

ERIE COUNTY COMMISSIONERS

SPECIAL SESSION

TUESDAY, FEBRUARY 26, 2019  
6:30 P.M. at Bellevue Elementary School

ALL PRESENT

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Groton Township Board of Trustees President Ron Brown called the meeting of the Groton Township Trustees to order.

Oxford Township Board of Trustees President Mike Parker called the meeting of the Oxford Township Trustees to order.

President Shenigo called the Erie County Commission meeting to order and opened with the Pledge of Allegiance.

Assistant Prosecuting Attorney Gerhard Gross and Regional Planning Director Steve Poggiali were also present at the meeting.

Mr. Shenigo welcomed those in attendance, approximately 300 residents, and explained that the Commissioners or Trustees do not have the authority to decide if the windmill project moves forward. The discussion tonight will be regarding the approval or disapproval of a Payment in Lieu of Taxes (PILOT) program that has been proposed to the Erie and Huron County Commissioners, and the impact it will have on the Erie County tax base. The elected officials are soliciting public comment tonight from those in the community.

The Commissioners have received confirmation that the application for the PILOT has been received by the Ohio Development Services Agency, and have 30 days to approve or disapprove the program.

On motion of Mr. Shoffner and second of Mr. Old, Board **adopts the following rules** pertaining to this special meeting; Roll Call: All Aye

1. To assist persons wishing to testify at this Board meeting, the Board Clerk will make public sign-up sheets available. Persons will be called to testify in the order they are submitted to the Board Clerk, unless otherwise recognized by the presiding officer.
2. The presiding officer has authority to keep order and impose reasonable restrictions necessary for the efficient and orderly conduct of the meeting. Any person who fails to comply with reasonable rules of conduct or who creates a disturbance may be asked or required to leave.
3. This special meeting is for comments and information to be presented to the Board. Questions will not be entertained.

4. Public comment is welcomed by the Board. A two and one-half-minute session (per person) will be allowed for comments from the public and media pertaining to the Emerson Creek Wind Farm PILOT program. A two-hour session has been allotted to those who wish to speak to the Board.

Apex Development Managers Nate Pedder, Sarah Moser and Dalton Carr presented an overview of the project. The entire project involves 90,000 homes on 41,000 acres, with 540 leases in place and 1,000 landowners. Apex is permitting 87 locations in Erie and Huron Counties, with plans to place 71 turbines. Erie County has 26 designated sites, with plans to construct 19 windmills. The application was submitted to the Ohio Power Siting Board at the end of January, and Apex expects a determination in September or October. A graph of projected revenues and the timing of payments was reviewed.

Ms. Moser said the PILOT program was created by the State to encourage alternative energy investment. However, the price of materials has come down, so Apex is past the need for a PILOT to construct the project. Apex would like to have a PILOT in place, but the project will move forward with or without it. She explained the tax benefit this would have for the County, providing a flat payment structure for at least 30 years, compared to traditional property taxes that would see annually decreases as the wind turbines are depreciated.

In addition, the State has placed requirements on wind energy projects to provide:

- EMA training for fire and emergency responders for situations related to the energy project, as well as providing proper equipment to handle such emergency situations.
- Apprenticeship and internship programs offered to local vocational schools (such as EHOVE and Terra State Community College), educating and training individuals with skills needed to work on the wind turbines after they are built, with the goal of preparing them for careers in the wind and solar energy industries.
- A Road Maintenance Agreement (RUMA) with the County Engineer regarding transportation plans and infrastructure repairs due to heavy equipment using the roadways, as needed. It also requires the posting of a bond, in an amount determined by the County Engineer to be sufficient for those repairs due to heavy equipment using the roadways. Mr. Carr said that, without the PILOT, there is nothing in the Ohio Revised Code that requires a RUMA.
- Ohio domicile requirements on PILOTS that the company must have no less than 50% of their employees for the construction or installation of the turbines to be Ohio residents.

Apex concluded their presentation by saying that it is up to the Commissioners to determine the type of partnership they want with Apex. It was also noted that Apex has an office in Bellevue, and Ms. Moser encouraged those present to stop by there if they had other questions.

The Commissioners opened the floor for public comment by those who had signed in. The following spoke against the project, urging the Commissioners to vote against the PILOT.

- Jim Colvin, 12911 Dining Road, said this project will turn farm land into an industrial wind park, and is concerned about the loss of farm land. Each turbine, foundation and associated service road eliminates one acre of production. He urged the Commissioners to obtain an updated list of properties under lease before decisions are made, due to the magnitude and devastation this project will have on the County.
- Sharon Schreiner, 8403 SR 99, cited a transportation study of the number of loads of gravel, concrete and turbine pieces that will be traveling the roads, and the cumulative weight of these vehicles, which will be devastating to Township, County and State roads. She distributed pictures of a wind turbine being transported by trucks.
- Lori Riedy owns Russell's Flowers, located on Route 269, which experienced heavy flooding and a three-month road closure in 2008, as a result of the karst shelf in that region. She is concerned about the excavation and foundations for the turbines, fearing that they could collapse in that natural drainage area, contaminating groundwater and private wells.
- Krista Beck, 11034 Strecker Road, said that citizens have been misled, and that the life of the turbines is much less than Apex is telling them. While they are pushing for a 30-year PILOT, the turbines won't last more than 10-15 years, and the County will not collect on the final years of that program.
- Renee Schoen, 11319 Strecker Road, mentioned that public entities that supported this project in the past no longer do, including the Bellevue Development Corporation, Chamber of Commerce and schools, citing concerns with decreased property values and student enrollment. Citizens will come to rely on taxes collected from the wind project, and be reluctant to approve school levies. She said free money comes at a high cost.
- Terry Eisenhauer, 11313 Strecker Road, said most people were unaware of the project until there was an organized informational meeting last December. He urged the Commissioners to deny the PILOT based merely on the overwhelming number of residents who are against the project.

