

## Minutes

July 27, 2021

Commissioners present: Timothy Bechtol, Michael Pepple and William Bateson.

Also Present: Tammy Erwin, Phil Johnson, Mary Ann LaRoche, Lou Willin, Adam Witteman, Steve Wilson, Jason Rinker, Jerry Wolford, Pam Bibler, Linda Bishop, Lyle Keller, Megan Grau, Mary Jo Boes, Lenny Boes and Nick Yoder.

Commissioner Bechtol opened the meeting at 9:30 a.m. in the Commissioner's 1<sup>st</sup> floor conference room. The Pledge of Allegiance was recited. Minutes from the July 22nd, 2021 meeting were read with William Bateson making a motion to approve, Michael Pepple seconded. Motion passed 3-0.

The Assistant Clerk presented the following resolutions for consideration:

Resolution #490-21 – Authorizing payment of the listed and/or attached purchase orders. William Bateson made a motion to approve, Michael Pepple seconded. Motion passed 3-0.

Resolution #491-21 – Additional appropriation within the Auditor's certification - Commissioner's to appropriate to Severance (Public Defenders) William Bateson made a motion to approve, Michael Pepple seconded. Motion passed 3-0.

Resolution #492-21 – Transfer of funds within the appropriation – Hancock County Public Defender. William Bateson made a motion to approve, Michael Pepple seconded. Motion passed 3-0.

Resolution #493-21 – Additional appropriation within the Auditor's certification – Commissioner's to appropriate to Common Pleas Court - Computer. William Bateson made a motion to approve, Michael Pepple seconded. Motion passed 3-0.

Resolution #494-21 – Transfer of funds within the appropriation – Sanitary Landfill. William Bateson made a motion to approve, Michael Pepple seconded. Motion passed 3-0.

The Commissioners signed payroll for their office. They also signed a final drawdown request for 339 Wilson Demolition and a travel request for Treasurer.

Phil Johnson presented the following resolution for consideration:

Resolution #495-21 – Authorizing Rescinding Authorization to take action regarding the Woods at Hillcrest 9<sup>th</sup> Addition. Phil stated that Doug Cade had informed him on Thursday afternoon that he received an extended letter of credit good through January 23, 2022. William Bateson made a motion to approve, Timothy Bechtol seconded. Michael Pepple abstained. Motion passed 2-0.

Phil Johnson requested an executive session to discuss potential real estate acquisition, pending litigation and threatened litigation.

Jason Rinker, a Cass Township trustee introduced himself and presented the Commissioners with a Letter of Opposition regarding the Border Basin Solar Project Case #21-02777-EL-BGN. He asked the Commissioners for their support in opposing that project. Numerous community members from Washington and Cass Townships were present to discuss the Solar Project. Linda Bishop stated that she had the opportunity to talk to an Ohio Farm Law attorney regarding solar farms. According to Linda, he puts out a booklet which discusses the impact solar farms can have on neighbors that should be considered. She stated another issue he pointed out was that leases can be for up to 50 years and tax payers could eventually be responsible for the cleanup if something would happen to the solar company in the future. Pam Bibler explained that enforcing companies that are not here can be difficult. Furthermore, if a solar company does not follow through on their part, or they go bankrupt, then it goes to the farmer, and if he doesn't have any money, then it goes back to the township to pay for the cleanup. They are concerned about being on the hook for those promises that cannot be enforced. Pam stated that information came from Mark Wellman at the Allen County meeting they attended. William Bateson discussed Senate Bill #52 and stated that it has narrowed down to Wind Turbines and Solar Farms. But it has much more ramifications about dictating land use from a private individual. He stated that clean up should not fall back on the public, only the land owner. Lenny Boes, who lives in Washington Township, which will be impacted by the solar farms, stated that they have had zoning in his township for over 50 years, and it doesn't seem to bother anyone. He states that is direct control of his land. With SB#52, the Commissioners have the ability to create exclusionary zones based on Ohio Revised Code #303.58 where these things can't happen anymore. Jerry Wolford, a Cass Township trustee, expressed his concerns and stated that some of them look pretty good, while others do not and there is no control over what will happen. Jerry asked why Township Trustees cannot sit in on Commissioners executive meetings when discussing solar farms and Phil Johnson stated that they cannot because of it being an executive session with legal counsel. Michael Pepple stated that the Commissioners have a legal team and Doug Cade, Engineer will be at the table as well. They will be gathering information and listening to all sides so that they may be able to represent the best interest of the county. He also stated the Commissioners work together as a team and will be making their decision based on all the facts that have been gathered. Timothy Bechtol stated that they appreciate all the opinions and research that has been shared, however he asked that when siting information, make sure data is researched well, not hearsay or fear mongering and has some basis and grounding. Decisions must be made on absolute fact. William Bateson stated that the trustee's legal council is the Prosecutor's office. He informed them that the trustees can have executive session with the Prosecutor any time according to the Ohio Revised Code. Megan Grau stated on the record that Tom Moses representing the Fire Department is also opposed to this project.

