

Attachment B – Compliance with Local Land Use
Ordinances

**Virginia Department of Department of Environmental Quality
Small Renewable Energy Projects (Solar)**

Local Governing Body Certification Form

Facility Name and Location :
Waller Solar, Lancaster County Virginia

Applicant's Name:
Waller Solar I, LLC

Applicant's Mailing Address:
**354 Davis Road
Oakville, ON
L6J 2X1
Canada**

Telephone Number and Email Address:
647-528-6439
Gabriella.Kovacs@algonquinpower.com

The applicant or his representative is submitting an application for a small renewable energy permit by rule from the Virginia Department of Environmental Quality. In accordance with §10.1-1197.6 B 2 of the Code of Virginia, before such permit application can be considered complete, the applicant must obtain a certification from the governing body of the locality or localities in which the small renewable energy project will be located that the project complies with all applicable use ordinances.

The undersigned requests that an authorized representative of the local governing body sign the certification statement below. In addition, by signing below, the applicant affirms that the he has also submitted this form to other localities, if any, in which the proposed project be located.

Applicant's signature

Date:

The undersigned local government representative certifies that the proposed small renewable energy project complies with all applicable land use ordinances, as follows:
(Check one block)

- The proposed facility **complies with** all applicable land use ordinances.
- The proposed facility **does not comply** with all applicable land use ordinances.

Signature of authorized local government representative:



Date:

4/28/22

Type or print name:

Don G. Gill

Title:

County Administrator

County, City or Town:

Lancaster



COUNTY OF LANCASTER

FOUNDED 1651 IN VIRGINIA

LANCASTER COURTHOUSE
8311 MARY BALL ROAD
LANCASTER, VIRGINIA 22503

804-462-5129
804-462-0031 (FAX)
www.lancova.com

BOARD OF SUPERVISORS
Jack D. Larson, 1st District
Ernest W. Palin, Jr., 2nd District
Jason D. Bellows, 3rd District
William R. Lee, 4th District
Robert S. Westbrook, 5th District

Don G. Gill
County Administrator

November 30, 2021

Waller Solar I, LLC.
Attn: Craig Adair
1105 Navasota Street
Austin, TX 78702

RE: Utility Scale Solar Facility Special Exception Permit Granted, permit # 15966-2021

Craig Adair, et al,

On July 1, 2021, you applied for a Utility Scale Solar Special Exception authorization from the Lancaster County Board of Supervisors pursuant to Article 28 of the Lancaster County Zoning Ordinance of the Land Development Code of Lancaster County. This request was processed and was advertised for public hearing on October 28, 2021 as follows:

Request for Special Exception by Waller Solar I, LLC., 1105 Navasota St., Austin, Texas, for Special Exception as required by Article 3-1-36, 4-1-58 and Article 28 of the Lancaster County Zoning Ordinance to permit the establishment of a Utility Scale Solar Facility, 131-megawatts and 1,400 acres and 2,706.8 acres total lease area described as tax map parcel numbers 7-3, 8-35A, 8-17, 7-36, 7-36A, 14-52, 14-52B, 8-14, 13-164, 8-12, 8-13, 8-2, 8-2A, 3-2B, 8-34, 13-160, 13-162, 13-163, 6-47 and 7-3, located off Field Trial, Nuttsville, Morattico, Courthouse, Beanes, Miskimon, Lara, Giese, Mary Ball, White Chapel, and Alfonso Roads in Districts 1 and 2.

The hearing was held on October 28, 2021 in the Board of Supervisors Meeting Room at the Lancaster County Administrative Building starting at 6 pm. The minutes from this meeting have been approved and as an attachment, are made a part of this file.

District 2 Supervisor, Ernest Palin, moved to approve the special exception request by Waller Solar, I, LLC to construct and operate a utility scale solar energy facility with adherence to the conditions as provided herein and those terms set forth in Article 28 of the Lancaster County Zoning Ordinance with the added note of having the erosion and sediment control specialist be either from Virginia or North Carolina, **vote:** 3 to 2, 0 abstained, **motion carried.**

District 2 Supervisor, Ernest Palin, moved to approve the solar facility siting agreement proposed by Waller Solar 1, LLC. pursuant to Chapter 22, title 15.2, article 7.3 of the Code of Virginia, 1950, as amended, and, in doing so, deems that this project be substantially in accord with the Lancaster County Comprehensive Plan pursuant to Virginia Code Section 15.2-2316.9C, **vote: 3 to 2, motion carried.**

The conditions required and approved with this project were incorporated into the siting agreement and made a part of the approval process. The language of this agreement is incorporated into the body of the letter, below:

Waller Solar I, LLC, (the "Applicant") has applied (the "Application") to the County of Lancaster Board of Supervisors (the "County") for a Special Exception (the "SE") to construct a Utility Scale Solar Facility and associated substations (collectively the "Project") as defined by Article 1 of the Lancaster County Zoning Ordinance (the "Ordinance") and permitted by Article 28 "Utility Scale Solar Energy Facilities," Article 3 "Limited Agriculture", Section 3-1-15 and Article 4, General Agriculture, Section 4.1.21 of the Ordinance. Pursuant to the Application, the Applicant proposes the following conditions, which upon approval of the SE, shall be in full force and effect.

The proposed SE conditions (the "Conditions") are consistent with the Ordinance but in the event of any inconsistency, the Conditions shall control. All terms and phrases used and not otherwise defined herein shall have the meanings ascribed to them in the Ordinance. The SE, including any approved plans and SE Conditions, shall run with the land and shall not be affected by a change in ownership of the Applicant or the Project, nor by any change in the Ordinance.

1. SE Granted for Specific Property. The Project will consist of a ground-mounted solar photovoltaic electric generating facility on up to 1,400 acres of portions of certain parcels identified in the list attached hereto as Exhibit A (the "Property") shown on the general development plan submitted with the Application and attached hereto as Exhibit B (the "General Development Plan"). Easement areas indicated on the General Development Plan in which access roads and buried infrastructure will be located constitute a by-right use in Limited Agriculture and General Agriculture districts and do not require a SE, but are part of the Project and approval of this SE constitutes a confirmation thereof.

2. Scope of SE. The SE allows for the construction and operation of the Project on tax parcels 7-3, 8-2, 8-2A, 3-2B, 8-12, 8-13, 8-14, 8-17, 8-34, 8-35A, 7-36, 7-36A, 14-52, 14-52B, 13-160, 13-162, 13-163, 13-164, 6-47.

