

JOHNSON COUNTY PLANNING COMMISSION

Zoom Webinar

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MINUTES OF REGULAR MEETING

January 26, 2021

5:45 p.m.

A. CALL TO ORDER

A meeting of the Planning Commission of Johnson County, Kansas, was convened at 5:45 p.m. on Tuesday, January 26, 2021, and was called to order by Randy Hutchins, Vice Chair, with the following members present and participating; to-wit: Jason Meier, Pete Opperman, Dave Johns, Roxanne Morse, James Neese, Dennis Bollin, Roger Mason, Mark Huggins and Chris Iliff. Absent were George Lund and Henry Deters. Also present were Jay Leipzig, Sean Pendley, Karen Miller and Leslie Davis, Johnson County Planning Department.

Vice Chair Hutchins: Everyone, thank you for joining. We do have a quorum, so first thing I'd like to do before we move into the approval of agenda, I'd like to go ahead and read a statement regarding the current situation we have with COVID-19:

Due to the COVID-19 situation, we are taking action to minimize attendance at the Zoning Board and Planning Commission meetings, and we will be conducting the December Planning Commission meeting *Online* using Zoom Webinar. Details and instructions regarding how the public can participate in the Zoom meeting will be posted on the County website one week prior to the Planning Commission meeting at the following online address: <https://www.jocogov.org/dept/planning-and-codes/home>.

Additionally, there's a statement here on the screen that I'd like to reference as well. There is a difference between the standard Zoom meeting and a Webinar. For a webinar, "Panelists" have full rights to video and speaking functions, and "Attendees" are able to watch and hear the meeting on a computer or by phone, but must be granted permission to speak to the moderator. Methods for attendees to request to speak: "Raise Hand." Push that "raise hand" feature on the Zoom app, or *9 for those calling in by phone. The Chair shall restate motions and names of Planning Commissioner making the motions. Votes will be taken by roll call, with each Planning Commissioner announcing their name when they vote. The recording secretary will call each Planning Commissioner by name to record their vote, and the Chair will state the outcome of the vote.

Again, we do have a quorum. I'll be chairing the meeting tonight, and therefore, will turn it over to Jay, if you will, and I'll let you make any announcements you need to make before moving into approving the agenda, etc.

Mr. Leipzig: Thank you, Mr. Chairman. I appreciate that. I did want to introduce a person who is with us tonight. We have our new Third District Commissioner, Commissioner Charlotte O'Hara. I believe she is able to see us, but she is not able to hear us, I think. Leslie is working on that, but I wanted to introduce Commissioner O'Hara, our new Third District Commissioner. She will also be our Planning Commission Liaison.

Ms. Davis: She has called in, so she might just need to unmute.

Mr. Leipzig: Commissioner O'Hara, if you can hear us, if you'd like to say a few words, you're more than welcome to.

Commissioner O'Hara: Hello. I think I'm successful.

Mr. Leipzig: Hello, Commissioner.

Commissioner O'Hara: Well, that was quite an adventure.

Mr. Leipzig: Commissioner, I just gave a great introduction for you. Would you like to say a few words? You're more than welcome to. The timing is perfect.

Commissioner O'Hara: Oh, heavens no. I don't want to mess this up. You're doing a great job. If I can see the agenda that would be very helpful.

Mr. Leipzig: We should be able to pull that up for you.

Commissioner O'Hara: There. Perfect. Thank you.

Mr. Leipzig: Mr. Chair, that concludes my comments at this point.

Chair Hutchins: Thank you, sir.

B. APPROVAL OF AGENDA - *Approved as printed.*

C. CONSIDER MINUTES OF PREVIOUS PLANNING COMMISSION MEETING

Chair Hutchins: The next thing I'd like to do is move to approval of the minutes from the December 8, 2020, meeting, as well as the January 12, 2021, meeting.

Motion by Comm. Meier, seconded by Comm. Oppermann, to approve the minutes of the January 8, 2020, Planning Commission meeting. Motion passed unanimously.

[*Chris Iliff joined the meeting*]

Chairman Iliff: I don't intend to say anything, Randy. You just keep on going. I just wanted to reflect my absolute dedication to the Planning Commission that I would call in from Keystone, Colorado, just to see what's happening, but you keep going. You're doing a great job.

Vice Chair Hutchins: Can you see the slope from there, Chris?

Chairman Iliff: I can, indeed.

Vice Chair Hutchins: That's what's important.

Motion by Comm. Meier, seconded by Comm. Morse, to approve the minutes of the December 8, 2020 and January 12, 2021, Planning Commission meeting. Motion passed unanimously.

[*Comm. Mason joined the meeting*]

D. PUBLIC COMMENTS

Vice Chair Hutchins: This is an opportunity for the members of the public to address the Planning Commission on an item which does not appear on the agenda. Please limit your comments to five minutes or less. Do we have anyone in the audience that would like to make a public comment?

Ms. Davis: We do have a few people in the audience, but nobody is raising their hand, so they might just be listening in.

Vice Chair Hutchins: All right. Given that there are no public comments, we'll move on to the next item on our agenda.

E. UTILITY-SCALE SOLAR INSTALLATIONS

Vice Chair Hutchins: Mr. Leipzig, we are teeing up the Utility-Scale Solar Installations project, and I believe we have some special guests. Would you like this opportunity to introduce them and give us a quick summary of what we'll discuss here tonight?

Mr. Leipzig: Yes, sir. Thank you, Mr. Chairman. I appreciate the opportunity. I appreciate your attendance at the meeting this evening. I did want to dedicate this time to talk a little bit about a large-scale utility solar farm installation in Johnson County. We have a potential applicant that we believe is working on a proposed application, and this is a fairly significant endeavor. But, wanted to get some initial feedback and discussion from the Planning Commission, so that this group is aware of it, because I believe there are some policy implications that we will want to talk about and discuss. This is just a very initial meeting, the 30,000-foot overview, if you will, but as an introduction to the topic, we wanted to spend some time this evening talking about that.

I'm going to pass it over to Sean Pendley, our Deputy Director, who has a memo that provides additional information for you, and then he is going to introduce our consultant for this evening. With that, I think my initial comments are done, and Sean, I'll turn it over to you.

Mr. Pendley: Thanks, Jay. As Jay mentioned, we have been recently approached about a potential private utility installation for a solar farm. This is a fairly unique proposal that the County and the unincorporated area is not quite familiar with. It's a very specialized type of application. We know that there is additional interest in these solar applications. The County is very familiar with them on a site-specific scale. Obviously, people may have installed solar panels or the photo voltaics for energy for onsite use for individual properties. Those are processed, really, as an accessory use. We have standards in place in the Zoning Regulations to handle those, in terms of how they're installed, whether it's ground-mounted or rooftop units that they install on the home. Those are fairly common, but obviously we've never seen anything that's of such scale that would be for transfer back to the grid. The term is utility-scale solar facilities. That's something that is such a specialized area and something that has such large implications, as Jay mentioned, that we really recognize the fact that we need to address this, both in our Zoning Regulations as well as the Comprehensive Plan. There are some long-term impacts that would affect rural properties in the areas that we would typically see an application like this. It would have to be in an area like the unincorporated area.

