

The Board of Greene County Commissioners met in regular session at 1 P.M. Those present were: Richard D. Gould, Tom Koogler and Rick Perales.

The minutes of Thursday, October 21, 2021 previously circulated and available for public viewing were approved.

Lamar Spracklen of Xenia thanked the Board for the opportunity to speak. He said he is opposed to the resolution to be considered opposing the Kingwood Solar project. He is concerned about property rights being taken away. His main aggravation is those who have signs in their yards to “save our farmland”, but those places used to be farmland. Mr. Spracklen said the solar panels will save farmland from being developed for 30 to 35 years.

David Bruce of Xenia said he supports the solar project. He is a member of the International Brotherhood of Electrical Workers Local Union 82 which also supports the Kingwood Solar project. He said the project will benefit the community and push Ohio forward as a clean energy producer. The PILOT portion of this project is crucial because it will provide money to schools, the county and the townships; and it requires that 80 percent of the workers on this project be from Ohio. Mr. Bruce said Greene County has an opportunity to building a world-class project. A copy of his comments was submitted for inclusion in the minutes and follows this page in the journal.

Michael Young of Beavercreek also supports the solar project. If approved, the project would create jobs and make a significant economic impact. He encouraged the Board to support this project and jobs for the International Union of the Operating Engineers Local Union 18, of which he is a member.

Jeffrey Grafton of Xenia is in favor of the Kingwood Solar project. He said his children aren’t interested in farming. He believes the project will protect the farmland, but eventually, in the future, the land will be sold for housing. Mr. Grafton said the solar project is away to protect farmland and is a good use of the land.

Jane Sweet of Berea/Cedarville is the fourth generation for the family farm. She said for 50 years her family has traveled back and forth to the farm and leases the land to a local farmer. The solar project would generate clean energy and the power would be consumed by those in the FirstEnergy grid and used here. She said the panels and plants will help regenerate the soil when returned to farmland in 30 years. Ms. Sweet said solar is the future and the Board shouldn’t keep the County from having a solar farm that will benefit the community.

IN RE – APPROVAL OF VOUCHERS

Mr. Perales moved Resolution 21-10-28-1 for approval of vouchers.

Mr. Koogler seconded the motion, and on roll call the result was as follows:

Copy follows this page in journal.

Mr. Gould-----Aye  
Mr. Koogler-----Aye  
Mr. Perales-----Aye

IN RE – APPROVAL OF TRAVEL/TRAINING EXPENSES

Mr. Koogler moved Resolution 21-10-28-2 for approval of travel or training.

Mr. Perales seconded the motion, and on roll call the result was as follows:

Copy follows this page in journal.

Mr. Gould-----Aye  
Mr. Koogler-----Aye  
Mr. Perales-----Aye

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IN RE – TRANSFER OF APPROPRIATIONS

Mr. Perales moved Resolution 21-10-28-3 authorizing the transfer of appropriations.

Mr. Koogler seconded the motion, and on roll call the result was as follows:

Copy follows this page in journal.

Mr. Gould-----Aye  
Mr. Koogler-----Aye  
Mr. Perales-----Aye

IN RE – PERSONNEL ACTIONS

Mr. Koogler moved Resolution 21-10-28-4 approving the personnel actions as presented.

Mr. Perales seconded the motion, and on roll call the result was as follows:

Copy follows this page in journal.

Mr. Gould-----Aye  
Mr. Koogler-----Aye  
Mr. Perales-----Aye

IN RE – APPROVING APPLICATION FOR ROAD PROJECT: SUGARCREEK TWP. (CO. ENG.)

Mr. Perales moved Resolution 21-10-28-5 approving an application for a road project from Sugarcreek Township for curb, ADA ramps and catch basin replacement in the amount of \$4,277.02, as recommended by the County Engineer.

Mr. Koogler seconded the motion, and on roll call the result was as follows:

Copy follows this page in journal.

Mr. Gould-----Aye  
Mr. Koogler-----Aye  
Mr. Perales-----Aye

IN RE – DECLARING PROPERTY NO LONGER NEEDED, TRADE-IN, PURCHASE (SAN. ENG.)

Mr. Koogler moved resolution 21-10-28-6 declaring equipment no longer needed for use at the Sanitary Engineering Department and trading in the equipment with the selling price credited to the company against the purchase of a new piece of equipment. There is no cost to the County as a result of the trade-in credit of \$7,721.25 being applied to the discounted price of \$7,721.25 of the new equipment.

Mr. Perales seconded the motion, and on roll call the result was as follows:

Copy follows this page in journal.

