

SPECIAL MEETING HELD JULY 31, 2024 AT 7:00PM

TRUSTEES WILSON, STEIMLE, AND DURBIN AND FISCAL OFFICER KATHY BRANNOCK MET ON JULY 31, 2024 AT 7:00PM REGARDING THE PROPOSED POLICE LEVY RESOLUTION TO PROCEED.

AFTER THE PLEDGE OF ALLIGENCE AND PRAYER LED BY TRUSTEE WILSON THE MEETING WAS CALLED TO ORDER.

MR. WILSON READ THE RESOLUTION TO PROCEED WITH SUBMISSION OF THE QUESTION OF LEVYING A 0.4 MILL TAX IN EXCESS OF THE TEN-MILL LIMITATION FOR THE PURPOSE OF POLICE PROTECTION AND REPEALING RESOLUTION NO. R-07092024 WHICH CONTAINED A SCRIVENER'S ERROR. MR. DURBIN MADE THE MOTION TO ADOPT THE RESOLUTION, 2ND BY MS. STEIMLE. ROLL CALL: MS. STEIMLE, YES, MR. WILSON, YES, MR. DURBIN, YES.

THE TRUSTEES BEGAN THE MEETING REGARDING THE SOLAR ENERGY ZONING REGULATIONS.

MR. WILSON READ THE PUBLIC PARTICIPATION POLICY. THERE WILL A 5 MINUTE TIME LIMIT.

MR. WILSON ACKNOWLEDGED MS. STEIMLE FOR FINE TUNING THE SOLAR REGULATION AND ASKED HER TO EXPLAIN THE REGULATION. SHE STATED THAT THE SOLAR REGULATION ADDS AMENDMENTS TO THE CURRENT ZONING CODE TO ADDRESS SOLAR IN A WAY THAT IS FAIR TO EVERYONE. THE PROCESS TOOK A LONG TIME. AFTER BEING APPROVE BY THE CLERMONT COUNTY PLANNING COMMISSION THE REGULATION WAS SUBMITTED TO THE TATE TOWNSHIP ZONING COMMISSION FOR THEIR DECISION ON JULY 10, 2024. THE ZONING COMMISSION RECOMMENDED TO ADOPT THE REGULATION. NOW THE TATE TOWNSHIP TRUSTEES WILL DECIDE TO ADOPT, MODIFY OR REJECT THE AMENDMENT.

THE REGULATION ADDRESSES SINGLE POINT OF USE SUCH AS ELECTRIC FENCING, RESIDENTIAL OR PRIVATE ENERGY USE SUCH AS UTILITY PANELS TO PRODUCE

ENERGY AND SELLING EXCESS BACK INTO THE GRID. SOLAR ENERGY LESS THAN 50 MEGAWATTS IS COVERED BY THIS AMENDMENT.

MR. WILSON MADE A MOTION TO WAIVE THE 5 MINUTE PUBLIC PARTICIPATION RULE. MS. STEIMLE 2ND THE MOTION. ROLL CALL: MS. STEIMLE, YES, MR. WILSON, YES, MR. DURBIN, YES.

LYNN BUEDE SUGGESTED THAT THE DEPOSIT SHOULD BE LARGER FOR THE DECOMMISSIONING BOND. AS OF NOW ARIZONA IS THE ONLY STATE THAT ACCEPTS OLD PANELS. MS. STEIMLE RESPONDED THAT THE REGULATON ADDRESSES THAT ISSUE ON PAGE 16, SECTION E. THE AMOUNT IS EVALUTATED BY THE SIZE OF THE PROJECT. FEXIBILTY BASED ON THE SIZE ALLOWS THE ZONING BOARD AND TRUSTEES TO ADJUST THE REQUIREMENT. MR. WILSON STATED THAT IT IS NOT IN THEIR CONTROL REFERRING TO PAGE 13 OF SECTION D #10 MAINTENANCE AND UPKEEP STANDARDS. "TIMELY MANNER" HAS A THIRTY DAY LIMIT PER THE REGULATION. THE BOND IS DETERMINED BY THE SIZE. THE ZONING DEPARTMENT WILL BE MONITORING THE REPAIRS.

