



VIRGINIA: A SCHEDULED MEETING OF THE SURRY COUNTY BOARD OF SUPERVISORS
HELD IN THE GENERAL DISTRICT COURTROOM OF THE SURRY COUNTY GOVERNMENT
CENTER ON THURSDAY, FEBRUARY 13, AT 6:00 PM.

PRESENT: SUPERVISOR ROBERT ELLIOTT, JR., CHAIRMAN
SUPERVISOR BREYON PIERCE, VICE-CHAIR
SUPERVISOR WILLIAM T. CALHOUN
SUPERVISOR WALTER HARDY
STUDENT REPRESENTATIVE ZARIAH HARRELL

ABSENT: SUPERVISOR AMY DREWRY

ALSO

PRESENT: MS. MELISSA ROLLINS, COUNTY ADMINISTRATOR
MS. LOLA PERKINS, COUNTY ATTORNEY
MR. DAVID HARRISON, DEPUTY COUNTY ADMINISTRATOR
MS. ROBIN FAULKS, COUNTY ADMINISTRATION
SHERIFF CARLOS TURNER, SURRY COUNTY SHERIFF'S DEPARTMENT
MS. SHARNA WHITE - REGISTRAR
MS. RENEE CHAPLINE, ECONOMIC DEVELOPMENT
MR. HORACE WADE, PLANNING & COMMUNITY DEVELOPMENT
SUPERINTENDENT OF SCHOOLS, DR. HERBERT MONROE

Invocation

The invocation was given by Deacon Thaddeus Lane, Lebanon Baptist Church.

Student Representative for Surry County Board of Supervisors

Chair, Robert Elliott, Jr. announced that Zariah Harrell is the student representative for Surry County and she was introduced by Superintendent of Schools, Dr. Herbert Monroe.

Call to Order/Moment of Silence/Pledge of Allegiance/Adopt Agenda

The meeting was called to order by Chairperson Elliott, who then asked for a moment of silence. Following the moment of silence, he asked those present to stand and recite the pledge of

allegiance. Chairperson Elliott asked for Motion to accept the agenda. Supervisor Pierce made a motion to accept the agenda and Supervisor Calhoun seconded the motion. All present voted affirmatively. (Approved)

SUPERVISOR ROBERT ELLIOTT, JR.	AYE
SUPERVISOR BREYON PIERCE	AYE
SUPERVISOR WILLIAM (TIM) CALHOUN	AYE
SUPERVISOR WALTER HARDY	AYE
SUPERVISOR AMY DREWRY	ABSENT

Consent Items

1. Approval of Draft BOS Minutes – 12/5/2024
2. Approval of BOS Joint Work Session Minutes – 12/18/2024
3. Approval of Minutes – 1/9/2025
4. Approval of Draft Work Session Minutes – 1/15/2025
5. Four For Life Amendment/Appropriation
6. Surry County Emergency Operations Plan
7. Virginia Gateway Region Member Participation
8. Accounts Payables – December 2024
9. Accounts Payables – January 2025

Supervisor Elliott read the items listed for consent and asked Board members if any items needed to be pulled for discussion. There being none, Supervisor Hardy made a motion to approve the consent items as enumerated. Supervisor Pierce seconded the motion.

Vote (Approved):

Ayes: Mr. Pierce, Mr. Hardy, Mr. Calhoun, Mr. Elliot.

Nays: None

Absent: Ms. Drewry

Public Comments

1. Lawrence Beale - Surry District - The history of Surry County and race relations
2. Charlome Pierce - Bacon's Castle District – Race relations issues in Surry County
3. John Bynum – Thanked the Board for their services
4. Michael Drewry – Dendron District – Cultural and political divisiveness
5. Susan Corvello – Claremont District – The Board's Code of Ethics
6. Dr. Daniel Shaye – Surry District – Enforcement of the Code of Ethics and BOS meeting time

Presentations – VDOT – Mr. Carroll gave the 4th Quarter (October -December 2024) update (to the Board.

A Few Highlights of Maintenance Accomplishments:

- Ender Pothole patching Rte. 10,617,650,609,613, 602, 607 and 626 Beechland Rd.
- Ditch work on 617, 31, 626, Rolfe Ct, 618 Sexton Road and Laurel Springs Road
- Shoulder repairs Rte. 634,650, and 626 Beaver Dam rd.
- Tree clean up from storms Rte. 634, 626 and Cobham Wharf rd.
- Slope mowing cutting back Rte. 609 and Railroad Ave.
- Bacons Castle ditching project
- Bump Repair at Box Culvert on Beaver Dam Road Rte. 626
- Cleaning cross pipes and concrete ditches
- Tree contractor limbing up Rte. 10 west and east
- Trimming rte. 609 Sunken Meadow, Rte. 630 Spratley Mill Rte. 643 Clubhouse Rd.
- Tree removal, 637 Pleasant Point and Popular Lawn (broke and leaning pines)
- Sign maintenance Rte. 10,31, and 40
- Snow operations

A complete copy of the report is included in the BOS agenda material for the February meeting.

