, TRAVIS W (40 acre partial)	301 MURPHYS MILL RD	SUFFOLK	VA	23434
45-01-065	64.3	LEWIS, CLARENCE LEE TRUSTEE LEWIS CLARENCE LEE TRUST	1203 PONDFIELD WAY	DURHAM	NC	27713
45-01-061	180.75	PRETLOW, JOSHUA JR	6045 EVERETS RD	SUFFOLK	VA	23434
45-01-061C	14.4	PRETLOW, JOSHUA JR	6045 EVERETS RD	SUFFOLK	VA	23434
53-01-001	96.09	GARRISON FARMS SOLAR LLC	519 GREENE RIDGE	RICHMOND	VA	23229
46-01-019A	74.61	GARRISON FARMS SOLAR LLC	519 GREENE RIDGE	RICHMOND	VA	23229
52-01-028	147	CARR, DELMAN LEW TRUSTEE OF DELMAN LEW CARR TRUST	844 COLONEL MEADE DR	SUFFOLK	VA	23434
52-01-039	95	CARR, CHESTER GLENN & SUSAN S TRS CHESTER G CARR TRUST	28124 SPIVEY TOWN RD	WINDSOR	VA	23487
52-01-037	30.5	CARR, CHESTER GLENN & SUSAN S TRS CHESTER G CARR TRUST	28124 SPIVEY TOWN RD	WINDSOR	VA	23487
52-01-036	90	CARR, CHESTER GLENN & SUSAN S TRS CHESTER G CARR TRUST	28124 SPIVEY TOWN RD	WINDSOR	VA	23487
45-01-059	245.62	HOBBS, HELENE JOHNSON	21539 BARRETT TOWN RD	ZUNI	VA	23898
45-01-068	98	HOBBS, HELENE JOHNSON	21539 BARRETT TOWN RD	ZUNI	VA	23898
45-01-059A	2.38	HOBBS, HELENE JOHNSON	21539 BARRETT TOWN RD	ZUNI	VA	23898
45-01-061B	6.27	JOEST PROPERTIES LLC	PO BOX 204	WINDSOR	VA	23487
52-01-034	84.87	THOMASON, SCOTT L & CARLA A	7419 MILL CREEK DR	ZUNI	VA	23898
52-01-035	42.21	EDWARDS, JAMES K & MARSHA F	22149 LITTLE BEACH LN	CARROLLTON	VA	23314
53-01-003	43.88	COBB LAND LIMITED PARTNERSHIP	8135 W BLACKWATER RD	WINDSOR	VA	23487
53-01-003M	5.96	ROBINSON, TROY L & MARGARET F	22451 ANTIOCH RD	ZUNI	VA	23898
TOTALS:	1,329					

C. **APPLICATION INFORMATION:**

Applicant(s) Name(s): Carver Solar 1, LLC

Address: 1105 Narasota St

City, State, Zip Code: Austin, TX 78702

Phone No.: 512-524-1195 Email: ryan@openroadrenewables.com Fax No.:

Property Owner(s) Name(s): attached

Address: attached

City, State, Zip Code: attached

Phone No.: Email: Fax No.:

Applicant Signature **Date** 11/15/23

Owner Signature *if different* **Date**

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Isle of Wight County Central Permitting, 17140 Monument Circle, Suite 100
P. O. Box 80, Isle of Wight, Virginia 23397

FOR OFFICE USE ONLY:

Complete Application Received On: 11-17-2023 Fees Paid: $250.00

Tax Query: [X] Current [ ] Delinquent Distribution Date: 11-27-2023

Posted/Date to Post: N/A - NO PUBLIC HEARING REQUIRED.

AGENCIES REFERRALS:

_____ Department of Conservation & Recreation
_____ Economic Development
_____ Emergency Services
_____ General Services
_____ Environmental Planner
_____ Health Department
_____ Transportation Manager
_____ Commission of Revenue
X Other COUNTY ADMINISTRATOR

_____ Inspections
_____ Sheriff's Office
_____ Town of Smithfield
_____ Town of Windsor
_____ VDOT
_____ Schools
_____ Budget & Finance
X County Attorney

Verified By: Amy M. Ring Date: 11-28-2023

C. **APPLICATION INFORMATION:**

Applicant(s) Name(s): Carver Solar I, LLC

Address: 1105 Navasota Street

City, State, Zip Code: Austin, TX 78702

Phone No.: 512-524-1195 Email: contact@openroadrenewables.com Fax No.:

Property Owner(s) Name(s): attached

Address: attached

City, State, Zip Code: attached

Phone No.: Email: Fax No.:

Ryan Gilchrist March 17, 2022

Applicant Signature **Date**

Owner Signature *if different* **Date** March 22, 2022

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Isle of Wight County Central Permitting, 17140 Monument Circle, Suite 100
P. O. Box 80, Isle of Wight, Virginia 23397

FOR OFFICE USE ONLY:

Complete Application Received On: Fees Paid:

Tax Query: | | Current | | Delinquent Distribution Date:

Posted/Date to Post:

AGENCIES REFERRALS:

