

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of Circleville)	
Solar, LLC for a Certificate of Environmental)	
Compatibility and Public Need For The)	Case No. 21-1090-EL-BGN
Construction of a Solar Powered Generation)	
Facility in Pickaway County, Ohio.)	

DIRECT TESTIMONY OF

Zachary Melda

On behalf of

Circleville Solar, LLC

March 20, 2023

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

A.1 My name is Zack Melda. I am a Senior Director for NextEra Energy Resources, LLC. My business address is 700 Universe Boulevard, North Palm Beach, FL 33408.

Q.2 What are your duties as Senior Director of Development at NextEra?

A.2 My duties include managing development activities for our portfolio of renewable energy projects throughout Ohio, Indiana, Illinois, and Michigan. The portfolio consists of approximately 2 GW of Solar, 400 MW of Wind, and 357 MW of Storage projects in various stages of development and construction. Development activities include, but are not limited to: site suitability analysis, land acquisition, interconnection applications, community engagement, federal state and local permitting, budgeting oversight, and oversight of engineering and construction.

Q.3 What is your education and professional background?

A.3 I have worked at NextEra Energy Resources since May 2016 and currently serve in the role of Senior Director of Development. Prior to NextEra Energy Resources I worked for 5 years at Georgia Pacific, LLC in the pulp and paper industry and as an environmental engineer. Additionally, I served in the U.S. Army for 4 years active duty, and for 12 years in the National Guard. I hold a Bachelors degree in civil engineering from Southern Polytechnic State University, and a Masters in Business Administration from the Georgia Institute of Technology. A copy of my resume is attached to my testimony as Attachment A.

Q.4 On whose behalf are you offering testimony?

A.4 I am offering testimony on behalf of the Applicant, Circleville Solar, LLC ("Circleville Solar").

Q.5 What is the purpose of your testimony?

A.5 The purpose of my testimony is to:

- 1) Provide a summary of the Circleville Solar Project (the "Project"), including background information concerning Circleville's Application and Exhibits thereto, which were filed on December 30, 2021;

- 2) Summarize certain components of the Application and sponsor its admission into evidence along with all associated Exhibits to the Application, all certificates of service, all required proofs of publication, and all other documents required by OPSB rules;
- 3) Identify and introduce other witnesses supporting the Application; and
- 4) Summarize the Project's responses to local community concerns and issues raised in the OPSB Staff Report of Investigation.

Q.6 What is the general purpose of the Project?

A.6 The Project's general purpose is to generate renewable energy to the PJM Interconnection, LLC ("PJM") transmission grid that serves the eastern United States. The Project will provide a clean, efficient, zero-emission alternative to fossil fuel-fired power stations. The Project utilizes an array of photovoltaic (PV) panels with a generating capacity of approximately 70 MW. The intent of the Project is to help in diversifying the portfolio of local, state, and national energy generators to provide more energy with minimal environmental impacts.

Q.7 Does the energy generated by the Project have a specific purpose for customers located in Ohio?

A.7 Yes. The Project will provide direct benefits to over 600,000 electric customers through an offtake agreement with the Northeast Ohio Public Energy Council ("NOPEC").

Q.8 Please describe the proposed Project, the Project Area, and the power generation potential of the Project.

A.8 The Project is a 70 MW solar-powered electric generating facility for which Circleville Solar has applied to the OPSB for a certificate to construct in Jackson Township, Pickaway County, Ohio. As discussed further below, the Project Area has been reduced to The Project's components, within the fence line, will be located on approximately 756 acres. As stated in the Application, this acreage is representative of an overbuild design, and so the final acreage actually utilized for the Project facility components will be *less than 756* acres. The Project will be located on rural, relatively flat, previously disturbed agricultural land.

1 The Project will consist of arrays of PV panels, which will be ground-mounted on a single-
2 axis tracking rack system. The racking includes steel posts driven six to eight feet into the
3 ground. The solar panel arrays will be fenced with gated entrances. The Project facility
4 also includes access roads, electric collection lines, a collection substation, and a laydown
5 area for construction staging. The Project will also have an approximately 3.5-mile gen-tie
6 facility to connect the Project to an existing substation in Circleville, which is the subject
7 of a separate application filed with the OPSB.¹

8 **Q.9 What components of the Application are you sponsoring?**

9 **A.9** I am sponsoring the Application narrative, all certificates of service, all required proofs of
10 publications, and all other letters and documents required by OPSB rules. I am also
11 sponsoring the following Exhibits to the Application: Exhibit A (Application Figures),
12 Exhibit B (Project Schedule), Exhibit C (Manufacturing Specifications), Exhibit G
13 (Interconnection Feasibility), Exhibit I (Complaint Resolution Plan), Exhibit M (Glint &
14 Glare Analysis), Exhibit S (Drain Tile Maintenance Plan). The Application and all Exhibits
15 thereto are collectively “Applicant Exhibit 2.”

16 **Q.10 In addition to the Application Exhibits listed above, are you sponsoring other**
17 **exhibits?**

18 **A.10** Yes, I am also sponsoring all of Circleville Solar’s Responses and Supplemental Responses
19 to the Staff Data Requests (Applicant Exhibit 3), as well as the Additional Geotechnical
20 and Subsurface Infrastructure Information filed on October 28, 2022 (Applicant Exhibit 4).
21 I am sponsoring the Notice of Project Modification filed on March 10, 2023 (Applicant
22 Exhibit 5). Finally, I am also sponsoring the Facilities Study Report, Executed
23 Interconnection Service Agreement, and Executed Interconnection Construction Service
24 Agreement, filed March 13, 2023 (Applicant Exhibit 6).

¹ Circleville Solar Transmission Line, Case No. 22-0117-EL-BTX.

1 **Q.11 Are Circleville Solar’s Application Exhibits and responses to Staff Data Requests true**
2 **and accurate to the best of your knowledge?**

3 **A.11** Yes, the Application and Exhibits and all of Circleville Solar’s Responses and
4 Supplemental Responses to the Staff Data Requests are true and accurate and were
5 prepared under my direction.

6 **Q.12 Were copies of the accepted Application served on local public officials and libraries**
7 **in accordance with OAC Rule 4906-3-07(A)?**

8 **A.12** Yes, such service was made, and I am sponsoring Applicant Exhibit 7, which is proof of
9 service of the Application.

10 **Q.13 Did Circleville Solar file and serve a copy of the letter sent to property owners and**
11 **tenants with the plan or contiguous to the plan site pursuant to OAC Rule 4906-3-**
12 **03(B)?**

13 **A.13** Yes. A letter was sent on October 28, 2021, to property owners and tenants within the plan
14 site or contiguous to the plan site announcing that the Public Informational Meeting would
15 be held on November 18, 2021. (See Applicant Exhibit 8.)

16 **Q.14 Did Circleville Solar cause notice of the Public Informational Meetings, the**
17 **Application, and the hearing dates to be published in the local newspaper?**

18 **A.14** Such notices were published in the *Circleville Herald* at the appropriate time. Proof of
19 publication in this newspaper was filed on the docket on November 4, 2021. (See Applicant
20 Exhibit 9.)

21 **Q.15 Did Circleville Solar publish notification of the originally scheduled hearing?**

22 **A.15** Yes. Proofs of Publication were filed on April 21, 2022 (first publication of the description
23 of the application and hearing dates) and June 23, 2022 (second publication of the
24 description of the application and hearing dates) in accordance with Ohio Revised Code
25 (“R.C.”) 4906.06(C) and O.A.C. 4906-3-10(B) for the first and second publications of the
26 description of the application and the hearing dates, published on April 19, 2022 and June
27 18, 2022 in the *Circleville Herald*. (Applicant Exhibit 10).

1 **Q.16 Did the Project receive any comments at the public information meeting?**

2 **A.16** Yes. These comments are summarized in the Application.

3 **Q.17 Has the Project received a PJM interconnection study?**

4 **A.17** Yes. These studies were filed with the Application (Exhibit G to the Application.)

5 **Q.18 Who are the additional witnesses supporting the Project in this proceeding?**

6 **A.18**

Witness	Subject of Testimony
Valerie Locker (Applicant Exhibit 11)	<ul style="list-style-type: none">- Sponsorship of multiple Application Exhibits: Wetland and Stream Delineation Report (Exhibit D), Biological Habitat Assessment (Exhibit E), Cultural Resources Reports (Exhibit F), Preliminary Vegetation Management Plan (Exhibit Q), and the Preliminary Decommissioning Plan (Exhibit K).- Identification of subsurface oil and gas infrastructure with respect to the Additional Geotechnical and Subsurface Infrastructure Information filed on October 28, 2022.- Identification of water wells.- Discuss project's pollinator habitat plans, in coordination with the Ohio Department of Natural Resources.
Michael McConnell (Applicant Exhibit 12)	<ul style="list-style-type: none">- Sponsor the "Response of Circleville Solar, LLC to Public Comment submitted by Gary Cameron, EMA Director for Pickaway County," filed June 6, 2022 (Applicant Exhibit 13).
Fowler Brooks (Applicant Exhibit 14)	<ul style="list-style-type: none">- Sponsor the Construction Route Study and Road Condition Report (Exhibit J) and the Inadvertent Return Plan (Exhibit L).- Address overall constructability of the Project.

Witness	Subject of Testimony
	- Describe Applicant's approach to grading and civil construction to minimize impacts to top soil.
Ryan Callahan (Applicant Exhibit 15)	- Sponsor the Sound Level Assessment Report (Exhibit N).
Matthew Allen (Applicant Exhibit 16)	- Sponsor the Visual Impact Assessment Report (Exhibit R).
Sean Hollowell (Applicant Exhibit 17)	- Sponsor the Socioeconomic Report (Exhibit H).
Dan Bowar (Applicant Exhibit 18)	- Sponsor the Preliminary Stormwater Report (Exhibit O).
Brendan Lieske (Applicant Exhibit 19)	- Sponsor the Geotechnical Evaluation (Exhibit P) and the updated Geotechnical Evaluation, as part the Applicant's "Additional Geotechnical and Subsurface Infrastructure Information" filed on October 28, 2022 (Exhibit 4).
Mark Ruff (Applicant Exhibit 20)	- Testimony on development of drain tile overlap and best practices for repair and replacement of damaged tile.
Karl Gebhardt (Applicant Exhibit 21)	- Testimony on how the Project improves watershed and soil health, and advances goals of farmland preservation.

Q.19 Did the Project complete a complaint resolution plan?

A.19 Yes. The Project submitted a complaint resolution plan as part of its Application (Exhibit I). Pursuant to this plan, Circleville Solar will take all reasonable actions necessary to rectify legitimate disturbances that are a direct result of the Project. Where reasonable actions fail to minimize the disturbance, Circleville Solar will continue to work with the impacted community member to rectify legitimate disturbances.

Q.20 Did the Project complete a glint and glare analysis?

A.20 Yes. The Project submitted a glint and glare analysis as part of its Application (Exhibit M). This analysis showed that there is no predicted glare occurrences for nearby residences or roadways as a result of the proposed single-axis tracking arrays. The results are based on the application of Federal Aviation Administration (FAA) glint and glare standards.

Q.21 Did the Project Complete a Drain Tile Maintenance Plan?

A.21 Yes. The Project submitted a Drain Tile Maintenance Plan as part of its Application (Exhibit S). The purpose of this plan is to support the identification of drainage systems and methods for avoidance, mitigation, and repair of potential impacts caused by construction of the facility. As part of the preparation of this plan, the Applicant engaged local drain tile expert Mr. Mark Ruff. Mr. Ruff's testimony further describes how he supported the development of the Drain Tile Management Plan.

Q.22 Please describe the Notice of Project Modification filed on March 10, 2023.

A.22 As originally proposed, the Project was located in both Jackson and Wayne Townships within Pickaway County, with most of the Project in Jackson Township. Through this modification filing, Circleville Solar is providing notice to the Board of a commitment to withdrawal the Project from Wayne Township. The modification filing shows the revised Project Area boundaries demonstrating the removal of the Project Area from Wayne Township. The filing makes no changes to the existing Project Area boundary in Jackson Township.

Q.23 Have you reviewed the Staff Report of Investigation?

A.23 Yes.

Q.24 Have you reviewed the Certificate Conditions recommended by the Board Staff on pages 46-54 of the Staff Report of Investigation?

A.24 Yes

1 **Q.25 Does Circleville Solar recommend any changes to the conditions as proposed in the**
2 **Staff Report?**

3 **A.25** Yes. Circleville Solar recommends that the following proposed conditions in the Staff
4 Report be removed: Condition No. 6; Condition No. 8, Condition No. 10, Condition No.
5 37; and Condition No. 38. The issues related to these conditions have been subsequently
6 resolved in the discussions with OPSB Staff, followed by the Additional Geotechnical and
7 Subsurface Infrastructure Information filed on October 28, 2022.

8 More specifically, Condition Nos. 6, 37, and 38 state:

9 (6) Additional geotechnical borings shall be conducted and those results
10 presented with the final geotechnical report. This shall include, but not be
11 limited to borings at the collector substation location, the collection line
12 corridor between the solar array field and the collector substation, and
13 within the group of solar arrays proposed in the southeast corner of the
14 project area. The additional geotechnical evaluation shall include pile load
15 testing throughout the project area where pile foundations are proposed.

16 (37) The Applicant shall not construct within the 46-acre panel array section
17 in the southeastern portion of the project area located on Parcel ID No. P33-
18 0-001-00-374-00 and identified within its February 10, 2022 data request
19 response where geotechnical borings remain to be conducted, performed,
20 and analyzed.