Public Hearings

1. **Ordinance Amendment 2025-01 / PC Ordinance Amendment 2024-02:** The Board of Supervisors took action on the adoption of amendments to the Solar Energy Ordinance adopted on December 6, 2018 but erroneously placed within Chapter 10, Environment, Article IV, of the Surry County General Ordinances, and to codify the ordinance into the Surry County Zoning Ordinance by amending Article I, General Provisions, Article II – Definitions and Uses, Article III - Zoning Districts and Boundaries, and Article IV – Supplementary Regulations to incorporate and update language regarding application requirements, new use type descriptions, location requirements, and performance standards for solar energy facilities.

- I. Presentation by Staff – Mr. Wade presented the ordinance amendment.

Ms. Perkins and Mr. Wade discussed their recommendation to include grandfathering language in the ordinance and how the Board had that option.

- II. Open the Floor for Public Comments - Chairman Elliot opened the public hearing.
 1. Diane Cheek – Surry District – The work of staff and the Planning Commission on the ordinance and recommended approval of the change
 2. John Bynum – IOW County resident (property owner in Surry) – encouraged the Board to work with both the energy companies and the citizens
 3. Blake Cox – (Energy Right) Clean energy and property rights
 4. Terra Pascaros – Virginia Beach – The acreage cap, restrictive setbacks and buffers, the Clean Economy Act and recommended that projects be accepted on merit
 5. Daniel Shaye- Surry District – Acreage caps as being arbitrary; thanked Mr. Wade and the Board for protecting the Comp Plan

- III. Close the Public Hearing - Chairman Elliot closed the public hearing.
- IV. Closing Remarks by Staff - Mr. Wade thanked the Planning Commission
- V. Board Comments - Mr. Pierce inquired about the number of projects subject to the grandfather clause.

Mr. Wade advised that the previous projects approved would fall under the original ordinance. Ms. Perkins also stated that expansion of existing projects would be considered a new project that would be subject to the new ordinance.

Board Action: Chairman Elliott asked for motion on Ordinance Amendment 2025-01. Supervisor Pierce moved for approval of the **2025-01 / PC Ordinance Amendment 2024-02** with the provision of the grandfathering clause, it was seconded by Supervisor Calhoun.

Vote: 3:1 (Approved)

Supervisor Pierce	Aye
Supervisor Hardy	Nay
Supervisor Calhoun	Aye
Supervisor Elliott	Aye
Supervisor Drewry	Absent

- 2. **Conditional Use Permit No. 2024-01** - The Applicant, Sycamore Cross Solar, LLC, sought a conditional use permit for a solar generation facility in Surry County. The project will span six parcels (60-1-1, 60-9, 60-17, 61-2, 61-3, 61-4) zoned M-1, Light Industrial, within Surry County and will be located along Mill Swamp Road (SR 623), Mullet Drive (SR 684), and Beechland Road (SR 626), south of White Marsh Road (SR 617). The proposed conditional use permit is part of a solar energy generation facility project to produce 240 megawatts in Surry County and Isle of Wight County. Within Surry County, the project arrays will be developed on three parcels (60-9, 60-17, and 61-3) totaling 806 acres, of which approximately 125 acres will be fenced arrays. Parcels 60-1-1, 61-2, and 61-4 will be easement only parcels and will contain medium voltage utility corridors. The Comprehensive Plan Map indicates that the project parcels are suitable for General Industrial Use.
- 3. **Proposed Siting Agreement:** A proposed siting agreement between Sycamore Cross Solar, LLC and Surry County, Virginia, pursuant to Virginia Code § 15.2-2316.8 in connection with a solar energy generation facility project proposed by Sycamore Cross Solar, LLC to be constructed on the following County parcels: 60-1-1, 60-9, 60-17, 61-2, 61-3, 61-4.
 - I. Presentation by Staff –**Mr. Wade provided the staff report (included in the agenda material) and the applicant also presented. Presentation by applicant is included in the minutes.**

II. Open the Floor for Public Comments - Chairman Elliot opened the public hearing for **Conditional Use Permit No. 2024-01** and the **Proposed Siting Agreement**.

