

Decatur County Board of Zoning Appeals Minutes
Decatur County Courthouse
150 Courthouse Square
Meeting Room

The regular scheduled meeting of the Decatur County Board of Zoning Appeals was convened at 7:00 p.m. on Wednesday, November 6, 2024, at the Greensburg Community High School Auditorium. The meeting was called to order by Rick Hoeing. All 5 board members were present. Also attending the meeting was Melissa Scholl – BZA Attorney, Tim Ortman – Interim Decatur County Area Plan Director and Debbie Martin – Administrative Assistant.

Rick Hoeing opened the meeting and read the following; *To comply with Title VI of the Civil Rights Act of 1964, Decatur County requests that participants in this meeting complete a voluntary, anonymous survey that is available on the table in the back of the room.*

* **Minutes July 24, 2024** – Joyce Brindley made a motion to approve the minutes as mailed; Paul Stone seconded the motion with all present signifying aye.

* **Minutes August 7, 2024** – Paul Stone made the motion to approve the minutes as mailed; Joyce Brindley seconded the motion with all present signifying aye.

* **BZA Petition 2024-8 – Geenex Solar / Cobia Solar** is requesting a “Special Exception” for construction of a commercial solar energy facility. The request falls under Decatur County Ordinance Article 20.

Rick Hoeing: Let me begin the meeting by saying this will be an “information only” meeting. We will not be having a vote tonight. As far as the agenda, the petitioner will present for a period of 30-45 minutes followed by the landowners within the petition for 15 minutes. We will then open the comments to the public and at that time we will entertain our 3-minute time limit. The Board does reserve the right to extend that time if there is pertinent information. We will still hold to our 10 p.m. stop time.

Matt Neumann: Handed the Board some handouts. I’ll be brief, my name is Matt Neumann and I am an attorney with Krieg Devault. The project tonight, Cobia, I appreciate the BZA being here and our dialog prior to this with Attorney Scholl. I appreciate the recent TAC meeting which allowed the project to get some insights of how this process will play out and the clarifications at the top of this meeting. Wanted to note for the record that the project is in the process of scheduling a meeting with other County officials to get into the particulars of the application including road use agreement, Economic Development including decommissioning, Ill let Wayne speak to that when he takes over, I don’t believe that it has been scheduled formally but I do hope that we have that circled on the calendar soon so we can engage in that dialog. I also want to point out, I believe the County has retained Baker Tilly and is in the process of having them perform some financial analysis about the project. I understand that retention is sort of still under way, so it is our hope with the process that is getting underway

tonight and will extend to future meeting and it will allow Baker Tilly to kind of deepen its analysis. My hope is that they are given the opportunity to present tonight or in a future meeting. The process you outlined tonight was exactly right. Debbie, are we at about 30 people signed up to speak? Rick; we have that list here. Matt; whether it is this meeting or a future meeting, for the projects sake we want to formally request an opportunity for a rebuttal. Where that is tonight, depending on the extent of public comments we are happy to present the rebuttal at whatever time makes sense. In light of where you started, which there won't be a vote tonight, as much as we can we wish to try to pencil in when the next meeting might be. I will turn it over to Wayne.

Wayne DeLong; Thank you and good evening we appreciate the opportunity to be in this forum to present Cobia Solar. We filed with Area Plan Commission on August 30, 2024. As you are uniquely aware, from the 3 binders that accompany the filing and the available details related to our filing we are represented tonight by our project team and subject matter experts that accompany us here in the room. These efforts commenced in 2021 with our company, Geenex Solar preparing for the consideration, the filing of this solar facility Special Exception petition and it is a petition that we feel and will demonstrate to you this evening that it will conform to local, state and federal requirements all while we consulted many data points, including your Comprehensive Plan. Tonight's meeting is the 5th meeting associated with this project, either hosted by the county or the project since June of 2024. Tonights presentation is divided into 6 sections allowing for us to work through different topics to demonstrate the projects requirements withing your Zoning Ordinance and the Comprehensive Plan. Our primary goal, as you know, one of many, is to focus on your findings of facts which are on the screen. These are the structural foundations for which we are focused this evening.



TIMELINE TO TONIGHT

- 2017: Decatur County adoption of Comprehensive Plan (Policy 10)
Policy 10: Not supportive of solar farms that "would consume agricultural land"
- 2020: Cobia Solar LLC created
- 2020: Initial conversations with landowners initiated
- 2021: Adoption of Zoning Ordinance (Amendment) which includes regulations on Solar
- 2021: Support by Cobia Solar of local organizations commences
- 2021: Geenex Solar commences with initial studies and designs supporting Cobia Solar
- 2021: Purdue University releases a study of 46 Indiana counties regulating Solar (including Decatur County)
- 2023: October 3, 2023 meeting with APC Director to discuss Cobia Solar
- 2023: October 18, 2023 hosting of Solar 101 event in Greensburg Indiana
- 2023: Project website launches, social media presence initiated
- 2024: Cobia Solar hosts four project information events across Decatur County
- 2024: Cobia Solar opens local office, and facilitates six direct mailer efforts plus multiple door knocking efforts
- 2024: August 21, 2024 ESG Fire Safety Training Event in Greensburg Indiana (inviting over 60 first responders)
- 2024: August 30, 2024 Cobia Solar files Special Exception Petition with Area Plan Office
- 2024: Week of October 20, 2024: Public Notice is both mailed and published (November 6, 2024 hearing)
- 2024: October 28, 2024 Cobia Solar attends Technical Advisory Committee hosted by Decatur County
- 2024: November, __, 2024 set soon – Tim Ortman scheduled follow-up meeting with Decatur County officials

ORDER OF PRESENTATIONS

30 minutes – Cobia Solar's Presentation

15 minutes – Cobia Solar Landowner's Presentation

Public Participation

Time Allowing

30 minutes – Cobia Solar's Rebuttal

15 minutes – Cobia Solar Landowner Rebuttal

Next Meeting: December 4, 2024 (??)

WELCOME



Decatur County
Board of Zoning Appeals
November 6, 2024 Hearing

ROAD MAP & AGENDA

- **Section I** – General Project Information and Overview
- **Section II** – Benefits to the County and the Community
- **Section III** – Economic Impact
- **Section IV** – Community Partners
- **Section V** – Project Specifications
- **Section VI** – Findings of Fact



FINDINGS OF FACT



- Approval will not endanger the public health, safety, morals, comfort, or general welfare of the community.
- The use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area.
- The use will be served adequately by essential public facilities and service such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- The use will not generate traffic on the existing street network that will cause congestion or unsafe ingress and egress within the neighborhood as a result of the development, unless evidence is provided that improvements can be made to minimize or relieve the impacts.
- The use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare or odors.
- The approval does not interfere substantially with the comprehensive plan adopted by the Decatur County Area Plan Commission and the Decatur County Commissioners.



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Section I. General Project Information



Meet the Cobia Solar Team



Wayne DeLong
*Director of
Development*
Geene&solar



Allison Rohrs
*VP of Land
Development*
Geene&solar



Aron Caudill
*Director of Land
Development
Regenerative
Agriculture*
Geene&solar



Jenny Hartley
*Director of Community
Relations*
Geene&solar



Meet the Cobia Solar Team



Amanda Corll
Director of Permitting
Geene&solar



Donny de Castro
Senior Developer
Geene&solar



Matt Neumann
Legal Counsel
Krieg Devault



Chris Ramey
Local Ambassador
Bantam
Communications



Meet the Cobia Solar Team



David Hall, MAI,
AICP
Managing Director
Integra Realty
Reasources



Andrew Horwath,
P.E.
Professional Engineer
Civil Environmental
Consultants



Ben Harvey
Senior Partner—
Technical Director
Stantec



Aaron Miller, C.F.E.I.
Senior Consultant
ESRG



Cobia Solar

Size:



Regional Transmission
Operator:



Interconnection
Queue Position:



Solar Panel
The PV solar panels convert sunlight into DC power.

Inverters
The power from the solar panels is sent to an inverter. These inverters convert DC power to AC power.

Transformer and Substation
The electricity is gathered throughout the solar farm in transformers. It's then sent a substation that adjusts the voltage to meet the standards of the distribution or transmission lines.

Electricity Grid
The solar-generated electricity is fed into the grid. Some of this electricity might be consumed locally while some might travel to other cities and states.



Array
DuraTrack®

Single Axis Tracker



Why Solar?



High demand for low-carbon, renewable energy by customers, corporations and institutions.



Cost of solar continues to decrease, making it **highly competitive** with traditional fossil fuel sources.



Location, location, location—suitable land with existing transmission and/or distribution lines with available capacity.



Solar panels work best in places with **moderate climates**; higher temperatures reduce solar panels' efficiency.



Landowners wanting to **diversify** income and protect their real estate assets.



