



**SOUTH HILL TOWN COUNCIL
REGULAR MEETING MINUTES
MONDAY, JANUARY 8, 2024, 7:00 P.M.**

The regular monthly meeting of the South Hill Town Council was held on Monday, January 8, 2024 at 7:00 p.m. in the Council Chambers of the South Hill Town Hall located at 211 S. Mecklenburg Avenue, South Hill, Virginia 23970. The meeting was also available livestream via YouTube at <https://www.youtube.com/@southhillva/live>. Town Clerk Anna Cratch took minutes of the meeting.

I. OPENING

Honorable Mayor Dean Marion called the regular meeting to order at 7:00 p.m. Mayor Marion called upon Town Clerk Anna Cratch to call the roll, which was as follows:

A. Council Members

Ashley C. Hardee
Delores Luster
Joseph E. Taylor, Jr.

Gavin Honeycutt
Mike Moody

Dr. Lisa Jordan
Michael Smith

Councilor Feggins-Boone was absent from the meeting.

B. Staff in Attendance

Keli Reekes, Town Manager
Krystle Connell, Dir. of Finance and Admin.
C.J. Dean, Dir. of Municipal Services
Kristine Martin, HR Manager
Michael Vaughan, Fire Department Admin.

Stuart Bowen, Police Chief
Anna B. Cratch, Town Clerk
David Hash, Code Compliance Official
Brent Morris, Business Dev. Manager

Town Attorney Services were provided by Sands Anderson PC who participated via Zoom.

II. APPROVAL OF AGENDA

A motion was made by Councilor Honeycutt, second by Councilor Hardee, to approve the agenda for January 8, 2024 as amended. The motion carried unanimously.

III. CITIZENS TO ADDRESS COUNCIL

At this point in the meeting, the following citizen(s) addressed Council:

- Jackie Hinman – history about God’s Work Inc., The Shepherd’s Inn and The Shepherd’s Shop
- Wade Crowder – new Public Works building; dissatisfaction with certain officials/personnel

- Yvonne Alexander – appreciation to Deputy Police Chief Geist and SHPD staff for assistance with break-in at Mecklenburg Senior Citizens Food Bank; enforcement of ‘No Trespassing’ signs

IV. PUBLIC HEARINGS

A. Proposed Voluntary Boundary Adjustment Agreement – Keli Reekes

Keli Reekes informed Council that a Notice of Public Hearing was published in the December 20 and 27, 2023 editions of The News-Progress to inform interested parties that Council will hear comments regarding the proposed Voluntary Boundary Adjustment Agreement by which certain properties currently located partly in the LaCrosse Magisterial District, Mecklenburg County, Virginia, and partly in the Town of South Hill, Virginia, will be relocated entirely into the boundary of the Town, which properties are described as follows:

- A. That portion of the 15.18 acres parcel shown on a plat made by B&B Consultants, Inc., dated September 13, 2023, recorded in the Clerk’s Office of the Circuit Court for Mecklenburg County, Virginia, as Instrument Number 230003657 (“Plat”), which portion is not currently located within the boundary of the Town, and which property was acquired by Greenlight Investments, LLC, a Virginia limited liability company, by operation of a deed dated September 14, 2022, recorded in the Clerk’s Office aforesaid as Instrument Number 230003658.
- B. That portion of the 4.50 acres parcel shown on the Plat, which portion is not currently located within the boundary of the Town, and which property was acquired by KAC Investments, LLC, a Virginia limited liability company, by operation of a deed dated December 8, 2022, recorded in the Clerk’s Office aforesaid as Instrument Number 220005027.
- C. That portion of the 5.12 acres parcel shown on the Plat, which portion is not currently located within the boundary of the Town, and which property was acquired by Thompson Enterprises VA LLC, a Virginia limited liability company, by operation of a deed dated September 15, 2023, recorded in the Clerk’s Office aforesaid as Instrument Number 230003706.

