

MINUTES

POSEY COUNTY AREA PLAN COMMISSION SPECIAL MEETING

**THE POSEY COUNTY COMMUNITY CENTER
111 HARMONY TOWNSHIP ROAD
NEW HARMONY, IN 47631**

**JULY 29, 2021
5:00 P.M.**

MEMBERS PRESENT: Mr. Mark Seib – President, Mr. Hans Schmitz – Vice President, Mr. Mike Baehl, Mr. Kevin Brown, Mr. Andy Hoehn, Mr. Randy Owens, Mr. Randy Thornburg, Mr. Dave Pearce, Dr. Keith Spurgeon, Mr. Trent Van Haaften – Attorney, Mrs. Mindy Bourne – Executive Director, and Mrs. Becky Wolfe – Administrative Assistant.

MEMBERS ABSENT: None

PRELIMINARY DEVELOPMENT PLAN:

DOCKET NO: 2021-01-SECS1-APC
APPLICANT: Posey Solar LLC
PREMISES: The Posey Solar SECS project area general location (approximately 2,400 acres inside project fence):

1. Project area generally bounded by Darnell School Road on the south, north of Blackford Road on the north, Green Valley Road on the east, and west of McKinnies Road on the west.
2. Western Marrs Township -- Sections 19, 30, 31, and 32 in Township 6 South, Range 12 West, and Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, and 17 in Township 7 South, Range 12 West.
3. Eastern Black Township – Sections 24, 25, and 36 in Township 6 South, Range 13 West, and Section 1 in Township 7 South, Range 13 West.

APPLICANT/OWNER OF THE ABOVE DESCRIBED PROPERTY HAS REQUESTED:

Applicant requests preliminary Development Plan Approval to develop a Solar Energy Conversion System (SECS) -- Tier 1 (Greater than 20 acres).

Mark Seib confirmed with Mindy Bourne that the applicant has met all the requirements for notification per the statute. (A slide show presentation was shared during the meeting. A copy of the presentation was shared with all the APC members & a copy is on file at the APC office.)

MARY SOLADA: I reside in Indianapolis, & I am the project attorney for Arevon. Thank you so much for having us this evening. I know there's been a lot of care into setting this meeting up. I really appreciate Mindy & Becky's hard work to get this done. We have a team of people here

today, many of whom you will hear from, to present on the various topics. As we just said this is a public hearing. We look forward to public input. We also, as I think Mindy noted, have complied with the public notice requirements. First, I would like to introduce you to Joshua Chavez, who is the Project Manager. He will lead off with details of the project.

JOSH CHAVEZ: Good evening Planning Commission and members of the public. I am the Project Manager with Arevon. I reside in Phoenix, Arizona. I will be introducing the project team, as well as some of the private companies involved, and try to give a little more detail there. Starting with Capital Dynamics. They are one of the world's most prominent private equity investment firms, with 30 billion in assets in their management. Including a seven-billion dollar investment in renewable energy, within the United States, making Capital Dynamics the largest privately owned. They are a private owner of solar projects in the United States. Arevon, who I've worked for since 2017 to provide asset management services exclusively to Capital Dynamics. Team members from each company work closely every day. For all intent and purposes, these two companies can be thought of as a single entity. Capital Dynamics owns and operates a portfolio, a solar portfolio, of 5600 megawatts, including six of the ten largest solar projects within the United States. The solar portfolio is spread across the country in highly varied conditions and farmlands. For example, our solar 10-2 project is located in the farming community of the Imperial District, in Southern California. Although utilities such as solar are new to Indiana, our team brings deep experience constructing projects that happily coexist with neighbor's homes in rural communities. This experience includes successfully working with rural communities that host solar farms, but also wind farms and other power plants that have a more significant visual impact than the lined solar panels. Tenaska is Arevon's partner in the development of the Midwest Solar DevCo portfolio, of which Posey Solar is a part of. Tenaska is the 40th largest privately held company in the United States and it is deeply experienced in power markets and project development. Together, Arevon and Tenaska are collaborating to develop and construct over 8,000 megawatts of solar projects across the United States, which includes the Midwest Solar DevCo portfolio, including Posey Solar. The developers entered into a bill of transfer agreement with CenterPoint Energy, which details that when mechanical completion is achieved and the Indiana Utility Regulatory Commission gives the approval, CenterPoint will take ownership of the project. By taking over ownership of the project, CenterPoint will comply with all the agreements and obligations from which we have entered into. To clarify, mechanical completion is essentially the completion of the construction phase of the project, prior to energizing. Arevon will continue to support the project and the amortization process, until completion. I also want to take some time to introduce the project team who is here, and the subject matter experts who will be presenting today. Steve Johnson, who presented on the project's behalf during the solar ordinance meeting will not be presenting today and sends his best to the Planning Commission. So, as you can see, some of the folks on the slide. (Slide 3) I will go through those. We also have some personnel from Center Point here to support any questions that you all may have, as well as consultants from Tetrattech & Westwood. They have been involved in helping to develop and evolve the application. If we can answer any questions that you or the community may have. From Tenaska, our development partner, we have Jerrod Pitts. He is the Director of Project Development. Kyle Gerking, who is the Director of

Engineering. Timberly Ross is the Director of Community Relations. And Joe Finocchiaro is the Director of Environmental Programs. Mary, who is with Dentons, already introduced herself. Then, we also have Stacy Wagner, who is the Community Relations Representative, and some of you may already know her. Another item that I wanted to touch on before I pass it to Jarrod, I know that there has been some folks addressing some site testing that is going on currently. This is Geotech and pile testing. I want to be clear that this is part of the development process. It is not part of the construction. This week we have a subcontractor on site who is completing that preliminary study in support of the development process. This will include pile testing, which will install test piles, which will then have a full test performed on them. Then they will be removed. We will then follow that up with a geotechnical investigation, where we just take soil samples and determine the characteristics to support our engineering design. We ensure that all codes and regulations are being followed in that work. We've also been in communication with the landowners and will be reimbursing them for any crop damages that may take place. With that being said, I will pass it onto Jarrod.

JARROD PITTS: Before we get into some of the details of our application, I wanted to start with some of the key benefits that the Posey Solar project will bring to Posey County. The Posey Solar project represents a 264-million dollar investment in Posey County. One of the key benefits is the property taxes that this project will bring to the County. We work with Baker-Tilly, a leading tax advisor, who projects the tax revenue from this project. Over the project life, it is estimated that over 46.5 million dollars of increased property taxes will come into the County by Posey Solar. I wanted to break that down a little bit as well. Approximately 50% of that property tax revenue is projected to go to the Mt. Vernon School Corporation, which is over 20 million dollars over the project life. Additionally, Posey County, Marris Township and the public library are large recipients of the increased property taxes from this project. We also worked with Indiana University on an economic impact study for this project. In particular, they looked at economic benefits from the project. During construction, almost 50 million dollars in increased GDP is expected locally into the County. Each year of operation, a projected 1.2 million dollars of increased GDP is projected from the project. The study also looked at job creation. When considering both direct and indirect jobs, the Posey Solar project is estimated to create 340 jobs during construction. During operations, 14 jobs are estimated for the project. I also wanted to mention, sometimes we hear folks call out a relatively low number of operating jobs, but we wanted to call to your attention the other aspect of this project, which is the landowner lease payments that are going directly to the Posey County landowners. Over the life, we are estimating over 145 million dollars in these payments will go to Posey County landowners. We have over 60 participating owners in this project that will benefit over the project life. This slide (slide 5) is a summary of the site plan for the project. Kyle Gerking, my colleague, is going to go into much more detail in the subsequent slides, but I did want to highlight a few pieces of information about the project, based on our site plan. From a site perspective, this is a 300-megawatt solar project. From a location perspective, the project is located in Southern Posey County. The majority of the project is in Marris Township. A small portion of the project will be in Black Township as well. I also want to highlight that all the parcels that we are using are the proper designation, both agricultural and manufacturing, based on the Solar Ordinance zoning

requirements. Lastly, I want to touch on the project time line. As Josh mentioned, we are still in the development phase of the project. Our target is to start construction in the first half of next year, 2022, and have the project fully constructed in the second half of 2023. I also wanted to talk at a high level about some of the key project components of our solar project. In particular, the Posey Solar project. I have provided a photo of one of the largest operating solar projects in Indiana. (Slide 6) This was taken at the Indianapolis airport. It's a good representative photo of what the technology that we are planning for the Posey Solar project, would look like. I want to go through some of the key basic parts. The key component is obviously the solar panel. The solar modules take in sunlight, take it, and turn it into DC, direct current, or electricity. Those solar panels are then connected together to form what we call a solar panel quad, as shown in the rows of solar panels in this photo. (Slide 6) The DCM solar panels are then fed to a central inverter. The inverter converts the DC energy to AC energy. That's the type of electricity on the transmission grid. We then take that AC energy from the inverter and collect it at a central substation located on the project. Then we deliver that energy on to the transmission grid. The solar projects also have perimeter fences with access roads, and I also wanted to highlight that. As you see in this photo, like any other project, it remains vegetative, with ground cover. The last thing I wanted to highlight is one key difference between our Posey Solar project, is our perimeter fence. We are planning a gang style fence around the perimeter, unlike the chain link fence with the barbed wire.

KYLE GERKING: I am Director of Engineering with Tenaska. I'm just going to talk through a little bit about some of the other submittals of our application, one of them being maps, which was a requirement of the ordinance. This is the index, the overall index map, with this submittal there were also 6 individual maps of the proposed project site and a surrounding quarter mile radius. All of them drawn to scale. The maps show the site topography, political and natural. It features proposed infrastructure and other information as required by the ordinance. The yellow areas, or blocks, are the solar arrays that Jarrod mentioned. That is the portion of the project that will be developed into solar facilities. The site plan submittal was comprised of a cover sheet, sheets that cover the existing conditions of the property. The overall site plan, detailed plan sheets, then there were typical details, and a plant schedule. I will go over those in more detail. This cover sheet includes some high-level summary information, as well as an index of the site plan itself, which is 107 plan sheets. This included a regional and vicinity map of the project area. The existing conditions sheet, I don't have a slide on that, but it shows the participating and non-participating properties, and outlines some of the key features of each of those properties. It identifies the tax parcel ID, shows the contour information of the existing topography. It maps out wetlands, existing easements, transmission lines, the County drains, FEMA floodplains, etc. That information is incorporated into the design of the facility as we develop the Site Plan. This is the overall Site Plan. This is the same Site Plan that Jarrod mentioned on an earlier slide, but this is at a higher or greater scale. This is the northern portion of the project, as you can see in the key map, it is the same Site Plan, but now developed into three land sheets. This is the northern end of the project. The purple that you see on the screen, those are the array areas. (Slides 9, 10 & 11) It's got the perimeter fence on it, the boundaries. The red that you see there, those are the proposed access roads to the inverter locations, which are the small rectangular blocks that you

can see in the middle of those arrays that Jarrod mentioned. That's the piece of equipment that converts the direct current electricity generated by the solar panels into the alternating current, consistent with the electrical grid. This is the middle section of the array. The gray parcels are those that are not participating. The white parcels are the participants. The green lines represent the collection system, which aggregates all the current from the power conversion stations to the centrally located collective substation. A couple other things to note, you see the circle there. The FAA has a ground base for mutual aid within the project footprint. We've been coordinating with the FAA regarding that. The dashed line around there shows the setback that we need to adhere to with our proposed facility, from the facilities around there. This is just the south eastern portion of the project. You can see on here, there is a cross-hatch, primarily in the southern portion of the project area. There is FEMA floodplain in that area that we are not able to site our proposed solar facilities within that area. It has been identified, but there are not any above ground solar facilities within that area. This is one of the detailed plan sheets that shows, again, there's one of these for every project area if you look at the key map. This is just one representative that shows some of the key features of the Site Plan as being; in this case the black is in the solar panel arrays. The solar panels are going to be affixed to horizontal single axis trackers. They are in rows that are oriented north and south. The trackers will track the orientation of the sun throughout the day, starting in the east and rotating to the west in the evening, to increase the energy harvest or energy yield. Again, central to each of those arrays, is an inverter, or a power conversion station where that DC energy is aggregated and converted to alternating current, and then that alternating current is then aggregated again and collected at the substation. A couple of other things to note, this compliance would be the biggest after it's adopted, to be 300-foot setback from participating residential property, or residences themselves, as depicted by these orange bubbles. (Slide 12) You will also see that the purple is 100-foot setback from a residential structure. It's not shown on this particular plan sheet, but there is also 500-foot setback from a school property line. There doesn't happen to be one on this sheet, but that is also within the detailed plan sheets. It also shows the proposed vegetative screening by these green lines showing where we are proposing to install vegetative screening to block the direct views from the residences, as well as along the scenic byway, Highway 62. This is the plant schedule that was included to address the requirements in the ordinance for our landscape plan, in conjunction with the detail plan sheets that show specifically where that buffering will be installed. This plan sheet includes information from the ordinance, a vegetative screening plant schedule, specifically what species of plants will be installed, and other information regarding the selection intent and planting for that screening. We've also received a draft of Monitoring and Maintenance Plan from CenterPoint, which covers their planned Maintenance Plan of the vegetative screening and those screening buffers outside of the fence line. This will address the replacement of any trees that would die during the facility's life, not just weed control and mowing maintenance of those areas.