1. Ian Abbott (Claremont District) - deny the CUP; concerned about groundwater effects
2. Dr. Daniel Shaye (Surry District) – applicant’s meeting before Planning Commission; substantial accord decisions, and lobbying to override locality control
3. Diane Cheek (Surry District) – additional conditions for the CUP, siting agreement considering the conditions of construction during the Cavalier project; if approved, add to siting agreement to provide broadband to all town halls
4. Billy Holloman (IOW County) -owns land in the project area; consideration to rights of landowners and yes to approval
5. Blake Cox - Energy Right – consider the rights of landowners
6. John Bynum – comments about leakage; the benefits of a CUP, AES good job in communicating to County and landowners for and against, vetted AES; financial benefit to County and landowners
7. Charlome Pierce – (Bacon’s Castle District) - if you need more time, take it
8. Chris Howell (Bacon’s Castle District) – resides at the end of Mullett Drive; appreciates landowners rights, against the project; impacted by viewshed and noise
9. Thaddeus Lane – (Spring Grove District) – 4th generation family farm owner; is there a cut off for the Solar Farms and a desirable amount of tax revenue?
10. Susan Corvello (Claremont District) – Appreciate AES contributions to the County; commented on Route 31 Corridor as the potential growth area and the impacts to those living near solar farms
11. Steven Pittman (Bacon’s Castle District) has land in Dendron district; concerned about the noise impact
12. Nathan Smith (IOW County) supports the project and believes it will be beneficial; leaks no worse than pesticides from farming

III. Close the Public Hearing - Chairman Elliot closed the public hearing for **Conditional Use Permit No. 2024-01** and the **Proposed Siting Agreement**.

IV. Comments from the Board- Supervisor Pierce. Thanked citizens for comments and AES for their presentation; mentioned that AES has tried to correct some of the wrongs (i.e. to address traffic mitigation plan issues); concerned about road conditions and repairs; the traffic mitigation plan not being adequate; and if the County will have to go through the same concerns with the impact on road conditions.

V. Closing remarks from staff – NONE

Supervisor Pierce asked if all Board Members were voting on the issue and Ms. Perkins responded that she had not received notice from anyone requesting to recuse themselves.

Board Action: Chairman Elliott asked for motion on Conditional Use Permit No. 2024-01 (Sycamore Cross Solar). It was motioned by Supervisor Pierce to deny **Conditional Use Permit No. 2024-01** and seconded by Supervisor Calhoun.

Vote: 4-0 (Denied)

Roll Call	
Supervisor Pierce	Aye
Supervisor Calhoun	Aye
Supervisor Hardy	Aye
Supervisor Elliott	Aye
Supervisor Drewry	Absent

Board Action: Chairman Elliott asked for a motion on the Proposed Siting Agreement - (Sycamore Cross Solar) Ms. Perkins advised that it was no siting agreement if there is no conditional use permit; however, since it was a separate item and two hearings, it was recommended for a “record of vote” to have a motion on the Siting Agreement.

Comment from applicant - Greg Creswell: Chairman Elliott advised Mr. Creswell that the CUP had been denied. Ms. Perkins stated that the denial was approved so it ends the project. If the Board had desired to address concerns mentioned and bring the item back, it could have been done via a vote to table. Chairman Elliott advised that the CUP was denied. Ms. Perkins stated that if the Board desired to reconsider the vote and table it, it could be done by any member of the Board that had voted to deny it.

Board Action: Chairman Elliott asked if there was any reconsideration on the vote at this time. There were none and the motion carries.

Board Action: It was motioned by Supervisor Pierce to deny the **Proposed Siting Agreement** and seconded by Supervisor Calhoun.

Vote: 4-0 (Denied)

Roll Call	
Supervisor Pierce	Aye
Supervisor Hardy	Aye
Supervisor Calhoun	Aye
Supervisor Elliott	Aye
Supervisor Drewry	Absent

New Business

2025 Board of Equalization - Recommendation of names to Circuit Court. After discussions from Mrs. Rollins on the recommendation to increase the stipend to members to \$160 per meeting and from Mrs. Perkins on the requirement to appoint members for recommendation to the Circuit Court, it was voted on by the Board to submit the names of Linda Bailey, Doris Jackson, Thomas Byrd, Anthony Washington and Alvin Cheatham to the Circuit Court as

enumerated in the resolution for approval to Board of Equalization and to increase the stipend to \$160.00 a month

Board Action: Chairman Elliott asked for a motion to approve the names as enumerated in the resolution. It was motioned by Supervisor Hardy and seconded by Supervisor Calhoun.

Vote (Approved):

Ayes: Mr. Pierce, Mr. Hardy, Mr. Calhoun, Mr. Elliot.

