

CHESTER COUNTY COUNCIL MEETING

R. Carlisle Roddey Chester County Government Complex

1476 J.A. Cochran Bypass Chester, SC 29706

Tuesday, July 5th, 2022 at 6:00 PM

Agenda

1. **Call to Order**
2. **Pledge of Allegiance and Invocation**
3. **Approval of Minutes**
 - a. June 27th, 2022 Special Called Council Minutes.
 - b. June 20th, 2022 Council Minutes.
4. **Citizen Comments**
5. **Ordinances/Resolutions/Proclamations**
 - a. **2nd Reading Ordinance 2022-11** An Ordinance for Fee schedules for development agreement fees and impact fees.
 - b. **2nd Reading of Ordinance 2022-13-** An Ordinance to amend the master ordinance for fee allocation.
 - c. **Resolution 2022-8** A Resolution To Support Amendment To Catawba Regional Council Of Governments Operating Agreement.
6. **New Business**
 - a. Council to approve accepting state funding for an additional SRO at Chester Park Complex. Captain David Peeples.
 - b. Council to authorize EMA to accept a grant for \$45,000 dollars from FEMA to install an emergency generator at the Fort Lawn Fire Station with a grant match of \$ \$11,500 dollars. EMA Director Ed Darby.
 - c. Council to authorize EMA to accept a grant for 70,000 dollars from FEMA to install an emergency generator at the Chester Catawba Regional Airport with a grant match of \$ 17,500 dollars. EMA Director Ed Darby.
 - d. **1st Reading of CCMA22-05: Birdseye Renewable Energy request Tax Map # 144-00-00-022-000 on Mt. Vernon Road be rezoned from Rural Three (R3) to Rural Two (R2).** *Planning Commission voted 4-1 to approve the rezoning as it's been requested with a reverter clause for five years for Birdseye to complete their project. In addition to that, they would have two years to connect and have Duke make a connection to the 100 kV line to make the solar farm basically operational if not it would revert back to R 3 zoning the time would start with final approval from County Council.*

e. **1st Reading of CCMA22-06: Birdseye Renewable Energy request Tax Map # 155-00-00-025-000 on George Argus Road be rezoned from Rural Three (R3) to Rural Two (R2).** *Planning Commission voted 4-1 to approve the rezoning as it's been requested with a reverter clause for five years for Birdseye to complete their project. In addition to that, they would have two years to connect and have Duke make a connection to the 100 kV line to make the solar farm basically operational if not it would revert back to R 3 zoning the time would start with final approval from County Council.*

f. **1st Reading of CCMA22-07: Birdseye Renewable Energy request Tax Map # 144-00-00-021-000 on Mt. Vernon Road be rezoned from Rural Three (R3) to Rural Two (R2).** *Planning Commission voted 4-1 to approve the rezoning as it's been requested with a reverter clause for five years for Birdseye to complete their project. In addition to that, they would have two years to connect and have Duke make a connection to the 100 kV line to make the solar farm basically operational if not it would revert back to R 3 zoning the time would start with final approval from County Council.*

g. **1st Reading of CCMA22-08: Birdseye Renewable Energy request Tax Map # 155-00-00-039-000 on Thraikill Road be rezoned from Rural Three (R3) to Rural Two (R2).** *Planning Commission voted 4-1 to approve the rezoning as it's been requested with a reverter clause for five years for Birdseye to complete their project. In addition to that, they would have two years to connect and have Duke make a connection to the 100 kV line to make the solar farm basically operational if not it would revert back to R 3 zoning the time would start with final approval from County Council.*

h. **1st Reading of CCMA22-09: Birdseye Renewable Energy request Tax Map # 144-00-00-019-000 on Thraikill Road be rezoned from Rural Three (R3) to Rural Two (R2).** *Planning Commission voted 4-1 to approve the rezoning as it's been requested with a reverter clause for five years for Birdseye to complete their project. In addition to that, they would have two years to connect and have Duke make a connection to the 100 kV line to make the solar farm basically operational if not it would revert back to R 3 zoning the time would start with final approval from County Council.*

i. **1st Reading of CMA22-10: Birdseye Renewable Energy request Tax Map # 144-00-00-018-000 on Mt. Vernon Road be rezoned from Rural Three (R3) to Rural Two (R2).** *Planning Commission voted 4-1 to approve the rezoning as it's been requested with a reverter clause for five years for Birdseye to complete their project. In addition to that, they would have two years to connect and have Duke make a connection to the 100 kV line to make the solar farm basically operational if not it would revert back to R 3 zoning the time would start with final approval from County Council.*

7. Executive Session

- a. To receive legal advice regarding Richburg Millage. Councilman Jordan.
- b. To receive legal advice regarding the sewer referendum. Councilman Jordan.

8. Council Actions Following Executive Session

- a. Action taken regarding Richburg Millage.
- b. Action taken regarding the sewer referendum.

9. Council Comments

10. Adjourn

Pursuant to the Freedom of Information Act, the Chester News & Reporter, The Herald in Rock Hill, SC, WSOC-TV, Channel 9 Eyewitness News, the Mfg. Housing Institute of SC, WRHI Radio Station, C&N2 News, WCNC News and Capitol Consultants were notified, and a notice was posted on the bulletin board at the Chester County Government Building 24 hours prior to the meeting.

↓ ***PUBLIC NOTICE*** ↓

Chester County Council has relaxed some of the COVID measures put into place for personal appearances at County Council meetings but continues to encourage social distancing while in County facilities.

Guidelines for Addressing Council

Citizens Comments: Each citizen will be limited to three minutes

Public Hearings: Each citizen will be limited to three minutes

When introduced: Approach the podium, state your name and address

Speak loudly and clearly making sure that the microphone is not obstructed

Do not address the audience – direct all comments to Council

Do not approach the Council table unless directed

Anyone addressing Council will be called out of order if you:

Use profanity

Stray from the subject

Make comments personally attacking an individual member of Council

SPECIAL CALLED

CHESTER COUNTY COUNCIL MEETING MINUTES

R. Carlisle Roddey Chester County Government Complex

1476 J.A. Cochran Bypass Chester, SC 29706

Monday, June 27th, 2022 at 9:00 AM

Present: Interim Chairman Dr. Frederick, Vice Chairman Branham, Councilman Jordan, Councilwoman Guy, Councilman Wilson, Councilman Vaughn, County Attorney Winters, and Clerk to Council Lee.

Absent: Councilman Killian.

1. **Call to Order-** Interim Chairman Dr. Frederick called the meeting to order.
2. **Executive Session-** Councilwoman Guy motioned to go into executive session, second by Vice Chairman Branham. Vote 5-0 to approve.
 - a. To receive legal advice regarding the distribution of fee in lieu. Councilman Jordan.
 - b. To receive legal advice regarding Richburg Millage. Councilman Jordan.
3. **Council Actions Following Executive Session**
Vice Chairman Branham motioned to go back to regular session, second by Councilman Vaughn. Vote 5-0 to approve.
 - a. **Action taken regarding the distribution of fee in lieu.**
Councilman Jordan motioned first reading in title only to amend the master ordinance for fee allocation to increase to five percent and it would be the allocation for the fire district the industry is located, second by Vice Chairman Branham.
Treasurer Tommy Darby stated he ran the numbers for what the 5% equated to for each fire district. It would increase and based off the 2021 tax year Richburg \$12,923.39, Chester \$17,392.08, Lewis \$ 4,507.55. Those were what he called the post Gateway and that would be the impact on the fire district. **Vote 5-0 to approve.**
 - b. **Action taken regarding Richburg Millage.** Taken as information. Councilman Jordan asked to have this back on the next regular meeting.
4. **Public Hearing-** Interim Chairman Dr. Frederick opened the public hearing.
 - a. **3rd Reading of Ordinance 2022-7 Chester County Fiscal Year 2022/2023 Budget to Establish Operating And Capital Budgets For The Operation Of The County Government Of Chester County, South Carolina For The Fiscal Year Commencing July 1, 2022; To Provide For The Levy Of Taxes For Chester County For The Fiscal Year Commencing July 1, 2022; To Provide For The Expenditure Of Tax Revenues And Other County Funds; To Provide For Other County Purposes; To Authorize The County**

To Borrow Money In Anticipation Of Taxes And To Provide For The Repayment Of Sums Borrowed By The County Governing Body; To Provide For The Payment Of Tort Claims And Worker's Compensation Claims Against Chester County; To Provide For Certain Fiscal And Other Matters Relating To County Government.

Eddie Murphy, 4667 Edgeland Road, Edgemoor stated fire districts would prefer impact fees instead of development fees.

T. Melton, 3066 Goblet Road, Richburg stated Council should consider finding more ways to put more paid staff in fire departments since call volumes were going up.

John Agee, PO Box 9, Richburg stated the Richburg Fire District has more call volumes in the county at 42%.

- b. **3rd Reading of Ordinance 2022-10** Amending Ordinance No. 2021-16, which provides for the use of ARPA funds, to include funding premium pay for county employees: and other related matters. No one signed up to speak.

Interim Chairman Dr. Frederick closed the public hearing.

5. **Ordinances/Resolution/Proclamations**

- b. **3rd Reading of Ordinance 2022-7** **Chester County Fiscal Year 2022/2023 Budget to Establish Operating And Capital Budgets For The Operation Of The County Government Of Chester County, South Carolina For The Fiscal Year Commencing July 1, 2022; To Provide For The Levy Of Taxes For Chester County For The Fiscal Year Commencing July 1, 2022; To Provide For The Expenditure Of Tax Revenues And Other County Funds; To Provide For Other County Purposes; To Authorize The County To Borrow Money In Anticipation Of Taxes And To Provide For The Repayment Of Sums Borrowed By The County Governing Body; To Provide For The Payment Of Tort Claims And Worker's Compensation Claims Against Chester County; To Provide For Certain Fiscal And Other Matters Relating To County Government.** Interim Chairman Dr. Frederick stated before they voted on the total budget, they did have items that had been recommended to be added to the budget. Each one would be discussed separately and voted on separately. Afterwards they would vote on the total budget.

1. Allocate funds to accommodate the personnel needs of the Richburg Fire District.

Treasurer Darby stated, the reallocation from four to 5%, and the gateway fees that fire districts are losing those funds would be built into our budget to allocate to the fire districts, and then they would be able to use those funds to meet their needs. Those four amounts were Lewis Fire \$4507.55, Chester Fire \$27305.05 Richburg Fire \$10788.50 and Lando Fire \$17,024.58. And that would be based on the increase from four to 5% plus the gateway fees that they're losing currently that would be built into the budget to increase their allocations. Councilman Jordan motioned to approve, second by Vice Chairman Branham. Vote 5-0 to approve.

2. Payment of debt for a truck for Lewis Fire District.

Mr. Darby stated the county could fit that in within the parameters of the budget. Councilwoman Guy motioned for Lewis Fire Department to receive the amount owed for the remaining debt due on the firetruck, second by Vice Chairman Branham. Vote 5-0 to approve.

3. **Sheriff's Office, E911, Dispatch and the Detention Center for up to \$70,000 be earmarked and designated to a special line item for fiscal year 2022-2023 to be used for LPR cameras and gunshot detection system.** Sheriff Dorsey stated the camera system had been previously discussed with Council and the community. What he was asking was not to affect the new budget but was asking for any savings realized from the current fiscal year to be designated to a special line item up to \$70,000 where LPR cameras and a gunshot detection system could be purchased. It would go through a contract, and all would be brought back to Council for approval but now he was asking for that ability to pay for it. Councilman Wilson motioned to approve, second by Councilman Vaughn. Vote 5-0 to approve.

4. **Lando Fire District-Moisture issue in building.**

Councilman Jordan stated it was his understanding that a moisture issue that's causing the glue under the tile to come up making the floors sticky and squishy.

Chief Eddie Murphy stated they didn't know exactly what caused the moisture issue. But their recommendation is that the plants come out and drainage put in and the tile be taken up and resurfaced for something like what is in hallway of this building. It has been going on about 10 years. The building was built in 2007 and appears to be dry around the outside but it still has moisture that comes up when you step on it pushes up the glue which was a poor grade of glue. The estimate cost to install the new flooring was \$25,000. Councilman Jordan motioned to include \$25,000 to repair the moisture issue at Lando Fire Department in the budget, second by Vice Chairman Branham. Vote 5-0 to approve.

Vice Chairman Branham motioned to approve the total budget, second by Councilwoman Guy.

Councilman Wilson asked if Mr. Darby if he would go over one of the first power point presentations, he gave from the first budget workshop.

Mr. Darby stated the county is mandated to increase retirement rates based on the state's retirement system changes. There's a 1% change for the county's state retirement and police officer retirement for next year. Its approximately \$120,000 increase to the budget. The County included a 3% cost of living for all employees. That's roughly a \$424,000 increase. The County also continued to implement the salary study. And there were some compaction adjustments included. That's roughly a \$90,000 increase for next year. Also included four new EMT AE EMT positions, one per shift for the EMS office as well, which considered was kind of a floater that's roughly \$170,000 increase for part time firefighters for the fire coordinators office, roughly \$121,000 increase, of course fuel is something that we're battling with now. So that's about a \$200,000 increase based on current rates. The Sheriff's Office requested a progressive pay scale which is in the in the budget for the sheriff, detention and 911 for all three departments that's roughly \$800,000 difference.

Sheriff Dorsey stated in all your packets, provided to you back in March, a breakdown of what we were requesting a sheriff's deputy or sheriff's employee and remember we have three umbrellas. The detention center, 911 and the sheriff's office side, we asked for a 10% increase in our sheriff's office side the operation side, a 6% salary increase for the 911 operators and then a 4% increase

in the detention center. That puts them with competitors with surrounding counties right now. The Chester County Sheriff's office was the lowest paid Sheriff's Office. These deputies are the lowest paid sheriff's office in the surrounding counties, Fairfield, Union counties, pay their deputies more. What he wanted to do was not only bring those salaries up to where they could be competitive with surrounding counties, but also provide some incentive for longevity to ensure that these employees that they invest so much in stay after so many years and not only did they request salary increases in the bottom line, but they also implemented some longevity, pay scale so pay bands that incentivize those employees to stay. Last year, they had somewhere depended on the department they had somewhere between a 25% and a 35% turnover rate just in 2021. And they realized that they invest a lot of time, money and effort into these employees, and it was looking like they were just training them and were getting that basic training and then they were leaving and going to another agency where they were making a substantial amount of money. We have established some pay bands. There are incentives for them to stay at here for four years, six years and then 10 Plus, we've implemented some small monetary incentives for those who have college education, associate bachelor's, master's plus, they then implemented some incentives for military veterans who served honorably for in service of our country. When they come to our agency, they receive some monetary incentive for that, and those who are bilingual those who have another language that they speak. A Chester County Sheriff's deputy at this time makes \$17.75 cent per hour compared to York County who make 21.66 Lancaster County is 19.74 but put that 17.75 an hour in perspective. A line worker at the Amazon warehouse makes \$18 an hour at Costco you can make \$25 an hour the newly opened Buckie's down and Florence has gotten a lot of attention. They're making \$17 An hour running the cash register. He asked Council to support this. They know they have worked on this for probably the past four or five months. You know every year that he has been here they have had budget priorities. And he had told Council many times this is the priority for the Sheriff's Office. The Sheriff's office appreciates it but and he knew Council knows that they are working hard to keep this community safe. He said he has good men and women and they're not just the ones you see in uniform carrying a gun. They have great men and women who are doing their job to the best of their ability in the dispatch and detention center. He would greatly appreciate support for this budget request.

Councilman Wilson asked about the percentages of 10% 6% 4%.

Sheriff Dorsey stated the reason that those percentages were not the same it was important for folks to understand. Last year they had some positions that were becoming unfrozen. In the prior administration, there were some frozen positions that saved some salary money, but the agreement was those positions were becoming unfrozen in the detention center. What they did was dissolved those positions and took that money and gave raises to detention and 911 centers. This year, they're requesting additional funds. Last year they gave the detention 6% and 911 4% this year 911 will get 6% detention will get 4% they flipped it around.

Councilman Wilson stated the line item for the County Supervisor with the change of form of government happening in January there would be additional cost related to that. Another at large council member as well as compensation to the administrator and asked if that was in budget

number. On the budget it had 232 and asked if that would be pay for personnel and if it would be for the administrator and the deputy position.

Mr. Darby stated there was a deputy but there was a six-month window and did not budget the whole amount. They only budgeted the amount that would be for the change for that fiscal year, in fiscal year 2024 there would be a greater increase since they only budgeted for half of that change since it would happen in January. Vote 5-0 to approve.

- c. **3rd Reading of Ordinance 2022-10 Amending Ordinance No. 2021-16, which provides for the use of ARPA funds, to include funding premium pay for county employees: and other related matters.** Vice Chairman Branham motioned to approve, second by Councilman Wilson. Mr. Darby stated \$600,000 dollars was set aside from the APRA funds for premium pay for employees. Vote 5-0 to approve.

6. **Adjourn**

Councilwoman Guy motioned to adjourn, second by Vice Chairman Branham. Vote 5-0 to adjourn.

Pursuant to the Freedom of Information Act, the Chester News & Reporter, The Herald in Rock Hill, SC, WSOC-TV, Channel 9 Eyewitness News, the Mfg. Housing Institute of SC, WRHI Radio Station, C&N2 News, WCNC News and Capitol Consultants were notified, and a notice was posted on the bulletin board at the Chester County Government Building

CHESTER COUNTY COUNCIL MEETING MINUTES

R. Carlisle Roddey Chester County Government Complex

1476 J.A. Cochran Bypass Chester, SC 29706

Monday, June 20th, 2022 at 6:00 PM

Present: Interim Chairman Dr. Frederick, Vice Chairman Branham, Councilman Jordan, Councilwoman Guy, Councilman Vaughn, Councilman Wilson, County Attorney Winters, and Clerk to Council Lee.
Absent: Councilman Killian.

1. **Call to Order**-Interim Chairman Dr. Frederick called the meeting to order.
2. **Pledge of Allegiance and Invocation**- Pledge was recited in unison: Vice Chairman Branham gave the invocation.
3. **Approval of Minutes**
 - a. **June 9, 2022 Special Called Council Minutes.**
Vice Chairman Branham motioned to approve, second by Councilman Wilson. Vote 4-0 to approve.
Councilman Vaughn was not present for the 6-9-2022 meeting and did not vote.
 - b. **June 13th, 2022 Special Called Council Minutes.**
Vice Chairman Branham motioned to approve, second by Councilman Jordan. Vote 4-0 to approve.
Councilman Wilson was not present for the 6-13-2022 meeting and did not vote.
4. **Citizen Comments**

John Massey, 171 East Lacey St, Chester stated he was opposed to given prisoners iPads.

T. Melton, 3066 Goblet Rd, Richburg voiced his concerns regarding development/impact fees, firefighters and growth in Richburg.

John Agee, 3302 Lancaster Hwy, Richburg stated he and others were tired of money going out of district one and going to other places.
5. **Public Hearing** -*No one signed up to speak.*
 - a. **3rd Reading of Ordinance 2022-8** An Ordinance to Authorize the County of Chester, By Chester County Council, To Purchase The Real Estate Described On Attached Exhibit "A" Which Is Incorporated Herein By Reference Upon Such Terms And Conditions As Described In Exhibit A.
6. **Ordinances/Resolutions/Proclamations**
 - a. **3rd Reading of Ordinance 2022-8** An Ordinance to Authorize the County of Chester, By Chester County Council, To Purchase The Real Estate Described On Attached Exhibit "A" Which Is Incorporated Herein By Reference Upon Such Terms And Conditions As Described In Exhibit A. Attorney Winters stated the property was located on Doctor's Court and contiguous to one other property the County owned. The

request from the benefactor was to turn this into a park. The cost of the property was \$15,000. Councilman Wilson motioned to approve, second by Councilman Jordan. Vote 5-0 to approve.

b. 1st Reading in Title Only Ordinance 2022-11 An Ordinance for Fee schedules for development agreement fees and impact fees. Councilman Wilson stated the goal behind this was so that developers and the public and everyone could understand the approach the county council is taking, the impact fees would be a great tool. The development fee would be a way to have something in place until the impact fees were implemented. It has a lot to do with how the funds would be used once we get them at Council's discretion. He understood the point of trying to keep the funds in the district that they come from or at least a portion of the funds. Councilman Wilson motioned to approve in title only, second by Councilman Jordan. Vote 5-0 to approve.

7. Old Business

a. Council to approve a five-year agreement with Avenue Enterprise Solutions, LLC in the amount of \$3675 monthly for the Clerk of Court Office. Josh LaRussa and Rachel Johnson, Clerk of Court Office. Mr. LaRussa stated \$1500 is made a month from revenue using this program, the program allows them to apply that money to the contract price. Attorney Winters stated the program allows lawyers to do title searches, look at property's things like that from there office. Every time the program is accessed there's a fee. Mr. LaRussa stated they have used the program for over twelve years and was satisfied with the company. Councilman Vaughn motioned to approve, second by Councilman Wilson. Vote 5-0 to approve.

8. New Business

a. Approval of bid # RFB 20-46.14 El Bethel Fire Department Parking Lot to Armstrong Contractors In the amount of \$182,421.72. Purchasing Director Susan Cok. Ms. Cok stated the one cent sales tax money was going to be used for this, the bid came in lower for the project which was budgeted for \$264,934 dollars. Councilman Jordan motioned to approve the bid for El Bethel Fire Department parking lot in the amount of \$182,421.72, second by Councilman Vaughn. Vote 5-0 to approve.

b. Approval of a 5-year contract with Pitney Bowes for a Postage Machine in the amount of \$563.75 per month. Purchasing Director Susan Cok. Ms. Cok stated currently the County has a three-year contract with Pitney Bowes and was paying \$874.01, they decided to go with a smaller machine which would save money. The five-year contract has the stipulation the County could cancel after one year if not satisfied with the smaller postage machine. Councilwoman Guy motioned to approve using a smaller postage machine, second by Vice Chairman Branham. Vote 5-0 to approve.

c. Approval of Bid # RFP 2122-09 Janitorial Service to CleanNet of Charlotte in the amount of \$7,341.00 per month. Purchasing Director Susan Cok. Ms. Cok stated currently the County uses CleanNet and have had some issues with them. Maintenance Director Joe Roberts spoke with them about the issues so now they will be giving us a new manager, new employees and guaranteeing they will have at least two cleaning staff members cleaning seventeen buildings. Right now, only one person was cleaning all of them and was causing problems. The contract was for eleven months and would end June 30th of next year with the option of to renew for two additional one-year terms. If the County is not satisfied with them the contract could be terminated in eleven months.

