

**BOARD OF SUPERVISORS
REGULAR SCHEDULED MEETING
TUESDAY, MARCH 16, 2026
6:00 P.M.**

The Appomattox County Board of Supervisors held its regular scheduled meeting on Tuesday, March 16, 2026, at 6:00 p.m. in the Board of Supervisors meeting room located at 333 Court St., Appomattox, Virginia.

Appomattox County Board of Supervisors

Present:

John F. Hinkle	Falling River District
Nathan Simpson	Courthouse District
Trevor L. Hipps	Wreck Island District
Alfred L. Jones, III	Piney Mountain District
Kenneth Wolfskill	Appomattox River District

Also, Present:

Johnnie Roark, Planning/Zoning/Economic Administrator/Deputy Director of Operations
Janet McConville, Finance Specialist II
Wanda McCormick, Finance Specialist III

CALL TO ORDER – Chairman Hinkle called the meeting to order at 6:00 p.m.

Invocation – Mr. Wolfskill

Pledge of Allegiance

SETTING OF AGENDA

Motion made by Rev. Jones, seconded by Mr. Hipps, and carried with all Members present voting yes, to amend the agenda to add Action Item #8A – E911 Furniture Donation to the Appomattox Fire Department.

Motion made by Mr. Hipps, seconded by Rev. Jones, and carried with all Members present voting yes, to approve the Agenda as amended.

CITIZEN PUBLIC COMMENT PERIOD

Nathan Brown, Appomattox property owner, addressed the Board to speak in opposition of the Valley Link transmission line project.

Leslie Brown, Appomattox property owner, addressed the Board to speak in opposition of the Valley Link transmission line project.

Sarah White of Concord addressed the Board to speak in opposition to the Valley Link transmission line project and also spoke in opposition to the AVAIO Data Center Project.

Chris White of Concord addressed the Board to speak in opposition to the Valley Link transmission line project and also spoke in opposition to the AVAIO Data Center Project.

Sarah Elyard of Appomattox addressed the Board to speak in opposition to the Valley Link transmission line project.

Robin Faust addressed the Board to comment on the AVAIO Data Center Project.

APPEARANCES

Mrs. Alisha Wright, Director of Appomattox County Social Services appeared before the Board to provide an update on the Department of Social Services improvements.

Ms. Amanda Dye appeared before the Board to provide an update on CASA services.

Ms. Melissa Lucy Chief Executive Officer, appeared before the Board to provide an update on Horizon Behavioral Health Services.

Mr. Willis Voisine, Animal Control Officer, appeared before the Board to provide an update on Animal Control activities, and to recognize the Appomattox Volunteer Fire Department for their recent assistance during a swift water rescue of two beagles.

Ms. Janina Paule, CPA with Robinson, Farmer, Cox Consultants, appeared before the Board to present the FY2025 Financial Report.

PUBLIC HEARING

Public Hearing-Proposed Zoning Ordinance Amendments-Chapter 19.6-97 Utility-Scale Solar Energy Farm

At 7:05 p.m., after due notice was given, Mr. Hinkle called the Public Hearing to order to receive comments and consider proposed Zoning Ordinance Amendments for Chapter 19.6-97, Utility-Scale Solar Energy Farm, to provide better clarification for battery energy storage facilities, additional required information for the application process, to include natural heritage and wildlife study, Virginia Cultural Resources reporting, glint and glare study, construction planning and phasing, water resource study, emergency services assessment, decommissioning, financial surety, liability insurance, environmental protection and product safety. The amendment also includes an increase to the size of the required buffer and an increase in the property line setback and setback increase from the edge of any creek, stream, pond, or lake and floodplain. The amendment adds a height limitation for any structure, and adds language regarding the use of pollinator habitats and language regarding the abandonment and removal of a facility. At its regular meeting in January, the Planning Commission voted 6-1 (O'Brien dissenting) to recommend approval of the amendments. George Almond of Pamplin and Robin Faust of Appomattox commented on the proposed ordinance. After no further comments were received, the Public Hearing was closed at 7:15 p.m.

Motion made by Mr. Simpson, seconded by Rev. Jones to adopt the amendments to the Appomattox County Code Chapter 19.6-97 Utility-Scale Energy Farm. Mr. Hinkle called for a roll call vote: Mr. Wolfskill-yes, Mr. Hipps-yes, Mr. Simpson-yes, Rev. Jones-yes, Mr. Hinkle-yes.

ORDINANCE

AN ORDINANCE AMENDING THE CODE OF APPOMATTOX COUNTY, TITLE 19 (LAND USE AND DEVELOPMENT), CHAPTER 19.6 (ZONING), DIVISION 9, (UTILITY SCALE SOLAR ENERGY FARM), TO AMEND §19.6- 97 ET SEQ, AS SHOWN

WHEREAS, Sections 15.2-1427 and 15.2-1433 of the Code of Virginia, 1950, as may be amended from time to time, enable a local governing body to adopt, amend and codify ordinances or portions thereof; and

WHEREAS, from time to time, for good zoning practice or in the judgement of the citizens, staff, the Planning Commission or the Board of Supervisors an area of text needs amending to better serve the purpose of zoning and the community at-large; and

WHEREAS, in April of 2025, a group of citizens approached the Appomattox County Joint Planning Commission with language to amend the existing Utility-Scale Solar Energy Farm section of the Zoning Ordinance and the Appomattox County Joint Planning Commission thought this to be a worthy endeavor; and