21 (38) The Applicant shall not construct within the collector substation area
22 located on Parcel ID No. E15-0-001-00-196-00 and identified within its
23 February 10, 2022 data request response where geotechnical borings remain
24 to be performed and analyzed.

25 The Additional Geotechnical and Subsurface Infrastructure Information filing included an
26 updated Geotechnical Evaluation Report that resolves the issues raised in the proposed
27 conditions above. As a result, these conditions can and should be eliminated.

28 Staff Report Condition No. 10 states:

29 (10) At least 60 days prior to the preconstruction conference, the Applicant
30 shall provide to Staff and file on the public docket, a final subsurface

1 investigation report. This report shall identify the precise locations of all
2 buried lines related to the oil and gas operations in and around the project
3 area. This will include a revised facility layout to identify all features and
4 incorporate the setbacks of conditions 8 and 9 above, in addition to inclusion
5 of a 10 feet minimum setback from any buried lines identified by the
6 subsurface investigation report. This setback shall not supersede any
7 binding setbacks established under any existing oil and gas operations lease
8 agreements.

9 As described in the Additional Geotechnical and Subsurface Infrastructure Information
10 filed on October 28, 2022, the Applicant conducted additional subsurface investigations to
11 identify underground infrastructure. Through dialogue with the well operator, and
12 coordination with the Ohio Department of Natural Resources, it was determined that the
13 water line serving the well will be relocated. The testimony of Witness Locker further
14 discusses this investigation effort and coordination with the well owner.

15 Condition No. 8 states:

16 (8) The Applicant shall identify the precise locations of the plugged oil and
17 gas wells (API #s 34129202460000 and 34129201110000) and observe a
18 minimum setback of 50 feet between all project infrastructure and the wells.
19 This setback shall not supersede any binding setbacks established under any
20 existing oil and gas operations lease agreements.

21 As further addressed in the testimony of Witness Locker, the Additional Geotechnical and
22 Subsurface Infrastructure Information filing confirmed the location of the wells and
23 confirmed that the Project will adhere to a setback of at least 50 feet. With this
24 confirmation, the proposed condition above is no longer necessary.

25 **Q.26 Does Circleville Solar recommend any other changes to the conditions proposed in**
26 **the Staff Report?**

27 **A.26** Yes. Circleville Solar recommends minor clarification edits to Condition Nos. 12 and 21.
28 Circleville Solar recommends that Condition No. 12 be modified to remove the reference
29 to “physical barriers” to oil and gas well operations. The owner of the wells within the
30 Project footprint, Houghton Investments, has communicated that fencing around the wells

1 will not be needed. As a result, Circleville Solar recommends the revised version of the
2 condition below:

3 At least 30 days prior to the preconstruction conference, the Applicant shall submit
4 a refined solar facility layout that shows the oil and gas well operation subsurface
5 infrastructure or right-of-way, the Applicant's setback of solar panels and inverters
6 ~~and physical barriers~~ to that oil and gas well operation subsurface infrastructure or
7 right-of-way, the access roads necessary to avoid interference with the oil and gas
8 well operation), the location of the Applicant's underground electric collection
9 system within any pipeline(s) easement(s) or right-of-way, and the method for
10 installing the underground electric collection system within the pipeline(s)
11 easement(s) or right-of-way.

12 Circleville Solar also recommends that Condition No. 21 is clarified to align with the Staff
13 Recommendation that vegetative screening to mitigate aesthetic impacts is applicable to
14 the limited portion of the Project that falls within the Immediate Foreground zone (0 to 0.1
15 miles) to the roadway. *See*, Staff Report at p. 14. This recommended edit better clarifies
16 the applicability of certain mitigation requirements in light of the extensive setbacks
17 applicable to most of the Project footprint. The revised condition is included below:

18 Prior to commencement of any construction, the Applicant shall prepare a
19 landscape and lighting plan in consultation with a landscape architect licensed by
20 the Ohio Landscape Architects Board that addresses the aesthetic and lighting
21 impacts of the facility with an emphasis on any locations where an adjacent non-
22 participating parcel contains a residence with a direct line of sight to the project
23 area. The plan shall also address potential aesthetic impacts to nearby communities,
24 the travelling public, and recreationalists by incorporating appropriate landscaping
25 measures such as shrub plantings or enhanced pollinator plantings. Specifically,
26 aesthetic impact mitigation of vegetative screening shall apply to the northwest
27 portion of the project that is adjacent to OH-56 and falls within the Immediate
28 Foreground zone (0 to 0.1 miles) to the roadway. The plan shall include measures
29 such as fencing, vegetative screening, or good neighbor agreements. Unless
30 alternative mitigation is agreed upon with the owner of any such adjacent, non-
31 participating parcel containing a residence with a direct line of sight to the fence of

1 the facility, the plan shall provide for the planting of vegetative screening designed
2 by the landscape architect to enhance the view from the residence and be in
3 harmony with the existing vegetation and viewshed in the area. The Applicant shall
4 maintain vegetative screening for the life of the facility and the Applicant shall
5 replace any failed plantings so that, after five years, at least 90 percent of the
6 vegetation has survived. Prior to commencement of construction, the Applicant
7 shall submit to Staff for approval a solar panel perimeter fence type that is both
8 small-wildlife permeable and aesthetically fitting for a rural location. This
9 condition shall not apply to substation fencing. The Applicant shall maintain all
10 fencing along the perimeter of the project in good repair for the term of the project
11 and shall promptly repair any damage as needed. Lights shall be motion-activated
12 and designed to narrowly focus light inward toward the facility, such as being
13 downward facing and/or fitted with side shields. The Applicant shall provide the
14 plan to Staff and file it on the public docket for review and confirmation that it
15 complies with this condition.

16 **Q.27 With the exception of the Staff Report conditions identified in the previous questions,**
17 **does the Applicant accept all remaining Certificate conditions recommended by the**
18 **Board's Staff in the Staff Report and commit to complying with them?**

19 **A.27** Yes.

20 **Q.28 Are you aware that the OPSB must make certain determinations under Ohio Revised**
21 **Code ("R.C.") 4906.10 before issuing the certificate for which Circleville Solar has**
22 **applied?**

23 **A.28** Yes. I have been advised there are eight criteria considered by the OPSB in making its
24 decision whether or not to issue a certificate.

25 **Q.29 Does the Application meet Circleville Solar's obligation to make the required**
26 **showings under each of the eight criteria under R.C. 4906.10?**

27 **A.29** Yes, the Application and other exhibits presented in this proceeding on behalf of the Project
28 enable the OPSB to determine that Circleville Solar meets each of the eight criteria under
29 R.C. 4906.10.

Q.30 Does R.C. 4906.10(A), which requires the Board to determine the basis of need for the proposed facility, apply to the Board’s review of this Application?

A.30 No. R.C. 4906.10(A)(1) applies only to an electric transmission line or a gas pipeline and is not applicable to this generating facility.

Q.31 Does the Application enable the Board to determine the nature of the probable environmental impact of the facility? [R.C. 4906.10(A)(2)]

A.31 Yes. The Application addresses all of the subject matter areas necessary for the Board to determine the nature of the probable environmental impact of the facility. The Application includes detailed surveys, assessments, and reports related to probable socioeconomic impacts, ecological impacts, and public services, facilities, and safety. The Application narrative and exhibits and figures, along with subsequent data request responses and filings, provides all of the information necessary to determine the probable impacts. Further, each of these topics are supported by witnesses in the case.

In part, the Staff Report of Investigation recommended denial of the application under R.C. 4906.10(A)(2) due to insufficient geotechnical and subsurface infrastructure. Subsequent to the Staff Report, Circleville Solar provided additional investigative information to the OPSB Staff, followed by the Additional Geotechnical and Subsurface Infrastructure Information filed on October 28, 2022. As a result of this additional information, Staff confirmed in written correspondence to Circleville Solar that Staff no longer recommends denial of the Application under R.C. 4906.10(A)(2).

Q.32 Based on the Applicant’s commitments in the Application, along with the conditions in the Staff Report, does the facility represent the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives, and other pertinent considerations? [R.C. 4906.10(A)(3)]

A.32 Yes. The Application addresses all of the subject matter areas necessary for the Board to determine the nature of any probable environmental impact of the facility. Moreover, the Applicant’s commitment to comply with the conditions recommended by the OPSB Staff in the Staff Report further supports a determination that the facility represents the minimum adverse impact, considering the state of available technology and the nature and economics of the various alternatives, and other pertinent considerations.

1 With respect to construction, such activities are expected to have typical and relatively
2 limited impacts as they are temporary, intermittent, and subject to time-of-day restrictions.
3 Increased traffic during construction will be managed with no expected road closures and
4 will end when the Project is operational.

5 With respect to operations, on behalf of Circleville Solar, my team and I engaged, directed,
6 and supervised consultants to study the potential environmental, ecological, cultural, and
7 visual impacts of the Project. Individual witnesses provide further direct testimony on these
8 studies and reports. Additionally, Circleville Solar's studies determined that there will be
9 no permanent adverse impacts to wetlands and surface waters. To the contrary, as set forth
10 in the pre-filed testimony of Witness Gebhardt and Witness Locker the Project will
11 improve nearby watersheds and provide important wildlife habitat, consistent with State of
12 Ohio watershed improvement and wildlife conservation policies.

13 Circleville Solar's Sound Level Assessment, discussed further by Witness Callahan,
14 resulted in a finding that construction noise impacts will be intermittent and limited in
15 duration. Consistent with this assessment, any negative impacts from construction noise
16 will be minimized by practices such as limiting hours of work, locating staging away from
17 sensitive receptors, and controlling vehicle movement to prevent backup alarms. Once
18 operational, the Project would be expected to have minimal adverse noise impacts on the
19 adjacent community.

20 Visual impacts of the Project will be mitigated by the substantial setbacks, flat terrain, low
21 profile of the solar panels, and preservation of existing natural vegetative screening. The
22 setbacks for the vast majority of the Project exceed the current OPSB proposed setbacks in
23 the pending rulemaking (e.g., 300 ft. from panels to residences, 150 ft. from panels to
24 roads). More specifically, the Project's setbacks include:

- 25 • The nearest non-participating residence is 600 feet from Project facilities
- 26 • Approximately 91% of the Project fence line is sited greater than 1,000 feet from
27 public roads
- 28 • Approximately 95% of the Project fence line is sited greater than 500 feet from
29 public roads

1 The Project will also use perimeter fencing that includes agricultural-style, wildlife friendly
2 fencing, rather than chain link fencing. As stated earlier in my testimony, the Glint and
3 Glare analysis shows that there is no predicted glare occurrences for nearby residences or
4 roadways as a result of the proposed single-axis tracking arrays. The results are based on
5 the application of Federal Aviation Administration (FAA) glint and glare standards.

6 As discussed above, the Staff Report recommended denial of the application, in part, under
7 R.C. 4906.10(A)(3) due to insufficient information supporting the suitability of the
8 geotechnical and subsurface infrastructure. Subsequent to the Staff Report, Circleville
9 Solar provided additional investigative information to the OPSB Staff, followed by the
10 Additional Geotechnical and Subsurface Infrastructure Information filed on October 28,
11 2022. As a result of this additional information, Staff confirmed in written correspondence
12 to Circleville Solar that Staff no longer recommends denial of the application under R.C.
13 4906.10(A)(3).

14 **Q.33 Is the facility consistent with regional plans for expansion of the electric power grid**
15 **of the electric systems serving this state and interconnected utility systems and that**
16 **the facility will serve the interests of electric system economy and reliability? [R.C.**
17 **4906.10(A)(4)]**

18 **A.33** Yes. The regional plans for expansion of the electric power grid of the electric systems
19 serving the state are determined by PJM. The Applicant submitted an interconnection
20 request to PJM on January 31, 2017. The Feasibility Study for the Project was received in
21 July 2017, and the subsequent System Impact Study Report from PJM was received in June
22 2018. The Facilities Study Report was issued by PJM in October 2022. The
23 Interconnection Service Agreement and Interconnect Construction Service Agreement
24 were executed by Circleville Solar at the end of 2022.

25 **Q.34 Does the facility comply with the requirements established by the state of Ohio for air**
26 **pollution control; solid and hazardous waste; water pollution control; permitting for**
27 **a major increase in withdrawal of waters; and aeronautical requirements? [R.C.**
28 **4906.10(A)(5)]**

29 **A.34** Yes. The Project will generate no wastewater, no air emissions, and minimal solid waste.
30 Air quality permits are not required for construction or operation of the Project. During

1 construction, Circleville Solar will control fugitive dust by using best management
2 practices, consistent with fugitive dust rules.

3 The Application addresses water and water pollution and demonstrates that the Project has
4 no water pollutants associated with the operations of the Project. The Project does not
5 anticipate any impacts to public or private wells or water supplies during the construction
6 and operation of the Project. Circleville Solar will construct the facility in a manner
7 consistent with the Ohio Environmental Protection Agency's Guidance on Post-
8 Construction Storm Water Controls for Solar Panel Arrays. As noted by the Staff Report,
9 Circleville Solar will mitigate potential water quality impacts associated with storm water
10 runoff by obtaining NPDES construction storm water general permit (OHC00005, or future
11 versions of this permit) coverage from the Ohio EPA with submittal of a notice of intent
12 for coverage under that permit. The construction storm water general permit also requires
13 development of a Stormwater Pollution Prevention Plan ("SWPPP") to direct the
14 implementation of construction related storm water management and BMPs for soil erosion
15 control.