JOE FINOCCHIARO: I am the Director of Environmental Programs with Tenaska. I am based out of Omaha, Nebraska. I'm here to summarize for you one section of the plan application, under the heading of the Coordination Report. (Slide 14) As you'll find within the report, the Posey Solar project, we have contacted all the agencies included in the report per the

ordinance requirement in Section 153.124.02. While that section includes a lot of details, I will give highlights of the responses and stats in order on the screen. From the FAA we received notification or acknowledgment of no hazard to air navigation. The National Oceanic & Atmospheric Association has also responded and acknowledged that it will have no impact on weather radio programming facilities. The project has also been coordinating with the US Corp of Engineers with respect to potential impact to wetland areas of the United States. We've performed a detailed field study of all the project site and we are now completing a report for the pre-construction notification for submittal to the Corp to validate that we are pre-qualified for the submission, and there are few impacts for this project. The project has also coordinated with the Indiana DNR Office for Historic Preservation & Archaeology, for the coordination of previously identified archeological sites of the area, prior to us. We've reviewed the sites. We will be compiling and recording as prescribed by the Corp of Engineers permitting process, which will be the lead agency accountable for archaeological and cultural review, in coordination with the State Historic Preservation Office. We've also coordinated with DNR Office of Fish & Wildlife to identify species and habitat potentially present in the project area. We are presently addressing measures to appropriately protect the potential impacts to those species. We've also included local agency outreach in coordination with the fire departments, the Posey County Emergency Management Agency, the Highway Department, and likewise, we have also made outreach to commercial wireless providers and private aviation services. As mentioned before, the section of the permit application contains a vast collection of correspondence and responses received from these agencies.

KYLE GERKING: One of the other submittal requirements for the application was a Visual Impact Evaluation Report. We prepared this report with our consultants at Westwood. Our consultants prepared this report using GIS software and viewshed tools to determine the view shed impact for the proposed solar panels within the defined viewshed area, which is half a mile from a solar panel. The viewshed tools use only ground elevation to predict visibility, so vegetation and structures will further limit those views of the facility. The report itself includes examples of these types of obstructions that would be included, or would be seen within the project site. The report also included photo simulations to show the existing and proposed conditions based on the proposed design, which I'll walk through here in a second. The setback, where the view take-away was, the setback buffers largely mitigate any visual impacts due to the low profile of the solar facilities, with a maximum height of 12 feet at maximum tilt. The solar panels are low to the ground so they won't have a significant viewshed impact. And then the vegetative screening is proposed in those key areas to mitigate the direct views of the solar. This is one existing and proposed condition simulation. This one in particular is from the intersection of County Road 350S and Blackford Road East. This is looking southwest. The agricultural gang style fencing is depicted. These fence details are located in the Site Plan as well. As you can see, this type of fencing is used here is a low profile of the solar facilities. Here is another one from the report. This one is from six tenths of a mile north of the intersection of Davis Road and Lower Mt. Vernon Road. It is looking northwest, and it's a pretty low impact. This example is from near the same location of the previous site, but looking to the west. This one shows, consistent with the Development Plan, the proposed screening buffer around the residence to

block the view shed impacts of the solar. (Slide 18) The application also included a noise evaluation report, which was prepared in compliance with the ordinance. (Slide 19) The predicted noise levels were determined using a noise propagation and modeling software. The inverters and main step up transporter were modeled as point sources with distances in which the noise generated by the project were cumulatively simulated to match the background sound levels as determined. For the project area, it was assumed to fall within what is called a quiet residential area, which has an assumed daytime noise level of approximately 45 decibels. The key findings of this report, that the setback distances are a sufficient amount to allow for sound levels to be reestablished, the background sound levels, from the inverters that was 131 feet from the inverter. That's where it was established. The background sound level from the main step up transformer that is 423 feet from that particular noise generating source. No discernable increase in sound levels are expected at any residence, or even from the proposed fence line on the property. Further, there is no ultrasonic impulsive noise or discreet tones expected to be generated from this facility. Lastly, the application called for a telecommunication and wireless signals report. (Slide 20) Solar facilities are not likely to cause any disruptions at the site with broadcast communications. Again, this is because of the height of the project facilities. They do not obstruct microwave beam paths or broadcast communications, or interfere with cellphone communications or radio broadcasts. The inverters meet the electromagnetic radiation limits and specifications established by the Public Communications Commission. Project setbacks, otherwise required by the ordinance, are sufficient such that any potential electromagnetic interference originating from the inverter or power conversion stations...(inaudible)

JOE FINOCCHIARO: The application also includes a Natural Resources Impact Report. (Slide 21) The purpose of this report is to identify natural resources and plans to avoid, minimize and mitigate any potential impacts of the project. This report looked at topography, geology, vegetation, soil and water resources, wildlife, air quality and water quality. Generally speaking, the project is located predominately in agricultural land, as you all know, and with this in mind, it does affect or impact several natural resources in other settings. Other measures have identified for protection of federally and state listed species within the report and within the project area. The report will also underscore what we've communicated previously, that the project area will be viable for return to productive agricultural use following solar project decommissioning.

MARY SOLADA: We sent out proposed conditions of an approval, not in any way being presumptuous, but to set out what this project is willing to do beyond your ordinance. There is a lot of subject matter here. I will try to be very brief. If there is anything you have questions about, we can certainly do that in Q & A time.

So, first of all, the project will maintain the buffer vegetative screening, in compliance with the ordinance. You heard a very detailed plan submitted today, with specifics of that maintenance, but this is a continuous obligation over 35 years, to do this maintenance. So, we said that approval shall be subject to the compliance of the plan that will be finalized and submitted with the case file.

Number 2: A 20-acre pollinator area shall be installed within the project area. And that's of course with pollinator friendly seeding, and we would certainly work with the Plan Commission Office on the right location for that. But, I would call this a 20-acre pollinator park. A park, in the sense that it would encourage pollinators, and setting aside the land for this purpose, not a public park, just to clarify.

Number 3: The use of barbed wire on top of project fencing should only apply to areas where required by the electrical code, which is primarily the substation area. The fencing around the panels shall be agricultural in appearance, and comply with the ordinance.

Number 4: Owners shall not use any solar panels containing cadmium in the construction or operation of the project.

Number 5: A contribution of \$25,000 to the Marrs Township Fire Department upon commercial operation, and then \$5000 each year after, and shall be made, with the first contribution being made 45 days after COD, which is commencement of operation.

Number 6: Training up to twice a year with the local fire department shall be provided by the project. And that doesn't mean a constant collaboration, but a minimum, the project will provide for the expense and for any formal training.

Number 7: Security cameras should not be directed towards non-participating neighbor's homes.

Number 8: The project will cause reasonable compliance with various recommendations set out in the file of telecommunications & wireless signal report. We can certainly answer more questions about it, but the reality is, I think we are very confident, that given 12 feet as the maximum height, there should not be any interferences, but we can answer questions about it.

Number 9: A contribution of up to \$225,000 towards new telecommunications towers that would ensure reliable radio service for first responders & shall be provided by the project, and that payment would be made within 45 days of commercial operation.

Number 10: The owner agrees to maintain a local office in Mt. Vernon for the duration of the project development, and the office will have posted office hours. Non-participating landowners can make appointments to meet with a representative of the project.

Number 11: No tax abatement will be requested for the project.

Number 12: No more than 300 mega-watt AC, or 2900 acres within the fence will be developed within the project area.

Number 13: These conditions shall run to the benefit of a non-participating landowner who have received legal notice of the project, and shall run with the land. That means two things. One, is

that of course, if someone were to sell their home, then they would enjoy the benefit of this. Secondly, then, these folks, then if truly we would be in violation of these conditions, then there would be a legal claim against the project directly. That's what that is intended to do. I would be happy to answer more questions about that. With that being said, we will move onto the next slide, which is the summary. (Slide 24)

What is required for the final development plan, we are very close to actually having a final safety & security plan. We are cognizant, and really already have, we will file very shortly, letters from local responders acknowledging the project, and their goal in responding.

JOSH CHAVEZ: So, with the Final Safety Plan, that is actually a requirement of the Final Development Application, but we wanted to submit it in the preliminary because safety is a top priority on site. We want to make sure that we are in full communication to make you all comfortable with that. We want to provide that early on, to keep up with that. We will be working with first responders to develop a site emergency plan, which will detail all the correct correspondence that is needed, establishing routes, etc. I would like to highlight that. That it's not necessarily a requirement with this plan, but we did want to get that in front of you, and have that ready for the Final Development Application.

MARY SOLADA: I would like to say the same about the Decommission Plan. (Slide 25) Is it a requirement for this evening to have one? No, but we think it's terribly important that the details be out there in the case file so folks understand that pen has been put to paper. This draft document has already been reviewed by the county attorney. The county's special legal counsel has, in our view, this is a preface document. What this does, is very clearly provide, not only for removal of project improvements at the end of its life, but it adds accordingly a decommissioning bond by an independent surety, for the benefit of the county, to be reexamined every 5 years, with a notice provision that it would be a seamless bond that will not expire. It would be provided at the time of the Improvement Location Permit. So, we just wanted to let the planning commission know that they would hear more about it in the future, but wanted you to be aware that this document has been drafted, and is under legal review and it will ultimately be signed by the project. And again, provide for this independent third-party surety, which means that it essentially, the county and its taxpayers would never be at risk for decommissioning of the project.

TIMBERLY ROSS: I am the Director of Community Relations at Tenaska based out of Omaha, Nebraska. Members of our team started talking to Posey County landowners in late 2019, early 2020 about the voluntary lease agreements for the solar project. We had a good response from landowners who wanted to use their property for this purpose. Once we realized that we had a viable project, then we started to introduce ourselves and the project more formally, locally. This has included hiring a community representative for the project, Posey County resident, Stacy Wagner. We have a project office near the project site, and Stacy has regular office hours every week for people to come in and get accurate information about the project. We have a project

website, and a project Facebook page that are used to disseminate information about the project. We have issued news releases, we've placed ads, we have been covered the area media. We have even done a county wide mailing. We have also done target outreach to neighbors. This has been through mailings, phone calls, emails and door knocks. We have even offered to participate in our good neighbor program. That good neighbor program allows them to participate in the project without hosting solar panels or other types of infrastructure on their property, and it does provide a financial payment along with that. So, I continue to point to these resources, our website, our Facebook, and email, and our local office, Stacy, as a conduit for accurate information about the project.

MARY SOLADA: So, to conclude our presentation, before we get to the question & answer, typically again because this is a legal requirement, that were the APC to approve the Preliminary Development Plan this evening, it must meet findings of fact. Under your ordinance, the findings of fact address two topics, and that's it. The first is that the development plan is consistent with the Comprehensive Plan. I believe your legal counsel is looking at that. Number two, that the Development Plan satisfies the development requirements specified in the county ordinance. We are very confident about both of these. Number two, you have already heard about the level of detail in the independent third-party studies, which by the way have been reviewed carefully by your planning staff. And as far as the Comprehensive Plan, I will allow your attorney to address that, but the bottom line is that the Comprehensive Plan talks about the importance of supporting agriculture in Posey County. In reality, we view this project as hand in hand with continuing agricultural support. You may not agree with that, but I think it's important to understand that from the landowner perspective, this ensures that land stays within the family, that family farming is respected, and I think with Tenaska's track record, with their experience with solar, as well as Capital Dynamics, it is very clear that these projects have coexisted well within an agricultural community. I'm respectfully saying. With that said, I'd be happy again to answer questions.

MARK SEIB: With that, it is now up to board to ask any questions as they see fit, to ask the applicant at this time.

KEVIN BROWN: I have a question for Josh. You made a comment that they started doing core drilling or testing & everything. Did they get ahold of all the owners before they did it & everything? I got a lot of calls where they were going across non-participating people's property and damaging. My question is, if they did any property damage, is this what we will have to put up when you actually start construction?

JOSH CHAVEZ: No, we saw some comments on the Facebook page this morning that that was a concern. We ask that if anyone has any concerns, please let us know, and we will take care of that immediately. We provide our subcontractor with the amount of participating landowners, and they said this morning that they are complying with that & that they were being careful to avoid those. So, anyone that has had that happen, please let us know. You will be compensated for the crop damage, and we will be sure to address that. I offer apologies if that did take place, and we are more than willing to address that as soon as possible. In the future, we will be sure

that if there are any concerns, that we will be in close contact with landowners & be sure to address that. We take that very seriously. On the Posey Solar site, if you reach out to Stacy Wagner, you can connect. Please just go through Stacy & she will connect you with us & we will take care of it.

KEVIN BROWN: I have one more question for the last girl who stood up. You made the comment that your office, and Stacy, when is that supposed to start?

TIMBERLY ROSS: Our office has actually been open since January.

KEVIN BROWN: Well, I have several people saying that they go in there, and they won't tell them anything. They ask questions, and they say that they can't answer that, so I was curious when that was going to start.

TIMBERLY ROSS: Stacy is there to be a conduit of information. If there is something that Stacy doesn't know, she will collaborate with our team to get an answer. There is also a feature on our project website in which people can sign up for a virtual meeting with a member of our team. And we have had people take advantage of that. I know that Josh had one just this week with a resident.

ANDY HOEHN: Can someone tell me exactly how many participating landowners are involved?

KYLE GERKING: We have 64 land agreements that have been signed on the project. Two of those are the same landowner. We have 62. Another thing I'll mention is that some of those are mutual owners. That is just 62 agreements.... (inaudible)

MARK SEIB: Concerning the technology of the panels, I've heard many alternate methods of stacking. Can you explain to me what you are trying to do to make sure that we are using the least amount of ground as possible...that can be put into this production.

