Town of Panton Chartered 1761

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Selectboard Meeting Minutes
October 28, 2024

In attendance: Selectboard Chair Howard Hall, Selectboard Vice Chair Teresa Boucher, Town Clerk & Treasurer Maggie McCormick, Michael Willard (VHB for SunEast/Freepoint Solar), Geoff Hand (SRH Law for SunEast/Freepoint Solar), Adam Crary (VHB for SunEast/Freepoint Solar), Reed Wills (SunEast/Freepoint Solar), Dave Hazel (SunEast/Freepoint Solar), Kathy Kennett, John Viskup, Lorraine Kayser, Kevin Cooke, Sharon Ashcraft, Steve Weber

Via Zoom: Emergency Management Coordinator Bob Groff, Sean Sullivan, Terry Pelletier

1. Howard called the meeting to order at 5:30 p.m.

2. Additions/deletions to the agenda: None.

3. Approval of the minutes of the October 16, 2024 Selectboard meeting

Teresa moved to accept the minutes with the corrections noted by Kathy Kennett. Howard seconded. All in favor; the motion passed.

4. Review/approval of accounts payable warrant, timesheets & payroll warrant
    a. Payroll Warrant: $8,622.17
    b. Accounts Payable Warrant: $31,728.15

John Viskup asked about a credit due to the Town from Kimball Midwest.

Howard moved to approve the timesheets and warrants. Teresa seconded. All in favor; the motion passed.

5. Emergency Management Coordinator's report
    a. On July 10, Bob participated in an online meeting with the State and FEMA about flood reimbursement. Reimbursement requests are still being reviewed and FEMA is still unfunded.

b. Bob participated in an online meeting with the State Emergency Communications that sought EMC input on how to improve statewide 911 system.

6. Schedule FY26 Budget Meetings
    a. The November 11, 2024 Selectboard meeting was moved to November 12, 2024 at 5:30 p.m. due to the Veteran's Day holiday.
    b. The November 25, 2024 Selectboard meeting was moved to November 26, 2024 at 5:30 p.m. for member schedule conflict.
    c. The first budget meeting was scheduled for Thursday November 14, 2024 at 5:30 p.m.
    d. The second budget meeting was scheduled for Monday, November 18, 2024 at 5:30 p.m.

7. Communications
    a. Tax Map updates will be postponed until next year, saving the Town $1600.
    b. The Town received a copy of the Addison County Solid Waste District Report
    c. Maggie will send the board members information on an Employee Engagement seminar being offered by the Vermont League of Cities and Towns.

8. FreePoint Solar presentation on proposed Viridis solar field
    a. Reed Wills opened the presentation and thanked the selectboard for allowing them to hold meetings at Town Hall.
    b. Reed introduced three subject matter experts that Sun East has engaged to work on the Viridis project
        i. Adam Ferry, Natural Resources consultant employed by VHB, contracted to SunEast.
        ii. Michael Willard, Landscape Architect, consultant employed by VHB, contracted to SunEast.
        iii. Jeff Hand, Attorney working with municipalities, specializing in energy projects. He will be SunEast's representative at PUC proceedings. Part of SRH Law in Burlington.

A professional video recording of the presentation was made and will be made available as soon as it is available.

Highlights:

1. Reed
    a. No new project can interrupt the existing electrical service.

b. Bond and plan for decommissioning with the budget reviewed by PUC/Department of Public Service(DPS) reviewed and updated in 3-to-5-year increments
c. SunEast had an unofficial meeting with the Panton Planning Commission in 2022.
d. SunEast sends information to the Town Clerk, who then posts it to the website.
e. FreePoint Solar is owner of the proposed Panton project,
f. As currently proposed, 95% of the project is outside of the scenic area defined in the Panton Town Plan.

2. John Viskup
   a. VT is cloudiest state in the country.
   b. He is not against solar.
   c. Tourism is VT's biggest industry.
   d. What brought SunEast to VT?
      i) Reed: VT has a good renewable energy market
      ii) Other wind and solar projects here
      iii) The grid can accept the energy they want to produce
3. Kathy Kennet
   i) Viridis should provide a photo of the proposed development form the top of East Road and top of West Road looking west. Why have you not taken a picture of the project area from the top of East Road and West Road looking west?
4. Sharon Ashcraft
   i) Land in the proposed project area is home to endangered species, including bats.
   ii) Dead Creek Wildlife Management Area is the most-visited in the state.
   iii) Adam: the project will consider all documented and undocumented species. The developer is required to mitigate impacts during construction and operation. The information being presented is the best currently available and will be updated when the petition is filed with the PUC sometime next year.

