

March 20, 2021

The Honorable Senator Peterson  
Chairman, Senate Energy & Public Utilities  
77 South High Street 13th Floor  
Columbus, OH 43215

RE: Opposition to SB 52 related to limitation on landowners

Dear Senator Peterson:

Our names are Michael and Annette Houck and we are landowners in Highland/Clinton County and we reside in your district. We want to thank you for your service and for bringing a balanced approach to public policy in Ohio.

We are writing this letter to oppose legislation before the Senate Energy and Public Utilities Committee that impacts the land we own in your district. SB 52 allows land owners not located near our property and individuals who rent land in your district to make financial and zoning decisions at the ballot regarding what we can do with our property. To my knowledge this is not done in any other state and if applied broadly could fundamentally change zoning laws in Ohio and devalue our life savings. After all, we do not have retirement accounts; we have worked together all these years to pay for our land and expected it to ultimately take us to our last days.

We own 258 acres in Highland and Clinton counties and this land has been in our family now for 26 years. We farm rotational row crops and are good stewards of our land. We take great care in the development of our land and have worked hard to make improvements on it. We were approached by Innergex Renewable Development, and listened carefully to them about the Palomino Project. As a result we had many questions about solar panel operations and attended numerous meetings offered by the community to ensure that we clearly understood this new venture for our land. Meetings we attended were hosted by the County Auditor, Southern State Community College, the County Extension Service and also the County Farm Bureau. With each meeting, there were different experts present discussing Solar Farming. With each meeting, we went to; our comfort level in making this decision became clear – it WAS the right thing to do for OUR land. After that, with no hesitation and no strings attached; we carefully decided to work with the Palomino Project. They have never asked us to sign a gag order or limited our rights to speak freely about contract terms. Nor have they stopped us from continuing to educate ourselves on this matter.

Since our questions about solar land leases were answered and our concerns were addressed; we proceeded to participate. As you know, the risk factors involved with farming are great! We can never be certain from one year to the next; if we will make a profit or go in the hole. Our banker has even asked us, "Is it really worth it?" It is always a different set of pressure: from weather-too much rain, drought, wind, even hail. Increases in input costs, seed, fertilizer, spray, diesel fuel and then equipment and repairs. Narrow windows of time to get the crop put in the ground and then you just pray it grows. Then you worry about harvest and grain prices. The stress never goes away. This proposed solar project allows us to supplement our income. Just knowing a fixed revenue stream from the Palomino Project would be coming in, not only would give us financial relief but removes some of the key stressors that we face. Mental illness for farmers has become a key focus for the Ohio Farm Bureau right now –and it is REAL. Not only would we receive relief BUT our friends, neighbors and everyone in the county would benefit from the additional tax revenue generated. This would be BIG, not just for ourselves – BUT for others as well. Our decision to do this was not just for ourselves – BUT for the benefit of others, too.

Having owned our land for ONLY 26 years; we did not inherit our land. We purchased it and have worked hard to pay for it. The debt of this land is still an encumbrance. It is all that we have and is our “nest-egg” for retirement.

The authors of SB 52 claim they intend to “allow citizens of a township the ability to exercise THEIR property rights through a public referendum with regards to solar projects.” If this bill passes it means that OTHERS, MANY NOT LAND OWNERS will have the final say in what WE DO with our property---clearly this is an infringement on our property rights. Quite frankly, this angers us! These voters are under NO Stress, have NOT paid our \$16,000 combine repair bill, did not pay our \$30,000 fertilizer bill and certainly did NOT pay our property taxes on our land each year. They did NOT go to the bank with us when we nearly went bankrupt 13 years ago and had to ask the USDA to help us figure out how to make things work. Yes, we have a government loan on our farm business. We are not proud of this NOR ashamed of this. It simply means, FARMING is HARD. And we’ve learned to pay attention as a result. To weigh out the pros and cons of our decisions and make the best choice for our farm, ourselves and our neighbors. With this in mind; WHY THEN, should anyone else have a say in what we are doing with OUR LAND AND OUR FARM? When we have clearly done our homework already – and KNOW that this will benefit OUR FARM and EVERYONE else in our community through increased tax revenue.

**We ask that you vote against this bill** because we have the right to determine how our property will be used. This project provides reliable energy for Ohio businesses that have sustainability goals. The energy stays right here in Ohio and helps attract data centers and high-tech jobs to the region. If you do NOT vote against this bill; we fear businesses will migrate AWAY from OHIO and this State will lose jobs down the road. Your decision, will affect a lot more people than just us. As farmers, we produce commodities that become food for human consumption. By joining with Innergex we are still farmers, however; we will be producing a clean energy commodity ALSO for human consumption. Please keep this in mind as you make your decision: we are BOTH providing a service for others. US as farmers and YOU as legislators in job retention for Ohio citizens.

Our ONE question for this committee is two-fold: **“Why would Ohio law makers shift land decisions away from us - the land owners- and place the core value of our business with individuals who reside in other parts of the township - nowhere near our land?”** And would you openly want someone to vote on whether you should receive or NOT receive benefits from YOUR Life’s work? Imagine if this unfair policy was extended to building a barn or a grain bin or even parking tractors on our property. Imagine if this type of PUBLIC VOTE was extended to policies regarding YOUR life’s work. This is TAKING, and it is the taking of our hard earned nest egg. Would you want yours to be taken FROM YOU?

Co-locating our farming business with renewable energy gives us security. In doing so, we are STILL farmers and will continue to work tirelessly as farmers since we are the “backbone of this great country”. Farmers shoulder all the risk; always have and always will. We do NOT see this changing. We simply ask that you remember us; when making your decision; farmers are LESS THAN 2% of the population; providing for the rest of the country and even other countries. Please don’t undermine our judgement. Please let US continue to make the decisions we need to make for our FARM BUSINESSES.

During the last election you were pro-business and we urge you to remain pro-business and vote against SB 52. We can ONLY hope that you continue to support property rights and thoughtful economic development in our community and Southwest Ohio. Sometimes, to be progressive, change is necessary and that is not always easy. We understand the anxiety and fear that comes with change, but as farmers and legislators; we need to work through this together. We are asking you, today, to work with us, allow us to make our decisions on what is best for our farm, our neighbors and our great State of Ohio. As less than 2% of us continue to provide for this great country; can’t you trust that we are STILL thinking of the best interest of others as we make the decision to team up with clean energy solutions for our land and others? The number 2 speaks for itself. 2%! Our

efficiency to provide for others with LESS THAN 2 % of the population being farmers. We know what we are doing. Please join us and VOTE AGAINST this SB 52 and let us get back to work and do what we do best.

Thank you for giving us the opportunity to share with you today!

Sincerely,

A handwritten signature in blue ink that reads "Annette M. Houck". The signature is written in a cursive style.

Annette M. Houck

A handwritten signature in blue ink that reads "Michael G. Houck". The signature is written in a cursive style.

Michael G. Houck

Cc: Members of the Senate Energy & Public Utility Committee  
Governor DeWine