

WORK MEETING

DATE: Tuesday, June 30, 2021

LOCATION: Fairfield Town Office, 103 East Main Street, Fairfield, Utah

TIME: 6:00 p.m.

MINUTES BY: Stephanie Shelley

AGENDA ITEM #1 - OPEN THE TOWN COUNCIL WORK SESSION MEETING.

Mayor Gurney called The Town Council Work Session Meeting to order at 7:04 p.m.

AGENDA ITEM #2 - ROLL CALL.

Town Council Members Present: Mayor Brad Gurney, RL Panek (via Zoom), Tyler Thomas, Hollie McKinney, Jayson Densley

Staff Present: Stephanie Shelley- Recorder

Others Present: David Riet (Planning Commission), Heidi Brunner

Others Present via Zoom: Steve Jones, Heather Strong (Planning Commission), Adrienne, Larry Jenkins (Town Lawyer), iPad, 291 (Elaine Monson), Alina, Heidi Brunner

AGENDA ITEM #3- DISCUSS MOVING FORWARD WITH SOLAR AND THE MEMO FROM ELAINE MONSON

Mayor Gurney referenced a letter that Elaine Monson emailed to Steve Jones and the Fairfield Council Members that was from herself to Steve Jones regarding her concerns with the solar project in Fairfield.

Mayor Gurney asked Steve Jones what the official Town position on Solar was. Steven Jones stated that ENYO had the CUP application already submitted, and it was allowed under the current Ordinance. He said the Solar Ordinance would have the rules that ENYO will need to abide by. He also stated that the Light Industrial East Zone Ordinance allows solar farms as a conditional use, and based on the conditions that need to be met, it is an allowed use. He stated that the Planning Commission felt that the conditions had been met for Light Industrial East, and the Light Industrial East Ordinance was passed without the Solar Ordinance being passed. He pointed out that the Solar Ordinance is currently being worked on and that it will have the conditions that need to be met by the CUP.

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Mayor Gurney also asked him if the Town could change its decision on solar if they wanted to. Steven explained that if the Town wanted to change and take solar out of its land-use regulation as per the State Code, it would need to go through the formal process.

The Council talked about the concerns in the memo that was sent to Steve Jones from Elaine Monson. The memo was sent out to the Town Council and Commissioners, and the memo had addressed concerns that are not addressed in the Solar Ordinance (draft) right now. They asked Steve if there would be any consequences in changing the Light Industrial East Zone, and Steve Jones stated that yes, there would be consequences since a CUP has already been filed.

Mayor Gurney asked the Council to voice any concerns they might have at this time.

There was a discussion about the pros and cons of solar and what could happen if the Town denied the CUP or by changing the Light Industrial East Zone. They were concerned about environmental issues that could come along with solar farms.

Elanie Monson gave a presentation regarding the solar farm.

Councilwoman McKinney asked what solar brings to the Town. Mayor Gurney stated that it would bring approximately \$16,000 a year and it will protect the borders.

Mayor Gurney stated that Fairfield is a growing Town, and the Town Council can't tell property owners what they can do with the property.

Councilman Thomas stated that he agrees with Mayor Gurney and said he would like to have a balance for the future of Fairfield. He agrees with the proposed 300-acre solar farm but not the larger one on the Church property.

Councilman Densley talked about what happens with a broken solar panel that could contaminate the water supply. Councilman Thomas asked what could leak out of solar panels. Councilman Densley stated that if the panels are not repaired within 30 days, they will leak into the ground. He also said that it would create more industrial zoning in the long run and not a balance for the Town.

Planning Commissioner Reit stated that having the solar farm on the east side of Fairfield would seal the borders. He also said that he thinks the Solar Ordinance needs to be written to protect the Town, and the Planning Commission has gone through this line upon line. Commissioner Reit also pointed out that it will produce little revenue for the Town as they have already spent more money on attorneys fees than it will ever get back in revenue.

