

THE ANSON COUNTY BOARD OF COMMISSIONERS convened for their regular monthly meeting on Tuesday, April 3, 2018 beginning at 6:00 P.M. in the Board Room, Suite 209, of the Anson County Government Center.

Commissioners present: Anna Baucom, Chair
Ross Streater, Vice Chair
Bobby Sikes
Vancine Sturdivant
Jim Sims
Jarvis Woodburn

Commissioners absent: Harold Smith

Staff members present: Rita James, Interim County Manager
Denise Cannon, Clerk to the Board
Larry Newton, Tax Assessor
Cary Garner, Finance Officer

Other: Scott Forbes, County Attorney

Chairman Baucom called the meeting to **Order**, welcoming all who are present. Chairman Baucom asked Senior Pastor Tim Adams to deliver the **Invocation**.

Approval of the Agenda by Commissioners:

Chairman Baucom added an appointment to the agenda. Vice-Chair Streater moved to approve the agenda, seconded by Commissioner Sturdivant, motion carried unanimously.

Public Hearing:

Project Azimuth

Commissioner Sikes made a motion to open the public hearing for Project Azimuth, seconded by Commissioner Woodburn, motion carried unanimously.

John Marek, Anson County Economic Development Partnership Director, discussed Project Azimuth, a company that is looking to relocate its existing California and North Carolina facilities to Anson County. Mr. Marek explained that this company manufactures commercial signage and electronic displays. Mr. Marek further enlightened the Board that it is a three million dollar project, which should create fifty new, full-time jobs within three years. Mr. Marek requested that the Board consider the Tax Grant Incentive for \$75,163 over the next five years.

Chairman Baucom opened the floor for comments on Project Azimuth.

No one offered any comments.

Vice-Chair Streater moved to close the public hearing, seconded by Commissioner Sims, motion carried unanimously.

Commissioner Sims made a motion to approve a Tax Grant Incentive for \$75,163 over the next five years, contingent on Project Azimuth meeting all requirements of the Anson County Industrial Tax Grant Policy, seconded by Commissioner Woodburn, motion carried unanimously.

Strata Solar IV

Commissioner Sikes made a motion to open the public hearing for Strata Solar IV, seconded by Commissioner Woodburn, motion carried unanimously.

The Clerk swore in Larry Newton, Beth Trahos, Brett Hanna, Jeremy Spaeth, Sam Judd, Ashton Smith, and Rich Kirkland.

Larry Newton, Anson County Planning Board explained to the Board that the Planning Committee met on Thursday, March 1 and held a Public Hearing. Mr. Newton stated that the Planning Board approved Strata Solar's request for a conditional use permit, but with conditions after hearing questions, comments from the public and expert testimony from experts in their field. The conditions are that the county must have the Jurisdiction Report from the Army Corps of Engineer that was not available at the time of the meeting. The interconnect agreement with Duke Energy was available, but not signed, and will have to be provided to the county with signatures. Mr. Newton further discussed the decommission plan, noting that no other counties have lower decommissioning estimations than Anson County, with highest estimates being in the twenty-five percent range. Mr. Newton said

every property owner on the site map was properly notified by first class mail. Mr. Newton pointed out that Strata Solar has an extended contract over the life of the solar farm with Duke Energy for the production of electricity. Mr. Newton explained that the US Army Corps of Engineers' report is required under the Anson County Ordinance, and has not yet been received. Therefore, the planning Board made the Army Corps of Engineers' report a condition of approval. Attorney Forbes asked was there any evidence that the solar panel could interfere with any airport or airplanes flying over or evidence it would be within the general specifications of the area, or threat to health, safety and welfare of the area or that it would substantially devalue surrounding property values; Mr. Newton answered no to all. Beth Trahos, attorney with Nelson Mullins appeared to request the Board support for the proposed solar farm. Ms. Trahos passed out informational packets that included an application, affidavits from experts, copy of the site plan, and the latest decommissioning estimates. Ms. Trahos stated that there are many requirements in the Anson County Ordinance that will happen prospectively and they will in fact comply with the ordinance. Ms. Trahos said before the Anson County planning Board issues a certificate of occupancy, all requirements including the six feet fence and Army Corps of Engineers' report will be in place.

Mr. Jeremy Spaeth, professional Civil Engineer addressed the Board in regards to Strata Solar. Mr. Spaeth explained the design of the solar farm, that it would be placed on 28.44+ areas of an 84.87+ parcel owned by Lockhart Farms, known as Anson County parcel 647600201210. Mr. Spaeth said that in his professional opinion, that the site plan addresses the ordinance requirements for Anson County. Mr. Spaeth said that in his professional opinion that the proposed solar farm will not materially endanger public health or safety. Attorney Forbes asked have they properly adverted from all waterways. Mr. Spaeth said the solar farm is not disturbing any surrounding land, and the electrical wires will go underground at the farm field and before the stream to reemerge to an overhead pole and span across the stream. Ms. Spaeth explained that grass would be planted throughout the field to take care of any erosion issues.

