

RESOLUTION

IN THE MATTER OF FINAL APPROVAL OF AN ALTERNATIVE ENERGY SITE/PROJECT IN HARTFORD AND BENNINGTON TOWNSHIPS AS PROPOSED BY HARVEY SOLAR I, LLC

WHEREAS, Ohio R.C. § 5727.75 allows a “qualified energy project” using renewable energy resources to be exempt from real and tangible personal property taxation should certain conditions be satisfied; and,

WHEREAS, the Director of the Development Services Agency (DSA) must first certify a proposed project in accordance with the provisions of Ohio Administrative Code Chapter 122:23-1 before that project is deemed to be a qualified energy project; and,

WHEREAS, Harvey Solar I, LLC (the “Company”) desires to construct the Harvey solar project, a new 350-megawatt solar energy generation facility, on multiple parcels of land located within Bennington and Hartford Township, Licking County, Ohio (the “Project”); and,

WHEREAS, the Company submitted an application for certification of the project to DSA on March 23, 2022, copies of which are attached hereto as Exhibit A and incorporated herein by reference; and,

WHEREAS, pursuant to R.C. § 5727.75(E)(1)(b), the Board of County Commissioners of Licking County, Ohio (the “Board”) is permitted to adopt a resolution approving or rejecting the Project’s application for certification; and,

WHEREAS, the Board may require an annual service payment to be made in addition to the service payment required under R.C. § 5727.75 (G), provided the sum of the service payment required in the resolution and the service payment required under R.C. § 5727.75 (G) shall not exceed \$9,000 per megawatt of nameplate capacity located in the County and the resolution specifies the time and manner in which the payments required by the resolution shall be paid to the County’s treasurer; NOW, THEREFORE,

BE IT RESOLVED by the Board of County Commissioners, County of Licking, State of Ohio:

Section I. The Board hereby approves the Project’s application for certification as submitted to DSA as noted above, which shall exempt the Project, pursuant to R.C. § 5727.75, from otherwise applicable public utility personal property taxes and real property taxes.

Section 2. The approval of the Project’s application for certification pursuant to this Resolution is expressly conditioned upon the payment by the Company, or successor owner of the Project, of an annual service payment in lieu of taxes (“PILOT”) and an additional annual service payment as provided in R.C. § 5727.75 (E) and (G), and as more specifically set forth as follows:

- A. The amount of the annual PILOT shall be \$7,000 per megawatt, multiplied by the nameplate capacity in megawatts of the energy project as set forth in R.C. § 5727.75(G)(1) as it is a solar energy project.
- B. The amount of the additional annual service payment as provided in R.C. § 5727.75(E) shall be \$2,000 per megawatt, multiplied by the nameplate capacity in megawatts of the energy project.
- C. Accordingly, the combined annual payments shall be equal to \$9,000 per megawatt, multiplied by the nameplate capacity in megawatts of the energy project.
- D. Payments pursuant to this resolution shall be made to the Licking County Treasurer. The payments shall be required and paid for each tax year for which an exemption is granted.
- E. The Licking County Treasurer shall deposit the funds received as payments in compliance with this resolution into the appropriate fund of the County and shall make distribution of the funds as follows:
 - i. Payments derived from the PILOT under R.C. § 5727.75(G) shall be distributed to the various taxing districts within which the project is located according to the millage in those respective taxing districts with any funds thereby owed to the County to be deposited to the credit of the general fund as further specified below;

Continued

- ii. Payments derived from the additional annual service payment under R.C. § 5727.75(E) shall be deposited into the general fund of the County to be deposited to the credit of the general fund as further specified below;
 - iii. All payments deposited to the credit of the general fund under either of the two preceding paragraphs shall be credited to a revenue line designated substantially as “AEZ capital and infrastructure improvement revenue” as was authorized to be created in Resolution 108-361-A which was adopted on April 29, 2021.
- F. The payments required by this resolution shall be charged and collected at the same time and in the same manner as the taxes imposed on taxable property subject to assessment under Ohio Revised Code Chapter 5727.
- G. If not already done in response to Resolution 108-361-A which was adopted on April 29, 2021, the Licking County Auditor shall create a revenue line within the General Fund entitled “AEZ capital and infrastructure improvement revenue” wherein payments received pursuant to this resolution can be deposited with the intent that such funds be substantially dedicated for capital improvements and infrastructure upgrades throughout the County.

