RECEIVED

JUL 23 2025

PUBLIC SERVICE COMMISSION



July 19, 2025

Kentucky State Board on Electric Generation 211 Sower Boulevard PO Box 615 Frankfort, KY 40602

Case: Wood Duck 2024-00337

Re: Case Comments Requesting the removal and/or non appointment of Barren County Judge Executive Jamie Byrd and Barren County Planning Commission Director Kevin Myatt to/from the Ad Hoc Committee

Dear Siting Board Commissioners:

Through an Open Records Request to the PSC, it was revealed that Barren County Judge Executive Jamie Byrd was advised by the PSC on March 18, 2025 to avoid communication with the developer. The email from Executive Director Linda Bridwell stated,

"One item specifically is to avoid any perception of ex parte communication (meaning that you can't discuss the ongoing case with the developer or any party to the case)." See attachment pages 1-4.

Byrd responded back to Birdwell and therefore it is known the email was received by Byrd.

The parent company is Geenex Solar LLC from North Carolina and the developer is Wood Duck Solar LLC.. Kelley Pope is the project director.

An Open Record Request to Barren County Government for text messages between Byrd and Pope reveals continual conversations about the project since March 18, 2025 through May 19, 2025, the completion date for the open records request. It is also apparent that *numerous* phone calls have occurred between Byrd and Pope because of the sporadic conversations.

There are text messages on March 21, 2025, two days after Byrd was admonished by the PSC to discontinue communication with the developer and the messages are on various issues including specific questions about the project. The communication has never ceased.

The most astounding text is a message from Byrd soliciting MONEY from the developer to purchase items for the fire department. Byrd sent an invoice to Pope and asked her provide the "amount to help." See attachment pages 32-35. This is the solicitation of a bribe.

Pope responds "Understood....we won't be able to, I don't think, to purchase the entire invoice...but are very willing to help. Actually, let me get back to you about this cost. It doesn't seem extreme and it also is a need in the community."

Byrd replies, "Ok, let me know the amount to help. I'll get all the contacts for you for the chiefs...."

The request to Pope to tell her how much is passive bribery.

This is an elected official soliciting money from a developer who has a project pending before the state siting board and the elected official will be appointed to the Ad Hoc committee that reviews, scores and approves the project, while allowing Byrd to have substantial political influence with the commissioners of the siting board. The commissioners will rely on Byrd to explain "things" and represent her community. The public now knows this could never happen and the integrity of the process is at stake.

This explains why Byrd has consistently said, it is a done deal. She is going to ensure that it is while her hand is out for more money. How much money has passed to her that we know nothing about?

It would be expected that the elected representative of our county would be fair and impartial, and representing ALL of her community and not just the 12-15 landowners who have signed up for the project. She has received hundreds of letters, phone calls, and signatures against this project. The pulse of the community and particularly the nearly 80 homes that surround this project are upset because they did NOT know and did NOT have an opportunity to voice their opinions before it was a "done deal."

Many community members have conversed with her and she has indicated she would take actions to try and stop the project, but she has not. The attached text messages and the messages that skip from topic to topic implies and implicates a continued dialogue.

We do not know how much additional money has been requested since the text messages end May 19, 2025. We can reasonably conclude there have been others.

The fact that she is soliciting money for the fire department versus herself may have a slight redeeming factor. However, the legal experts must determine if this is a bribe, kickback, quid pro quo, solicitation of a bribe, or passive bribery?

To solicit money for a county agency, while a project is pending approval by the state, is a commitment of Byrd's support of the project. She is relying on the friendship/relationship with Pope to "help" the county.

Byrd's solicitation of this money is her commitment to Pope that she will approve the project and that is a betrayal to her constituents who deserve fair, open and honest leadership. It is a betrayal

of the public trust to every constituent who has reached out to her asking for help. It is a betrayal to the constituents who have formed grass roots initiatives against this project and were seeking expert witnesses. All of these efforts are in vain because our county judge is sitting with her hands in the back pockets of the developer. Not a chance of a "no" vote. The reality of betrayal is now known and her tenure as county judge is forever tainted.

