

Proceedings of the Public Hearing

Clark County

June 10, 2025

A Public Hearing was held on June 10, 2025, regarding two solar projects in Clark County. The hearing was called to Order by Chairman Rex Goble. County Clerk Laura Lee led the pledge of allegiance.

ROLL CALL	6:00 P.M.
Rex Goble	District #1
Brandon Burkybile	District #2
Jim Bolin	District #3 Absent
Randal Stephens	District #4 Absent
Susan Guinnip	District #5
Todd Kuhn	District #6
Mike Parsons	District #7

Chairman Rex Goble opened the hearing explaining that the reason we are having a public hearing now and did not for the Darwin Ferry or Blue Mound nka County Run Solar projects, is that the County did not have a solar siting ordinance in place at that time. He further stated that this is not to promote solar fields or where they are located or to tell landowners what they can or cannot do with their land. There will be more public hearings in the future as new projects submit applications. Chairman Goble then turned the hearing to the Moonshine Solar Park representatives.

Jack Dinnie is the Development Project Manager for EDP and he was present with his team, Jesse Eick, Chuck Ayres and Thomas Loturco. Dinnie gave a background of EDP's history. EDP has 1665 acres under contract with 20 private landowners all located in Johnson Township. EDP has met with Township officials as well as County. Construction is expected to start after this year's harvest and hoping to be completed at the end of 2026 and operational by 2027. Dinnie stated that EDP is committed to staying involved in the project long term. EDP is a developer, owner, and operator of the project and will be involved in the community and be present throughout the life cycle of the project. This is a \$250 Million investment in Johnson Township and Clark County. EDP strives to contract with construction companies locally. The tax revenue over the life of the project (35 years) is expected to be \$23 Million.

The Hearing was then opened up to the Board and the Public for any questions. Max Burkybile was the first one to respond. He owns and lives by the solar project that is known as County Run Solar located on Route 49. Burkybile stated that in the last 10 days he has received a request to lease land from a company in North Carolina and feels that Clark County is being over saturated with solar projects. Burkybile asked the representatives of EDP what are the plans after the project is over and where the panels are coming from? Burkybile also stated that any agronomist will say that it is impossible for the land to be the same as before the project. Loturco with EDP responded that the solar panels are made in Toledo, Ohio with First Solar and another agreement with QCells in Georgia. Loturco defined what happens at the end of the project (decommissioning plan). He said that this is a flat site and avoid grading as much as possible. The topsoil is put back on the end and the topsoil is never mixed between landowners.

Ed Talbert from Johnson Township lives in the center of the Moonshine Solar Project. He asked if the water runoff assessment was completed yet and was told that it is running right now with an aerial

survey. The mission of EDP is to maintain or improve the runoff and not affect the surrounding parcels. Dinnie said that he would share the results when he has them. Loturco stated that when the property goes from being tilled land to solar panels with grass, the stormwater quantity and quality improve because it is not tilled land running off. Talbert then asked the Board how something can be approved if the plans are not complete. It was explained that there are still things that will be finalized before the building permit. The permit that is being applied for at this time, is a special use permit application with high level designs and lets the process start. Talbert mentioned that in the "Big Beautiful Bill" the funding for solar projects tax incentives or tax credits could be rescinded and asked if the funding would go away and not being able to build this project? Loturco responded that this will not affect this project's funding. Basically, the funds have already been appropriated and EDP uses revenue from other projects to invest in new ones.

Dusty Hickox also lives next to the Moonshine Solar Park project and stated that he talked to some representatives from EDP that it would have no impact on his land and home value. Hickox stated that this is not the case. Hickox also mentioned that the landowners who signed the lease were offered a price that couldn't be turned down. Loturco with EDP responded that Hickox's farmland will remain as productive farmland and the value should remain the same. A property value study was completed by a third party in Loturco's home county, and they found that there wasn't an impact on the home's value. Dusty's wife, Jennifer, asked about who is keeping her Family safe if there is a large-scale fire. Loturco stated that with the higher tax basis, funds can be used to purchase the proper equipment, training, etc.