Councilman Vaughn stated he personally had witnessed substandard cleaning at the Great Falls War Memorial building. Ms. Cok asked Attorney Winters if wording could be added such as a ninety day clause and felt sure CleanNet would sign. Attorney Winters stated a no-fault termination clause could be added. Councilman Wilson motioned to approve the bid for CleanNet of Charlotte in the amount of \$7341 per month, second by Vice Chairman Branham. Councilman Jordan asked if the motion should be contingent upon a ninety-day clause added to the contract. Vice Chairman Branham withdrew his second, Councilman Wilson withdrew his motion. Councilman Wilson restated his motion to add a ninety-day contingency to the contract to include a no-fault termination clause be a eleven month contract with two one year extension options for CleanNet of Charlotte, NC in the amount of \$7341. 00 per month, second by Vice Chairman Vaughn. Vote 5-0 to approve.

9. Boards and Commissions

a. Resignation from the Rural Fire Commission. - Councilman Vaughn.

Councilman Vaughn motioned to accept Michael Walley resignation, second by Vice Chairman Branham. Vote 5-0 to approve.

b. Appointment to the Rural Fire Commission. - Councilman Vaughn.

Councilman Vaughn motioned to appoint Russ Collins, second by Councilman Wilson. Vote 5-0 to approve.

10. Executive Session

Councilman Vaughn motioned to go into executive session, second by Councilwoman Guy. Vote 5-0 to approve. Interim Chairman Dr. Frederick recused from items 10.f and 10.i.

- a. To receive legal advice regarding Project 2213. Attorney Winters.
- b. To receive legal advice regarding Project 2237. Attorney Winters.
- c. To receive legal advice regarding Economic Development. Attorney Winters.
- d. To receive legal advice regarding the Sewer Referendum. -Attorney Winters.
- e. To receive legal advice regarding County Fire Services. Attorney Winters.
- f. To receive legal advice regarding the Hiring of the County Administrator. Attorney Winters.
- g. To receive legal advice regarding the distribution of development agreement fees. Councilman Jordan.
- h. To receive legal advice regarding the distribution of fee in lieu. Councilman Jordan.
- i. To receive legal advice regarding Richburg Millage. Councilman Jordan.
- j. To receive legal advice regarding a Magistrate Court decision. Attorney Winters.
- k. To discuss a personnel matter pertaining to the Parks and Recreation department. Attorney Winters.
- l. To discuss a personnel issue pertaining to Interim County Supervisor. Vice Chairman Branham.

11. Council Actions Following Executive Session

Councilwoman Guy motioned to go back to open session, second by Vice Chairman Branham. Vote 5-0 to approve.

a. Action taken regarding Project 2213. Taken as information.

b. Action taken regarding Project 2237. Taken as information.

c. Action taken regarding Economic Development.

Councilman Vaughn motioned for Council to authorize economic development to enter into a contract with Blue Avenue for rebranding for \$39,500 dollars, second by Vice Chairman Branham. Vote 5-0 to approve.

d. Action taken regarding the Sewer Referendum. Taken as information.

e. Action taken regarding County Fire Services. Taken as information.

f. Action taken regarding the hiring of the County Administrator. Taken as information.

g. Action taken regarding the distribution of development agreement fees.

Councilman Jordan motioned to approve first reading in title only to allocate a portion of the development agreement fees percent to be determined once all of the allocation or calculation by Tommy Darby and that portion be allocated to the fire district where the plan development is located, second by Vice Chairman Branham. Vote 5-0 to approve.

h. Action taken regarding the distribution of fee in lieu.

Councilman Jordan stated this was taken as information and asked Interim Chairman Dr. Frederick to meet with Treasurer Tommy Darby to analyze the fee and lieu for each fire district and report the figures back to Council. He asked to have this added back to the June 27th meeting.

i. Action taken regarding Richburg Millage. Taken as information.

Councilman Jordan stated this was taken as information but was waiting on some advice concerning questions from legal regarding the fire district and the millage issues. He asked to have this added back to the June 27th meeting.

j. Action taken regarding a Magistrate Court decision. Taken as information.

k. Action taken regarding a personnel matter in the Parks and Recreation department. Taken as information.

l. Action taken regarding a personnel issue pertaining to Interim County Supervisor.

Vice Chairman Branham stated the personnel issue would be handled in the budget.

12. Council Comments-None.

13. Adjourn-Councilwoman Guy motioned to adjourn, second by Vice Chairman Branham.
Vote 5-0 to adjourn.

Pursuant to the Freedom of Information Act, the Chester News & Reporter, The Herald in Rock Hill, SC, WSOC-TV, Channel 9 Eyewitness News, the Mfg. Housing Institute of SC, WRHI Radio Station, C&N2 News, WCNC News and Capitol Consultants were notified, and a notice was posted on the bulletin board at the Chester County Government Building 24 hours prior to the meeting.



Resolution 2022-8

A RESOLUTION TO SUPPORT AMENDMENT TO CATAWBA REGIONAL COUNCIL OF GOVERNMENTS OPERATING AGREEMENT

WHEREAS, Chester County has been a long-standing member of the Catawba Regional Council of Governments (the “COG”); and

WHEREAS,; the area of jurisdiction for the COG includes all incorporated and unincorporated areas within the limits of Chester, Lancaster, Union and York Counties, South Carolina, and

WHEREAS, the purpose of the COG is to develop and maintain a continuing, cooperative planning program for the Catawba Region as defined by the provisions of Public Act 487 of the 1967 General Assembly , as amended; and

WHEREAS, the COG is operated through several governing documents, including without limitation, the Operating Agreement, and the Bylaws of the COG; and

WHEREAS, during a duly called meeting of the Executive Committee and following comprehensive staff review, recommendations have been made for amendments to the COG’s governing documents, and

WHEREAS, as a member of the COG, Chester County Council must approve or deny the amendments recommended by the Executive Committee.

THEREFORE, be it resolved that the following amendments be approved for Articles II and IV of the Operating Agreement of the Catawba Regional Council of Governments:

Current CRCOG Operating Agreement Text:

ARTICLE II – MEMBERSHIP AND REPRESENTATION

Section 2. Representation of Members – Members shall be entitled to representation on The Council according to the following schedule with all population totals based upon the most recently completed U.S. Census of Population:

- a. Counties: One elected county official for each 50,000 population or fraction thereof; one person who either does not hold elective public office or is a local official of a governmental entity not otherwise represented for each 40,000 population or fraction thereof; one minority representative

from each county; and one representative from the county legislative delegation as set forth in Act 393 of the 1998 General Assembly. Unincorporated county areas and incorporated municipalities with 3,000 persons or less shall be represented by these persons.

b. Incorporated Municipalities:

1. A municipality with a population between 3,000 and 20,000 shall be represented on the Council by one person from its governing body.
2. Any municipality with a population exceeding 20,000 shall be represented on the Council by two people from its governing body.

Proposed Operating Agreement Text:

ARTICLE II – MEMBERSHIP AND REPRESENTATION

Section 2. Representation of Members – Members shall be entitled to representation on The Council according to the following schedule with all population totals based upon the 2020 U.S. Census (municipalities) or the 2021 U.S. Census estimate (counties), and thereafter starting in 2030, the most recently completed U.S. Census of Population:

a. Counties: One elected county official for each 100,000 population or fraction thereof; one person who either does not hold elective public office or is a local official of a governmental entity not otherwise represented for each 90,000 population or fraction thereof; one minority representative from each county; and one representative from the county legislative delegation as set forth in Act 393 of the 1998 General Assembly. Unincorporated county areas and incorporated municipalities with 5,000 persons or less shall be represented by these persons.

b. Incorporated Municipalities:

1. A municipality with a population at least 5,000 shall be represented on the Council by one person from its governing body.

Current Operating Agreement Text:

ARTICLE IV – FINANCES

Section 3. Computation of Amounts Due from Member Counties – Based upon findings of the most recently completed U.S. Census of Population, including any special census, annual fiscal support shall be provided with a twenty-three thousand dollar (\$23,000) base together with a per capita contribution amount of fifty and six/tenths cents (50.6¢) for the first 60,000 in population, twenty-eight and three-quarter cents (28.75¢) for the next 50,000 in population, and seventeen and one-quarter cents (17.25¢) for the next 50,000 in population.

Proposed Operating Agreement Text:

ARTICLE IV - FINANCES

Section 3. Computation of Amounts Due from Member Counties – Based upon findings of the most recently completed U.S. Census of Population and the American Community Survey population estimates at the five-year mid-point between each decennial Census, annual fiscal support shall be provided with a thirty-two thousand dollar (\$32,000) base together with a per capita contribution amount of twenty-six (26.0¢) for the first 100,000 in population, nineteen cents (19.0¢) for the next 100,000 in population, twelve cents (12.0¢) for the next 100,000 in population, and five cents (5.0¢) for the next 100,000 in population and beyond.

DONE IN MEETING DULY ASSEMBLED, this 5th day of July, 2022.

COUNTY COUNCIL OF CHESTER COUNTY

Wylie Frederick
Interim County Supervisor

ATTEST:

Karen Lee
Clerk to County Council of Chester County



South Carolina Department of Public Safety

Office of Highway Safety and Justice Programs

June 10, 2022

Sheriff Donald "Max" Dorsey
Chester County Sheriff's Office
2740 Dawson Drive
Chester, South Carolina 29706

RE: State School Resource Officer Program Award No. SR-23-C1200-23
Chester County SROs 22-23

Dear Sheriff Dorsey:

I am pleased to provide you with an award approved by this office in the amount of \$482,272 for the above-referenced project. To complete the contract for this award, it is necessary for you, as the Implementing Law Enforcement Agency Head, to return the signed award within 30 days from the date of this award.

The Office of Highway Safety and Justice Programs (OHSJP) offers awardees the option to use electronic or digital signatures to execute OHSJP award documents. Signed award documents may be emailed to the OHSJP at SROprogram@scdps.gov.

Copies of the Request for Payment/Quarterly Fiscal Report Forms are attached. The financial reports should be completed for each calendar quarter ending date and are due 30 days after the end of the quarter. The due dates and periods covered for reporting are indicated within the attached special conditions.

Please contact your assigned program coordinator if you have any questions regarding this award.

Sincerely,

Phil Riley
Director

Attachments

c: School District Superintendent
Official File

SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY
OFFICE OF HIGHWAY SAFETY AND JUSTICE PROGRAMS
POST OFFICE BOX 1993
BLYTHEWOOD, SOUTH CAROLINA 29016

AWARD

Implementing Agency: Chester County Sheriff's Office

School District(s): Chester County School District

Award Period: 07/01/2022 – 06/30/2023

Date of Award: June 10, 2022

Amount of Award: \$482,272

Award Number: SR-23-C1200-23

In accordance with the provisions of the South Carolina Appropriations Act, and on the basis of the application submitted, the South Carolina Department of Public Safety (SCDPS) hereby awards to the foregoing implementing agency state funds shown above, for the project specified in the approved application and within the purposes and categories authorized.

This grant is subject to the terms and conditions set forth in the application and to the special conditions attached to the award.


Payment of Funds: Funds will be disbursed to the implementing agency (according to the project budget) upon receipt of evidence that funds have been invoiced and products received or that funds have been expended (e.g., invoices, contracts, itemized expenses, etc.). A copy of the grant application, which includes the approved budget is available on www.scdpsgrants.com for the awardee's use in completing the request for payment forms.

The award shall become effective, as of the date of the award, upon the return of this form to the Office of Highway Safety and Justice Programs (OHSJP) signed by the Implementing Law Enforcement Agency Head in the space provided below. This award must be accepted within thirty (30) days from the date of the award, and such quarterly and other reports required by the SCDPS must be submitted in accordance with the terms and conditions set forth in the application and the special conditions attached to the award.

ACCEPTANCE FOR THE AWARDEE

ACCEPTANCE FOR THE SCDPS

Donald "Max" Dorsey, Sheriff
Chester County Sheriff's Office



Phil Riley, Director
Office of Highway Safety and Justice Programs

AWARD DATA: THIS AWARD IS SUBJECT TO THE AWARD TERMS AND CONDITIONS
AND THE ATTACHED SPECIAL CONDITIONS.

SPECIAL CONDITIONS

IMPLEMENTING AGENCY: Chester County Sheriff's Office

SCHOOL DISTRICT: Chester County School District

AWARD NUMBER: SR-23-C1200-23

AWARD DATE: June 10, 2022

1. All information required by these Special Conditions must be submitted to the South Carolina Department of Public Safety (SCDPS) Office of Highway Safety and Justice Programs (OHSJP) no later than August 15, 2022, unless otherwise specified.

The OHSJP allows awardees the option to use electronic or digital signatures to execute OHSJP award documents. Any of the electronic signature processes available in Adobe Acrobat Reader, or similar software, are generally acceptable (e.g., a signature image applied to the PDF, or a digital credential). See the attachment entitled "OHSJP Electronic and Digital Signature Tutorials for Adobe Acrobat Reader" if additional information is needed.

Copies of signed documents are to be forwarded via email to the School Resource Officer (SRO) Program at SROprogram@scdps.gov.

Please contact Trevon Fordham, SRO Program Coordinator, at (803) 896-8709 or via email at TrevonFordham@scdps.gov for further clarification.

2. This award is contingent upon approval and availability of funds from the state funding source.
3. Please note that the budget pages may have been changed to reflect the current approved award. Please reprint those pages for your files.
4. The award period is from July 1, 2022 – June 30, 2023.
5. The Project Director and the Financial Point of Contact are required to participate in the Project Management Course. A roster is attached to the award email with the time, date, and location of the Project Management Course.
6. Submit a copy of the Award document signed by the Head of the Implementing Law Enforcement Agency (Sheriff, Director, or Chief).
7. Submit copies of the following Certification Pages, from the approved award application, with electronic or scanned signatures:
 - a. Project Director Certification Page with the Project Director's signature
 - b. Financial Officer Certification Page with the Financial Officer's signature
 - c. Law Enforcement Agency Head Certification Page with the Law Enforcement Agency Head's (Sheriff, Director, or Chief) signature.

SPECIAL CONDITIONS

8. Submit a current Memorandum of Understanding (MOU) signed by the school district superintendent and the Law Enforcement Agency Head that includes each of the awarded positions. The following is relevant text from South Carolina Code of Regulations 43-210 regarding SRO MOUs.

Prior to placing a school resource officer at a school or in a district office, a memorandum of understanding must be executed between the school district, and the employing local law enforcement agency. The role of the school district, individual schools, local law enforcement agency, school administration, and the school resource officer shall be clearly defined in the memorandum of understanding. The role of the school resource officer must clearly be defined pursuant to S.C. Code Ann 5-7-12 and in the memorandum of understanding. The provisions of this regulation and Regulation 43-279 must be included in the memorandum of understanding. The school district shall provide the school administration with a copy of the memorandum of understanding, and review it with the school administration and with the school resource officer prior to the start of every school year.

9. This award and project costs defined in the approved application are only applicable to the agency's state-funded SRO positions listed below unless OHSJP is notified of a reassignment in accordance with these special conditions.

School District	School Name	SRO Name
Chester	Academy for Teaching and Learning	Vacant
Chester	Chester Park Elementary School of the Arts	Vacant
Chester	Chester County Career Center	Vacant
Chester	Chester Park Elementary School of Inquiry	Roberto Lara
Chester	Great Falls Elementary School	Walter Lamar*
Chester	Lewisville Elementary School	Camille Smith*

*Evidence of completion of Basic SRO Course is required. See Special Condition #10.

Immediately contact Program Coordinator Trevon Fordham at TrevonFordham@scdps.gov or at (803) 896-8709 if the above does not reflect the current status of your state-funded SRO positions.

10. Submit evidence of completion (or enrollment in future class) of a Basic SRO training course as provided or recognized by the National Association of School Resource Officers (NASRO) or the South Carolina Criminal Justice Academy (SCCJA) for any newly assigned officer or an SRO in the above paragraph whose name is followed by an asterisk*. Evidence of completion includes a copy of the course completion certificate or a Student Session Transcript from the SCCJA ACADIS portal.
11. This award is to pay for the cost of a law enforcement officer(s) that shall serve as a full-time SRO at the above school(s) within the school district.
12. A Personnel Assignment Letter (PAL) is required to keep the OHSJP and Grants Accounting informed of SRO assignments at each school awarded a state-funded SRO. PAL samples and

SPECIAL CONDITIONS

instructions are provided in the award packet for guidance. The PAL must be submitted, as follows, on agency letterhead signed by the Project Director and Law Enforcement Agency Head (Sheriff, Director, or Chief) with the affected school district(s) copied.

- a. An "Initial Certifications" PAL referencing the current award number and listing and confirming all assignments or vacancies in paragraph (Special Condition) 9 must be submitted with the initial document submissions for this award.
 - b. Subsequent changes in SRO assignments, during this award period, require an updated PAL reflecting the current award number and indicate the initial assignments and then the change in assignment(s) as an update, which must be submitted within 15 days of the change. Any subsequent PAL update will be sequentially numbered.
13. If an awarded SRO position remains vacant for more than 90 days, the law enforcement agency must immediately provide OHSJP notice of the extended vacancy and include what actions are being conducted to fill the vacancy. Notice must be sent, via email, to SRORProgram@scdps.gov with TrevonFordham@scdps.gov copied.
14. All purchases must be approved by the SCDPS in writing **prior** to obligating award funds. Email requests to purchase to SROAccountingTeam@scdps.gov.
- a. The SCDPS recommends procurement of approved and budgeted equipment items through State Purchasing (General Services) under a state contract, if available.
 - b. All purchases must follow state procurement guidelines.
 - c. Refer to the Equipment Procurement Administrative Procedures outlining state requirements located on the Division of Procurement Services website, <https://www.procurement.sc.gov/>.
 - d. Police Vehicles and all other equipment items identified in the grant budget are encouraged to be purchased during the first quarter of the award period. If the awardee is unable to purchase items in the first quarter of the grant period, a written justification will be provided to the SCDPS for review via email at SROAccountingTeam@scdps.gov.
15. Payment of Funds and Payment Schedule:
- a. Reimbursement for equipment for a vacant position will not be made until the vacancy is filled and the required Personnel Assignment Letter is received by the OHSJP.
 - b. Payment of funds will be made on a reimbursement basis. If an agency has a financial hardship that justifies payment in advance, a written request stating the justification of need for an advance payment may be forwarded to SROAccountingTeam@scdps.gov for consideration.

SPECIAL CONDITIONS

- c. Request For Payment/Quarterly Fiscal Report (RFP) must be submitted at least quarterly, but may be submitted at more frequent intervals at the discretion of the awardee. At the minimum, an RFP will be submitted for the following intervals:

PERIOD:

July 1 – September 30, 2022
October 1 – December 31, 2022
January 1 – March 31, 2023
April 1 – June 30, 2023

SUBMIT BY:

November 1, 2022
February 1, 2023
May 1, 2023
August 15, 2023

16. All charges for personnel must be accompanied by timesheets and payroll reports generated by the agency's accounting system. A universal timesheet is available if your agency does not provide one. Additional supporting documentation regarding salary and fringe benefits expenditures shall be made available to SCDPS, upon request.
17. Award funds are not to be used for overtime. If overtime is included on the payroll report, it must be clearly identified and not included in the reimbursement request. If the implementing law enforcement agency desires to pay the state-funded SRO overtime, it must come from a permissible funding source other than the State SRO Program.
18. A Property Control Form for each individual item with a minimum cost of \$1,000 and any weapons must be submitted with the Final RFP, within 30 days of reimbursement, or within 15 days of assignment, whichever is sooner.
19. All training that grant-funded personnel wish to attend that will be paid for with grant funds, including registration, lodging, meals, or mileage, must receive **prior** written approval by submitting the training request form with an attached copy of the agenda. Submit via email to SRProgram@scdps.gov with TrevonFordham@scdps.gov copied.
20. The implementing law enforcement agency must keep each school district up to date on SRO assignments within the school district regardless of funding source.
21. Each school district will provide a consolidated end of quarter report of SRO assignments regardless of funding source or law enforcement agency. A link to the end of quarter report is available at <https://scdps.sc.gov/ohsjp/school-resource-officer-program>. The end of quarter report should be submitted by the school district to SRProgram@scdps.gov as follows:

FOR THE PERIOD ENDING:

June 30, 2022
September 30, 2022
December 31, 2022
March 31, 2023
June 30, 2023

SUBMIT BY:

July 15, 2022
October 15, 2022
January 15, 2023
April 15, 2023
July 15, 2023

22. In addition to the above reporting requirements, the implementing law enforcement agency may be subject to additional reporting requirements regarding this award. The OHSJP will provide additional notice, if applicable.
23. The following applies to patrol vehicles purchased with SRO Program funds:

SPECIAL CONDITIONS

- a. Must be a vehicle type typically used in the ordinary course of performing routine patrol/SRO duties for the implementing law enforcement agency.
- b. Must be clearly marked with "School Resource Officer" incorporated in the agency graphics **or** have "SRO" on each rear quarter panel of the vehicle, which must be a minimum of four inches in height.
- c. Must have an **external** light bar affixed to the top of the vehicle.
- d. Must be fully-marked with full color agency graphics in a similar manner as the regular fully-marked patrol/SRO vehicles of the implementing agency. Lettering must clearly contrast with the vehicle's color. "Ghost graphics" are not authorized.
- e. Must affix any OHSJP-required and supplied decals as instructed.
- f. Must be assigned to a state-funded SRO for the useful life of the vehicle, a minimum of six years.
- g. Lighting, graphics, or window tinting not standard to normal patrol vehicles of the implementing law enforcement agency, with the exception of lettering "School Resource Officer", "SRO" or OHSJP-required decals, are not allowable.
- h. Permanent school-specific graphics on the patrol vehicle are not authorized. Temporary (e.g. magnetic) school graphics/logo provided by a funding source other than this award may be utilized on the patrol vehicle with the authorization of the law enforcement agency head.

