

BEFORE THE OHIO POWER SITING BOARD

In the Matter of the Application
of Circleville Solar, LLC, for Case No.
Certificate of Environmental 21-1090-EL-BGN
Compatibility and Public Need

HEARING

DATE: Monday, June 27, 2022
TIME: 6:04 p.m.
BEFORE: Honorable Patricia Schabo
LOCATION: Circleville High School
380 Clark Drive
Circleville, OH 43113
REPORTED BY: Nic Joseph Saul, Notary Public
JOB NO.: 5178233

A P P E A R A N C E S

ON BEHALF OF CIRCLEVILLE SOLAR, LLC:

DYLAN BORCHERS, ESQUIRE

Law Firm of Bricker & Eckler

100 South 3rd Street

Columbus, OH 42215

dborchers@bricker.com

(614) 227-2300

ON BEHALF OF JACKSON AND WAYNE TOWNSHIPS:

JAYME FOUNTAIN, ESQUIRE

Pickaway County Prosecuting Attorney

203 South Scioto Street

Circleville, OH 43113

(740) 474-6066

ALSO PRESENT:

Paige Trent, Energy Fellow with Bricker & Eckler

Alice Ashton, Project Manager

Mike McConnell, Senior Environmental Specialist

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P R O C E E D I N G S

THE REPORTER: Good evening. My name is Nic Joseph Saul; I am the reporter assigned by Veritext to take the record of this proceeding. We are now on the record at 6:04 p.m. on June 27, 2022, at 380 Clark Drive, Circleville, Ohio 43113.

Go ahead.

THE COURT: The Ohio Power Siting Board is assigned for public hearing at this time and place. Case No. 21-1090-EL-BGN, which is captioned In the Matter of the Application of Circleville Solar, LLC, for Certificate of Environmental Compatibility and Public Need.

My name is Trish Schabo, and I am the administrative law judge with the board's legal department who has been assigned to conduct this hearing.

The passage of Senate Bill 52 provides new opportunities for the county commissioners and township trustees to participate in the siting of solar projects in their communities. County commissioners may choose one commissioner or designee to serve as an ad hoc board member. In addition, township trustees or, in this case, the trustees of two townships, may also collectively choose one

1 trustee or designee to serve as their ad hoc board
2 member.

3 In this case, the Pickaway County Board
4 of Commissioners appointed Commissioner Jay Whipple.
5 And the Boards of Trustees of Jackson Township and of
6 Wayne Township selected Jackson Township trustee Ian
7 Fosnaugh [ph] as the ad hoc board members for this
8 project.

9 Also here assisting us this evening are
10 members of the board staff and representatives of the
11 Office of Public Affairs. You likely passed them on
12 your way in this evening, and you can find them by
13 looking for an OPSB shirt or badge. They're available
14 if you have any questions concerning the board's
15 processes, or if you need assistance in accessing any
16 documents submitted in this case, or if you just have
17 general questions about our hearing tonight.

18 If you have specific questions about
19 the project itself, please direct those inquiries to
20 representatives of Circleville Solar, who are also
21 here this evening.

22 At this time, I would like to take
23 appearances of counsel on behalf of the parties. And
24 I will start with the applicant.

25 MR. BORCHERS: Thank you, Your Honor.

1 Good evening. On behalf of the
2 applicant, Dylan Borchers with the Law Firm of Bricker
3 & Eckler, 100 South 3rd Street, Columbus, Ohio 42215.

4 I'm joined by a law firm energy fellow
5 Paige Trent, and also representatives from the
6 applicant; Alice Ashton, the project manager, and Mike
7 McConnell, the senior environmental specialist.

8 Thank you.

9 THE COURT: Thank you. We have several
10 intervenors in our proceeding. Are there any parties
11 here who would like to make an appearance at this
12 time? No? Okay.

13 The subject of this evening's
14 hearing --

15 MS. FOUNTAIN: Your Honor, Jayme
16 Fountain, assistant prosecutor for the township.

17 THE COURT: Oh, thank you. And could
18 you repeat your name, please?

19 MS. FOUNTAIN: Jayme Fountain,
20 J-A-Y-M-E. And Fountain, F-O-U-N-T-A-I-N.

21 THE COURT: All right. Thank you so
22 much.

23 Any other parties? Okay.

24 The subject of this evening's hearing
25 is an application filed with the board on December 30,

1 2021, by Circleville Solar, LLC, which you will also
2 hear me refer to as "the applicant" or "Circleville
3 Solar."

4 With this application, Circleville
5 Solar seeks the board's approval of its plans to
6 construct, maintain, and operate an up-to-70-megawatt
7 solar-powered electric generation facility in Wayne
8 and Jackson Townships, Pickaway County, Ohio.

9 Board staff filed its Report of
10 Investigation on June 10, 2022. This report is a
11 recommendation of the board staff and does not
12 necessarily reflect what the board's final
13 determination in this case will be. That staff report
14 is publicly accessible on the online docket, if you go
15 to the Ohio Power Siting Board's website and enter the
16 case no. 21-1090.

17 The purpose of this evening's public
18 hearing is to receive testimony regarding Circleville
19 Solar's application from people and organizations in
20 the local community who are affected by the proposed
21 project. This public hearing is not a question-and-
22 answer session, but rather an opportunity to let the
23 board know what you think about this proposal or
24 facility.

25 Tonight's local public hearing is one

1 aspect of the process in this case. An evidentiary
2 hearing is currently scheduled to being on July 26,
3 2022, at the board's office in Columbus. The purpose
4 of the evidentiary hearing is for the applicant,
5 intervenors, and board staff to provide testimony and
6 other evidence regarding the proposed facility.

7 Tonight's hearing is being transcribed
8 by a court reporter. As you testify, please speak
9 clearly, and be sure to respond verbally to any
10 question asked so that she can accurately reflect your
11 comments on the record.

12 If you have a prepared written
13 statement, you may give a copy to the court reporter
14 for reference to ensure that the transcript is
15 accurate. The written document itself will not be
16 filed to the record.

17 After I finish with this introduction,
18 we will begin by calling witnesses forward in the
19 order your names are listed on the sign-up sheet.
20 Each person will be permitted to speak only once about
21 the proposed facility. Before you present your
22 testimony, I will ask that you take an oath or an
23 affirmation that what you're about to say is the
24 truth.

25 You will also find that I constantly

1 trip over my words, so just bear with me.

2 We will also ask that you state your
3 name and address for the record. You will then
4 provide your thoughts on the proposed project.

5 The parties to the case and I will be
6 permitted to ask you questions about your statement.

7 Any testimony given will be
8 incorporated into the official record of the case, and
9 it will be reviewed and considered by the board in
10 making its final determination on the application.

11 Keep in mind that if you decide you do
12 not want to testify when your name is called, you may
13 pass to the next witness. If you decide that you
14 prefer to file written comments in the case docket,
15 board staff can provide you with instructions on how
16 to file a public comment.

17 Once you have finished your testimony,
18 or if you are just here to observe, you may leave at
19 any time you wish.

20 The board appreciates participation in
21 tonight's hearing, and we want everyone who has signed
22 up to testify to have the opportunity to do so. For
23 that reason, we ask that you keep your comments to a
24 reasonable length of time, no more than approximately
25 five minutes.

1 If you have not finished your testimony
2 within the five minutes allotted, we will ask that you
3 end your comments and move on to the next speaker. I
4 will hold up this very fancy sign when you have
5 approximately 30 seconds left.

6 I am by myself tonight, so that five
7 minutes is going to be a little "loosey-goosey," but I
8 still ask that you do your best. In addition to the
9 30-second warning, I will let you know when your five
10 minutes has ended.

11 Again, we set these time limits so that
12 everyone who would like to testify will have that
13 opportunity. If you have additional comments but your
14 time has run out, you may file written comments in the
15 case.

16 At this time, I will begin calling
17 witnesses forward. And as I mentioned, before you
18 provide your testimony, we'll swear you in. I'll ask
19 that you state your name and address, including your
20 township, and whether or not you live or work within
21 the project area.

22 And we will begin this evening with
23 Daniel Shirey. Good evening.

24 MR. SHIREY: Good evening.

25 //

1 WHEREUPON,

2 DANIEL SHIREY

3 called as a witness, and having been first duly sworn
4 to tell the truth, the whole truth and nothing but the
5 truth, was examined and testified as follows:

6 THE COURT: Thank you.

7 THE WITNESS: My name is Daniel L.
8 Shirey. That's S-H-I-R-E-Y. My address is 2602 Tick
9 Ridge-Koenig Hill Road, Otway, Ohio 45657. I don't
10 live in the project area, but my work does encompass
11 the project area.

12 I serve as the business manager for
13 IBEW Local 575, the National Brotherhood of Electric
14 Workers -- Local 575, out of Portsmouth, Ohio.

15 My core responsibility in that role is
16 to secure work for the members that I represent.
17 Solar projects such as Circleville Solar allows our
18 members to work in the communities that they live in,
19 as well as provide a living wage for -- and benefits
20 for their families and contribute to local entities,
21 such as schools, fire, and EMS.

22 There are some of -- there are some who
23 seem to think construction jobs are just temporary
24 jobs or, you know, not real jobs. But you know, for
25 thousands of -- of construction workers across Ohio,

1 it's a way of life. It's -- it's a career path. You
2 know, it -- it enables them to feed their families,
3 clothe their children, and put a roof over their head
4 by working on various construction projects, one after
5 another. They string together a, you know, 40- or 50-
6 year career.

7 My father made a 45-year career working
8 on temporary construction jobs. Now he lives quite
9 comfortably in retirement and dedicates a fair amount
10 of his time and money to the community that he lives
11 in.

12 I would just ask that the Ohio Power
13 Siting Board considers approving this application for
14 Circleville Solar. Thank you.

15 THE COURT: Thank you.

16 Frank Uhl. Good evening.

17 WHEREUPON,

18 FRANK UHL

19 called as a witness, and having been first duly sworn
20 to tell the truth, the whole truth and nothing but the
21 truth, was examined and testified as follows:

22 THE COURT: Thank you.

23 THE WITNESS: My name is Frank Uhl II.
24 I reside at 4595 Christmas Rock Road, Lancaster, Ohio.
25 I do not live in the project area, but my work does

1 take me into that area.

2 I am a business representative with the
3 Local 18 International Union of Operating Engineers.
4 On behalf of the Operating Engineers Local Union 18, I
5 am here to support the approval of the Circleville
6 Solar project.

7 Operating engineers are individuals who
8 help bring heavy equipment, such as bulldozers,
9 excavators, backhoes, forklifts, and so on. The roads
10 and bridges you drive on were most likely built by
11 members of Local 18 and by our fellow union tradesmen
12 and women.