Mr. Gould-----Aye  
Mr. Koogler-----Aye  
Mr. Perales-----Aye

IN RE – APPROVING TRANSFER OF REAL PROPERTY, LIMITED WARRANTY DEED (CITY OF XENIA)

Mr. Perales moved Resolution 21-10-28-7 authorizing the transfer of County-owned real property, known as the Carnegie Library at 194 East Church Street, and a 28'x 220' parcel between E. Church and Hayes Streets, to the City of Xenia, for the purpose of redevelopment; approving a Limited Warranty Deed; and authorizing the County Administrator to execute all documents associated with this transfer. This property is no longer needed by the County.

Mr. Koogler seconded the motion, and on roll call the result was as follows:

Copy follows this page in journal.

Mr. Gould-----Aye  
Mr. Koogler-----Aye  
Mr. Perales-----Aye

Brandon Huddleson, County Administrator, gave a brief history of how the Board got to the point to consider the next resolution. There were meetings for public comment on the proposed Kingwood Solar project; and an amendment to the County's Perspectives 2020 Land Use Plan to address renewable energy projects in the County. With the proposed Kingwood Solar project, the County is concerned about setback of and screening for the project.

Mr. Koogler said he is not against solar, but whatever the County does it must be consistent. This project does not meet the Land Use Plan criteria, he said. Senate Bill 52 gives local jurisdictions more oversight and control on these types of projects. He added if this project would meet the criteria, he would support it.

Mr. Perales said the amendment to the Land Use Plan was not in effect when this project was introduced. He said property owners and their rights are very important rights. Government tries to stay out of telling people what to do with their property, but with this project there was no criteria to follow. It has been a difficult situation and has pitted neighbor against neighbor. Mr. Perales said his colleagues were against the project from the beginning and he could argue for either side. He said if it was up to Mr. Koogler, this resolution would have been considered two months ago, but Mr. Gould and he wanted to wait. The resolution is being considered today because the Ohio Power Siting Board will hold a public hearing on November 15<sup>th</sup> and they want recommendations and input from jurisdictions before that public hearing, he explained. Senate Bill 52 grandfathered this project and the Board doesn't know if this decision will be no, yes or in the middle, where everyone could still work together.

Mr. Gould said he concurs with both Mr. Koogler and Mr. Perales. He said Senate Bill 52 doesn't cover this project, but the intent is to give more credence to local officials. Mr. Gould said he researched, studied and talked to people about this project, and he could argue both sides; but, property owner rights don't stop with your land.

Mr. Koogler said he agrees with both Commissioners, contrary to what Mr. Perales said. But, the County needs to be consistent in how the Land Use Plan is applied. This is a tough situation because no matter what, someone will not be happy.

Mr. Perales said there is no reason to do this resolution right away.

Mr. Gould said the resolution speaks to the details of the Board's decision and will be available.

#### IN RE – STATING OPPOSITION TO KINGWOOD SOLAR I LLC APPLICATION

Mr. Koogler moved Resolution 21-10-28-8 stating opposition to the application of Kingwood Solar I LLC for development of a 175-megawatt solar-powered electric generating facility in the County, pending before the Ohio Power Siting Board

Mr. Perales seconded the motion, and on roll call the result was as follows:

Copy follows this page in journal.

Mr. Gould-----Aye  
Mr. Koogler-----Aye  
Mr. Perales-----Aye

#### IN RE – BID AWARD: PROFESSIONAL DESIGN, PROGRAM MANAGEMENT – SCADA

Mr. Perales moved Resolution 21-10-28-9 accepting the proposal and qualifications of CDM Smith, Inc., as the most qualified firm to provide professional design and program management services necessary for the replacement and upgrade of the PLCs and radios for use in the SCADA system, as recommended by the Sanitary Engineering Department.

Mr. Koogler seconded the motion, and on roll call the result was as follows:

Mr. Gould-----Aye  
Mr. Koogler-----Aye  
Mr. Perales-----Aye

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IN RE – APPROVING CDM SMITH INC., AGREEMENT: SCADA SYSTEM

Mr. Koogler moved Resolution 21-10-28-10 approving an agreement with CDM Smith, Inc., as the most qualified firm to provide professional design and program management services necessary for the replacement and upgrade of the PLCs and radios for use in the SCADA system, in the amount of \$963,900.

Mr. Perales seconded the motion, and on roll call the result was as follows:

Copy follows this page in journal.

Mr. Gould-----Aye  
Mr. Koogler-----Aye  
Mr. Perales-----Aye

IN RE – APPROVING PY2021 CDBG PROGRAM GRANT AGREEMENT

Mr. Perales moved Resolution 21-10-28-11 approving the Program Year 2021 Community Development Block Grant (CDBG) program agreement in the amount of \$236,000 for the grant period, September 1, 2021 to October 31, 2023. The Village of Bowersville will receive \$88,600, the Village of Jamestown will receive \$50,000, the Village of Spring Valley will receive \$50,000, the Village of Clifton will receive \$35,000, and the General Administration/Fair Housing part of the program will receive \$12,400.

