

RESOLUTION

April 19, 2022

Resolution No. ~~250-22~~
250-22

RE: A RESOLUTION DECLARING PORTIONS OF THE UNINCORPORATED AREAS OF HANCOCK COUNTY, OHIO TO BE RESTRICTED, PROHIBITING CONSTRUCTION OF ECONOMICALLY SIGNIFICANT WIND FARMS, LARGE WIND FARMS, AND LARGE SOLAR FACILITIES PURSUANT TO R.C. 303.57, et. seq.

The Board of County Commissioners, Hancock County, Ohio met in regular session on the 19th day of April, 2022, with the following Commissioners present:

Michael Pepple , William Bateson , and Timothy Bechtol .

The Clerk advised that the Board followed the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto for the meeting.

Bateson moved for adoption of the following resolution:

WHEREAS, the Ohio General Assembly adopted Senate Bill 52 (hereinafter "SB 52") which provides for more localized regulation of large utility facilities, defined as economically significant wind farms, which are defined in R.C. 4906.13; large wind farms; and solar facilities, which are defined in R.C. 4906.01 (hereinafter collectively referred to as "large utility facilities"); and

WHEREAS, SB 52 went into effect October 11, 2021 and is now designated as Ohio Revised Code §303.57, *et. seq.*; and

WHEREAS, the County Boards of Commissioners, pursuant to Ohio Revised Code §303.57, *et. seq.*, have been vested with the authority to regulate Large Utility Facilities by way of designating all or part of the unincorporated areas of a County as restricted, prohibiting the construction of said Large Utility Facilities within said restricted areas; and

WHEREAS, the Board of Commissioners, Hancock County, Ohio (Board) has responsibility for preserving the general health, safety, and welfare within the territory of Hancock County, Ohio; and

WHEREAS, the development of "economically significant wind farms" as defined in Ohio Revised Code §4906.13, "large wind farms" and "large solar facilities" as both are defined in Ohio Revised Code §4906.13 (collectively referred to as "large utility facilities") and subject to restriction pursuant to Ohio Revised Code §303.57 *et. Seq.*, has numerous potential impacts on users and property owners in the vicinity of such developments; and

WHEREAS, the Board has considered the potential impacts of development as well as the interests of property owners in making their land available for development; and

WHEREAS, utilizing the above considerations, and considerations from all townships within the unincorporated areas of the County, the Board has prepared a map containing the restricted areas within the unincorporated areas of Hancock County, Ohio; and

WHEREAS, pursuant to Ohio Revised Code §303.58, said map has been posted at all public libraries within Hancock County, Ohio for a period of at least thirty (30) days; and

WHEREAS, pursuant to Ohio Revised Code §303.58, public notice of this meeting has been given to all school districts, municipal corporations and Boards of Township Trustees located in whole, or in part within the boundaries of the proposed restricted areas.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, HANCOCK COUNTY, OHIO, The Board of Commissioners hereby designates all unincorporated areas of Hancock County, Ohio as a restricted area for construction of “economically significant wind farms” as defined in Ohio Revised Code §4906.13, “large wind farms” and “large solar facilities” as both are defined in Ohio Revised Code §4906.13, also known as “large utility facilities” except for the unincorporated area of Biglick Township, Hancock County, Ohio; and

BE IT FURTHER RESOLVED, in Biglick Township, Hancock County, Ohio, Large Utility Facilities may be permitted to be constructed, subject to the provisions of Ohio Revised Code §303.57 et. seq. and all other applicable law; and

BE IT FURTHER RESOLVED, a map documenting the restricted areas of the unincorporated areas of Hancock County, Ohio is attached hereto and marked as Exhibit A and incorporated by reference; and

BE IT FURTHER RESOLVED, this resolution shall be in full force and effect thirty (30) days after its adoption, pursuant to Ohio Revised Code §303.59, unless it is timely petitioned for a referendum by the requisite number of registered electors in the county.

BE IT FURTHER RESOLVED that it is found and determined that all formal actions of the Board of Commissioners, Hancock County, Ohio relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

Pepple seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Board of Hancock County Commissioners

Michael W. Pepple Yes
Michael W. Pepple, President

William L. Bateson Yes
William L. Bateson, Vice-President

Timothy K. Bechtol No
Timothy K. Bechtol, Commissioner

ATTEST:

Alba Hehn
Clerk/Assistant Clerk

Board of Hancock County Commissioners

DATE: April 19, 2022

Auditor

L. Land

Commissioners File