This text from Byrd states, "...You had asked about donations." which may refer to a text from Pope on March 26, 2025 in which pope states "...We want to donate again before state in May..."

Does the referral to "state' refer to a tournament that Byrd is affiliated with in regards to cheerleading? Have they donated previously? She states, "again". See attachment, page 28.

The public has a right to know to whom Wood Duck has donated funds, gifts and trips and how much.

If Byrd is allowed to serve on the Ad Hoc committee, her involvement will forever challenge the legitimacy of the decision of the siting board.

It is important to note that Wood Duck provided a very generous gift of \$10,000 to Byrd's personal nonprofit, Beautify Barren County. This donation was made on October 26, 2023, around 6 weeks before the project was approved by planning and zoning. The fact these funds are "supposedly" used for Barren County landscape initiatives, an audit of the nonprofit has never been provided to the public as to the expenditure of funds. See attachment page 49-50 with Pope in the picture.

We do not know what other gifts, trips, services have been provided, not only to Byrd, but to others who have catered to the requests and demands of Geenex/Wood Duck.

How can constituents ever trust Byrd to do the right thing, to listen to their concerns and perhaps vote according to their wishes? The cover of deceit has been removed with the relationship and sponsorship of this project.

It is blatantly obvious that Pope knows how Byrd is going to vote at the PSC and how she will exert influence over the commissioners. She states, she will get back to her on the money.

It is also believed that Byrd's employee, Kevin Myatt, the director of the planning commission will vote according to the wishes of his superior. Byrd and Myatt have attended meetings together, made pod casts together — aligning their stories perfectly. How could the citizens of Barren County reasonably expect that he could vote independently of his superior?

No wonder Byrd has refused to do anything to help her constituents who are adamantly opposed to this project. No wonder Byrd has refused to "take a stand" for Mammoth Cave in spite of receiving perhaps one hundred letters. No wonder Byrd kept the project a secret for a year, having met with Wood Duck in February 2023 and kept it quiet until it was announced. No wonder Byrd has told the public it is a "done deal" for over two years because she wanted to ensure that no one opposed the project which could cause an interference or disruption to the financial rewards being paid to her, not only to her personal nonprofit, but perhaps to sporting and cheer activities, and knowing the donations to the county would ultimately be attributed as "her" accomplishments.

Are the donations an attempt to influence how Byrd will vote on the siting board? It is definitely a perception of impropriety and her conduct creates a reasonable belief among the public that she has acted improperly by accepting the donations to her organization and soliciting donations from the developer who has a pending contract before the siting board. This is a betrayal of trust and loyalty to the constituents of Barren County.

Byrd's failure to act and perform her duties as requested by the residents of this community can be referred to as malfeasance, misconduct, or failure to act. Perhaps in this case, it is three. Perhaps this is criminal behavior that needs to be investigated?

Wood Duck/Geenex/Pope is also at fault. They have thrown money around town to various groups to win favor and influence. They donated to a few nonprofits, bought a few lunches and paid for some golf games. Yet, sponsoring these events didn't reach the people "in the county" who were adversely affected by this scattered-site solar project design. These "city" donations aren't helping the county residents who are losing their jobs and their leases due to this project. How does joining the Chamber help the individuals who are being displaced?

Playing golf doesn't help the county residents understand where the solar panels, inverters and substations are going to be located; nor does it clarify the noise and glare projections for each property.

Since December 2023, there has not been any donations acknowledged in the local paper. Did they donate just to win favor of the 13 commission members to approve their proposal and not ask questions? Was this the reason for the donations?

Perhaps this should be investigated to determine who has received donations since December 2023. Who else has been paid?

Additionally Wood Duck has purposely kept this project under the radar having information meetings after the project was approved. Sending letters to landowners with non-descriptive salutations and no announcement of approval. Their letters read, "We are proposing" not, "We have been approved by the local planning commission and here we come."

As a result, people did not take their letters seriously as solicitation letters from solar panels are a regular source of junk mail. During the public hearing on July 15, I submitted 21 letters from a local farmer. Again, Byrd kept it quiet, refusing to inform the public.