Mrs. Reekes reported the Mecklenburg County Board of Supervisors held their Public Hearing on the morning of January 8, 2024, at which time the boundary adjustment was approved by their board.

Mrs. Reekes opened the Public Hearing.

- Wade Crowder asked about the location and parcels. Mrs. Reekes commented it is commercial property located off Route 138. Clint Clary was present and helped to share details on the three parcels.

Mrs. Reekes closed the Public Hearing.

A motion was made by Councilor Moody, second by Councilor Smith, to adopt the Resolution to approve the Voluntary Boundary Adjustment Agreement by which certain properties currently located partly in LaCrosse Magisterial District, Mecklenburg County, Virginia, and partly in the

Town of South Hill, Virginia, will be relocated entirely into the boundary of the Town. The motion passed via **roll-call vote** as follows:

Councilor Feggins-Boone-Absent	Councilor Hardee-Aye
Councilor Honeycutt-Aye	Councilor Jordan-Aye
Councilor Luster-Aye	Councilor Moody-Aye
Councilor Smith-Aye	Councilor Taylor-Aye.

B. Proposed Solar Easement and Development Agreement – Keli Reekes

Keli Reekes informed Council that a Notice of Public Hearing was published in the December 27, 2023 and January 3, 2024 editions of The News-Progress to inform interested parties that Council will hear comments on a proposed easement from the Town of South Hill as grantor to Marrow Street Solar Farm, LLC as grantee. The proposed easement will allow access to property to be used by the grantee or its designee in connection with a small-scale solar facility in the Town. The easement identified as Tax Parcel Number 25884 will cross land owned by the Town. The easement is for the ongoing maintenance of the project through the life of the project.

A separate easement will be obtained through an adjoining property owner by the solar company for use during the construction phase of the project which will allow the solar company access on Jubilee Drive off of E. Ferrell Street during construction only, of which that easement agreement the Town does not have any control.

Mrs. Reekes opened the Public Hearing.

The following spoke against the proposed easement and agreement (concerns follow names.)

- Wade Crowder – residents already had to live with a lagoon; solar farm should be in the country not the Town
- Steven Stanley (Benton Street) – 40-year easement term constrains future development opportunities; developer has the right to remove vegetation or structures at will; developer’s obligation to construct a solar farm is not guaranteed; developer controls the easement; agreement’s bind on the successors or assignment by the developer to a different party; developer is exempt from local taxes; developer asserts the project is in accordance with the Comprehensive Plan; easement across Town’s property is detrimental and avoidable; proposal is not a good deal for the Town or community
- Ruth Smith (Marrow Street) – facility would be in her backyard, would hinder deer, would possibly employ inmates, and would be loud; increased traffic flow; safety issues for the elderly, children, and pets
- John Schickler (Holmes Street) – road with culverts will need to be built; once trees are cleared, runoff will quadruple and the area will flood during heavy rainfall; loss of tax revenue; increased traffic and road maintenance; safety issues for pedestrians
- Holly McFarland (Marrow Street) – increased traffic, noise, and overall disruptions; facility would be located directly across the street from her home and behind several residential homes; overall impact on property marketability, value, and appeal; no assurance who will be allowed to utilize the easement over time

- Sherrie Storm (Holmes Street) – public construction access is through a relatively quiet single-family residential neighborhood; will only create more noise, litter, street deterioration, and most likely a decline in property values
- Jackie Hinman – facility not necessary; the farms deteriorate and use materials that are expensive to dig; forests that provide oxygen are lost
- Renee Dolan – heavy equipment and traffic creating safety issues and causing disturbances around children and pets in a currently peaceful neighborhood; only one to benefit is an out-of-state company
- Hunter Coy (Benton Street) – children could be exposed to potential unnecessary increase of danger
- Sara Coy (Benton Street) – increased risk to children and pets
- William Seeley (Marrow Street) – natural habitat in their backyard including deer and birds will be impacted; destruction of peace and tranquility

The following spoke in favor of the proposed easement and agreement.