13 Although we do not have an agreement
14 signed with the Circleville Solar, LLC, to perform the
15 work associated with this project, we believe our
16 local signatory contractor will -- will secure this
17 work, thus providing our members with numerous
18 employment opportunities and turn high-paying wages,
19 healthcare benefits, and apprenticeship programs can
20 continue to grow because of the solar industry.

21 If approved, the Circleville Solar
22 project will not only create job, but can -- you can
23 expect an economic impact, additional tax money, and
24 clean energy for Ohio as a result -- as results from
25 this project.

1 We encourage the Ohio Power Siting
2 Board to support the jobs of the men and women of
3 Local 18 by approving this Circleville Solar project.
4 Thank you.

5 THE COURT: Thank you.

6 Jeremy Welch.

7 Oh, hold on just a second. Thank you.

8 WHEREUPON,

9 JEREMY WELCH

10 called as a witness, and having been first duly sworn
11 to tell the truth, the whole truth and nothing but the
12 truth, was examined and testified as follows:

13 THE COURT: Thank you.

14 THE WITNESS: My name is Jeremy Welch.
15 I live at 3331 East Augusta Drive Northwest,
16 McConnelssville, Ohio. I do not live in the area, but
17 I do work in the area.

18 THE COURT: Please proceed.

19 THE WITNESS: I am a representative
20 with the carpenters' union, have been for about eight
21 years. But I've been a union carpenter for about 19.

22 Coming from a small town in
23 southeastern Ohio, I had to travel a lot for work.
24 Now that I represent other union members who live in
25 Pickaway County, I get phone calls all the time about

1 how they have to travel for work and, with gas being
2 \$5 a gallon, it is very tough on the working-class
3 people to make it to work.

4 This is a great opportunity for our
5 members. It's a great opportunity for men and women,
6 sons and daughters who live here in Pickaway County to
7 get a good job with one of the trades.

8 You know, this -- what we do -- we
9 don't just teach how to install solar. We teach
10 framing. We teach concrete. We teach metal studs to
11 drywall. We teach your sons and daughters how to make
12 a living.

13 This is a good way for them to come in.
14 And if I can get work for my members closer to home so
15 that they can be there for baseball games, and soccer
16 practice, and dance recitals, that's what I do.

17 I have had conversations with Nexterra.
18 I believe that Nexterra is a respectable developer,
19 and I believe that they want to have the best
20 contractors out there on their jobsite. And I believe
21 that that is us. So that is it.

22 THE COURT: Thank you.

23 Byron Rose.

24 //

25 //

1 WHEREUPON,

2 BYRON ROSE

3 called as a witness, and having been first duly sworn
4 to tell the truth, the whole truth and nothing but the
5 truth, was examined and testified as follows:

6 THE COURT: Thank you. Proceed.

7 THE WITNESS: My name's Byron Rose. I
8 live at 6480 Hatfield Road, Williamsport, Ohio.

9 I'm a farm owner in southern Pickaway
10 County, and I want to talk about some different things
11 tonight.

12 Circleville Solar is only one of six
13 industrial solar companies coming to our rural area.
14 This has created a solar corridor with over 10,000
15 acres going through agricultural farmland. Solar
16 companies that make up the corridor include Atlanta,
17 Chipmunk, Circleville, Scioto, Yellowbud, and Oak.

18 I have included a map that I will give
19 you that show you the locations of these. Atlanta was
20 the first approved. It hasn't started yet. Yellowbud
21 is in construction. Acres and megawatts are also
22 included with the map I will give you.

23 Six solar companies are within 10 miles
24 of my farm. I can go in any direction and hit one.

25 Solar fields on farmland would not be

1 the best use for our natural earth resources. Food
2 supplies are disappearing all over the world at the
3 time we need American agriculture to feed the world.
4 Every acre taken from agricultural farmland brings us
5 closer to the edge.

6 Industrial solar companies are raping
7 agricultural farmland at an alarming rate. This needs
8 to stop. We cannot continue to waste soil resources.

9 There is a place for industrial solar,
10 but it's not on farmland. The Ohio [sic] Siting Board
11 has an obligation to the solar industry, but it must
12 keep safe our way of life and natural resources for
13 future generations. Thank you.

14 THE COURT: Thank you.

15 Robert Lykowski.

16 WHEREUPON,

17 ROBERT LYKOWSKI

18 called as a witness, and having been first duly sworn
19 to tell the truth, the whole truth and nothing but the
20 truth, was examined and testified as follows:

21 THE COURT: Thank you.

22 THE WITNESS: My name is Robert
23 Lykowski. My wife and I live at 22256 Smith Hulse
24 Road, Jackson Township, which is a property adjacent
25 to the proposed project.

1 THE COURT: Thank you.

2 THE WITNESS: Together, we own two
3 parcels of land which are adjacent to this property,
4 which we have lived at for over 20 years.

5 We moved from Chillicothe, Ohio to
6 Circleville to be in a more rural location and to
7 enjoy the rural lifestyle. We have horses, and a
8 hay -- small hay farm.

9 I'm here tonight to make an opinion
10 opposed to this proposed project.

11 I'm a retired mechanical engineer,
12 registered. And I believe that there are many
13 questions yet unanswered about solar projects. While
14 I haven't read every page of the application, I have
15 looked through it at the public library, and there are
16 many things in there that I would raise question
17 about.

18 The environmental impact, the use of
19 farmland, the reflection of light from these panels,
20 where the panels come from -- whether they're USA made
21 or not -- and whether they can be properly disposed of
22 at the end of their life.

23 We bought property in Pickaway County
24 20 -- over 20 years ago, and at the time, there was
25 one oil well in the area. Now, we're surrounded by

1 oil wells, which are controlled by the Ohio Department
2 of Natural Resources. And I have to say that I feel
3 like they have done a miserable job in controlling the
4 people that run these oil wells.

5 They can say that there's not an
6 impact, but I can say, as a person who has lived
7 around these wells, that they smell terribly, they
8 make a lot of noise because of poor maintenance, and
9 there was a lot of noise and impact 24 hours a day
10 when the wells were being installed.

11 They went contrary to the local zoning
12 by saying that the wells and the tanks that they have
13 there are not permanent structures, which I disagree
14 with.

15 Regardless, we're not here to talk
16 about oil wells. But I see the -- a -- a similar kind
17 of thing happening, and I -- I do not wish to live
18 around or have installed near my property an
19 industrial plant.

20 There's been no need shown for this
21 kind of a facility, even though all up and down Route
22 104 through Pickaway County, there are several solar
23 plants that have been proposed or are currently under
24 construction, all of which are an eyesore, in my
25 opinion.

1 The one down by Yellowbud is very far
2 under construction and -- and is a miserable sight to
3 drive by.

4 I don't see how anyone can say that it
5 doesn't impact the wildlife, or the environment, or
6 the useful production of the farmland that they're put
7 on.

8 At the first hearing for this project,
9 I was ask -- I ask the applicant's representative
10 whether there was a need for this project in
11 particular and was told at the time that there was,
12 indeed, companies that have asked for this 70
13 megawatts of power that would be produced by this
14 plant, but that they were not at liberty yet to say
15 who that entity was.

16 And looking at the application, I see
17 that that was most likely a -- an improper or
18 incorrect statement because I would have expected the
19 applicant to have included in the -- in the proper
20 area who the requester was for that power and that it
21 be blackened out or redacted if need be. That did not
22 occur.

23 So what I would ask is that the Power
24 Siting Board follow through with their staff report
25 and agree -- in agreement that this plant is not

1 necessary and should not be granted approval. Thank
2 you.

3 THE COURT: Thank you.

4 Bill Bates.

5 WHEREUPON,

6 BILL BATES

7 called as a witness, and having been first duly sworn
8 to tell the truth, the whole truth and nothing but the
9 truth, was examined and testified as follows:

10 THE COURT: Thank you.

11 THE WITNESS: My name is Bill Bates. I
12 live at 3691 State Route 56 West, Circleville, Ohio
13 43113, and I am a resident and work in the area.

14 THE COURT: Thank you.

15 THE WITNESS: I've been a resident of
16 Jackson Township for over 30 years. I'm proud and
17 supportive to have leased to America's largest
18 renewable energy company, Nexterra.

19 I'm hopeful you can judge Circleville
20 Solar on its own merit, instead of lumping it together
21 with other projects in the area, much as I believe
22 other community members have done. Thanks.

23 THE COURT: Thank you.

24 Trampas Puckett.

25 UNIDENTIFIED SPEAKER: May I ask -- you

1 have to speak into the microphone so that everyone can
2 hear.

3 MR. PUCKETT: Oh, you'll hear me.

4 THE COURT: We'll do our best. I'm not
5 sure how adjustable the stand is.

6 WHEREUPON,

7 TRAMPAS PUCKETT

8 called as a witness, and having been first duly sworn
9 to tell the truth, the whole truth and nothing but the
10 truth, was examined and testified as follows:

11 THE COURT: Okay. Thank you.

12 THE WITNESS: My name is Trampas
13 Puckett. I live at 2909 Euclid Avenue, West
14 Portsmouth, Ohio 45663.

15 THE COURT: And is that -- I'm not
16 familiar with the area. Is that in or around --

17 THE WITNESS: Southern Ohio.

18 THE COURT: Okay. So it's not
19 immediate --

20 THE WITNESS: West Portsmouth. I don't
21 live in the area, but I work in the area.

22 THE COURT: Okay. Thank you.

23 THE WITNESS: Thank you. Just wanted
24 to come tonight and show support for this project.

25 I -- like some of the other folks here,

1 I work for the carpenters' union. And along with
2 those gentlemen who were up here earlier, I also
3 represent members that travel great distances to and
4 from work.

5 I've got roughly about 160 of my
6 carpenters working at Yellowbud's site right now. And
7 knowing that that site -- what it's providing for
8 those families and ultimately not having to travel all
9 the way to Columbus, Cincinnati, to the further areas.

10 Like the folks said, these jobs create
11 good living wages for the men and women that work on
12 these projects.

13 In conversations with Nexterra energy,
14 with some of their folks, I feel very confident that
15 they're going to pick the proper contractors if this
16 project is seen to fruition, and hopefully we'll be
17 able to get more of our members working on those
18 projects to create life-long careers for our members
19 and their families.

20 So I do support this project moving
21 forward.

22 THE COURT: All right. Thank you.

23 THE WITNESS: Thanks.

24 THE COURT: Mallorety Bethel.

25 //

1 WHEREUPON,

2 MALLOREY BETHEL

3 called as a witness, and having been first duly sworn
4 to tell the truth, the whole truth and nothing but the
5 truth, was examined and testified as follows:

6 THE COURT: Thank you.

7 THE WITNESS: Hello. My name is
8 MalloreY Bethel. I am a resident in Wayne Township.
9 My address is 26422 Westfall Road.