Section 3. This Resolution applies only to the creation of an Alternative Energy Zone as to this Project pursuant to R.C. § 5727.75(E)(1)(b), and thus the adoption of this Resolution shall not constitute the creation of a county-wide Alternative Energy Zone pursuant to R.C. § 5727.75(E)(1)(c).



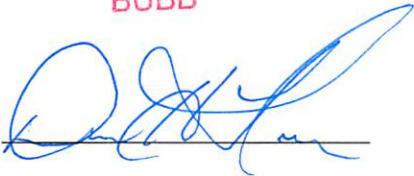
Section 4. Nor does this Resolution bind the County to approve any future “qualified energy projects” pursuant to R.C. § 5727.75, nor does it, if some future project is approved, bind the County to the same terms as set out herein.

Section 5. All formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and all deliberations of the Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, or otherwise, in full compliance with applicable legal requirements, including R.C. § 121.22.

Section 6. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Motion by **FLOWERS** seconded by **BUBB**

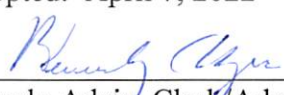
that the resolution be adopted was carried by the following vote:

YEAS:  *  * 

NAYS: _____ * _____ *

CC: Ken Oswalt, Compliance Officer File

Rick Black
 Timothy E. Bubb
 Duane H. Flowers

Adopted: April 7, 2022

 Beverly Adzie, Clerk/Administrator



Mike DeWine, Governor
Jon Husted, Lt. Governor

Lydia L. Mihalik, Director

March 28, 2022

Licking County Commissioners
20 S. 2nd Street
Newark, OH 43055

Re: Qualified Energy Project Application – Harvey Solar I, LLC

Licking County Commissioners:

The attached application for certification of a qualified energy project was received from Harvey Solar I, LLC on February 23, 2022. The proposed project has a nameplate capacity in excess of twenty megawatts. Therefore, in accordance with section 5727.75(E)(1)(b) of the Ohio Revised Code, a copy of the application is being forwarded for your review. The Revised Code indicates that “any board that receives from the director a copy of an application submitted under this division shall adopt a resolution approving or rejecting the application unless it has adopted a resolution under division (E)(1)(c) of this section...The board shall send copies of the resolution by certified mail to the owner of the facility and the director within thirty days after receipt of the application, or a longer period of time if authorized by the director.” Adopting a resolution approving the project will require Harvey Solar I, LLC to remit a payment in lieu of taxes to the county in exchange for an exemption from public utility personal property taxes and real property taxes. Alternatively, if the County has previously been designated as an alternative energy zone under section 5727.75(E)(1)(c) and the resolution has not been revoked, please provide a copy of the resolution designating the County as an alternative energy zone.

Ohio Administrative Code section 122:23-1-04 goes on to indicate that “the board shall be entitled to receive, and the director shall grant, one extension of thirty days. The board may request a further extension of time to consider a resolution approving or rejecting the application, but any further extension may be granted or denied in the director's discretion.”

Please let me know if you have any questions or require an extension of the thirty-day response period. I can be reached at (614) 466 – 6791 or John.Werkman@development.ohio.gov.

Regards,

John Werkman
Chief, Business Services Division
Ohio Department of Development

first sentence should
read March 23
not February 23

Ohio Qualified Energy Project Tax Exemption
Program Application for Certification



Development
Services Agency

Mike DeWine, Governor
Jon Husted, Lt. Governor

Lydia L. Mihalik, Director

Instructions: This application is to be completed by an owner or lessee pursuant to a sale and leaseback transaction of an energy project which seeks to obtain certification as a Qualified Energy Project under Ohio Revised Code (ORC) section 5727.75 and Ohio Administrative Code sections 122:23-1-01 through 122:23-1-10. This application should only be submitted for energy projects (1) whose alternating current nameplate capacity exceeds 250 kilowatts, and (2) the electricity generated will be supplied to a third party or is subject to a net metering agreement.

