

BEFORE THE OHIO POWER SITING BOARD

1
2
3 In the Matter of the Application
4 of Frasier Solar, LLC for a
5 Certificate of Environmental
6 Compatibility and Public Need
7 to Construct a Solar-Powered
8 Electric Generation Facility.

Case No.
23-796-EL-BGN

9
10 HEARING

11 DAY 3

12 DATE: Wednesday, May 29, 2024

13 TIME: 5:00 p.m.

14 BEFORE: Attorney Examiner David Hicks

15 Attorney Examiner Matthew Sandor

16 Attorney Examiner Manette Asta

17 LOCATION: Knox Memorial Theater

18 112 East High Street

19 Mount Vernon, OH 43050

20 REPORTED BY: Nic Joseph

21 JOB NO.: 6665493

22

23

24

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1	A P P E A R A N C E S
2	ON BEHALF OF APPLICANT FRASIER SOLAR, LLC:
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13	ON BEHALF OF INTERVENOR OHIO ENVIRONMENTAL COUNCIL:
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18	ctavenor@theoec.org
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25	

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1	I N D E X			
2	WITNESSES:	DX	CX	RD
3	ANDREA STEWART			433
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2	ON BEHALF OF INTERVENORS KNOX SMART DEVELOPMENT AND
3	JARED YOST:
4	DOUGLAS HOLTHUS, ESQUIRE
5	Freeman Mathis & Gary
6	65 East State Street, Suite 2550
7	Columbus, OH 43215
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11	ALSO PRESENT:
12	Jennifer French, Chair of the Ohio Power Siting
13	Board
14	Gene Philips, Designee for the Ohio Department of
15	Health
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5	MICHAEL MILLER			500
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8	DEREK POSEY			510
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1	EXHIBITS	
2	NO.	DESCRIPTION ID/EVD
3	Frasier:	
4	Exhibit PH1	Frasier Solar Map, Thomas' Address Marked 533/535
5	Exhibit PH2	Frasier Solar Map, Nobles' Address Marked 543/554
6	Exhibit PH3	Letter in Opposition to Frasier Solar, Beth Bartley 545/554
7	Exhibit PH4	Preserve Knox County Website Printout 547/554
8	Exhibit PH5	Letter in Opposition to Frasier Solar, Karen Schmitt 561/565
9	Exhibit PH6	Letter in Opposition to Frasier Solar, Karen Schmitt 561/565
10	Exhibit PH7	Frasier Solar Map, Deans' Address Marked 599/603
11	Exhibit PH8	Google Map Printout 6041 Sharp Road 600/603
12	Exhibit PH9	Frasier Solar Map, Gleespens' Address Marked 610/612
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1 PROCEEDINGS

2 JUDGE HICKS: We'll go ahead and go on

3 the record. I want to welcome everyone here again.

4 We are reconvening for round three in the local public

5 hearing on case number 23-796-EL-BGN, which is In the

6 Matter of the Application of Frasier Solar, LLC for a

7 Certification of Environmental Compatibility and

8 Public Need.

9 My name is David Hicks. With me once

10 again is Matt Sandor and Manette Asta. And we are the

11 administrative law judges assigned to hear this case.

12 I also want to introduce with us, again, is the chair

13 of the Ohio Power Siting Board, Jennifer French, and

14 on her left, as designee for the Ohio Department of

15 Health, is Gene Phillips.

16 Just a couple of quick introductory

17 comments again, sort of like I did last week, and

18 we'll take appearances of counsel. I just want to

19 reiterate that everything we had said previously in

20 the last two sessions still applies. The limit of

21 five minutes for your testimony. We will try to flash

22 you this 30-second sign when you have 30 seconds.

23 Sometimes I know people don't see it because you're

24 looking down, but we are going to, once again, cut you

25 off at the five minutes just to stay consistent with

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1 what we've done with everyone up until now.
 2 Just, once again, not a
 3 question-and-answer session. If it's your turn to
 4 talk, if you have questions, please feel free. There
 5 are representatives from the company here down front,
 6 which I'm sure would be happy to speak with you or
 7 board staff at the entrance there when you came in.
 8 Also please refrain from the clapping and cheering.
 9 It just makes it difficult to keep things going and
 10 also hard on our court reporter who is trying to get
 11 an accurate transcript.
 12 With that, I want to go ahead and
 13 take -- we can just do brief appearances. I think
 14 everyone down here has been here at some point, but
 15 brief appearances from the parties.
 16 MR. SETTINERI: Good evening, Your
 17 Honors. On behalf of Frasier Solar LLC, Michael
 18 Settineri and Josh Eckert, Law Firm of Vorys Sater
 19 Seymour & Pease.
 20 MR. TAVENOR: Good evening, Your
 21 Honors. Chris Tavenor, on behalf of Ohio
 22 Environmental Council.
 23 MR. HOLTHUS: Doug Holthus, with
 24 Freeman Mathis & Gary, on behalf of KSD and Jared
 25 Yost.

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1 JUDGE HICKS: Thank you. Okay.
 2 Anything from counsel before we get it going here?
 3 Okay. We are going to just go down the
 4 order of the names that were attached to the entry
 5 that came out. These are the folks that are scheduled
 6 to testify tonight. And with that, we will begin.
 7 JUDGE ASTA: Andrea Stewart. Please
 8 raise your right hand. Do you swear that the
 9 testimony you are about to provide is the truth?
 10 MS. STEWART: I do.
 11 JUDGE ASTA: And please state and spell
 12 your name for the record.
 13 THE WITNESS: My name is Andrea
 14 Stewart, A-N-D-R-E-A S-T-E-W-A-R-T.
 15 JUDGE ASTA: And your address,
 16 including township?
 17 THE WITNESS: 7193 Possum Street, Mount
 18 Vernon, Ohio, Liberty Township.
 19 JUDGE ASTA: And do you live or work in
 20 the project area?
 21 THE WITNESS: No.
 22 JUDGE ASTA: Are you a member of an
 23 intervening group in this proceeding?
 24 THE WITNESS: No.
 25 JUDGE ASTA: You may proceed.

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1 DIRECT STATEMENT
 2 THE WITNESS: Okay. My name is Andrea
 3 Stewart. I oppose the Frasier Solar Project. I live
 4 approximately one mile from the proposed site.
 5 My concerns are property values will
 6 decrease. Deer population and health, as we use the
 7 deer as a food source. Drinking water. We are on a
 8 well, and I am concerned about the contaminated
 9 runoff. The propensity of fire and the chemicals that
 10 would be used to extinguish that fire. The glare that
 11 would affect the airplanes flying in and out of Knox
 12 County Airport, as I understand those board of
 13 directors is also against this project.
 14 It is also my understanding that if
 15 Frasier or Open Roads would go out of business, as
 16 many solar companies do, the landowner is then
 17 reliable -- is liable for the remaining equipment and
 18 any liens that are on the property. We have solar
 19 panels. And, in fact, the company that we used,
 20 Freedom Solar, went out of business, and a subsequent
 21 company went out of business. Further to that, we
 22 were promised a return on investment, which we have
 23 not seen from our solar panels.
 24 Let me clarify. I absolutely support
 25 farmers and their rights. However, farmland is for

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1 farming, not industrial solar fields. The farmers
 2 should petition to have their land rezoned just as any
 3 other landowner would be required to do.
 4 I do have a question. I spoke with a
 5 landscape architect at the meeting of the Naz last
 6 year. She's from New York City. She's planting the
 7 vegetation. I'd like to know why locals were not
 8 hired.
 9 Lastly, I'd like to congratulate the
 10 Village of Gambier in their foresight to protect their
 11 farmland through zoning. Here are just a few of the
 12 excerpts from their zoning ordinance document. "Their
 13 purpose is to protect landowners from adverse impacts
 14 in adjoining developments, to conserve the natural
 15 environment, and to achieve the efficient use of land
 16 without major disruption of the natural environment."
 17 The Village of Gambier's zoning also
 18 goes on to talk about solar. It says that, "The solar
 19 shall be placed such that the solar glare shall not be
 20 directed onto nearby properties. They cannot exceed
 21 250 feet."
 22 They talk about a mixed-use district
 23 and that they want to protect adjacent residential,
 24 institutional, and business developments and the
 25 general public by restricting the types of uses which

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1 could be hazardous, noisy, have glare, odor, or any
2 other objectionable influences. They have good
3 neighbor standards. The purpose of these is to
4 protect the Village in general and the neighboring
5 landowners from any potential and negative impacts
6 that uses may have on the physical environment or the
7 quality of the -- enjoyed by Gambier.

8 For additional protections, the Village
9 of Gambier also has a Philander Chase Conservancy,
10 which was formed in the year 2000, to protect farmland
11 in the area. It protects 5,600 acres. Its purpose is
12 to conserve open space in a five-mile radius
13 surrounding Kenyon College. It works with farmers,
14 landowners, and environmental groups to ensure the
15 rural character of the surrounding area is maintained.

16 Kenyon College is the only college or
17 university in the country to establish its own land
18 trust. Its mission is to protect the natural beauty
19 of the farms and spaces surrounding Kenyon College and
20 to preserve the rural character of the region at
21 large. The Local Agriculture Easement Purchase
22 Program, L-A-E-P-P, has allowed farmers to sell their
23 rights to future non-agricultural development to
24 Philander Chase Conservancy in order to keep the land
25 in agricultural use in perpetuity. The state pays a

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1 portion of that.

2 Now I understand why so many Gambier
3 folks are in favor of industrial solar in our area.
4 They don't want it in their backyard.

5 JUDGE ASTA: Ms. Stewart? Ms. Stewart?
6 If you can come back up --

7 MR. SETTINERI: There will be no
8 questions.

9 JUDGE ASTA: Oh, there are no
10 questions.

11 MS. STEWART: No questions?

12 JUDGE ASTA: But for our remaining
13 witnesses, if you could please remain at the stand so
14 that counsel has the opportunity to ask questions.

15 Moving on, we have Janet Core [ph].
16 Hearing none, Antonio diTommaso.

17 MR. DITOMMASO: Good evening.

18 JUDGE ASTA: Please raise your right
19 hand. Do you swear that the testimony you're about to
20 provide is the truth?

21 MR. DITOMMASO: Yes.

22 JUDGE ASTA: Please state and spell
23 your name for the record.

24 THE WITNESS: Antonio diTommaso, Jr.
25 A-N-T-O-N-I-O D-I-capital T-O-M-M-A-S-O.

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1 JUDGE ASTA: And your address,
2 including township?

3 THE WITNESS: 107 Drummond Avenue,
4 Hubbard, Ohio.

5 JUDGE ASTA: Do you live or work in the
6 project area?

7 THE WITNESS: Work.

8 JUDGE ASTA: And are you a member of an
9 intervening group to this proceeding?

10 THE WITNESS: No.

11 JUDGE ASTA: Please continue.

12 DIRECT STATEMENT

13 THE WITNESS: I'll put this here so I
14 don't forget. I'd like to first thank the Ohio Power
15 Siting Board for their diligence to allow all those
16 that came prepared to speak the opportunity to do so.
17 I've already told you my name.

18 I'm a representative of the Central
19 Midwest Regional Council of Carpenters. We have 130
20 brothers and sisters who live in Knox County, and may
21 not have been able to attend these areas due to their
22 working hours are longer, their traveling farther, so
23 I came to speak on their behalf. Part of this is due
24 to a lot of the growth that's going on in Ohio. We're
25 booming. There's a lot of work going, and our members

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1 are traveling farther and working longer hours.
2 So I'm sure we've all heard the myths
3 about the runoffs, including into the waters, and all
4 that stuff. Our members don't want to live in those
5 backyards if they're polluting themselves. Ohio
6 doesn't want to do that either.

7 You know, solar has been proven to be a
8 safe -- solar panels have proven to be safe
9 alternatives to the power of our future. But what
10 most of us fail to see here is that -- sorry, I lost
11 my place. Let me get back here. Change is
12 uncomfortable, and most people, including big
13 business, do not like or want change. But what most
14 fail to see is that change provides opportunity.

15 And opportunity is what I would like to
16 talk to you about tonight. The Central Midwest
17 Carpenters represent over 34,000 carpenters,
18 millwrights, piledrivers, floor layers living in Ohio,
19 Kentucky, and Indiana. Our members have installed
20 over three gigawatts of solar, with over 5,000 trained
21 members, who have received training in one of our 13
22 training centers.

23 We've also opened up doors for high
24 school students to get training hours on our
25 curriculum, not just in solar, but other things,

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1 through a thing called Career Connections. There's
2 over 183 schools in Ohio alone that are signed in
3 this. And that allows juniors and seniors in high
4 school to get credits towards their apprenticeship
5 program, which would also allow them the opportunity
6 to create an associate's degree in industrial applied
7 science if they fulfill our apprenticeship program.
8 So projects like Frasier's Solar can
9 provide an opportunity for Knox County Career Center,
10 whose scientists -- that those students to start a
11 career with carpenters by partnering with the United
12 Brotherhood of Carpenters, where they can receive
13 solar installation training along with the rest of the
14 curriculum while earning a living wage. We were given
15 a good example of this at our first meeting with the
16 young lady from Portsmouth, who has been doing solar
17 installation for the past three years and told us how
18 she struggled to provide for her children before these
19 opportunities were made available. And she is hoping
20 to have the opportunity to work on the Frasier
21 Project.
22 So I'm asking Frasier Solar to commit
23 to using local skilled workers who have an invested
24 interest in the project and their community, as well
25 as the board and the community to support an

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1 investment being made in this community and receive
2 the benefits and opportunity that the Frasier Solar
3 Project can provide. That's my testimony.
4 JUDGE ASTA: Thank you.
5 Any questions for this witness? Yes?
6 MR. HOLTHUS: -- testimony.
7 CROSS-EXAMINATION
8 BY MR. HOLTHUS:
9 Q Mr. diTommaso, my name is Doug Holthus. I
10 represent an intervening group and a landowner.
11 A Pardon?
12 Q And one of the landowners.
13 A Okay.
14 Q And a -- do I understand that Frasier has
15 not yet committed to union labor on this project?
16 A That's not of my knowledge. I'm just coming
17 here on my own behalf to represent my members.
18 Q Sure. But there's no guarantee that Frasier
19 has wanted to hire any of your union labor brothers
20 and sisters to perform any work on this project.
21 A I'm not asking for union. I'm asking for
22 skilled workers to perform the work on this project to
23 make money here, spend money here, and create jobs and
24 opportunities for the future.
25 Q Didn't you just say you wanted Frasier to

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1 commit --
2 A To using local skilled workers.
3 Q Local skilled workers. So Frasier hasn't
4 done that yet.
5 A I don't know that, sir.
6 Q Okay. And you don't live in the area?
7 A Pardon?
8 Q You don't live in the area?
9 A I don't live in Knox County, but I do work.
10 Q Where are you working now?
11 A Currently right here.
12 Q Doing what?
13 A Representing solar opportunities.
14 Q No, I mean working to earn a wage. Where
15 are you working?
16 A I work in Indiana, Kentucky, and Ohio.
17 Q Are you working in Knox County currently?
18 A When I'm in the area, yes.
19 Q Are you currently working, earning a wage in
20 Knox County, Ohio?
21 A Sir, my job is to go throughout the entire
22 area, and, yes, I do go on projects in Knox County. I
23 go to schools in Knox County. I go wherever I'm
24 necessary. My boss tells me, "Get up today, Tony, and
25 go to Rossford."

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1 Q Are you currently working, applying your
2 trade, earning a wage in Knox County, Ohio?
3 A I would say yes, as I'm representing my
4 members.
5 Q Where are you working? Using a nail gun or
6 anything the carpenters do.
7 A You misunderstand.
8 Q No, I don't. I think you're
9 misunderstanding my question.
10 JUDGE HICKS: Your Honor, if I may, he
11 may want to ask what position --
12 MR. SANDOR: I think you've made your
13 point.
14 MR. HOLTHUS: All right. Thank you.
15 I'll move on.
16 BY MR. HOLTHUS:
17 Q You mentioned the myths of solar power,
18 correct?
19 A Yeah, I mentioned it, yes.
20 Q What is your basis for saying that facts are
21 myths?
22 A Again, I don't know how to answer that, sir.
23 I know that there are misinformation on both sides of
24 the field on this, and that's why I just said myths in
25 general. I'm not here to debate facts. You might

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1 know them better.

2 MR. HOLTHUS: Okay. thank you. I have

3 nothing else.

4 JUDGE ASTA: Thank you for your

5 testimony.

6 THE WITNESS: Thank you.

7 JUDGE ASTA: Next is Bill Bogantz.

8 Please raise your right hand. Do you

9 swear that the testimony you're about to provide is

10 the truth?

11 MR. BOGANTZ: Yes.

12 JUDGE ASTA: Please state your name for

13 the record.

14 THE WITNESS: Bill, B-I-L-L, Bogantz,

15 B-O-G-A-N-T-Z.

16 JUDGE ASTA: And your address,

17 including township?

18 THE WITNESS: 4709 Sportsman's Club

19 Road, Johnstown, Ohio, Liberty Township, Licking

20 County.

21 JUDGE ASTA: So do you work in the

22 project area?

23 THE WITNESS: I do not.

24 JUDGE ASTA: And are you a member of

25 any intervening party?

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1 THE WITNESS: I am not.

2 JUDGE ASTA: Please continue.

3 DIRECT STATEMENT

4 THE WITNESS: Okay. I am Bill Bogantz.

5 I am a township trustee in Liberty Township in Licking

6 County, Ohio. Though I live in Licking County, I

7 wanted to speak tonight to support our neighbors to

8 the north here in Knox County.

9 Solar farms, such as the proposed

10 Frasier Project, are wanted by only a handful of

11 people: Those that are selling or leasing their land

12 to companies such as Open Roads Renewables and others

13 who will profit from those projects, such as the

14 unions that are represented here tonight and that have

15 spoken the previous two nights. How many of these

16 union representatives and workers live here in Knox

17 County? I suspect none of them do. How many of them

18 live close to the project area? I suspect none of

19 them do.

20 It's easy to support something that you

21 only profit from. And I'm not against unions. My

22 father was a carpenter president of the Carpenters

23 Union in Mansfield, Ohio for 20 years. Then you have

24 the so-called conservative groups from Ohio Land and

25 Liberty Coalition. They send a team from Columbus to

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1 Knox County to advocate for the Frasier Solar Project.

2 How many of them live near -- anywhere near a solar

3 project? I suspect none of them do. Again, it is

4 easy to support something that does not negatively

5 impact you.

6 Most of the landowners profiting from

7 these contracts do not even live adjacent to the

8 project area, and many do not even live in the county.

9 My understanding is that eight of the nine landowners

10 that have contracted with Open Road Renewables for the

11 Frasier Project do not live near the project, and four

12 of them do not even live in the county. Hence, they

13 have no vested interest in preserving the land and no

14 vested interest in protecting the property values of

15 the neighboring homes and properties.

16 Some argue property owners' rights,

17 arguing that a landowner should be allowed to do with

18 their land whatever they please, whatever profits

19 then. I understand that argument, and I largely agree

20 with that argument. However, I disagree with this

21 philosophy when a property owner decides to do

22 something that negatively impacts their neighbors.

23 That is why we have zoning. Township zoning is there

24 to protect the community, protect owners' rights. And

25 owners' rights are already governed by the state,

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1 county, and township zoning regulations.

2 What about the property owners' rights

3 for those who own property near these facilities? The

4 property values will fall because of the Frasier Solar

5 Project. In March of 2023, Inside Climate News cited

6 a study conducted by Lawrence Berkeley National

7 Laboratory. The study analyzed the sales prices of

8 1.8 million homes near utility-scale solar plants in

9 six states.

10 At first glance, the report does not

11 look terrible. The report suggests that, on average,

12 home values within one half mile of the project are

13 negatively impacted by only 1.5 percent. That's a

14 loss of \$7,500 on a \$500,000 home. On the surface,

15 that doesn't sound bad, but it's still a loss.

16 However, reading the study more closely

17 reveals that in three of the states in the study, the

18 impact was negligible, one of those states being

19 California. And in the other three states, Minnesota

20 and North Carolina and New Jersey, there was a

21 significant impact. I would argue that we are much

22 more like North Carolina than we are California.

23 North Carolina homes within one half

24 mile of the project area had, on average, a 5.8

25 percent reduction in property values. That is a loss

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1 of \$29,000 on a \$500,000 home. Considering the margin
 2 of error in the analysis, the impact could be as high
 3 as 8.75 percent or a \$40,000 loss on a \$500,000 home.
 4 Also, I'll note, they didn't consider the homes within
 5 a half mile. This was beyond a half mile because the
 6 impact was much greater. It was not quoted in the
 7 report.

8 In addition to being a township
 9 trustee, I'm also a full-time real estate broker. And
 10 I know firsthand the impact that these facilities have
 11 on property values. It's real. I am happy to report
 12 that our county commissioners in Lincoln County
 13 approved our township's request to designate Liberty
 14 Township as an exclusionary zone for large solar.

15 I am here tonight to ask that the Ohio
 16 Power Siting Board not approve the Frasier Solar
 17 Project. Thank you.

18 JUDGE ASTA: Thank you.
 19 Any questions for this witness?
 20 Thank you for your testimony.

21 THE WITNESS: Thank you.
 22 JUDGE ASTA: Next is Scott Smith.
 23 Please raise your right hand.
 24 MR. SMITH: Scott Smith.
 25 JUDGE ASTA: Oh, please raise your

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1 right hand.

2 MR. SMITH: Oh, sorry about that.
 3 JUDGE ASTA: No, you're good. Do you
 4 swear or affirm that the testimony you're about to
 5 provide is the truth?
 6 MR. SMITH: Yes.
 7 JUDGE ASTA: Please state and spell
 8 your name for the record.
 9 THE WITNESS: My name is Scott Smith.
 10 Do you want my address?
 11 JUDGE ASTA: Yes, including township.
 12 THE WITNESS: Okay. 783 South Ridge
 13 Drive, Mount Vernon, Ohio.
 14 JUDGE ASTA: And do you live or work in
 15 the project area?
 16 THE WITNESS: No. I live close to
 17 that.
 18 JUDGE ASTA: And are you --
 19 THE WITNESS: It's within eyesight.
 20 JUDGE ASTA: Are you a member of an
 21 intervening party?
 22 THE WITNESS: Pardon?
 23 JUDGE ASTA: Are you a member of an
 24 intervening group tonight?
 25 THE WITNESS: No, I'm not.

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1 JUDGE ASTA: You can proceed.
 2 DIRECT STATEMENT
 3 THE WITNESS: Okay. Using solar on
 4 agricultural land does not make good common sense.
 5 Therefore, taking out currently good producing
 6 agricultural ground. There's a lot of places to put
 7 solar panels that aren't used for agriculture or
 8 forestation.

9 Our natural resources are important and
 10 should be not taken for granted. There are many
 11 technologies out there that are more efficient and
 12 offer far greater benefits for the power industry.
 13 You cannot replace a forest overnight, which provides
 14 carbon balance that we're all concerned about.
 15 Forests offer a natural cooling effect for the Earth.
 16 They also offer a cleaning effect for our air that we
 17 breathe.

18 Currently, China is building multiple
 19 coal-fired power plants to produce solar panels for
 20 the USA. It does not make sense to create a product
 21 of low-efficiency return for electricity, as well as
 22 using high-polluting fossil fuel to manufacture a
 23 panel. Globally, there are food shortages. We need
 24 to be good stewards of our agricultural land. Once
 25 you take away for 40 years, it is very hard to get it

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1 back.

2 For example, look at what's happened to
 3 our forests. By clearcutting and not putting back or
 4 maintaining, it is causing a lot of climate
 5 destabilization on the world today. Our resources are
 6 very valuable and should be taken care of here in the
 7 USA.

8 We need to use common sense for
 9 creating and protecting our future environment for the
 10 future generation. We have become a society that
 11 looks for what we can get today and do not consider
 12 what happens tomorrow. Jobs for construction, they're
 13 only temporary, until the projects are complete. Like
 14 buying a new car, once it gets used, it's gone.
 15 Solar power is a temporary supplement
 16 with sunny, clear weather. They provide a little more
 17 energy for consumption. However, when night comes,
 18 bad weather comes, or cloudy conditions develop, they
 19 do not produce. But the interesting thing is power
 20 demand does not stop. Do you want to wait until the
 21 sun comes out to take a shower or turn on your lights?
 22 Also, if you have a snowstorm, do you
 23 want to wait until the snow melts off before you can
 24 use electric again? Think about it. Just recently, a
 25 hailstorm took out a solar field in Texas. Do the

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1 people in Texas want to live without electricity until
 2 they replace them?
 3 Have you ever seen what happens to a
 4 person who has a cell phone that cannot get recharged
 5 when they want it? Not a good thing. Also, solar
 6 panels are very expensive to recycle.
 7 In closing, solar appears to not be a
 8 very smart idea for our producing agricultural system
 9 in short term. Therefore, I oppose the solar project
 10 in this area, Project Number 23-0796-EL-BGN. Thank
 11 you.
 12 JUDGE ASTA: Thank you.
 13 Any questions?
 14 Thank you for your testimony.
 15 Next is Lynn Rowe.
 16 MR. ROWE: Good evening.
 17 JUDGE ASTA: Please raise your right
 18 hand. Do you swear or affirm that the testimony
 19 you're about to provide is the truth?
 20 MR. ROWE: I do.
 21 JUDGE ASTA: And please state and spell
 22 your name for the record.
 23 THE WITNESS: Lynn G. Rowe, address
 24 13825 Sycamore Road, Mount Vernon, Ohio.
 25 JUDGE ASTA: And do you live or work in

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1 the project area?
 2 THE WITNESS: You've got to speak up a
 3 little, ma'am.
 4 JUDGE ASTA: Do you live or work in the
 5 project area?
 6 THE WITNESS: No.
 7 JUDGE ASTA: Are you a member of an
 8 intervening party tonight?
 9 THE WITNESS: No.
 10 JUDGE ASTA: Please proceed.
 11 DIRECT STATEMENT
 12 THE WITNESS: I have a resolution here.
 13 I'm a Miller Township trustee. Resolution Number
 14 2024-04-01, a resolution stating the opposition of the
 15 Miller Township Board of Trustees to the Open Road
 16 Renewables Large Solar Facility Project known as
 17 Frasier Solar LLC. Whereas, pending before the Ohio
 18 Power Citing Board is the purpose for your solar
 19 energy development project intended to be located in
 20 Knox County, mostly within the boundaries of Miller
 21 Township and whereas the Board of Trustees of the
 22 Miller Township trustees, Knox County, Ohio, that has
 23 responsibility for supporting the preservation of the
 24 general health, safety, welfare, rural integrity,
 25 agriculture priorities, and listening to the community

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1 input within the boundaries of the township.
 2 Whereas the board has considered the
 3 potential impacts of the Frasier Solar Energy Project
 4 as well as interest of property owners in making their
 5 land available for development and whereas it is the
 6 recruit to the above concerns, the board has
 7 determined that the development of Frasier Solar
 8 Energy Project is not in the best interest of the
 9 citizens and the community at large.
 10 And, whereas the township wishes to
 11 document its position via resolution to the Ohio Power
 12 Citing Board. And, whereas the township wishes to
 13 document its position via resolution to aid and
 14 provide guidance to the Board of County Commissioners
 15 of Knox County in making decisions under the authority
 16 granted to them by law and representing the interest
 17 of the township in letters and to the public hearings
 18 before the Ohio Power Citing Board.
 19 Now for, upon motion by Lynn Rowe,
 20 second by Jason Row, be it resolved that the Board of
 21 Trustees Miller Township, Knox County, Ohio, that the
 22 board has hereby expresses its opposition to the
 23 pending request before the Ohio Power Siting Board to
 24 approve the development and operation of Frasier Solar
 25 Energy Development Project in Knox County and request

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1 such developments be denied. The Board of Trustees of
 2 Miller Township Trustees, Knox County, Ohio, does
 3 hereby find that it is the best interest of the Miller
 4 Township to request that the Knox County Board of
 5 Commissioners oppose the development of Frasier Solar
 6 LLC project by Open Road Renewables.
 7 The township physical officer Gary
 8 Small or his designee is authorized and directed to
 9 transmit a copy of this resolution to the Knox County
 10 Board of Commissioners for its consideration. The
 11 resolution shall be in full force and effective
 12 immediately upon its adoption. Voting A, Jason Row,
 13 Roger McConnell, Lynn Rowe. Voting A, none. Attested
 14 by Gary Small, Township physical officer. Dated
 15 4/1/2024.
 16 Now, I have an email from Joe Zimmerman
 17 [ph]. He's Knox County Airport Authority. He's the
 18 president. "As your local elected official in the
 19 proximity of Knox County Airport, I wanted to share
 20 with you a recent resolution passed unanimously by the
 21 Airport Board regarding the proposed industrial solar
 22 fields nearby. In addition to the resolution, the
 23 reference material from the FAA and summary and letter
 24 from me are included.
 25 "I would like for you and your township

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1 to be aware of our findings and our firm stance on the
 2 side of safety and caution of this matter. Feel free
 3 to share with your colleagues who are also elected
 4 officials for the township. Thank you for your time
 5 and consideration, Joe Zimmerman [ph], KCRAA, Knox
 6 County Airport of Ohio." I've got 30 seconds?
 7 JUDGE HICKS: Right.
 8 THE WITNESS: Okay. I've got the
 9 resolution here. It is signed by Chip McConville,
 10 prosecuting attorney of Knox County. It's a two-page
 11 resolution. I won't have time to read it. I don't
 12 read that fast, but it's here. It'll be in the box,
 13 along with everything else. Thank you for your time.
 14 JUDGE ASTA: Thank you, Mr. Rowe.
 15 Any questions for this witness?
 16 MR. SETTINERI: No questions.
 17 JUDGE ASTA: Thank you for your
 18 testimony.
 19 Next is Sallie Bowen.
 20 Please raise your right hand. Do you
 21 swear that the testimony you're about to provide is
 22 the truth?
 23 MS. BOWEN: Yes.
 24 JUDGE ASTA: Please state and spell
 25 your name for the record.