16 Only a minimal amount of solid waste will be produced during regular operations and will
17 be limited to common materials, such as cardboard and plastic packaging. Circleville Solar
18 will recycle as much as possible and will use a local solid waste disposal service to handle
19 the waste. Further, Circleville Solar has committed to only use top tier equipment suppliers
20 and the Applicant is only considering panels that have been certified to comply with the
21 US EPA's toxicity characteristics leachate procedure ("TCLP") test and meet U.S. EPA
22 definition of non-hazardous waste. Moreover, Condition No. 36 of the Staff Report requires
23 that retired panels marked for disposal shall be sent to an engineered landfill with barrier
24 and methods designed to prevent leaching of materials into soils and groundwater

25 **Q.35 Does the facility serve the public interest, convenience, and necessity?** [R.C.
26 4906.10(A)(6)]

27 **A.35** Yes. As discussed throughout my testimony and the testimony of other witnesses,
28 Circleville Solar has designed the Project to minimize adverse impacts and incorporate
29 feedback from the local community. In addition, the Project also actively serves the public
30 interest in a variety of ways not addressed in the Staff Report. The public interest is served

1 by 1) providing local, regional, and statewide economic benefits; 2) the hiring of talented
2 local labor to build the project, bringing good construction related jobs to workers in the
3 area, 3) advancing farmland preservation and providing ecological benefits through water
4 quality improvements and additional pollinator habitat; 4) supporting the reliability,
5 affordability, and diversification of Ohio's electrical supply; and 5) directly serving Ohio
6 consumers and communities through an off-take agreement with the state's community
7 aggregation. None of these benefits are referenced in the Staff Report. A number of
8 Circleville Solar's witnesses provide direct testimony on these topics, which will enable
9 the Board to make an evidence-based determination that the Project will serve the public
10 interest, convenience, and necessity.

11 **Q.36 Does the Application enable the Board to determine what the facility's impact will be**
12 **on the viability as agricultural land of any land in an existing agricultural district?**
13 [R.C. 4906.10(A)(7)]

14 **A.36** Circleville Solar has taken extra steps to preserve the long-term viability of the property
15 within the Project Area for future agricultural use. These efforts include survey methods to
16 identify drain tile and a commitment to repair damaged drain tile, as well as engaging with
17 a local drain tile expert. Circleville has agreed to Staff Report Condition No. 16, which
18 requires that a grading plan is developed and submitted prior to construction. This plan
19 must demonstrate that the Project would not obstruct future agricultural land use or land
20 use otherwise specified by the landowner. Circleville Solar's efforts to minimize grading
21 impacts is discussed in more detail by Witness Brooks. The Vegetation Management Plan
22 contained and the conditions set forth in the Staff Report, will ensure that, throughout the
23 life of the Project, a mix of perennial grasses and flowering forbs will increase biodiversity
24 and soil health and has the potential to increase pollinator species presence on adjacent
25 farmed parcels.

26 **Q.37 Does the facility incorporate maximum feasible water conservation practices,**
27 **considering available technology and the nature and economics of the various**
28 **alternatives?** [R.C. 4906.10(A)(8)]

29 **A.37** Yes. As noted in the Staff Report, the Project will not require the use of significant amounts
30 of water. Construction and operations will require a water supply either from existing water

1 wells, drilling a new well, or having water delivered. Water will be needed for dust control,
2 construction trailers, and O&M building use. During operation, natural precipitation is
3 expected to be sufficient for cleaning panels.

4 **Q.38 Does the facility comply with the requirements established by the state of Ohio to**
5 **prepare and provide a decommissioning plan and cost estimate for the Project?**

6 **A.38** Yes. Circleville Solar will adhere to the new statutory decommissioning requirements
7 authorized under Ohio Senate Bill 52. Senate Bill 52 requires a decommissioning plan
8 prepared by a registered professional engineer be submitted to the OPSB at least 60 days
9 before construction. The plan must include a list of responsible parties, a schedule for
10 decommissioning not to extend beyond 12 months after the utility facility ceases
11 operations, and an estimate of the full costs of decommissioning, without the inclusion of
12 salvage value. A performance bond equal to the estimate of decommissioning must be
13 posted and updated every five years. The Application includes a Preliminary
14 Decommissioning Plan (Exhibit K), which will be updated consistent with the statutory
15 requirements and Staff Report Condition No. 35 prior to construction.

16 **Q.39 Do you believe the Project would have a positive impact on the local, regional, and**
17 **statewide economy?**

18 **A.39** Yes. As set forth in the Economic Impact Report (Exhibit H) and in Witness Hollowell's
19 direct testimony, the Project is expected to directly and indirectly benefit the local and
20 statewide economies. As noted in the Economic Impact Report and the OPSB Staff Report,
21 the Project is expected to create 514 construction related jobs for the state of Ohio, as well
22 as six long-term operational jobs for the state of Ohio. The Project is also expected to
23 generate between \$37.2 million in local earnings during construction. Construction of the
24 Project is expected to result in over \$63 million in economic output during construction for
25 the state of Ohio, and approximately \$1 million in ongoing annual output during operations.
26 The Project will also create significant revenue to local government and schools. For
27 example, if the Project enters in to a payment in lieu of taxes under R.C 5727.75 with
28 Pickaway County, a \$9,000 per MW PILOT will generate \$630,000 per year for local
29 government entities and schools. Over the life of the Project, PILOT payments would total
30 approximately \$25 million. Annually, with a PILOT, the Westfall School District would

1 receive \$258,000 in revenue, Pickaway County would receive \$260,000 in revenue, and
2 Jackson Township would receive \$34,000. Currently, the land underlying the Project area
3 generates approximately \$31,000 annually in local tax revenue in total.

4 **Q.40 Please describe Circleville Solar’s public information program to provide the local**
5 **community information about the Project.**

6 **A.40** In addition to meeting with the surrounding neighbors and the tenant farmers on multiple
7 occasions, the Project team has met with the following local officials and community
8 leaders:

9 **Q.41 Did you review the written public comments submitted to the docket in this**
10 **proceeding?**

11 **A.41** Yes. I have reviewed every comment on the docket as of March 20, 2023.

12 **Q.42 Did you review the transcript of the local public hearing held on June 27, 2022?**

13 **A.42** Yes.

14 **Q.43 Please describe, generally, the topics raised by those testifying at the local public**
15 **hearing and in the written public comments in the docket.**

16 **A.43** I first note that the overwhelming number of comments to the public docket and testimony
17 in the local public hearing were not specific to the Project. Instead, these comments and
18 testimony expressed concerns or opposition about solar generically, with no reference to
19 this Project before the Board. In fact a number of comments and testimony at the local
20 hearing was directed toward two other projects in the area, the Yellowbud Solar Project
21 and the Chipmunk Solar Project. Relatedly, many of these comments and speakers are not
22 in the nearby vicinity of the Project. Of the fairly small number of comments and witness
23 testimony specifically in opposition to *this* Project, the majority of those comments are
24 from the same two families who own property adjacent to the Project. Based on my
25 experience in solar development, it does not appear that there is a mass of opposition to
26 this solar Project specifically.

27 The general opposition to solar in the community by commenters and witnesses appear to
28 primarily fall into the categories of 1) loss of farmland; 2) aesthetic impact to the

community; 3) concerns about panel disposal and toxic chemicals; and 4) safety and emergency response.

Q.44 How does the Project address the concerns raised above?

A.44 Again, the overwhelming number of comments and witness testimony was not directed toward this Project – indeed, many comments and witness testimony were directed specifically to *other* solar projects in the area. However, the Project effectively addresses the general concerns raised:

Loss of Farmland

Many commenters and local hearing witnesses expressed concern about the general loss of farmland as a result of solar development in Pickaway County. The opposition to the Circleville Solar Project by the Pickaway County Board of Commissioners was expressed in terms the loss of farmland in the context of *all* solar development in Pickaway County. In the County resolution opposing the Project, the Commissioners highlighted the permitted Atlanta Farms Solar Project (2,276 acres), the Yellowbud Solar Project (2,040 acres) in Ross and Pickaway Counties, and then identified proposed development in the County as “[t]he project areas for the facilities by Scioto Farms Solar Project, LLC, Chipmunk Solar LLC, and Circleville Solar, LLC, would respectively consume 1,070 acres, 3,680 acres, and 756 acres”

The Circleville Solar is by far the smallest of the proposed projects, and as noted earlier in my testimony, the 756 acres reflects an overbuild design and the Project footprint will cover an area less than 756 acres. Although this information was presented to the County Commissioners, their resolution did not reflect this fact.

Importantly, within this modest Project area, Circleville Solar is committed to developing, constructing, and operating a project that compliments the rural character of the community. When done correctly, solar facilities can be removed so that the underlying land can be returned to farming. Circleville Solar will be constructed and operated in a manner to achieve this important objective. As discussed further by Witness Brooks, NEER utilizes a “civil lite” approach to project development. NEER has significant experience in executing these construction methodologies. Moreover, the OPSB Staff Report recommends (Condition No. 16) that the Project develop, for Staff’s review, a grading plan

1 “which demonstrates . . . that the project would not obstruct future agricultural land use.”
2 I note that the previously permitted projects in Pickaway County did not have this
3 condition. Circleville Solar will also ensure that the Project will not create adverse impacts
4 to drainage. In addition to Staff Report recommended Condition No. 25, requiring prompt
5 repair or rerouting damaged field tile systems, Circleville Solar retained a local drain tile
6 expert to support in the identification of these systems. These efforts will help ensure that
7 the Project will not adversely impact the long-term productivity of the land for agricultural
8 use.

9 Moreover, the Project provides an opportunity for long-term farmland preservation. As
10 discussed in more detail by Witness Gebhardt and Witness Locker, the Project will provide
11 a period of rest and recovery for the soil. During the life of the Project, the soil will not be
12 exposed to chemicals such as fertilizers and pesticides, and the vegetation within the
13 Project area will help build organic material in the soil. The Project will also provide
14 significant pollinator habitat, which benefits other agricultural production in the local area.
15 Fundamentally, I believe that the Project’s design approach underscores the deep respect
16 and appreciation that the Project team has for the rural character of the local area. We
17 purposefully designed the Project to have a modest footprint with the largest setbacks of
18 any OPSB-reviewed project in the state (discussed more below). Our objective was not to
19 build the biggest project possible but to rather design a project that fit well with the local
20 area while also bringing the myriad of benefits associated with the Project: the opportunity
21 for aggregated Ohio communities to obtain renewable energy benefits from an Ohio-based
22 solar project; economic development and local jobs; and increased revenue for local
23 government and schools.

24 **Aesthetic Impact to the Community**

25 This Project’s setbacks set it apart from all others reviewed by the OPSB. As noted earlier
26 in my testimony, approximately 91% of the Project fence line is sited greater than 1,000
27 feet from public roads, and 95% of the Project fence is site greater than 500 feet from public
28 roads. The nearest non-participating residences are 600 feet from the Project facilities. For
29 context, the current OPSB rulemaking proposes setbacks of 150 feet from panels to the
30 road and 300 feet from non-participating property owners. Previously permitted projects—

1 which are all significantly larger in size to Circleville Solar—in Pickaway have setbacks
2 well within these thresholds, such as a project setback of only 50 feet from the public roads.
3 In addition to the large setbacks, the Project will maintain existing vegetative screening.
4 The Project will also utilize agricultural style fencing. Finally, the Project will implement
5 additional vegetative screening consistent with the Staff Report recommendations.

6 **Panel Disposal and Toxic Chemicals**

7 As discussed above, the Project will only utilize panels that have been certified to comply
8 with the US EPA’s TCLP test and meet U.S. EPA definition of non-hazardous waste.
9 Condition No. 36 of the Staff Report requires that retired panels marked for disposal shall
10 be sent to an engineered landfill with barrier and methods designed to prevent leaching of
11 materials into soils and groundwater. Witness McConnell’s testimony further discusses this
12 subject, included the detailed response and information provided to the EMA Director.

13 **Safety and Emergency Response**

14 As required by Staff Report Condition No. 39, Circleville Solar will develop and
15 implement an emergency and response plan for its construction and maintenance
16 contractors. This plan will be developed in consultation with local emergency response
17 personnel. Moreover, Circleville Solar will provide training for local responders to support
18 a prompt response to emergencies at the solar facility. Moreover, in response to a comment
19 by the EMA Director for Pickaway County, Circleville Solar met with this official to
20 discuss his concerns about solar energy generating facilities and filed a detailed response
21 to his comment, which is discussed in more detail by Witness McConnell.

22 **Q.45 Q: Did you review the resolutions passed by the Pickaway County Commissioners**
23 **and Jackson Township?**

24 **A.45** Yes. The one-page resolution passed by Jackson Township opposes the Project on the basis
25 that “a large group of residents” object to it and that the Trustees “believe that the
26 Circleville Solar project is not in the best interest of the residents of the township.” The
27 resolution identifies no specific issues about the Project. Indeed, the resolution is identical
28 to another resolution by Jackson Township opposing two different solar projects. No
29 differentiation or comparison is made between any of the other projects and Circleville

1 Solar, despite the fact that one of the other projects is over five times the size of the
2 Circleville Solar project.

3 Similarly, the resolution passed by the Pickaway County Commissioners opposing the
4 Project is identical to other resolutions that the County has passed opposing other solar
5 projects. The County resolution against the Project lists the other potential solar
6 developments in Pickaway County and makes a summary statement that the Project will
7 not “promote the general health, safety, and welfare of the residents of Pickaway County.”
8 No specific issues or concerns to the Project are raised.