We have been approached by one group that is represented as NextEra. It's a private utility provider. We've only had one initial meeting, just to discuss this concept, and just to give a size and scale and overview of this, I just wanted to share with you a map that we put together here, our AIMS staff. This is showing the overall county. The area identified in red here is a possible search area for a possible solar farm. It's in the southwest corner. This is where the NextEra group has considered for possible solar application, the solar farm. This is nothing official. Nothing's been submitted, but this is an area that they have identified and announced on their website. They have a website established, for Next Era. It's referred to as the West Gardner Solar Farm. It's an area that they're looking at for possible application and installation of a solar farm. The yellow lines here, dashed lines, are indicating existing primary electrical transmission lines in the county. So, if this type of project were approved, these solar panels would be installed, potentially, in this area, and the power would be generated and transferred back to the grid. This is just a really high-level view. We wanted to just identify and show an area we're

talking about. This is an area west of Gardner and north of Edgerton, and immediately west of the intermodal facility, just to give you an idea. There it is showing on the far south and west portion of the county. I just wanted to share that just to give an overview.

We have a presentation from our guest speaker tonight. I'll turn it over to Darren Coffey. Darren is with the Berkley Group. They are a local government consulting firm, based in Virginia. They specialize in planning and zoning and environmental support programs, working with local jurisdictions. We recognized very quickly when we heard about this possibility of a solar farm that we do not have any regulations or guidelines or policies in place, so we wanted to look for the experts. I happened to attend a virtual session, a planning session, through the American Planning Association, and Darren was a speaker. He gave a great presentation, and we thought that this would be an excellent opportunity to invite Darren to present his presentation and help give us an overview for utility-scale solar facilities. With that, I'll turn it over to Darren and then afterwards we'll open it up any questions or comments, and then talk about next steps for the County and what we might want to consider for adopting any policies or regulations. I'll turn it over to you, Darren, whenever you're ready.

Darren Coffey, Berkley Group, appeared before the Planning Commission via Zoom and made the following comments:

Mr. Coffey: Thank you, Sean. I appreciate it. I am co-owner and founder of the Berkley Group, and Denise Nelson sends her regards. She was not feeling well this evening, so she didn't want to take on a presentation in front of people she's never met before and not feeling well, so I'll be flying solo. I've been doing land use planning for over 25 years, and certainly utility-scale solar is not something that was on a professional planner's radar as early as five years ago. The only thing I can compare it to professionally, is during the advent of the cell tower, when all those use permits were coming through, and people were lining up and fussing and opposed to it. Everybody wanted good cell service, but nobody wanted to look at a tower, and now those are largely non-issues, so here we are dealing with the next greatest thing, which is solar power, which is a wonderful thing, but at the utility scale it has some pretty significant land use implications.

I'm going to take you through a relatively brief presentation, and then we will go over these two main topics, and then I'm going to leave plenty of time at the end for questions and answers. While I go through this I'm going to turn my camera off, and that way we'll just focus on the presentation. With the growing demand for utility-scale solar, we need to be proactive and prepared to consider this new land use in a reasonable manner. I'll talk about land use considerations and provide an overview for mitigating negative impacts. First, it's important to emphasize that solar developers work at the local level. They identify potential sites, contact landowners, and prepare development applications. Sometimes – and in our experience, quite frequently – they do all of this before notifying the local government. By the time they notify the local planners, they've likely already notified the regional power transmission organization and made one or more agreements with landowners for a lease or sale of property. When they do submit the application, the local government must evaluate numerous potential impacts, as they would for any land use application. We're going to talk about each item listed here one by one.

In changes in land use, utility-scale solar facility proposals must be carefully evaluated regarding the conversion of agricultural, forested or residential land into an industrial-scale use. These projects typically have a 35- to 40-year lifespan. Agricultural and forested areas are typical locations for these facilities. Consider the effort to prepare the site for the solar facility, as well as the effort to return the site to its previous land use at de-commissioning. Placing agricultural

uses with residential uses is a more typical land use planning concern, and in some areas is anticipated and desired over time. Land near existing infrastructure typical of cities, towns and villages is a logical location for future residential or commercial uses. Industrially zoned land is also typically limited, and local governments place a premium on industries that create and retain well-paying jobs. Utility-scale solar can take up valuable agricultural land and future residential, commercial or industrial growth land. The location of utility-scale solar facilities is the single most important factor in evaluating an application, due to the large amount of land required and the extended period that the land is dedicated to this singular use.

Locations to avoid include saving the designated growth areas for residential, commercial and industrial uses, preserving prime agricultural land as a valuable resource, now or in the future, and I understand that's a tricky one, because most of yours is probably prime agricultural land. In Virginia and in other places, there is a little bit more of a distinction between regular ag land and prime land. Preserve and buffer ecologically sensitive sites, such as wetlands and special habitats. Those can make good wildlife corridors. Protect historical, cultural and recreation sites. For example, the map here identifies some of Virginia's historic battlefields in the cyan color and yellow indicates where development will not be permitted. Finally, recognize that facilities proposed adjacent to corporate boundaries, residences and public rights of way are likely to be more controversial.

Locations to consider include what we refer to as invisible areas, where equipment is difficult to detect, the prior use of the land has been marginal, or there is no designated future use specified. Sites that have few use options, such as contaminated sites or capped landfills, they may be good candidates if managed properly. They love to locate near transmission lines. These are desirable locations, because they require less new transmission infrastructure, which is very difficult to hide and screen. This map shows solar panels in dark blue on a site chosen because it includes the intersection of two transmission lines, shown in red.

The visual impact of utility-scale solar facilities can be significantly minimized with effective buffering and screening. Buffering and screening may be appropriate along any public right-of-way, and when the site is adjacent to another land use, such as residential. Vegetative buffers may be more appropriate in agricultural areas, rather than fencing and berms. This figure shows a rendering of vegetation planted during project construction and the projected growth after six years. Typically, a mix of plants are specified to provide effective screening. Keep in mind that the panels will likely tilt throughout the day and not stay flat as shown. We recommend a maximum height for the panels to minimize visual impacts.

Converting farms or forests to solar facilities may reduce wildlife mobility. The arrangement of the panels within a project should allow for wildlife corridors. The site disturbance required for utility-scale solar facilities is significant, due to the size of the facilities and the infrastructure needed to operate them. The selection of panels and arrangement on the site should be optimized to minimize grading. The panels are impervious, which creates stormwater runoff that must be properly controlled, managed and maintained. These projects require the submission of both stormwater and erosion and sediment control plans to comply with federal and state environmental regulations. We often recommend having the plans reviewed by a licensed third party at the expense of the applicant.

