

MINUTES – MEETING MARCH 8TH

BROOKS COUNTY DEVELOPMENT AUTHORITY

Jack Harrell called the meeting to order at 6:09 pm. Board members Erin McKenzie, Marie Horne, Derren Yearby and Jack Harrell attended, along with Director Stephanie Mata.

Minutes and Financials

Copies of the minutes of the (special called) monthly meeting held February 16th were reviewed. Erin McKenzie motioned to approve the minutes of the meeting as presented; seconded by Marie Horne; unanimously accepted. Copies of February Financials were reviewed. Director Mata presented the financials to-date; Marie Horne made a motion to accept the February financials as presented; seconded by Erin McKenzie; unanimously accepted.

Appearances

Peg Howard addressed the Board regarding Quitman Solar I and II and presented a timeline.

Speaking on Solar – Past present and Future- Mrs. Howard volunteered to provide the Development Authority any copies of documents she will speak about to verify proof of her discoveries and education of the solar industry. Mrs. Howard's husband is retired from a utility company. Mrs. Howard spoke specifically about NextEra Energy, its subsidiaries, Quitman Solar I and Quitman Solar II and timelines she has confirmed using meeting minutes from the Development Authority, Tax Assessors, County Commission, Georgia Public Service Commission, Federal Energy Regulatory Commission, Southern Company Interconnection Request Site.

In addition to documents filed in the Brooks County Courthouse for the Bond for Quitman I and the case brought by plaintiffs against Quitman Solar II- case # 19CV00234

August 2018- September 2018- Mrs. Howard came to know about solar and its involvement with Brooks County when she became concerned with glint and glare as well as the solar farm being obscured with a buffer for Quitman Solar. She was concerned with the fact this was being built on a scenic highway but supported the approval of a special exception. She met repeatedly with the then Solar Project manager, Stephen Land. It was agreed she would be in support of Quitman Solar I. September Commission minutes acknowledge a buffer will be provided. There was no objection at the planning and zoning meeting except Mr. Fletcher whose concerns were met by NextEra Energy to provide a specific buffer abutting his property. Documents mentioned which can be provided- Email from Tiffany Holmes to set up meetings with Stephen Land, Meeting Minutes for Commission.

June 2019- A special hearing for special Exception for Quitman II- Mrs. Howard stated that it was heavily attended and not supported by the citizens of Brooks County, and that the meeting went over 3 hours- ended up with no recommendation and failed for a second.

July 2019- Mrs. Howard was approached by NextEra to talk about concessions. Mrs. Howard was not interested in going to dinner with the representatives.

August 5, 2019- The commission voted unanimously to approve, requesting no buffers, etc.

August 26, 2019- Petition filed by plaintiffs due to the bold discard of 2030 comprehensive plans and other concerns.

September 27, 2019- Quitman Solar II filed a leave to intervene in the case

October 1, 2019- Quitman Solar II signed a PPA (Power Purchase Agreement) with Georgia Power. This PPA has a clause they agreed there was no pending or active litigation- which there, in fact, was.

Jan 2020- Hearing to allow Quitman Solar II leave to intervene was granted.

March 2020- June 2020 Daniel Gerard, Michael Sheehan, Michael O'Sullivan, Gregory Schneck, Tom Broad and Ron Reagan- resigned as Vice Presidents of NextEra energy. All were connected in some way to the Quitman Projects. Mr. O'Sullivan was the signer of the Power Purchase agreement for Quitman I. Mr. Gerard and Gregory Schneck are also signers of important documents for these projects. (Including the bond for Quitman I)

August 5, 2020- Deadline for submission of 2 sets of plans per zoning ordinance to execute the project.

These plans were never submitted- but a permit was issued on August 4, signed by Billy Ingram, and Patricia Williams. There is not a signature for the applicant on this permit. Repeated requests to see the 'physical plans' were met with – "There are not any here." Sometime in September 2020, Billy Ingram resigned.

August 14, 2020- Stephen Land submitted an affidavit in case 19-cv-00234- declaring that if the case were to move forward he believed the plaintiffs should put up a 19-million-dollar bond because of how much NextEra would lose if they could not begin construction. While the judge did not rule on the request it would remain a threat and a potential outcome. Not long after the filing of his affidavit the case was settled/dismissed. Not long after his affidavit was filed Mr. Land resigned.

Mrs. Howard stated this is a complex situation of moving parts- with forward decisions being made by a Development Authority chair (Buddy Howell) that was not lawfully holding office. The chair had relocated to Amelia Island in 2015, residing there with a homestead exemption on his property. He also owns a business there with his wife, Olive Amelia. Ms. Tiffany Holmes came before the commission for his reappointment in 2016- with knowledge that he was not a legal resident of Georgia. He therefore did not meet the legal requirement of serving.