- Justin Vandebroek, owner of the company working on the project, stated they spend a lot of time in southern Virginia. Mr. Vandebroek shared that heavy machinery will be coming off Jubilee Drive, not through the neighborhood. Once the projects are built, a pickup truck may come through twice a month with mowing equipment. An operation and maintenance truck will come through once a month. A strong ground cover is maintained under the panels. The power will be sold to low to moderate income residents. The project can be completed in six to eight weeks. The area will be fenced in properly.

Mrs. Reekes closed the Public Hearing.

Councilor Moody reported the South Hill Planning Commission was advised in the spring of 2023 that a solar farm wanted to come to South Hill. No one was in favor but the Town Attorney advised there was nothing that could be done to stop the solar farm from coming because solar was permitted in Industrial by right in the Town’s Code. The Code was swiftly changed June 12, 2023 that solar is permitted by special exception. The current discussion pertained to the easement to the solar farm. The owner has already secured an easement through property owners off Jubilee Drive for construction purposes. This easement request is for maintenance purposes only and is the only way the Town can have some kind of control over the easement.

Councilor Taylor shared he believes solar operations are an environmental degradation, prevent further economic development, and isolate properties for extended periods of time; however, the easement is the only way the Town can have some measure of control because the operation can’t be stopped. Councilor Honeycutt shared he has major concerns but is having to play the cards he was dealt. Councilor Smith wanted the public to understand no vote was taken by Council; it was permitted by right. Councilor Hardee shared her dislike that it can’t be stopped.

A motion was made by Councilor Moody, second by Councilor Luster, to approve the proposed Easement and Development Agreement and further authorize the Town Manager to sign all relevant documents. The motion passed via roll-call vote as follows:

Councilor Feggins-Boone-Absent	Councilor Hardee-No
Councilor Honeycutt-No	Councilor Jordan-Aye
Councilor Luster-Aye	Councilor Moody-Aye
Councilor Smith-No	Councilor Taylor-Aye.

V. ADMINISTRATIVE REPORTS

A. Consent Agenda

1. Minutes

a. December 11, 2023 Special Meeting

b. December 11, 2023 Regular Meeting

2. Monthly Financial Report

Krystle Connell submitted the financial report as follows:

General Fund	- \$ 6,904,673.27	Total Investment Accounts	- \$27,920,055.95
Water and Sewer Fund	- 3,099,495.56	Total Police Dept. Savings	- \$ 33,489.53
Cemetery Fund	- 18,131.45	Total Taxes Due Thru 12/31/23	- \$ 288,337.60
Nicks Lane Area Project Fund	- (50,000.00)	(Real Estate and Personal Property, all years)	
Total in Checking	- \$ 9,972,300.28		

A motion was made by Councilor Moody, second by Councilor Honeycutt, to approve the consent agenda. The motion carried unanimously.

B. Items for Approval

1. Town Manager Report

a. Proposed Ordinance to Implement Revenue Share for Solar Energy Projects

Keli Reekes informed Council ESA Solar has submitted site plans for a 2 megawatt solar farm located on Marrow Street. Virginia Code § 58.1-2635 authorizes any locality to adopt an ordinance to assess an annual revenue share on any solar project and waive the machinery and tools tax. A proposed ordinance was shared.

A motion was made by Councilor Moody, second by Councilor Hardee, to adopt the Ordinance to Amend the Town of South Hill Code to Implement “Revenue Share for Solar Energy Projects” Pursuant to VA Code §§ 58.1-2606.1 and 58.1-2636. The motion passed via **roll-call vote** as follows:

Councilor Feggins-Boone-Absent	Councilor Hardee-Aye
Councilor Honeycutt-No	Councilor Jordan-Aye
Councilor Luster-Aye	Councilor Moody-Aye
Councilor Smith-Aye	Councilor Taylor-Aye.