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1 THE WITNESS: Sallie Bowen, S-A-L-L-I-E
 2 B-O-W-E-N.
 3 JUDGE ASTA: And your address,
 4 including the township?
 5 THE WITNESS: It's 2821 Berger Road,
 6 Mount Vernon, and it's in Miller Township.
 7 JUDGE ASTA: And do you live or work in
 8 the project area?
 9 THE WITNESS: Just down the street.
 10 JUDGE ASTA: And are you a member of an
 11 intervening party tonight?
 12 THE WITNESS: No, I'm not.
 13 JUDGE ASTA: You may proceed.
 14 DIRECT STATEMENT
 15 THE WITNESS: Okay. Do you all recall
 16 at the beginning of COVID when things were unknown and
 17 lots of these unknowns were kind of made us fearful?
 18 Shortly after the beginning of the crisis came a man
 19 who took center stage, appearing to be the expert, who
 20 gave us many assurances to quiet our fears, followed
 21 by a company or two who made safe and effective
 22 promises to us about their products, assuring us into
 23 accepting their untried medical products.
 24 These safe and effective products are
 25 now being revealed to be the damaging and destructive

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1 products that they have always been. It's just the
 2 majority of people couldn't see through the
 3 gaslighting to the truth. For me personally, that
 4 reminds me to some degree of what is being proposed by
 5 Frasier Solar and Open Road Renewable currently.
 6 Out of nowhere, these folks appeared in
 7 our small towns, putting up storefronts along our main
 8 streets and suddenly financing a whole host of our
 9 small-town events, slowly working their way into our
 10 consciousness. There were a lot of appearances to the
 11 public of being straight shooters and potential good
 12 neighbors until reports of hush money payments
 13 surfaced here in our community. Money given to
 14 silence our neighbors, who were not amenable to these
 15 large out-of-state solar farm projects they propose
 16 near them.
 17 Have you asked yourself why these
 18 companies would need to bribe our fellow neighbors
 19 into silence to move along their agendas? So much for
 20 honesty and transparency from these two companies.
 21 That is neither acceptable nor is that of a business.
 22 And then came news that these solar
 23 farms would be constructed on farm grounds so
 24 agricultural, not commercial, near all of us. We
 25 belatedly learned that the state in 2021 passed State

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1 Bill 52. Of course, at a time when we all were more
 2 focused on getting through COVID than anything else.
 3 And that this enabled townships and county officials
 4 to decide if they wanted to exclude industrial sized
 5 wind and solar projects from the rural areas.
 6 One of the Open Road Renewable
 7 representatives, who is ever present in our community,
 8 began to promote his proposed solar farm project to
 9 us, stating it would generate "clean, quiet energy,"
 10 while listing a whole myriad of potential financial
 11 benefits to our county. Forty-year contracts were
 12 drawn up with our farmers and promises of funding were
 13 made to our local schools and fire departments, just
 14 to name a few.
 15 The problem to me appears to be who is
 16 providing the factual assurances being offered as
 17 proof that these farms won't harm our beautiful
 18 communities? In an Open Road Renewables brochure from
 19 last year that was entitled "Correcting Misinformation
 20 About Utility Solar Energy in Knox County," potential
 21 environmental impacts of solar farms were minimized
 22 with a quote from our own Ohio Department of Health
 23 stating that, "Non-toxic, non-porous substances, like
 24 glass, would fully encapsulate the hazardous chemicals
 25 that are known to be present in these solar panels."

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1 Well, that's well and good until the
 2 components of the panels start to degrade over time,
 3 and the glass is damaged, allowing the innards to
 4 leach into our farmland and potentially into our
 5 groundwater. Thunderstorms and tornadoes are not
 6 uncommon occurrences in this part of Ohio. So what
 7 assurances do we have that there won't be damage to
 8 acres upon acres of glass solar panels?
 9 All we need to think of are the images
 10 that the gentleman mentioned just a moment ago out of
 11 Texas, when the storms ripped through their region
 12 earlier this year, obliterating hundreds of rows of
 13 solar panels. I watched it on TV. And, I can't lie,
 14 I will forever remember the cleanup crews that were
 15 dressed in full hazmat suits trying hard to protect
 16 their land and the groundwater. It was awful.
 17 But what about the promises made to us
 18 by Open Road, that there is virtually no light, noise,
 19 dust, or odor with these farms? It only takes a
 20 simple search on Google to see comments from those
 21 living near solar projects who were given these exact
 22 same assurances. But they have learned the hard way
 23 that panels do make noise, as aging and rusting
 24 inverters track the sun, and that they can cause
 25 hideous glare that can be blinding on very sunny days.

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1 We're told that they don't produce
 2 dust, but let's just discuss the extra dust produced
 3 by all of the construction vehicles during the lengthy
 4 construction phase. Many of us are already not happy
 5 with our old asphalt and gravel roads here. Can you
 6 imagine when a constant stream of construction
 7 vehicles are on our roads on a regular basis? How
 8 much worse will it be then?
 9 During the first of these three public
 10 hearings, much mention was given to the proposal to
 11 graze sheep around the panels to counter the argument
 12 that the land will no longer be used for true
 13 agricultural purposes that it's zoned for. This
 14 sounds fine until you study the actual document
 15 language. It doesn't say Open Road will be doing and
 16 allowing the grazing. It's just that they have the
 17 option for it. Those are two totally different
 18 things.
 19 They can propose it now, but they can
 20 decline it later. Again, if we've learned anything --
 21 JUDGE ASTA: And that's five minutes.
 22 THE WITNESS: Okay, thank you.
 23 JUDGE ASTA: Thank you. Just one
 24 moment.
 25 THE WITNESS: Sure.

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1 MR. SETTINERI: Quick question.
 2 CROSS-EXAMINATION
 3 BY MR. SETTINERI:
 4 Q Good evening, Ms. Bowen. Mike Settineri, on
 5 behalf of Frasier Solar. Have you reviewed the staff
 6 report that came out on this project?
 7 A The staff report?
 8 Q Yes, the Ohio --
 9 A I don't know what that is.
 10 Q Are you aware the Ohio Power Siting Board
 11 staff issued a report and recommendation on the
 12 project?
 13 A I've read that in a periodical that was
 14 mailed to our home.
 15 Q All right. And so you haven't reviewed the
 16 conditions that were recommended for the project?
 17 A No, I don't. No, I don't.
 18 Q Would you like to receive a copy of that?
 19 A I would.
 20 Q I'm glad to send it to you. Thank you.
 21 A You're very welcome.
 22 JUDGE ASTA: Thank you.
 23 Jeanine Baldrige?
 24 Hearing none, Andrew Murray?
 25 Hearing none, Jason Row.

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1 Please raise your right hand. Do you
 2 swear or affirm that the testimony you're about to
 3 provide is the truth?
 4 MR. ROW: Yes.
 5 JUDGE ASTA: Please state and spell
 6 your name for the record.
 7 THE WITNESS: It's Jason Row. And it's
 8 J-A-S-O-N R-O-W.
 9 JUDGE ASTA: And your address,
 10 including township?
 11 THE WITNESS: 12863 Watson Road, Mount
 12 Vernon, Ohio, and that's Miller Township.
 13 JUDGE ASTA: And do you live or work in
 14 the project area?
 15 THE WITNESS: Both. I live and work in
 16 it.
 17 JUDGE ASTA: And are you a member of an
 18 intervening party tonight?
 19 THE WITNESS: No, ma'am.
 20 JUDGE ASTA: You may proceed.
 21 DIRECT STATEMENT
 22 THE WITNESS: Okay. My name is Jason
 23 Row. I'm a Miller Township trustee. I am on the Knox
 24 and Soil Water Board also. And I am a five-year
 25 generation person living on our farm in Miller

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1 Township. And I am one of the three houses that will
 2 be closest to the solar project proposed.
 3 Over the last year and a half, it's
 4 been a very stressful time at the Miller Township
 5 Trustee Township meetings. We've had a lot of
 6 resistance on the project. And I'll be honest with
 7 you, when we first started out, all three trustees
 8 were very neutral and tried to understand everything
 9 that would be coming with the project.
 10 But over a lot of research on some of
 11 the other farms in Ohio and what we've seen on issues
 12 with erosion, topsoil loss, property values
 13 decreasing. All of us have done our own research and
 14 heard from a lot of people, got tons of letters from
 15 people in the townships -- in the township and out of
 16 the township. And I'll be honest, it was probably a
 17 75/25 against it to go forward.
 18 So in my mind, you know, I represent
 19 everybody in Miller Township, not only the landowners
 20 that might want to be in a project, but the ones that
 21 aren't landowners that also live in a project. So the
 22 majority is telling us trustees when we passed a
 23 resolution that is what we needed to do.
 24 I will tell you you have some of the
 25 best farmers in the state of Ohio in Miller Township.

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1 Maybe a lot of you don't know, there's probably 50,000
 2 acres tillable, I think in Knox County, if I remember
 3 right, and 60,000 acres tillable in Licking County.
 4 So my business that I run is a seed
 5 business for a seed company. And I talked to a lot of
 6 fertilizer dealers, chemical reps, other seed dealers,
 7 people in the state. And most of these guys that are
 8 farmers sitting in this room will tell you that Knox
 9 and Licking County are the garden spots of the state
 10 when reps come through because the crops are
 11 excellent. So to me, why you want to pull crops out
 12 of an area that does that well in the state does not
 13 make good sense to me.
 14 And farmers, when you think about it, a
 15 lot of these people sitting in the room I don't think
 16 are against solar, okay? But you've got to make a fit
 17 for it somewhere. Whether it's the federal
 18 government, the state government, whoever, like, when
 19 you're going to grow oranges, you're not going to grow
 20 oranges in the state of Ohio. You're going to grow
 21 them in Florida. It's like the Corn Belt when you
 22 look at it, it's in Indiana, Illinois, Iowa, and some
 23 of Ohio now. So I'm saying you just need to find a
 24 fit.
 25 I remember a representative from solar,

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1 they brought an engineer in, and it was this past
 2 winter. He sat, as I'm sitting at the township house
 3 on the right side of me, down there, and I asked him,
 4 "Why don't they take any of these coal burning plants,
 5 it's like down on the river, and convert them over to
 6 solar plants?" And I do remember his response to me
 7 is, "We looked into that, about buying some of that
 8 ground close to those old facilities, clearcutting,
 9 not having to lease or rent that ground, clearcutting
 10 some of that, doing some work to it, putting panels
 11 in, and using that old facility."
 12 And that's why they need -- you know,
 13 they need a place to put the power into to get it out
 14 of their own grid, okay? And I understand that, but I
 15 think you could find some areas that better suit for
 16 solar and maybe not eat farm ground up. We lose
 17 thousands of acres a year for development of houses
 18 and everything else in the United States. The farm
 19 ground acreage on 85 million of corn or 90, in
 20 between, our own corn and beans gets knocked down
 21 every year. There's just so many unknowns too.
 22 I guess, talking to a few other guys,
 23 they're not sure, you know, in 40 years when this
 24 stuff comes out, how productive will that ground be?
 25 How much organic matter will have to be added to it?

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1 You're going to have to retille those farms completely.
 2 You're not just going to fix tile.
 3 So, in closing, on behalf of myself, my
 4 wife, and Miller Township, we are opposing the Frasier
 5 Solar Project. Thank you.
 6 JUDGE ASTA: Thank you.
 7 Any questions for this witness?
 8 MR. SETTINERI: Yeah. Mr. Row --
 9 THE REPORTER: Mr. Settineri, could you
 10 please not put your binder on top of my microphone?
 11 THE REPORTER: Sorry.
 12 MR. SETTINERI: Just trying to hide.
 13 Let me lean forward here.
 14 CROSS-EXAMINATION
 15 BY MR. SETTINERI:
 16 Q Mr. Row, Mike Settineri, on behalf of
 17 Frasier Solar. It's nice to see you tonight. You
 18 have a copy of that resolution from Miller Township by
 19 chance?
 20 A I don't have one with me, no. I put one in
 21 the box right here -- copy.
 22 Q The first question I had is, what do you say
 23 to the landowner that can make more through solar than
 24 through crops on their foundation?
 25 A What do I say to them? Well, I guess I'm

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1 going to explain to them like I explained to you about
 2 the land that's being cropped or whatever. Not
 3 everything's always about money. And farmers are
 4 farmers, and they're good people.
 5 And I really didn't appreciate you the way
 6 you questioned Charlie von Zell [ph] in the very first
 7 meeting. You had it out with him about the Open Road
 8 Agreement, how much he wanted paid. You asked him six
 9 or seven times because I wrote it down.
 10 Q I don't think that was me, sir, but --
 11 A Yes, it was. I guarantee you it was. I'll
 12 bet the farm on that.
 13 Q Okay. Well, let me ask you this.
 14 JUDGE SANDOR: Just as a reminder, this
 15 is for counsel to questions.
 16 MR. SETTINERI: That's fine.
 17 BY MR. SETTINERI:
 18 Q So you didn't appreciate my prior question,
 19 but going back to my question: A landowner owns
 20 property, a farmer owns property. We had, I think, a
 21 testimony from Mr. Dilt [ph] maybe last week, and
 22 pretty emotional testimony about his decisions and
 23 what he can make for income.
 24 A Yeah.
 25 Q And so what do you say to someone like Mr.

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1 Dilt [ph] who, you know, if you're against the
 2 project, you're taking away an opportunity for him to
 3 make more off of his land than just crops?
 4 A I'm going to give an opportunity to him to
 5 if he's planting crops. I'm going to try to sell him
 6 better seed and get better yield so he can make more
 7 money for acre. That's my rebuttal to that.
 8 Q Okay. Fair enough. You said you're a five-
 9 year generation farmer.
 10 A Yep.
 11 Q What kind of agricultural activity are you
 12 engaged in?
 13 A I sell seed, corn, beans, wheat, hay
 14 products, forages, and my son and I, we started last
 15 year, he's 16, making a little hay. That was my main
 16 business when I farmed.
 17 Q Okay. So paraphrasing, selling seed, and
 18 then also you raised a little hay?
 19 A Yep.
 20 Q How many acres of hay do you do?
 21 A I don't know, probably 100 altogether.
 22 Q Okay.
 23 A But I farmed a lot more than that when I
 24 farmed.
 25 Q Yeah. Now, have you read the staff report

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1 recommendation that was issued?
 2 A Yes, I do.
 3 Q Did you read the conditions in that?
 4 A I do. And my problem with that is, is if
 5 this goes through, if we can deal with you, sir, or
 6 Craig all the time, but if the project gets sold, then
 7 I'm just worried about how everything gets followed up
 8 and taken care of, and that gets taken care of all the
 9 time.
 10 Q If the board approves the project and issues
 11 a certificate, do you understand -- and if the board
 12 adopts staff's recommended conditions, then those will
 13 be permanent conditions, right?
 14 A Yep.
 15 Q Okay. And even if the project sold, whoever
 16 holds that permit has to abide by the conditions,
 17 right?
 18 A Yeah. But, I mean, you're talking to people
 19 like, say, farmers that deal with people face to face
 20 and take care of things kind of face to face and they
 21 don't want to have to go through two or three chains
 22 of command. We had to deal with on -- that we fought
 23 forever when they put new power lines up to get
 24 everything taken care of. And we still haven't got
 25 everything that we want done with that because we had

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1 to talk to this person, that person, Roger behind me
 2 took care a lot of that, and it took forever.
 3 Q As a township trustee, you issue permits as
 4 the township, don't you?
 5 A Yep. Well, our zoning inspector issues the
 6 permits.
 7 Q Okay. And county engineer issues permits?
 8 A Yeah.
 9 Q And you expect a permit holder, that the
 10 township or the county engineer issues a permit to, to
 11 abide by the permit, right?
 12 A That's right.
 13 Q So going back to the conditions. Do you
 14 believe those conditions can address some of the
 15 concerns that you have with this project?
 16 A I think some of the conditions in there on
 17 the tile agreements and everything -- I got ground
 18 right behind me -- I'm not worried about the tile
 19 agreements because when that tile was put in, one the
 20 gentleman that will talk about them, I'm guessing
 21 later tonight, they broke hard pan on that. And where
 22 that tile needs to actually be now is creating a lot
 23 of runoff that goes onto them, and it's a surface
 24 water runoff. It's not the tile agreements. I get
 25 you'll look in the main tiles, you've got to maintain

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1 them. But the surface water is going to be an issue.
 2 Q How do you deal with surface water?
 3 A Well, I suggested to Craig at a meeting or
 4 whatever, if it goes in then you put a curtain drain
 5 clear around that project and get it back into a main
 6 or something so neighbors won't have all that runoff.
 7 That's what I'm worried about. I mean, I can see that
 8 being a problem because there's a lot of difference in
 9 Ron Power's [ph] old ground, where it's next to the
 10 gravel pit. The majority of it you've got in Miller
 11 Township, it's heavy clay. I don't think you
 12 understand the runoff difference that's going to
 13 cause.
 14 Q Let me ask this: Can surface water be
 15 engineered -- can a design -- let me ask it a
 16 different way. Can a design be done to address
 17 surface water, such as using retention ponds, things
 18 of that nature?
 19 A It can be, but a lot of these -- we don't
 20 get regular rainfalls anymore. Like, this spring has
 21 been one of the ones in the last eight or ten years,
 22 we're getting like three, four, five-tenths of rain,
 23 okay? Usually, we get those inch and two-inch rains
 24 that there's serious runoff out of that.
 25 And I think we just run into a different

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1 kind of spring this year and more of a regular one.
 2 But we haven't had a regular one. So when you get
 3 those inch or two rains, or maybe even three or four-
 4 inch rains, some of those proposals would work, but
 5 not for that amount of rainfall, I don't believe.
 6 Q Would you, as a Miller Township trustee, be
 7 willing to meet with the company and some engineers to
 8 talk about the run off?
 9 A We have. We met back behind the house
 10 there, and there were some issues already with it
 11 that's going to get even greater. But I never really
 12 got anything back to know what that was going to be.
 13 Q Would you be willing to continue those
 14 discussions as the Miller Township Trustee?
 15 A Yes, sir, I would be.
 16 Q And if the Miller Township Trustees can
 17 address regarding it -- let me ask it this way. If
 18 the Miller Township Trustee is concerned about this,
 19 it can be addressed. And I think you mentioned
 20 erosion, topsoil loss, property values. Would Miller
 21 Township consider reversing its position on the
 22 project?
 23 A No, because this is an agriculture -- I'll
 24 tell you that right up. That's not going to be the
 25 case.

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1 Q Regardless of whether concern is going to be
 2 addressed, Miller Township is against the project?
 3 A Yes.
 4 Q If you go look at that resolution, you have
 5 a phrase in there in that resolution. "Rural
 6 integrity," it's the second -- probably the third
 7 paragraph down. It says, "whereas," and it talks
 8 about the responsibility for supporting the
 9 preservation of the general health, safety, welfare.
 10 There's that phrase, "rural integrity." Do you see
 11 that?
 12 A Yep.
 13 Q What does rural integrity mean to you?
 14 A I guess rural integrity, yes, for the
 15 ground, and make sure it's taken care of. And I feel
 16 like, you know, if it's in solar -- I'm not talking
 17 just about now, when you put in the solar. What's it
 18 going to be down the road, and what gets taken out of
 19 that ground? Because you can't honestly tell me that,
 20 what's going to happen with it, what kind of
 21 production it'll be when it comes to that in 40 years.
 22 Q Have you read the staff condition on
 23 recommended condition on soil reconditioning in the
 24 project's life?
 25 A Yep. Well, you must save all your questions

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1 for me.
 2 Q Not quite.
 3 A Okay.
 4 Q What about agricultural priorities? That
 5 same phrase is used in the resolution. What does
 6 agricultural priorities mean to you?
 7 A Agricultural priorities?
 8 Q Yeah, you see it there.
 9 A I think in Knox County and in Miller
 10 Township, it's agronomy production and agricultural
 11 production.
 12 Q Sheep, raising sheep is agriculture?
 13 A Sheep, cattle, hogs, chickens, corn, beans.
 14 Q And you're aware the project would have
 15 sheep grazing?
 16 A Yeah.
 17 Q Okay.
 18 A Knox County was the largest sheep producing
 19 county east of the Mississippi for a lot of years,
 20 thanks to Banburys and Danville.
 21 Q You said the last year is pretty darn
 22 stressful for the trustees.
 23 A Very stressful. Yeah, it divided -- here's
 24 the problem. It divided a lot of friendships and
 25 families because of how they stood on this position of

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1 this. And to me, if this hadn't happened, none of
 2 that stuff would have happened between them families.
 3 There's people that don't speak to people, talk to
 4 people now, and I think that's terrible.
 5 Q Okay. And I'm sure there are a lot of
 6 concerns raised from folks that don't want the
 7 project. So for instance, solar panel toxicity, was
 8 that discussed in your meetings at all?
 9 A Yeah, it was. And I talked to a couple fire
 10 chiefs the last couple days and they can't give me a
 11 straight-up answer if they had to fight it. Because
 12 I'm the representative that's on the Homer Fire
 13 District [ph]. If they had to fight it, they couldn't
 14 give me a cost or tell me how much it would be in the
 15 toxic and the suits they would need. Because I just
 16 asked them for a number, so I kind of knew a little
 17 bit. And they couldn't give me a straight-up number
 18 because they really haven't faced it, I should say, in
 19 your defense.
 20 Q Okay. And then you've heard concerns about
 21 leaching toxic materials in the soil and groundwater?
 22 You've heard that a lot, haven't we?
 23 A Yep.
 24 Q What are your concerns about topsoil erode
 25 loss?

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1 A Well, in some of the other projects where
 2 they have scraped it off, you know, got down to not
 3 having the topsoil, I mean, when that ground, to me,
 4 goes back into production, if you know anything about
 5 dirt, I mean, it takes -- if you take -- I forget --
 6 -- an inch, the topsoil off of it, how long it takes to
 7 rebuild that back up, I think, it's four to five
 8 years. So when you scrape eight or ten inches off of
 9 it, you're talking -- it's going to take some serious
 10 time to build that back up. So even if it comes out
 11 40 years, it might take 60 years before you get them
 12 back to really good productive ground.
 13 Q And do you realize there's, a I'll call it
 14 topsoil condition, regarding managing topsoil and soil
 15 during construction in the staff report?
 16 A Yep, I do.
 17 MR. SETTINERI: Nothing further,
 18 Mr. Row. Thank you.
 19 THE WITNESS: Thank you.
 20 MR. SETTINERI: Thank you.
 21 JUDGE ASTA: Thank you.
 22 THE WITNESS: Anybody else?
 23 JUDGE ASTA: Next is Robert McConnell.
 24 MR. MCCONNELL: It's Roger McConnell's,
 25 that's how I signed up. I don't know where the Robert

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1 came from.
 2 JUDGE ASTA: Oh. Please raise your
 3 right hand. Do you swear or affirm that the testimony
 4 you're about to provide is the truth?
 5 MR. MCCONNELL: I do.
 6 JUDGE ASTA: And then please state and
 7 spell your name for the record.
 8 THE WITNESS: Roger McConnell R-O-G-E-R
 9 M-C-capital C-O-N-N-E-L-L.
 10 JUDGE ASTA: And your address,
 11 including township?
 12 THE WITNESS: 3288 Granville Road,
 13 Mount Vernon, Ohio.
 14 JUDGE ASTA: And do you live or work in
 15 the project area?
 16 THE WITNESS: Yes. I'm also a trustee
 17 in the Miller Township.
 18 JUDGE ASTA: Okay. And are you a
 19 member of an intervening group?
 20 THE WITNESS: No.
 21 JUDGE ASTA: Please continue.
 22 DIRECT STATEMENT
 23 THE WITNESS: Once again, my name is
 24 Roger McConnell. I'm a lifelong resident of Knox
 25 County in Miller Township. My grandfather moved here

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1 after selling his coal mine in Pennsylvania in 1924.
 2 I farmed alongside my grandfather and father until
 3 they passed away in 1985 and 2000. I continue to work
 4 and be the caretaker of the family farm with my son,
 5 Nick.
 6 Once again, I'm a trustee, and we as
 7 trustees have been dealing with this project --
 8 proposed project, and gathering information since we
 9 found out about it quite some time ago, as it was
 10 grandfathered in. There was no input from the Knox
 11 County commissioners, trustees, or the community.
 12 That flaw in the process was eliminated in the passing
 13 of Senate Bill 52.
 14 After several meetings of information
 15 and discussion, I've come to the conclusion that the
 16 project could cause tension between neighbors and
 17 disruption within the community. I have concerns with
 18 the project creating extra water runoff to neighboring
 19 properties. This has happened in other solar projects
 20 initiated by Open Roads.
 21 To damage roads that they say they will
 22 fix at the finish of the project, to extra traffic,
 23 along with contractors coming in, and possibly not
 24 caring about the neighboring properties and how they
 25 are affected. Again, this has happened in other

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1 projects that Open Roads Renewables have initiated.
 2 We're also losing valuable farm ground
 3 that produces renewable fuels. The township doesn't
 4 have the manpower resources to work on the roads and
 5 correct mistakes.
 6 I would also like to note that there's
 7 a flaw in the process, in my opinion, that all the
 8 voting members are not at these hearings to listen to
 9 the testimony in person. I would hope the voting
 10 members of the Ohio Power Siting Board will value the
 11 opinions of the local residents and people most
 12 affected by this project.
 13 The commissioner election results from
 14 March 19th of 2024 speaks volume of the Knox County
 15 residents. As much as I support rights of owners
 16 committed to the project, there are also the concerns
 17 for neighboring property and their rights. So after
 18 careful consideration, let it be known that I do not
 19 feel that this project is good for Miller Township and
 20 the community.
 21 Just a couple things from the staff
 22 report. Topsoil being disturbed, Craig has told
 23 everybody and says 5 percent, 5 percent. It says 5
 24 percent, up to 20 percent, unless there's more needed
 25 to be removed.