Mrs. Howard went on to share the timeline of Solar Lease Agreements, sales of properties, interconnection requests, bond for Quitman I (19 cv 00173), and set a factual narrative.

There were 3 interconnection requests made:

IC – 608 Quitman 1 150 MW- 1200 acres 9/12/2017 Feasibility Study

IC- 649 Moultrie Hwy- Jackson Road- McLeod has Solar lease Agreement – 10/2017 less than 400 acres- Chris Exum has adjoining properties. It has been confirmed that Myra stated they have a solar lease agreement but there has not been one filed at the court house. The McLeod's agreement was filed in April 2019 but was dated 2017.

IC- 678 Quitman 2- 150 MW- Filed in the queue for March 2018.

Tax Assessor's minutes reflect: March 2017 for Quitman I- Mr. Buddy Howell and Attorney Van Parrott met with Tax Assessors board- stating no jobs. Mrs. Howard interjected that the jobs have never been consistent, and that while it was stated in writing that there would be between 200 and 300 local jobs (depending the source and location of the source) it was in fact a very small number of local Brooks County residents and the rest were "local Union" jobs. She further stated that Unions use the wordage "Local Union 251 or Local Union 353 for example" which is why they state "local" jobs. These jobs were temporary and lasted a few months.

Mrs. Howard also stated that at the time Van Parrott was the attorney for the Development Authority, he also served as legal counsel for the Brooks County Commission, which could have been construed as a conflict of interest. Development Authority minutes reflect another meeting called and it was decided that Stephen Land would meet with County Commission and Development Authority, and that they would return to the Tax Assessors. Mr. Justine Devane and Myra Exum attended a meeting with the Development Authority and Mr.

Land- there are no minutes on record. April 12, 2018- Myra Exum, Justin Devane and the Development Authority returned to Tax Assessors- temporary jobs – it was approved.

In 2018- Ms. Holmes returned asking for same abatement for second project. It was approved without identifying location in minutes.

When Mrs. Howard was able to obtain a copy of the bond from the Courthouse in 2020, it was discovered that within the bond was language that put everyone in agreement in June 2019 with bond documents prepared by the attorneys for Next Era- before the vote in August of 2019 was even approved for Quitman II.

Mrs. Howard shared the clause for Easement effects that is within the solar lease agreement that speaks to concerns of electromagnetic fields.

Mrs. Howard is greatly concerned with the “Environmental Damages” that are buried within the bond. She shared a detailed map with the wetlands which are covering the project and how this would affect the water of the years. Some of them are jurisdictional.

Mrs. Howard agreed to meet with the Authority anytime they need clarification of the documents she has in her possession, and she thanked them for being so cooperative with the open records requests concerning the minutes of the meetings.

Marie Horne requested that the Director provide a copy of the Brooks County 2030 Comprehensive Plan for the Board members.

Old Business

Jack Harrell moved to Old Business. Director Mata an update regarding Philanthro Films and the unforeseen expense of the deteriorating roof which has fallen through and must be replaced before it can be insured, and a construction company can acquired for renovation. Mata presented their possible need for a small bond in the amount of approximately \$300,000 to repair the roof as well as a \$15,000 grant to renovate the small building in front of the Swannee Swifty building to create a drive-thru coffee shop.

Director Mata also presented an update for Project M, stating that the project is moving forward and that travel to an existing site would be forthcoming.

New Business

Jack Harrel moved to New Business where Director Mata explained that after a conversation with Attorney Luke Mitchell regarding Quitman Solar, their obligations to Brooks County and the position of the current Development Authority Board, he resigned. Director Mata also explained that after she and Chairman Jack Harrell repeatedly requested a copy of all legal documents which pertained to the Brooks County Development Authority, in writing, via phone and in person, they were given the run-around. At first, Mata and Harrell were questioned as to what exactly they were looking for. Mata requested anything and everything pertaining to Quitman Solar and Nextera. Luke Mitchell stated at first that all he had was a bond, but that the Development Authority should have the original copies in the office. Mata reminded the Board that she walked into a clean office with not much more than empty file jackets in most cases, and that she could not locate the original paper copies of the Quitman Solar documents. Then, Mata explained that Mitchell had told her that Van Parrot was going to come from Florida to go through boxes of documents, but then he didn't come. Mata was then told again that we should have the originals, and Mata requested their copies once again. After a few days, Mata was told that a jump drive was coming that would come with the requested information, but that it was being mailed. After more than a week, it finally arrived, and when Mata picked it up from Luke Mitchell's office, she was surprised to see that it was not from Van Parrot. Instead, the jump drive is from Alston & Bird, Nextera's legal council. In fact, some of the documents listed on the drive had recently (days prior) had been altered. Director Mata discussed the need to find legal council to represent the Development Authority.

Reports

No reports were given.

Motion to adjourn carried by Marie Horne; seconded by Erin McKenzie; unanimously approved.

Respectfully Submitted:

Secretary