

BZA MINUTES

FEBRUARY 22, 2022

Members present: Jim Hufford, Tim Hart, Bill Davis, Don Calhoun

Absent: Drew Cleveland, Jason Hawley, Jon Peacock

Legal Representation: Jason Welch

Staff present: Randy Abel, Executive Director, Debra Johnting, Recording Secretary

Others present: Craig Brutout, Steve Hoffman, Grace Minkis, Ed Thornburg, Paul Kirkpatrick, David Key, Russell Lumpkin, Diana Chambers, Terry Foutz, Bobby Edwards, Walt Young, Diana Hernandez, Sterling Sharpe, David McGimpsey, Chris Beasley, and others

V. Chairman Davis: Good evening, it's now 7 O'clock. Today's date is February 22, 2022. The first order tonight I'd like to call the meeting to order and approve the minutes from January 18, 2022.

J. Hufford: I will make a motion to accept the minutes as presented.

D. Calhoun: I will second.

V. Chairman Davis: All in favor. For those in attendance tonight, you're looking at the group. We usually have seven, but we've just got four tonight. So, what that means is in order for anything to pass you're going to have to have all four yeses tonight. So, with that being said, once your case is presented, let us know if you want to move forward or postpone it to the following month. Okay. The first case we have tonight is represented by BZA2022-7-CU, Open Arms House of Worship. This is a zone A-I, Agricultural Intensive. Is somebody present? Please state your name and address for the record as this meeting is being recorded.

P. Kirkpatrick: My name is Paul Kirkpatrick. My address is 5415 W 900 S, Modoc, Indiana 47358.

V. Chairman Davis: And you did receive Article V, Conduct of Hearings?

P. Kirkpatrick: I did.

V. Chairman Davis: And notices were sent out in a timely manner?

D. Johnting: Yes.

V. Chairman Davis: Please let us know what you'd like to do.

P. Kirkpatrick: Okay, I'm here on behalf of Open Arms House of Worship and also Camp Trinity Youth Camp. I am here to petition the board for a Conditional Use clause to be added to an agricultural zoned property that we have in Spartanburg, Indiana so that we can use it to host our youth camp.

V. Chairman Davis: Deb, what exactly is the...?

R. Abel: It's like a church or anything. Can you give us a little more detail on the acres and the plans for the place? And the buildings and...?

P. Kirkpatrick: OK, the acres is there's 13 acres I believe in total. No, 17 total. We own it all, so part of it is a lot where a house burnt down, which we're combining. We're going to put up, we're searching out or we're seeking out, we sent in the forms to get a septic permit from the state and we are waiting on them. We would like to put in a bath house, for restrooms you know, so we'd have some restrooms out there. And we want to use it, our church hosts a camp free of charge for the kids in the community. They can't afford maybe to go to a regular youth camp and we've done it for 15 years. Since 2007. And we have wanted a place that we could call our own and this is the place that we have found that seems to meet our need. And so we were hoping to use it for that.

V. Chairman Davis: Looks like you've given this a lot of time and attention.

P. Kirkpatrick: Yes, yeah.

V. Chairman Davis: Any questions by the board at this time? Comments. Anyone in the audience that would like to speak for or against it please come forward. Let the record show.

D. Johnting: You should have this table out of the ordinance, Ag Intensive Conditional Uses.

V. Chairman Davis: Right, let the record show nobody came forward so, I'll entertain a motion.

J. Hufford: I will make a motion that we take a roll call vote.

V. Chairman Davis: I second it. All in favor? Deb, roll call vote please.

D. Calhoun: So a yes is in favor of it?

V. Chairman Davis: Yes, a yes would be in favor of it.

D. Johnting: Don Calhoun, yes, Jim Hufford, yes, Bill Davis, yes, and Tim Hart, yes. Motion is approved and Jason Hawley, Jon Peacock, and Drew Cleveland are absent.

P. Kirkpatrick: Thank you, we appreciate it.

V. Chairman Davis: Thank you. Good luck to you. Okay, next on the agenda is represented by BZA2022-6-V, Union City Community Fellow Ship Inc. The zone is R-1 Residential, Low Density. Would the members of the Community Fellowship like to come forward? Please state your name and address for the record.

C. Brutout: Craig Brutout, 6760 East Greenville Pike, Union City, Indiana.

D. Chambers: Diana Chambers, Commercial Signs, 404 E Hawthorne Street, Fort Wayne, Indiana, 46806.

V. Chairman Davis: You did receive Article V, Conduct of Hearings, and reported in a timely manner?

D. Johnting: Yes, this is actually a continuation from the last meeting, it was announced that if you were interested in this to come back tonight.

V. Chairman Davis: Okay. Do you have anything?

C. Brutout: Yes, I don't know if each of you have had a chance to go through this through these folders that we've put together. There's a couple things I would really like to call your attention to. The final paragraph of the letter that was submitted by David Key, and it reads "we have made it known that we are willing to adhere to the Area Planning Commission's Ordinances. We are not trying to cause any trouble, but are merely wanting to install a sign which will be inviting to the community using the convenient modern technology available. We request that you give this careful consideration to approve this variance". I think that's important to let you know what our intentions are. The next letter in there is from Stewart Signs, who will actually be manufacturing the sign. And by their investigation, this letter says that what they're proposing is in accordance with Unified Zoning Ordinance of Randolph County, Indiana Article V, point 15.3. The final paragraph of that says "the digital display signs will automatically adjust the display's brightness so that the brightness level of the sign is no more than 0.30 foot candles over ambient light conditions at a distance that is equal to the square root of the effective area multiplied by 100 from the sign. Now I'm not sure what all that means.

V. Chairman Davis: Me neither.

C. Brutout: But I know that one of the concerns was how bright the sign would be at night. So with it having an automatic dimmer on it that's not going to allow it to be that bright. that should allay those fears. The next couple of letters are from the Mayor of Union City Chad Spence, in support of our effort, and from Steve Shoemaker, Fire Chief of Union City, also in support of our effort. We've included two reports from the DOT, that says that these signs are no more distracting than any other signs. Now I know that part of our problem last month was how close the sign was to the neighbors' homes and to the intersection. Where we're going to put the sign, and I used two different range finders. From where we will have the sign to Smoots house is 252 yards. Not feet, yards. It will be 154 yards from the Sharps house, and 152 yards from the Gelhaus property. That's a long way. And it'll be about 132 yards from the center of the intersection. So, I think that would allay any fears of that kind of distraction for the intersection. So we would ask that you that you take all this into consideration and allow us the variance so we can get on with our sign project.

T. Hart: Is that location that you're giving those measurements now from is that? Have you moved it over since last month? Because you were going to put it about where the current sign is now, right?

C. Brutout: We are going to put it on the far east end of the property. As far away as we can without being you know, into the into the property line.

J. Hufford: And I think that was one of the big things that was the hold up last time was from the people was where the sign was being put and also about the light and the brightness at night and everything. Now that's been taken care of. I think you have done a real good job.

