

MINUTES
REGULAR SCHEDULED MEETING OF THE BOARD OF COMMISSIONERS
OF EDGECOMBE COUNTY
JANUARY 7, 2019 AT 7:00 P.M.
IN THE COMMISSIONERS' ROOM, COUNTY ADMINISTRATIVE BUILDING
TARBORO, NORTH CAROLINA

1. MEETING CALLED TO ORDER BY CHAIRMAN LEONARD WIGGINS AT 7:00 P.M.

MEMBERS PRESENT: Mr. Leonard Wiggins, Chairman, Mr. Donald Boswell, Rev. E. Wayne Hines, Mrs. Viola Harris, Mr. William Wooten and Mrs. Evelyn Powell.

MEMBERS ABSENT: Mr. Jonathan Felton, Vice-Chairman.

OTHERS PRESENT: Mr. Eric Evans, County Manager, Mr. Michael Peters, County Attorney, and Ms. Frankie Mungo, Clerk to the Board.

2. PRAYER.

Rev. Hines provided the prayer.

3. MINUTES OF PREVIOUS MEETINGS PRESENTED FOR APPROVAL.

Mr. Wooten moved to approve the minutes of the December 3, 2018 as presented. Rev. Hines seconded the motion, which carried by unanimous vote.

4. PUBLIC HEARING.

1. Mr. Wiggins called a public hearing (Quasi-Judicial Hearing) in order to receive citizen comments or questions relative to a proposed Special Use Permit request from SunEnergy1, LLC for the construction of a solar energy system.

Mr. Peters read the notice as published.

Mr. Wiggins directed parties wishing to testify to come forward and state their name and address before being sworn in.

- Linda Nwadike, 192 Raceway Drive, Morrisville
- Avery Strickland, 1575 Harts Mill Run Road, Tarboro
- Albert Proctor, 2749 Harts Mill Run Road, Tarboro
- Randy Killebrew, 3810 Harts Mill Run Road, Tarboro
- John Killebrew, 3886 Harts Mill Run Road, Tarboro
- Bill Clark, 1007 St. Andrew Street, Tarboro
- Amanda Abrams Keel, 119 Whichard Lane, Tarboro
- Isaac Panzarella, 232 Lascox Street, Raleigh
- David Lee Dickens, 752 Eagles Terrace, Rocky Mount
- Yvonne Cancino, 3848 Virgil Blvd., Rocky Mount
- Georgia Strickland, 1575 Harts Mill Run Road, Tarboro
- Brian Kennedy, 192 Raceway Drive, Morrisville
- Kenny Habul, 898 Lexington Drive, Greenville
- Hunter Quincey, 3160 Harts Mill Run Road, Tarboro
- Buddy Pittman, 414 Mark Lane, Tarboro
- Ashley Taylor, 1342 Raccoon Branch Road, Tarboro
- Richard Kirkland, 9408 North Field Road, Raleigh
- Janice West, 1557 Harts Mill Run Road, Tarboro
- Roger Sauerborn, 5246 US 258 South, Tarboro

Ms. Mungo administered the oath.

Mr. Evans stated that SunEnergy Systems has a Special Use Permit (SUP) submitted for a proposed solar energy project. It will be 1,471 acres located along and in the vicinity of Harts Mill Run Road. The SUP has been reviewed by the Planning Board at their last meeting and forwarded with a favorable recommendation. The Board of Commissioners call for, and proper notice has been given for a public hearing to be held at tonight's meeting. A summary of the related County ordinances is included in the Board's packets. This describes the SUP application process, your authority in hearing an SUP request, and the standard by which you are to weigh that request. Mr. Evans stated that the applicant for the SUP along with those who wish to be heard during the public hearing, both in

favor of and in opposition to the proposed action, must be sworn in. Their comments will be recorded as testimony in this quasi-judicial process. Then the Board may proceed with hearing from those sworn in, starting with the applicant. Once the public hearing is closed, the Board then will consider taking two separate actions. First to determine whether or not the application is complete and complies with all applicable requirements of the ordinance. Secondly, either a motion specifying what requirements it failed to meet, or to approve the SUP. Mr. Evans stated directed to the Board's attention the summary of the Special Use permit Application Process noting under the section about the Public Hearing Requirements after Notice:

Standard: The Board of Commissioners shall approve the requested permit unless it concludes, based upon the information submitted at the hearing, that:

- The requested permit is not within its jurisdiction according to the Table of Permitted Uses; or
- The application is incomplete; or
- If completed as proposed in the application, the development will not comply with one or more requirements of the EC Ordinances.

However, even if the Board finds the application complies with all other provisions of the EC Ordinances, it may still deny the permit if it concludes, based upon the information submitted at the hearing, that if completed as proposed, the development, more probably than not:

- Will materially endanger the public health or safety; or
- Will substantially injure the value of adjoining or abutting property; or
- Will not be in harmony with the area in which it is to be located; or
- Will not be in general conformity with the land development plan or other plans officially adopted by the Board.

Burden: The burden of persuasion on the issue of whether the development, if completed as proposed, will comply with the requirements of the EC Ordinances remains at all times on the applicant. The burden of persuasion on the issue of whether the application should be turned down for any reasons set forth in Section 4-7.5(I) rests on the party or parties urging that the requested permit be denied.

