

VIRGINIA: At an Adjourned Meeting of the Board of Supervisors for the  
County of Accomack held in the Board of Supervisors  
Chambers in Accomac, Virginia on the 5th day of August,  
A.D., 2015.

Members Present: C. Reneta Major, Chair  
Ron S. Wolff, Vice Chair  
Wanda J. Thornton  
Grayson Chesser  
John Charles "Jack" Gray  
Kay W. Lewis  
Laura Belle Gordy  
Robert D. Crockett  
Donald L. Hart, Jr.

Others Present: Dr. Steven B. Miner, County Administrator  
Michael Mason, Finance Director  
Shelia West, Administrative Assistant

### **Call to Order**

The meeting was called to order by the Chair and opened with a prayer by Mr. Wolff, after which the Pledge of Allegiance to the Flag was recited.

### **Solar Facility Tax Issue**

Dr. Miner gave a power point presentation related to Community Energy Equipment Assessment and background information on the initial requests made and responded to questions.

He told the Board it had previously approved Community Energy's request for special use and rezoning permits which authorized an 80 megawatt solar power project in northern Accomack County; that at that time, it was believed that the project revenues would be limited to real estate taxes and proffers which were accepted on the project. He said that the proffers accepted by the Board included an annual real estate tax floor of \$100,000 for the life of the project, \$100,000 for solar equipment installation on a county facility and \$100,000 for a special cleanup fund for the area in

the vicinity of the proposed solar farm and that the proffers would go into effect if the project was constructed.

He apprised the Board of the following:

1. That §58.1-3660 of the State Code exempts projects of 20 megawatts output or less from local equipment taxation. He said that at the time of the approval, the applicant indicated their intent to submit the project to the State Corporation Commission as 4x20 megawatt projects in order to gain the benefit of this state authorized exemption and at this point the applicant has not been able to achieve a commitment from the State Corporation Commission and was retuning seeking a local agreement on payment in lieu of taxation in order to finance the project.
2. That the authority to create separate tax classifications and tax rates on solar equipment was found in Section 58.1-3221.4 of the Virginia Code, which allowed Boards of Supervisors to set different tax rates on improvements for renewable energy projects.
3. That the applicant indicated their financiers require specific knowledge of their total tax burden prior to committing to the project and indicates that without the clarity of a Board action, they cannot proceed on the project as planned. He continued and stated staff was requested to seek a basis for deriving a payment in lieu of tax on the improvements. Dr. Miner said if constructed, the project's equipment would be assessed and depreciated by the State Corporation Commission. He told the Board the State Corporation Commission would not provide any information as to how they would value the improvements.
4. That the County inquired into the applicant's willingness to pay an up-front payment or payments so that the County might have the value at the beginning of the project and they agreed to consider it.
5. That he nor the applicant had not received a yes or no answer and there was a deadline approaching for the completion of the project to be in operation by December 31, 2016 to qualify for the tax credits offered by the government, and without the tax exempt status the applicant had told him the project would not be built as originally proposed, that without some help this project would not happen as to what he was told by Mr. Tuffy

Mr. Tom Tuffy of Community Energy told the Board that they were willing to pay \$3.4 million at startup but his investors required certainty in order to proceed with this investment. Mr. Tuffy responded to questions from the Board.

A general discussion took place.

Mr. Crockett made a motion to direct staff to seek and obtain more information as soon as possible and bring back to the Board to make an educated decision for this project. Mrs. Thornton seconded the motion. The motion was unanimously approved.

**Eastern Shore Community Services Board (3-year term)-Magisterial District**

Mrs. Gordy made a motion to appoint Robert J. Bloxom to the Eastern Shore Community Services Board to fill the unexpired term of Travis Bradley who had resigned beginning immediately and ending on December 31, 2015. Mr. Crockett seconded the motion. The motion was unanimously approved.

The Chair commended staff for incorporating the attendance reports so the board could review the reports showing who were attending the meetings so the board members could look at the report to know who were attending the meetings and who were not attending.

**Library Renovation**

Dr. Miner told the Board they had previously voted to limit consideration of library projects to only the renovation of the existing library and following that vote the project had been developed further with various iterations developed for the library board's consideration; that as recommended by the CIP Committee, the Board pledged \$2 million towards the cost of a final project, that the library board had requested and received additional schematic drawing of designs based on available funding (one for \$2 million and one for \$3.5 million).

He said recently the library board had indicated interest in pursuing the hiring of its own architect and appeared to be considering other projects rather than or perhaps in addition to the renovation. He said they have asked whether the Board's pledge was available for other projects or was its intent to restrict the pledge to that site.

Mr. Hart made a motion to remove restrictions to afford the ability to explore additional options. Mr. Wolff seconded the motion.

A discussion ensued concerning the clarity that any additional expense would have to be borne by the library board themselves.

Mr. Crockett stated he wanted to make it very clear that the pledge was for construction and not additional architectural or development work.

Mrs. Thornton stated she wanted the public to understand the Board had not voted to appropriate (only pledged) \$2 million to the library board because a public hearing would be required before any action could be taken and everyone would be able to attend and voice their concern before a vote would be taken.

The motion, as stated, was unanimously approved.

### **Star Transit Request**

Ms. Major told the Board of Supervisors Star Transit had asked the Accomack/Northampton Transportation Authority to approve a new route (Yellow Route) and was seeking funding from both counties to pay for unexpected shortfall from state grant monies. She told the Board Star Transit was in position and could start the new route on schedule with the approval of the required local match of \$20,800 from Northampton and Accomack Counties.

Mr. Hart made a motion to approve the local match of \$20,800 for Star Transit funding. Mr. Wolff seconded the motion. The motion was unanimously approved.

### **Community Criminal Justice Board**

Dr. Miner briefed the Board on Community Criminal Justice Board's request for Augmented Funding through Assessment of Fees. He told the Board the Community Criminal Justice Board met on Monday, August 3, 2015 and discussed the matter and voted to recommend that both counties

establish, through appropriate legal means, a fee of \$50 per intake for individuals entering the Community Corrections Program on the Shore. He stated the Alcohol Safety Action Program (ASAP) supported the addition of this processing fee and desires that both counties adopt it. He noted that there are currently other fees for individual components within the program offerings, based on options desired by the courts.

Mr. Crockett made a motion to authorize the County Administrator to move to the next step and bring back to the Board of Supervisors. Mrs. Thornton seconded the motion. The motion was unanimously approved.

### **Presentation of Recruitment Report**

Dr. Miner told the Board Springsted had finalized the recruitment report presentation for the Board for the County Attorney's position and have asked for a date to come present it.

It was the consensus of the Board to meet on August 12, 2015 at 5:45 in the Board of Supervisors Chambers to receive the recruitment report from Springsted concerning the County Attorney's position.

### **Adjournment**

Mr. Crockett made a motion to adjourn to Wednesday, August 12, 2015 at 4:30 p.m. in the Board of Supervisors Chambers. Mr. Wolff seconded the motion. The motion was unanimously approved. The meeting adjourned at 6:51 p.m.

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C. Reneta Major, Chair

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Date