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- Bill Seaman, 4584 SR 547, presented information on the annual payments to leaseholders compared to other income streams in Erie and Huron Counties. Although Apex is promoting this as a windfall for the Counties, Mr. Seaman said the sum is paltry compared to farm subsidy and crop income, retirement system payments, and wages. He asked the Commissioners to "follow the money", noting that only Apex and a handful of property owners will reap the benefits of the project.
  - Dennis Schreiner, 8403 SR 99, is a member of the Oxford Township Zoning Board of Appeals, and believes the substantial tax abatement requested by Apex and promised road repairs are not worth the job training offer for 15 people, or having to look at wind turbines. In addition, a RUMA could be required by the County Engineer without a PILOT in place. He also mentioned that Apex will be selling these turbines once they are constructed, and won't remain in the area.
  - Walt Poffenbaugh, 5094 N. Greenfield Road, Willard (Norwich Township in Huron County), said that the group opposing the project has been accused of fearmongering, rowdiness and being political, because they are challenging what Apex is saying. The OPSB has removed local control by not allowing residents to vote on this project. The wind industry is receiving over \$40 billion in tax credits because it cannot survive without them, in spite of the fact that electricity suppliers have to purchase a certain amount of electricity from alternative energy sources.
  - Dan Riedy, 9410 SR 269, said the graph presented by Apex shows that tax collections under a PILOT compared to the traditional method of assessing the value of each turbine, with depreciation calculated every year, would be a wash after 30 years, so he sees no need for a PILOT. He also questioned if anyone actually knows the size of the base needed for these turbines, since they are larger than anything installed yet. He believes groundwater would be affected, especially when the turbines are no longer in use after 15 years, but all the infrastructure remains underground.
  - Cheryl Mira, 1110 SR 269, said she had just returned to this area to live, and was concerned at how this project is destroying the community, pitting neighbors against neighbors. She believes it would be more appropriate if setbacks were changed to one mile, so the towers aren't so close to residences.
  - Mike Willis, 10710 SR 269, also expressed concerns on the unknown affect that could be seen by placing these large turbines in the karst area. He believes this project is bad for Bellevue, noting that there will be 187 turbines within the four-county area, changing the landscape.

- Kevin Ledet, 3205 Omega Road, Greenwich, in Huron County, said that the RUMA and bond are actually requirements of the Siting Board for the project. A PILOT does not need to be in place to compel Apex to repair any damaged roads.
- Quinn Held, 9116 SR 269, said he works for an electric company, and was told it would be best for him not to become involved with this issue. However, he is taking a risk and said that this is not truly green energy, especially when considering the amount of energy needed just to construct the turbine. The bonds that Apex talked about for road repairs will be used for turnabouts for construction vehicles. He also noted that the jobs mentioned by Apex are only temporary positions, but the tax loss is permanent. He said if the project moves forward, he will leave. He asked that the Commissioners do the right thing.
- Kelli Held, 9116 SR 269, said there are no turbines this height in existence, so there are no studies or research to show the true impact. She has evidence of what has happened in other communities with turbines half this size, where residents left after finding that the economic promise were empty. This is a quality of life issue, and those who live in this community know what is best.
- Don Tommas, 10605 Patten Tract Road, was approached by a wind company 9-1/2 years ago (juwi), and was told he would be a part of this project whether he participated or not. When he decided against the terms of his agreement, he found that they had already left the area, and that the subsidy dollars was the only thing keeping them here. He said that people need to be aware, and that when the money runs out, Apex will be gone. He said there is no bond to return the land to production levels. He believes that Apex is here because they knew juwi was on the way out. He said it didn't work then, and it won't work now.
- Kathleen Hite, Strecker Road, mentioned the health impact on the population near the turbines. Migraine headaches and seizures are all affected by flashes of light and sound. She said there is no money that could make up for health issues triggered by the windmills.

William Dillon, 6554 Seel Road, Lyme Township in Huron County, spoke in favor of the project, but not for economic reasons. He said that, although everyone tonight made good points, it is time we start doing better with our environment and address climate change. He has found some neutral information on wind energy, and suggested that those attending the meeting make a point of researching that.

Cheryl Mira did ask about the two windmills planned on quarry property, wondering about the advisability of doing that when they are still actively mining and blasting there.

Mr. Shenigo said that it appears that collecting normal real estate taxes seems to be a better plan than going with a PILOT. He believes, too, that we can still control activity on the roads through the County Engineer. He's not sure what the advantage would be. Mr. Old agreed, saying that he would prefer to have the taxes paid up front, rather than over the 30-year period under the PILOT program.

Mr. Shoffner said his perspective was on how to protect those who were at the meeting and the County. He is concerned about the individual property owners. He agrees with Mr. Old, since the tax collections are just about even after 30 years. However, he said he cannot stress enough that it is the Power Siting Board that says yes or no to the project - not the Commissioners. He wants to look out for the residents, and make sure that all the scenarios are considered.

Mr. Shenigo mentioned that he was involved with the karst flooding and that the amount of concrete needed for the turbines is a big concern. He said that is probably the best argument against the project, since this is a watershed issue.

On motion of Mr. Shoffner and second of Mr. Old, Board presents resolution approving the application submitted for a qualified energy project by **Firelands Wind, LLC (Emerson Creek)** and a Payment in Lieu of Taxes (PILOT); Roll Call: Mr. Shoffner, No; Mr. Old, No; Mr. Shenigo, No (#19-96) **MOTION FAILED - Resolution was not adopted**

On motion of Mr. Shenigo and second of Mr. Old, the meeting was **adjourned** at 8:00 p.m.; Roll Call: All Aye