_____ Department of Conservation & Recreation
_____ Economic Development
_____ Emergency Services
_____ General Services
_____ Environmental Planner
_____ Health Department
_____ Transportation Manager
_____ Commission of Revenue
_____ Other _____

_____ Inspections
_____ Sheriff's Office
_____ Town of Smithfield
_____ Town of Windsor
_____ VDOT
_____ Schools
_____ Budget & Finance
_____ County Attorney

Verified By: Date:

C. **APPLICATION INFORMATION:**

Applicant(s) Name(s): Carver Solar I, LLC

Address: 1105 Navasota Street

City, State, Zip Code: Austin, TX 78702

Phone No.: 512-524-1195 Email: contact@openroadrenewables.com Fax No.:

Property Owner(s) Name(s): attached

Address: attached

City, State, Zip Code: attached

Phone No.: Email: Fax No.:

Ryan Gilchrist March 17, 2022

Applicant Signature **Date**

Delman Lee Carr March 22, 2022

Owner Signature *if different* **Date**

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Isle of Wight County Central Permitting, 17140 Monument Circle, Suite 100
P. O. Box 80, Isle of Wight, Virginia 23397

FOR OFFICE USE ONLY:

Complete Application Received On: _____ Fees Paid: _____

Tax Query: [ ] Current [ ] Delinquent Distribution Date: _____

Posted/Date to Post: _____

AGENCIES REFERRALS:

_____ Department of Conservation & Recreation
_____ Economic Development
_____ Emergency Services
_____ General Services
_____ Environmental Planner
_____ Health Department
_____ Transportation Manager
_____ Commission of Revenue
_____ Other _____

_____ Inspections
_____ Sheriff's Office
_____ Town of Smithfield
_____ Town of Windsor
_____ VDOT
_____ Schools
_____ Budget & Finance
_____ County Attorney

Verified By: _____ Date: _____

C. **APPLICATION INFORMATION:**

Applicant(s) Name(s): Carver Solar I, LLC

Address: 1105 Navasota Street

City, State, Zip Code: Austin, TX 78702

Phone No.: 512-524-1195 Email: contact@openroadrenewables.com Fax No.: _____

Property Owner(s) Name(s): attached

Address: attached

City, State, Zip Code: attached

Phone No.: _____ Email: _____ Fax No.: _____

Ryan Gilchrist March 17, 2022

Applicant Signature **Date**

Carter R Clements 3-23-22

Owner Signature *if different* **Date**

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Isle of Wight County Central Permitting, 17140 Monument Circle, Suite 100
P. O. Box 80, Isle of Wight, Virginia 23397

FOR OFFICE USE ONLY:

Complete Application Received On: _____ Fees Paid: _____

Tax Query: | | Current | | Delinquent Distribution Date: _____

Posted/Date to Post: _____

AGENCIES REFERRALS:

_____ Department of Conservation & Recreation
_____ Economic Development
_____ Emergency Services
_____ General Services
_____ Environmental Planner
_____ Health Department
_____ Transportation Manager
_____ Commission of Revenue
_____ Other _____

_____ Inspections
_____ Sheriff's Office
_____ Town of Smithfield
_____ Town of Windsor
_____ VDOT
_____ Schools
_____ Budget & Finance
_____ County Attorney

Verified By: _____ Date: _____

C. **APPLICATION INFORMATION:**

Applicant(s) Name(s): _____

Address: _____

City, State, Zip Code: _____

Phone No.: _____ Email: _____ Fax No.: _____

Property Owner(s) Name(s): _____

Address: _____

City, State, Zip Code: _____

Phone No.: _____ Email: _____ Fax No.: _____

_____ March 17, 2022
Applicant Signature **Date**

Cobb LAND L.P. By: James Cobb 3-24-22
Owner Signature *if different* **Date**

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Isle of Wight County Central Permitting, 17140 Monument Circle, Suite 100
P. O. Box 80, Isle of Wight, Virginia 23397

FOR OFFICE USE ONLY:

Complete Application Received On: _____ Fees Paid: _____
Tax Query: [ ] Current [ ] Delinquent Distribution Date: _____
Posted/Date to Post: _____

AGENCIES REFERRALS:

_____ Department of Conservation & Recreation
_____ Economic Development
_____ Emergency Services
_____ General Services
_____ Environmental Planner
_____ Health Department
_____ Transportation Manager
_____ Commission of Revenue
_____ Other _____

_____ Inspections
_____ Sheriff's Office
_____ Town of Smithfield
_____ Town of Windsor
_____ VDOT
_____ Schools
_____ Budget & Finance
_____ County Attorney

Verified By: _____ Date: _____

C. **APPLICATION INFORMATION:**

Applicant(s) Name(s): Carver Solar I, LLC

Address: 1105 Navasota Street

City, State, Zip Code: Austin, TX 78702

Phone No.: 512-524-1195 Email: contact@openroadrenewables.com Fax No.: _____

Property Owner(s) Name(s): attached

Address: attached

City, State, Zip Code: attached

Phone No.: _____ Email: _____ Fax No.: _____

Ryan Gilchrist March 17, 2022

Applicant Signature **Date**

Jana K. Edwards 3/24/22

Owner Signature *if different* **Date**

Marsha J Edwards

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Isle of Wight County Central Permitting, 17140 Monument Circle, Suite 100
P. O. Box 80, Isle of Wight, Virginia 23397

