

Special Called Board of Supervisors Meeting (Thursday, March 7, 2024)
Northumberland County, VA

Members present

James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

Other Staff Present:

Mr. Luttrell Tadlock, County Administrator

Mr. Drew Basye, Assistant County Administrator

Ms. Morgan Wilson, Executive Assistant

Mr. Robert Headley, IT Administrator

Mr. Carl Hayden, IT Technician

1. Opening of Meeting 6:00 P.M.

Information: A. Call to Order

The special called meeting was convened by Chairman Haynie and held at the Northumberland Courthouse located at 220 Judicial Place, Heathsville, VA 22473.

The Planning Commission meeting was called to order by Mr. Garfield Parker and he noted that they have a quorum.

The Economic Development Commission meeting was called to order by Dr. Karen Pica and she noted that they have a quorum.

Action, Information: B. Remote Participation

Mr. Haynie indicated that he had received a request by Mr. Charles Williams to participate in the meeting tonight by electronic communications from a remote location due to illness. Mr. Haynie indicated that he had approved such participation under the County's adopted remote participation policy and asked that the Board of Supervisors ratify this decision to allow Mr. Williams to participate remotely.

Motion to ratify Mr. Haynie's approval and to allow Supervisor Williams to participate via zoom during the meeting as allowed under the Board's adopted remote participation policy.

Motion by: James M. Long, second by: AC Fisher, Jr.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

2. Joint Meeting with Dominion Power

Information: A. Solar Discussion

Mr. Reagen Fakhoury, Dominion Power Representative, began their presentation by informing the Board of Dominion's mission and core values.

Mr. Austin Jones, leader of distributed solar development and acquisitions business for Dominion Energy, presented a visual of what a distributed solar facility looks like at a pre-existing landfill in Texas. He explained that landfills are excellent hosts for solar projects that allow the solar panels to fit right into the natural landscape.

Mr. Jones went further into depth on Dominion's core values and gave an example on how solar is beneficial. He brought attention to the severely cold Christmas season of 2022 when Dominion's entire transmission system was operating nearly at full capacity. Mr. Jones explained that the solar facilities were particularly helpful at this time because when the sun came up, the solar facilities came online, relieving the pressure on the transmission system and other generation resources. Mr. Jones stated that there are currently over 2,100 MW operating in Virginia and over 7,200 MW are in development/construction.

Supervisor Long asked how solar will benefit the County overall.

Mr. Jones stated that he'd answer this in further detail later in the presentation, but generally it's good for energy and tax benefits. Additionally, landowners can benefit by selling or leasing their land to host one of these projects.

Supervisor Williams asked if the amount of solar the County can host directly reflects the amount of solar Dominion can receive.

Mr. Jones informed Supervisor Williams that it is reflected on a hosting capacity tool which is based on the existing infrastructure that's on those power lines currently.

Vice Chairman Brann rephrased Mr. Long's question by asking how solar is going to benefit the citizens of the County.

Mr. Jones stated that green solar energy is consumed first, which is generally helpful for the environmental integrity of the community.

Vice Chairman Brann asked if the citizens would see a reduction in their electric bills.

Mr. Jones stated that indirectly they would because it is a zero-fuel resource and the costs of constructing and operating these facilities as well as the economic benefits that come with it are mutually shared. He clarified that if the bill increases by a certain amount to build an operative facility, it also reduces how much is needed to procure not only fuel but other market purchases.

Vice Chairman Brann shared that he has done a little research and has found that solar really hasn't reduced bills or any funding. He stated that many solar farms are not for the citizens; instead, they are for Amazon, Facebook, UVA, etc. Mr. Brann stated he understands that in the long run it may save some usage, but when you put a solar farm in a community like this, there really is no benefit. He disagrees with those who come in and say it's clean energy and it's

affordable, because at the end of the day the citizens of the County must pay for it after it's been subsidized by the Government to put it in place from the start.

Dr. Pica, Chairman of the EDC, asked who are the mutually responsible for construction of the solar facilities.

Mr. Jones clarified that the electric customers and Dominion are mutually responsible for the construction and operation of the facilities.