WHEREAS, the Appomattox County Joint Planning Commission spent over eight months researching, reviewing, studying, and composing language to amend the existing code section; and

WHEREAS, in order to update the current Utility Scale Solar Energy Farm section to provide for better clarification of battery energy storage facilities, additional required information for the application process, to include natural heritage and wildlife study, Virginia Cultural Resources reporting, glint and glare study, construction planning and phasing, water resource study, and emergency services assessment; and

WHEREAS, further amendments include additional information related to decommissioning, financial surety, liability insurance, environmental protection and product safety; and

WHEREAS, the amendments also include an increase to the size of the required buffer from one hundred feet to three hundred feet, and an increase in the property line setback from one hundred feet to five hundred feet, a setback increase from one hundred feet to five hundred feet from the edge of water for any creek, stream, pond, or lake, and a setback increase from one hundred feet to three hundred feet from the floodplain boundary; and

WHEREAS, the amendments also add a height limitation of twenty feet from average grade for any structure, and add language regarding the use of pollinator habitats and language regarding the abandonment and removal of a facility; and

WHEREAS, the amendments are shown with new language in red/italics, and with deletions shown by strikethroughs;

§19.6-97 Utility Scale Solar Energy Farm

§19.6-97.1 Applicability, permitting

The requirements set forth in this section govern the siting, development, construction, installation, operation, and decommissioning of Utility Scale Solar Energy Facilities in the county. A Conditional Use Permit (CUP) is required for each utility scale solar energy farm

proposed to be constructed, installed, or operated in the county. Small scale solar energy arrays and associated apparatus, used for individual residential dwellings, not connected to the electrical grid, shall be considered an accessory use to the principal dwelling and permitted as such. *A Battery Energy Storage Facility constructed in association with a Utility Scale Solar facility with a Conditional Use Permit. A Battery Energy Storage Facility constructed in association with an electrical substation, wholly contained within the secure perimeter of the substation or immediately adjacent on property owned by the utility company, shall not constitute a separate land use and therefore is not subject to the Conditional Use Permit requirement. A standalone Battery Energy Storage Facility is not permitted in any zoning district.*

§19.6-97.2 Applications and Required Information for a Utility Scale Solar Energy Farm

In addition to the material required for a Conditional Use Permit petition, applications for Utility Scale Solar Energy Facilities (farms) *and/or Battery Energy Storage Facilities associated with Utility Scale Solar Energy Facilities* shall include the following information:

A. Project Narrative: A narrative identifying the applicant, facility owner, property owner, and the operator of the facility. The narrative should include an overview of the project and its location, the size of the site and the project area; the current use of the site, the estimated time for construction, including a proposed date for commencement of construction; the maximum rated capacity of the facility; the approximate number, types and expected footprint of the solar *and/or battery storage* equipment to be constructed to include photovoltaic panels, ancillary facilities, fencing, buffering, where the electricity generated at the facility will be transmitted, and the location of the proposed electrical grid interconnection.

B. Site Development Plan: A site development plan of a scale and specification, in accordance with the requirements found in the Conditional Use Permit application shall be submitted with the application. Additional information may be required, as determined by the Zoning Administrator, such as scaled elevation view or other supporting drawings, photographs of the site, photographic simulations or modeling of the proposed solar energy facility, specifically from sensitive locations, as deemed necessary by the Zoning Administrator, aerial imagery or other mapping of the site or any other technical report necessary for the proper review of the Conditional Use Permit petition. If the petition is granted, then a full site development plan shall be required in accordance with the regulations found elsewhere in this ordinance.

Additional required information and/or studies to be submitted at the time of Conditional Use Permit application:

- a. A natural heritage and wildlife management study, consistent with the Virginia Division of Wildlife Resources Solar Energy Facility Guidance that identifies any threatened or endangered species and wildlife travel patterns, together with any necessary mitigation measures to ensure compatibility of the project.*

- b. Virginia Cultural Resource Information System report. A report by the Virginia Department of Historic Resources, Virginia Cultural Resource Information System, must be submitted to identify historical, architectural, archeological, or other cultural resources on or near the proposed facility. A copy of the cultural resources review conducted in conjunction with the Virginia Department of Historic Resources for the permit by rule process shall be submitted by the applicant prior to issuance of a building permit, shall be in addition to the initial report required above, and shall further identify historical, architectural, archeological, or other cultural resources on or near the proposed facility.*
- c. A Construction Plan to be approved prior to the issuance of a Building Permit, which shall include a proposed construction schedule, proposed hours of construction, and how the applicant plans to effectively mitigate dust, noise, and other nuisances commonly associated with large construction projects.*
- d. A Glint and Glare Study. This study shall demonstrate either that the panels will be sited, designed, and installed to eliminate glint and glare effects on roadway users, nearby residences, commercial areas, or other sensitive areas. The applicant will use reasonably available mitigation techniques to reduce glint and glare to the lowest achievable levels. The study will assess and quantify potential glint and glare effects and address potential health, safety, and visual impacts associated with glint and glare. Any such assessment must be conducted by qualified individuals using appropriate and commonly excepted engineering methods.*
- e. A Water Resource Plan. This plan shall identify the availability of and proposed usage of private and/or public water and sewer services. This plan shall include a plan for continuous monitoring of groundwater quality during the life of the facility. Monitoring stations shall be placed within fifty (50) feet of any property line adjacent to existing residential uses. Monitoring Stations shall be placed at a minimum of one (1) station per 500 foot interval. For Utility-Solar projects, the applicant shall submit annual monitoring reports to the Zoning Administrator throughout the life cycle of the project. For Battery Energy Storage Facility projects, the applicant shall provide baseline groundwater quality information prior to commencement of construction, then the applicant shall submit monitoring reports once every three (3) years, starting from the time the Certificate of Occupancy is issued, to the Zoning Administrator throughout the life cycle of the project.*
- f. Fire, Rescue, Law Enforcement (Emergency Services) assessment. Applicant shall submit a detailed assessment of impacts to local Fire, Rescue and Law Enforcement and any mitigation techniques that will be used to reduce these impacts. Specifically, the assessment should detail training of local resources and methods to be used in the event of a fire or accident requiring local emergency services response, specifically addressing fire, rescue, and emergency services access to the site.*
 - i. Facility shall have a monitoring system for continuous 24 hour/7 days a week automated fire detection.*