The PSC has received many letters and petitions on which people have indicated when they heard about this project. I encourage the commission members to review this column as it substantiates what has been said all along, that no one knew about the project. Additionally, these dates completely shatter Wood Duck's claims of "quarter mile door knocking." Many of the things that Pope and Byrd have said happened, are not what happened on the streets and backroads of Barren County.

Residents have expressed concerns over the project design, the lack of public participation and the origins of the entire project, which is how compromised even further due to ethics violations predicated on deceit.

Text Messages: A review of the text messages between Byrd and Pope reveal that Byrd is advising the developer and guiding her to schedule certain meetings and make certain phone calls while asking her advice on how to answer questions and ultimately soliciting donations of money.

There are obviously phone calls between the two, as text messages with subject content do not follow as continued conversation.

One text message from Byrd to Pope confirms the lack of marketing and advertising of the public information meetings. On February 4, 2025, Byrd sends a text to Pope, asking "Do you all have a meeting tonight at Cave City?"

Pope replies, "Yes, we do! Another PIM (Public Information Meeting) but smaller...we look for it to be small.."

Even the county judge didn't know there was a meeting and Pope was confident that it was going to be "small'. See attachment pages 13-14.

One additional thread of texts from March 17, 2025, a day prior to the admonishment from PSC, indicate that Pope and Byrd are colluding with plans to disburse opposition about the project.

Byrd told Pope "Probably wouldn't hurt to meet the magistrates they have questions on the bonding and other things so they are more aware, but I'm not allowing the visitors to talk."

Byrd did not allow the public to speak at the March 18th fiscal court meeting.

Pope replies, "I thought so. I think that's best..."

This implies collusion between the Pope and Byrd as Byrd advises how she is going to handle the fiscal court meeting and quell the voices of dissention. See attachment pages 15-17.

March 21, 2025 - Byrd sends Wes Kinslow's phone number to Pope. Obviously phone calls have occurred to prompt the sharing of this contact. Kinslow is the fire chief of South Barren Fire Department.

March 26, 2025 - Byrd told Pope "I need you to definitely reach out to Mammoth Cave asap. xxx-xxxxxx that's his cell."

Notice she does not say the name of the person, so again, there have been phone calls. The PSC will recall that the letter from Mammoth Cave was issued April 15, 2025 and they cited a "lack of conversation with the developer." The number belongs to Park Superintendent Barclay Tremble.

March 26, 2025 – Pope says "...We want to donate again before state in May, also would love to be there for any question opportunity. Any opinions?"

Does the referral to "state' refer to a tournament that Byrd is affiliated with in regards to cheerleading or sports? Have they donated previously? Pope states, "again".

March 26, 2025 – Byrd to Pope, "We need the EMS and fire meeting with you all. Can you do it in April or next week?

Pope responds, "Understood. We can put something together in April."

The training has not occurred as of July 19, 2025. This request is troubling, again asking a developer who does not have a state approved project, to meet with EMS and fire.

Byrd responds, "Ok, I just got to Lex." Again, a phone call has occurred.

March 27, 2025 - Byrd sends Pope a screen shot of an email from the Park Superintendent Barclay Tremble. "Did she call you?" His answer, "Not yet."

Pope states, "We called Reed, Kinslow, Carter. Gotcha, I will reach out to him today. Called and left message."

(Reed, Kinslow and Carter are fire chiefs, I believe)

April 16, 2025 – Byrd to Pope, "Our 8 volunteer fire departments are looking to purchase this. You had asked about donations." (Included an invoice PDF file).

Pope replies, "Understood... we won't be able to, I don't think, to purchase the entire invoice...but are very willing to help. Actually, let me get back to you about this cost. It doesn't seem extreme and it also is a need in the community."

Byrd replies, "Ok, let me know the amount to help. I'll get all the contacts for you for the chiefs...."

April 17, 2025 – Pope sends text to fire chiefs introducing herself and expressing gratitude to Byrd. "I am very grateful to Judge Byrd putting this thread together..."