9 As demonstrated in the Application and direct testimony submitted on behalf of the Project,
10 the Project poses no health risk to the residents of Pickaway County. Circleville Solar has
11 diligently addressed safety concerns and has committed to ensure that local emergency
12 personnel are trained and have the equipment they need. There is no evidence in this
13 docket, or before the Pickaway County Commission demonstrating that the Project poses
14 a safety risk to the residents of Pickaway County. Furthermore, by bringing new tax
15 revenue to local government and schools, improving soil and watershed health, bolstering
16 local grid resiliency, and creating local jobs, the Project promotes the general welfare for
17 the residents of Pickaway County. With over 90% of the project more than 1,000 feet from
18 public roads – which is an unprecedented setback compared to other projects approved by
19 the Board – and its comparatively small footprint, the Project will truly have minimal
20 impacts to the general public.

21 **Q.46 Please describe Circleville Solar’s concerns about the Pickaway County**
22 **Commissioners’ vote to pass a resolution opposing the Project.**

23 **A.46** Circleville Solar’s first concern pertains to the role of Pickaway County’s *ad hoc* member’s
24 deciding vote on the resolution in opposition to the Project. The Pickaway County
25 Commission has three members. As required by Senate Bill 52, the County Commissioners
26 appointed an *ad hoc* member to the OPSB for this case on March 29, 2022. The *ad hoc*
27 member appointed for this case is one of the three County Commissioners, Jay Wipple.
28 Following this appointment, he refused to meet with Circleville Solar during the Pickaway
29 County Commission meetings or to engage in any discussion regarding the Project in his
30 capacity as a County Commissioner on the stated basis that he is voting member of the
31 OPSB as the *ad hoc* appointee for this case. Nevertheless, Commissioner Wipple did not

1 abstain and instead cast the deciding vote to pass the County's resolution in opposition to
2 the Project. He publicly passed judgment on the Project, notwithstanding his recognition
3 that he later would be required to hear evidence in this case as *ad hoc* OPSB member.

4 Circleville Solar is also concerned about the lack of notice and process related to the
5 passage of the County resolution in opposition to the Project. For example, after the
6 Application was deemed complete by the Board (April 4, 2022), Circleville Solar
7 scheduled a meeting with the Pickaway County Commissioners for April 19, 2022. The
8 purpose of the meeting was to provide a project update and overview and engage with the
9 Commissioners about potential concerns and opportunities to address any such concerns.
10 However, the week before the scheduled meeting took place, the Commissioners passed
11 the resolution opposing the Project on April 12, 2022. *See* Attachment B. There was no
12 public notice that the resolution would be proposed, considered, or voted on at the April
13 12th meeting. As a result, Circleville Solar was unaware of and unable to attend the
14 Commissioner's meeting where the vote took place. Then, when the meeting with
15 Circleville Solar occurred on April 19th following the passage of the resolution,
16 Commissioner Henson was absent and Commissioner Whipple refused to participate in the
17 meeting with Circleville Solar on the basis of his status as an *ad hoc* member. *See*
18 Attachment B.

19 **Q.47 Are you aware that the Pickaway County Commissioners filed a resolution to the**
20 **Circleville Solar OPSB docket on February 24, 2023 replacing Commissioner Whipple**
21 **as the *ad hoc* member with a non-Commissioner?**

22 **A.47** Yes.

23 **Q.48 Does this address your concerns about Commissioner Whipple's participation as an *ad***
24 ***hoc* member?**

25 **A.48** No. At issue is the fact that Commissioner Whipple declined to meet with Circleville Solar
26 in open meetings on the basis that he had a conflict of interest because of this service as an
27 *ad hoc* member of the Board. However, despite having the same conflict of interest and
28 despite having actively refused to be informed about the project, he chose to sit as
29 Commissioner and voted against the Project. While replacing him as an *ad hoc* member
30 does remove concerns about continuing his participation on the Board later in this

1 proceeding having already publicly “judged” the Project, it does not change his earlier
2 participation as the deciding vote on the resolution opposing the Project.

3 **Q.49 Does this conclude your testimony?**

4 **A.49** Yes. However, I reserve the right to update my testimony to respond to any further
5 testimony, reports, and/or evidence submitted in this case.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing *Testimony of Zachary Melda* was served via electronic mail upon the parties of record listed following parties listed below by electronic mail, this 20th day of March.



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Zachary Melda

PROFESSIONAL EXPERIENCE

NEXTERA ENERGY RESOURCES

2016-PRESENT

SENIOR DIRECTOR, DEVELOPMENT

Regional director for renewable energy projects in the Midwest territory. Responsible for wind, solar, and battery storage energy integration into the PJM and MISO markets with emphasis on utility customer base. Managing G&A budget and investment for \$3 Billion of investment, site identification, wind and solar resource analysis, land acquisition, construction oversight and all permitting.

Develop strategic relationships with customers through custom project offering based on IRP analysis.

GEORGIA-PACIFIC LLC

2011 - 2016

PROJECT MANAGER

Serve as a lead project manager for large (over \$10MM) and small environmental projects at Georgia-Pacific, LLC Corporate.

Manage 21 Asset Retention Obligation (ARO) Sites under a site management program for compliance, spend tracking, scheduling contractors, coordinating resources, administer all contracts, and utilize lean management to eliminate waste spending; resulting in a 5%-10% trending reduction in overall costs per year.

Saved approximately \$2MM by assisting in negotiating the contract price of the Willow Blvd/A-Site Landfill Sites at the Kalamazoo River Project.

Developed a Precision Tree Analysis to assist in the decision of bidding out projects under vendor interests' uncertainty. Reduced risk by developing a regression analysis to evaluate outlier costs for idle plant stabilization projects. Utilize multiple tracking and scheduling software programs to keep projects within time and budget constraints. Ensure safe work environment through implementation of GP safety programs and compliance with OSHA

INTEGRATED SCIENCE AND ENGINEERING

2005 – 2008

PROJECT ENGINEER

Served as Primary Design Engineer for the design of a new pump stations receiving an average wastewater flow of 66,500 gpd.

Optimized process flow through the existing structures, estimation of project cost, design calculations of pumps, wet well and force main, coordination with client, construction administration, drafting specifications, bidding services, expedition of all required permits, and production of Auto CAD drawings.

Served as primary design engineer for water/wastewater infrastructure projects ranging in a spend of \$50k - \$500,000. Provided technical oversight for the City of Fayetteville, GA in new development projects.

Reduced direct labor cost by integrating the use of government software programs to develop technical specifications.

UNITED STATES ARMY/ARMY NATIONAL GUARD

CAV SCOUT/FIELD ARTILLERY OFFICER

2006 – PRESENT

Commanding and controlling Field Artillery units and combined armed companies and company-sized units (200-300 Soldiers)

Coordinate employment of Field Artillery assets at all levels of command, from company to division level and beyond, in U.S. and multi-national operations.

COMBAT TOUR – AFGHANISTAN

2009-2010

Trained Afghan police/army/border control, managed the coordination of supplies for platoon and Afghan forces, and administration of contracts for Afghan construction projects. Chosen by commanders to serve as the intelligence and supply Noncommissioned Officer in Charge. Lead a team of ten soldiers and Afghan forces to successfully complete over 150 combat missions. Awarded the Bronze Star Medal for actions in combat, displaying exceptional leadership, and professionalism. Fostered an environment of teamwork, group collaboration, and safety resulting in being awarded the Army Achievement Medal. Selected by Brigade Commander to attend officer candidate school upon completion of combat tour.

LAIENGINEERING

PROJECT ENGINEER

2004 – 2005

Provided technical knowledge to optimize building footprint and infrastructure service for medium and large shopping developments. Assisted in the development of a standardized grease trap design that was used in new Pizza Hut developments, resulting in a reduced equipment cost. Negotiated with state regulatory agencies on the implementation of 12 new site development designs and strategies.

EDUCATION AND CREDENTIALS

GEORGIA INSTITUTE OF TECHNOLOGY - MBA, Operations Management and Supervision 2013 - 2016

SOUTHERN POLYTECHNIC STATE UNIVERSITY - Bachelor of Science, Civil Engineering 1999 - 2004

**TUESDAY, MARCH 29, 2022
OFFICE OF THE BOARD OF COMMISSIONERS
PICKAWAY COUNTY, OHIO**

The Pickaway County Board of Commissioners met in Regular Session in their office located at 139 West Franklin Street, Circleville, Ohio, on Tuesday, March 29, 2022, with the following members present: Mr. Jay H. Wippel, Mr. Harold R. Henson, and Mr. Gary K. Scherer. April Dengler, County Administrator, was also in attendance.

**In the Matter of
Minutes Approved:**

Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to approve the minutes from March 22, 2022, with corrections.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Bills Approved for Payment:**

Commissioner Harold Henson offered the motion, seconded by Commissioner Gary Scherer, to adopt the following Resolution:

BE IT RESOLVED, that the bills have been found to be properly filed and their respective vouchers shall be cross-referenced to the approving pages dated March 30, 2022, in the Commissioners' Voucher Journal, the date in which checks will be cut; then,

BE IT FURTHER RESOLVED, that the Board of Pickaway County Commissioners orders the Auditor of Pickaway County, Ohio, to draw her warrant on this entry in the amount of \$180,628.37 on the County Treasurer to satisfy the same.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Then and Now Certification Approved for Payment:**

Commissioner Harold Henson offered the motion, seconded by Commissioner Gary Scherer, to adopt the following Resolution:

BE IT RESOLVED, that the County Auditor certifies that both at the time that the following contracts or orders were made and at the time that a certification (Section 5705.41) was completed, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appointed and free from any previous encumbrance. The Then and Now Certification has been found to be properly filed and their respective vouchers shall be cross-referenced to the approving pages dated March 30, 2022, in the Commissioners' Voucher Journal, the date in which checks will be cut; then,

BE IT FURTHER RESOLVED, that the Board of Pickaway County Commissioners, as Taxing Authority are authorizing the Auditor of Pickaway County, Ohio, to draw her warrant on this entry in the amount of \$8,521.22 on the County Treasurer to satisfy the same.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**TUESDAY, MARCH 29, 2022
OFFICE OF THE BOARD OF COMMISSIONERS
PICKAWAY COUNTY, OHIO**

**In the Matter of
Transfers and Reappropriations Approved:**

Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to approve the following requests for TRANSFER AND REAPPROPRIATIONS:

**\$400.00 – 112.2094.5212 – PERS LE SPRF Logan Elm SRO- Sheriff
TO
112.2094.5201 – PERS SPRF logan Elm SRO – Sheriff**

**\$23,889.54 – 928.1262.5102 – Spec. Docket Subs Grant Juvenile Court Salaries – Juvenile
TO
928.1262.5901 – Spec. Docket Subs Grant Juvenile Court Other Expenses – Juvenile**

**\$3,352.44 – 928.1262.5201 – Spec. Docket Subs Grant Juvenile PERS – Juvenile
TO
928.1262.5901 – Spec. Docket Subs Grant Juvenile Court Other Expenses – Juvenile**

**\$350.84 – 928.1262.5202 – Spec. Docket Subs Grant Juvenile Court Medicare – Juvenile
TO
928.1262.5901 – Spec. Docket Subs Grant Juvenile Court Other Expenses- Juvenile**

**\$146.03 – 928.1262.9205 – Spec. Docket Subs Grant Juvenile Court Workers Comp – Juvenile
TO
928.1262.5901 – Spec. Docket Subs Grant Juvenile Court Other Expenses – Juvenile**

**\$905.62 – 928.1262.5301 – Spec. Docket Subs Grant Juvenile Court Supplies – Juvenile
TO
928.1262.5901 – Spec. Docket Subs Grant Juvenile Court Other Expenses – Juvenile**

**\$17,900.00 – 928.1262.5440 – Spec. Docket Subs Grant Juvenile Court Contract Services – Juvenile
TO
928.1262.5901 – Spec. Docket Subs Grant Juvenile Court Other Expenses - Juvenile**

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Fund Transfers:**

Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to approve the following requests for FUND TRANSFER:

**\$44,000.00 – 101.11055704 – County Match Crime Victims – Victims of Crime
TO
234.0000.4556 – Local Share Crime Victim – Victims of Crime**

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
New Line Items:**

Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to approve the following requests for NEW LINE ITEMS:

**TUESDAY, MARCH 29, 2022
OFFICE OF THE BOARD OF COMMISSIONERS
PICKAWAY COUNTY, OHIO**

928.1262.5901 – Spec. Docket Subs Grant Juvenile Court Other Expenses – Juvenile

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Blanket Purchase Order:**

Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to approve the following requests for BLANKET PURCHASE ORDER:

**\$46,544.47 – 928.1262.5901 – Spec. Docket Subs Grant Juvenile Court Other Expense – Juvenile
PO # BL-220440**

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Waiver Approved:**

Nancy Graham, Fiscal Specialist, requested a waiver to pay CINTAS, in a timely manner related to the Building Department Uniforms. After discussing the request, Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to waive the waiting period to issue payment to CINTAS, in the amount of \$574.13 as follows:

\$574.13 #101.1108.5484 Building Department Uniforms

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

Nancy Graham, Fiscal Specialist, requested a waiver to pay CINTAS, in a timely manner related to the Maintenance Department Uniforms. After discussing the request, Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to waive the waiting period to issue payment to CINTAS, in the amount of \$851.39 as follows:

\$851.39 #101.1102.5484 Maintenance Department Uniforms

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Report Provided by Gary Cameron:**

The following is a summary of the report provided by Gary Cameron, EMA Director.

Last week Tom Swisher will be attending the ODC/CRC Meeting March 25th.

This week the Mr. Cameron will attend the Healthcare Coalition Meeting March 28th.

Next Week the Mr. Cameron will be attending an CISA Active Shooter Webinar and Box 65 Meeting April 5th and MSA Regional EMA Meeting April 6th.