FOR OFFICE USE ONLY:

Complete Application Received On: _____ Fees Paid: _____

Tax Query: [ ] Current [ ] Delinquent Distribution Date: _____

Posted/Date to Post: _____

AGENCIES REFERRALS:

_____ Department of Conservation & Recreation
_____ Economic Development
_____ Emergency Services
_____ General Services
_____ Environmental Planner
_____ Health Department
_____ Transportation Manager
_____ Commission of Revenue
_____ Other _____

_____ Inspections
_____ Sheriff's Office
_____ Town of Smithfield
_____ Town of Windsor
_____ VDOT
_____ Schools
_____ Budget & Finance
_____ County Attorney

Verified By: _____ Date: _____

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Phone No.: 512-524-1195 Email: contact@openroadrenewables.com Fax No.:

Property Owner(s) Name(s): attached

Address: attached

City, State, Zip Code: attached

Phone No.: Email: Fax No.:

Ryan Gilchrist March 17, 2022

Applicant Signature **Date**

William E. Garrison, III March 22, 2022

Owner Signature ***if different*** **Date**

as Managing Member
Garrison Farms Solar, LLC

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Isle of Wight County Central Permitting, 17140 Monument Circle, Suite 100
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_____ Schools
_____ Budget & Finance
_____ County Attorney

Verified By: Date:

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City, State, Zip Code: Austin, TX 78702

Phone No.: 512-524-1195 Email: contact@openroadrenewables.com Fax No.: _____

Property Owner(s) Name(s): attached

Address: attached

City, State, Zip Code: attached

Phone No.: _____ Email: _____ Fax No.: _____

Ryan Gilchrist March 17, 2022

Applicant Signature **Date**

Project Manager, Engineering Mar 30, 2022

Owner Signature *if different* **Date**

and on the Behalf of the Estate of Hans Schmidt-Hellerbrand

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

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_____ Other _____

_____ Inspections
_____ Sheriff's Office
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_____ Town of Windsor
_____ VDOT
_____ Schools
_____ Budget & Finance
_____ County Attorney

Verified By: _____ Date: _____

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Applicant(s) Name(s): Carver Solar I, LLC

Address: 1105 Navasota Street

City, State, Zip Code: Austin, TX 78702

Phone No.: 512-524-1195 Email: contact@openroadrenewables.com Fax No.: _____

Property Owner(s) Name(s): attached

Address: attached

City, State, Zip Code: attached

Phone No.: _____ Email: _____ Fax No.: _____

Ryan Gilchrist March 17, 2022

Applicant Signature **Date**

_____ March 23, 2022

Owner Signature *if different* **Date**

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Isle of Wight County Central Permitting, 17140 Monument Circle, Suite 100
P. O. Box 80, Isle of Wight, Virginia 23397

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_____ Commission of Revenue
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_____ Town of Smithfield
_____ Town of Windsor
_____ VDOT
_____ Schools
_____ Budget & Finance
_____ County Attorney

Verified By: _____ Date: _____

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Applicant(s) Name(s): Carver Solar I, LLC

Address: 1105 Navasota Street

City, State, Zip Code: Austin, TX 78702

Phone No.: 512-524-1195 Email: contact@openroadrenewables.com Fax No.:

Property Owner(s) Name(s): attached

Address: attached

City, State, Zip Code: attached

Phone No.: Email: Fax No.:

Ryan Gilchrist March 17, 2022

Applicant Signature **Date**

Owner Signature ***if different*** **Date** March 31, 2022

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Isle of Wight County Central Permitting, 17140 Monument Circle, Suite 100
P. O. Box 80, Isle of Wight, Virginia 23397

FOR OFFICE USE ONLY:

Complete Application Received On: Fees Paid:
Tax Query: [ ] Current [ ] Delinquent Distribution Date:
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AGENCIES REFERRALS:

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_____ Economic Development
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_____ Sheriff's Office
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_____ Town of Windsor
_____ VDOT
_____ Schools
_____ Budget & Finance
_____ County Attorney

Verified By: Date:

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Applicant(s) Name(s): Carver Solar I, LLC

Address: 1105 Navasota Street

City, State, Zip Code: Austin, TX 78702

Phone No.: 512-524-1195 Email: contact@openroadrenewables.com Fax No.:

Property Owner(s) Name(s): attached

Address: attached

City, State, Zip Code: attached

Phone No.: Email: Fax No.:

Ryan Gilchrist March 17, 2022

Applicant Signature **Date**

Owner Signature *if different* **Date** 3/21/22

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Isle of Wight County Central Permitting, 17140 Monument Circle, Suite 100
P. O. Box 80, Isle of Wight, Virginia 23397

FOR OFFICE USE ONLY:

Complete Application Received On: Fees Paid:
Tax Query: [ ] Current [ ] Delinquent Distribution Date:
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Verified By: Date:

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City, State, Zip Code: Austin, TX 78702

Phone No.: 512-524-1195 Email: contact@openroadrenewables.com Fax No.:

Property Owner(s) Name(s): attached

Address: attached

City, State, Zip Code: attached

Phone No.: Email: Fax No.:

Ryan Gilchrist March 17, 2022

Applicant Signature **Date**

Jay L Robins Margaret Robins 3-22-2022

Owner Signature *if different* **Date**

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_____ Schools
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_____ County Attorney

Verified By: Date:

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Applicant(s) Name(s): Carver Solar I, LLC

Address: 1105 Navasota Street

City, State, Zip Code: Austin, TX 78702

Phone No.: 512-524-1195 Email: contact@openroadrenewables.com Fax No.: _____

Property Owner(s) Name(s): attached

Address: attached

City, State, Zip Code: attached

Phone No.: _____ Email: _____ Fax No.: _____

Ryan Gilchrist — March 17, 2022

Applicant Signature **Date**

_____ — March 30, 2022

Owner Signature *if different* **Date**

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

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P. O. Box 80, Isle of Wight, Virginia 23397

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Verified By: _____ Date: _____

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Phone No.: 512-524-1195 Email: contact@openroadrenewables.com Fax No.:

Property Owner(s) Name(s): attached

Address: attached

City, State, Zip Code: attached

Phone No.: Email: Fax No.:

Ryan Gilchrist March 17, 2022

Applicant Signature **Date**

3/23/2022

Owner Signature *if different* **Date**

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

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_____ Town of Smithfield
_____ Town of Windsor
_____ VDOT
_____ Schools
_____ Budget & Finance
_____ County Attorney

Verified By: Date:

COUNTY OF ISLE OF WIGHT
DISCLOSURE OF REAL ESTATE HOLDINGS

Applicant Carver Solar 1, LLC

Address 1105 Navasota St
Street

Austin TX 78702
City State Zip

REAL ESTATE HOLDINGS TO BE AFFECTED

Location or Address	Description
attached	

OTHER OWNERS OF AFFECTED REAL ESTATE
(Not Required for Corporation whose stock is traded on a national or local stock exchange or having more than 500 shareholders.)

Name of Individuals Corporation/Partnership Business Association	Address
attached	

Does any member of the Isle of Wight County Planning Commission or governing body have any interest in such property, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust, or whether a member of the immediate household of any member of the Planning Commission or governing body has any such interest? Yes[ ] No[X]
If yes, names of members:

I do solemnly swear that the foregoing statement(s) and attachments(s), if any, are complete, correct, and true.

Applicant: Ryan Gilchrist (Printed or Typed Name) Applicant: [signature] (Signature) Date: 4/5/22

Commonwealth of Virginia
County of ~~Isle of Wight~~ Albemarle

Subscribed and sworn to before me Michelle Leigh Smith.
A Notary Public in and for the County of ~~Isle of Wight~~ Albemarle, Commonwealth of Virginia, this 5th day of April, 2022.

Michelle Leigh Smith
Notary Public

Michelle Leigh Smith
NOTARY PUBLIC
REG #7625737
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES November 30, 2024

My Commission Expires November 30 2024

Attachment to Real Estate Disclosures

Carver Solar I, LLC

PARTICIPATING PROJECT PARCELS					
MAP IDENTIFIER	PARCEL IDENTIFIER	OWNER	OWNER CONTINUED	ZONING	FENCED ACREAGE
1	52-01-028	CARR DELMAN LEW TRUSTEE OF DELMAN LEW CA	RR TRUST	RAC	Fenced Area
2	52-01-036	CARR CHESTER GLENN & SUSAN S TRS CHESTER	G CARR REVOCABLE TRUST	RAC	Fenced Area
3	45-01-059	HOBBS HELEN JOHNSON		RAC	Fenced Area
4	45-01-059A	HOBBS M E & HELEN J		RAC	Fenced Area
5	45-01-061	PRETLOW JOSHUA JR TRUSTEE JOSHUA PRETLOW	JR REVOC TRUST	RAC	Fenced Area
6	45-01-061C	PRETLOW JOSHUA JR TRUSTEE JOSHUA PRETLOW	JR REVOC TRUST	RAC	Fenced Area
7	45-01-065	LEWIS CLARENCE LEE TRUSTEE LEWIS CLARENC	E LEE REVOCABLE TRUST	RAC	Fenced Area
8	45-01-068	HOBBS HELEN JOHNSON L/E		RAC	Fenced Area
9	52-01-037	CARR CHESTER GLENN & SUSAN S TRS CHESTER	G CARR REVOCABLE TRUST	RAC	Fenced Area
10	52-01-039	CARR CHESTER GLENN & SUSAN S TRS CHESTER	G CARR REVOCABLE TRUST	RAC	Fenced Area
11	53-01-001	GARRISON FARMS SOLAR LLC		RAC	Fenced Area
12	53-01-006	WILLIAMS TRAVIS W		RAC	Easement
13	53-01-022	CLEMENTS CARTER R & JOYCE G		RAC	Fenced Area
14	53-01-022E	CLEMENTS CARTER R		RAC	Fenced Area
15	46-01-019A	GARRISON FARMS SOLAR LLC		RAC	Fenced Area
16	52-01-034	THOMASON SCOTT L & CARLA A		RAC	Easement
17	52-01-035	EDWARDS JAMES K & MARSHA F		RAC	Easement
18	45-01-061B	JOEST PROPERTIES LLC		GC	Easement
19	53-01-003	COBB LAND LIMITED PARTNERSHIP		RAC	Easement
20	53-01-003M	ROBINSON TROY L & MARGARET F		RAC	Easement