3. Submissions to Accompany Site Plan. Submission and approval of a site plan meeting the requirements of Article 22 of the Ordinance (the "Site Plan") will be required prior to issuance of any building permits. The layout of the Project in the Site Plan will be in substantial conformity with the General Development Plan and the other plans and studies submitted with the Application. Compliance with the approved Site Plan shall be a condition of the SE for its duration. The Applicant shall provide the following to the County for review or approval during the Site Plan approval process.

A. Transportation and Traffic Control Plan addressing:

(i) Vehicle traffic to minimize conflict with local traffic patterns, including designated routes for workers and deliveries of equipment and materials on secondary roads providing ingress and egress to and from the Project;

- (ii) Lane closures, flagging procedures, and directional and informational signage;*
(iii) Delivery and parking areas;
(iv) Dust control and mitigation; and
(v) Road repair plan, including provision of a pre- and post-construction road evaluation and a Virginia Department of Transportation ("VDOT") Land Use Permit and posting of surety for the estimated cost of any repairs to public roads within 500 feet of each entrance to the Project from public roads, based on an estimate reviewed and approved by the County and VDOT.

B. Landscaping and buffering information:

The Site Plan shall depict in detail the vegetative buffering at the Project, including buffering for offsite dwellings or structures located within 1,000 feet of the Project fenceline, and including the use of existing, newly installed, and naturally regenerated vegetation, which shall be in substantial conformity with the General Development Plan submitted and approved by the County during the SE Permitting Process and provide for the following:

- (i) A vegetative buffer 40-feet wide (the "Buffer") will be either maintained or established within the setback area and out of and behind any VDOT or private road right of way. The Buffer shall consist of existing vegetation, or newly installed native plants and feature specimens not listed on the Department of Conservation and Recreation Invasive Plant List, or a naturally regenerated buffer as set forth in Sec. 28-5-2(D) of the Ordinance, or any combination thereof.*
- (ii) Where new vegetation is established, the planting schedule shall consist of four rows of medium to large evergreen shrubs intermixed with evergreen trees as depicted in the General Development Plan approved by the Board of Supervisors. Trees will be a minimum of four (4) feet tall at planting and shrubs must be at least twelve (12) inches at planting. Areas of the new vegetation that do not survive or are damaged or are otherwise in need of replacement will be replanted during the following growing season.*
- (iii) Existing vegetation, which meets or exceeds the requirements of the Buffer, will be retained in lieu of planting new vegetation as depicted in the General Development Plan approved by the Board of Supervisors. Existing vegetation may be supplemented with additional plantings where necessary as set out in the Site Plan. In areas where existing vegetation is used as the vegetative buffer, damage or death that diminishes or compromises its buffering effect*

will be remedied by planting additional replacement vegetation during the following growing season.

- (iv) In areas of the Buffer where no existing vegetation exists and the nearest offsite residential dwelling or occupied structure is located 1,000 linear feet or more away from the Project fenceline, a naturally regenerated buffer will be established. In such areas, a naturally regenerated buffer will be established by the cessation of mowing on a stabilized surface resulting in natural recruitment of shrubs and trees. The area shall be marked by staking and/or signage and be at least 40 feet in width or greater, including curve and turn areas.*
- (v) The Buffer will be evaluated by Applicant for compliance with these Conditions at least once per year.*

C. Erosion and Sediment Control and Stormwater:

The final design for Erosion and Sediment control will either be submitted to the County or the Virginia Department of Environmental Quality ("DEQ"), as applicable, in accordance with the Virginia Erosion and Sediment Control Handbook and reflected in the Site Plan as submitted for approval. Stormwater Management design will be approved by DEQ and the approved design and plan will be reflected in the Site Plan submission. Applicant will deliver the DEQ approval of Erosion and Sediment and Stormwater Management Control to the County at the same time as the Site Plan, for informational purposes.

D. Cultural, Historical and Natural Resources Information:

DEQ will review and approve a Phase IA Cultural Resources Assessment containing a Virginia Cultural Resource Information System ("VCRIS") desktop survey of the Property. Applicant will deliver the VCIRS survey and applicable documentation from DEQ, the Department of Historic Resources ("DHR"), Department of Wildlife Resources ("DWR"), and the Department of Conservation and Recreation ("DCR") to the County at the same time as the Site Plan, for informational purposes.

E. Decommissioning Plan (the "Decommissioning Plan") including:

(i) Procedures and requirements for removal of the Project at the end of its useful life, including provisions for the maintenance and preservation of topsoil in existence prior to decommissioning ensuring that topsoil will be redistributed across any disturbed area. The Decommissioning Plan shall provide an estimate of the useful life of the Project, an estimated cost of decommissioning in current dollars less the anticipated salvage value (the "Net Decommissioning Cost"), methodology for determining such estimate and the manner in which the Project shall be decommissioned. The Decommissioning Plan will be updated by Applicant every five (5) years.

(ii) Terms specifying that if the Project ceases generating electricity for more than twenty-four (24) consecutive months, except for as a result of a force majeure event as provided in Article IV, Section 11 of the Siting Agreement, the Project shall be decommissioned in accordance with the Decommissioning Plan within the following six months unless the project is returned to operation within that time, subject to applicable extensions granted by the Board of Supervisors. If the obligation to decommission the Project pursuant to the SE and the Decommissioning Plan is not satisfied, the County may enter the Property without consent to engage in decommissioning. As co-applicants for this SE, landowners participating in the Project agree to and acknowledge that the County may enter their property to effectuate decommissioning.

(iii) Financial security for decommissioning, whereby surety securing the Net Decommissioning Cost shall be provided in the form of certified funds, cash escrow, bond, letter of credit, parent guaranty, or other means as provided by Va. Code 15.2-2241.2 in a form acceptable to the County Attorney. Each landowner participating in the Project shall be listed as an additional insured party in the surety securing the Decommissioning Cost. In the event the Project is acquired by a public service corporation as defined in Va. Code § 56-1, a parent guaranty will be deemed sufficient and no other form of security shall be required for decommissioning, provided that such parent guaranty is in a form acceptable to the County Attorney. In the event a bond or letter of credit is used to secure the Decommissioning Cost, it shall provide for automatic notification of the County at least thirty days in advance of the expiration of the bond or letter of credit.

F. Emergency Plan:

An emergency plan developed in coordination with County Emergency Services teams will be submitted with the Site Plan, addressing specific emergency response strategies and ensuring prompt access to the Project by the appropriate personnel during an emergency event. This document will be updated as necessary at the request of the Zoning Administrator, but no less than every five (5) years.

G. Proof of Liability Insurance:

Proof of adequate liability insurance shall be provided prior to the issuance of building permits and updated annually. In the event the Project is acquired by a public service corporation as defined in Va. Code § 56-1, such entity may self-insure and proof of liability insurance will not be required.