If you have any questions about this application, please contact John Werkman, Assistant Chief, Business Services Division:

(614) 466-6791 | John.Werkman@development.ohio.gov

A complete application (including all required attachments) will be considered received when delivered to the following address:

Ohio Development Services Agency
Office of Strategic Business Investments
Attn: John Werkman, 28th Floor
77 S. High St.
Columbus, OH 43215

PART I: Applicant Information

Type of Applicant: Owner Lessee

Applicant Legal Name: Harvey Solar I, LLC

Applicant Address: 1105 Navasota Street

Applicant City, State, Zip: Austin, Texas 78702

Applicant FEIN: 38-4016641

Applicant State of Incorporation: Delaware

Ohio Secretary of State Registration Number: 4093368

Applicant Contact Name: Douglas Herling

Applicant Contact Address: 1105 Navasota Street

Applicant Contact City, State, Zip: Austin, Texas 78702

Applicant Contact Phone: 512-524-1195

Applicant Contact Email: doug@openroadrenewables.com

PART II: Project Information

Type of Energy Resource: (Check one)

Renewable Energy – Solar Renewable Energy – Wind

Renewable Energy – Other (please describe) _____

Estimated Construction Start Date: 12/01/2023

Estimated Construction Completion Date: 12/31/2024

Project Description:

Harvey Solar I, LLC is a proposed 350 Megawatt alternating current utility-scale solar facility located in Hartford and Bennington Townships, Licking County, Ohio. Harvey Solar plans to utilize photovoltaic solar panels mounted on a single-axis tracking system mounted on driven steel foundations. The project will occupy approximately 2,600 acres of an approximately 4,000 acre leased area.

PART II Continued...

Alternating Current Nameplate Capacity of Facility in Megawatts (MW): 350 MW

Project Address: Clover Valley Road, Croton, OH 43013

Project Local Jurisdiction(s): Hartford Township + Bennington Township

Project County(ies): Licking County

List each fire department/emergency responder force serving any part of the project site:

Hartford Fire + EMS, Licking County Sheriff's Office, Village of Hartford Police Department

Include an attachment identifying all real property parcels projected to be affected by the project. **Attachment A – See attached template**

Include a list of all taxing units projected to be affected by the project, including mailing addresses. **Attachment B – See attached template**

Include a list of all licenses, permits and approvals required to be obtained. **Attachment C – See attached template**

PART III: Certification

I certify to the State of Ohio, through the Ohio Development Services Agency (ODSA), that I hold the position and title set forth below and that I am duly authorized by the Applicant to submit this application for certification of an energy project pursuant to Ohio Revised Code Section 5727.75.


I further certify to the State as follows:

1. The information provided by the Applicant in this application is true, correct, and complete. I understand that ODSA will rely on the information provided in this application to make a determination with respect to an award of economic development assistance, and I acknowledge that certain false statements made in this application or failure to provide requested information may cause the Applicant to be ineligible to receive the economic development assistance requested in the application or any future economic development assistance from the state.
2. No portion of the energy facility that is part of the energy project which is the subject of the application supplied electricity before December 31, 2009.
3. As of the date of this application, the Applicant has complied with all regulations applicable to the energy project which is the subject of the application, and the Applicant acknowledges its obligation to continue to comply with all applicable regulations.
4. As of the date of this application, the Applicant has complied with the provisions of Section 5727.75(F)(8) of the Revised Code regarding offers to sell power or renewable energy credits from the energy project.

I acknowledge that the application for certification must be complete and accompanied by all required supporting documentation to be considered by ODSA.

Name of Authorized Representative: Cyrus Tashakkori

Position/Title: President

Signature: 

