



**City of Rio Communities Planning and Zoning Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Thursday, December 15, 2022 4:00 PM**  
**Minutes**

*Please silence all electronic devices.*

**Call to Order**

- Chairman Scroggins called the Planning & Zoning meeting to order at 4:00 pm.

**Pledge of Allegiance**

- Chairman Scroggins led the Pledge of Allegiance

**Roll Call**

- PRESENT: Chair Thomas Scroggins, Secretary Melodie Good, Member Scott Adair.  
ABSENT: Vice Chair Ralph Fernandez
  - Present City Manager Dr. Moore, Municipal Clerk Elizabeth Adair, Deputy Clerk Lalena Aragon

**Approval of Agenda**

- Motion made by Secretary Good to approve the agenda. Seconded by Member Adair. With a unanimous vote the agenda was approved as presented.

**Approval of Minutes for the Business Meeting (12/01/22)**

- Motion made by Member Adair to approve the minutes for December 01, 2022. Seconded by Secretary Good. With a unanimous vote the minutes for December 01, 2022 were approved as written.

**Presentations**

**a) Trigo Sol, LLC agent for Empart LTD Company**

- Troy McGee from Trigo Sol introduced himself and explained that his Company Sun Share is the oldest community Solar company in the United States and that they developed 80 solar projects.
- Troy McGee began his presentation.
- Manager Dr. Moore asked have you done an archaeological
- Matt Lane answered as part of the project some environmental back rounds were done that included desk top archaeological survey and no cultural resources were identified while looking at the site.
- Manager Dr. Moore explained the reason I asked was there had been archaeological find in that area. I didn't know if it affected this project or not.
- Lane Matt asked if he needed to look into it.
- Manager Dr. Moore said I would recommend it.
- Troy McGee continued his presentation.
- Secretary Good asked if the picture was what it would look like.
- Troy McGee explained that the picture was a Colorado site and that they would look similar to this.
- Secretary Good said I am trying to figure out how much room this will take up.
- Troy McGee explained.
- Chairman Scroggins asked if there was a reason that it didn't go all the way up to the north.
- Troy McGee not all 50 acers were needed.

- Matt Lane answered I can't answer that exactly but this is the lay out the designees chose. He further explained that he could get with the designer to give you more information.
- Chairman Scroggins said I just saw the large area and thought you could put more there.
- Matt Lane explained that is all they need to get the 5 megawatts.
- Member Adair asked how many homes it will give power to.
- Troy McGee answered I am not sure I would have to do some research.
- Troy McGee continued with his presentation.
- Matt Lane said it will give power to 2500 homes.
- Troy McGee explained how the subscription worked and that 30% would be saved for low-income homeowner that is required by the program.
- Manager Dr. Moore asked what kind of fee we are looking at.
- Troy McGee answered it is a monthly fee even people with bad credit would be able to subscribe and there is no cost to unsubscribe.
- Dr. Moore asked from a cost standpoint to the residence there is a cost to subscribe and does the saving offset or just offset the cost.
- Member Scott asked how much you would save on your electric bill
- Troy McGee explained that average homeowner would save about 10% and continued to explain the homeowner would get a \$0.08 credit.
- Manager Dr. Moore said so there isn't a lot of savings.
- Troy McGee answered there isn't a lot for the average homeowner, there is a savings for a low-income homeowner for about an average savings of about \$30 a month if their bill is \$100.
- Member Adair asked will you get a tax credit.
- Troy McGee answered no they will not get a tax credit the developer would get the tax credit to lower the development of the project so they can pass on the savings to the homeowner.
- Manager Dr. Moore asked if they are working an agreement with PNM.
- Troy McGee answered PNM is required to have this program.
- Manager Dr. Moore asked where the power would go.
- Troy McGee explained it will go to the substation and the developers would pay to upgrade the substation.
- Dr. Moore said when it upgrades will the power go to the grid.
- Troy McGee explained I would have to get back to you on that.
- Manager Dr. Moore explained the issue in Rio Communities is getting power into the city and power back out into the grid.
- Troy answered I would recommend going to New Mexico renewable energy to get some information to get updates on how it will affect the community that is maxed out.
- Dr. Moore explained that the city needs it, and that the city is getting several active inquiries of manufacturers in the area.
- Troy explained that renewable of energy is the way to go.
- Chairman Scroggins asked if you put this in you will have to increase the substation to handle the 5 megawatts.
- Troy McGee answered that it would have a big pipe and we can give this much more.
- Secretary Good asked what about the land that is around that you are not using will you sell it or are you going to keep for further expansion or what is going to happen with that.
- Troy McGee answered we have no plans to expand it.