H. Proof of Panel Specifications.

As part of the Site Plan review, the Applicant shall provide documentation that the selected panels are "Tier 1" modules as established by the most

recent "PV Module Tier 1 List" issued by Bloomberg NEF or a similar third-party analysis widely accepted in the solar industry, and that the make and model of the selected panels qualify, for disposal purposes, under applicable U.S. Environmental Protection Agency tests as non-hazardous waste.

4. Setbacks.

- A. *Front, side, and rear setbacks from the fence to adjoining parcels shall be a minimum of 50 feet.*
- B. *Parcel boundary lines between parcels subject to this SE do not require setbacks.*
- C. *Setbacks from the fence to parcels with residential zoning shall be a minimum of 100 feet.*
- D. *Setbacks from the fence to the edge of the right-of-way boundary of VDOT rights-of-way or other public roads shall be 75 feet.*
- E. *For any given parcel that is not participating in the Project but which adjoins a parcel that is participating in the Project, all side or rear setbacks adjacent to the non-participating parcel may be reduced or eliminated by the Board of Supervisors contingent upon the Board's receipt of a signed affidavit from the owner of the non-participating parcel in which the owner agrees to such reduction or elimination.*
- E. *Setbacks shall be free of buildings and any other above-ground infrastructure. Driveways and access roads may be located within setbacks.*

5. Fencing. *Fencing surrounding the above-ground components of the Project will be constructed in accordance with the National Electric Code ("NEC"), but in no case shall the fencing be less than six feet in height and it shall be equipped with appropriate anti-climbing devices, such as strands of barbed wire at the top of the fence.*

6. Lighting. *Permanent lighting will be for safety and security only, limited to those areas needing illumination, and will operate with motion sensors, and will be pointed downwards or inwards towards the Project. Lighting during construction is permitted as needed during construction hours.*

7. Construction Hours. *All land clearing and grading activities will be limited to the hours of 7:00 a.m. until 7:00 p.m., Monday through Saturday. The Applicant may file a written request with the Zoning Administrator to conduct construction and decommissioning activities on Sunday in the event the Project is delayed by circumstances beyond the control of the Applicant. Permission to do so may be granted, denied, or revoked at the sole discretion of the Zoning Administrator.*

8. Noise. *Noise levels from construction shall not exceed an average of 85 decibels ("dBA") over the work day (7:00 a.m. to 7:00 p.m.) when measured at the boundary line*

between a parcel on which the Project will be located and an adjacent parcel not participating in the Project. During operation of the facility, inverter and other equipment noise shall not exceed 65 dBA when measured at the boundary line of parcels on which the Project is located.

9. Signs. No signage will be placed on fencing, structures, or buildings of the Project except for one sign, 32 square feet in size, at the main ingress/egress area, which shall list the required warnings, Project name, address, and relevant emergency contact information. Directional signs, not exceeding eight square feet per sign, shall be permitted and limited to no more than two per approved entrance or right of way. Any signage required by any state or federal agency, any industry code or standard, or any commercial insurance standards for safety or emergency purposes shall be exempt from this requirement.

10. Vegetative Cover. Excluding the Buffer described above, the ground between the panels and in areas not otherwise covered by gravel or infrastructure shall be planted and maintained with a vegetative cover. This vegetative cover will be managed with mowing, grazing, or herbicide use, provided that the herbicides are used within the label restrictions and are non-residual in type.

11. Annual Report to County. Once per calendar year, Applicant shall provide to the County Administrator a report of any month during which the Project did not deliver energy to the electric grid during the preceding year. This report shall also include an update on proof of liability insurance coverage, and as applicable and except in the case of a parent guaranty, written confirmation that the surety remains in full force and effect to secure the Decommissioning Cost.

12. Adherence to Applicable Technical Standards. As of the date of installation, all Project components will meet the applicable provisions of the NEC, National Electrical Safety Code ("NESC"), American Society of Civil Engineers ("ASCE"), American National Standards Institute ("ANSI"), Institute of Electrical and Electronics Engineers ("IEEE"), Underwriters Laboratories ("UL") or International Electrotechnical Commission ("IEC"), as applicable and the Virginia Uniform Statewide Building Code. In the event of conflict between the code provisions cited herein, the Project will be constructed, maintained and operated in accordance with all adopted codes under the Virginia Uniform Statewide Building Code. Panels will be of a non-reflective type and be designed to minimize offsite glare on neighboring roads and properties.

13. Height. The solar facilities will not exceed a height of fifteen (15) feet at maximum tilt measured from the highest natural grade below each solar panel. This limit shall not apply to utility poles and equipment interconnecting the Project to the electricity transmission grid or to the substations.

14. Disposal of Project Components. All components of the Project which are removed from service due to damage during operation of the Project will be collected and stored onsite in dry waste containers and either recycled or disposed of offsite in accordance with applicable manufacturer and EPA regulations.

15. Public Liaison. Applicant will designate a person to act as a point of contact between citizens and construction crews ("Public Liaison"). The contract information for the Public Liaison will be posted at each access, published on the Project's website, and provided to Lancaster County Staff.

16. Reimbursement of County Expenses and ESC Professional. The Applicant shall reimburse the County for the actual cost of any third-party engineering, inspection or other technical services incurred by the County, including the ESC Professional as provided herein, for the inspection of the Project during construction and the start of operations, subject to receipt of appropriate documentation of the expenses and up to a total Project-wide limit of \$78,000. This condition will be deemed satisfied upon completion of construction of the Project and issuance of an occupancy permit.

A. Erosion and Sediment Control Professional: To facilitate the implementation of best practices for erosion and sediment control ("ESC") during construction of the Project, the Applicant will directly fund the County's retention (or, at the County's option, reimburse the County for the retention) of an independent, Virginia or North Carolina based professional with experience in erosion and sediment control management ("ESC Professional"). The ESC Professional shall be knowledgeable of environmental permit compliance requirements and shall be experienced in ESC installation, operation, and maintenance requirements and administration of the ESC handbook. The ESC Professional will be selected by the Director of Planning and Land Use ("Director") from a list of three candidates supplied by the Applicant (not associated with the Project), and will be retained by the County and report directly to the Director.