Richard Talbott stated his home is going to be surrounded by solar farm and asked if the company would go bankrupt, who is responsible for cleanup? Loturco replied that there are multiple levels of protection that the landowner and the county have. EDP is a publicly traded company, so their financials are online. Also, the banks that have financed the project have step in rights. This means that they would have to take in all the obligations for the project in case of bankruptcy. The banks are J P Morgan Chase, Bank of America and US Bank. If there are issues with one of the banks, there is then a letter of credit or bond that can be drawn on to decommission the project. The amount of the bond is re-visited every five years, and the bond is in favor of the township.

Steve Graham asked a question about the County Run Solar project. Graham stated that thousands of tons of clay was hauled in and laid on top of black dirt, and his question is whether the land will be the same as when the project was started. Loturco explained that this seemed to be an unusual way of doing things but can't really answer why it was done that way. Loturco further explained that the better way to do this is to minimize the disturbance and grading. Their process is to cut and fill all on the exact same parcel and that it is seeded and should have the same base. Jesse Eick with EDP commented on the soil mixing question. He said that in 2018 the IL Dept of Agriculture developed the solar specific Agricultural Impact Mitigation Agreement (AIMA) that is in place to protect the landowner's current plans and decommissioned in the correct way. The Dept of Agriculture permit has requirements to avoid mixing. The DOA is required to come out and inspect during construction, after construction, during operations and decommissioning.

Tom Wernz stood up and said that the representatives from the Companies are here to placate the community. His brother lives by the solar farm in Darwin and feels that it has devalued his home and land. The other issue is that the solar farms are being built on prime farm ground. Wernz feels that if the subsidies were removed, the projects would not be happening. He is urging everyone to call their congressmen.

Richard Talbott stated that this land is going to be out of production for 30 years and the question is how many acres nationwide are going out of production? The other thing that he is questioning is that Clark County does not receive any of the electricity. Loturco replied that the farm ground was

chosen is that it is very difficult to find locations on the grid that allow for the interconnection for the project and has the capacity. EDP has a project in Southern Indiana on a reclaimed coal mine. The land is very hilly and will take a lot more work to build. It was chosen because there was capacity on the grid. Loturco also addressed the tax credits and in his 18 years he has worked in places that have tax credits and areas that do not have tax credits. The tax credit reduces the rate payer impact by impacting the taxpayer. Also, because the demand has increased for electricity, the cheapest and most ready technologies to deploy is solar and wind.

Chairman Goble introduced the team from Suncode Energy to talk about their project that is located east of the Martinsville fairgrounds.

Suncode Energy Team spoke about their Community Solar Project. Sean Pluta represents Suncode Energy on their Summit Projects. This type of project is called a community solar project. Each of these projects will produce 5 MW. Pluta stated that the Community Solar Projects are different than a solar farm because the community farms go directly into the distribution grid instead of the substation. This is six different projects on one rectangle of land. AIMA that was explained earlier is signed with the solar companies and the State of Illinois. IDNR and US Wildlife regulate protecting animals and the habitats of the animals. The local road districts are included in the project and a signed road use agreement is signed with the proper entities. Mr. Pluta then turned it over to Deric Wagner, the Director of Development with Suncode Energy. He said that Suncode develops all over the United States and some overseas. They specialize in solar and battery storage. Wagner stated that Suncode Energy takes care of all facets of the project. Sean Hickey spoke next. He is with the Kimley-Horn Engineering Firm. He has worked on several projects throughout Illinois. This is six co-located projects. Each one is separate due to the 5 MW capacity and each one will have a different interconnection pole. This project does not have very many residential homes that abut the solar farm. Deric Wagner then talked about the economic and environmental benefits. He mentioned the CO2 offsets which is 54 metric tons. The solar facility will generate enough power to provide electricity to 6,000 to 7,000 homes and Ameren customers will be able to apply for a discount. The tax revenue generated over the life of the project will be a benefit to the Martinsville School District for approximately \$2.5 Million. Suncode Energy is also creating jobs and hiring all local prevailing wages for construction. Wagner stated that this project is completely funded by Suncode Energy. Sean Hickey then spoke about the site. There are six projects on the same site that will be fenced separately and treated as their own legal entity. There will be a series of access roads to each site and will be their own system. The only piece of equipment that will create noise is an inverter. A sound study was completed and when standing next to the inverter, it sounds like an old refrigerator humming. There will be 6 pole farms that are located outside of the fence so that Ameren can service them. There is a plan that is submitted to the Illinois Department of Agriculture and approved by them to prevent stormwater runoff that must be adhered to, or it can be revoked. There is a decommissioning plan similar to EDP's that gets revisited every five years. Sean Hickey also addressed concerns about drain tiles. He stated that if the construction company breaks it, they must replace the tiles. It was asked how many acres are involved and Sean Pluta answered that 236 is the whole project. The solar panels will be on less acreage.