10 THE COURT: Okay. Thank you. Go
11 ahead.

12 THE WITNESS: Okay. I've lived in
13 Pickaway County the majority of my life.

14 I'm very frustrated with what's being
15 stolen here in Pickaway County, and really, in the
16 state of Ohio. My family should be working tonight on
17 irrigation and getting ready for wheat harvest, but
18 instead, we're here defending our living, heritage,
19 property rights, and the future for the next
20 generation.

21 I do appreciate the opportunity to
22 speak tonight, and I'm trying to stay hopeful that
23 with the Senate 52 Bill [sic] and the process with the
24 Ohio Power Siting Board, that we can still preserve
25 agriculture in our county.

1 I currently live about 3 miles north of
2 the Yellowbud project in Ross County and have had a
3 front-row view to the company absolutely destroying
4 the environment. They ripped up all the prosperous
5 topsoil, affecting watershed to the acreage that the
6 solar panels are sitting on, as well as the
7 surrounding properties.

8 I've witnessed the roads being torn up,
9 and it seems to me that the wildlife has also been
10 disrupted with the amount of deer we're now seeing on
11 the road.

12 And now, unfortunately, I will say this
13 is my second time at a solar hearing because I am also
14 advocating for the denial of the solar -- Scioto Solar
15 Farm [sic], Case 210868ELBGN [sic]. And this will be
16 seen from my yard.

17 Although there are many jobs for the
18 construction of these soil sites -- or solar sites, I
19 do want to say that they're temporary. They will be
20 for a couple years, and then that job opportunities
21 will shrink to four positions for the site.

22 If the properties were farmed as they
23 should be and have been, the farmers and many more
24 people would benefit from the farm for years and
25 years.

1 To explain this further, most farms are
2 farmed by tenants and not by the landowner. So by
3 putting the land into industrial use, then we are
4 taking money for 50-plus years from a farmer. Then
5 most farming operations, like my family's, support
6 more than one family. So those people are also being
7 affected.

8 And I have a list of families -- or of
9 businesses in Pickaway County that will also lose
10 money because they provide services to these farmers.
11 And this is just a quick list I drew, you know, from
12 the top of my head, so I'm sure I'm missing a lot of
13 people.

14 Circleville Ag Products, Farm Credit
15 Mid-America, Rural King, C&B Farm Supply [sic], Ag
16 Resource Management, Agri Motive, Pickaway County Soil
17 & Water, Albert Houser & Son Farm Equipment, Leist
18 Mercantile, Meigs Fertilizer Company, Tractor Supply
19 Company, Cargill Elevator, the Millings [sic], Lykins
20 Fuel, Nutrien's Heritage Seed Co-op. And those, like
21 I said, just a few.

22 So I also wanted to note that Pickaway
23 County is ranked fifth in Ohio for production of corn
24 and seventh in the production of soybeans.
25 Agriculture is very, very important to our county.

1 You can see that, just driving the
2 other day through town, on Main Street, you'll see
3 that we have a mural hanging or painted on the wall.
4 It's -- it's got a picture of an Indian -- a Native
5 American. And I think it just shows the importance of
6 the -- the area's agricultural promise. And downtown
7 Circleville, it's beautiful. There's a chief on the
8 side, and his name was Chief Cornstalk. I think that
9 says it all.

10 And if we vote yes for this proposed
11 solar project, it's a vote against everything this
12 community stands for. If you vote yes, then I guess
13 we should change his name to Chief Solar.

14 So it's very frustrating that at the
15 expense of the citizens and residents of Pickaway
16 County that these companies are capitalizing on what's
17 easy and most profitable for them and that there are
18 no regulations in place to protect farmland.

19 We live in America. Surely we can do
20 better than this. In my opinion, the American farmer
21 is -- is being very disrespected.

22 I've been part of the sacrifice that a
23 farming family makes each day so that we can put
24 food -- they can put food on their family's plates and
25 food on everybody else's.

1 I watched my dad come in late tonight.
2 He's trying to work on the farm, but unfortunately,
3 like I said, here we are. But honestly, a farmer's
4 clocks in when they can walk, and they clock out when
5 they pass away. They sacrifice every day.

6 I recently read on the American
7 Cattlemen's website that an industry that feeds you is
8 an industry worth fighting for. I think that we can
9 all agree with that, with everything else that's going
10 on in the world.

11 And my son really wanted to come
12 tonight, but I told him to go be a kid because he had
13 a prior engagement. He did speak at the last one.

14 But I do have a picture that I'll give
15 you of him standing in the field waiting for his Pap
16 to get to the end of the field while he was planting.
17 He'll be 60 years old when the solar comes out.

18 So I ask that you please deny this
19 Circleville Solar project and other solar projects in
20 Pickaway County. We will not benefit from these
21 projects. It will only hurt our economy and the
22 families that reside here.

23 THE COURT: Thank you.

24 All right. Kay Swaney. Good evening.

25 //

1 WHEREUPON,

2 KAY SWANEY

3 called as a witness, and having been first duly sworn
4 to tell the truth, the whole truth and nothing but the
5 truth, was examined and testified as follows:

6 THE COURT: Thank you.

7 THE WITNESS: My name is Kay Swaney. I
8 live at 23490 Chillicothe Pike, Williamsport. I am
9 now adjacent to this project, but I am adjacent to the
10 Chipmunk project.

11 THE COURT: Thank you.

12 THE WITNESS: So with -- I won't
13 speak -- other people will speak about the loss from a
14 farming perspective.

15 I've lived here my entire life. And
16 I've read many stories that I've read about saying
17 that -- trying to say that these projects will have no
18 effect on property value. And I cannot imagine how
19 anyone thinks that there would be no impact on
20 property value.

21 I've lived on my current five acres for
22 42 years. I've worked very hard to maintain that
23 property.

24 And I spoke at the previous one,
25 but -- so this is a typical view from my yard, looking

1 at beautiful sunsets almost every night. And in the
2 proposed project, across from me will be one of the
3 staging areas. So this is what I will be looking at
4 all the time now. Which -- this is dry, so it wasn't
5 a mud pit, but you can imagine what this looks like
6 with all the rain and all the tracking out on the road
7 and what that would be.

8 So the fact that someone would tell me
9 that, all things being equal, if you wanted to buy my
10 property and you're looking at this versus this, that
11 there wouldn't be an impact to the property value.
12 And I have seen reports as much as 60 percent loss of
13 property value, which just tears me apart thinking
14 about that.

15 I promised I wasn't going to cry this
16 time, but it just is so hard for me to think about
17 that happening and all the years I've worked so hard
18 to be able to pass that property in my family.

19 THE COURT: Take a moment. It's okay.

20 THE WITNESS: Okay. So I think it
21 just -- it's just so hard for me to think that
22 somebody could say that it has no impact to property
23 value. And to think that I could lose 60 percent of
24 what I worked so hard for.

25 So I'll just give you these pictures.

1 THE COURT: Thank you.

2 Do you have questions for her?

3 MR. BORCHERS: Your Honor, I have a
4 couple clarifying questions, just for the record.

5 THE COURT: Yes. Ms. Swaney, if you
6 would take a moment and first go down those stairs
7 safely.

8 THE WITNESS: I'm a klutz, so.

9 THE COURT: Oh, no. You're wearing the
10 most dangerous footwear known to man. Otherwise known
11 as the flip flop.

12 Mr. Borchers just has a couple
13 clarifying questions for you.

14 THE WITNESS: Okay.

15 MR. BORCHERS: Thank you, Your Honor.
16 Thank you for testifying, ma'am.

17 You held up a picture of a construction
18 site, and you just referred to it as "this project."
19 For clarity of the record, can you identify what this
20 project is?

21 THE WITNESS: It's Yellowbud. That's
22 Yellowbud.

23 MR. BORCHERS: That is the Yellowbud?

24 THE WITNESS: Yes. Yeah.

25 MR. BORCHERS: Thank you.

1 No further questions.

2 THE COURT: Thank you.

3 Thank you, Ms. Swaney.

4 Phyllicia Faieta. Good evening.

5 WHEREUPON,

6 PHYLLICIA FAIETA

7 called as a witness, and having been first duly sworn
8 to tell the truth, the whole truth and nothing but the
9 truth, was examined and testified as follows:

10 THE COURT: Thank you. Go ahead and
11 step a little closer to the microphone.

12 THE WITNESS: My name is Phyllicia
13 Faieta, and my business address is 104 East --

14 UNIDENTIFIED SPEAKER: I can't hear.

15 THE COURT: Yes. I'm sorry. I don't
16 know if you were in here earlier when I played the
17 microphone game. Get as close to it as you can --

18 THE WITNESS: Can you hear me now?

19 THE COURT: -- without getting too
20 uncomfortable. And then just take a deep breath and
21 use your loudest voice.

22 THE WITNESS: My name is Phyllicia
23 Faieta, and my business address is 104 East Main
24 Street, Lancaster, Ohio.

25 I am appearing tonight on behalf of

1 city of Lancaster mayor David Scheffler wanted to be
2 here but is unable to attend because he has an
3 official business meeting tonight of the Lancaster
4 City Council. I am Mayor Scheffler's executive
5 assistant.

6 I am here on behalf of Mayor Scheffler
7 and want to express the mayor's support for the
8 proposed Circleville Solar project proposed by
9 Nexterra Energy.

10 The city of Lancaster is a member of
11 the Northeast Ohio Public Energy Council, NOPEC, the
12 largest retail governmental aggregation in Ohio.
13 NOPEC is a nonprofit Ohio regional council of
14 governments comprised of about 242 Ohio political
15 subdivisions in 19 Ohio counties. Many of our city's
16 residents purchase their electricity through the NOPEC
17 electric aggregation. Mayor Scheffler is on the board
18 of directors of NOPEC.

19 NOPEC has contracted to purchase all of
20 the renewable attributes from this Circleville Solar
21 project for the benefit of the city of Lancaster's
22 residents, NOPEC's 244-member Ohio political
23 subdivisions, and the nearly 600,000 Ohio Electric
24 customers NOPEC serves in its governmental
25 aggregation.

1 Unlike other projects, all of the
2 renewable attributes from the projects are not only
3 being produced in Ohio, they'll actually be used by
4 Ohio and can operate in NOPEC's aggregation. They're
5 not being sold to an out-of-state corporation. We
6 think this is -- we think this unique attribute shows
7 that this project is in the public interest.

8 In addition, the Circleville Solar
9 project has another very unique feature in the public
10 interest for Central Ohio. The project includes
11 building a STEM educational facility on the site
12 whereby students from Pickaway County, Fairfield
13 County, and other adjacent counties, and students from
14 all over the state will be able to take field trips
15 and learn about energy. The students will be able to
16 experience firsthand a working solar facility in
17 operation with a STEM instructor providing education
18 to the students.

19 I know that we in Lancaster look
20 forward to our school district students being able to
21 have this unique local educational opportunity only 30
22 minutes -- 30 miles away.