Decommissioning is another huge topic. In addition to the upfront land use impacts relative to the location, buffers and other considerations we've discussed, the proper decommissioning and removal of equipment and other restoration efforts when the facility is no longer operational present significant challenges to localities. Decommissioning can cost millions. The industry

suggests that there's a significant salvage value to the solar arrays, but there may or may not be a market to salvage the equipment in 35 to 40 years, so we advise leaving salvage out of the decommissioning cost estimate. Providing an adequate security to ensure that financial resources are available when needed is a significant challenge. Cash escrow is the most reliable security for a locality, but it's the most expensive for the industry and potentially a financial deal breaker. Insurance, bonds or letters of credit seem to be the most acceptable forms of security for the industry but can be difficult to enforce as a practical matter. We saw this in the planning profession during the Great Recession. In addition, the impact of inflation over decades is difficult to calculate. Therefore, the posted financial security should be re-evaluated periodically. Usually, we recommend every five years. The worst possible outcome for a community and a landowner would be an abandoned utility-scale solar facility with no resources available to pay for its removal.

Then there's the public concerns, which we're all familiar with, with any public hearing of a land use worth consideration. The landowners with these facilities stand to make considerable money from leasing or selling the land. Their neighbors don't stand to make any money. This can make public hearings quite controversial. The willingness of landowners to cooperate with energy companies is understandable, but that does not automatically translate into good planning for the community. Short term gain for individual landowners can have a lasting negative impact on the larger community. The neighbors and other constituents might not know much about solar facilities. The Planning staff, Commissioners, supervisors and other citizens are likely hearing about solar for this specific project for the first time and feeling a little bit overwhelmed. Bottom line is it must be a fair process and resolution. It must be the right project in the right place. I know you all have seen a lot of these concerns with other land uses. In that regard, it's not unique.

We do recommend starting stakeholder engagement early, including residents, landowners and other stakeholders, local government, staff and planning, community development, stormwater, erosion and sediment control, and other environmental positions. The Planning Commission and governing body and the solar developer, the energy utility and the permitting agency – there's a lot to be learned from all of the points of view.

Now we're going to turn to the policy issues and recommendations, which is drilling down just a little bit further. There are state requirements, and then what should be in your Comprehensive Plan and Zoning Ordinance to properly be able to process and evaluate these applications. Also, the conditions for the use permits and other agreements that you might want to consider. Every state is different. You can tell from the map that the states are at various levels of installed solar. This also means there would be various levels of regulation and various incentives and goals for carbon reduction. The ones that are lighter have the least installed, and the ones that are darker have the most installed.

What are the local government requirements? Localities process the application just like any other land use permit. The basic process is typically a review of the application by the Planning department. Then the Planning Commission reviews the application, holds a hearing and makes a recommendation. That's followed by the governing body holding their public hearing and making a final decision. The challenge is that many plans and ordinances do not address this type of view. Amending the Comprehensive Plan and Zoning Ordinance will bring structure, consistency and transparency to the process.

Your Comprehensive Plan does not currently discuss green energy. The plan does discuss the types of industry desired by the community and places importance on agricultural operations,

historic or scenic rural landscape features. It also points to a desire for a strong economy and job creation. The Comprehensive Plan should make clear whether utility-scale solar is desired and if so, under what circumstances. Specific directions should be given in terms of policy objectives, such as appropriate locations and conditions. If your community does not desire a large scale land use due to the impacts on agriculture, forestry or other concerns, then that should be directly addressed in the plan as well.

Any Comprehensive Plan amendments should acknowledge the state's goals regarding solar and that these types of uses are an industrial scale land use that occupy significant acreage, but do not necessarily generate the same benefits as other competing uses, in terms of jobs and tax revenue. The amendments should guide the solar industry to your preferred locations and away from areas that would not be suitable. The way to do this is through specific metrics indicating where you would consider them, such as locating on brownfields or closed landfills, or locating within one mile or another specified distance of a transmission line. You also would like to indicate where you don't want them. So, a distance from cities or towns, staying a minimum distance from other proposed or existing solar facilities to minimize their density, not locating on identified prime farmland or forests, considering proximity to residential areas, historical culture resources and environmentally sensitive areas. If you think, "We've got one 3,500-acre facility," okay. What if another 2,500-acre facility goes in adjacent to it? And then after that a 1,500, and after that, and so and so forth. So, that's where the concentration becomes an issue.

The Comprehensive Plan is your guidance document, but the Zoning Ordinance, as you know, is the regulatory document that is going to work to implement the amendments you just adopted in your Comprehensive Plan. So, the Zoning Ordinance should define the various types of solar facilities, such as small, medium, and utility-scale, address which zoning districts you will allow the various types, and whether it will be by right or require a conditional use permit. If it is small-scale, generating power for onsite usage, then permit by right and provide use standards. Utility-scale solar facilities, on the other hand, should in most cases be conditionally permitted regardless of the zoning district. You also want to specifically set forth the process and requirements necessary for the solar application.

Amending the Zoning Ordinance, including definitions is important. At a minimum, each type of solar facility, as I said, should be defined. We've got some definitions here that we've used pretty commonly, regarding small, medium and utility-scale solar. Then, other terms that could be defined include battery storage, decommissioning, and what constitutes a project site. The application and procedure section of the Zoning Ordinance for this section should also require a neighborhood meeting. This helps to inform the community and allows them to ask questions and get to know the project prior to any public hearings. It should also include a decommissioning plan, which outlines the procedures for removal of all infrastructure and the seeding or tree planting of the site to bring it to its agreed-upon final state. The decommissioning plan should also include a cost estimate and a scheduled plan to update the cost on any other changed elements.

There should be some form of security, whether it's escrow, surety or a letter of credit, that should be provided to the locality to cover the decommissioning costs. As I mentioned before, many applicants want to subtract the salvage value of the equipment from the decommissioning cost, but there will be upfront costs with decommissioning a facility, so we advise against subtracting any salvage value. Other securities will also be needed for erosion and sediment control, stormwater and the maintenance of fencing and landscaping. The application fee should

cover staff costs, which tend to be significantly higher with these applications, due to the time they take to process. Those fees are much greater, the costs associated with the analysis of these applications, they are much greater for these facilities, and the cost should cover that, along with any third party review or inspection costs.

Zoning Ordinance Solar Article or Division, however we end up structuring it, should also establish the minimum development standards for utility-scale solar facilities. These can include a maximum allowed acreage, distance to existing permitted solar facilities. Required setbacks should also be established, and if they're near residential dwellings, perhaps they should be increased, and there should be room to increase the setbacks on a site-specific basis, depending on what else might be approximate in the area.

Minimum development standards should also include regulations on the height of the panels and the accessory structures. Buffer and screening should be required. Fencing needs to be addressed, and regardless of the type of fencing chosen, it should not be one large fence going around the perimeter of the entire site. Wildlife corridors need to be allowed for natural migration and movement of animals. Vegetation should be non-invasive species for your area, and it's even better if it includes pollinator species. Lighting nuisance should be minimized on the site, as well as during construction and decommissioning.