KYLE GERKING: The panels selected for this project, or anticipated to be used on this project, are called bi-facial, meaning they can accept the sunlight from the front, facing the panel, as well as the back side. So, these will catch the reflected energy off the ground as well. It's a means of boosting the energy harvest and increasing the energy gained from that one panel. So, we are using kind of state-of-the art technology from the solar panel to minimize our land footprint.

RANDY THORNBURG: Of the 64 signees, or participants in this, what percentage of them reside in Posey County? Do you have that information? I understand it's about 50%.

KYLE GERKING: We don't have the exact percentage today, but we have looked at this, and the majority of participating landowners have a Posey County address.

RANDY THORNBURG: That does not mean that they reside in Posey County.

KYLE GERKING: Again, they have a Posey County address, which is the best information that we have.

MIKE BAEHL: Of the 770,000 panels that are projected to go in, how many of them will be made in the United States?

JOSH CHAVEZ: None of those panels will be made in the United States. We will be utilizing Genko, our supplier for the solar panels. Most likely, they will come from South East Asia.

KEITH SPURGEON: Can someone speak about maintaining the vegetative screening? Elaborate on that a little bit more. I'm thinking more about after the project is done. A lot of what I saw of the plan talked about installing of the screening, but what about when the project is done? What are you going to do to maintain it? What happens when a tree dies, and that kind of thing?

JOSH CHAVEZ: We received a draft Maintenance Plan for that vegetative screening. It's going to involve monitoring, and I don't have the exact details in front of me, of the frequency, but they will be monitoring that vegetation. When they see that it is starting to die, or dying, they will be replaced. They will monitor that for the life of the project. That detail, we can provide more on that, as you can see, it was not provided as part of the application. We didn't quite have that finalized yet. It's still a draft. We didn't have the time to get that done before that application, but we can provide you all the detail that you need on there. And provide that to the APC so that you can take a look at it. All the details for frequency will be in there.

DAVE PEARCE: It appears that it is very difficult to mow in and around those things. As I recall, in looking at other counties and other states, the sites often have a lot of grass growing up, around 3 to 4 feet around the panels. Is there a plan, or is there a way to make that not so unsightly? Or is that just part of it?

JOSH CHAVEZ: We will need to provide that. We only have the plan for outside of the fence, currently. Generally, mowing is able to take place around the project or for any spot or wherever it needs to be done. They have to ability to do that. Sometimes they will use goats or other livestock to keep that maintained. There are a few options that we can do there. We don't have those details just yet, but we can have that for the final development application. We will provide those details for you.

RANDY THORNBURG: Of all the components in this project, can you give me a percentage, or what percentage will be an American made product?

JOSH CHAVEZ: I do not have a percentage of American made product. I can tell you that the inverters will be assembled in India. The modules are made in South East Asia. The racking

system will have components from the United States, Brazil, Mexico, and all over the world. I can get you some more information on that as well. That will be up to the APC for a lot of the cable and everything that will be utilized, but...

RANDY THORNBURG: Sounds like a large percentage of that comes from Asia, and we all know that originates from China, most of it.

KEVIN BROWN: I'm a little confused. There's a lot of information that you have for us & we're expected to vote on it tonight.

MARK SEIB: What we are voting on, is the preliminary. If they have met the requirements, as far as the information that they've got and if you look at this book that is front of us. That is all the information that they have provided us, for what they have just explained, but we hadn't heard it in their words, & what they wanted. The preliminary is the starting point. Then later on, after they gather the additional information, and anything else that we see that we need, then they will go ahead & get that gathered up. Once that is all put together, and returned to the Area Plan office, the attorneys and Mindy, will go through the process of reviewing that & putting it together. Then Mindy will say that they have everything put together, and then there will be a final. At the final, there will be another public hearing, like there is today. And the Area Plan will be the ones conducting that as well. The final is when there are no changes, it is the way it is. This is the exact numbers. The data and the information of the properties and everything will be nailed down. We will also have the number of panels, all the engineering work, all of that comes to the final. All this is today, is for the preliminary.

HANS SCHMITZ: You mentioned in the noise report, no discreet tones. It was brought to my attention from someone that for those types of panels, when they move in the sun, they observed an audible click each time they moved their position? Does anyone have any knowledge of that?

ANDREW SHADMAN: I am a noise control and acoustics specialist from Western Professional Service. The movement of the panels is usually controlled by tracker motors, which are fairly small pieces of equipment. They mitigate down to about 40 decibels at a distance of about 10 feet. Forty decibels is below the minimum, which is 45, that was measured. With those levels, the click is not a discreet tone, but those levels mitigate at a much shorter distance than the distance to the project boundary.

RANDY OWENS: How often do they move? How often do they adjust during the day?

ANDREW SHADMAN: It's a very, usually, like every 10-12 minutes. Or five minutes, but again, compared to the sound of the converters & the transformers, it's not going to be noticeable beyond the property line. Honestly, beyond ten feet, it will not be noticeable. It's much more a thing that's localized close by.

RANDY THORNBURG: I've been asked about the labor portion. Can you tell me if they are going to be using local labor? Or out of town labor? Are they going to use building trades?

JOSH CHAVEZ: We have not selected our contractor yet. We encourage them to hire locally, and they will hire locally as much as they can. It's much more expensive to bring people in from out of town. So, we encourage them to hire locally, but that will be up to them who they will hire. Typically, they do hire directly. Most of that is going to be from the local area, or whatever labor is available here.

MARK SEIB: Any other questions? Now, we will move on to the part where we have the organized opposition. We have Mike Schopmeyer, who will be the spokesperson for the organization.

MIKE SCHOPMEYER: Kahn, Dees, Donovan & Kahn at 305 Main Street, Evansville. Our firm has worked in land use planning in this region of the country, in South West Indiana, in particular myself, for the past 37 years. The firm is like 100 years old. We were part of the effort to enact land use planning in this county when there was an ill-placed landfill. Mark & I have worked together at least 20 years, I think, and probably Trent as well. We represent the people in the yellow, versus the folks that have the nicer trucker style blue hats. Any action on this solar company's preliminary application at this point is grotesquely premature. Let me repeat that. Any action at this time on this preliminary application is premature. Let me give you some reasons why. The scope and consequence of this large industrial solar field is like no other land use planning petition that has ever been filed in this region. This is mammoth. It's much bigger than a landfill, which was the reason why your county, Posey County, enacted land use planning. The petitioners have refused to work with us on this. They added these conditions. They put them up there, and they are not anywhere close to contract form. They are non-binding, put together like this. We, as you do in this kind of work, and I'm on their side, as many times as I'm on this side. I represent the side of the plan commission. I've worked all sides of this. The best way to peacefully change land use planning of this magnitude, is through use & development commitment. We tended to that many, many months ago, and we have had nothing but silence. The same silence all these good people have had when they visited this outreach office that you guys talk about. Ladies & gentlemen, we have the same thing. We again ask them, please, let's work together. Let's see if we can put these terms that they talk about, and lots and lots of terms were missing from this sheet, lots of them, and it's nowhere near the legal instrument you need to protect these good people, which is your charge. Indiana is a blessed state. We live in a beautiful state, driving out here, I've never seen it more beautiful. Mark & I were talking about the plots and how green and beautiful it is out here. That's why we have land use planning, and that's why we have in Indiana the sensibility of an advisory citizen board, instead of leaving this alone to the politicians. Politicians run elections. They accept money for campaigns. It's problematic. That's why we have filed suit. We have some deep, deep concerns that some things have been done through the process that aren't appropriate. We have tried every step of the way to get that information. So, they come here today with outreach, folks, but we haven't had any outreach. You need that agreement. What's missing from the agreement that

we've talked about, the height, they said 12 foot. It's not on the sheet. They thought we wouldn't notice that. It's not on the sheet. More detail on there, a good question about the landscape vegetation, really the preening of the edges is very important. I was on a tree advisory board in a neighboring county, we are so far away from having that plan done correctly. It's not even close. They put something on here, the vegetative screening, but there are a lot of details that are missing. Most of these provide that our clients can recover their attorney fees, if they violate all this stuff. You've heard, how many subcontractors have you heard about so far? How many engineers from different firms? Have you guys had an engineer look at this? How many pages is it? 200 pages. Have you had an engineering firm? Have you asked them? They should be paying you to have an independent engineering firm to look at it. If I was representing you, that's what you would be doing. This ought to be looked at. Because they are standing up here with an array of outstanding experts, but let me tell you that, they are being paid by, by what I see out in the parking lot, Pennsylvania plates, Missouri plates, Florida plates, Tennessee plates. Mark, it's not just South East Asia. I mean, these are your people in yellow. We have a group of folks that are going to talk to you. We think the time constraints are inappropriate, Mark, for the record. They went almost an hour, and we're being told we have 15 minutes. This has been going on over & over & over again. We haven't gotten any information. That's why we had to file a litigation. This is the only way that we can get any information. This is supposed to be Zoom. We're being told that our people who aren't here, can't see the Zoom, once again. We're shut out from information, and that's not the way the good folks of Posey County do things. This needs to be stopped for the time being, and you need to get an engineering firm. We need to get these documents in a lot better shape. We're nowhere near where you should vote on this tonight. It should be stayed for another day. We have tried to do what we were told to do, and have had good conversations with your council. We have a group of people, who are not going to repeat anything that I just said, and they're going to get up. We have at least 7 or 8 from the remonstrance group. They have been working on this for months & months & months & months. And have spent a lot of money trying to preserve our neighborhood & preserve this county. With that, I think I'm going to give it to them. Come up one by one, and then I would like to, sometime before the end of the night, I would like to speak again.

STEVE MOORE: 6620 Carson School Road. I've lived here all of my life. My concern is that, my base of my intelligence has been construction all of my life, and time and time again I have seen it, that these outfits move in with all these promises and stuff. The point being, the ethanol plant in town, coming in with all of these abatements and stuff like that. These people have done without. They come in here and they do all the promises in the world and they get the federal money, of which \$60 million of that 260 million-dollar project is probably going to be split between Tenaska and Center Point. Then your taxes are going to go down on that property after CenterPoint becomes owner of it. Not the tax money that you say that you're going to get. Then they bring in all of these people from out of town. And just like the ethanol plant, we had people around here that were out of work, that were having to leave, that paid taxes here and would have to leave their family on Sunday night to go to Paducah or Indianapolis, or someplace like that, at a construction field and drive right past this down here where people are working in our county and they had to go out of town to go to work. They couldn't watch their kids at their

ballgames, and all that. You're being hoodwinked. This technology in five years will be past. It will be gone. If you will do some research, you'll find out already they have these 100% safe nuclear deals that are 8 foot by 20 foot-long that will take care of 22,000 homes, and not taking up 3000 acres of ground. What's going to happen in five years when this technology becomes old. That's when they are going to start shutting that down, and okay they've got this in here where it's supposed to be repaired. Well, that's fine, they have the language (not audible). But what's going to happen, they're going to let some company come in here and take ownership of that and will file bankruptcy and it's going to come back on the farmers to clean up the mess we are going to have here. The farmers are going to cry foul and want the taxpayers to bail it out. I think we are moving entirely too fast. If we jump on this it would be way too early and I think that there's a way better technology, with a lot better sense coming.

MAIZEE GOEBEL: 8900 Ford Road South. I along with many others oppose the Posey Solar project. Marris Township is currently one of the most sought after places to live in the county, with its close proximity to Evansville and Mt. Vernon, along with its beautiful views of vast farmland and countryside. By allowing the littering of our landscapes of 12 to 15 foot-tall solar panels within a mere hundred feet from our properties, you'll do a great injustice to the key selling points of Marris Township, to new families looking to settle in our area, while also decreasing the property values of residents such as myself. Many elected officials have stated that our county's population is declining and we need growth. That's why we spent over \$4 million on the new sewer plant in 2019 to spark development along the 62-corridor. If we allow this industrial solar project to continue and many others that are wanting to follow, how much will be left for future development of commercial businesses or land for subdivisions that would both utilize the sewer plant and bring people and jobs to our county. Furthermore, how will we recoup our costs from the sewer plant? The last time I checked, solar panels won't utilize a sewer, they won't attract people and they won't bring the revenue that is needed. The five direct jobs Tenaska would bring upon completion are a drop in the bucket. They aren't enough to make a difference to this county. Not to mention the farmers that are losing ground or are being forced out of farming due to lack of ground. What about their jobs? With less crop production, what will that do to Green Plains, CGB, ADM and our county residents who have jobs with them? Are we saying five jobs with the solar company are more important than theirs? Now, the most important factor, the people. An industrial solar farm will not bring people to our county to live, work or send their kids to our schools. If anything, several have said they will move from the county if they have to be surrounded by solar panels. This means less money for our county in taxes, for schools, for infrastructure improvement and businesses seeing less people, forcing possible closures. We should be reaching out to companies that will bring several good paying jobs, stable jobs, and not settling for an industrial solar farm that only a small fraction get rich from. This project is not for Posey County.

JERRY CHASTAIN: Darnell School Road. I would like to thank you guys for having me here today. I want to put these pictures on the record due to knowing the area on the drainage level. Those pictures show a 20-foot speedboat on Darnell School Road after a 4" rain. That is a 10-year old picture, but that's Darnell School Road and the house that I grew up in, looking down

the road. Flooding is a big deal to us down there and every road around it. You've got Ford Road that floods when it rains. You have Davis Road, Caborn Road, Gun Club Road, Darnell School Road and the bluff on Lower Mt. Vernon. All of that water comes right down to us. We are used to a little bit of flooding, but solar panels are impervious. They don't take the water. Water runs off and moves down. The whole problem with that is it's going to bring a lot more water down to us. Effectively, you're paving an area of 2000 football fields. That's going to overload the drainage system. Not only is Darnell School Road bad where we're from, but look at Harbor Town after a 4" rain. Look north of the road. I know they've hired a third-party outfit from Minnesota to come down and perform third party analysis. While that is great, they probably don't know our landscape or our hydrology of our soils as well as a local contractor would. I would hope that maybe we could have somebody take a look, because you guys are going to take a vote that could impact the health and safety of the people in Posey County and our area. If there was a heart attack of someone, a fire, or flooded out, how are we going to get down there? The health and safety of the people is what you guys are here to vote on today. I don't see enough. I've read through every page of that 1,000-page application and there's not much there. Sunshine & unicorns. I want to thank you guys for taking a look at those pictures. Anybody that has lived in that area can tell you that drainage is not present and it floods, all the time. Thank you all.