24. The deadline for final grant revisions or extension requests is March 31, 2023.

-END-

See next page for Special Conditions checklist

SPECIAL CONDITIONS

CHECK LIST FOR AWARDEE'S USE*

(Submit the following to SROProgram@scdps.gov by August 15, 2022)

- _____ Award Document signed by the Sheriff, Director, or Chief (See Special Condition #6)

- _____ Project Director Certification Page with the Project Director's signature (See Special Condition #7)

- _____ Financial Officer Certification Page with the Financial Officer's signature (See Special Condition #7)

- _____ Law Enforcement Agency Head Certification Page signed by the Sheriff, Director, or Chief (See Special Condition #7)

- _____ Current MOU signed by the School District Superintendent and the Law Enforcement Agency Head (See Special Condition #8)

- _____ Consolidated PAL (See Special Condition #12)

- _____ Evidence of completion (or enrollment in future class) for Basic SRO Training Course for any SRO whose name is followed by an asterisk in Paragraph 9 of the Special Conditions (See Special Condition #10)

Notifications to be made during award period to SROProgram@scdps.gov unless noted otherwise:

1. Submit evidence of completion (or enrollment in future class) for Basic SRO Training Course within 45 days of assigning a new SRO (See Special Condition #10)
2. Submit a PAL and copy the school district within 15 days of filling vacant SRO position or reassignment of SRO (See Special Condition #12 and 21)
3. Submit notice of any awarded SRO position that remains vacant for more than 90 days (See Special Condition #13)
4. Submit requests to purchase to SROAccountingTeam@scdps.gov and receive approval **prior** to obligating award funds (See Special Condition #14)
5. Submit Request For Payment/Quarterly Fiscal Report (RFP) to SROAccountingTeam@scdps.gov at the end of each quarter (See Special Condition #15)
6. Submit a Property Control Form for award funded equipment (over \$1,000) or weapon(s) to SROAccountingTeam@scdps.gov (See Special Condition #18)
7. Submit a Training Request Form and receive approval **prior** to obligating award funds (See Special Condition #20)
8. School District submits quarterly SRO Report (See Special Condition #22)

***This page is to assist the awardee in complying with the award's Special Conditions and does not relieve the awardee from reviewing, understanding, and complying with the Special Conditions on the previous pages. If there are any discrepancies on this page and the Special Conditions, the Special Conditions are to be followed.**

SPECIAL CONDITIONS

FOR SRO PROGRAM USE ONLY

NO.	ASSIGNED TO	CLEARED BY	DATE
1	NA		
2	NA		
3	NA		
4	NA		
5	TF		
6	TF		
7	TF		
8	TF		
9	NA		
10	TF		
11	NA		
12	TF		
13	NA		
14	NA		
15	NA		
16	NA		
17	NA		
18	NA		
19	NA		
20	NA		
21	NA		
22	NA		
23	NA		
24	NA		

Overview

**STATE OF SOUTH CAROLINA
DEPARTMENT OF PUBLIC SAFETY
Office of Highway Safety and Justice Programs
School Resource Officer Program**

The School Resource Officer (SRO) Program is authorized by the South Carolina Appropriation Act which provides that state funds appropriated for the School Safety Program and School Resource Officers in the Act shall be utilized by the department for the purpose of hiring certified law enforcement officers to serve as a school resource officer for school districts, including the South Carolina Public Charter School District and schools authorized by an institution of higher learning, that otherwise would lack the adequate resources to hire their own school resource officers. In making awards the department shall provide funding directly to the local law enforcement agency to pay for the cost of the law enforcement officer that shall serve as a full time school resource officer. There is no match requirement for this program.

Version: 0.1

Application Deadline: 2022-02-25

Application #: AS23023

Award #: SR-23-C1200-23

Award Date: 2022-06-10

State Start Date: 2022-07-01

State End Date: 2023-06-30

Project Details

Project Title: Chester County SROs 22-23

Project Summary (max. 300 characters): Funding for five current SROs with the addition of two more. Funding of salary and fringe benefits and operating cost for seven SROs for a 12 month period. Funding for equipment for the two requested SROs and one existing.

Type of Application: New

Year of Funds: 2023

Other (explain):

Law Enforcement Agency Details

Agency Name: Chester County

Address: 2740 Dawson Drive

City: Chester

State: SC

9 Digit Zip: 29706

(Area) Phone #: (803) 581-5131

(Area) Fax #:

County: Chester

**Other county/counties this project will
serve:**

Organization Type: County

Other (specify):

U.S. Congressional District: 5th

**Has your agency registered in the
System for Award Management
(SAM)?** yes no

(<https://uscontractorregistration.com>):

Budget

CATEGORIES				TOTAL
PERSONNEL - SALARIES:				
Position Title, School District, School Name	% of Time On Project	Base Salary	Total Fringe Benefits*	
SRO (VACANT), Chester, Chester County Career Center	100	\$40,616	\$13,446	\$54,062
SRO (VACANT), Chester, Chester Academy for Teaching and Learning	100	\$40,616	\$13,446	\$54,062
SRO W. Lamar, Chester, Great Falls Elementary School	100	\$40,616	\$13,446	\$54,062
SRO C. Smith, Chester, Lewisville Elementary School	100	\$40,616	\$13,446	\$54,062
SRO R. Lara, Chester, Chester Park Elementary School of Inquiry	100	\$40,616	\$13,446	\$54,062
SRO (NEW), Chester, Chester Park Elementary School of the Arts	100	\$40,616	\$13,446	\$54,062
TOTAL SALARIES:				\$324,372

TRAVEL:

(Itemize-include mileage, airline cost, lodging, per diem, parking, car rental)

Description	Cost	Quantity	
Mileage	3510	6	\$21,060
TOTAL TRAVEL:			\$21,060

EQUIPMENT (\$1,000 or more per Unit):

(Itemize - DO NOT USE BRAND NAME. Also, DO NOT include leased, rented items or software)

Description	Cost	Quantity	
Fully Marked SRO Patrol Vehicle (SRO Lara, Chester Park Elementary, School of Inquiry NEW)	46000	2	\$92,000
In-Car Camera	5400	2	\$10,800
In-Car Computer System	4300	2	\$8,600
Mobile Radio	5500	2	\$11,000

TOTAL EQUIPMENT: \$122,400

OTHER:

Description	Cost	Quantity	
uniform and accessories replacement (boots, pants, shirts, winter gloves, duty belt, uniform coat, and rain coat)	750	5	\$3,750
Cell Phone data plan	650	6	\$3,900
Mobile radio data subscription (walkie talkie)	420	6	\$2,520
Mobile radio data subscription (vehicle radio)	420	6	\$2,520
uniform and accessories NEW Position (boots, pants, shirts, winter gloves, duty belt, uniform coat, and rain coat)	1750	1	\$1,750

TOTAL OTHER: \$14,440

TOTAL PROJECT COST: \$482,272

**"Total Fringe Benefits" is the total employer contributions for Social Security & Medicare (FICA), Retirement, Workers Compensation Insurance, and Health Insurance.*

Budget Narrative

List items under each Budget Category Heading. Explain exactly how each item listed in your budget will be utilized. It is important that the necessity of these items, as they relate to the operation of the project, be established. Dollar amounts DO NOT have to be provided. However, a statement must be included indicating whether or not the law enforcement agency has any unused funds from previous award years, and if so, an explanation with the total amount of unused funds.

This budget includes funding for five state funded SROs. One was awarded in 2019 and four more were awarded in 2022.

Salary and Fringe: This budget includes the salary and fringe for a 12 month period for six SROs. When comparing this budget to last year's budget, plus note that a 10% salary increase is planned for deputies beginning July 1, 2022.

Equipment: This budget includes the purchase of a vehicle, equipment and accessories for the state funded SRO awarded in 2019. In 2019 when the state awarded this SRO, no funding was offered for equipment. This budget also includes funding for equipment, uniforms and accessories for the two new SROs requested by Chester County School District.

The vehicle for Roberto Lara, Chester Park Complex, Chester County School District: 2011 Chevrolet Tahoe Tag: CG79910, Mileage: 187158

Other: This budget includes funds to replace uniforms and other accessories for the four SROs awarded in 2022. This amount is reduced by 50% compared to what is normally budgeted per deputy. Cell phone data plans, and two way radio data plans

Terms & Conditions

OFFICE OF HIGHWAY SAFETY AND JUSTICE PROGRAMS SCHOOL RESOURCE OFFICER PROGRAM TERMS AND CONDITIONS

1. **Availability of Funds:** This grant award is contingent upon the availability of funds approved by the statutory governing body for those funds.
2. **Correspondence:** All correspondence to the State Funding Agency (SFA), regardless of the medium (paper, email, facsimile, etc.), must include either the application number, or in the case of an award, the award number to which the correspondence refers.
3. **Non-Supplanting Agreement:** The implementing law enforcement agency shall not use award funds to supplant state or local funds or other resources that would otherwise have been made available for this program.
4. **Project Implementation:** The implementing law enforcement agency agrees to implement this project within 90 days following the grant award effective date or possibly be subject to automatic cancellation of the award. Evidence of project implementation must be detailed in the first progress report.
5. **Written Approval of Changes:** Any changes to this award that are mutually agreed upon by the applicant and the South Carolina Department of Public Safety (SCDPS) Office of Highway Safety and Justice Programs (OHSJP) must be approved in writing by the OHSJP prior to implementation or obligation and shall be incorporated in written amendments to this grant. This procedure for changes to the approved award is not limited to budgetary changes, but also includes changes of substance in project activities and changes in the project director or key professional personnel identified in the approved application. Any change to an application is considered a revision and must be accomplished on the grants management system.
6. **Budget Revision Requirements:** Changes to an application before or after award is considered a revision, and is required under Written Approval of Changes with some very specific exceptions. The major budget categories are: Personnel, Travel, Equipment, and Other. A budget revision will not be required if:
 1. The expended amount in a major budget category does not exceed the amount budgeted for that major budget category by 10%;
 2. The quantity of Personnel or Equipment does not increase;
 3. The item to be purchased is already included in the grant budget.

Final award revisions are requested to be submitted by the 60th day before the close of the project year listed on the grant award documents. Revisions submitted after this date must have thorough justification as to why the revision is needed for the success of the project and why the revision was not accomplished earlier. Revisions must be completed online through the grants management system. Every change made to the original application or subsequent revisions is considered a revision and will require you to create and justify that revision.

7. **Sole Source Procurement:** Use of sole source procurement is strongly discouraged. Sole source purchases will be awarded only under exceptional circumstances and must follow precisely the procedure set forth in the South Carolina Consolidated Procurement Code. All sole source purchases will require the explicit prior written approval of the OHSJP.
8. **Bidding Requirements:** The awardee must comply with proper competitive bidding procedures as required by the South Carolina Consolidated Procurement Code. On any items, including those bid in the aggregate whose total cost requires a bid, bids must be submitted to the SCDPS Office of Financial Services (OFS) for review and approval prior to acceptance of any quote/bid. Provide a copy of all bids submitted, the bid selected, and the criteria used for selection. If other than the low bid was selected, provide justification. This includes state agencies. Note that approved, budgeted items purchased through State Purchasing (General Services) under a state contract also **must** be submitted to the OFS for prior approval. Include the state contract number and the contract ending date on the quote when it is submitted for approval and then the invoice when it is submitted with the Request for Payment.
9. **Travel Costs:** Personnel and Travel costs must be consistent with the agency's policies and procedures and must be applied uniformly to all activities and personnel of the agency, regardless of the source funding. If travel costs are included in the grant application, a copy of the agency's policies and procedures manual, or the agency Board's signed minutes must be submitted with the application, specifically outlining mileage and per diem rates of reimbursement. However, reimbursable amounts for mileage and per diem must not exceed the amount approved by state guidelines, regardless of the agency's policy. Lodging costs must not exceed the federal rate established by the General Services Administration (GSA). These rates vary by location and season and are updated annually at www.gsa.gov. Attendees will only be reimbursed up to the maximum allowable rate of the GSA, excluding taxes and surcharges.
10. **Training Approval:** All training that award-funded personnel wish to attend that will be paid for with award funds, including registration, lodging, meals, or mileage, must receive prior written approval by submitting the training approval form with an attached copy of the agenda to the OFS.
11. **Utilization and Payment of Award Funds:** Funds awarded are to be expended only for purposes and activities covered by the awardee's approved project plan and budget or subsequent approved revisions. Items must be specifically and individually mentioned in the awardee's approved award budget in order to be eligible for reimbursement. Payments will be adjusted to correct previous overpayments and disallowances or under payments resulting from audit. Claims for reimbursement must be submitted no more frequently than once per month and no less frequently than once per quarter. Awards failing to meet this requirement, without prior written approval, are subject to cancellation. Claims for reimbursement must be fully documented and substantiated as detailed in the Request for Payment Instructions.
12. **Recording and Documentation of Receipts and Expenditures:** Awardee's accounting procedures must provide for accurate and timely recording of receipt of funds by source, of expenditures made from such funds, and of unexpended balances. These records must contain information pertaining to awards, obligations, unobligated balances, assets,

liabilities, expenditures, and program income. Controls must be established which are adequate to ensure that expenditures charged to the award activities are for allowable purposes. Additionally, effective control and accountability must be maintained for all grant cash, real and personal property, and other assets. Accounting records must be supported by such source documentation as cancelled checks, paid bills, payrolls, time and attendance records, contract documents, award documents, etc. Each award must be accounted for separately. Awardees are prohibited from co-mingling funds on either a program-by-program basis or a project-by-project basis. Funds specifically budgeted and/or received for one award may not be used to support another.

13. **Financial Responsibility:** The financial responsibility of awardees must be such that the awardee can properly discharge the public trust which accompanies the authority to expend public funds. At a minimum, adequate accounting systems should meet the following criteria:
 - a. Accounting records should provide information needed to adequately identify the receipt of funds under each grant awarded and the expenditure of funds for each grant.
 - b. Entries in accounting records should refer to subsidiary records and/or documentation which support the entry and which can be readily located.
 - c. The accounting system should provide accurate and current financial reporting information.
 - d. The accounting system should be integrated with an adequate system of internal controls to safeguard the funds and assets covered, check the accuracy and reliability of accounting data, promote operational efficiency and encourage adherence to prescribed management policies.
14. **Reports:** The awardee shall submit, at such times and in such form as may be prescribed, such reports as the OHSJP may reasonably require, including quarterly financial reports, progress reports, final financial reports, and evaluation reports.
15. **Retention of Records:** Records for non-expendable property purchased totally or partially with grantor funds must be retained for three years after its final disposition. All other pertinent grant records including financial records, supporting documents, and statistical records shall be retained for a minimum of three years after the final expenditure report. However, if any litigation, claim, or audit is started before the expiration of the three-year period, then records must be retained for three years after the litigation, claim, or audit is resolved.
16. **Property Control:** Effective control and accountability must be maintained for all personal property. Awardees must adequately safeguard all such property and must assure that it is used solely for authorized purposes. Awardees should exercise caution in the use, maintenance, protection, and preservation of such property.
 1. Title: Subject to the obligations and conditions set forth in 2 CFR 200.313, and 2 CFR 439 title to non-expendable property acquired in whole or in part with grant funds shall be vested in the awardee. Non-expendable property is defined as any item having a useful life of more than one year and an acquisition cost of \$1,000 or more per unit.
 2. Property Control Record Form: At the time the final request for payment is submitted, the awardee must file with the OHSJP a copy of the Property Control Record Form (provided by the OHSJP) listing all such property acquired with grant funds. The awardee agrees to be subject to a biennial audit by the OHSJP and/or its duly authorized representatives for verification of the information contained in the Property Control Record Form.
 3. Use and Disposition: Equipment shall be used by the awardee in the program or project for which it was acquired as long as needed, whether or not the program or project continues to be supported by state funds. When use of the property for project activities is discontinued, the awardee shall request, in writing, disposition instructions from the OHSJP prior to actual disposition of the property. Theft, destruction, or loss of property shall be reported to the OHSJP immediately.
17. **Performance:** This award may be terminated or fund payments discontinued by the OHSJP where it finds a substantial failure to comply with the provisions of the Act governing these funds or regulations promulgated, including those award conditions or other obligations established by the OHSJP. In the event the awardee fails to perform the services described herein and has previously received financial assistance from the OHSJP, the awardee shall reimburse the OHSJP the full amount of the payments made. However, if the services described herein are partially performed, and the awardee has previously received financial assistance, the awardee shall proportionally reimburse the OHSJP for payments made.
18. **Deobligation of Award Funds:** All awards must be deobligated within forty-five (45) calendar days of the end of the award period. Failure to deobligate the award in a timely manner will result in an automatic deobligation of the award by the OHSJP.
19. **Project Evaluation Report:** Any formal evaluation report must be received by the OHSJP not later than 45 days after the end of the reporting period.
20. **Fiscal Regulations:** The fiscal administration of awards shall be subject to such further rules, regulations and policies concerning accounting and records, payment of funds, cost allowability, submission of financial reports, etc., as may be prescribed by the OHSJP Guidelines or "Special Conditions" placed on the award.
21. **Compliance Agreement:** The awardee agrees to abide by all Terms and Conditions including "Special Conditions" placed upon the grant award by the OHSJP. Failure to comply could result in a "Stop Payment" being placed on the grant.
22. **Suspension or Termination of Funding:** The OHSJP may suspend, in whole or in part, and/or terminate funding for or impose another sanction on a awardee for any of the following reasons:
 1. Failure to adhere to the requirements, standard conditions, or special conditions. Proposing or implementing substantial program changes to the extent that, if originally submitted, the application would not have been approved for funding.
 2. Failure to submit reports.
 3. Filing a false certification in this application or other reports or documents.
 4. Other good cause shown.

Certification by Project Director

CERTIFICATION BY PROJECT DIRECTOR *

I certify that I understand and agree to comply with the general and fiscal terms and conditions of this application including special conditions; to comply with provisions of the Act governing these funds and all other state or federal laws; that all information presented is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized by the Applicant to perform the tasks of Project Director as they relate to the fiscal terms and conditions of this award application; that costs incurred prior to award approval may result in expenses being absorbed by the awardee; and, that the receipt of funds through the OHSJP will not supplant state or local funds.

Prefix: Mr.

Name: David Peeples

Suffix:

Title: Captain

Agency: Chester County Sheriff's Office

Mailing Address: 2740 Dawson Drive

City: Chester

State: SC

9 Digit Zip: 29706

(Area) Phone Number: (803) 377-6125

(Area) Fax Number: (803) 581-5552

E-Mail Address: dpeeples@chesterso.com

Signature:

Bonded: yes no

*** NOTE:** THE PROJECT DIRECTOR, FINANCIAL OFFICER AND AGENCY HEAD CANNOT NOT BE THE SAME PERSON. STAFF BEING FUNDED UNDER THIS GRANT MAY NOT BE ANY OF THE ABOVE OFFICIALS WITHOUT OHSJP APPROVAL.

Certification by Financial Officer

CERTIFICATION BY FINANCIAL OFFICER *

I certify that I understand and agree to comply with the general and fiscal terms and conditions of this application including special conditions; to comply with provisions of the Act governing these funds and all other state or federal laws; that all information presented is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized by the Awardee to perform the tasks of Financial Officer as they relate to the fiscal terms and conditions of this award application; and, that the receipt of funds through the OHSJP will not supplant state or local funds.

Prefix: Mr.

Name: Tommy Darby

Suffix:

Title: Treasurer

Agency: Chester County

Mailing Address: 1476 J. A. Cochran By-Pass

City: Chester

State: SC

9 Digit Zip: 29706

(Area) Phone Number: (803) 385-2608

(Area) Fax Number: (855) 946-0259

E-Mail Address: tdarby@chestercounty.org

Signature:

Bonded: yes^o no^o

* NOTE: THE PROJECT DIRECTOR, FINANCIAL OFFICER AND AGENCY HEAD CANNOT NOT BE THE SAME PERSON. STAFF BEING FUNDED UNDER THIS GRANT MAY NOT BE ANY OF THE ABOVE OFFICIALS WITHOUT OHSJP APPROVAL

Financial Point of Contact

Prefix: Mr.

Name: Tommy Darby

Suffix:

Title: Treasurer

Agency: Chester County

Mailing Address: 1476 JA Cochran By-Pass

City: Chester

State: SC

9 Digit Zip: 29706

(Area) Phone Number: (803) 385-2608

(Area) Fax Number: (855) 946-0259

E-Mail Address: tdarby@chestercounty.org

Signature:

Bonded: yes no

Certification by Law Enforcement Agency Head

CERTIFICATION BY OFFICIAL AUTHORIZED TO SIGN *

I certify that I understand and agree to comply with the general and fiscal terms and conditions of this application including special conditions; to comply with provisions of the Act governing these funds and all other state or federal laws; that all information presented is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized to commit the applicant to these requirements; and, that the receipt of funds through the OHSJP will not supplant state or local funds.

I further affirm that this law enforcement agency is in a position to hire or fill the requested SRO position(s) within 90 days of the date of award and maintain it/them throughout the award period.

Prefix: Mr.

Name: Donald "Max" Dorsey

Suffix: II

Title: Sheriff

Agency: Chester County Sheriff's Office

Mailing Address: 2740 Dawson Drive

City: Chester

State: SC

9 Digit Zip: 29706

(Area) Phone Number: (803) 377-6105

(Area) Fax Number: (803) 581-5552

E-Mail Address: sheriffdorsey@chesterso.com

Signature:

Bonded: yes no

* **NOTE:** THE PROJECT DIRECTOR, FINANCIAL OFFICER AND AGENCY HEAD CANNOT NOT BE THE SAME PERSON. STAFF BEING FUNDED UNDER THIS GRANT MAY NOT BE ANY OF THE ABOVE OFFICIALS WITHOUT OHSJP APPROVAL.

Review

Revision By State In Progress

Save & Continue

Save changes and continue

Pending Funds

Put application into Pending Funds status

Award

Put application into Awarded status

Reason for Denial:

Deny

Deny this application and put in Denied (Pending) status



U. S. Department of Homeland Security
Region 4
3005 Chamblee Tucker Road
Atlanta, GA 30341
FEMA

May 3, 2022

Mr. Kim Stenson, Director
South Carolina Emergency Management Division
2779 Fish Hatchery Road
West Columbia, SC 29172

Attention: Mrs. Candice Shealey, State Hazard Mitigation Officer

Reference: Hazard Mitigation Grant Program (HMGP)
4479-0006-R: Chester County- Fort Lawn F.D Emergency Generator- Project Award

Dear Mr. Stenson:

We are pleased to inform you that the subject project has been approved in the amount of \$45,000.00 with a federal share of \$33,750.00 and non-Federal share of \$11,250.00. Financial approval documents for the award are enclosed for your records.