Status of Cobia Solar Project Studies

Civil	Socioeconomic/ Transportation	Environmental/Ecological/ Cultural	Interconnection
Vegetation and Management Plan Study	Transportation and Route Study	Phase 1 Impact: Hazardous Waste	Feasibility Study
Preliminary Decommission Study	Economic Impact Study Evaluation	Threatened and Endangered Species Study	System Impact Study
Title Commitment	Property Evaluation Study	Critical Issues Analysis	Affected System Study
	Glint and Glare Study	Stormwater & Pollution Plan	Facilities Study
		Wetland and Stream Delineation	Generator Interconnection Agreement
		Noise Assessment Study	
		Visual Rendering Assessment	
		Cumulative Environmental Assessment	

Future

Complete

In Progress





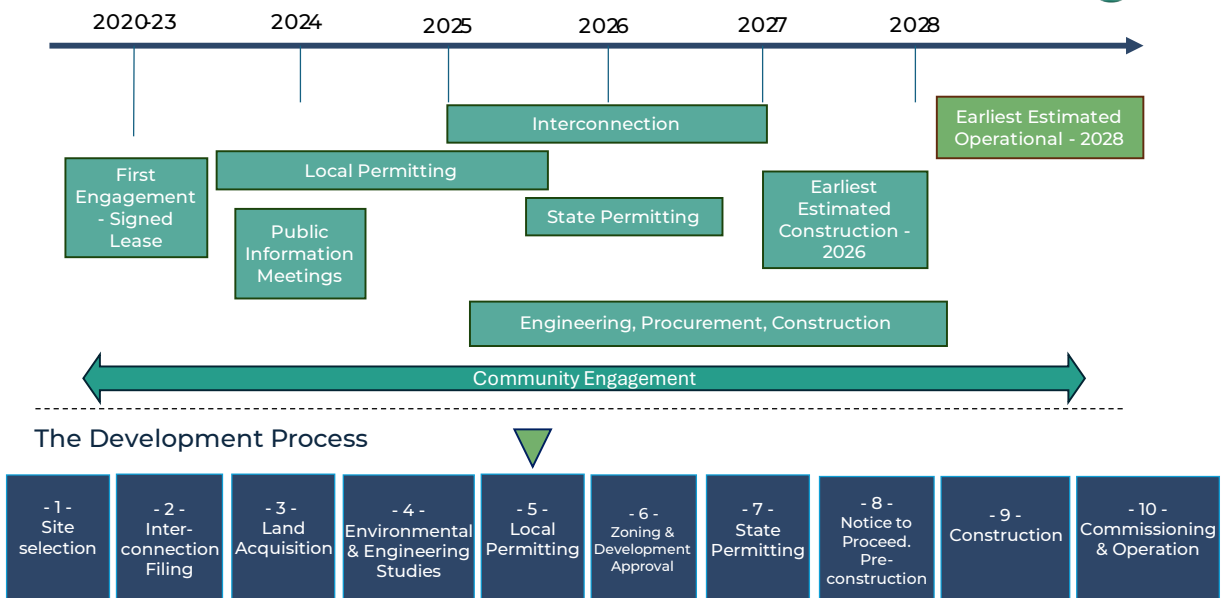
Site Selection

Land for the project was selected based on a variety of factors, most importantly:

- Transmission infrastructure
- Natural buffering of the project via the existing topography, trees, and structures
- Environmental and cultural resources
- Community interest in leveraging possibilities of the investment
- Implementable setbacks, buffering, and screening



Cobia Solar Project Timeline



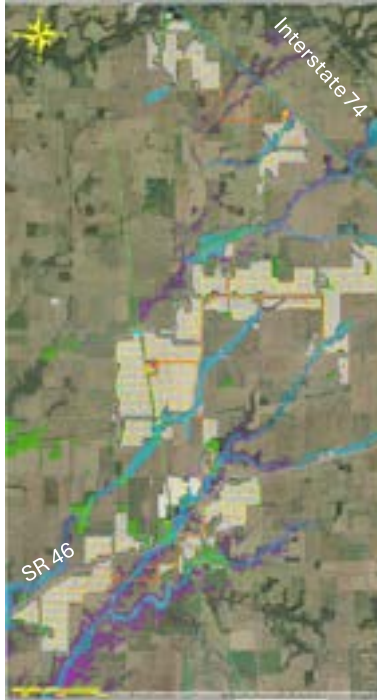
SITE PLAN

7,049 acre under contract / agreement

5,363 acres behind the fence

Represents 2 percent of land in Decatur County (approximately)

Similar size approximately as City of Greensburg



SITE DETAILS

Agrivoltaics

Solar Energy System works in tandem with agricultural activities

Policy 10 - Presence of Solar Energy System **DOES NOT consume Agricultural land** as it **DOES NOT USE UP** land

Screening & Buffering

Screening is required per Ordinance standards

22,000 trees

74 miles of agricultural style fencing

SCREENING & BUFFERING



West Bound, current view



West Bound, post construction

8931 West SR 46, Greensburg





SOLAR GRAZING

- Sunovis Consulting has been contracted by Geenex to prepare a Sheep Grazing Plan for Cobia Solar
 - Owned and operated by Dana Cummings, EdD (doctor of education)
 - Dana and family own Sunovis Ranch--five (5) years experience with grazing sheep and passionate about educating others
- Solar grazing is a great option for Cobia
 - Innovative and sustainable
 - Win-win solution, producing renewable energy while also raising livestock
 - Sunovis supports cooperative models, dividing large parcels into smaller ones so multiple families can work together



PROPERTY VALUATION



**Kirkland
Appraisals, LLC**



"The matched pair analysis shows no impact on home values due to abutting or adjoining a solar project as well as no impact to abutting or adjoining vacant residential or agricultural land when a solar is property screened and buffered."

"Considering the scope of research conducted, the sources of information that were relied upon, the breath and data analyzed, and the various methodologies that were used, the Kirkland Report's conclusions appear to be reliable, credible, and adequately supported."

Richard C. Kirkland, Jr., MAI
NC Certified General Appraiser #A4359
IN Certified General Appraiser CG421000G2



David Hall, MAI, AICP
Indiana Certified General Appraiser
#CG40901214
Telephone: 317.546.4720, ext. 227
Email: dhall@irr.com

Michael C. Lady, MAI, SRA, ASA, CCIM, FRICS
Indiana Certified General Appraiser
#CG68100223
Telephone: 317.546.4720, ext. 222
Email: mlady@irr.com

Section II.

Benefits to the County and Community



MULTIPLE BENEFICIARIES

Economic Benefits:

Speakers: Baker Tilly\County Economic Development Corporation, Project Team

Environmental Benefits:

Speakers: Civil & Environmental Consultants, Stantec, Project Team

Agricultural Benefits:

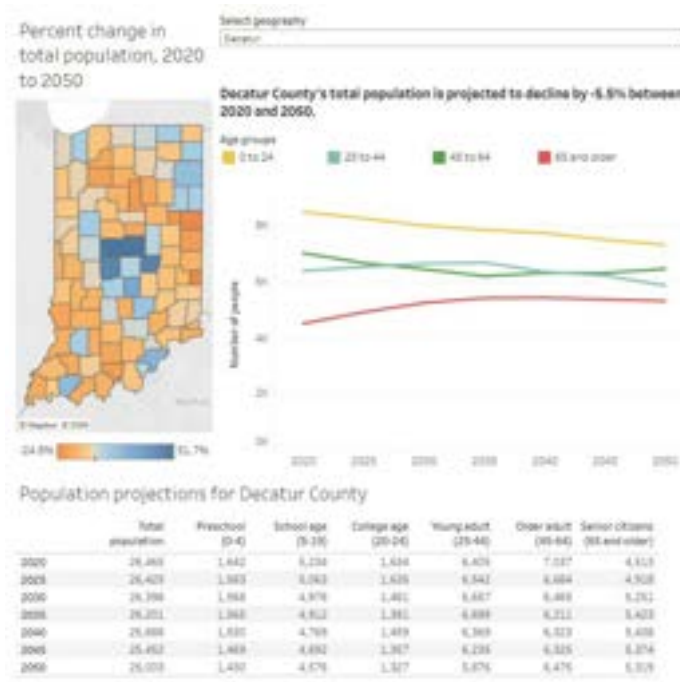
Speakers: Sunovis, Project Team

COMPREHENSIVE PLAN

- Protecting the County's agricultural resources (Page 20)
- Balancing preservation of agricultural land while protecting private property rights (page 20)
- Protect the County's rural atmosphere and support the agricultural economy (page 26)
- Loss of Agricultural land / consumption of land is concern (Page 42)
- Increase housing supply and diversity (Page 52– Policy 6)
- Attract younger generations as "fewer young workers""can create a budget deficits and adversely impact the provisions""to all individuals" (page 56 – Policy 8)



Credit: Kelley
School of
Business –
Indiana
Business
Research
Center

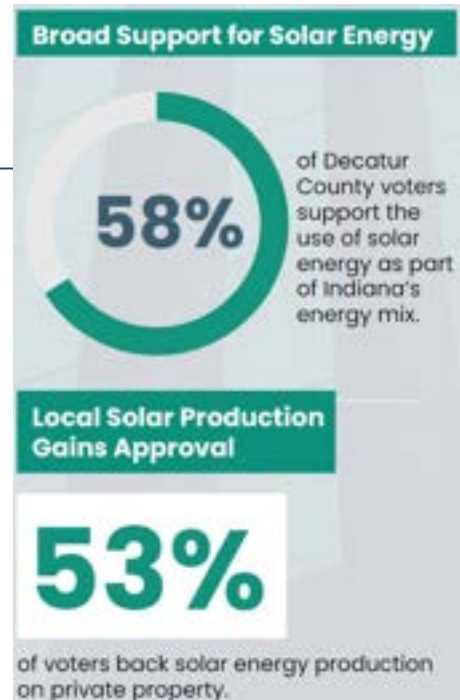


2050 Population trend line is the reverse of the Comprehensive Plan's projections – Page 96 – Comp Plan illustrates positive trend line



McLaughlin & Associates Survey, August 2024

McLaughlin & Associates is a leading polling firm with over 30 years of experience. The firm advised Donald Trump in the 2016 and 2020 campaigns, providing key voter insights that shaped his strategy in swing states. They are also recognized experts in energy polling with a track record of detailed research in renewable energy issues, particularly in Indiana.



Section III. Economic Impact



Economic Benefits



Tax Benefits

Cobia Solar is estimated to generate **\$140 million** over the life of the project in property tax revenues.

Estimated Impact During Construction: **\$269 million** generated (Local Spending)

Estimated Impact During Operation: **\$73 million** generated (Local Spending)

Workforce Development

During Construction: 1,150 new jobs = \$72 million **Post Construction:** 10 permanent jobs

Economic Development

Paid property taxes by project results in lower property taxes paid by property owners

Individually

Solar aides in both diversifying landowners' revenues as well as increases spending across multiple services

Cobia Solar is a
generational
opportunity for
Decatur County.



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Respondents to the survey prioritized use of the increase tax funding for:

- Tax Cuts
- School & Education
- Road & Infrastructure



Majority Supports Solar

Three in five people agree that we need to diversify energy sources and support solar energy production in Indiana.