General Information

TUESDAY, MARCH 29, 2022
OFFICE OF THE BOARD OF COMMISSIONERS
PICKAWAY COUNTY, OHIO

- COVID admissions in Central Ohio area remain low.
- Department of Corrections reports a growing concern for contraband thrown over fences at their Orient facilities.
- The Circleville Duchess shop (235 E. Main St) hosting a grand opening celebration on 4/7/22 at 11am.

EMA Projects

- Enterprise Products Inc is hosting a full-scale preparedness drill at Deer Creek State Park in August. The drill will focus on pipeline disasters specific to Pickaway County.
- Effort underway to identify first responders in need of ICS/NIMS training as required by FEMA standards. Sense of urgency due to the upcoming disaster exercises.
- Effort underway to conduct an EMA equipment/supply inventory audit.

Issues requiring Commissioners Support/Notification:

- NIMS training available to County Executives.

In the Matter of
Report Provided by Darrin Flick:

The following is a summary of the report provided by Darrin Flick, Public Safety Advisor/ E911 Coordinator.

Last week Mr. Flick answered email/invites and forwarding to EMA Dir with explanations, drone support to Sheriff March 22nd, provided MSAG 911 Updates March 24th and provided support as required

This week Mr. Flick provided MSAG 911 updates March 28th, answered email/invites and forwarding to EMA Director with explanations, providing support as required and wrapping up end of quarter – prep for grant submission.

Next Week Mr. Flick will be answering email/invites and forwarding to EMA Director with explanations, providing support as required and wrapping up end of quarter – prep for grant submission.

In the Matter of
IT Department Report:

The following is a summary of the report provided by Robert Adkins, Pickaway County IT Department Director:

SO Team Meeting – March 22, 2022

- Relabeling the patch panels – Priority one
- Teams Meeting Group created by Eric – Get everyone onboard and expand its use
- ALMS setup – Eric has ticket open for adding modems – half are done
- Getting rid of Tracar – To be replaced by reliable third party. Robert to invite Verizon and research County Garage solution
- Wild Card Cert to SO Website – Eric assigned
- Nextcloud replacement - Eric assigned
- Group Policy modification and Home Drive Mapping – Carlton assigned
- Dispatch #4 Testing with Individual Login – Carlton assigned
- 3/23/2022 call with FreedomLinks and Zercher to discuss Admin Lines dropping from dispatch Poloycom phone then taking up to 30 minutes before reconnecting (**UPDATE: Zercher bailed on call will reschedule, will discuss with Freedomlinks and also discuss migration of phones to Meraki**)

Eric Migrated to new network and testing. Phones need addressed with Freedomlinks due to Sophos firewall.

Call with Freedomlink to discuss migration of phones to new network

Veeam DAS Array repaired, and backups resumed

Rick deploying desktops – Auditor office completed and started on Treasurer's office

Website Jobs page updated

Updates to SO website completed

Meet with BOE and SOS on Weekly call.

Meeting with Verizon Tuesday at 10:30 to discuss the phones for SO

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Met with IPS at Dog Shelter for IP changes

Call with BOE concerning vulnerability scans. Moving to Authenticated Vulnerability scanning.

Met with Jason Brentlinger to repair fiber for connecting switches for IPS Cameras

Moved EOC and Service Center to SM fiber

In the Matter of
Report Provided by Marc Rogols:

The following is a summary of the report provided by Marc Rogols, County Administrator:

There were no BWC claims, or unemployment claims filed for the week. A disputed claim from Developmental Disabilities. Mike Pelcic attended the hearing by telephone. Unemployment upheld/largest % on previous employer.

The last three auctions for the Highway Garage have been paid. The Cummins Mack Drill Press sold for \$92.00, two Craftsman Toolboxes sold for \$187.00, and 1996 Gradall Excavator sold for \$4,651.00.

The 2022 Benefits Guide still has not been received.

Wilson Partners will present their final recommendations today at 10:30 a.m.. Mr. Rogols held a virtual meeting with them last week. Presented CEBCO annual meeting information.

Adena Health Representatives still preparing to schedule on-site services for ThriveOn incentives for the Highway Garage and PCSO. Mammogram bus is a go and finalizing a date. The bio-metric screening sessions for April 21, 2022, are full and September 21, 2022 had seven scheduled appointments. Health and Safety Committee is working on setting up a scheduled after work exercise program.

Mr. Rogols reported that three new hire packets were sent out (Engineer's Office and JFS). Eighteen have been handed out year-to-date. The new Chief Dog Warden, Ron Custer was introduced. Samantha Lundell resigned from the Accounts Payable/ Administrative Assistant position. Position will be posted on website.

Mr. Rogols discussed the fairgrounds camera update. All contracts are signed and forwarded to IPS and all equipment has been ordered. IPS started running wires and connections in all four barns.

Mr. Rogols present an updated fairgrounds schedule of events.

Mr. Rogols received the executed contracts from Town and Country Engineering Services. Contract was reviewed and signed by the Prosecutor.

Dog Shelter received from Jonna Curtis inquiring about a mom and puppies. No change in status or transfer and the family is doing well.

In the Matter of
Report Provided by Tim McGinnis:

The following is a summary of the report provided by Tim McGinnis, Planning and Development:

Planning Commission:

- Stonerock Road Subdivision Section 2 – Needs recertified by the Planning Commission as it was approved and never recorded by the landowner
- Saltcreek Township: Road Frontage Variance Request
- Pumpkin Run II Final Plat – Landowner reworked the layout to accommodate Township requirements.
- Expecting submittal for the VanTrust rezoning request with Madison Township.

Outstanding Plats:

- **Stonerock Road Section 2 --** Being heard at the April 12th PC meeting
- **Pumpkin Run II** – Being heard at the April 12th PC meeting

Lot Splits:

- Approved 3 lot splits in the last week, 9 open applications currently.

CDBG:

- This year's critical infrastructure grant (proposed Circleville project) has another potential project proposal out of Tarlton for needed repairs/reconstruction to Harrison St. More details to come from Hannah @ CDC and Crystal Moody, fiscal officer for Tarlton

Rebecca Burke, PC member applicant, to meet with this Board next Tuesday to introduce herself and formally request to be a member of the PC.

**TUESDAY, MARCH 29, 2022
OFFICE OF THE BOARD OF COMMISSIONERS
PICKAWAY COUNTY, OHIO**

**In the Matter of
Pickaway WORKS, Christy Mills'
Thank You for Support:**

Christy Mills, Pickaway WORKS, stopped in to thank the Commissioners for their support of the program and donation of \$50,000. Mrs. Mills was able to apply for additional grants totaling and additional \$200,000. This will allow for Pickaway WORKS to do greater things in the local schools and workforce.

**In the Matter of
Out of County Travel Approved
For Job & Family Services Employees:**

The Commissioners reviewed and signed the Out-of-County Travel Authorization for numerous Job & Family Services employees to attend various meetings, training sessions, and to conduct home visitations throughout the month of April 2022, at the total probable cost \$2,742.00. Commissioner Harold Henson offered the motion, seconded by Commissioner Gary Scherer, to approve the JFS Out-of-County Travel Authorization.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Boar of Elections
Estimated Cost of Preparing and
Conducting a Special Election:**

Pursuant to Ohio Revised Code 3501.17(J) not less than fifteen business days before the deadline for submitting a question or issue for placement on the ballot at a special election, the board of elections shall prepare and file with the board of county commissioners and the office of the secretary of state the estimated cost, based on the factors enumerated in this section, for preparing for and conducting an election on one question or issue, one nomination for office, or one election to office in each precinct in the county at that special election and shall divide that cost by the number of registered voters in the county. On March 22, 2022, the Board of Election served the Pickaway County Board of Commissioners with the Estimated Cost of Preparing and Conducting a Special Election for the August 2, 2022, Election. The total estimated cost is \$45,375.00.

**In the Matter of
Community Development Block Grant
Change Order Contract Extension for
Village of New Holland Demolition Project:**

Tim McGinnis, Planning and Development Director, presented a Change Order for the CDBG PY20 Village of New Holland Demolition Project. Advanced Demolition Services is requesting a 60-day extension to complete the project by June 1, 2022. Advanced Demolition Services is not prepared to complete the Project as power lines and gas meters are still connected to the properties. It has been advised to expect a four-week delay to disconnect the gas. Commissioner Harold Henson offered the motion, seconded by Commissioner Gary Scherer, to approve the 60-day extension for Advanced Demolition Services to complete the CDBG PY2020 Village of New Holland Demolition Project.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**TUESDAY, MARCH 29, 2022
OFFICE OF THE BOARD OF COMMISSIONERS
PICKAWAY COUNTY, OHIO**

**In the Matter of
Resolution Appointing Commissioner
Jay Wippel To the Ohio Power Siting Board as
Ad Hoc Voting Member for the Circleville Solar Project:**

Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to adopt the following Resolution:

Resolution No.: PC-032922-29

**Appointment of Commissioner Jay Wippel to the Ohio Power Siting Board as
Ad Hoc Voting Member for the Circleville Solar Project**

WHEREAS, the passage of Senate Bill (S.B.) 52 has provided the opportunity for county commissioners and township trustees to participate in the siting of solar projects in their communities; and

WHEREAS, the Circleville Solar Project planned for Wayne and Jackson Township will be impacted by this new legislation, and it will require a commissioner or designee to serve as an Ad Hoc Voting Member of the Ohio Power Siting Board; then

THEREFORE, be it Resolved that the Board of County Commissioners hereby appoint Commissioner Jay Wippel to the Ohio Power Siting Board as an Ad Hoc Voting Member in regard to the Circleville Solar Project planned for Wayne and Jackson Township.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Pickaway County Sheriff's Report:**

The following is a summary of the report provided by Lt. John Rhoads, Pickaway Sheriff's Office:

The PCSO hired Webb back and he will be on board once he finishes the academy.

They had a high-speed chase that included an overdose.

Commissary Contract is coming due, and it will allow for more options to choose from on a kiosk.

The Telephone land line switched to Inmate Calling Solutions, LLC for inmate calling. It is a third party and they cut a check to the PCSO monthly once the amount hits \$60,000. The funds from the commissary and inmate calls will be used to purchase a body scanner.

**In the Matter of
County Administrator Report:**

The following is a summary of the report provided by April Dengler, County Administrator:

Ms. Dengler discussed putting together a press release for Pickaway County Community Foundation ARP funds. She will present the release next week for review.

Farm to Plate is scheduled for September 8th at 6:00 p.m. at Heritage Hall. Ms. Dengler will need to discuss the next two weeks for preparations.

Ms. Dengler was contact by Probate Court. They have 522 boxes that need scanned. It was quoted at \$600 per box, totaling \$313,200. The quote is good for three years. Ms. Dengler will prepare a resolution for next week.

Ms. Dengler attended the Brownfield grant meeting with P3. The deadline to apply for funds is April 30th. Determining what property is best fit and has all required paperwork.

The Building Department porch drawings and bid packet estimate is over \$50,000. The project could go out for bid right away. Deadline for bids is Tuesday.

Ms. Dengler received mowing estimates from LMG Landscaping, formally Mike's Landscaping. Maintenance – lawn & bed \$1,300.00, weed control/ fertilizer \$128.00, cleanup/mulch/shrubs

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\$1,190.00 from last year. Outdoor Butler's quote is the same pricing as last year with an additional fuel charge.

The State Fire Marshall had questions regarding the fairgrounds. The Recorder's Office located documentation that was needed.

**In the Matter of
Approval for Lawncare at Various
County Properties with Outdoor Butler:**

After the Commissioners reviewed and discussed the quotes received for the mowing county properties, Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to accept the quotes as follows:

**LMG Landscape Management Group – 2022 Lawncare Plan -\$4,460.00
LMG Landscape Management Group – 2022 Maintenance Services -\$15,340.00
LMG Landscape Management Group – 2022 Cleanups, Mulch & Shrubs -\$12,594.00**

Outdoor Butler – County Off -Site Properties - \$400.00 per service call plus fuel charge

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Bid Opening Conducted for
MAD-C008-8.58 6532144, MAD-C008-9.74 6532179,
JAC-C004-9.23 6532713 and SCI-C004-10.71 6532705
Guardrail Project for County Engineer's Department:**

A bid opening was conducted for MAD-C008-8.58 6532144, MAD-C008-9.74 6532179, JAC-C004-9.23 6532713 and SCI-C004-10.71 6532705 Guardrail Project for the Pickaway County Engineering Department with Anthony Neff, Deputy County Engineer were in attendance. A sign-in sheet of interested bidders that were also in attendance is on file.

Bids for the various unit pricing, too numerous to list, received from the following companies were opened and read aloud:

Kae Erie Construction Company
Norwalk, Ohio 44857

M.P. Dory Company
Columbus, Ohio 43209

The bids were turned over to Mr. Mullins and Mr. Neff for review and contact award recommendation.

**In the Matter of
Executive Session:**

At 10:30 a.m., Commissioner Harold Henson offered the motion, seconded by Commissioner Jay Wippel, to enter into Executive Session pursuant to ORC §121.22 (G) (5) matters required to be kept confidential by federal law or regulations or state statutes; with April Dengler, County Administrator, Marc Rogols, County Deputy Administrator, Matthew Schoeppe, Colin Connery, Wilson Partners, Peter Wright, Wilson Partners (virtually) and Angela Karr, Clerk were in attendance.

Roll call vote on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

TUESDAY, MARCH 29, 2022
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PICKAWAY COUNTY, OHIO

At 11:30 a.m., the Commissioners exited Executive Session and Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to resume Regular Session.

Roll call vote on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

No Action taken.