April 17, 2025 – Paula Pedigo sends text to Byrd inquiring why she let a private contractor, who does not have an approved project with the state, have access to the government's platform and private emails, phone numbers.

April 30, 2025 – Byrd to Pope, "Can you send me the dates of all the public hearings that you had?

May 1, 2025 – Byrd to Pope, "What year?"

Pope replied, "February 4, 2025 and August 23, 2024."

May 7, 2025 – Pope advised Byrd they are ramping up to submit our KYSR"

May 11, 2025 – Byrd to Pope, "I have a meeting with Paula (Pedigo) tomorrow. I may have to reach out to ask questions that she has that I don't have the answer to. 11:30-12:30 CST."

May 12, 2025 – 2:06 pm Byrd sends email to Shanda Bradley to prepare questions (for Pope and Juergen Fehr). Bradley sends questions back to Byrd at 2:18 p.m. the same day. See attachment pages 5-7.

Byrd apparently doesn't send the questions until May 14, 2025. See below.

The questions are eventually answered by Pope and her attorney and are included for review. See attachment pages 8-12.

These questions are PROJECT specific relating to financial issues, decommissioning, community engagement, setbacks and zero lot lines, environmental impact and waterways, panel maintenance and environmental safety, ownership, Mammoth Cave, etc.

May 12, 2025, Pope to Byrd, "Yes, Ma'am." (relates to Byrd's meeting with Pedigo)

Byrd to Pope, "Give me 20 min." Additional phone calls have occurred

Pope replies, "Sounds great!!" Additional phone calls have occurred.

May 14, 2025 - Pope to Byrd, "Are you available Friday for a short meeting?"

Byrd replied, "I have something on the calendar for most of the day. I do have a list of question that I am going to email you also that have been asked. My schedule this week and next week is insane. With last week of school and everything. I'm on the way to DC now til tomorrow."

Pope replied, "Okay, sounds great. I just need to drop our application off your office if that's ok....

Byrd to Pope, "What's your email? The magistrates had some questions. Paula (Pedigo) requested me to send to you these questions."

May 15, 2025 – Byrd requested a map from Pope.

May 16, 2025 – Byrd to Pope, "Did you get the email?" Additional phone calls have occurred.

May 19, 2025- Byrd to Pope, "Cannot talk" Additional phone calls have occurred.

This is the END of Open Records Request Date, On July 17, 2025 I submitted an open records request for all subsequent communication from May 19, 2025 – July 17, 2025.

This correspondence proves a relationship between Byrd and the developer that has continued long after being instructed by the PSC to avoid all <u>exparte communication</u> regarding the project.

This continued relationship and discussion of things related to the project is a betrayal of confidence to constituents and a betrayal of public trust. Byrd has failed to maintain a separation from the developer and created more than a perception of impropriety.

In addition to the inappropriateness of the text messages, phone calls, and the solicitation of funds, we object to Byrd serving on the Ad Hoc Committee because she accepted funds for her nonprofit from the developer @6 weeks before the project was approved by the local planning commission. This is accepting funds from a prohibited source.

Byrd is the founder and current president of "Beautify Barren County" a nonprofit in Barren County who was given a \$10,000 check from Wood Duck on October 26, 2023. See attachments page 49-52 for proof that Byrd is the founder and president from the Secretary of State's office, and for the role of Representative Steve Riley's wife. As stated previously, the application was approved in planning and zoning on December 18, 2023.

It should also be noted that State Representative Steve Riley is in the picture. His wife is an officer on the Beautify Barren County board and their home is the principle address for the nonprofit. How could he not have known this was a donation from a prohibited source?

Additionally, we object to Byrd serving on the AD Hoc Committee because of untruthfulness and the perception of bias and her unwillingness to support her constituents.

Byrd has repeatedly told county residents numerous statements that are not true. After the project was announced in December 2023, she told everyone it was a "done deal" She never explained to the community that there was an opportunity to submit comments and request hearings. She has misled the public from December 2023 until February 2025 when confronted by individuals seeking a hearing in Frankfort.