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1 He brought in a representative from
 2 Brown County. We signed up with that project down
 3 there, and after she spoke for probably three or four
 4 minutes, I asked -- I had asked her, "Was there
 5 additional flooding and runoff because of the
 6 project?" Three or four minutes went by. Finally, I
 7 said, "Was there additional runoff? Yes or no? Was
 8 there additional flooding? Yes or no?" "Yes, because
 9 of the project." That was somebody there with him.
 10 The report also notes that integrity of
 11 the topsoil is disrupted once you move it and disturb
 12 it. So 20 percent or more of that integrity is going
 13 to be disrupted, way past my lifetime, probably past
 14 my son's lifetime.
 15 In the report, it also says, "Notify if
 16 there's any endangered or protected species in the
 17 project area, plant or animal." Blue heron crane,
 18 bald eagles. So, I guess, I'm notifying you right
 19 now, but that's in the project area.
 20 It also says to report mortality in the
 21 project. So they're anticipating mortality in the
 22 project because of the solar, evidently. That's the
 23 only way I can read that.
 24 The word "anticipate" is in that
 25 report, I don't know how many times. They don't

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1 anticipate things.
 2 I've also asked for extra money for the
 3 fire department because of what Jason said. We don't
 4 know how much it's going to cost, maybe \$1 million for
 5 a truck and phone. They want to give the fire
 6 department \$300,000 up front. That comes after the
 7 project is completed, and so they're protecting them
 8 for the right to begin with and compensation --
 9 JUDGE ASTA: And that's time.
 10 THE WITNESS: Okay, that's fine.
 11 JUDGE ASTA: Thank you.
 12 Any questions for this witness?
 13 CROSS-EXAMINATION
 14 BY MR. SETTINERI:
 15 Q Mr. McConnell, it's nice to see you.
 16 A Thank you.
 17 Q You mentioned some other projects initiated
 18 by Open Road. Do you know the names of those
 19 projects?
 20 A I've talked -- I spoke with people in Brown
 21 County, several people in Brown County. Actually, I
 22 had a trustee farmer call me and tell me about the
 23 project and the problems with that.
 24 Q And when you say they "have initiated," what
 25 do you -- what do you mean by "have initiated"?

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1 A Just like this project, they're the front
 2 person getting the project started, then they sell it.
 3 Q So for the projects in Brown County, another
 4 company would have been involved in design -- design
 5 construction.
 6 A Well, we don't have a design for this
 7 project yet either, so it has to be somebody else.
 8 Q When a residential subdivision is built, and
 9 there's a multi-family development team built around
 10 Mount Vernon, right?
 11 A Correct.
 12 Q Across from the hospital center, northeast
 13 side of Mount Vernon?
 14 A I'll take your word for that.
 15 Q Topsoil is stripped in those kind of jobs,
 16 right?
 17 A I assume it is, because they have to get
 18 down to a perfect foundation.
 19 Q And you wouldn't expect that to return to
 20 farm ground once those residential subdivision or
 21 multi-family -- complex is put in, right?
 22 A No, that's common sense.
 23 Q Is your goal, as a township trustee, to
 24 maintain agricultural character of Miller Township?
 25 A My goal as a trustee, I represent the people

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1 in the township, represent myself, and I try to come
 2 to conclusion what is best for the township and the
 3 community.
 4 Q Going back, as a township trustee --
 5 THE REPORTER: I'm sorry, I can't hear
 6 you.
 7 BY MR. SETTINERI:
 8 Q In regards to Miller Township, let me ask
 9 you: In your opinion, is preserving the agricultural
 10 character of Miller Township important to you?
 11 A I think that is part of the attraction of
 12 Miller Township or Knox County. So, yeah, I think
 13 that agriculture is definitely a -- in my opinion, to
 14 preserve the agriculture. And solar is not
 15 agricultural, in my opinion.
 16 Q Now, you said --
 17 JUDGE SANDOR: Please refrain -- time,
 18 please.
 19 UNIDENTIFIED SPEAKER 1: Same rules,
 20 same rules.
 21 UNIDENTIFIED SPEAKER 2: Sir, I don't
 22 care, right?
 23 BY MR. SETTINERI:
 24 Q Mr. McConnell, just, you mentioned, at least
 25 in your -- I think what you read tonight was a public

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1 -- that's from your public comment, you put on docket
 2 in the case, right?
 3 A Pardon me?
 4 Q Your statement tonight that you read, was
 5 that the public comment?
 6 A Oh, yes.
 7 Q Okay. And the same question as for Mr. Row:
 8 Has the last year been stressful for the Township
 9 trustees in regards to this project?
 10 A I would say it's stressful, but I deal with
 11 stress every day in my job. So it's -- and I've dealt
 12 with parents and basketball teams, so you know,
 13 talking to a mom that wants their kid to play is more
 14 stressful than what this has been.
 15 Q Okay. And you're currently a farmer. Is
 16 that right?
 17 A Correct.
 18 Q All right. What crops or agricultural
 19 activities do you engage in?
 20 A Corn, beans, wheat, hay, cattle.
 21 Q No further questions. Thank you. Oh, one
 22 last question.
 23 A Sure.
 24 Q Let me come back. I think Mr. Row said the
 25 concerns were, I believe, topsoil removal, erosion,

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1 and property value decreasing. Are those the primary
 2 concerns of the township trustees?
 3 A Yes, those are some of the concerns. I
 4 mean, property values will drop. I know the extra
 5 money supposedly that Open Roads will be putting into
 6 the community from their tax has to be substantial to
 7 make up for the loss of the property values that it's
 8 going to devalue. So I don't know whether it's going
 9 to be a wash. It might be a wash in year five, but in
 10 year 20, we might be losing money because it's a set
 11 amount for the entire project.
 12 Q And so erosion, topsoil laws, property
 13 values decreasing, any other concerns?
 14 A The roads, because that report, I kind of --
 15 I've dealt with ABD [ph], like Jason said. That
 16 report is guidelines. I look at that as, like, a
 17 speed limit sign and no littering sign. You can
 18 either obey it or you don't. And in my experience
 19 dealing with it, they did not obey what they were
 20 supposed to do. And they didn't do it in some of
 21 these other projects too. So there is history to
 22 support that.
 23 Q So you're concerned about compliance with
 24 the conditions?
 25 A Absolutely. Because I don't think it'll

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1 happen. Because their number one goal is to get the
 2 job done, because I've experienced this. Get the job
 3 done. We'll take the chance. The risk is worth the
 4 reward. If we get it done quicker, if we don't get
 5 caught, we won't get fined or penalized.
 6 Q And do you know that the Power Siting Board
 7 has a compliance team that monitors projects and
 8 construction as well as operation?
 9 A Yes, they do. They don't do it exactly. If
 10 we have a problem today, and they're there in three
 11 days, they might not to see that problem.
 12 Q But you know they're available as a resource
 13 if the project's approved for them?
 14 A Pardon me?
 15 Q They're available as a resource for the
 16 township if the project's approved, right?
 17 A Yes. We tried to get the EPA out for
 18 another problem in the township. That was probably
 19 five years ago, they still don't come out. So you
 20 have to get them to show up first.
 21 MR. SETTINERI: No further questions.
 22 Thank you.
 23 JUDGE ASTA: Thank you.
 24 Thank you for your testimony.
 25 Next witness is Mary Bebout.

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1 Please raise your right hand. Do you
 2 swear or affirm that the testimony you're about to
 3 provide is the truth?
 4 MS. BEBOUT: Yes, I do.
 5 JUDGE ASTA: Please state and spell
 6 your name for the record.
 7 THE WITNESS: Mary Bebout, and Mary,
 8 M-A-R-Y, Bebout, B-E-B-O-U-T.
 9 JUDGE ASTA: And your address, as well
 10 as township?
 11 THE WITNESS: 15893 Vance Road, Mount
 12 Vernon, Ohio.
 13 JUDGE ASTA: And do you live or work in
 14 the project area?
 15 THE WITNESS: It's just up the road.
 16 JUDGE ASTA: And are you a member of an
 17 intervening party?
 18 THE WITNESS: No.
 19 JUDGE ASTA: Please proceed.
 20 DIRECT STATEMENT
 21 THE WITNESS: Okay. I would like to
 22 state that I'm opposed to the Frasier Solar Project
 23 slated for Miller and Clinton Township. I am totally
 24 against all the agricultural ground being taken up
 25 with the project.

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1 I come from a long line of farmers.
 2 And I don't care what their views or data say, you
 3 cannot replace topsoil, the life and blood of the
 4 plant overnight. It takes years and years to rebuild
 5 it, and it can't be done at all -- if it could be done
 6 at all. This ground, contrary to what they say, is
 7 ruined for farming in the future.
 8 I also wonder if people have thought
 9 about what would happen if China or other countries
 10 buy these solar fields. They then control our power
 11 supply. This would put the United States in a very
 12 difficult situation. It was in the news the other day
 13 that President Biden is not replenishing our reserve
 14 petroleum supply, which again means we could be in
 15 trouble down the road.
 16 We have lost hundreds and hundreds of
 17 acres of farm ground each and every year. We cannot
 18 withstand this continually, year after year, and feed
 19 our people. We farmers and growers are faced with
 20 government restrictions on what we can use to produce
 21 our product, all the while trying to maintain or
 22 improve our production level.
 23 Last year, the US imported more food
 24 than ever and who knows what conditions they were
 25 raised under. The consumer is wanting to know more

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1 and more how their food is being raised, and they like
 2 to buy locally produced products.
 3 Again, if all the big companies like
 4 Intel -- or Intel, Amazon, and all these coming to
 5 Ohio, why don't they -- taking up our farm ground,
 6 then why aren't they mandated to install solar panels
 7 on their roofs, parking lots, and stop double dipping
 8 on our productive farm ground?
 9 However, I believe they know it is not
 10 a profitable or safe project, and they don't want to
 11 do it, which leads to the theory that these solar
 12 fields are not profitable. They seem to be sold
 13 multiple times, and if there's money makers, then why
 14 are they being sold over and over again?
 15 I believe the United States can come up
 16 with a better way to produce electricity in the
 17 future. Europe has come up with a nuclear fusion that
 18 brings the world a step closer to the dream of
 19 limitless, clean power. I believe we can match that
 20 or come up with something even better without gobbling
 21 up farm ground.
 22 On the way up here this morning, or
 23 tonight, I was thinking, take your simple breakfast.
 24 Eggs, bacon, toast. It took a farmer, a wheat farmer,
 25 to grow that wheat. It took people to grind it. It

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1 took people to package and sell it. There's a lot of
 2 people put to work.
 3 Take your eggs. It took a poultry
 4 farmer to raise the chickens. It took feed to make
 5 that chicken grow. There again, you got grain. Farm
 6 production. Bacon. We all know that comes from a
 7 hog, and it took a hog farmer to raise it, care for
 8 it, nurture it. There again, you've got grain going
 9 into it that some farmer had to grow.
 10 Just a simple thing like that, toast,
 11 bread. Took a wheat farmer. To put butter on it, you
 12 have a dairy farmer, you put jam on it. Lady behind
 13 me was talking tonight about strawberries she's
 14 growing. If she's going to put freezer jam up, she's
 15 going to have to use a bunch of sugar there again,
 16 that comes from a farmer. Farmers are included in
 17 everything. If you're wearing cotton underwear, you
 18 had to be a cotton farmer somewhere. Farmers are in
 19 everything we use.
 20 So in closing, I'd just like to say, we
 21 are a small part of this world, but we need to take
 22 care of it wisely. And I don't feel this is a good
 23 investment. Thank you.
 24 JUDGE ASTA: Thank you.
 25 Any questions?

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1 No questions. Thank you, ma'am.
 2 THE WITNESS: Thank you.
 3 JUDGE ASTA: Next witness is Juliet
 4 Strinka.
 5 Please raise your right hand. Do you
 6 swear affirm that the testimony you're about to
 7 provide is the truth.
 8 MS. STRINKA: I do.
 9 JUDGE ASTA: And please state and spell
 10 your name for the record.
 11 THE WITNESS: Okay. It's Juliet
 12 Strinka, with an R.
 13 JUDGE ASTA: My apologies.
 14 THE WITNESS: It's okay. We get it a
 15 lot. It's J-U-L-I-E-T S-T-R-I-N-K-A.
 16 JUDGE ASTA: And your address, as well
 17 as township?
 18 THE WITNESS: Sure. It's 3879 Weaver
 19 Road, and that's in Mount Vernon. That's Miller
 20 Township.
 21 JUDGE ASTA: And do you live or work in
 22 the project area?
 23 THE WITNESS: Yes. I live down the
 24 road, and I also work from home.
 25 JUDGE ASTA: Okay. And are you a

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1 member of an intervening party?
 2 THE WITNESS: I am not.
 3 JUDGE ASTA: Please proceed.
 4 DIRECT STATEMENT
 5 THE WITNESS: Okay. I'm going to set
 6 my timer just so I know where I'm at in the five
 7 minutes.
 8 I oppose the Frasier Solar Project. Do
 9 you have a place that is special to you? In our
 10 family, we call it a thin place, a location where the
 11 distance between Earth and Heaven seems thinner than
 12 other places.
 13 When we were newly married, my husband
 14 took a job nearby. We had never been to Mount Vernon,
 15 so I drove in via 661, and when I came over the hill
 16 and caught that expansive view of the valley, where
 17 Mount Vernon stretches before you, I had the
 18 instinctual sense that this was home. It was a thin
 19 place experience. That singular view shaped our
 20 entire future. We started a family and became rooted
 21 in this vibrant community.
 22 During a particularly difficult season,
 23 I experienced pregnancy loss and debilitating
 24 postpartum depression. I would take long country
 25 drives to clear my mind -- sorry, I didn't expect to

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1 get emotional. I kid you not, my route was Rangeline
 2 Road to Sycamore Road, looping back on 661 to catch
 3 that same feeling of awe and peace. This was before
 4 this project and these people were over here. Those
 5 scenic drives helped me survive the heartbreak of the
 6 human experience.
 7 Soon after, a small farmhouse came up
 8 for sale right in the heart of that thin place. Our
 9 humble American dream finally achieved, despite so
 10 many ups and downs. So do you have your own thin
 11 place? I ask you to imagine it right now. How would
 12 you react if a developer was given unfettered access
 13 to set up a power plant there? Even though your
 14 community had done everything in its power to protect
 15 it.
 16 I share this personal story because I
 17 want you to remember that we are whole people whose
 18 lives are in the balance. Your decision affects not
 19 just finances in the viewshed, but living, breathing
 20 human beings who are just trying to protect our home.
 21 I have a list of studies that proves
 22 the benefits of nature on mental health. Our nation
 23 is facing a mental health crisis and the resulting
 24 substance abuse epidemic. Living in the country,
 25 outside the influence of light and sound pollution

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1 resets the central nervous system and circadian
 2 rhythms and disarms the fight-or-flight response.
 3 Humans are designed to thrive in harmony with nature.
 4 The Frasier Project threatens our mental and physical
 5 health.
 6 Miller Township created its zoning in
 7 1983. It reads, "This resolution is enacted for the
 8 purpose of public health, safety, morals, comfort, and
 9 general welfare to conserve and protect property and
 10 property values, to secure the appropriate use of land
 11 all in accordance with a comprehensive plan for the
 12 desirable future development of Miller Township, all
 13 as authorized by the Ohio Revised Code."
 14 Before we purchased our home, I looked
 15 this up, and I was reassured that I would be able to
 16 live life undisturbed by urbanization and
 17 industrialization. We hadn't even unpacked the moving
 18 boxes when I received a mailer informing me of the
 19 Frasier Solar Project. I was naïve to think that
 20 local laws held any authority in the state of Ohio. I
 21 have a right to the way of life that I have earned.
 22 The phrase "property rights" has been
 23 thrown around so much, I don't think people know what
 24 it means. Property rights does not mean you can do
 25 whatever you want with your land. We live in a

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1 republic where the people decide the future of their
 2 communities. Ohio Revised Code Section 713 affirms
 3 this. Zoning protects everyone's property against
 4 state and government overreach.
 5 Zoning protects my hard-won property
 6 value by keeping my neighbor in check. Regardless of
 7 economic status, acres owned, race or gender, in our
 8 great nation, one person gets one vote. The state is
 9 undermining the voting rights of vulnerable
 10 populations such as women and lower income families by
 11 taking these projects off the ballot, elevating them
 12 above local zoning and handing the destiny of
 13 working-class neighborhoods to wealthy land barons and
 14 out-of-state corporations. It's as if we're in a
 15 feudal system where the big fancy landowner has more
 16 say in the community than the simple mother next door.
 17 It's 2024 and local zoning regulations
 18 give me an equal say in my community. The state of
 19 Ohio agrees with me. That's what Senate Bill 52 is
 20 all about. You have ample evidence that our county
 21 and townships don't want this. It would be unethical
 22 to contradict the intent of Senate Bill 52 and approve
 23 this project because of a technicality.
 24 Finally, yes, I read the staff report.
 25 You don't need studies. You have an auditorium of

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1 experts right here, and these generational farmers are
 2 living vessels of generations of wisdom and knowledge
 3 about this land. Thank you.
 4 JUDGE ASTA: Please refrain from
 5 applause.
 6 Any questions?
 7 MR. SETTINERI: No questions.
 8 JUDGE ASTA: Okay. Thank you.
 9 And next witness is DJ Peters.
 10 Do you swear or affirm that the
 11 testimony you're about to provide is the truth?
 12 MR. PETERS: I do.
 13 JUDGE ASTA: Please state and spell
 14 your name for the record.
 15 THE WITNESS: It's actually Daniel
 16 Peters. It's D-A-N-I-E-L P-E-T-E-R-S.
 17 JUDGE ASTA: My apologies.
 18 THE WITNESS: That's okay.
 19 JUDGE ASTA: Please state your address,
 20 including township.
 21 THE WITNESS: It's 7127 Columbus Road,
 22 Centerburg, Ohio, and that's Liberty Township.
 23 JUDGE ASTA: And do you live or work in
 24 the project area?
 25 THE WITNESS: Not in it, but near it.

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1 JUDGE ASTA: And are you a member of an
 2 party?
 3 THE WITNESS: No, I'm not.
 4 JUDGE ASTA: Please continue.
 5 DIRECT STATEMENT
 6 THE WITNESS: Thank you. So I don't
 7 have a big lengthy statement, speech, and everything,
 8 but what I do have is I have myself, my opinion, and
 9 what I see a lot of other people sharing, showing.
 10 I've read a lot of things. I've seen a lot of things.
 11 I just don't understand where the cons are not
 12 weighing out the pros.
 13 When you sit there and you look at, you
 14 know, you got multiple things of conception rates
 15 dropping, the topsoil issue, the runoff, all of that
 16 stuff. So it's kind of like when you hire somebody at
 17 a fast food restaurant, you expect every employee to
 18 do their job. How many times have you went to Wendy's
 19 and not got your order right? Even though it's that
 20 small, that still spans into other corporations and
 21 stuff like that, because, yeah, they can say they're
 22 going to hold every employee accountable and all of
 23 this and everything else.
 24 These guys are in it for the money.
 25 That's all they want, money and gone. We're all going

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1 to be left stuck with every single bit of it. I have
 2 an almost 13-year-old son and a 10-year-old daughter.
 3 I'm looking out for them because, as of right now,
 4 you've taken away all the right for all of us to vote.
 5 This should be a voting matter. This shouldn't be
 6 what a group of people decide for the rest of
 7 everybody.
 8 I know that you guys have been selected
 9 and stuff like that, but I really feel that it should
 10 be put on a ballot for only the people in the county
 11 and the surrounding area. They shouldn't be allowed
 12 to be going to Lincoln County and guys coming out of
 13 Marion and all that stuff. I understand where people
 14 are trying to, you know, better the -- better the
 15 future and stuff like that. But there's a lot of
 16 other ways to do it.
 17 The property rights things, all of that
 18 got messed with the zoning. You can't just go out and
 19 build what you want. Your property rights got taken
 20 away right then and there. You can't go build a
 21 Flying J without getting it permitted and everything
 22 else.
 23 You know, you're going to be bringing
 24 in all kinds of other people from all these other
 25 places that care about their homes in the way that

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1 they want and the way that they like them. But they
 2 come here, and I've worked with all kinds of different
 3 men throughout my years are working in places and
 4 stuff. And those guys don't care when they're at
 5 those places because that's not their home. They care
 6 at home but not there.

7 So, you know, they leave trash, they
 8 tear up the property. I don't know if you've heard
 9 about the crime rate and stuff like that. But a lot
 10 of these guys are going to come down here and commit
 11 crimes. You know, half of it's not going to be taken
 12 into consideration because they're not from here.

13 So unless it gets picked up and stuff
 14 like that, I just don't understand where there's even
 15 a question on where the cons aren't, you know, they're
 16 worse than the pros. I don't see enough backing it up
 17 to really make it worthwhile. But that's about it.

18 JUDGE ASTA: Thank you.

19 MR. PETERS: Thank you.

20 JUDGE ASTA: Any questions for this
 21 witness?

22 Thank you for your testimony.

23 Next is Mike Miller.

24 Please raise your hand. Do you swear
 25 or affirm that the testimony you're about to provide

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1 is the truth?

2 MR. MILLER: I do.

3 JUDGE ASTA: Please state and spell
 4 your name for the records.

5 THE WITNESS: Michael Miller,
 6 M-I-C-H-A-E-L M-I-L-L-E-R.

7 JUDGE ASTA: And your address, as well
 8 as township?

9 THE WITNESS: 304 Oak Street, Mount
 10 Vernon, Ohio.

11 JUDGE ASTA: And do you live or work in
 12 the project area?

13 THE WITNESS: No.

14 JUDGE ASTA: And are you a member of an
 15 intervening party?

16 THE WITNESS: No.

17 JUDGE ASTA: Please continue.

18 DIRECT STATEMENT

19 THE WITNESS: Okay, thanks. Hello, my
 20 name is Mike Miller, and currently I represent Mount
 21 Vernon City Council, Ward 4, as councilman.

22 Prior to this position, I retired from
 23 the Ohio Department of Natural Resources with 35 years
 24 in natural resources. I have worked in Knox County
 25 since 1994 as a wildlife officer, and in the field,

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1 retired after completing public service as chief of
 2 the Ohio Division of Wildlife and Watercraft. I
 3 worked with the OPSB for a time with wind energy,
 4 particularly the Icebreaker. So I have a general
 5 understanding of how these projects go and what
 6 happens behind the scenes down in Columbus.

7 The Mount Vernon City Council has
 8 passed a unanimous resolution not in favor of the
 9 Frasier Solar Development. The townships that the
 10 project is planned for have also passed resolutions
 11 not in favor of the project. There are 22 townships
 12 in the county, 18 have passed resolutions against the
 13 project, including one resolution from the city of
 14 Mount Vernon. Most of the county is against this
 15 project.

16 Frasier Solar is not in compliance with
 17 the Ohio Department of Natural Resources guidance for
 18 proposed solar energy facilities in Ohio, updated
 19 4/7/22. The project may not be in compliance with the
 20 Ohio EPA guidance on post-construction stormwater
 21 management for solar fields. This project will
 22 displace existing wildlife resources onto adjacent
 23 lands, not in the project area, and could cause
 24 additive mortality to migratory birds.

25 Knox County is still in a unique

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1 position, I feel. We have no large solar developments
 2 in the county. The wishes of the county, townships,
 3 and city should be followed. As a collective, we are
 4 the elected officials representing the best wishes of
 5 our community.

6 And in the end, I have attachments
 7 including the Mount Vernon City Resolution, the ODNR
 8 Solar Guidelines, and the Ohio EPA guidance for the
 9 stormwater runoff. So I've also submitted those
 10 online, and that's it. Keep it short, sweet, to the
 11 point.

12 JUDGE ASTA: Thank you.

13 Any questions?

14 CROSS-EXAMINATION

15 BY MR. SETTINERI:

16 Q Good evening, Mr. Miller.

17 A Hello.

18 Q It's nice to hear that you've done some work
 19 with the Power Siting Board in the past.

20 A Yes.

21 Q I'm Mike Settineri, on behalf of Frasier
 22 Solar. Now, you are aware that the director of the
 23 Ohio EPA, the director of the Ohio Department of
 24 Natural Resources are board members, correct?

25 A Yes.

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1 Q Okay. And you're also aware when an
 2 application filed at the OPSB that the member
 3 agencies, including ODNR and OPA, review that
 4 application and provide input to the staff report,
 5 right?
 6 A They do.
 7 Q And did you do that in regard to the
 8 Icebreaker Project?
 9 A I did.
 10 Q Okay. And that project was ultimately
 11 approved, correct?
 12 A It was.
 13 Q Okay.
 14 A Not while was there. I understand what
 15 happens in Columbus.
 16 Q In regards to the Frasier Solar Project,
 17 just to clarify the record, you mentioned, I think, 18
 18 townships passed resolutions against the project.
 19 A Yeah.
 20 Q Am I right those -- the number of townships,
 21 could be maybe 18, passed resolutions requesting the
 22 county do an exclusion zones for their areas, right?
 23 A Right.
 24 Q So it wasn't directly against the project,
 25 right?