Baker Tilly Analysis- Decatur County

	Estimated Property Tax Rate (1)	Estimated Property Tax Liability	
		\$100,000 Home Value (2)	\$174,400 Home Value (2)(3)
Clay Township			
Current Tax Rate	\$1.1952	\$380.62	\$925.20
Est. 2041 Tax Rate	0.9514	302.98	736.48
Difference	<u>(\$0.2438)</u>	<u>(\$77.64)</u>	<u>(\$188.72)</u>
Adams Township			
Current Tax Rate	\$1.2119	\$385.93	\$938.10
Est. 2041 Tax Rate	0.9956	317.04	770.66
Difference	<u>(\$0.2163)</u>	<u>(\$68.89)</u>	<u>(\$167.44)</u>

2023
Population
Projections
Adams: 1,823
Clay: 1,282

2020 Census
Data
2.5 persons
per dwelling



Cobia Solar could
generate
approximately \$3.5
Million in annual tax
revenues for the
taxing units in
Decatur County.



Section IV. Community Partners



Cobia Solar Local Office



107 S. Broadway St.
Greensburg, Indiana
47240

Office Hours:
Monday 9 a.m.- 12 p.m.
Thursday 9 a.m.- 12 p.m.
Or by appointment

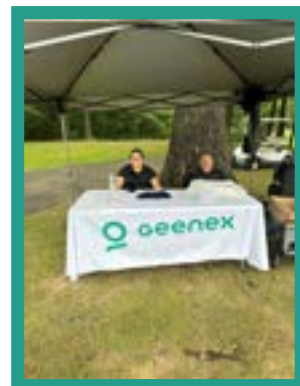
Cobia Solar in the Community



Cobia Solar Local Office
Ribbon Cutting



Decatur County YMCA
Gold Sponsor



Decatur County Chamber
of Commerce Golf Outing



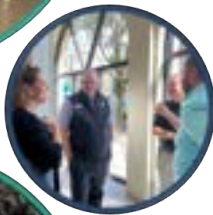
Community Engagement Activities



Hospital Foundation of
Decatur County Tee
Off For TaTas



Cobia Solar Ice Cream Social &
Putt Putting



Community Outreach & Events

- Decatur County/Greensburg Chamber of Commerce member since 2022
- Sponsored Tree City Fall Festival September 2023
- Donated to YMCA September 2023
- Hosted Solar Lunch & Learn October 2023
- Donated to Decatur County Public Library November 2023
- Donated to Decatur Co./Greensburg Animal Shelter November 2023
- Donated to Decatur Co. Community Schools November 2023
- Donated to Greensburg Meals on Wheels November 2023
- Donated to Hospital Foundation of Decatur County February 2024
- Donated to YMCA Healthy Kids Day March 2024
- Donated to Decatur Co. Tourism Bureau Summer Concert Series April 2024
- Hosted Cobia Solar Ice Cream Social June 2024
- Hosted Community Open House in Burney, Indiana June 2024
- Donated to Greensburg Youth Empowerment June 2024
- Donated to St. Paul Blast from the Past June 2024
- Donated to WTRE Senior Movies at Wolf Theater June 2024
- Donated to Friends of Decatur Co. June 2024
- Donated to Decatur Co. Community Clinic July 2024
- Sponsored hole at Decatur Co. Chamber of Commerce July 2024
- Sponsored WTRE Fair Radio July 2024
- Hosted Community Open House in St. Paul, Indiana July 2024
- Participated in Decatur Co. Health Department Back to School Bash July 2024
- Donated to New Directions August 2024
- Donated to St. Paul Choppers for Coppers August 2024
- Hosted Fire Safety Training August 2024
- Ribbon Cutting/Open House for Cobia Local Office Space September 2024
- Participated in Decatur Co. Library Resource Fair September 2024
- Participated in Indiana Rural Summit in St. Paul September 2024
- Donated to YMCA September 2024
- Donated to South Decatur Cougars Youth Football Fundraiser October 2024



Section V.

Project Specifications



Responses to TAC Comments

- Request for commitment on the creation of a Fire Safety Plan and offering of annual fire safety training. **Cobia Solar agrees to both.**
- Concern about reduced tax revenues if sale to a utility. **Cobia Solar agrees to establish a minimum “floor” as to property tax paid annually.**
- Loss of Farmland. **As Cobia Solar intends to operate in tandem with agricultural activities, no loss / consumption of farmland is anticipated to occur.**
- Negative Impact on Property Values. **As Cobia Solar intends to install proper screening and buffering, no impact to property values is anticipated.**
- Road Inventory pre-construction. **Cobia Solar commits to conducting a pre-construction road inventory as to document conditions.**
- Energy Consumption & Power Flow. **Modeling of the power flow illustrates local, state, and regional distribution.**



Section VI.

Findings of Fact



Special Exception Findings of Fact

- Approval will not endanger the public health, safety, morals, comfort, or general welfare of the community.
- **1) Full Compliance.** The Project will adhere to Decatur County Zoning Ordinance, including Article 20, ensuring protection of public health and safety during all phases—construction, operation, and decommissioning.
- **2) Safety Protocols.** Detailed traffic management and public access controls during construction; no risk of soil or groundwater contamination from solar panels or facility components.
- **3) Noise.** Solar projects generate no noise concerns based on numerous noise studies. They make even less noise at night.
- **4) Environmental.** Solar projects do not produce toxic or hazardous waste. Grass is maintained underneath the panels so there is minimal impervious surface area.
- **5) General Welfare.** A \$900 million capital investment with projected tax revenues exceeding \$100 million, bolstering Decatur County's tax base and helping maintain low taxes
- **6) Other factors.** Solar facilities do not prevent or impede neighbors from fully using their homes or farms or businesses for the use intended.

Special Exception Findings of Fact

- The use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area.
 - **1) Aesthetic Impact.** Vegetative buffering will minimize visual impact; solar panels will not exceed 12 feet in height and will be set back from nearby properties. A Visual Impact Rendering is submitted with the application.
 - **2) Land Use Rights.** Protects multi-generational family land ownership by preventing subdivision development.
 - **3) Temporary Land Use.** The project's 40-year lifespan represents a temporary use that does not permanently convert land from agriculture. At the end of its life, the land will be restored to its current agricultural use under a Facility Maintenance and Removal Agreement.
 - **4) Support for Agriculture.** The project helps sustain agricultural activities during and after its operation, supporting future agricultural use and multi-generational land ownership.



Special Exception Findings of Fact

- The use will be served adequately by essential public facilities and service such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
 - **1) Emergency Training.** Special fire safety training has already been provided to local emergency responders. Additional fire safety training will be offered to police and fire protection providers before construction begins, with ongoing training during operations.
 - **2) Traffic Management.** A Traffic Plan will manage highway and street usage during construction.
 - **3) Minimal Impact on Public Services.** The Project does not require significant water, sewage, or school services. Police and fire services will be in line with typical agricultural area needs.
 - **4) Stormwater Management.** Drainage and stormwater will be managed through the Final Stormwater Pollution Prevention Plan (SWPPP), ensuring compliance both pre- and post-construction.



Special Exception Findings of Fact

- The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
 - **1) No Negative Impact on Property Values.** A Property Valuation report submitted to Decatur County demonstrates that the Project will not decrease the value of adjacent properties.
 - **2) Land Preservation.** The Project allows the soil to rest during its operation, preserving the land's value for future agricultural use after decommissioning. It also prevents subdivisions or clustered developments that could disrupt orderly growth in the area.



Special Exception Findings of Fact

- The use will not generate traffic on the existing street network that will cause congestion or unsafe ingress and egress within the neighborhood as a result of the development, unless evidence is provided that improvements can be made to minimize or relieve the impacts.
 - **1) Traffic Impact Assessment.** A Traffic Assessment by Civil & Environmental Consultants, Inc. (CEC) concluded that the Project will have no significant impact on intersections and roadways during operations.
 - **2) Perimeter Security.** The Project will include perimeter fencing with controlled access points. Safety protocols will be implemented to manage traffic and public access during construction.



Special Exception Findings of Fact

- The use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare or odors.
 - **1) No Odor or Visual Impact.** The Project will not produce discernible odors or have significant impacts on adjacent land uses. A Glint and Glare Analysis confirms minimal glare.
 - **2) Noise Compliance.** The Project will comply with Decatur County's 50-decibel noise limit. A Pre-Construction Noise Study shows that noise levels will be well below this threshold.
 - **3) Minimal Traffic and Road Use.** The Traffic Assessment indicates that the Project will not generate significant traffic during operations. A draft Road Use Agreement has been prepared for Decatur County's consideration.
 - **4) No Communication Interference.** Due to the low height of the facilities, there will be no obstruction of microwave beam paths or interference with cell phone or radio broadcasts.



Special Exception Findings of Fact

- The approval does not interfere substantially with the comprehensive plan adopted by the Decatur County Area Plan Commission and the Decatur County Commissioners.
 - **1) Alignment with Comprehensive Plan.** The Project aligns with Decatur County's solar ordinance, supporting the 2017 Comprehensive Plan's objective of promoting growth while preserving rural land.
 - **2) Support for Farmers' Rights.** The Project upholds the Comprehensive Plan's goal of safeguarding farmers' rights to use their land, allowing property owners to diversify income with temporary land use while protecting it for future agricultural purposes.
 - **3) Balanced Economic Growth.** The Project strikes a balance between fostering economic growth and preserving agricultural land. Unlike residential or industrial development, it uses the land temporarily without permanent consumption.
 - **4) Land Restoration and Soil Regeneration.** The draft Facility Maintenance and Removal Agreement ensures the land will be fully restored after the Project. During operation, ground cover with grasses or approved vegetation will enhance water retention and soil regeneration, preserving the land for future agricultural use.