ISLE OF WIGHT
COUNTY, VIRGINIA

SUBMITTAL CHECKLIST FOR CONDITIONAL / SPECIAL USE PERMIT APPLICATIONS

****Both checklist and application required upon submission to central permitting or application will notbe accepted****

In conjunction with Section 1-1017, *Conditional Uses*, and Section 1-1018, *Special Uses Permits for Uses Not Provided For*, of the Isle of Wight County Zoning Ordinance, as amended, the following information shall be submitted for a Conditional / Special Use Permit Application. Please note that it is the applicant's responsibility to ensure that the application is in compliance with all Federal, State and County regulations.

No application for an exception shall be certified as complete unless the following information is provided. ***The required number of copies may be increased or reduced with permission of the Zoning Administrator, depending on the review needs.*** Applicant(s) must have their signature(s) notarized on the disclosure of real estate holdings. All plans over 11"x17" in size are required to be folded to be processed for review.

- ☐ **Ten (10) copies of the following**
  - ☒ original, executed application
  - ☒ a statement of the reasons for seeking conditional or special use permit
  - ☐ narrative description of the property which shall include the tax parcel identification number
  - ☐ full size concept plan of the site to show all existing and proposed physical improvements and such otherinformation as is necessary to clearly indicate to the reviewing body that adequate provisions have been made for compliance with all standards for that particular use, the extent of the property to beso used on a given parcel or parcels, and information defining the requested exceptions. The plan shall be prepared by the appropriate authorized design professional licensed to practice in Virginia. No person shall prepare or certify design elements of site plans which are outside the limits of their professional expertise and license. Such document shall be drawn to scale and shall include the following information:
    - A vicinity map at a scale of no less than one (1) inch equals two thousand (2,000) feet
    - Title of drawing
    - Date of drawing
    - Existing wood line

- North arrow
- Scale bar
- Current zoning of parcel(s), including tax map number(s) and owner(s)
- Current zoning of adjacent parcel(s), including tax map number(s) and owner(s)
- Street names including route number and width(s) of the right-of-way(s)

☒ **One (1) original executed application**

☒ **One (1) digital copy of ALL application documents**

☐ **One (1) reduced 11"x17" copy of concept plan**

☒ **Application fee submitted with the application. Checks should be made payable to treasurer, Isle of Wight, County**

☐ **A WQIA (Water Quality Impact Assessment) if located in the Chesapeake Bay Preservation Area.**

☐ Other information may be necessary to demonstrate compliance with all other applicable federal, state and County standards and regulations.

☐ **All plans over 11"x17" must be folded.**

☒ All real estate taxes must be paid and current at the time of submittal; otherwise, the submittal willbe refused at the counter. Proof of the most recent tax payment to the County must accompany the application.

Please note that additional information on the site layout may be requested by the Zoning Administrator during the review process in order to more effectively review the application and prepare the staff reports for the appropriate reviewing body.

I, the undersigned, certify that this application is complete, accurate and contains all required and requested information, documents, and other submittals, and that all statements made herein are, to the best of my knowledge, true and correct. I further certify that I have exercised due diligence to obtain the most recent, complete, and correct information available. I understand that any section not completed in its entirety may delay the processing of this application.

Ryan Gilchrist

Printed or Typed Name

Signature

11/15/23

Date

ISSUE:

Consideration of a Siting Agreement for the Carver Solar Energy Generation Project

BACKGROUND:

The Board has previously approved a Conditional Use Permit and a Siting Agreement for the Carver Solar Energy Generation Project. Carver Solar has amended its CUP to reflect a change in the nameplate electrical power generation capacity from 71MW to 91MW.

The Board may wish to discuss/consider amending the Siting Agreement to reflect the increased power generation capacity.

BUDGETARY IMPACT:

This amendment will increase anticipated revenues for the solar project.

RECOMMENDATION:

Approve an amended Siting Agreement.

ATTACHMENTS:

Description	Type	Upload Date
Siting Agreement Amendment	Agreement	12/11/2023

AMENDMENT TO SOLAR FACILITY SITING AGREEMENT

THIS AMENDMENT TO SOLAR FACILITY SITING AGREEMENT ("Amendment") is made and entered into as of _____, 2023 (the "Effective Date"), by and between Isle of Wight County, Virginia, a political subdivision of the Commonwealth of Virginia (the "County") and Carver Solar I, LLC a Virginia limited liability company (the "Carver"), its successors and assigns. The County and the Carver are herein each a "Party" and collectively, the "Parties".