Mr. Evans stated that the Board will hear both parties tonight, starting with the applicant and those that the applicant, those in support and those not in support.

Mr. Wiggins called for testimony from interested parties.

Ms. Linda Nwadike (applicant), (Sworn) with SunEnergy1: SunEnergy 1 is one of the top five solar developers in the Country. We have an office close by in Bethel, North Carolina. We have been in the area for over 4 or 5 years. We built Conetoe, which is right in you guys' back yard. Conetoe is now owned by Duke Energy. So we have been in the area for a while, just giving a little history about us. The project that we are proposing to construct is Harts Mill Solar Project and I want to to a quick overview of the project. Presented a map. Harts Mill Solar Project is a 120 megawatt site located off of Harts Mill Run Road and Noble Hill, across the street from Highway 46. This project has been going on for over four years now. We held pre-application meetings with the County's Planning Department and have held two previous committee meetings on what we proposed to do in the area. The last one was held in 2017. We have worked with various State, federal and local agencies in regards to getting permits and making sure our due diligence is done in the County. So let me talk about the Edgecombe County Ordinances and how we will meet it in terms of this project. Edgecombe County has a solar ordinance, as you all know, which is permissible in all zoning districts in the County. And one of the things you can see on the map is your set back requirements of the ordinance. So we are making sure that we meet the setbacks. Your ordinance actually have a map that shows the zoning districts and what we are supposed to meet and for SunEnergy1 we are going above and beyond that. Instead of the 100 feet set back from any equipment to the property line, we are actually doing 100 feet setback from our fence line to our property line. As you can see on the maps there is a higher setbacks, some of them are more than 375 feet away from the properties. In addition to that, if it is not residential we are going to put up 50 feet setbacks all around the areas. So that is what we are proposing. In addition to that, as has been mentioned, you guys require a vegetative buffer of 18 inches in height at installation. We are actually going ahead a put in 72 inches all around that so we are going way above and beyond that. As mentioned previously, there was a Planning Board meeting, we had some committee members come to that Planning Board meeting with concerns about visualization of the solar facility

from their property. In regards to that I actually personally met and called all of the personnel that had comments and met up with them on the 2nd of this year and proposed all the new items in regards to 1) the setbacks and 2) the vegetative buffer. In regards to the County's ordinance we will be well below the 25 feet requirement you guys have with a height for the panels at eight feet in height. We also provided the decommissioning analysis the County requires, which is part of your ordinance. We performed a FEA analysis as well, and nothing is required in that area because we are far away from the airport. As you know solar is very (inaudible) resistance. It doesn't require school or anything of that nature. However, there is economic benefits for a facility like this to be built in the County. Such as increase in annual taxes, 1200 positions and the construction will last about two years. There will be increase profit margin for little businesses, such as hotels and restaurants, gas stations, construction related industries. We like to hire locally and we like to utilize local vendors to obtain materials whenever applicable. In addition to that we do train the employees who are not qualified so they can come work for us. What we usually do is have a career fair locally so we can get employees that way. You can tell on our drawings, we have a substation. We are the ones paying for that to operate on us not on the County. We have been in the County for a while and we have been doing work in this County and business have kind of gained from us being here. In addition to that I would like to also request, your permit last for six months and I kindly would like to request that you guys can give an extension on that because, as you know, for a solar facility it's a long duration in regards to doing all the due diligence required. The only thing we would like to request is an extension on your permit duration at this time.

Mr. Wiggins: When and how should we handle that request?

Mr. Evans: We will need some time to research that. That is the first I am hearing about this is tonight.

Ms. Nwadike: Additionally there are four things that the commissioners need to look into prior to making a decision. The first item: Will the project naturally endanger the public health? The answer to that is no. Solar technology has been around since the 1950s. The second question: Will the project substantially injure the value of adjoining or abutting property? The answer to that is no as well. Various studies have been made where appraisers have gone out and look at where solar facilities have been built before and after to see if there has been any variation in prices around. Example: The project we did in Chowan County after the solar facility was built the house cost more than what it was previously before the construction of that facility. We do have an appraiser here today and he can talk about that. Next questions: Will the project be in harmony in the area it is to be located. And the answer is yes, because the proposal will be in the agricultural area and what we are proposing is to put up trees and what the people will be seeing is the trees. The fourth question: Will the project be in general conformity with the land development plan or plans officially adopted by the Board of Commissioners? And again, the answer to that is yes. As you guys know, you have a solar ordinance in place and there has been various solar facilities built in the County as well. So with that I want to go over the requirements that changes that we have made so you guys can take a look at (pointing at a map) this is the property that we are talking about. That is our property line. The blue line is the fence line. With your requirements for your ordinance. We are actually supposed to go from the equipment, which is the panels, 100 feet to a house. We are going above and beyond because we ahead a put to our fence to the property line. You can measure from the equipment to the house, which 132 feet away from the property. In addition to that your ordinance requires plants of 18 inches, which is an evergreen, which is what your ordinance requires. What we are actually doing is 72 inches, which is 6 feet high, which can grow up to 25 feet. If you look at this map, this line, those are were our vegetative buffers will be. For instance, this property owner, I spoke to him, he had an issue in regards to visualization. So we decided to put trees in this area. With this property we did the same thing going all around so they are not directly seeing it from their property.