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Commissioner Riet asked for specific information on what makes up the solar panels. Steve Jones stated that the CUP requires them to provide the SDS sheets for the panels.

Mayor Gurney stated that he has heard lots of talk on data on solar panels but has never seen any of that data.

Councilman Panek asked why the EPA hasn't done anything about solar panels if they are detrimental to the soil. Solar farms are not a great revenue source, but he does feel pretty comfortable with it.

Mayor Gurney asked if the Town could deny solar if it is dangerous to the health and safety of our residents. Steve Jones said yes, the Town could deny it for health and safety reasons. Mr. Jones also stated that the Town hired him to put together a Solar Ordinance. The policy decision is the Town's. He will present information so the Town can make an informed decision. Mr. Jones continued that the Town can do this legally, and the Town can deny the CUP. This is a political decision. Mayor Gurney said that there would be litigation. Steve Jones said this was adopted without a solar ordinance in place. Enyo could come after the Town for breach of CUP.

Larry Jenkins stated that the conditions had been met. I believe the issues that have been made can be met with the Solar Ordinance. He can not make that decision, only advise the Town.

Elaine Monson gave a PowerPoint presentation to those present on the detrimental effects of solar.

Councilman Thomas asked Elaine what her preferred energy source was. Elaine responded by saying that her preferred source of power was nuclear. Councilman Thomas asked if it would be okay close to your home or in another state. Elaine stated she would not like it to be the same State as her.

Councilman Thomas stated the Water Department if Fairfield monitors the water supply once a week.

Councilman Densley said that he researched the difference between solar on farms, homes, and buildings. He said the difference is the size, and he said that it makes more sense to have solar in urban areas and not rural areas because it is less likely to leak into the ground.

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Councilwoman McKinney asked Elanie if Enyo could be the developer, and Elaine stated they could sell it to another solar company. She has looked into Enyo a little bit, and it is not a large company. She encourages you to look at the other developments by ENYO.

Adrienne Bell would like to have time to come in to clarify the information that was presented tonight by Elaine Monson. She stated that this is in the industrial zone and is like a gas station, auto store, etc. Solar is no different in its impact. She would like to come to another meeting and present their information and rebuttal what was presented tonight.

Mayor Gurney asked if the Town Council is ready to move forward with the Solar Ordinance. He asked for opinions from the Council and the Commissioners.

Councilman Thomas said to proceed.

Councilwoman McKinney said not to proceed.

Councilman Panek does not want to move forward at this time until Enyo has a chance to present its side.

Councilman Densley said not to proceed.

Commissioner Reit said we need to proceed to protect the Town the best we can. He would also like to have the SDS sheet for the panels.

Mayor Gurney asked the Council if they could have ENYO come and present their side. The Council agreed to wait until ENYO has a chance to present their side.

Heidi Brunner asked Adrienne Bell what specific panel models they would be installing, and Adrienne did not have that information. Those decisions are not made until the final design, pricing, and construction begin. Heidi voiced her concerns about the Town Council not looking at research on the detrimental effects to the environment.

AGENDA ITEM #4- DISCUSS AND APPROVE OPEN FIRES AND FIREWORKS BAN IN TOWN.

Mayor Gurney told the Council that the Fire Chief is requesting a Fireworks ban in Fairfield this year. The Council held a brief discussion, and they decided that they would not implement a fireworks ban. Mayor Gurney will send out a letter to residents to inform them of the Town's decision.

AGENDA ITEM #5 - DISCUSSION ON OLD BUSINESS

Nothing discussed.

AGENDA ITEM #6 - DISCUSSION ON NEW BUSINESS

Nothing discussed.

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AGENDA ITEM #7 ADJOURN THE TOWN COUNCIL WORK SESSION MEETING.

Councilman Densley made a motion to adjourn the meeting. Councilwoman Mckinney seconded the motion. The motion passed unanimously.

The meeting adjourned at 9:38 p.m.

October 12, 2021

Stephanie Shelley

Minutes approval date

Stephanie Shelley Town Recorder