Other conditions to include with the Zoning Ordinance are battery storage. This is something that has come about in the past year that is really increasing, and it's becoming kind of like an accessory use to the facility, but if it's not part of the application, and it isn't approved, it isn't permitted, so it's something that, at a pre-application meeting or other conversations with the applicant, it's really important to understand if this is to be included or not. Many sites are combining solar with battery storage. If it's part of one application, that's great. If it's not, it's an issue, and it would require a separate use permit. Utility-scale solar sites do generally tend to be very safe. There's a lot of concern on the interweb about hazardous materials and leachate and things of that nature, and it has just not been found to be an issue by and large. But battery storage does have the potential to catch on fire, explode and so significant measures need to be put in place as part of the permitting process. The conditions for battery storage should include 24/7 monitoring and automated fire suppression, for example.

Requiring that building permits be obtained within a certain timeframe is also a good condition. This will eliminate projects staying open indefinitely. Twenty-four to 36 months are good timeframes to allow the application to receive all the proper state permits, and then get the building permit. Of course, we tend to recommend the 24. The industry tends to push for 36. There should also be a requirement to notify of any change of ownership. At all times, the locality should know who the appropriate contacts are. Many times, the company who is getting the approval is turning it right back around and selling it to either the power company or another entity.

The Conditional Use Permit or special permit process allows local governments the opportunity to review applications for uses that are not allowed by right and impose additional conditions. Each site is unique, and this process gives the opportunity to consider that uniqueness, to consider the individual site and surrounding area and ensure that any impacts are mitigated appropriately, as well as to provide for requirements that are not otherwise in the Zoning Ordinance. The conditions should cover the submittal of all the various plans, the operations of the facility, including noise and lighting standards, if those are not adequately controlled by other aspects of the County's ordinances. Buffers should be increased. There may be areas on the site that require additional setbacks or that don't need to be planted, because there's already a

natural buffer that can be protected and ensured to remain in place, of there might be specific plantings, and the landscaping layout should be identified in the conditions so that it's enforceable.

Traffic will also need to be addressed. Construction and decommissioning traffic will be much greater than daily operational traffic, which is pretty negligible, if any, and there may need to be a specific route delineated in an agreement to repair any road damages as a result of construction and decommissioning. Decommissioning usually requires quite a bit of consideration and conditions. You're talking about one or two generations out, which is hard to think about and plan for. The conditions should lay out the requirements for decommissioning plans, the triggers for decommissioning, the depth of removal of the equipment and the state to which the site must be restored.

Again, the form of security should be outlined for decommissioning as well as the other plans that are submitted that I mentioned before, such as stormwater, erosion, et cetera. Some localities request training for emergency personnel and how often that training should occur, as well as outlining any emergency plans that must be submitted.

Last but not least, there should be a condition that details the process for notification of violation and termination of the permit if violations are not corrected within a specific timeframe. Paired with the condition considerations are construction agreements. Utility-scale solar facilities typically cover a large area and have a long perimeter. This means you may receive a very large or even multiple environmental site plans. Staff may not have the time to review plans of this size or inspect such large sites. Fees, as we mentioned before, may not be adequate to cover these costs and should be adjusted accordingly. You may need a third party reviewer or inspection, and this cost should be placed on the applicant. In addition, consideration should be given to limiting the total amount of clearing and grading that occurs on the site, and it's highly recommended that clearing and grading be done in stages and one section is stabilized before the next area is started.

Our basic recommendations and action steps are to review your state requirements, know what your state allows, and check back annually, because this is a rapidly-changing industry. I know in Virginia, every general assembly session, something is coming out. A lot of it is at the behest of the industry. Others is because of localities that feel like something's not fair, needs to be more restrictive or clarified. It's important that each project application be evaluated on its own merits. The bottom line should never be who the application is. Rather, it should whether the project's adverse impacts can be properly mitigated, so that the impact to the community is positive. Consider capacity and fees, and remember, these facilities can be massive compared to other land uses, and localities need to proactively consider this demand to prevent unsurmountable costs and overworked staff. In other words, it should not be done at the cost of the taxpayer, but at the cost of the application.

Finally, learn from others. You're listening to this presentation, so that tells us that you believe in learning from others. We would encourage you and your staff to continue to learn from and lean on your colleagues. That concludes my presentation. I would be more than happy to answer any questions that you might have.

Mr. Leipzig: I have just a couple of fairly quick questions for you, but could you reiterate again the life cycle of these panels? I think you said two generations. Are we talking 60 years? What is a typical lifespan of these?

Mr. Coffey: Well, a generation, I guess from my definition, is about 20 years, so you're talking about these facilities are usually 30- to 40-year facilities. The panels typically have a lifetime of 20 to 25 years. I've asked that question of the industry, and they say, "Well, we just swap them out." If a panel gets below a certain efficiency, then they go replace it. Some are going to flicker out earlier than 20 years. Some will last longer, but these facilities, I think, build in replacing the panels at least one cycle.

Mr. Leipzig: Okay. My other question is really in terms of economic value. If you look at a typical footprint or a solar installation versus a natural gas installation, can you talk a little bit about the economy of scale there in terms of...I know that you said that the tax revenue from a solar installation is probably minimal, I would imagine, compared to a natural gas operation. Talk a little bit about that, if you would, and then also the subsidies that are involved in this for getting on the grid, and talk a little bit about the distribution system.

Mr. Coffey: Okay. I will do my best. I have not worked on natural gas, or gas plants or coal plants. I have had experience with a nuclear power plant. Also, with the technical transmissions, I'm not overly familiar as well, but basically when you have a power plant, you're dealing with a very large site that is probably a couple hundred acres. I know the North Anna power plant, which is a nuclear power plant, is on hundreds of acres, mostly wooded and not developed, that has cameras and highly trained private security who show up with guns if you go on their property. Most of these facilities are pretty quiet, and utility-scale solar facilities are also very quiet. There is the hum of the generators, and the panels, the electrical panels that the solar panels hook into, but it doesn't get above an ambient level of noise, and at the property lines, you really don't hear anything.

In terms of money in these projects, it's pretty significant. If you meet with an applicant who's honest, they'll tell you that there's a lot of money to be made in this and that they really don't need the subsidies that a lot of states are putting forth. But of course, it helps. It helps them be able to scale it, and it helps them be able to be flexible enough to locate it in a wider variety of areas, wider variety of topography, et cetera. Then, the taxes, I know in Virginia they were given tax credits. That's been an issue. It was basically subsidizing the industry at the expense of the taxpayers. The rural counties were not getting nearly as much revenue as they would have been getting without those tax credits, so there was legislation last year to kind of counterbalance that, a lot of it, but it wasn't as easy as just doing away with the tax credits. It was coming up with revenue share ordinances at a certain flat-rate per megawatt, or allowing the use of machinery and tools tax at a decreasing percentage rate over time, so that you could get more money as a rural locality from that.