Landowner Presentation



Cobia Solar Participating Landowners

- Teresa Hull
- David Corya
- Gordon Smiley
- Jeff Smiley

*Not an exhaustive list of all participating landowners

Teresa Hull; I am your neighbor, and I proudly live in Decatur County. Tonight you have heard, and continue to hear, data and comments to aid you in making a decision about this solar field project. I see that you are using a voting & evaluation sheet to FAIRLY determine how to make your decision. I would like to comment on point 1 – Your approval will NOT endanger the general welfare of the community. According to LSD Law, the well-being, and prosperity of society as a whole is the definition of general welfare. This includes public health, safety, morals and peace. It includes promoting agriculture and industry, protecting the environment, and solving social and economic problems. This project provides socio-economic benefit to the community. It allows the land to rest while still providing resources for our community and to neighboring communities by providing an energy source. Pollinators and grazing animals will have acreage to *thrive* on while the solar panels create the much needed energy for our region. As a landowner, my decision to participate in this project has been carefully evaluated and been completely voluntary. My moral compass has been applied in making the decision to allow my land to be part of this project. Landowners have considered what would provide highest and best use for our land, and for our community. We care about our land, our neighbors, our environment and the well-being of the citizens of Decatur County. I would also like to speak to Point #7 in your evaluation sheet – The Decatur County Comprehensive plan includes two primary components, an outline for desired future land uses and infrastructure improvements. And a set of policy RECOMMENDATIONS regarding future development, agriculture, transportation, economic development and community facilities and services. This project is a positive thing for the county, it coincides WITH the comprehensive plan. It will allow for multi-use of the land while producing economic gain for the community, which in turn provides funding for infrastructure improvements, and the other points made in the comprehensive plan. Therefore, the project DOES NOT interfere with the comprehensive plan adopted by the Decatur County Area Plan Commission and its commissioners. THANK YOU for your time and consideration.

David Corya: Good evening, my name is David Corya, I am a fifth-generation farmer, Agribusiness owner and land owner here in Decatur County. Our family has lived, worked and dies here for generations and I will do the same. We care deeply about Decatur County, our friends and neighbors and the land. I am a steward of the land on our family farm and I take that responsibility very seriously. Not a day goes by that I don't think about the land, our family, our community, the environment or future generations. I would like to spend this time sharing our view from a landowner perspective. I want the board to understand that we put a huge amount of time and effort into researching solar, prior to leasing. We spent over two years researching solar, speaking with other solar landowners and host communities in negotiating our lease. Through that process, we concluded that solar is a huge opportunity for agriculture, the environment and Decatur County and its citizens. We are very satisfied with our decision to lease. Solar is complementary and beneficial to modern production agriculture. Solar is consistent with our land stewardship and conservation values. The steady income provided by solar acres will allow our farm to make additional investments in farm infrastructure, equipment, tiling and other agricultural investments and we have a long history of sourcing almost exclusively through local suppliers and service providers which we view as lifetime relationships. We own and operate other farms and plan to hire additional workers locally due to the benefits of solar to our farm operation. Therefore, solar represents (inaudible) for agriculture. The Cobia project will generate approximately 3.5 million dollars of incremental annual income to the County and is an opportunity to simultaneously replace and improve aging infrastructure

in schools while reducing property taxes for all property taxpayers in the County. We strongly encourage the Decatur County Government to use this large, recurring stream of direct solar income to push solar dollars widely into our community. Many have called it a generational opportunity and we agree. Our County has unique opportunities to host a world class solar project that will produce renewable energy and improve the environment while creating huge economic opportunities that would benefit our community and future generations (inaudible). This is a great thing, we are proud to be a part of the project from a landowner perspective and the prosperity it will bring to Decatur County, thank you.

Gordon Smiley: I am here before you as a landowner and a Decatur County Citizen. I am extremely excited for our entire Community! Item Number 1 on the evaluation under special exemption will improve not endanger the morals, comfort and general welfare of all citizens of Decatur County with the Cobia Solar Project! How will it improve the morals, comfort and general welfare?? The initial estimates from Baker Tilly the accountants our County use for financial projections has estimated, the Cobia Project will add an additional 3.3 million dollars per year to our county budget in extra taxes is a huge opportunity for all our citizens. You tell me how these extra tax dollars per year are not a reason to improve all our citizens' morals, comfort and general welfare? We as landowners have a unique opportunity in this project working together to help ALL citizens of Decatur County with the projected taxes created. We landowners are looking at this opportunity as being about the entire county. There is no I in the word TEAM. I look at each person in this room and ask are they a Team player looking for the benefit of their fellow citizens or are they being selfish and not willing to take this rare opportunity presented and allow for the improved morals, comfort and general welfare of all Decatur County to be improved long term thru extra tax dollars generated? Item number 1 on the evaluation sheet is met with improvements through extra tax dollars. Multifunctional. Not a word we use normally in our farming operations. Multifunctional will now be used in the Cobia project! The fact that solar energy production along with grazing at the same time allows for multifunctional production on our farmland. Our Comprehensive plan on Page 59 states that the county does not support commercial solar that would consume agriculture land. Item number 7 on the BZA evaluation sheet states that the approval does not interfere substantially with the comprehensive plan. The word consume used in our comprehensive plan describes agriculture land being used up or disappearing with solar production. The comprehensive plan is designed to preserve farmland. This solar project does preserve farmland. The land going into solar production is classified as A1, solar ordinance written by APC states the land will be still A1 during the solar production and will be returned to A1 after decommissioning. Those descriptions very clearly describe that the land is not being consumed so the request is not going against the comprehensive plan. The land is being "preserved" during the contract. Item #7 on your evaluation sheet is fully met. 60 years ago, a group of gentlemen sat in chairs in front of citizens in Decatur County. They had multiple meetings just like you are having. They were described as "tearing the community apart". They did their homework, visited other communities, but the key factors they did was to be able to remove all emotions and think about the long term benefits this decision would make for all Decatur County citizens they came to the conclusion to have consolidation of our county schools into North and South Decatur. That overall Community benefit came first in their minds as the long-term benefit gains clearly outweighed the short-term emotions. I am challenging you as BZA board to do your homework, research, and most importantly, visit other counties who have solar projects in existence. Realize that you are

representing all of the citizens in our county. I ask you to grant this special grant to the Cobia project. Thank you.

Jeff Smiley: Good evening, Jeff Smiley and I would like to tell you why I have made the decision to participate in the Geenex Solar Project. My wife and I have three adult children and a grandbaby on the way. The two daughters are teachers in the local schools and the oldest is taking some time off to raise her child. A son is an officer in the Navy on a Nuclear Submarine, so you can see they have careers outside of production agriculture. As we look at how we can generationally support our family, this opportunity is the most secure financially and just as importantly, it keeps the soil in place for years to come. When we began this process we were told early on that the solar company would be paying the property taxes along with the taxes due on the panels to the County and that nothing that we can do as a landowner could produce this amount of tax money for our County and maintain an A-1 land classification. Adding over 3 million dollars of income to the County will help everyone. The old adage, a rising tide floats all boats. The County Council and the Commissioners will decide how and where these funds will be used so it will be under local control, which I think is best. The estimated 140 million dollars in income over the life of the project will add value to our roads, County salaries, schools, fire departments and other local needs. Romans 13 tells us about how God created the Government, and since you are on this Board, you are part of the Government. We are commanded to pray for those in authority and that is what I do, pray for the Board that you receive knowledge, peace, patience, discernment and wisdom. Thank you for your service to the County.

Public Comments

My name is Sheila Kirchhoff, I live at 909 E. CR 500 N., Greensburg, IN 47240

Thank you for your time this evening. Our presentations are designed as fact-based and on-point to prove that all seven Conditional Use - Special Exception criteria are not being met by Cobia, also known as Geenex Solar. We are Decatur County Citizens who live, work, and contribute to the County and whose daily lives will be affected by our farm fields being in industrial solar. Tonight, you will not hear from us opinions or assumptions. Statements of which have NOT been researched or statements about being against solar power; however, we ARE against losing thousands of Acres of fertile, Decatur County Farmland to large commercial solar panels. Tonight, we anticipate you will hear both sides in regard to visual impacts, vegetative management practices, potential tax income, differing definitions of the word temporary, and conflicting interpretation of property rights. Our group has remained focused on each of the 7 conditional use criteria and our Comprehensive Plan. To remind everyone here tonight, the Comprehensive plan was updated so the city and county could implement compatible visions. The County plan provides guidance with policy recommendations for the future and use plans to direct future growth. These policies offer support for the citizens' vision for the County's future. When I hear citizens' vision I think of property rights, which will be a big topic tonight. But let's review what that means by law. Under common law, properly applied, people cannot use their property in ways that damage their neighbors' property — defined, again, as taking things those neighbors hold free and clear. Properly conceived and applied, then, property rights are self-limiting: they constitute a judicially crafted and enforced regulatory scheme in which rights of active use end when they encroach on the property rights of others. Thus, the common law limits the right of free use only when a use encroaches on the property rights of others, as in the classic

law of nuisance and risk. We are here to say that we are not against solar, but we are against losing prime farmland. There are more efficient and productive location sites for industrial solar panels that needs to be explored just as intensely as they are exploring using our prime farmland. As local citizens, we ask you, why would we limit ourselves to decades of Industrial solar contracts when industrial solar panels may be technologically obsolete in the near future? If we as a community want to utilize solar energy, let us establish a safer, more cohesive way to install panels that do not remove prime farm ground and limit future growth plans. We are asking you to deny this application. Collectively, we will prove that this solar application fails to meet all seven Conditional Use - Special Exception criteria and goes against Decatur County's Comprehensive Plan. Thank you.