B. ESC Job Description: The ESC Professional will support the County and DEQ in reviewing the final design of the Project and the Applicant's various drainage-related submittals to the County and DEQ for conformity with the ESC handbook. The ESC Professional will make regular inspections of the Project during construction, including after storm events. The ESC Professional shall provide e-reporting to a central File Transfer Protocol ("FTP") site, provided by the Operator, to which the County and DEQ shall be granted access. Reports will be submitted no later than next day following any inspections. Site inspections and reports shall be conducted and reported at a minimum in accordance with the Virginia ESC program. Any corrective actions done in the field shall be e-mailed to the County and DEQ within twenty-four (24) hours of completion. Such reports shall be logged into the FTP. The ESC Professional will also keep a log of activity documenting all Facility activities, including, but not limited to, construction and corrective measures implemented, site visitors (i.e., non-Project staff), waterbody and wetland crossings, and ESC installation and maintenance activities.

17. County Access for Emergencies and Inspections. The Applicant will allow designated County representatives or employees access to the Project at any time for inspection purposes, with twenty-four (24) hours advance notice to the Operator and adherence to site safety procedures to ensure safe inspection by the County. Emergency access by first responders where damage to person or property has occurred or is imminent shall be immediate. Access to the Project by the County for any purpose will be managed by

keycode or other remote access technology, with specific entry credentials issued to the County for their use.

18. Violations and Remediation. All activities conducted in connection with the Project shall conform with all applicable federal, state and local laws, regulations and ordinances. Any material violation of the SE that continues for more than 60 days from the date a written notice of violation (“NOV”) is emailed, regular mail, and mailed by certified receipt requested, to the Applicant’s designated point of contact as provided in writing to the Zoning Administrator, which (the “Cure Period”) may result in the initiation of proceedings by the County to revoke the SE permit. However, no such proceeding will be initiated as long as the Applicant has met with the Zoning Administrator and submitted a plan to remediate the issues raised by the NOV. With respect to any road repairs necessitated by Project construction activities, any such repairs shall be made within a reasonable period of time following the Project’s receipt of VDOT’s written approval for such repairs.

19. County Emergency Services Training. Upon request, but no more than once per calendar year, the Applicant will provide materials, education and/or training, in coordination with the County’s Emergency Services staff, regarding safe responses to on-site emergencies, including fires.

20. Emergency Services Payment. In order to support the additional capabilities required by the Project and the ongoing provision of emergency services in Lancaster County, Applicant will make a one-time, up-front payment of Sixty-Five Thousand Dollars (\$65,000.00) to the Upper Lancaster Volunteer Fire Department for the installation of a well and water storage tank or other equipment that supports the mission of the department. This payment is permitted pursuant to Virginia Code §15.2-2288.8 and will be made upon submission of the Site Plan for approval by the County.

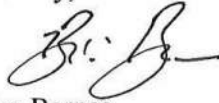
21. Building Permit Deadline. The deadline for obtaining building permits is five (5) years after the date of approval of the SE unless extended by written agreement between the County and the Applicant.

22. Binding Effect. The SE will be binding on Applicant or any successors or assigns of the Project.

23. Effect of Conditions. As previously stated, the proposed SE conditions (the “Conditions”) are consistent with the Ordinance but in the event of any inconsistency, the Conditions shall control. In accordance with Va. Code § 15.2-2232(H), the County has the authority to waive, and does hereby waive, the requirement that the Project be reviewed for substantial accord with the Comprehensive Plan.

If you have any questions or concerns regarding this permit, please let me know what you may require and I will attempt to address that issue. When and if Erosion and Sediment Control Plans, Building, and Site Plans are drawn up for approval, county staff will review them based upon the aforementioned conditions and authority.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Barnes", with a stylized flourish at the end.

Brian Barnes
Director, Planning and Land Use
Office: 462-5129
Email: bbarnes@lancova.com

file



County of Lancaster, Virginia

Minutes

Board of Supervisors Meeting

Thursday, October 28, 2021

6:00 PM

Board/Commission Meeting Room

PRESENT: Jack Larson District 1 Supervisor
Ernest Palin, Chairman District 2 Supervisor
Jason Bellows, Vice-Chairman District 3 Supervisor
Bill Lee District 4 Supervisor
Robert Westbrook District 5 Supervisor

STAFF PRESENT: Don Gill County Administrator
James Cornwell County Attorney
Brian Barnes Planning Director
Glenn Rowe I.T. Director
Crystal Whay Clerk

ABSENT:

1 CALL TO ORDER - 6:00 PM

Mr. Palin called the meeting to order at 6:00 p.m.

2 CLOSED MEETING

- a) Per Section §2.2-3711.A.1 (Personnel), §2.2-3711.A.3 (Acquisition/Disposition of Real Property) and §2.2-3711.A.8 (Consultation with Legal Counsel) of the *Code of Virginia, 1950*, as amended.

District 3 Supervisor Jason Bellows, Vice-Chairman moved to enter into a closed meeting to discuss Acquisition/Disposition of Real Property, §2.2-3711.A.3 of the Code of Virginia, 1950, as amended for the discussion or consideration of the acquisition/disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, Legal Matters, §2.2-3711.A.8 of the Code of Virginia, 1950, as amended for the consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel and Personnel, §2.2-3711.A.1 of the Code of Virginia, 1950, as amended for the discussion and consideration of the assignment,

District 1 Supervisor Jack Larson moved to deny the rezoning request by Donald C. Swann from R-1, Residential to A-2, Agricultural.

District 1 Supervisor Jack Larson	Aye
District 2 Supervisor Ernest Palin, Chairman	Nay
District 3 Supervisor Jason Bellows, Vice-Chairman	Nay
District 4 Supervisor Bill Lee	Nay
District 5 Supervisor Robert Westbrook	Aye

Vote: 2 to 3. 0 Abstained. Motion Defeated.

District 2 Supervisor Ernest Palin, Chairman moved to approve the rezoning request by Donald C. Swann from R-1, Residential to A-2, Agricultural.

District 1 Supervisor Jack Larson	Nay
District 2 Supervisor Ernest Palin, Chairman	Aye
District 3 Supervisor Jason Bellows, Vice-Chairman	Aye
District 4 Supervisor Bill Lee	Aye
District 5 Supervisor Robert Westbrook	Nay

Vote: 3 to 2. 0 Abstained. Motion Carried.

- d) Application for Special Exception for a 131 MW Utility Scale Solar Facility - Waller Solar 1, LLC
Complete Application can be viewed at
<https://lancova.civicweb.net/Portal/MeetingInformation.aspx?Org=Cal&Id=92>
Additional Information can be viewed at www.wallersolarproject.com

Mr. Palin asked Mr. Barnes to present the issue.