Reed: the gross area of the project is 220 acres. Panels will all be Inside fence line. They cannot reduce the size of the project to make the cost of connecting to the existing power viable. The project scope must include creating the ability for generated power to be moved to substation in Vergennes and the capacity to transfer it to the grid.

5. Steve Weber
   i) The power generated will not go to the town or the state. The town should receive a one-time payment to offset the large impact that doesn't benefit the town.
   ii) The payments to the town should be indexed to the budget.

iii) Reed/Geoff: the project has no permanent impact. The power has not been sold yet. Vermont has changed its policy since they began developing this project and the power may be able to be sold here. The Department of Public Service looks at economic benefits.

6. Sean Sullivan
   i) Asked about the town's grand list/budget and how the per/thousand number would be reduced by taking $400,000 out of the amount to be raised by taxes.
      (1) Maggie: I haven't done that calculation and cannot produce the answer on demand.
   ii) This is the largest solar project in Vermont so far. This is not clean energy or renewable energy per state of Vermont definitions. Calling this project "clean" or "renewable" is a deceptive practice.
   iii) There are hundreds of solar companies going bankrupt and solar fields become superfund sites. How often is the [decommissioning] bond reviewed?
      (1) Reed: The bond is not subject to bankruptcy. The bond is reviewed and reassessed every three years and will be paid whether developer/owner is solvent or no longer exists. Bond includes material recovery/removal from site.
7. Maggie Catillaz
   i) When the connection to VT Electric is built, who owns that asset?
      (1) Reed: it is paid for by developer.
   ii) How does marginal pricing affect local users?
      (1) Reed: non-renewable resources are removed from the grid, which lowers prices.
8. Lorraine Kayser
   i) Why did you choose this spot? We seem to be saturated.
   ii) Reed: project development began in 2017/2018. Panton was chosen because there is a place (Vergennes) to connect to the grid and they met landowners who were open to having solar on their land.
9. Sharon Ashcraft
   i) Renewable energy credits are assets and for this project, they will go to Connecticut, with no benefit to VT.
   ii) How do federal tax credits work?
      (1) Reed/Geoff: tax credits come from taking advantage of depreciation advantages. As electrical demand continues to grow, the incentives are factored into the asking price for their product.
   iii) This project will be permanent for people who will not outlive it. Their assets will be affected.

iv) The conversation needs to be about what will be given up that cannot be replaced.

10. Michael Catillaz
    i) Do you have any other projects where payments to the municipality are indexed?
        (1) Reed: No. The payments are flat. The taxable base goes down over time. Solar production goes down over time/ Payment remains the same, even though production is less.
11. Denise Strona
    i) I see bobcats and bears and will no longer see wildlife.
    ii) Are you all for this, Adam? What about its effect on people?
12. Adam: PUC requires review of animals and takes animal movement into consideration. His job is to identify any impact on all resources. As impacts are identified, the project design is adjusted to eliminate or mitigate those
13. Kathy Kennet
    i) Will the project be bounded by one continuous fence?
    ii) Reed: There will be several different fenced areas.
14. Kevin Cooke:
    i) The $350K is a conservative number but not guaranteed until the model is complete, and PUC approves.

Reed: There is no mechanism for FreePoint to give the electricity to the Town. FreePoint hopes to work collaboratively with the Selectboard if the PUC approves the project.

Teresa: The ballot question is to hear from more town members who vote. It is non-binding vote that was placed on the November 5 ballot in response to a citizen petition. The Selectboard doesn't have a say. The board can show the PUC the vote, but the PUC has the final say. Once the vote has been tallied, we can have a conversation about what the Board will do.

Teresa moved to enter executive session. Howard seconded. All in favor; the board entered executive session at 7:40 p.m.

Howard moved to exit executive session. Teresa seconded. All in favor; the board returned to open session at 7:51 p.m.

Howard moved to appoint Bob Hartenstein as the VPWD representative until the March election. Teresa seconded. All in favor; the motion passed.

9. Adjournment

Teresa moved to adjourn. Howard seconded. All in favor; the meeting was adjourned at 7:52 p.m.

Respectfully submitted,
Maggie McCormick
Town Clerk & Treasurer