Dr. Pica asked if a facility is constructed in the County, do the County citizens have first right of refusal for receipt of that electricity or does that electricity go somewhere else. Dr. Pica expressed that if the County citizens are responsible for the costs, she would want the benefits first and she would not want them to exit this County. Additionally, Dr. Pica asked if Dominion is participating in the National blueprint for 2021 to 2030.

Mr. Jones asked Dr. Pica to further describe the National blueprint.

Dr. Pica stated that the Department of Energy has a program called the National blueprint for lithium-ion batteries which are hazardous waste. They are not sourced from what is considered ethical practices based on how they are mined, so the U.S. Government is trying to build a supply chain for lithium-ion in the United States. She asked how the batteries would be disposed of and asked if there is a mutual responsibility for the maintenance of the facility including the disposal of the hazardous waste materials. What liability does that bring to the County or does that fall completely on Dominion or is it shared with the landowner? Who is responsible for the cost of that disposal?

Mr. Jones asked Mr. Brann to elaborate on his comment about how these projects are funded by the government.

Vice Chairman Brann and Dr. Pica explained that there are grants, tax breaks, tax offsets, and rebates, so there is government and private funding involved.

Mr. Jones explained that Dominion's projects are funded by its shareholders, so Dominion finances their own projects. He stated that there may be a rare occasion where Dominion seeks available grants from the Federal Government, but this reduces the ask for cost recovery from regulators so if there is an opportunity for federal funding, it's reducing the cost that is mutually shared which would be shown through tax benefits given back to the customers. Mr. Jones reiterated that Dominion and its customers are sharing costs associated with the project, but any benefits will be shared as well.

Mr. Jones continued to state that there are projects that serve companies like Amazon and Facebook, but the projects he is referring to are not those projects. The projects discussed tonight are to serve Dominion customers and not an individual customer like Amazon or Facebook.

Dr. Pica asked for clarification on whether solar generated by a plant in this County would be used for customers in Northumberland County before it goes anywhere else.

Mr. Jones confirmed that because the projects are connected at the distribution level, the energy would go directly to the citizens' homes and businesses in the County first.

Mr. Patrick O'Brien, member of the Planning Commission, stated that Mr. Jones described a distribution system in the County as "robust." He asked what Mr. Jones meant by that and what kind of capacity it has.

Mr. Jones stated that route 360 has a hosting capacity of 20 MW based on the wire capacity and the substations that support those wires, so there could be several small projects there. He explained that route 200 is a little more constrained and has less available capacity due to other facilities located there and the current infrastructure.

Mr. O'Brien stated that the Planning Commission held a meeting with Northern Neck Electric Cooperative, and they indicated the capacity in the existing wire would not be sufficient enough to handle a medium or large solar project.

Mr. Jones informed Mr. O'Brien that he can't speak to Northern Neck Electric, but on Dominion's side, there is available capacity for systems right now and if there is a need to enhance the infrastructure, then the project owner would be responsible for those costs.

Supervisor Fisher asked if a large solar farm came into the County and used the capacity, would that prohibit small/private individuals from installing small solar farms on their land?

Mr. Jones stated theoretically, no because the large units will more than likely require enhancement of the infrastructure for safety and reliability reasons. Additionally, the small systems that serve individuals homes/farms make such a small impact on the system, but if any enhancement to the system is needed, the project owner would still be required to pay for any of the additional infrastructure upgrades.

Vice Chairman Brann gave a scenario of a farmer using enough solar power to run the farm. He asked if the farmer could feed any excess energy back into the grid.

Mr. Jones stated that under the current net metering rules, you are allowed to do so in the event you produce more energy than you use. He explained that's why he emphasized the project owner paying for the interconnection infrastructure because there's a safety concern and they need to make sure the rest of the grid is not impacted when feeding power back to the grid.

Vice Chairman Brann asked if Dominion typically keeps or sells a solar farm once they install it.

Mr. Jones stated that Dominion is only interested in operating their own systems because the energy and credits from their systems go to their customers.

Mr. Johnson, member of the EDC, asked what Dominion's target percentage is for solar capacity and how much land do they propose it will require.

Mr. Jones stated that they don't have a specific megawattage target.

