

had to approve exempt status, it is now up to localities to approve exempt status. Mr. Bartlett said there is a process to remove the tax exemption if one had been granted; some are statewide such as fraternal organizations, and in Prince Edward County, SCOPE, STEPS, and Hampden-Sydney are exempt.

Mr. Bartlett reported the courthouse renovation is progressing; he said the Circuit Courtroom A is complete. He said work on the first floor will be complete by the end of November. Juvenile courts will move from Combined Courts and be their own stand-alone department. He said the Clerk of Circuit Court office will move to the first floor, along with Magistrate and the Juvenile Probation Office into where Social Services had been. The Sheriff's Department will move into where the Magistrate and Juvenile Probation had been; work will be done in Dispatch. He said the entranceway is expected to be complete by late January or February, and work began on the new stairwells last week. Mr. Bartlett said the entrance to the building will then be the Atrium; the front of the building will no longer be an entrance, as ordered by the Judge, because of security reasons. He said all construction is expected to be complete by May [2020]. Mr. Bartlett said the Commonwealth Attorney's office will move into where the Circuit Court Clerk is currently, the Registrar will swap office space with the Victim Witness office; he reviewed several other minor changes to be made and office space that will be left vacant for expansion.

Chairman Pregelman asked for an update on filling the Planning Director position. Mr. Bartlett stated there have been six or seven applicants; four have extensive experience, at least one is a Certified Planner. He said the Personnel Committee will meet, and suggested the Planning Commission to form a committee to assist in the process.

In Re: Amendment to the County's Zoning Ordinance

Mr. Bartlett stated that at the October 15, 2019 meeting of the Planning Commission, the Commission was presented a draft zoning ordinance amendment establishing a section to provide for and regulate the siting, installation, operation and decommissioning of alternative energy sources in Prince Edward County.

Mr. Bartlett said Mr. Davis Plunkett of Holocene Clean Energy has reviewed the draft ordinance and stated, "We had the chance to review the draft you provided, it seems like a great framework and one I feel sure we can work within."

Mr. Bartlett said that at a "breakout session" at the annual VACo conference, utility scale solar projects were the subject of considerable debate in regards to the state mandated tax exemption for these projects. There was also discussion concerning the impact on local land-use and decommissioning. He said it appears there may be proposed legislation that will amend the existing tax exemption status of these facilities; the solar industry is pushing hard to maintain the existing exemptions and are trying to become exempt from local land-use regulations.

Mr. Bartlett presented the existing state-mandated exemption for Machinery & Tool Tax:

100% exemption for:

20 MW or less (interconnection request filed on or before December 31, 2018)

20 MW or less that serve public or private colleges; and

5 MW or less (interconnection request filed on or after January 1, 2019)

80% exemption for:

Projects greater than 20 MW (interconnection request filed before July 1, 2018)

Greater than 20 MW and less than 150 MW (interconnection request filed after July 1, 2018)

Local option for 150 MW and above

Exemption for 20-150 MW sunsets January 1, 2024

Projects greater than 25 MW are taxed at the Real Estate rate which is much less than Machinery & Tools

Mr. Bartlett then said that while the focus was on tax exemption, he said land use is just as important. He said the General Assembly will be reviewing this issue; VACo doesn't have a policy on it but wants to see a more equitable use of tax authority and not let these items have 100% exemption. Further discussion followed.

Chairman Prengaman asked the difference between small scale and large scale. Mr. Bartlett said the draft ordinance sets forth a Small Scale Energy Facility as an energy facility that has a project area of one acre or less, has a rated capacity of 200 kw or less, is mounted on or over a building, parking lot or other previously disturbed area, and is normally used to reduce onsite consumption of energy for small scale operations such as small agricultural or commercial operations. He said a Large Scale Energy Facility is defined as an alternative energy facility that has a maximum power of not more than 999 kW. Large energy systems are generally used to reduce onsite consumption of utility power for commercial and industrial applications. Mr. Bartlett said the Utility Scale Energy Facility is an energy facility which has a rated capacity of one megawatt (1 MW) or greater. Utility Scale Energy Systems are generally used to provide electricity to a utility provider.

