

**RICHMOND COUNTY PLANNING COMMISSION
MEETING MINUTES**

April 8, 2019

The Richmond County Planning Commission held its regularly scheduled meeting on Monday, April 8, 2019, in the Public Meeting Room, County Administrative Building, Warsaw, VA.

The following members were present:

Rick Cox
Harry Smith, Jr.
Brian Mothershead
Walter Ball
Glenn Bowen
J. R. Fidler
Marion Packett
John W. Lewis
Darnell Clayton

Members Absent:

Cassandra Jackson

Also present:

Hope Mothershead
Liz Hylan
Morgan Quicke

CALL TO ORDER, INVOCATION, AND PLEDGE OF ALLEGIANCE

Glenn Bowen called the meeting to order at 7:00 p.m. Chairperson Bowen gave the invocation and Mr. Lewis led everyone in the Pledge of Allegiance.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF MINUTES – MARCH 11, 2019 MEETING

Mr. Bowen asked for a few grammatical changes to the March 11, 2019 Minutes. Rick Cox made a motion to approve the minutes as amended. J.R. Fidler seconded the motion and they were approved unanimously.

OTHER BUSINESS

Mrs. Mothershead mentioned the concern with the Solar Ordinances, and would like to open a discussion for some possible changes in order to move forward to a public hearing or be recommended to the Board.

Mrs. Mothershead noted with the Solar Industry increasing, we have the role to make sure that our counties regulations allow and encourage this clean, safe energy source. Mrs. Mothershead mentioned Richmond County adopted a solar power facility ordinance in January of 2016. Mrs. Mothershead also mentioned that after reviewing the solar language in our Code of Ordinances and discussing it with some interested parties, it has become clear that a portion of the ordinance may need some changes. Mrs. Mothershead noted the reversion section is the biggest concern and the language puts a red flag up for most of the solar industry.

Mrs. Mothershead mentioned any solar developer, unless they are themselves a public utility like Dominion or NNEC, would have the goal of selling either the power or the entire project to a utility like Dominion or NNEC. Mrs. Mothershead noted the reversion section of the ordinance would require them to revert back to the planning commission with any sale, transfer or assignment.

Mrs. Mothershead read the following staff recommendations for Reversion:

- Permitted transfers of the special exception application shall include the following:
 - Any transfer to a subsidiary, parent or other affiliate of the applicant or a successor to the applicant by merger or consolidation;
 - Any transfer to a public utility company or member owned electrical cooperative regulated by the Virginia State Corporation Commission, Division of Public Utility Regulation; and
 - Any transfer to an unaffiliated third-party entity who is owned by an experienced operator of electric generation and/or storage facilities with a minimum of 100 megawatts of electrical generation and/or storage assets that such entity currently operates or has previously developed.
- The applicant shall notify the County of any permitted transfer, but it does not require approval from the Planning Commission or Board of Supervisors.

Mrs. Mothershead mentioned another concern after review of the ordinance is the time and expertise required for inspections of the solar facilities. Mrs. Mothershead noted a large scale would be a significant addition to the workload of the County inspectors. Mrs. Mothershead also mentioned currently, the E & S inspector, Richard English, would handle those inspections, however, if the additional time for inspections of solar facilities becomes a problem, many localities have begun to charge an additional amount for inspections.

Mrs. Mothershead mentioned since the permitting process for a solar power facility would be through a special exception request, these charges would be noted as a condition of the special exception approval.

Mr. Bowen asked what the follow up inspection would be after the Solar operation is up and running. Mrs. Mothershead noted the biggest inspections would be the clearing of the site and a matter of Erosion and Sediment control being maintained.

Mrs. Mothershead noted another concern of the Solar Farms is the decommissioning. Mrs. Mothershead mentioned there recently has been some new legislation that allows localities to bond the companies that put the solar equipment in, so that once it's no longer a solar farm it has to be decommissioned and removed from the property.

Mrs. Mothershead noted when applicants apply for the special exception they will need to provide their plans for decommission.

Mr. Lewis asked about private owners as of today interested in solar farms. Mrs. Mothershead noted there are no applications at this time that have been received. Mrs. Mothershead also noted they have been made aware of private owners that may be looking to lease their property.

Mrs. Mothershead mentioned she would research the State Code for decommission requirements. Mr. Cox noted if an owner decides they want to sell and someone is planning to buy it should be required to give their intent to continue to operate as a solar farm or not continue use.

Mrs. Mothershead noted the main focus is to clear up the reversion clause so it doesn't turn people away from coming to Richmond County.

Mr. Cox suggested adding a clause that states the intent if it's being sold or bought by another company that they intend continuing operation as a solar power facility, and if not it needs to be decommissioned.

Mr. Smith noted there are many steps to the solar farm process before the solar company even comes to the County for permits.

Mrs. Mothershead suggested coming back next month with some other language for the third bullet of the Reversion. Mrs. Mothershead noted she would send commissioners recommendations for feedback and comments on the new language via email in order to get something put together before next month's meeting.

Mrs. Mothershead noted there are currently no applications received. Mrs. Mothershead mentioned this revision is just to be prepared for future applications or questions that arise.

ADJOURNMENT

There being no further business, Glenn Bowen adjourned the meeting.

Respectfully submitted,

Liz Hylan
Commission Secretary