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1 A It's overall solar.
 2 Q Okay.
 3 A But I think we don't have any other projects
 4 in the county actively going right now because -- the
 5 one thing I'm curious about, I've heard and I thought
 6 I read it somewhere, additional maybe four projects in
 7 the thought process or design of other companies for
 8 the county. That's why I thought that we currently
 9 don't have any of the county, so --
 10 Q Now that the -- you said that a resolution
 11 was passed by the city. Is that Resolution --
 12 A Yes.
 13 Q -- that's 31?
 14 A It is Resolution 2024-31, yes, sir.
 15 Q Passed March 11, 2024, right?
 16 A Yes, I think so.
 17 Q Okay. Now this was before the staff report
 18 issued in this case, right?
 19 A The staff report? Which one?
 20 Q Staff report recommendation.
 21 A I -- what I read -- I haven't read anything
 22 before, before this is what I read online on the Power
 23 Siting Board -- Siting Board, sorry. I haven't read
 24 anything since then, online. So as far as the date of
 25 what they have recommended, I have not read that.

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1 Q Okay. And you're aware that the OPSB staff
 2 issues a report and recommendation?
 3 A Yes, they make recommendations.
 4 Q Okay. Have you read that report and
 5 recommendation for this project?
 6 A It came out after we passed the resolution,
 7 no, I have not yet.
 8 Q Okay, all right. And the resolution was
 9 passed on an emergency basis, right?
 10 A Yes. In Mount Vernon, we generally pass
 11 everything on an emergency basis.
 12 Q Now, but there was a vote no on the
 13 resolution by Mr. Ruckman, right?
 14 A For the initial yes, but at the end, when we
 15 actually passed the resolution, it was a unanimous
 16 resolution.
 17 Q Okay. But he also explained, it's a hearing
 18 resolution, actually in the second page, that he
 19 thought more discussion on the legislation was needed
 20 and criticized the tone of the public's debate on the
 21 issue. Did you see that?
 22 A Yeah, I was there. I remember him voting no
 23 when we were discussing whether to do the resolution.
 24 And then we went through that, he did vote no, but
 25 then after that he voted yes in this final resolution.

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1 Q May I see the resolution?
 2 A Yeah. I would like to hope that you have
 3 the same one I have. That looks a little different
 4 maybe it's because of the print, how you printed it
 5 off.
 6 Q That's the final resolution?
 7 A Yeah, this is what I got off from Todd, our
 8 clerk. Matt Starr signed it. Yeah.
 9 Q This is at the front page said 2024-31, mine
 10 also says 2024-31.
 11 A Yep. This was taken from directly that
 12 night, when we signed it. Yours looks slightly
 13 different. I don't know where you printed that off
 14 at, maybe.
 15 Q I can represent it was off the city's
 16 website.
 17 A Okay.
 18 Q All right. Well, let me ask this. Did you
 19 have any meetings with a Frasier Solar representative
 20 prior to the vote on the resolution yourself?
 21 A The night of, someone came, was it you that
 22 came, I think? That night talked, that night. Before
 23 that, we had no conversation on behalf of the city
 24 council. No one came to spoke to council about the
 25 project that I'm aware of. It actually made many city

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1 council members upset, that no one bothered to talk to
2 city council, which are the elected representatives of
3 each ward in the city.
4 Q Now, you were at the planning and zoning
5 commission meeting when a draft resolution --
6 A No. I was not at that hearing.
7 Q All right.
8 A Mike Hillier was there. I think he spoke
9 the last time. I replaced him on city council.
10 Q Okay. And you're aware that -- when did you
11 become aware of the project yourself?
12 A Actually, I found out about it when a couple
13 other city council people told me about it. I mean, I
14 knew it was in the city then. I knew of the entire
15 project, and I looked at it, and I read it. I read
16 about the project. I collected information from
17 Frasier. I read what I could read online. I read
18 what I read in Mount Vernon News.
19 Q But when did that happen? When did you find
20 out about the project?
21 A I don't know, eight months, nine months, a
22 year ago? I mean, I wasn't on council then. I was a
23 community member.
24 Q Okay. When did you get elected to council?
25 A I just started this year, on January 1.

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1 Q Okay. Congratulations.
2 A Thank you.
3 Q And then you said -- you also mentioned you
4 collected information from Frasier Solar. So that was
5 prior to you joining city council?
6 A Yeah, prior to council. I read all their
7 information that they had put out from their office,
8 and I even picked it up, I think, on the first Friday,
9 or one of the displays they had here locally in town.
10 And then I read what they had online. But I can say
11 this, I'm not against solar as long as it's on a
12 rooftop in a parking lot in a brownfield. That's what
13 -- I think agricultural land should be taken as a last
14 best use.
15 I think that personally, and as city council
16 voted, that solar development projects such as this
17 are not the last best use. And I also feel that they
18 should go through zoning. And I believe there's also
19 stormwater issues. I talked to our city engineering
20 office and their engineers, and that was before this
21 vote even, and they advised me that there's all kinds
22 of red flags with zoning issue -- with not zoning, but
23 with stormwater runoff.
24 And from what I read the other day Mr.
25 Clendening had the same issue. Sorry, I know we're

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1 talking. Sorry.
2 Q Yep --
3 A I can talk forever.
4 MR. SETTINERI: No further questions.
5 Thank you. Congratulations again.
6 JUDGE ASTA: Thank you. Next is Derek
7 Posey.
8 Hearing none, Jill Haupt [ph]. Oh,
9 never mind, sorry, my apologies.
10 MR. POSEY: No problem.
11 JUDGE ASTA: Please raise your right
12 hand. Do you swear or affirm that the testimony
13 you're about to provide is the truth?
14 MR. POSEY: I do.
15 JUDGE ASTA: Please state and spell
16 your name for the record.
17 THE WITNESS: Derek Posey, D-E-R-E-K
18 P-O-S-E-Y.
19 JUDGE ASTA: And your address,
20 including township, please?
21 THE WITNESS: 3475 Rangeline Road in
22 Mount Vernon, Ohio. That's Miller Township.
23 JUDGE ASTA: And do you live or work in
24 the project area?
25 THE WITNESS: I do, about a mile away.

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1 JUDGE ASTA: And are you a member of an
2 intervening party?
3 THE WITNESS: I'm not.
4 JUDGE ASTA: Please proceed.
5 DIRECT STATEMENT
6 THE WITNESS: Thank you. First of all,
7 thank you for your time. It's been a long, what,
8 three nights now, and we appreciate the extension the
9 board's given us in providing everybody the
10 opportunity to speak. It's been a long few weeks, and
11 really just appreciate your time in being able to
12 express our opinion and actually taking the time to
13 hear from the community that lives within the project
14 areas.
15 Before we get started, just wanted to
16 talk about a few things in terms of the connotation
17 and just the entire process of this is a bunch of
18 unknowns, okay? It's assumptions. It's we don't
19 know. We think. We're not really sure how this might
20 work out, you know, just the connotation of in the
21 talking about after the project.
22 If we're going to remove the project,
23 if we're going to restore the ground, why are we doing
24 it in the first place? Doesn't really make any sense.
25 So if we're already making plans to remove the project

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1 and restore the property after the fact, it's probably
 2 a red flag that this is not a good idea and not a
 3 sustainable project.
 4 So around that connotation, let's talk
 5 about some facts, no opinions. So let's talk about
 6 sunlight in Ohio. Just some basic research. You can
 7 go online and you're going to see a lot of common
 8 facts when you look up Ohio and sunlight. Ohio
 9 typically ranks on average 38 out of the 50 states and
 10 could rank as low as 44 out of 50 in a year. Probably
 11 not good for a solar project.
 12 Average annual sunlight hours, 2,100
 13 hours, clear days, on average there's 72 clear days in
 14 Ohio. That's around 19.7 percent of the year. Summer
 15 peaks sun hours, 5.26 hours per day. In winter, peak
 16 sun hours, 2.66 hours per day. Clearly, Ohio is not a
 17 sunshine state. It really doesn't make sense when you
 18 start to break down the data, and you look at the
 19 power source, and you look at just the facts, what are
 20 we doing?
 21 Some other concerns that we have. The
 22 unknown impact on the health of our children,
 23 neighbors, and surrounding environments. If you all
 24 had the option, you're sitting on the stage today, and
 25 gentlemen down here, if you had the option to have

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1 your home beside a solar project or a power plant,
 2 would you do it? Probably not.
 3 Do you want your children running
 4 around a solar project that's a mile away, ten feet
 5 away? It doesn't matter. There's a lot of neighbors
 6 here that are really close, closer than I am. I've
 7 got a concern. I couldn't imagine being -- having
 8 that in my backyard.
 9 So, health concerns, the displacement
 10 of agriculture, I think that's been hit pretty hard
 11 here today. And also just limited data on putting
 12 that agricultural land back in place, but I honestly
 13 just can't wrap my head around. And you've matched
 14 the numbers up, and you talk about reverting it back
 15 to farm ground later. What are we even going down
 16 this avenue for?
 17 And then just another piece of this,
 18 when we talk about property rights, all for property
 19 rights. I think it makes total sense, right? I have
 20 property rights. This could potentially drive my
 21 property right -- my property value down, and that's
 22 not good for me. I understand that there's
 23 opportunities for these other landowners, but at the
 24 same time, we've talked about zoning.
 25 I can't just build a barn on my

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1 property with three apartments in the top of it and
 2 have people living in it and making money. I can't
 3 produce income for myself. But down the road, it's
 4 okay to do this on this scale and affect every single
 5 person in our community just so one person can make
 6 money. How's that equal opportunity? It makes no
 7 sense.
 8 We actually have someone within our
 9 township that know of this, he built a nice garage
 10 with his own money, bought his own property. It's his
 11 property, right? He put a garage in. He's got an
 12 apartment up top for him to potentially just stay in
 13 on the weekends. He's not even renting it out.
 14 Because of zoning laws, he's not really supposed to be
 15 living in that dwelling. But it's okay for someone
 16 else to put all of this in and affect an entire
 17 township, an entire county, and drive everyone else's
 18 property values down, and there's already zoning laws
 19 in place so that doesn't happen.
 20 So we're kind of making an exception
 21 for this project, and I don't think that makes any
 22 sense. And in terms of just wrapping this up, I hope
 23 that you all just take the opinions of the people that
 24 live within the project area. It's pretty clear that
 25 if you guys fail here today, that the Kenyon area --

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1 it's -- they're all for it. So if you guys want to
 2 cancel this and move it up that way, that's fine.
 3 I understand that's far away from New
 4 Albany, but you guys can do it up there in the Kenyon
 5 area if you really want to. And I'm not trying to try
 6 to be smart about it, I'm just telling you, like, when
 7 you guys take into the account the opinions of the
 8 people, the only ones that matter are the ones that
 9 are going to have to deal with this for the next 30
 10 years and have to deal with all the repercussions of
 11 these decisions that you all make.
 12 So I just hope that you take the
 13 opinion of the people that live in these communities.
 14 That's really all that matters at the end of the day.
 15 Not people living in Columbus, not the people from
 16 Kenyon. So thank you for your time.
 17 JUDGE ASTA: Thank you.
 18 Any questions for this witness?
 19 MR. SETTINERI: No questions.
 20 JUDGE ASTA: Thank you.
 21 Next is Jill Haupt [ph]. Hearing none,
 22 John Rosseau [ph]. Hearing none, Cody Beacom [ph].
 23 Hearing none, John W. Johnson. Hearing none, Sarah
 24 Laughlin [ph]. Hearing none, Greg Culbertson
 25 contacted OPSB and informed us that he is not

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1 testifying tonight. Craig S. Colopy.
 2 Please raise your right hand. Do you
 3 swear or affirm that the testimony you're about to
 4 provide is the truth?
 5 MR. COLOPY: I do.
 6 JUDGE ASTA: Please state and spell
 7 your name for the record.
 8 THE WITNESS: My name is Craig S.
 9 Colopy. I live at 300 Kimberly Drive in Fourth Ward,
 10 City of Mount Vernon.
 11 JUDGE ASTA: And do you live or work in
 12 the project area?
 13 THE WITNESS: No, I do not.
 14 JUDGE ASTA: And are you a member of
 15 any intervening party?
 16 THE WITNESS: No, I am not.
 17 JUDGE ASTA: Please continue.
 18 DIRECT STATEMENT
 19 THE WITNESS: First, thank you for
 20 taking the opportunity to allow me to speak tonight.
 21 To tell you a little bit about myself,
 22 I'm a former and retired Knox County Health Inspector,
 23 i.e. sanitarium, from 1986 to 1991. Then I furthered
 24 my career with the City of Columbus Department of
 25 Health from 1991 to 2001. And then switched over to

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1 the City of Columbus Department of Public Safety
 2 license section, in which I regulated 32 different
 3 licenses for the City of Columbus, including the Chief
 4 Enforcement Officer for the Board of Charitable
 5 Solicitations.
 6 I'm here tonight to oppose the Frasier
 7 Solar Project that will be in Clinton and Miller
 8 Township. It's interesting when you look at the
 9 United States Department of Energy, they have some
 10 interesting facts about sunlight and also about how it
 11 reflects with the solar panels. It states that light
 12 either gets reflected or turned into heat, instead of
 13 getting the electric efficiency.
 14 We always talk about Europe and the
 15 things that go on in Europe. Half of the countries in
 16 Europe use solar power -- use nuclear power. 13 out
 17 of 27 countries with France, Germany, Spain, Sweden,
 18 and Belgium leading the way with nuclear power.
 19 Nuclear power is more efficient than solar.
 20 Why are we taking highly productive
 21 farm fields and turning them into solar fields, when
 22 we have just let in the United States ten million
 23 people and counting? These people will need to be
 24 "feeded." There is a bigger situation going on than
 25 just with solar.

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1 This is solar, but it's taking farmland
 2 from the likes of, like, Bill Gates, Warren Buffet,
 3 and China. If you lack -- if you look at what
 4 happened in Madison County, Ohio, where there were
 5 6,000 acres of very productive farmland, which was
 6 approved by this board. My opinion, the reason that
 7 that was approved by this board was because this had
 8 involvement with Bill Gates.
 9 These solar fields should be placed in
 10 old landfills, not on rich farmland to use to be
 11 fed -- help us feed our people. Productive farmland
 12 in the Midwest, which is being destroyed by wealthy
 13 people acquiring this farmland to change with
 14 different foods, with the federal government and state
 15 government incentives, and by some of our local
 16 officials who have failed to do largely what the
 17 people of this county want.
 18 To our county officials, this issue
 19 should have never gotten this far. This issue should
 20 have been brought to a ballot issue where all of Knox
 21 County could either vote for or against the use of
 22 solar. Do we really think that communities like New
 23 Albany, Dublin, Hilliard, Upper Arlington, Grandview
 24 Heights, Mason, Kings Mills, Lakewood, and the suburb
 25 of Cleveland, Strongsville, Huber Heights, Wayne,

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1 Centerville would allow something like this to be put
 2 in their communities? Hell no.
 3 If this is going to be approved by the
 4 body, by you folks, I would urge that the concerned
 5 citizens ask that they go further by either local
 6 means or by the Ohio Supreme Court. Thank you.
 7 JUDGE ASTA: Thank you.
 8 Any questions for this witness?
 9 Thank you for your testimony.
 10 Next witness is Amber Keener [ph].
 11 Hearing none, Sarah Wallace [ph]. Hearing none, I
 12 will hand it over to ALJ David Hicks.
 13 JUDGE HICKS: We've been going now for
 14 about two hours solid, so we are going to take a break
 15 right now.
 16 UNIDENTIFIED SPEAKER 3: There's sheets
 17 out here.
 18 JUDGE HICKS: Sure. There's sheets out
 19 there, anyone who has to go talk to our staff out
 20 there to sign, and they can they can help you with
 21 that. But we are going to take a ten-minute break.
 22 It's 6:50 right now. We will look to come back on at
 23 about seven o'clock. With that, we are off the
 24 record.
 25 THE REPORTER: We are off the record at

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1 6:51 p.m.
2 (Off the record.)
3 JUDGE HICKS: We are going to go ahead
4 and go back on the record, folks, can go ahead and
5 file in. I'm going to turn it over to my colleague,
6 Judge Sandor, here, and we are going to keep calling
7 the witnesses in order.
8 JUDGE SANDORS: All right, the last
9 one --
10 THE OFFICER: Sorry, I turned it on.
11 JUDGE SANDOR: Okay. The last
12 remaining group of witnesses are, I believe,
13 intervenors. And we'll clarify that with them when
14 they come up here to testify.
15 The first up is Beth Bartley.
16 MS. BARTLEY: Hi, Jason [ph].
17 JUDGE SANDOR: Before we get started, I
18 want to clarify your counsel, is it Mr. Van Kley?
19 MS. BARTLEY: Yes.
20 JUDGE SANDOR: Okay. You are aware
21 that he is not present tonight?
22 MS. BARTLEY: No, I didn't know that,
23 but I don't know that it matters.
24 JUDGE SANDOR: Okay. So he's not
25 present, and if you're choosing to testify, you

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1 acknowledge that you're choosing to testify tonight
2 without your counsel present.
3 MS. BARTLEY: Okay.
4 MR. SETTINERI: Your Honor --
5 MS. BARTLEY: I've been here three
6 times, so --
7 JUDGE SANDOR: Okay, one moment.
8 MR. SETTINERI: Let's go off the
9 record. Can I have a discussion with the bench?
10 JUDGE SANDOR: Let's go off the record.
11 THE REPORTER: All right. We're going
12 to go off the record at 7:06 p.m.
13 (Off the record.)
14 JUDGE SANDOR: Okay, let's resume.
15 Ms. Bartley, would you please come back
16 up? I'll give you a few statements -- before you
17 start answering, I'll give you a few statements, and
18 you can say whether you agree or not before we proceed
19 with your testimony.
20 MS. BARTLEY: Okay.
21 JUDGE SANDOR: So, first, you are aware
22 that you're represented by counsel in this case, and
23 he's not present tonight?
24 MS. BARTLEY: Yes.
25 JUDGE SANDOR: Okay. Do you

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1 acknowledge that you're choosing to testify tonight
2 without your counsel present, meaning you are subject
3 to cross-examination --
4 MS. BARTLEY: Yes.
5 JUDGE SANDOR: -- by opposing counsel
6 without your attorney present?
7 MS. BARTLEY: Yes.
8 JUDGE SANDOR: Okay. And then, two, in
9 the alternative, you may choose to come to the
10 evidentiary hearing that begins on August 19, 2022,
11 where your counsel will be present, in lieu of giving
12 testimony tonight.
13 MS. BARTLEY: No, thank you.
14 JUDGE SANDOR: Okay. Please raise your
15 right hand. Do you swear to tell the whole truth?
16 MS. BARTLEY: Yep.
17 JUDGE SANDOR: And can you please state
18 your name for the record.
19 THE WITNESS: Beth Bartley, B-E-T-H
20 B-A-R-T-L-E-Y. 19026 Arrington Road, Utica, Morgan
21 Township.
22 JUDGE SANDOR: Thank you. Do you work
23 or reside within the project area?
24 THE WITNESS: Yes.
25 JUDGE SANDOR: Which one?

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1 THE WITNESS: I own ground that's right
2 beside it.
3 JUDGE SANDOR: Thank you. And you are
4 an interviewer, correct?
5 THE WITNESS: Yes.
6 JUDGE SANDOR: Thank you. Please
7 proceed.
8 DIRECT STATEMENT
9 THE WITNESS: I oppose the Solar
10 Frasier Project or the Frasier Solar Project. I did
11 take this oath seriously, and I hope that Frasier
12 Solar does too with their honesty to each and every
13 individual the project affects.
14 I have heard people that have testified
15 that they have put solar on their homes, their
16 electric bills dropped. Yay. Good for them. I've
17 also heard one lady tonight that said she did and did
18 not have those same results.
19 When I am farming my ground, I will be
20 right beside the project. I will be picking up the
21 rocks in my field. I will be helping plant it. I
22 will be running the combine when I harvest it, and I
23 will be helping make any repairs to equipment that
24 breaks down in my field.
25 I have a pacemaker. And maybe you can

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1 answer this, nobody seems to be able to tell me with
 2 1,000 percent guarantee that me being in my field,
 3 farming my field to make my living will not be
 4 affected by the solar panels and the solar farm that
 5 is going to be 50 foot away from me. I can't even be
 6 10 foot within a welder. I want to guarantee that if
 7 this project runs forward it is not going to affect my
 8 health and my life.
 9 I have crops or covered crops that are
 10 flown on by airplane in accordance to the Natural
 11 Resources Conservation Service guidelines. I believe
 12 the sun reflecting off of those solar panels could
 13 possibly affect Brian's [ph] ability to accurately fly
 14 on my covered crop, especially within the boundaries
 15 of my property lines.
 16 Like Mary Bebout said or somebody said
 17 about the hail, we had a hailstorm just Friday or
 18 whenever it was, and it shredded some of the leaves on
 19 my corn. What will that hail do to the solar panels?
 20 When Frasier does remove the topsoil to
 21 build the product -- their project, it can create
 22 uncontrolled runoff of rainwater onto my field,
 23 affecting my ability to grow a good, healthy crop by
 24 eroding my nutrient rich soil that I have worked very
 25 hard over the years to build and sustain. And while

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1 the leased landowner is making a great amount of money
 2 leasing his land, I potentially could be stuck
 3 repairing that erosion and rebuilding the health of my
 4 soil.
 5 The project field has a stream. If
 6 there's ever any chemical runoff from the aging panels
 7 over the years, it would or could affect the stream,
 8 could affect my soil and the stream in my field that
 9 runs into the Sycamore Creek. Both of those little
 10 streams run into the Sycamore Creek.
 11 I believe that technology is constantly
 12 state -- changing. I believe solar technology is in
 13 its infancy and will be outdated within a few years.
 14 I believe whatever is put in now will be outdated
 15 within years. Then what happens?
 16 I agree with Mary Bebout. Anything
 17 that you have relates to farming: Clothes, food,
 18 drink, without it you'd be hungry, naked, and sober.
 19 That's how I feel. Thank you.
 20 JUDGE SANDOR: Thank you.
 21 Questions from counsel?
 22 MR. SETTINERI: Just a few.
 23 CROSS-EXAMINATION
 24 BY MR. SETTINERI:
 25 Q Good evening, Ms. Bartley.

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1 A Hello.
 2 Q Mike Settineri, on behalf of Frader Solar.
 3 You're a member of Preserve Knox County. Is that
 4 right?
 5 A Yes.
 6 Q Okay. When did you join that organization?
 7 Do you recall?
 8 A A few months ago. Last year.
 9 Q All right. Last year?
 10 A Whenever it was brought up to me.
 11 Q Okay. You reside in Utica, right? Correct?
 12 A Yes.
 13 Q Okay. But you do own ground in the project
 14 area?
 15 A Yes.
 16 Q And how much acreage do you own in the
 17 project area?
 18 A 35.183.
 19 Q Okay. You also mentioned that you -- I
 20 think you said you have covered crops flown by
 21 airplane?
 22 A Yes.
 23 Q What is that?
 24 A Well, the mix that I like is barley, crimson
 25 clover, and radishes.

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1 Q Okay. When you said "flown by airplane,"
 2 what do you mean by that?
 3 A An airplane flies and opens it and it
 4 spreads it.
 5 Q Seed. So you're spreading the seed versus
 6 pesticide or herbicides?
 7 A Yes.
 8 Q Okay. Have you read the staff report and
 9 recommendation that was issued in this proceeding by
 10 the Power Siting Board staff?
 11 A No.
 12 Q Okay. Have you read any of the conditions
 13 related to the report?
 14 A Nope.
 15 Q All right. Would you like to receive a copy
 16 of that?
 17 A Yeah, you can give me one.
 18 Q I'll send one to Mr. Van Kley for you.
 19 A Okay.
 20 MR. SETTINERI: Thank you, Ms. Bartley.
 21 No further questions.
 22 JUDGE SANDOR: Okay. Any other
 23 questions?
 24 Thank you for your testimony.
 25 Our next witness is Kari Thomas.

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1 All right. Let me start off with some
 2 questions here, some statements. Are you aware
 3 counsel is not present tonight?
 4 MS. THOMAS: Yes, I am.
 5 JUDGE SANDOR: Thank you. Do you
 6 acknowledge that if you do testify tonight that you
 7 are subject to cross-examination of that counsel?
 8 MS. THOMAS: Yes.
 9 JUDGE SANDOR: And then in the
 10 alternative, you may choose to come for the
 11 evidentiary hearing beginning August 19, 2024, where
 12 your counsel will be present. Do you choose to
 13 testify tonight or --
 14 MS. THOMAS: I do.
 15 JUDGE SANDOR: Okay. Thank you.
 16 Please raise your right hand. Do you swear to tell
 17 the truth?
 18 MS. THOMAS: I do.
 19 JUDGE SANDOR: Please state and spell
 20 your name for the record.
 21 THE WITNESS: Kari Thomas, K-A-R-I
 22 T-H-O-M-A-S, 4379 Possum Street, Mount Vernon. We
 23 live directly across the road from the project, and
 24 I'm an intervenor.
 25 JUDGE SANDOR: Okay. And which

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1 township is that?
 2 THE WITNESS: Miller.
 3 JUDGE SANDOR: Miller Township. Okay.
 4 All right. Please proceed.
 5 DIRECT STATEMENT
 6 THE WITNESS: I oppose the proposed
 7 Frasier's Industrial Solar Project for Knox County.
 8 And I thank you for the opportunity tonight to be
 9 heard. My hope tonight is that you not only hear us
 10 but that you will listen to us and what we are saying.
 11 Most of what I wanted to say has been repeated many
 12 times by others who oppose this project.
 13 At the previous two hearings, we the
 14 people who opposed the project were referred to as
 15 uninformed, misinformed, ignorant of facts and even
 16 once Marxist. That is an ad hominem, which means --
 17 which is a logical fallacy that is aimed to harm a
 18 person's character, rather than the position they are
 19 maintaining.
 20 We the people who oppose are small
 21 business owners, preachers, teachers, authors, and
 22 students. We are artisans, retirees, farmers. None
 23 of us are Marxist. We the people who oppose are God-
 24 fearing, America-loving, tax-paying, law-abiding
 25 citizens. We are people who would be directly and

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1 negatively affected by this project. We are good
 2 neighbors without contracts, without -- I'm sorry --
 3 without agreements or payments. We are informed
 4 citizens that realize our rights are being
 5 jeopardized.
 6 There are townships all over this
 7 county with zoning regulations put in place
 8 specifically to protect the value of property. Not
 9 all of us who oppose our eloquent speakers, but it is
 10 the passion we feel about this issue that has forced
 11 us to get up here and conquer our fears. Please
 12 listen to how this project could negatively impact our
 13 community.
 14 No matter how many taxpayer-funded
 15 handouts this company is promising, the overall effect
 16 within the life of these solar panels will certainly
 17 be negative. None of us wants our rights taken away,
 18 and no one wants a neighbor that has to pay you not to
 19 complain about them, or one who lowers your property
 20 value, or one who puts your health and the health of
 21 your family at risk.
 22 When we bought our seven-acre mini-farm
 23 27 years ago, we expected our -- more homes or hog
 24 barns to eventually go up around us in the future, but
 25 never did we imagine an industry clear-out on Possum

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1 Street. There are lawyers who keep busy defending
 2 people just like us who oppose industrial solar
 3 projects. So this opposition that is here tonight and
 4 the previous two hearings is part of a larger and
 5 growing group that sees behind the smoke and mirrors
 6 and false scientific claims of recycling panels and
 7 industrial solar energy production being clean and
 8 reliable.
 9 The government's Inflation Reduction
 10 Act, which really is a green energy bill, funds these
 11 projects which in turn pays Chinese firms to mine and
 12 extract rare Earth minerals all over the world. How
 13 is this green or clean? The overall effect will be
 14 that millions of acres of prime farmland all across
 15 America will be rendered useless. No matter how many
 16 false promises are being made, America will eventually
 17 not be the bread basket of the world and we will have
 18 food insecurities in a nation that was built on
 19 agriculture.
 20 We oppose industrial solar. We oppose
 21 industrial solar, not solar in general. If someone's
 22 faith and hope to save the world that was never
 23 created to last forever is in solar by then all means
 24 let them put solar panels on their homes and
 25 businesses, but don't make everyone else hold to that

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1 same fate.