Mr. Barnes stated that this public hearing will be for a request for a special exception by Waller Solar 1, LLC to establish a utility scale solar facility on tax map #'s 7-3, 8-35A, 8-17, 7-36, 7-36A, 14-52, 14-52B, 8-14, 13-164, 8-12, 8-13, 8-2, 8-2A, 3-2B, 8-34, 13-160, 13-162, 13-163, 6-47 and 7-3 in Districts 1 and 2.

Mr. Barnes stated that there has been a push on all levels for renewable energy and solar energy costs have decreased substantially over the last few years. He

stated that Waller Solar applied for the special exception on July 1, 2021, which was the effective date of the County's solar ordinance. He stated that this is a transmission line project and not a distribution line project. He stated that the project will have 1,400 acres of actual array fields, with 2,700 acres leased. He stated that the project was designed to produce 131 megawatts. He stated that 131 megawatts may power approximately 30,000 homes.

Mr. Barnes stated that a concern that has been raised is erosion control. He stated that the County has decided to opt in to the Department of Environmental Quality (DEQ)'s offer to review erosion and sediment control plans for solar sites over five megawatts. He stated that the County will maintain erosion and sediment control enforcement, but DEQ will have the jurisdiction over storm water.

Dr. Westbrook stated that the Louisa County project met all of the DEQ requirements and look what happened to them.

Mr. Barnes stated that the problem with the approach that Louisa County took was that the designer used engineering techniques, such as ones designed for Wal-Marts and similar buildings. He stated that, when one is talking about a 1,000 acre site or more, agricultural techniques of erosion and sediment control should be used and they are more appropriate for the bigger sites. He stated that they can push plans back to DEQ if the County feels like what they are determining for a site is not going to be sufficient. He stated that North Carolina has special standards for solar facilities, such as the use of articulating panels. He stated that, in his opinion, he thought the North Carolina standards should be adopted in Virginia.

Mr. Bellows stated to Mr. Barnes that he would like to work with him and get some information about his suggestions and get it to the Virginia Association of Counties (VACo).

Mr. Barnes stated that he would appreciate that.

Dr. Westbrook stated that he had asked Mr. Barnes earlier in the day why there seems to be a rush to get this through. He stated that Mr. Barnes had an interesting answer and asked him if he was willing to share it.

Mr. Barnes stated that, earlier in the day, he, Mr. Palin and Mr. Gill spoke to a distribution developer and that developer answers to Dominion Energy in regards to their queue position. He stated that, by the term queue position, he means that these solar companies get in line and pay money for their position to provide power with their projects. He stated that some of these projects have payments coming up and, in his opinion, he feels that process puts an undue hardship on elected officials and staff. He stated that they feel pressure from developers because those developers feel pressure to make payments to Dominion Energy to maintain their queue position.

Craig Adair with Open Road Renewables stated that his company was the developer of Waller Solar. He stated that, from his perspective, this issue has not been rushed. He stated that he and his colleagues have been coming to the County for two years to work on this issue. He stated that the County's solar ordinance was one of the most comprehensive ordinances that he had seen. He stated that he thought the conditions that had been included were robust and protective of the County. He stated that the two things before the Board at tonight's meeting were the special exception request and the siting agreement. He stated that the siting agreement was just finalized today.

Mr. Adair referred to the Waller solar project and stated that there were 22 participating land owners and the maximum project size was approximately 1,400 acres. He stated that the project will result in \$17.94 million dollars in new tax revenue over forty years. He stated that the project will be located at the far northwest end of the County and he showed the project area. He stated that the area is fairly sparsely populated and about seventy percent of the area was currently managed timber. He stated that about thirty percent of the area is currently crop land. He stated that the proposed project will comply with all setbacks and screening requirements and the surface equipment will avoid all wetlands, floodplains and the Resource Protection Area (RPA).

Scott Foster of Gentry Locke stated that the proposed project complies with the County's solar ordinance, the County's Comprehensive Plan and the special exception requirements. He stated that they have participated during the solar ordinance process and he thought that the County's ordinance was well positioned to protect the County. He stated that the proposed project conforms to the Comprehensive Plan regarding location, character and extent. He stated that the solar project will help protect farmland from future development for the next forty years and reduces groundwater pollution by reducing the amount of chemicals that would normally be used for crops. He stated that the area in which the project was being proposed was out of the County's Primary Growth Area, so the growth and enterprise zones are protected. He stated that the project will enable the County to be energy positive and it will help with grid resilience.

Mr. Foster stated that they have agreed to reimburse the County for it to retain an erosion and sediment control professional to review plans and make inspections. He stated that the decommissioning plan requires removal of all project infrastructure and restoration to pre-construction conditions. He stated that the financial surety will be updated every five years to ensure that it is accurate. He stated that one of the special exception conditions that they intend to follow included an emergency response planning and training plan which will be continually updated. He stated that they have committed to using tier one panels and those panels will have passed all testing requirements to make sure that the panels will not harm groundwater. He stated that all of the conditions brought forth will apply to any successor or assign.

Craig Adair stated that what happened in Louisa County is serious and he could not defend what happened there. He stated that what happened in Essex County was serious as well. He stated that, as an industry, they needed to do a better job. He stated that he thinks they have come up with something that will reduce

the chances of what happened in those other localities from happening with this project. He stated that, it was his understanding, that both in Louisa and Essex counties, they were found to not be in compliance with their erosion and sediment control plans or the state handbook and they had been issued notices of violation and fines had been paid. He stated that his company wanted to be proactive and work with Mr. Barnes and an additional condition that they have proposed was to fund an erosion and sediment control specialist that would report to the County. He stated that this specialist would be selected by the County from a list of experienced candidates that his company would provide. He stated that the functions of the specialist would be to review the preliminary site plan, conduct regular inspections once a week for eighteen months and report their findings to the County.

Mr. Lee asked what was the significance of the erosion and sediment control specialist being Virginia based.

Mr. Adair replied that every state and region has specific conditions and he thought it was important that the specialist be Virginia based, so that they would be familiar with conditions here. He stated that they will also be performing regular inspections, so it would be more convenient if the specialist was based in the state.

Mr. Lee stated that the reason he asked the question was because of what Mr. Barnes had said earlier about North Carolina.

Mr. Adair stated that, if the County wanted to revise the condition to include North Carolina, his company would be fine with that.

Mr. Adair stated that there would be three buckets of tax revenue for the County with this proposed project. He stated that the first would be increased tax revenue as the land comes out of land use and is taxed at full value, which is estimated to be approximately \$3 million dollars over the next forty years. He stated that there would also be revenue share payments and voluntary payments pursuant to the siting agreement. He stated that the entire financial package for the County comes in just under \$18 million dollars. He stated that he wanted to also discuss how the proposed solar project might affect neighboring properties and introduced a certified appraiser to speak about that.