C. Brutout: Thank you.

V. Chairman Davis: Any questions by the board or comments at this time? Anyone in the audience that would like to speak for or against it, please come forward. I would ask if anyone does come forward, you guys find a place on the side there.

D. Johnting: There's a couple of chairs here.

R. Collins: I'm here for it. I am Pastor Rich Collins and there's a lot of us here for it and we have a lot of people also neighbors, other neighbors that are around the sign too. It's actually going closer to their place, who not only are four it, but sent letters as well, but they've also donated to it so that we can have it. So, it's not ever been a distraction. Some people said why don't we find other means, it's not really advertising. If you ever went down the interstate, you know, going from Dayton to Cincinnati, there's billboards and signs and all kinds of things up. And you know, it's just a way to attract people. We have people who want to know what's going on in our church, what times, not everybody is on Facebook. Not everybody is on social media so that was our point. It wasn't trying to be a hindrance or any deterrent to our neighbors. It was just trying to encourage people to come.

V. Chairman Davis: Thank you. Anyone out there that would like to speak against it? Let the record show no one came forward. That being said I make a motion for, or entertain a motion for a roll call vote.

J. Hufford: So made.

D. Calhoun: Second.

V. Chairman Davis: All in favor say aye? Deb?

D. Johnting: Jim Hufford, yes, Bill Davis, yes, Tim Hart, yes, Don Calhoun, yes, and Jason Hawley, Jon Peacock, and Drew Cleveland are absent. Motion approved.

C. Brutout: Thank you gentlemen.

V. Chairman Davis: Next on the agenda is represented by BZA2022-10-SP, EDP Renewables Riverstart Solar Park III, is zoned A-L Agricultural Limited. Okay, for the record, if you just state your name and address please?

G. Minkis: Grace Minkis, 129 East Market Street, Indianapolis Indiana, 46204.

C. Beasley: And I am Chris Beasley, 537 Jefferson Avenue, Indianapolis, 46201.

D. McGimpsey: David McGimpsey, attorney with Dentons, Bingham and Greenbaum, 212 West 6th Street, Jasper, Indiana, representing the petitioner.

V. Chairman Davis: Grace, you did receive Article V, Conduct of Hearings?

G. Minkis: Yes sir.

V. Chairman Davis: And Deb, notifications were sent out in a timely manner?

D. Johnting: Yes.

V. Chairman Davis: Please let us know what you'd like to do.

G. Minkis: Yes, sorry, we're going to set up real quick and make sure this lap top is alright. Thank you for hearing us today, my name is Grace Minkis, I'm the project manager for this solar park. A few things before we dive into this presentation. First is just some clarity. We are with EDP Renewables and we are requesting a Special Exception for, to build solar, commercial solar panels in an ag limited, and that's on behalf of Riverstart Solar Park III. So, the Solar Park is a subsidiary of EDP Renewables.

And we'll be discussing both of those, but I just wanted that clarification first. And second, you should have all received binders with our information and I just wanted to real quickly go through those so that when I reference to something throughout this presentation, we can flip to that and look at it. So first we'll see the special exception ballot where we just put some points that and some reasoning for those. And if we skip past the ballot, next is the plan of operation for the solar park. Moving past the plan of operation, we have site drawing number one and this is outlining all the parcels we are requesting the special exception for. So, any parcel in blue. And the next section would be site drawing #2. And these are all the adjacent parcels to the parcels we are requesting the exception for. So, all of these exhibits following, all of the pink parcels, were what were sent out to adjacent land owners in the due notice. A lot of exhibits there. And finally, for feedback, we have supplemental information, and this is a lot of agreements that we've, that we might reference during our presentation, including letters of support. And there's also an alligator clipped packet that was handed to you today and this is supplemental information #2. That also contains letters of support. On the top most notably from Tom Griffey and Steve Gregory, board members in the Town of Modoc. And then going into some personal testimony from folks who have lived in the, who live around the first solar phase.

V. Chairman Davis: I'm going to interrupt you one moment. Is the Town of Modoc in favor of this then?

G. Minkis: We have two of three signatures for, from the Town of Modoc, yes, Sir, and one of the Clerks as well.

C. Beasley: The third Council member was not at the last meeting.

G. Minkis: Yes, he wasn't present.

V. Chairman Davis: Thank you.

G. Minkis: Okay, any questions about the binder before we proceed through with the presentation? Great, alright, well I will turn this over so, real quickly we'll just go through EDP Renewables and who we are as a company and then we'll zoom in our focus on EPR in Randolph County and the projects we've built to date. And then we'll specifically talk about this solar park, Riverstart Solar Park III, and I'll go through project specs and then why we chose to place this park where we did.

C. Beasley: Thank you Grace. So EDP Renewables is a global developer, owner and operator of utility scale renewable energy facilities including wind, solar and storage. We've been operating in North America for over 15 years now, and in that time have developed a fleet of over 58 wind farms and nine solar parks. In Indiana, partnerships of counties such as Randolph have allowed us to be Indiana's largest owner and operator of renewable energy facilities in the state with over 1,400 megawatts of operating capacity. This map demonstrates the locations of our facilities throughout North America. Red dots signifying projects and stars signifying local offices. The fleet's power output matches the consumption of 2 million American homes. And over its operational history has paid out more than \$327 million dollars to local economies through economic development, payments, tax payments and community grants. EDP Renewables has amassed over 250 million hours of operational experience, all of which are great to have in order to safely and reliably operate critical infrastructure. Moving on to Randolph County, we have a photo of our Riverstart Solar Park here in the foreground and then if you squint a bit you might be able to see three wind turbines in the background that are from the Headwaters I Wind Farm. EDP Renewables introduced itself to Randolph County back in

2009, when we began prospecting for the Headwaters Wind Farm. After five years of development, this phase was built in 2014 and this project set the stage for lasting relationships between EDP Renewables and Randolph County. In 2020, the county signaled openness to solar by drafting and passing a solar ordinance which has been lauded for its pollinator friendly vegetative guidelines and is presently being used as a reference for ordinances under development throughout the state. In 2021 EDP Renewables followed up by completing the construction of the Riverstart Solar Park and the Headwaters Wind Farm, so today Randolph County hosts more than 600 megawatts of renewable energy facilities and generates enough power to cover the consumption of 138,000 Indiana homes. Looking forwards into 2023 EDP Renewables hopes to build the Riverstart Solar Park III adding 100 megawatts of capacity to the renewable energy roster in Randolph County. Note that there is no Riverstart Solar Park II. When we built the first phase of solar in Randolph County, that phase was combined into the phase of Riverstart Solar Park I and II. So, from that process II was eliminated and now we skipped to Riverstart Solar Park III. So to give you a geographic perspective of our projects in the county, we have a map here demonstrating the southwestern corner of the county. The black line demonstrates the boundary between Randolph County, Wayne County to the south and Henry County to the west. From east to west you have the towns of Lynn, Modoc, and Losantville, all along Highway 36. And the first project we'll touch on here is the Headwaters I Wind Farm, turbines delineated with these orange dots. With this project we also built a transmission line shown with this orange dashed line. This transmission line stretches from the Losantville switchyard all the way over to Washington Township, and this was built to transmit the power from the wind farm over to the grid. And also to serve as a tie-in point for future phases of solar, such as Riverstart I and Riverstart III. The next project I'll draw your attention to is the Riverstart Solar Park, built in 2021 and shown in this orange box, which is built at the same time as the Headwaters II Wind Farm. Once again, turbines delineated with these orange dots. And finally, I'll bring your attention to the Riverstart III Solar Park. This is in the blue box and it's just north of Highway 36 and east of Highway 1, northeast of the town Modoc. With this, I'll pass it back over to Grace who will speak to the community benefits that are three existing projects brought to Randolph County and who will also do a deep dive on Riverstart Solar Park III.