2 I have looked at the staff report, and

3 I have some pages -- portions of it to read. Page 34,

4 last paragraph, "38 panels will be located in a

5 floodplain." Page 31, bottom paragraph, "The habitat

6 of four endangered species of bats could be impacted

7 by the project as they anticipate clearing ten acres

8 of trees for construction."

9 Page 49, fourth paragraph, "If all the

10 panels in the project need cleaning, it would require

11 1.3 million gallons of water." Again, is this green?

12 JUDGE SANDOR: Okay, Ms. Thomas, that's

13 five minutes.

14 MS. THOMAS: Thank you.

15 JUDGE SANDOR: Questions from counsel?

16 CROSS-EXAMINATION

17 BY MR. SETTINERI:

18 Q Good evening, Ms. Thomas, Mike Settineri, on

19 behalf of Frasier Solar.

20 What was that last page number of the staff

21 report you just referenced?

22 A The last one?

23 Q Yeah.

24 A Forty-nine.

25 Q Page 49 of the staff report?

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1 A Yep.

2 Q And what was that sentence you were reading?

3 A If all the panels in the project need

4 cleaning, it would require 1.3 gallons of water.

5 Q Okay. And that full sentence reads, "In the

6 relatively rare instance in which cleaning of the

7 entire project would be performed, the applicant

8 estimates a maximum of five gallons of water per

9 megawatt hour or 1.3 million gallons total would be

10 used." That's the full sentence, right?

11 A Probably. The whole -- the whole thing is

12 very open. Every time you read something, it's very

13 open.

14 Q Did you review the conditions that staff

15 recommended for the project?

16 A I didn't read the whole thing.

17 Q Okay. Would you be willing to read, at a

18 later time, pages 50, going forward, which lists the

19 general conditions for the project?

20 A I think I have went over that, the

21 conditions.

22 Q And you understand that the board approves

23 the project and adopts staff's recommended conditions,

24 the project would be obligated to follow those

25 recommended conditions, right?

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1 A I know they want them to.

2 Q Okay. All right. Now, you're a member of

3 Preserve Knox County?

4 A I am.

5 Q And you're an intervenor in the case?

6 A I am.

7 Q When did you join Preserve Knox County?

8 A In the beginning.

9 Q When was the beginning?

10 A Two years ago? Last year.

11 Q What time approximately last year, would you

12 say? Last spring?

13 A Yeah. I guess it was the spring.

14 Q Okay. And how did you join?

15 A Piece of paper.

16 Q Okay. And let me ask this. I'm going to

17 show you a map here, if I may. I'll represent this --

18 both of the red arrows, that's the page, the

19 navigation -- the natural navigation. Can you

20 identify -- and why don't we go ahead and put the

21 judges as well -- which is marked for this hearing,

22 Frasier Public Hearing, or Frasier PH1.

23 (Frasier Exhibit PH1 was marked for

24 identification.)

25 There we go. The three --

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1 JUDGE SANDOR: Excuse me. That's

2 Frasier PH1?

3 MR. SETTINERI: Yeah, I thought that

4 was the best.

5 JUDGE SANDOR: Okay. So marked.

6 JUDGE SANDOR: Thank you. And we can

7 provide copies to the other members here. It's up to

8 Your Honors if you would like copies or not.

9 JUDGE HICKS: I think we're good.

10 MR. SETTINERI: Would you like copies?

11 JUDGE HICKS: No, no.

12 MR. SETTINERI: Okay. All right.

13 BY MR. SETTINERI:

14 Q Ms. Thomas, is that red arrow at the lower

15 left side on both drawings, is that near your

16 property? Is that your property there?

17 A Yes.

18 Q Okay. And are you aware that between June

19 and August of 2023, that panels were -- originally,

20 panels were proposed to be, I believe, right across

21 the road, generally from your property, and that in

22 August, the Frasier Solar moved panels further away

23 from your house. Do you see that?

24 A Yes.

25 Q Okay. And did you have an opportunity to

Page 535

1 meet with any Frasier Solar representatives back in
2 June of 2023?
3 A They were at all of our township meetings.
4 MR. SETTINERI: Okay. All right. All
5 right. No further questions. Thank you. Your Honor,
6 I'd like to put that in the record for this hearing.
7 JUDGE SANDOR: All right. Any
8 objections? Okay, Frasier PH1 is admitted to this
9 hearing.
10 (Frasier Exhibit PH1 was received into
11 evidence)
12 The next witness is Rhonda Noble. You
13 are an intervenor in this case, correct?
14 MS. NOBLE: Yes, I am.
15 JUDGE SANDOR: Okay. You're aware that
16 counsel is not present tonight?
17 MS. NOBLE: Yes.
18 JUDGE SANDOR: Okay. Do you
19 acknowledge that if you testify tonight, that you'll
20 be subject to cross-examination without your counsel
21 present?
22 MS. NOBLE: Yep.
23 JUDGE SANDOR: Thank you. And in the
24 alternative, you may present your testimony at the
25 August 19, 2024 hearing with your counsel present, if

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1 you so choose.
2 MS. NOBLE: Correct.
3 JUDGE SANDOR: Okay. But you choose to
4 testify tonight?
5 MS. NOBLE: Yep.
6 JUDGE SANDOR: Thank you. Please raise
7 your hand. Do you swear to tell the whole truth?
8 MS. NOBLE: I do.
9 JUDGE SANDOR: Thank you. Please state
10 your name for the record.
11 THE WITNESS: Rhonda Noble, R-H-O-N-D-
12 A, N-O-B-L-E.
13 JUDGE SANDOR: Please provide your
14 address, including the township.
15 THE WITNESS: 4465 Possum Street, Mount
16 Vernon, Ohio, and that's Miller Township.
17 JUDGE SANDOR: And do you work or
18 reside within the project area?
19 THE WITNESS: I work from home, yes.
20 JUDGE SANDOR: Okay. And, again,
21 you're an intervenor, correct?
22 THE WITNESS: That is correct.
23 JUDGE SANDOR: Okay. Please proceed.
24 DIRECT STATEMENT
25 THE WITNESS: On March 27, 2023, I

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1 received my first letter from Open Roads Renewables
2 saying that there was a solar project coming into
3 Miller Township. This occurred after Open Roads
4 Renewable secretly got a non-disclosure agreement
5 signed from neighbors, so they could lease enough
6 acreage to move the project forward without the
7 community knowledge. They had been in the area for
8 years, even during the COVID lockdown. As far as I'm
9 concerned, that was unethical and deceptive.
10 With this project being across the road
11 from my home, it's made a very, very long year. The
12 mental anguish of the constant worry and the lack of
13 sleep is almost unbearable. Those of you who do not
14 oppose the project couldn't possibly understand the
15 shock and the strain that I and others have endured.
16 Taxes from the thin film solar panels, page six of the
17 staff report, the water runoffs and wildlife impacts
18 are a huge likelihood.
19 Unlike what the staff report says, page
20 31, the endangered northern harriers are in the
21 project area. They nest and roost across from my home
22 and hunt my land. We also have short-eared owls and
23 most recently a sandhill crane which has visited my
24 pond as witnessed by my neighbors and myself. These
25 creatures, like others, such as the bald eagle, found

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1 in my vicinity, will greatly be affected before,
2 during and after construction.
3 And, yes, lake effect is a real thing.
4 Page 31 of the staff report says the project is within
5 range of the federally stated -- state endangered
6 northern long-eared bat, the state endangered little
7 brown bat, and the tri-colored bat. And, yet, Open
8 Roads Renewables anticipates approximately ten acres
9 of trees for clearing. Page 33 of the staff report,
10 "With this project, hundreds of acres will be fenced,"
11 which is also -- will affect the ecosystem and other
12 wildlife, such as the deer, foxes, and coyotes.
13 The future taxes on our children and
14 grandchildren will be at a record-breaking high. New
15 Treasury Department estimates shows the ten-year cost
16 of eternity -- alternative energy tax credit has gone
17 up 21 fold since 2015 -- since 2015. Increased
18 farmlands are being leased and bought for solar
19 utilities, with Madison County a 6,000-acre solar
20 project, being the latest example here in Ohio.
21 For those who do not understand the
22 impact of solar project, rural America is set to
23 transform by a 55-million-acre federal solar plan and
24 ten million acres of solar collectors. And these
25 were -- the collectors will be needed to help meet the

<p style="text-align: right;">Page 539</p> <p>1 US clean energy goals by 2050 and costing taxpayers 2 over 425 billion between now and 2033. 3 A disturbing article from Australia in 4 an Insurance News article says farmers are claiming 5 that they will be uninsurable being close to these 6 projects. How soon will that come to the United 7 States? The possibility of waking up to the 8 unofficial project in our neighborhood without 9 considering our voices or the value of our lives is 10 unacceptable. 11 A 2022 study by Mary McClinton Clay 12 shows that solar projects decrease property values up 13 to 30 percent, and I have that here. While our 14 government has funded, supported and given more rights 15 and resources to the developers, rather than 16 protecting those who work and pay the taxes to have 17 the right to their American dream. The majority of 18 those leasing out their farms don't even live in our 19 township. 20 Our rights are being denied and our 21 rural life and homes destroyed. Those who live in the 22 project area also have property rights and will be 23 detrimentally affected by the project. Page 23 of the 24 staff report says over 2,000 large vehicles will be 25 traveling on our country roads. These vehicles will</p>	<p style="text-align: right;">Page 541</p> <p>1 A Good evening. 2 Q It's nice to meet you. 3 A Very nice to meet you. 4 Q Now, you're a member of Preserve Know 5 County. 6 A Yes, sir, I am. 7 Q When did you join? 8 A Last year. 9 Q Last year? I know in March 27, 2023, you 10 said you got your first letter about the project. 11 A That would be correct. 12 Q Were you involved in the formation of 13 Preserve Knox County? 14 A Not at that point in time, no. 15 Q Okay. Do you know who formed Preserve Knox 16 County? 17 A I believe Gary Koester did, but I did not 18 know him at the time. 19 Q Okay. Are you involved in the organization 20 now? 21 A Yes, I am. 22 Q Do you consider yourselves having a 23 leadership role? 24 A Yes, I am. 25 Q Are you responsible for website content?</p>
<p style="text-align: right;">Page 540</p> <p>1 be affecting our livelihood, our rights and 2 obstructing the farmer's rights during planting and 3 harvest seasons. 4 Noise pollution, loss of property 5 values, damaged roads, toxins, wildlife impact, 6 runoffs, flooding, loss of farmland, are real. This 7 is my home, my heritage, my community, and I'm going 8 to protect it against the irrational process 9 instituted by the government. I should not have to 10 worry about a power plant being constructed across the 11 road and the impairment that comes with it. 12 I will protect my property against -- 13 from any assault from Frasier Solar, from the Frasier 14 Solar Project, and the degradation it would have on my 15 rural community and my wildlife. My neighbors, my 16 rural community, and I will fight to preserve safe 17 homes, a secure environment, and community in which we 18 live and to protect our heritage. 19 JUDGE SANDOR: That is five minutes. 20 MS. NOBLE: Thank you. 21 JUDGE SANDOR: Thank you. 22 Any questions, Counsel? 23 CROSS-EXAMINATION 24 BY MR. SETTINERI: 25 Q Good evening, Ms. Noble.</p>	<p style="text-align: right;">Page 542</p> <p>1 A No, I am not. 2 Q Oh, who's responsible for website content? 3 A Exactly what do you mean website? Like, 4 Preserve Knox County website or Facebook or what are 5 you talking? 6 Q Thank you. I'll back up. Preserve Knox 7 County has a website? 8 A Yes, they do. And, no, I'm not responsible 9 for that. 10 Q Do you know who is responsible? 11 A No, I do not. 12 Q Okay. And have you provided any information 13 to be placed on that website? 14 A No, I have not. 15 Q Now, as an intervenor in this case, your 16 counsel can cross -- articles as a evidentiary, 17 correct? 18 A I don't know. I've never been through 19 something like this. 20 Q Okay, fine. Now, you've read the -- you've 21 obviously read the staff report. Thank you. 22 A Three times, but I still can't remember 23 everything. 24 Q There's a condition -- you're aware there's 25 a condition about sandhill cranes in the staff report?</p>

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1 A I've read over it, but I'm drawing a blank.

2 Q Condition 52, "Construction in sandhill
3 crane preferred nesting habitat type shall be avoided
4 during the species nesting period, April 1st through
5 August 31." There's additional language there. Does
6 that refresh your recollection about that?

7 A Yes, it does.

8 Q Okay. Does that address your concern about
9 sandhill cranes?

10 A No, it doesn't. I think that what some of
11 that says in there are just words. I have to agree
12 with a gentleman earlier who felt that what people do
13 at their home and what people are going to do at this
14 project are two different things.

15 Q I'm going to do the same thing, I'm going to
16 give you a map as well. We'll mark it as Frasier PH2.
17 (Frasier Exhibit PH2 was marked for
18 identification.)

19 JUDGE SANDOR: So marked.

20 BY MR. SETTINERI:

21 Q And I'll give that to you -- the red arrow
22 is not the application, but is that red arrow pointing
23 at your residence?

24 A Yes, it is.

25 Q And you were aware that in June of 2023,

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1 panels were proposed to be placed pretty much close to
2 across the road from your property?

3 A That's correct.

4 Q And then in August of 2023, the company,
5 based on input, moved panels further away from your
6 property.

7 A We demanded them to be put back, and they're
8 still too close.

9 Q Okay. So you demanded that the panels be
10 removed, and they were moved, but you'd like them
11 further away?

12 A I don't want them at all.

13 Q You don't want them in Miller Township?

14 A I do not.

15 Q Okay. So you don't want any solar in Miller
16 Township?

17 A I do not.

18 Q Okay.

19 A I'm not opposed to solar on rooftops or, you
20 know, the smaller ones that people have in their
21 yards, but now this is prime farmland, it does not
22 belong there.

23 Q Now, how big is your parcel approximately?

24 A Well, we own 170 acres.

25 Q Is that contiguous to your house?

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1 A Yes, it is.

2 Q Okay. And do you have screening behind your
3 house on two sides?

4 A Yes, I do.

5 Q You have screening between you and Mrs.
6 Thomas' property. Is that right?

7 A Those were always there.

8 Q I'm sorry?

9 A They were always there. We just put our
10 driveway next to it.

11 Q Now, Ms. Noble, does Preserve Knox County
12 disseminate any forms that people could fill out to
13 submit to the Power Siting Board to oppose the
14 project?

15 A Yeah, we sent quite a few, actually. I did.

16 Q And how did you send those?

17 A I scanned them and emailed those.

18 Q So let's go ahead and let me show you an
19 example.

20 MR. SETTINERI: Your Honor, we'll mark
21 Frasier PH3. It is a public comment, actually by Mrs.
22 Bartley, Beth Bartley, dated March 5th, 2020.
23 (Frasier Exhibit PH3 was marked for
24 identification.)

25 JUDGE SANDOR: So marked.

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1 MR. SETTINERI: Thank you, Your Honor.

2 BY MR. SETTINERI:

3 Q Do you recognize that form?

4 A I guess I do, but I don't know if this is
5 the one that I sent in, and maybe I did. I've seen an
6 awful lot of paper these days.

7 Q Is this a form from Preserve Knox County
8 that was disseminated to people?

9 A I think this is just a generic form that we
10 pulled off, so yes. Is there a problem with the form?

11 Q Let me ask: Where did you pull that form
12 off?

13 A That I don't remember.

14 Q Okay. When you say "we," who's the we?

15 A "We" as in Preserve Knox County, Ohio.

16 Q And would this have been a form that members
17 of Preserve Knox County would hand out to people to
18 fill out?

19 A Absolutely. Why wouldn't we?

20 Q And you have other forms as well?

21 A Possibly. I see an awful lot. They were
22 seeing an awful lot from you.

23 Q Now, have you been on the Preserve Knox
24 County website?

25 A Not lately.

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1 Q When was the last time you think you were on
2 it?

3 A Months ago. Maybe even longer.

4 MR. SETTINERI: Your Honor, mark
5 Frasier PH4.
6 (Frasier Exhibit PH4 was marked for
7 identification.)
8 And I'll represent it's a printout from
9 the Preserve Knox County website.

10 JUDGE SANDOR: So marked.

11 BY MR. SETTINERI:

12 Q Ms. Noble, do you recognize this page being
13 from the home page of the Preserve Knox County
14 website?

15 A Yes, sir. I do.

16 Q Okay. And do you see there -- this will be
17 the home page, the website.

18 A I think, yep.

19 Q And you see the -- I can barely read it, but
20 there's a word, but there's a skull and crossbones
21 that says "toxicity."

22 A Correct.

23 Q And it says, "Solar panels contain a
24 substantial amount of toxic chemicals. Fragile. They
25 become damaged and leach into the soil, risking our

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1 health and the health of our local wildlife." Do you
2 see that?

3 A Yes, I do.

4 Q All right. And there's a symbol for a fire
5 risk, property damages, and a cash grab on there,
6 right?

7 A Yes.

8 Q All right. And you believe that solar
9 panels are toxic?

10 A I do. As you do too, when you talked about
11 thin film panels in your staff report.

12 Q How do you address the fact that people have
13 solar panels on their houses, where their children
14 live, schools have panels? How do you reconcile that?

15 A Well, the Centerburg School did catch fire
16 because of solar panels, and that just happened last
17 year so --

18 Q And that was on the roof, correct?

19 A That was on the roof, yes.

20 Q And they kept the solar panels in the field?

21 A They want them off, and they want those to
22 go. And the ones in the fields, I don't think work.

23 Q Okay. But they're still there?

24 A Yeah.

25 Q Okay. Again, how do you reconcile -- if

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1 solar panels are toxic, how do you reconcile that
2 someone would put them on their house and potentially
3 have children in the house, children playing in the
4 yard? How do you reconcile that --

5 A Well, that's their home, and they're not
6 affecting agriculture. That's on their home, that's
7 not taking up, you know, 1,000 acres of prime
8 farmland. I think that that's pretty common sense
9 right there.

10 JUDGE SANDOR: So as a reminder, let's
11 try not to talk about each other. It'll make it
12 easier for the court reporter to get us all down.

13 MR. SETTINERI: I'm guilty on that one.

14 BY MR. SETTINERI:

15 Q So in that instance of a panel being on a
16 roof, you don't view that as being a situation that
17 would lead to a risk of toxicity for residents?

18 A I do think it's a risk.

19 Q Okay. So you believe that solar panels
20 should not be on rooftops?

21 A I don't like them at all, but if somebody
22 wants to put them on their home, that is their home.
23 That is a huge difference in between a home catching
24 fire and 1,000 acres catching fire.

25 Q Now, you've attended Miller Township Trustee

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1 meetings as part of your opposition to the project,
2 right?

3 A Yes, I have.

4 Q And you've attended Clinton Township Trustee
5 meetings as part of your opposition?

6 A Yes, I have.

7 Q Okay. And you're aware that Miller Township
8 residents are now attending the Clinton Township
9 Trustee meetings, correct?

10 A Yep.

11 Q Okay. Is that something you helped
12 organize?

13 A That is something that we asked the group to
14 go and sit and help other Clinton residents.

15 Q Now, I'm looking -- you submitted a
16 couple -- I know you submitted a public comment on the
17 docket, March 2nd, it looks like. But let me ask you
18 this question: Do you believe -- you believe that
19 residents living near a high voltage line in Miller
20 and Clinton Townships have experienced a high rate of
21 serious health issues, most probably caused by the
22 EMFs radiating from the lines and substations. Is
23 that correct?

24 A Is that what I wrote?

25 Q I'd be glad to show it.

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1 A Could you please?

2 Q Yep, absolutely. More than glad to.

3 A Thank you, sir. Okay, thank you. Yep.

4 Q So what I read -- what I said was correct?

5 A That is correct.

6 Q Now, was the intent of the Preserve Knox
7 County website -- let me ask this another way. Do you
8 believe that the intent of the Preserve Knox County
9 website is to educate the public?

10 A I can't answer that because I wasn't the one
11 that set it up.

12 Q Do you view it as a tool to educate?

13 A I think it is a tool to educate.

14 Q And the home page is where people would land
15 when they came to that website?

16 A I think it's for anybody to go to that
17 website, no different than Frasier Solar's website.

18 MR. SETTINERI: No further questions.
19 Thank you very much.

20 THE WITNESS: Thank you, sir.

21 JUDGE SANDOR: Thank you for your
22 testimony. Actually, Ms. Noble, if you don't mind
23 coming back up. We have a few more questions for you.

24 THE REPORTER: Mr. Tavenor, could you
25 let him move away from the mic and then move up to it?

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1 MR. TAVENOR: Yep.

2 THE REPORTER: Thank you.

3 MR. TAVENOR: Thank you. Sorry.

4 CROSS-EXAMINATION

5 BY MR. TAVENOR:

6 Q Hi. Just a few questions.

7 A Sure.

8 Q So you already established you're involved
9 with Preserve Knox County, correct?

10 A Yes.

11 Q What is your role with Preserve Knox County?

12 A I am the treasurer.

13 Q You're the treasurer, okay. So do you have
14 knowledge of the contributions that are coming into
15 Preserve Knox County?

16 A I do.

17 Q Great. So has this group received
18 contributions to support its work?

19 A We get donations.

20 Q Okay. So you receive donations. Do you
21 know, generally, the source of these donations? Do
22 you know them? Are some of them anonymous?

23 A If you would like, I can pull up the
24 receipts of the money I have spent.

25 Q You've spent money?

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1 A Sure.

2 Q But you've received money as well?

3 A But we have received money when we've gone
4 to do, like, first Fridays. We take donations that
5 way.

6 Q Okay. Have you -- has Knox County received
7 any money from individuals or companies associated
8 with the oil and gas --

9 A Absolutely not.

10 Q Are you familiar with the organization, the
11 Empowerment Alliance?

12 A I've been hearing a little bit about them,
13 yes.

14 Q Okay. In Knox County, when you're
15 developing your educational materials for the
16 community, where do you get that information?

17 A When we go to pass out the materials to the
18 public? Is that what you're talking about?

19 Q Yeah --

20 A We do extensive research --

21 Q And do you rely on --

22 A And we have engineers in our group.

23 Q Great. So you rely on experts or other
24 individuals?

25 A Well, yeah. I guess some of those experts

Page 554

1 are on the internet, yeah.

2 Q Do you have the names of any of those
3 people?

4 A You can look right in my box, or right in
5 the box.

6 Q So it's in the testimony --

7 A Yeah, there's some information in there.

8 MR. TAVENOR: All right. All right.
9 Thank you.

10 MS. NOBLE: You're welcome. Thank you.

11 JUDGE SANDOR: Any other questions?
12 No?

13 Thank you.

14 THE WITNESS: Thank you.

15 JUDGE SANDOR: Mr. Settineri, your
16 exhibits?

17 MR. SETTINERI: Yes. Exhibits we'd
18 like to put into the hearing record, Exhibits Frasier
19 PH2, Frasier PH3, Frasier PH4.

20 JUDGE SANDOR: Okay. Any objections?
21 Hearing none, all three exhibits are admitted to the
22 record.

23 (Frasier Exhibits PH2, PH3, and PH4
24 were received into evidence.)
25 Our next witness is Karen Schmitt.

