

MINUTES OF SPECIAL TRUSTEE MEETING HELD MARCH 18, 2025

THE BOARD OF TRUSTEES OF TATE TOWNSHIP MET IN SPECIAL SESSION WITH THE FOLLOWING MEMBERS PRESENT: TRUSTEE WILSON, TRUSTEE STEIMLE, TRUSTEE DURBIN AND FISCAL OFFICER KATHY BRANNOCK.

AFTER THE PLEDGE OF ALLEGIANCE, OPENING PRAYER WAS GIVEN BY JOHN WILSON.

MR. WILSON INTRODUCED THE BOARD.

MOTION BY MS. STEIMLE TO APPROVE THE MINUTES OF THE SPECIAL MEETING HELD ON DECEMBER 17, 2024. 2<sup>ND</sup> BY MR. DURBIN. ROLL CALL: MS. STEIMLE, YES, MR. WILSON, YES, MR. DURBIN, YES.

MOTION BY MS. STEIMLE TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD ON JANUARY 14, 2025. 2<sup>ND</sup> BY MR. DURBIN. ROLL CALL: MS. STEIMLE, YES, MR. WILSON, YES, MR. DURBIN, YES.

MOTION BY MS. STEIMLE TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD ON JANUARY 28, 2025. 2<sup>ND</sup> BY MR. DURBIN. ROLL CALL: MS. STEIMLE, YES, MR. WILSON, YES, MR. DURBIN, YES.

MOTION BY MS. STEIMLE TO APPROVE THE MINUTES OF THE ZONING HEARING HELD ON JANUARY 29, 2025. 2<sup>ND</sup> BY MR. DURBIN. ROLL CALL: MS. STEIMLE, YES, MR. WILSON, YES, MR. DURBIN, YES.

MOTION BY MS. STEIMLE TO APPROVE THE MINUTES OF THE SPECIAL MEETING HELD ON FEBRUARY 11, 2025. 2<sup>ND</sup> BY MR. DURBIN. ROLL CALL: MS. STEIMLE, YES, MR. WILSON, YES, MR. DURBIN, YES.

MOTION BY MS. STEIMLE TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD ON FEBRUARY 11, 2025. 2<sup>ND</sup> BY MR. DURBIN. ROLL CALL: MS. STEIMLE, YES, MR. WILSON, YES, MR. DURBIN, YES.

MOTION BY MS. STEIMLE TO APPROVE THE MINUTES FROM THE SPECIAL MEETING HELD ON FEBRUARY 18, 2025. 2<sup>ND</sup> BY MR. DURBIN. ROLL CALL: MS. STEIMLE, YES, MR. WILSON, YES, MR. DURBIN, YES.

MOTION BY MS. STEIMLE TO APPROVE THE MINUTES FROM THE REGULAR MEETING HELD FEBRUARY 25, 2025. 2<sup>ND</sup> BY MR. DURBIN. ROLL CALL: MS. STEIMLE, YES, MR. WILSON, YES, MR. DURBIN, YES.

MR. WILSON READ THE PUBLIC PARTICIPATION RULES AND ASKED ANYONE THAT WISHED TO SPEAK TO SIGN IN. THERE WILL BE A LIMIT OF 5 MINUTES PER PERSON. ALL COMMENTS ARE TO BE ADDRESSED TO THE CHAIRMAN OF THE BOARD.

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THE TRUSTEES DISCUSSED OFFICIAL MINUTES, VIDEO VS. WRITTEN. MS. STEIMLE STATED THAT WHILE SHE LIKES THE VIDEO, SHE WOULD PREFER THAT THE OFFICIAL MINUTES BE IN WRITTEN FORM. CURRENTLY, THE VIDEO MINUTES ARE HAVING CLOSED CAPTION ADDED. MR. DURBIN AGREED. THE PAPER MINUTES WILL STILL BE THERE. TECHNOLOGY CHANGES AND THE MINUTES MAY NOT BE COMPATIBLE WITH THE NEW FORMAT. MR. WILSON AGREED. THE MINUTES ARE GETTING LONGER DUE TO SPECIAL MEETINGS AND EXTRA REGULAR MEETINGS. THE AUDIO TRANSCRIBER WILL BE A TOOL TO HELP. PRIOR MINUTES WILL BE APPROVED AT THE NEXT REGULAR MEETING. SHELBY STATED THAT HE IS WORKING ON THE VIDEO TO ADD CLOSED CAPTION AND TRANSCRIPTION (TEXT TO FILE). CURRENTLY, HE CAN ONLY DO 1 HOUR AT A TIME. MS. STEIMLE STATED THAT IT WOULD BE GOOD FOR DISABLED PEOPLE. THE SUBSCRIPTION FOR THE SOFTWARE IS \$80/YEAR.