- Secretary Good asked how much land would be unused.
- Troy McGee explained it is 50 acers, but it is a jigsaw puzzle my guess would be about 10 acers.
- Matt Lane said we can get a list of you questions and we could get back to you at the next meeting.
- Chairman Scroggins said so basically you build it and PNM needs to figure out how to take it.
- Troy McGee explained PNM is required by the PRC to do that and give credit to the homeowners.
- Matt Lane asked if he should have someone from Sun Share get with the City Manager to answer these questions or have them at the next meeting.
- Manager Dr. Moore said I think both that way we can get answers to the Planning and Zoning committing as well.
- Chairman Scroggins said one thing you have to remember is Rio Communities is not planning and zoning professionals so we may need things in ordinary English not in jargon.
- Troy McGee finished his presentation.

#### **b) Total Energies Renewables USA, LLC**

- Logan from Total Energies began his presentation.
- Secretary Good asked what kind of agreement do they have with the landowner.
- Logan answered it is a real estate agreement they can lease it or sell it to us it's the owner's decision if they lease it, put it in a trust or just sell it out right.
- Logan explained that they will be out of view and that they would use vegetation for screening
- Secretary Good asked if the location was planned development.
- Clerk Adair answered yes and explained the area they are talking about.
- The discussion continued.
- Clerk Adair explained the next step will be a public hearing we will send out letters to all the property owners that are 100 feet from the proposed site.
- Clerk Adair further explained Planning and Zoning will make the decision at the Public Hearing if it is approved it will then have to go to Counsel to make the final decision.
- Chairman Scroggins asked are Solar farms considered mineral rights.
- Logan answered not in Texas they are surface right owners. I don't know about in New Mexico.
- Chairman Scroggins said I know you will have to let the mineral rights owner would have access.
- Logan explained they would set areas so they would be able to.
- Chairman Scroggins explained I am sure we will have more questions on the fifth.
- The commission asked about the Public Hearing.
- Clerk Adair explained how the Public Hearing will work.

#### **Discussion – Comprehensive Plan**

- Tabled

#### **General Commission Discussion/Future Agenda Items**

- The commission discussed the Solar presentations.
- Member Adair explained I think we should have to take pride in this and be a city that has solar. Let people understand this is the future

- Clerk Adair explained that they have to go through PRC for approval the PRC is only awarding 40 in the whole state we may get all 3, 1, 2 or none. The is no guarantee that we will get any.
- Secretary Good said I want to see some meat and potatoes coming to our small town.
- Member Scott said we need business in order to get people.
- Secretary Good said I get it, but this has zero amount of benefit to us right now. It is even possible that they can't get on the grid he did say the PRC had to make is possible but I don't know.
- The discussion continued.
- Secretary Good said I just don't want our landscape to be solar.
- Manager Dr. Moore explained that they are all in competition with the same project.
- The discussion continued.
- Member Adair asked who makes the decision.
- Manager Dr. Moore answered the PRC.
- Member Adair asked what the PRC goes off of to make the decision.
- Manager Dr. Moore explained I am not sure they basically bring this to the Governor.
- Dr. Moore explained the prime location for residential home \*\*1.33 the discussion continued

**Public Comment:**

- No public comment.

**Adjourn**

- Motion made by Member Adair, Seconded by Secretary Good. With a unanimous vote the Planning and Zoning Meeting was adjourned at 5:36 pm.

Respectfully submitted,

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Elizabeth F. Adair, Municipal Clerk  
(Taken and transcribed by Lalena Aragon Deputy Clerk)

Date: \_\_\_\_\_

Approved:

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Thomas Scroggins, Chairman

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Ralph Fernandez, Vice-Chairman

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Secretary, Melody Good

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Scott Adair