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1 Good evening. I think it's evening.
 2 MS. SCHMITT: Good evening.
 3 JUDGE SANDOR: You are an intervenor in
 4 this case, correct?
 5 MS. SCHMITT: I am.
 6 JUDGE SANDOR: And you're aware your
 7 counsel is not present tonight?
 8 MS. SCHMITT: I am.
 9 JUDGE SANDOR: You acknowledge that if
 10 you testify tonight, that you're subject to
 11 cross-examination with --
 12 MS. SCHMITT: I do.
 13 JUDGE SANDOR: Perfect. And then in
 14 the alternative, you may choose to come testify at the
 15 evidentiary hearing that begins on August 19, 2024, in
 16 lieu of testifying tonight.
 17 MS. SCHMITT: Okay. My husband is
 18 testifying at that hearing, so I'll testify tonight.
 19 JUDGE SANDOR: You want to testify
 20 tonight? Okay.
 21 MS. SCHMITT: Thank you.
 22 JUDGE SANDOR: Please raise your right
 23 hand. Do you swear to tell the truth?
 24 MS. SCHMITT: Yes.
 25 JUDGE SANDOR: Thank you. Please state

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1 your name for the record.
 2 THE WITNESS: Karen, K-A-R-E-N,
 3 Schmitt, S-C-H-M-I-T-T.
 4 JUDGE SANDOR: Please provide your
 5 address, including your township.
 6 THE WITNESS: 5952 Rangeline Road,
 7 Mount Vernon, Township Morgan.
 8 JUDGE SANDOR: And do you reside or
 9 work within the project area?
 10 THE WITNESS: Both.
 11 JUDGE SANDOR: Okay, please proceed.
 12 DIRECT STATEMENT
 13 THE WITNESS: My name is Karen Schmitt.
 14 I reside at 5952 Rangeline Road, Mount Vernon, Ohio.
 15 I am an intervenor in the Knox County Frasier Solar
 16 Project, 23-0796-EL-BGN. I am opposed to this
 17 project. Thank you for taking the time tonight to
 18 listen to the people who live here and who will be
 19 adversely affected by this project.
 20 We've already heard many people talk
 21 about how this project will destroy beautiful rolling
 22 hills, miles of crops, and grassy fields, which
 23 provide home for various species of wildlife,
 24 including birds, sandhill cranes, deer, foxes,
 25 rabbits, and others. Also, how using prime farmland

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1 will affect the agricultural use of the land.
 2 Diminishing food supply, breaking tiles, causing
 3 flooding, and potentially toxic chemicals leaching
 4 from the cracked panels and leaky batteries.
 5 Our property is situated directly
 6 across from part of this project that is in Miller
 7 Township. Instead of the open field which currently
 8 produces corn, soybeans, alfalfa, and hay, the arrays
 9 of solar panels planned for these fields would
 10 directly affect our property, which sits lower in
 11 elevation. Our property would be directly impacted by
 12 excess water from runoff, causing possible flooding
 13 and a breach in the safety of our well.
 14 The underground water on our land
 15 culminates into a five-acre wetland, which is home to
 16 a variety of plants and animals. The impact and
 17 disruption of these ecosystems would send a ripple
 18 effect to many species of wildlife that use the fields
 19 for habitation, nesting, and flight.
 20 Our livelihood would also be impacted
 21 as we are feature hosts to guests who rent our cabins
 22 to relax in a natural setting while enjoying the
 23 wildlife and tranquility of our land. Our guests want
 24 to listen to the beautiful sounds of nature, not noisy
 25 inverters from an industrial solar --

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1 JUDGE SANDOR: Ms. Schmitt, can you
 2 slow down just a tad? I know you're under time
 3 pressure too, but if you could help us, help the court
 4 reporter. We're transcribing.
 5 THE WITNESS: Do I need to repeat
 6 anything?
 7 THE REPORTER: No, thank you.
 8 THE WITNESS: Okay, is it okay to
 9 begin?
 10 THE REPORTER: Yes.
 11 THE WITNESS: Okay, thank you.
 12 We can learn from other states, like,
 13 Michigan, where Jim Sheridan [ph] shares from personal
 14 experience about the flooding, noise, decrease in food
 15 production, and chaos, the Ranger Power Project in
 16 Shiawassee County, Michigan has caused.
 17 What about the four-day fire that
 18 burned in Chaumont, New York? The battery storage
 19 caught fire, releasing potentially toxic fumes into
 20 the air. Residents were contained in their homes.
 21 We can look at Europe, where the Green
 22 Deal passed in 2020, experienced two years later, the
 23 reopening of dozens of coal plants and 25 natural gas
 24 import terminals for drilling and gas production,
 25 Gorham 2023. Why? Because solar power isn't

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1 reliable. We have never had to be concerned if our
 2 hospitals, offices, or homes would go without power
 3 because the grid didn't have enough power to
 4 facilitate energy. But now, this is a real question
 5 we must ask ourselves.
 6 Can Ohio foresee the expensive, coming
 7 renewable energy failure and protectively --
 8 proactively protect its citizens from blackouts? The
 9 data from the April 4th public hearing shows nearly 70
 10 percent, 234 of the people attended are opposed to
 11 this project, while 31 percent, 104 people support it.
 12 38 percent of the 104 have Mount Vernon addresses.
 13 The rest live elsewhere.
 14 I ask on behalf of the property owners
 15 who do not want this project in our backyards to
 16 please consider our property rights, to continue to
 17 live in the tranquil, rural areas that we've chosen.
 18 I ask you to protect Ohio's grid and to continue to
 19 provide reliable electricity to power it. And on
 20 behalf of the many species of wildlife who would be
 21 adversely affected as some of your title state, please
 22 conserve and protect our environment by denying this
 23 project. Thank you very much for your time.
 24 JUDGE SANDOR: Thank you.
 25 And any questions from counsel?

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1 CROSS-EXAMINATION
 2 BY MR. SETTINERI:
 3 Q Good evening, Ms. Schmitt.
 4 A Good evening.
 5 Q You submitted some public comments in this
 6 case, right?
 7 A Yes.
 8 Q All right.
 9 A And I have them right here.
 10 Q Do you have both of them?
 11 A I do.
 12 Q Do you have the ones dated March 5th, 2024?
 13 A I do not.
 14 Q You don't? Okay. Do you have one that's
 15 dated -- well -- February 15th?
 16 A I do not. As stated in my testimony, I have
 17 them from April 4th.
 18 Q Let's go ahead and mark a couple exhibits
 19 here. Frasier PH5. It's a public comment from Karen
 20 Schmitt, dated -- docketed February 15, 2024. And
 21 then Frasier PH6 would be a public comment, docketed
 22 March 5th by 2024 by Karen Schmitt at 5952 Ridgeline
 23 Road. And that's your address, right?
 24 A Correct.
 25 JUDGE SANDOR: So marked for Frasier

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1 PH5 and PH6.
 2 (Frasier Exhibit PH5 and Exhibit PH6
 3 were marked for identification.)
 4 BY MR. SETTINERI:
 5 Q Do you have Frasier PH5 and PH6?
 6 A I do.
 7 Q Are those your public comments? At least
 8 some of your public comments?
 9 A Yes.
 10 Q Okay. So both of those comments are from
 11 forms that were given to you, correct?
 12 A Everything that I wrote today was from me.
 13 Q In your statement?
 14 A Yes.
 15 Q The forms I gave you, Frasier PH5 and
 16 Frasier PH6, those are forms that people could fill
 17 out and send in to the Power Siting Board, right?
 18 A That's correct.
 19 Q Okay. And you did that on this too --
 20 A I did.
 21 Q And who gave -- where did you get those
 22 forms?
 23 A A neighbor.
 24 Q And what neighbor?
 25 A I don't remember his name.

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1 Q Okay.
 2 A He lives further down the road from us.
 3 Q All right. And you see on the one, Frasier
 4 -- he one that's dated February 15, 2024 -- let me
 5 make sure I don't get -- Frasier PH5. Do you see that
 6 statement that, first bullet point, "There is a major
 7 high voltage line running north, south, through Miller
 8 and Clinton Townships. In one current AB substation
 9 on Sharp Road, residents living near these areas have
 10 experienced a high rate of serious health issues, most
 11 probably caused by the MS radiating from the lines and
 12 substation." Do you see that?
 13 A I do.
 14 Q -- the whole bullet point. Okay. Now,
 15 these forms, both forms, Frasier PH6 and Frasier PH5,
 16 they came from Preserve Knox County, right?
 17 A Possibly.
 18 Q Okay. And do you agree with that first
 19 bullet point statement, yourself?
 20 A I do.
 21 MR. SETTINERI: All right. No further
 22 questions. Thank you, Ms. Schmitt.
 23 THE WITNESS: Thank you. Do you want
 24 these back?
 25 MR. SETTINERI: You can leave those.

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1 JUDGE SANDOR: Any other -- okay. We
 2 have some more questions for you, Ms. Schmitt.
 3 CROSS-EXAMINATION
 4 BY MR. TAVENOR:
 5 Q Good evening.
 6 A Good evening.
 7 Q Good evening. Oop. There we go. Good
 8 evening.
 9 A Good evening.
 10 Q Just a few questions for you. In your
 11 testimony, you mentioned the idea of blackouts and
 12 solar, it relating to blackouts, correct?
 13 A If our grade cannot support the lack of
 14 electricity that solar panels produce in Ohio.
 15 Q Are you familiar with the concept of peak
 16 demand?
 17 A Where the energy stored throughout the seven
 18 hours of sunlight during the day is supposedly put
 19 into batteries and then used at a later time?
 20 Q No. So when, during the day, would you say
 21 we're using the most electricity?
 22 A Probably 5, 6 p.m., when people are home.
 23 Q How much power do you think AC uses, air
 24 conditioning?
 25 A I'm not an electric expert. I don't know.

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1 Q Do you think it uses a lot of electricity?
 2 A Possibly.
 3 Q Do you think when people are at work
 4 throughout the day that their businesses are using a
 5 lot of electricity?
 6 A Possibly.
 7 Q So during the day, you know, from the hours
 8 of, say, 10 to 6 p.m. for a lot of the year, that's
 9 when the sun is out?
 10 A Correct.
 11 Q So if solar panels are operating during the
 12 time when the sun is out the most and when a lot of
 13 electricity is being used, it's probably a benefit to
 14 the grid then?
 15 A Maybe, maybe not.
 16 MR. TAVENOR: No further questions.
 17 Thank you.
 18 JUDGE SANDOR: Okay. Thank you for
 19 your testimony.
 20 THE WITNESS: You're welcome.
 21 MR. SETTINERI: Your Honor, we'd like
 22 to admit Frasier PH5 and PH6 into the hearing record,
 23 please.
 24 JUDGE SANDOR: Any objections?
 25 MR. HOLTHUS: No, I would like copies

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1 though, Mike.
 2 JUDGE SANDOR: Okay. No objections.
 3 Frasier PH5 and PH6 are admitted.
 4 (Frasier Exhibit PH5 and Exhibit PH6
 5 were received into evidence.)
 6 Our next registered witness is Brenda
 7 McCament.
 8 Good evening. I'd like to just
 9 clarify, you are an intervenor, correct?
 10 MS. MCCAMENT: Yes. Yes, I am.
 11 JUDGE SANDOR: Okay. And you're aware
 12 that your counsel is not present tonight?
 13 MS. MCCAMENT: Yes, I am.
 14 JUDGE SANDOR: And you acknowledge that
 15 if you testify tonight, that you're subject to
 16 cross-examination without counsel?
 17 MS. MCCAMENT: Yes, I'm aware.
 18 JUDGE SANDOR: Thank you. And in the
 19 alternative, you may present your testimony at the
 20 August 24th evidentiary hearing, but you move to
 21 testify tonight?
 22 MS. MCCAMENT: Correct, but I don't
 23 want to.
 24 JUDGE SANDOR: Okay. You want to
 25 testify tonight?

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1 MS. MCCAMENT: Yes, tonight.
 2 JUDGE SANDOR: All right. Please raise
 3 your right hand.
 4 MS. MCCAMENT: My name is Brenda
 5 McCament. Oh, sorry.
 6 JUDGE SANDOR: I'll swear you in first.
 7 MS. MCCAMENT: Yes.
 8 JUDGE SANDOR: Do you swear to tell the
 9 truth?
 10 MS. MCCAMENT: Yes.
 11 JUDGE SANDOR: Thank you. Please state
 12 and spell your name for the record.
 13 THE WITNESS: My name is Brenda
 14 McCament, B-R-E-N-D-A, McCament M-C-C-A-M-E-N-T.
 15 JUDGE SANDOR: Please provide your
 16 address, including your township.
 17 THE WITNESS: I live at 7942 Granville
 18 Road, Mount Vernon in Clinton Township.
 19 JUDGE SANDOR: And do you work or
 20 reside within the project area?
 21 THE WITNESS: I live and work in the
 22 project area. It's south of me.
 23 JUDGE SANDOR: Okay, thank you. Please
 24 proceed.
 25 //

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1 DIRECT STATEMENT
2 THE WITNESS: Thank you.
3 I am opposed to the Frasier Solar
4 Project. This project was hidden well enough that
5 there are citizens to this day that don't know this is
6 a proposed project in our community. We received the
7 Good Neighbor Agreement. After reading it, I was not
8 happy and did not want any part of the hush money. We
9 ended up receiving two more unsolicited agreements in
10 the mail. They were left unsigned.
11 I did my due diligence when I heard
12 that Open Roads met with a farmer's group a couple of
13 years ago or so, and I contacted one of my Clinton
14 Township trustees. Later, after a face-to-face
15 conversation about solar, I gave the trustee a copy of
16 the Good Neighbor Agreement because he said he had not
17 seen one.
18 Later, in the summer of 2023, after
19 finding two men looking for survey markers and digging
20 up my yard, is when I found out more when they
21 unfolded a map showing me the project area closest to
22 me. I contacted my trustee again. After all of that
23 contact with him over a span of time, I never once was
24 told that Open Roads, from out of state, was sitting
25 at all of the Clinton Township meetings.

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1 The Township never sent out any
2 communication about this proposed project. I am not
3 on Facebook or any other social media site. We were
4 blindsided by Open Roads and our trustees. We would
5 have attended the meetings if we would have known
6 about the project.
7 Agrivoltaics is a term, in my opinion,
8 that appears to make the ruination of farmland more
9 palatable. I don't find a permanent sheep grazing
10 plan. Dropping lambs out in the field without
11 supervision doesn't seem like a plan to me. The care
12 and shelter for them is not defined either.
13 Page 12 of the application states,
14 "After an initial transition period, supplemented by
15 mechanical cutting or as long as local sheep grazers
16 are available and interested in providing such
17 services and as long as such services are cost
18 effective." On page 54, of the staff report, line
19 item 21 states, "At least 30 days prior to the
20 pre-construction conference, the applicant shall file
21 a copy of the agrivoltaics plan," et cetera. It's too
22 long. That's after the hearings. It makes it sound
23 like it's an option and not a solid plan.
24 A long-lasting impact of 26 miles of
25 conduit or communication cable or whatever it's called

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1 that is going to be left in the ground after the
2 project is decommissioned. How is that good? There
3 are no construction drawings, just maps with a concept
4 drawing feel.
5 What about compliance during
6 construction and production after? There are a lot of
7 rules and regulations to follow. Is there a fine or
8 some sort of consequence if the regulations weren't
9 followed?
10 What about the impact being surrounded
11 on four sides by inverters and panels at John and
12 Norma Parker's property? How about the other families
13 surrounded on three sides? Even two sides is too
14 many. Setbacks don't erase the impact of an unnatural
15 landscape. The behemoth project is so spread out, it
16 looks like an unorganized plague is going to be
17 released upon our prime farmland.
18 Governments don't like urban sprawl.
19 This kind of sprawl is better. How much more prime
20 farmland are they going to grab for solar? What about
21 the high cost of this kind of energy? Solar companies
22 are adding a burden to our already fragile grid.
23 Renewables don't produce all the time like all the
24 other power plants. They need a lot of backup.
25 We need more natural gas and nuclear

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1 plants that are always on, always working. Let's stop
2 the closure of any more power plants. Let's secure
3 our existing grid. Remember Texas? The government is
4 using our tax money for renewables instead of reducing
5 our deficit. The government is busy mandating
6 electric for everyone, without the infrastructure to
7 supply that power. They know this. What is their
8 plan?
9 And thank you for letting me speak
10 today. And I wanted to let you know that the
11 articles, and I have many more at home but I just
12 couldn't bring them all, are kind of what helped me
13 form my opinion in my research. Thank you.
14 JUDGE SANDOR: Thank you.
15 Any questions from counsel?
16 CROSS-EXAMINATION
17 BY MR. SETTINERI:
18 Q Good evening, Ms. McCament.
19 A Mr. Settineri.
20 Q You're a member of Preserve Knox County?
21 A Yes.
22 Q And you're an intervenor in the case?
23 A Yes.
24 Q And when did you join Preserve Knox County?
25 A I went to my first meeting at the public

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1 library, around August, I believe.
 2 Q Of 2023?
 3 A Yeah, of 2023, and we did not join
 4 immediately.
 5 Q And how did you join?
 6 A At the library with a piece of paper. There
 7 was a membership form, yeah.
 8 Q And is it fair to say the distance from your
 9 residence to the project is about 0.3 miles, 1700 feet
 10 or so. Does that sound about right?
 11 A Yeah.
 12 MR. SETTINERI: And no further
 13 questions for me. Thank you.
 14 JUDGE SANDOR: Okay. Any other
 15 questions?
 16 Okay, thank you for your testimony.
 17 THE WITNESS: Thank you.
 18 JUDGE SANDOR: Our next witness is Rick
 19 McCament.
 20 Good evening. Just to make sure, you
 21 are an intervenor, correct?
 22 MR. MCCAMENT: That is correct.
 23 JUDGE SANDOR: All right. And you're
 24 aware that your counsel is not present tonight?
 25 MR. MCCAMENT: Understood.

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1 JUDGE SANDOR: All right. And you
 2 acknowledge that if you testify tonight, that you'll
 3 be subject to cross-examination without your counsel?
 4 MR. MCCAMENT: Correct.
 5 JUDGE SANDOR: And that, in the
 6 alternative, you can provide testimony at the
 7 evidentiary hearing in this proceeding with your
 8 counsel present?
 9 MR. MCCAMENT: Agreed.
 10 JUDGE SANDOR: Okay. And you choose to
 11 testify tonight?
 12 MR. MCCAMENT: Yes, sir.
 13 JUDGE SANDOR: Okay. Please raise your
 14 right hand. Do you swear to tell the truth?
 15 MR. MCCAMENT: I do.
 16 JUDGE SANDOR: Thank you. Please state
 17 and spell your name for the record.
 18 THE WITNESS: Rick, R-I-C-K M-
 19 C-C-A-M-E-N-T.
 20 JUDGE SANDOR: Please provide your
 21 address, including the township.
 22 THE WITNESS: 7942 Granville Road,
 23 Mount Vernon, Ohio, Clinton Township.
 24 JUDGE SANDOR: And do you work or
 25 reside within the project area?

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1 THE WITNESS: I reside in the project
 2 area.
 3 JUDGE SANDOR: Thank you. Please
 4 proceed.
 5 DIRECT STATEMENT
 6 THE WITNESS: I cannot, for the life of
 7 me, figure out why I'm here. Let alone why I'm
 8 standing at this podium speaking. I also cannot
 9 figure out why my friends and my neighbors are also
 10 here doing the same thing. We get paid to do other
 11 things. We live in a representative republic. No
 12 matter what you hear or what you have been told, to
 13 date, we are a representative republic. We are by no
 14 means a democracy.
 15 I attended a Clinton Township Trustee
 16 meeting sometime in October of 2023. The meeting was
 17 concerning the Frasier Solar Project in Clinton and
 18 Miller Townships. I was surprised at what I heard and
 19 the reactions of the three trustees from Clinton
 20 Township. Their response to any question or comments
 21 from the citizens were they were neutral. I have
 22 attended the Clinton Township meetings consistently
 23 since, and the trustees still maintain that they are
 24 neutral to this very day.
 25 Our county commissioners, Thom Collier,

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1 Chuck Purcell [ph], Theresa Bemiller, were also
 2 responding that they were also neutral on the Frasier
 3 Solar Project. I was told at the Clinton Township
 4 meeting several times by Donna Hochstetler that she
 5 felt there were as many citizens for this project, if
 6 not more, against it.
 7 Sometime before the primary election of
 8 2024, a letter of intent was released from our three
 9 county commissioners stating they were unanimously in
 10 support of the Frasier Solar Project. That doesn't
 11 seem neutral to me.
 12 I participated in a signature drive
 13 petitioning the Clinton Township Trustees to sign a
 14 resolution against specifically the Frasier Solar
 15 Project in Clinton Township. There were over 350
 16 signatures collected from Clinton Township citizens.
 17 When presented to the trustees, they responded they
 18 would not sign a resolution and they were, once again,
 19 neutral.
 20 The board has received countless
 21 letters, testimonies, petitions from residents of Knox
 22 County in opposition of this solar project. The Knox
 23 County Commissioners and Clinton Township Trustees
 24 have silenced our voices. They have violated our
 25 civil rights, the Ohio Revised Code Section B504, and

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1 the Constitution's Bill of Rights, Amendment 1.
 2 We expect the board to reject the
 3 Frasier Solar Project based on we the people of Knox
 4 County have not been represented in this case as
 5 should have been in a representative republic. As for
 6 the politicians who have violated our rights, we the
 7 people will deal with that matter at the voting
 8 booths. That's all.
 9 JUDGE SANDOR: Thank you.
 10 Questions from counsel?
 11 CROSS-EXAMINATION
 12 BY MR. SETTINERI:
 13 Q Good evening, Mr. McCament.
 14 A Yes, sir.
 15 Q Thank you for coming tonight.
 16 A You bet.
 17 Q Real quick. You agree, the Ohio Power
 18 Siding Board will decide whether this project gets a
 19 certificate, correct?
 20 A That's the way I understand it.
 21 Q And so, the Miller Township Trustees will
 22 not decide whether this project goes forward.
 23 A I understand that too.
 24 Q And the Clinton Township Trustees --
 25 A I understand that completely.

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1 JUDGE SANDOR: All right. And we have
 2 to be careful we don't talk over each other for the
 3 court reporter to get the question.
 4 THE WITNESS: I'm sorry.
 5 MR. SETTINERI: Thank you.
 6 JUDGE SANDOR: Let's let him finish the
 7 questions real quick before we respond, if you don't
 8 mind.
 9 THE WITNESS: Could you repeat that?
 10 JUDGE SANDOR: Please let him finish
 11 his questions before we respond.
 12 THE WITNESS: I got you. Sorry.
 13 BY MR. SETTINERI:
 14 Q You mentioned a letter of intent, I think,
 15 by the county commissioners.
 16 A Sure.
 17 Q Did you have a copy of that in the other --
 18 A I have a copy of it at my desk. I don't
 19 have it with me.
 20 Q And will you describe that letter again for
 21 me, please.
 22 A It was a letter from all three of the county
 23 commissioners showing their support for the Frasier
 24 Solar Project, and it was stated at the bottom of that
 25 letter that it was unanimous.

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1 Q And would that be available on the county
 2 website?
 3 A Not sure.
 4 Q Where did you get the letter?
 5 A I really can't tell you sir.
 6 Q Okay. Now, one thing, as an intervenor you
 7 get to participate in this case, right?
 8 A I'm right here right now.
 9 Q And you can even -- your lawyer can cross-
 10 examine our witnesses at the evidentiary hearing. Is
 11 that your understanding?
 12 A Say that again.
 13 Q As an intervenor in the case, you have
 14 rights, and one of those rights is the ability to have
 15 your counsel cross-examine our witnesses at the
 16 evidentiary hearing, which is August 19th? Just like
 17 tonight I'm here asking you questions.
 18 A Got it.
 19 Q All right. So is it fair to say that your
 20 voice has not been silenced in this case, correct?
 21 A By my local politicians, it has been
 22 because, I feel, that this board would certainly base
 23 their opinion or their decision based on our local
 24 politicians because we have elected them to represent
 25 us. Not the other way around. So as far as I

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1 understand the United States of America and our
 2 system, that our representatives, we've elected them
 3 to represent us in cases like this to the board.
 4 MR. SETTINERI: Okay. No further
 5 questions.
 6 JUDGE SANDOR: Okay. Any other
 7 questions from counsel?
 8 Okay. Thank you for your testimony.
 9 The next registered witness is Susan
 10 Moore.
 11 You're an intervenor. Is that correct?
 12 MS. MOORE: Yes, I am.
 13 JUDGE SANDOR: And you're aware that
 14 your counsel is not present tonight?
 15 MS. MOORE: Yes, I am.
 16 JUDGE SANDOR: Okay. And if you do
 17 testify tonight, you acknowledge that you're subject
 18 to cross-examination without your counsel?
 19 MS. MOORE: That's correct.
 20 JUDGE SANDOR: And that, in the
 21 alternative, you can present your testimony at the
 22 evidentiary hearing in this proceeding with your
 23 counsel present?
 24 MS. MOORE: Yes, I am.
 25 JUDGE SANDOR: Okay. And you choose to

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1 testify tonight?

2 MS. MOORE: That's correct.

3 JUDGE SANDOR: All right. Please raise

4 your hand. Do you swear to tell the truth?

5 MS. MOORE: I do.

6 JUDGE SANDOR: Please state and spell

7 your name for the record.

8 THE WITNESS: My name is Susan Moore,

9 S-U-S-A-N Moore, M-O-O-R-E. My address is 12681

10 Butcher Road, Mount Vernon, and I'm in Miller

11 Township.

12 JUDGE SANDOR: And do you work reside

13 in the project area?

14 THE WITNESS: Yeah, my farm is right --

15 butts right up to it.

16 JUDGE SANDOR: Okay. Please proceed.

17 DIRECT STATEMENT

18 THE WITNESS: Absolutely. Thank you,

19 first of all, for hearing us all out. Appreciate it.

20 Again, my name is Susan Moore. My

21 husband and I live in Miller Township on Butcher Road.

22 Our farm borders the proposed Frasier Solar Project.

23 What is Knox County? Knox County is

24 known for being the heart of Ohio, a beautiful, highly

25 productive agricultural county in the state of Ohio.

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1 Whether you travel on Route 661 from Mount Vernon to

2 Granville or Route 13 to Mansfield or Newark or Route

3 3 from Columbus, you will see acres upon acres of

4 planted fields of grain and hay. Though beautiful,

5 charts do show us that our state is in the lower third

6 of sunny states.

7 Solar. I don't know. Our farm

8 originated 46 years ago as a small farm out in the

9 country, about an hour from the big city, which is

10 Columbus. Our son is in our family farm partnership

11 with us, and our grandson hopes to join in the future.

12 We've taken time and money to build a lasting legacy.

13 It's our life, as many others have done.

14 We've worked and used progressive

15 farming practices and methods. With the help of our

16 local soil and water district, we've installed

17 drainage tile and waterways to deal with excess water

18 and run of storm runoff. The proposed site is of

19 higher elevation and will most definitely cause

20 extreme storm water runoff downstream, maxing out our

21 installed waterways and drainage tile system, if the

22 existing tile and drainage system on the proposed site

23 are not intact due to the damage that will occur when

24 the posts for the panels are installed.

25 Thousands of these posts will be

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1 punched or drilled down through the tile, possibly

2 making it inoperable. This is where the surface water

3 runoff problems will occur, damaging our waterways and

4 require extra work of repair and seeding on our land.

5 We have met with Open Roads Renewable

6 manager Craig Adair, his engineer, and a drainage

7 consultant at our farm border of the proposed site.

8 Our township trustees were also in attendance, as they

9 are concerned about the impact of the storm water

10 issues downstream on our township road culverts. We

11 are strongly convinced after our meeting and messages

12 from Craig Adair that many of these problems are not

13 even understood, which we feel comes from the reality

14 that he lives in Austin, Texas, where it is mostly

15 sunny, dry, and excess water runoff has most likely

16 not been dealt with us a whole lot.

17 And on another note, I am not prone to

18 bashing people or companies, but we have never dealt

19 with or would we deal with a company that offers

20 thousands of dollars to people to keep quiet and/or

21 speak positively about their agenda. This company

22 appears ruthless with one agenda. It does not appear

23 to be having the good neighbor aspect or be an

24 ethically good business. We have been in business and

25 never have dealt like this.

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1 My trust of them and their word is not

2 good. I wish I felt differently, but I see only

3 questionable red flags as time goes on.

4 In conclusion, we are strongly opposed

5 to this Frasier Solar Project and any others in our

6 state that take prime farmland out of production. I

7 believe this is a subtle undermining of our area and

8 states, that, if not stopped will eventually take the

9 food availability out of our country. I hope that you

10 will consider my thoughts and dig deeper into the

11 negative reality of this project and ones like it and

12 put a stop to our prime farmland being used like this.

13 Thank you for listening.

14 JUDGE SANDOR: Questions for counsel?

15 MR. SETTINERI: A few questions.

16 CROSS-EXAMINATION

17 BY MR. SETTINERI:

18 Q Good evening, Ms. Moore.

19 A Good evening.

20 Q My name is Mike Settineri, on behalf of

21 Frasier Solar. Now, you're an intervenor in the case?

22 A Yes, I am.

23 Q And you are a member of Preserve Knox

24 County?

25 A Yes, I am.

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1 Q And when did you join your organization?

2 A I really couldn't tell you that. It's been

3 a while, probably last year. I don't know.

4 Q Now, you mentioned that the project, at

5 least near your properties, that property is a higher

6 elevation?

7 A Yes, it is. Most definitely.

8 Q Is there runoff from that area today?

9 A Yes, there is.

10 Q Okay. How do you know --

11 A Forty-some years of farming and we know the

12 -- what it does to with the waterways that we have

13 installed. It's at max.