Mr. Johnson stated that solar panels are clean when in use, but the manufacturing and disposal of them are not clean. He believes that when looking beyond Dominion, it looks like someone is trying to replace the existing way we do business.

Mr. Jones does not see it this way. He believes that Dominion is adapting to evolving technologies and market trends while allowing their customers the ability to respond to that.

Vice Chairman Brann stated that Dominion's website says in Virginia, Dominion wants up to 16,100 MW of solar energy by the end of 2035.

Mr. Jones informed Mr. Brann that he is referencing the Virginia Clean Economy Act that was codified in 2020 which was an effort to bring clean energy to Virginia.

Chairman Haynie referenced Dominion looking into installing another gas fired plant on the James River. He asked why Dominion doesn't push more for a nuclear plant instead because it would be a smaller footprint of land and generates energy 24 hours of the day. Mr. Haynie stated that solar takes up a lot of land and asked if this was depleting our natural resources such as timber and food.

Mr. Jones stated that Dominion is actively pursuing both nuclear and gas fired plants. When referring to depleting natural resources, Mr. Jones stated that Dominion tries to avoid this when locating their projects but there are some instances where they work with landowners who have already come to terms with those type of decisions.

Vice Chairman Brann asked what Dominion looks at first when it comes to risk first then benefit. "How much is the County going to risk to get a very little benefit from solar?"

Mr. Jones stated that one of their primary goals is to design the facility so that it cannot be seen because, as stated, most people do not want to see it. Additionally, the project brings passive tax revenue for the County as it is an additional revenue source.

Vice Chairman Brann asked how much impact it has on real estate property values for those trying to sell their homes.

Mr. Jones stated that there have been multiple studies performed that conclude there is no negative impact on land values.

Mr. Brann stated that he's seen those studies and some states, such as California, are not affected but there are other states where solar has minimum to moderate impact on land values.

Dr. Pica asked if the County would need to invest in new fire equipment because lithium-ion batteries are extremely dangerous and the fires from them are extremely hot.

Mr. Jones stated that generally, all fires are dangerous, so anytime Dominion permits a project with the County, there is a detailed fire safety plan that gets included in that. He informed the Board and Commissions that they work with the fire marshal to ensure proper training, an understanding of safety routes, and proper communication to minimize any negative outcomes in the event there is a disaster.

Chairman Haynie asked how efficient the solar panels are.

Mr. Jones stated that solar power is generally about 25% efficient, meaning 25% of the time it's producing at optimal efficiency, which degrades about half a percent annually. Currently, the lifespan of the panels is 35 years, however, newer technology could allow them to last longer.

Dr. Pica asked for clarification on whether panels can be replaced after 35 years or if the whole project has to be disposed of after 35 years.

Mr. Jones stated that those panels can be replaced.

Mr. Fisher asked if Dominion has any plans right now for any new nuclear stations.

Mr. Jones explained that there is nuclear in their integrated resource plan, however, they do not have any nuclear facilities under construction right now.

Mr. Jones turned the presentation over to Ms. Kelsi Jewell to go into further detail related to energy storage.

Ms. Jewell informed the Board that Dominion has no intention to build energy storage in Northumberland in the near-term future and likely won't due to the lack of transmission lines. She presented a build plan for storage to the Board, showing that Dominion will meet 250MW in 2025, 1,200MW in 2031, and 2,700MW in 2035. Currently, under construction are about 265 MW of storage throughout the state and Dominion just brought their first standalone energy storage project online in Chesterfield County.

Ms. Jewell moved forward to address some of the questions the Board and Commissions have. She explained that she is unfamiliar with the National blueprint, but she can find out what Dominion's participation is in that. Ms. Jewell informed everyone that Dominion has participated in an energy storage task force and the consensus has been that the advancement in recycling lithium-ion is going to develop with the electric car market. She stated that batteries are not new technology, they are in our phones, computers, etc., and the electric car industry has been using them before the utility use for those was fully grasped. She further explained that a lot of the best practices and recycling capabilities are going to be dictated by what's learned throughout the electric car market because typically those batteries will need to be recycled/retired sooner than utility scale batteries. Dominion does meet annually and will continue to meet to discuss industry best practices in recycling. There are people certified today

to dispose of and recycle lithium ion in the United States, so if there was a need to dispose of or recycle one of their projects, there are companies certified to do so.