Rich Kirkland stated that he was a certified appraiser in both North Carolina and Virginia. He stated that he had been studying solar facilities and the values of properties beside and near solar projects for the last thirteen years. He stated that he had worked in nineteen states and had looked at over 800 solar farms. He stated that, by using sales analysis, he has found that sales for properties near or by a solar farm are not affected by being nearby those facilities. He stated that this data has been supported by university studies. He stated that, in his professional opinion, this project as proposed will not have a negative impact on adjoining property values.

Mr. Palin opened the public hearing.

Page Henley stated that he was a resident of Rappahannock Westminister Canterbury, but his family also owned property on Morattico Road, which was directly across the road from the Haynie farm and will be looking directly at the proposed project. He stated that they were comforted that there would be a buffer around the project and he commended the County for having, as a condition, a four-tier vegetative buffer. He stated that what concerns him is that he has found out that there was to be an access road directly across from his property and that road will go through the buffer and will render the buffer ineffectual. He stated that there was an old access road on the Haynie property and suggested that road be used for access, particularly because Mr. Haynie would not be farming the property anymore. He stated that this property is on the watershed of the Western branch of the Corrotoman River, so pollution control and water protection is critically important and he hoped that the Board would pay serious attention to that.

Gene Forrester stated that he was a farmer and a long time resident of the County. He stated that he was concerned about the erosion issue with this project, but he thought that the company would do a good job. He stated that he was in agreement of going forward with the project.

Jeff Hinton stated that he was not a resident of the County, but he did pay taxes here. He stated that he was a farmer and he thought that a property owner should be able to do what they want with their property within reason.

Scott Griffith stated that he was a long time resident of the County and he hunted in the upper end of the County. He stated that he believed that a property owner should be able to do what they want with their property and be able to support their families.

Charlie Costello, a District 2 citizen, referred to the application and the latest conditions dated October 21, 2021 and stated that he was concerned about the language that pertained to the siting agreement on page 3 and the decommissioning plan on page 4. He referred to the decommissioning plan and surety bond and said that there was nothing about adjusting costs every five years. He referred to page 5 and stated that the setbacks that are mentioned seemed inconsistent with the ordinance.

Samuel Cain stated that he was the pastor elect of Calvary Baptist Church in Kilmarnock. He stated that he was in favor of the Waller Solar Project and he thought it had more benefits than drawbacks. He stated that the project will help with County revenue for present and future projects, such as schools and parks. He stated that he hoped that one day the County could have a public fishing pier. He stated that, after listening to the representatives from the solar developer, he believes that they have done a thorough job.

Pastor Ulysses Turner stated that he was in support of the Waller Solar Project. He stated that the renewable energy industry is one of the fastest growing industries in the United States and globally. He stated that he had heard that Rappahannock Community College was going to offer a program for solar

certification, which is good news. He stated that the expected \$18 million dollars in tax revenue is important. He stated that this project will be in the upper end of the County and sometimes people in that area can feel forgotten and his hope is that some of the expected revenue will be reinvested into the community because they need a place for recreation in the upper end of the County.

David Peterson stated that he was the Executive Director of Shine, which is a solar hands-on instructional network. He stated that he wanted to compliment Open Road Renewables and the Board of Supervisors for a purposeful and responsible approach to solar development. He stated that what they do at Shine was to help train people to work for solar facilities and they help prepare citizens in the community for the jobs and the economic benefits. He stated that he was there to offer Shine's support of the project.

P. J. Haynie stated that he was a fifth generation farmer in the Northern Neck. He stated that his family has made a living off the land for many years and he was asking the Board to allow farmers and other land owners to make the decisions of what was best for their land. He stated that everyone needed to accept change and clean energy is a need for the future and a growing population.

Bill Emory, a District 1 citizen, stated that, according to the Solar Energy Industries Association, 131 megawatts of solar power was enough to power approximately 21,484 homes, so if the Board voted to approve this special exception, we have done our part for global warming. He stated that this project should be the last utility scale solar project that the Board approves. He suggested that the Board set a ceiling or a percentage of how much land in the County that will be allowed for solar use. He stated that he would like for the Board to table this special exception request and actually examine the economics and follow the money. He stated that they know that the County will be making \$18 million dollars, but it would be interesting to know what the utility company will make.

Thomas Towles, Jr. stated that he was a farmer in favor of the solar project. He stated that people who don't farm do not understand the challenges of farming today and this solar project was a way for farmers to use their property the way they want and provide for their families. He stated that there were many benefits for the County with this solar project.

Ed Cockrell, a District 2 citizen, stated that he could not believe that Lancaster County is considering allowing solar fields to be built here, specifically in wetlands areas. He stated that he had spoken with someone who said that there has been irreparable damage in Essex County due to a solar project there as well as economic burden on the County. He stated that he lived near where the proposed project will be and he did not want his property damaged by decisions in which he was not included. He stated that he was concerned about erosion and the removal of natural vegetation. He stated that next year's Virginia General Assembly will be considering new legislation because the solar companies are trying to build on wetlands all over Virginia and there may be some new regulations with more protections put in place. He stated that he would like to see

this request tabled until after the General Assembly meets to see if the legislation changes.

George Bott, a District 1 citizen, stated that he was in support of the Waller Solar Project. He stated that his reasons were that because of the project's location and design it will have almost no visual impact and the arrays will occupy less than fifty percent of the land set aside for the project. He stated that it could be the last major solar project in the County because of the transmission line capacity. He stated that revenues from the project could go towards capital projects in the County, particularly the schools.

Tom Hoggard stated that he lived on Courthouse Road and the project will be on two sides of his property. He stated that he had spoken with Craig Adair of Open Road Renewables about his concerns and Mr. Adair visited his property. He stated that Mr. Adair addressed his concerns and he was satisfied that he will have a good neighbor.

Albert Pollard, a District 5 citizen, stated that he supported the project. He stated that he would rather have a solar project with good buffering than McMansions with over fertilized lawns nearby. He stated that he thought the staff had done a good job and should be commended.

Wade Moore, a District 1 citizen, referred to the eighteen month period that a specialist would be making inspections and asked what would happen after eighteen months. He was concerned about erosion and what will happen to his property. He stated that he was opposed to it and thought that the County will be destroyed with these types of projects.

Catharine Moore, a District 1 citizen, stated that she was concerned about erosion and how this project will affect her property. She stated that she was concerned about the water quality. She stated that she was not there to make her neighbors and her friends mad and she understands where they are coming from and there was a lot of money involved, but money doesn't buy everything. She stated that she felt that this project will destroy the uniqueness of the County and it won't help with tourism. She stated that the developers will sell the project and won't care what happens to the County after that. She stated that, in Louisa County, a committee had been formed to investigate and review solar projects and maybe this decision was too big for just five Board members.