- ii. *National Fire Protection Association (NFPA) 855 signage requirements shall be utilized along signage with emergency contact information placed in a high-visibility location near the entrance to the facility.*
- iii. *Emergency Services personnel shall be provided with a key, code, or other means (ex. Knox Box) to access the property in the event of an emergency.*

C. Documentation of right to use property for the proposed facility: Documentation shall include proof of control over the proposed site or possession of the right to use the proposed site in the manner requested. Any sensitive financial or confidential information may be redacted.

D. Decommissioning Plan *for Utility-Scale Solar Energy Farm*; Security

1. The applicant shall provide a detailed decommissioning plan that provides procedures and requirements for removal of all parts of the solar energy generation facility and its various structures, *and any and all hazardous residuals found to be present in the environment, confirmed by pre- and post-development contamination testing*, at the end of the useful life of the facility or if it is deemed abandoned or unsafe. *The plan shall include the location, size, number, and type of PV modules; identification of any per- and polyfluoroalkyl substances (PFAS) associated with the project; whether the PV modules are likely to be characterized as hazardous waste upon decommissioning; and certifications that (i) no child or forced labor have contributed to the manufacturing of any component of the project, and (ii) no decommissioned component will be disposed of in any landfill, current or future, or transfer station, current or future, located within Appomattox County.* The plan shall include the anticipated life of the facility, the estimated overall cost of decommissioning the facility in current dollars, the methodology for determining such estimate, and the manner in which the project will be decommissioned. The decommissioning plan and the estimated decommissioning cost shall be updated every five (5) years, from the date of the certificate of occupancy or upon request of the Zoning Administrator; however, the updated costs shall be no more than twice every ten (10) years. *Estimated decommission costs shall be for the total cost of restoration and shall not exclude net salvage value of the facility's equipment, devices, panels, wiring, steel support structures, concrete or any other improvement. Additionally, the estimated decommission costs shall include a reasonable allowance for the estimated administrative costs related to a default of the owner, lessee, or developer, and include an annual inflation factor that will ensure the return of the property to its pre-development land use.*
2. Security: Prior to receiving a certificate of occupancy to begin operation, the applicant must provide security, *with the County as primary obligee and all participating landowners serving as additional obliges*, in the amount of the estimated cost of the decommissioning. Options for security shall include a

cash escrow, ~~a performance surety bond~~ *Certified check(s)*, or an Irrevocable Letter of Credit. The security must remain valid until the decommissioning obligations have been *met and no surety instrument will be released until another is deemed acceptable, as a substitution*. The security may be adjusted up or down by the County if the estimated cost of decommissioning the facility changes. The security must be renewed or replaced, if necessary, to account for any changes in the total estimated cost of decommissioning if deemed by the updated estimates. Security is a mandatory condition of all conditional use permits for utility scale solar energy farms.

The Operator and Lessor must provide a Parent Company Guarantee (PCG), otherwise known as a downstream guarantee, in a form and substance reasonably acceptable to the County Attorney, ensuring fulfillment of any financial obligations related to the decommissioning and clean-up of the project that is not paid in full by the cash escrow, Certified Check(s) or Irrevocable Letter of Credit. The Parent Company Guarantee must be provided prior to the issuance of any permit or approval for said project. A draft version of the Parent Company Guarantee shall be submitted as part of the Conditional Use Permit application or site plan review process for a Battery Energy Storage Facility associated with an electrical substation. The Parent Company Guarantee must clearly outline the financial obligations covered, including but not limited to, the costs of removing all equipment, restoring the land, and any environmental remediation required. The Parent Company Guarantee must include a provision that is binding upon the Operator and the Lessor and any successors or assigns. Failure to provide the required Parent Company Guarantee shall result in the suspension of any proceedings and/or approval processes underway related to the project. The Operator and Lessor shall also be liable for any costs incurred by Appomattox County in review, approval, and enforcement of this agreement, including any associated attorney's fees and/or court costs.

3. The decommissioning plan, cost estimates, and all updates to plans and estimates shall be sealed by a professional engineer licensed to do business in the Commonwealth of Virginia.
4. *Liability Insurance: The owner, operator, lessee, or applicant shall propose a reasonable amount of liability insurance that the applicant deems adequate to cover operations at the facility. The applicant shall provide proof of such reasonable and adequate liability insurance for the facility prior to the issuance of a building permit.*

E. Economic Analysis: An economic impact analysis, prepared by a qualified third-party that reports any expected change in the value of the subject property, expected employment during the construction of the facility, any expected impact on the county's tax revenues, the estimated costs to the county associated with the facility in the form of additional services, and information on any other economic benefits or burdens from the project.