Mr. Wiggins: In terms of what you negotiated with the petitioners, the opposition there, has that commitment been made to the County in terms of what you are asking for. Is that something you have agreed to do?

Ms. Nwadike: Because it goes beyond what the County requires, yes it has been made. I spoke with Mrs. Jenkins.

Mr. Wiggins: Is it part of this request?

Ms. Nwadike: Yes, it is part of this request.

Mr. Evans: What we will assume is that your most recent submittal, which is this. (holds up map distributed before the meeting). If this is approved this will be attached to their special use permit.

Mr. Wiggins: there is nothing that we lead to an agreement with the land owner. Everything that's being requested needs to be a part of...

Ms. Nwadike: That's correct. So again, these are the ways that we went beyond and above. For instance, this map right here, down below is a vegetative buffer for Edgecombe County. This is a 6 feet fence and the one foot topper, the bob wire and if you look at this map you can see the 18 inches required as the vegetative buffer. What we are proposing to especially for residential properties is this one up there, as you can see the difference in the view. Behind the trees you can see the fence and these trees can grow up to 25 feet. This is what we are proposing right now for those properties and this is what I spoke to the land owners about the 2nd of this year. So, I am here, I have colleagues here as well, who will make comments. If you guys have any questions please don't hesitate to ask us. We're here to answer any questions.

Mr. Wooten: What is the total investment?

Ms. Nwadike: I actually would like for our owner to go over that with you guys. Kenny Habul, is that okay.

Mr. Wooten: Yes ma'am.

Mr. Boswell: I have a more basic questions. I read the report from the Planning Board and somewhere it infers that there are three difference maps. My question to you is this the most current map and is it correct in terms of wetlands, properties, the placement of the solar panels and everything.

Ms. Nwadike: Yes. This is the latest map.

Mr. Kenny Habul, Owner (Sworn): Thank you. It's a pleasure to be here. As you know, our main headquarters is very close to where we are tonight. We appreciate the time you are giving us. We thank you very much over the years. I believe we bought that facility 2013 and we had somewhere in the range of 30 employees and now we have several hundred. A lot of those employees are have come from this County. We are very thankful for that and we have worked very hard, seven days a week, over the past six years to continue building solar and to continue building transmission solar. So I thank you very much for your time. Just to talk a little bit about the size of the system, which is similar to the one that we built here in Conetoe. We don't have a final size yet, pending indicantion results. We do have good indicantion study results for that location and that transmission line. All the other various government agencies that we are required to go through have been positive in terms of the CPCN and things required by the North Carolina Utility Commission. These projects generally are taking a little bit longer to build than we think so we estimate two years and approximately 1200 to 1500 jobs for two years. We had a project not far from here in Aulander that's a similar size project and we are finding those number to be typically accurate and also finding after the project is being commissioned that we are requiring more full time personnel than realized. And you know these systems are connecting to transmissions are very new in the United States so as time goes on we found more information and certainly need more permanent employees for the maintenance of the grounds and electrical components which is also a benefit. In terms of values pending final design, my estimate would be about \$250 million and 80% property tax abatement, somewhere in the vicinity of \$50 million tax base to the County. The latest estimates would put us at approximately 30 to 40 full time jobs permanently that we would add to the force of this particular project in addition to temporary jobs. The other thing we noticed as we sort of build in Eastern North Carolina, we're the biggest builder in North Carolina, thankfully North Carolina is number 2 in the United States for solar capacity and most of that in the east here in Dominion territory and I think we have built about 1/3 of all solar. We are finding that when we come into a town that we need tremendous local support. So for example, the project in Aulander currently we have filled four different hotels permanently, meaning

for the two year duration of the project. We've also kept three to four different restaurants busy providing meals. We have utilized all the local mechanical supplies from machinery servicing. We have 250 Chevy Colorados on site at that project and they require servicing and we are buying everything for those locally. We are buying upwards of 5000 to 8000 gallons of fuel per day locally. All of these people that are moving in require services from hardware stores, restaurants to everything else you can think of. So, that's something to mention. Please ask me any questions you may have. We are fans of Edgecombe County. We have always supported in many, many ways, not just this County but other counties. We are not the sort of company that builds and just disappears. We stay here and we help. We certainly provide lots of assistance for local needs and will continue to do that because we care about the places where we build. So please feel free to ask me any questions.

Mr. Wiggins: Is there anyone else wishing to speak?