Chairman Prengaman suggested Section 53-157m, regarding Exemptions, which states it is based on four acres and less than two megawatts, be removed because of confusion with the definitions. Mr. Bartlett said he reviewed other localities' ordinances and the Commissioners may wish to remove or change what is presented.

Commissioner Peery recommended removing a portion of Section 53-157a, Project Narrative, which includes "towers for wind powered generation equipment." He then suggested limiting the size of the lots available for solar farms; discussion followed on the practices in other areas in Virginia. Mr. Bartlett suggested a 300-500-acre limit.

Mr. Bartlett said he mentioned several articles regarding safety and the hazardous materials that go into the panels and batteries used. He said he requested state look into these issues. He said several studies show that there are hazardous materials used, such as glues, adhesives, film that is over the silicone wafers and other materials, and several articles report that these will not be recycled because of the materials used and they will not be permitted in a local landfill. He said he is concerned what would happen to the panels during a tornado or hurricane, and there are too many unknowns.

Laura Merten, Holocene Energy, stated the ordinance is amicable and agreeable to a developer, it is clear and lays a path forward to work closely with the County to make something work. She said all buffer and vegetation requirements are in line with other counties and is standard across the state. She said that by and large, there is nothing that is out of the ordinary, and the question on the definition of size is not standard; she said one megawatt is at the bottom of the threshold, and there is no set standard.

Mr. Bartlett asked for clarification on the three megawatts that Holocene plans to generate and that being used on their own grid. Ms. Merten said it will be distribution interconnected, not transmission.

Chairman Prengaman said there are rumors that there is tariff coming from Dominion Energy to protect themselves from solar developers; that will possibly be voted on right after the first of next year. Ms. Merten said they have been very involved in the legislation expected in the General Assembly regarding taxes. She added there are a lot of unknowns with the changes coming.

Chairman Prengaman said there is a lot of confusion about solar for personal use versus sending the power back to the grid, and solar to reduce the costs and some say solar can increase costs, and now there is a possibility of a tariff.

Ms. Merten stated they are working with the cooperative, that is the rate-setting mechanism and Holocene will not be setting rates.

Mr. Bartlett stated Holocene will just use the energy with Southside; he said he will have to research differentiation between inter-connection or distribution versus transmission.

Chairman Prengaman stated they will need to define a limit to the size and how they will be approved.

Commissioner Hunt asked who inspects and signs off on these before use. Mr. Bartlett said the County Building Inspector would inspect the placement of poles, footings, and low-voltage electricity; the factory would provide an inspection for the panels and those items.

Commissioner Peery asked if the panels could be reused after decommission. Mr. Bartlett said the panels lose only about one-half to one percent of their efficiency per year, which means they could be used for 40-50 years. He said if panel efficiency would increase exponentially, it may pay the company to replace those panels. Discussion followed.

Mr. Bartlett reviewed the concerns:

- size limit
- interconnection versus distribution
- clarity on the definition of small, large, and utility sizes, with regard to lot size and megawatts
- restrictions in certain geographical areas

Commissioner Leatherwood stated this county has mainly large farms, and questioned procedures in a subdivision with roof panels. Mr. Bartlett said there are a lot of solar panels being installed on individual homes; he said he would consider those an accessory structure if placed on the ground and it would have to follow all the regulations. He added that it could be placed five feet from the property line. Mr. Bartlett added there would have to be regulations or conditions such as buffers, vegetation, fencing, or any regulations for panels placed on the roof; he said he will continue to research what other localities are doing.

Mr. Bartlett announced Social Services will hold an Open House Wednesday, November 20, 2019; STEPS hasn't yet moved into their space. He then stated Yak Attack has hired six employees, and they are adding more stock to include jon boats and bass boats, expanding from just kayaks.

In Re: Old Business

(None)

New Business

(None)

Chairman Pregelman declared the meeting adjourned at 7:54 p.m.

Next Meeting: TBD