F. Environmental Protection and Product Safety: All utility scale solar energy farms shall incorporate generally accepted national environmental protection and product safety standards for the use of solar panels and battery technologies for solar photovoltaic (electric energy) projects, such as those developed for existing product certifications and standards including the National Sanitation Foundation/American National Standards Institute No. 457, International Electrotechnical Commission No. 6 I 215-2, Institute of Electrical and Electronics Engineers Standard 1547, and Underwriters Laboratories No. 61730-2.

1. *Certification that no per-and poly-fluoroalkyl substances (PFAS) are utilized on any component, part, or panel associated with this project.*
2. *Virginia Department of Environmental Quality Compliance: Any and all fines levied by the Virginia Department of Environmental Quality (VDEQ) for Erosion and Sediment Control or Stormwater Management violations, specifically applied to any project approved and constructed in Appomattox County, shall be matched 100%, and made payable to Appomattox County at the same time, as prescribed by VDEQ.*

G. Review fees: The county may retain qualified third-parties to review portions of the conditional use permit petition or the site development plan that are outside of the county's areas of expertise and do not have adequate state and federal review. Any costs incurred by the county for such review by qualified third-parties shall be bill to the applicant and must be paid in full prior to the issuance of a certificate of occupancy.

H. Community meeting: A public meeting shall be held prior to the county's public hearing with the Planning Commission to give the community the opportunity to hear from the petitioner and ask questions regarding the proposed facility. The meeting shall be held at a location within a reasonable distance to the project and must be advertised in a newspaper with local circulation for two consecutive weeks prior to the meeting. The petitioner shall provide the Zoning Administrator with the date, time and place of the meeting, a copy of the advertisement, and a summary of any input/comments received from members of the public. Such information shall be provided to the Zoning Administrator no less than seven (7) business days prior to the Planning Commission public hearing.

§19.6-97.3 Visual Impacts, Setbacks, and Buffering

The petitioner shall demonstrate through project siting, and if necessary, through mitigation, that the solar project minimizes impacts to viewsheds from all residential areas, and any areas of scenic, historical, cultural or recreational significance. The following should be adhered to in placement, buffering and/or setback:

1. A vegetative buffer sufficient to mitigate the visual impact of the facility is required along all areas adjacent to public roadways. *For Utility-Scale Solar projects*, the buffer shall consist of a ~~one~~ **three** hundred (~~100-300~~) foot wide landscaped strip to include trees, shrubs and other vegetation considered native to the area. The landscaped strip may be located within the setback area and should run around or

near the perimeter fence. Tree plantings in the buffer strip shall be a minimum of five (5) feet in height at the time of planting, no more than fifteen (15) feet between trees. Trees may be staggered. Existing trees and vegetation may be maintained within the buffer areas and may supplement and satisfy landscaping requirements. An alternative to tree plantings is to construct an earthen berm, minimum height of six (6) feet high. Berm must be stabilized with native grasses and/or plantings. The landscaped buffer must be maintained in good condition for the life of the project.

****Amended 10/17/2022****

2. The solar panel arrays shall be set back a minimum of ~~one~~*five* hundred (100 *500*) feet, as measured from all property lines, internal and external, to the project. All other structures or infrastructure shall meet the minimum setback for the underlying zoning district. *All equipment associated with a battery energy storage facilities shall be set back a minimum of seventy-five (75) feet, as measured from all property lines, internal and external, to the project.* Solar panel arrays and battery storage facilities shall be set back a minimum of ~~one~~ *five* hundred (100-*500*) feet from the edge of water for any stream, creek, pond, lake or wetland or ~~fifty~~ *three hundred* (50 *300*) feet from the 100-year floodplain, whichever is greater. Existing wells shall be abandoned in accordance with current Virginia Department of Health regulations. *Ground-mounted solar arrays and associated battery energy storage facilities and equipment shall not exceed a height of twenty (20) feet above average grade. This limit does not apply to utility poles and interconnection equipment associated with connection to the electrical grid.*

****Amended 10/17/2022****

3. The solar panel array area shall be enclosed by a security fence. The fence shall not be less than six (6) feet in height and should be equipped with appropriate anticlimbing devices such as strands of barbed wire at the top. Fencing should be installed on the interior of the buffer area so that it is screened from adjacent property. The fence shall be maintained in good repair for the life of the project.
4. *Pollinator Habitats: The facility area will utilize, as reasonably practical, seeds with appropriate pollinator-friendly native plants, shrubs, trees, grasses, forbs, and wildflowers. The facility must be seeded promptly following completion of construction in such a way as to reduce invasive weed growth. This requirement does not alter or negate any requirements of proper Erosion and Sediment Control measures as required by other local and state law.*

§19.6-97.4 Processing of Application

The conditional use permit petition will follow the normal and customary process for such petitions, meaning, a duly advertised public hearing before the Planning Commission, followed by a recommendation, and then a duly advertised public hearing before the Board of Supervisors, followed by final consideration. Petitions are subject to any action afforded any other conditional use permit as enumerated elsewhere in the zoning ordinance.