My name is Heidi Nicholson, my address is 4013 S CO RD 850 W GREENSBURG, In 47240 and I will be speaking to how Cobia does not meet Conditional Use - Special Exception #1 of the Voting & Evaluation Sheet Conditional Use - Special Exception #1 states: The approval will not endanger the public health, safety, morals, comfort, or general welfare of the community. I am going to read directly from our Decatur County Comprehensive Plan: Under Vision & Principles (page 20): Decatur County will continue to preserve and enhance its agricultural lands and activity. The County will continue to work to protect viable farmland, a thriving agricultural industry, and enhance the profitability of agriculture through agricultural support services and developing economic development partnerships that increase the demand for locally produced agricultural commodities. So I go on to say, accepting Cobia's request for industrial solar panels will decrease the supply for local agricultural commodities in Decatur Co. So much so that it will not only take away thousands of acres of potential crops, but it will also have a negative impact on the agricultural related businesses locally. One example is the decrease in retail sales to our local vendors who sell seed, chemical, and fertilizer. Secondly, there will be a decrease in the supply of grain, ultimately resulting in higher feed prices for our local livestock farmers who are feeding their livestock. Other local businesses including equipment dealers and repair shops, fuel suppliers, and banks, lenders and insurance providers will also feel this burden. Policy 1 states: Protect the County's agricultural resources. Policy 2 reads: Balance preservation of agricultural land while protecting private property rights. Farmers have to produce more food on less ground than ever before. Food security is equally if not more important than green energy. We are doing our part to contribute to Green Energy - we are producing it. If we accept this project tonight, we will be sacrificing Decatur County's greatest natural resource, our fertile and productive farm ground. Let's remind everyone that Indiana is ranked in top 5 for production of popcorn, pumpkins, soybeans, corn, hogs and ducks. If we are doing our part in feeding the world, why do we need to venture in this energy with all its unknown, far reaching consequences. Energy that does not even stay in our community but rather the grid. Not only does Industrial solar go against our Comprehensive Plan, but it also jeopardizes the general welfare of our community. It will NOT enhance the profitability of Ag services that support the agricultural industry locally. Nor will it preserve and enhance agricultural lands and activity. I am asking you the board to follow the comprehensive plan and preserve productive farm ground for farming and deny this application.

My name is Garrett Schwering_ I live at 4285 N. CR 300 E. Greensburg, IN 47240_____ and I will be speaking to how Cobia does not meet Conditional Use - Special Exception #2 of the Voting & Evaluation Sheet "I believe in the future of Agriculture with a faith born not of

words but of deeds,” that is the first line of the FFA creed. I also live this creed out. I am the owner of Garrett’s Greenhouse and just returned from FFA’s National Conventional here in Indianapolis. Today I ask you, do you believe in MY future of agriculture? Removing farm ground from production will harm those of us pursuing an agricultural career in this County from jobs related to crops, livestock, seed sales or equipment repair. All these jobs are vital to our community and removing productive farm ground from our County takes jobs from the future generation, people like me. Not only taking jobs but it also takes away supply with no decrease in agricultural demand, not only in our county but also worldwide. This project is a huge risk to our entire community. How many acres will they take? We’ve seen a change in acres after approval, how many more solar companies will approach us? We already know of another Company waiting to put in their application. Wildlife, waterways, drainage, property values, the life cycle of commercial solar power facilities are unproven and untested. Decommissioning is an obvious concern filled with unknowns in the Solar community. Will our ground ever truly be fit to farm again? How many projects has Cobia actually decommissioned? We have that answer, NONE. We can’t fast forward 30 - 40 years but we can look back. There were no cell phones, internet, or mail...imagine what energy breakthroughs will occur in the next decade. Cobia wants to push this application now and use our home as a money focused experiment based on an application filled with speculation, why are we in such a hurry? This is a multigenerational decision. In 30-40 years many of the decision makers on this project will no longer be here but MY generation will be. My generation will be the ones dealing with the repercussions of the decision you make tonight. Why are you so anxious to bet my future on their claims? Please deny this application as it is not harmonious to our current and future generations of this community. Thank You

My name is Sandy Proffitt, I live at 532 Baili Ct, Greensburg, IN 47240 and I will be speaking to how Cobia does not meet Conditional Use - Special Exception #1 and #2 of the Voting & Evaluation Sheet. I start by asking everyone in this room to think of a time where you’ve ever heard that we should replace productive farm ground with solar? Indiana Farm Bureau is the largest grassroots farm organization in the state, with more than 250,000 members whose mission is to “protect and enhance the future of agriculture and our communities.” With support from their 2024 policy handbook 13.A.11 reads, if incentive programs are used for renewable energy projects, they should be used towards development on non-productive grounds. Furthermore, Under Agriculture Protections 15.B.1, it reads, we support Laws that enable farmers to use farming practices and technology available to agriculture to provide feed, food, fiber, shelter, and fuel. Never do they state energy nor recognize solar as an agricultural product. The Indiana Farm Bureau Policy also recommends the project be sited with regard to the productivity of farmland and be placed on marginal land and consider the impact on existing uses of land in the area.

May 26, 2023 The American Farmland Trust policy director, Tim Fink, went on record to say, “The key question for our national solar buildout is not ‘if,’ but ‘how, the decisions we make today on how we achieve this critical climate goal will determine whether it strengthens rural communities and protects our best agricultural land for future generations or results in large-scale permanent conversion of productive agricultural land.” Solar development presents an opportunity for some landowners to receive steady, long-term lease payments, but concern over prime farmland conversion, land affordability and availability, and the overall impact of large-scale solar development is slowing the transition to renewable energy and could pose a

long-term threat to rural livelihoods and landscapes. As a whole, we need integrations not replacements. Sustainable green energy is meant to be coupled with production. Under panels our ground is not being rested, it's being neglected. My question is why are we rushing that application without testing it or knowing more about this new energy source. It's because at the end of the day this is not about agriculture, it's not about green energy, it's not about the future of farms, or the viability and the economic success of Decatur County Citizens, this is about money. This application fails to account for our younger generation. It endangers the general welfare of the community, and is not harmonious to the area, and therefore fails *Conditional Use - Special Exception #1 and 2*. Thank you

My name is Randy Hoeing_ I live at 3044 E. Base Road, Greensburg, IN. I am a former 32-year career firefighter with 24 of those years as Assistant Chief. I will be speaking to how Cobia does not meet Conditional Use - Special Exception #3 of the Voting & Evaluation Sheet. Conditional Use - Special Exception #3 states: Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services. We have identified 4 major concerns: (1) LIMITED ACCESS - Proposed development is surrounded by a high security fence at least 8 feet high and locked gates. These will limit quick access into the facility. This creates difficulty in reaching the fire in a timely fashion as well as a concern during ground fires for the fire dept. The fences and solar panels will limit routes to escape from a fast-moving fire thus the risk of entrapment. Other concerns are how to maneuver to a fire properly with limited paths around the perimeter. (2) ELECTROCUTION -The presence of a live electrical current makes it difficult and life threatening for firefighters and first responders to safely extinguish a solar array fire without increasing the risk of electrocution. Because of these hazards, it often takes firefighters more time to assess and address the situation—which increases the potential for the fire to get out of control. (3) TOXIC FUMES - Solar equipment and panels burn off toxic fumes. Fire personnel would need appropriate breathing apparatus during fires to protect them from toxic fumes. In a large fire, neighboring properties would need to be notified to evacuate the area until air quality is safe. (4) GROUND FIRES - Large areas of ground cover have always been a concern for fire departments due to large amounts of combustible material and wind. Due to the design layout of the industrial solar complex, normal tactics of trucks spraying water just ahead of the burn line cannot be used, thus reducing the effectiveness of stopping fires. This can lead to large uncontrolled ground fires that would also burn everything combustible above or near the fire, including wiring of the solar panels. Large fires with toxic fumes will threaten neighboring properties, crops, livestock and building structures. In a recent incident in Castleton, NY on October 26th, 2024 - 17,000 panels on 38 acres were on fire and over 15 fire departments and 80 firefighters responded to the blaze that was started from a brush fire. Due to lack of transparency and due diligence from Cobia regarding their fire response plan, paired with their relaxed encouragement for departments to request training rather than mandate this, Cobia does not meet Conditional Use - Special Exception #3 and we are asking that you deny their application.

My name is Lori Garringer I live at 1212 W. Rebecca Pkwy, Greensburg, IN 47240 and I will be speaking to how Cobia does not meet Conditional Use - Special Exception #4 of the Voting & Evaluation Sheet Conditional Use - Special Exception #4 says: Will not impede the normal

and orderly development or improvement of the surrounding property for uses permitted in the district. Cobia says that the proposed special exception is consistent with adjacent land uses. However, Policy 2 (Balance Preservation of Agricultural Land while protecting private property rights) implies otherwise. The Comprehensive Plan reads; support the agricultural industry and sustain land in agricultural production through promotion of rural economic uses. Industrial solar panels are not promoting rural economical uses. The statement that follows on page 44, Policy 2 states to ensure effective agricultural zoning, by prohibiting major subdivisions and other development not related to agriculture or agricultural industry. Policy 10 drives this home for us on page 59 when it states Decatur County understands that alternative energy technology is ever-changing. Therefore, the county supports individual, on-site, non-commercial alternative energy sources. Did you know that approximately 2000 panels can be installed on one acre, therefore, 5000 acres could be consumed by over 10 million panels! That is 112,850 of steel piles, and hundreds of thousands of lineal feet of array fence. How many semi loads would that be on our local county roads? Additionally, Cobia claims that the solar project will allow the soil to rest for a minimum of 40 years. Providing a recovery period and increasing the value of that land for agriculture in the future. We have done extensive research as a group and nowhere could we find a published article that encouraged taking established, prime farmland and taking it out of production so it could rest, all for the sake of increasing the value of the land after the resting period. We've been blessed with highly productive and fertile soil, so why purposely ruin productive farmland and cause irreversible damage. Once again, I ask you to deny this application as it fails to meet Conditional Use - Special Exception #4.