The following is the approved Scope of Work (SOW) for above referenced project:

Chester County proposes to provide emergency backup power and uninterrupted critical functions to the Fort Lawn F.D Fire Department that provides protection and medical first responder service to the Town of Forth Lawn and their surrounding fire district.

Project Location:

Fort Lawn Fire Department–5671 Pleasant Ave. Forth Lawn, SC (34.696955, -80.899896)

The proposal is to purchase and install a permeant 60kW natural gas power generator, or the adequate size determined by the vendor and/or an electrical engineer during the bid process to appropriately support the critical infrastructure. The project also includes the installation of an automatic transfer switch (ATS), and the construction of a 10' X 4.5' concrete pad.

This project will also ensure continuity of operations and electricity in the event of future power outages due to a natural disaster. Activities will be completed in strict compliance with Federal, State and Local Rules and Regulations.

FEMA will not establish activity completion timeframes for individual subawards. The period of performance (POP) of the grant award DR-4479 will expire **June 15, 2024**. In accordance with HMGP rules and policy, we will require the submittal of all closeout documentation within 90

days, no later than September 13, 2024.

This project must adhere to all program guidelines established for the Hazard Mitigation Grant Program (HMGP).

Standard Conditions:

- Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.
- This review does not address all federal, state, and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state, and local laws. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding.
- If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

Special Conditions:

- **NHPA Condition:** From United Keetoowah Band: **Condition 1:** Inadvertent Discoveries - In the event that human remains, burials, funerary items, sacred objects, or objects of cultural patrimony are found during project implementation, the proponent or his/her authorized agent shall cease work immediately within 200 ft of the find. They shall take steps to protect the find from further damage or disruption. They shall contact the Section 106 Coordinator, Acee Watt to report the find. The Section 106 Coordinator shall contact the appropriate law enforcement authority if human remains are found. No further work shall be allowed on the project until the Section 106 Coordinator has approved a plan for managing or preserving the remains or items. **Condition 2:** Post Review Discoveries - In the event that pre-contact artifacts (i.e., arrowheads, spear points, mortars, pestles, other ground stone tools, knives, scrapers, pottery or flakes from the manufacture of tools, fire pits, culturally modified trees, etc.) or historic period artifacts or features (i.e., fragments of old plates or ceramic vessels, weathered glass, dumps of old cans, cabins, root cellars, etc.) are found during project implementation, the proponent or his/her authorized agent shall cease work immediately within 200 ft of the find. They then shall contact the Section 106 Coordinator Acee Watt to report the find. No further work shall be allowed on the project until the Section 106 has approved a work plan for managing or preserving the artifacts or features. **Condition 3:** Activities that have the potential to disturb cultural resources outside the areas specified in the accompanying document(s) are not approved and will not proceed until cultural resources review of potential adverse effects in the new area has been completed.
- **NHPA Condition:** From Eastern Shawnee Tribe: Should this project inadvertently discover an archeological site or object(s) we request that you immediately contact the Eastern Shawnee Tribe, as well as the appropriate state agencies (within 24 hours). We also ask that all ground disturbing activity stop until the Tribe and State agencies are consulted. Please note that any future changes to this project will require additional consultation.
- **NHPA Condition:** Any changes to the approved scope of work will require submission to, and evaluation and approval by, the State and FEMA, prior to initiation of any work, for compliance with Section 106.
- **NHPA Condition:** Work in the vicinity of the discovery may not resume until FEMA has completed consultation with SHPO, Tribes, and other consulting parties as necessary. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately, and the proper authorities notified in accordance with South Carolina Code, Section 16-17-600.

- **NHPA Condition:** From SHPO: If archaeological materials are encountered during construction, the procedures codified at 36 CFR 800.13(b) will apply. Archaeological materials consist of any items, fifty years old or older, which were made or used by man. These items include, but are not limited to, stone projectile points (arrowheads), ceramic sherds, bricks, worked wood, bone and stone, metal and glass objects, and human skeletal materials. The federal agency or the applicant receiving federal assistance should contact our office immediately.

The State HMGP Administrative Plan defines the procedure whereby the Governor's Authorized Representative (GAR) may advance portions of the approved Federal share to the subrecipient. Upon completion of the HMGP project, the subrecipient's closeout reimbursement for the final Federal share of eligible project costs must be submitted to the Regional Director for review and determination.

Quarterly progress reports for the HMGP projects are required. Please include this HMGP project in your future quarterly reports. Note that 44 CFR 206.438(c) indicates the State must provide a quarterly progress report to FEMA indicating the status and completion date for each project funded. The report will include any problems or circumstances affecting completion dates, scope of work, or project cost that may result in non-compliance with the approved grant conditions.

The State (recipient) must obtain prior approval from FEMA before implementing changes to the approved project SOW.

Section 206.438(d) of 44 CFR requires the GAR to "certify that reported costs were incurred in the performance of eligible work, that the approved work was completed, and that the mitigation measure is in compliance with the provisions of the FEMA-State Agreement."

The Obligation Report is enclosed for your records. Management and environmental reports are available in NEMIS. The obligated funds are available for withdrawal from **Payment Management System** on sub-account number **4479DRSCP00000065**.

If you have questions or need any further information, please do not hesitate to contact Kenya Grant, of my staff at (202) 320-3338 or Khadiya Kemp-Masters at (404) 431-9021.

Sincerely,

William F. Arwood
William F. Arwood, Chief
Disaster Implementation Branch
Mitigation Division

Enclosures:
Obligation Report Supplemental #2
Record of Environmental Consideration (REC)



FEMA

April 27, 2022

Mr. Kim Stenson, Director
South Carolina Emergency Management Division
2779 Fish Hatchery Road
West Columbia, SC 29172

Attention: Mrs. Candice Shealey, State Hazard Mitigation Officer

Reference: Hazard Mitigation Grant Program (HMGP)
4479-0004-R: Chester Airport Emergency Generator- Project Award

Dear Mr. Stenson:

We are pleased to inform you that the subject project has been approved in the amount of \$70,000.00 with a federal share of \$52,500.00 and non-Federal share of \$17,500.00. Financial approval documents for the award are enclosed for your records.

The following is the approved Scope of Work (SOW) for above referenced project:

Chester County proposes to provide backup power to the Chester Municipal Airport, identified as a critical infrastructure that will serve as a vital transportation center for supplies, equipment, and manpower during a widespread disaster.

The proposal is to purchase and install a permeant 100kW generator, or the adequate size determined by the vendor and/or an electrical engineer during the bid process to appropriately support the critical infrastructure. The project also includes the installation of an automatic transfer switch gear (ATS), on a 12.5 ft X 4.7ft X 8 inch constructed concrete pad.

This will project will ensure continuity of operations to the control room, runway lights, fuel pumps, and communication in the event of future power outages due to a natural disaster. Activities will be completed in strict compliance with Federal, State and Local Rules and Regulations.

Project Location:

Chester County Airport -1903 King Air Dr, Chester, SC (34.790431, -81.200619)

FEMA will not establish activity completion timeframes for individual subawards. The period of performance (POP) of the grant award DR-4479 will expire **June 15, 2024**. In accordance with HMGP rules and policy, we will require the submittal of all closeout documentation within 90 days, no later than September 19, 2024.

This project must adhere to all program guidelines established for the Hazard Mitigation Grant Program (HMGP).

Standard Conditions:

- Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.
- This review does not address all federal, state, and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state, and local laws. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding.
- If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

The State HMGP Administrative Plan defines the procedure whereby the Governor's Authorized Representative (GAR) may advance portions of the approved Federal share to the subrecipient. Upon completion of the HMGP project, the subrecipient's closeout reimbursement for the final Federal share of eligible project costs must be submitted to the Regional Director for review and determination.

Quarterly progress reports for the HMGP projects are required. Please include this HMGP project in your future quarterly reports. Note that 44 CFR 206.438(c) indicates the State must provide a quarterly progress report to FEMA indicating the status and completion date for each project funded. The report will include any problems or circumstances affecting completion dates, scope of work, or project cost that may result in non-compliance with the approved grant conditions.

The State (recipient) must obtain prior approval from FEMA before implementing changes to the approved project SOW.

Section 206.438(d) of 44 CFR requires the GAR to "certify that reported costs were incurred in the performance of eligible work, that the approved work was completed, and that the mitigation measure is in compliance with the provisions of the FEMA-State Agreement."

The Obligation Report is enclosed for your records. Management and environmental reports are available in NEMIS. The obligated funds are available for withdrawal from **Payment Management System** on sub-account number **4479DRSCP00000045**.

If you have questions or need any further information, please do not hesitate to contact Kenya Grant, of my staff at (202) 320-3338 or Khadiyja Kemp-Masters at (404) 431-9021.

Sincerely,

William F. Arwood
William F. Arwood, Chief
Disaster Implementation Branch
Mitigation Division

Enclosures:
Obligation Report Supplemental I
Record of Environmental Consideration (REC)

Chester County Planning Commission Minutes
June 21st, 2022

1. **Call to Order – Chairman Raines called the meeting to order.**
2. **Quorum Established:** Chairman Robert Raines, Commissioners Marvin Grant, Carolyn Williams, Azzie Lee Hill and Joe Howell were present. **Absent:** Vice Chairman Nathan Smith and Nancy Walley. **Staff:** Mike Levister, Jaime Chappell, Karen Lee, and County Attorney Joanie Winters.
3. **Approval of Agenda-** Chairman Raines stated John Ross, applicant for Griffin Land Holdings LLC withdrew his request for consideration. Chairman Raines motioned to approve the agenda as presented except for Case number CCMA22-04 being withdrawn, second by Commissioner Howell. Vote 5-0 to approve.
4. **Approval of Minutes from May 17th, 2022, Meeting**
Commissioner Howell motioned to approve, second by Commissioner Williams. Vote 5-0 to approve.
5. **New Business**
 - a. **Withdrew CCMA22-04:** John H. Ross for Applicant: Griffin Land Holdings, LLC request Tax Map #106-00-00-121-000 on Hwy 9 and Hwy 909 be rezoned from (Rural Two) R2 to (Planned Development (PD)).
 - b. **CCMA22-05: Birdseye Renewable Energy Request Tax Map # 144-00-00-022-000 on Mt. Vernon Road be rezoned from Rural Three (R3) to Rural Two (R2).** Brooks Camp, project developer with Birdseye Renewable Energy. They are a Charlotte based solar farm developer. He gave a brief intro to Birdseye which was founded in 2009. They have been developing solar projects in the Carolinas and across the southeast. For the last 13 years, developed 45 projects in North and South Carolina, roughly 545 megawatts, and over 3000 acres of operational projects during that time and their success is really driven by attention to details. Careful, citing thoughtful development, and engagement with planning staff and with local communities is what they pride themselves on and this is there first project in Chester County. Really hoping that they can set a precedent for future solar developments in the area, our current request. Their current request is to rezone six parcels from R three to R two, because solar farms in Chester County are allowed as a special exception in rural two district. They respectfully request a recommendation of approval from you to the county council. And if approved the next steps would be to apply for a special exception to the Zoning Board of approvals. And along the way based on feedback from this body and from the council. We will be revising the site plan in order to best meet the needs of the community.

The project will be built on portions of seven parcels all those parcels are just north of Fort Lawn, South Carolina. And the actual project area that would be solar panels and, in a fence, line would be roughly 450 acres, so it will be broken up into a couple of different sections across those parcels. When completed, the total project would be 70 megawatts of power. And it will interconnect to the Duke 100 kV line that runs just there from Highway 21, I believe it is across Corbett Road north. And we expect construction to begin in early 2025. So that

that schedule depends somewhat on Duke Energy and how we move through their interconnection process. But at this point, that's what we're expecting. So, this project was cited, and the site plan was designed to mitigate as many impacts as possible to the surrounding community. We did have a community meeting on June 2, and we had some folks come out from the surrounding areas, had some really good discussions, people voiced some concerns, and we did revise the site plan that we originally submitted to you guys as a result of those conversations.

So, I'll go over the changes that were made in a few minutes. But in general, solar projects are quiet, safe, low to the ground, low traffic and passive uses when properly designed and properly constructed. And they really represent an opportunity for landowners to realize some revenue on land that would otherwise take a good bit of effort to cultivate and manage and it offers the county an opportunity to collect some additional tax revenue. So, we will be engaging with the county council to request a tax abatement, but we expect still our tax payments at the very lowest level to represent roughly 150 times the current tax payment under ag deferment.

All the parcels are owned by the Carter family under a couple of different entities, LLC, and a family trust. And so solar farms are permitted as a special exception in rural two district and there are very few differences between R two and R three. The R two designation will maintain the low-density development requirements that exist in R three. And any additional uses that would be allowed in the R two district also require a conditional use permit of some kind, so it doesn't really change the available uses significantly.

This is a compatible use to the Chester County 2020 2030 Comprehensive Plan and the future land use plan. Most of the surrounding area is rural two and with a few exceptions that are zoned ag represents a minor change to the zoning map and does maintain that low density rural character of the area. But just want to go over kind of what we think out that the design and development of a solar facility. There are three basic types of impact to surrounding properties from any kind of development. And that would be visual impact, noise impact, and smell. Solar farms do not emit any kind of fumes or noxious gases. There's no smell impact of any kind. Once construction is complete, the solar farm is low traffic, low noise, very low impact and what we've done to mitigate any visual or sound impact that may occur is first for the visual impact. We are including visual buffers vegetative buffers around all roadways and adjacent residential parcels and our minimum buffer will be 50 feet wide. And I'll go over the buffer types. We use wildlife permeable fencing, which is a little bit lower profile than your average chain link fence and kind of fits in blends into the background a little bit better. It also allows small wildlife to move in and out of the facility rather than rallying them through adjacent parcels. For the sound impact, there's not much sound emitted from a solar farm but there are pieces of electrical equipment that can emit noise. So, you know from learning from experience, what we've decided to do is first include the vegetative buffers once mature, those will present a strong physical impediment to any noise escaping from the facility, but we also locate our inverters which are the noise producing piece of equipment internal to the array, so we've committed to keeping at least 150 feet of solar modules between our inverters and the outside of that project.

So here you have a couple of different exhibits that show the two types of buffers that we plan to use on the Rutabaga project. So again, we're using a 50-foot minimum width, vegetative buffer and we I guess we submitted to you originally committing to 30-foot buffers,

and after discussing with the community and talking through their concerns, you know, the visual impact was on the top of the list as well. As wildlife corridors. So, in order to increase the concealment of the project, as well as to give wildlife a little more avenue to move through that area. We've increased our buffer width to 50 feet, and that's a minimum it does get larger than that in certain areas. And we will utilize this is a timber farm now. And our plan is to utilize existing vegetation anywhere that we can. So, where there is standing timber, we would come to an agreement with the Carter family and have them harvest inside of that 50-foot boundary but leave 50 feet of standing timber around the edges where we're showing buffers on our site plan. And that allows us to keep the general appeal of that forested roadway. And what we found is you leave a strip of standing mature trees on either side of that strip, you're going to have low growth regroups that sprouts up and kind of fills in the gaps between those trees because I'm sure you're all familiar with a well-managed timber farm. You can see a decent way back into the forest. If you allow sun underneath that canopy, you're going to get a lot of regrowth sprouting up and within a season or two, it's going to be very thick. So that has proven to be an effective visual buffer in our experience.

Our other strategy is something that we've worked with North Carolina Wildlife Federation Fish and Wildlife Service to develop a method called Managed regrowth and with that, we go into an area there are certain parcels on this project area that have already been timbered by the Carter family. So, there's no mature standing trees. And in those areas, we would supplement the natural regrowth of that area with some saplings, native species normally, you know, medium height, mature species but we plant them as smaller seedlings and that just supplements the natural regrowth of that native seed bank and allows that area to grow in and look more natural than say a prescribed Leyland Cypress buffer that from what we've seen in solar farms around the Carolinas if they plant six-foot material, it's already mature. And we do so for miles along a roadway. It just doesn't get done well it doesn't get irrigated well and a good bit of it dies. So, our answer to that problem is to work with nature. And then to allow the native plants to populate that buffer area and to give him a little kickstart with some sapling plants.

Chairman Raines asked how much of the acreage was currently being forested and how many years of service did they expect from the solar farm?

Mr. Camp stated the entire seven parcels that totaled 800 acres under timber management, some was harvested a few years ago. We're looking at these as 40-year lifetime facilities. But one of the most valuable pieces of this project will be the interconnection to that transmission grid. So, if the solar project comes to the end of its life and those solar modules and inverters are no longer producing well enough, then most likely the facility would be retrofitted either another solar facility or some other kind of electrical generation would be placed there in order to take advantage of that interconnection point. The lifespan of the initial equipment was warrantied for twenty-five years, along with the inverters for fifteen to twenty years. The facility itself was seen as a forty-year investment.

Commissioner Grant asked if the buffers would be placed along the roads.

Mr. Camp stated yes, they would be fifty-foot buffers.

Commissioner Howell asked how many vehicles would be used to build the sites and if they had contacted SCDOT.

Mr. Camp stated during the twelve-month construction period there would be around 150 to 200 trucks delivering equipment. There would be a lot of traffic on the road during that time of construction, but they could agree to some mitigation measures.

Mr. Camp stated they were open to feedback and adjust the site plan. Birdseye is owned by Dominion Energy they are a subsidiary of Dominion Energy which operates in South Carolina, North Carolina and Virginia. The intent is for Dominion to own and operate this site as well. There is a possibility the project could be sold if Dominion can't get a return on its investment. We would look for reduction in taxes from the county for full tax appraisal since this is like a commercial and industrial development.

Attorney Winters asked did does the department of energy or DHEC have anything to do with your decommissioning report, do they have to approve it.

Mr. Camp stated no the Department of Energy does not approve it. DHEC currently doesn't.

Attorney Winters stated you mentioned incentives from the county, if the county doesn't give you any what will this do the project.

Mr. Camp stated it would make it difficult to compete and would kill the project. He stated they do have application with Duke Energy and currently in the interconnection process. They have received very favorable results on the interconnection side through phase one of that study, but there's still a couple more to go. Before they make those deposits, they would like to have comfort knowing they have the permission from County Council.

Chairman Raines stated he had two people to sign up to speak.

Vernon Ross and Rhonda Ross, 6117 Thraikill Road, Fort Lawn stated he was not for the project, he believed the setup and equipment would be across the road from his house. He was worried about contamination to his well. Mrs. Ross asked how they chose the sites.

Mr. Camp stated the areas were chosen through an agreement between Birdseye and the Carter Family. The Carter family agreed they would lease their land for use as a solar farm.

Chris Sandifer from Birdseye Renewable Energy stated there were no toxic substances in the panel and no liquids. The panels are tested by OSHA and meets their standards before they can be installed.

Commissioner Grant asked after everything is built the only time anyone would be at the sites would be for maintenance is that correct.

Mr. Sandifer stated that was correct.

Jenny Burton Mull, 1577 Mt. Vernon Road, Fort Lawn stated the area was rural, why sacrifice wildlife and have road construction to tear up the roads.

Chairman Raines called for a motion, Commissioner Grant motioned to approve CCMA22-05, second by Chairman Raines. Commissioner Howell stated he would like to add a reverter clause stating at the end of 25 years they would have to readdress this council for re approval for their site.

Attorney Winters stated that was not a reverter clause, the commission is recommending the zoning you could put the reverter on if it ever stops being a solar farm then it would go back to R3 otherwise it would stay a solar farm forever.

Chairman Raines stated they could use the reverter clause if the project isn't developed to fruition in four years it would revert to the original zoning.

Mr. Camp asked if they could request five years since the project could hit delays with Duke Energy.

Chairman Raines withdrew his second, Commissioner Grant withdrew his motion. Chairman Raines motioned to approve the rezoning as it's been requested with the reverter clause for five years for Birdseye to complete their project. In addition to that, they would have two years to connect and have Duke make a connection to the 100 kV line to make solar farm basically operational if not it would revert to R 3 zoning the time would start with final approval from County Council second by Commissioner Howell. Vote 4-1 to approve. Commissioner Hill opposed.



✓

Chester County, South Carolina
 Department of Planning, Building & Zoning
 1476 J.A. Cochran Bypass
 Chester, SC 29706

Zoning Map Amendment (Rezoning) Application

Fee: Residential \$150.00, Non-Residential \$300.00, Planned Development \$1000.00

Meeting Date: 6-21-2022 Case # CCMA 22-05 Invoice # 5212

The applicant hereby requests that the property described to be rezoned from R-3 to R-2

Please give your reason for this rezoning request:

To allow for a solar facility, permitted as a Special Exception in R-2.

Copy of plat must be presented with the application request

Designation of Agent (complete only if owner is not applicant): I (we) hereby appoint the person named as applicant as my (our) agent to represent me (us) in this request for rezoning. A Corporate Resolution letter or a permission letter must be presented at the time of application request. NAICS CODE: _____

Property Address Information

Property address: Mt. Vernon Road

Tax Map Number: 144-00-00-022-000 Acres: 46

Any structures on the property: yes _____ no X. If you checked yes, draw locations of structures on plat or blank paper.