23 Finally, we in Central Ohio just
24 experienced multiday power outages and rolling
25 blackouts from the local electric utility the week

1 before last during extreme summer heat. The
2 Circleville project, together with previously approved
3 solar projects in this area, will provide additional
4 renewable energy generation resources directly tied
5 into our local electric utilities transmission lines
6 to call on during the hottest summer days.

7 It is in the public interest to have
8 more on-system generation resources available in
9 Central Ohio, particularly since this generation is
10 being developed at no rate-payer cost to Central Ohio
11 electric consumers.

12 I have a letter from Mayor Scheffler
13 that I would like to have introduced and admitted into
14 the record in this public hearing.

15 Thank you very much for the opportunity
16 to testify in support of this project in Central Ohio.
17 We urge the Power Siting Board to approve this
18 application. Thank you.

19 THE COURT: Thank you.

20 Mr. Borchers, do you have any objection
21 to the letter being admitted?

22 MR. BORCHERS: No, Your Honor.

23 THE COURT: Okay. Thank you.

24 Justin McCaulley.

25 //

1 WHEREUPON,

2 JUSTIN MCCAULLEY

3 called as a witness, and having been first duly sworn
4 to tell the truth, the whole truth and nothing but the
5 truth, was examined and testified as follows:

6 THE COURT: Thank you. Please begin.

7 THE WITNESS: Good evening. My name is
8 Justin McCaulley. My address is 19660 Roslyn Drive in
9 Rocky River, Ohio. I'm principal of McCaulley &
10 Company, a government relations firm.

11 I'm appearing tonight on behalf of my
12 client, Northeast Ohio Public Energy Council. I'm
13 here to support the proposed Circleville Solar project
14 proposed by Nexterra Energy. I'm appearing tonight at
15 the request of NOPEC's chair and vice-chair of its
16 board of directors, Ron McVoy, and South Euclid mayor
17 Georgine Welo, who are unable to attend this meeting
18 tonight.

19 NOPEC is the largest public retail
20 governmental aggregation in Ohio nonprofit Ohio
21 Regional Councils of Governments comprised of 242 Ohio
22 political subdivisions across 19 counties and serves
23 nearly 600,000 electric customers in the AEP Ohio and
24 First Energy service areas. NOPEC is in its 21st year
25 of operations, has a volunteer board of 17 directors,

1 most of whom are elected officials in NOPEC-member
2 communities.

3 NOPEC has contracted to purchase all of
4 the renewable attributes from the Circleville Solar
5 project for the benefit of its 244-member communities
6 and residents who participate in NOPEC's electric
7 aggregation program.

8 NOPEC is the sole member of NOPEC,
9 Inc., a nonprofit corporation. Two of the directors
10 of NOPEC, Inc. -- Thomas Chema and Alan
11 Schriber -- filed a letter in this case on May 24,
12 2022, in support of this project application.

13 Mr. Chema and Dr. Schriber formerly
14 served as chairs of the Ohio Power Siting Board for
15 almost 20 years and decided hundreds of OPSB
16 applications during their tenure.

17 They stated in their letter that based
18 on the -- their review of the application and the
19 facts of this project, this project clearly was in the
20 public interest, and the project application should be
21 approved. It was surprising to the two former OPSB
22 chairs and to NOPEC that there was no mention of
23 NOPEC's purchase of the renewable attributes from the
24 project for use in Ohio in the NOPEC electric
25 aggregation or no mention of the two former chairs of

1 the OPSB's letter in the staff report that recommended
2 denial of the application on the basis of the public
3 interest consideration.

4 And those letters have been handed in
5 for the record.

6 On behalf of NOPEC Board Chair McVoy
7 and Vice-Chair Mayor Welo, we'd like to point out the
8 public interest considerations that were not addressed
9 in the staff report.

10 First, unlike other solar projects, all
11 of the renewable attributes from the project are
12 contracted to be purchased by NOPEC to be used by
13 Ohioans in operating NOPEC's aggregation. They are
14 not going to be sold to an out-of-state corporation.
15 This is a very unique project feature that is very
16 much in the public interest.

17 Second, unlike any other solar
18 projects, the Circleville Solar project will have a
19 NOPEC STEM educational facility onsite with a staffed
20 STEM instructor. Once completed, the STEM educational
21 facility will sponsor STEM education for students from
22 Pickaway County schools and students from other
23 Central Ohio and other schools all over Ohio. They
24 will be able to take fieldtrips to be able to learn
25 about energy.

1 The students will be able to experience
2 a working solar facility firsthand, encouraging STEM
3 education in Ohio at no taxpayer or school-district
4 expense, is a unique in-person student experience and
5 certainly in the public interest of Ohio schools and
6 educational system.

7 Finally, the Circleville Solar project
8 is -- really, is perfect and -- and environmentally
9 sound of a project that this board is going to
10 consider.

11 Circleville Solar project is the
12 smallest in terms of acreage of the proposed projects
13 in Pickaway County. The project has already
14 incorporated the newly proposed OPSB rules related to
15 setback and fencing into the project, in some cases by
16 a factor of two all the way up to ten.

17 For example, the newly proposed rules
18 require the distance from panels to non-participating
19 residence to be at least 300 feet. In this project,
20 it's at 600 feet. The newly proposed distance from a
21 state, county, or township road is at least 150 feet,
22 and the Circleville Solar project distance is anywhere
23 from 1100 feet to over 3,000 feet on some roads.

24 The project developer, Nexterra Energy,
25 is the largest renewable energy developer in the

1 United States, highly regarded in the industry, and
2 has the experience to develop this model project in
3 Ohio. All these factors are also in the public
4 interest for this project.

5 I have the letters form Board Chair
6 McVoy and Vice-Chair Mayor Welo that have already been
7 handed in to the record. I'd like to give you a copy
8 of this.

9 Thank you very much for the opportunity
10 to testify in favor of this important project in Ohio.
11 We urge the Power Siting Board to approve this
12 application.

13 THE COURT: Thank you.

14 David Horning. Good evening.

15 WHEREUPON,

16 DAVID HORNING

17 called as a witness, and having been first duly sworn
18 to tell the truth, the whole truth and nothing but the
19 truth, was examined and testified as follows:

20 THE COURT: Thank you. Please proceed.

21 THE WITNESS: As you can tell by my
22 t-shirt, I do stand in opposition to this Circleville
23 Solar project, and I stand in opposition to all solar
24 projects in Ohio.

25 As you are aware, various solar

1 companies have targeted Pickaway County, and the
2 biggest joke is that some of these projects are named
3 "solar farms." These are not farms. But it is no
4 joke that they are trying to put these solar projects
5 on farmland that is productive, and this is a time
6 when President Biden has declared that the coming food
7 shortage is real.

8 I won't talk more about that. I'm
9 going to have a different talk about the -- my -- the
10 financial perspective of this transaction.

11 An effort was made to determine what
12 type of legal arrangement was being made by these
13 solar companies with the farmer landowners. We
14 guessed that any lease, mortgage, lien, or other legal
15 document could be recorded with the county recorder's
16 office to perfect their interest.

17 As we traveled south on 104, we
18 observed numerous solar projects under construction.
19 Since these projects were in Ross County, we visited
20 the Ross County reporter's office and tried to obtain
21 a copy of any document filed by any solar company on
22 any Ross County parcel.

23 The personnel at the Ross County
24 reporter's office were very helpful in pulling up this
25 public information. Our search led us to find a

1 public record titled, "Memorandum of Land Leased and
2 Solar Easement" [sic]. A copy of that filing is
3 attached, and I will give that. If you want to use it
4 as part of the record, that's fine.

5 Now, what's interesting to me is that
6 on page 3 of the agreement, the agreement says, "The
7 lessee" [sic] -- that's the solar company -- "has the
8 right under the lease agreement" [sic] -- and here's
9 an important part -- "without the need for the
10 lessor" [sic] -- who is the land owner. So the solar
11 company does not need the landowner's consent to sell,
12 convey, lease, assign, mortgage, encumber, or transfer
13 to third parties the premises. And then they go on
14 Schedule A to define the premises as "the entire
15 parcel" [sic], as the legal description for the entire
16 parcel is given.

17 I have given this information to the
18 president of the Pickaway County Bar Association and
19 the county commissioners.

20 In trying to glean from the terms of
21 this lease the financial arrangement, I believe this
22 is what could happen. A farmer landowner signs a
23 similar lease with a solar company. The solar company
24 does not have sufficient internal funds to finance the
25 construction of the solar project. The solar company

1 gets a construction loan from a bank to purchase the
2 solar panels and finance their installation.

3 The bank, of course, wants collateral
4 for the loan. The solar company, in order to get the
5 loan, gives the bank a mortgage for the entire parcel,
6 including not only the solar installation, but also
7 the remaining farmland, the barns, and the farmhouse.
8 This is all collateral for the loan.

9 The lease establishes them to do this.
10 The farmer landowner will not be able to stop this.
11 Their consent is not required. They gave away that
12 consent when they signed this memorandum of agreement.

13 Even if the project is successful for a
14 period of time, it will eventually become economically
15 unviable. Maybe the price of electricity generated
16 elsewhere will be cheaper. And it's interesting that
17 the -- Jeff Bezos is investing in fusion energy
18 technology. Maybe the cost to repair damaged panels
19 or replace the panels when their useful life is over
20 will be too high.

21 In any event, there will be a day when
22 the project is no longer economically viable. The
23 solar company can pay out the remaining funds to their
24 investor, close their doors, and go bankrupt.

25 I see no -- I have not seen a balance

1 sheet for any of these solar companies, but I doubt
2 they have the financial strength to remediate the land
3 and thus return it to farmland when the project is
4 over.

5 The most likely scenario for these
6 solar projects, in my opinion, is the project will be
7 successful for a short term, three to ten years, and
8 then abandoned when costs exceed sales.

9 If the bank loan is not paid off, the
10 bank will probably foreclose on the entire parcel. It
11 will be sold at auction to recoup their unpaid
12 principle.

13 The best-case scenario, if this project
14 is successful and the bank loan is paid off, the
15 farmer landowner will still be stuck with remediation
16 of the materials left behind.

17 In any scenario, it appears to me that
18 the farmer landowner will be left with a remediation
19 project that they cannot afford. This will leave the
20 taxpayers of Pickaway County to pick up the tab.

21 Because these solar panels contain
22 cadmium, remediation will be necessary and quite
23 possibly mandated by the Ohio EPA.

24 I encourage you and all farmer
25 landowners in Pickaway County to be aware of this

1 sample lease agreement and these potential scenarios.
2 I encourage you to work with the Pickaway County Bar
3 Association to get a legal review of any agreement
4 that any farmer or landowner is given to sign before
5 they sign. Thank you very much.