Travis Hardesty; I live at 4865 S CR 950 W Greensburg, IN 47240 and will I be speaking to how Cobia does not meet Conditional Use - Special Exception #5 states: Project will not generate traffic on the existing street network that will cause congestion or unsafe ingress and egress within the neighborhood, as a result of the development, unless evidence is provided that improvements can be made to minimize or relieve the impacts. Cobia had CEC perform a traffic assessment report and concluded that there is no significant impact on the intersection and roadways during operation. However, we still need to recognize Page 6 of the Comprehensive Plan. State Road 46 West and County Road 850 West are identified as Primary Corridors and roads in need of maintenance, paving or widening per the Transportation Improvement Map. 850 West is also identified as a main collector road. A collector road, as defined by the Comprehensive Plan, is designed for slower speeds and shorter travel. This triggers concern for the safety and well-being of the people who travel these roads daily. The concern is the increased congestion on and around these sites for the project's duration, not just the construction portion of this project. Our friends to the west in Shelby County have experienced traffic jams of semis delivering products for the new installation, as well as increased traffic of contracted employees who are unfamiliar with the area. The public needs to be aware there will be many outside contracted workers in and around these solar sites that are not local hires, who lack awareness of neighboring property lines, as well as having disregard for private property. Conditional Use - Special Exception #5 is not being met by Cobia as it WILL cause unsafe ingress and egress within the neighborhood. Maintenance and upkeep of multiple sites throughout this Project WILL create congested traffic, and damage to roads. This project will generate traffic and will cause issues in and around the neighborhood. Please deny this application based on Cobia not meeting Conditional Use #5.

Josh Tollison; I live at 8931 West SR-46 Greensburg, IN 47240 and I will be speaking to how Cobia does not meet Conditional Use - Special Exception #6 of the Voting & Evaluation Sheet Conditional Use - Special Exception #6 states: Will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare or odors. In Cobia's findings of fact they mention that they performed a Glint and Glare analysis and found no significant glare. We'd like to elaborate on HOW these assessments are conducted. A glint and glare analysis is a calculation that determines the **potential** for glare and glint from a reflecting surface, such as a solar panel. The analysis involves several steps, including:

- Identifying receptors- Consider the site's location, size, and any relevant consultation responses.
- Registering the local environment by recording the exact coordinates and angles of the reflecting surfaces and the points of interest.
- Creating a topographical profile and determine if direct sunlight is possible, or if it will be blocked by obstacles.
- Calculating glare duration and time- Determine the angles between reflecting surfaces and the position of the sun.
- Identifying time periods- Determine when glint or glare will occur, and how long it will last.
- Assessing disturbance- Determine how much of a disturbance the glint or glare might cause to nearby residents.

Even though a glint and glare analysis was conducted, how accurate are these reports? Impacts on road users are determined based on whether reflections are predicted and relative to the position of the reflection to the observer. These panels are not constructed and in place for a real life analysis to give them data. We spoke to several non-leasing landowners, who we identify as points of interests per the glint and glare study, who are surrounded on 2 or more sides. No one has been approached or consulted about this findings of fact. We fear that this simulated analysis will not protect these surrounded landowners from actual glint and glare after construction. In conclusion, the long-term material, equipment, and conditions of operation will be detrimental to persons and their general welfare. Therefore, deny this application since Cobia fails conditional use- special exception #6.

Todd Mauer; I live at 3916 N. St. Road 3, Greensburg, IN 47240 and I will be speaking to how Cobia does not meet Conditional Use - Special Exception #7 of the Voting & Evaluation Sheet. Conditional Use - Special Exception #7 states: The approval does not interfere substantially with the comprehensive plan adopted by the Decatur County Area Plan Commission and the Decatur County Commissioners. Cobia's response to this special exception is: The proposed Special Exception is consistent with the solar ordinance put in place by the County following the Comprehensive Plan update approved in 2017. The Project will promote the Comprehensive Plan's goal of developing and managing technological advancement and growth, while still instilling resources and rural preservation. To give you, the board, some context, the Decatur County Comprehensive Plan states more than 130 times the use of the word agriculture. All of the statements leading up to this Conditional Use - Special Exception #7 has proven the County Commissioners, Area Plan Commission, County Staff, Steering Committee

and Community members were in agreement of not taking up prime agricultural land for other than its intended use, agricultural production. As written in the Comprehensive Plan, in 2035, agriculture will still be prevalent because the productive agricultural lands, both large and small, will have been preserved by directing new growth in areas adjacent to already developed clusters or the existing communities (Page 20) Statements printed throughout the Comprehensive plan are "Decatur County will continue to preserve and enhance its agricultural lands and activities." "The county will continue to work to protect viable farmland, a thriving agricultural industry, and enhance the profitability of agriculture through agricultural support services and developing economic development partnerships that increase the demand for locally produced agricultural commodities." (Page 41) Temporary by definitions: lasting for only a limited period of time; not permanent: 35-40 years is not the accurate definition of temporary. Article 20 of The Solar Energy Facilities Ordinance states that the County understands that alternative energy technology is ever-changing, therefore, the County supports individual, on-site, non-commercial alternative energy sources. However, pursuant to the Decatur County Comprehensive Plan, the County does not support the development of commercial alternative energy facilities that would consume agricultural land. The County discourages large-scale, commercial development of alternative energy sources. Policy 10 of the Decatur County Comprehensive Plan mimics that exact statement. This project goes against our 2017 Updated Comprehensive Plan. Cobia, once again, does not meet conditional use Conditional Use - Special Exception #7. Please deny this application.

James Moore; I live and farm in Decatur County. I am a row crop farmer and sheep herdsman. The job title for the solar vegetative management is just that. The sheep are only there to eat down the grass. Their purpose is not focused on livestock production or agriculture husbandry values. 7000-acre array would require 21,000 sheep. Having a large population of anything brings disease and parasites. We've seen this with too many deer in one area such as state parks. Sheep and deer have the same parasites. So when a deer grazes with the sheep the deer become infested and sick with parasites and carry these wherever they roam, (or vise a versa) releasing eggs in their fecal, infecting other farms. The County just had to deal with over 100 malnourished parasite infested goats. Do you want 21,000 sheep also? An animal consumes a plant it uses the nutrients for growth and survival. What nutrients that are left come out in the fecal. These leftover nutrients help replenish the soil for the next plant to grow and the cycle continues. This process is not a one-to-one ratio meaning without replacing the nutrients the animal consumed via fertilizers and lime, the soil will eventually become depleted. So the terminology of "Returning the land back to Agriculture better then received" is nothing more than an illusion. I have yet to hear any discussion of soil test and application processes. You can't drive between the rows of panels from one end to the other because of the construction design for application equipment. Also animals, be it sheep, won't eat every plant. Without intervention, invasive plants will take over. Such is the case in White and Jasper County Indiana where they are currently trying to figure out how to spray herbicide within the solar fields because of the infestation of invasive plants. Indiana farmers can produce lots of grains, fruits and vegetables. If there's no local market for what you grow, then it's not sustainable. I'd like the people here tonight that consume more than 5lb of lamb in a year to raise their hand. Then I want to know why are we going to stop growing corn, soybeans and wheat and replace it with 840,000 lbs. of lamb that we have to ship 4 states away just to find a market. I also want to point out, they mentioned 1150 new jobs, agriculture jobs go from the farm to the grocery store, manufacturing

and all across the board. It is .251 ag related jobs per acres. If you take 7000 acres, that is 1757 jobs lost, that is not just in Decatur County, that is across the board. I ask that you deny this special exemption, thank you.

Albert Armand; I live at 13094 S. CR 600 W., Westport, IN 47283. It has been suggested by several people from Cobia and the landowners that this project will enhance the value of the soil for long term productivity. I want to tell you that I don't believe that is true for a minute. Everything that we do here will impact our soils in a negative manner from the minute construction starts we will have compaction. At some point when we decide to decommission this we probably will have to, depending on the kind of supports, remove those supports which will involve digging the post out. Digging them out mixes the top soil and subsoil. We will have a variety of problems, roadways to contend with. All these things will negatively impact the productivity of our farm ground. In some part, even if we graze with sheet, we will have compaction and nutrient in areas where the animals have congregated. We had a similar situation where the pipeline came through our place ten years ago, even to this day we see a 20 bushel per acres yield loss in corn and a 10 bushel per acres loss in beans. This project will not enhance the value or productivity of our soils inside this. I think it is a bad idea and I don't think it will work out the way we have been told. Thank you.

Suzi Dean; I live at 1522 S Mill Creek Drive, Greensburg, IN 47240. I understand the attractiveness of the economic boost to the families who have leased their acres to industrial solar. But in reality, there are many unknowns with industrial solar. With minimal proven historical data to back-up Cobia's solar claims & promises, it is wise to review what true, hard evidence we actually do have. Decatur County REMC provides the major percentage of electrical energy for rural Decatur County. Currently; [*as of yesterday, 11-5-24*] reported by REMC, Decatur County has 6752 memberships. Because solar has been promoted as the "new energy of the future", doing their due diligence to obtain local data on benefits and challenges of solar panel energy – in 2016, Decatur County REMC constructed an industrial solar pilot project of 20 acres. With 8 years of LOCAL data, what did REMC learn? Due to a local hailstorm – solar panels have already had to be replaced once. The output of energy voltage has proven to be so low there is no need to account for range fluctuations of output voltage from day to night or during cloudy or inclement weather. [Note: the energy provided by this pilot project is actually connected to the local grid to be available to local REMC members. Cobia solar project energy will NOT benefit local residents.] The bottom line – the cost and inefficiency of the REMC solar pilot project did not justify return on investment and the project proved to be a failure. Furthermore, even though the REMC solar project is a failure, it is also too expensive to decommission and return those acres to production farming. Decatur County REMC was also approached by an industrial solar company regarding an opportunity to partner as an additional energy provider. After consideration, this offer was turned down by REMC because solar energy is too inefficient and will NOT provide energy cost savings to me - and the other 6751 Decatur County REMC cooperative members. Note: Rush-Shelby Co REMC has also recently declined solar partnerships. It is my understanding that Decatur County REMC will continue to investigate other alternative energy sources to provide cost-efficient electricity for its members, and at this time solar energy is NOT on that list. For these reasons, and in the interest of preserving prime Decatur County farm ground, I respectfully ask BZA to deny Cobia's request for special exception.