Being able to execute siting agreements, which could include a monetary figure, and even being able to put a condition in a Conditional Use Permit that basically is an exaction for a specific item, like public safety, fire rescue equipment in the CIP, things like that. You tie to that and you can ask for \$250,000 per a fire engine and associated apparatus as a condition, so it really just depends on what the states allow and financially where you're starting from. But there are very few local jobs. When they build these things there are jobs associated with them, and then they're in the area, they're eating and they're sleeping, so you have that revenue, but once they're built, until and unless they're decommissioned way, way, way down the road, these sites don't take any manpower, really, onsite to run. There may be one person assigned to it to show up a couple times a week, but it really just depends on what their maintenance plan is for the vegetation that's on the site. I think these facilities started, planning on hiring local landscapers to keep the grass mowed, but that is an expense and as the industry has progressed, they've

used more native species. They've used solar sheep or other techniques to keep the vegetation on the site trimmed without having to pay people to go in and perform that maintenance. Did I cover all the questions you asked?

Mr. Leipzig: Thank you.

Mr. Pendley: Any other questions for Darren? Standard use for utility-scale solar or, I guess, next steps for the County? Any thoughts about we would consider for the Comprehensive Plan or any regulatory review? Any thoughts on that?

Vice Chair Hutchins: I apologize. I lost my link here, and I had to rejoin. Jay, you may have asked this question, but I was just curious from a vegetation standpoint, if there's grazing allowed underneath the panels, and just what size are the average panels? How far off the ground, et cetera?

Mr. Coffey: The panel size, gosh, that's a good question. They're probably like four by six, something like that. They're pretty large. We usually recommend that they not go above 15 feet at full tilt and that the bottom edge not be more than 10 feet off the ground. The reason for that is if water is dripping from higher than that, then you'll get erosion occurring right under that lip, and that helps with exacerbating stormwater as well as future erosion and sediment control, so somewhere between 10 feet at a maximum for the lower edge and 15 feet at full tilt. Now, if there's topography to the site, sometimes accommodations need to be made for that, so we'll go up to whatever they agree is okay – 16, 17, 18 feet – but we really try to never go above 20. Usually, 15 is the max we try to stay at.

In terms of grazing, there are lease agreements that are done with property owners regarding continuing to be able to have livestock on the site, but typically what we've heard about – although I haven't seen it – is solar sheep. I guess goats eat too much stuff that's non-vegetative and cows are clumsy and can damage the equipment. But sheep apparently are pretty okay. They eat what they're supposed to and behave, and aren't big enough to hurt anything. That's what we've heard on that. I have not seen a site to do it, but I probably will.

Sean had asked me, I think while you were logging back on, if I had any thoughts on a starting point, and I guess in my mind this is it. Prior to four years ago I had never thought about these things. I may have heard about them, but they didn't impact my life. They didn't impact my profession, and then a locality asked me to perform some research for them, because they were having a lot of interest. I did that, and in doing that I discovered pretty much most of the stuff that I just went over with you, and then as outlined in more detail in that Planning Advisory Service memo that Sean and Jay have sent you – I think they sent it yesterday. So, to me, this is a first step. You've got one that looks like it's trying to come and would like to come, and it would be great for you all to be able to have the tools in place to be able to mitigate the impacts of the facility if it were to be approved and then be able to apply those policies and regulations moving forward if other facilities want to come into the county.

So really, the first step is this, and then how staff and/or the Planning Commission communicates this information to the Board of County Commissioners and maybe asks them if they can give a green light to work with us or someone to start putting policies and regulations in place. We have done, for example, several of these, and in order to do it, we've accumulated hundreds if not thousands of hours of research and tweaking and feel like we've got a pretty good handle on it. It doesn't take that long to do. It just takes a certain niche expertise, and then in terms of developing the standards, some of which you all saw in the slide presentation, those are not magic numbers. They do vary from community to community, and they should. It's really

what is your level of comfort? That is always a great discussion to have with the Planning Commission and the County Commission in a joint work session format, if that's feasible or doable. It's a great conversation to have, and then those items can be ironed out pretty quickly. Next thing you know you're having public hearings to amend your Comprehensive Plan, to amend your Zoning Ordinance in order to be able to fully account, or at least better account, for these types of land uses. Part of that, also, can be, should be at some level, a discussion with the community on what they think about these facilities. What are their concerns? And then we document that and discuss that with you, and use that as our cues to develop the specific metrics that are recommended.

Ms. Davis: Mr. Coffey, Mr. Mark Huggins would like to ask a couple questions. Mark, you've got the floor.

Comm. Huggins: Thank you, Leslie. Mr. Coffey, I was just wondering if there are national organizations that are establishing standards for this industry.

Mr. Coffey: There is the...I'm going to bungle it. This is where Denise comes in, because she remembers things better than I do.

Comm. Huggins: Well, at this point I don't know that we need [inaudible] acknowledge that those exist and to be a good resource for standards.

Mr. Coffey: There are some. I know there are some industry standards, but quite frankly, the industry has been growing so fast that, in my opinion, a lot of the standards are outdated. One of the pieces of legislation in Virginia that was passed last year is that localities shall use the industry standards as established. One of the pushbacks was, what if that's not adequate? If Johnson County wants a more strict standard, then shouldn't they be able to ask for a more strict standard? What the industry has tried to do in Virginia is say, "No, you can't ask for a stricter standard. You need to use the national standard that exists, if it exists." So, the short answer is yes, there are, but with a lot of these issues, what I've gone over, the land use issues, there's no standard for that. Every location is different. Every geography is different, and you have to account for those differences.

Now, with battery storage, for example, I think those standards probably do have a better handle on it and are keeping up with that technology. I know there was a really, really bad incident in Arizona, where firefighters were injured, and I think the industry has responded as a result of that so that those facilities are a lot safer than they were. But we've done a lot of research on them in the past year and have a whole set of separate conditions and recommendations for battery storage, just like we derived our conditions that we generally recommend for utility-scale solar. With a lot of these facilities – and that's one thing we're going to have to figure out with this potential applicant – is essentially a two-for-one Conditional Use Permit where you're evaluating a use within a use, if you will, and accounting for it adequately.

Comm. Huggins: My next question would be, do you see these facilities going in without battery backup? Are they feasible without that?

Mr. Coffey: I've worked on processing facility applications for four years, and I only starting hearing about battery storage probably less than a year ago. I guess – it sounds stupid to say it – but I guess I'm one of the leading planning and land use experts in the country, or at least in the state of Virginia, and I was like, "What? Wait, what? What's this battery storage thing? I haven't heard about that." A lot of my planning colleagues were going, "Oh, yeah. They're talking about amending their site plan to add battery storage." I said, "No, no, no, no. That was not part

of the Conditional Use Permit. They're not going to amend the site plan to add battery storage. They're going to have to get whole other Conditional Use Permit." This is another...Battery storage – it's not defined anywhere. It's not accounted for as a use. It's a new one on me. But it is here to stay, so could there be facilities that don't use it or need it? Yes. But is it becoming a standard part of the facilities, especially the larger ones, like 500 megawatts? I would be surprised if it wasn't a component of it.