6 THE COURT: Thank you. Mr. Horning, if
7 you could stay there for just one second.

8 Mr. Borchers, you have a question?

9 MR. BORCHERS: Yes. Thank you, Your
10 Honor.

11 Mr. Horning, can you repeat your
12 address for the record?

13 THE WITNESS: Oh, my address is 569
14 Plaza Drive in Circleville, Ohio.

15 MR. BORCHERS: Thank you.

16 No further questions.

17 THE COURT: All right. Thank you. Did
18 you have something you want to say?

19 THE WITNESS: Yeah, if you'd like to --

20 THE COURT: Oh, I'm all connected. I'm
21 sorry.

22 THE WITNESS: No, that's okay. I'll
23 walk up. I still have enough energy to walk six more
24 steps.

25 THE COURT: All right. Just don't fall

1 on your way down. Thank you.

2 Mr. Horning, don't go away yet. I do
3 have a question for you.

4 Did you -- so most of the written
5 statements we use just so the court reporter can
6 cross-check for spelling, make sure she heard your
7 words right. Did you want this admitted as an
8 exhibit?

9 THE WITNESS: Yeah, the -- the
10 attachment. The -- which is what the public record.
11 The memorandum of lease. You can attach that as
12 public -- as part of the public record, yes.

13 THE COURT: All right. Mr. Borchers,
14 any objections to marking --

15 MR. BORCHERS: Just a clarifying
16 question as to what solar company is identified in
17 that memorandum of lease.

18 THE COURT: It is with regard to
19 Yellowbud Solar.

20 MR. BORCHERS: No further questions.
21 Thanks.

22 THE COURT: Thank you.

23 We're going to take a short break so
24 that I can go through and mark the exhibits that need
25 to be marked.

1 THE REPORTER: We are going to go off
2 the record at 6:59 p.m.

3 (Off the record.)

4 THE REPORTER: We are back on the
5 record at 7:08 p.m.

6 THE COURT: All right. We are back on
7 the record. I took a break to mark some exhibits.

8 Before we get back to our list, I did
9 want to mention that out front with our staff members
10 and office of public affairs, there are two lists or
11 sign-up sheets.

12 If you have heard someone testify,
13 whether or not you're signed up to testify tonight and
14 you're going to choose to pass or if you're here
15 watching, if you agree with -- you are in support of
16 this project, or if you agree with those people who
17 have testified and they are not in support of this
18 project, there are sign-up sheets up front that you
19 can use to express that view.

20 And if I have not explained that well,
21 which is likely the case, they can help you up front.

22 And with that, we will continue
23 with -- I'm so sorry. Kaylee Padova. Did I say that
24 right?

25 MS. PADOVA: Yes.

1 THE COURT: Oh, excellent. All right.

2 WHEREUPON,

3 KAYLEE PADOVA

4 called as a witness, and having been first duly sworn
5 to tell the truth, the whole truth and nothing but the
6 truth, was examined and testified as follows:

7 THE COURT: Thank you.

8 THE WITNESS: Good evening. I'm Kaylee
9 Padova. I do not work or live in the area, but my
10 family has signed a contract with Nexterra, the
11 world's largest generator of renewable energy for wind
12 and sun.

13 I grew up just down the street from
14 this project, and with the approval, it would be built
15 right behind my father's house. While I may not live
16 in the area anymore, I am here today to speak on
17 behalf of my father, and aunt and uncle, who support
18 this project and will continue to live right beside
19 it.

20 I understand the concerns of community
21 members who do not want the hassle or panels right
22 outside their windows. That is not this project.

23 All the solar panels are set back at
24 least 600 feet from the nearest non-participating
25 residence. This is nearly double the setback from

1 panels on other projects in the area. This project is
2 considerably smaller in size to others. And the
3 setbacks ensure that 91 percent of the project
4 fence -- fence line sits at least 1,000 feet from
5 public roadways.

6 Also, the fence proposed for this
7 project is an agricultural fence, not a chain-link
8 fence.

9 I have heard that there were safety
10 concerns about solar panels. I would like to remind
11 the members on the board that on June 6th, Nexterra
12 did provide a 44-page document which addressed these
13 concerns. Specifically, on page 8, starting with the
14 fire hazards and continuing on to address human health
15 concerns. And that is all available online for anyone
16 here this evening.

17 Access roads will be built in the area
18 surrounding the panels and will be well maintained.

19 This is a rare opportunity that will
20 provide an estimated \$25 million in new tax revenue to
21 local governments, schools, and without any cost to
22 the community. This increased revenue can help
23 upgrade infrastructure, invest in schools, and support
24 public safety.

25 I realize that this is a tough decision

1 to make. I think you all for your time this evening.
2 This is a great opportunity, not only for my family,
3 but also for the community, which is why I urge you to
4 vote in favor of this project. Thanks.

5 THE COURT: Thank you.

6 Rich Ward.

7 UNIDENTIFIED SPEAKER: You didn't get
8 her address, I don't think.

9 THE COURT: Ms. Padova, could you come
10 back down really quickly and just give us -- you did
11 state that you don't live or work in the project area.
12 But could you give us your address and/or the address
13 of the family you're testifying --

14 MS. PADOVA: Yes, apologies. My
15 address is 241 Heil, H-E-I-L, Drive, Gahanna, Ohio
16 43230.

17 THE COURT: Okay. Thank you.

18 MS. PADOVA: Was that all?

19 THE COURT: Yes.

20 MS. PADOVA: Okay. Thank you.

21 THE COURT: Rich Ward.

22 UNIDENTIFIED SPEAKER: He just went to
23 the restroom.

24 THE COURT: Oh, I'll circle back around
25 to Mr. Ward.

1 Chris Weaver. Good evening.

2 MR. WEAVER: Chris Weaver to --

3 WHEREUPON,

4 CHRIS WEAVER

5 called as a witness, and having been first duly sworn
6 to tell the truth, the whole truth and nothing but the
7 truth, was examined and testified as follows:

8 THE COURT: Thank you.

9 THE WITNESS: Chris Weaver, 20749
10 Justus Road, Williamsport. I do not live in this
11 area, but I live in the area for Chipmunk, the 10,000-
12 acre proposed 400-megawatt site that they're
13 proposing.

14 I'm sorry, ma'am. I actually heard
15 somebody earlier say that kids could take fieldtrips.

16 I got a little upset when I heard the
17 union. I'm in a union. I'm in Local 200. And I have
18 paperwork here to justify that -- in the last meeting
19 they had, there was some people who spoke on behalf of
20 the unions. Most of these jobs are not union jobs.

21 That site down there, I heard him say,
22 "I'm the Local 200. Have been for 35 years." I heard
23 him say they had 160 union carpenters down there. I
24 think there was at least 700 employees on that job.

25 So what I'm going to do tonight, I'm

1 going to talk about a visit that myself and one of the
2 Monroe Township trustees took to Brown County. They
3 have a 200-megawatt site there.

4 And we met with Daren Howser, the Green
5 Township trustee there. Quality, nice man. Met with
6 the engineer also. Got there about ten o'clock, got
7 in his truck, took off. They didn't get to pose
8 theirs. It was more of a pilot program.

9 Brown County's a lot different that
10 Pickaway County. They do -- do not have any
11 systematic tiling like we do. There's a -- a lot of
12 water standing in ditches and things like that. They
13 have to really work hard to get rid of the water for a
14 lower -- a lower county.

15 Some of the things, when he launched
16 in, he spoke to us for two hours. None of it
17 positive. This is not coming from me.

18 The project sold twice before the first
19 post was ever pounded. Any good-neighbor agreements
20 that was pounded out, to this day, three years later,
21 none of them have paid out.

22 They hired -- they brought in 800
23 unvetted -- no background checks, no drug
24 testing -- employees.

25 When you put a lot of different ethnic

1 groups together, unbeknownst to them, they fight. You
2 can put Nicaraguans with El Salvadorians. There was
3 people shooting one another on their -- on their
4 sites.

5 And at that time, Butler -- or Brown
6 County had one sheriff on duty because of budget cuts
7 per shift. So they would have to wait until that
8 sheriff got off duty so he could go out and take a
9 report unless it was an emergency. The crime rate
10 went up 3,000 percent.

11 They took bulldozers out on the roads.
12 So when you -- when these companies pound out their
13 bonds and things -- that bond is to set forth to fix
14 the road afterwards.

15 Well, the company went out and filmed
16 the road when it was wet, which shows every hole,
17 crevice, seam in the road. So when the engineer and
18 the trustees met with them after the project was close
19 to being finished about fixing the roads, they went
20 out, filmed them. The company said, "Oh, no. We have
21 our own film. All this damage was done beforehand."

22 Everything they've done was to deceive
23 and be dishonest. Everything. And there was things
24 going on that you -- you can't ever foresee.

25 Them driving through people's front

1 yards. That doesn't sound like -- sounds like a
2 pretty innocent thing. I'm talking about the middle
3 of people's yards. The -- the semitruck
4 drivers -- and these are thousands, and thousands, and
5 thousands of loads of material coming in and all
6 different directions.

7 These -- all of these are township
8 roads. They -- they put their landing pads on
9 township road. They try to -- they -- you know, keep
10 away somebody's house and evade different areas.

11 They just would cut corners and drive
12 right through these people's lots and get stuck and
13 bring equipment down the road to pull them out and
14 make another mess. And it -- this went on for a
15 couple years.

16 Well, they got behind schedule when it
17 sold the second time. So to stay on schedule so they
18 didn't have to resubmit paperwork, they went around
19 and pounded a post in every field so that they could
20 say they had started. They went in during the -- the
21 muddy time of the year and cut most of the trees down,
22 which they said they wouldn't do.

23 And that's what's going on in our area.
24 They did everything they said they wouldn't do.

25 And this is the question I ask

1 everybody. Is companies that have dozens of attorneys
2 that are employed by them, are they employed by them
3 because they intend to do things that are dishonest?

4 No one up to this point has been honest
5 with me from any of these energy companies. The
6 questions I ask go unanswered. I ask a question -- I
7 asked a question about the money.

8 They've been to my house twice, EDF
9 has. Their landing pad and transmission station went
10 directly across my house.

11 We built a house 32 years ago, my wife
12 and I, on the backside of my grandfather's farm,
13 raised our kids there. Just retired. My wife just
14 retired after 40 years for the government.

15 Well, now this is -- we're fighting
16 this. I'm in a union. I've weighed the pros and cons
17 of this when it all first -- I thought, "Should I be
18 for it? That's a -- "

19 But tonight, if you notice, everyone
20 that come up here and talk, it was all about money.
21 No one said anything about all the --

22 THE COURT: So you have 30 seconds.

23 THE WITNESS: No one said about all the
24 panels now that the tariffs have been lifted are being
25 made in China. A lot of material comes from -- a lot

1 of the material comes from Africa.