MR. WILSON REQUESTED AT REPORTS BE SENT TO TRUSTEES ON FRIDAY BEFORE THE MEETING. MOTION BY MR. WILSON, 2<sup>ND</sup> BY MR. DURBIN. ROLL CALL: MS. STEIMLE, YES, MR. WILSON, YES, MR. DURBIN, YES.

MOTION BY MR. WILSON TO APPROVE THE 911 RESOLUTION, APPROVING THE MOST UP TO DATE PLAN FOR COUNTRWIDE 911 SYSTEM. 2<sup>ND</sup> BY MR. DURBIN. ROLL CALL: MS. STEIMLE, YES, MR. WILSON, YES, MR. DURBIN, YES.

### ZONING-

SHELBY BAIRD STATED THAT THE CURRENT FEE FOR SOLAR PANELS MAY NOT WORK. MS. STEIMLE STATED THAT SHE LIKES HOW THE FEES WERE BASED ON ZONES. SHELBY STATED THAT THE FEES SHOULD CONSIDER THE PANEL PIECE INSTEAD OF SQUARE FOOTAGE. HE WAS ASKE IF ANY SITE PLAN OR REVIEW WOULD BE REQUIRED OF THE OWNERS. SHELBY RESPONDED THAT IT WAS ADDED AT THE LAST MEETING. IT IS A FEE BASED POLICY. HE STATED THAT THEY MAY WANT TO ADD IT TO THE ZONING RESOLUTION. THE IS NO SITE PLAN REQUIRED FOR PRIVATE SOLAR. IT IS REQUIRED FOR GRID AND SMALL SOLAR (P.U.D.) SYSTEMS. THERE IS A GRAY AREA IN RESIDENTIAL DEVELOPMENT. MS. STEIMLE SAID THAT IT COULD BE EITHER RESIDENTIAL OR COMMERCIAL. SHELBY COULD MODIFY THE STATEMENT TO REQUIRE SITE PLAN REVIEWS. SITE PLAN IS REQUIRED BUT REVIEW WOULD HAVE SITE SPECIFIC REQUIREMENTS. ALL COMMERCIAL SOLAR REQUIRES SITE PLANS. THE CONCERN IS ABOUT GROUND MOUNTED. THE PLAN MAY NEED TO BE REDESIGNED TO FIT THE LOT SIZE. THERE MAY NEED TO BE A VARIANCE. A SITE PLAN IS REQUIRED WHEN THE APPLICATION IS SUBMITTED. AFTER THE TRUSTEES DISCUSSED THE FEES, IT WAS DECIDED THAT A SITE PLAN REVIEW FEE NEEDS TO ADDED. ALSO, A FEE OF \$2, \$5, \$8 PER PANEL. COMMERCIAL APPLICATION FEES WOULD BE \$150 AND INDUSTRIAL WOULD BE \$250. MS. STEIMLE STATED THAT THE FEES COULD BE REVIEWED ANNUALLY. MOTION BY MR. WILSON TO CHANGE THE AGRICULTURE/RESIDENTIAL FEES TO \$2/PANEL WITH NO CHANGE TO THE CURRENT APPLICATION FEE AND COMMERCIAL FEES TO \$5/PANEL WITH A \$150 APPLICATION FEE. THE INDUSTRIAL APPLICATION FEE WOULD REMAIN THE SAME AT \$250 AND \$8/PANEL. 2<sup>ND</sup> BY MR. DURBIN. ROLL CALL: MS. STEIMLE, YES, MR. WILSON, YES, MR. DURBIN, YES.