PLEASE PRINT:

Applicant (s): Birdseye Renewable Energy

Address 1125 E. Morehead St. Suite 202 Charlotte, NC 28204

Telephone: _____ cell _____ work _____

E-Mail Address: _____

Owner(s) if other than applicant(s): Carter Timber and Land, LLC

Address: 1490 Burl Ivy Way Hemphill, TX 75948

Telephone: _____ cell _____ work _____

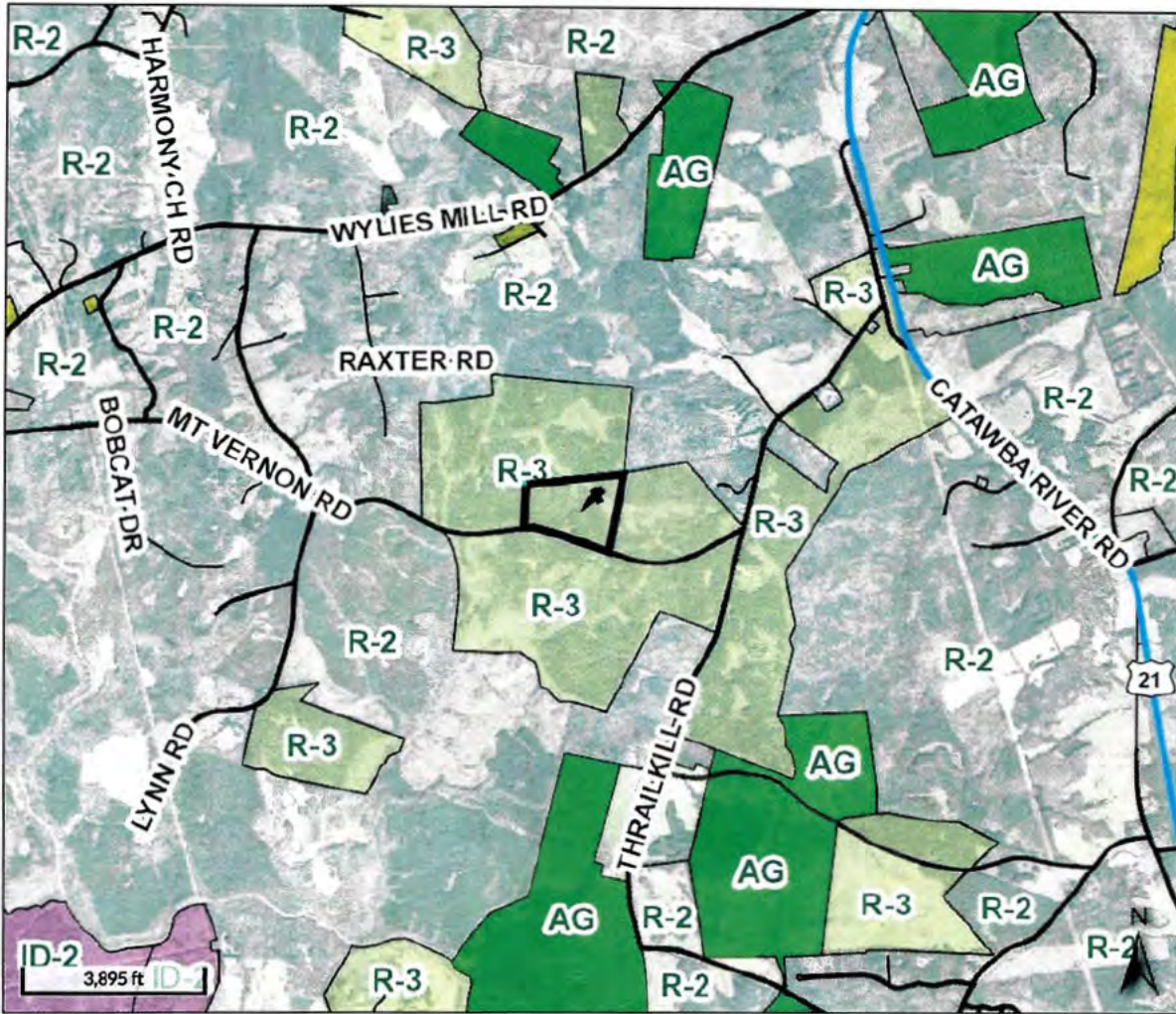
E-Mail Address: _____

I (we) hereby agree that this information I (we) have presented is correct. Insufficient information may result in a denial of your request.

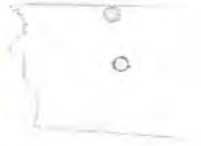
Owner's signature: [Signature] Date: 4/13/22

Applicant signature: [Signature] Date: 4/14/22

CANCELLATION MAY RESULT IN AN ADDITIONAL FEE OF \$150.00. SOMEONE MAY REPRESENT YOU AT THE MEETING.



Overview



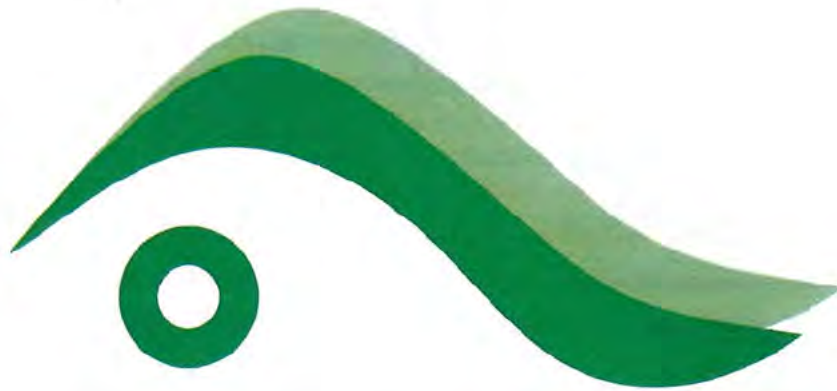
Parcel ID	144-00-00-022-000	Alternate ID	n/a	Owner Address	CARTER TIMBER AND LAND LLC
Sec/Twp/Rng	n/a	Class	AC		1490 BURL IVY WAY
Property Address		Acreeage	52.617		HEMPHILL TX 75948
District	05				
Brief Tax Description	n/a				

(Note: Not to be used on legal documents)

Date created: 6/21/2022
 Last Data Uploaded: 6/21/2022 4:01:19 AM

Developed by  Schneider
 GEOSPATIAL

Rutabaga Holdings, LLC
Rezoning Package
Submitted May 20, 2022



BIRDSEYE

RENEWABLE ENERGYSM

A DOMINION ENERGY COMPANY

Jenna E. Lee
[REDACTED]

May 20, 2022

VIA HAND DELIVERY

Mr. Mike Levister, Planning Director
Chester County Building & Zoning
1476 J.A. Cochran Bypass
Chester, South Carolina 29706

Re: Rutabaga Holdings, LLC Rezoning Application

Dear Mr. Levister:

I am pleased to submit on behalf of Rutabaga Holdings, LLC, an affiliate of Birdseye Renewable Energy ("Birdseye"), the attached Rezoning application seeking to rezone property located in Chester, South Carolina from the Rural Three District (R-3) to the Rural Two District (R-2) to allow for the installation of a solar farm. The properties proposed to be rezoned include the seven following existing parcels: 144-00-00-018-000; 144-00-00-019-00; 144-00-00-021-000; 144-00-00-022-000; 155-00-00-25-000; and 155-00-00-039-000 (the "Property").

Pursuant to the requirements of the Zoning Ordinance of Chester County (the "Ordinance"), this letter of intent and the attached exhibits provide the documentation required by Chester County in consideration of this request.

1. Completed Rezoning Application;
2. Owner Permission Letters;
3. Plats of the Property;
4. Concept Plan prepared by Birdseye Renewable Energy;
5. Memorandum of Lease and Amendments;
6. Facility Decommissioning Plan prepared by Chris Sandifer, P.E. (including C.V.);
7. Health and Safety Affidavit prepared by Chris Sandifer, P.E.;
8. Land Use Consistency Memorandum prepared by Kara W. Drane, AICP; and
9. Wildlife Permeable Fencing exhibit.
10. South Carolina Solar Habitat Scorecard

We believe the attached documentation represents a complete Rezoning application pursuant to Sections 8-100 and 8-102 of the Ordinance. Birdseye intends to supplement this application with an ALTA survey when that survey is completed. Birdseye has also contacted the Chester County Fire Marshall and provided a project site plan for review. Feedback from that office will be considered in the Project's final design.

Additionally, Birdseye intends to seek approval of a Special Exception to allow for the proposed solar farm use upon the approval of the requested Rezoning. Birdseye will provide all necessary documentation in support of the Special Exception application upon submittal. Birdseye also plans to update this application with the following materials before the June 21st Planning Commission meeting:

1. Draft Emergency Action Plan; and
2. Property Value Impact Report prepared by Richard Kirkland, MIA.

Birdseye is hosting a community meeting on Thursday, June 2, 2022 at 6:00 p.m. The meeting will be held at the Fort Lawn Community Center.

Site Design

Birdseye's proposed solar installation (the "Project") is designed to comply with the minimum site development standards outlined in the Ordinance. The Project will include a solar installation including approximately 600-700 acres of property as shown on the attached Concept Plan. All structures to be located on the Property will be less than 25 feet in height and all setbacks and buffer widths will meet or exceed the Ordinance requirements. The Project will be surrounded by security fence of at least six feet in height and adequate access will be provided for emergency service vehicles.

The attached Concept Plan provides the maximum proposed Project footprint, although the final footprint may be reduced as the final Project design is refined. Once complete, the Project will connect to and serve Duke Energy's existing power transmission grid. Power distribution lines within the facility will be located underground except for at the Point of Interconnection of the facility to the power grid.

Project Operations and Safety

Rutabaga Holdings, LLC will lease the Property from Carter Timber and Land, LLC and James S. Carter Sr. Family Trust. Currently, Birdseye's parent company, Dominion Energy, Inc., plans to own and operate the facility once constructed. Solar installations are a passive, safe, and low intensity land use compatible with nearby farm and low-density residential uses. As provided in the attached Health and Safety Affidavit prepared by Birdseye's engineering consultant, the Project materials are non-combustible, create no site emissions, odor, or dust. The proposed solar panels do not contain any radioactive material, hazardous chemicals, or other material that could potentially cause harm to the surrounding community.

As further provided in the Health and Safety Affidavit, solar farms are safe, non-hazardous, unobtrusive, environmentally friendly, and advance the public necessity of adopting renewable sourcing of electricity. The Project is an unmanned facility and, accordingly, no permanent on-site parking or loading areas are proposed. Sound during full output operations of the Project

will be indistinguishable from ambient background noise at the Property boundary. Additionally, because solar installations are unpaved, solar farms have beneficial stormwater and ground water recharging effects.

Perimeter Fence and Wildlife Protection

The Project will be surrounded by wildlife permeable fencing, which meets National Electric Code standards and allows small wildlife (fox, raccoon, etc.) to move through larger mesh holes in the bottom of the fence. Examples of the proposed fence material are attached hereto. Additionally, Birdseye intends to incorporate elements of the South Carolina Solar Habitat Scorecard (attached) into the site design, as applicable. As part of this effort, Birdseye pioneered the use of Managed Regrowth vegetative buffer systems, which install and/or encourage native, wildlife friendly species within project buffers and setback areas. These buffers provide effective, low maintenance visual screening for the project, and have a much higher survival rate than prescribed planted buffers commonly required for commercial or industrial construction projects, while also providing valuable wildlife habitat.

Decommissioning Plan

A decommissioning plan is attached to this application.

Land Use Consistency and Reasonableness

As provided in the attached analysis prepared by Colliers Engineering & Design, the proposed solar farm is a low intensity use compatible with surrounding farming and agricultural uses. The Project will have no identifiable impacts on farming, agriculture, rural family dwellings, or the environment.

Consistency with Comprehensive Plan

The Project is consistent with the "Chester County Comprehensive Plan 2005-2025." The Property is classified as "Rural" on the County's Future Land Use Plan and is currently surrounded by predominantly agricultural, timber, and residential uses. The proposed solar installation is compatible with low density residential and agricultural uses, consistent with the existing uses and proposed future uses in this portion of the County. The Project will allow for development of valuable renewable energy infrastructure within the County, while also allowing this portion of the County to maintain its predominantly rural character consistent with the stated goals and priorities of the Comprehensive Plan.

Birdseye respectfully requests approval of the Rezoning application to allow for the proposed solar farm. Please do not hesitate to contact me should you have any questions or need any additional information.

Sincerely,

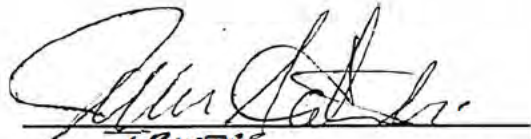
A handwritten signature in black ink, consisting of a vertical line that curves into a horizontal line extending to the right.

Jenna E. Lee

Rezoning Application
Birdseye Renewable Energy, LLC Petitioner
Permissions Letter

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Birdseye Renewable Energy, LLC that is designated as Tax Parcel Numbers 144-00-00-021-000, 144-00-00-018-000 and 144-00-00-023-000 on the Chester County Tax Maps (the "Site"), hereby joins in this Rezoning Application (as may be amended from time to time), naming Birdseye Renewable Energy, LLC as its agent for the purposes of said Rezoning Application, and hereby consents to the development of the Site for Solar Farm use and the construction of related improvements on the Site for same.

This 13 day of April 2022.

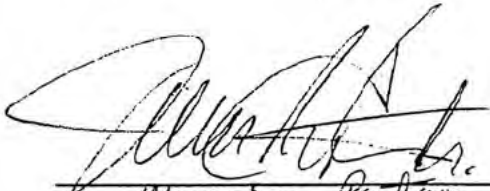


TRUSTEE
James S. Carter Sr. Family Trust

Rezoning Application
Birdseye Renewable Energy, LLC Petitioner
Permissions Letter

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Birdseye Renewable Energy, LLC that is designated as Tax Parcel Numbers 144-00-00-022-000, 144-00-00-019-000, 155-00-00-025-000 and 155-00-00-039-000 on the Chester County Tax Maps (the "Site"), hereby joins in this Rezoning Application (as may be amended from time to time), naming Birdseye Renewable Energy, LLC as its agent for the purposes of said Rezoning Application, and hereby consents to the development of the Site for Solar Farm use and the construction of related improvements on the Site for same.

This 13 day of April 2022.


Manning Paulson
Carter Timber and Land LLC

CCMA22-06: Birdseye Renewable Energy Request Tax Map # 155-00-00-025-000 on George Angus Road be rezoned from Rural Three (R3) to Rural Two (R2). Chairman Raines withdrew his second, Commissioner Grant withdrew his motion. Chairman Raines motioned to approve the rezoning as it's been requested with the reverter clause for five years for Birdseye to complete their project. In addition to that, they would have two years to connect and have Duke make a connection to the 100 kV line to make solar farm basically operational if not it would revert back to R 3 zoning the time would start with final approval from County Council second by Commissioner Howell. Vote 4-1 to approve. Commissioner Hill opposed.



Chester County, South Carolina
 Department of Planning, Building & Zoning
 1476 J.A. Cochran Bypass
 Chester, SC 29706

Zoning Map Amendment (Rezoning) Application

Fee: Residential \$150.00, Non-Residential \$300.00, Planned Development \$1000.00

Meeting Date: 6-21-2022 Case # CCMA22-06 Invoice # 5212

The applicant hereby requests that the property described to be rezoned from R-1 to R-2

Please give your reason for this rezoning request:
To allow for a solar facility, permitted as a special Exception R-2.

Copy of plat must be presented with the application request

Designation of Agent (complete only if owner is not applicant): I (we) hereby appoint the person named as applicant as my (our) agent to represent me (us) in this request for rezoning. A Corporate Resolution letter or a permission letter must be presented at the time of application request. NAICS CODE: _____

Property Address Information

Property address: George Angus Road
 Tax Map Number: 155-00-00-025-000 Acres: 189

Any structures on the property: yes _____ no . If you checked yes, draw locations of structures on plat or blank paper.

PLEASE PRINT:

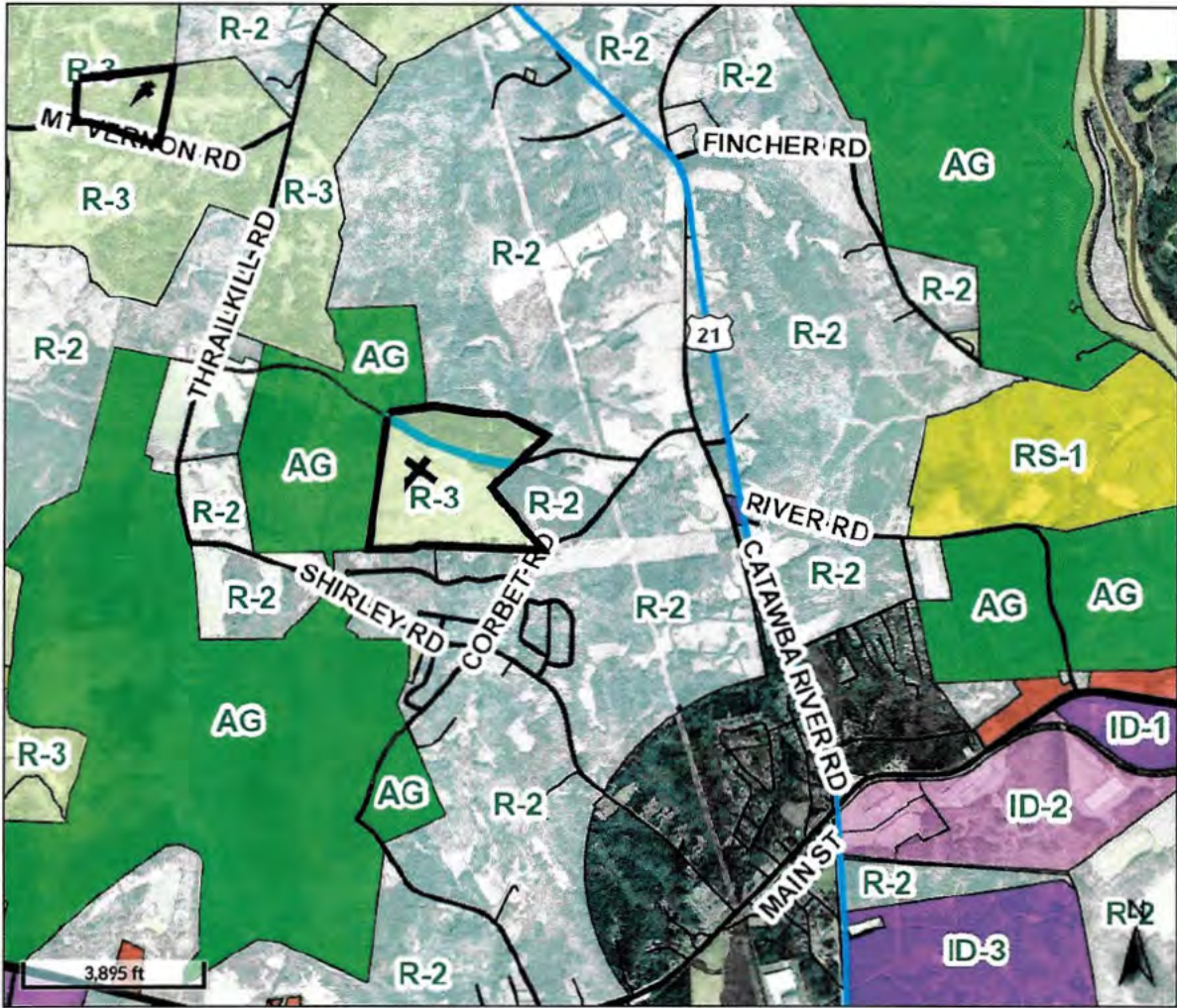
Applicant (s): Birdseye Renewable Energy
 Address 11, 5 E. Morehead Street Suite 202 Charlotte, NC 28204
 Telephone: _____ cell _____ work _____
 E-Mail Addr _____

Owner(s) if other than applicant(s): Carter Timber and Land, LLC
 Address: 1490 Burl Ivy Way Hemphill, TX 75948
 Telephone: _____ cell _____ work _____
 E-Mail Address: _____

I (we) hereby agree that this information I (we) have presented is correct. Insufficient information may result in a denial of your request.

Owner's signature: [Signature] Date: 4/13/22
 Applicant signature: [Signature] Date: 4/14/22

CANCELLATION MAY RESULT IN AN ADDITIONAL FEE OF \$150.00. SOMEONE MAY REPRESENT YOU AT THE MEETING.



Overview



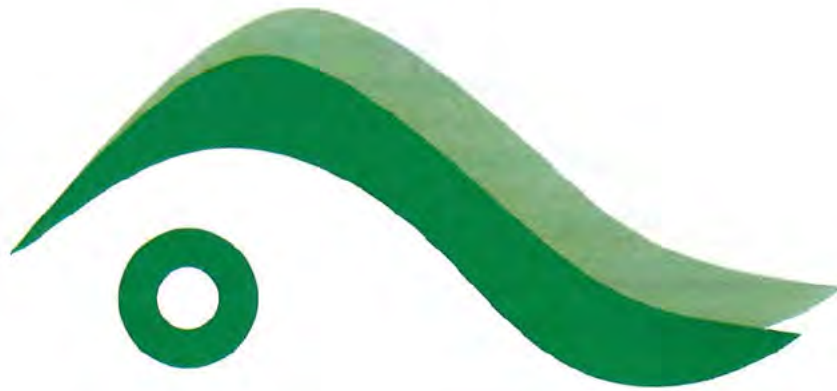
Parcel ID	155-00-00-025-000	Alternate ID	n/a	Owner Address	CARTER TIMBER AND LAND LLC
Sec/Twp/Rng	n/a	Class	AC		1490 BURL IVY WAY
Property Address		Acreage	181.088		HEMPHILL TX 75948
District	05				
Brief Tax Description	n/a				

(Note: Not to be used on legal documents)

Date created: 6/21/2022
 Last Data Uploaded: 6/21/2022 4:01:19 AM

Developed by  **Schneider**
 GEOSPATIAL

Rutabaga Holdings, LLC
Rezoning Package
Submitted May 20, 2022



BIRDSEYE

RENEWABLE ENERGYSM

A DOMINION ENERGY COMPANY

Jenna E. Lee
[REDACTED]

May 20, 2022

VIA HAND DELIVERY

Mr. Mike Levister, Planning Director
Chester County Building & Zoning
1476 J.A. Cochran Bypass
Chester, South Carolina 29706

Re: Rutabaga Holdings, LLC Rezoning Application

Dear Mr. Levister:

I am pleased to submit on behalf of Rutabaga Holdings, LLC, an affiliate of Birdseye Renewable Energy ("Birdseye"), the attached Rezoning application seeking to rezone property located in Chester, South Carolina from the Rural Three District (R-3) to the Rural Two District (R-2) to allow for the installation of a solar farm. The properties proposed to be rezoned include the seven following existing parcels: 144-00-00-018-000; 144-00-00-019-00; 144-00-00-021-000; 144-00-00-022-000; 155-00-00-25-000; and 155-00-00-039-000 (the "Property").

Pursuant to the requirements of the Zoning Ordinance of Chester County (the "Ordinance"), this letter of intent and the attached exhibits provide the documentation required by Chester County in consideration of this request.