2 There's no decommissioning program at
3 this -- at this point. They -- they keep them in flux
4 of construction as long as they can because it changes
5 the money they pay out.

6 Has anyone talked to you about the
7 batteries that eventually go in? And these aren't
8 batteries that you see -- you think about batteries.
9 These are batteries the size of vans and box trucks
10 and things like that.

11 And I wished it was union jobs. I -- I
12 could be for it. But last time I spoke, I spoke
13 about -- I -- I talked to one of their officials.

14 We have a volunteer fire department in
15 Williamsport. That's -- that's a huge catch. I
16 talked to them about investing in our fire department.
17 If you want to turn a lot of heads, invest in our fire
18 department. I'm sure a farm would donate a -- an acre
19 of land. Our fire department's falling apart.
20 That -- that's -- our -- our insurance is a lot higher
21 because we have a volunteer fire department.

22 How much could it cost you? Billion-
23 dollar project. Three-point-five million dollars.

24 THE COURT: Mr. Weaver, your time is
25 up, sir.

1 THE WITNESS: Okay. Thank you.

2 THE COURT: If you have additional
3 comments, you may file them.

4 THE WITNESS: Okay. Thank you. But
5 anyway, they said, "No, we can't do that."

6 THE COURT: Sir, your time is up.

7 THE WITNESS: This is about Butler
8 County. This -- commissioners. This is about what
9 they really pay. Okay?

10 THE COURT: Mr. Borchers, any
11 questions?

12 MR. BORCHERS: No questions, Your
13 Honor.

14 THE COURT: Thank you. Is this
15 intended to be a reference for the court reporter --

16 MR. WEAVER: Sure. Yeah.

17 THE COURT: -- or an exhibit? No, it's
18 not a, "Sure." Is it intended to be an exhibit or
19 simply referenced for the court reporter?

20 MR. WEAVER: I -- I'm not sure about
21 that question, ma'am. I'm sorry.

22 THE COURT: Okay. So if it's just a
23 reference for the court reporter, she can just look to
24 see if anything that you've mentioned, if she heard it
25 right or if she's transcribing it correctly.

1 If you would like for it to be an
2 exhibit that the board will consider, then I need to
3 mark it.

4 MR. WEAVER: Yes, I'd like for it to be
5 an exhibit.

6 THE COURT: Okay. Thank you.

7 MR. WEAVER: Thank you, ma'am. Sorry
8 about that.

9 THE COURT: No, no worries.

10 I will circle back to Mr. Ward if he
11 has returned.

12 Rich Ward, come on down. Give me just
13 one minute.

14 MR. WARD: Sure.

15 THE COURT: I am just simply marking
16 the papers that Mr. Weaver gave us as Exhibit 6 and 7,
17 and I've written his name on him for proper reference.

18 (Exhibit 6 and Exhibit 7 were marked
19 for identification.)

20 WHEREUPON,

21 RICH WARD
22 called as a witness, and having been first duly sworn
23 to tell the truth, the whole truth and nothing but the
24 truth, was examined and testified as follows:

25 THE COURT: Thank you. Please proceed.

1 THE WITNESS: My name is Rich Ward. I
2 live at 547, and that's Winston Avenue, Ashville,
3 Ohio.

4 THE COURT: Okay. Please proceed.

5 THE WITNESS: Okay. So I don't live in
6 close proximity to these projects, but I do live in
7 Pickaway County, and I think today -- today, we've
8 heard from entities outside of Pickaway County and a
9 few from within Pickaway County.

10 But what I want to say is -- I don't
11 want to rehash everything that's been said tonight.
12 But I do want to bring about the point that our
13 elected officials are -- have overwhelmingly come out
14 against these solar projects. That's our county
15 commissioners, our state senators, trustees, council
16 people. Okay?

17 The thing that I do want to stress is
18 that -- what about the people in Pickaway County who
19 are overwhelmingly against these solar projects?
20 We've heard from big unions, we've heard from -- from
21 big -- big solar. They all have interest in big
22 money.

23 What about the little people who have
24 made their homes out in the countryside? That's their
25 place of Zen. And now they have to look at this

1 monstrosity of an eyesore.

2 You know, I think the message is real
3 simple, and I would encourage you to look at the
4 statement from Mr. Bob -- Bob Peterson, state senator,
5 as well as your elected county -- county
6 commissioners. This is not in the best interest of
7 the people in Pickaway County. The message is pretty
8 simple. Get out of Pickaway County and stay out.

9 Thank you.

10 THE COURT: Thank you.

11 Robyn Carrillo. Good evening.

12 WHEREUPON,

13 ROBYN CARRILLO

14 called as a witness, and having been first duly sworn
15 to tell the truth, the whole truth and nothing but the
16 truth, was examined and testified as follows:

17 THE COURT: Okay.

18 THE WITNESS: My name is Robyn
19 Carrillo, it's R-O-B-Y-N C-A-R-R-I-L-L-O. I live at
20 22119 State Route 104, Circleville, Ohio.

21 I want to start out by thanking you for
22 this opportunity. Letting you know, nobody can be
23 more effective than us. This is us.

24 Many people have come up and explained
25 the dangers and the facts of building these solar

1 plants around our home. Tonight, I thought that I'd
2 tell you a little bit about our little farm and how it
3 affects families, families like us and other small
4 farmers.

5 My family and I live at the corner of
6 104 and 56. We purchased a condemned property 12
7 years ago. It sat empty for five years. We've
8 invested so much time, so much money, bringing this
9 farm back to life and creating a home there that we
10 are proud to live in for ourselves and our children.

11 But we don't just live there. Okay?
12 You see, we provide fresh eggs to many people. We
13 breed boar meat goods for Pickaway County, 4-H, and
14 FFA members. We raise beef for our family and
15 friends.

16 I was surprised to hear that the solar
17 corporation was coming this close to us. I started
18 looking into it, and I learned that where the corn and
19 soybean fields that surround our property
20 were -- excuse me -- were going to soon be nothing but
21 solar panels.

22 Where my children get on the bus, we
23 would watch the sunrises. Now, they will be glared
24 from solar panels. The birds that visit our pond are
25 likely to stop because they are attracted to these

1 solar panels. They're attracted to the solar panels
2 because of their reflective measures.

3 I know that, yes, you all have put
4 together a nice package that says, "These aren't as
5 reflective." That's fine. But some birds, it doesn't
6 matter. On cloudy days, they still land on our pond.
7 Our pond's not reflective on that day.

8 Studies have proven that when the birds
9 do land there, they cause fires. Not your everyday
10 fires. Hazmat's going to have to respond.

11 Where our farm is located, we are
12 within the -- the Williamsport Fire Department
13 district. As said, Williamsport does offer it on a
14 volunteer basis, and it affects their response time.

15 You may be thinking, "Well, how much
16 time is it, really?" Well, let me tell you. In 2017,
17 we had a five-alarm barn fire. Don't get me wrong, I
18 am so grateful for all of the men and women, volunteer
19 or not, that risked their lives being fire fighters.
20 But when it's your property up in flames, every second
21 counts.

22 Circleville Township was on our
23 property, as well as three other fire departments,
24 before Williamsport was able to get there.

25 Now, keep in mind, those that don't

1 live in the country, we don't have fire hydrants. So
2 you have to bring out a tanker, as well. Okay? Those
3 don't go real fast, especially in the country. And
4 we're 8 miles from Williamsport fire department.

5 It was a complete loss. What was even
6 worse, my daughter's 4-H baby goats that she had just
7 helped kid out were in that barn. All her 4-H nannies
8 were in that barn, and they were a loss.

9 Had it been our house, our 1910
10 farmhouse, which -- the solar panels will sit directly
11 across the street -- the only thing that we won't see
12 them for them is the pine trees. And we know how
13 combustible those are. With good winds in from the
14 east, our home is just waiting to be another hazardous
15 fire.

16 A few years ago, my family decided that
17 we were going to have our first family barbeque and
18 celebrate the 4th of July. We'd have a few
19 firecrackers. Not a bit deal.

20 The very next day, my husband and I
21 noticed our chickens' egg production was down. Okay.
22 Maybe it's a spook thing. Not a big deal. Two weeks
23 later, my cows are due to be bred. They didn't go
24 into heat. Our nannies, three weeks after that, were
25 due to be bred for the 4-Hers and FFA members. They

1 didn't go into heat.

2 I called our farm vet, and I said,
3 "What in the world is going on? Help me understand
4 this." She said, "It's the noise." It's the noise,
5 one night, a few firecrackers. We had a horrible
6 year.

7 You know, we don't just sell these
8 animals and sell our eggs, we feed our family. Okay?
9 If there's family in needs, we give eggs and meat
10 away. We give discounts to those families that can't
11 afford the 4-H goats that their kids so desperately
12 desire --

13 THE COURT: Ms. Carrillo --

14 THE WITNESS: -- we're not in it for
15 the money. I'm sorry?

16 THE COURT: You have 30 seconds.

17 THE WITNESS: In closing, if this was
18 the most prized possession that you had, would you
19 truly -- and I ask you, truly -- would you want that
20 in your backyard? If you do, come make an offer on
21 our home. Because this is us. We're that little
22 rectangle. Thank you.

23 THE COURT: Thank you. Did you want
24 the diagram marked as an exhibit?

25 THE WITNESS: And chicken scratches, in

1 case she needs them. Thank you so much.

2 THE COURT: So what I'll do is, I'll
3 give her this with your statement, just for reference.
4 But I will mark your page 3 as Exhibit 8.

5 (Exhibit 8 was marked for
6 identification.)

7 Mr. Borchers.

8 MR. BORCHERS: Is that just a map of
9 the project area that was provided by the OPSB staff?

10 THE COURT: It's the overview map, yes.

11 MR. BORCHERS: Okay. Thank you.

12 THE COURT: Yes, it is on the back of
13 the OPSB fact sheet.

14 Patricia Hamilton. Good evening.

15 MS. HAMILTON: Good evening.

16 WHEREUPON,

17 PATRICIA HAMILTON

18 called as a witness, and having been first duly sworn
19 to tell the truth, the whole truth and nothing but the
20 truth, was examined and testified as follows:

21 THE COURT: Thank you.

22 THE WITNESS: My name is Patricia
23 Hamilton. I live at 22798 Morris Leist Road,
24 Stoutsville, Ohio. It is in Washington Township. It
25 is nowhere near any of these solar projects. But

1 based on everything that I have seen, I have seen that
2 basically anywhere in Ohio, there could be a solar
3 project put up near you.

4 So therefore, I stand with the people
5 and oppose this project, as you can see by my shirt.

6 The first thing I would like to do is I
7 would like to quote the Farmer's Almanac. And it
8 talks about the ten cloudiest states in the United
9 States. And Ohio is no. 7. And because Ohio has the
10 Artic air masses coming down and not very much snow,
11 they say that 63 to 68 days of sunshine. And in
12 Central Ohio, where we are, there can be between 72
13 and 77 days of -- clear days for the year.