Comm. Huggins: It's my understanding in Kansas that the power companies are required to take back whatever excess electricity is generated by individuals, anyway. Is that still the case for these farms? Are you familiar with that at all?

Mr. Coffey: I don't know for Kansas. I don't know. I would imagine that is the case. In Virginia, and I think elsewhere, it's more of an issue of if it's sunny...Let's say it's a sunny spring day, so people aren't really using their air conditioning. They're not really using their heat, but you've got all of these facilities that have been approved, and they're operating, and they're just generating power left and right. Well, the grid can only handle so much, so you have to kind of throttle it back, so there's an opportunity cost that you're losing that you could have sold it. If you can store it, then you just put on the grid what the demand needs and then you store the rest. Then, when night comes and the sun ain't shining, you release it from the storage onto the grid, and you rock 'n roll, and the industry can make more money that way. That is officially as technical as I can get. Because I am not an engineer, and I do not play one on TV.

Comm. Huggins: Okay, thank you.

Mr. Pendley: Any other questions for Darren?

Comm. Oppermann: I have a vegetation question for Darren. Because of the solar panels, I would guess a good part of the time are flat, are they not creating an awful lot of shade on the ground, and doesn't that create a problem for actually growing vegetation, especially like native vegetation?

Mr. Coffey: That is a good question. There are some fixed systems, and they are usually at some sort of a tilt to maximize capturing the sunlight and that geography, but I think what we have seen of late – meaning the last several years – is all of the applications that we've been processing are using panels that move, and they rotate with the sun, so that they're capturing more energy throughout the full day. They're rotating as the sun rotates and tilting accordingly. So, if it rains at one point of the day, it's shedding one way. At another point of the day, it's shedding the other way. Similarly, the sunlight is reaching it somehow, some way, so really, stabilization underneath the panels hasn't been a major issue to my knowledge, if it's properly reseeded and allowed to establish. But that's another reason why it's important that the panels not be taller than ten feet at the lowest edge, because then you do get erosion that occurs, even if the vegetation is okay. You get a few good rain events in a row and that starts to wear the vegetation out and expose the soil, and then you've got some erosion issues. Typically, to the best of my knowledge – and this is one of the areas where you could require security – erosion and sediment control stabilization basically means you need to grass it. You need to seed it, preferably with native plants, and then once that stabilization has taken, it should be pretty good to go and then you can release that security.

Comm. Oppermann: Okay, it's just, sitting here thinking about it, especially if the panels are turning with the sun, it's like they're constantly blocking the sun. So, how does the sun get to the ground?

Mr. Coffey: You know, it's a good question. Again, I wish my partner in crime were here. She might have a better answer than I do. It's something I can definitely ask about and circle back with you on. But to the best of my knowledge that's definitely not one of the major issues that these facilities have. Once the ground cover is re-established, it's generally pretty good to go. The issue the industry has, I think, has more to do with not having that vegetation grow too high or trees start coming up in the grass. You have to keep that down, either through herbicides or through animals, or through manpower. Where it can be a mess if it's not properly designed and properly implemented is at the construction stage and at the decommissioning stage when you have massive ground being moved, and you have to have miles and miles of silt fence and other erosion and sediment control measures put into place. That's where the impact on the neighbors can be significant if it's not done correctly. Inspections are part of that process as well. That's where you see the issues. Once the facilities are built, and it's established, I am not aware of any of those issues. Now, four years into this, how many facilities are operating on the ground, and how long have they been operating for? A couple years at the most. It'll be interesting to see over time if there are issues like that that crop up that haven't been properly accounted for at this point in time.

Comm. Neese: How do you figure the cost after the 35 or 40 years with the present value of money and everything? It hasn't been done for 35 or 40 years yet, so we really don't know the cost, but do you feel confident that you can have an amount that would be escrowed or however it's retained to cover that cost 35 or 40 years out?

Mr. Coffey: That's a great question. People smarter than me do that calculation. Typically, what happens is we recommend that the locality's on-call engineering firm or one of their on-call engineering firms, who is qualified to do it double checks the applicant engineer's estimate. So, we have seen estimates on what the decommissioning cost would be based on the value of the equipment, so it's based on the present value of the equipment, what that cost would be. We're even able to look at it and go, "No way. Try again." What we do with the applicants is we say, "Hey, have your engineer put together a cost estimate. They need to be very transparent what the methodology is. "Show us these equipment costs and what the replacement value is. Do not subtract out any salvage value," because miraculously what we were seeing years ago was salvage value was equal to or more than the cost of the equipment. So, "We don't need to post a security for decommissioning because you can sell the equipment. If we leave in the middle of the night, you can sell the equipment and make plenty of money to pay for the decommissioning." We have advised our clients to say no to that. Then, there's a condition that not only requires what I just said, but it requires the estimate to be updated every five years, updated and verified every five years. Over time, as that equipment appreciates or depreciates, as market rates increase or decrease, then it's accounted for on the project site every five years. Then that security amount needs to be either refunded or increased commensurate with that engineering estimate, once approved by the County.

Mr. Pendley: That's what I was going to suggest, too, Darren. One of the things I try to equate this to, like a quarry or something where we have a Conditional Use Permit and as part of the conditions they have terms, and they're going to expire on a certain date, and we re-evaluate those letters of credit or sureties, whatever we have, with each renewal, and maybe it needs to be periodically updated. I'm guessing a decommissioning plan would be similar to like a reclamation plan for a quarry. We would look at that and look at all of the details associated with that, but that's a good question. That's something that I can imagine would be absolutely necessary to revisit every so often and not just wait until the lifespan of whatever the estimate.

Mr. Coffey: Absolutely.

Mr. Pendley: Any other questions for Darren?

Vice Chair Hutchins: One question I do have is, we have to consider the economic benefits to the community when we look at this, so can you help us understand in terms of scale let's say a solar farm of 3,000 acres would go into southwest Johnson County. Could you help us understand, would that supply the Kansas City area or metropolitan area with one percent of our energy? Ten percent? A hundred percent? Could you give us a feel for what is the scale of this?

Mr. Coffey: I cannot answer that intelligently. Again, Denise might be able to, and we could certainly circle back and get you an answer to that, but I am a land use planner, and I just don't know.

Vice Chair Hutchins: All right. Thank you.

Mr. Pendley: I think one of the things I was going to suggest, Randy, that's what we were hoping, to learn a little bit more about this, too, from the industry side and what the power generated. I think what I understand is, from basic research, it depends on the energy production, right Darren? How many megawatts is it going to produce?

Mr. Coffey: Right.

Mr. Pendley: It may really just depend on what actually gets approved and how much is going to be transferred back to the grid? I know it can vary substantially, but that's a great question. I'm sure that would be something that would be very specific, and we would need to know that information if we did approve of the project, we would need to know exactly where it's transferred and the percentage...Surely, whether it's the energy provider, whether it's that private utility provider or the public utility, they know what percentage that supplies to the grid.