Mr. Richard Kirkland, State Certified General Appraiser and MAI Appraiser (Sworn): I've got an Impact Analysis Study I was asked to prepare on this project (provided copies to the Board). I appraise agriculture properties regularly for my business. I appraise residential developments, commercial and agriculture as well for Impact Analysis. I have done a lot of different studies to see if the proposed use is going to have any impact on property values. We have had solid waste facilities, waste water treatment plants, greenways, rock quarries and in this case solar farms. I have been looking at the solar farm question for the last nine years and in that time I have looked at over 500 solar farms, mostly across the State of North Carolina. I have looked at those in about a dozen states as well. Worked with about a dozen other MAIs across the country in compiling data on solar farms and looking at sales of properties next to existing and proposed solar farms. You can see where I have identified all of the adjoining uses, how close the adjoining homes are to the solar panels. I have compared that to where I have looked at other 500 and some odd solar farms compared to see how that relates. In the process of compiling all of this data I found, in specifically to the harmony of use questions, I found that it has been a very consistent across North Carolina, whether I look at Eastern North Carolina, the Piedmont Mountains, or if I look at the whole you see the same pattern as a whole. The primary uses are agriculture residential. I looked at the adjoining uses based on the number of acres adjoining. The most common adjoining uses are agricultural. I looked at the number of parcels. The common adjoining uses are residential. Even when I look in the immediate area I identified 29 different solar farms in Edgecombe County and adjoining counties and again they show that same predominance where about 94%, all the adjoining uses are agricultural and residential. In proximity to adjoining homes, actually it is a lot closer than these other solar farm developments as proposed to this location. So, this is a very consistent land use. It is typical where they will be located and typical as far as the surrounding uses. Speaking specifically to impact on property values, the way you look at that is called paired sales analysis, or a matched pair analysis. You look at something that is sold next to a solar farm and you compare it to something that is very similar or identical that is not next to a solar farm and measure for the impact. In that report I have included a number of sales in Eastern North Carolina including a project in Edgecombe County showing matched pairs that show consistently no impact on adjoining property values. Looked at projects similar, 75 and higher megawatts, regular sized projects as this one, and some that stretched outside of Eastern North Carolina are included in the report. I will be happy to go over specific details. I am just hitting highlights. The data is showing consistently that there is no impact on adjoining residential uses and I have also looked at adjoining farm sales. There is no impact on adjoining farm sales. Again, your data is presented in there. I would be happy to go over specific examples and details if you need to. But it is my professional opinion that the project that is proposed will have no impact on adjoining property values. It is also my professional opinion that this is a harmonious location for a solar farm consistent with solar farms located across all of North Carolina. I will be happy to answer any questions.

Mr. Wiggins: Any questions from Mr. Kirkland?

Mr. Boswell: I have one question. I know I read the analysis of your report. My question is kind of a grass roots question. Even though it doesn't affect the value of the property or the land, is there any data that shows any situation where it prohibited or slowed down, or didn't sale because of solar farms.

Mr. Kirkland: Specifically, I'll sight you specific examples. At AMS Solar Farms in

Goldsboro, this is really a text book example and all the data is included in that report. The reason I say it is text book is one, there was an ongoing subdivision that was started before the solar farm came in and the solar farm got developed and built and then new homes continued being built. The first thing to note is that the homes that were built after the solar farm was put in were actually larger and more expensive. I spoke with the developers as far as how quickly they sold out those lots. They sold out the lots and inventory the same time they were originally expected. The other point out there is that the matched pairs sold for the exact price regardless if they adjoined a solar farm or not adjoining a solar farm. Then there was a sale and resale of the exact same property, which was bought from the builder by the homeowner. They lived there for three years, three years later they sold it, it showed typically appreciation, so it sold for more after three years, but at a rate consistent to what you would expect whether there is a solar farm there or not. All the dimensions of value that you can really look at, whether it's the initial impact on value, how quickly it sold and appreciation, all are showing no impact in that one example

Mr. Boswell: Thank you.

Mr. Wiggins: Any other questions for Mr. Kirkland? Thank you sir.

Mrs. Harris: I have a question? Is the owner of the property here?

Ms. Nwadike: Yes. A couple of them are here.

Mr. Bill Clark (Sworn): My family represents the land that is north of Highway 64. Like a lot of people here, we've been here for a lot of generations. This project was bought to me, the idea of it, four plus years ago. We don't do anything lightly. We've been here, we've been trying to be good citizens of the County. I did my due diligence into, not only this company (solar), because we do own some farm land around there. Did my due diligence and came to the conclusion that, for my family, our family discussion, that it was a good thing for us. And so we are, we believe in property rights. We believe that if you buy all the stuff, you ought to be able to do what you want to with your land. I think most everybody here that owns property, when they talk about their property they would agree. But most of all I want to speak on that I'm in favor of Edgecombe County. At the Planning meeting there were a few comments made like us versus them, the citizens versus the County and I just don't see it that way. This County is, you all know this better than I do, it's a challenge to, relatively, it's a wonderful place, but it's a relatively poor place. We have a tax base issue and we have a tax rate issue as well. You guys have done a wonderful job working that in the opposite direction. This project, solar energy, which does not, we've spoken of earlier, no crime rate comes with it, no additional demand on schools. All that kind of stuff. It doesn't pollute. I consider myself a steward and I have been of this land. It's not an easy decision for us to make but it is a net winner for the County. It gives and doesn't take from that perspective. That's why I hope the Commissioners will do like they have in the past and continue support this for the County's sake.

Mr. Boswell: Can I ask one question to Mr. Clark?

Mr. Wiggins: Go ahead.

Mr. Boswell: When the owners, who are here, come up here will you tell us what portion or percentage you own and what's being developed, just a guess.

Mr. Clark: My family owns that north (pointing to map) and I guess by looking at that map that's maybe half, maybe a little bit more.