In the Matter of
Chipmunk Solar Project:

❖ *Commissioner Wippel excused himself from the session.*

Commissioner Scherer and Commissioner Henson advised the group that Commissioner Wippel recused from the session due to being an Ad Hoc member of the Ohio Power Siting Board for the Scioto Farms Solar Project. Steve Gardner said that it is a very confusing process and asked how the Brown County Solar Tour went? Mr. Gardner described the Yellowbud Project from his view this morning. Mr. Garner explained that the Chipmunk application stated that there was a PILOT payment and the Commissioners advised that they did not enter into a PILOT Program. Mr. Garner asked about abatements and the Commissioner explained that the PILOT is for abatements and stands for Payment in Lieu of Taxes. Chris Weaver discussed an illness that was discovered in another county by their local Health Department. The illness was caused by standing water in the solar fields and it seems to effect individuals under the age of 20 years old. Per Mr. Weaver, there are 450,000 acres in Ohio in brown fields. There are disputes concerning solar with in the county amongst residents. Ohio revised code 303.58 involves the re-submission of an application and Commissioners acting. The timing for the process/ grandfathered in is not when applied to the Ohio Power Siting Board, it is when the application was submitted to the PJM. Mr. Weaver explained that back in 2013-2015 they stored 30-50 million panels in warehouse that are already obsolete. None of the Good Neighbors Contracts have been honored. Licking County Solar is 125 megawatts, and they are building a 50 acre pad to place batteries. The Chipmunk Solar Project is 4 times the size. Mr. Weaver suggested that a Good Neighbor thought would be to build the local fire stations to these solar farms a new station, purchase two fire engines, and hire four full-time firemen to pay for ten years until a levy can be passed.

Mr. Garner has received calls from landowners that solar companies are looking into the St. Rte. 104 and Commercial Point area. It is the Solar Company's goal to have 14 million acres of solar panels. Individuals close to a solar farm have concerns, their cows will not go near it, will not breed and it has affected their internet. Mr. Weaver discussed the concern of the reflection from the sun back into the atmosphere and affecting the weather. Eight of the individuals that have signed their land to lease do not live in Pickaway County. Mr. Weaver is all for a landowner being able to do what they want with their land, except when it affects his land, livelihood, and all that his family has built.

Mr. Williams asked what the Commissioners next step is since they have been discussing with an attorney. Commissioner Scherer and Commissioner Henson explained that they have appointed Commissioner Wippel as an Ad Hoc Member and the time has passed to appoint an intervener for the Scioto Project. Mr. Williams expressed that this is on the Commissioners watch and it will affect the next election.

Mr. Weaver showed a video of the transformers to see how load the transformers are, and they get louder with moisture and rain. These transformers will be across from Mr. Weavers home. Another concern is he was presented with foliage that EDF Renewables was going to put in place across from Mr. Weavers' Home and yet what they will be planning is seedling plants. Mrs. Garner explained that a local homeowner she spoke with stated that they will have to move due to having a special needs child and the sounds will affect the child's daily life. Mr. Weaver asked Commissioner Henson what his main concern is and Commissioner Henson stated that one of his concerns is that is does not have local zoning hoops to go through and he is for landowners rights. Another is the future of farmland and it being used for solar. Commissioner Scherer has the same thoughts. Steve Gardner stated that the landowners are not doing anything illegal, but it is affecting neighbors and the community. Mr. Weaver has concerns of these large companies coming in just to take the money and then they file bankruptcy, and the landowners lose their land. The group thanked the Commissioners for their time.

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PICKAWAY COUNTY, OHIO**

❖ *Commissioner Jay Wippel re-joined the meeting for Palmer Energy Electric Contract session.*

**In the Matter of
Participation Agreement Regarding
Electricity Purchase Program of the
CCAO Service Corporation Signed:**

The commissioners approved a 36-month (June 2022- May 2025) electric supplier agreement with Palmer Energy, which partners with the County Commissioners Association of Ohio Service Corporation (CCAOSC), in providing energy cost savings to CCAO members. As a result, it necessary to enter into a **Participation Agreement Regarding Electricity Purchase Program of the CCAO Service Corporation** in order to create and adopt comprehensive guidelines for the funding, management, and administration of CCAOSC's electricity purchase program.

Upon a brief discussion, Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to approve the Electricity Supply Agreement with Freepoint Energy Solution, LLC.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: _____
Angela Karr, Clerk

**In the Matter of
Solar Energy with
Swing State Strategies for
Scioto Farms Solar Project:**

❖ *Commissioner Wippel excused himself from the session.*

Mike Hartley, Swing State Strategies, Dylan Borchers and Frank Merrill, Bricker and Eckler, met with the Commissioners to give a general update of Candela Renewables and Scioto Farms Solar Project. They have held a public information meeting with landowners. Mr. Borchers main focus in Energy is solar and wind. The Candela Renewable project is a 110 mw in Scioto Twps. The project has their application pending at the Ohio Power Sitting Board and their project has been deemed as complete and waiting to really get into the project. In early April their schedule should be coming out with findings and specifications. After the staff's report comes out the local community hearing will be held with a court reporter and the community gets to speak. After that, the hearing will be held in August at the Ohio Power Siting Board. There should be a final decision on the project in fall of 2022.

Mr. Hartley explained that the site plan has changed due to concerns from neighbors. The Hillcrest project (Brown Co. 260 megawatt) is one of the first projects approved and had a standard set of regulations. Now there are a set of new regulations for visual. Rural fencing has to be used, vegetation and adjustments to RUMA. If they incorporate a PILOT, it requires that funds be set aside for future road concerns. Commissioner Henson addressed that there were damaged panels laying at the Brown County Solar site and asked what will be done. Mr. Borchers explained that they will have to be disposed of and Commissioner Henson asked when, Mr. Borchers went on to state that he was not sure, the project is not complete and still under construction. Commissioners advised that the panels are generating electricity. Mr. Merrill stated that there can be a stipulation by the Commissioners that damaged panels be removed by a deadline. The Commissioners noticed vacant homes near the site. Commissioner Scherer asked if the Board requires changes does the Board go ahead and approve with requirements and Mr. Borchers explained that it is required that they have to provide that the requirements have been met before construction can be started. Commissioner Henson feels that the disposal process should already be addressed, and a site should be cleaned immediately, not leaving hundreds of broken panels laying on a site. The Power Purchase Agreement states that and once power is running to it, it is considered now commercial operating. Mr. Merrill addressed that the issue is usually financial, due to the construction developer and financing the final project.

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PICKAWAY COUNTY, OHIO**

December the OPSB provided a listing of developers that were grandfathered in except the Ad Hoc Members. Birch, Kingwood and Cepheus were listed as being recommended by staff for denial and Commissioner Scherer asked about the situation. Mr. Borchers explained that those cases are under litigation and will be up to the Board. There has been suspension in all three cases, and ongoing concerns to address in the community. The project team will be here in April and the technical experts will be able to answer questions. Once Mr. Merrill learned where the Scioto Farm Project was located, he had concerns due to knowing a lot of individuals living in the area. He informed Candela to reach out to the individuals. A lot of these companies coming to the county are asking if there is renewable energy and Mr. Merrill feels that Ryan Scribner will have a hard time not being able to answer that questions for larger companies looking to come to Pickaway County. Mr. Borchers can send a guideline of concerns that the staff member will review before giving their staff report.

❖ *Commissioner Jay Wippel re-joined the meeting for Auditor's Report*

**In the Matter of
Auditors Monthly Update:**

Melissa Betz, County Auditor, met with the Commissioners to provide an update for the month of January. The cash balance was at \$10,160,546.64 and started the month at a balance of \$10,726,900.13. The Treasurer had to back out real estate payments to balance and re-input the payment pertaining to TIFF's. The issues were two incentive payments. Rocky Express did not fully pay their real estate's taxes for the first half. It is leaving the Harrison Township Fire \$150,000 short. Mr. Betz is hoping that they will pay it all with the second half. The convenience fees continue to grow and does not seem to be slowing down.

Commissioner Wippel discussed that the Commissioners took a tour of the Brown County Solar Farm and it looked like the project was up and running and over capacity since last June, however, they had not paid any taxes. Commissioner Wippel asked Mrs. Betz if she would have any insight. The project is not certified complete, and they still have road repairs to complete, but has been generating power. Mrs. Betz asked if it more beneficial to not do a PILOT and tax it as a public utility. Commissioner Scherer asked if Mrs. Betz could find out any information of who to contact to find additional information. There was concern that the Brown County Solar Farm did not come out of CAUV, and recoupment paid. Mrs. Betz will see what information she can gather.

Commissioner Scherer asked if there were any blithe properties that Ms. Betz was aware of and she addressed Kingston Mound Apartments and Village of New Holland. Kingston Mound Apartments make a payment in lieu of taxes due to issues with fire and EMS.

**In the Matter of
Engineer's Recommendation to Award the
MAD-C008-8.58 6532144, MAD-C008-9.74 6532179
JAC-C004-9.23 and SCI-C004-10.71 6532705 Guardrail
Project To Scioto Valley Precast:**

In reference to the bid opening held March 29, 2022, for the project referred to as MAD-C008-8.58 6532144, MAD-C008-9.74 6532179, JAC-C004-9.23 and SCI-C004-10.71 6532705 Guardrail Project, it is the recommendation of the Pickaway County Engineering Department to award the bid to M.P. Dory Company at 2001 Integrity Drive, South, Columbus, OH 43209 in the amount of \$142,317.00. Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to award the bid to M.P. Dory Company for the MAD-C008-8.58 6532144, MAD-C008-9.74 6532179, JAC-C004-9.23 and SCI-C004-10.71 6532705 Guardrail Project.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**TUESDAY, MARCH 29, 2022
OFFICE OF THE BOARD OF COMMISSIONERS
PICKAWAY COUNTY, OHIO**

**In the Matter of
Ancillary Services Agreement with
Inmate Calling Solutions, LLC for
Pickaway County Sheriff's Office:**

After the Commissioners reviewed and discussed the Amendment No. 1 to Ancillary Services Agreement with Inmate Calling Solutions, LLC (dba ICS Solutions), Commissioner Harold Henson offered the motion, seconded by Commissioner Gary Scherer, to approve and authorize Commissioner Jay Wippel to execute said agreement.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Commissary Agreement for
Pickaway County Sheriff's Office:**

After the Commissioners reviewed and discussed the Commissary Services Agreement with Keefe Commissary Network, LLC, Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to approve and authorize Commissioner Jay Wippel to execute said agreement.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Executive Session:**

At 3:20 p.m., Commissioner Harold Henson offered the motion, seconded by Commissioner Gary Scherer, to enter into Executive Session pursuant to ORC §121.22 (G) (5) matters required to be kept confidential by federal law or regulations or state statutes; with April Dengler, County Administrator, Marc Rogols, County Deputy Administrator, Tim McGinnis, Planning and Development and Matthew Pritchard, McNees, Wallace and Nurick, LLC in attendance.

Roll call vote on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

At 4:10 a.m., the Commissioners exited Executive Session and Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to resume Regular Session.

Roll call vote on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

No Action taken.

**In the Matter of
Weekly Dog Warden Report:**

The weekly report for the Wright Poling/Pickaway County Dog Shelter was filed for week ending March 26, 2022.

TUESDAY, MARCH 29, 2022
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PICKAWAY COUNTY, OHIO

A total of \$710 was reported being collected as follows: \$180 in dog license; \$75 in dog license late penalty; \$30 in late kennel license penalty; \$100 in adoptions; \$750 in redemptions and \$250 in private donations.

Six (6) stray dogs were processed in; four (4) dogs were adopted.

With there being no further business brought before the Board, Commissioner Scherer offered the motion, seconded by Commissioner Henson, to adjourn.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Jay H. Wippel, President

Harold R. Henson, Vice President

Gary K. Scherer, Commissioner
BOARD OF COUNTY COMMISSIONERS
PICKAWAY COUNTY, OHIO

Attest: Angela Karr, Clerk

Tuesday, April 5, 2022
Pickaway County Commissioners
Agenda

9:00

}

Conduct Business

10:00

10:00

Tom Kopec, Charter Commission – Update

10:30

Lindsay Miller, Ice Miller – Broadband Final Report

11:00

Rebecca Burke – Planning Commission Applicant

11:30

Crystal Moody, Village of Tarlton – Harrison Street



1:30

Rose Vargo, Katie Logan & Jessica Mullins – Inspiration Station Children's Museum

2:00

Jonna Curtis – Dog Shelter Operations

2:15

Kelly Babcock, Clemans Nelson – Sheriff's Arbitrations (Executive Session)

Reminder:

Tuesday, April 5, 2022
Pickaway County Commissioners
Agenda

9:00

} **Conduct Business**

10:00

10:00 **Tom Kopec, Charter Commission – Update**

10:30 **Lindsay Miller, Ice Miller – Broadband Final Report**

11:00 **Rebecca Burke – Planning Commission Applicant**

11:30 **Crystal Moody, Village of Tarlton – Harrison Street**



1:30 **Rose Vargo, Katie Logan & Jessica Mullins – Inspiration Station Children's Museum**

2:00 **Jonna Curtis – Dog Shelter Operations**

2:15 **Kelly Babcock, Clemans Nelson – Sheriff's Arbitrations (Executive Session)**

Reminder:

TUESDAY, APRIL 19, 2022
OFFICE OF THE BOARD OF COMMISSIONERS
PICKAWAY COUNTY, OHIO

The Pickaway County Board of Commissioners met in Regular Session in their office located at 139 West Franklin Street, Circleville, Ohio, on Tuesday, April 19, 2022, with the following members present: Mr. Jay H. Wippel, and Mr. Gary K. Scherer. April Dengler, County Administrator, was also in attendance. Mr. Harold R. Henson was absent from today's session.