MARK SEIB: These pictures have been introduced as evidence. (Exhibits A) We will keep those on the record. We will now move into the public portion of this.

PAUL HERRENBRUCK: 9200 Wolfinger Road. I am here to state that I am part of the solar project. I also want to state that you gentlemen have a huge task in front of you. You have already drawn a lot of criticism and you will draw a lot more before this is all over with. This morning I was lying in bed awake most of the night trying to think of what I was going to say. I got out of bed and I made a trip. I've always been told it is easier to beg for forgiveness than to ask for permission. So, I'm going to beg for forgiveness for having gone out and collected the sign that is a direct impact on you gentlemen. I don't see the trust being placed in you that should be placed in the elected officials. You have a job to do. It's a tough job. We over here we're being (inaudible) people that have everything at risk and we've put our land up to help people keep their lights on. It's all I got to say. This isn't the way to go. (He presented an opposition sign that said, 'For Sale – Posey County') They can have this back in the morning.

MICHAEL GLESKE: I am a new member of the county. I just want to say that for the folks that are for this, the 60 something, look into who that effects, long term. One side has changed it. The other side is proposing, and there's things going on at the state level, the federal level. You've got to think about that too. I get it, that some may be legally doing it for their children and stuff like that, but I think it's important to look at. Who knows. That's one point. Another point is, this is our county. We own this. We are the people. My question is, where was our law enforcement when our crops were getting destroyed? Why weren't they out there on patrol? Where were they? Nowhere to be found. I drove around for two hours on the county roads today and did not see one law enforcement officer. Zero. Why? Unacceptable. They say that folks who

had their stuff damaged will be compensated, but we all know it's going to take a judgement for that. That's just common sense. It's unacceptable. It's shocking to me to see all of that. All of this division that we have going on in the country right now is unacceptable. Another thing to bring in too, obviously it doesn't pertain here, but this critical race theory and stuff, I mean, not maybe in this county, but it is going on all over the country right now, ok. And some may not notice, but it's a big issue, and I'm standing here before you to let all that be known. Look at other stuff.

FRANS COSTELLO: (declined his time)

STEVE MOORE: (declined his time)

RICHARD KINCADE: Tennessee. I have been involved with this project for a little over a year. I don't have very much land. It's actually got cows on it. Aside from how much acreage is taken up, I have the firm belief, along with my sister, that what we need to do is reduce our carbon footprint. And I think that this is the best way that we have right now to do it, is to close down the AB Brown, and give us this alternate means. I believe usage is not going to go down, it's going to go up. We're going to have to provide a means to produce all that power. So, I would like for you this evening to vote that this preliminary package be acceptable and let us go ahead and proceed. I'm sure that Tenaska folks will get you answers to any other questions that you have. I know you put forth some good questions this evening. I'm sure they'll come up with a response. So, again I would like to see you vote tonight in favor of this Development Plan. Thank you.

MAT SEIFERT: 7100 Caborn Road South. I'm 25 years old and I'm a fifth-generation farmer. The Seifert family has been farming ground in Marrs Township since the early 1900s. My fiancé and I recently started our own entity of Seifert Family Farms entitled Family Tradition Farms because we believe that farming is a family tradition. We are also considered a carbon negative farm, meaning that through sustainable agricultural practices, cover crop and no till, we sequester more carbon than what we put into the environment. There is an old saying that a farmer has 40 tries to get it right. What that implies is that the average farmer has 40 years of production in their life cycle. Now this solar farm that is currently proposed for 30 years. That's too long. But now if that wasn't long enough, they've also opted for the option to add an additional 20 years. Thirty years is bad enough because that is going to affect at least five generations. My grandma, she is going to die with her property surrounded by solar panels. My parents, and as far as I can tell everybody that is pushing for the solar panels will die before they are decommissioned. I will retire and quite possibly die before they are decommissioned. My unborn children and unborn grandchildren will be born and potentially raised, if they don't decide to run away from the ungodly sight of these solar panels. So, I ask you what gives you the right to determine what my grandchildren and what my unborn children will have to look at when they look out their bedroom windows. I'm going to ask you one final time to not allow this monstrosity of a disaster to come into our great county and ruin what your constituents have worked so hard to maintain. Thank you.

STACY WAGNER: 6703 Wade Park Drive, Wadesville. I am a born and raised Posey County landowner and local representative for the Posey Solar project. First, thank you for taking your time to hear our comments today. In my role as local representative for the Posey Solar project I have made new friends in the landowners and their families who, like my family, made the decision to enter into an agreement to lease their ground for the Posey Solar project. I've gotten to know them and hear their stories about the ground they own, its history and their family, many of whom the ground has been in their family for many decades and the factors they considered when making their decision to option to lease their ground. All 65 of them, like my family, did not take the decision lightly. The landowners have remained respectful while watching the right to make the decision of what to do with THEIR ground, have been attacked by the opposition. With that, I am throwing my notes out the window, because I have been sitting here making notes, but now that I have been sitting here listening, I have some different comments to make. I've watched these people prepare themselves. I've watched the wrong information being shared & being set up here tonight. I've been in the local office & I had a member of the opposition come in a few nights ago. He said, I came in so that you couldn't get up there and say that no opposition has come in. I've had two. Two opposition members. I've been there since January. If someone has a question that I don't know the answer, I get the answer. I am a professional. I have a day job. I had been in that day job for 30 years, and part of that job requires remaining professional. Any questions that I have been asked, I have gotten the answers. I shouldn't be up here having to defend myself, but that is the position that the opposition is putting my land owners in. It's unfortunate to watch. I ask you to please, the steps have been taken, the application has been submitted, all the boxes have been checked, our landowners are here to show their support. Please vote to move this forward onto the next step. Thank you.

KENDRA BISESI: I am a resident of Marris Township. For safety purposes I'd rather not give my address because I've had a lot of high tension towards me. Most importantly, I want to tell you a little bit about me & why I came to Posey County. I am a mom of three small kids, fifth grade, second grade & kindergarten, all at Marris Elementary. I have served on the PTO board for the past 5 years. I volunteer a lot of time, not only on Marris PTO, but also on sports organizations that my kids attend. We enjoy our life here in Mt. Vernon & Posey County. My kids represent their sports, and I'm not just talking about one season. My kids are all-star players that represent their teams all year long. I wear Mt. Vernon gear everywhere because that's what we do, but 8 years ago, we were Evansville residents. We didn't want a thing to do with Mt. Vernon or Posey County. We found a little fixer upper, and we thought we'd make it work for a couple of years. I fell in love with this county. I fell in love with the drive home. Guys, I'm telling you, I hated the house. It was ugly. But, I think if everyone of you closed your eyes right now & thought about Posey County, the first thing that comes to your mind is the beauty. The farmland. My kids love driving the back roads & waving at the farmers. There's many of them out here who have waved at my kids & not even know who we were. That's Posey County. I am asking you to take your time. There is no way. That binder is huge. I have tried. I don't have a day job, and I have tried to go through that thing. It is time consuming & there is a lot of missing pieces. I am begging you, for myself, for my children, and for my grandchildren. I want Posey County to be my home, my children's home & my grandchildren's home. Take your time on this please. Thank you.

BRETT STOCK: I am one of the trustees for one of the parcels that's been leased. This ground has been in my family, the Seifert family, we immigrated here from Germany, about 150 years ago. So, I didn't lease this ground, we didn't lease this ground without taking some real thought into that. You know, I just saw a report the other day on how much ground China has bought in the United States. We were talking about some of the products and where they're made. Well, I don't know how many solar panel companies exist in the United States, I have no idea, but if we are buying products from China, it's a heck of a lot better than selling our ground to China. I'm putting this ground in lease with the intention of keeping the ground in the family. I talked to the farmer that leases our property, and he said that if I had property that was in this area, that the solar company wanted to lease, I'd do it in a heartbeat. There is a lot of work, and blood, sweat & tears that go into farming every year, and it's a gamble. It's a gamble whether the crops produce, or they don't. I understand that this is going to take some ground from farmers, but this is the property owner's choice. I hope that you can make this decision with the thought of, let's be open here in Posey County to allowing new things. This is a big solar project.

KATHY JOURDAN: (declined her time)

STEVE BREWSTER: Newburgh, IN. I am not a resident of Posey County. I do own a track here though. I heard that question asked earlier. I am here talking on behalf of my wife, who is one of the landowners who has leased her property here for this project. The property has been in her family since 1860, for five generations. She will be dead before these panels are decommissioned and removed. I will probably be dead before these panels are decommissioned and removed. We hope that the property will be in her family for a couple more generations. This is one way to ensure that. The property is paying for itself. It is viable agricultural property, and we've heard the term 'harvest' used, in regards to a harvest. I really do believe that we are harvesting energy. The same energy, if you are a scientist, that is being harvested by corn, or by a soybean plant. That solar energy is being harvested by those plants. The same way it's being harvested by these solar panels, for production of electricity, 365 days per year. There was talk about carbon sequestration, the racks underneath these solar panels and the microbes that are decomposing the grass clippings, that fall to the ground, they sequester carbon back into the earth, over the next 30-50 years that this project is in place. The opposition's lawyer pointed out that these are your people in the yellow, but I would suggest that these are ALL your people. We have the right to use our land in a just & legal fashion. Thank you.

TOLLY MCCLASKY: (declined his time)

MAIZEE GOEBEL: 8900 Ford Road South. I did most of my speech earlier, but I did want to say that as the Area Plan Commission, you guys have a job to do. You have a job to decide what gets put into our county. What fits well. Months ago, I remember coming to an Area Plan Commission meeting where a body shop wanted to take 40 acres and turn it into whatever it was that they wanted, which happened to be more body shop, more places to put cars, and you voted it down because it would affect those residents around it negatively in Wadesville. What is this going to do to all these residents sitting in the chairs out here? Do you think the solar panels are

going to affect anybody positively? Besides the 62 landowners, that a small fraction of them actually don't live here, that are going to just make easy money on this. I guess the most curious thing that I have to say is, if you are already for this, and you have already made up your mind, then why? Why is your mind made up? That's what I want to hear. I know why my mind is made up that we don't need this. But why is your mind made up that you think it's a good idea? I feel like we deserve to know the answer to that question. We deserve to know why you would vote against all these people, who voted for you, voted for your party, to know why you would choose to do this. Why you would choose to turn Posey County into a county of solar panels. Because this isn't the first project. It is only the first. There will be many, many more that are lining up as soon they know that they can get in, they'll be a shoe in. Thank you.

BRUCE WRIGHT: Evansville. I am not a Posey County landowner. My reason for supporting the solar project does not involve the dollar bill. My support is for renewable energy sources, such as solar farms, such as wind farms & electric power. As a retired school teacher, I am going to offer a one minute and 40 second crash course on a problematic 3 atom molecule called carbon dioxide. CO₂ is everywhere. You are exhaling it. I am exhaling it. It's the fizz inside of a soft drink. It's the little bubbles inside of a glass of champagne. Carbon dioxide is produced in massive amounts when fossil fuels are burned. So, if our atmosphere contains less than one percent of carbon dioxide, what's the big deal? It's an insulator. It happens to be a fairly good insulator, and it holds back a small percentage of earth's excessive heat that is escaping out into space. Now, thank goodness that we have that trace of carbon dioxide, because if we did not, we would be in an ice age. Carbon dioxide has the same role as our clothing. This white shirt is holding back just enough body heat to keep me comfortable. If I wore this hoodie, from this coverall, I would be in trouble. These do not produce heat, I do. This holds it back. Our planet is facing increasing amounts of carbon dioxide, courtesy of burning fossil fuels for energy. It is important to remember that when this solar farm comes online, it will, from the get-go, never produce any carbon dioxide. Thank you.

MIKE SCHOPMEYER: Thanks for letting me up here again. Some items that were left out. This is not consistent at all with the Comprehensive Plan. Mrs. Solada ended with, that this is pro-farmer, which is laughable, but this is not at all consistent with the plan if you look at it. It does not meet the safety requirements, no one has even looked at it yet. Other things that are left out of the agreement, there was an audio question from one of the board members that was not in. The conditions, lighting, which is another important issue to the adjoining property owners, has not been identified. There are just seven items that are not yet in the agreement, or sighted in the agreement. The agreement has to run with the land. These guys are flipping this. They've already admitted they are flipping it. And so, it has to be, you can ask your council, it's going to have to be a restrictive covenant that runs with the land. All of this stuff, and we are not even close. We haven't seen anything. Since early this spring we've been rejected. Remember, these are the same people that have gone out there & dropped eye beams on the property, but their promises that they've made here today, is to be good citizens, but that's what they've done. These are the same folks that haven't at all offered to talk in any way whatsoever. As Kendra said, in the record, there is lots & lots to be done yet, before you ever move ahead on the

Preliminary Plan. We hope you'll abide by that, and give that strong consideration. There was a comment that they were going to happily coexist, and why isn't that agreement there. That's how they opened it. They look forward to working with neighbors, that you've already heard them testify. They haven't. The building transfer agreement, they've tendered it, but they've never let us see it. Again, for the record, I want to incorporate everything that has been put in from the prior hearings, which is a lot of economic data, it also shows that the economic scope work is represented. And again, I want to object, for the record, that never did this appear in front of them.