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SHELBY INFORMED THE TRUSTEES THAT THE SITE PLAN REVIEW FEE WAS NOT INCLUDED FOR COMMERCIAL OR INDUSTRIAL ZONES. MR. DURBIN ASKED HOW MUCH TIME WOULD BE INVOLVED. SHELBY RESPONDED THAT IT WOULD REQUIRE ABOUT 9 HOURS. IT IS A REQUIREMENT FOR ANY ZONE CHANGE. MS. STEIMLE SUGGESTED CHARGING AN HOURLY FEE INSTEAD OF A FIXED FEE. SHELBY RESPONDED THAT BATAVIA CHARGES \$150/HOUR. OUR RESIDENTIAL FEE IS CURRENTLY \$150/HOUR FOR ALL ZONES. SHELBY STATED THAT SITE PLAN REVIEW INCLUDES THE BZA. MOTION BY MR. WILSON TO SET A SITE PLAN REVIEW FEE FOR ALL ZONES AT \$150/HOUR. 2<sup>ND</sup> BY MR. DURBIN. ROLL CALL: MS. STEIMLE, YES, MR. WILSON, YES, MR. DURBIN, YES.

MS. STEIMLE ASKED WHAT THE CURRENT FEES ARE FOR P.U.D.'S. SHELBY REPLIED THAT THE INITIAL APPLICATION FEE IS \$150. THE PRELIMINARY PLAN IS \$2500 AND THE FINAL PLAN REVIEW IS \$1500. ANY MAJOR CHANGES HAVE A FEE OF \$2500 AND MINOR CHANGES HAVE A FEE OF \$1500. A MAJOR CHANGE WOULD BE A NEW SITE DEVELOPMENT PLAN. A MINOR CHANGE WOULD BE A 7' FENCE VS A 6' FENCE. SITE REVIEW AND FEES APPLY DUE TO A P.U.D. BEING A ZONING CHANGE. MS. STEIMLE ASKED IF THE BOARD MEETING EXPENSES COULD BE CHARGED TO THE APPLICANT. MR. DURBIN DID NOT THINK IT SHOULD.

MS. STEIMLE DISCUSSED THE NESTLEWOOD PROJECT. IT IS A QUALIFIED ENERGY PROJECT, PRODUCING 20 MEGAWATTS AND ABOVE. THE FUNDS SHOULD GO TO THE TOWNSHIP AND OTHER ENTITIES. THE COUNTY IS RESPONSIBLE FOR COLLECTING THE FUNDS. OTHER SOLAR SYSTEMS COULD POTENTIALLY QUALIFY. SHE ASKED SHELBY IF THEY SHOULD BE REQUIRED TO APPLY. THE PILOT AGREEMENT SETS A PARAMETER ABOUT HOW MUCH PER MEGAWATT THEY WOULD PAY. FOR INSTANCE, \$9,000 PER MEGAWATT WOULD BE DIVIDED WITH \$7,000 GOING TO THE TOWNSHIP AND \$2,000 GOING TO THE COUNTY. THE FEE WOULD BE SPLIT BETWEEN TATE TOWNSHIP AND CLARK TOWNSHIP. MS. STEIMLE STATED THAT THEY CAN'T FORCE THEM BUT IF THEY TRY FOR IT, IT MAY GIVE US A CHANGE TO COLLECT TAX. A P.U.D. COULD BE CHANGED TO COMMERCIAL PROPERTY. REVENUE COLLECT WOULD BE CONSIDERED "PAYMENT IN LIEU OF TAXES." MS. STEIMLE STATED THAT THEY CANNOT BE CHARGED PER MEGAWATTS. THEY CAN ONLY BE CHARGED FEES. SHELBY ASKED IF A STATUTORY TOWNSHIP HAS THE AUTHORITY TO ISSUE A BUSINESS LICENSE. CURRENTLY, THE SOLAR COMPANY IS PAYING CAV TAX RATES AS IF IT WERE AGRICULTURAL LAND. MR. DURBIN STATED THAT HE WOULD CALL THE AUDITOR'S OFFICE AND INQUIRE. MS. STEIMLE STATED THAT SHE WOULD CALL DALE ARNOLD.

### PUBLIC PARTICIPATION

LUCINDA CHANDLER COMMENTED THAT TRANSCRIBED MINUTES WOULD STILL NEED TO BE EDITED.

RON BULOW STATED THAT HE PREFERRED WRITTEN MINUTES. HE SUGGESTED STORING THE MINUTES IN A FIREPROOF CABINET FOR SAFE KEEPING

MOTION TO ADJOURN BY TRUSTEE DURBIN, 2<sup>ND</sup> BY TRUSTEE STEIMLE.

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