Additionally, Wood Duck failed to disclose to the public that there was an opportunity for public participation from December 2023 until they placed an advertisement in the local paper in May 2025. This failure to disclose the process has created undue emotional pain and affliction on local residents. They also told residents that it was a "done deal" for over two years.

At the public information meetings, both of which were held AFTER the project was approved by the local planning commission, Wood Duck continued the slogan of "done deal" and did not allow the public to provide any input into the design of the project. The developer treated residents with disdain and made no notations of dissension. The letters and signatures filed with the PSC are a good indication of the public's pulse.

During the public hearing on July 15th in Barren County, a copy of the placard that Wood Duck displayed at both events was provided. It did **not** include a reference to public participation with the PSC, only referenced an evidentiary hearing.

Additionally, Byrd has repeatedly said it was "done before she arrived." This too, is incorrect as Wood Duck's log of events indicate they met with her as early as February 2023, 10 months before the project was approved. Byrd kept this quiet and did not disclose to the community or other adjoining property owners who just "might" have a concern.

Byrd has told community members there would be law suits if the project doesn't go forward, going so far as to say people will be sued, which appears to be a threat to keep people from protesting her decision. It is estimated that nearly one hundred constituents have given letters to Byrd asking her to send a letter to the PSC objecting to this project. She has refused to address her constituent's concerns.

Byrd has repeatedly said the county couldn't do anything because "we do not have planning and zoning" while failing to discuss the fact that Barren County does have regulations, regulations which Kevin Myatt wrote at the direction of Geenex giving them setbacks of 50-20-10 feet and a decommissioning plan with no bonds or security.

In this case, it would have been better had we NOT had any regulations as the state setbacks of 1,000 and 2,000 feet would be applicable.

Byrd has told residents that Wood Duck had 2 hearings before the project was approved, which is incorrect. Both meetings were **after** the project was approved by planning and zoning.

Byrd has quoted the financial projections by the contractor; yet has failed to provide any financial analysis or projections from county finance or PVA office. She has quoted Wood Duck's information without verification, and has done this repeatedly since December 2023.

It is unknown when/if Byrd traveled to North Carolina, to Geenex headquarters, and who paid her expenses or if she disclosed these donations or any donations to her nonprofits, sports and/or cheer organizations.

Byrd has failed to take actions to protect Mammoth Cave, in spite of numerous letters, petitions and pleas from residents. Residents find this absolutely unbelievable and unacceptable. Perhaps she cannot support the cave because that would endanger having Pope remain as a funding source.

Byrd has deflected any responsibility for letting this project continue, stating "there is nothing I can do" and in doing so has failed to inform the community of what they can do.

Byrd attempted to divert attention from Wood Duck's project, as she hurriedly passed a Solar Land Ordinance. It does nothing to help this project, as she remains silent, failing to protect the legitimate interests of all Barren County citizens for the sake of 12-15 landowners and at least one old school buddy. She has not acted in the best interest of the county.

While considering the ethical violations of Byrd, it is necessary to object to Kevin Myatt serving on the Ad Hoc Committee due to his employer/employee relationship with Byrd.

We believe Byrd and Myatt have colluded on this project and together have withheld information from the public. Byrd has never held a public meeting about Geenex. The project has been mishandled since the day Geenex walked into the planning commission's office in 2018.

Information has been kept from the public since it was approved by the planning commission in December 2023. Files simply do not "exist" and no one felt obligated to bring this new, exciting development to the public for input.

Myatt has hand-delivered every request Geenex has made, writing the specifications they requested, giving them the 50-20-10 setback provisions and a decommissioning plan with no bond requirements.

We ask the PSC to acknowledge that Wood Duck has tried to improperly influence Barren County with financial inducements from their wallets, making donations, buying lunches and talking participants on trips. This does nothing for the benefit of local residents and farmers who will suffer greatly with this project.

In conclusion, we are asking that the PSC consult with Governor Beshear and take whatever steps are necessary to ensure these individuals do not serve on the Ad Hoc committee. We also ask that the Siting Board deny this project based on these documented ethical violations, impropriety and bias and the actions of project representatives and local officials.