RECITALS

WHEREAS, at a duly noticed public hearing August 17, 2023, the Isle of Wight Board of Supervisors, pursuant to Ordinance Number #23-009, approved a Conditional Use Permit (the "Original CUP") allowing Carver to develop, build, operate and decommission a utility scale solar facility and associated substations the ("Project");

WHEREAS, pursuant to Chapter 22, Title 15.2, Article 7.3 of the Code of Virginia titled "Siting of Solar Energy Facilities", by the majority vote of a quorum of the members of the Isle of Wight Board of Supervisors, the County authorized the execution of that certain Solar Facility Siting Agreement dated as of August 17, 2023 (the "Agreement"), a memorandum of which was recorded in the Official Records of Isle of Wight County, Virginia on _____ in Instrument No.: _____ (the "Memorandum"); and

WHEREAS, on _____, 2023, the Isle of Wight Board of Supervisors approved an amendment to the Original CUP, as Ordinance Number _____ (the "Amended CUP"); and

WHEREAS, the Amended CUP changes the nameplate capacity of the Project from 71MW to 91MW, and except as aforesaid, all other terms and conditions of the Original CUP remain the same; and

WHEREAS, the Agreement incorporated the Original CUP as Exhibit A, and now that the Original CUP has been revised as aforesaid, this Amendment is necessary to incorporate the Amended CUP as the new Exhibit A to the Agreement; and

WHEREAS, the Agreement incorporated a "Schedule of Voluntary Payments and M&T Stepdown/Solar Revenue Share Supplemental Voluntary Payments" which assumed a nameplate capacity of at least 71MW subject to upward adjustment in the nameplate capacity; and

WHEREAS, for clarity, the Parties also desire to incorporate a new Exhibit B to the Agreement reflecting the change to a nameplate capacity of 91MW;

NOW, THEREFORE, pursuant to Chapter 22, Title 15.2, Article 7.3 of the Code of Virginia, intending to be legally bound hereby and in consideration of the mutual covenants contained herein, the receipt and sufficiency of which are hereby acknowledged, the County and Carver do hereby agree as follows:

Amendment

1. **Defined Terms.** All capitalized terms used herein and not otherwise defined shall have the meaning given such terms in the Agreement.

2. **Exhibit A.** Exhibit A "Conditional Use Permit" in the Agreement shall be deleted in its entirety and replaced with a revised Exhibit A, as attached hereto.

3. **Exhibit B.** Exhibit B "Schedule of Voluntary Payments and M&T Stepdown/Solar Revenue Share Payments" in the Agreement shall be deleted in its entirety and replaced with a revised Exhibit B, as attached hereto.

4. **Remaining Terms.** The Agreement, as modified hereby, shall remain in full force and effect and is hereby ratified and affirmed. To the extent the provisions of this Amendment are inconsistent with the terms and conditions of the Agreement, the provisions of this Amendment shall control.

5. **Counterparts.** This Amendment may be executed in multiple counterparts, each of which shall constitute one Amendment, binding on the Parties, whether or not each counterpart is executed by both parties, so long as each party hereto has executed one or more counterparts hereof.

[Remainder of page intentionally left blank, signature page follows]

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by the authorized representatives whose names and titles appear below as of the Effective Date.

CARVER SOLAR I, LLC

_____
Signature

Name: _____

Title: _____

Date: _____

ISLE OF WIGHT COUNTY, VIRGINIA

By:_____
Name: William M. McCarty, Sr.
Title: Chairman, Board of Supervisors
Date: _____

By: _____
Name: Randy R. Keaton
Title: County Administrator
Date: _____

Approved as to form:

By: _____
County Attorney

EXHIBIT A
CONDITIONAL USE PERMIT

EXHIBIT B
SCHEDULE OF VOLUNTARY PAYMENTS
AND
M&T STEPDOWN/SOLAR REVENUE SHARE PAYMENTS

The following schedule of voluntary payments assumes an estimated Project nameplate capacity of 91 MWac and certain project capital expenditures. The Supplementary Voluntary Payments shall be adjusted proportionally if the nameplate capacity or actual capital expenditures of the constructed Project differs from such estimates. The Voluntary Payments shall not be adjusted if the nameplate capacity of the constructed Project is less than less than 91MW:

(i) **Voluntary Payments**. The Voluntary Payments shall be made to the County in accordance with Article II, Section 2 of this agreement in the values as set out in the Payment Schedule below for the use by the County as the County sees fit and appropriate.

Year 1	$162,775
Year 2	$162,775
Year 3	$162,775
Year 4	$162,775
Year 5	$162,775
Year 6	$162,775
Year 7	$162,775
Year 8	$162,775
Year 9	$162,775
Year 10	$162,775
Year 11	$162,775
Year 12	$162,775
Year 13	$162,775
Year 14	$162,775
Year 15	$162,775
Year 16	$162,775
Year 17	$162,775
Year 18	$162,775
Year 19	$162,775
Year 20	$162,775

Supplemental Voluntary Payments in Addition to M&T Taxes. Supplemental Voluntary Payments set out in the Payment Schedule below listing such payments which shall provide the County on an annual basis payments equal to the amounts of the M&T Taxes in the years where the M&T Taxes are higher, and the amounts equal to the Solar Revenue Share authorized under Special Session No 1 in Chapters 49, 50 and 429, for the life of the Project, regardless of whether the County adopts a Solar Revenue Share Ordinance or not. The M&T Taxes shall be assessed pursuant to Article 2, Chapters 35 and 36 of Title 58.1 of the Code of Virginia and applicable County Ordinances, in effect as of the date of this Agreement, for the life of the Project.