In the Matter of
Minutes Approved:

Commissioner Gary Scherer offered the motion, seconded by Commissioner Jay Wippel, to approve the minutes from April 12, 2022, with corrections.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, absent; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

In the Matter of
Bills Approved for Payment:

Commissioner Gary Scherer offered the motion, seconded by Commissioner Jay Wippel, to adopt the following Resolution:

BE IT RESOLVED, that the bills have been found to be properly filed and their respective vouchers shall be cross-referenced to the approving pages dated April 20, 2022, in the Commissioners' Voucher Journal, the date in which checks will be cut; then,

BE IT FURTHER RESOLVED, that the Board of Pickaway County Commissioners orders the Auditor of Pickaway County, Ohio, to draw her warrant on this entry in the amount of **\$318,817.78** on the County Treasurer to satisfy the same.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, absent; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

In the Matter of
Then and Now Certification Approved for Payment:

Commissioner Gary Scherer offered the motion, seconded by Commissioner Jay Wippel, to adopt the following Resolution:

BE IT RESOLVED, that the County Auditor certifies that both at the time that the following contracts or orders were made and at the time that a certification (Section 5705.41) was completed, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appointed and free from any previous encumbrance. The Then and Now Certification has been found to be properly filed and their respective vouchers shall be cross-referenced to the approving pages dated April 20, 2022, in the Commissioners' Voucher Journal, the date in which checks will be cut; then,

BE IT FURTHER RESOLVED, that the Board of Pickaway County Commissioners, as Taxing Authority are authorizing the Auditor of Pickaway County, Ohio, to draw her warrant on this entry in the amount of **\$537,921.88** on the County Treasurer to satisfy the same.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, absent; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**TUESDAY, APRIL 19, 2022
OFFICE OF THE BOARD OF COMMISSIONERS
PICKAWAY COUNTY, OHIO**

**In the Matter of
Fund Transfers Approved:**

Commissioner Gary Scherer offered the motion, seconded by Commissioner Jay Wippel, to approve the following requests for FUND TRANSFERS:

\$23,269.87 – 101.1105.5721 – HB295 Transfer Out – Auditor

TO

301.0000.4901 – HB295 Transfer In – Auditor

\$294.32 – 101.1105.5611 -Special Projects Assessment Interest – Treasurer

TO

901.0000.4707 – Special Projects Assessment Interest – Treasurer

\$1,130.99 – 101.1105.5610 – Motor Vehicle Interest – Treasurer

TO

202.0000.4706 – Motor Vehicle Tax Interest – Treasurer

\$3,036.04 – 101.1105.5609 – ALGT Interest – Treasurer

TO

201.0000.4705 – ALGT Interest - Treasurer

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, absent; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Report Provided by Tim McGinnis:**

The following is a summary of the report provided by Tim McGinnis, Planning and Development:

Planning Commission:

- Saltcreek Township: Road Frontage Variance Request (Denied)
- Madison Township, NorthPoint Rezoning Request (Approved)

Outstanding Plats:

- Pumpkin Run II – Finalizing drainage plans w/ Engineer's office

Lot Splits:

- Approved 5 lot splits in the last week, 7 open applications currently.

CDBG:

- Change order request for New Holland Critical Infrastructure in the amount of \$1,875 increase to include the removal and replacement of an existing residential concrete wall.
- Contract with Capital City Awning in the amount of \$19,800 for the Pickaway Senior Center Awning Replacement Project in Logan Elm Village. Using Allocation/Neighborhood Revitalization monies.
- New Holland Playground Project is scheduled for bid on May 3 @ 11:00 a.m. Allocation/Neighborhood Revitalization monies in the amount of \$68,250

**In the Matter of
Report Provided by Gary Cameron:**

The following is a summary of the report provided by Gary Cameron, EMA Director.

This week the Mr. Cameron will attend the Fire Chiefs Meeting, Franklin County Mass Casualty tabletop exercise, Pickaway County LEPC tabletop exercise April 23rd at OCU and Meeting with Berger Hospital with Tim Colburn.

Next Week the Mr. Cameron will be attending the Ross County Full Scale Exercise and Ohio EMA Spring Conference.

General Information

- COVID admissions in Central Ohio area remain low.

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- Spring/Summer weather warnings returning to the information cycle
- Continued reports of cyber-crime/hacking forwarded to IT
- Seeking to remove radio equipment from the old jail location and dispose of properly
- Programming Sheriff's Office radios

EMA Projects

- Continuing development of a full-scale preparedness drill at Deer Creek State Park in August. Event is hosted by Enterprise Products.
- Effort underway to identify first responders in need of ICS/NIMS training as required by FEMA standards. Sense of urgency due to the upcoming disaster exercises.
- EMA inventory audit – slow progress. Focusing on available PPE and need for rapid deployment kits.
- Continuing development of the Community Emergency Response Team -training and background checks scheduled for May
- WLOH antenna to be installed at the gun club tower May 9-11

Issues requiring Commissioners Support/Notification:

- NIMS training available to County Executives.

**In the Matter of
Report Provided by Marc Rogols:**

The following is a summary of the report provided by Marc Rogols, County Administrator:

There were no BWC claims, or unemployment claims filed for the week. Tawn Seimer, Soil and Water, appealed a claim that we did not know about. We did not receive "request for separation information". All auctions are paid for and awaiting pick-up of the 1994 Gradall Excavator and buckets. It did not meet reserve and offered 2nd chance to the highest bidder at \$7,500. Bidder must respond by the end of the week. Developmental Disabilities two set cubicles sold for \$50.00, and the table and four chairs had no bids and is currently being reaucted.

Mr. Rogols received the 2022 Benefits Guide April 4th and revisions for Pickaway County are pending. Wilson Partners has obtained updated claims data to finalize rates and has also met with CEBCO. Update meeting scheduled for this Thursday at 10:00 a.m. to discuss.

Mr. Rogols is meeting with Adena this Friday at 11:30 a.m. to discuss Highway Garage Biometric Screening and scheduling of Mamo bus. On-site Biometric screening session at JFS this Thursday 9:00 a.m. to 2:00 p.m.

Mr. Rogols reported that no new hire packets were sent out. Twenty-one have been handed out year -to-date. The Accounts Payable/ Administrative Assistant position is posted on the county website and have received three applications. The Maintenance position is posted on website and one application has been received. Part-time Custodial position is still posted with no applications received.

PICCA Board meeting scheduled for Monday, April 25th at 12:00 p.m.

**In the Matter of
IT Department Report:**

The following is a summary of the report provided by Robert Adkins, Pickaway County IT Department Director:

Meraki Firewall deployed to EOC

Continue pushing Spectrum to port phones for Garage and for Dog Shelter

Access Server failed with a hard drive failure – Building a virtual server

Working on a Vulnerability Management implementation for BOE requested by SOS

SO – Migration - Ordered keystones and patch panel due to misconfigured patch panel

SO – Vehicle Tracking – Verizon presentation expecting a proposal from Verizon

SO – Move to Verizon from AT&T – Going well

Sophos Contract

Utility Locating Proposal

AC unit failure in DataCenter

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In the Matter of
Maintenance Department Report:

The following is a summary of the report provided by Jon Brown, Maintenance Supervisor:

Mr. Brown informed that Maintenance will start the Service Center flooring in the hallway this weekend. The Building Department Porch Project meeting is scheduled for tomorrow with WDC Group. Air Conditioner issues at the Annex and IT Server Room. They are running into supply chain shortages. For now, Accurate will keep it charged for use.

Mr. Brown has received approved plans for the ramp at Memorial Hall ramp, PDI and Dog Shelter Pavilion. The ramp on the Pickaway Street side of Memorial Hall is pulling away from the building. They will have a restoration company look at the building once the old ramp is removed. There may be enough funds to place a strip of heating in the ramp to keep it de-iced during the winter months.

Mr. Brown informed that the generator at the fairgrounds is not installed and it is still sitting at the PDI building. Mr. Brown has not heard from Scott Pritchard regarding installation.

Mr. Brown is still waiting on an estimate to replace the courthouse front doors and will follow-up with the company.

In the Matter of
Atlanta Solar Project:

Paul Briggs, Dominion Energy, stopped in to observe today and touch base on the RUMA Agreement for the Atlanta Solar Project. The matter is scheduled on the Commissioners agenda April 26th. The Deercreek and Perry Township Trustees are set to hearing at their meetings Monday, April 25th. Mr. Briggs is in hope to be able to finish April 26th so they can schedule there closing the end of next week.

In the Matter of
Oath of Gary B. Cameron
As EMA Director:

Commissioner Gary Scherer administered the loyal oath as prescribed in Section 5502.34 of Ohio Revised Code for the appointment of Gary B. Cameron as the Director of Emergency Management.

Commissioner Gary Scherer offered the motion, seconded by Commissioner Jay Wippel, to authorize Commissioner Gary Scherer to sign the Record of Appointment of Director of Emergency Management certifying that Gary B. Cameron has been duly appointed as Director of Emergency Management on behalf of the Commissioners.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, absent; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

In the Matter of
USIC Locating Services, LLC Proposal
For the Pickaway County Engineer:

Commissioner Gary Scherer offered the motion, seconded by Commissioner Jay Wippel, to approve the proposal with USCI Locating Services, LLC for utility locating and marketing services for the Pickaway County Engineer. Services shall be billed at the following rates:

Annual Fee	\$5,000
Per One Call Ticket	\$21.00
Project	\$15.00 Per ¼ hour
Emergency Ticket	\$40.00 Flat Fee
Non-at Fault Damage Investigation	\$275.00

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, absent; Commissioner Scherer, yes. Voting No: None. Motion carried.

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In the Matter of
ProSource Technologies, Inc.
Sophos Renewal Central Intercept X Advanced with XDR:

Commissioner Gary Scherer offered the motion, seconded by Commissioner Jay Wippel, to approve the proposal with ProSource Technologies, Inc. (dba ACT) for Sophos Renewal Central Intercept X Advanced with XDR. The quote is 138 Sophos Central Intercept X Advanced with XDR for Endpoints GOV (5/21/22-5/20/25) at \$14,524.50 and 22 Sophos Central Intercept X Advanced with XDR for Services GOV (4/23/22-4/22/25) at \$4,881.80. Totaling \$19,406.30.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, absent; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

In the Matter of
Community Development Block Grant
PY20 Village of New Holland Neighborhood
Revitalization and Critical Infrastructure Project:

Commissioner Gary Scherer offered the motion, seconded by Commissioner Jay Wippel, to approve and authorize Commissioner Wippel to execute the CDNG PY20 Village of New Holland Neighborhood Revitalization and Critical Infrastructure Project, Change Order No. 1 with CAP-Stone Associates, Inc. The change to contract pricing will be increased by \$1,875.00 due to the contract price includes removal of an existing residential concrete back wall and replacement of back wall. The work must be performed while the sidewalk is being removed and replaced. The new contract price total will be \$950,771.32.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, absent; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

In the Matter of
Community Development Block Grant
Pickaway Senior Center Awning Replacement Project
Contract with Capital City Awning:

Commissioner Gary Scherer offered the motion, seconded by Commissioner Jay Wippel, to approve and authorize Commissioner Wippel to execute the contract with Capital City Awning for the Pickaway Senior Center Awning Replacement Project. The cost of project is not to exceed \$19,800.00.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, absent; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

In the Matter of
Engineer's MAD-C008-8.58 6532144, MAD-C008-9.74 6532179,
MAD-C008-11.33 6532209, JAC-C004-9.23 6532713, SCI-C004-10.71 6532705
Guardrail Contract with MP Dory Company:

Commissioner Gary Scherer offered the motion, seconded by Commissioner Jay Wippel, to approve the Engineer's MAD-C008-8.58 6532144, MAD-C008-9.74 6532179, MAD-C008-11.33 6532209, JAC-C004-9.23 6532713, SCI-C004-10.71 6532705 Guardrail Contract with MP Dory Company. The contractor's bid was the sum of \$142,317.00.

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Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, absent; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Engineer's MAD-C008-8.58 6532144, MAD-C008-9.74 6532179,
MAD-C008-11.33 6532209, JAC-C004-9.23 6532713, SCI-C004-10.71 6532705
Guardrail Contract Addendum with MP Dory Company:**

Commissioner Gary Scherer offered the motion, seconded by Commissioner Jay Wippel, to approve the Engineer's MAD-C008-8.58 6532144, MAD-C008-9.74 6532179, MAD-C008-11.33 6532209, JAC-C004-9.23 6532713, SCI-C004-10.71 6532705 Guardrail Contract Addendum with MP Dory Company. The contractor's bid was the sum of \$142,317.00.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, absent; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
County Administrator Report:**

The following is a summary of the report provided by April Dengler, County Administrator:

Ms. Dengler discussed the proposed pay rates for Command Staff at the Sheriff's Office. Figures will be reviewed for discussion.

Ms. Dengler provided 1st Quarter reports for review.

Ms. Dengler addressed that the rate sheets for RFQ- Fairgrounds Phase 2 will need to be done next week. Signage was added for curtain sponsors at the fairgrounds hog/ small animal/ beef barns.

Ms. Dengler forwarded the EMA informational document regarding solar panels to the Ohio Power Siting Board to be included as record.

Ms. Dengler will be attending a Farm to Plate Dinner meeting tomorrow at 5:30 at Rhoads Garden Center.

Ms. Dengler asked the Commissioners about the windows at the jail that need to be painted. The Commissioners agreed to not re-glaze the windows at this time because they may all be replaced during the additional building upgrades.