Nays: None

Absent: Ms. Drewry

Board Action: Chairman Elliott asked for a motion to increase the stipend for Board of Equalization members to \$160 per meeting per the resolution. It was motioned by Supervisor Hardy and seconded by Supervisor Calhoun.

Vote (Approved):

Ayes: Mr. Pierce, Mr. Hardy, Mr. Calhoun, Mr. Elliot.

Nays: None

Absent: Ms. Drewry

Update on proposed Battery Energy Storage Ordinance Amendment – Discussion of the matter was given by Horace Wade.

- The ordinance is applicant driven.
- Planning Commission held a Public Hearing on December 16, 2024
- Additional notes were added at the January 27, 2025, Planning Commission meeting
- If the PC votes on the matter on February 24, 2025, the Board of Supervisors will have a Public Hearing on April 3, 2025
- The Planning Commission is interested in a field trip with the Board of Supervisors to visit a site prior to approval of a Conditional Use Permit for a Battery Energy Storage System
- This type of project allows for a siting agreement with the Board of Supervisors similar to Solar Energy Projects

Unfinished Business

Opioid Settlement Funds Update – Authorization to Apply for Grant for a Regional Mobile Overdose Response Unit. Mr. Derek Davis, Commonwealth Attorney presented the request for the grant. The grant involves direct, individual and gold standard funds. A component of the grant involves Hopewell, Dinwiddie and Sussex and District 19 for a collaborative partnership application to enter into an agreement for an application to the Opioid Abatement Authority (OAA) by April 1 for a mobile overdose response unit managed by District 19. This requires no County general fund dollars. If the application is approved, the County will work with other jurisdictions and funds already being received can be used for a local match. Prince George and Surry shows a direct distribution giving both the ability to withhold the direct distribution without penalty. When OAA dollars decrease, direct distribution funds could be used in the

future. District 19 is one of the areas where overdoses are a problem albeit issues with data collection.

Supervisor Elliott asked if others have approved the agreement: Mr. Davis stated that Surry is the first to consider while other jurisdictions have it on their upcoming agendas. If not approved by other jurisdictions, the County still has the authority to move ahead with those desiring to approve.

Ms. Perkins advised that the attorneys in other jurisdictions have approved to form.

Supervisor Pierce asked how results are measured and inquired of the contribution of Surry versus other jurisdictions.

Mr. Davis responded that an equitable sharing of the resources will be considered. Staffing of vehicles and equipment will be managed by District 19. Smaller jurisdictions will not receive less services; service options could mean on a first come, first served basis. Representatives from law enforcement and EMS have been involved to gain metrics via coding from dispatch reports.

Mr. Pierce inquired about the impact on law enforcement and EMS. Mr. Davis responded that the funding will be for a recovery specialist and funding for an off-duty officer which is a current practice of District 19 to use volunteer officers to accompany them on calls.

Board Action: Chairman Elliott asked for a motion on the matter. Supervisor Calhoun made a motion to approve the OOA Partnership Agreement for the Grant for a Regional Mobile Overdose Response Unit and to withhold the direct distribution funds; it was seconded by Supervisor Pierce. *All present voted affirmatively.*

County Administrator's Report

1. Economic Development/Tourism Update-Ms. Chapline shared a recap on the tourism video aired by channel 12 news; a new logo for the first Friday events Music on the Lawn – April – October – First Friday of each month; and gave an update on the LOVE SIGN to be unveiled in the spring.
2. Building Inspection Report – January 2025
3. Building Inspection Report – December 2024

Mrs. Rollins thanked Economic Development for executing the upcoming events to give citizens an opportunity for social engagement and announced the upcoming 55+ initiatives.

Board Comments

Supervisor Hardy – Welcomed student BOS representative Zariah Harrell. Commented on the perpetuation of a lie told on the County Administrator. First amendment rights will not be fringed upon.

Supervisor Calhoun – Thanked everyone for participating in the Public Hearings and thanked staff for providing the information.

Supervisor Pierce – Thanked those watching from home and thanked Ms. Harrell for accepting the invitation; thanked the community for showing up; stated the Board’s diligence on working with different committees and making informed decisions and his goal to improve the quality of life for all the community. Recognized Black History Month and those who helped pave the way for his service and Valentine’s Day.

Supervisor Elliott – Thanked Zariah Harrell for her participation. Thanked all for attending and looking forward to great and exciting things on the horizon.