1. Completed Rezoning Application;
2. Owner Permission Letters;
3. Plats of the Property;
4. Concept Plan prepared by Birdseye Renewable Energy;
5. Memorandum of Lease and Amendments;
6. Facility Decommissioning Plan prepared by Chris Sandifer, P.E. (including C.V.);
7. Health and Safety Affidavit prepared by Chris Sandifer, P.E.;
8. Land Use Consistency Memorandum prepared by Kara W. Drane, AICP; and
9. Wildlife Permeable Fencing exhibit.
10. South Carolina Solar Habitat Scorecard

We believe the attached documentation represents a complete Rezoning application pursuant to Sections 8-100 and 8-102 of the Ordinance. Birdseye intends to supplement this application with an ALTA survey when that survey is completed. Birdseye has also contacted the Chester County Fire Marshall and provided a project site plan for review. Feedback from that office will be considered in the Project's final design.

Additionally, Birdseye intends to seek approval of a Special Exception to allow for the proposed solar farm use upon the approval of the requested Rezoning. Birdseye will provide all necessary documentation in support of the Special Exception application upon submittal. Birdseye also plans to update this application with the following materials before the June 21st Planning Commission meeting:

1. Draft Emergency Action Plan; and
2. Property Value Impact Report prepared by Richard Kirkland, MIA.

Birdseye is hosting a community meeting on Thursday, June 2, 2022 at 6:00 p.m. The meeting will be held at the Fort Lawn Community Center.

Site Design

Birdseye's proposed solar installation (the "Project") is designed to comply with the minimum site development standards outlined in the Ordinance. The Project will include a solar installation including approximately 600-700 acres of property as shown on the attached Concept Plan. All structures to be located on the Property will be less than 25 feet in height and all setbacks and buffer widths will meet or exceed the Ordinance requirements. The Project will be surrounded by security fence of at least six feet in height and adequate access will be provided for emergency service vehicles.

The attached Concept Plan provides the maximum proposed Project footprint, although the final footprint may be reduced as the final Project design is refined. Once complete, the Project will connect to and serve Duke Energy's existing power transmission grid. Power distribution lines within the facility will be located underground except for at the Point of Interconnection of the facility to the power grid.

Project Operations and Safety

Rutabaga Holdings, LLC will lease the Property from Carter Timber and Land, LLC and James S. Carter Sr. Family Trust. Currently, Birdseye's parent company, Dominion Energy, Inc., plans to own and operate the facility once constructed. Solar installations are a passive, safe, and low intensity land use compatible with nearby farm and low-density residential uses. As provided in the attached Health and Safety Affidavit prepared by Birdseye's engineering consultant, the Project materials are non-combustible, create no site emissions, odor, or dust. The proposed solar panels do not contain any radioactive material, hazardous chemicals, or other material that could potentially cause harm to the surrounding community.

As further provided in the Health and Safety Affidavit, solar farms are safe, non-hazardous, unobtrusive, environmentally friendly, and advance the public necessity of adopting renewable sourcing of electricity. The Project is an unmanned facility and, accordingly, no permanent on-site parking or loading areas are proposed. Sound during full output operations of the Project

will be indistinguishable from ambient background noise at the Property boundary. Additionally, because solar installations are unpaved, solar farms have beneficial stormwater and ground water recharging effects.

Perimeter Fence and Wildlife Protection

The Project will be surrounded by wildlife permeable fencing, which meets National Electric Code standards and allows small wildlife (fox, raccoon, etc.) to move through larger mesh holes in the bottom of the fence. Examples of the proposed fence material are attached hereto. Additionally, Birdseye intends to incorporate elements of the South Carolina Solar Habitat Scorecard (attached) into the site design, as applicable. As part of this effort, Birdseye pioneered the use of Managed Regrowth vegetative buffer systems, which install and/or encourage native, wildlife friendly species within project buffers and setback areas. These buffers provide effective, low maintenance visual screening for the project, and have a much higher survival rate than prescribed planted buffers commonly required for commercial or industrial construction projects, while also providing valuable wildlife habitat.

Decommissioning Plan

A decommissioning plan is attached to this application.

Land Use Consistency and Reasonableness

As provided in the attached analysis prepared by Colliers Engineering & Design, the proposed solar farm is a low intensity use compatible with surrounding farming and agricultural uses. The Project will have no identifiable impacts on farming, agriculture, rural family dwellings, or the environment.

Consistency with Comprehensive Plan

The Project is consistent with the "Chester County Comprehensive Plan 2005-2025." The Property is classified as "Rural" on the County's Future Land Use Plan and is currently surrounded by predominantly agricultural, timber, and residential uses. The proposed solar installation is compatible with low density residential and agricultural uses, consistent with the existing uses and proposed future uses in this portion of the County. The Project will allow for development of valuable renewable energy infrastructure within the County, while also allowing this portion of the County to maintain its predominantly rural character consistent with the stated goals and priorities of the Comprehensive Plan.

Birdseye respectfully requests approval of the Rezoning application to allow for the proposed solar farm. Please do not hesitate to contact me should you have any questions or need any additional information.

Sincerely,


A handwritten signature in black ink, consisting of a vertical line that curves into a horizontal line extending to the right, with a small loop at the end of the horizontal line.

Jenna E. Lee

Rezoning Application
Birdseye Renewable Energy, LLC Petitioner
Permissions Letter

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Birdseye Renewable Energy, LLC that is designated as Tax Parcel Numbers 144-00-00-021-000, 144-00-00-018-000 and 144-00-00-023-000 on the Chester County Tax Maps (the "Site"), hereby joins in this Rezoning Application (as may be amended from time to time), naming Birdseye Renewable Energy, LLC as its agent for the purposes of said Rezoning Application, and hereby consents to the development of the Site for Solar Farm use and the construction of related improvements on the Site for same.

This 13 day of April 2022.

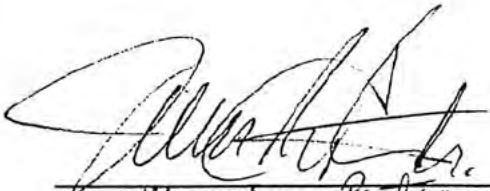


TRUSTEE
James S. Carter Sr. Family Trust

Rezoning Application
Birdseye Renewable Energy, LLC Petitioner
Permissions Letter

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Birdseye Renewable Energy, LLC that is designated as Tax Parcel Numbers 144-00-00-022-000, 144-00-00-019-000, 155-00-00-025-000 and 155-00-00-039-000 on the Chester County Tax Maps (the "Site"), hereby joins in this Rezoning Application (as may be amended from time to time), naming Birdseye Renewable Energy, LLC as its agent for the purposes of said Rezoning Application, and hereby consents to the development of the Site for Solar Farm use and the construction of related improvements on the Site for same.

This 13 day of April 2022.



Marjorie Paulsen
Carter Timber and Land LLC

CCMA22-07: Birdseye Renewable Energy Request Tax Map # 155-00-00-025-000 on George Angus Road be rezoned from Rural Three (R3) to Rural Two (R2). Chairman Raines withdrew his second, Commissioner Grant withdrew his motion. Chairman Raines motioned to approve the rezoning as it's been requested with the reverter clause for five years for Birdseye to complete their project. In addition to that, they would have two years to connect and have Duke make a connection to the 100 kV line to make solar farm basically operational if not it would revert back to R 3 zoning the time would start with final approval from County Council second by Commissioner Howell. Vote 4-1 to approve. Commissioner Hill opposed.



Chester County, South Carolina
 Department of Planning, Building & Zoning
 1476 J.A. Cochran Bypass
 Chester, SC 29706

Zoning Map Amendment (Rezoning) Application

Fee: Residential \$150.00, Non-Residential \$300.00, Planned Development \$1000.00

Meeting Date: 6-21-2022 Case # CCMAZZ-07 Invoice # 5212

The applicant hereby requests that the property described to be rezoned from R-3 to R-2

Please give your reason for this rezoning request:

To allow for a solar facility, permitted as a Special Exception in R-2.

Copy of plat must be presented with the application request

Designation of Agent (complete only if owner is not applicant): I (we) hereby appoint the person named as applicant as my (our) agent to represent me (us) in this request for rezoning. A Corporate Resolution letter or a permission letter must be presented at the time of application request. NAICS CODE: _____

Property Address Information

Property address: Mt. Vernon Road
 Tax Map Number: 144-00-00-021-000 Acres: 121

Any structures on the property: yes _____ no . If you checked yes, draw locations of structures on plat or blank paper.

PLEASE PRINT:

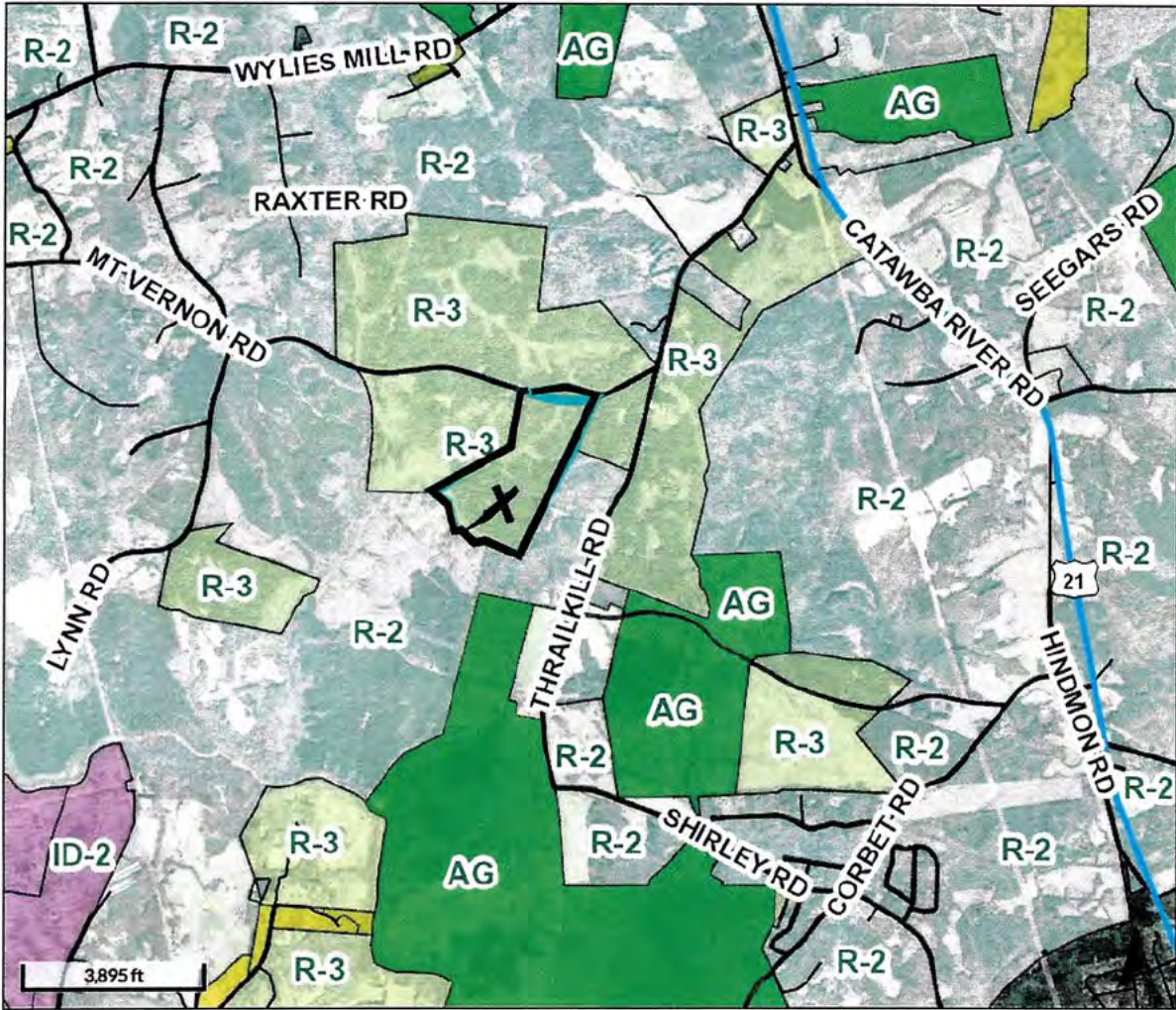
Applicant (s): Birdseye Renewable Energy
 Address 1125 E. Morehead St Suite 202 Charlotte, NC 28204
 Telephone: _____ cell _____ work _____
 E-Mail Address: _____

Owner(s) if other than applicant(s): James S. Carter Sr. Family Trust
 Address: 1490 Bury Ivy Way Hemphill, TX 75948
 Telephone: _____ cell _____ work _____
 E-Mail Address: _____

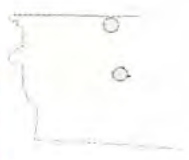
I (we) hereby agree that this information I (we) have presented is correct. Insufficient information may result in a denial of your request.

Owner's signature: [Signature] Date: 4/13/22
 Applicant signature: [Signature] Date: 4/14/22

CANCELLATION MAY RESULT IN AN ADDITIONAL FEE OF \$150.00. SOMEONE MAY REPRESENT YOU AT THE MEETING.



Overview



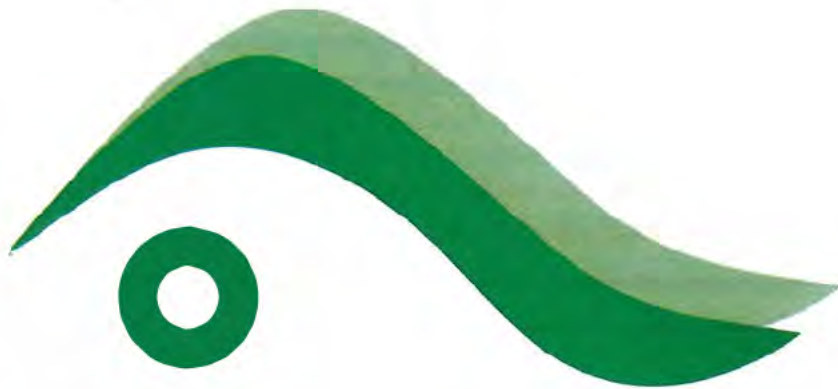
ParcelID	144-00-00-021-000	Alternate ID	n/a	Owner Address	CARTER JAMES S SR-TRUSTEE
Sec/Twp/Rng	n/a	Class	LA		JAMES S CARTER SR FAMILY TRUST
Property Address		Acreeage	121.229		1490 BURL IVY WAY
					HEMPHILL TX 75948

District 05
Brief Tax Description TR 12-067
 (Note: Not to be used on legal documents)

Date created: 6/21/2022
 Last Data Uploaded: 6/21/2022 4:01:19 AM

Developed by  **Schneider**
 GEOSPATIAL

Rutabaga Holdings, LLC
Rezoning Package
Submitted May 20, 2022



BIRDSEYE

RENEWABLE ENERGYSM

A DOMINION ENERGY COMPANY

Jenna E. Lee
[REDACTED]

May 20, 2022

VIA HAND DELIVERY

Mr. Mike Levister, Planning Director
Chester County Building & Zoning
1476 J.A. Cochran Bypass
Chester, South Carolina 29706

Re: Rutabaga Holdings, LLC Rezoning Application

Dear Mr. Levister:

I am pleased to submit on behalf of Rutabaga Holdings, LLC, an affiliate of Birdseye Renewable Energy ("Birdseye"), the attached Rezoning application seeking to rezone property located in Chester, South Carolina from the Rural Three District (R-3) to the Rural Two District (R-2) to allow for the installation of a solar farm. The properties proposed to be rezoned include the seven following existing parcels: 144-00-00-018-000; 144-00-00-019-00; 144-00-00-021-000; 144-00-00-022-000; 155-00-00-25-000; and 155-00-00-039-000 (the "Property").

Pursuant to the requirements of the Zoning Ordinance of Chester County (the "Ordinance"), this letter of intent and the attached exhibits provide the documentation required by Chester County in consideration of this request.

1. Completed Rezoning Application;
2. Owner Permission Letters;
3. Plats of the Property;
4. Concept Plan prepared by Birdseye Renewable Energy;
5. Memorandum of Lease and Amendments;
6. Facility Decommissioning Plan prepared by Chris Sandifer, P.E. (including C.V.);
7. Health and Safety Affidavit prepared by Chris Sandifer, P.E.;
8. Land Use Consistency Memorandum prepared by Kara W. Drane, AICP; and
9. Wildlife Permeable Fencing exhibit.
10. South Carolina Solar Habitat Scorecard

We believe the attached documentation represents a complete Rezoning application pursuant to Sections 8-100 and 8-102 of the Ordinance. Birdseye intends to supplement this application with an ALTA survey when that survey is completed. Birdseye has also contacted the Chester County Fire Marshall and provided a project site plan for review. Feedback from that office will be considered in the Project's final design.

Additionally, Birdseye intends to seek approval of a Special Exception to allow for the proposed solar farm use upon the approval of the requested Rezoning. Birdseye will provide all necessary documentation in support of the Special Exception application upon submittal. Birdseye also plans to update this application with the following materials before the June 21st Planning Commission meeting:

1. Draft Emergency Action Plan; and
2. Property Value Impact Report prepared by Richard Kirkland, MIA.

Birdseye is hosting a community meeting on Thursday, June 2, 2022 at 6:00 p.m. The meeting will be held at the Fort Lawn Community Center.

Site Design

Birdseye's proposed solar installation (the "Project") is designed to comply with the minimum site development standards outlined in the Ordinance. The Project will include a solar installation including approximately 600-700 acres of property as shown on the attached Concept Plan. All structures to be located on the Property will be less than 25 feet in height and all setbacks and buffer widths will meet or exceed the Ordinance requirements. The Project will be surrounded by security fence of at least six feet in height and adequate access will be provided for emergency service vehicles.

The attached Concept Plan provides the maximum proposed Project footprint, although the final footprint may be reduced as the final Project design is refined. Once complete, the Project will connect to and serve Duke Energy's existing power transmission grid. Power distribution lines within the facility will be located underground except for at the Point of Interconnection of the facility to the power grid.

Project Operations and Safety

Rutabaga Holdings, LLC will lease the Property from Carter Timber and Land, LLC and James S. Carter Sr. Family Trust. Currently, Birdseye's parent company, Dominion Energy, Inc., plans to own and operate the facility once constructed. Solar installations are a passive, safe, and low intensity land use compatible with nearby farm and low-density residential uses. As provided in the attached Health and Safety Affidavit prepared by Birdseye's engineering consultant, the Project materials are non-combustible, create no site emissions, odor, or dust. The proposed solar panels do not contain any radioactive material, hazardous chemicals, or other material that could potentially cause harm to the surrounding community.

As further provided in the Health and Safety Affidavit, solar farms are safe, non-hazardous, unobtrusive, environmentally friendly, and advance the public necessity of adopting renewable sourcing of electricity. The Project is an unmanned facility and, accordingly, no permanent on-site parking or loading areas are proposed. Sound during full output operations of the Project

will be indistinguishable from ambient background noise at the Property boundary. Additionally, because solar installations are unpaved, solar farms have beneficial stormwater and ground water recharging effects.

Perimeter Fence and Wildlife Protection

The Project will be surrounded by wildlife permeable fencing, which meets National Electric Code standards and allows small wildlife (fox, raccoon, etc.) to move through larger mesh holes in the bottom of the fence. Examples of the proposed fence material are attached hereto. Additionally, Birdseye intends to incorporate elements of the South Carolina Solar Habitat Scorecard (attached) into the site design, as applicable. As part of this effort, Birdseye pioneered the use of Managed Regrowth vegetative buffer systems, which install and/or encourage native, wildlife friendly species within project buffers and setback areas. These buffers provide effective, low maintenance visual screening for the project, and have a much higher survival rate than prescribed planted buffers commonly required for commercial or industrial construction projects, while also providing valuable wildlife habitat.

Decommissioning Plan

A decommissioning plan is attached to this application.

Land Use Consistency and Reasonableness

As provided in the attached analysis prepared by Colliers Engineering & Design, the proposed solar farm is a low intensity use compatible with surrounding farming and agricultural uses. The Project will have no identifiable impacts on farming, agriculture, rural family dwellings, or the environment.

Consistency with Comprehensive Plan

The Project is consistent with the "Chester County Comprehensive Plan 2005-2025." The Property is classified as "Rural" on the County's Future Land Use Plan and is currently surrounded by predominantly agricultural, timber, and residential uses. The proposed solar installation is compatible with low density residential and agricultural uses, consistent with the existing uses and proposed future uses in this portion of the County. The Project will allow for development of valuable renewable energy infrastructure within the County, while also allowing this portion of the County to maintain its predominantly rural character consistent with the stated goals and priorities of the Comprehensive Plan.

Birdseye respectfully requests approval of the Rezoning application to allow for the proposed solar farm. Please do not hesitate to contact me should you have any questions or need any additional information.

Sincerely,


A handwritten signature in black ink, consisting of a stylized 'J' followed by a long horizontal line.

Jenna E. Lee

Rezoning Application
Birdseye Renewable Energy, LLC Petitioner
Permissions Letter

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Birdseye Renewable Energy, LLC that is designated as Tax Parcel Numbers 144-00-00-021-000, 144-00-00-018-000 and 144-00-00-023-000 on the Chester County Tax Maps (the "Site"), hereby joins in this Rezoning Application (as may be amended from time to time), naming Birdseye Renewable Energy, LLC as its agent for the purposes of said Rezoning Application, and hereby consents to the development of the Site for Solar Farm use and the construction of related improvements on the Site for same.

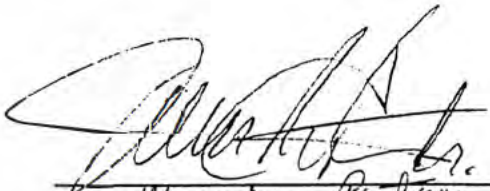
This 13 day of April 2022.


TRUSTEE
James S. Carter Sr. Family Trust

Rezoning Application
Birdseye Renewable Energy, LLC Petitioner
Permissions Letter

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Birdseye Renewable Energy, LLC that is designated as Tax Parcel Numbers 144-00-00-022-000, 144-00-00-019-000, 155-00-00-025-000 and 155-00-00-039-000 on the Chester County Tax Maps (the "Site"), hereby joins in this Rezoning Application (as may be amended from time to time), naming Birdseye Renewable Energy, LLC as its agent for the purposes of said Rezoning Application, and hereby consents to the development of the Site for Solar Farm use and the construction of related improvements on the Site for same.

This 13 day of April 2022.