SHELBY BAIRD SAID THAT THE COUNTY QUESTIONED THAT PART. THE QUESTION WAS THAT IF 1 PANEL WAS DAMAGED WOULD IT MAKE THE WHOLE SYSTEM UNUSEABLE. THERE IS A DIFFERENCE IN RESIDENTIAL AND COMMERCIAL. ONE PANEL MAY BE ABLE TO BE DISCONNECTED AND THE OTHER PANELS WOULD STILL BE USEABLE. THEY WOULD NEED TO BE MONITORED TO MAKE SURE THEY ARE ACCOUNTABLE AND SAFE. THE CONCERN IS WITH REMOVAL AND DISPOSAL. MS. STEIMLE STATED THAT THEY WOULD HAVE TO SEE HOW IT DEVELOPS. IT IS STILL NEW. LYNN IS CONCERNED THAT SOMEONE ELSE MAY BECOME LIABLE FOR THE DISPOSAL IF DAMAGED PANELS ARE LEFT ON THE SITE BY THE PREVIOUS OWNER. SHELBY STATED THAT THE APPLICATION AND ACCEPTANCE OF CERTIFICATION ACKNOWLEDGES THAT THE OWNER IS RESPONSIBLE. THERE ARE 5 STEPS IN THE DECOMMISSIONING PLAN. THERE IS AN ANNUAL REPORT REQUIREMENT FOR ENERGY SOLD BACK INTO THE GRID.

MR. BUEDE ASKED HOW THEY WOULD KNOW IF A PANEL WAS DAMAGED. MS. STEIMLE STATED THAT THE PUBLIC UTILITY COMMISSION WILL BE INFORMED IF THEY ARE NOT REPAIRED "AS OF THIS DATE." THIS DOES NOT PERTAIN TO THE

NESTLEWOOD SOLAR FIELD. IT IS NOT IN OUR JURISDICTION BECAUSE IT IS OVER 50 MEGAWATTS.

MR. BULOW ASKED HOW WE WOULD KNOW IF SOMEONE HAS SOLAR ENERGY IF THEY DON'T REGISTER THEM. MS. STEIMLE STATED THAT THESE REGULATIONS ARE NOT RETROACTIVE, ANY SOLAR ENERGY THAT IS ALREADY INSTALLED CANNOT BE REGULATED. THE PERMIT WILL BE REQUIRED BEFORE PANELS ARE INSTALLED. IF SOMEONE CANNOT CONFORM TO THE REQUIREMENTS, THEY CAN GO TO THE ZONING APPEALS BOARD AND ASK FOR A VARIANCE. MR. BULOW ASKED WHAT WOULD BE DONE IF SOMEONE HAD PANELS THAT ARE NOT REGISTERED. SHELBY STATED THAT EXISTING REGULATION ALLOWS FOR SET BACKS FOR HOMES PRIOR TO ZONING. IF THEY WERE VOLUNTARILY DISCONTINUED FOR A PERIOD OF 2 YEARS THEN THE ZONING REGULATIONS WOULD APPLY. IF PANELS WERE THERE PRIOR TO THE REGULATION AND NOT UNUSED THEY CAN BE REPLACED. HE WOULD LIKE TO INVITE CURRENT SOLAR PANEL USERS TO REGISTER.

THE TATE TOWNSHIP ZONING APPEALS BOARD APPROVED THE SOLAR REGULATION. RON BULOW IS CONCERNED THAT THE PANELS WILL BE A RECYCLING ISSUE. ARE RESIDENTS ALLOWED TO STORE DAMAGED PANELS IN A GARAGE? HOW WILL THAT BE ENFORCED? MR. DURBIN SAID THAT THE EPA MAY BE A RESOURCE. MS. STEIMLE STATED THAT IT IS NOT PERMISSIBLE. AS SOON AS THE PANELS ARE TAKEN DOWN THE PROPERTY OWNER HAS THIRTY DAYS TO REMOVE THEM FROM THE PROPERTY. IF THEY ARE NOT THEN THE INDIVIDUAL WOULD BE NON-COMPLIANT. THE CURRENT ZONING REGULATION AND OHIO REVISED CODE GIVES THE TOWNSHIP THE AUTHORITY TO TAKE STEPS BASED ON THE CIRCUMSTANCES.