G. Minkis: Thanks Chris. At EDPR, we take pride in forging strong relationships with our project communities, and so to date our operational projects have contributed over \$9.4 million dollars to the county and local governments. And that's through real property taxes, Economic Development Agreement funds, and permitting fees. And so from that \$9.4 million we see \$670,000 has been paid to local communities in the county, such as Farmland and Lynn, Parker City and Ridgeville. And looking forward to our commitment with the county, we see that there's been \$22.2 million dollars committed and that's in our Economic Development funds and that is a commitment to the county through 2032. So, for the next ten years we'll see those paid out. And overall, big picture, when we look at these three operating projects, we're nearly at \$800 million of capital investment in the county. So, that was the county benefits. And now I want to zoom in a little bit onto geographically where a lot of our projects are positioned, which is in Union Township and so when we began the development for Riverstart Solar Park III, we reached out to a lot of stakeholders and folks in the area and really heard what they wanted to see from these projects. And a lot of folks wanted some financial benefit back to their home and where they're living and in proximity to these projects. And so from there were born two funds and we were fortunate enough to partner with the Community Foundation of Randolph County to enact these funds. And so the first fund is Riverstart Union Township Endowment Fund, and that is an investment of \$360,000 over the next 15 years to help fund community improvement projects within

the Township. So, that could be for town beautification initiatives like blighted homes. The towns could apply for funding to help remove those. Also, for public safety and First Responders or something as small as a firework show. When we did a lot of outreach with the Town of Modoc, that was something that came up. They really wanted to have their fireworks show back. So, this is for more nonprofits and groups to apply for assistance. And the second one, Riverstart Union Township Utility Assistance fund. It is \$100,000 to provide community assistance for those of our neighbors who are needing help with their utility bills. So, this is at the individual level, folks can apply for this fund. And, also this fund can help support those looking to switch from septic to the new sewage system which Losantville and Modoc are looking to build in 2023. The Riverstart III team is very grateful for this partnership with Community Foundation of Randolph County. All right, so now we will jump into Riverstart Solar Park III. This first slide is going to be just project specs and an overview and then the next slide will talk about the placement of the park. So, this solar park is 100 megawatts, and it's packed neatly into approximately two square miles. We have about 1,300 acres leased on option, and once you take out constraints like buffers around transmission lines, forested areas, buffering around county drain tiles, etc. we have 670 acres that would be fenced and would actually physically be housing the above ground solar equipment. So, within that fenced in area is where we would see the native grass mix plant as you can see on this picture here on the right. This was taken from Riverstart Solar Park, so that's what it would look like inside of the fenced facility. And if you draw your attention to the bottom, we see a timeline of the project bringing us from today to construction. So here we are in spring of 2022 with permit application and construction would begin in earnest this fall, 2022, and will take about a calendar year to complete. So, we're looking at fall of 2022 commercial operation date. With us generating full power late 2023, perhaps early 2024. Now let's discuss more on why this project was cited where it is. First, I want to point out this gray shaded area in the southwest portion of the map. This is the one mile radius buffer from the town of Modoc, and where all the ag limited zoning is. So, from our project area if you go in half, east to west at 700 South, everything south of 700 is what we're requesting a special exception from. Okay, and if you draw a line from the town center of Modoc to the closest solar panel array, it's a little over a third of a mile. So, when we look to develop a new renewable energy project, there are a host of things and variables that we consider. But for time and clarity I'll just condense it down to three. So the first is interconnection and the analogy I always give our land owners is, if you're holding a lamp and you want to turn the lamp on. You've got the cord in one hand and the first thing you look for is an outlet. And so you want to plug in so you can get the power. And similarly, when we're generating this power, we need a place to plug in. Which, in this case is the transmission line leading to the grid. And so this location, the transmission line is the first component that we considered to site the project where we did. And this Headwaters generator lead line was constructed in 2013 to carry power from Headwaters I to the Losantville switchyard. And by reusing existing infrastructure, we're minimizing the impact on land. And so the closer the transmission line is to the project, the more efficient the project is. This location also minimizes development impacts by using ground that's adjacent to a landfill and three already existing above ground transmission lines. Two of which, the white ones, those are our AEP lines. So the second thing we consider are land constraints, so just setbacks from wind turbines, topography, floodplains and by building a solar park amongst a wind farm, while it's doable, it's not exactly ideal because there are so many setbacks from the wind turbines that this requirement results in limitations and what you kind of see is a solar sprawl. So the layout becomes lengthened or widens because you have to set back from each wind turbine. So by choosing to not lease land that contains the turbines, we use the land more efficiently and don't leave strips of agricultural land that could be

cumbersome to farm. So, when we look at this map here, we see there are wind turbines to the east and west, and those are the dots circled in red. So that brought our project boundary in even closer. Also, to mention the flood plain to the eastern side. We wouldn't build a solar park within a flood plain. So, that constricted us on the east and the west side, and then to the north as stated previously is BEX landfill so that caps off the northern boundary of the project. And then to the south is US Highway 36 and the Town of Modoc. And finally, once we have our land in an area where we can interconnect, we look for landowner participation. And so we were fortunate enough to partner with land owners who leased their land to us and are willing participants of this project. And now I want to talk about some local community engagement that we did. We knew that this project was going to be sited close to a town, and that we would need to request a special exception. So, we really wanted to reach out and get to know our community and begin engaging with them. So we started attending the monthly board meetings for Modoc in the summer and really worked with them to learn how to engage with folks in the area, get a feel for the community and see how we might be able to collaborate together. And so from that and a series of conversations was born the idea of the open house. So we threw a Riverstart holiday open house and if you float to the supplemental information part of your binders, you can see there are posters of what was on display for folks to learn about. So this was publicized through, we put posters up in the fire department in Modoc, the Post Office, the local diner, and a gas station as well as mailing individual mailers to folks that lived in the project boundary. And the event was a success, I was able to meet with a lot of folks and we were able to share some and educate some ideas about this new development. But one of the board members attended this open house and he said, you know, I still want some more engagement, I still want more folks in the area to know what's going on. So that led us to developing a mailer that could be stuffed in the Losantville and Modoc water bill, so we knew folks would open it because they needed to get to their bill. And so the front of that mailer was like this. It just talked about the endowment fund that I shared with you earlier. Let folks know about the fund and so they can apply for it. And on the other side was a map of the project as well as some of the facts I've already shared with you today that shows folks where the funds go. And what we have paid to the county to date. So, from that mailer also was an invitation to folks to come out to the Modoc Diner on February 18<sup>th</sup>, we had a morning shift 8 to 10 and afternoon shift 4 to 6, where they could come and meet with any member from the Riverstart Solar Park III team. If they had questions or if they wanted to learn more, they were able to come and meet with us. Additionally, my cell phone was on that mailer as well so folks could call me directly if they if they were not able to make that Q&A. And finally, the last tidbit of local community engagement, our neighbor agreements, and this is an agreement offered to folks that live within the project boundary, and that's signified by these yellow dots here are folks that have signed with us, and this is just, we want folks in the area to be able to participate even if they don't have land to lease for solar panels. We want them to have the opportunity to financially benefit from the project moving in to their neck of the woods. And with that, that concludes the presentation and I open up to questions from the board.