§19.6-97.5 2232 Review For Utility Scale Solar Energy Farm

In accordance with the Code of Virginia §15.2-2232 et seq, utility scale solar energy farm petitions *and associated Battery Energy Storage Facility petitions* are subject to review against the county's Comprehensive Plan. Prior to the petition being considered by the Planning Commission, the Planning Commission shall make a determination as to conformity with the Comprehensive Plan, *unless a valid siting agreement has been executed as stated in Code of Virginia §15.2.2316.9*. The 2232 review may be advertised and approved concurrently with the *rezoning and* conditional use permit petition.

§19.6-97.6 Unsafe or Abandoned Projects; Decommissioning

1. If the utility scale solar energy facility *and/or battery energy storage facility* is determined to be unsafe by the Building Official, then the facility shall be required to be repaired by the facility owner, site owner, or operator. Repairs shall be made in a timely manner as established by the Building Official. Should the repairs not be completed in the timeframe provided, then the owners or operators will be instructed to commence decommissioning in accordance with the approved decommissioning plan.
2. If the facility is not operated for a continuous period of twelve (12) months, then the county may notify the owner/operator by registered mail and provide forty-five (45) days for the owner/operator to respond. If no response is provided, then the owner/operator will be instructed to commence decommissioning in accordance with the approved decommissioning plan.
3. If the facility is abandoned, the owner/operator is required to notify the Zoning Administrator in writing.
4. Within ~~one (1) year~~ *365 days* of the date of said notification, or if determined to be abandoned by the Zoning Administrator in accordance with the above subsections, then the county may pursue legal action to have the facility removed at the expense of the facility owner, site owner, or operator, each of whom shall be jointly and severally liable for the expense of removing or repairing the facility. The county may also call upon the decommissioning security to remove the facility.
5. *Within 365 days of the date abandonment has been determined, whether as declared by the County, or as scheduled by the owners or operator, the facility owner, site owner, or operator shall complete the physical removal of the facility in compliance with decommissioning plan established for such facility. This period may be extended at the request of the owners or operator, upon approval of the Board of Supervisors.*

WHEREAS, the Appomattox County Joint Planning Commission held a public hearing on January 14, 2026 and all those wishing to speak on this topic were heard; and

WHEREAS, the Appomattox County Joint Planning Commission voted affirmatively six to one (6-1, O'Brien dissenting) to recommend approval of the amendments, as written; and

WHEREAS, on March 16, 2026, a public hearing was held on this matter before the Appomattox County Board of Supervisors, and all of those wishing to speak on this topic were heard;

WHEREAS, the Appomattox Joint Planning Commission carefully considered the presentation of staff, the Comprehensive Plan, the comments from the public hearing and provided an affirmative recommendation for the proposed amendments; and

WHEREAS, the Appomattox County Board of Supervisors finds itself in agreement with the recommendation of the Joint Planning Commission, the public necessity, convenience, general welfare, or good zoning practice requires adoption of an ordinance to amend Zoning Ordinance of Appomattox County;

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF APPOMATTOX COUNTY, VIRGINIA the Code of Appomattox, Chapter 19.6-Zoning is hereby amended and readopted, as described herein.

Adopted this day, March 16, 2026.

By Authority, Appomattox County Board of Supervisors,

John F. Hinkle, Chairman

Susan M. Adams, Clerk

Mr. Simpson requested that the Planning Commission review battery energy storage systems to require a possible capacity limit.

Public Hearing-Proposed Amendment to the Comprehensive Plan – Approach to Renewable Energy

At 7:17 p.m. after due notice was given, Mr. Hinkle called the Public Hearing to order to receive comments and consider a proposed amendment to Chapter 3-Growth Management, Approach to Renewable Energy policy statement, as found in the Appomattox County Comprehensive Plan. The amendments make this policy statement more concise and is a tandem item to the Zoning Ordinance amendments related to Utility-Scale Solar Energy Farms. At the January regular meeting of the Planning Commission, the Planning Commission voted 6-1 (O'Brien dissenting) to recommend approval of the proposed amendment. George Almond of Pamplin commented on the proposed amendment to the Comprehensive Plan. After no further comments were received, the Public Hearing was closed at 7:19 p.m.

Motion made by Rev. Jones, seconded by Mr. Hipps to adopt the amendment to the Comprehensive Plan – Approach to Renewable Energy. Mr. Hinkle called for a roll call vote: Mr. Wolfskill-yes, Mr. Hipps-yes, Mr. Simpson-yes, Rev. Jones-yes, Mr. Hinkle-yes.

**APPOMATTOX COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
OFFICE OF COUNTY ADMINISTRATION
153A MORTON LANE
APPOMATTOX, VIRGINIA 24522
(434) 352-8183**

At the regular scheduled meeting of the Board of Supervisors, Appomattox County, Virginia held on the 16th day of March, 2026, it was duly moved and seconded that the following resolution be adopted.