Mr. Coffey: I guarantee you the applicant would be able to answer that question immediately. You might even be able to Google it – how many homes would a 500-megawatt solar facility serve? That might give you the answer, but I'm not going to do that while I'm on with you guys. Unless you give me permission to.

Mr. Pendley: And that's another thing, Darren. I'm sure there's probably industry standards and things that we, just looking at basic research, each state is a little bit different from what I understand and I know, let's say for example, Evergy here in Kansas, they do have now – not that this is a site-specific thing – but they have kind of a goal that they have established for how much of their energy will be produced by clean energy sources. They may have some targets or goals. And I'm sure, again, these individual utility providers are going to know what percentage they're shooting at for providing energy sources to certain areas, but that's all, I'm sure good information, good things that we could research and try to get a better handle on..

Comm. Bollin: My question is how much of this energy produced would stay here in the Kansas City area, because from my understanding, all of these windmills that you see around the country in this area – Kansas area, southern Missouri – that energy goes to Florida or other places. Would this energy stay in the Kansas City area, or would it be shipped out to California or Florida like the wind energy is?

Mr. Coffey: That is a very good question, and that's a question that you would need to ask the applicant. There have been facilities that are being built at the behest of Facebook, Amazon, Microsoft and other large companies. When they say that they're going to one hundred percent

solar by whatever date, they're building enough solar power to offset whatever they use from the grid. So, once the power leaves the site and goes onto the grid, it goes wherever. It goes wherever it's needed, wherever the demand is, so to say it'll stay in the Kansas City area, I think, is a very hard thing to do, but it's a fair question to ask the industry. Typically, it just goes onto the grid. For example, when your power company, or your state, says that the state's power companies are going to provide 10 or 20 percent of their power through solar, then they're building facilities or commissioning facilities to be purchased or otherwise utilized to meet that metric, to achieve that 10 percent or 20 percent of total power supply. But where it's going is anywhere where that power company operates. That's the best I can answer that. With regard to the previous question, Google tells me that one megawatt of solar energy can serve up to 200 households equivalent, so if you have a 500-megawatt facility and you multiply that by 200, I think it comes out to 100,000, according to my calculator, unless it hit an extra zero. So, 100,000 homes would be the equivalent of what this facility would be serving in terms of the power that it generates, but you cannot say, "Well, where are those homes?" It's any business, any home, anything that's attached to the grid that's pulling power would be served by it, potentially, to the best of my knowledge.

Mr. Leipzig: One question I have, or I guess what I keep kicking around in my mind, is potential applicant is 3,100 acres. That's prime farm ground that would be tied up for 30 years for this solar installation. Obviously, there's locational advantages and opportunity cost associated with doing that, but when you look at tying up that ground for 30 years, versus other tax revenue that could be generated from a typical development, that's what I'm still trying to get my head around. It must be very financially lucrative for the company to want to get these properties under contract, but also for the property owners that are leasing the land. I guess that's the... This would be a major chunk of ground that is tied up for the next 30 years in the county, and with as fast as we are growing, that could have some very significant growth impacts on the county, long-term, especially in that area that they're proposing.

Mr. Coffey: Yeah, there's no question. I'm not familiar with that area or with your future land use plans and your Comprehensive Plan, but very rarely does a county's future land use map say, "Nothing's going here," or whatever. Even if it's slated to be ag/forest land 20 or 40 years into the future, that's a land use. That's agriculture. That's timber. That's real dollars, real jobs, real money, so are you going to swap that out for something else? Is it marginal land, or is it prime land? How long has it been in production, and how long do you foresee it potentially being in production? Is it near a village or a town that the infrastructure could be expanded, or those boundaries could be expanded into that area to serve businesses and houses? There are some localities... I had a city in the Northeast contact me and wanted to know what I thought about a solar facility going inside the city. I said, "I haven't run into that. It's pretty unusual. I would think that land is pretty high dollar," but for cities and counties, rooftops are money-losers, unless you've got a \$400,000-plus house, because of kids, basically – the law of averages is you're going to have 1.82 kids per household, and the cost of the schools versus the revenue generated off of that house is a money-loser. So, are houses slated for this area, and is this a way for you to stave that off for 30 or 40 years? I mean, those are all legitimate questions, and it really depends on what do your land use plans say? What are your citizens thinking? What are your appointed and elected officials thinking? Then, how do you want to account for this? There are some counties that say, "We don't want it. We're not generating enough revenue from it, and we don't want it. Our plan says we want jobs, and this isn't what we had envisioned, and we don't want it." Other counties have a different... They say, "We need anything we can get. We need any revenue we can get, and this is paying more than vacant land, so we want it, and

we welcome it.” Now, in Virginia, the localities are able to negotiate more of their fair share, and a lot of jurisdictions are throwing their doors open and saying, “Yeah, we’ll be willing to consider you now.” So, it just really, the financial component, the future land use component, the surrounding land uses that currently exist, all of that factors in.

Mr. Pendley: Jim, did you have another question? He’s got his hand raised, but maybe he doesn’t have a question. Any other questions for Darren?

Comm. Neese: I do have a question. What kind of subsidies are typically given? Are there federal subsidies and state subsidies? I know you mentioned briefly that they kind of did an about face in Virginia. Of course, they’re going to lose so much of their coal income, but are there mammoth subsidies from the federal government and the states that are wanting to have these come into their states? And what about the fed?

Mr. Coffey: I don’t know about Kansas, although there is some tax incentive, I don’t think it’s as lopsided as Virginia’s was, but I think there is some sort of a state tax incentive. We would need to look into that more. Federal, I can’t think of any right off the top of my head, but in Virginia, it was an 80 percent tax credit; whereas, let’s say you had \$10 million worth of machinery and tools equipment, or personal property equipment. You’ve got \$10 million, and without that tax credit, you could tax at your machinery and tools tax rate \$10 million. Well, under that 80 percent you could only do \$2 million. You could only do the rate times \$2 million, so you’re leaving 80 percent of that revenue that would have come to the locality’s coffers the industry has pocketed. That’s great, but I’ve had industry people tell me “We really don’t need it. We appreciate it, but we don’t need it.” Well, I can tell you, rural counties in Virginia need it. Their taxpayers would really appreciate industries paying their full share, since they pay their full share. So that’s kind of the tradeoff.

Mr. Neese, it varies pretty widely from state to state, but one of the things that we would do if we ended up having the good fortune of being able to engage with the County, is we would look at what the numbers would look like and what the possible revenue-generating potential could, what we’re allowed to ask for and not allowed to ask for under state code. We would help you negotiate with the applicant to make sure that the revenues that you were getting out of it were as high as possible without making the project infeasible. Of course, they know what that number is, and they don’t want to get anywhere near it. You probably don’t have to get anywhere near it in order to be able to look your taxpayers in the eye and say, “Man, look at the amount of revenue that we’re getting off of this facility.” There is a pretty big gap there, and so there’s room for negotiation We would help you do that. Specifically, Denise Nelson has come up with all of that math. She’s got the formulas and the spreadsheets, so she would just plug you all’s rates into the revenue streams, take it out however long the life of the facility was anticipated, and then we’d go from there.