V. Chairman Davis: Any question by the board or comments at this moment? You did your homework, good job.

G. Minkis: Thank you.

J. Hufford: I have a question, this has nothing to do with it. You say the wind turbines interferes a lot with the solar panels?



G. Minkis: No, there's no interference from a technology standpoint. It's just that when you're doing your solar panel layout, you have to do setbacks so far from each turbine. So, if you house a solar park within a wind farm, you'll see a lot of sprawl. And so, if we compare, I'll go back, so if you see in gray on the right side that's Riverstart Solar Park I. And in comparison to the third park, it's a lot more sprawled out. There's more arrays that aren't as congested, like Riverstart III. And so that was because it was cited within a wind farm, and it's just a more efficient use of land to keep it all packed together.

J. Hufford: Well, the reason I was asking is if it did interfere, why did you pick that area and not someplace else?

G. Minkis: Yeah, yeah.

J. Hufford: Okay.

V. Chairman Davis: Okay, anyone in the audience that would like to make a comment against this project? Please come forward. And if one or both of you, we've got chairs over on the side there. Please state your name and address for the record, please.

R. Cates: Randy Cates, 7587 West US 36, Modoc.

V. Chairman Davis: You have the floor.

R. Cates: She's gonna have the floor most of the time. Just like home.

V. Chairman Davis: And your name?

J. Cates: I'm Janet Cates, 7587 West US 36, Modoc.

V. Chairman Davis: Please share your thoughts.

J. Cates: They're all written down, and I apologize for having to read, but I have a lot to say and it is emotional for me. So bear with me. First, I would like to address a question to EDP. Is the lease for 35 years or 50 years?

C. Beasley: The lease is for 30 years with two optional 10 year extensions. And EDPR has the option to make that extension.

J. Cates: 30, okay. Because this good neighbor policy is for 50. Our government is paying farmers NOT to farm! Billions of tax dollars are being poured into solar and wind. And Indiana certainly has ideal conditions for it, just look at today? We are here this evening to ask you to say NO to the special exception request by EDP to build a solar field on land identified as "ag limited." This would reach from Indian Trail to Highway 1 to county road 600 south. This will blacken our entire front view and also our view to our northeast, let alone what it does to our neighbors. I have been told that this tonight, is just a formality for you and the request is usually granted. We are asking you to say no or at least table this decision until you can fully weigh or digest our input. Your decision here will affect us for the rest of our lives. How many of you live near solar? How many of you have taken a drive down Highway 36, county road 300 west, county road 200 west, or through Huntsville? And I'm going to be asking a lot of questions, and I do not expect any answers tonight, but eventually yes. I can hardly stand to drive down 36. I only go to Winchester now when necessary and prefer to drive to Muncie. And speaking of Muncie, I have been following what is going on in Delaware County. They, too, were taken by surprise to find out their local government approved solar and there was no one there to

oppose it. And arrangements were already in place to begin solar development. Sound familiar? We had no idea that Randolph County was considering solar. The wind mills are bad enough, but at least the ground is still farmable. It is my understanding that Randolph County has been receiving money from EDP since 2014. Where does all the money go that our county government receives? Our taxes are not affected—no wait, they are, they are increasing! Our roads remain in poor condition, at least in our area of southwest Randolph County, and property values will decrease. Exactly how does solar promote the general welfare of the county or benefit the rural people besides those on whose land they are built? Do you not have a responsibility to protect property rights for all of us? When we first heard about the coming of the solar, we believed a buffer zone still existed for a mile radius of Modoc, an incorporated town. We were told that the Randolph County Commissioners did away with that, and solar could be placed anywhere in Randolph County. Is this true? So if you grant this variance it does do away with the buffer. Correct? Where does this end? Fifty years is a very long time. That's what one signs on for whether it is leasing ground, and that was what I had assumed, I didn't know it was thirty years, but the good neighbor policy is for fifty years. Do you think it will or do you think there should be changes, or there could be changes in technology and these projects abandoned? Think back 50 years and how rapidly tech has taken hold and continues to quickly change. I am a retired high school teacher. I taught at Union for 28 years, Business and US History. In the mid 80's I was told we were getting 8 Apple computers and I would be teaching 2 computer literacy classes in the fall. I took a summer class but actually learned along with my students that fall. At that time simple programming was what was taught. Then in the early 90's came the internet. Again I took a course and the really big deal was the chat rooms. Look at what has happened now. Where will we be in 50 years? Will the panels still be here or will something much more efficient be taking their place? It's been quite a few years ago when some Winchester people came to speak to the juniors and seniors I had in class. I can't remember if it was the Randolph County Foundation or something else, but their purpose was to try to find out what it would take to retain graduates in Randolph County. I never received any feedback, but I am certainly hoping that solar is not the answer they came up with. We have been asked if we were interested in leasing our land and the answer was and is no. We have been asked to sign a "good neighbor policy" and again said no thanks. This policy basically offers the solar neighbor money in exchange for their silence, for 50 years. You agree to give up all rights and receive \$3,000 a year as long as the project remains functional. EDP retains all the rights and can also "decommission" or withdraw from the project if they so choose. EDP has the right and entitlement "to go on, across, over, and under the owner's property," if you sign. A lot of things can change in 50 years. What if the investors decide to invest in something else more efficient, maybe nuclear energy? What if the government decides to spend taxpayer dollars elsewhere? EDP can break the lease or the policy and then what? What if the deep pockets run dry, will they still be responsible for clean up or are we left with debunked solar fields? I am asking you to consider the following questions. Have you taken the Modoc/Huntsville solar tour? How efficient are the panels? I have read some articles that say 16-22%, 11- 15%, 21%. No wonder it takes thousands of acres. What happens to defective panels (and there will be)? They are already replacing defective blades on windmills. I believe they come with a "made in China" label. I understand the panels and blades are considered hazardous and not allowed in landfills. Where will they go? Or will they end up in Randolph County's landfill? If the project fails because of lack of funding, who is responsible for the restoration of the ground? Will new technology replace solar in the near future? By that I mean nuclear energy. Senate Bill 271 has been introduced in the Indiana legislature for investigation and consideration. A 50 year contract is a long time. How many businesses has Randolph County attracted as a result of "going green?" How many new home