2. Finance Report

a. Appropriation of Virginia Department of Health (VDH) Grant Funds for Lead Service Line (LSL) Inventory Project

Krystle Connell informed Council the Town has been awarded a 2023 VDH grant for the Town’s LSL Inventory Project. VDH will make a total of up to \$160,000 available to the

Town for researching and developing an inventory of service lines; therefore, Mrs. Connell requested that the grant funds be appropriated for this purpose.

A motion was made by Councilor Honeycutt, second by Councilor Moody, to appropriate \$160,000 in grant funds from VDH for the LSL Inventory Project that is due to EPA in October 2024. The motion carried unanimously.

C. Reports to Accept as Presented

For efficiency, the following reports for December 2023 were presented as a group to accept as presented.

1. Town Manager Report

a. Facilities Reservation Calendar

Keli Reekes reported there are no activities or reservations at Centennial Park, Parker Park, the South Hill Exchange, and other Town facilities for the current month; therefore, no calendar was attached.

b. South Hill Volunteer Fire Department (SHVFD) Report

Chief Vaughan submitted the fire report. He reported the SHVFD responded to 88 total alarms with an average of 14 volunteers present per call. The current volunteer roster is 38. Calls responded to in Town were 42, within the county district were 46, and involving fire were 20. Mutual aid given was 11, and automatic aid received was 36. Training included Vehicle Rescue, Aerial Operations, and MVC Response Review. Fundraising efforts included a Brunswick Stew on February 10. Administrative news was shared.

2. Police Report

a. Monthly Report

Chief Bowen submitted the police report. He reported there were 490 activity incidents, 58 reportable criminal offenses, 1,421 calls for service, and \$93 property recovered. Other miscellaneous included 20 court hours, 96 training hours, 50 warrants issued, and 1 inoperative vehicle tagged. Administrative news was shared.

b. Annual Report

Chief Bowen submitted the annual police report for 2023. Chief Bowen informed Council there were 5,102 activity incidents, 598 reportable criminal offenses, 14,355 calls for service, and \$155,481 property recovered in 2023. Other miscellaneous included 271 court overtime hours, 1039 training hours, and 544 warrants issued.

3. Municipal Services Report

C.J. Dean submitted the municipal services report on the following:

- Plank Road Waterline Project
- Thomas Street waterlines replacement
- Meeting with the Town's insurance provider

South Hill Town Council Regular Meeting Minutes

January 8, 2024

Page 6 of 8

- Use of South Hill Exchange for Southside Virginia Community College (SVCC) Truck Driver Training School
- VDH Grant Award of \$160,000 for the lead and copper inventory
- RedZone Robotics
- Assistance with indoor projects for the Community Development Association and SVCC

4. Code Compliance Report

a. Report of Activity

David Hash submitted the report of activity as follows:

Inspections Completed	-	43
Permits Issued	-	42
Fees Collected	-	\$ 14,496.11
UEZ Exemption	-	\$ 0
Rehab Exemption	-	\$ 0
General Exemption	-	\$ 3,765.12
Work Value	-	\$38,764,538.98

There were no new businesses for December.

b. Dilapidated Properties

Along with the list of completed dilapidated properties, a report on the status of approximately 70 dilapidated properties was also presented.

5. Business Development Report

Brent Morris submitted the business development report on the following:

- Recruitment of new businesses
- Suitable location for major service provider
- One Environmental report on property behind Town Hall
- Relocation of Workforce from old bank building beside Town Hall
- New Town website
- Planning Session for future community projects

6. Human Resources Report

Kristine Martin submitted the human resources report on the following:

a. Accomplishments/Updates

- Updates to the Employee Handbook
- Berkley Group Market Study Data
- Mecklenburg County Middle School Career Day on December 8

b. Training/Meetings

- David Hash and Robert York, Code Compliance Department, attended the VBCOA Regional Meeting in Richmond on December 12. The educational topic was Fire-Retardant Treated Wood by Jim Gogolski.

c. Employment News

- Recruitment of a Maintenance Operator in Parks and Grounds

A motion was made by Councilor Luster, second by Councilor Smith, to accept the reports as presented. The motion carried unanimously.