Donald Conaway, a District 2 citizen, stated that he was in support of the project and the part he liked the best was, after forty years, the land can go back to its current use. He stated that he thought the Board should approve the request tonight and not postpone their decision.

Ashby Allen stated that he was a long time resident of the County and still hunted some of the property that will be involved with this project. He stated that he was in favor of the project and a property owner should be able to do with their land what they choose as long as it doesn't hurt their neighbors.

Ronnie Forrester stated that he has been against this project for a long time and he did not think the truth was being told. He stated that the developers will leave and the County will be responsible for what has been done. He stated that he was very concerned about the wildlife and what will happen to them. He stated that solar panels will be surrounding his farm. He stated that he talked to a Louisa County Board member who told him that they had made a mistake and were planning on having a cap on solar facilities there. He stated that he believed a property owner should do what they want with their land, but not when it was going to hurt other people around them. He stated that this issue should be voted on by the citizens and he would like to see the request postponed.

Charlie Dixon stated that he was not in support of the project. He stated that it was bad for the sportsmen and the wildlife. He stated that the panels look bad in the fields and he would rather see crops. He stated that he sees solar panels in other places and they do not seem well buffered to him. He stated that the Board spent a lot of time making sure that the Dominion Energy towers were not built beside the bridge because it was going to look bad and this is the same principal.

Jackie Barrack, a District 2 citizen, stated that he thought the Board had done a great job on the siting agreement and he hoped that some of that money will go towards the youth in the upper end of the County. He stated that, when he was approached by Open Road Renewables about three years ago, he had just met with a land surveying firm about possibly subdividing his property. He stated that now he won't have to subdivide his property into many lots and will be able to generate income from having the solar farm. He stated that, unlike other agricultural land, solar farms use very little chemicals. He stated that this project will help to conserve farmland. He stated that, as a landowner, he feels like he should be able to use his property as he sees fit. He stated that he thought the Board should approve the request.

Michael Self stated that he was a farmer and was in full support of the project. He stated that he had done a lot of research and solar energy is clean energy and good for the environment. He stated that he has signed up to have a solar farm on his property in Richmond County.

Will Hubbard stated that he was there on behalf of Waller Solar and he was also a land owner in District 3. He stated that Waller Solar has assisted in the creation of an ordinance that will apply to all projects throughout the County, not just theirs. He stated that he would suggest to this Board that this was an ideal project at an ideal time with an ideal partner. He stated that there has been discussion about the issues with the Louisa County and Essex County solar projects. He stated that they were both terrible circumstances, but he wanted to point out that they were two projects out of about forty throughout the state. He stated that, as the Board is aware, there are usually a lot of comments when the feedback is negative and there are about thirty-eight utility scale projects where there have been no issues. He asked the Board to consider that in its deliberations.

Danny Akers, the Chief of the Upper Lancaster Volunteer Fire Department, stated that, at the last meeting, the topic came up about the potential for fire at

the solar project site. He stated that he was not in attendance at the last meeting, but wanted to address the issue. He stated that Open Road Renewables has come to the fire department and has offered some assistance with water supply. He stated that Open Road Renewables is trying to make this safe for Lancaster County.

Susan Marsh, a District 2 citizen, stated that the staff has done an amazing job with their research, however, she understood that none of the electricity that will be generated from the panels in this County will be staying here and it will be transferred to northern Virginia. She asked if they really wanted to ruin the beauty of the County and supply northern Virginia for money. She asked if they wanted to sell their County out. She stated that she thought they needed to slow down and wanted the Board to table their decision until more research can be done.

Lloyd B. Hubbard, a District 3 citizen, stated that he was in support of the project and thought it was a win-win situation for the County.

Jaime Cockrell stated that she was a resident of Miskimon and wanted the Board to know that there were a lot of people who were against this project, but they were not in attendance tonight. She stated that the letters to the editor in the local paper for the last few months have been mostly negative letters in regards to the solar project. She stated that she was concerned about encroachment into the ecosystem and she didn't think they should be sacrificing clean water for clean energy.

Pastor Peyton Waller of New St. John's Baptist Church stated that he was in favor of the Waller Solar Project. He stated that he thought it would be a benefit to the community and there are many local pastors who are also in favor of the project.

An Ottoman area resident stated that there was an organization called The Organization for Responsible Solar and a website called www.stopsolarfarms.com that are two resources for people who want to do their own research on this topic.

Mark Paterni, a citizen joining the meeting online, stated that he would like to have the request tabled because he did not think that the conditions attached to the special exception or the siting agreement are adequate. He stated that he was very concerned about ecological damage to the area.

Mr. Palin closed the public hearing.

Scott Foster stated that there have been some questions raised about the siting agreement. He stated that there were no modifications in this siting agreement except for minor clarifications where it was not absolutely clear how the ordinance would apply to this project and they simply restated how this project would be treated and it has been discussed by staff. He stated that there have also been questions about what components would be decommissioned and that relates back to the entire project. He stated that he also wanted to point out that,

in section E, it states that the decommissioning costs are recalculated every five years.

Craig Adair stated that, in response to Mr. Henley's concern about the access road near his property, the access road shown on the layout is conceptual at this point and the final location of the road will be determined as part of the final site plan review. He stated that he would be happy to work with Mr. Henley and Mr. Barnes to come up with a better location for the least disruption.

Dr. Westbrook stated that he did not think they were ready to do this and they do not have specific conditions to protect themselves from what can go wrong. He stated that he has proposed, by email to his fellow Board members, that they have a workshop and invite the Chairman of the Louisa Board of Supervisors to discuss what lessons they have learned and what they have done in that locality since the problem with the Belcher project. He stated that he would also like to have someone from the Essex County Board of Supervisors to come as well to talk about what has happened there with solar. He stated that he would like to have the Chief of Emergency Medical Services talk about the problems in Essex and how the procedures that were set up to get to a fire were not followed. He stated that he wanted them to learn every lesson that they can learn. He stated that he believed that they will have solar in Lancaster County and it was up to the Board to decide what that is going to look like and they were responsible for setting the terms and they need to have an open discussion about it. He stated that he did not think that the conditions set forth by Open Road Renewables was as robust as they say they are and he saw some holes in those conditions. He stated that he wanted a workshop, not devoted to Open Road Renewables, but devoted to the solar subject and bring in people who have experience with the problems that have happened.

