



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
JASPER COUNTY GOVERNMENT BLDG.
TUESDAY
SEPTEMBER 8, 2015**

Present: Chairwoman Barbara Clark, Vice Chairman L. Martin Sauls, IV, Councilman Theodus Drayton, Councilman D. Thomas Johnson, Councilman Henry Etheridge

Staff Present: Administrator Andrew Fulghum, Clerk to Council Judith Frank, Attorney David Tedder, Director of Administrative Services Ronnie Malphrus, Director of Emergency Services Wilbur Daley, Director of Engineering Services Dale Terry, Planning Director LeNolon Edge

Planning Commissioners Present: Dr. Bostick, Alex Pinckney, Thomas Jenkins, William Young, Greg Padgett, Randy Waite

In accordance with the Freedom of Information Act the electronic and print media were notified. During periods of discussion and/or presentations minutes are typically condensed and paraphrased.

5:00 P.M.

**COUNTY COUNCIL AND PLANNING COMMISSION JOINT WORKSHOP- SOLAR FARM
ORDINANCE**

Present: Chairwoman Barbara Clark, Vice Chairman L. Martin Sauls, IV, Councilman Theodus Drayton, Councilman D. Thomas Johnson, Councilman Henry Etheridge, Dr. Earl Bostick, Alex Pinckney, Randy Waite, Bill Young, Thomas Jenkins, Greg Padgett, Andrew Fulghum, Judith Frank, David Tedder, Ronnie Malphrus, LeNolon Edge, Lisa Lamb

Vice Chairman Sauls called the workshop to order at 5:00 p.m. and turned the workshop over to Dr. Bostick. Dr. Bostick explained that the workshop was to discuss the proposed ordinance to allow solar in the residential zone and the rural preservation zone. Mr. Edge explained that he provided a sample ordinance from Jackson, Ga. and that a decommissioning plan is needed and the language needed to be in order. Vice Chairman Sauls asked if the decommissioning plan is going to include a performance bond to protect the County. Vice Chairman Sauls said there were other items that needed to be added and defined. Vice Chairman Sauls said that setbacks from property lines, residences and roads needed to be spelled out and included in the ordinance. Vice Chairman Sauls said that fence height and the difference between solar farms and residential solar needed to be defined and included in the ordinance. Vice Chairman Sauls said the Council should have the final approval of all solar activity, not the staff. Vice Chairman Sauls said the ordinance presented by Mr. Edge was too vague and he was very concerned. Vice Chairman Sauls said he felt everything needed to be defined before any approval is given by the Planning Commission or the County Council. Councilman Etheridge said there were too many unanswered questions and defined parameters needed to be in place. Vice Chairman

Sauls added that the County needed to be sure that contracts for the power are in place before approving anything. Councilman Etheridge said that decommissioning, setbacks, flood planes are not defined, he said nothing is addressed in the ordinance that was presented to the Planning Commission or the Council. Councilman Etheridge said they all needed to be included prior to the Planning Commission making a recommendation. Mr. Edge said the ordinance can be done in two ways, over the top or basic protection. Councilman Etheridge said he has spoken with some of the neighbors and some are for it, some are against it and want to know how they will be compensated. Councilman Drayton said he agreed with Vice Chairman Sauls and Councilman Etheridge and that the items they discussed needed to be added to the ordinance before it comes to County Council and any decisions are made. Vice Chairman Sauls said there needed to be guidelines for both residential and rural preservation. Councilman Johnson said that some ordinances are too detailed and some are not detailed enough. Councilman Johnson said the ordinance needed to deal with science and fact. Councilman Johnson said that more information was needed before they could move forward and the ordinance needed to have adequate protection. Councilman Johnson said there was some concern about wildlife and decisions needed to be made on science and not emotions. Councilman Johnson said that wildlife, aviation and electrocution needed to be addressed, but he was not sure if bonding was need and he needed more information. Councilman Johnson said solar farms and residential solar needed to be covered as different subjects. Mr. Jenkins said the Planning Commission wanted to work with the Council and people were looking to take advantage of solar energy. Mr. Pinckney commented that there is a state law regarding solar and he felt they should build the ordinance around the one done by the State. Mr. Pinckney added that a big Federal job could not be stopped. Mr. Young said that solar is coming faster than anticipated and that they needed to split government credit tax credits as there may not be a lot of demand for individual solar panels for homes. Mr. Waite said he felt the draft ordinance they received needed to be expanded and he felt more workshops were needed and they needed to be better informed. Dr. Bostick requested that the Planning Commission members put comments beside each item on the other ordinance and use it as a guide for setbacks, amount of acreage and other needs that need to be covered and incorporated into the County's ordinance. Mr. Fulghum said he was concerned on areas where there are no restrictions to prevent being approached without a good ordinance in place. Mr. Tedder said the County does not have an ordinance to deal with this and he suggested that the Planning Commission recommend the draft ordinance so that an ordinance is pending and then they can focus on the residential issues and look into the commercial farm issues. Mr. Tedder said that would give them something in place to work off of. Councilman Etheridge asked if the Planning Commission was only going to work on the Residential and not the Commercial. Mr. Tedder suggested 2 readings of the residential solar ordinance and then starts working on the commercial solar ordinance. Mr. Tedder said that once this is done, no one can say anything about changes. Mr. Tedder said that after the 1st reading, the Council can say what they want to add before the 2nd reading.

Danny Henderson, attorney for Christina and Leland Rentz, said that there is nothing on the draft ordinance and there is an organization that has a conceptual plans for over 1,500 acres and his clients were approached by this company and they were told that 8 foot fences would surround the project and the impetus of this action will completely surround the Rentz's home

and their 218 acres since it will surround $\frac{3}{4}$ of all the property owned by his clients. Mr. Henderson said this is not merely a conceptual plan and he wanted to participate in any ongoing discussions. Mr. Henderson urged the Council to proceed with caution as this company's plan as presented to the Rentz's is not conceptual. Mr. Kemp discussed regionalization and he felt the two municipalities should be involved and they should have joint ordinances.

The workshop ended at 5:30 p.m.

Respectfully submitted by:

Approved by:

Judith M. Frank, CCC
Clerk to Council

Barbara B. Clark