VI. OTHER BUSINESS

A. RedZone Robotics

Councilor Honeycutt inquired about the status of the RedZone Robotics project accessing the sewer infrastructure. C.J. Dean reported RedZone started working last summer up through November, completing 65% of the lines. The maps were marked and RedZone has returned in the last couple of weeks to review problem areas. With the help of Town crews, the project will hopefully be completed in the next couple of weeks.

B. Estimate for SHVFD Vehicle Cameras

Councilor Taylor reported our community has a jointly operated, sort of hybrid cooperative approach to the fire department such that the Town owns the vehicles that are operated as a part of the fire department, which is operated by volunteers. They respond to 3.64 calls a day that often take them into dangerous intersections including Interstate 85 and unfortunately into neighboring jurisdictions that are not as accountable for the personal safety, financial, and property risks that the Town is, as those who support our SHVFD. As a result, Councilor Taylor has asked the Town Manager to prepare an estimate for dashcams and rear cameras to be attached to all SHVFD vehicles to ensure that the Town accomplishes the following: 1) as firefighters are entering service calls, to ensure that if there are drivers who do not obey the law, the Town will have a view to those offenders and can provide that footage to law enforcement, and 2) to provide a holistic view for firefighters and Town administration alike with respect to the operation of those vehicles on calls. Councilor Taylor requested the findings be reported at the next Council meeting so that an appropriation can be addressed.

VII. ADJOURNMENT

There being no further business matters before the South Hill Town Council, Mayor Marion adjourned the meeting at 8:14 p.m.

VALIDATION

Minutes approved this _____ day of _____, 20_____.

Anna B. Cratch, Town Clerk

Dean Marion, Mayor



Incorporated 1901

**RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF SOUTH HILL, VIRGINIA
APPROVING VOLUNTARY BOUNDARY LINE ADJUSTMENT WITH
MECKLENBURG COUNTY, VIRGINIA**

WHEREAS, the Town Council (the “Council”) of the Town of South Hill, Virginia (the “Town”) has received a request from the owners of properties identified on a plat made by B & B Consultants, Inc., dated September 13, 2023 recorded in the Clerk’s Office of the Circuit Court of Mecklenburg County, Virginia as Instrument Number 230003657 (the “Plat”) consisting of (i) a portion of a 15.18 acre parcel owned by Greenlight Investments, LLC (the “Greenlight Property”), (ii) a portion of a 4.5 acre parcel owned by KAC Investments, LLC (the “KAC Property”) and (iii) a portion of a 5.12 acre parcel owned by Thompson Enterprises VA LLC (the “Thompson Property,” and, together with the Greenlight Property and the KAC Property, each as identified in the Plat, the “Properties”); and

WHEREAS, the Town and Mecklenburg County, Virginia (the “County”) have developed a Voluntary Boundary Adjustment Agreement (the “Agreement”) setting forth the agreement of the Town and the County to adjust the boundary of the Town to include within the Town the portions of the Properties that are currently outside the Town boundary; and

WHEREAS, the Town and the County have conducted public hearings in connection with the Agreement as required under Section 15.2-3107 of the Code of Virginia of 1950, as amended (the “Code”);

NOW, THEREFORE, BE IT RESOLVED, that the Council hereby finds and determines that it is in the best interests of the Council and the citizens of the Town for the Town to agree to the boundary line adjustment to include the Properties within the boundaries of the Town as set forth in the Agreement and the Council hereby ratifies and approves the Agreement in substantially the form presented to Council;

BE IT FURTHER RESOLVED, that the Council hereby authorizes and directs the Town Manager and the Mayor of the Town, acting alone or together, to take such actions as are necessary and/or expedient in their sole discretion to finalize, execute and deliver the Agreement and to undertake all other actions, agreements and certifications required under the Code, including, but not limited to, any proceedings set forth under Section 15.2-3106 et seq. of the Code, including any notices thereunder under, a petition and related filings under Section 15.2-3108 and such other documents as either deems necessary to implement the purposes and intents of this resolution;

BE IT FURTHER RESOLVED, that all actions taken in furtherance of the Agreement prior to the date of adoption of this Resolution are hereby ratified and confirmed.