Vice Chairman Brann asked about the training Dominion offers to the local fire departments.

Ms. Jewell stated that Dominion has a corporate risk team that consists of retirees from the New York City Fire Department who help develop their corporate safety plans. For example, in Sussex County, an energy storage project just got approved by the State Corporate Commission and they plan to begin construction in the next couple of months. The risk team met with the County throughout the permitting process to get them comfortable with the technology and how the facility works, and then prior to the batteries being delivered on site, the Fire Department will meet with them again to train them on how to fight a fire at that facility.

Vice Chairman Brann asked about the costs of any special PPE or equipment required to fight one of these fires.

Ms. Jewell explained that to her knowledge, there is no special PPE or firefighting equipment needed in order to put out a lithium-ion battery fire.

Mr. Brann shared his concern about the County's water supply and how much water it takes to put out one of those fires.

Ms. Jewell stated that Dominion leads the industry in their practices for energy storage and if you look at energy facilities in California or New York, the containers are spaced around 10 feet apart because it is required to avoid thermal runaway. She explained that the worry is one cell heating up so hot that it spreads through the entire container, and if the containers are spaced together too closely, there's a risk of thermal runaway propagating to another container. To prevent this, Dominion has spaced their containers out 25 feet apart based on their fire risk from their main generator transformers. Ms. Jewell stated there's two risks. One being a risk of fire and the other being a risk of explosion. She explained that gases build up in the container and if someone opens it an explosion could occur, however, venting the container allows the gases to exit. She stated that is why Dominion's philosophy is to let it burn because safety is their top priority.

Dr. Pica asked if those gases are toxic.

Ms. Jewell stated that a study was just performed in New York that stated the gases and smoke put off by an energy storage facility burning is actually the same as a normal house fire or any other industry burning.

Dr. Pica stated that she was going to investigate other studies on that topic.

Dr. Pica asked if the County gets a share of the sale for any electricity that does end up in the wholesale market.

Mr. Jones explained that they don't categorize and allocate the benefits by County, but it's allocated to all customers. He stated that's how Dominion operates and how energy markets work.

Mrs. Heidi Wilkins-Corey, member of the Planning Commission, asked if Dominion has decommissioned any of their solar farms/projects yet.

Mr. Jones stated that there are a handful of projects that they had to decommission because after several years of operation, they found the technology wasn't as efficient as other technologies in the system. He explained that technology is evolving quite rapidly in the renewable energy and solar space.

Mrs. Wilkins-Corey asked for an estimate on how long it took to decommission a project.

Mr. Jones stated that most of those were smaller projects, less than a megawatt, and they took less than a month to decommission.

Supervisor Williams asked what happened to those panels when they were decommissioned.

Mr. Jones informed Mr. Williams that most of those panels went to a recycling facility in California.

Ms. Jewell pointed out that Dominion works with the localities on a decommissioning plan and updates it every so often as stated in an agreement. In addition to that, the developer bears the costs of decommissioning the project and returning the property back to its original use.

Mrs. Wilkins-Corey asked if Dominion gives themselves about a year to decommission.

Mr. Jones confirmed that they do give themselves about a year because it gives them enough time to do those restoration activities and tear down the entire facility.

Mr. Williams, member of the Planning Commission, asked why the projects were decommissioned as opposed to refurbishing them.

Mr. Jones stated the decommissioning was determined by the landowner.

Mr. Penney asked if the underground cables are removed during decommissioning.

Mr. Jones stated yes and clarified that all electrical equipment is removed from a solar facility when decommissioned.

County Planner, Stuart McKenzie, asked if Dominion has plans to change the peak power storage facility in Indian Fields to a battery energy storage facility.

Ms. Jewell stated that there are no plans to change those anytime soon because those plants are still being utilized today.

***Chairman Haynie requested a 10-minute recess.*

Mr. Jones continued through Dominion's presentation by listing benefits to the community and policy considerations.