Hunter Quincey (Sworn): I am here with my brother Stacey and my father Tommy. We own about a third of the land, what is south of 64 and we farm together. I've farmed my whole life. Our sole income comes from agriculture. Everything we do. Our employees, it's all agriculture. We grow crops and nothing else. About four ½ years ago we started the process of looking outside income to stabilize our business. Agriculture requires rain at the right time. Commodity prices have to be right. It's a lot and it's a yearly process for turnover. Two or three bad years is detrimental for us. Farmers are going out fairly quickly. We can make it two to three years, five to seven years probably but ten years long term next generation, we have to have some outside income to continue to work the fields. I understand the concern about the view of what our land will look like after it

gets approved. I've been raised on this land, I understand. It surrounds my house on three sides, but I just wanted you to understand why. We are looking for security and feel like this will provide what we need.

Amanda Abrams Keel (Sworn): I work for SunEnergy and I am also a resident of Edgecombe County. I have worked with them for about 3 ½ years, almost 4 years. It is a wonderful company. We employ a lot of people and I deal with a lot of those people one on one every day. I was born and bred in Abrams. My cousin and my family are here with Abrams. We use them a lot in Edgecombe County. Like Linda said, we do like to support local always. In the Bethel office, which is where I work, I order a lot of fuel and those kinds of things and we order from as close to that site as possible. Whether it's food, whether it's gas and we try to hire local. I just hope that you guys will support it. Again, I am an Edgecombe County resident. This project is going to be amazing. The company I work for is amazing and I just hope you'll stand behind us.

Mr. Wiggins: Anybody else?

Mr. David Dickens (Sworn): I use to live in Edgecombe County. I would like to say I have been in solar for seven years. It will boost the economy here with all the employees. It will bring revenue for all of the restaurants and different items you need in this County. I must say for me and my family, I could not survive without solar. It is a great thing to be employed with SunEnergy. As far as wage increases, some of the best wages it will bring to this County for unemployed people. I stand in favor of this company.

Ms. Yvonne Cancino (Sworn): I am also a SunEnergy1 employee. I have been in solar for about 5 years. I've been in this area for about 3 years. Solar brought me here and I stayed here. I know a lot of the people in the County, surrounding counties. Solar is kind of like a community. When we go from one project to the next project and we also bring in the local help and we teach them a trade. Something that they can be proud of and be a part of and they stick with us. I can't live without solar. That's my craft. That's what I use to support my family. That's what a lot of the other people in the area can do as well. I am very much in favor of solar.

Mr. Buddy Pittman (Sworn): I work for South Eastern Electrical Wholesalers in Scotland Neck. We supply them with a lot and they are good people. I've lived in Edgecombe County all of my life. I you ride and notice the other solar farms are nicely neat and kept up. It's just an ongoing thing. We need it very much.

Mr. Albert Proctor (Sworn): I am for it. I want everybody to know that. I've been there for 41 years and plan to stay there the rest of my life. So do what you have to do.

Mr. Wiggins: Is there anybody else here to speak for or against?

Mr. Avery Strickland (Sworn): I am against it and I've been out there for 43 years and I think it is going to be a detriment to the community. The letter says it was no harmful chemicals in the solar panels. My nephew looked it up on Google. There are five harmful chemicals in those panels. It's got cadmium. It's got lead. Three or four more I can't pronounce the names of. You said you can take it back to the landfill when they decommission them. I don't think so and I am dead set against it. I'm surrounded on three sides by it and I don't want to get up in the morning looking at those things. I am against it.

Mr. Wiggins: Any questions?

Mr. Boswell: I got one Mr. Chairman. For the benefit of everybody. I received quite a few questions about this and did the first time. A lot of questions about the physical impact, but one of the biggest questions it seems to recur, if somebody would address it, is at the end of the lease, decommissioning the equipment, what will happen. Who is responsible? What can or can't be done to be sure it's not left there.

Mr. Evans: The ordinance does require in their submission that they have a decommission plan. They have to number 1. Either provide a bond that would cover the required decommissioning, or give evidence that there will be value left sufficient, salvageable value in it, so that it can be decommissioned. He (Mr. Habul) may be able to give you more details about the process itself.

Mr. Boswell: And the one thing I would add that if you are going to address this, let's say if the company goes broke, what happens.

Mr. Habul: In response to the gentleman's comment previously that poisons or substances, what was mentioned was (?), gallium and there is other chemicals that has nothing to do with the solar panels we use. That technology is called thin film. We don't use thin film. These are multi crystal panels made from sand. You can break the panel, break the seal and put it in your mouth. There's absolutely no poison, no harm. He is correct on the chemicals, but that's another technology and that's called thin film solar. Those companies that manufacture that will also tell you that that's not poisonous. I don't know, we don't use those. But the ones we use are the most common. My countertop at home is made from solar panels and my children eat directly off the countertop. Let's talk about decommissioning. It's a moving target. We don't know how long the panels last, but what we are finding the latest research is showing 35 years old. There are some panels that are made by BP Oil and they are between 30 and 40 years old and we're finding they are at 88% of their efficiency. So we don't see this as something that needs to be pulled out and rectified or cleaned up. The other thing I will say is, if for some reason a company like ours, or a utility, 95% are owned by utilities so they are protected under federal law. There are millions and millions of dollars of copper in the system. So believe me if somebody locked the gate and went away, there's a lot more value there than in the land underneath it. So, we have never in 22 years of building solar, for me personally, I have never seen an abandoned solar system anywhere in the world. I have never seen that because the value is too great. They produce live energy. It would be impossible for that to happen in terms of research.