**Resolution to Amend and Re-Adopt the Appomattox Comprehensive Plan, Chapter 3-
Growth Management, Approach to Renewable Energy Policy Statement
As Recommended by the Joint Planning Commission**

WHEREAS, Section 15.2-2223 of the Code of Virginia, (1950) as amended, states that the local planning commission shall prepare and recommend a comprehensive plan for the physical development of the territory within its jurisdiction; and

WHEREAS, Section 15.2-2223 of the Code of Virginia , (1950) as amended, further states that every governing body shall adopt a comprehensive plan for the territory under its jurisdiction; and

WHEREAS, the comprehensive plan shall be general in nature , in that it shall designate the general or approximate location, character, or extent of each feature shown on the plan and shall indicate where existing lands or facilities are proposed to be extended, widened, removed, relocated, vacated, narrowed, abandoned, or changed in use; and

WHEREAS, the plan may include but not be limited to, designation of areas for residential, business, industrial, agricultural, mineral resources, conservation, recreation, public service, flood plain and drainage, highways, railways, waterways, and other like facilities and infrastructure; and

WHEREAS, the Appomattox County Joint Planning Commission endeavored to study and review its policy regarding the County's Approach to Renewable Energy in conjunction with a review of the Zoning Ordinance regulations pertaining to Utility Scale Solar Energy Farms; and

WHEREAS, the Appomattox County Joint Planning Commission sought public input through a public hearing on January 14, 2026, and having received comments in favor of said amendments, with none in opposition; and

WHEREAS, at its regular meeting on January 14, 2026, the Appomattox County Joint Planning Commission voted six to one (6-1, O'Brien dissenting) to recommend approval and re-adoption of the updated 'Approach to Renewable Energy' policy statement, shown as follows (strikethroughs being deleted text, red being new/amended text);

Approach to Renewable Energy
As found in the Appomattox County Comprehensive Plan
(Adopted by the Appomattox County Board of Supervisors, October 17, 2022)

Appomattox County endeavors to promote the development of renewable energy resources, such as properly sited utility-scale solar energy farms and wind energy facilities. The purpose of such facilities is for the generation of electricity in a clean, efficient, and renewable manner. Each facility should promote the public health, safety and general welfare of the citizens of the Appomattox County and the Commonwealth of Virginia in an environmentally friendly approach through its design, construction, and eventual decommissioning. These facilities are best sited in areas of the county zoned either M-1, Industrial or IP, Planned Industrial and should be reviewed as a conditional use within said district. In conjunction with the underlying zoning district classification, siting conformity should overlap areas designated by the Future Land Use Map as planned for commercial or industrial development areas. Areas designated by the Future Land Use Map as primary growth, rural transition, rural preservation and/or primary conservation are considered to be undesirable for such land use regardless of the underlying zoning district classification. Several planning factors to deliberate when considering siting such a facility are 1). The scope and scale of the project relative to the character of the surrounding community. Projects should be limited to 500 acres or less in size; 2). The proximity to other electrical power generation facilities; 3). The proximity to population centers. Projects should be sited more than 1.5 miles from incorporated town limits; 4). The proximity to the industry/business to be served by the facility; 5). The proximity to other public infrastructure directly impacted in Appomattox County; 6) The impacts to Cultural and Historical Resources, specifically taking precaution to be outside of existing viewsheds; and (7) Avoid or minimize use of prime farmland or farmlands of statewide importance as defined by the USDA and/or Code of Virginia. These factors are not exclusive or limiting, but should be included in the overall deliberation, as part of generally accepted good zoning practices. **recognizes the importance of transitioning to renewable energy sources to ensure a sustainable future. This comprehensive plan prioritizes the integration of clean energy initiatives, including small-scale residential solar, wind, and other renewable energy technologies, into local development strategies. Appomattox County does not support the development of utility-scale solar energy in the unincorporated portions of the county, but does recognize the importance of small-scale solar usage by the individual residential property owner. By fostering collaboration with stakeholders, encouraging responsible siting of renewable energy facilities, and promoting energy efficiency, we aim to support economic growth, and enhance the quality of life for all residents.** Any siting of either a utility-scale solar energy farm or a wind energy facility **any renewable energy facility** should have a direct, positive impact on the citizens of Appomattox County

and should be consistent with the current Commonwealth of Virginia Energy Plan, as well as, the Appomattox County Comprehensive Plan; and

WHEREAS, the Appomattox County Board of Supervisors endeavors to properly plan for the future physical development of the county through careful planning, sound financial management, and proper use of available growth management regulations; and

WHEREAS, the 2021 Appomattox County Comprehensive Plan is the means by which to guide the physical development of the County; and

WHEREAS, the Appomattox County Board of Supervisors has sought public input through a public hearing on March 16, 2026; and

WHEREAS, the Appomattox County Board of Supervisors finds that the proposed policy statement update is consistent with the goals and objectives of the Board, good planning practices and would generally promote the health, safety and general welfare of the community.

NOW THEREFORE BE IT RESOLVED, on this 16th day of March, 2026, the Appomattox County Board of Supervisors does hereby amend and re-adopt the 'Approach to Renewable Energy' policy statement as found in the Growth Management section of the 2021 Appomattox County Comprehensive Plan, as recommended by the Appomattox County Joint Planning Commission.

Approved this day, the 16th of March, 2026.

John F. Hinkle, Chairman
Appomattox County Board of Supervisors

ATTEST:

Susan M. Adams, Clerk
Appomattox County Board of Supervisors

ACTION ITEMS

Medical Transport Services Resolution

Mr. Andrew Brasington, Vice President of Corporate Strategy, on behalf of Hospital to Home, LLC, dba H2H Emergency Services, a state licensed Emergency Medical Service (EMS) Agency, is requesting a resolution, as required by Virginia Administrative Code 12VAC5-31-420, by the Appomattox County Board of Supervisors to provide Emergency Medical Services in a Non-Designated Emergency Response Agency capacity, per Virginia Code § 15.2-955. H2H Emergency Services will provide EMS Transport and care for contracted partners to meet their needs of inter-facility, facility-to-home, facility to round-trip appointments (returning to facility), and home to round-trip appointments (returning home). Hospital to Home operates throughout the state with offices in Richmond, Chesapeake, Virginia Beach, Northern Virginia, Roanoke, and Charlottesville. Appomattox County Code Chapter 15.2-6 (C) County Rescue/EMS Division established; definitions,

would need to be amended to include Hospital to Home as an officially recognized organization authorized to provide EMS services in the county.

