

**Joint Meeting of JCIDA Loan Review and JCLDC Alternative Energy  
Committee Meeting Minutes  
March 23, 2021**

**Present (Loan Review):** Robert Aliasso, Chair, David Converse, John Jennings  
**Present (Alternative Energy):** William Johnson, Paul Warneck

**Also Present:** David Zembiec, Marshall Weir, Lyle Eaton, Peggy Sampson, Jay Matteson, Lisa LøHuillier, Ed Walldroff, Matthew Moses, Esq., Dallas Manson (Nexamp), Gary Rhodes (Henderson), Brendan Straub from 7News

- I. Call to Order:** Loan Review Chair Aliasso called the meeting to order at 8:00 a.m.
- II. Pledge of Allegiance**
- III. Nexamp Solar Projects:**
  - a. Butterville Road Solar, LLC** – Mr. Aliasso said the application fee was received and that a negative declaration was issued for SEQR. He also said that the packet contained Mr. Eaton’s summary of the proposed project which included a cost benefit analysis (CBA). Mr. Jennings asked if the application is complete. Mr. Zembiec said yes.

Mr. Aliasso noted that the summary showed different numbers than the application. Mr. Eaton indicated that he created the CBA last August and said that he will revise it using the updated application projections.

Mr. Zembiec indicated that most of the IDA’s he spoke with also used the \$5,500 megawatt formula, but they did not discuss smaller projects. He said that he will also ask them about this.

Mr. Aliasso asked if Section II: Project Description & Details should be changed from none for listing current operations in Jefferson County since the Adams Renewables and Black River Solar projects have been approved and closed. Ms. Manson said that the projects were not operational at the time of the application.

A motion was made by Mr. Jennings to move the proposed project to the full board for consideration, seconded by Mr. Converse. All in favor.
  - b. LeRay Jackson Solar, LLC** – Mr. Aliasso said the application fee was received and that a negative SEQR declaration was issued. He also said that the packet contained Mr. Eaton’s summary of the proposed project which included a cost benefit analysis.

**Joint Meeting of JCIDA Loan Review and JCLDC Alternative Energy  
Committee Meeting Minutes  
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Mr. Aliasso asked Mr. Eaton about his question regarding the labor costs. Mr. Eaton said that he doesn't have a good handle on the taxable portion for the sales tax benefit. Attorney Moses said that Nexamp's Counsel withdrew the request for sales tax abatement. Mr. Aliasso said that the application should reflect the change before full board consideration. Attorney Moses said that the email will suffice as the modification to each of the applications.

A motion was made by Mr. Converse to move the proposed project to the full board for consideration, seconded by Mr. Jennings. All in favor.

- c. **Pamelia Solar, LLC** – Mr. Aliasso said the application fee was received, a variance was granted, and a negative declaration for SEQR was issued. He also said that the packet contained Mr. Eaton's summary of the proposed project which included a cost benefit analysis.

A motion was made by Mr. Converse to move the proposed project to the full board for consideration, seconded by Mr. Jennings. All in favor.

- d. **Waddingham Road Solar, LLC** – Mr. Aliasso said the application fee was received and that a negative SEQR declaration was issued. He also said that the packet contained Mr. Eaton's summary of the proposed project which included a cost benefit analysis.

A motion was made by Mr. Jennings to move the proposed project to the full board for consideration, seconded by Mr. Converse. All in favor.

**IV. Other/Unfinished Business:**

- 1. **Pending Solar Projects** – Mr. Aliasso asked about the status of the Omni Navitas and US Light Energy projects. Attorney Moses said that the closing documents have been drafted for the two US Light Energy projects. He said counsel is reviewing them and anticipate closing within the next few weeks.

Attorney Moses said the closing documents for the Omni projects have been drafted and we are waiting for a closing date. He said one of the projects were sold and we are waiting for correspondence for the board to consider approval of the transfer.

Mr. Zembiec indicated that there has not been any update for the Chaumont project.