Mr. Wiggins: I believe the ordinance says bond or negotiation with the landowner in terms of salvageable value. Is that correct?

Mr. Evans: Right. It becomes between the company and the landowner and their lease agreement, as to the stipulations of that. So, let's say if SunEnergy were to walk away a year from now, then that's a valuable commodity on that landowner's property. But they have to show to us that either they have a bond that will protect the landowner, there will be money, or, in every case we've seen so far is that they show there is salvageable value enough that somebody will come and take it.

Mr. Wiggins: But the salvageable value is between the landowner and the company, but then the landowner is responsible to the County to make sure that the land is cleaned. So, if there is default in that agreement, we go after the landowner. If there is something there that needs to be cleaned up it is the County's responsibility to make sure that it is cleaned. That action would be between the County and the landowner. Am I Correct? Or if I'm not correct me.

Mr. Peters: If they are just leaving it there and it's not serving any purpose, its junk material, then yes sir.

Mr. Wiggins: Is there anybody else here to speak?

Ms. Georgia Strickland (Sworn): I am here to protect my family, not just you. I've lived in that house 40 years. I've worked days, years to pay for what I got and he wants to come put solar panels beside me, in front of me and behind me. Who was the one talking about the property value? Who paid him? Because you can't tell me, and I don't think none of you all believe that, that you can put solar panels all around your house and the value of your property will not go down. I don't believe it and I don't think you all do either. I am here to protect my interest just like he is. Thank you.

Mr. Wiggins: Is there anybody else here to speak?

Mr. John Killebrew (Sworn): I have sort been on this thing since the very beginning I was on the Planning Board when the first proposal from SunEnergy came across. At the time it seemed, and it may still be a good idea. I just got a lot of questions on this. At that time it was presented to the Planning Board as a tax, tax credit was possibly going to be running out. The County needed to act to get the revenue in. I agree with all the comments. We need all the revenue we can get in Edgecombe County. I was a part of welcoming SunEnergy to the County. I still don't have any regrets on that at this point. SunEnergy has met with me, has met with my family. Ms. Nwadike has been great. I do have some concerns. First of all, Mr. Boswell I believe you asked about the map and I

just want to point out that the map shows boundaries, it does not show solar panels I don't believe. They are not positioned on the map. We don't really know from this map where all of the solar panels are going to go. Is that correct, to anyone from SunEnergy.

Mr. Wiggins: Please respond to that, anybody from SunEnergy, because I'm looking at it thinking I am looking at panels.

Mr. Nabul: They are the white areas on the map.

Mr. Killebrew: They are not proposed that we are going to see them exactly like we see them on this map.

Mr. Evans: If there is a change, it can change as long as it does not violate the ordinance itself. If they make changes from here tonight on what they propose, as long as it does not encroach any closer than what set-backs requires.

Mr. Wiggins: Boundaries and set-backs and the buffers, those are the things we are approving. We are necessarily approving how those panels can lay out.

Mr. Killebrew: Second thing, How long can I expect our trees to look like that chart. What's the maturity of these trees. How long will it take for them to look like those in the drawing?

Mr. Evans: The height requirements are 18 inches at planting.

Mr. Killebrew: Maybe this should be a future change to the ordinance. I would like to ask the SunEnergy people a question. Of all the solar farms you built in North Carolina, What percentage do you still own?

Mr. Habul: About half.

Mr. Killebrew: I am not trying to put anybody on the spot. Just want to make sure that we all know what we are going forward with. The other thing that Mr. Wiggins bought up just a minutes ago, was moving forward with this. I approached our Planning Department after their last meeting. I had been told that the trees that had died, they had written to Duke Power requesting that they take some action and get those trees planted. The next morning I went to the Planning Department and asked for copies of the letters. Subsequently found out that those letters had not been written and a phone call made. I just want to make sure that in moving forward our Planning Department does have the backing to meet the rules.

Mr. Wooten: Have we had a response from Duke Energy and what has been their response, when we requested the replanting of vegetation.

Mr. Evans: They have been very responsive to it. They have not argued against it at all. They've already gone out to take a look at it. I think another thing we need to take a look at, if we make some revisions is not only the requirements for what is planted, but also when it's planted. Because depending on the time of year, they plant it just to say it is done, but it's not the appropriate time. It's not going to live anyway

Mr. Wooten: So it's our understanding that Duke is going to replace what vegetation that may not be living. Just an estimate, are we talking what percent of vegetation at Conetoe's Duke Energy site that may not be living today.

Mrs. Cynthia Jones, Planning Director: Based upon my site visit, I am not a landscape architect, but visually, most of that vegetation is not living.

Mr. Wooten: So they will have to go back and replace the majority of it.

Mrs. Jones: Yes. They have indicated to us that there is a plan set to replant the entire site as well as that first site on Conetoe 1. They have already put in new vegetation for that property as well.