Motion made by Mr. Wolfskill, seconded by Rev. Jones, with all Members present voting yes, to authorize staff to schedule a Public Hearing for April 20, 2026, at 6:00 p.m. to amend the County Code Chapter 15.2-6 (C) which will allow Hospital to Home, LLC to operate as a Medical Transport Service provider in Appomattox County.

E911 Furniture Donation to the Appomattox Fire Department

Motion made by Rev. Jones, seconded by Mr. Wolfskill, to donate surplus E911 Furniture to the Appomattox County Volunteer Fire Department. Mr. Hinkle called for a roll call vote: Mr. Wolfskill-yes, Mr. Hipps-yes, Mr. Simpson-yes, Rev. Jones-yes, Mr. Hinkle-yes.

COMMITTEE APPOINTMENTS

Economic Development Authority Board Appointment

At the April meeting, the Board will be prepared to appoint a representative to the Economic Development Authority Board to fill the unexpired term ending December, 31, 2026, of Mr. Watkins Abbitt, who resigned on December 31, 2025, because of health issues.

Western Virginia Emergency Medical Services Council

The Board considered appointing a representative to the Western Virginia Emergency Medical Services Council.

Motion made by Mr. Simpson, seconded by Mr. Wolfskill to appoint Daniel Wells to the Western Virginia Emergency Medical Services Council. Mr. Hinkle called for a roll call vote: Mr. Wolfskill-yes, Mr. Hipps-yes, Mr. Simpson-yes, Rev. Jones-yes, Mr. Hinkle-yes.

DSS Advisory Board

The Board considered the appointments of two representatives to the DSS Advisory Board to fill the unexpired term of Ms. Susan Shutt, whose term ends September 30, 2028, and Mr. Kevin Bailey, whose term ends December 31, 2028.

Motion made by Rev. Jones, seconded by Mr. Hipps to appoint the following two representatives to the DSS Advisory Board, Ms. Haleigh Quinn, whose term will expire on September 30, 2028, and Ms. April Rasmussen, whose term will expire December 31, 2028. Mr. Hinkle called for a roll call vote: Mr. Wolfskill-yes, Mr. Hipps-yes, Mr. Simpson-yes, Rev. Jones-yes, Mr. Hinkle-yes.

CONSENT AGENDA

Invoices Submitted for Payment

Please review the attached invoices and approve for payment:

March 3, 2026	\$73,358.74
March 12, 2026 – Grand Jurors	\$1,000.00
March 13, 2026 –CSA	\$271,535.68
March 16, 2026	\$467,308.22
TOTAL:	\$813,202.64

STAFF RECOMMENDATION: Please review and consider approval of the attached invoices for payment.

Minutes

Please review the following DRAFT minutes for approval:

February 11, 2026, Budget Work Session

February 17, 2026, Regular Scheduled Meeting

March 3, 2026, Budget Work Session

March 10, 2026 Joint County/School Board Work Session

Commissioner of the Revenue Refund Requests

Mrs. Sara Henderson, Commissioner of the Revenue, is requesting the following to be paid from 1209-5803 Refunds:

1) Refund Al & Edna Dews \$700.25 for 2024 & 2025 real estate taxes. Mr. Dews qualifies for the Veteran's Exemption.

2) Refund Antonio Marcquis Hayden \$394.62 for personal property taxes. He was erroneously assessed.

3) Refund Forever and Always Doodles Inc. \$192.50 for personal property taxes. They were erroneously assessed.

STAFF RECOMMENDATION: Consider approval of the above refunds. Transfer by consent \$1,287.37 from the General Fund and appropriate to 1209-5803. No new local funds are required.

Board of Supervisors

Please supplement by consent and appropriate to the following:

1101-5804 Operating Reserve \$1,200.00

RE: Reimbursement from DSS for invoice paid to RDA by the County.

STAFF RECOMMENDATION: No new local funds are required.

Information Technology

Please supplement by consent and appropriate to the following:

1220-5203 Telecommunications \$3.28

RE: Reimbursement for overpayment of cell phone stipend.

STAFF RECOMMENDATION: No new local funds are required.

Registrar

Please supplement by consent and appropriate to the following:

1302-5401 Office Supplies \$200.00

RE: FOIA request

STAFF RECOMMENDATION: No new local funds are required.

Sheriff's Department

Please supplement by consent and appropriate the following:

3102-1002 Overtime \$8,503.03

3102-1003 Part-Time Salaries \$1,277.40

3102-5401 Office Supplies \$128.17

TOTAL: \$9,908.60

RE: Reimbursement from Appomattox County High School for security performed by deputies at the VHSL basketball game (\$300.00); Reimbursement from the School Board for security performed by deputies at the ACHS and AMS girls/boys basketball games

(\$4,487.11); Reimbursement from DCJS for TDO/ECO hours worked by deputies (\$702.00); Reimbursement from The City of Lynchburg for CIT hours worked by deputies (\$3,013.92); Reimbursement from the School Board for extra school security performed by deputies (1,277.40); FOIA request (\$128.17).

