

Meeting of the Norwich Energy Committee Monday, 8/25/20, 7 pm, via Zoom

Attending: Linda Gray, Susan Hardy, Aaron Lamperti, Suzanne Leiter, Norm Levy, Charlie Lindner, Erich Rentz

Guests: Roger Arnold (at ~8:30), Linda Cook (at ~7:50), Jack Cushman, Rob Gere, Karl Kemnitzer (Hartland Energy Committee), Ana Mejia (Vital Communities), Eva Rosenbloom (until ~7:40)

Linda Gray gave the statement of Act 92 compliance.

The 7/28 minutes and the 8/25 agenda were approved by consensus.

There were no public comments.

Ana Mejia from Vital Communities presented information about their Mobile Home Energy Savings Project, a partnership with town energy committees, COVER, and Efficiency VT to test outreach and energy efficiency strategies that focus on the least-efficient homes and residents most burdened by energy costs. VC worked with Hartford and Springfield last year, and hopes to work with six other town energy committees this year. VC has developed informational and outreach materials and can fund printing and mailing; energy committee volunteers would research town contacts, help publicize, and make follow-up contacts. After discussion, there was consensus to work with VC on the project. Ana will email samples of outreach materials to the committee, and inquire with SEVCA about mailing to residents of 2020 partner towns. Linda will pull a list of mobile homes from the Town property database.

Jack Cushman described a resolution (text below) that he has proposed to the Selectboard, in support of enacting and funding the Global Warming Solutions Act, which is awaiting final legislative action in September. The Conservation Commission voted unanimously to support the resolution, and Jack would like the Energy Committee to support it. Charlie moved, Suzanne Leiter seconded, a motion of support for this resolution; approved unanimously.

Linda reported that the e-bike loan program is now in town #3 (Cornish/Plainfield); the 3 bikes will go next to Hartland, then Hartford, then Hanover. The contact at VBike, to which we directed borrowers for free follow-up consultations about purchases, reports ~15 contacts from the Upper Valley. Details for the e-bike conversion workshop were discussed; agreement to proceed as follows: Norm will get the bike to Karl; Karl will do the conversion as a "dress rehearsal" to work out any kinks, undo it, then do a final version for videotaping. Linda will follow up with CATV about doing the videotaping. Then we will schedule and publicize a Zoom "workshop" that would show the video of the conversion, with narration and the ability to pause for Q+A. The director at the Norwich library is reviewing whether the library could accept the converted bike into their collection for ongoing loans (at first as a pilot, most likely).

Linda reported that 2020 Solarize outreach has been 2-3 list serv posts/week and a Zoom info session on 8/24. That session went well, with 6 participants (one of whom since requested a solar proposal). Linda will pursue posting video of the session on the NEC web site. Solarize Hanover is doing a midday webinar on 8/26, and Linda will attend to see how that goes.

Charlie Lindner reported that his research on the Idle Right technology (for gasoline vehicles) came up with mixed reviews. He has also learned of back-up diesel generators (for electronics or heat) that could reduce diesel use. To identify which technologies would be of most value to Norwich, more detailed data on vehicle-by-vehicle usage is needed. Fortunately these details are available; Charlie and Aaron will pursue obtaining it from Town staff.

In addition, Charlie has reviewed the draft Green Fleets policy from the Hartford Climate Advisory Committee <https://www.hartford-vt.org/AgendaCenter/ViewFile/Agenda/07082020-1599> and recommends that Norwich consider a similar policy, modified to Norwich's circumstances. Charlie and Aaron will look at the data collected and Hartford's policy and then make suggestions about a Norwich Green Vehicles policy.

Updates:

*Button Up VT 2020 - Linda confirmed that Norwich is signed up; Efficiency VT will begin activities in September

*Window Dressers: no workshops through at least spring 2021; there's a possibility that Norwich could work with Sustainable Hanover on some prep and training aspects of the program

*Intermunicipal Regional Energy Coordinator: Geoff Martin, who has been the Hartford Energy Coordinator for the past three year, has taken the multi-town position.