Date: 3/23/2022

Attachment A - Real Property Listing

Parcel Number	Owner	Address	County	Acreage for Improvements	Real Property Used Exclusively for Power Production?*
027-082284-00.000	Jim & Carol Clever	15218 DOWNING RD, CROTON, OH 43013	Licking	314.479	No
027-083886-00.000	Jim & Carol Clever	SCHOOL LANE RD, CROTON, OH 43013	Licking	46.3	No
027-082782-00.000	Jim & Carol Clever	DOWNING RD, CROTON, OH 43013	Licking	25.768	No
027-083898-00.001	Jim & Carol Clever	CLOVER VALLEY RD, CROTON, OH 43013	Licking	80.573	No
027-082788-00.000	Jim and Carol Clever	13577 FOUNDATION RD, CROTON, OH 43013	Licking	39.37	No
027-082302-00.003	Jim and Carol Clever	13746 FOUNDATION RD, CROTON, OH 43013	Licking	2	No
027-082500-00.000	Clever Farms Inc	FOUNDATION RD, CROTON, OH 43013	Licking	63	Yes
027-082506-00.000	Clever Farms Inc	FOUNDATION RD, CROTON, OH 43013	Licking	12.5	No
027-082518-00.000	Clever Farms Inc	13492 FOUNDATION RD, CROTON, OH 43013	Licking	79.44	No
027-083124-00.000	Clever Farms Inc	12378 FOUNDATION RD, CROTON, OH 43013	Licking	39.43	No
027-083112-00.000	Clever Farms Inc	FOUNDATION RD, CROTON, OH 43013	Licking	43	No
027-083100-00.001	Clever Farms Inc	FOUNDATION RD, CROTON, OH 43013	Licking	41.588	No
027-082560-00.001	Larry Cooperrider	SINKEY RD, CENTERBURG, OH 43011	Licking	106.8	Yes
027-083580-00.000	Larry Cooperrider	CLOVER VALLEY RD, CROTON, OH 43013	Licking	68.87	No
027-082386-00.000	Larry Cooperrider	12642 FOUNDATION RD, CROTON, OH 43013	Licking	80	No
027-082404-00.000	Larry Cooperrider Exempt Trust	13143 TAGG RD, CROTON, OH 43013	Licking	68	No
027-082410-00.000	Larry Cooperrider Exempt Trust	13143 TAGG RD, CROTON, OH 43013	Licking	19	No
027-082164-00.000	Thistlegate 6, LLC	CROTON RD, CROTON, OH 43013	Licking	184.53	No
027-083910-00.000	Joe & Janice Dible	13835 FAIRGROUNDS RD, CROTON, OH 43013	Licking	147.36	No
027-083736-00.000	Glenn Michael Ullom and Katherine Zogelman	LOVERS LN, CROTON, OH 43013	Licking	27	No
027-083436-00.000	Glenn Michael Ullom and Katherine Zogelman	LOVERS LN, CROTON, OH 43013	Licking	92.89	No
027-083868-00.000	Pura Vida Ranch LLC	DOWNING RD, CROTON, OH 43013	Licking	33.06	Yes
027-083274-00.000	James Richard Mathews Jr and Rhonda Kay Robinson	CLOVER VALLEY RD, CROTON, OH 43013	Licking	48.92	Yes
029-086886-00.001	James R Mathews	15765 CLOVER VALLEY RD, CENTERBURG, OH 43011	Licking	11	No
027-082188-00.001	Thistlegate 11, LLC	ROBERTS RD, CROTON, OH 43013	Licking	23.2	Yes
027-082194-00.000	Thistlegate 10, LLC	TAGG RD, CROTON, OH 43013	Licking	69.75	No
027-082392-00.000	Thomas W. Cooperrider Exempt Trust	13143 TAGG RD, CROTON, OH 43013	Licking	87.78	Yes
027-082398-00.000	Thomas W. Cooperrider	11763 TAGG RD, CROTON, OH 43013	Licking	38	No
027-082434-00.000	Thomas W. and Brenda K. Cooperrider	ROBERTS RD, CROTON, OH 43013	Licking	49.7	No
027-083586-00.000	Theron LLC	RHODEBACK RD, CROTON, OH 43013	Licking	48.58	No
001-001164-00.000	Theron LLC	RHODEBACK RD, CROTON, OH 43013	Licking	24.49	Yes
027-083586-00.003	Farmcroton LLC	14220 RHODEBACK RD, CROTON, OH 43013	Licking	43.6	No
001-001164-00.001	Farmcroton LLC	RHODEBACK RD, CROTON, OH 43013	Licking	79.29	No
027-082248-01.002	Joshua A and Jennifer L Hupp	14265 RHODEBACK RD, CROTON, OH 43013	Licking	55.77	No
027-083730-00.000	Joshua A and Jennifer L Hupp	14765 RHODEBACK RD, CROTON, OH 43013	Licking	50	No
027-082590-00.000	Barry E and Diana S Hupp	13815 RHODEBACK RD, CROTON, OH 43013	Licking	100	No
027-083646-00.000	Barry E and Diana S Hupp	FAIRGROUNDS RD, CROTON, OH 43013	Licking	91.69	No