Mr. James Mendinghall, Representing Duke Energy: (Ms. Mungo administered the oath): I was invited by Cynthia Jones to represent Duke and talk about our plans and our actions for the vegetation buffers at the sites in Edgecombe County. Just a quick

history: On August 30, 2018, Cynthia from the Planning Department contacted Duke with some concerns about the vegetation buffers around the Tarboro and the Conetoe sites and brought it to our attention that the buffer was out of standard. She gave us a copy of both the ordinance and the special permit for the Tarboro site. The ordinance states four feet on center along the fence line facing the roads. Tarboro actually had a special permit and they were actually eight feet on center and it specified wax myrtles. We went and investigated the vegetation buffer and we found that all the trees, 100%, were dead. That was August 30th. My actions then were to submit RTA, try to determine the cause of the dead trees were. Request for technical assistance, we were assigned a project manager that came down and contacted Brown's Landscaping. They came and inspected the site and determined that the vegetative buffer was planted in July 2016 and that was the cause of the death of the trees. The wax myrtles are considered a robust evergreen and it was brought to my attention then that they can thrive in wet or dry conditions. By December 7th we had removed and replaced 100% of the evergreens with wax myrtles and brought it to Cynthia's attention that we were trying to maintain compliance with the ordinance. Conetoe, Duke Energy does not own Conetoe 1, we own Conetoe 2. We have taken action on that site as well. We do not have an approved vegetation plan for Conetoe 2. The site went through substantial completion prior to any kind of plan being approved. I talked to Cynthia. There is a vegetation footprint in place in accordance with the ordinance, which is the trees are actually four feet staggered off centered. Conetoe 2 is not as bad as Tarboro was. Conetoe 2.

Mr. Wiggins: Is there anybody else wishing to speak?

Ms. Janice West (Sworn): I want to know about construction and when they come in to do the land and stuff around our houses and mess. Will they clean it up? Like the roads, you know there will be big trucks on the road.

Mr. Habul: Yes, Absolutely. We always have. We do the right thing and we clean up. We place a cash bond with DOT.

There being no further testimonies Mr. Wiggins adjourned the hearing. We place a cash bond with DOT.

Action:

1. Approval that all of the Edgecombe County Unified Development Ordinance standards have been met.

Mr. Wooten moved to approve that the applicant has met all of the Edgecombe County Unified Development Ordinance standards. Mrs. Harris seconded the motion, which carried by unanimous vote.

2. Approval of the issuance of a Special Use Permit.

Mr. Wooten moved to approve the issuance of the Special Use Permit. Rev. Hines seconded the motion, which carried by unanimous vote.

Supporting documents are located in the Edgecombe County Planning Department.

5. SCHEDULED APPOINTMENT.

A. Sheriff Cleo Atkinson provided an update.

Sheriff Atkinson extended an invitation to the Board regarding their first Officer's Academy and he will get a flyer out to the Board.

Sheriff Atkinson stated that the last time he came before the Board I was asked to bring numbers to be reviewed by the Board and the County Manager and hopefully the manual was helpful to them to move forward and to find a solution for the low pay for the Edgecombe County Sheriff's Office. The manual contained possible increases of 2.5%, 5%, 7% and 10%. He stated that he was on board with what was suggested in November meeting about just move all from minimum to medium with regards to years of service at the Sheriff's Office. He stated that his department staff has continued to make him proud to lead them. Their dedication and willingness to work long hours, complete tasks is second to none in this region, if not in the state. Sheriff Atkinson shared stressful moments endured by staff. He stated that due to the three homicides in Rocky Mount within the last three days, they have been requested to partner with Rocky Mount Police Department and Nash County Sheriff's Office. He stated that they do their part to make Edgecombe County proud. He stated that his department's main objective

is to keep the citizens safe.

6. **PUBLIC PETITIONS.**

Rev. Roosevelt Higgs, Speed, stated that he spoke with Mr. Felton on yesterday and he asked that the community pray for him, that he will get stronger because he still has a ways to go. He stated, regarding the Sheriff's Office salaries, if you work at the pleasure of people and they can terminate you, he did not care how much salary you are giving them, if you are living under that threat, something needs to be done to try to give these workers a little bit more comfort than a salary. He stated that years ago if someone had a complaint, they could file their complaint with the County Commissioners but the Personnel Advisory Committee heard the complaint first.

Rev. Higgs left a DVD for the Board to view related to the Town of Princeville and Hurricane Matthew in 2016.

Mr. Curmilus Dancy, 127 Midway Lane, Tarboro, stated that he was floored. He requested that the Board of Commissioners do not allow anyone to come in and attack a Commissioner, especially a woman. He stated that you should not allow a man to stand up here and disrespect a woman on this Board.

7. **OTHER BUSINESS:**

A. **Approval of budget amendments.**

Mrs. Powell moved to approve the budget amendments as presented. Mrs. Harris seconded the motion, which carried by unanimous vote.

B. **Approval of a revision to Planning and Inspection fee schedule.**

Mr. Boswell moved to approve the revision to the Planning and Inspection fee schedule as presented. Mr. Wooten seconded the motion, which carried by unanimous vote.

C. **Approval a Syringe Exchange Program policy.**

Mr. William Johnson, Assistant County Manager/Human Services Director, came forward to provide information on the program. He stated that it comes with a favorable recommendation from the Health Advisory Board and the Human Services Board.