buyers will jump at the chance to buy a home on a solar field? Property values will have to decrease. Out of the jobs created by EDP's "temporary" presence, how many employees are from Randolph County? How many county employees will remain when they leave? Have economic impact studies been done? I would hope so prior to their granting permission. But do you know that? Do you realize the impact on the community for taking farm ground out of production? When the farmer chooses to take payment from big corp and the government, it takes away from profits of several small businesses such as grain facilities, fertilizer companies, seed companies, and the people who transport the grain. This also includes farmers who cash rent ground. Do the grasses and vegetation they plant include any invasive ones to surrounding crop-producing fields? What happens when investors invest their money elsewhere? How much is enough? We are getting calls from other companies who say they are looking to develop a solar project in Modoc. And our land would be ideal. One company is called reNRG and they are out of New Jersey. Another company, Urban Grid out of Virginia, also thinks our property is ideal for solar development. Is Modoc the only target area? Do we have the sunniest and windiest ground in the county? I am assuming all of us support Randolph United? Part of their mission statement is to quote "create a flourishing quality of life." Does that include us? Another quote from the website, "Randolph County includes small cities and towns surrounded by fertile farmland." Does that include Modoc? I looked all through the website of Randolph United and Economic Development to find any mention of solar. Even in tourism. Maybe I just missed it. Just a few more questions we would like answers to, have any of you been compromised with EDP? Are any of you affiliated with EDP? Have you ever been contacted outside of this meeting tonight by EDP? There were a lot of people at the January meeting and two representatives of EDP were recognized. We would like to know why they were here at that meeting and did any of you meet with them? All parents want what is best for their children. Our two sons, to date, have chosen to live in Randolph County. They each hold a college degree but one has chosen agriculture and the other in fossil fuel. Just how bright is their future in Randolph County? I can't give you money, I can't buy your breakfast, lunch, or dinner. But rather I ask you to make an informed decision, not just a formality. That would be very insulting to us. Your decision here affects our livelihood. To us, this is huge and what we will have to live with for the rest of our lives. It would be different if it were our choice, but it isn't. If you feel you can answer the questions we have posed, then vote your conscience. If you cannot, please table this decision until you are informed. Our hope is that as knowledgeable members of this board, you vote no to rezoning the land already designated as "agricultural." Please keep it actually green. We are not blaming you for what has happened to this county. What I can say is that I have lost a lot of confidence in our county leadership. Why was this not a referendum to see how Randolph County residents felt? I guess that's not how it is decided. But you can make a difference in our lives, so please stop the reduction of agriculture in Randolph County.

R. Cates: I think that was very well said. I hate to admit it I've been around, I'm dating myself a little here, I've in Randolph County 70 years. My whole life. And Randolph County to me was always known for agriculture. Green to me meant corn, beans, grass, hay. And I think that's what it was meant to be. I don't know that these solar panels are very efficient, I've read several articles that say they are not. In farm magazines. So I think, there again, we're not pointing fingers at anybody. We're just requesting you consider what we've talked about, and don't make a hasty decision. Because we're, we've been told too, this is just a formality, it's gonna happen. Just keep your mouth shut, it'll go away. It's gonna happen. We'll see. That's all I've got to see.

V. Chairman Davis: Grace would you all like to answer any of those questions now?

C. Beasley: Should we wait until all the comments come through and then at the end we can come through and address everything at once in case there's reoccurring questions?

V. Chairman Davis: That's fine, but I do have a question. So what is the one mile buffer?

D. Johnting: The one mile radius outside of an incorporated town. Unincorporated is a half mile, they do not have to have a special exception for solar for unincorporated. Incorporated as the one mile buffer that it's in the solar ordinance that it requires a special exception.

J. Welch: That's what the Ag Limited is, so anything in the Ag Limited would require a special exception is why it's not allowed.

V. Chairman Davis: Okay.

R. Cates: If I might say one thing. We live right across from this proposed project, right? We're gonna see it, from our house, I'm going to drive past it. I've calculated probably 2,000 times a year. I'll get to see it. And I don't really think they're a pleasant sight. Do you think they are?

V. Chairman Davis: I think you did a good job presenting your case. If there's anyone else out there that is against it that would like to add to what she said, we don't need to duplicate. I want to emphasize we do not need to duplicate. Please state your name and address for the record.

K. Thornburg: My name is Kate Thornburg, I live at 213 South East Street here in Winchester. Adding on to what she was talking about property values. I know that there's been a lot of studies done on this, and a lot of them are very biased towards solar companies. I know that there are at least two done by the University of Austin, Texas, and the University of Rhode Island, both of them showing up to a 30% decrease in property values near solar farms. And the other thing I would like to talk about is Lisa here, who is directly impacted by EDP and the wind farms and her experiences, being a "good neighbor". She has not signed that, she is free to speak about that.

L. Myers: My name is Lisa Myers. I live at 3747 South 900 West, Farmland, Indiana. Back in January of 2020, I received a letter from EDP offering me a \$1500 a year good neighbor agreement. My husband received the same offer which we both declined at that time. I have been trying to get ahold of EDP since then. I left messages telling them I wanted to talk to them, I had questions and concerns. No contact. So at that point I knew exactly what kind of a good neighbor EDP was going to be for us. We had no, I'm kind of jealous of these people where it's got these solar coming in because they had the benefit of fliers being put in their mailbox. I didn't get that luxury. All I got was the good neighbor agreement telling me that it was already there. I have been trying since the beginning, and I'm sorry, I'm nervous and I'm, I've been dealing with this for two years, and my life has completely been changed because of these. I have no enjoyment of my home anymore and we want to talk about these setbacks. Who determines these setbacks? My letter says that I'm a half a mile between these, I have shadows flickering on three sides of my house that I can't get anybody from EDP to do anything about. I have a noise that they'll never be able to do anything about, and then I have lights at night that make me live feel like I live by an airport. You want to talk about Randolph County being green, we are now the poster child for communities trying to keep these things out. This isn't a good thing. It's an embarrassing thing in my opinion and to the farmers that won't sign your...thank you. But I just, I'm sorry. I didn't, I don't want to say, I just want to be heard, and that's not that's not happening. I've been shuffled from this person to this person, to this person, to another person, and I get, well, we don't have a working phone number. Well, in my original email, you said that you tried to get ahold of me. That

you have records where you tried to get ahold of me. I want those records. Silence again. So, we fast forward to June of last year. They had shuffled me off to another person, Russell Cook. He called and wanted to come out to my house so they could do measurements. Well, why weren't those measurements done to begin with so I wouldn't have to put up with what I'm putting up with right now? He wanted permission to come onto my land and I said yes, come, and I never heard from him again. I received a letter back in November from yet another person. Turns out I worked with this person and he's like well we had no working phone numbers for you. Well, your email said you did. So why was I not kept up to date with any of this.