MR. WILSON STATED THAT IN AUGUST OF 2023 CITIZENS WERE ASKED TO BRING SUGGESTIONS TO THE BOARD. MANY TOWNSHIPS HAVE ONLY ADDRESSED THE PERMIT PROCEDURE. OUR REGULATION LOOKS TO THE FUTURE SUCH AS REQUIRING ANNUAL INSPECTIONS. IT IS VERY DETAILED AND COVERS A LARGE AREA. DALE ARNOLD WOULD LIKE TO USE THIS REGULATION AS A TEMPLATE FOR OHIO. IN NOVEMBER 2023 THE REGULATION DRAFT WAS SENT TO OUR COUNSEL WHO SUGGESTED THAT WE SEEK OUTSIDE COUNSEL TO HAVE IT FINE TUNED. MS. STEIMLE EDITED THE REGULATION COMBINING GUIDELINES AND

RESOLUTIONS FROM OTHER TOWNSHIPS AND SUGGESTIONS FROM RESIDENTS. HE THANKED THE PEOPLE FOR CONTRIBUTING TO MAKE THIS A SOLID SOLAR ENERGY ZONING REGULATION.

MR. WILSON STATED THAT THERE WAS CONCERN EXPRESS ABOUT THE REQUIREMENT FOR FIRE HYDRANTS EVERY THREE THOUSAND FEET. SOME THOUGHT IT WAS TOO STRICT. HOWEVER, THE STANDARD IS EVERY TWO THOUSAND TO TWENTY-FIVE HUNDRED FEET. THE TOWNSHIP STANDARD IS STRICTER. THE BUFFER THAT IS REQUIRED IS COVERED ON PAGE 12. A BUFFER SHALL BE INSTALLED THAT SHALL CONTAIN TWO ROWS OF STAGGERED EVERGREEN TREES PLANTED NOT MORE THAN TWELVE FEET APART TRUNK TO TRUNK, AND THE TWO ROWS SHALL BE TEN FEET APART. PLANTINGS SHALL BE AT LEAST EIGHT FEET TALL AT THE TIME OF PLANTING, MEASURED FROM THE TOP OF THE ROOT BALL TO THE BASE OF THE LEADER AND MUST BE A SPECIES THAT CAN REASONABLY BE EXPECTED TO REACH A HEIGHT OF TEN FEET WITHIN THREE GROWING SEASONS. IT ALSO STATES WHEN THE DEAD NEEDS TO BE REPLANTED. MS. STEIMLE STATED THAT IN AN EFFORT TO BE FAIR IF THE COMPANY COULD NOT COMPLY WITH THE DESCRIPTION OF THE BUFFER, THEY SHOULD INCLUDE THAT IN THE SITE DEVELOPMENT PLAN. (THIS WAS QUESTIONED AT THE ZONING COMMISSION MEETING). SHELBY STATED THAT THE REQUIREMENT BY THE STATE FIRE MASHALL REQUIREMENT FOR COMMERCIAL PROPERTY IS ONE THOUSAND FEET BETWEEN FIRE HYDRANTS. MR. WILSON STATED THAT THE MAIN ON OAK CORNER ROAD IS SIX INCHES AND IT WILL SUPPORT THE FIRE HYDRANTS. THIS IS PART OF THE PACKET FOR PUD. DAISY CHAINING IS NOT PERMISSIBLE. GRID SOLAR ENERGY IS ALLOWED IF THE PROPERTY IS OWNED BY THE SAME INDIVIDUAL. IT IS CAPPED AT 10 MEGAWATTS. THE PURPOSE FOR PUD IS TO PREVENT SUPRISSES AND IT GIVES THE TOWNSHIP THE ABILITY TO REGULATE. MR. WILSON STATED THAT THE ZONING COMMISSION COMMENDED HIS CONTRIBUTION AT THE MEETING.

MR. BULOW ASKED IF THE REGULATION COULD BE CHANGED. MS. STEIMLE EXPLAINED THAT IT WOULD HAVE TO GO THROUGH THE PROCESS AGAIN.

MR. WILSON STATED THAT THE REGULATION DOES NOT ADDRESS FEES. THE ZONING FEE GUIDELINES ARE BEING REVISED.

MR. WILSON READ THE RESOLUTION ADOPTING TEXT AMENDMENTS TO THE ZONING RESOLUTION OF TATE TOWNSHIP, CLERMONT COUNTY, OHIO TO PROVIDE SOLAR ENERGY ZONING REGULATIONS. MOTION BY MR. WILSON TO ACCEPT THE RESOLUTION, 2ND BY MS. STEIMLE. ROLL CALL: MS. STEIMLE, YES, MR. WILSON, YES, MR. DURBIN, YES.

MOTION BY MR. DURBIN TO ADJOURN, 2ND BY MS. STEIMLE.