027-082560-00.000	Josh, Caleb, Jacob Davidson	15715 SINKEY RD, CENTERBURG, OH 43011	Licking	44.45	No
027-083634-00.000	Bernice M Siegesmund	SINKEY RD, CROTON, OH 43013	Licking	48.08	No
027-082422-00.000	Jim Cooperrider	13776 ROBERTS RD, SUNBURY, OH 43074	Licking	131.64	No
027-082422-00.001	Jim Cooperrider	13734 ROBERTS RD, SUNBURY, OH 43074	Licking	1.86	No
027-082416-00.000	James Cooperrider Exempt Trust	13143 TAGG RD, CROTON, OH 43013	Licking	79	No
027-082446-00.000	Clarice Cramer Et Al	12957 ROBERTS RD, CROTON, OH 43013	Licking	55	No
027-082458-00.000	Clarice Cramer Et Al	11816 DOWNING RD, CROTON, OH 43013	Licking	84.83	No
027-083862-00.000	Joe & Diane Wilson	12038 DOWNING RD, CROTON, OH 43013	Licking	79.41	No
027-082440-00.000	Joe & Diane Wilson	12836 ROBERTS RD, CROTON, OH 43013	Licking	25	No
027-082446-00.001	Joe & Diane Wilson	12927 ROBERTS RD, CROTON, OH 43013	Licking	5	No
027-082650-00.000	Clarice Cramer Et Al	11816 DOWNING RD, CROTON, OH 43013	Licking	28.66	No
027-082638-00.000	Clarice Cramer Et Al	DOWNING RD, CROTON, OH 43013	Licking	34.99	No
027-082596-00.000	Clarice Cramer Et Al	BETHEL RD, CROTON, OH 43013	Licking	21.96	No
027-083100-00.000	Clarice Cramer Et Al	CLOVER VALLEY RD, CROTON, OH 43013	Licking	124.03	No
027-082452-00.000	Clarice Cramer Et Al	ROBERTS RD, CROTON, OH 43013	Licking	25	No
027-083058-00.000	Clarice Cramer Et Al	FAIRGROUNDS RD, CROTON, OH 43013	Licking	45.02	No
027-082260-00.000	Clever Family Trust	11472 SCHOOL LANE RD, CROTON, OH 43013	Licking	77.53	No
027-082314-00.000	Clever Family Trust	12819 FOUNDATION RD, CROTON, OH 43013	Licking	93.6	No
027-082302-00.000	Clever Family Trust	13676 FOUNDATION RD, CROTON, OH 43013	Licking	96.37	No
027-082296-00.000	Clever Family Trust	COUNTY LINE RD, CROTON, OH 43013	Licking	62.77	No
027-082656-00.001	Jeff & Shirley Boudinot	13594 CLOVER VALLEY RD, CROTON, OH 43013	Licking	16.89	No
027-082758-00.000	Timothy Kain	13823 CROTON RD, CENTERBURG, OH 43011	Licking	84.72	No
027-082758-00.001	Robert Kain	CROTON RD, CROTON, OH 43013	Licking	84.54	No
027-084144-00.000	Henson	14028 CROTON RD NW, CENTERBURG, OH 43011	Licking	3	No
027-081960-01.000	Dennis Burkett	CROTON RD, CROTON, OH 43013	Licking	14.05	No
027-083004-00.000	Heampstead Family Trust	CROTON RD, CROTON, OH 43013	Licking	54.28	No
027-083964-01.000	Dwight Piper Trust, Allen Trust	13103 DOWNING RD, CROTON, OH 43013	Licking	20	No
027-083952-00.000	Dwight Piper Trust, Allen Trust	13103 DOWNING RD, CROTON, OH 43013	Licking	41.31	Yes
027-083082-00.001	Robert and Deborah Carr	CLOVER VALLEY RD NW, CROTON, OH 43013	Licking	81.62	No
027-081972-00.000	Robert and Deborah Carr	SINKEY RD, CROTON, OH 43013	Licking	155.42	No
027-082962-00.000	Rachel A. Harrison Irrevocable Keystone Inheritance Trust	WESTLEY CHAPEL RD, JOHNSTOWN, OH 43031	Licking	93.98	No
027-082932-00.000	Rachel A. Harrison Irrevocable Keystone Inheritance Trust	DOWNING RD, JOHNSTOWN, OH 43031	Licking	20	Yes
027-082944-00.000	Rachel A. Harrison Irrevocable Keystone Inheritance Trust	11633 DOWNING RD, JOHNSTOWN, OH 43031	Licking	198.48	No
027-083136-00.000	Harrison Family Trust	COUNTY LINE RD, SUNBURY, OH 43074	Licking	105.92	No
027-082920-00.000	Harrison Family Trust	WESTLEY CHAPEL RD, JOHNSTOWN, OH 43031	Licking	76	No
027-082944-00.001	Harrison Family Trust	COUNTY LINE RD, JOHNSTOWN, OH 43031	Licking	9	Yes
027-082806-00.000	Harrison Family Trust	BETHEL RD, CROTON, OH 43013	Licking	9	Yes
027-082794-00.000	Harrison Family Trust	COUNTY LINE RD, JOHNSTOWN, OH 43031	Licking	10	Yes