Mr. Richard Kirkland, licensed NC real estate appraiser, owner of Kirkland appraisal, addressed the Board on the property site value. Mr. Kirkland stated that he has looked at over 400-solar farm within the state of NC and surround. Mr. Kirkland stated that the proposed property is a typical location

and is in a remote and farther off the road, with existing landscaping around it. Mr. Kirkland said the closest home to this property is over (1100) eleven hundred feet away, compared to other properties that have been only 150-250 feet away. Mr. Kirkland noted he did an Impact Study for the proposed solar farm and rendered his opinion; the proposed solar farm will have no impact on the adjoining property values. Commissioner Sims asked Mr. Kirkland if he was being paid by the solar farm to make this testimony, Mr. Kirkland answered in the affirmative that he has been hired by Solar Stata. Mr. Kirkland added that he is regulated by the Uniform Standings of Professional Appraisals Practice, which comes along with and specific ethics clause that says they cannot be hired to provide a predetermined opinion of value and all of his testimony is supported with data, therefore his opinion cannot be bought without ethical and licensure ramifications.

Ashton Smith, a professional civil engineer, with Ballantine Associates appeared before the Board. Mr. Smith stated he has worked with over (300) three hundred solar farms across North Carolina, South Carolina, and Virginia, and with other solar developers. Mr. Smith stated he has been a professional engineer for eight years, and when he does decommissioning estimates, they reach out to several different contractors, use Kelly Bluebook, and other available resources to come up with the best numbers they feel will fit the circumstances. Mr. Smith stated this is considered the present value cost today, but admits that he does not know the cost 30 years from today. Mr. Smith stated the amount is based off the wire, the weight generated from the farm when removed, multiplied the exchange rate. Mr. Smith also mentioned that there are companies that will come and pay to decommission the solar farm; in exchange, they keep the materials.

Brett Taylor Hanna, Attorney at Nelson Mullins, appeared before the Board and stated that he has been to war twice to keep the cost of fossil fuels down for the United States, and feels very strongly that renewable energy sources should be used, encouraged, and should be developed to the extent possible. Mr. Hanna said this is not a hazard for air navigation, the panels are not going to cause glare, and it will not cause problems landing on runway 34. Mr. Hanna further stated that he thinks this is a project the Board should support; it is good for the country and for what needs to be done.

Sam Judd, Development Manager with Strata Solar, appeared before the Board to discuss the bond. Mr. Judd stated he along with others have built

120 solar farms across the North Carolina, and only have two decommissioning bonds; noting that they are not very common and both of those were calculated based on the cost of the decommission the farm minus the salvage value, yielding a net surplus, the salvage value outweighs the cost of cleaning everything up. Mr. Judd said that the proposed bond is fifteen percent of the cost of the farm to build and fifteen percent of the cost of the real estate on which the farm is located; it calculates to be over three million dollars (real estate and project). Mr. Judd stated the bond would be approximately (600,000), before salvage. Mr. Judd said that the offered bond was purely the cost/restore in the decommissioning estimate, \$172,719.60, plus fifteen percent of the value of land were the solar farm sits, \$8,000, totaling \$181,624.65. Mr. Judd stated that the farm has guaranteed revenue, with a fifteen-year power purchase agreement from Duke Energy. Mr. Judd told the Board that bonds are renewed every year, the salvage value of things also is renewed and thirty years from now, you would have the correct salvage value based on that time period.

Ms. Trahos stated to the Board that they have met all the required findings and facts with the information provided, and have approved similar facilities.

Ms. Trahos asked Mr. Newton about his discussions concerning the US Army Corps of Engineers' report. Mr. Newton replied he was told that it should not hold up the approval, and it seemed to him as if it was not a significant part and was told there were several applications from other counties. Mr. Newton said this report was important because he read somethings that they had marked on the last report, which stated there maybe additional studies needed, and could not say if it would not be a part of this report. Ms. Trahos asked Mr. Newton does he have any expertise in environmental analysis, or civil engineering, Mr. Newton responded by saying he has the resources to get this information. Ms. Trahos asked Mr. Newton if he has any experience in decommissioning of solar farms, Mr. Newton answered no, but does have experience in taxing and computing figures, determining value, etc. Mr. Newton suggested that Ms. Trahos go back and read the requirements for a conditional use permit, stating that this information should have been presented to the planner, prior to going to the Board.

Chairman Baucom opened floor for any additional questions and/or comments, with no response from the audience.

Commissioner Sims made a motion to close the public hearing for Strata Solar IV, seconded by Commissioner Woodburn. Attorney Forbes made sure the Board feels they have all the evidence needed to make a decision, then the motion carried unanimously

Commissioner Woodburn made a motion to approve a conditional use permit for construction of Solar Strata IV, located at 130 Mockingbird Hill Lane, Wadesboro, NC, with the stipulation that occupancy not be started until all conditions of Anson County Ordinance is met and that the bonding be updated every year for decommissioning to cover the cost with no shortfall, seconded by Commissioner Sturdivant, motion carried unanimously.