MARK SEIB: The photo that you presented, is that a landowner from a participating or non-participating? The picture that you just exhibited?

MIKE SCHOPMEYER: That picture is from a non-participating, but it's steel eye beams, so that people know what it is. To me, that's not testing. Those eye beams have been placed on the property. ...The property is a participating land owner. We're just showing you eye beams. I don't know how that becomes testing. And again, that they've come on other property that they don't have rights to.

MARK SEIB: We will use that as exhibit B-1.

REINILDA DAUSMANN: Ford Road. I am both a landowner & a resident of Posey County. Tonight, I'm speaking on behalf of Steve Eberly, of Hoosiers for Renewables. He had an emergency and asked that I do so. Written comments prepared by Steve Eberly, Executive Director of Hoosiers for Renewables. Good evening. I appreciate the opportunity to provide comments to enthusiastically support the Posey County solar project. My organization heavily focuses on the notion of rural vitality and how renewable projects, such as this one, can be instrumental in providing payments to farmer owners, farmer landowners, as well as increasing county investment. I know that according to Posey County reports filed in the Indiana Gateway, the public access tool for the state, that the Posey County's assessed valuations have decreased by \$40 million over the last five years. Decline in local assessed valuation can result in reduction of county services. In particular, decreases the financial flexibility the local government needs for projects, such as fire safety, broadband, education and other desired services, to assist in maintaining and expanding rural vitality and population. Since speaking before Posey County public officials in April of 2021, the number of solar projects in Indiana has practically doubled. Why is this? Because the cost of both solar & wind energy is now on par with the cost of other power sources such as coal and natural gas. Utility companies want to diversify their renewable energy, and so do local corporate employers, such as Astra Zenaca & Sabic Plastics. Please, and respectfully, if at all possible, for the Posey County solar project to proceed in a timely fashion.

NICK GOLDING: Kahn, Dees, Donovan & Kahn, Evansville. I am representing the land-owners, wearing the yellow stickers this evening. I want to take the time that you have given us this evening to discuss the discrepancies that we have found with the application. Although the applicants have submitted hundreds of pages of documents, we have found a few deficiencies

that we would like to point out. The first deficiency is according to the Preliminary Development Plan. It requires that when the project summary, that the potential equipment manufacturers be provided. As we discussed earlier, we don't know who the manufacturers of these products are, we don't know any information regarding these manufacturers. All they have listed in their project summary is that the vendor of the solar panels will be a top tier module manufacturer that meets the highest quality & safety. They have given us no information as to where these products are coming from, who is manufacturing them, and this is information that per the solar ordinance needs to be provided at this time, and we do not have that information. Another deficiency that we would like to point out is regarding the information on the applicants & co-applicants. Again, per the Solar Ordinance, the information that is to be provided is the names, addresses, email addresses, websites, and phone numbers to all applicants, owners, operators & co-applicants. All that we have received in this application is the owner name & parcel ID. Again, this is stated clearly within the first two paragraphs of the Solar Ordinance, discussing what is to be provided within the preliminary development application. This information is nowhere to be found. We have a mound of pages to sort through, and when going through the ordinance, we found multiple deficiencies. We urge you to take the time & consider what all is missing, and what all needs to be considered before moving on with this application. Thank you.

KATHY BIGGS: I am a third-generation landowner. I am for the solar project because it is great for our environment. The land is the future. It will bring more to our community. The world is changing and we need to change with it. It will bring financial security to Posey County, and to the families who have signed on to the solar project. Some are talking about people losing their farming job. I understand. My husband lost his factory job after 19 years. It went to Mexico. The second job he had in a factory for 17 years. It left Evansville. My husband has worked very hard. This is security for my family, my grandkids, & my great grandchildren that I have. I know I probably won't see money, but my great grandkids will. It will go back to farming land, or whatever they choose to do with it, years from now. I beg you to say yes. This is just a preliminary, it doesn't mean it's going to go through. But at least consider to go further with this step.

KATHY WEINZAPFEL: Lower Mt. Vernon Road, Mt. Vernon, Indiana. The value of farm land is important to the economy. Tenaska plans to use 3500 acres of prime farm land that when developed, or partially developed, could reduce, per the 2020-2021 crop & return guide, the average cost to raise one acre of corn, will be \$480, and to raise one acre of beans is \$237. Assuming a standard of 52 and 48 percent split of corn & bean acres. This means that approximately 1800 acres of corn, times \$408 equals \$742,560. Nearly three quarters of a million dollars. Of beans, over 1600 acres times \$237 equals \$398,160, which is well over a quarter of a million dollars. That means a total annual cost of \$1,140,720 leaving Posey County. Assuming a 2% inflation in 30 years, means \$46.2 million will leave the Posey County economy. This is money that would be spent on seed, chemicals, fuel, repairs & salaries for over 500 ag-service employees, and this does not include the large capital investment, such as \$300,000 for planters, and \$500,000 for a combine system. We know that nature of farming dictates the annual supply needs, such as, seed, fertilizer, chemical & fuel, and depending on time & service, close

to where it would be used. The local suppliers are vital to the efficient production of farm products, who are fortunate to have the physical presence of two equipment dealers & three suppliers. We are also fortunate to have the coveted river port which provides two grain elevators, two ethanol processing, and a soy processing, that are counting on our farmers.

MIKE WAGNER: 6703 Wade Park Drive. Stacy Wagner is my wife. I'd like to say something for her in my remarks. She has done nothing but try to get answers for anybody that wants answers. Two people, since the time that she's been there, have been all that have showed up. She is very diligent, and I take it as an insult for her. Someone had said that they have not been able to get answers from her. Now for my remarks. Solar panels will not stop homes from selling over their asking prices. They do not randomly catch on fire. If they do, insurance companies would not allow them to be near homes. They do not leak chemicals, and they are behind fences to keep children from running into them. This boils down to landowner rights. When you allow someone to dictate to others what they can do on their ground, where does that stop? If these solar panels were a danger, we would not have signed this lease. The pictures of the solar fields we have seen are neat, clean & well taken care of. I am here to guarantee you that we will ensure that our ground will be kept in that same manner. CenterPoint will be held to this agreement, and not just by the county, but by the owners. These solar panels will allow the ground to rest and regenerate. There are studies saying that our country's farm ground is in danger of not being usable, if it continued be used as it is used today. Let's allow the ground to rest & allow us to exercise our rights as land owners. Thank you.

KEELY BURKHART: I reside at West Copperline Road, Mt. Vernon. Tonight, I would like to speak to you about the safety & fire risks involved with these industrial solar panels. I'm a former Marrs Elementary School teacher, so naturally the possibility of these solar panels surrounding the elementary school immediately had me concerned for the students. I'm not sure if any of you have ever been a part of an emergency evacuation in an elementary school, but as a former kindergarten teacher, I can best describe it as herding cats. But, in all seriousness, imagine trying to evacuate over 400 students safely from an elementary school. If a fire would occur, these panels are releasing toxic chemicals that our children would be inhaling. Because the school is located on a busy highway, the students can't simply walk across the highway to wait for bussing. It would take far too long for bussing to arrive to evacuate those 400 plus students. I can't imagine the number of students that our district that we will be losing because their parents don't feel like they can safely send them to this elementary school any longer. And as a mother myself, I cannot blame them for that decision. This is just the concerns for having the solar panels five hundred feet from the elementary school. This is not even mentioning that the fact that we will send these children home with their families to sleep with them as close as one hundred feet to their homes. Although the fire risk is considered low, it is not non-existent. Even though training is available, as they said, twice a year, it is not enough to protect our citizens and our children from these devastating fires. We do not have the adequate infrastructure to fight these possible fires. Bringing these industrial solar panels are bringing a completely unnecessary risk to our county. I pray that you will make the right decision to protect our county, because our residents and our children and our county deserve better. Thank you.

KYLE LANG: Tile Factory Road. Putting solar panels on prime farmland in Posey County is not beneficial. Solar farms will replace growing crops that reduce carbon dioxide and release oxygen into the air, which naturally cleans our atmosphere. Solar farms will take away production of grain that is needed to feed livestock and is used for human consumption. In the United States, one in nine people still experience food insecurity. Currently the eastern & northern states in the Midwest are in a drought that will lead to low grain production, reducing our supply of grain, that this nation needs to feed itself. There is land in Indiana that will be used properly for solar panels. Reclaimed mines in Warrick & Gibson County & Pike County for example. This land is not being used for residential, commercial, industrial or agricultural purposes. Solar panels require sunlight to produce energy. Indiana is the 27th sunniest state in the United States. Arizona, New Mexico & Nevada are the top three sunny states. These states have large desert landscapes, with very low moisture, making it difficult for land to develop, resulting in conditions with lots of sunshine. These states would be the ideal place for solar farms. Once one solar company gets established in Posey County, what is stopping more from coming to the county? More solar farms will take away more farmland, and more grain production from local ethanol plants and grain elevators. Solar farm projects will also take business away from other local businesses, such as ag retailers, seed dealers, equipment dealers, and crop insurance agencies. Yet that won't be the worst that will be taken away. A way of life will be stripped from the residents of this county. People here live for the rural country style of life, not to be surrounded by large solar farms. Myself, as well as many other Posey County residents, are not opposed to solar energy, we are opposed to where this project will place solar farms and how it will affect our community and our way of life. There are no state laws or federal laws on recycling solar panels. My generation will be left to bear it.

KEVIN BROWN: Can you tell us what these pictures are?

KYLE LANG: Participating land and my family farm. The amount of damage is unnecessary.

MARK SEIB: These pictures will be Exhibit C1 & C2.

CHERYL BOETTCHER: I am a property owner in Marrs Township. I am also a life long resident of Posey County Indiana. This is this my home. Not only my home, but I am a four or five-generation farming family. I agree with these in opposition to losing our farm ground, our prime farm ground to solar. I'm not against solar, it's just where it's being put, or where it's being placed, and the fact that it is moving way too fast, without taking the proper time to research and plan. I'm in agreement with those who have said that considering this is a 30-year commitment, can we not at least take the time to do the research & answer these questions properly? I am straying from my notes here a little bit, but anytime a salesman comes, the harder they push, the faster they want to get through it. There's probably a reason there. We need to read the fine print. Please, on behalf of us, read the fine print & take the time to do this. There is no reason. It's 30 years. Can we at least slow this down a little bit, and take a little time to do the proper research? The way this is steam-rolling forward against the will and desire of so many local people who love this small farm community, and call Posey County home. This is our

home. For many of us, like I said, we're four & five generations strong. It seems wrong to me, and I guess it's very disappointing to me as well. It's not about money. I've heard them sit here and say, I've heard them say that if we do damage, we'll pay for it. I heard a gentleman back here somewhere, say that he'd rather have forgiveness than to ask permission. So, he stole a sign out of someone's yard. Is this the integrity of the people that we are dealing with? I don't have peace about this. I don't feel good about this. Does integrity matter? Does the integrity of these people sitting here matter? I ask you that.

JEFF BASSEMIER: 5900 St. Charles Drive, Mt. Vernon. I didn't initially come here tonight to speak on behalf of the Marrs Township Fire Department, but I need you to show on the record that the fire department has not approved any Safety Plan up to this point. I thought it was insinuated that we had. I went outside & called the chief just a moment ago. He has received an instruction plan, we have only received the plan, we have not approved any Safety Plan up to this point in the project. With that, I will now take my fire fighter hat off, and put on my Marrs Township resident hat on, and ask this board a few questions. I'm not sure you'll answer, but I think we all want to know. Why was there a 35-minute inequity in time between sides for this debate tonight? My next question would be, are you guys elected or appointed? I feel like there is some confusion in the room as to how these positions come to be. I'm assuming at least half of you know the answer to that. I honestly don't, but I feel like you are an appointed board, which means that as a citizen, we don't have any recourse to the decisions that you make here today. And that concerns me. I think that your goal or purpose here is to account for the majority of Posey County. To increase the population of Posey County. I think if you want to do that, you need to look at areas in the county that have a growing population, and look at their best practices. What are they doing? I'm going to imagine it's not putting industrial solar in residential areas. That's all I have to say.

TINA KISSINGER: 6701 Ford Road. My husband & I are non-participating landowners and own three farms, plus our home, that will have solar right up next to it. What about my rights? Put yourself in my shoes. I'm a Mt. Vernon Garden Club member. We are dedicated to the beautification of Mt. Vernon. What about the ground leading to Mt. Vernon? There is nothing beautiful about solar panels. Don't let Tenaska tell you that if you have solar panels on your ground, that it can go back to farm ground in about 35 years. Now, that's just not going to happen. The American Discovery Trail is the backbone of the national trail system. It crosses the United States & goes through Posey County. This spring, my husband met a hiker that was walking the American Discovery Trail on Lower Mt. Vernon Road. That hiker had started in Delaware, and was going to California. Can you imagine what hikers & people will think of our county when this beautiful green crop ground is replaced with solar panels & metal fences. Our wildlife. Thousands of geese migrate through our county. I've witnessed every year, the Canadians, snows, & ducks on our ground, not far from our house, stopping to rest in our fields on their migration. And the eagles that soar over our fields are beautiful. What will happen when they see the solar panels shining up at them? They will probably be scared off. On January 5, 2021 a report from the Institution of Energy Resource says it should be time to reevaluate solar energy as a viable energy source.