V. Chairman Davis: Good question.

K. Thornburg: But the other thing I'd like to mention is that this is the second solar coming in, and I'm a supporter of solar coming in as long as long as our communities are protected. But this is the second project coming in and it's encroaching on the ag limited already. I'm concerned with the kind of precedence this sets for the other small communities here in Randolph County.

V. Chairman Davis: Thank you.

L. Myers: Thank you.

V. Chairman Davis: Anyone else in the audience who would like to add opposing.

C. Johnson: Yeah, my name is Cale Johnson, and I live at 7490 South Indian Trail, Modoc, Indiana. I have reached out like three times for an MSDS, and haven't gotten that. As far as recycling after they're spent, where does it go? And then also, is it considered RCRA or non RCRA? According to the state? I know the state's real loose with their recycling on solar panels because they're not really well frame-minded to entertain the idea of they've got to go somewhere. Also, on top of that, how do we keep that from leaching? I know there's lead, you guys use lead. Cadmium, that's also another one. These are very lethal ingredients, and if they leach out into my well water, which I live fairly close and I don't know where my well's at, as far as over in the field where it's going to go. But if it leeches from a hail storm, if it dents, breaks glass, where does it go? How bad is it? I've got three kids. This is my future that I'm building for my children that is in jeopardy and I don't have any trust that it's not going to leach into my well water. And there's tons of storms out here. It's windy city. Hence all the windmills. And I get it, but I don't understand how we can let that happen. At all. Sorry, I keep looking over there, maybe I should look up here. How can we let that happen at all? My kids. What if it was your kids? You feel safe? Because I don't. The majority back there probably don't. I'm not okay with that. I don't feel safe.

V. Chairman Davis: Thank you.

C. Johnson: Thank you.

V. Chairman Davis: Anyone else?

T. Foutz: Terry Foutz. I live on 7357 West US Highway 36. A woman to come up to represent their company, come up my lane and I went outside and meet her. First thing she says is, oh, I'm so sorry you live up on a hill. But we're going to give you \$3000 a year. I said well who are you? She said, well, we're with the solar company. They've been building down the road and we're going to build this right across from you. I said, well, that's great. Because you look out my front window I can see that whole field. So now all I'm gonna look at is solar panels. Steve and Judy Teeters, they lived around the

corner, they're too sick now, they just got out of the hospital, they couldn't make it up here. They didn't want to take a chance of getting Covid-19, but the woman come around and talked to them and said there's nothing you can do about it, it's a done deal, you might as well get your \$3000. So they signed off on that. And, the woman told her that Randy Cates had signed off on it so. They just said Oh well, I guess we better sign and get out money. You know, so she was lying. And then I said, well, you just keep your \$3000 and stay away. Would you want to get up, open up your curtains, and look at a black field, every day, rest of your life? Not even knowing about it, and then all of a sudden they come up, and just dictate to you. I don't think it's right. I don't want it. Why don't they build off the main roads if they're gonna build? Go back a mile or two? Instead of everybody coming down 36. They put fences around it, they say they're going to put the trees up. It's gonna take a while for the trees to get up just like they did at the landfill. We got the landfill, we got the windmills, now we've got solar panels. Randolph County is just selling us out. I asked them to buy my property, and I'll move. Buy me out. No, we don't do that. She said, well, you can go to a town meeting. I said I live in a town with three streets in it. Do you think we can do anything against billion dollar corporations? And the way they represented it to the Teeters you know it's like a done deal. Well, I don't know how many people they got to sign off on it like that. That's all I got to say about it.

L. Myers: I'd just would like to add one thing, I know that we're talking about solar right now and the impacts of what they have, but that's new. But if any of you guys are interested in any of the videos that I've taken of what these turbines have done to my house, please feel free to reach out to me because I've taken several.

H. Simmons: My name is Harry Simmons, 7440 West US Highway 36. I will have to, I live across the street from Randy Cates and I was also approached by the representative about the good neighbor policy or contract or whatever, and it was presented to me also that this was coming. I didn't have any idea that this whole zoning thing was even a thing. They presented it that it is coming so get what you can, while you can. And I was really, I've bought in Modoc. I was born and raised Randolph County, lived in Winchester. Randolph County is about country. I mean, I've been around the world, in the military and back again it is always to come home to Randolph County to the country, to the farmers. I mean, that's what we're about, but this next project is going to completely circle my whole property. So, the land that I bought, the scenery that I bought, and want to live in, wanted to live in for the rest of my life is going to be this now a sea of solar panels. I don't know if I'm getting myself in trouble here with this or not, but I just wanted to make it known that I was personally approached and it was made to be it was done, it was over. Get your money and go. Thank you.

V. Chairman Davis: Before anyone else comes up, I just want to make a comment. Personally, I don't feel that it, I don't feel like, being in this position, why wasn't a referendum put in place? Can someone answer that?

R. Abel: I would say the Commissioners had a choice of that. We had a committee set up for solar and I told them on multiple meetings. We are the only place in America that does not have a hearing for solar and for wind. And that's what I told them. So don't, they were told that and that's their choice.

V. Chairman Davis: Okay, anyone else like to speak?

E. Farmer: My name is Eva Farmer, I live at 7200 West US Highway 36 in Modoc. I have been in this community for over 70 years and I worked all my life to be able to buy a small parcel of land, about 14 acres. Built a lovely home and now it's going to be right butted up against these solar panels. I know

that's not your fault. But I beg you to please consider the community and what's happening. Tonight nobody has mentioned the fact that they are putting a 15 acre substation right behind Mr. Simmons house. I'm going to get to look at it, I'm going to have the lights keeping me awake at night and I don't appreciate it. I'm sorry I don't know the gentleman's name who spoke about the recycling and the problem with the lead and those minerals going down into the oils, but I'm very concerned about that because the waterways run through there to the south, right to the town of Modoc. And have they done studies? Probably. But we don't hear about those kinds of things. I personally have not signed the neighborhood agreement. I had it thoroughly gone over by an attorney and he said, if you need \$3,000 dollars a year that bad go get a job. And that's exactly what he said. Second, have talked to many of my neighbors who know that I had a legal opinion on this solar neighborhood agreement, and they've asked me questions and they've said, well, they didn't tell me that they didn't tell me this, they didn't tell me that. How was I to know this? And I think a lot of people have been misled in the community and if they could get out of those neighborhood agreements, I guarantee you there are many who would. Thank you.

V. Chairman Davis: Anyone else? Okay, now I'm gonna switch it over is anybody supporting this out there? Okay, your group's up.

G. Minkis: I think first let's speak to questions regarding what happens if the project will be abandoned or if technology changes, or in the event that our company leaves or investors leave, so that would be to the decommissioning agreement which is in this supplemental information packet. We have a copy of the decommissioning agreement from Riverstart, is that correct? So that's on your green tab. You can flip to that and I'll let Chris Beasley speak more on decommissioning.