Other business:

Suzanne asked about the status of the Listers' decision to tax solar equipment on the two solar arrays commissioned in 2019, despite the 2007 Town vote to exempt "renewable energy sources" from taxation. Linda outlined relevant statutes, highlighted the issue of treating residential off-site solar the same as residential on-site solar, and suggested pursuing a Town vote to authorize fixing the taxes on off-site solar equipment by contract (as per 24 V.S.A. § 2741). The relevant background information is appended below.

Norm shared that he is pursuing pollinator planting for the site of the 45-kW solar array near Star Lake homes, and that he is investing in a similar solar project in Charlestown, NH, that will benefit some NH housing developed by Twin Pines Housing Trust.

The next regular meeting will be Tuesday, September 22, 7 pm, via Zoom.

submitted by Linda Gray

DRAFT RESOLUTION

"Whereas the Intergovernmental Panel on Climate Change finds that net emissions of greenhouse gases from energy systems must be reduced to zero within a few decades to avert the worst risks of global warming; and

"Whereas the State of Vermont is not on track to meet its statutory and aspirational targets for reducing statewide greenhouse gases; and "Whereas Representative Tim Briglin, who represents Norwich in the Vermont Legislature, is a principal author of the Global Warming Solutions Act, which has broad support in the House and Senate; therefore

"The Selectboard of the Town of Norwich, Vermont, urges the state Legislature to continue to support the Global Warming Solutions Act and appropriations for its implementation, and calls on the Governor of Vermont to sign this important legislation."

Summary of the policy issue at the heart of the Listers decision to tax solar arrays and info on the statute allowing a Town to contract to stabilize the taxes for solar equipment.

The language that was approved by Norwich voters on March 6 2007:

Article 9: pursuant to **32 VSA 3845**, shall the voters of the Town of Norwich exempt from taxation that portion of a property's assessment, which is devoted to qualifying alternative energy generation?

Yes: 551 No: 498

The language of the authorizing statute:

<https://legislature.vermont.gov/statutes/section/32/125/03845>

§ 3845. Renewable energy sources

(a) At an annual or special meeting warned for that purpose, a town may, by a majority vote of those present and voting, exempt renewable energy sources, as defined herein, from real and personal property taxation. Such exemption shall first be applicable against the grand list of the year in which the vote is taken and shall continue until voted otherwise, in the same manner, by the town.

(b) As used in this section, **renewable energy shall have the same meaning as in 30 V.S.A. § 8002 for energy used on the premises for private, domestic, or agricultural purposes, no part of which may be for sale or exchange to the public.** The term shall include grist mills, windmills, facilities for the collection of solar energy or the conversion of organic matter to methane, net-metering systems regulated by the Public Utility Commission under 30 V.S.A. § 8010, and all component parts thereof, but excluding land upon which the facility is located. (Added 1975, No. 226 (Adj. Sess.), § 2; amended 2007, No. 92 (Adj. Sess.), § 23; 2013 No. 99 (Adj. Sess.), § 8, eff. Jan. 1, 2017; 2013, No. 174 (Adj. Sess.), § 28, eff. Jan. 1, 2015.)

Guidance from <https://tax.vermont.gov/municipal-officials/solar-valuation>

VALUATION OF SOLAR PLANTS

Municipal property tax is imposed on a solar plant **unless one of the following applies:**

- The solar plant has a plant capacity less than 50 kW and is either (a) operated on a net-metered system or (b) not connected to the electric grid and only provides power on the property on which it is located; or
- **The municipality has voted to exempt the plant pursuant to 32 V.S.A. § 3845; or**
- The municipality has entered into **a contract to stabilize the property's taxes pursuant to 24 V.S.A. § 2741. [see below]**

All other solar plants must be valued for municipal property tax purposes. Solar plants with a plant capacity of less than 50 kW, and that do not qualify for any of the three exemptions described above, will also be valued for education property tax purposes. Vermont law requires a solar plant to be valued using the discounted cash flow method as described in 32 V.S.A. § 3481(1)(D) and designated by the Department's Division of Property Valuation and Review (PVR). Assessing officials should contact their district advisors for help with using the valuation model identified by PVR.