Year	Forecasted Annual M&T taxation: $ Amount	Forecasted Annual Revenue Share: $ Amount	Greater of M&T or Revenue Share: $ Amount	Forecasted Supplementary Voluntary Payment: $ Amount
1	$154,445	$127,400	$154,445	$0
2	$154,445	$140,140	$154,445	$0
3	$154,445	$140,140	$154,445	$0
4	$154,445	$140,140	$154,445	$0
5	$154,445	$140,140	$154,445	$0
6	$154,445	$140,140	$154,445	$0
7	$154,445	$154,154	$154,445	$0
8	$154,445	$154,154	$154,445	$0
9	$153,930	$154,154	$154,154	$224
10	$151,356	$154,154	$154,154	$2,798
11	$148,611	$154,154	$154,154	$5,543
12	$145,694	$169,569	$169,569	$23,875
13	$142,605	$169,569	$169,569	$26,964
14	$139,172	$169,569	$169,569	$30,397
15	$135,740	$169,569	$169,569	$33,829
16	$132,136	$169,569	$169,569	$37,433
17	$128,190	$186,527	$186,527	$58,337
18	$124,071	$186,527	$186,527	$62,455
19	$119,609	$186,527	$186,527	$66,918
20	$114,975	$186,527	$186,527	$71,552
21	$110,000	$186,527	$186,527	$76,527
22	$104,851	$205,179	$205,179	$100,328
23	$99,187	$205,179	$205,179	$105,992
24	$93,353	$205,179	$205,179	$111,826
25	$87,175	$205,179	$205,179	$118,004
26	$80,482	$205,179	$205,179	$124,697
27	$73,447	$225,697	$225,697	$152,249
28	$66,069	$225,697	$225,697	$159,628
29	$58,175	$225,697	$225,697	$167,522
30	$49,937	$225,697	$225,697	$175,759
31	$41,014	$225,697	$225,697	$184,683
32	$31,576	$248,266	$248,266	$216,690
33	$21,794	$248,266	$248,266	$226,472
34	$17,161	$248,266	$248,266	$231,105

35	$17,161	$248,266	$248,266	$231,105
36	$17,161	$248,266	$248,266	$231,105
37	$17,161	$273,094	$273,094	$255,933
38	$17,161	$273,094	$273,094	$255,933
39	$17,161	$273,094	$273,094	$255,933
40	$17,161	$273,094	$273,094	$255,933

EXHIBIT C

FORM OF MEMORANDUM

Full exhibit follows

PREPARED BY AND RETURN TO:
Carver Solar I, LLC
c/o General Counsel
1105 Navasota St.
Austin, TX 78702

Isle of Wight Tax Map ID No. _____

[NOTE TO CLERK: ISLE OF WIGHT COUNTY, VIRGINIA, A POLITICAL SUBDIVISION OF THE COMMONWEALTH OF VIRGINIA, IS A PARTY TO THIS INSTRUMENT WHICH, ACCORDINGLY, IS EXEMPT FROM RECORDATION TAX PURSUANT TO VA. CODE SEC. 58.1-811.A.3.]

AMENDMENT TO MEMORANDUM OF SOLAR FACILITY SITING AGREEMENT

This Amendment to Memorandum of Solar Facility Siting Agreement (this "Memorandum"), dated and effective as of _____, _____, is made by and between **Isle of Wight County, Virginia**, a political subdivision of the Commonwealth of Virginia (the "County") and **Carver Solar I, LLC** a Delaware limited liability company ("Carver"), with regard to the following:

1. Siting Agreement. The County and Carver are parties to that Solar Facility Siting Agreement, dated August 17, 2023 (the "Siting Agreement"), which describes the intent of Carver to develop, install, build, and operate a solar facility ("Project") on those certain parcels of land identified as Isle of Wight County Tax Map Parcels as _____ (the "Property").

2. Original Memorandum. A Memorandum of Siting Agreement was recorded on [DATE] in the land records of Isle of Wight County, Virginia as Instrument Number _____.

3. Authorization. The County's execution of the Siting Agreement was authorized during that certain regular meeting of the Board of Supervisors of the Isle of Wight County on August 17, 2023.

4. Amended Siting Agreement. The County and Carver are parties to that Amended Solar Facility Siting Agreement dated _____, 2023 (the "Siting Agreement Amendment") which incorporates certain changes to the Project's nameplate capacity.