C. Beasley: Sure thing. So when we go to get our county agreements with the Commissioners, we sign in place a decommissioning agreement and the intent of this agreement is to make sure that at the end of the project, no matter what happens, that land is restored back to the way it was pre-construction. The way we accomplish that is by having a third party engineer, that's approved by both the county and EDPR, study the cost of decommissioning the project and restoring the land. That cost is then multiplied by 120, I guess 1.25, say 125% that decommissioning costs, set aside, and put into a bond that is in the name of all the landowners that hold leases and also the county. So, in the event that EDP Renewables does not make do on its promises to the county and the landowners, that money is available to be called upon for decommissioning projects with an ample buffer. The question was also raised as to the project being abandoned. bankruptcy concept. The thought there is that if there was to be some kind of issue with EDP Renewables, there are other investors in play who have a lot of equity in the project. It makes no sense for them to abandon the project and let it go when it has a lot of, you know, value, you know it's an installed solar facility. All the input costs were put in upfront to install the solar panels. You know from that day on you just have to collect sunlight and sell the power so. The value of the solar facility is not something that anyone would ever want to walk away from. And finally, the solar facility has a, all of our solar facilities before we build them, they get PPA's, which are power purchase agreements, meaning that for the 1st 15 years of the life of the project every megawatt hour that we generate there has a buyer and a set price to buy that power. So, the economics of the project are essentially guaranteed from day one, leading to a very stable and safe project being built.

R. Abel: One gentleman asked what, where would the panels end up, do you know where that it is the decommissioning? I didn't read the whole thing, so I don't know does it specify in there where all the panels would end up?

C. Beasley: Our intent is to recycle all the solar panels. They're made out of an aluminum casing with a silicone or silicon infill, and that is totally recyclable. There's a lot of industries that are spinning up to, you know, take on this load and that's our plan. If for some reason we are not able to recycle these panels, they are all landfill friendly, which we will address.

G. Minkis: We could address that now, that can lead into the next question. Randy, does that answer your question? No, yeah, his question.

D. Johnting: Chris, they couldn't hear you on the recycling.

C. Beasley: Sure, yeah, so all of the solar panels are totally recyclable. They're made out of an aluminum casing with a silicon infill, that's the panel itself. Our intent is to recycle all the solar panels. We're getting our vendors set up for the first phase right now. In the case that that does not occur which is not our plan, these panels are landfill friendly and we'll touch on that right now. So the question was broached earlier as to the toxicity of the solar panels. These panels are non-toxic, there's no liquids in them, and then there's totally a solid casing. Every single component of the panel is given to a testing group. The ones that were used for our last phase were based out of Germany. And essentially what happens is you take that solar panel and you break it up into its individual components, and then you take those components and you grind them into small pieces. Those components are then soaked in either a very strong acid or a very strong base that simulates 100 years of being in a landfill. This creates what is called a leachate, which is essentially a fluid that might have any toxic chemicals or metals in it. That leachate it then tested to see what the chemical compounds are. So the EPA created this test. And this is what we used. We provide it as part of our application and all the solar panels passed that test.

C. Johnson: Are we still allowed to ask questions?

D. Johnting: If you do, would you please come up and state your name so I can do the minutes?

C. Johnson: Cale Johnson, 7490 South Indian Trail, so you're stating that you have no liquids, no lead? There's no lead in any of your panels, is that the SDS?

G. Minkis: We have the T clip that we provided for you all, it's in the back of the plan of operation so we can flip through.

C. Johnson: I haven't seen that. can I see that?

G. Minkis: Yeah sure.

C. Johnson: So there's no cadmium? So, are you saying that this is not hazardous period? Or is this a [RCRA] per weight? Or is it hazardous? Because there's a difference. In the country we live in, we have a little tighter standards than Germany's standards I'd recon. I mean coming from the hazardous background, I know that number right there is that what you're showing your solar panels are at, or are you showing this? So, because in a group of solar panels, you're going to exceed this number. And that's the regulatory number, right? So, if you dispose of 100 in a sitting, what's the accumulative? This is this is, I mean you guys are doing a sample on, how many to? I mean. I see your result for one,



right? Less than .2? What's that exact number, is it 1.20? See, this is all information we didn't get. I didn't get it, I didn't receive it.

V. Chairman Davis: To my knowledge, I don't believe they were required to send that information.

C. Johnson: I know, but I've requested a few times, excuse me, not to interrupt, is that fair to say?

R. Abel: It's in the office. When they file a...

C. Johnson: Which office?

R. Abel: It's right down the hall here. So yeah, that is available in the office. If you want to come in there, we can provide that for you. And once the application is made...

C. Johnson: Did anybody else get a copy of that? Anybody? Looking for a hand.

K. Thornburg: I did because I asked for it. And I walked in to the Area Planning office to get it.

V. Chairman Davis: Hey Chris, I've got a question for you while you're up.

C. Johnson: Cale, C-a-l-e.

V. Chairman Davis: Okay, Cale, I'm sorry. You're, you seem very knowledgeable. What is your, I guess the background on asking these questions?

C. Johnson: Enough to know that that limit right there is for not more than one panel. That, that's maybe a cell. And they're not liquid filled. You don't have any lead? There's lead, right? How many panels does it take, what are you guys basing that off of.

C. Beasley: This column signifies the milligrams per liter.

C. Johnson: Yeah, so you're melting them down, right? And make more fluid out of them. Correct? Are you guys using lead for the solder? Are you guys using lead in the material?

G. Minkis: So for each one of these items here it reflects...

J. Welch: They want to answer and nobody can here this.

V. Chairman Davis: Cale? I'm sorry but we need to move on. Ask a question and then let them answer.

C. Johnson: Okay, no, I got you. But it's kind of diverting at this point, because they're basing it off of a, this is your result on four panels, right?

C. Beasley: If you look at the T-clip, every tested sample, which is an individual component that's been broken out of the solar panel, is assigned a number. So say it's [coppery metal block], that's number 27. So if we flip to result 027 which is on page 23 of the T clip, says 027 towards the right of the table that's covering that actual item. So in this case every single test result is saying that there's less than .2 [mgpl], which is milligrams per liter, of this chemical.

C. Johnson: That's arsenic.

C. Beasley: In the test result, 0.2 is the detectable limit. This, so saying there's less of it in the test result, than is detectable. This test was created by the Environmental Protection Agency which governs all the United States. And for its use in a landfill. If you imagine anything that goes into a landfill can

meet this regulatory level that has less than 5 milligrams per liter, it's okay to fill up our entire landfill with this component right? So, it's a volume-based test. It's landfill safe.

C. Johnson: So, you're saying that there is trace amounts of arsenic, but it's acceptable for our landfill regulatory level per EPA? Is what you're saying.

C. Beasley: In this case, there's such little, if any that it's not even detectable in the sample.

C. Johnson: And that's in the T-clip you had where there was one sample of [inaudible].

G. Minkis: Right, so you go through each component per panel.

C. Johnson: Right, and then you have a bunch of those added up and then what's that equal to? What if you guys had to scrap this whole project and it all went to the Modoc landfill, what's that equivalent to?