MIKE MOHR: I live on property that will be surrounded on two sides by this farm. I chose not to lease my land, for the good of the farmers who farm the land, and my neighbors. Posey County is a dying county, per Jenna Richardt, Executive Director of the Posey County Economic Development Partnership, May 18th edition of the Posey County News. Per the census, the population of Posey County is declining 4% between 2000 & 2010, and another 2% since 2010. Why? Lack of jobs. Posey County needs to focus on bringing industries that will generate a significant number of good paying jobs. The Posey Solar project team has publicly stated that it expects to generate just five permanent full-time jobs over the next 30-year period. Five, only five. Two: lack of housing. Posey County News recently ran a five-part series on the lack of housing. Highlights include, on May 4th, only 11 homes are currently listed for sale. Lack of housing is making it difficult to hire teachers for our schools. Again, quoting Miss Richardt, if an area doesn't have business & doesn't have housing, then those people aren't living here, paying taxes or eating at restaurants. Aaron Wilson of Wilson Auction & Realty, said focusing on housing development is a better long-term investment, paying long term dividends. If you build a house in this county, it's revenue definitely for the county. The University of Rhode Island found that homes within a one-mile radius of a commercial solar farm, that were built on desirable farm land, had an average property value decrease of at least 5%. That's a significant issue for the approximately 800 Posey County home owners, who live within less than a mile, but I'd say within a half mile, of this solar project...The solar panels will be a permanent eye sore, for those driving into the county, and for those homes along them. Thank you.

KEN MOLL: My family has lived here since the 1850's. I have a little bit to say about what we have here, and I appreciate you allowing me to say it. These guys are marketers. They are getting paid to market. They don't give a crap about what we're doing here. They want their money. There's a guy back here, I think he should go back to Tennessee. He's got property here, but living in Tennessee. These guys put an estimate, did you see their number? They put an estimate up there of what they're going to give you because they can back off of that. It's not real numbers. I appreciate Miss Weinzapfel who broke down what you're going to lose. It's 46 million dollars, from just that one farm, and that group of property that they have. People are looking at leaving. Solar is not reliable. When it's cloudy, it doesn't work. When it's raining, it doesn't work. When there's a mechanical shut down, whether it be the inverter, or the mechanical work on that, for angling the panels, it doesn't work. When it snows, it doesn't work. These guys are blowing smoke up your skirt.

RODNEY RITZERT: Caborn Road, Mt. Vernon. Mine is on setbacks. I guess most of you have kids and grandkids. When the setbacks were discussed for the solar, for the Solar Ordinance previously, Tenaska said that if the setbacks were moved to 500-feet, it would kill the project. But Tenaska has agreed to 600-foot setbacks in Saline County Illinois. But the best we could do in Posey County was 500-feet from the Marrs Elementary School property line. It just happens to be the approximate distance from Marrs School to the first piece of solar property owned by B&K Solar. Is that coincidence? I think not. The purpose of zoning in the Area Plan Commission is to protect & give all property owners & citizens a choice in the development of the county. A resident did a simulation on how long it took a kindergartener to run the distance from the

property line to the solar. It was less than one minute. Is this something that you would be ok with for your kids & grandkids? Would you approve industrial development for say a fertilizer plant, 500 feet from a school? I'm asking why they can set 600 foot in Saline County & the best we can do is 500 from Marrs Elementary School in Posey County. I think we need to really think hard about accepting this development. Don't think anyone in this room is against property development. This is not about going green for the planet. This is about going after green money. You hold our future in your hands. You don't want this to be your legacy. Thank you.

ROBERT SCHAFFSTEIN: I'm a life long resident of Posey County & I live on Ford Road in Marrs Township. I urge this commission to postpone the approval of any industrial solar project. We've heard that other technologies are being developed, and they are. In 5-10 years industrial solar still looks like the best way to go. We will have a lot more information about the risks associated with the environmental issues & the safety issues. In 5-10 years, solar panels will be prudent in their efficiencies. They won't require as much ram, hopefully. But if there is still a good use for solar panels in 5-10 years, even if Tenaska is not here, if it's still a good idea at that time, then there will be other companies ready to give us what you are looking for and what is being offered here today. I urge the commissioners to not approve it at this time. Put this on hold for 5-10 years. The technology will advance. I think it will be better. It will be better to work with. I just urge you not to move too quickly. Wait & study this thing out carefully. Thank you.

JERRY CHASTAIN: Darnell School Road. I have one contradiction in the speech that I want to bring to light. First, it said no more than 2400 acres, then it turned into not to exceed 2900 acres. Those are the kind of discrepancies that coming into a preliminary application, we really need to look at the accuracy. I mean, what are we doing here? Also, I think, the drainage guys, we all know the drainage is an issue, and that's pretty well all I have. Thank you.

DAVID DAUSMAN: I'm a long-time resident of Mt. Vernon, where my wife & I have raised two daughters. I had a speech prepared. A lot of it has been covered. The one thing that I heard from Tenaska was a 45 million dollars in tax revenue. Is that on top of the tax revenue that we get from farming, or is that a total tax revenue? Because the numbers that I have been reading, is a loss of one hundred million dollars. So, I hope you guys get these numbers right. Second, I want to talk about the energy, renewable energy. Renewable energy is the thing. It's been talked about for 50 years. We've got to make the change. We've got to quit burning coal. Solar panels, to replace a 700-megawatt plant, is like putting a house fire out with a five-gallon bucket. It don't work. And if you want to try it, don't put it on the best farm ground in the Midwest. Try it somewhere else. Try it where farm ground isn't producing the tax dollars that you are getting. Slow down. Jerry hit it. You've got an impervious surface. The ground is flat already. It can't go anywhere. I assure you that if you hired your own hydrologist to do a hydrologist study, Highway 62 will go under water on a big rain. So, if you are really considering this monstrous project, affecting of all these people, spend some money yourself. At an earlier meeting, at a commissioner's meeting, I talked about a job that the water treatment plant built in about 1988, when the civil defense had to bring water into the city. Don't let that happen.

CAROL HORDYNSKI: I'm a lifelong resident of Posey County. I don't have real notes. I've heard a lot. I agree with many of who oppose, what they have been saying. One problem that I had was that I'm not leasing, for sure, but they were on my ground yesterday, and like at least 1500 feet on my ground, with no permission, driving on crops. Is this just the beginning of problems? I've heard Illinois is having the same problems. Just driving all over everywhere. And then they are asked, who is going to fix the roads, they say that's the county's problem. Is that what is going to happen here? I mean, we haven't even started and we already have problems. Another problem I have is I live on a big hill. How are they going to keep me from seeing it? Because directly across the road, they're saying there's solar panels. Is there going to be screening as tall as a telephone pole? Because I will see it. And then, how are these, they say, going to be disposed of? What county has ever had a disposal plan? Do we know that? Where are they going to go? We are probably going to be a solar dump. We are going to be Posey County solar dump if this goes through. So, just please, I mean, you were given a binder against solar at one of the last meetings. Did anyone even look at that? It was a lot of good information. And then now, they supply this, and we're going to vote on that? Just please take time to make a good decision because this is terrible for Posey County. We are already green. We have farm ground. We're already green. Let's support those businesses that the farmers use. Thank you.

KIRK WILLIS: I am a lifelong resident of Posey County. I keep hearing about good neighbor pledges coming from this side. I'm going to show you this side over here. They don't need good neighbor pledges, because they've got good neighbors. They're right here standing with them, fighting for their rights together. These people over here, they've got what they need already. As far as the community goes, they are fighting for their community. These people over here, they've got hats. They've got uniforms. That's what it is all about. I'm going to say one other thing. I believe in our system of government. I believe that you people represent the majority. I believe that you've been elected to protect us from fast moving, smooth talkers like this. That's what I believe. Don't take that belief from me. Don't do it. Thank you.

KENT JOURDAN: 6430 North Davis Road, Mt. Vernon, Indiana. A lot of the people for this project, they say that they have a local mailing address, well a PO box counts as a local mailing address. How many of you people right here live in Posey County, on your parcel, & can see your ground? No, you don't live in Posey County. I see your ground. You don't. So, there again, it's not, love thy neighbor. Its shit on thy neighbor so I can become a snowbird & live in Florida. All of you marketers up here that keep saying it's going to be local jobs, as much as we can, well there's one local job right now on this project & that's Stacy. You have Phoenix, Arizona, Omaha, Nebraska, show us some proof. You're not going to use local contractors. Go to Illinois. You already have a project going on over there. It's all out of state tags. Don't believe the line of bullshit that they are feeding you.

MARK SEIB: Now that we have ran through both lists, is there anyone, since we haven't met our time, is there anyone here that had not signed up that wishes to speak? Please state your name & where you live.

EASTON HALL: I am 12 years old & I live at 4901 Northfield Drive West. I am Benny Hoehn's oldest grandson. My whole life I have looked forward to joining my Paps & becoming a 7th generation farmer of Hoehn Farms, Inc. If we allow these solar panels to take over our prime farm land, many others, like myself, won't have the opportunity. Thank you.

STEVE MOLL: I've been miscounted my whole life. Got a lot past me. You people aren't so slick. Not too slick. This is about money. It's about money, they are pushing money for our county, and they are trying to push money in these people's pockets. Let's get something straight. Does anybody remember Houston? This winter. What happened with Houston? It failed. Solar power failed. People died trying to survive. Solar power is ok. How many of you people have it on top of your house? Any of you? In your yard? Any of you? Do you have it in your yard? It's a good backup plan. It's a backup plan for when it works. If it don't work, then what do you got? You got coal power. You want to do something that's green? Let's go with a river. Hydro, 24/7 it flows. 24/7, it doesn't matter if the river freezes over. It goes backwards. What's happened? Disaster. That's the only time hydro doesn't work. So, think about it. It's money in the pocket. That's what it's about. Is there taking going on under the table? Because I guarantee you, let's put this to a public vote. Let's make this a county public vote of the citizens that live here. Let's see where that goes. Let's do something about that. Let's do what's right. Not damn money.

STEVE MOORE: I sent out a memo or a letter to the commission members. It didn't get sent out until late. I think some of you didn't get to see it, so I'd like to say it now. It says, dear commission member, Thursday evening, when it's all said & done, will be the largest gathering of Posey County voters. The people of Posey County overwhelmingly oppose the construction of solar installation. You can vote no, and all of this will stop & go away, and Posey County can be a great place to grow up, live & raise children & be in peaceful harmony. Or you can vote yes, then Posey County will never be the same again. There is no logical reason to vote yes, when all of Posey County objects to it. Only a few will gain. One must question why would anyone be willing to commit political suicide & make enemies of long lifetime friends & neighbors, unless there was something like behind door deals & something to make. People are not so stupid that they think that this isn't going on. If not, why would they be offering money to people to not oppose them. They were going around the country offering to give \$1000 to people if you won't oppose it. Why would they have Ellsworth calling and making offers, and wanting to know what he can do for them & what he can help them with, or whatever. This smells of corruption & filthy air with a stench of suspicion. If the solar is allowed to come, I along with others, will push for total prosecution. I ask you to stand up against the pressure of big money. Just say no and this will all go away. The best thing for Posey County, the Posey County voting majority, can't be all wrong. Maybe you should be.

DEBBIE HEAD: I didn't have a speech prepared at all. This is just stuff that I've gotten from everybody else talking, and also just questions I have. I recently purchased land and a house in Posey County. Other people I've known from Posey County have always told me how this was God's country, and I believe the way it looks right now that it does look like God's country. But

some of my questions that I have, I can write these down, so we can get answers later, but with CenterPoint, being the people that are going to possibly take over the solar issues, what happens in the future? When does it become imminent domain because they have gotten their feet in the door, and when does the land become whatever they want to do with it. I've also talked with firemen, from Vanderburgh County, and when they went through training, they do get training for solar & also putting out those fires, and it is just that they let them burn. Because even if they shut the power off, there tends to continue to be energy in there, and they can only contain it. They can't really put it out. You can go & talk to some of these firemen who have had training, and see what that safety issue is. Other questions I have that have been talked about, is the replacement of the greenway. These are questions that need to be answered. They talked about the clicking sound, that somebody asked questions about, and they said that it was the 40 decibels. How many panels? That's one panel doing the clicking at 40 decibels, so how much sound is that combined, every five minutes that's coming across. Cost is another question that needs to be answered. Contractors, they said, well we don't know who is going to be hired. What kind of expertise does a person need to have in order to put up a solar panel? Is there people here in Posey County that have that expertise? If they don't, then we know where all those jobs are going to go, to other people, not to Posey County people. Thank you.

MARY SOLADA: In the couple of minutes that I have, I just want to touch on what I think is fact based, if I might, and try to respond to her. First of all, there is very clear Indiana case law. We have put up a slide before you, it's called truth in zoning. When we say that we're going to do something, we have to do it. Of course, to the extent that your attorneys want us to create more formal documentation, we'll do that. We put the conditions in the case file, and stand by them, and by the way, we will add to that, a condition about lighting. You provided language about no lighting at night, over in Knox County it was more of a seed. We will add that language, and hopefully we will do so by the time of the Final Development Plan. So, height, we said 12 feet. We intend to stand by that. Again, that will be in the Final Development Plan. There are very few manufacturers, unfortunately, in the county, in the US, or in the world. If there were, we would buy from them. Unfortunately, they don't exist. That's an economic thing, we can talk more about that if you have further questions. It's very important to understand that CenterPoint is taxed, just like Duke Energy, just like ADS. They all pay taxes. Without a tax abatement, which I don't think CenterPoint is seeking here, we're not seeking an abatement. They are full tax payers. There is no discount, if you will, because you are a public utility. And, by the way, the tax revenues that we set out, they are verified by a bank utility, an independent financial advisor to many counties around the state. We are not seeking abatement. This is why we never had a public hearing to talk about it, but the reality is, you would have a third party verify those numbers. Those numbers are real. In terms of drainage, I heard them talk about drainage since you had questions. I disagree with this idea that drainage would be a disaster. We were, one thing, I think, that perhaps our application wasn't complete about, was that we didn't have addresses for some of our landowners. But, other than that, I didn't hear in two minutes anything else that did not check the box under your current ordinance.