Adopted this 8th day of January, 2024.

ADOPTED at a regular meeting of Council this 8th day of January, 2024, the roll call vote being as follows:

	VOTING AYE	VOTING NAY	ABSENT
Lillie Feggins-Boone	_____	_____	_____ ✓
Ashley Hardee	_____ ✓	_____	_____
Gavin Honeycutt	_____ ✓	_____	_____
Dr. Lisa Jordan	_____ ✓	_____	_____
Delores Luster	_____ ✓	_____	_____
Mike Moody	_____ ✓	_____	_____
Michael Smith	_____ ✓	_____	_____
Joseph Taylor, Jr.	_____ ✓	_____	_____

The undersigned hereby certifies that the foregoing is an accurate account of the vote taken at a duly convened meeting of the Town Council for the Town of South Hill, Virginia, on the 8th day of January, 2024, at which a quorum was present at the time the meeting was convened and at the time said vote was taken.

By: Dean Marion
Dean Marion, Mayor

ATTEST:

Anna B. Cratch
Anna B. Cratch, Town Clerk

**MECKLENBURG COUNTY, VIRGINIA & TOWN OF SOUTH HILL, VIRGINIA
VOLUNTARY BOUNDARY ADJUSTMENT AGREEMENT**

THIS VOLUNTARY BOUNDARY ADJUSTMENT AGREEMENT (“Agreement”) is made and entered into this 8th day of January, 2024, by and between **MECKLENBURG COUNTY, VIRGINIA** (“County”), a political subdivision of the Commonwealth of Virginia, and **TOWN OF SOUTH HILL, VIRGINIA** (“Town”), a municipal corporation of the Commonwealth of Virginia.

RECITALS:

- R-1** The County and the Town have agreed to relocate a portion of the Town boundary line which separates the Town from the County.
- R-2** The properties which are proposed to be relocated into the Town boundary are described below.
- R-3** The parties make and enter into this Agreement to evidence terms of the voluntary boundary adjustment agreed to between them.

WITNESSETH: That for and in consideration of the benefits inuring to the parties hereunder, and in further consideration of the duties imposed upon the parties hereby, the parties covenant and agree as follows:

1. The Town boundary line shall be relocated to include within the Town portions of three parcels of property which are now located partly within the Town boundary, and partly outside the Town boundary, in the County.
2. The parties intend that the portions of the three properties which shall be relocated into the Town boundary shall consist of that portion of each property which is currently located outside the Town boundary.
3. The three properties which are subject to this Agreement are the following:
 - a. A portion of the 15.18 acres parcel (“Greenlight Property”) shown on a plat made by B & B Consultants, Inc., dated September 13, 2023, recorded in the Clerk’s Office of the Circuit Court for Mecklenburg County, Virginia, as Instrument Number 230003657 (“Plat”). A copy of the Plat is attached hereto as “Exhibit A”.
 - b. A portion of the 4.50 acres parcel (“KAC Property) shown on the Plat.
 - c. A portion of the 5.12 acres parcel (“Thompson Property”) shown on the Plat.
4. The only owners of private property which is proposed to be taken into the Town boundary are Greenlight Investments, LLC (“Greenlight”; 15.18 acres), KAC

Investments, LLC (“KAC”; 4.50 acres) and Thompson Enterprises VA LLC (“Thompson”; 5.12 acres).