14 Q Okay. So there's runoff from the

15 neighboring properties onto your property?

16 A From the site, the proposed site, yes.

17 There's always been -- there's always a lot of

18 stormwater runoff.

19 Q And you manage that how, specifically?

20 A With waterways. We have -- we -- we have to

21 build new ones. We have to seed and keep them up and

22 keep them repaired.

23 Q Okay. And if the drain tile is not

24 maintained after the project is built, if the drain

25 tile is damaged and not maintained, you're concerned

Page 584

1 there could be --

2 A There definitely will be.

3 Q -- storm runoff?

4 A Yes, absolutely.

5 Q That could then exceed what you've done on

6 your property?

7 A Exactly.

8 Q Now, have you looked at the staff report

9 that was issued for this case?

10 A I briefly have seen a few -- I'm sorry.

11 Are you talking about the sheet that'll be on there?

12 Q No, there's a -- the Power Siding Board

13 issued a staff report recommendation for the project.

14 A And who checks that out? That's what I, you

15 know, once this is installed, I guess, yes, I

16 understand that.

17 Q And do you know there are at least two

18 conditions, at least, on addressing drainage in the

19 project site?

20 A Mm-hmm. Mm-hmm.

21 Q And have you reviewed those at all?

22 A Yes, I've seen where there is.

23 Q And that doesn't address those conditions,

24 don't address your concerns?

25 A No.

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1 Q Now, if the drain tile is maintained on the

2 project site, as you would like it to be, then you

3 should be okay on your storm and your runoff in your

4 area, correct, with what you designed?

5 A If the drain tile is maintained. I want to

6 know who would be monitoring that. And there would

7 have to be more people than what we've had come to our

8 place because it hasn't succeeded.

9 Q And are you aware that the Power Siding

10 Board has a compliance team that monitors the

11 structure?

12 A Oh, yes, I'm very aware.

13 Q Good. Now, you mentioned about the

14 agreements that you found that bothered you. I know

15 they've been called different things, hush money,

16 things of that nature, right?

17 A Mm-hmm.

18 Q Now, are you aware that good neighbor

19 agreements are very common in the power industry for

20 power plants, gas-fired power plants, coal plants --

21 plants, wind firearms, and utility-scale solar?

22 A No.

23 Q And whether someone likes to sign a good

24 neighbor agreement is up to them, correct?

25 A That's right, definitely.

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1 Q And you made that decision?

2 A That's right.

3 MR. SETTINERI: Okay. All right. No

4 further questions. Thank you.

5 JUDGE SANDOR: Any other questions,

6 counsel? All right. No. Thank you for your

7 testimony.

8 Our next witness is Patti Dice.

9 So let me clarify, you are an

10 intervenor in this proceeding?

11 MS. DICE: Yes, sir.

12 JUDGE SANDOR: Thank you. You're aware

13 that your counsel is not present tonight?

14 MS. DICE: Yes.

15 JUDGE SANDOR: And you acknowledge that

16 if you testify this evening that you're subject to

17 cross-examination without any counsel present?

18 MS. DICE: Yes, sir.

19 JUDGE SANDOR: And that, in the

20 alternative, you could testify at the evidentiary

21 hearing in this proceeding with your counsel present?

22 MS. DICE: Correct, yes.

23 JUDGE SANDOR: Okay. And you're

24 choosing to testify tonight?

25 MS. DICE: Yes, sir.

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1 JUDGE SANDOR: Thank you. Please raise
 2 your right hand. Do you swear to tell the truth?
 3 MS. DICE: Yes.
 4 JUDGE SANDOR: Please state and spell
 5 your name for the record.
 6 THE WITNESS: My name is Patti Dice,
 7 P-A-T-T-I D-I-C-E. My address is 13558 Miller Road,
 8 Mount Vernon. And I live in Miller Township.
 9 JUDGE SANDOR: And you work or reside
 10 in the project area?
 11 THE WITNESS: I live there.
 12 JUDGE SANDOR: All right. Please
 13 proceed.
 14 DIRECT STATEMENT
 15 THE WITNESS: I am not being paid for
 16 my testimony, nor will I financially benefit from it.
 17 I am vehemently opposed to industrial solar in Knox
 18 County for several reasons that have already been
 19 stated by previous speakers that oppose industrial
 20 solar.
 21 The projected solar fields by Frasier
 22 Solar will be visible from where I live. This will be
 23 a disgrace to beautiful Knox County, specifically
 24 Miller Township. I love living out in the country and
 25 seeing all of the beauty that surrounds me on a daily

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1 basis. I love my view. For those that say I should
 2 have bought the land if I love my view so much, your
 3 land was not for sale, nor is it now --
 4 JUDGE SANDOR: Sir, please.
 5 THE WITNESS: However, you are willing
 6 to lease it for the right price. Industrial solar
 7 would destroy the beauty that surrounds me.
 8 Aside from me, industrial solar would
 9 displace the wildlife habitat we have in the area.
 10 The fences would severely limit their habitat. I get
 11 to see and enjoy deer, pheasants, wild turkey, various
 12 birds, woodpeckers, owls, and an occasional fox. I
 13 also get to see raccoons, skunks, vultures, and
 14 possums that may not be so enjoyable, but are a very
 15 important part of the local animal life cycle.
 16 The industrial solar farms may add
 17 sheep to the area, but the areas where the solar farms
 18 have been proposed currently farm wheat, corn, and
 19 soybeans, thus taking a food source away from other
 20 farm animals, thus taking away my food source. I love
 21 going to Lanning's to get the meat that has been
 22 locally sourced. What will happen to this?
 23 Why are businesses not offering up
 24 their rooftops? Why are parking garages not offering
 25 up their rooftops? Intel and Amazon's rooftop would

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1 be a great space for industrial solar. Could they
 2 also use parking lots and provide shelter for their
 3 employees' vehicles? I haven't done the research on
 4 this, but it is a thought.
 5 Other thoughts to ponder: How many of
 6 us will still own our land in 40 years? I hope to,
 7 but there are no guarantees. Can the land be sold,
 8 and if so, who is going to buy it?
 9 Number two: Does Ohio have enough
 10 sunlight to produce the energy that is promised?
 11 "Sunlight may be unlimited, but the materials required
 12 to manufacture solar technology are not. The
 13 availability of the raw materials required to produce
 14 solar products may not be sufficient to meet future
 15 demand. And the options for mining these materials
 16 can have a significant environmental impact." My
 17 source is cited.
 18 Number three: Solar energy cannot be
 19 collected at night. "Not even big systems, like a
 20 12-kilowatt solar system can collect solar energy at
 21 night." My source is cited.
 22 Number four: "High winds often whip
 23 around these structures, making them howl like
 24 banshees." My source is cited. Who wants this,
 25 whether it is during the day or night?

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1 How expensive is it to store solar
 2 energy? "A single lead acid battery can cost between
 3 \$200 and \$800 while a residential lithium-ion solar
 4 system can cost \$7,000 to \$14,000." My source is
 5 cited.
 6 Solar panels are touted to last 25 to
 7 30 years, yet the contracts are for 40 years. Hmm,
 8 there's some math that does not add up there.
 9 Number seven: Disposal and recycling
 10 options are limited. What areas are being littered by
 11 broken or non-functional panels?
 12 Number eight: The mining of materials
 13 and manufacturing of solar panels creates a
 14 considerable amount of greenhouse gas.
 15 "Transportation and installation of solar systems have
 16 been associated with the emission of greenhouse
 17 gases." My source is cited.
 18 Number nine: With all the solar farms
 19 going up in the nation, where will people eventually
 20 live? Over the weekend, on Sunday, I did travel to
 21 Southern Ohio, very sad.
 22 Number ten: Why is someone from Texas
 23 coming to Ohio to build a solar field?
 24 Number 11: How many of the pro-solar
 25 people that have spoken before me would buy property

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1 right next to an industrial solar field? I have heard
 2 one so far, and he spoke last Thursday. As a local
 3 middle school teacher, I see how kids are affected
 4 every day by the various mental health factors that
 5 they face. I cannot imagine the effects, the health
 6 effects, construction, noise, obstruction, et cetera,
 7 industrial solar would have on the mental health of my
 8 neighbors.
 9 Yes, the local school district to which
 10 I work does stand to benefit greatly from this.
 11 However, no amount of money is worth jeopardizing the
 12 livelihood, wellbeing and mental health of my
 13 neighbors and my community. Not to mention the
 14 potential for hazardous materials to leach into the
 15 groundwater, threatening residents, livestock and
 16 wildlife.
 17 My personal dream of owning a house in
 18 beautiful Miller Township in Knox County will be
 19 crushed if industrial solar is permitted. Please,
 20 please, do not allow industrial solar. Thank you for
 21 this opportunity to address you.
 22 JUDGE SANDOR: Any questions from
 23 counsel?
 24 //
 25 //

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1 CROSS-EXAMINATION
 2 BY MR. SETTINERI:
 3 Q You're a member of Preserve Knox County,
 4 correct?
 5 A Yes, sir.
 6 MR. SETTINERI: Thank you very much,
 7 that's it.
 8 JUDGE SANDOR: Okay. Thank you. Any
 9 other questions?
 10 Okay. Thank you for your testimony.
 11 THE WITNESS: Thank you.
 12 JUDGE SANDOR: All right. The next
 13 registered witness is Don Moore. Okay. Is there
 14 another Don Moore? Okay. Thank you.
 15 The next is Sarah Ann Dean.
 16 You're an intervenor in this
 17 proceeding?
 18 MS. DEAN: Yes.
 19 JUDGE SANDOR: All right. You're aware
 20 your counsel's not present this evening?
 21 MS. DEAN: Yes.
 22 JUDGE SANDOR: And do you acknowledge
 23 that if you testify this evening, that you'll be
 24 subject to cross-examination without your counsel
 25 present?

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1 MS. DEAN: Yes.
 2 JUDGE SANDOR: And that, in the
 3 alternative, you may provide testimony at the
 4 evidentiary hearing in this proceeding in lieu of
 5 tonight?
 6 MS. DEAN: I understand.
 7 JUDGE SANDOR: All right. And you're
 8 choosing to testify tonight?
 9 MS. DEAN: Yes.
 10 JUDGE SANDOR: Thank you. Please raise
 11 your right hand. Do you swear to tell the truth?
 12 MS. DEAN: Yes.
 13 JUDGE SANDOR: Please state and spell
 14 your name for the record.
 15 THE WITNESS: My name is Sarah Ann
 16 Dean, S-A-R-A-H A-N-N D-E-A-N.
 17 JUDGE SANDOR: Please provide your
 18 address, including the township.
 19 THE WITNESS: 6041 Sharp Road, Mount
 20 Vernon, Ohio, Miller Township.
 21 JUDGE SANDOR: And do you work or
 22 reside within the project area?
 23 THE WITNESS: I both live and
 24 homeschool in the project area.
 25 JUDGE SANDOR: Okay. Please proceed.

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1 DIRECT STATEMENT
 2 THE WITNESS: I am strongly opposed to
 3 the Frasier Solar Project. I have several reasons.
 4 One, my family's home would be surrounded within about
 5 half a mile on all sides. We would have no way to get
 6 to Mount Vernon without passing solar fields and
 7 crossing underground transmission lines.
 8 Two, our property abuts a large
 9 upstream field in the project. We are concerned about
 10 construction runoff due to the land degrading and
 11 miles of trenching. A large influx of mud would
 12 decimate the ecosystem of our creek, Delano Run, and
 13 imperil the pristine waters of Kokosing, a state
 14 scenic river about two miles away, which is used for
 15 outdoor tourism with the Kokosing Gap Trail
 16 overlooking the river for miles after our creek meets
 17 it. This outdoor tourism is an important drawing
 18 point for the city of Mount Vernon.
 19 Three, based on the Berkeley study on
 20 solar neighbors' property value loss, which caps out
 21 at 12-acre plots and other studies, we expect a
 22 significant loss somewhere between 10 and 30 percent.
 23 This study showcases the reason why zoning laws are
 24 important to balance the rights of various property
 25 owners. America is not a nation of land-bearing

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1 dictators.

2 Four, we intentionally bought a smaller

3 house so that we could afford land, a little over 20

4 acres. But we would have not bought our house had we

5 known that during the height of COVID, Open Road

6 Renewables began quietly signing leases for the

7 project a full five months before we bought. The

8 housing market is now vastly different than it was in

9 early 2020. There are higher prices in general and

10 higher mortgage rates. My family faces a significant

11 financial disadvantage to find a similar location due

12 to their covert business practices.

13 Five, electrical fires are an

14 increasingly common problem on solar installations and

15 are notoriously difficult to put out safely. And if

16 it does catch fire, burning heavy metals like the

17 cadmium telluride Craig Adair suggested might be used

18 at a Miller Township meeting becomes seriously toxic

19 as fumes.

20 Six, our winters freeze, which is a

21 danger to the solar tracking equipment needed to

22 follow the sun and maintain a safe panel angle during

23 high wind situations. Without the correct angle, the

24 panel arrays can gallop with winds at just 36 miles

25 per hour. Our small slice of Knox County has

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1 experienced high wind events at least a couple of

2 times each year since we moved in, barely missing a

3 tornado by about four miles.

4 Seven, the technology is not very

5 efficient in Ohio's cloudy climate. Cloud cover

6 reduces the already dilute power output by roughly 70

7 to 90 percent. With more than half of our days

8 moderately to severely cloudy, this is a poor option

9 when we could explore alternatives like geothermal.

10 Eight, I don't believe in the integrity

11 of this development company. I think that they are

12 just here for the government subsidies and are merely

13 a glove corporation for the Eolian Investing Group

14 that manages a \$100 billion in assets, shuffling shell

15 companies around in order to hide from being held

16 responsible from their promises.

17 And like the Blossom Project, Open Road

18 Renewables will likely sell and run as soon as the

19 project is approved, leaving the neighbors little

20 recourse if their promises prove hollow, as they did

21 in their Hillcrest Project, where investigators

22 discovered workers falsified state IDs that

23 temporarily lost them their pilot program approval.

24 Nine, Felicia Fields, who testified

25 here the first night, is a recruiter and on-site

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1 coordinator for 360 Industrial Services, who advises

2 workers on Facebook from as far away as Texas to just

3 "Get an Ohio ID." Is that a local worker? There are

4 many outside voices like hers trying to get their

5 share. Some have obvious aspirations, while others

6 have clearly been hired. They'll tell you that there

7 is overwhelming support for the project, but most of

8 that comes from far outside the county.

9 Let the first night's local sign-in

10 numbers be your guide, with roughly 26.3 percent

11 pro-solar and 73.6 opposed. This climate hysteria

12 driven government funded out of state colonial

13 "plantationism" has no place in Knox County. Please

14 deny this project. Thank you.

15 JUDGE SANDOR: Any questions from

16 counsel?

17 CROSS-EXAMINATION

18 BY MR. SETTINERI:

19 Q Good evening, Mrs. Dean.

20 A Hello.

21 Q Mike Settineri. Just some questions for

22 you. You're a member of Preserve Knox County,

23 correct?

24 A Yes, sir.

25 Q And when did you become a member?

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1 A Near the beginning.

2 Q When did they begin?

3 A I'm afraid I don't know that

4 chronologically.

5 Q Spring of 2023 perhaps?

6 A Whenever the time is that they first sent

7 around the pages.

8 Q Sent around the what?

9 A The pages, the sign-up pages.

10 Q Now, you mentioned the Hillcrest Project in

11 your statement.

12 A I did.

13 Q Are you aware that another company built and

14 constructed that project, not Open Road?

15 A I am. Open Road sold it to them though.

16 Q Now your property, where you live today, is

17 surrounded by pretty good, dense woods, would you say?

18 A We are some of the few acres of woods.

19 There's some on Mr. Bob's property, but that's

20 considerably behind ours. We have some woods, but

21 most of it's behind us.

22 Q Okay. Let's make sure I have the right

23 drawing here.

24 MR. SETTINERI: Let's go ahead and mark

25 an exhibit, Frasier PH7, please.

<p style="text-align: right;">Page 599</p> <p>1 (Frasier Exhibit PH7 was marked for 2 identification.) 3 JUDGE SANDOR: And what's the exhibit 4 of? 5 MR. SETTINERI: I'm sorry? 6 JUDGE SANDOR: Could you describe the 7 exhibit? 8 MR. SETTINERI: Oh, yeah, I will. It 9 is a -- again, it's two maps of the project 10 application with red arrows that are not in the 11 project. 12 JUDGE SANDOR: So marked. 13 MR. SETTINERI: Thank you, Your Honor. 14 BY MR. SETTINERI: 15 Q I'm going to hand you a picture of PH7. Is 16 that an arrow pointing toward your residence? 17 A No, sir. 18 Q That's not your residence? 19 A It's pointing directly on top of it. 20 Q I'm sorry? 21 A It's pointing to the road in front of it. 22 Q Well, is your house -- let's be a little 23 more exact. The arrow is right on top of your house, 24 correct? 25 A Yes.</p>	<p style="text-align: right;">Page 601</p> <p>1 woods and the trees around your house? 2 A Unfortunately, the shadows make it seem like 3 there's quite a bit more foliage. 4 Q Okay. Fair enough. Now, going back to what 5 I marked as Frasier PH7, with the arrow that's right 6 on top of your house, are you aware that initially, as 7 of June 2023, panels were proposed? You see right 8 where your house is on that top map with the arrow? 9 And you see the panels in the middle, I guess it would 10 be southeast and southwest of your house. Do you see 11 that? 12 A Yes, I do. 13 Q Did you have an opportunity to provide any 14 input to Frasier Solar between June and August of 15 2023? 16 A Are you referring to the meetings that were 17 at Panera? 18 Q Just in general, did you have an opportunity 19 to give any feedback to Frasier Solar about the panels 20 that were initially proposed in June of 2023 to be 21 near your house? 22 A I was provided the ability to give feedback, 23 yes, but I'm not sure when that was. I imagine it was 24 when you're saying it. 25 Q Okay. In the bottom one, August 2023, would</p>
<p style="text-align: right;">Page 600</p> <p>1 Q Okay. All right. And your house has woods 2 around the house, right? 3 A We have some trees. I would not call it 4 woods though. The woods are further back. 5 Q You reside at 6041 Sharp Road, is that 6 correct? 7 A Yes, sir. 8 MR. SETTINERI: Let's mark Frasier PH8, 9 Your Honor, which is just an exhibit for now. 10 (Frasier Exhibit PH8 was marked for 11 identification.) 12 JUDGE SANDOR: So marked. 13 Can you describe that again, actually? 14 MR. SETTINERI: Yeah, that's a Google 15 Map printout of 6041 Sharp Road. 16 JUDGE SANDOR: Thank you. 17 THE WITNESS: Thank you. 18 BY MR. SETTINERI: 19 Q Now, that -- is that where your house is? 20 A Yes. 21 Q Okay. And it looks like there are trees in 22 that area. It's a significant number of trees. Is 23 that fair to say? 24 A I would say about a dozen. 25 Q Okay. This picture is representative of the</p>	<p style="text-align: right;">Page 602</p> <p>1 show the current proposed project and those panels 2 were removed, correct? 3 A I see that. I also see that a work landing 4 spot is also removed. 5 Q Okay. Great, thank you. And with that 6 removal, would you say the project would be 7 approximately -- the nearest project would be to your 8 house would be about a half mile or so? 9 A To my house? 10 Q Mm-hmm. 11 A No. No, my property only goes back a third 12 of a mile, and so even if it's just the property at 13 the very far back of my property, that's still less 14 than a third of a mile from my house. 15 Q Okay. So you're saying from your house to 16 the nearest project location on the road map, you 17 believe is over -- is about a third of a mile? 18 A It's closer than half a mile, it's about a 19 third of a mile. 20 Q All right. Now when you moved into Miller 21 Township, you accepted that living where you live 22 would include the sounds and smells of farming, 23 correct? 24 A Of course, those are intermittent. 25 Q And you also accepted that farming can</p>

Page 603

1 create dust, correct?

2 A Of course, that also is intermittent.

3 Q And you would like to have farming preserved

4 on the land where the project is proposed, correct?

5 A Yes, I would.

6 Q Okay.

7 A It's a farming neighborhood.

8 MR. SETTINERI: No further questions.

9 Thank you.

10 JUDGE SANDOR: Questions from anyone

11 else?

12 Thank you for your testimony.

13 THE WITNESS: Thank you.

14 MR. SETTINERI: And, Your Honor, we'd

15 like to put Frasier PH7 and PH8 into the record.

16 JUDGE SANDOR: Any objections? Hearing

17 none, Frasier PH7 and PH8 are admitted.

18 (Frasier Exhibit PH7 and Exhibit PH8

19 were received into evidence.)

20 All right. Our next registered witness

21 is Holly Hocott [sic].

22 MS. P. HOCOTT: It's actually Polly

23 Hocott.

24 JUDGE SANDOR: Polly, we apologize.

25 Are you an intervenor in this case?

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1 MS. P. HOCOTT: No, I'm not.

2 JUDGE SANDOR: You're not? Okay, we

3 deeply apologize for mixing that up, and we appreciate

4 you waiting until near the end of all these hearings

5 to give your testimony this evening.

6 MS. P. HOCOTT: All right.

7 JUDGE SANDOR: Okay, please raise your

8 right hand. Do you swear to tell the truth?

9 MS. P. HOCOTT: I do.

10 JUDGE SANDOR: All right, please state

11 and spell your name for the record.

12 THE WITNESS: All right. Polly,

13 P-O-L-L-Y, Hocott, H-O-C-O-T-T. 722 East High Street,

14 Mount Vernon, Ohio, Clinton Township.

15 JUDGE SANDOR: And do you work or

16 reside within the project area?

17 THE WITNESS: No.

18 JUDGE SANDOR: Okay, thank you. Please

19 proceed.

20 DIRECT STATEMENT

21 THE WITNESS: I am opposed to the

22 Frasier Project. I'm concerned that they are not

23 listening to the people that live in Knox County. The

24 majority, 69 percent, are in opposition, and the

25 supporters, 31 percent, are mostly out of the project

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1 area. People that don't live in Knox County should

2 have no voice in this decision.

3 My daughter and son, their children and

4 grandchildren live in the immediate area of this

5 project, and I'm concerned for their safety. This is

6 not in the best interest of the public, nor the safety

7 of their citizens. It would be a terrible mistake to

8 have the farmland and the beautiful fields turned into

9 solar panels that ruin the possibility of ever having

10 our food supply restored by removing topsoil that

11 never recovers in my lifetime.

12 We have "no solar" signs in our yards

13 from the very beginning and, yet, we have had students

14 knocking on our door multiple times trying to convince

15 us that what we have heard about solar is

16 misinformation. These students obviously are

17 benefiting from canvassing the neighborhoods and do

18 not live here. They attend college in the area and

19 all have the same addresses. They put their "yes

20 solar" signs in neighbor's yards, right beside the

21 candidate signs that are against solar, several times

22 without permission.

23 It is obviously apparent that Frasier

24 Solar is not concerned or listening to the people that

25 live here and those that it affects. We, the people

Page 606

1 of Knox County, have stated our opposition. The

2 majority should move and that should be the end of

3 this travesty.

4 JUDGE SANDOR: Any questions from

5 counsel?

6 Can I just clarify real quick? Do you

7 have family members who are intervenors in this

8 proceeding?

9 THE WITNESS: Yes.

10 JUDGE SANDOR: But you're not, correct?

11 THE WITNESS: I'm not.

12 JUDGE SANDOR: Okay, thank you.

13 All right, our next witness is Hannah

14 Gleespen.

15 Good evening. You are an intervenor in

16 this proceeding?

17 MS. GLEESPEN: Yes, sir.

18 JUDGE SANDOR: Okay. And you're aware

19 your counsel is not present tonight?

20 MS. GLEESPEN: Yes, sir.

21 JUDGE SANDOR: And you acknowledge that

22 if you testify this evening, you'll be subject to

23 cross-examination without your counsel.

24 MS. GLEESPEN: Yes, sir.

25 JUDGE SANDOR: And in the alternative,

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1 you could provide testimony at the August 2024 hearing
 2 with counsel present?
 3 MS. GLEESPEN: Yes, sir.
 4 JUDGE SANDOR: Okay. Do you choose to
 5 testify tonight?
 6 MS. GLEESPEN: Yes, sir.
 7 JUDGE SANDOR: Thank you. Please raise
 8 your right hand. Do you swear to tell the truth?
 9 MS. GLEESPEN: Yes, I do.
 10 JUDGE SANDOR: Please state your name
 11 and spell your name for the record.
 12 THE WITNESS: Hannah Gleespen, H-A-N-N-
 13 A-H G-L-E-E-S-P-E-N.
 14 JUDGE SANDOR: Please provide your
 15 address, including the township.
 16 THE WITNESS: 5881 Sharp Road, Mount
 17 Vernon, Ohio, Miller Township.
 18 JUDGE SANDOR: And do you work or
 19 reside within the project area?
 20 THE WITNESS: I reside in it. I also
 21 home school, but I work outside of the community.
 22 JUDGE SANDOR: Okay. Thank you.
 23 Please proceed.
 24 DIRECT STATEMENT
 25 THE WITNESS: I oppose the Frasier

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1 Solar Project. Citizens of Knox County do not want
 2 this. We are a community of family and farmland. Our
 3 roads are not prepared for it, not to mention that
 4 dirt is a hindrance for solar panels and Ohio weather
 5 is not reliable. We live close to two airports in
 6 Knox County, where an obvious issue with glare from
 7 solar fields is a cause for concern, as well as a
 8 nuisance for neighbors.
 9 Our community and some officials were
 10 not informed and notified about this project in
 11 accordance with timely requirements. The project was
 12 hidden for most of us while those that did know
 13 secretly signed contracts for money and to be quiet
 14 and hide from us. We were devastated when we were
 15 told about it. It was already a done deal by our
 16 commissioner and that there was no one -- nothing we
 17 could do about it, which was deceptive and dishonest.
 18 We have worked countless hours to have
 19 the house and property we have now, buying fixer-
 20 uppers, rehabbing houses as we live in them and
 21 reselling them to buy something nicer. We just
 22 purchased our home in August and we have worked our
 23 tails off to have the house that we have for the past
 24 ten years. To raise our family close to family and in
 25 the country, not in the middle of solar fields that

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1 are going to affect our house value that we have
 2 worked hard to build in our scenery and wildlife that
 3 we get to see every single day.
 4 The proposed contract will allow
 5 cutting down ten acres of trees, which will affect
 6 this wildlife per page 33 of the staff report. And
 7 not only that, but will destroy farmland for locally
 8 produced food and drain toxic waste into our fields,
 9 which is very concerning for runoff going into the
 10 ground while most of the surrounding areas have well
 11 water.
 12 We, as a community, don't want solar
 13 fields and we don't see it as a good fit for our
 14 community. I oppose the Frasier Solar Project.
 15 JUDGE SANDOR: Any questions from
 16 counsel?
 17 CROSS-EXAMINATION
 18 BY MR. SETTINERI:
 19 Q Good evening, Ms. Gleespen. Nice to meet
 20 you. How long have you owned your house?
 21 A Since August.
 22 Q Of which year?
 23 A 2023.
 24 Q And you moved from where?
 25 A Airport Road, Knox County.