14 So being one of the ten cloudiest, I
15 don't understand why we would even want solar in the
16 state of Ohio, period. That's just my opinion.

17 And like the others have said, it's
18 about money. That's all I've heard. And I'm really
19 actually super upset that the Lancaster mayor has the
20 audacity to have somebody come and say something
21 about, "Oh, it's going to bring me money." That just
22 really saddens me to think that that's all we're about
23 when it comes to solar.

24 And then now I quote another one. The
25 Current Weather and Science Facts [sic] -- I'm using

1 science here -- and there are 72 sunny days and 103
2 partly sunny days out of 365. You're less than 50
3 percent of the time getting enough sunshine to
4 actually produce the solar that is needed. I have
5 these right here from the website.

6 And according to the science, really,
7 the best places, to be honest with you, would be
8 California, Nevada, New Mexico, Texas, Colorado,
9 Arizona, Utah.

10 You know, maybe the solar companies
11 should pursue solar panels and make a wall on the
12 southern border, and then the solar panels can
13 generate electricity to pay for those panels and then
14 therefore we would all be safe.

15 At -- at no time, I am not making any
16 money off of coming up here and speaking. Actually,
17 I'm taking precious time out of my life to be here to
18 support my friends and family of this county and of
19 this state of Ohio.

20 I am not originally from here. I'm an
21 Air Force brat and an Army soldier that served 30
22 years. And I'm going to tell you, the best place I
23 can think of. El Paso, Texas. Take it there. They
24 have plenty of desert. Build a wall there, please.
25 That is really important to me.

1 And then I read another -- I have
2 another site that I looked, and it even talked about
3 solar panels. Do you know, I could get a solar panel
4 for my house. We thought about it. You know, people
5 can do that.

6 Why can't we put the solar panels on
7 the house instead of killing the farmland? You know,
8 it just doesn't make any sense. To me, it sounds like
9 a Ponzi scheme, like Bernie Mader [sic]. You know, it
10 just doesn't make sense to me at all.

11 And it says 2.5 to 3.5 hours a day is
12 going to be the peak. Well, that kind of bothers me.
13 So you're only going to use 2.5 to 3.5 solar hours?
14 That doesn't make sense. How is that really giving
15 anybody energy?

16 So truthfully, I disapprove of this,
17 and I think that it's even a bigger reason -- I know a
18 couple people spoke about the fire department. They
19 have one volunteer fire department, and they don't
20 have the proper equipment to put out a fire.

21 I was just watching the news about a
22 solar -- you know, I mean, an electric car that had
23 the same kind of batteries that are going to be used
24 out in these solar panels. Well, that car kept on
25 reigniting, and they had to actually dig a hole and

1 put the car in it and submerge it in water just to get
2 it from stop reigniting.

3 Because the fire department would put
4 out the fire, it would reignite, they would come back
5 and they would have to do that. After awhile, they
6 said, "Okay. Well, we just need to submerge it."

7 What are we going to do when all of
8 these solar panels totally destroy the farmland and
9 then destroy the homes?

10 It's -- it's really disheartening to
11 think that anybody would want solar here in Ohio,
12 period. Especially -- they're not going to get that
13 much. I just told you, 72 days. It's not going to
14 work.

15 So I truly believe that if people want
16 solar, please put them on your house, and you can deal
17 with it that way, instead of having everybody else
18 have to deal with the issue. Thank you so much.

19 THE COURT: Thank you.

20 THE WITNESS: I want this as an
21 exhibit. And the reason why is I have specific sites
22 that will actually give you specific --

23 THE COURT: Okay.

24 THE WITNESS: Thank you.

25 THE COURT: So this will be marked as

1 Exhibit 9.

2 (Exhibit 9 was marked for
3 identification.)
4 Gary Scherer [ph].

5 MR. SCHERER: I don't intent to talk.

6 THE COURT: Okay. Thank you, sir.
7 Peggy Hamman.

8 MS. HAMMAN: Good evening.

9 THE COURT: Good evening.

10 WHEREUPON,

11 MARGARET (PEGGY) HAMMAN

12 called as a witness, and having been first duly sworn
13 to tell the truth, the whole truth and nothing but the
14 truth, was examined and testified as follows:

15 THE COURT: Thank you. Go ahead.

16 THE WITNESS: My name is Margaret
17 Hamman. I live at 26898 Westfall Road, Circleville.
18 I'm in Wayne Township.

19 I spoke at the last one, and I got a
20 little emotional. I have a few more notes this time.
21 Try to stay on track or I'll be all over.

22 I kind of want to talk about some of
23 the people that spoke prior that were for this. Many
24 of them were not even from our community, don't live
25 in our community, but they're here wanting to take

1 away our farming jobs. They're wanting construction
2 for a year or two, or electricians want that for a
3 year or two.

4 And most of them -- I've been sitting
5 up in the top -- have walked out and not even listened
6 to the concerns of the community members. So I'm sure
7 they were brought here by these people to just get a
8 little more positivity for their --

9 THE REPORTER: Excuse me. I can't hear
10 you. Can you wait if there's applause?

11 THE WITNESS: Yes. I'm sorry.

12 THE REPORTER: Thanks.

13 THE WITNESS: I just feel like they
14 were brought here to kind of stand the other side and
15 give a little bit more, but they're not even in our
16 community. They're not from our community. They
17 don't understand that this is a farming community.

18 I was with the other site that I came
19 to talk about that was -- it is proposed to be in our
20 front yard. Just want to go -- and I know these
21 aren't the same. But I've seen too much of it. I've
22 seen things happening with all the different
23 construction.

24 These workers -- I don't know if it's
25 these ones, but many of them, are flying down our

1 roads, not doing the speed limit. Semis are coming
2 down that are tearing up -- we're paying taxes, and
3 these roads are being destroyed.

4 I also want to talk about something
5 that has happened in just the past few weeks on our
6 farm. I know it's, again, not with this. But I want
7 you to know that it can happen to any of us with any
8 of these.

9 The -- the solar company that is trying
10 to set up with our farm, we have leased the farm to
11 grow crops, and they could have come in from fall to
12 spring and did any of the criteria that the board or
13 whoever was asking them to cover.

14 And they called us in the last couple
15 of weeks and told us that they have to tear out many
16 of our crops, many acres of our crops that we have had
17 in for months. To just tear it up, our livelihood.

18 I don't think any of us would want them
19 to come in and just tear up our front yard, anybody.
20 I feel like they are coming in and kind of bullying
21 us, taking away our rights. I don't feel like they're
22 being regulated and held accountable for their
23 actions.

24 Many of these companies are owned by
25 people overseas. These specific people are calling us

1 from California and telling us to disc up our crops so
2 they can meet deadlines so that they can be approved,
3 and they haven't been approved. And again, just
4 tearing up our land.

5 I don't feel I'm judging this project
6 by other ones. I'm just saying that we are a farming
7 community, and we do not want solar companies coming
8 in and taking away our land, which is a very important
9 natural resource. I oppose all solar in Ohio.

10 I also want to remind and reiterate
11 that Wayne Township trustees and the Pickaway County
12 commissioners have passed resolutions against solar
13 panels being placed in our community.

14 Remember that these are our elected
15 officials. Our community has elected them to stand
16 for us. The Siting Board, I feel -- they are
17 appointed, and I think they should vote with our
18 elected officials because we have voted, and they are
19 standing for our rights. Thank you.

20 THE COURT: Thank you. I have one
21 question. I do have one question for you.

22 THE WITNESS: Yes.

23 THE COURT: You said you're across from
24 "the other project."

25 THE WITNESS: Yes.

1 THE COURT: Which project is that?

2 THE WITNESS: Yes. Yeah --

3 UNIDENTIFIED SPEAKER: Scioto.

4 THE WITNESS: Scioto Farms.

5 THE COURT: Scioto Farms. Okay. Thank
6 you.

7 THE WITNESS: No, it wouldn't be across
8 from me. It -- it would be in my front yard.

9 And those that are for it, I don't
10 think you'd want it in your front yard, so think about
11 us that don't want it in our yard.

12 THE COURT: All right. Thank you.

13 THE WITNESS: Thank you.

14 THE COURT: Mr. Borchers, did you have
15 any questions?

16 MR. BORCHERS: No questions, Your
17 Honor. Thank you.

18 THE COURT: Thank you.

19 Thank you very much.

20 Courtney Ruppert. Good evening.

21 WHEREUPON,

22 COURTNEY RUPPERT

23 called as a witness, and having been first duly sworn
24 to tell the truth, the whole truth and nothing but the
25 truth, was examined and testified as follows:

1 THE COURT: Thank you.

2 THE WITNESS: My name is Courtney
3 Ruppert, R-U-P-P-E-R-T. I live at 1763 Welsh Hills
4 Road, Granville, Ohio 43023.

5 THE COURT: Thank you. You can
6 continue.

7 THE WITNESS: Thank you. I am
8 representing my family that owns land that is part of
9 this project, and we are here in support of it.

10 And I think it's important to know that
11 we own a few thousand acres across Southern Ohio and
12 have been approached by dozens of solar companies and
13 other renewable energy companies to lease our land.

14 This is the only project that we have
15 vetted that we believe is worthy of giving our
16 farmland to a solar project. And it's for a variety
17 of reasons that have already been stated.

18 But the attention to detail with the
19 road setbacks, property setbacks, et cetera, were
20 really important to us.

21 All of our farmland is leased to farm
22 tenants, so we believe in farming. We support
23 farming, and -- but we also are landowner, and we
24 believe in landowner rights. And I think
25 it's -- we've been talking about money and, you know,

1 aesthetics, and whatnot.

2 But not much has been said
3 about -- this is our land, and this is what we want to
4 do with it and what we choose.

5 And you know, we've been on the
6 flipside of this. The farm that we live on and we
7 grew up on sits across from a beautiful view where the
8 sun rises. And about, I don't know, six, seven years
9 ago, a gas station went right at the end of our
10 driveway. And I was like, "Ugh." My mom and dad were
11 just, like, "Aesthetically, this just -- this changes
12 our view."

13 But I can pretty much guarantee that
14 everybody that stops at that gas station on 104
15 doesn't ever think about, "Man, that ruined
16 their -- their view." Right? They think about what
17 they bought at that gas station that they needed
18 'cause it's super busy.

19 And unfortunately, we've adjusted.
20 Right? We do feel like it detracted a little bit, but
21 that wasn't our land, and it wasn't our choice. So
22 we've been on the flip, I guess is what I'm saying.

23 And with all due respect to everybody,
24 you know, I don't want to live next to an eyesore. I
25 get that. But again, this project has a really good

1 attention to detail with that.

2 And as far as the county commissioners
3 and the township trustees, I think it's really
4 erroneous to give blanket statements on all solar.
5 Every project should be treated individually.