R. Abel: And how many panels do you have? I don't even know.

C. Beasley: There's about 300,000 panels.

C. Johnson: Okay, so 300,000 panels and then you figure you've got, we'll just say less than that number right? 300,000 is that still below our regulatory limit? Because there's no [inaudible].

C. Beasley: So, you have to think about it as the volume based test. If you were to fill up the entire landfill with these solar panels, which you could, they all every single solar panel, every cubic inch that goes in there meets the volume based requirement for any chemical for that cubic inch and at the end of the day it's deemed non hazardous and it goes into any standard, right?

C. Johnson: So you guys are doing the dilution as a solution is what you guys are doing. So that's per going, you said you did right? Because per, you said per, dilution is the solution. So, some amount is going to be okay per pound. But if you do the total amount present at the time of 300,000? So 300,000 panels melted down or sitting in a landfill is still going to be less than that because that's the regulatory thing, right? Program for legal?

C. Beasley: You have to think about it at a volume based, like as you could have, you look at a sample that's the size of my pinky and you have...

C. Johnson: Over 300,000 samples, let's say.

C. Beasley: Just saying if you threw all through all these pinkies in that landfill, that landfill would be totally okay because every single aspect of what is going into the landfill is less than the limit that would be unsafe.

C. Johnson: That's arsenic, would you drink that? Because that's leachate. That comes off the landfill, right? Where's leachate go, does it evaporate? Maybe. Sorry I'm getting off track.

D. McGimpsey: Mr. Chairman, I understand that we would love to have an open discourse about all this, but right now it's just evolving into an argument. The bottom line is that these panels all meet the environmental specifications required by the EPA, they are safe and the decommissioning plan takes care of the issues regarding removing and returning the land to the existing state it is. There are lots of safeguards, there are numerous counties, not only nationwide, but in Indiana that where you can build these types of facilities without a public hearing. They are permitted uses in multiple jurisdictions.

Property values don't go down, there are many studies about that. The tax rate has gone down. There's, there is information both on Union Township's rates and the county's rates since the advent of renewables in Randolph County so, I understand there are people that are opposed to this and that is their right. We're not trying to take that away, that's what these the purpose that these public hearings are for. For people to come and express their opinions. But...

[Unknown speaker] Inaudible.

V. Chairman Davis: There's no need for that please.

D. McGimpsey: But the bottom line is, the county legislature, the county commissioners have passed an ordinance and that ordinance allows special exception to be granted. This is not a variance, this is not something that is an antithetical to the ordinance itself. This is a special exception that the county legislature, the executive body has determined that is, should be allowed if certain criteria are met and our position is that the project has met each one of those criteria. That is the ballot that Grace referred to right at the outset of this presentation. So, the bottom line is this project is safe, it is environmentally friendly. It is in a perfect location. It is next to a landfill. It is next to high voltage transmission lines that run through there, there's a 69 KV line. There's a 138 KV line and there's a 345 KV line that runs right through this area. This is an ideal place for solar in this county.

V. Chairman Davis: It may be an ideal place for solar, but it's not going to be an ideal place for Mr. Harry Simmons, such I believe he sits on the hill and has to look at it. I mean if I lived out in the county I sure as heck wouldn't want that.

D. McGimpsey: Mr. Chairman, I certainly will not argue with someone's opinion, that is, that is fine, but the bottom line is this board needs to make a determination.

V. Chairman Davis: I understand that.

D. McGimpsey: At this point, we have four-sevenths of the board, I think we ought to ask that this matter be tabled to allow for additional dialogue with the community to make sure all the questions get answered and to allow the full board to weigh in on this.

V. Chairman Davis: I think that's a wise decision, and that way the audience can have a chance to pick up information that they have not had a chance to review.

R. Abel: Can we pause for a second? Commercial time. We're good now.

D. Calhoun: The Area Planning Board has spent several months drawing up, last year or two years ago, several months we worked on that to come up with that. There were open meetings that anybody could come to.

[Unknown speaker] We didn't know about it.

J. Hufford: It's publicized.

D. Calhoun: In the paper. I guess I represent the Area Planning Board on the BZA and I know that we spent a lot of time on it and what we presented went to the commissioners. It passed. And so the only thing that we're going to be voting on would be just the special exception. So, I understand everybody's feelings.

T. Foutz: We'd have been here sooner if we'd known about it.

J. Welch: Bill, I think they have the right to a postponement of the hearing with only four board members. So I think that would be appropriate to table this until the next meeting, as some of the people have requested as well. Dave, is that what you'd like to do?

D. McGimpsey: Yes, yes Mr. Chairman. Thank you.

V. Chairman Davis: Okay.

G. Minkis: Would we still like to respond to the questions from the audience today or we can speak to those at the next hearing?

D. Johnting: I have a quick question, if they table, there'll be three board members who haven't heard this. They will have the minutes, will they do another presentation?

J. Welch: I think it will be repetitive to answer now. I think you should answer when you come back.

D. Johnting: It will give you more time to prepare.

J. Welch: And it would give people more time to think of questions they would have for you as well.

D. Johnting: You want the three to hear what they've heard.

V. Chairman Davis: So let the record show that BZA2022-10-SP is being tabled until the next meeting.

D. McGimpsey: Thank you, Mr. Chairman.

[Unknown speaker] When is the next meeting?

R. Abel: The next meeting is March 22<sup>nd</sup>. It will be the third Tuesday after the first Monday.

[Unknown speaker] Same time?

R. Abel: Same time 7:00 o'clock,

V. Chairman Davis: Do we have new business we'd like to acknowledge. Randy, would you like to explain?

R. Abel: So the city of Winchester is going to hear this TIF District at their City Council, and so, what's the date on that March?

B. McCoy: Did you have questions because I just didn't know if you did or not.

R. Abel: What's the date on that?

B. McCoy: Basically the first one, we had to amend that TIF Area because the lots weren't platted at the time, so that was an amendment. So that letter went out as a public notice, and so we had to go through the process again. So I had to pay more lawyers and all that. And the second one is actually the Vision Park TIF, which is north of town where the windmill is at, that one was extended to the max for a TIF district which it out to 2037, which that allows us to develop more infrastructure out there. I'm working on a 12 home housing subdivision right now. so that will allow us in the future to pay for that infrastructure. So we were just required by law to sending letters out and I don't know why that they even had on them to hand deliver, so. I mean, I can email them, and you can email it back to me, but yeah, got questions? I know tonight, this it was a tough decision, but I look at the one mile buffer, and

the one mile buffer was put there for a reason. And what applies to them, if it's during that one mile buffer, the same situation could come up with Winchester, Union City...that that really concerns me.

V. Chairman Davis: Thank you Mayor.

B. McCoy: Thank you.

V. Chairman Davis: Any additional business or conversation? If not I will entertain a motion to adjourn. Second, all in favor say aye.

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Jason Hawley, Chairman

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Debra Johnting, Recording Secretary

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Bill Davis, Vice Chairman