5. In compliance with Virginia Code Section 15.2-3107.B., the County and Town each served notice of this Agreement on Greenlight, KAC and Thompson by First Class U.S. Mail to the last known address of each such owner as shown on the current real estate tax assessment records, and the County and Town each made affidavits that such mailings have been made. Copies of those notices and affidavits are attached hereto as “Exhibits B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9, B-10, B-11 and B-12”.
6. Greenlight has executed an affidavit which evidences its request that the Greenlight Property be incorporated into the Town boundary, and by which Greenlight waives its right to notice of this boundary adjustment proceeding, notwithstanding the fact that notice was afforded to Greenlight by both the County and Town. A copy of the Greenlight affidavit is attached hereto as “Exhibit C”.
7. KAC has executed an affidavit which evidences its request that the KAC Property be incorporated into the Town boundary, and by which KAC waives its right to notice of this boundary adjustment proceeding, notwithstanding the fact that notice was afforded to KAC by both the County and Town. A copy of the KAC affidavit is attached hereto as “Exhibit D”.
8. Thompson has executed an affidavit which evidences its request that the Thompson Property be incorporated into the Town boundary, and by which Thompson waives its right to notice of this boundary adjustment proceeding, notwithstanding the fact that notice was afforded to Thompson by both the County and Town. A copy of the Thompson affidavit is attached hereto as “Exhibit D”.
9. B & B Consultants, Inc., which prepared the Plat, is preparing a new plat which will depict both the existing County/Town boundary line, and the relocated County/Town boundary line which is proposed to become effective by entry of the Court Order mentioned below.
10. Prior to the approval hereof, the parties have each duly published notice of a public hearing in compliance with Virginia law, and conducted a public hearing, at which the public was entitled to speak and comment on the terms of this Agreement.
11. At the conclusion of each public hearing, each respective governing body acted to approve this Agreement, and authorize the signing hereof on behalf of the County and the Town.
12. After the aforesaid public hearings, and the signing of this Agreement by an authorized representative of each governing body, the parties shall prepare and present to the Circuit Court for Mecklenburg County, Virginia, a joint Petition by

which approval of this Agreement is requested, and an Order by which the boundary adjustment is effected.

13. A copy of the Order, and the new plat, will be recorded in the land records in the Clerk's Office of the Circuit Court for Mecklenburg County, Virginia, and indexed in the names of the County and the Town as both Grantors and Grantees.

14. The parties may sign this Agreement in counterparts with the same effect as if the parties signed the same document. Both counterparts shall be construed together and constitute one and the same document. Scanned copies of signatures shall be as effective and binding as original signatures.

IN WITNESS WHEREOF, the County and Town have each caused this Agreement to be executed in its behalf by its duly authorized officer, agent or representative.

Date: _____ MECKLENBURG COUNTY, VIRGINIA

By: _____
Printed Name: _____
Title: _____

Date: 1/8/2024 TOWN OF SOUTH HILL, VIRGINIA

By: *Keli Reekes*
Printed Name: Keli Reekes
Title: Town Manager

TOWN COUNCIL FOR THE TOWN OF SOUTH HILL, VIRGINIA

AN ORDINANCE TO AMEND THE TOWN OF SOUTH HILL CODE TO IMPLEMENT “REVENUE SHARE FOR SOLAR ENERGY PROJECTS” PURSUANT TO VA. CODE §§ 58.1-2606.1 AND 58.1-2636, AS AMENDED

WHEREAS, the Virginia General Assembly enacted Va. Code Ann. § 58.1-2636 titled “Revenue Share for Solar Energy Projects”, effective July 1, 2020;

WHEREAS, Va. Code § 58.1-2636 authorizes any locality to adopt an ordinance to assess an annual revenue share on any solar photovoltaic (electric energy) project, subject to certain exemptions; and

WHEREAS, the Town now desires to amend the South Hill Code of Ordinances to implement the provisions of Va. Code Ann. § 58.1-2636, as amended.