I tell you, what a key component to that number is is the value of the equipment on day one of operation. That value tends to be lower than you would think it would be. One of the things that we’ve been talking about, again, here in Virginia is you need to report that equipment amount to the SCC. Whatever you’re reporting to the State Corporation Commission it better be the same number you’re reporting to Sussex County. Whatever number you’re reporting to Kansas State Corporation Commission or equivalent, it better be the number on the application with Johnson County Conditional Use Permit. That’s another area where the state and states has lagged a little bit, I think. Industry is doing their thing and trying to get these things up as fast as they can. Climate change is a big driver of it, and that’s all well and good, but when it’s in your jurisdiction you’ve just got to make sure you’re doing it right and you’re getting your fair share

out of it. But there's room to do that. There's plenty of room to do that. You can save the world and make a buck, and they can still make a buck. It's a win-win-win situation. There's plenty of room to do that, and then everybody can hold hands and sing kumbaya and "Go green energy." But there's a lot to it in order to ensure that your citizens and taxpayers are protected.

Mr. Pendley: That's good. Any other questions for Darren? I'd just like to say thanks, Darren, for your presentation. We appreciate that. This is a great overview of this issue. We know, at this time, we don't have an actual application submitted for a solar farm, but we do know that it's very possible and likely in the near future, so our goal tonight, we don't have an action item. This is not a public hearing. We just wanted to do kind of an educational component to introduce the issue and get the discussion started with the Planning Commission. I think it would be really wise for staff to research this some more and provide an update and maybe look at next steps, so hopefully we can bring this issue back to the Planning Commission and Board of County Commissioners. We appreciate your presentation, and look to talk with you again soon.

Mr. Coffey: Absolutely. I really appreciate you all's time, and I guess as I say goodnight to you, I'll also just add that, honestly, my girlfriend and I have been rooting for the Chiefs for several years now, so, "Go, Chiefs!" Beat those Buccaneers. You all have a great night.

Vice Chair Hutchins: Mr. Coffey, again, I want to thank you, and for your awareness, there are some landowners that actually joined. These discussions are taking place in many circles – on the Board of the Johnson County Farm Bureau organization we've been having these conversations for 18 months or better. Some of our board members have been approached, and right now it's just really a lack of information, and this has been very helpful. I know I'll carry it back and share it with our Board. Again, I hope that we get to meet with you again in the future to help, again, educate us.

Mr. Coffey: It would be my pleasure.

Vice Chair Hutchins: All right. Again, thank you very much.

F. DIRECTOR'S REPORT

Vice Chair Hutchins: Mr. Leipzig, if I could turn it over to you, or Sean, whoever is going to address that.

Mr. Leipzig: Thank you, Mr. Chairman. I appreciate the chance to say a few words and the chance to introduce Mr. Coffey this evening. I think it was a great overview, and staff will continue to do additional research on this topic, and we'll provide additional information to you. I feel like we just barely scratched the surface, but it was a great discussion, and it is a lot to think about. I just wanted to mention that. The other thing that I wanted to point out that was in the packet that was mailed out is our year in review that was mailed, I believe Leslie might have mailed it to you earlier this afternoon. That is a summary of all of our Zoning Board actions throughout the year that I've been doing for the last few years. This year it is a little bit different in that we've always had the year in review, but then we always have a document that has goals and critical strategies for this next year. I decided not to do that this year, because for 2021, as you know, we've got some fairly ambitious projects that we're starting. We're currently having a consultant review our Subdivision Regulations for an audit, which is that first step in reviewing our Comprehensive Plan and making suggestions for amendments to our Comprehensive Plan. We also will be updating our Comprehensive Plan in 2021 and 2022.

The first two steps in that process are to update our airport plans, which are the New Century Airport Plan and the Olathe Executive Airport Plan. The Deputy Director and myself have had an

initial meeting with our Purchasing staff for the County to start that process, and we'll be forthcoming with additional information that, but we've just started it. We're getting ready, or having those initial discussions on preparing the RFP, the Request for Proposals, to do that, but that will be a significant endeavor for this as we move forward. We're looking forward to that, and that will encompass working with the City of Gardner, the City of Edgerton the Airport Commission and several groups will be involved in that. It is the first step on the update of the Comprehensive Plan, and then we'll move into more of a traditional update along with our Subdivision Regulations. I think, depending on the discussion, this utility-scale solar installation will be part of that discussion and will have to be part of that overall amendment to the Plan.

The other thing I wanted to mention just briefly – and I know there's been some questions about it and comments – the City of Edgerton just very recently has been involved in a couple annexation projects, or annexation applications at 199th Street, just south of that area, and Gardner Road. The County, really in terms of our perspective on that or ability to have any opinion on that matter, it's a voluntary annexation, and it's a contiguous annexation, so that really is an item between the City of Edgerton and those property owners. I know there were some questions about that as to what the County could do, but frankly, since it was a contiguous annexation, we had our Legal staff, we looked at that, and confirmed that it was a contiguous annexation. I did want to state that. I know there have been some questions about that in the past, so I'd be happy to answer any questions, or Sean could answer questions on that as well. But that being said, that completes my report this evening.

The other thing historically, too, the meeting in January has been used for a training session, so the meeting tonight will kind of suffice for that as a training session. Always in the past it was more general, but we'd still like to have maybe another meeting later on this year, possibly about comprehensive planning, and as we go into more of the updates for those comp plans, what that might look like, or what a typical process would look like. I think it would be very helpful for this Commission and also the Zoning Boards, too, we will do something. We don't have it scheduled yet, but we're thinking about some future agenda topics for that, in terms of training. That completes my report, sir.

Mr. Pendley: Did you want me to provide an update for our new planner?

Mr. Leipzig: Oh, yes. Thank you, Sean. Yes, please.

Mr. Pendley: Sure. We just wanted to announce that we recently hired a new planner. This will replace the vacant position since Jeff Malotte retired last year. Our new planner is Michelle Leininger. She was previously a planner with the City of Gardner, and prior to that, she worked for Lawrence and Douglas County as a planner. Michelle's first day is next Monday, February 1st. We're looking forward to having her onboard. We'll try to invite her to the next Planning Commission meeting to introduce her to the Commission.

Mr. Leipzig: And she is an Iowa State grad, so we'll have to give her a hard time about that.

Mr. Pendley: We won't hold that against her.

Vice Chair Hutchins: Great. Any questions for Jay or Sean? [None] Fantastic. Jay, thank you for providing an update on Edgerton. I know we have been getting some questions regarding that, so it's good to hear that you guys were already looking into it and prepared to address that.

G. UPDATES/OTHER BUSINESS

H. ADJOURNMENT

*Motion for adjournment by Comm. Meier, seconded by Comm. Huggins.
Motion passed unanimously.*

Randy Hutchins, Vice Chair

ATTEST:

Secretary to the Board