5. Substantially in Accord. The Siting Agreement states, *inter alia*, that, pursuant to Virginia Code Ann. § 15.2-2316.9(c), by entering into the Siting Agreement, the County acknowledged that the Project is deemed to be substantially in accord with the Isle of Wight County Comprehensive Plan under Virginia Code Ann. § 15.2-2232.

6. Obligations. The Siting Agreement sets forth, *inter alia*, certain obligations of Carver to comply with the Conditional Use Permit approved by the County for the Project, and to make certain payments to the County.

7. Siting Agreement Controls. This Memorandum does not supersede, modify, amend or otherwise change the terms, conditions or covenants of the Siting Agreement or the Siting Agreement Amendment, and the County and Carver executed and are recording this Memorandum solely for the purpose of providing constructive notice of the Siting Agreement and the County's and Carver's rights thereunder. The terms, conditions and covenants of the Siting Agreement are incorporated in this Memorandum by reference as though fully set forth herein.

8. Counterparts. This Memorandum may be executed in counterparts, each of which shall be deemed an original and all of which when taken together shall constitute one and the same document.

WITNESS the following signature and seal:

ISLE OF WIGHT COUNTY, VIRGINIA:

By _____
Name: William M. McCarty, Sr.
Title: Chairman, Board of Supervisors

COMMONWEALTH OF VIRGINIA,
COUNTY OF ISLE OF WIGHT, to-wit:

The foregoing Memorandum was acknowledged before me this _____, 20__, by William R. McCarty, Sr., Chairman of the Board of Supervisors of Isle of Wight County, Virginia.

_____
Notary Public

My Commission Expires:_____

Notary Registration No. _____

WITNESS the following signature and seal:

CARVER SOLAR I, LLC,
a Delaware limited liability company

By: _____
Name: _____
Title: _____

STATE OF TEXAS }
}
COUNTY OF TRAVIS }

Before me, a notary public in and for the jurisdiction aforesaid, this ____ day of _____, 20__ appeared _____, who acknowledged that they executed the foregoing instrument in their capacity as _____ of Carver Solar I, LLC, a Delaware limited liability company, on behalf of said company.

_____
Notary Public

My Commission Expires:_____

Notary Registration No. _____

ISSUE:

Support for Legislative Action re: Septic Pump-Out Requirements

BACKGROUND:

The Chesapeake Bay Preservation Act (CBPA) regulations require local governments to administer the on-site septic system (OSS) program for all properties located within locally designated Chesapeake Bay Preservation Area (CBPA). The locality must notify and require that all such systems be either pumped out or inspected at least once every five years. The County has approximately 5,267 septic systems which fall under this requirement. There is only one staff person dedicated to the implementation of this program among other assigned duties. Due to the continued growth of the County and limited resources, the County requests the transition of oversight for the OSS pump out program to VDH for the following reasons:

- The County does adequate staff resources to reach the goal of 100 percent septic compliance within the CBPA. There is not enough time for one staff member to fulfill regular job responsibilities in addition to coordinating the growing septic compliance program. During peak season, septic mailings could equate to 70% of the Environmental Planners' workload interfering with other responsibilities.
- This task is placed on to the Environmental Planner who sends notifications, responds to phone calls, and tracks pump-outs. Typically there is a high volume of phone calls associated with the notification process in regard to the five-year pump-out and inspection requirements.
- Cost of implementing the program is another main concern. The cost of mailings varies year to year, depending on the postage and compliance obtained. Each system receives up to three notices a year until they come into compliance. As of today's date, there are 2,686 properties which are not in compliance. The cost of postage alone could equate to $1,773 per mailing. This cost does not include ink, paper, envelopes, or staffs time. The total cost alone per year could range from $6,000-10,000 in a small rural community. This cost could increase if the staff members did not print and stuff the envelopes themselves. And again, staff time is not included in that estimate.
- VDH is the ideal agency to administer and enforce the OSS program. VDH is responsible for the review and permitting of all on-site wastewater systems. VDH already has a system to keep track of the yearly inspections of alternative OSS systems so including five-year pump-outs or inspections

should be an achievable task. VDH also has the ability to require sewage haulers to submit quarterly reports of properties that have been pumped out and inspected, thereby eliminating the need of the property owner to submit receipts to the County.

Within the past three years, the County has reached a 51 percent compliance rate with known septic systems. Almost half of the required septic systems in the County are either not being pumped-out or inspected every five years or the pump-outs or inspection are not being reported.

Two critical aspects to any transition plan are ensuring that VDH is provided sufficient resources to create a complete inventory of septic systems within the CBPA. To assist with the transition the County is willing to provide all parcels with known septic systems in the CBPA, the dates of last pump-out or inspection, and all septic receipts received within the past five years.

The County proposes to submit legislation that would add Isle of Wight County to the list of localities subject to the provisions of Chapter 429 of the Acts of the Assembly (2019 HB 2322), directing the Virginia Department of Health (VDH) to develop a plan for the oversight and enforcement by VDH of the Chesapeake Bay Preservation Act regulations septic pump-out program.

BUDGETARY IMPACT:

TBD

RECOMMENDATION:

Adopt a motion in support of legislation to to transition the oversight of the septic pump-out program to the Virginia Department of Health (VDH).