Ms. Jewell then explained a few things to look out for if the County is approached by a developer. She stated that Dominion tests the batteries of the unit, module, and cell levels to mitigate risk of energy storage. Additionally, she suggested considering the spacing of the containers and fire protection within the containers.

The Economic Development Commission's Chair, Dr. Karen Pica, adjourned to close the meeting.

The Planning Commission's Chair, Mr. Garfield Parker, adjourned to close the meeting.

3. County Administrator Items

Action: A. Regional Radio Update

Chief Balderson explained that Lancaster County has voted to split the cell at their last Board meeting. Additionally, he stated that they had asked L3Harris to provide a breakdown of the costs for the County and the total was \$169,671. Previously, the breakdown was \$133,000 for Lancaster and \$80,000 for Northumberland, but after discussion with the engineers and Chief Smith, they decided it would be fair to split that cost which has now left the County with a cost of \$84,835.50.

Vice Chairman Brann stated that the original price was \$212,871, and the County received a cost savings of \$43,200.

Supervisor Williams asked what the reasoning was for that savings.

Chief Balderson explained that most of the savings came from the service costs through L3Harris because they were willing to drop some of those costs.

Vice Chairman Brann asked if the funding source for this have already been identified.

County Administrator Tadlock confirmed that they have. When the County entered into funding with Bank of America, the County did seek for additional funds for instances like this.

Motion to approve the L3Harris split cell design with Lancaster County for the Regional Radio System in the amount of \$84,835.50.

Motion by: James M. Long, second by: James W. Brann.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

Action, Information: B. Boys and Girls Club Grant Request

Mr. Tadlock stated that the Board asked if in-kind funds could be used to help offset any costs associated to the County related to the Boys and Girls Club grant request. After discussing this with Mr. Phillip Mumford, he stated that the County can use some in-kind funds such as deputy time to help offset those costs.

Motion to allow the Boys and Girls Club of the Northern Neck (BGCNN) to apply for the DCJS Byrnes grant using in-kind assistance as the County match and no monetary funding.

Motion by: James W. Brann, second by: James M. Long.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

4. Items Related to Closed Meeting

Action: A. Convene into Closed Meeting

Motion to Action: A. Convene into Closed Meeting: convene into closed meeting as permitted by Virginia Code Section 2.2-3711 (A)(1); 1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the appropriate board. Nothing in this subdivision, however, shall be construed to authorize a closed meeting by a local governing body or an elected school board to discuss compensation matters that affect the membership of such body or board collectively.

Motion by: James W. Brann, second by: AC Fisher, Jr.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

Action: B. Reconvene into Open Meeting

Motion to reconvene into open session.

Motion by: James W. Brann, second by: James M. Long.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

Action: C. Certification of Closed Meeting

Motion that the Northumberland Board of Supervisors return to Public Meeting and certify by roll call vote that only public business matters lawfully exempted from open meeting

requirements by the Virginia Freedom of Information Act, and as were identified in the motion convening the closed meeting were heard, discussed or considered during the closed meeting. The vote on the motion was passed by a roll call vote as follows:

Aye: Richard F. Haynie, AC Fisher, Jr., James M. Long, James W. Brann, Charles H. Williams

Motion by: James W. Brann, second by: James M. Long.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

Action: D. Action taken from Closed Meeting, Wastewater Operator/Maintenance Position

Motion to hire Zane Oliver for the Wastewater Operator/Maintenance position for the Sanitary District with a starting salary of \$34,346.97.

Motion by: Richard F. Haynie, second by: James W. Brann.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

County Administrator Tadlock provided an update related to the forensic audit. He stated that the Board approved to enter into a contract with UHY for their forensic auditing services for both the County and the School Division. Kickoff meetings were held this week with some of the department heads and UHY Advisors Mid-Atlantic, Inc. has started emailing information to staff in order to get started with those services. Mr. Tadlock explained that UHY Advisors Mid-Atlantic, Inc. is looking to have something completed by the end of May 2024.

5. Closing of Meeting

Action: A. Carry Over

Motion to carry over to the special called Board meeting on March 13, 2024, at 2:00 p.m.

Motion by: AC Fisher, Jr., second by: James W. Brann.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.