Nick Yoder asked to speak regarding Western Meadows flooding issues. He had a few questions regarding former Commissioner Robertson's statement on making more restrictions for properties south of Rte. 12 in regards to flooding issues and replacing tiles. Nick asked if the Commissioners have done anything about upping the standards for new development in that area? Michael Pepple stated that there have been some updates on drainage and flooding issues and they have been getting reports from Doug Cade in regards to Liberty Township. Timothy Bechtol stated that the Subdivision Regulations have been updated and are available. Michael Pepple stated that he appreciates everyone coming and their input. Michael Pepple stated that the Commissioners will be in touch after they complete their due diligence.

### Meetings/Reports

William Bateson stated on Friday he attended the elected officials meeting. On Sunday, he made a trip to Alger to look at the solar fields. Yesterday he attended the Old Millstream Foundation meeting.

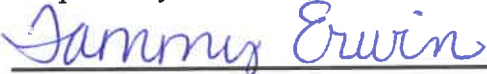
Michael Pepple also attended the elected officials meeting and drove to Alger to look at the solar fields on Saturday.

Timothy Bechtol attended the elected officials meeting on Friday.

At 10:42 a.m. Timothy Bechtol made a motion to enter into executive session to discuss potential real estate acquisition, pending litigation and threatened litigation. Michael Pepple seconded. A roll call vote resulted as follows: Timothy Bechtol, yes; Michael Pepple, yes; William Bateson, yes.

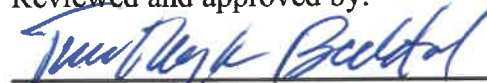
At 12:03 a.m., Timothy Bechtol made a motion to come out of executive session, having discussed potential real estate acquisition, pending litigation and threatened litigation with no action taken. Michael Pepple seconded. Motion passed 3-0.

Respectfully submitted,


  
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Tammy Erwin, Assistant Clerk

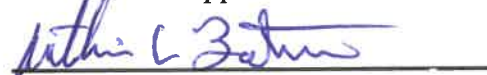
Reviewed and approved by:

  
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Timothy K. Bechtol

  
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Michael W. Pepple

  
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William L. Bateson

STATE OF OHIO  
HANCOCK COUNTY  
OFFICE OF THE BOARD OF TRUSTEES  
CASS TOWNSHIP

Trustees:

Ronald Stacy

Jerry Wolford

Jason Rinker

Township Fiscal Officer:

Lori Ballinger Morehead

5050 C.R. 18

Findlay, OH 45840

419-306-9387

7-26-2021

County Commissioners of Hancock County,

We, the Cass Township Trustees, are writing to express our opposition of Border Basin Solar Project Case# 21-0277-EL-BGN in Cass Township.


We had a number of residents who spoke at our last Township meeting opposing the Solar Project. Some concerns included decreased property values, health and safety of Fire Fighters and Residents in the event of degradation or natural disaster of the Solar Panels. Also, overall maintenance due to increased drainage and flooding, truck traffic and other issues with construction of this project may create for the Township. **Especially we want to ensure the preservation of farmland for years to come.**

We believe the many detriments of this development far outweigh any benefits to our community and governing agencies. We will also discuss these issues and concerns with you at your next meeting.

We would like to continue our township as an agricultural community and hope you will support our opposition of the Border Basin Solar Project by voicing the concerns of your constituents to the OPSB.

Sincerely,

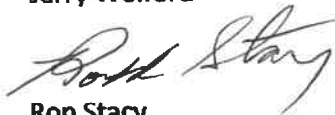
Cass Township Trustees



Jason Rinker



Jerry Wolford



Ron Stacy