Matthew Peckham
Carter Timber and Land LLC

CCMA22-08: Birdseye Renewable Energy Request Tax Map # 155-00-00-025-000 on George Angus Road be rezoned from Rural Three (R3) to Rural Two (R2). Chairman Raines withdrew his second, Commissioner Grant withdrew his motion. Chairman Raines motioned to approve the rezoning as it's been requested with the reverter clause for five years for Birdseye to complete their project. In addition to that, they would have two years to connect and have Duke make a connection to the 100 kV line to make solar farm basically operational if not it would revert back to R 3 zoning the time would start with final approval from County Council second by Commissioner Howell. Vote 4-1 to approve. Commissioner Hill opposed.



Chester County, South Carolina
 Department of Planning, Building & Zoning
 1476 J.A. Cochran Bypass
 Chester, SC 29706

Zoning Map Amendment (Rezoning) Application

Fee: Residential \$150.00, Non-Residential \$300.00, Planned Development \$1000.00

Meeting Date: 6-21-2022 Case # CCMA22-08 Invoice # 5212

The applicant hereby requests that the property described to be rezoned from R-3 to R-2

Please give your reason for this rezoning request:

To allow for a solar facility, permitted as a Special Exception in R-2.

Copy of plat must be presented with the application request

Designation of Agent (complete only if owner is not applicant): I (we) hereby appoint the person named as applicant as my (our) agent to represent me (us) in this request for rezoning. A Corporate Resolution letter or a permission letter must be presented at the time of application request. NAICS CODE: _____

Property Address Information

Property address: Thraikill Road
 Tax Map Number: 155-00-00-039-000 Acres: 60

Any structures on the property: yes _____ no . If you checked yes, draw locations of structures on plat or blank paper.

PLEASE PRINT:

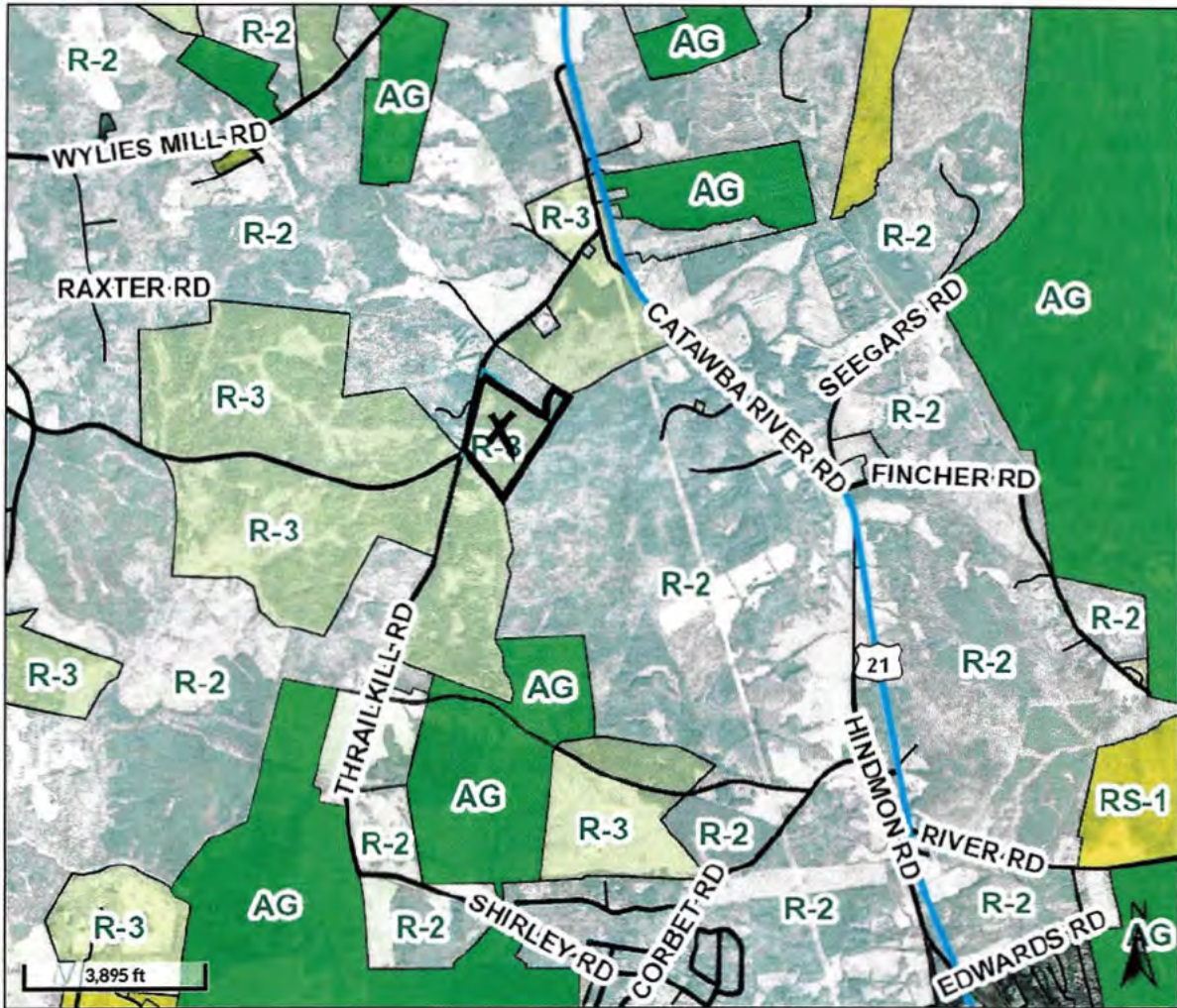
Applicant (s): Birdseye Renewable Energy
 Address: 1 _____ ad Street Suite 202 Charlotte, NC 28204
 Telephone: _____ c _____ rk _____
 E-Mail Address: _____

Owner(s) if other than applicant(s): Carter Timber and Land, LLC
 Address: 1490 Burl Ivy Way Hemphill, TX 75948
 Telephone: _____ cell _____ work _____
 E-Mail Address: _____

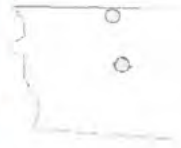
I (we) hereby agree that this information I (we) have presented is correct. Insufficient information may result in a denial of your request.

Owner's signature: Date: 4/13/22
 Applicant signature: Date: 4/14/22

CANCELLATION MAY RESULT IN AN ADDITIONAL FEE OF \$150.00. SOMEONE MAY REPRESENT YOU AT THE MEETING.



Overview



Parcel ID	155-00-00-039-000	Alternate ID	n/a	Owner Address	CARTER TIMBER AND LAND LLC
Sec/Twp/Rng	n/a	Class	AC		1490 BURL IVY WAY
Property Address		Acreage	58.354		HEMPHILL TX 75948
District	05				
Brief Tax Description	n/a				
	(Note: Not to be used on legal documents)				

Date created: 6/21/2022
 Last Data Uploaded: 6/21/2022 4:01:19 AM

Developed by Schneider
 GEOSPATIAL

Rutabaga Holdings, LLC
Rezoning Package
Submitted May 20, 2022



BIRDSEYE

RENEWABLE ENERGYSM

A DOMINION ENERGY COMPANY

Jenna E. Lee
[REDACTED]

May 20, 2022

VIA HAND DELIVERY

Mr. Mike Levister, Planning Director
Chester County Building & Zoning
1476 J.A. Cochran Bypass
Chester, South Carolina 29706

Re: Rutabaga Holdings, LLC Rezoning Application

Dear Mr. Levister:

I am pleased to submit on behalf of Rutabaga Holdings, LLC, an affiliate of Birdseye Renewable Energy ("Birdseye"), the attached Rezoning application seeking to rezone property located in Chester, South Carolina from the Rural Three District (R 3) to the Rural Two District (R 2) to allow for the installation of a solar farm. The properties proposed to be rezoned include the seven following existing parcels: 144-00-00-018 000; 144 00 00 019 00; 144-00-00 021 000; 144 00-00 022 000; 155 00-00-25 000; and 155-00 00-039-000 (the "Property").

Pursuant to the requirements of the Zoning Ordinance of Chester County (the "Ordinance"), this letter of intent and the attached exhibits provide the documentation required by Chester County in consideration of this request.

1. Completed Rezoning Application;
2. Owner Permission Letters;
3. Plats of the Property;
4. Concept Plan prepared by Birdseye Renewable Energy;
5. Memorandum of Lease and Amendments;
6. Facility Decommissioning Plan prepared by Chris Sandifer, P.E. (including C.V.);
7. Health and Safety Affidavit prepared by Chris Sandifer, P.E.;
8. Land Use Consistency Memorandum prepared by Kara W. Drane, AICP; and
9. Wildlife Permeable Fencing exhibit.
10. South Carolina Solar Habitat Scorecard

We believe the attached documentation represents a complete Rezoning application pursuant to Sections 8-100 and 8-102 of the Ordinance. Birdseye intends to supplement this application with an ALTA survey when that survey is completed. Birdseye has also contacted the Chester County Fire Marshall and provided a project site plan for review. Feedback from that office will be considered in the Project's final design.

Additionally, Birdseye intends to seek approval of a Special Exception to allow for the proposed solar farm use upon the approval of the requested Rezoning. Birdseye will provide all necessary documentation in support of the Special Exception application upon submittal. Birdseye also plans to update this application with the following materials before the June 21st Planning Commission meeting:

1. Draft Emergency Action Plan; and
2. Property Value Impact Report prepared by Richard Kirkland, MIA.

Birdseye is hosting a community meeting on Thursday, June 2, 2022 at 6:00 p.m. The meeting will be held at the Fort Lawn Community Center.

Site Design

Birdseye's proposed solar installation (the "Project") is designed to comply with the minimum site development standards outlined in the Ordinance. The Project will include a solar installation including approximately 600-700 acres of property as shown on the attached Concept Plan. All structures to be located on the Property will be less than 25 feet in height and all setbacks and buffer widths will meet or exceed the Ordinance requirements. The Project will be surrounded by security fence of at least six feet in height and adequate access will be provided for emergency service vehicles.

The attached Concept Plan provides the maximum proposed Project footprint, although the final footprint may be reduced as the final Project design is refined. Once complete, the Project will connect to and serve Duke Energy's existing power transmission grid. Power distribution lines within the facility will be located underground except for at the Point of Interconnection of the facility to the power grid.

Project Operations and Safety

Rutabaga Holdings, LLC will lease the Property from Carter Timber and Land, LLC and James S. Carter Sr. Family Trust. Currently, Birdseye's parent company, Dominion Energy, Inc., plans to own and operate the facility once constructed. Solar installations are a passive, safe, and low intensity land use compatible with nearby farm and low-density residential uses. As provided in the attached Health and Safety Affidavit prepared by Birdseye's engineering consultant, the Project materials are non-combustible, create no site emissions, odor, or dust. The proposed solar panels do not contain any radioactive material, hazardous chemicals, or other material that could potentially cause harm to the surrounding community.

As further provided in the Health and Safety Affidavit, solar farms are safe, non-hazardous, unobtrusive, environmentally friendly, and advance the public necessity of adopting renewable sourcing of electricity. The Project is an unmanned facility and, accordingly, no permanent on-site parking or loading areas are proposed. Sound during full output operations of the Project

will be indistinguishable from ambient background noise at the Property boundary. Additionally, because solar installations are unpaved, solar farms have beneficial stormwater and ground water recharging effects.

Perimeter Fence and Wildlife Protection

The Project will be surrounded by wildlife permeable fencing, which meets National Electric Code standards and allows small wildlife (fox, raccoon, etc.) to move through larger mesh holes in the bottom of the fence. Examples of the proposed fence material are attached hereto. Additionally, Birdseye intends to incorporate elements of the South Carolina Solar Habitat Scorecard (attached) into the site design, as applicable. As part of this effort, Birdseye pioneered the use of Managed Regrowth vegetative buffer systems, which install and/or encourage native, wildlife friendly species within project buffers and setback areas. These buffers provide effective, low maintenance visual screening for the project, and have a much higher survival rate than prescribed planted buffers commonly required for commercial or industrial construction projects, while also providing valuable wildlife habitat.

Decommissioning Plan

A decommissioning plan is attached to this application.

Land Use Consistency and Reasonableness

As provided in the attached analysis prepared by Colliers Engineering & Design, the proposed solar farm is a low intensity use compatible with surrounding farming and agricultural uses. The Project will have no identifiable impacts on farming, agriculture, rural family dwellings, or the environment.

Consistency with Comprehensive Plan

The Project is consistent with the "Chester County Comprehensive Plan 2005-2025." The Property is classified as "Rural" on the County's Future Land Use Plan and is currently surrounded by predominantly agricultural, timber, and residential uses. The proposed solar installation is compatible with low density residential and agricultural uses, consistent with the existing uses and proposed future uses in this portion of the County. The Project will allow for development of valuable renewable energy infrastructure within the County, while also allowing this portion of the County to maintain its predominantly rural character consistent with the stated goals and priorities of the Comprehensive Plan.

Birdseye respectfully requests approval of the Rezoning application to allow for the proposed solar farm. Please do not hesitate to contact me should you have any questions or need any additional information.

Sincerely,


A handwritten signature in black ink, consisting of a stylized 'J' followed by a horizontal line that extends to the right.

Jenna E. Lee

Rezoning Application
Birdseye Renewable Energy, LLC Petitioner
Permissions Letter

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Birdseye Renewable Energy, LLC that is designated as Tax Parcel Numbers 144-00-00-021-000, 144-00-00-018-000 and 144-00-00-023-000 on the Chester County Tax Maps (the "Site"), hereby joins in this Rezoning Application (as may be amended from time to time), naming Birdseye Renewable Energy, LLC as its agent for the purposes of said Rezoning Application, and hereby consents to the development of the Site for Solar Farm use and the construction of related improvements on the Site for same.

This 13 day of April 2022.

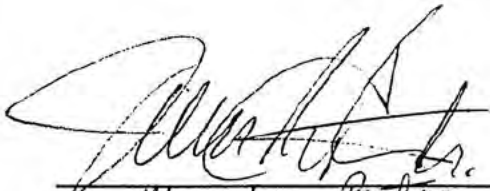


TRUSTEE
James S. Carter Sr. Family Trust

Rezoning Application
Birdseye Renewable Energy, LLC Petitioner
Permissions Letter

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Birdseye Renewable Energy, LLC that is designated as Tax Parcel Numbers 144-00-00-022-000, 144-00-00-019-000, 155-00-00-025-000 and 155-00-00-039-000 on the Chester County Tax Maps (the "Site"), hereby joins in this Rezoning Application (as may be amended from time to time), naming Birdseye Renewable Energy, LLC as its agent for the purposes of said Rezoning Application, and hereby consents to the development of the Site for Solar Farm use and the construction of related improvements on the Site for same.

This 13 day of April 2022.



Marjorie Paulson
Carter Timber and Land LLC

CCMA22-09: Birdseye Renewable Energy Request Tax Map # 155-00-00-025-000 on George Angus Road be rezoned from Rural Three (R3) to Rural Two (R2). Chairman Raines withdrew his second, Commissioner Grant withdrew his motion. Chairman Raines motioned to approve the rezoning as it's been requested with the reverter clause for five years for Birdseye to complete their project. In addition to that, they would have two years to connect and have Duke make a connection to the 100 kV line to make solar farm basically operational if not it would revert back to R 3 zoning the time would start with final approval from County Council second by Commissioner Howell. Vote 4-1 to approve. Commissioner Hill opposed.



Chester County, South Carolina
 Department of Planning, Building & Zoning
 1476 J.A. Cochran Bypass
 Chester, SC 29706

Zoning Map Amendment (Rezoning) Application

Fee: Residential \$150.00, Non-Residential \$300.00, Planned Development \$1000.00

Meeting Date: 6-21-2022 Case # CCMA 22-09 Invoice # 5212

The applicant hereby requests that the property described to be rezoned from R-3 to R-2

Please give your reason for this rezoning request:

To allow for a solar facility, permitted as a Special Exception in R-2.

Copy of plat must be presented with the application request

Designation of Agent (complete only if owner is not applicant): I (we) hereby appoint the person named as applicant as my (our) agent to represent me (us) in this request for rezoning. A Corporate Resolution letter or a permission letter must be presented at the time of a application request. NAICS CODE: _____

Property Address Information

Property address: Thrailkill Road
 Tax Map Number: 144-00-00-019-000 Acres: 2.01

Any structures on the property: yes _____ no X . If you checked yes, draw locations of structures on plat or blank paper.

PLEASE PRINT:

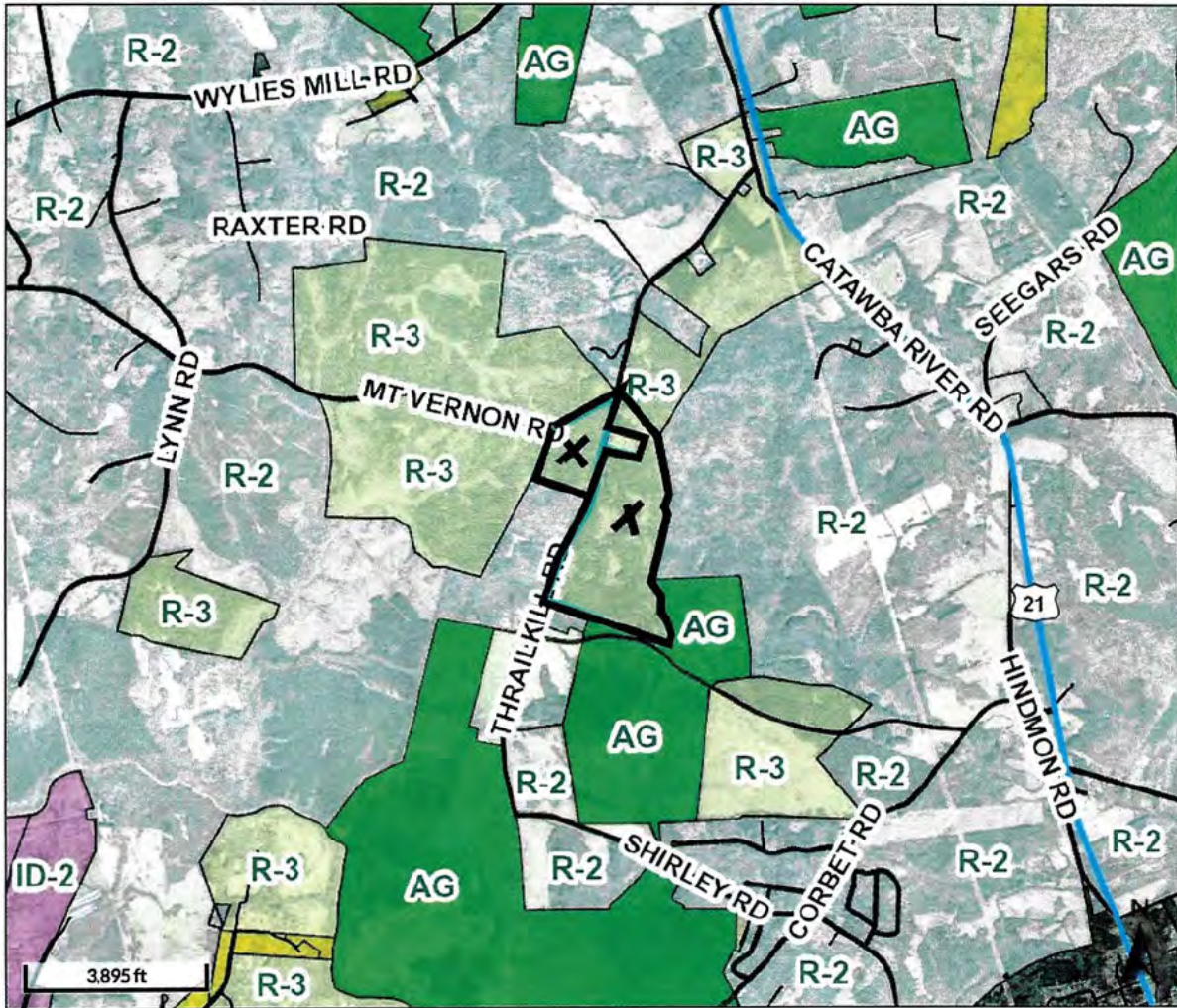
Applicant (s): Birdseye Renewable Energy
 Address 1125 E. Morehead Street Suite 202 Charlotte, NC 28204
 Telephone: _____
 E-Mail Addr _____

Owner(s) if other than applicant(s): Carter Tim be and Land, L LC
 Address: 1 _____ url Ivy Way Hemphill, TX 75948
 Telephone: _____ cell _____ work _____
 E-Mail Addr _____

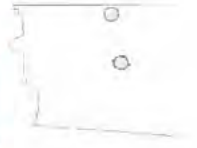
I (we) hereby agree that this information I (we) have presented is correct. Insufficient information may result in a denial of your request.

Owner's signature: [Signature] Date: 4/13/22
 Applicant signature: [Signature] Date: 7/14/22

CANCELLATION MAY RESULT IN AN ADDITIONAL FEE OF \$150.00. SOMEONE MAY REPRESENT YOU AT THE MEETING.



