



## **Henderson County Farmland Preservation Taskforce**

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Monday, April 14, 2025 - 6:00 PM  
King Street Meeting Room  
100 N. King Street, Hendersonville, NC 28792

### **Agenda**

1. Call Meeting to Order
2. Invocation and Pledge of Allegiance
3. Adjustment and Approval of Agenda
4. Public Comment
5. Approval of March 10, 2025, Meeting Minutes
6. Discussion
  - a. Farmland Preservation Donation Fund
  - b. Farmland Preservation Informational Meetings & VAD Expansion
  - c. House Bill 729 – Solar Farm Taxation
7. Staff Updates
  - a. AGZ Grant Interview
  - b. Chapter 45 Amendments
  - c. County Land Development Code Re-write
8. Next Meeting
9. Adjourn

**Henderson County**  
**Farmland Preservation Taskforce: February 10, 2025**

The Farmland Preservation Taskforce held a meeting on February 10, 2025 at 6:00 PM in the King Street Meeting Room located at 100 N. King Street.

Taskforce Member	Present	Absent
Commissioner Rebecca McCall, Chair	✓	
Commissioner Sheila Franklin, Chair		✓
Jason Davis – Henderson County Planning Board	✓	
Danny McConnell – Soil & Water Conservation District	✓	
Gary Steiner – NC Cooperative Extension	✓	
Jimmy Cowan – NC Farm Bureau		✓
Joffrey Merrill – AgHC		✓
Randy Newman – Hendersonville Board of Realtors	✓	
Jason Edney – At large	✓	
Justin Patwin – At large		✓
Linda Pryor – At large		✓
Alan Ward – At large		✓
Danielle McCall – At large	✓	

**Also present:**

Autumn Radcliff, Planning Director  
Liz Hanson, Planner I  
April Hoyt, Henderson County Soil & Water  
Jonathan Wallin, Henderson County Soil & Water  
Dr. Terry Kelley, NC Cooperative Extension

*R = attended remotely*

Commissioner and Taskforce Chair Rebecca McCall called the meeting to order at 6:09 PM.

**Invocation & Pledge of Allegiance:**

Taskforce Chair Rebecca McCall led the invocation and pledge after the meeting was called to order.

**Introduction of New Member:**

Taskforce Chair and Commissioner McCall welcomed Jason Davis, a new taskforce member who will serve as the liaison to the Planning Board.

**Adjustment and Approval of Agenda:**

Taskforce member Gary Steiner motioned to approve the meeting agenda as presented. Taskforce member Randy Newman seconded the motion. Motion carried.

**Public Comment:**

There was no public comment for this meeting.

**Adjustment and Approval of December 9, 2024, and February 10, 2025 Meeting Minutes:**

Taskforce member Randy Newman motioned to approve the December 9, 2024, meeting minutes and February 10, 2025, meeting minutes as presented. Taskforce member Jason Edney seconded the motion. Motion carried.

**Chapter 45 Ordinance Amendments Discussion**

Staff presented the final Chapter 45 – Farmland Preservation Ordinance Amendments that were presented to the County Agricultural Advisory Board at their February 26, 2025, meeting. The Agricultural Advisory approved the proposed amendments as presented at their February 26, 2025, meeting. Staff noted that there have been no additional changes since the Taskforce previously discussed the ordinance amendments. After discussion, Taskforce member Randy Newman motioned to approve the Chapter 45 Ordinance Amendments as presented. Taskforce member Jason Davis seconded the motion. Motion carried.

Planning staff will present the ordinance amendments to the Board of Commissioners for final approval at their April 16, 2025, meeting.

**Next Meeting:**

The next Taskforce meeting is scheduled for Monday, April 14, 2025, at 6:00 PM in the King Street Meeting Room.

There being no further business, the meeting was adjourned at 6:45 PM.

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Commissioner Rebecca McCall, Chair  
Commissioner Sheila Franklin, Chair  
Henderson County Farmland Preservation Taskforce

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

H.B. 729  
Apr 2, 2025  
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30241-TQxf-29

Short Title: Farmland Protection Act.

(Public)

Sponsors: Representative Dixon.

Referred to:

A BILL TO BE ENTITLED  
AN ACT TO CHANGE THE PROPERTY TAX EXCLUSION FOR SOLAR ENERGY  
ELECTRIC SYSTEMS, TO PROHIBIT THE CONSTRUCTION OF NEW  
UTILITY-SCALE SOLAR FACILITIES THAT ARE NOT QUALIFYING FACILITIES  
UNDER PURPA, AND TO REQUIRE FINANCIAL ASSURANCE FOR EXISTING  
SOLAR ENERGY FACILITIES.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** G.S. 105-275(45) reads as rewritten:

**"§ 105-275. Property classified and excluded from the tax base.**

The following classes of property are designated special classes under Article V, Sec. 2(2),  
of the North Carolina Constitution and are excluded from tax:

...

(45) ~~Eighty percent (80%)~~ Forty percent (40%) of the appraised value of a solar  
energy electric system. For purposes of this subdivision, the term "solar  
energy electric system" means all equipment used directly and exclusively for  
the conversion of solar energy to electricity."

**SECTION 1.(b)** This section becomes effective July 1, 2025, and applies to taxes  
imposed for taxable years beginning on or after that date.