Mr. Wiggins moved to approve the participation in the Syringe Exchange Program. Mrs. Powell seconded the motion, which carried by unanimous vote.

D. **Approval of Bad Debt Write-off for the Health Department.**

Rev. Hines moved to approve the Bad Debt Write-off for the Health Department as recommended by the Human Services Board. Mrs. Harris seconded the motion, which carried by unanimous vote.

E. **Approval of the acceptance of a Recycling Grant for the Solid Waste Department.**

Mr. Wooten moved to approve the acceptance of the grant by adopting the project ordinance and budget amendment as presented. Mrs. Powell seconded the motion, which carried by unanimous vote.

F. **Approval of a request for a Letter of Support for a road extension for Market Center Drive.**

Mr. Evans stated that Ms. Gwenda Moore owns property here in Tarboro that she is marketing for commercial development. The property is behind the SureStay Plus Hotel running parallel to the 64 Bypass exit ramp. Ms. Moore believes that extending Market Center Drive to West St. James Street will make the site more marketable and promote economic development. Ms. Moore is petitioning the NC Department of Transportation to complete the extension of Market Center Drive. She is also requesting the Board provide a letter of support for her efforts. Mr. Evans stated that Ms. Moore was present at the meeting and available to answer any questions the Board may have.

Mr. Wooten moved to approve the request for a letter of support as presented. Mr. Boswell seconded the motion.

Ms. Moore came forth and answered questions from the Board.

The motion carried by unanimous vote.

G. **Approval of a revision to the Nursing Home and Adult Care Home Advisory Committee.**

Mr. Boswell moved to approve the revision to the Nursing Home and Adult Care Home Advisory Committee as presented. Mr. Wooten seconded the motion, which carried by unanimous vote.

H. Approval of the retirement of Canine Cezar and a request for purchase by his handler.
Rev. Hines moved to approve the retirement of Canine Cezar and the request for purchase by his handler. Mr. Boswell seconded the motion, which carried by unanimous vote.

I. Approval of revision of job descriptions for the Water and Sewer Department.
Mr. Boswell moved to approve the revision of job descriptions for the Water and Sewer Department as presented. Mrs. Harris seconded the motion, which carried by unanimous vote.

J. Approval of declaring a home located in Midlakes Mobile Home Park as surplus.
Mrs. Harris moved to declare the home as surplus and authorize staff to sell the home through GovDeals. Mr. Boswell seconded the motion, which carried by unanimous vote.

K. Approval of a grant award from GoldenLeaf Foundation for the Advance Manufacturing Training Center.
Mr. Wooten moved to approve the acceptance of the grant award, project ordinance and budget amendment as presented. Mrs. Powell seconded the motion, which carried by unanimous vote.

8. APPOINTMENTS.

A. Edgecombe County Human Relations Commission.
Mr. Wooten moved to appoint Mrs. Carol Allen White to fill a vacancy. Mrs. Powell seconded the motion, which carried by unanimous vote.

9. PLANNING BOARD REPORT.***Received***

- A. Special Use Permit request.
- B. Other Business.
- C. Minutes of December 17, 2018 meeting.

10. AFTERLISTS AND RELEASES FOR REVIEW AND APPROVAL.

Mr. Boswell moved to approve the afterlists and releases as presented. Mrs. Powell seconded the motion, which carried by unanimous vote.

11. DEPARTMENTAL REPORTS FOR REVIEW.***Received.

- A. Water Services.
- B. Financial Summary Report.
- C. Hurricane recovery update.
- D. Midlakes Relocation Project.

12. MANAGER'S REPORT.***Received***

- A. Workforce Indicators.
- B. Martin Luther King, Jr. celebration schedule.
- C. Recreation Mini-Grant Ceremony:
January 10th at 10:00 a.m.; Auditorium
- D. Proposed retreat date of March 18, 2019.

Mr. Evans provided an explanation regarding the fobs issued to the Board.

13. COMMISSIONERS' REPORT.

Mrs. Harris asked about the status of disaster recovery.

Mr. Evans provided an update.

Mr. Harris presented to the Board a list of legislative goals and asked the Board to look over them and get back with her before the NCACC Legislative Goals conference coming up on Thursday.

14. ATTORNEY'S REPORT.

None.

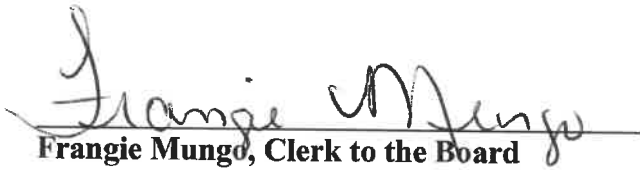
15. CLOSED SESSION.

Rev. Hines moved to go into closed session to discuss economic development and a personnel matter. Mr. Wooten seconded the motion, which carried by unanimous vote.

Mr. Wooten moved to go out of closed session and resume the regular meeting. Rev. Hines seconded the motion, which carried by unanimous vote.

16. MR. WOOTEN MOVED TO ADJOURN THE MEETING UNTIL FEBRUARY 4, 2019. AT 7:00 P.M. MR. BOSWELL SECONDED THE MOTION, WHICH CARRIED BY UNANIMOUS VOTE.

Approve February 4, 2019.


Frankie Mungo, Clerk to the Board