District 5 Supervisor Robert Westbrook moved to hold a workshop in November and ask representatives from Louisa and Essex counties to attend, as well as anyone else who would be appropriate, before a vote is taken on the Waller Solar Project and table that request until after the workshop.

<i>District 1 Supervisor Jack Larson</i>	<i>Aye</i>
<i>District 2 Supervisor Ernest Palin, Chairman</i>	<i>Nay</i>
<i>District 3 Supervisor Jason Bellows, Vice-Chairman</i>	<i>Nay</i>
<i>District 4 Supervisor Bill Lee</i>	<i>Nay</i>
<i>District 5 Supervisor Robert Westbrook</i>	<i>Aye</i>

Vote: 2 to 3. 0 Abstained. Motion Defeated.

- e) Proposed Siting Agreement for the 131 MW Waller Solar 1, LLC Utility Scale Solar Facility

Mr. Palin asked Mr. Gill to present the issue.

Mr. Gill stated that, pursuant to Chapter 22, Title 15.2, Article 7.3 of the Code of Virginia, an applicant and a County can enter into a siting agreement for solar generating facilities to provide financial compensation to the County to address capital needs set out in the County's capital improvement plan. He stated that the approval of a siting agreement, after a public hearing is held on that agreement, deems the solar facility to be substantially in accord with the County's Comprehensive Plan as outlined in the Code of Virginia Section 15.2-2316.9C. He stated that, as was mentioned earlier, the final piece of the siting agreement came together earlier tonight. He stated that the voluntary payment part, over thirty years, will be \$4.4 million dollars. He stated that \$1.5 million dollars will be paid in year one, \$90,000 per year in years two through twenty-three and \$80,000 per year in years twenty-four through thirty. He stated that those voluntary payments will help to offset debt service for capital improvement items.

Mr. Palin opened the public hearing.

Charlie Costello, a District 2 citizen, asked when the payments would start.

Mr. Gill replied that the payments would start in the first year of operation.

Mr. Adair stated that would be most likely within two years.

Mark Paterni, who was online, stated that he was opposed to the siting agreement and the confidentiality section. He stated that, in his opinion, the public would be better served if more of the financial arrangements was made public. He suggested that this issue be tabled until more studies have been done.

Mr. Palin closed the public hearing.

Mr. Palin stated that the Board will first vote on the application for special exception by Waller Solar and then the Board will vote on the proposed siting agreement.

Mr. Lee referred to the final site plan and asked Mr. Gill if they would take care of any revisions if needed.

Mr. Gill replied that the final site plan would be reviewed and sent back for any revisions, if necessary.

Mr. Bellows asked if the final site plan would come before the Board or be approved administratively.

Mr. Gill replied that usually a final site plan is approved administratively.

Mr. Bellows stated that there had been a lot of comments about rushing this issue, but they have been working with solar issues since they approved the

Hubbard project back in 2018. He stated that this process has been thoroughly vetted through the Planning Commission and the Board. He stated that, in his opinion, the solar ordinance is robust and it protects personal property rights to allow people to do what they want on their own land, but also makes sure that there are buffers and setbacks and that they are adequate. He stated that, in other nearby counties, their setbacks and buffers are not as stringent and the solar farms are easily seen from the road because of that. He stated that these things were what he demanded to be in the ordinance and they are. He stated that he thought personal property rights were a fundamental part of this country and the ordinance not only protects property owners, but it also protects neighboring properties. He stated that he was in support of this project.

District 2 Supervisor Ernest Palin, Chairman moved to approve the special exception request by Waller Solar I, LLC to construct and operate a utility scale solar energy facility with adherence to the conditions set forth in Article 28 of the Lancaster County Zoning Ordinance with the added note of having the erosion and sediment control specialist be either from Virginia or North Carolina.

<i>District 1 Supervisor Jack Larson</i>	<i>Nay</i>
<i>District 2 Supervisor Ernest Palin, Chairman</i>	<i>Aye</i>
<i>District 3 Supervisor Jason Bellows, Vice-Chairman</i>	<i>Aye</i>
<i>District 4 Supervisor Bill Lee</i>	<i>Aye</i>
<i>District 5 Supervisor Robert Westbrook</i>	<i>Nay</i>

Vote: 3 to 2. 0 Abstained. Motion Carried.

District 2 Supervisor Ernest Palin, Chairman moved to approve the solar facility siting agreement proposed by Waller Solar I, LLC pursuant to Chapter 22, Title 15.2, Article 7.3 of the Code of Virginia and, in doing so, deems that this project be substantially in accord with the Lancaster County Comprehensive Plan pursuant to Virginia Code Section 15.2-2316.9C.

<i>District 1 Supervisor Jack Larson</i>	<i>Nay</i>
<i>District 2 Supervisor Ernest Palin, Chairman</i>	<i>Aye</i>
<i>District 3 Supervisor Jason Bellows, Vice-Chairman</i>	<i>Aye</i>
<i>District 4 Supervisor Bill Lee</i>	<i>Aye</i>

District 5 Supervisor Robert Westbrook **Nay**

Vote: 3 to 2. 0 Abstained. Motion Carried.

8 CONSENSUS DOCKET

- a) Minutes for the September 30, 2021 Regular Meeting

District 3 Supervisor Jason Bellows, Vice-Chairman moved to approve the Consensus Docket.

District 1 Supervisor Jack Larson **Aye**
District 2 Supervisor Ernest Palin, Chairman **Aye**
District 3 Supervisor Jason Bellows, Vice-Chairman **Aye**
District 4 Supervisor Bill Lee **Aye**
District 5 Supervisor Robert Westbrook **Aye**

Vote: 5 to 0. 0 Abstained. Motion Carried.

9 CONSIDERATION DOCKET

- a) Salaries and Invoices - September 2021 and October 2021

District 3 Supervisor Jason Bellows, Vice-Chairman moved to approve the invoice listings for September 2021 in the amount of \$2,142,637.48 and salaries for September 2021 in the amount of \$333,569.97. He stated that, of the invoice listings, \$1,118,560.13 was for loan payments, \$451,560.00 was for capital improvements and \$35,034.79 was for CARES Act expenses.

Mr. Bellows continued his motion to approve the invoice listings for October 2021 in the amount of \$965,278.14 and salaries for October 2021 in the amount of \$330,241.90. He stated that, of the invoice listings, \$417,638.60 was for capital improvements and \$3,307.74 was for CARES Act expenses.

District 1 Supervisor Jack Larson **Aye**
District 2 Supervisor Ernest Palin, Chairman **Aye**
District 3 Supervisor Jason Bellows, Vice-Chairman **Aye**
District 4 Supervisor Bill Lee **Aye**