STAFF RECOMMENDATION: No new local funds are required.

Animal Shelter

Please supplement by consent and appropriate to the following:

3501-5413 Spay/Neuter Program \$1,367.33

3501-5804 Donations \$600.00

TOTAL: \$1,967.33

RE: Funds received through adoptions and spay/neuter services (\$1,367.33); Donations received for animal shelter (\$600.00).

STAFF RECOMMENDATION: No new local funds are required.

General Properties

Please supplement by consent and appropriate to the following:

4302-5806 Employee Incentive \$1,375.19

RE: Scrap metal sold to Foss Recycling.

STAFF RECOMMENDATION: No new local funds are required.

Children Services Act

Please supplement by consent and appropriate the following:

5310-3001 Professional Services \$677.00

RE: Reimbursement for CSA services paid to Rescare, Inc.

STAFF RECOMMENDATION: No new local funds are required.

Waterline

Please supplement by consent and appropriate to the following:

082-1800-5101 Electrical Services \$1,872.33

082-1800-5203 Telecommunications \$132.95

TOTAL: \$2,005.28

RE: Reimbursement from the Town of Appomattox for waterline expenses.

STAFF RECOMMENDATION: No new local funds are required.

Motion made by Mr. Wolfskill, seconded by Rev. Jones, to approve the Consent Agenda as submitted. Mr. Hinkle called for a roll call vote: Mr. Wolfskill-yes, Mr. Hipps-yes, Mr. Simpson-yes, Rev. Jones-yes, Mr. Hinkle-yes.

ATTORNEY'S REPORT

Mark Popovich stated that he was contacted by the City of Lynchburg's attorney to invite Appomattox County to be included in an AMICUS Brief for support of the Tazewell Circuit Court's ruling in favor of a number of Republican's challenges declaring the State redistricting effort to be unconstitutional. All participating localities will incur a cost relating to attorney's fees.

Motion made by Mr. Hipps, seconded by Mr. Wolfskill to authorize Appomattox County to participate in the AMICUS Brief in support of the Tazewell Circuit Court's ruling that declares the State redistricting effort to be unconstitutional, incurring an equal cost of the Counties and Cities that participate. Mr. Hinkle called for a roll call vote: Mr. Wolfskill-yes, Mr. Hipps-yes, Mr. Simpson-no, Rev. Jones-no, Mr. Hinkle-yes. Motion carried 3-2.

ADMINISTRATOR'S REPORT

Ms. Adams shared the County Administrator's report containing department updates to the Board via email.

SUPERVISORS CONCERNS

Mr. Simpson requested that the Board discuss forming a group, or forum, that would consist of two Board Members from the County and two Town Council Members to discuss projects and issues that affect both entities.

Rev. Jones shared that he was notified today that the Appomattox Dialysis Center will close on April 18, 2026, and constituents who used the services were upset about the closing. Rev. Jones would like the Board to consider contacting the company about the concerns of our citizens due to the closing of the facility.

Mr. Hipps stated the he supports contacting the dialysis company about the facility closing and to make known the concerns of our citizens.

Mr. Hipps stated that he understands citizens' concerns about their property value and usefulness with the construction of the proposed Valley Link transmission line through the County, and would support a resolution that opposes the Valley Transmission Line through Appomattox County.

Mr. Hinkle proposed submitting a resolution for approval at the April 2026 Regular Board Meeting stating the County's opposition to the Valley Link Transmission Line being built in Appomattox County.

CLOSED SESSION

Chairman Hinkle, read the following Resolution authorizing a Closed Session: I move that the Board enter into closed session for the limited purpose of consultation with legal counsel regarding specific legal matters requiring the provision of legal advice related to the possible transfer of water/sewer utilities to the Town of Appomattox pursuant to Section 2.2-3711(A)(8) of the Code of Virginia (1950, as amended).

Motion made by Mr. Hinkle, seconded by Rev. Jones, with all Members present voting yes, to enter into closed session at 7:51 p.m.

Wanda McCormick read the following closed session certification at 8:28 p.m. To the best of your knowledge, were the only matters discussed in the closed meeting public business matters lawfully exempted from open meeting requirements, and that only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting. Mrs. McCormick called for a roll call vote: Mr. Hipps-yes; Mr. Simpson-yes; Mr. Hinkle-yes; Mr. Wolfskill-yes,

Rev. Jones-yes.

Motion made by Mr. Wolfskill, seconded by Mr. Jones to authorize staff to prepare a resolution that opposes the Valley Link Transmission Project in Appomattox County, with verbiage similar to the Louisa County Resolution that opposes the project, and will be ratified at the April 20, 2026, Regular Board of Supervisors Meeting. Mr. Hinkle called for a roll call vote: Mr. Wolfskill-yes, Mr. Hipps-yes, Mr. Simpson-yes, Rev. Jones-yes, Mr. Hinkle-yes.

UPCOMING MEETINGS

Tuesday, March 31, 2026 @ 6:00 p.m.

Budget Work Session
Board of Supervisors Meeting Room
333 Court St.
Appomattox, VA 24522

Monday, April 20, 2026 @ 6:00 p.m.

Regular Scheduled Meeting
Board of Supervisors Meeting Room
333 Court Street
Appomattox, VA

ADJOURNMENT

Motion made by Mr. Hipps, seconded by Rev. Jones, and carried with all other members present voting yes, to adjourn at 8:32 p.m.

John Hinkle, Chairman