For Your Information

1. Investment Letters
 - A. LGIP Investment Letters

Closed Session

Ms. Perkins – Read the motion required for closed session. Motion to convene closed session pursuant to (1) Virginia Code Section 2.2-3711.A (.1) to discuss appointments to the Planning Commission, Economic Development Authority and the Board of Historic & Architectural Review and (2) Virginia Code Section 2.2-3711.A (.29) for discussion of the award of a public contract involving the expenditure of public funds, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body regarding community services and programs.

Chairman Elliott asked for motion to enter into closed session. It was motioned by Supervisor Calhoun and seconded by Supervisor Pierce to enter closed session.

Roll Call Vote:

Supervisor Hardy	Aye
Supervisor Calhoun	Aye
Supervisor Pierce	Aye
Supervisor Elliott	Aye
Supervisor Drewry	Absent

Reconvening to Open Session

Ms. Perkins read the resolution certifying Closed Session.

Board Action: Chairman Elliott asked for a motion to re-enter into open session. It was motioned by Supervisor Calhoun and seconded by Supervisor Pierce.

Roll Call Vote:

Supervisor Pierce	Aye
Supervisor Calhoun	Aye
Supervisor Hardy	Aye
Supervisor Elliott	Aye
Supervisor Drewry	Absent

Open Session

Ms. Perkins asked for motions coming out of closed session for action items.

Board Action: Supervisor Pierce motioned for appointments as follows:

Earl Newby - Planning Commission (Dendron District) July 1, 2024-June 30, 2028
(reappointment)

William Seward- Planning Commission (Claremont District) July 1, 2024-June 30, 2028
(reappointment)

John Price – Economic Development Authority (Bacon’s Castle District) August 1, 2024 -July 31, 2028 (reappointment)

Howell Godfrey Economic Development Authority - (At Large Member) re-appointment - August 1, 2024- July 31, 2028 (reappointment)

Ernest Blount- Economic Development Authority (Dendron District) - February 13, 2025-July 31, 2026, to fill the unexpired term of Terry Lewis

Kevin Spain (Board of Historic & Architectural Review)- October 1, 2023 to September 30, 2029 (Dendron District)

David Coggin (Carsley District) - March 1, 2025-February 28, 2030 -required planning commission member of the Board of Historical & Architectural Review

Supervisor Calhoun seconded the motion.

Vote (Approved):

Ayes: Mr. Pierce, Mr. Hardy, Mr. Calhoun, Mr. Elliot.

Nays: None

Absent: Ms. Drewry

Ms. Perkins advised of term correction: Kevin Spain should be 10/1/23 - 9/30/28.

Supervisor Pierce amended the motion for Kevin Spain to reflect the correct term of October 1, 2023 – September 30, 2028.

Supervisor Hardy seconded the motion.

Vote (Approved):

Ayes: Mr. Pierce, Mr. Hardy, Mr. Calhoun, Mr. Elliot.

Nays: None

Absent: Ms. Drewry

Board Action:

Motion was made by Supervisor Hardy to authorize the County Administrator, County Attorney and staff to continue discussions with the YMCA of the Virginia Peninsula regarding the scope and provisions, and proceed to execute, the Letter of Intent drafted by the YMCA regarding a future cooperative agreement related to the needs, services and programs as identified by the community with the understanding that future contractual arrangements are subject to board review and approval. The motion was second by Supervisor Calhoun.

Vote (Approved):

Ayes: Mr. Pierce, Mr. Hardy, Mr. Calhoun, Mr. Elliot.

Nays: None

Absent: Ms. Drewry

Supervisor Pierce: Decision on AES Project: Mr. Pierce stated that he did not want to miss giving AES the opportunity to fix concerns addressed that could possibly be done through the siting agreement.

Mr. Pierce made a motion to reconsider the previous motion of his denial of the AES project and table the matters for further consideration through tweaks in a siting agreement and to allow Supervisor Drewry time for feedback.

Chairman Elliott asked for legal advice: Ms. Perkins advised that the Board would have to take up a motion for reconsideration and if that passes, Mr. Pierce could present an alternate motion to table the item.

Chairman Elliott asked for a second of the motion to Mr. Pierce request to reconsider the motion for denial of AES in regard to the CUP and siting agreement. No second received. Chairman Elliott stated there being no second, the motion died on the floor.

Adjournment

Chairman Elliott asked for a motion for adjournment to February 26 at 10:00 a.m. for a work session. Supervisor Pierce moved, and Mr. Calhoun seconded.

Vote (Approved):

Ayes: Mr. Pierce, Mr. Hardy, Mr. Calhoun, Mr. Elliot.

Nays: None

Absent: Ms. Drewry

The meeting adjourned at 9:30 pm

***This meeting can be viewed in its entirety through the Surry County Government Website:
<https://www.surrycountyva.gov/387/Watch-A-Meeting>***