Mr. Koogler seconded the motion, and on roll call the result was as follows:

Copy follows this page in journal.

Mr. Gould-----Aye  
Mr. Koogler-----Aye  
Mr. Perales-----Aye

IN RE – APPROVING PY2021 CDBG CRITICAL INFRASTRUCTURE GRANT AGREEMENT

Mr. Koogler moved Resolution 21-10-28-12 approving the Program Year 2021 Critical Infrastructure Community Development Block Grant (CDBG) program agreement in the amount of \$500,000 for the grant period, September 1, 2021 to October 31, 2023.

Mr. Perales seconded the motion, and on roll call the result was as follows:

Copy follows this page in journal.

Mr. Gould-----Aye  
Mr. Koogler-----Aye  
Mr. Perales-----Aye

IN RE – AMENDING AGENDA

Mr. Koogler moved Resolution 21-10-28-13 amending the agenda.

Mr. Perales seconded the motion, and on roll call the result was as follows:

Mr. Gould-----Aye  
Mr. Koogler-----Aye  
Mr. Perales-----Aye

IN RE – AUTHORIZING EXPENDITURE OF FUNDS

Mr. Perales moved Resolution 21-10-28-14 authorizing the expenditure of funds by Administration of up to \$500 to sponsor an advertisement in the Greene County Dailies to recognize three local high school football teams, Xenia, Bellbrook and Greeneview, headed to the OHSAA state playoffs.

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Mr. Koogler seconded the motion, and on roll call the result was as follows:

Mr. Gould-----Aye  
Mr. Koogler-----Aye  
Mr. Perales-----Aye

#### IN RE – ENTERING INTO EXECUTIVE SESSION

Mr. Koogler moved Resolution 21-10-28-15 to enter into executive session at 1:45 p.m., to consider the dismissal, discipline or demotion of a public employee, pursuant to ORC 121.22(G)(1). Present were Commissioners Gould, Koogler and Perales, Brandon Huddleson, Sherry LeBlanc, Jason Tincu, and Lisa Mock.

Mr. Perales seconded the motion, and on roll call the result was as follows:

Mr. Gould-----Aye  
Mr. Koogler-----Aye  
Mr. Perales-----Aye

Commissioners resumed open session at 1:50 p.m., with no action taken as a result of the executive session.

#### IN RE – ENTERING INTO EXECUTIVE SESSION

Mr. Koogler moved Resolution 21-10-28-16 to enter into executive session at 1:50 p.m., to consider the dismissal, discipline or demotion of a public employee, pursuant to ORC 121.22(G)(1). Present were Commissioners Gould, Koogler and Perales, Brandon Huddleson, Sherry LeBlanc, Beth Rubin, Tommi Holloway, and Lisa Mock.

Mr. Perales seconded the motion, and on roll call the result was as follows:

Mr. Gould-----Aye  
Mr. Koogler-----Aye  
Mr. Perales-----Aye

Commissioners resumed open session at 2:00 p.m.

Mr. Huddleson asked that a second set of Personnel Actions be approved.

#### IN RE – PERSONNEL ACTIONS

Mr. Perales moved Resolution 21-10-28-17 approving a second set of personnel actions as a result of the executive session.

Mr. Koogler seconded the motion, and on roll call the result was as follows:

Copy follows this page in journal.

Mr. Gould-----Aye  
Mr. Koogler-----Aye  
Mr. Perales-----Aye

Mr. Koogler said the COVID-positive cases in the County this week went down by 59 to 470 cases. Mr. Perales reminded residents to be safe this Halloween weekend.

Commissioners adjourned at 2:00 P.M. and will reconvene Thursday, November 4, 2021 at 1:00 P.M.

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Attest: \_\_\_\_\_  
Clerk

Contracts signed by Co. Admin., pursuant to Res. No. 17-7-27-7:  
Clear Consulting, Inc., Engineering Support, Clifton WRRF Replacement, \$48,000, San. Eng.  
Xenia Township, Community Investment Grant Program Agreement, \$25,000, Dept. of Dev.  
P. Johnson, Property Rehab Loan, \$31,150, Dept. of Dev.  
C. Myers, CHIP Home Repair Loan, \$21,370, Dept. of Dev.  
National Safe & Security, Proposal, Cameras/Electrical, \$4,424, Juv. Court

**This foregoing document was electronically filed with the Public Utilities  
Commission of Ohio Docketing Information System on**

**3/25/2022 8:57:15 AM**

**in**

**Case No(s). 21-0117-EL-BGN**

Summary: Exhibit Applicant Exh 22 electronically filed by Mr. Ken Spencer on  
behalf of Armstrong & Okey, Inc.