Jessica Harmeyer; I live at 4668 S. CR 950 W., Greensburg, IN 47240. Thank you once again for your time tonight. I would like to tie this all together for the board and for our fellow county residents. But first I want to commend the concerned citizens who spoke this evening on facts and policy rather than emotions and opinions. As I listened to your concerns, strengthened by references to our County's comprehensive plan, I am reminded of Policy 1 and 5 as it reads, Protect the county's agricultural resources. While the county does not want to stop development in agricultural areas, they want to manage its location and growth. Therefore, in order to protect prime farmland, development should be limited and is designed to preserve as much of the prime farmland as possible. Policy 1 and 5 have a recurring message; "Establish clear guidelines for approval of rezone from agricultural uses to non-agricultural uses that protect prime soils and minimize loss to productive agricultural uses. It also says, Limit the amount of land taken out of agricultural production. With a focused growth approach where new significant development would be developed in and around existing cities and towns. I say all this to drive home what the entire focus was of those committee members who wrote our County's Comprehensive plan back in 2017. It was to ensure that any new development to our rural county was compatible and posed no threat to public health, welfare, and continued to support our Ag related businesses. On page 76 it talks about interpretation. "The Comprehensive Plan does not contain the actual decisions that should be made; however, it does serve as a reminder and provide guidance of the community's collective vision for the future development of this area and should be interpreted as such. I ask you to reflect on all the concerns your community members have brought forth to you tonight. This proposed solar project not only goes against our Comprehensive plan but lacks to meet all seven conditional use criteria. Approval would devalue the county and its rural residents who call this community home. Approving this industrial project goes against the grain (literally and figuratively) of our community and its livelihood. And lastly, approval would confess a disregard of our heritage and violate the intentions of the comprehensive plan. Make the right decision tonight that not only impacts your local neighbors and community members today, but those for many generations to come. Thank you.

Joe Harmeyer; Good evening Board and good evening community members, I live at 4668 S. Co Rd 950W. I really debated on getting up here tonight to speak against the proposed project. Many of these landowners are folks I've worked with through my farming experiences and have supported our trucking business. They are neighbors, friends and even mentors. Most of them truly run top-class farming operations, and I admire their family legacies. I'm here to share a very sobering fact, but first I want to share a personal side. My wife and I were not raised in the county but chose to live here. Ten years ago we landed here quite literally because of the farm we live on, after a simple conversation on the back of a tailgate while putting in a seed corn test plot. We've poured our heart & soul into our property; we've dealt with the challenges of a failing old farmhouse; we've brought home three beautiful babies to this old house; and we are now finalizing plans to build our forever home next year. If this project is approved, we stand to be surrounded on all three sides. Essentially, no matter what direction we look we'll see industrial fences and solar panels. If this project is approved, it will forever change the landscape of the place we chose to set our roots. Cobia's proposed 7k acre project, ultimately a product of the current administration's push for electrification across the country, will compound an already existential problem we are facing right here at home. If you'll see the graph behind you, over the last 20 years Decatur County has lost 31,000 acres or 17% of our

cropland. The average loss rate is almost 1,600 acres or 1% per year. For reference, the Honda plant sits on 1600 acres and accounts for only 5% of the total lost acres. Tonight, we are debating on whether to accelerate that loss of cropland acres at a rate of nearly 4x the average annual loss rate over the last 20 years. A yes vote on this decision will drive farmland prices even higher by decreasing the available supply of land and increase the demand of likewise acres. It will ultimately limit, if not completely eliminate the ability of young and 1st generation farmers to pursue land ownership. In closing, I want to express that I fully understand the value this project can create for the community through additional tax dollars. I commend economic development and their efforts to bring value to our county. I commend these landowners for taking a long, hard look at this and putting their names on the line. But I think what we all need to realize is that one of our county's greatest natural resources, our productive farm ground, is already under attack and quietly disappearing every year right below our feet. Lastly, I challenge our elected officials, at every level, that if there is this vast amount of money being incentivized through one-sided federal government programs to fund these sort of campaigns not just here but all across the state, to take a stand against policies that steal one vital resource for another and deteriorate the very fabric of our community. I ask the board to preserve prime farmland and support locally balanced renewable initiatives, and to vote NO on the proposed special exception application for Cobia Solar project.

Lester Gurley; I live at 7378 W CR 480 S, you are wanting to take 7000 acres of our best farm ground in Decatur County. There are many younger farmers in this county who would love to farm this ground. When you break this down on the acres available, the biggest part of this, 6500 acres is only owned or operated by about 8 different families. Out of those 8 families there is only 3 of them that has a younger generation to continue on. The others are just looking for a high dollar 401K plan to bail themselves out. Some of this ground is not even being farmed by these families anymore. They have sold out their parents' farm ground for themselves. There is about 6 different families when it comes to the Willis (inaudible), Walls, Thompson, Smiley, Corya, those people will roll over in their graves if they knew what their boys were trying to do with their farm ground that they worked so hard to pay for, for so many years. There are other places to put this kind of solar energy without taking prime farm ground. You have the Jefferson Proving Grounds in Madison, there are hundreds of acres of new warehouses that has been built around Indianapolis. You can put the solar panels on top of those warehouses without taking our prime farm ground. If these particular families don't want to continue farming this ground, I'm sure there is enough farmers in this county to take over that ground and farm it by themselves. There is no need to destroy our farm ground for a personal gain of a few families. The families that do have younger generations to continue their farms onward, this is only going to them money to go buy other farm ground to raise the prices against everyone else. That hurts and keeps our younger generation from getting into farming. There is no reason to be taking this kind of prime farm ground out of Decatur County for personal gain for certain families.

Michael Stokes; I am a retired school teacher at the County Schools for 35 years. I will speak about one parcel because it is the only one that I know much about. That is parcel 16-12-09 and this at 850 W and 100 S. This is 100' from the Burney Fire Department and 100' from the Burney Community Center. People gather at that center every weekend, it is a voting center and there is activity there all the time. This is a site that is heavily traveled. I live just across the road and would border me on 2 sides, it would be 25' from my dining room window. I don't

think anyone in here, including these people would want to see this go in 25' from your dining room window. There is 36 houses that border this parcel withing 100 yards, 13 of those houses withing 100' of this parcel. I am not alone. County road 100 S is a heavily traveled road, hundreds of cars travel that road everyday along with heavy trucks. All of the people that congregate at the Community Center and travel that road weekly are going to look out past these four foot trees that they will plant and wonder how on earth we allowed this to happen. How could we allow this to happen in a county so steeply entrenched in agriculture, 4-H and FFA. Burney is a small town, much like many small rural towns that have seen better days. In the last 2-3 years there have been 4-5 houses that have been renovated. The little town is trying to make a comeback. If this is enabled to be envelop Burney, it will be a death sentence, very few people will ever want to come and live anywhere near or in Burney. I would hope that for the sake of Burney and the other small towns around the county who are being under attack, no would be my vote on this, just like it was in the northern part of the county earlier this year, thank you.

Michael Dora; I have farmed most of my life and I live in Decatur County. I own farmland and have rented farm ground and agricultural facilities and I now rent my facilities to others. Over the years I have signed many contracts, upholding private property rights with nothing more that a handshake. It has been my bond when securing the use of another persons private property. Among other things, private property rights include the right to delegate, rent or sell any portion of the rights by exchange or gift, whatever the price the owner determines. If I am not allowed to buy some rights from you and you are not allowed to sell rights to me, private property rights are reduced. There are three basic elements, exclusivity of rights to choose the use of the resource, exclusivity of the rights to the service of the resource and rights to exchange the resource at mutual agreeable terms. If any of these three basic elements are reduced or eliminated, one or both of us have lost our private property rights. The ownership of my property is no longer my right of ownership. Nearly 89 years ago on November 18, 1935, a group of Decatur County farmers met at the Decatur County Courthouse to determine how to bring electricity to the unserved rural areas of the county. Not many in this room tonight ever remember being without electricity but it was a game changer. Over time so many things became powered with electricity and life became simpler and easier. As farming progressed there became a need for gasoline and diesel fuel. Many drilled natural gas wells. Later the production of ethanol from number 2 yellow corn became a game changer in the area. That also created pushback because of the worry that we could not meet that new demand and feed our livestock at the same time. With technology and a shift in crop rotation, corn prices did not go through the roof and the American farmer met the demand for more energy from the fields. Now there is a process by which we can meet our sensational appetite for electric power. One acre of solar panels can power an electric car 80 times farther per year than an acre of corn converted to ethanol. We should consider progress when it is beneficial and not fight it because it is different. Let's embrace our neighbor's property rights who want to legally lease their land and transition to a legal way of producing energy as they always have. Please support renewable energy.

David Isreal; The one thing I want to talk about is the amount of money that this could pull down into Decatur County. Hopefully we can show that and we get a chance to get that. Fire Departments in Decatur County don't get hardly any money at all. Ww went through the State, the County has helped us through local option income tax that comes out of the factory paychecks, the one thing that we really need to do is get behind the volunteer fire departments

where they need to be. You can't make it on \$25,000. Don't know where we are going to go and how we are going to do it, but if this will help us in the County, all fire departments, that is what we are looking for, to make it better. Thank you.

Ron Moore; I live at 1269 E CR 1000 S in Westport, this evening I will be speaking on how Cobia doesn't meet the Conditional Use of special exception #2 of the voting evaluation sheet and it states; {the use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area}. Cobia states that the projects anticipated useful life is at 40 years. It also says that the years represent is temporary use and will not consume the land for agriculture. They go on to say that this project supports agricultural land uses in the area and supports agricultural use for future generations. Keeping this in mind, how is this conditional use criteria, I want to reference another excerpt from the Decatur County Comprehensive Plan, it calls for the most productive farm land to be preserved and protected. It's just that simple. The average lifespan of a person in Indiana is approximately 75 years old, from the DCD.gov. That is 47% of their lifespan, in addition the average age of a farmer today is approximately 56 years old. The definition of temporary is something that is not permanent or lasts only a short time. Almost half of someone's lifespan is not the definition of temporary. In the 20 years when that farmer is no longer around, 20 years of potential farm land production is lost and tied up in solar lease. Lost to the next generation who went to college, studied ag or a related profession and is not looking to set new roots back home in Decatur County, Indiana. This project is not harmonious and goes against the Comprehensive Plan. Once again, it does not meet the conditional use special exception #2 so we ask that you please deny this application.

