

BEFORE THE OHIO POWER SITING BOARD

In the Matter of the Application of Fountain Point Solar Energy LLC for a Certificate of Environmental Compatibility and Public Need)))))	Case No 21-1231-EL-BGN SUBMISSION OF DIRECT TESTIMONY IN OPPOSITION TO APPLICATION
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**DIRECT TESTIMONY OF DOUG LYONS FOR BOARD OF TRUSTEES OF
RUSHCREEK TOWNSHIP, LOGAN COUNTY, OHIO, AUGUST 1, 2023**

1 Q-1 Please state your name, title and business address.

2 A-1 My name is Douglas B. Lyons. I am Chairman of the Rushcreek Township Board of
3 Trustees in Logan County, Ohio which is located at 275 W. Mill St., Rushsylvania, OH 43357.

4 Q-2 What is your educational and professional background?

5 A-2 I am a certified welder by trade since 1979 and semi-retired. I operate Lyons Welding in
6 Big Spring, about 2.5 miles north of Rushsylvania, Ohio. I retired from General Dynamics in
7 1992 and later worked at Honda R&D for 15 years, retiring in 2016. I was a volunteer firefighter
8 from 1974 for about 10 years and I served as an auxiliary sheriff's deputy for Logan County
9 from 1983 to 1998. I have been a Rushcreek Township resident for 67 years. I have been a
10 Rushcreek Township Trustee since I was appointed in July of 2022.

11 Q-3 On whose behalf are you offering testimony?

12 A-3 I am testifying on behalf of the Board of Trustees of Rushcreek Township.

13 Q-4 Has Rushcreek Township taken a formal position on the project application submitted by
14 Fountain Point Solar Energy LLC ("Project")?

15 A-4 Yes. The Board requested the Logan County Commissioners to designate Rushcreek
16 Township as a restricted area for wind and solar development pursuant to Senate Bill 52 on

17 February 16, 2022. I was not a Trustee yet, but I share the position of my predecessor. I voted to
18 intervene in the Project along with Trustee Chad Shafer on September 23, 2022.

19 Q-5 What were the factors that led Rushcreek Township to oppose the Project and intervene?

20 A-5 Trustees received feedback from constituents largely by word of mouth at our regular
21 monthly meetings. Residents voiced overwhelming opposition. Of particular concern to me is the
22 first responder capability as the Township operates volunteer fire and rescue services on a
23 shoestring budget of \$39,000 annually. There are about 49.2 square miles and 89.75 road miles
24 with a population of about 2,700 residents, including the Village of Rushsylvania, which makes
25 Rushcreek Township the largest township in Ohio in terms of geographic land area. We also
26 respond mutual aid to surrounding departments in Logan County and occasionally Hardin
27 County. We have less than 20 active volunteers and in 2022, our fire chief and several other
28 members of the department resigned abruptly, so we had to suspend operations between
29 September 23, 2022 and October 5, 2022. At the same meeting when we voted to intervene on
30 September 23, 2022, we had more than 50 residents show up voicing concern about the future of
31 the fire and EMS services. We struggle to recruit volunteers. The average age of our volunteer
32 force is skewing older. I don't expect to the Applicant to somehow conjure volunteers out of thin
33 air. Year to date, we've had 26 fire runs and 70 EMS runs. Last year, we had 37 fire runs and
34 101 EMS runs. Fire per-run cost is somewhat variable, but the trend with EMS seems to be that
35 the per-run costs keep increasing annually because we have to replenish medical equipment,
36 medication and supplies which are getting more and more expensive as is the price of fuel and
37 fleet repairs due to inflation. The costs of training and compliance are also high. It wasn't like
38 that in the '70s when I was a volunteer.

39 Q-6 Can you elaborate on the fire department's concerns about the Project?

40 A-6 As the main liaison for the department with the Trustees, I can tell you that our aging
41 equipment is also an issue. Engine 91 was put in service in 2005; Engine 92 in 1982; Tanker 91
42 in 1999 and Grass 91 in 2000. When our youngest fleet vehicle is Squad 91 at 17 years old, we
43 have a capital equipment problem looming. While the Applicant has made overtures about
44 funding assistance for first responders, I do not trust them to keep a commitment for the life of
45 the Project. At last check, a new engine would cost about \$750,000 and a base squad unit with no
46 equipment is about \$350,000. I know power cots for the ambulance are \$50,000 because we just
47 bought one last year. We don't know what sort of specialized equipment and training our
48 department would need to respond to a solar field facility, but our Township can't be expected to
49 bear that financial burden. I am familiar with the nature of electrical and welding fires due to my
50 own experience. You don't put that much metal and conduit in the ground with acres of solar
51 panels and not have emergency incidents during construction or operation. I have seen with my
52 own eyes standing water around panel racks at a solar project site in Hardin County near
53 Roundhead on January 6, 2023. No firefighter or EMT is going to run the risk of electrocution
54 due to standing water in these solar fields. If the Project facility catches fire, if it is unattended
55 and there is no threat to human life, it would be up to the incident commander to make the call
56 whether to let the fire spread even though it may result in soil and water contamination. You
57 don't put water on an electrical fire. And the public now has greater awareness of the dangers of
58 foam used for fire suppression containing toxic forever chemicals. Less than a week ago, on July
59 27, 2023, the Village of Chaumont, NY which, like Rushcreek Township, has a volunteer fire
60 department, had to rely on outside assistance to respond to a solar facility fire. The fire chief
61 there estimated it would take 5-7 days to burn itself out. The news article from the Associated
62 Press with the fire chief's comment is attached as Exhibit A.

63 Even if Fountain Point promised full funding for our department and then some, if we as
64 Township Trustees were to agree, I think our volunteers and constituents would see it as a
65 betrayal of public trust.

66 Q-7 Do you have any additional concerns or comments?

67 Township residents support solar on their own rooftops and brownfields, like the portion of
68 Cherokee Run landfill on the former Bellefontaine Airport in the southeast corner of Rushcreek
69 Township. But from what I hear from my constituents, they largely oppose removal of prime
70 farmland from agricultural production and have serious safety concerns. Although the applicant
71 claims that the Project will create temporary construction jobs and permanent jobs, Rushcreek
72 Township does not see any significant financial benefits to the local economy in our Township
73 and we would, at this juncture, oppose any payment in lieu of taxes agreement or PILOT
74 between Fountain Point and the Township or Logan County Commissioners. I share Trustee
75 Shafer's concerns. The Board of Trustees would ask the Ohio Power Siting Board to deny the
76 application in its entirety, or to remove Rushcreek Township from the Project area and preserve
77 the character of our community.

78 Q-8 Does this conclude your testimony?

79 A-10 Yes. The Rushcreek Township Trustees reserve the right to offer additional testimony
80 and witnesses if new, relevant information becomes available or to present rebuttal.

CERTIFICATE OF SERVICE

The Ohio Power Siting Board's e-filing system will electronically serve notice of the filing of this document on the parties referenced in the service list of the docket card who have electronically subscribed to this case and the undersigned certifies that a copy of this document was served upon the email addresses of the individuals below on August 3, 2023.

/s/ Breanne N. Parcels

Breanne N. Parcels (0089370)

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