The appraisal value that an assessing official should use is 70% of the value calculated by the valuation model based on the expected 25-year project life.

The assessment will remain unchanged for either 25 years or the remaining life of the project,

whichever comes first. For net-metered systems that are not exempt, an assessing official must reduce the plant capacity by 50 kW before calculating an appraisal value.

<https://legislature.vermont.gov/statutes/section/24/075/02741>

§ 2741. Municipal corporations; **property values fixed by contract**

(a) A municipal corporation, as hereinafter provided, may enter into a contract with owners, lessees, bailees, or operators of agricultural, forestland, open space land, industrial or commercial real and personal property, and **alternate-energy generating plants** for the purpose of:

- (1) fixing and maintaining the **valuation** of such property in the grand list;
 - (2) fixing and maintaining the **rate or rates of tax** applicable to such property;
 - (3) fixing the **amount in money which shall be paid as an annual tax** upon such property;
- or
- (4) fixing the tax applicable to such property at a **percentage** of the annual tax.

(b) A municipal corporation, **by vote of a majority of those present and voting at an annual or special meeting warned for that purpose for a contract relating to agricultural or forest property, open space land, or to alternate-energy generating plants,** or by a vote of two-thirds of those present and voting at annual or special meeting warned for that purpose for a contract relating to commercial or industrial property, may either:

- (1) **provide general authority to its legislative branch to enter into such contracts as application is made;** or
- (2) provide limited authority to its legislative branch to negotiate contracts, which shall be effective upon ratification by a majority of those present and voting at an annual or special meeting warned for that purpose.

(c) Any contract entered into pursuant to this section:

- (1) shall not be for a period in excess of ten years **except for a contract to stabilize taxes for an alternate-energy generating plant, in which case the term shall not exceed the term of any license, permit, or other approval required to operate such a plant;**
- (2) shall be filed with the clerk of the municipal corporation and shall be available for public inspection;
- (3) may be with existing or new owners, lessees, bailees, or operators of such property, or with persons who intend to become owners, lessees, bailees, or operators of such property; and
- (4) may be applicable to existing agricultural or forest property or open space land; renovations of or additions to existing agricultural, commercial, or industrial property, or open space land; or to new agricultural, forest, commercial, or industrial property, or open space land.

(d) For purposes of this section:

- (1) **"Renewable energy source" means any inexhaustible, continuous, or readily replaceable supply of energy, including solar,** wind, hydroelectric, and geothermal.

"Renewable energy source" does not mean any biomass, fossil, or mineral supply of energy, including wood, organic waste, oil, coal, or uranium.

(2) "Alternate-energy generating plant" means real and personal property that is built at an existing or new site after July 1, 1980, including any equipment, structure, or facility, used for or directly related to the generation or production of electricity from renewable energy sources with a nameplate capacity of not more than 25 million watts.

(3) "Farmland" means real estate, exclusive of any housesite, which is actively and exclusively devoted to farming and is operated or leased as a farm enterprise by the owner.

(4) "Forestland" means any land, exclusive of any housesite, which is under active forest management for the purpose of growing and harvesting repeated forest crops.

(5) "Housesite" means the two acres of land surrounding any house, mobile home, or dwelling.

(6) "Open space land" means any land, exclusive of any housesite, that does not fall under the definition of "farmland" and "forestland," is not used for commercial or industrial purposes, and does not have structures thereon. (Amended 1961, No. 16; 1967, No. 359 (Adj. Sess.), eff. March 26, 1968; 1969, No. 16, § 6, eff. March 11, 1969; 1973, No. 183 (Adj. Sess.), § 1, eff. March 30, 1974; 1977, No. 105, § 26; 1979, No. 170 (Adj. Sess.), § 1; 1993, No. 104, §§ 1-4, eff. June 21, 1993.)