6 And you know, I drive by -- I drive up
7 and down 104 for work every day. I drive by the
8 Yellowbud project. It's an eyesore. I get it. This
9 project is not that project.

10 And we can't sit here and have these
11 blanket statements and compare all solar with what's
12 happening with Nexterra.

13 You know, and I think the other part,
14 from a government perspective, is when Rickenbacker
15 Exchange went up, that's a permanent structure. This
16 is not -- we're not putting a warehouse on our land.
17 Right?

18 In 25 years, these panels could come
19 down, and this land will be returned to farmland.

20 And --

21 (Crowd noise.)

22 THE COURT: Excuse me. Not one person
23 was disrespectful to you while you were giving your
24 comments. Please return that grace.

25 THE WITNESS: Thank you.

1 THE COURT: Please continue.

2 THE WITNESS: So again, as a landowner
3 and owning several parcels of land in Pickaway,
4 Fayette, Ross County, we support this project, and we
5 hope the -- the Power Siting Board votes yes. Thank
6 you.

7 THE COURT: Thank you.

8 Steve Garner. Good evening.

9 WHEREUPON,

10 STEVE GARNER

11 called as a witness, and having been first duly sworn
12 to tell the truth, the whole truth and nothing but the
13 truth, was examined and testified as follows:

14 THE COURT: Please begin.

15 THE WITNESS: My name's Steve Garner.
16 I live at 19428 Hill Road, Jackson Township.

17 Since my involvement in the Pickaway
18 County Citizens Against Industrial Solar on Farmland,
19 I've attended many meetings. Whenever a solar company
20 representative was present, I'd enquire where they
21 planned to obtain their panels.

22 Each time, no matter which company,
23 their response was, "Yet to be determined." Matter of
24 fact, I think you guys were at Jackson's meeting for
25 May, and that was one of the answers you gave us.

1 Knowing where these solar panels
2 originate is very important. According to the
3 Associated Press reporter Matthew Daily and ABC News,
4 on June 7, 2022, the Biden Administration paused
5 tariffs on solar imports from Southeast Asia. The
6 removal of these tariffs interfere with restrictions
7 placed on the panels constructed using Uighur slave
8 labor from the Chinese Communist government.

9 It also hampers the U.S. Congress
10 Department's [sic] investigation. This should make
11 the solar companies happy since 80 percent of U.S.
12 solar projects were endangered.

13 And the removal of tariffs will allow
14 the Chinese Communist government to violate U.S. trade
15 laws. With the tariffs gone, the Chinese Communist
16 government can flood the United States with slave-
17 labor-manufactured solar panel.

18 And China produces 80 percent of the
19 world's solar panels. Further, 40 percent of the
20 polysilicon, a component -- I'm sorry, a -- of solar
21 panels is manufactured in the Chinese province of
22 Xinjiang, the home area of the Uighurs.

23 In a December 13, 2021, report from the
24 Daily Caller News Foundation, energy and environmental
25 reporter Thomas Cantachia [sic] -- he found that solar

1 panels require minerals that are produced with
2 significant human rights violations.

3 Also in the report, Sheffield Hallam
4 University Helena [sic] Centre for International
5 Justice found that the solar panels' polysilicon is
6 manufactured in the Chinese Uighur region associated
7 with forced labor.

8 And the Daily Caller goes on to report
9 that in the Democratic Republic of the Congo, that as
10 many as 40,000 children, some as young as 6 years
11 old -- 6 years, can you imagine that? -- work in the
12 cobalt mines.

13 Cobalt is one of the several minerals
14 used in some solar panels and the batteries. The
15 report states that children have suffered abuses,
16 including sexual -- sorry. I'm getting excited.
17 Sexual exploitation, physical abuse, and drug abuse.

18 A 2014 UNICEF report states that the
19 children work long hours without breaks in oppressive
20 heat, clouds of dust, and poor lighting. They're in
21 constant danger of suffocation, rockslides, and death.
22 All this is for one to two dollars a day in a
23 multimillion- or billion-dollar industry.

24 When you go home tonight and you see
25 your children and your loved ones, be glad they're not

1 working in a cobalt mine. They're not mining minerals
2 for the manufacture of these solar panels.

3 Since the Biden Administration removed
4 the tariffs and refuses to protect human rights and
5 dignity, I implore the Ohio Siting Board, Governor
6 DeWine, and the Ohio state legislature to impose a
7 moratorium on all industrial solar projects until each
8 company can guarantee and certify 100 percent that the
9 components made with forced, slave labor and/or child
10 labor is not allowed. Allowing such panels is
11 tantamount to crimes against humanity.

12 In conclusion, any tax money derived
13 from solar panels manufactured with forced slave labor
14 and/or child labor is blood money. Can we live with
15 that? Can you guys live with that?

16 THE COURT: Thank you.

17 Sandy Liston.

18 UNIDENTIFIED SPEAKER: She had to
19 leave.

20 THE COURT: Oh, she left. Okay. Ms.
21 Liston had to leave.

22 Glenn Easterday. Good evening.

23 //

24 //

25 //

1 WHEREUPON,

2 GLENN EASTERDAY

3 called as a witness, and having been first duly sworn
4 to tell the truth, the whole truth and nothing but the
5 truth, was examined and testified as follows:

6 THE COURT: Thank you. Please proceed.

7 THE WITNESS: Glenn Easterday. 100
8 Hillcrest Drive, Circleville, Ohio.

9 THE COURT: Is that near or adjacent to
10 the project area?

11 THE WITNESS: That's in the city.

12 THE COURT: It's in the city. Thank
13 you. Go ahead.

14 THE WITNESS: I totally came unprepared
15 for this. I was invited by some friends, and I was
16 unaware of everything going on. I see I got on the
17 bandwagon just a little too late.

18 I've been in this community for 76
19 years. We had farms in Southern Ohio.

20 I have heard people talk here tonight.
21 Really upsets me. They're bringing a project in to
22 Pickaway County, and nobody wants it. Everybody who
23 is for it lives out of the county. It's not in their
24 backyard.

25 I watched a nuclear power plant come in

1 down by Cincinnati. Or I'm sorry. By Waverly. The
2 atomic plant took land value from \$2,000 an acre to
3 \$1,000 an acre. The property value went to 50 percent
4 its value. The atomic plant has been under
5 scrutinized and scrutiny for nuclear leaks, all kind
6 of problems.

7 Like, coming back to Pickaway County, I
8 haven't heard one Pickaway County person here speak
9 fondly about this project.

10 I've actually heard a commissioner say
11 he's speechless. I respect that. Anybody knows me, I
12 can't keep my mouth shut.

13 I'm telling you, I wished I'd have got
14 on board here earlier, but I will be in the future
15 because I don't see how these people are accountable
16 when they take a project and it passes from one owner
17 to another owner, to another owner, to another owner,
18 and finally it is opened up.

19 And if you ever sue them, where does
20 the liability fall? It's buried. You can't hold
21 these people accountable for anything.

22 I guess I am totally against this
23 project, and I respect anybody here in Pickaway County
24 who is against it. Thank you.

25 THE COURT: Thank you.

1 And Cheryl Kohler. Good evening.

2 WHEREUPON,

3 CHERYL KOHLER

4 called as a witness, and having been first duly sworn
5 to tell the truth, the whole truth and nothing but the
6 truth, was examined and testified as follows:

7 THE COURT: Thank you. Please proceed.

8 THE WITNESS: I'm not prepared, either.

9 My name's Cheryl Kohler. I live in
10 Fairfield County, 10580 Ridge Road, Amanda Township.

11 The reason that I'm speaking -- this is
12 the second meeting that I've been -- been to at the
13 high school because Fairfield County is -- is
14 beginning to deal with the same thing. We have
15 several projects in the county, two within the
16 township that I live.

17 So I felt it necessary to support the
18 neighboring property owners and farmers, as I do
19 oppose the industrial solar plants on farmland or any
20 land that is not zoned industrial.

21 I'm only assuming that the -- where the
22 projects are in Pickaway County or this project
23 specifically, is possibly zoned agricultural and/or
24 residential, the same.

25 As I sit here and listen -- as -- as I

1 said, this is the second meeting that I've
2 attended -- and I left the first one very, very moved
3 because everything that was said at the first meeting
4 by all the neighbors, the farmers that were being
5 impacted by this is the same thing that myself, as
6 well as hundreds of residents of Amanda Township are
7 facing, as well.

8 I can speak solely for Amanda Township.
9 The proposals that we are facing do not comply with
10 our local zoning code.

11 The townships are permitted to
12 establish their own zoning regulations to protect the
13 best interests of their residents within each zoning
14 district.

15 I've heard mentioned several times
16 tonight "best interest of the public." And I urge the
17 Ohio Power Siting Board to take into consideration the
18 best interest of all the people that will be directly
19 impacted if this project is approved.

20 I've heard the lifespan of the panels
21 projects is projected anywhere from 20 to 40 years.
22 The lifespan of impact to the neighboring property
23 owners and farmland is probably forever.

24 Industrial solar plants may have a need
25 or a place, but they do not belong in agricultural

1 residential areas. Thank you.

2 THE COURT: Thank you.

3 That concludes the names of those
4 people that have signed up to provide testimony this
5 evening.

6 I thank you all for coming out this
7 evening. The board appreciates your participation.

8 I will remind you that there are those
9 sign-up sheets up front where you can sign your views
10 for or against. You can also file a public comment to
11 our docket. Again, my colleagues up front can walk
12 you through that process.

13 But this does conclude this evening's
14 public hearing.

15 UNIDENTIFIED SPEAKER: I've got a
16 question.

17 THE COURT: Actually, I'm sorry, ma'am.
18 This is not a question-and-answer session.

19 So if it has to do with the processes
20 of our hearing or of the Power Siting Board, you can
21 direct those questions to my colleagues out front.

22 If it is a question specific to the
23 project, I invite you to talk to the representatives
24 that are here this evening.

25 That testimony that was given and those

1 exhibits that were marked will be submitted to the
2 record for the board's consideration.

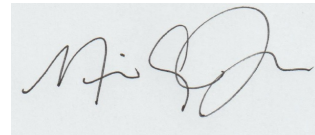
3 And with that, we are adjourned. Thank
4 you.

5 THE REPORTER: We are going to go off
6 the record at 7:59 p.m.

7 (Whereupon, at 7:59 p.m., the
8 proceeding was concluded.)
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CERTIFICATE OF DEPOSITION OFFICER

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



NIC JOSEPH SAUL
Notary Public in and for the
State of Ohio

CERTIFICATE OF TRANSCRIBER

I, LAURA K. MILLER, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

A handwritten signature in dark ink, appearing to read "Laura K. Miller", with a long, sweeping horizontal flourish extending to the right.

LAURA K. MILLER

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