Attachment B - Taxing Unit Listing

Taxing Authority (see ORC 5705.01 (C))	Taxing Authority Name	Taxing Authority Address	Taxing Authority City	Taxing Authority Zip Code
Hartford Township	Fire and EMS	P.O. Box 203	Croton	43013
Hartford Township	Road and Bridge	P.O. Box 203	Croton	43013
Hartford Township	General Fund	P.O. Box 203	Croton	43013
Licking County	Mental Health	20 South 2nd Street	Newark	43055
Licking County	Developmental Disability	116 North 22nd Street	Newark	43055
Licking County	Childrens Services	74 South 2nd Street	Newark	43055
Licking County	Senior Citizens	1058 East Main Street	Newark	43055
Licking County	General Fund	20 South 2nd Street	Newark	43055
Licking County JVSD	Licking County JVSD	150 Price Road	Newark	43055
Licking County Park District	Licking County Park District	4309 Lancaster Road	Granville	43023
Northridge LSD	Northridge LSD	6097 Johnstown-Utica Road	Johnstown	43031
Bennington Township	General Fund	6600 Bennington Chapel Road	Centerburg	43011
Bennington Township	Road and Bridge	6600 Bennington Chapel Road	Centerburg	43011

Attachment C - Licenses, Permits and Approvals

Name of License, Permit or Approval	Granting Authority	Status	Application/Issuance Date	Expiration Date	Renewal Required
Certificate of Environmental Compatibility and Public Need	OPSB	Not Complete	N/A	N/A	N/A
Construction Stormwater Permit - NPDES	OEPA	Not Complete	N/A	N/A	N/A
Right-of-Way Use Permit(s) (as necessary)	ODOT	Not Complete	N/A	N/A	N/A
Driveway Permit(s) (as required)	Licking County	Not Complete	N/A	N/A	N/A
Road Use & Maintenance Agreement	County/Township	Not Complete	N/A	N/A	N/A
Water Protection Permits (Section 404/401)	Ohio EPA/USACE	Not Complete	N/A	N/A	N/A
Notice of Approval of Power Generating Company	PUCO	Not Complete	N/A	N/A	N/A
Renewable Energy Resource Facility Certification	PUCO	Not Complete	N/A	N/A	N/A
Heavy Loads/Wide Loads Permit	Licking County Engineers	Not Complete	N/A	N/A	N/A
Special Hauling Permits (as necessary)	ODOT	Not Complete	N/A	N/A	N/A
Road Crossing Permits (as necessary)	ODOT or County Engineers	Not Complete	N/A	N/A	N/A
Spill Prevention Control and Countermeasures Plan	USEPA	Not Complete	N/A	N/A	N/A