MARK SEIB: Is there anyone else that had not signed up, wishing to speak?

BRIAN DUBOIS: 4841 Bohleber Road. In terms of the solar panels, the thing that concerns me the most is, one of the companies listed, I believe it was Jenko, in an article from the beginning of February, excuse me January 2021, a source from the New York Times, this particular company was found to be using forced labor by a Muslim population in China, which is being persecuted right now, as well as Hong Kong... Then why are you, as county officials, willing to go against our ideals of America, and support the second Holocaust that is occurring right now? It is completely unfathomable that we would be at this point. Is it not a national security risk to be doing business with the Chinese? Have any of you paid attention to any of the news reports or television briefings that are available online relatively easily? ... To hell with the residents of Posey County. I mean, I've never seen anything like this. I can think of only one person on the whole board that is even questioning it, and that is Mr. Thornburg. Everyone else seems like they are not even questioning it. Do some research people. It's not hard to pull up online... look at me, a partial hick with a bachelor of science degree, and I can figure it out. I would hope that somebody, maybe someone with a law degree, or maybe a PhD, or Master's degree can figure it out. I encourage you to research more. I also ask that you hold off on this project until more information is built. Thank you.

JARROD PITTS: I would like to clarify a few items, if I may. The first was, in answer to the question regarding the setbacks for the project. The project is in full compliance with the revised setbacks, of at least 300 feet from any non-participating home, as well as 100 feet from the property line, as well as 500 feet from the nearby school. I just wanted to clarify that point. Secondly, road use was brought up. Road use is part of the final development plan. We are planning to submit that as a part of our Final Development Application. There will be a road use agreement with the county that provides that any impacts to roads or any structures will be repaired or fixed. Lastly, I would like to mention that Posey County had a Solar Ordinance before we came into the county. That was a really good thing for us because it set out the requirements that we had to adhere to, to have a solar project in the county. Subsequent to that, there have been additional revisions to the ordinance, increasing setbacks, providing vegetative screening, increasing the bond requirements, among other things, and we have complied with all of those. So, we want to ask you this evening to honor the ordinance that you have put in place. From our perspective, we have done everything to meet the requirements set forth in the Solar Ordinance, that the county has provided. Thank you.

JOSH CHAVEZ: I want to address the question about forced labor. Arevon is a signatory for that forced labor prevention pledge. As a part of that, we have a vendor committee, that we have internally, that evaluates all of the vendors that we utilize, including Jenko. From that, we include in our purchase agreements with them, language that requires that they follow that code as well. We have found that after auditing, that you can go to the factory, and that you can verify that that does take place. The documentation is there, in their commercial & financial responsibility report. We have received that from Jenko, and can actually share that with you. So, we take that very seriously. We have that for our model vendors. We also have our inverter, so if you want to speak to the vendors, ... We will be using Jenko for our modules, Sun Grow for our inverters & ... Thank you.

JEFF ROSS: We just had a house burn down about a year ago. We live off of Meinschein Road. We've been in Marrs Township for probably 30 years. Now, we rebuilt, but I don't want any solar panels around my house. Do you guys? What if it came to you? Do you guys want it around your house? 100 feet, or 500 feet. No, you guys wouldn't want it. But you don't live there, so you don't care. You don't care about any of these people. These people are here to fight for what they have because they've worked their lives to get it, like we have, and we want to make sure that it looks beautiful out here. We want it to stay like that. We don't want this crap. They're going to feed you the biggest line of crap they can do. That's just what they're here for, and you're going to listen to it & soak it up. Unless somebody is getting paid. I don't know. Who knows, but we don't want this. We just built a new house. Why would I want solar panels by my house? Half of these people don't even live down there. I just don't understand it. You guys, whatever, you got it.

MARK SEIB: Is there anyone else who has not signed up wishing to speak? Seeing & hearing none, we will close the public portion, and now it is up to the committee to discuss amongst themselves, and ask questions of anyone that is in the group, if they need to have some more answers to questions. It is now up to the committee to have discussion & take action as they see fit.

RANDY THORNBURG: I would like to address the positive & negative aspects about the situation. On the positive side of the proposed project, some property owners will get anywhere from \$1000-\$1500 an acre, as opposed to \$200-\$300 they would get from leasing their property. So, I understand your position as property owners. It's a business decision. Tenaska received 62 million in federal subsidies, that we the people, the tax payers, are paying for it. Posey County will get 4-5 permanent jobs out of it, and temporary jobs of 250. A big, I keep hearing this all the time, I really don't understand it, but instead of being taxed at the agriculture rate, it will be taxed at a commercial rate. That amounts to a little over 2 million over the 30-year period. The negative aspects are that this proposed project would take 2500-3000 acres of prime farmland out of production. Agricultural revenue over 30 years is \$223,803,000, according to the economic impact study. The revenue produced by solar would be \$114,410,000. That's a net loss of \$109,400,000. You can figure in the inflation rate of 2.5, you would add another 15 million. Displaced area jobs, the yield from the crop, fertilizers, seed, fuel costs, herbicide, fungicide, leasing equipment, trucking, labor, replacement parts, gas & utilities, such as gas to dry the agricultural product. Economic professor, Steve Miller, from Michigan State did a similar study in Madison County on 1890 acres. That county would lose a net loss of \$82.9 million by taking agriculture out of production and going with solar. It would be similar to our loss, the only difference would be acreage. Ours is more. Property value decrease up to 30%, assessed value declined along the property taxes. Taking 15% farmland in one township, with only 6% of crop growing farmland exists here in the United States, only 6% is left, so if you take 15% out of one township... This is the United States average. The average farm in Posey County is 309 acres, so that would be 7 fewer operations. Will the farmland ever be farmed again after 30 years? That's questionable. There's 150 homes within ¼ mile. Setbacks of 300 feet from the foundation, and 100 feet from the property line. I made a motion with the people at this table, at one of our

meetings, for a 500-foot setback, and I never got a second. I thought a 500-foot setback was a compromise. Most people wanted 1000. You have your water runoff that's been addressed. According to a scientific study, 5-8 degree rise in temperatures around these panels that border them, so a non-participating field that borders this, can affect their crop yield. The solar panel, considering 150,000 solar panels, not one of them will be made in the United States. They will all come from China. I suspect probably 80% of the materials will be coming from Asia. No solar plan currently in the United States surrounds houses on 2-3 sides. So, are we going to set a precedent here and surround homes in Posey County on 2-3 sides? Basically, taking their property value down about 30%. One of the ladies speaking earlier, said that solar was on par with gas & electric. That's not even close. Solar panels produce about 30% of the time, as they found out in Texas last year. Coal & gas is about 85% of the time. That's your basic energy. That's why we have coal as our basic energy. China & Europe, they are all building coal fired units. China is building hundreds of coal fired units every year. The United States is shutting ours down. There will be a point, if you think that you are going to rely on green energy, there will be a point where you will see nothing but brown outs & black outs. I kind of like my air conditioning in the summer time. I can do without heat. I'm pretty hot natured, but I can't do without my a/c in the summer time. I like it 24/7. Not having some energy company shut my power off. I think this whole project has been moving extremely too fast. It needs to be slowed down. I agree with Michael Schopmeyer, who spoke earlier, there needs to be an engineering study done to evaluate all the aspects of the situation. I serve as a County Commissioner too. I serve on the Area Plan Commission & I serve as a County Commissioner. It's going to come down to us for a vote on this, and I definitely think that we need to step back, do an engineering study, and take a stay on this project, so that our residents & adjuncts within the community have all their needs be addressed. That's all I have.

ANDY HOEHN: I did have a question that Mr. Chastain brought up about the runoff...Is there any data to support that this ground won't flood Highway 62 & Darnell School Road? I lived on Darnell School Road many years ago, and I know that it is an area prone to take on water. How is the ground going to mitigate the runoff?

KYLE GERKING: The project has actually conducted a Storm Water Drainage Plan. We are coordinating with the district & the water conservation technician would have to review that. The actual thing is the conversion of the row crop ground to a meadow grass will actually improve the runoff situation. The runoff from the meadow grass is less than from the row crop. Existing drainage patterns will be maintained. It doesn't change anything with the overall draining. It will maintain the existing drainage patterns. That conversion of the underlying ground from row crop to meadow grass gives it more time & improves the water quality as well.

ANDY HOEHN: How tall would the grass need to be?

KYLE GERKING: I don't know how high the grass needs to be. When it's mowed...I can speak to the flooding issues as well here. This was a question that we knew was going to come up. We are aware of the floodplains that have been delineated by FEMA. It's primarily due to

insurability reasons. We conducted a site-specific hydrology analysis as well. That reviewed the flood depths, the flood velocity, as well as the potential for scouring in the project area. We have considered those aspects in the design of the facility. So, we know there are areas of concern during storm events, and the plan is to elevate the equipment outside that flood depth so that it's safe during storm events.

MARK SEIB: So, with that, because of the size of the project, Rule 5, with the State of Indiana, will have to play into the project as well. So, the state will be looking into this as well as our soil & water people, will be looking at what you are planning as well, to make sure that it is done & done properly. We don't need ...

KYLE GERKING: That is correct, and the Final Development Application will also include a soil & water report that has to be approved by your district technician. Also, with Rule 5, there will be a Storm Water Drainage Prevention Plan as part of the construction of the project.

MARK SEIB: So, the state, as well as the local will have the authority.

HANS SCHMITZ: My first question is, what about the eye beams that are sitting out there in the field?

JOSH CHAVEZ: I believe those eye beams are on the participating landowner's property. Those are going to be there for this week. Then, the plan is, either then next week or the following week, doing the pole testing.

HANS SCHMITZ: How many strands do you have with the livestock style fencing? Or gang style fencing?

JOSH CHAVEZ: I'd have to look at the detail of that in the application plan, but as far as how many strands...

HANS SCHMITZ: It looks like you had circular posts. If you're going with farm style, then I assume they are stranded wider than...

JOSH CHAVEZ: I'd have to confirm that for you. We can submit a more detailed plan as part of the final application as well. We don't have a very defined spec except that it would be the agricultural type style.

HANS SCHMITZ: Was there a difference of the 2400 acres & the 2900 acres that Jerry brought up earlier?

JOSH CHAVEZ: 2400 acres is based on this Preliminary Development Plan. We are still finalizing the design there, so that initial 2400 acres that we had in the project summary was the basic of that plan. The 2900 acres is a buffer in those conditions, because we are asked to have

that as part of the proposed conditions. We do anticipate that it will be the 2400, but if we have to add in those conditions, then we don't know where the final design will end up. That's why there is... We anticipate, right now, for it to be around 2400 acres, but we will try to minimize that as much as possible.

HANS SCHMITZ: The fire claim about letting it burn, can you elaborate on that?

JOSH CHAVEZ: That is accurate, during the daytime, if you have a solar fire. That is why we do the training with the fire departments, because we do not want them spraying water into an electrical facility. We don't know how things melted & bonded, because they are solar panels, when the sun is shining, there is going to be some electricity running. You don't know exactly what's going to be running during a fire, so basically what you will do is maintain a perimeter around it & let the project burn. The fire department will need to maintain a perimeter there. So, we will be working with them to develop those protocols & develop an emergency site plan as well. But that is accurate.

HANS SCHMITZ: I just wanted to let everyone know that there was a period of time when I could not let anybody in on the Zoom. Because I've got one laptop, while the power point is being presented, I can't switch over to Zoom, so we do have 32 on Zoom right now.

MARK SEIB: There was a question raised about the panels, staying for 30 years. I'm assuming that if new technology comes along, I guess from what I have read, that it's like 4-5 years new technology comes along to change those out. Will those panels will be changed to the new technology, or will these panels that you sit today remain all the way through the entire time?

KYLE GERKING: The panels themselves have a useful life of 25-35 years. We actually have, from the manufacturer, a 25-year power output warranty. There are times where you could make an economic decision to re-power or not. It's most likely that once the project has been paid for, it's going to stay for the life of that piece of equipment, but it's not going to be routinely replaced. It's the same technology that has been used on rooftops. It's been around for 50 years. It's been through testing.

MARK SEIB: But I would think that if the new technology is strong enough to make a big enough change, that there would be an economic value in changing that, instead of continuing with the current panels to make them more efficient.

RANDY OWENS: I've heard a lot of discussion about fires. Is there a percentage, what percentage of industrial solar arrays actually catch fire? That's what I've wondered the whole time. Some people act like it never happens & some people act like they're explosive. I just wondered what it actually is.

JOSH CHAVEZ: I do not have a percentage on that, but it's exceedingly rare. There is information on the public website & our Facebook, to address those fire concerns, but that is part

of why there is not a lot of data there, because it is extremely rare. Again, with the houses around them, within neighborhoods, everything is built to code to avoid those type of situations. We also have sensors & monitors on the site that will let us know because they are monitored 24/7. If something were to happen, we would be notified that there is a situation on site, and we would take the proper steps to mitigate that. We could try to find some of that information on the percentages, but I haven't seen anything out there before. I think that is a sign of how rare it is, that there is...