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1 Q Knox County, okay. And were you aware of
 2 the project when you purchased your house?
 3 A I was.
 4 MR. SETTINERI: Okay. Your Honor, at
 5 this time, I'd like to mark -- I think we're at
 6 Frasier PH9.
 7 (Frasier Exhibit PH9 was marked for
 8 identification.)
 9 JUDGE SANDOR: Thanks.
 10 MR. SETTINERI: This is another set of
 11 maps, an application with red arrows.
 12 JUDGE SANDOR: Frasier PH9 is so
 13 marked.
 14 BY MR. SETTINERI:
 15 Q Mrs. Gleespen, am I saying that right?
 16 A Gleespen.
 17 Q I want to give you a document marked Frasier
 18 PH9 -- red arrow are not. Am I right that that red
 19 arrow is either on or pointing to your property
 20 directly?
 21 THE REPORTER: Excuse me, sir, could
 22 you please remove the paper from -- I'm so sorry.
 23 MR. SETTINERI: All right. All right.
 24 BY MR. SETTINERI:
 25 Q And so now you bought your house in August

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1 of 2023?

2 A Yes, sir.

3 Q Now, you were aware of the project prior to

4 that?

5 A Mm-hmm.

6 Q What was your awareness of the project prior

7 to buying your house?

8 A We were aware that we had been, even at our

9 previous address, we had been fighting it, and we had

10 had "no solar" signs, and all of that kind of stuff as

11 well.

12 Q Okay. So when you bought the house in

13 August -- let me get back up. In June, were you aware

14 that panels were proposed on either side, where that

15 red arrow is in the top map?

16 A Yes.

17 Q Okay. And then in August, obviously, those

18 panels -- you see the panels were removed, and it says

19 at the top of the map after community input. Do you

20 see that?

21 A Yes, I do.

22 Q All right. And in terms of buying that

23 property, with those panels being removed, did that

24 influence your purchase of the property?

25 A It did not. We have family in the

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1 surrounding area, and we want to raise our family

2 close to family with the support of being a village.

3 Q And you're a member of Preserve Knox County,

4 correct?

5 A Yes, I am.

6 MR. SETTINERI: All right. I have no

7 further questions. Thank you.

8 THE WITNESS: Thank you.

9 JUDGE SANDOR: Any other questions?

10 All right. Thank you for your

11 testimony.

12 MR. SETTINERI: And, Your Honor, if I

13 could move for the admission for this hearing record

14 for Frasier PH9, please?

15 JUDGE SANDOR: Any objections? Hearing

16 none, Frasier PH9 is admitted.

17 (Frasier Exhibit PH9 was received into

18 evidence.)

19 Our next -- and as a heads up, there's

20 four more registered witnesses. Next is Candy Hocott.

21 MS. C. HOCOTT: Hi.

22 JUDGE SANDOR: Hello. You are an

23 intervenor in this case?

24 MS. C. HOCOTT: Yes, I am.

25 JUDGE SANDOR: You're aware your

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1 counsel is not present this evening?

2 MS. C. HOCOTT: Yes.

3 JUDGE SANDOR: You acknowledge that if

4 you provide testimony this evening, you'll be subject

5 to cross-examination without your counsel present?

6 MS. C. HOCOTT: Yes.

7 JUDGE SANDOR: In the alternative, you

8 can provide testimony at the evidentiary hearing in

9 this proceeding with counsel.

10 MS. C. HOCOTT: I choose to speak here.

11 JUDGE SANDOR: And you choose to speak

12 here? Okay. Thank you. Please raise your right

13 hand. Do you swear to tell the truth?

14 MS. C. HOCOTT: Yes, I do.

15 JUDGE SANDOR: Please state and spell

16 your name for the record.

17 THE WITNESS: Candace Hocott, C-

18 A-N-D-I-C-E H-O-C-O-T-T.

19 JUDGE SANDOR: Please provide your

20 address, including the township.

21 THE WITNESS: 5840 Sharp Road, Mount

22 Vernon, Ohio, in Miller Township.

23 JUDGE SANDOR: Do you work or reside

24 within the project area?

25 THE WITNESS: I reside in the project

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1 area.

2 JUDGE SANDOR: Thank you. Please

3 proceed.

4 DIRECT STATEMENT

5 THE WITNESS: I just want to thank you

6 guys for taking the time to listen to all of us and

7 our concerns about the Frasier Solar Project and why I

8 strongly am opposed against it. First off, I just

9 want to let you guys know, I moved from Georgia. We

10 came -- we have family that live here and visited over

11 the years and loved the farmland here and fell in love

12 with Sharp Road and all the beautiful land out there.

13 We've now lived here for almost 18

14 years. Have a family of five and we have five

15 children, now have three grandchildren. So just love

16 being able to raise our kids on the farmland and not

17 be concerned about any city aspects.

18 We just found out, you know, we found

19 out about that Sharp Road was kind of in the ground

20 zero of all the solar projects. We were very, you

21 know, upset to hear about that because we, you know,

22 like I said, looking out at the beautiful cornfields,

23 watching the soybeans grow and the corn, and our kids

24 would go out and we'd measure their height up against

25 the corn stalks and all that. You know, we didn't

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1 have that in Georgia.
 2 And we've hosted many parties of people
 3 that have come out from Columbus and other surrounding
 4 cities that just fell in love with our area, and they
 5 don't get an opportunity to see that, you know, in
 6 that area. But we were, like I said, devastated to
 7 find out the project was going to come there and a
 8 negative impact it would be for us, for the community.
 9 The proposed project will ruin many of
 10 the things that make our area special and the
 11 potential to cause major harm to the land as well as
 12 the people living here. As a mother and a
 13 grandmother, I am extremely concerned about the
 14 potential dangers that the solar panels can and have
 15 caused in other areas, which may -- which many others
 16 have gone on into already. I want my grandchildren to
 17 be able to grow up in a peaceful, rural setting and
 18 not surrounded by industrial solar fields.
 19 I also believe that taking prime
 20 farmland and turning it into industrial solar fields
 21 is a horrible idea. They aren't making any more
 22 farmlands so protecting our own farmlands is very
 23 important. The negative impact on our property values
 24 is also very troubling to me.
 25 The bottom line is that the vast

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1 majority of the people in this community do not want
 2 this project to happen. And as in recent election
 3 results in Township anti-solar resolutions have
 4 proven. This is what should matter, not the opinions
 5 of the outsiders from Columbus or any other areas,
 6 states, or wherever they're outside of our community.
 7 I respectfully and passionately ask
 8 that the board deny this project and let us all get
 9 back to our peaceful lives in the community that we
 10 all love. Thank you.
 11 JUDGE SANDOR: Any questions from
 12 counsel?
 13 CROSS-EXAMINATION
 14 BY MR. SETTINERI:
 15 Q Good evening.
 16 A Hi.
 17 Q You're a member of Preserve Knox County?
 18 A Yes.
 19 Q And you're an intervenor.
 20 A Yep.
 21 Q Now, you live just southeast of Ms.
 22 Gleespen, right?
 23 A Yeah.
 24 MR. SETTINERI: Okay. Your Honor, I'll
 25 just mark as Frasier PH10, another series of maps

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1 before and after community input.
 2 (Frasier Exhibit PH10 was marked for
 3 identification.)
 4 JUDGE SANDOR: So marked.
 5 BY MR. SETTINERI:
 6 Q I'm going to give you a map, as a
 7 representative of the project application, the top one
 8 before and after community input, the bottom and after
 9 community input, the red arrows are not in the
 10 application. But am I correct that generally that red
 11 arrow on both maps is pointing towards your residents?
 12 A Yes.
 13 Q Okay. And were you aware that in June there
 14 were panels located to the east and west -- proposed
 15 to be installed to the east and west of your home?
 16 A Yes.
 17 Q And then were you able to give input to
 18 Frasier Solar about those panels specifically?
 19 A Not personally to that. Well, I mean, we've
 20 been to some of the township trustee meetings and have
 21 spoke our opinions there.
 22 Q Okay.
 23 A I have also emailed our, you know,
 24 counsel -- commissioners and things like that for it
 25 too, that we oppose it.

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1 Q Okay. And so you know, as of August when
 2 the application was filed, those panels were removed
 3 to the east and west of your house?
 4 A That's what they say.
 5 MR. SETTINERI: No further questions.
 6 Thank you.
 7 JUDGE SANDOR: Any other questions?
 8 Nope.
 9 Thank you for your testimony.
 10 MR. SETTINERI: If we can move for the
 11 admission of Frasier PH10, into the hearing record,
 12 please.
 13 JUDGE SANDOR: Any objections? Hearing
 14 none, Frasier PH10 is admitted.
 15 (Frasier Exhibit PH10 was received into
 16 evidence.)
 17 Our next witness is Emily Rowley.
 18 Good evening. You're an intervenor in
 19 this proceeding?
 20 MS. ROWLEY: Yes, I am.
 21 JUDGE SANDOR: All right. You're aware
 22 your counsel is not present this evening?
 23 MS. ROWLEY: Yes, I am.
 24 JUDGE SANDOR: And you acknowledge that
 25 if you provide testimony this evening that you'll be

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1 subject to cross-examination without your counsel
 2 present?
 3 MS. ROWLEY: I am aware.
 4 JUDGE SANDOR: And in the alternative,
 5 you can provide testimony at the evidentiary hearing
 6 in this proceeding with counsel present?
 7 MS. ROWLEY: I understand that.
 8 JUDGE SANDOR: Thank you. And you
 9 choose to testify?
 10 MS. ROWLEY: I choose to testify.
 11 JUDGE SANDOR: Okay, please raise your
 12 right hand. Do you swear to tell the truth?
 13 MS. ROWLEY: I do.
 14 JUDGE SANDOR: Please state and spell
 15 your name to the record.
 16 THE WITNESS: My name is Emily Rowley,
 17 E-M-I-L-Y R-O-W-L-E-Y.
 18 JUDGE SANDOR: Please provide your
 19 address, including the township.
 20 THE WITNESS: My address is 5224
 21 Lafayette Road, Mount Vernon. The township is Miller.
 22 JUDGE SANDOR: And do you work or
 23 reside in the project area?
 24 THE WITNESS: I do both.
 25 JUDGE SANDOR: All right. Please

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1 proceed.
 2 DIRECT STATEMENT
 3 THE WITNESS: Thank you for giving us
 4 the opportunity to voice our concerns. I am opposed
 5 to the Frasier Solar Project. Unlike the landowners
 6 who leased their land for the projects, I live in the
 7 project area with my husband and three small children.
 8 In fact, if this project is approved,
 9 there will be no place that we can stand on our
 10 property and not see solar panels. We will be
 11 surrounded. Our home sits atop a hill overlooking the
 12 proposed project. No amount of screening and
 13 landscaping will be a benefit because of how our home
 14 is placed.
 15 You see, we are in such an impossible
 16 situation that Frasier Solar verbally said they would
 17 offer us a purchase option agreement. That agreement
 18 came with a caveat. We could no longer speak out in
 19 opposition. Wouldn't a good neighbor allow someone to
 20 express their deep concerns about the future for their
 21 family and community without trying to silence them,
 22 remove them from the home they intend to raise their
 23 children in? Our story and our voice must be
 24 powerful.
 25 We moved into our home in November of

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1 2020. We can see my in-laws' farm from our home, as
 2 well as my husband's uncle's farm that used to be his
 3 grandparents. Selling our old home and buying this
 4 home helped put us in a financial situation that
 5 allows me to stay home with our children. It's
 6 everything my husband and myself has ever dreamed of
 7 for ourselves and our children until now.
 8 The current landowner who's leasing the
 9 land to Frasier Solar did not own the land when we
 10 purchased our home. When we found out that the
 11 current landowner had purchased the land, we reached
 12 out in hopes to buy some of the land from him. He
 13 said he had no desire to sell the land. Little did we
 14 know, he would soon sell out to Frasier Solar.
 15 When I asked Matt Butler last week if
 16 the OPSB staff comes to all of the sites of the
 17 proposed project, I was surprised to learn his answer.
 18 Yes, they do.
 19 On page nine of the staff report, it
 20 states, "Staff recommends that aesthetic impact
 21 mitigation include native vegetation planning,
 22 alternative fencing, good neighbor agreements, or
 23 other methods in consultation with effective
 24 landowners and subject to staff review. With
 25 implementation of the staff's condition, the overall

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1 expected aesthetic impact would be minimal." I'm not
 2 sure the OPSB staff would find the expected aesthetic
 3 impact to be minimal in the case of my family.
 4 On page 53, condition ten, the staff
 5 report states, "Prior to commencement of construction,
 6 the applicant shall file a landscape and lighting plan
 7 in consultation with a landscape architect that
 8 addresses the aesthetic and lighting impacts of the
 9 facility. That plan shall include any adjacent non-
 10 participating parcel containing a resident, residents
 11 with a direct line of sight to the fence of the
 12 facility. The plan shall provide for the planting of
 13 vegetative screening designed by the landscape
 14 architect to enhance the view from the residence,
 15 unless alternative mitigation measures are agreed to
 16 with the property owner."
 17 Again, there's nothing that can be done
 18 to enhance the view from our residence. This
 19 condition will not be able to be met by Frasier Solar.
 20 Our current Knox County Commissioner
 21 signed a resolution on August 11th of 2022 stating
 22 they would look at industrial solar projects in a
 23 case-by-case basis. One of the criteria to
 24 considering large-scale facilities is the ability to
 25 provide buffers between the facility and adjacent

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1 landowners. You must understand our frustration.
 2 Time and time again we're reading and
 3 hearing about the importance of buffers, screening,
 4 landscaping and knowing that in our situation it does
 5 not matter. There's nothing they can do.
 6 We hear the argument that we shouldn't
 7 be able to tell someone what they can or cannot do
 8 with their land. That's rich considering only one of
 9 the landowners who have leased their land actually
 10 lives in the project area. Also this is not really a
 11 matter of telling someone what they can or cannot do
 12 with their land. This is a matter of local residents
 13 voicing their concerns for what the future of their
 14 community looks like in the realms of zoning.
 15 On page eight, paragraph five of the
 16 staff report, it is acknowledged that Frasier Solar is
 17 developing a commercial operation. This is not an
 18 agricultural operation. If an Amazon warehouse put
 19 some sheep in front of their building, would it
 20 suddenly become agricultural?
 21 I have so many concerns we would be
 22 here all night if I started sharing them. Thankfully
 23 my friends, my family, my neighbors have brought a
 24 majority of those concerns to you. I hear the
 25 pro-industrial solar sites say that this proposed

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1 project only impacts a small percentage of farmlands
 2 in Knox County. Well, the majority of that farmland
 3 surrounds my entire world.
 4 JUDGE SANDOR: Take a moment, if you
 5 need. It's okay.
 6 THE WITNESS: I rest in the comfort of
 7 Jeremiah 29:11, "For I know the plans I have for you,
 8 says the Lord. They are plans for good and not for
 9 despair, to give you a future and a hope."
 10 I ask you to please deny approval of
 11 the Frasier Solar project on behalf of my family, my
 12 friends, and my neighbors who are most impacted by the
 13 project.
 14 JUDGE SANDOR: Thank you.
 15 Any questions from counsel?
 16 MR. SETTINERI: No questions, thank
 17 you.
 18 JUDGE SANDOR: Okay. Any other
 19 questions?
 20 All right. Thank you for your
 21 testimony.
 22 Our next registered witness is Johnny
 23 Hocott. All right, hearing -- oh, there he is.
 24 You are an intervenor?
 25 MR. HOCOTT: Yes.

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1 JUDGE SANDOR: Correct? Okay. And
 2 you're aware of counsel's not present this evening?
 3 MR. HOCOTT: Yes.
 4 JUDGE SANDOR: And you acknowledge that
 5 if you testify tonight, you'll be subject to
 6 cross-examination without your counsel present?
 7 MR. HOCOTT: Yes.
 8 JUDGE SANDOR: And in the alternative,
 9 you provide testimony at the evidentiary hearing with
 10 your counsel present?
 11 MR. HOCOTT: Yes.
 12 JUDGE SANDOR: And you choose to
 13 testify tonight?
 14 MR. HOCOTT: I do.
 15 JUDGE SANDOR: All right, thank you.
 16 Please raise your right hand. Do you swear to tell
 17 the truth?
 18 MR. HOCOTT: I do.
 19 JUDGE SANDOR: Please state and spell
 20 your name for the record.
 21 THE WITNESS: Johnny Hocott, J-O-H-N-N-
 22 Y H-O-C-O-T-T.
 23 JUDGE SANDOR: Please provide your
 24 address, including the township.
 25 THE WITNESS: 5840 Sharp Road, in

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1 Miller.
 2 JUDGE SANDOR: And do you work or
 3 reside in the project area?
 4 THE WITNESS: I do.
 5 JUDGE SANDOR: I'm sorry?
 6 THE WITNESS: I do. Actually both.
 7 JUDGE SANDOR: Both, okay. Please
 8 proceed.
 9 DIRECT STATEMENT
 10 THE WITNESS: Okay. I want to start by
 11 thanking the board for the opportunity to express my
 12 opposition to the Frasier Solar Project. My wife and
 13 I are from Georgia. We lived there for the first 36
 14 years of our lives. Never thought we'd live anywhere
 15 else.
 16 In 2006, we came to housesit for my
 17 sister and brother-in-law who lived on Sharp Road.
 18 While we were here, we fell in love with Mount Vernon
 19 and especially Sharp Road area due to the gorgeous
 20 views of the farmland as well as the laid-back
 21 lifestyle. We went back to Georgia and immediately
 22 put our home up for sale and moved to Mount Vernon.
 23 We could have moved anywhere we wanted to, but we
 24 chose Mount Vernon and more precisely Sharp Road.
 25 My daughter and son-in-law also chose

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1 to buy a house on Sharp Road to raise their three
 2 girls. Those girls deserve to grow up in a community
 3 that we all fell in love with and not be surrounded by
 4 industrial solar. I think it'd be an utter travesty
 5 to allow the raping of our beautiful farm community so
 6 that the electricity produced from it could be shipped
 7 off to Licking County. I would not be for it, even if
 8 the electricity was staying in Knox County.
 9 Using prime farmland for these
 10 so-called farmland -- solar farms is a horrible idea.
 11 In my opinion, this project is fueled by greed and the
 12 vast majority of the people that have spoken in favor
 13 of it at these meetings either do not live in the
 14 affected area or are profiting from it by leasing
 15 their land to Frasier or getting the hush money that
 16 Frasier likes to call the "good neighbor program."
 17 I would also like to call attention to
 18 the disgusting ads that Frasier has put out about this
 19 so-called dark money that is supposedly the driving
 20 force behind the opposition to their project. Dark
 21 money, I guess they mean money from hard-working
 22 people like myself and my wife, as well as countless
 23 others in this room that have had to contribute their
 24 own hard-earned money that they could use for about a
 25 thousand other things to fight this invasion of our

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1 community. We've all had to put our lives on hold to
 2 fight this, which has cost us both time and money.
 3 Lastly, I want to urge the board to
 4 look at the turnout that's happened in the last three
 5 meetings about this project. Frasier would love for
 6 you to believe that the community's evenly split, but
 7 that's a joke. The vast majority of those in favor of
 8 this project that have spoken at these meetings don't
 9 live in Knox County. Why should people from Columbus
 10 and other parts of the state have the say so and what
 11 happens in our community?
 12 As others have stated, the recent
 13 county commissioners races in Knox County were both
 14 overwhelmingly won by candidates that were an adamant
 15 opposition to solar and ran primarily on the solar
 16 issue.
 17 In closing, I ask that the board take
 18 all this into account, deny this project, and help us
 19 keep our amazing farm community intact.
 20 JUDGE SANDOR: Questions?
 21 CROSS-EXAMINATION
 22 BY MR. SETTINERI:
 23 Q Good evening, Mr. Hocott. A couple quick
 24 questions. What's your address currently?
 25 A 5840 Sharp Road.

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1 Q All right. Do you rent there?
 2 A Yes, we do.
 3 Q Okay. Who do you rent from?
 4 A My sister and brother-in-law.
 5 Q Who are they?
 6 A Gary and --
 7 Q Okay. And you're a member of Preserve Knox
 8 County?
 9 A I am.
 10 MR. SETTINERI: Okay. No further
 11 questions. Thank you.
 12 JUDGE SANDOR: Any other questions?
 13 All right. Thank you for your
 14 testimony.
 15 And last but not least, Samuel
 16 Gleespen.
 17 MR. GLEESPEN: She forgot to put hers
 18 in the box.
 19 JUDGE SANDOR: That's fine. You can
 20 bring it up to the box. That's okay. Thank you.
 21 MR. GLEESPEN: Is it all right if I put
 22 these in the box?
 23 JUDGE SANDOR: Yes. Yes. And you are
 24 an intervenor?
 25 MR. GLEESPEN: Yes, sir.

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1 JUDGE SANDOR: All right. You're aware
 2 your counsel is not present this evening?
 3 MR. GLEESPEN: Yes, sir.
 4 JUDGE SANDOR: And you acknowledge that
 5 if you provide testimony this evening that you're
 6 subject to cross-examination without your counsel
 7 present?
 8 MR. GLEESPEN: Yes, sir.
 9 JUDGE SANDOR: And you have the
 10 alternative to provide testimony at the evidentiary
 11 hearing with counsel present.
 12 MR. GLEESPEN: Mm-hmm.
 13 JUDGE SANDOR: And you choose to
 14 testify tonight?
 15 MR. GLEESPEN: Absolutely.
 16 JUDGE SANDOR: All right, thank you.
 17 Please raise your right hand. Do you swear to tell
 18 the truth?
 19 MR. GLEESPEN: Yes.
 20 JUDGE SANDOR: Please state and spell
 21 your name for the record.
 22 THE WITNESS: Samuel S-A-M-U-E-L
 23 Gleespen, G-L-E-E-S-P-E-N.
 24 JUDGE SANDOR: Please provide your
 25 address, including the township.

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1 THE WITNESS: 5881 Sharp Road. That's
 2 Miller.
 3 JUDGE SANDOR: And do you work or
 4 reside within the project area?
 5 THE WITNESS: I reside. I work
 6 outside.
 7 JUDGE SANDOR: Okay, thank you.
 8 DIRECT STATEMENT
 9 THE WITNESS: All right. Solar comes
 10 with too many unknowns and the facts that are out
 11 there are from the same companies selling you the
 12 product. They would never say anything too bad about
 13 it because your "yes" lines their pockets. There are
 14 too many unknowns and downsides to comprehend. And
 15 four years is a long time to test that theory out.
 16 I refuse to stand idly by and watch the
 17 town I'm currently raising my three kids in get bought
 18 out by greedy corporations like Frasier Solar just
 19 because they thought we were an easy target. The
 20 truth of the matter is the majority of Knox County --
 21 the majority of Knox community and the people in this
 22 project affects, they don't want solar panels, and the
 23 whole reason the county voted the way they did for the
 24 commissioners was on the solar issue.
 25 If we want to look to the future of a

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1 community we need to focus on families and small
 2 businesses, not big corporations moving in and buying
 3 their way into our lands with their good neighbor
 4 acts. The amount of good neighboring that I've seen
 5 in just these meetings alone is staggering from people
 6 outside the county who shouldn't have an opinion on
 7 who deserves or needs solar in Knox County.
 8 As I've stated I will not lie down on
 9 this issue just because it's convenient to do so.
 10 I've had to put my life on hold, and I will continue
 11 to do that until Frasier is gone. Solar is an
 12 inefficient, expensive energy source that's more
 13 trouble than it's worth, especially in 40 years.
 14 Frasier Solar is a disease and their practices are a
 15 disease to the community, and I will fight to the
 16 bitter end to see them out.
 17 I will raise my family in a solar free
 18 environment. I oppose the Frasier Solar project.
 19 JUDGE SANDOR: Questions from counsel?
 20 CROSS-EXAMINATION
 21 BY MR. SETTINERI:
 22 Q Good evening, Mr. Gleespen.
 23 A Good evening.
 24 Q You're an intervenor in the case?
 25 A Yes, sir.

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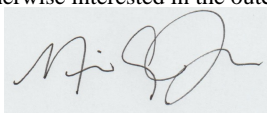
1 Q A member of Preserve Knox County?
 2 A Absolutely.
 3 Q Have you had an opportunity to review the
 4 staff report and the staff's recommended conditions?
 5 A I have but, from memory -- I mean, you
 6 have it right there, so I can --
 7 Q It's fine, just want to make sure you read
 8 it. And then also, you live at 5881 Sharp Road,
 9 right?
 10 A Yes, sir.
 11 Q And is Mrs. Hannah Gleespen, that's your
 12 wife?
 13 A Yes.
 14 MR. SETTINERI: Okay. Good enough. No
 15 further questions. Thank you.
 16 JUDGE SANDOR: Thank you. Any other
 17 questions? Hearing none, thank you very much for your
 18 testimony.
 19 THE WITNESS: Thank you.
 20 JUDGE SANDOR: All right, we've reached
 21 the end of the list of registered witnesses for the
 22 local public hearing in this case. The board
 23 appreciates your participation in embarking on this
 24 three-hearing journey with us. Just as a reminder,
 25 everyone -- or just as a reminder, the evidentiary

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1 hearing begins August 19, 2024, at the -- offices in
 2 Columbus.
 3 And with that, we are adjourned. Thank
 4 you very much.
 5 THE REPORTER: We're going to go off
 6 the record at 9:34 p.m.
 7 (Whereupon, at 9:34 p.m., the
 8 proceeding was concluded.)
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CERTIFICATE

1 I, NIC JOSEPH, the officer before whom the
2 foregoing proceedings were taken, do hereby certify
3 that any witness(es) in the foregoing proceedings,
4 prior to testifying, were duly sworn; that the
5 proceedings were recorded by me and thereafter reduced
6 to typewriting by a qualified transcriptionist; that
7 said digital audio recording of said proceedings are a
8 true and accurate record to the best of my knowledge,
9 skills, and ability; that I am neither counsel for,
10 related to, nor employed by any of the parties to the
11 action in which this was taken; and, further, that I
12 am not a relative or employee of any counsel or
13 attorney employed by the parties hereto, nor
14 financially or otherwise interested in the outcome of
15 this action.



NIC JOSEPH

Notary Public in and for the
State of Ohio

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CERTIFICATE OF TRANSCRIBER

1 I, ALEXIS GALLO, do hereby certify that this
2 transcript was prepared from the digital audio
3 recording of the foregoing proceeding, that said
4 transcript is a true and accurate record of the
5 proceedings to the best of my knowledge, skills, and
6 ability; that I am neither counsel for, related to,
7 nor employed by any of the parties to the action in
8 which this was taken; and, further, that I am not a
9 relative or employee of any counsel or attorney
10 employed by the parties hereto, nor financially or
11 otherwise interested in the outcome of this action.



ALEXIS GALLO

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