**SECTION 2.(a)** G.S. 62-110.1 is amended by adding a new subsection to read:

"(a1) The Commission shall not issue a certificate of public convenience and necessity for  
a utility-scale solar project, as defined in G.S. 130A-309.240(a)(6), that is not a qualifying small  
power production facility under the federal Public Utility Regulatory Policy Act, as defined in  
18 C.F.R. § 292.203(a), unless the utility-scale solar project is to be sited on property meeting  
any of the following criteria:

(1) The property is a brownfields property as defined in G.S. 130A-310.31, and  
the developer of the project enters into a brownfields agreement with the  
Department of Environmental Quality pursuant to G.S. 130A-310.32.

(2) The property is not currently being used for agricultural or horticultural  
production.

(3) The property is timberland that has been clear-cut harvested and is not in  
production at the time of application."

**SECTION 2.(b)** This section is effective when it becomes law and applies to  
applications for a certificate of public convenience and necessity for a utility-scale solar project  
received on or after that date.

**SECTION 3.** Section 4 of S.L. 2023-58 reads as rewritten:

**"SECTION 4.** This act becomes effective as follows:



\* D R H 3 0 2 4 1 - T Q X F - 2 9 \*

- (1) Section 2(a) of this act is effective when it becomes law, except as follows:
- a. The requirements for decommissioning and registration established under G.S. 130A-309.240(b) and (e), respectively, as enacted by Section 2(a) of this act, become effective November 1, 2025, and apply to utility-scale solar projects constructed prior to or after that date. The owner of a utility-scale solar project shall register with the Department as follows: (i) by November 1, 2025, or at least 90 days prior to the commencement of construction of the project if the project is constructed after November 1, 2025; and (ii) at least 90 days prior to commencement of rebuild or expansion of a utility-scale solar project.
- b. The requirements for submittal of a decommissioning plan and financial assurance established under G.S. 130A-309.240(c) and (d), respectively, as enacted by Section 2(a) of this act, become effective November 1, 2025, December 1, 2026, and shall ~~only~~ apply to ~~(i) utility scale solar projects for which applications for certificates of public convenience and necessity are pending or submitted on or after the effective date of this act and (ii) utility scale solar projects that are generating solar energy or are interconnected to a transmission facility on the date this act becomes effective, only if the project is rebuilt or expanded, as those terms are defined by G.S. 130A-309.240(a)(2) and (a)(4), after the effective date of this act, in which case the project shall be subject to the requirements of G.S. 130A-309.240(e) and (d).~~ utility-scale solar projects constructed prior to or after that date. The owner of a utility-scale solar project shall submit a decommissioning plan and establish financial assurance ~~(i) by November 1, 2025, or prior to commencement of construction of the project if the project is constructed after November 1, 2025, and (ii) prior to commencement of rebuild or expansion of a utility scale solar project by December 1, 2026.~~
- (2) The remainder of this act is effective when it becomes law."

**SECTION 4.** Except as otherwise provided, this act is effective when it becomes

law.



# Farmland Preservation Taskforce

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Henderson County

April 14, 2025

6:00 PM

King Street Meeting Room





# Farmland Preservation Donation Fund







# Farmland Preservation Informational Meetings



# Farmland Preservation Informational Meetings

- Will hold 4-5 times a year
- Possible locations:
  - NC Cooperative Extension Office
  - BRCC
  - Edneyville
  - Mills River
- Educate landowners on the Voluntary Agricultural District program, Present Use Value program, Agricultural Conservation Easements, and other farmland preservation tools



# HB 729

Solar Farm Taxation



# HB 729 – Farmland Protection Act

- Sponsored by Representative Jimmy Dixon (Wayne & Duplin County)
- *“An act to change the property tax exclusion for solar energy electric systems, to prohibit the construction of new utility-scale solar facilities that are not qualifying facilities under PURPA (Public Utility Regulatory Policy Act), and to require financial assurance for existing solar energy facilities.”*
- Bill reduces excluded tax value from 80% of appraised value to 40% of appraised value
  - Solar energy electric system = all equipment used directly and exclusively for the conversion of solar energy to electricity
- Utility-scale solar projects must be located on specific property:
  - Brownfields
  - Property not currently being used for agricultural or horticultural production
  - Property that is timberland and has been clear cut-harvested and not in production



# Staff Updates

# AGZ Grant Interview with NC ADFPTF

- Staff was interviewed on April 11<sup>th</sup> by the NC ADFPTF review team to discuss our AGZ grant application
- The total amount of grant funds available will be determined once the state budget is finalized
  - June 3<sup>rd</sup> – ADFP Advisory Committee meeting
- Grant funds are anticipated to be awarded in October 2025
- The exact amount of funding for ADFP projects is unclear at this time

# Chapter 45 Amendments & LDC Rewrite

- Staff is presenting the Chapter 45 Amendments (*recommended by Taskforce and Ag Advisory Board*) at the April 16<sup>th</sup> Board of Commissioners Meeting for approval and adoption
- Consider potential amendments to the Land Development Code rewrite to preserve farmland



# Thanks!

Next Meeting:

May 12, 2025, @ 6:00 PM  
King Street Meeting Room