- 2. **Draft UTEP** – Mr. Aliasso said that Mr. Zembiec put the draft UTEP together based on past comments from staff and board members which included adding a section for renewable energy projects.

**Joint Meeting of JCIDA Loan Review and JCLDC Alternative Energy  
Committee Meeting Minutes  
March 23, 2021**

Mr. Warneck said he will submit his comments to Mr. Zembiec, and outlined the following:

- Page 2, #2 ó consider lowering the 25 megawatts to 20 megawatts
- Page 2, #2b ó suggested deleting “To estimate the annual PILOT payment” and begin the sentence at “The Agency will” ö.
- Page 2, #2d ó replace the word “shall” with the word “may”
- Suggestion to create a new paragraph in this section that says no application will be accepted until all permits are in place. Attorney Moses indicated that developers wouldn’t want to wait for state level approvals to see if they have a viable project.
- Page 2, B ó suggests making a reference that projects need to be in compliance with local zoning. Attorney Moses said it is built into the agreement.
- Establish reporting for labor. Attorney Moses said it is captured in the project documents. He said the Agency could incorporate a form that can be used for the reporting requirements.

Mr. Aliasso noted that the UTEP document excludes utility transmission lines. Mr. Zembiec said the UTEP as currently written, lists what is allowed, not what is excluded. Mr. Aliasso asked if transmission should be excluded on page two, section two. Mr. Converse noted that the County is already on board with the Copenhagen wind project involving transmission. In that case, the Lewis County IDA provided a PILOT on both the Lewis and Jefferson County portions of the transmission line with approval by the affected taxing jurisdiction. Mr. Aliasso said that it could result in two separate applications.

Mr. Jennings asked about decommission plans. Attorney Moses said that the projects discussed today each have a decommission plan per local zoning. He said larger projects are required by state law to have one as well.

Mr. Aliasso asked about the closing time period which currently allows up to two years. He thinks this is too much time and suggested the time be shortened.

Mr. Jennings left the meeting at 9:09 a.m.

Mr. Aliasso mentioned the but-for policy. Attorney Moses said that it is a policy of the board. Mr. Warneck mentioned the Chaumont project since they indicated they were going to complete clearing and grubbing, but pointed out that there are now thousands of solar panels and said that we haven’t had an update from them. Mr. Converse said that he has struggled with the policy for years. He said that developers should complete the IDA application in anticipation of a project.

**Joint Meeting of JCIDA Loan Review and JCLDC Alternative Energy  
Committee Meeting Minutes  
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Mr. Aliasso noted the use of agricultural land. Mr. Warneck brought up the email sent by Mr. Zembiec that shared the ag values provided by Jay Matteson. He suggested inviting Doug Shelmidine, President of the Farmland Protection Agency, to an upcoming meeting to discuss the impacts and their concerns. Mr. Matteson said that one of the attachments to Dave's email was a chart of prime farmland soils in Jefferson County that included their assigned values. Mr. Warneck said that he is not sure it is the right way to determine the cost benefit analysis, especially for larger projects and suggested that we look at the impacts. Mr. Zembiec said there are two aspects. The first one is to determine how to apply those figures to the cost benefit analysis. The second is how to incorporate that into the PILOT payment schedule.

Mr. Johnson said that he is glad to see that the \$5,500 megawatts appears to be in line with some of the other IDA's. He said that it would be nice to have a map of Jefferson County that depicts current and proposed solar projects. Mr. Weir said he will contact County Planning.

Attorney Moses said that he will submit a comment to Mr. Zembiec for the UTEP regarding the County's request for sales tax for solar projects, which he noted would not constitute a deviation.

Mr. Zembiec said that a lot of material was covered today and indicated that there will be more discussion later on.

- V. Adjournment:** A motion to adjourn the joint meeting was made by Mr. Converse, seconded by Mr. Aliasso. The joint meeting adjourned at 9:34 a.m.

Respectfully submitted,  
*Peggy Sampson*