*Chairman Baucom asked for a break and the Board accommodated.

Public Addresses:

Tim Watkins appeared before the Board to request the use of the (old) hospital parking lot for a food truck. Mr. Watkins stated he is starting his own business, a mobile food truck. Chairman Baucom said the Board will take it under advisement and the County Attorney will work on an agreement between Mr. Watkins and the County.

Commissioner Vancine Sturdivant introduced Ms. Tammy Moore to the Board as a new member of the Clerk's planning committee. Commissioner Sturdivant presented Ms. Moore with a gift of appreciation.

Appearances:

Lula Jackson, Anson County Department of Social Services Director, and **Dan Mace of Moseley Architects** presented a PowerPoint and update to the Board on the architectural design for the new Social Services building, to be located on Anson High School Road. Mr. Mace discussed the building design, detailing safety and security, parking and site considerations, secure office configurations, highlighting children services department needs, and conference/training rooms. Mr. Mace presented a schematic floor plan, design progress images, and a project schedule. The Board discussed with Mr. Lawrence Gatewood the actual building site and its location, noting that approximately forty acres is Anson County property, and approximately fifteen acres, was separated

and deeded to the Board of Education about 12-15 years ago (2001). Ms. Mace pointed out an access road that could be continued for future county developments. Mr. Mace said the next two phrases, prior to bid will be the design development phrase and construction document phrase.

Mr. Gatewood shared with the Board that this project is expected to cost five to five and half million dollars; NC Department of Health and Human Services have committed to funding 55% of the cost of the project.

Anson County Superintendent Michael Freeman and Board of Education Chairman George Truman shared their concerns with Board about the site of the new middle school, noting it may conflict with the county. Vice-Chair Streater noted that in previous Boards, the property in discussion was divided up and the School Board approved. Mr. Freeman shared the School Board does not want to be in a landlocked situation. Chairman Baucom suggested a task force between the Board of Commissioners and the School Board to discuss and rectify issues and concerns.

Scott Rowell, Anson County ACTS Director, presented the fiscal year 2019 Certifications and assurances, that coincides with the fiscal year 19 5311CT application approved on October 3, 2017. Motion by Commissioner Sturdivant to approve, seconded by Commissioner Woodburn, motion carried unanimously.

Mr. Rowell presented to the Board ACTS Zero Tolerance DRUG and ALCOHOL TESTING Policy. Commissioner Sims moved to approve, seconded by Commissioner Sturdivant, motion carried unanimously.

Victoria Whitt, CEO of Sandhills Center, presented the Sandhill Center request for county general funding and a program update. Ms. Whitt thanked the Board for allowing Vice-Chair Streater to serve on the Sandhill Center Board. Ms. Whitt requested fifty-five thousand (\$55,000) dollars, the amount that the county has provided for the last thirteen years, reminding the Board that the funding stays in Anson County to support of the Outpatient Crisis Center on Old Lilesville Rd. in Wadesboro. Ms. Whitt highlighted several programs and training that are provided by Sandhills Center. Chairman Baucom thanked Ms. Whitt for all they do in Anson County. Commissioner Woodburn made a motion to approve the Sandhill Center budget request, seconded by Commissioner Sturdivant, motion carried unanimously.

Aimee Colf, Anson County Interim Cooperative Extension Director, introduced Aaron Moore, Anson County Extension new hire. Mr. Moore is an area specialized agent for farm management and will be working in Anson, Union, and Stanly counties. Mr. Moore expressed to the Board that his goal is to work with farmers with limited resources and minorities.

Ms. Colf stated that the interviews for Cooperative Extension Director will be on April 16, and has sent invitations to the Board, inviting them to attend.

Ms. Colf gave an update on the Agri-Civic Center, noting the Board had a lot of issues and concerns. Mr. Lookabill and the Board discussed several discrepancies and miscommunications with pricing and fees from HH Architectural Firm, the firm in charge of designing the Agri-Civic Center. All parties involved agreed to discuss the matter on a future date to iron out the issues.

Ms. Colf invited the Board to have their October 8, 2018, Board meeting at the Anson Cooperative Extension Office, for the “Report to the People”. Commissioner Sims moved to approve changing the October 8, meeting location to the Cooperative Extension Office, seconded by Commissioner Woodburn, motion carried unanimously.

Appointments:

Commissioner Sims moved to re-appoint Frank Richardson to the ABC Board, seconded by Commissioner Sturdivant. Motion carried unanimously.

Consent Agenda:

Vice-Chair Streater made a motion to approve the consent agenda as follows: board minutes, property tax releases/refunds/adjustments, two Health Department budget amendments, Cooperative Extension budget amendment, two public schools amendments, and an animal shelter amendment, seconded by Commissioner Sturdivant. Motion carried unanimously.

Commissioner Sikes made a motion to recess until Tuesday, April 10, 2018, 6:15pm seconded by Commissioner Woodburn, motion carried unanimously.

Respectfully submitted:

Denise Cannon
Clerk to the Board