NOW THEREFORE BE IT ORDAINED by the Town Council for the Town of South Hill as follows:

1. Chapter 78 of the Code of the Town of South Hill, Virginia shall be, and hereby is, amended to add the following new Article XI. The added language is underlined and in italics.

ARTICLE XI - Revenue Share for Solar Energy Projects

Sec. I Purpose, Definition, Relation to Other Ordinances.

- (a) *The purpose of this Article is to implement Va. Code § 58.1-2636 titled “Revenue Share for Solar Energy Projects” approved by the 2020 Regular Session of the Virginia General Assembly and signed into law by the Governor, effective July 1, 2020, as amended since.*
- (b) *Terms used in this Article shall have the defined meanings found in Va. Code Ann. § 58.1-2636, § 58.1-3660, § 58.1-3507, or § 58.1-3508.6, as amended.*
- (c) *To the extent that the provisions of this Article conflict with any other prior ordinance or provision of the Town of South Hill or the Virginia Code, this Article shall control.*

Sec. I Applicability.

- (a) *This Article shall apply to all solar photovoltaic (electric energy) generation facilities except as otherwise set forth herein and except those that are:*

- (i) Described in Va. Code Ann. § 56-594, § 56-594.01, or § 56-594.2 or Chapters 358 and 382 of the Acts of Assembly of 2013, as amended;
 - (ii) 20 megawatts or less, as measured in alternating current (AC) generation capacity, for which an initial interconnection request form has been filed with an electric utility or a regional transmission organization on or before December 31, 2018.
- (b) Pursuant to Va. Code § 58.1-2606.1(B), as amended, this Article shall apply to solar photovoltaic (electric energy) generation facilities of 5 megawatts or less.
- (c) This Article shall not apply to solar photovoltaic (electric energy) generation facilities for which an application has been filed with the Town and such application has been approved by the Town prior to January 1, 2021.
- (d) Nothing in this Section shall preclude an applicant or owner of a solar photovoltaic (electric energy) generation facility previously approved or permitted by the Town from entering into a written agreement to submit such project to be subject to the provisions of this Ordinance.

Sec [] . Revenue Share Rate Per Megawatt and Waiver of Machinery and Tool Tax.

- (a) The Town hereby imposes a revenue share to be assessed annually on all solar photovoltaic (electric energy) generation facilities, at a rate of \$1,400 per megawatt, as measured in alternating current (AC) generation capacity of the nameplate capacity of the facility based on submissions by the facility owner to the interconnecting utility. The annual assessment amount shall be increased on July 1, 2026, and every five years thereafter, by 10 percent.
- (b) The exemption for solar photovoltaic (electric energy) generation facilities as provided by Va. Code Ann. §§ 58.1-3660 and 58.1-2606.1, as amended, shall be one hundred percent (100%) of the assessed value.
- (c) Nothing contained herein shall be construed to prevent any other tax or fee as authorized or provided by the Virginia Code.

2. This Ordinance shall become effective immediately upon adoption.

ADOPTED at a regular meeting of Town Council this [8]th day of [January], 2024, the roll call vote being as follows:

	VOTING AYE	VOTING NAY	ABSENT
Lillie Feggins-Boone	_____	_____	_____ ✓
Ashley Hardee	_____ ✓	_____	_____
Gavin Honeycutt	_____	_____ ✓	_____
Dr. Lisa Jordan	_____ ✓	_____	_____
Delores Luster	_____ ✓	_____	_____
Mike Moody	_____ ✓	_____	_____
Michael Smith	_____ ✓	_____	_____
Joseph Taylor, Jr.	_____ ✓	_____	_____

The undersigned hereby certifies that the foregoing is an accurate account of the vote taken at a duly convened meeting of the Town Council for the Town of South Hill, Virginia on the [8]th day of [January], 2024, at which meeting a quorum was present at the time the meeting was convened and at the time said vote was taken.

By: Dean Marion
Dean Marion, Mayor

ATTEST:

Anna B. Cratch
Anna B. Cratch, Town Clerk