Overview



Parcel ID	144-00-00-019-000	Alternate ID	n/a	Owner Address	CARTER TIMBER AND LAND LLC
Sec/Twp/Rng	n/a	Class	AC		1490 BURL IVY WAY
Property Address		Acreage	197.483		HEMPHILL TX 75948
District	05				
Brief Tax Description	n/a				
	(Note: Not to be used on legal documents)				

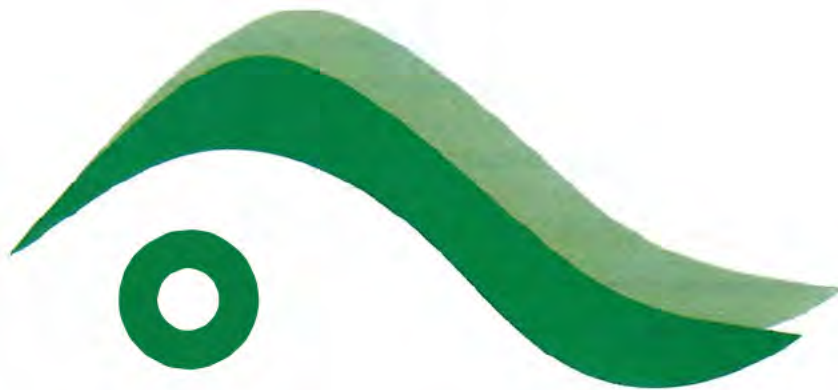
Date created: 6/21/2022
 Last Data Uploaded: 6/21/2022 4:01:19 AM

Developed by  **Schneider**
 GEOSPATIAL

Rutabaga Holdings, LLC

Rezoning Package

Submitted May 20, 2022



BIRDSEYE

RENEWABLE ENERGYSM

A DOMINION ENERGY COMPANY

Jenna E. Lee
[REDACTED]

May 20, 2022

VIA HAND DELIVERY

Mr. Mike Levister, Planning Director
Chester County Building & Zoning
1476 J.A. Cochran Bypass
Chester, South Carolina 29706

Re: Rutabaga Holdings, LLC Rezoning Application

Dear Mr. Levister:

I am pleased to submit on behalf of Rutabaga Holdings, LLC, an affiliate of Birdseye Renewable Energy ("Birdseye"), the attached Rezoning application seeking to rezone property located in Chester, South Carolina from the Rural Three District (R-3) to the Rural Two District (R-2) to allow for the installation of a solar farm. The properties proposed to be rezoned include the seven following existing parcels: 144-00-00-018-000; 144-00-00 019 00; 144-00-00-021-000; 144-00-00-022-000; 155 00-00-25-000; and 155-00-00-039-000 (the "Property").

Pursuant to the requirements of the Zoning Ordinance of Chester County (the "Ordinance"), this letter of intent and the attached exhibits provide the documentation required by Chester County in consideration of this request.

1. Completed Rezoning Application;
2. Owner Permission Letters;
3. Plats of the Property;
4. Concept Plan prepared by Birdseye Renewable Energy;
5. Memorandum of Lease and Amendments;
6. Facility Decommissioning Plan prepared by Chris Sandifer, P.E. (including C.V.);
7. Health and Safety Affidavit prepared by Chris Sandifer, P.E.;
8. Land Use Consistency Memorandum prepared by Kara W. Drane, AICP; and
9. Wildlife Permeable Fencing exhibit.
10. South Carolina Solar Habitat Scorecard

We believe the attached documentation represents a complete Rezoning application pursuant to Sections 8-100 and 8-102 of the Ordinance. Birdseye intends to supplement this application with an ALTA survey when that survey is completed. Birdseye has also contacted the Chester County Fire Marshall and provided a project site plan for review. Feedback from that office will be considered in the Project's final design.

Additionally, Birdseye intends to seek approval of a Special Exception to allow for the proposed solar farm use upon the approval of the requested Rezoning. Birdseye will provide all necessary documentation in support of the Special Exception application upon submittal. Birdseye also plans to update this application with the following materials before the June 21st Planning Commission meeting:

1. Draft Emergency Action Plan; and
2. Property Value Impact Report prepared by Richard Kirkland, MIA.

Birdseye is hosting a community meeting on Thursday, June 2, 2022 at 6:00 p.m. The meeting will be held at the Fort Lawn Community Center.

Site Design

Birdseye's proposed solar installation (the "Project") is designed to comply with the minimum site development standards outlined in the Ordinance. The Project will include a solar installation including approximately 600-700 acres of property as shown on the attached Concept Plan. All structures to be located on the Property will be less than 25 feet in height and all setbacks and buffer widths will meet or exceed the Ordinance requirements. The Project will be surrounded by security fence of at least six feet in height and adequate access will be provided for emergency service vehicles.

The attached Concept Plan provides the maximum proposed Project footprint, although the final footprint may be reduced as the final Project design is refined. Once complete, the Project will connect to and serve Duke Energy's existing power transmission grid. Power distribution lines within the facility will be located underground except for at the Point of Interconnection of the facility to the power grid.

Project Operations and Safety

Rutabaga Holdings, LLC will lease the Property from Carter Timber and Land, LLC and James S. Carter Sr. Family Trust. Currently, Birdseye's parent company, Dominion Energy, Inc., plans to own and operate the facility once constructed. Solar installations are a passive, safe, and low intensity land use compatible with nearby farm and low-density residential uses. As provided in the attached Health and Safety Affidavit prepared by Birdseye's engineering consultant, the Project materials are non-combustible, create no site emissions, odor, or dust. The proposed solar panels do not contain any radioactive material, hazardous chemicals, or other material that could potentially cause harm to the surrounding community.

As further provided in the Health and Safety Affidavit, solar farms are safe, non-hazardous, unobtrusive, environmentally friendly, and advance the public necessity of adopting renewable sourcing of electricity. The Project is an unmanned facility and, accordingly, no permanent on-site parking or loading areas are proposed. Sound during full output operations of the Project

will be indistinguishable from ambient background noise at the Property boundary. Additionally, because solar installations are unpaved, solar farms have beneficial stormwater and ground water recharging effects.

Perimeter Fence and Wildlife Protection

The Project will be surrounded by wildlife permeable fencing, which meets National Electric Code standards and allows small wildlife (fox, raccoon, etc.) to move through larger mesh holes in the bottom of the fence. Examples of the proposed fence material are attached hereto. Additionally, Birdseye intends to incorporate elements of the South Carolina Solar Habitat Scorecard (attached) into the site design, as applicable. As part of this effort, Birdseye pioneered the use of Managed Regrowth vegetative buffer systems, which install and/or encourage native, wildlife friendly species within project buffers and setback areas. These buffers provide effective, low maintenance visual screening for the project, and have a much higher survival rate than prescribed planted buffers commonly required for commercial or industrial construction projects, while also providing valuable wildlife habitat.

Decommissioning Plan

A decommissioning plan is attached to this application.

Land Use Consistency and Reasonableness

As provided in the attached analysis prepared by Colliers Engineering & Design, the proposed solar farm is a low intensity use compatible with surrounding farming and agricultural uses. The Project will have no identifiable impacts on farming, agriculture, rural family dwellings, or the environment.

Consistency with Comprehensive Plan

The Project is consistent with the "Chester County Comprehensive Plan 2005-2025." The Property is classified as "Rural" on the County's Future Land Use Plan and is currently surrounded by predominantly agricultural, timber, and residential uses. The proposed solar installation is compatible with low density residential and agricultural uses, consistent with the existing uses and proposed future uses in this portion of the County. The Project will allow for development of valuable renewable energy infrastructure within the County, while also allowing this portion of the County to maintain its predominantly rural character consistent with the stated goals and priorities of the Comprehensive Plan.

Birdseye respectfully requests approval of the Rezoning application to allow for the proposed solar farm. Please do not hesitate to contact me should you have any questions or need any additional information.

Sincerely,

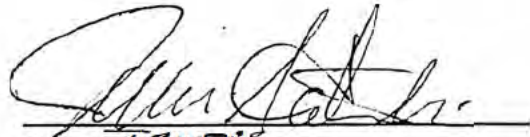
A handwritten signature in black ink, consisting of a vertical line that curves into a horizontal line extending to the right.

Jenna E. Lee

Rezoning Application
Birdseye Renewable Energy, LLC Petitioner
Permissions Letter

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Birdseye Renewable Energy, LLC that is designated as Tax Parcel Numbers 144-00-00-021-000, 144-00-00-018-000 and 144-00-00-023-000 on the Chester County Tax Maps (the "Site"), hereby joins in this Rezoning Application (as may be amended from time to time), naming Birdseye Renewable Energy, LLC as its agent for the purposes of said Rezoning Application, and hereby consents to the development of the Site for Solar Farm use and the construction of related improvements on the Site for same.

This 13 day of April 2022.

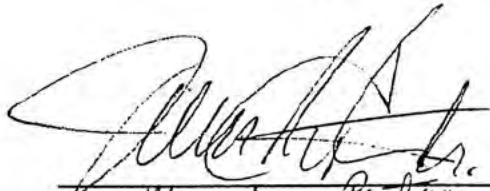


TRUSTEE
James S. Carter Sr. Family Trust

Rezoning Application
Birdseye Renewable Energy, LLC Petitioner
Permissions Letter

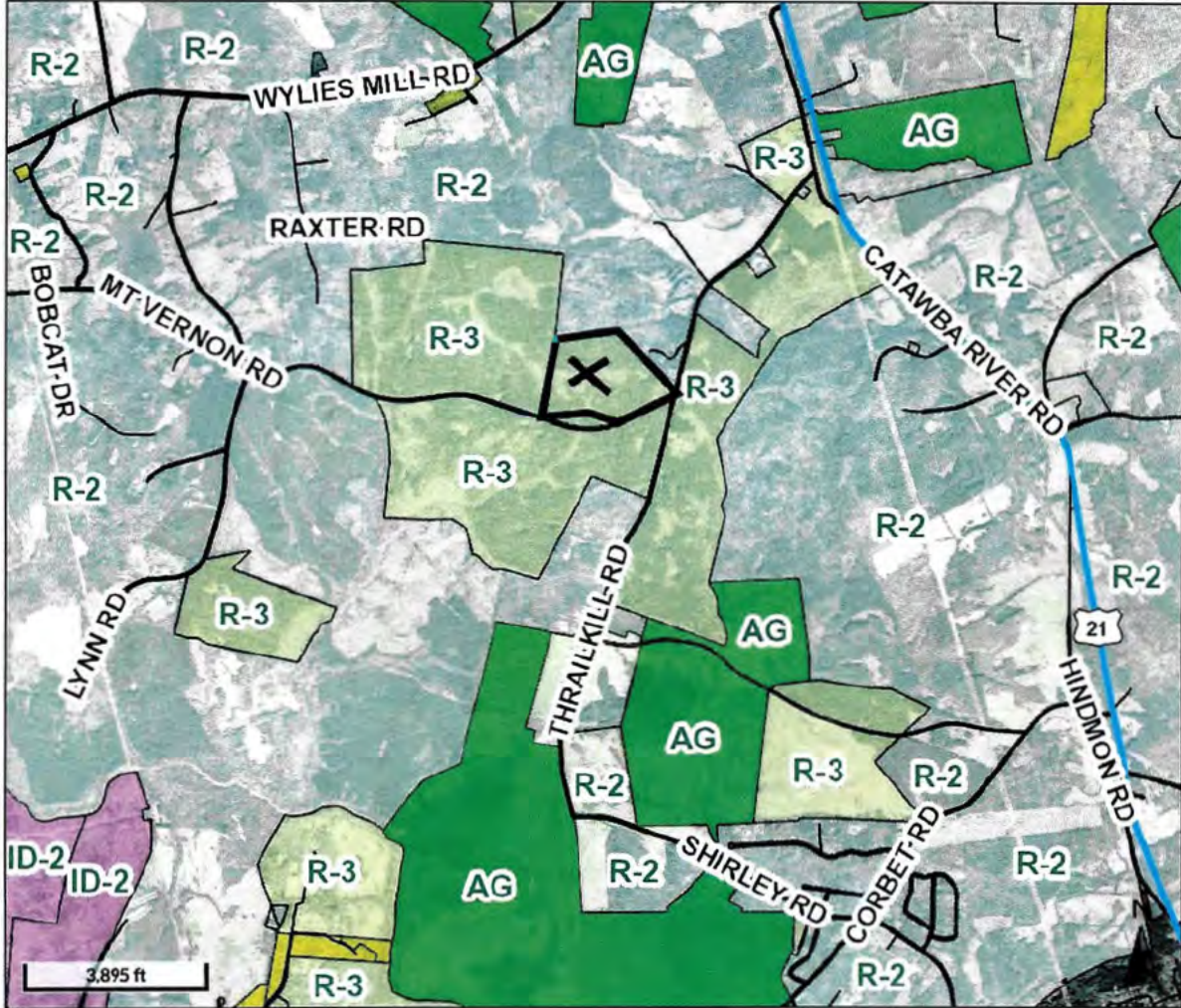
The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Birdseye Renewable Energy, LLC that is designated as Tax Parcel Numbers 144-00-00-022-000, 144-00-00-019-000, 155-00-00-025-000 and 155-00-00-039-000 on the Chester County Tax Maps (the "Site"), hereby joins in this Rezoning Application (as may be amended from time to time), naming Birdseye Renewable Energy, LLC as its agent for the purposes of said Rezoning Application, and hereby consents to the development of the Site for Solar Farm use and the construction of related improvements on the Site for same.

This 13 day of April 2022.



Manu Singh
Carter Timber and Land LLC

CCMA22-10: Birdseye Renewable Energy Request Tax Map # 155-00-00-025-000 on George Angus Road be rezoned from Rural Three (R3) to Rural Two (R2). Chairman Raines withdrew his second, Commissioner Grant withdrew his motion. Chairman Raines motioned to approve the rezoning as it's been requested with the reverter clause for five years for Birdseye to complete their project. In addition to that, they would have two years to connect and have Duke make a connection to the 100 kV line to make solar farm basically operational if not it would revert back to R 3 zoning the time would start with final approval from County Council second by Commissioner Howell. Vote 4-1 to approve. Commissioner Hill opposed.



Overview

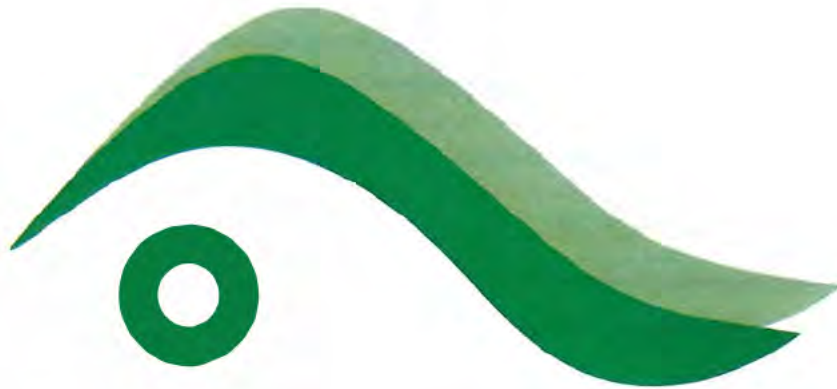


Parcel ID	144-00-00-018-000	Alternate ID	n/a	Owner Address	CARTER JAMES S SR-TRUSTEE
Sec/Twp/Rng	n/a	Class	LA		JAMES S CARTER SR FAMILY TRUST
Property Address		Acreage	81.437		1490 BURL IVY WAY
					HEMPHILL TX 75948
District	05				
Brief Tax Description	n/a				
	(Note: Not to be used on legal documents)				

Date created: 6/21/2022
 Last Data Uploaded: 6/21/2022 4:01:19 AM

Developed by  Schneider
 GEOSPATIAL

Rutabaga Holdings, LLC
Rezoning Package
Submitted May 20, 2022



BIRDSEYE

RENEWABLE ENERGYSM

A DOMINION ENERGY COMPANY

Jenna E. Lee
[REDACTED]

May 20, 2022

VIA HAND DELIVERY

Mr. Mike Levister, Planning Director
Chester County Building & Zoning
1476 J.A. Cochran Bypass
Chester, South Carolina 29706

Re: Rutabaga Holdings, LLC Rezoning Application

Dear Mr. Levister:

I am pleased to submit on behalf of Rutabaga Holdings, LLC, an affiliate of Birdseye Renewable Energy ("Birdseye"), the attached Rezoning application seeking to rezone property located in Chester, South Carolina from the Rural Three District (R-3) to the Rural Two District (R-2) to allow for the installation of a solar farm. The properties proposed to be rezoned include the seven following existing parcels: 144-00-00-018-000; 144-00-00-019-00; 144-00-00-021-000; 144-00-00-022-000; 155-00-00-25-000; and 155-00-00-039-000 (the "Property").

Pursuant to the requirements of the Zoning Ordinance of Chester County (the "Ordinance"), this letter of intent and the attached exhibits provide the documentation required by Chester County in consideration of this request.

1. Completed Rezoning Application;
2. Owner Permission Letters;
3. Plats of the Property;
4. Concept Plan prepared by Birdseye Renewable Energy;
5. Memorandum of Lease and Amendments;
6. Facility Decommissioning Plan prepared by Chris Sandifer, P.E. (including C.V.);
7. Health and Safety Affidavit prepared by Chris Sandifer, P.E.;
8. Land Use Consistency Memorandum prepared by Kara W. Drane, AICP; and
9. Wildlife Permeable Fencing exhibit.
10. South Carolina Solar Habitat Scorecard

We believe the attached documentation represents a complete Rezoning application pursuant to Sections 8-100 and 8-102 of the Ordinance. Birdseye intends to supplement this application with an ALTA survey when that survey is completed. Birdseye has also contacted the Chester County Fire Marshall and provided a project site plan for review. Feedback from that office will be considered in the Project's final design.

Additionally, Birdseye intends to seek approval of a Special Exception to allow for the proposed solar farm use upon the approval of the requested Rezoning. Birdseye will provide all necessary documentation in support of the Special Exception application upon submittal. Birdseye also plans to update this application with the following materials before the June 21st Planning Commission meeting:

1. Draft Emergency Action Plan; and
2. Property Value Impact Report prepared by Richard Kirkland, MIA.

Birdseye is hosting a community meeting on Thursday, June 2, 2022 at 6:00 p.m. The meeting will be held at the Fort Lawn Community Center.

Site Design

Birdseye's proposed solar installation (the "Project") is designed to comply with the minimum site development standards outlined in the Ordinance. The Project will include a solar installation including approximately 600-700 acres of property as shown on the attached Concept Plan. All structures to be located on the Property will be less than 25 feet in height and all setbacks and buffer widths will meet or exceed the Ordinance requirements. The Project will be surrounded by security fence of at least six feet in height and adequate access will be provided for emergency service vehicles.

The attached Concept Plan provides the maximum proposed Project footprint, although the final footprint may be reduced as the final Project design is refined. Once complete, the Project will connect to and serve Duke Energy's existing power transmission grid. Power distribution lines within the facility will be located underground except for at the Point of Interconnection of the facility to the power grid.

Project Operations and Safety

Rutabaga Holdings, LLC will lease the Property from Carter Timber and Land, LLC and James S. Carter Sr. Family Trust. Currently, Birdseye's parent company, Dominion Energy, Inc., plans to own and operate the facility once constructed. Solar installations are a passive, safe, and low intensity land use compatible with nearby farm and low-density residential uses. As provided in the attached Health and Safety Affidavit prepared by Birdseye's engineering consultant, the Project materials are non-combustible, create no site emissions, odor, or dust. The proposed solar panels do not contain any radioactive material, hazardous chemicals, or other material that could potentially cause harm to the surrounding community.

As further provided in the Health and Safety Affidavit, solar farms are safe, non-hazardous, unobtrusive, environmentally friendly, and advance the public necessity of adopting renewable sourcing of electricity. The Project is an unmanned facility and, accordingly, no permanent on-site parking or loading areas are proposed. Sound during full output operations of the Project

will be indistinguishable from ambient background noise at the Property boundary. Additionally, because solar installations are unpaved, solar farms have beneficial stormwater and ground water recharging effects.

Perimeter Fence and Wildlife Protection

The Project will be surrounded by wildlife permeable fencing, which meets National Electric Code standards and allows small wildlife (fox, raccoon, etc.) to move through larger mesh holes in the bottom of the fence. Examples of the proposed fence material are attached hereto. Additionally, Birdseye intends to incorporate elements of the South Carolina Solar Habitat Scorecard (attached) into the site design, as applicable. As part of this effort, Birdseye pioneered the use of Managed Regrowth vegetative buffer systems, which install and/or encourage native, wildlife friendly species within project buffers and setback areas. These buffers provide effective, low maintenance visual screening for the project, and have a much higher survival rate than prescribed planted buffers commonly required for commercial or industrial construction projects, while also providing valuable wildlife habitat.

Decommissioning Plan

A decommissioning plan is attached to this application.

Land Use Consistency and Reasonableness

As provided in the attached analysis prepared by Colliers Engineering & Design, the proposed solar farm is a low intensity use compatible with surrounding farming and agricultural uses. The Project will have no identifiable impacts on farming, agriculture, rural family dwellings, or the environment.

Consistency with Comprehensive Plan

The Project is consistent with the "Chester County Comprehensive Plan 2005-2025." The Property is classified as "Rural" on the County's Future Land Use Plan and is currently surrounded by predominantly agricultural, timber, and residential uses. The proposed solar installation is compatible with low density residential and agricultural uses, consistent with the existing uses and proposed future uses in this portion of the County. The Project will allow for development of valuable renewable energy infrastructure within the County, while also allowing this portion of the County to maintain its predominantly rural character consistent with the stated goals and priorities of the Comprehensive Plan.

Birdseye respectfully requests approval of the Rezoning application to allow for the proposed solar farm. Please do not hesitate to contact me should you have any questions or need any additional information.

Sincerely,


A handwritten signature in black ink, consisting of a stylized 'J' followed by a long horizontal line.

Jenna E. Lee

Rezoning Application
Birdseye Renewable Energy, LLC Petitioner
Permissions Letter

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Birdseye Renewable Energy, LLC that is designated as Tax Parcel Numbers 144-00-00-021-000, 144-00-00-018-000 and 144-00-00-023-000 on the Chester County Tax Maps (the "Site"), hereby joins in this Rezoning Application (as may be amended from time to time), naming Birdseye Renewable Energy, LLC as its agent for the purposes of said Rezoning Application, and hereby consents to the development of the Site for Solar Farm use and the construction of related improvements on the Site for same.

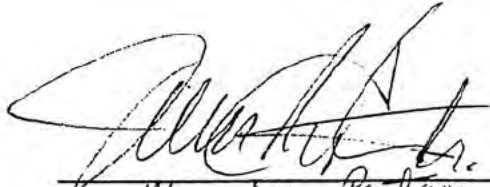
This 13 day of April 2022.


TRUSTEE
James S. Carter Sr. Family Trust

Rezoning Application
Birdseye Renewable Energy, LLC Petitioner
Permissions Letter

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by Birdseye Renewable Energy, LLC that is designated as Tax Parcel Numbers 144-00-00-022-000, 144-00-00-019-000, 155-00-00-025-000 and 155-00-00-039-000 on the Chester County Tax Maps (the "Site"), hereby joins in this Rezoning Application (as may be amended from time to time), naming Birdseye Renewable Energy, LLC as its agent for the purposes of said Rezoning Application, and hereby consents to the development of the Site for Solar Farm use and the construction of related improvements on the Site for same.

This 13 day of April 2022.



Manu Singh
Carter Timber and Land LLC