**In the Matter of
Emergency Management Agency
LEPC Member Appointment:**

Commissioner Gary Scherer offered the motion, seconded by Commissioner Jay Wippel, to approve and authorize Commissioner Wippel to sign the Local Emergency Planning Committee Application of LEPC Member Appointments/ Resignations for Multiple Members with Ohio State Emergency Response Commission.

Appointed:

Dillion Wilson	4/14/22 through 8/9/23	ODR&C Corrections Reception Center
Mike Antle	4/14/22 through 8/9/23	ODR&C Pickaway Correctional Institution
Michael Sherron	4/14/22 through 8/9/23	Pickaway County EMA
Joseph Grubb	4/14/22 through 8/9/23	Pickaway Public Health District
James Brown Jr.	4/14/22 through 8/9/23	Pickaway County Sheriff's Office
Gary Cameron	4/14/22 through 8/9/23	Pickaway County EMA
Tom Swisher	4/14/22 through 8/9/23	Pickaway County EMA
Jon Rhoades	4/14/22 through 8/9/23	Pickaway County Sheriff's Office
Jerry McGaha	4/14/22 through 8/9/23	ODR&C Franklin Medical Center

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Resigned:

Phil Roar	Removed from roster – Resigned position with Police Department
Aaron Wolfe	Removed from roster – Changed position with Ohio EPA
Melody Barnhart	Removed from roster – Resigned position with hospital

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, absent; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Report Provided by Sheriff Hafey:**

The following is a summary of the report provided by Sheriff Hafey, Pickaway County Sheriff.

Sheriff Hafey reported the status of the new vehicles.
They arrested an individual that stole four vehicles over the weekend.
Patrol is fully staffed and there are positions open in jail. Sheriff Hafey has a meeting scheduled with township to discuss a contract the township is requesting. There are concerns that must be addressed.
The sewer project is still in the works and being finalized with architect.

**In the Matter of
Resolution Adopted Authorizing
Participation in the ODOT Winter Contract for Road Salt:**

At the request of Chris Mullins, Pickaway County Engineer, Commissioner Gary Scherer offered the motion, seconded by Commissioner Jay Wippel, to adopt the following Resolution which authorizes participation in the Ohio Department of Transportation's (ODOT) annual winter road salt bid (2022) for the purchase of road salt/sodium chloride:

Resolution No.: PC-041922-33

**RESOLUTION AUTHORIZING PARTICIPATION
IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2022**

WHEREAS, the Pickaway County Board of Commissioners (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the road salt contract; and
- d. The Political Subdivision's electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and

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- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically **submitted** salt quantities from its awarded salt supplier during the contract's effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Friday, April 29 **by 5:00 p.m.** The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract: **THIS RESOLUTION MUST BE UPLOADED TO THE SALT PARTICIPATION WEBSITE BY NO LATER THAN APRIL 29, 2022.**

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, absent; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

In the Matter of
Auditor's Monthly Update:

Melissa Betz, County Auditor, met with the Commissioners to provide a report of March month end. March ended at \$10,189,658.01 and April started with a cash balance of \$12,150,133.17. Mrs. Betz does not see conveyance fees slowing down anytime soon and there have been a lot of conveyances for Commercial Point. Departments look good since we are only into April. Sales tax was \$90,000 more than this time last year. The dog tag sales are still growing with on-line sales. The Auditor is holding a training for township fiscal officers April 28th and Mrs. Betz asked how many solar projects are being considered in Pickaway County. Commissioner Wippel explained Atlanta Solar Project, Yellowbud Solar Project, Scioto Solar Project, Circleville Solar Project, Chipmunk Solar Project and Circleville Transmission Line. The Commissioners have only approved a PILOT for Atlanta Solar Project and denied the Yellowbud Solar Project. The Commissioners are not approving any other PILOTS for projects in the county. Commissioner Scherer asked Mrs. Betz if Bath and Body Works had contacted her, and she explained that they did regarding property taxes. The Commissioners are working with Ryan Scribner, P3, to plan tours of the new warehouses on State Route 104 and Mrs. Betz explained that being apart of the CRAA, visit should be made. The companies have been working well with Mrs. Betz's appraisers.

In the Matter of
Allocation of January 2022 Sales Tax Collections:

Commissioner Gary Scherer offered the motion, seconded by Commissioner Jay Wippel, to allocate the February 2022 Sales Tax collections in the following manner:

\$36,308.00 to 401.0000.4121 – Capital Fund
\$871,403.98 to 101.0000.4121 – General Fund

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, absent; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

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❖ *Commissioner Jay Wippel removed himself from the sessions regarding solar*

**In the Matter of
Scioto Solar Farm:**

Mike Hartley, Swing State Strategies, Mark Carney, Kim Schreckengost and James Cook, Candela Renewables met with the Commissioners to provide an update of the Scioto Solar Farm Project. Mr. Hartley started with the Scioto Farms set of Representative Conditions. There were concerns of the disposal and cleanup. There will be an environmental specialist there on site to make sure that the cleanup is maintained, and reports have to be provided. Commissioner Scherer explained that the Pickaway County EMA Director has prepared documentation that has been filed with the Ohio Power Siting Board regarding site and environmental impact. Mrs. Schreckengost discussed when tax payments will be made. Commissioner Scherer addressed that Brown County is generating power but not paying taxes yet and asked where is that power going if it is not generated for the grid. Mr. Cook explained that the grid operator will monitor and yes, it is generating power. That power could be sold into the PJM market. It would depend on the contract with the power plant. The commercial operation date is when the project is complete, and the grid operator signs off that everything is working correctly, and it is generating power. They could set a plan to layout the process for a start date as commercial operating. Mr. Carney stated that they have started a conversation regarding vegetation and animals on the solar farm. Mrs. Schreckengost has been meeting with Neighbors regarding the Good Neighbors Program. Mr. Cook stated that the idea regarding a PILOT is to guarantee the county has a clear and predictable revenue stream. The flip side is if you're looking at it without a PILOT it is unpredictable and depreciation of equipment. Mr. Hartley will make sure that when the staffs report comes out to come back in to meet with the Commissioners. Commissioner Scherer advised that the County has retained counsel regarding solar.

**In the Matter of
Circleville Solar Project:**

Jim Samuel and Ally Sexton, Nextera Energy Resources, LLC, met with the Commissioners regarding the Circleville Solar Project. Ms. Sexton and Dylan Borchers, Bricker and Eckler, discussed the schedule of the project. November 18th and March 10th will be an open house, June 10th OPSB staff issues Staff Report of Investigation, June 27th Local Public Hearing, July 22nd Deadline for Stipulation and July 26th Evidentiary Hearing. Ms. Sexton explained that NextEra maintains the project for the life of it and Commissioner Scherer explained that he did make a trip to the Bowling Green Project in Wood County. The Bowling Green Project is similar to the size of the Circleville Solar Project. The Bowling Green Solar Project (20MW) was under the 50MW therefore, did not require OPSB approval, yet the project voluntary conforms or exceeds most state requirements. The Circleville Solar Project is a 70MW facility equivalent of powering 25,000 homes. The project is 575 acres with 3.6-mile transmission line. The setbacks to minimize potential impacts for Circleville Solar for a residential structure is 600 feet from the nearest structure to equipment.

Circleville Solar "civil-light" approach is constructing solar sites, the project minimizes ground disturbance to the land underneath panels. Any topsoil removed for grading will not be removed from the site. Low growing vegetation will be planted throughout the facility. After decommissioning, the field will be returned to agriculture. Commissioner Scherer asked how far the pole will be placed in the ground, and it was explained that the post will be placed 10'-12' into the ground. Commissioner Scherer also asked how they will know if tile had been hit or damaged while placing the poles and Ms. Sexton explained that they will not know immediately, but Mark Ruff has placed most of the tile in these fields and they will be working with Mr. Ruff during the entire project. Mr. Borchers discussed that they have not had a lot of concerns from the community, other than two families. The PILOT has requirements that may not be there if there is no PILOT. One being workforce requirements and apprenticeship requirements. Mr. Samuel. Not having a PILOT could require upfront cost that are higher, and he knows that legislation just passed that does not give the schools the ability to negotiate property values. Commissioner Scherer addressed the safety and environmental impact of the materials in the panels and that the Pickaway County EMA Director submitted a memo of the Environmental Impact to the OPSB.

❖ *Commissioner Jay Wippel returned to meeting*

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In the Matter of
County Fiber Expansion
Discussion with Horizon:

Tom Wetmore and JP West, Horizon, met with the Commissioners to discuss fiber expansion in Pickaway County. Mr. West has been working with broadband for 3.5 years before COVID and has many townships that are wanting to have the broadband in their areas. Horizon has been in business for 125 years. Horizon can offer a robust Hosted Voice, Internet and Ethernet services up to 100 Gbps, dark fiber and wavelength services. State of the art network and reputation for quality and customer experience with first bill review making certain there is a full understanding of services, 60 second Fiber-alert notice/ 30 minute e-mail notifications until resolution and average mean time to repair is within four hours, compared to 6 to 8 hours industry average. Local presence 24/7/365 NOC, project managers and executive team located in Columbus with no 3rd party billing (all done in-house) and support calls ne go west coast or overseas. Major focus on network growth and acquisition with capital and financial backing. Industry leading 99.5% retention rate, a genuine partnership approach while instituting a proactive relationship with customers, vendors and community.

Horizon partners NOVACAP and GCM Grosvenor are at their side providing significant advantages to continue on the path of growth and transformation. This allows for Horizon to enhance services for existing customers, acquiring new clients and partners, while pursuing new markets in the years ahead. Horizon deploys dedicated fiber network, not a passive optical network (PON) network. Dedicated glass fiber strands go to each customer rather than through a splitter in a PON network. This allows for more bandwidth now and into the future, as well as positioning Horizon for advanced technologies years out without reconstructing the network. Horizon FTTP internet is designed to be a "2 Hop" network; meaning that they have a very efficient means of routing traffic to the internet in only two "hops". This is due to less equipment for the internet traffic to flow through and provides for lower latency and overall better experience to the customer. Two "hops" means literally that they want the customer internet traffic to only touch two pieced of Horizon equipment before it is into the internet. For example, most residential internet networks are between 8-12 "hops" today.

Mr. West explained why households need FTT fiber optic. Households are growing by the number of smart devices and the need for the devices. Households need for work, school, social media, gaming, streaming and has grown to need for Tele Medicine, virtual doctor appointments and shopping. In addition to households, small business need for credit cards transactions, televisions, customer Wi-Fi, phone service and cloud and cyber security. Horizon will be able to over better, faster service for a lower cost to household s and business with great customer support in the United States. Mr. West and Mr. Wetmore offered an invitation for the Commissioners to visit their facility in Columbus to see what Horizon has to offer Pickaway County.

In the Matter of
Executive Session:

At 2:33 p.m., Commissioner Gary Scherer offered the motion, seconded by Commissioner Jay Wippel to enter into Executive Session pursuant to ORC §121.22 (G) (8) to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, with Ryan Scriber and David Glass, P3, Matt Palmisciano, FORJAK Industries, Michael Weinstein, Patriot Engineers, April Dengler, County Administrator and Angela Karr, Clerk, were in attendance.

Roll call vote on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, absent; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

At 2:51p.m., the Commissioners exited Executive Session and Commissioner Gary Scherer offered the motion, seconded by Commissioner Jay Wippel, to resume Regular Session.

Roll call vote on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, absent; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

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No action taken.

**In the Matter of
Brownfield Project Support for
600 South Clinton Street:**

During business conducted while in session, Commissioner Gary Scherer offered the motion, seconded by Commissioner Jay Wippel, to adopt the following Resolution:

Resolution No.: PC-041922-34

**Resolution to authorize submission of an application to the Ohio Department of Development's
Brownfield Remediation Program for Environmental Remediation activities**

WHEREAS, to authorize submission of an application to the Ohio Department of Development's Brownfield Remediation Program for Environmental Remediation activities at 600 South Clinton Street which is composed of nine parcels: A0540860000200, A054860001300, A0540860000300, A0540860000400, A0540860000500, A0540860000600, A0540860000700, A0540860000800 and A0540860000900, and

WHEREAS, including authorizing the Pickaway County Administrator to execute the application and associated documents and enter into a contract for professional services with Patriot Engineering and Environmental, Inc, then

NOW, THEREFORE IT BE RESOLVED, the Pickaway County Board of Commissioners authorize submission of an application to the Ohio Department of Development's Brownfield Remediation Program for Environmental Remediation activities at 600 South Clinton Street.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, absent; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Weekly Dog Warden Report:**

The weekly report for the Wright Poling/Pickaway County Dog Shelter was filed for week ending April 16, 2022.

A total of \$360 was reported being collected as follows: \$90 in dog license; \$45 in dog license late penalty; \$50 in adoptions and \$175 in private donations.

Seven (7) stray dogs were processed in; one (1) dog was adopted.

With there being no further business brought before the Board, Commissioner Scherer offered the motion, seconded by Commissioner Wippel, to adjourn.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, absent; Commissioner Scherer, yes. Voting No: None. Motion carried.

Jay H. Wippel, President

Harold R. Henson, Vice President {absent}

Gary K. Scherer, Commissioner
BOARD OF COUNTY COMMISSIONERS

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PICKAWAY COUNTY, OHIO

Attest: Angela Karr, Clerk

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

3/20/2023 4:35:42 PM

in

Case No(s). 21-1090-EL-BGN

Summary: Text Direct Testimony of Zachary Melda on behalf of Circleville Solar,
LLC electronically filed by Teresa Orahood on behalf of Dylan F. Borchers.