Jennifer McNealy; so, here we are again. First of all, (inaudible) family property is going to be adjacent, and by adjacent I mean right across the county road from one of the areas of the Cobia Project. Policy 10 of the Comprehensive Plan, if I have heard that once over the last year, I have heard it a dozen times. It mentions alternative energy, which solar is, it mentions wind as well. It also mentions methane collection. In January of last year, a methane collection, commercial facility not owned by the farmer, the farm its on, or connected with was approved by this board. So as farm as I am concerned, policy 10 is like a horse out of the barn. We have already set a precedent, that alternative fuel is ok, because that has been approved. This is a big auditorium. Lots of people in blue shirts and yellow, and lots of empty seats. If this place was full and everyone had a yellow shirt and took that side of this issue, we are still looking at 90+ percent of this community that didn't even care one way or another to show up. So when we talk about the majority is for or against and wants this and that, the majority is not even here. Earlier I heard about the Comprehensive Plan and Ordinance and how they established clear guidelines. I'm a little confused, maybe they are not quite so clear. What I have heard over the last 15 years is the message whatever it takes to farm. You need a bigger tractor, get it, sure it might damage the roads but its farming so it is all ok. You want to have some animals instead of row crops to diversify your operation, sure, that's ok. You want to confine them in a building instead of on the ground, sure, that's ok, you don't need to come to us unless you want to be too close to a setback. You want to concentrate that and make it more animals? Not a problem, we don't need to know about that either. So there has been to me a clear message sent that whatever a farmer needs to do to keep his operation viable for his family and the future generations of that family,

is okey dokey. These farmers just want to do the same thing. They want to look out for their future generations in the way they deem best. Why are we micro managing what they want to do? I will say one more thing, Lester is right, it is about the economy, land no longer being available for lease or rent. That is the crux of this situation, the problem is, it wasn't created here and not just because of solar or alternative fuel. This is the decades in the making problem that agriculture faces. We are challenged to get big or get out, and anything that is taken out means somebody can't get bigger right next door, that is the problem. I support the solar with what these people want to do for the generations of their families, because they own it. Thank you.

James Nelson; 6916 N Old US Hwy 421, St. Paul. I have lived here 20 years, I support the local farmer the best I can. What you are doing (inaudible) go at this a different way. This is about money. These people are investing 939 million dollars, how do they plan on getting paid back? Taxes, they say no, we will be paying you taxes. First of all, someone is going to come up and say we want a tax abatement. You gave it to Honda, after 10 years they wanted an improvement and an abatement on taxes for another 5 years. How long has Honda been out here? 15, almost 20 years. How long have they paid full taxes? Maybe 2 years. These people don't plan on paying the taxes like that. Also, the fence, they plan on putting up 71 miles of fence, I'm sorry I didn't move to the country to look at a metal fence painted green. I have trees, they want to plant trees, 2000 or so, do you know how long that is going to take for them to look right? 20 years? In 20 years they will be rebuilding their solar plant. How many of these buildings last 20 years that you don't have to remodel, the environmental impact, steel rusts, zinc and everything else. And the removal of the concrete when these people say they are done, who is going to pay for that? I'm not because I won't be here. This company won't be here either because they will be sold out and given to someone else. This is not right, they need to find out something else, quit taking my land from me. Thank you.

Daniel Straka; I am from the Land and Liberty Coalition. We are a project of the Conservative Energy Network. The last gentleman said something very interesting. He asked for you to not allow companies to take his land away from him. No one here from Cobia Solar is trying to take his land. There is a group of landowners behind me today that I am here to support that want to use their land, not someone else's land and not the County's land, the own that land. On my way here today listening to a pod cast and heard an interesting story about a small family out in Cuba. That family had a small mango tree outside of their house. They were told by their Government that they could not take a mango from that tree and feed their family or take from that tree and use it to sell so they could buy some food for their family to keep up with costs for their home. You here, if you deny this project like you have other projects, you are doing the same thing that the Government of Cuba was doing to that family, you are denying a family the opportunity to use their land the way that they feel so that they can feed their families so that they can have a better life for themselves. We live in a great county. A lot of us out here voted yesterday, I know a lot of us were very happy about the results, I know I was. But, if we do not allow these people to continue to use their land, we are going to end up like other countries, like Cuba and other places that don't have any respect for their citizens and their private property. So I ask that BZA and the citizens of Decatur County to respect the private property of their neighbors and allow them to use their land and allow for this project to be built.

Rick Hoeing; that will conclude our list that have signed up tonight. Are there any further folks in the crowd that would like to make comments?


Kaywin Lindsey; from Sandusky. I sit and listen to these 3 young fellas here that are from very prominent agricultural families giving a very elegant presentation. If they were in a sales course class, they would have gotten an A+, but something that just got swept under the rug from a recent survey. 85 ½% of the Decatur County Farm Bureau members are against this. I don't think that this board can ignore that. Thank you.

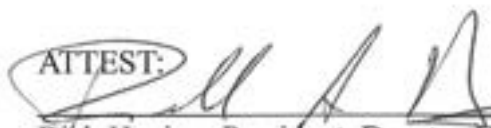
Lester Gurley; is this solar energy an LLC Corporation? No place on this screen today has it said anything about an LLC Corporation. **Rick;** we can ask that on a rebuttal.

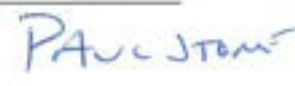
Wayne DeLong; WE recognize that your meeting is to end at 10 p.m. We have a list of topics that have been run across and certainly happy to bring up subject matter experts to run through the various topics such as fire safety and the LLC question. On the opening screen we mentioned in 2021 the creation of Cobia Solar, LLC, so yes, for the record that it is an LLC does exist with the Indiana State Secretary's Office. How do you want us to manage the remaining 30 minutes of this evening? **Rick;** I think if there are immediate topics that you can cover quickly, I think we will entertain those. There will be additional time at following meetings to go more in depth that you need to share. **Paul;** do you anticipate more than 30 minutes to respond. Wayne; I would say some are very detailed that would be best as one on one conversations, we could reach out to individuals who have, with this project for example, we have maybe 6 direct mailings that have gone out. Granted if someone is a renter and not an owner, there could be some delay in the post reaching them. We do have notes on some individuals that we are happy to address individually and certainly we don't want to avoid speaking to the room and addressing each topic so the group benefits from that same conversation. So probably what I would suggest here is we bring up Mr. Aaron Miller to speak to fire safety. Mr. Aron Caudill to speak to solar and voltaics and other items that are more general and broad. I don't believe that you are ready for in dept testimony on taxes. **Rick;** yes, so there's more information that we gained today on that topic that the Board needs to digest and spend time before we are really prepared to ask some direct questions to that. Debbie, Missy, are there any topics specifically that you wrote down that you feel like we should address tonight? Or is there anything from the Board specifically that you would like a response from tonight? **Paul;** I think you are right with addressing items such as fire safety, I think it makes sense to utilize them while they are here. **Wayne;** and definitely the team would appreciate, especially fire safety. It is a complex and detailed topic, probably will want to dedicate five minutes or so to that. Let's start there and then we can work to curate those larger hunks of topics to address and work to find that subject matter expert to talk through those and then we will see where we land at 10, and we are also interested in talking, are you anticipating us coming back in 30 days for your December 4th meeting, we are certainly looking at a future meeting. Will see where we are in 30 minutes. **Rick;** in light of the information gathered here tonight, we still need time to review, I think this seems like an adequate point the we can reconvene. The December meeting, Missy would that be an appropriate time for rebuttal? **Missy;** it definitely will be carrying over on the agenda, there was some additional talk tonight about some additional meetings for some of the agreements. Maybe we can, in the next week, figure out if it will be appropriate to come back publicly or let it pend until the next month. Not sure when those meetings will happen regarding the various agreements. **Matt Neumann;** we

are reflecting that we are allowing the record to reflect that we are being continued, we are open to that. We would be glad to memorialize that in the record. In terms of timing, I think we are describing that we may pace off of when that other county meeting is set. Wayne, you are in direct contact with Mr. Ortman? **Wayne**; yes, Mr. Ortman did reach out we are waiting, we were provided with dates starting this Friday all the way through the 19th of this month, dates that would work with the project team. We are aware of a letter that came in from Miss Breanna Schroeder, an attorney representing some of the landowners in Cobia. That letter mentioned something about a bus tour and so, certainly we are happy to assist in facilitating that, certainly will strive to help that occur prior to December 4th. With the holiday and then subsequent holiday following up. It may be challenging to find transportation for that, but it is definitely something on our radar. **Matt**; I guess, Wayne, are we comfortable leaving it uncertain. Are we going to pace off of when the county meetings are set and what is talked about at that meeting and allow that dialog to get a little further along before we've committed to that meeting? **Wayne**; I would say for the benefit of this room, we need a date certain continuance of this matter so everyone has a full clear understanding that the next hearing can be a solar will appear on December 4th or whatever your calendar facilitates. **Rick**; I think at this point, correct me if I'm wrong Missy, we are comfortable continuing this topic to the December 4th meeting at which time there is still additional information that we need to gather we may continue to table that at that time. If you need a certain date to work off of, the December 4th meeting would be the next official BZA meeting if that suffices. **Wayne**; that would be excellent. **Rick**; In the meantime the county will continue to work through the process of the petition and the application. **Wayne**; fantastic, thank you again. **Rick**; that will conclude the information we have for tonight.

Paul Stone made a motion to adjourn at 9:37 p.m.; **Scott Smith** seconded the motion. Meeting was adjourned.


Decatur County Board of Zoning Appeal
Secretary, Janey Livingston

ATTEST: 
Rick Hoeing, President, Decatur County Board of Zoning Appeals



You-tube video recording available at:

https://www.youtube.com/live/v8zm_G-tzaY?si=yHQgWm0kneZbqmsF