The question was asked if the solar farms would make the taxes go down? Sean Pluta answered that the reason that he and EDP know with certainty what the tax rates are is that the State mandates the calculation of the property tax assessment for solar farms. It is the Megawatt that is produced by the solar farm and multiply it by a rate. This figure is the assessed value and then take this by the property tax rate.

Some representatives from local union halls were at the meeting and questioned if local expertise was going to be used on these projects. They explained how important it is to use experienced local people and that a lot of Clark County residents are making good money on the solar construction

sites. Pluta said that they are required to pay prevailing wages.

Highway Engineer Richardson asked Suncode panel to explain what the intent is behind community solar projects in IL and the Equitable Energy Act. Sean Pluta said that the Climate Equitable Jobs Act is like the “Big Beautiful Bill” in that there are a lot of moving pieces. This Act allowed Counties to file a solar siting ordinance even though there is no zoning. This Act also relates to how power is built in the future. Power Plants are reaching the end of their useful life and need to figure out how to re-power them. Pluta named coal, natural gas, solar, wind as potential resources and which is the best and reliable. He also said that with the declining cost to build wind and solar that even without subsidies, it makes these two sources more competitive. He went on to explain why these community 5 Megawatt solar projects are significant. 1. It feeds the distribution grid as opposed to a utility scale transmission grid. 2. Trying to encourage Ameren and Comm Ed to invest in solar and everyone feel an investment in this project by receiving a discount.

Ed Talbert moved from Chicago to Johnson Township. He retired from being an electronics engineer. His concern is that if EDP has been in the area for two years, why is he just now hearing about the solar farm? Dinnie responded that when they first come to an area, they do not have the details of the whole project at that time and now are sharing with the community. Loturco said the Township posted something on the Township Facebook page a couple of years ago. Talbert stated that he is not on social media so that was not helpful to him. Talbert also had concerns about the trees. Dinnie said that the trees will be put on the outside of the fence per the setback of the ordinance.

Jenniferr Hickox brought up concerns about emergency management plan. It was explained that part of the application process is to have an emergency response plan. Dusty Hickox asked the Board if they would vote no on their building permit. The response was that the Board would be sued if the companies were compliant and a no vote was given.

Bob Zellers asked if the Summit Project would be looking for more acreage to add to this project down the road. Wagner with Suncode said that they would not. These are at their maximum size due to the capacity of the grid. To make this bigger would require a very expensive substation to be built. Zellers mentioned that he and his neighbors have been contacted by wind companies to lease their land.

Debbie Pleij asked if the companies looked for locations based on capacity. She then asked if both projects are at capacity, then how many other substations are there and what can residents anticipate for projects in the future. Loturco with EDP said that the grid is so jammed right now and it would take a massive amount of upgrades for any more large projects. Smaller projects are still able to be completed. Wagner confirmed that Ameren makes the decision on how much the grid can handle.

Daniel Duzan brought up that what is happening feels like Imminent Domain. The representatives explained that the landowners signed an agreement and that they are not just taking the land. Duzan argued that even though the land owners want it, the neighbors will be the ones affected by it. The Public Hearing concluded at 8:05 P.M.

IN ATTENDANCE: Tom Loturco – EDP; Jesse Eick – EDP; Jeff Boyer - McCarthy; Max Burkybile; Debbie Pleij; Jack Dinnie – EDP; Chuck Ayers – EDP; Tresa Morris; Kevin Buenker – IUOE Local 841; Wes Lahman – Laborers Local 159; Noah Rohde – Laborers Local 159; Linda and Monte Page; Edward and Karen Talbert; Daniel Duzan; Zack Adams; Tim Kinnaman; Kim and Steve Graham; Larry Woodard; Jeff Kinyon; Gene Kannmacher; Deric Wagner; Sean Hickey; Chris Cooper; Bob and Angela Zellers; Josh Wallace; Richard Talbott; Dusty and Jennifer Hickox; Lindsey Vogt – Farm Bureau; Brad Huddlestun; Debbie Shanks.