STEVE MOORE: I'm sure there's farmers in here that could answer this better than I do, but say this goes to 35 years, they remove the stuff, how many years after that will it take, to make that ground, after all those years of pesticides being sprayed on it to kill the weeds & everything, to ever make it back to being productive ground as it is now? Does anyone have any information on that? It could take maybe another 10-20 years for it to ever be farmed again after. I don't know, it's just a question.

MARK SEIB: Mike can you talk about the deficiencies that you got? Can you state which ones, or where these deficiencies are?

MIKE SCHOPMEYER: The deficiencies are that the agreement is not anywhere near the form that it should be, and then the conditions that they tender, that there are least ½ dozen items left out. We had also at one point, they were negotiating with us, what's in those conditions. So, those would include, and Miss Solada mentioned some of them. Lighting, the right to recover attorney fees for private action is standard in these agreements, and again, I would encourage you to, most planning commissions will say that you need to work on that agreement because they have been working on this since February. The maintenance question that came from one of your members, on the maintenance is very important, how you maintain those. We deal with buffers all the time, the species selection and so on, we will be working on that with them. Per the agreement we had, but nobody tended to them. Trash, dumpsters, typical stuff that you have in any of your zoning. The big one that was raised, and it was a good point, that was made by one of the remonstrators was that payment was made to non-participating. There was some discussion on that & I think that needs to be documented. This needs to encompass a reply to the eminent domain question that was raised. CenterPoint takes this over after Tenaska is gone, then this 2400 acre that they are promising, unless you get that in writing exactly what the good folks here have said can happen. The next thing you know you've got this, and the next one, the next one & the next one. That's why it's so important to take your time on this. We don't think the engineering that they've described for you is accurate, but none of us are engineers. We really do think, and Mr. Thornburg has already mentioned it, and he is absolutely right, that you need to look at that. Those are really giant issues. I will only touch on the tiny ones on Thursday. I can go through the list in my presentation. Those are the big ones, but we would like for you to say, for this board to say, as a citizen's advisory board, you need to work with this group. We don't represent everyone that spoke, but we represent most of the farmers, so that you understand, it's the people who drive the tractors, not the people who necessarily own the land. We would like for you to do that. They'll pay for the engineering. If you ask for it, they will pay for it. They're

going to put a cap on it, to have it looked at. I will tell you, I would never march up here the way they have without a local engineering firm standing here, and somebody local. I would never come up here, if I represented them, and not have it. We have scads of engineers all over the place here. And I have to tell you, it's disgusting to me to see them do this & not bring anyone in. That's what needs to be done.

MARK SEIB: Now we need to look at whether to allow for the Preliminary Development Plan, and to accept it, or not.

RANDY THORNBURG: I would like to make a motion to give them a stay, to give us time to evaluate the engineering, as Mr. Schopmeyer put it. I've stated this from the beginning, that we need to slow down. There are way too many mistakes being made. I see it on the commissioner's side, and I see it on this board's side. What's the big rush? I'm going to make a motion that we do a stay & hire an engineering firm to review.

ANDY HOEHN: I will second that, if it's modified to include that the engineer will be Barry Tanner, and something else that I would recommend, that we not take more than 30 days to assess this, so that we can get this back on track.

RANDY THORNBURG: I will modify my motion to 30 days & that we use Barry Tanner.

KEVIN BROWN: Who's going to pay for the engineer?

MARK SEIB: That's part of our contract, that they will pay for that for us. A motion has been made & seconded. Is there any discussion? The motion was for a stay of 30 days, with Barry Tanner, who used to sit on this board, who is an engineer, for him to be working on this, as well as him to find another firm, or whoever he feels would have the expertise to review the engineering design & work of the mechanism of this project.

MARY SOLADA: What does a stay mean?

RANDY THORNBURG: No work moves forward. A stay means it stops right here to allow us to get caught up and get expert input.

ATTORNEY TRENT VAN HAAFTEN: If I may, the process under the ordinance is a two-step process. What we are doing here tonight is the public hearing, approval of the Preliminary Development Plan. There are certain things that are set forth in the development plan that are supposed to be for your approval. There has been a second step, a second public hearing, no sooner than 28 days after the approval of the preliminary plan. Prior to that preliminary plan consideration approval, there must be a number of other items that are presented to the APC, including a Drainage Plan, and a Safety Plan, which both were mentioned this evening. So, there is more things to consider. My question from the process side of this, are we saying put a stay on this evening's public hearing, before you approve, or before you consider approval of the

Preliminary Development Plan for the 30 days, and bringing an engineer in at this point. It's also for verification, the applicant does pay for the cost associated with the Area Plan Commission to work on this. That includes the engineer. I know that you've mentioned it already, but we need to hire an engineer to move forward with this project. This is not a new idea from this evening. It has been brought up before, but there are specific things that happen at each step. My question, procedurally, is your motion Randy, basically to stay on the consideration of whether or not to approve the Preliminary Development Plan?

RANDY THORNBURG: Yes, halt the preliminary plan until we get this information back, so that we can make a better educated decision on it for the Area Plan.

ATTORNEY TRENT VAN HAAFTEN: So, from a procedural standpoint, what you are probably looking at, if this motion passes, is hiring an engineer, and a continuation of this public hearing, where you come back for another public hearing. And if you then approve the Preliminary Development Plan, then you move to the second step, of that second public hearing, no sooner than 28 days after approval. I just want to make sure, from a process standpoint, that we're all on the same page as far as what a stay means.

MARY SOLADA: So, essentially, I think the motion, Commissioner Thornburg, would you...am I correct in saying you are the only elected official on this body? Is that correct? That are elected by the voters? They are not directly on the ballot? I just want to make sure, so Commissioner Thornburg is the only true commissioner?

ATTORNEY TRENT VAN HAAFTEN: The membership is made up of a member of the Mt. Vernon City Council, a member of Poseyville Town Board, and the Posey County Council. There's been a lot of confusion from both sides on that.

MARY SOLADA: The stay would mean, a continuance of tonight's proceeding, to a future date and more hearing, if you will, on the Preliminary Development Plan. Is that what you said?

RANDY THORNBURG: Yes, I do not want to move forward on the preliminary development until we get this information, so we can make an educated decision.

MARY SOLADA: But because the motion, attached is a 30-day period, so if the engineer is retained in 10 days, we have 30 days to come up with a proposal, or not a proposal, but a review. Then we would need to give a new public notice of a subsequent hearing. Can we set a date tonight of when that might be?

MARK SEIB: After some discussion, and Andy, you might have to weigh in on this as well since you are part of the motion, what we have discussed here is having the stay until August 12, which would be our regular meeting, that we would see if Barry can do it, and then to see who he wants to hire to help him, and give a report to us on August 12th. Then on that date, at our meeting, which is our regular meeting, we would then set the date for continuing this, with the

engineering report of what they've been able to establish at this point in time, with the information that they have.

MARY SOLADA: Then at that time on August 12th it will be determined whether the public notices will be required? We don't have any problem with it, but we just sent out 200 some, and I want to make sure that I understand the rules.

MARK SEIB: So, for the ones on the board, what this is, is that, if Andy agrees, to wait, and go ahead & get the engineer started, and on the 12th at our regular meeting, we will wait & see how much time this will take for him to be able to produce this report, and then we'll go from there. Then we will set the date for when we will reconvene this meeting to address it.

ANDY HOEHN: I would agree with that. I want Barry to have time to get an engineer and find someone. That way we can have an engineer & they are too.

MARK SEIB: I guess, what I'm thinking is, before we ever came to this meeting, I talked to other people about this, I think we're going to need an engineer all the way through this project. Not just in the beginning, but all the way through, to be our eyes & ears. So, does anyone on the commission have questions? Do you understand the motion? The motion is to stay on this. We will meet on August 12th, and have a review from Barry to give us a report, and then on that night we will set the date to reconvene this meeting.

Roll call vote. Yes. (9-0) Motion carried.

MARK SEIB: With that being said, with this being a stay, and taking this up again, with a future date yet to be determined, this meeting will not be adjourned. It will stay active until we get that date to come back to it.

MIKE SCHOPMEYER: Respectfully, could I ask that you also have a resolution recommending that Tenaska partner or work with us on a use & development commitment...

MARY SOLADA: No sir, we object to that.

MIKE SCHOPMEYER: I can ask...I have been involved with numerous planning commissions, where the planning commissions recommend that you work, it would be to our benefit & your benefit to work together, and it would achieve some peace. It's my recommendation that you recommend that. If you could do that, it would be very helpful.

MARK SEIB: We have some other issues that we need to bring up & discuss, so we are going to hold off...

UNKNOWN: Can we meet back here on the 12th?

MARK SEIB: We may have a conflict with it already being advertised. We're going to have to look at this to see if we have enough time to change it. If not, it will be at the Hovey House. The 12th is just going to be us saying that we will set a date at this time. Then at that time, we will come back to this one. We will not have enough time to advertise it, and I don't want to dig on our newspaper, but we only have one paper in the county, and we have to meet state requirements of advertisement ...and we already have other applications to take up on that day, so we will be busy with that. The only thing that will happen on the 12th is, we will have a discussion on the report. With the site testing, that is an agreement between the landowners and the company. That has nothing to do with Area Plan. We do not have any kind of enforcement or anything like that. I will tell you, I am upset with finding out that a person that I got an email from, said that they trespassed on their property & they are not a part of it, so we're going to have some discussion about that. But that testing is an agreement between the landowners & the company, and we have no jurisdiction over that, whatsoever. We will recess this meeting until a date can be determined on August 12th.



Mr. Mark Seib – President



Mrs. Mindy Bourne – Executive Director



Exhibit A

Exhibit B-1



Exhibit C-1

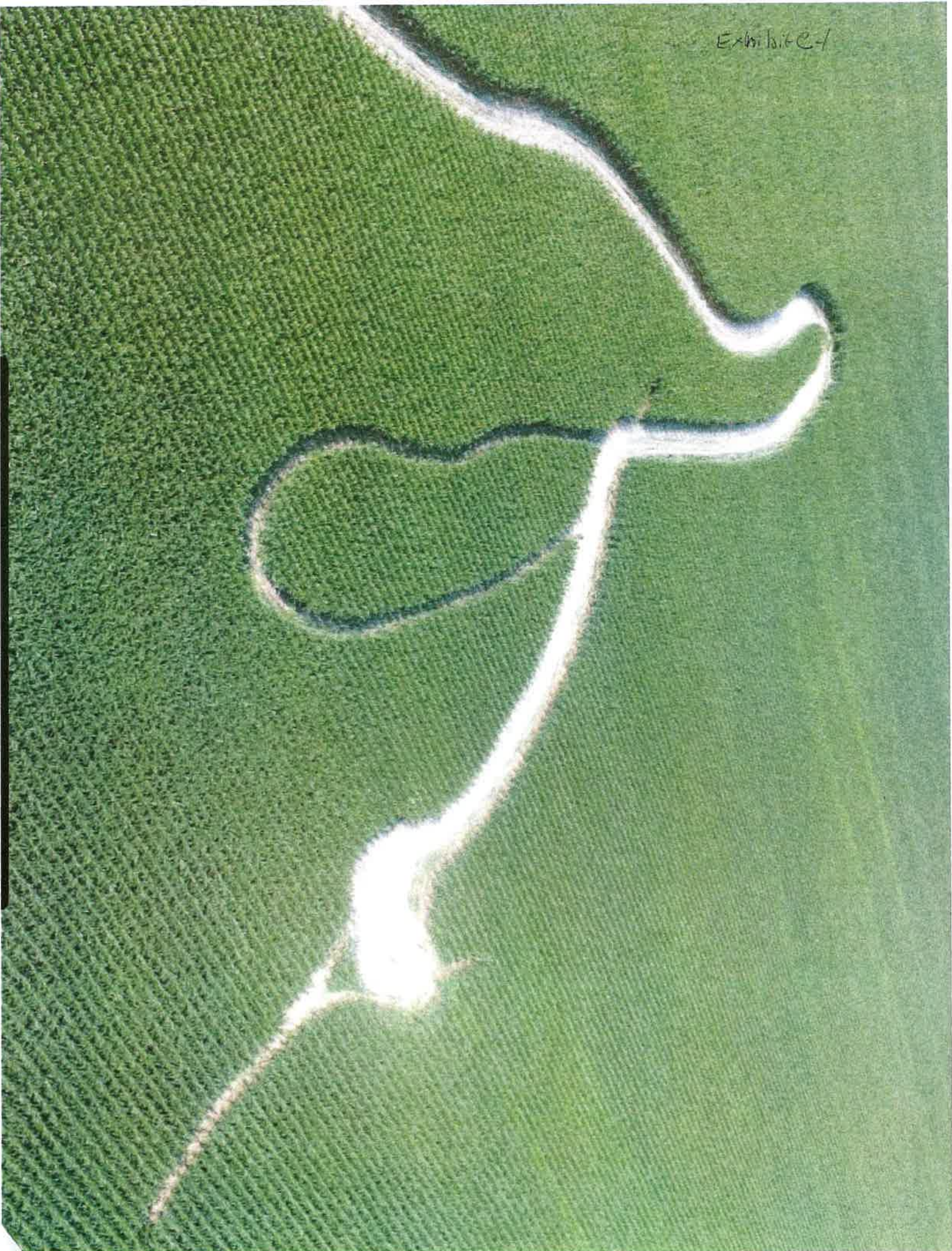


Exhibit C-2

