



CLARK COUNTY
OHIO

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Clark County Utility Scale Solar Q&A

(Current as of April 30, 2025)

Clark County is committed to providing factual information to the public. A list of Q&As regarding the proposed Utility Scale Solar Project (Project Sloopy) in Harmony Township is below:

Q1: What is a Utility Scale Solar Project?

A site that uses solar panels to generate more than 50 megawatts of electricity

Q2: Is Project Sloopy Utility Scale?

Yes, Project Sloopy is proposed to generate more than 50 megawatts, and is considered a public utility

Q3: Are Utility Scale Projects exempt from local zoning regulations?

Yes. Utility Scale Solar Projects are exempt from local zoning regulations per ORC 303.211

Q4: What does it mean for a solar project to be "*partially grandfathered*"?

Ohio's Legislature passed Senate Bill 52 in the Fall of 2021. The Developer (Invenergy) completed the System Impact Study in May 2021 and Sloopy Solar paid their fees before October 2021 (prior to SB 52 being effective). It is exempt from the provisions of Senate Bill 52 except for the addition of ad-hoc board members. When a project is exempt from provisions of Senate Bill 52 it is considered "*partially grandfathered*". To our knowledge, further confirmed by OPSB Staff on 14 April 2025, Project Sloopy is the only proposed project in Clark County that is partially grandfathered. All other Utility Scale solar projects would be subject to all Senate Bill 52 provisions.

Q5: How are solar and wind farms taxed?

Numerous factors, including but not limited to; total project acreage, graded land area, land area with solar arrays, residual agricultural land, etc. are factored into the taxable value. It is too early in the process to know exactly how this project would be taxed, but this project will likely be taxed at commercial valuations. More information is needed to facilitate further review. (Information per Clark County Auditor Hillary Hamilton)

Q6: Are solar and wind farms eligible for Current Agricultural Use Valuation (CAUV)?

No. Solar and Wind Farms are **not** eligible for CAUV. (Information per Clark County Auditor Hillary Hamilton)

Q7: How do PILOTs (Payment in Lieu of Taxes) work, and what entities do they impact?

PILOT (Payment In Lieu Of Taxes) Payments, are agreements between developers and County governmental entities (School Districts, Board of County Commissioners, Townships, etc.)

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These agreements take the place of property taxes, and can vary in the length of the agreement (based on the proposed project timeline), the proposed amount of funding that is provided to the entities, and the specific structure of the deal.

Broadly, these agreements are very complex and are designed to facilitate consistent income streams from a certain type of development (namely solar development, in this case).

This is accomplished by mandating that developers provide Minimum Service Payments (MSP's) to the entities they contract with- often splitting the shares of MSPs based upon the millage rates that would otherwise be collected as traditional property taxes.

Similarly to traditional property taxes, the agreements facilitate a direct-link between the MSP's and property tax-liens; meaning that if a developer fails to make an MSP, a tax-lien is to be placed on the property.

Q8: What are the differences between a " *partially grandfathered* " project and any project yet to come?

Partially grandfathered projects will not be subject to any regulations the County Commissioner adopted post-SB52. All projects moving forward will be subject to processes put in place post-SB52.

Q9: What is the process that any new non-grandfathered project would have to go through in Clark County?

Following enactment of SB52 The Board of Clark County Commissioners adopted resolutions 2022-0732, 2022-0772, and 2022-0888. These Resolutions put in place the process Clark County follows for regulating Utility Scale Solar. The Commission Resolved to hear Utility Scale Solar on a case-by-case basis. In Clark County all proposed projects that are not "*partially grandfathered*" will be heard and decided on by the Board of County Commissioners.

Q10: Is Project Sloopy *partially grandfathered*?

Yes. See Question 4 for further explanation.

Q11: When did Commissioners receive notice of the Sloopy project?

Invenergy approached the Community and Economic Development Department to ask about County processes in September 2022. At that time, Invenergy indicated they did not have enough landowner interest for the project to go forward. In November 2024 Invenergy reached out again to discuss their project, however, follow-up conversations from that meeting indicated that Invenergy would need to delay their timeline slightly. On April 2, 2025 Invenergy met with County Development Staff and reviewed the project via a PowerPoint presentation and provided copies of their Community Packet. Invenergy requested individual meetings with Commissioners to explain their plans as well.

Q12: What is the Community and Economic Development Department (aka: Development Department)?

The Community and Economic Development Department consists of several different divisions- including Building Regulations, Economic Development, Planning, and Zoning. Housing these different divisions within the Department creates efficiency for developers looking to do business in Clark County- and often allows for a one-stop-shop. Developers frequently reach out to the Development

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Department to gather information about a specific project's requirements. These meetings happen almost daily, as due diligence is being conducted by many different entities at any given time, for dozens of separate projects. It is important to note that the Development Department meets with all types of developers looking to do many different types of projects- the majority of these projects do not come to fruition, for vastly different reasons. The Economic Development Division reviews every project to analyze compatibility with the County's Strategic Goals- if a project aligns with the County's Strategic Goals, assistance is provided to help facilitate the project.

Q13: Does the community get a say in this project?

The Board of County Commissioners has not received an official notice of a public meeting at this time. This meeting is required by the Ohio Power Siting Board for the Developer to hold. In addition to this public meeting, the County Commissioners and Township Trustees will be permitted to appoint one member each to the Ohio Power Siting Board (ad-hoc members) that makes the decision to either approve or deny the Permit to build Project Sloopy. There are opportunities for public comment at both levels- the "local" meeting held by the Developer, and the OPSB meeting.

Q14: What is the position of the Board of Clark County Commissioners on solar projects?

According to Resolutions 2022-0732, 2022-0772, and 2022-0888 the Board of County Commissioners determined that the Commissioners would evaluate each project on a case-by-case basis, and did not issue a county-wide or partial ban on solar and wind projects. The Board of County Commissioners will have the opportunity to review each project and vote on approval or disapproval.

These Resolutions do not apply to Project Sloopy which has *partial* grandfathering through the Ohio Power Siting Board process. For the purposes of the *partially* grandfathered project, the Board of County Commissioners and the Township Trustees are each permitted to appoint an ad-hoc member to the Ohio Power Siting Board. To our knowledge at this time, the Board of County Commissioners has no jurisdictional authority to regulate the land use in Project Sloopy.

Other Online Resources:

SB52 Resources: <https://opsb.ohio.gov/processes/senate-bill-52-resources>

PJM Interconnection Queue: <https://www.pjm.com/planning/service-requests/serial-service-request-status>

Grandfathered Flowchart: [How is a project grandfathered.png \(1545×2000\)](#)

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