Additionally, we request these public comments be forwarded to the Attorney General's office to consider if the solicitation of financial gain from an elected official to a developer whose project is awaiting approval by said solicitor is a criminal action. If determined to be unethical versus criminal, individuals will file on the local level.

It is devastating that the efforts extended by so many constituents who oppose this project have been betrayed. Their voices were NEVER heard and their actions were of NO significance because Byrd was more concerned with getting fire equipment and flower donations than doing what is right for the county and protecting Mammoth Cave.

The actions outlined in the previous pages are damaging to the rights of the community who seek an unbiased and fair hearing. These unethical actions are a violation of the public trust and will lessen the integrity of the siting board if Byrd is allowed to exert influence in any way.

We request your upmost consideration in these requests.

Yours Truly,

Paula L. Pedigo

Attachments

- 1. Open Records response from PSC, p. 1-2
- 2. Text to Byrd advising not to communicate with Wood Duck/Pope, p. 3-4
- 3. Text to Byrd's assistant to prepare questions for Wood Duck dated 5/12/2025 followed by typed questions to Pope and Juergen Fehr, p. 5-7
- 4. Answers from Pope to the questions from Byrd, p. 8-12
- 5. Texts between Byrd and Wood Duck/Pope from March 17-May 19, 2025, p. 13-48
- Text from Pope to Byrd for helping her with thread to the fire fighters. p. 36, April 17, 2025.
- 7. Text from Paula Pedigo dated April 17, 2025 in which she forwards text from Pope to Byrd, p. 37
- 8. Pictures of the \$10,000 to Byrd's nonprofit with State Representative Steve Riley, p. 49-50
- 9. Secretary of State certificates, Bryd as founder and President, Steve Riley's wife and home address, 51 -52.

Andy Beshear Governor

Rebecca W. Goodman Secretary Energy and Environment Cabinet



Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
psc.ky.gov

Angle Hatton Chair

Mary Pat Regan Commissioner

June 10, 2025

Paula Pedigo (aka Paula Ratiff) 1615 Payne Loop Road Smiths Grove. Kentucky 42171 Transmitted via E- Mail

Re:

Log # 2025-037

Response to Open Records Request

To Whom It May Concern:

This letter acknowledges the Public Service Commission's (PSC) receipt of your June 3, 2025 request made pursuant to the Kentucky Open Records Act, KRS 61.870 – KRS 61.884. Your request sought:

In or around March-May 2025, Barren County Judge Executive Jamie Byrd and Tim Coomer and others met with Linda Bridwell to discuss the Wood Duck Solar LLC project that is proposed for Barren County. I would like to request any minutes or notes from said meeting and any follow-up correspondence that would have been forwarded to staff and/or commissioners from Bridwell or other staff.

Following a thorough review of the PSC's records, attached please find the records located responsive to your request. This concludes the PSC's response to your request.

Pursuant to KRS 61.880 and KRS 61.882, appeals of the PSC's Kentucky Open Records act responses may be reviewed by the Kentucky Office of the Attorney General or appealed to Franklin Circuit Court. Decisions of the Kentucky Office of the Attorney General involving the PSC and issued pursuant to KRS 61.880, may also be appealed to Franklin Circuit Court.

If you have any questions or concerns, please do not hesitate to submit any questions to the PSC's open records email address: psc-ora_Custodian@ky.gov.

ORR Log # 2025-037 PSC ORR Response June 10, 2025 Page <u>2</u> of <u>2</u>

Sincerely,

Linda C. Bridwell, P.E.

Executive Director

Enclosure

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From: Jamie Byrd

To: Bridwell, Linda C (PSC)

Cc: Thomas Brian (PSC): Williams, Wright (PSC): Richardson, Mike (CHES, DIS, CSE Barren County)

Subject: RE: PSC Case No. 2024-00337 Wood Duck Solar Project

Date: Tuesday, March 18, 2025 2:52:12 PM

This Message Originated from Outside the Organization

This Message is From an External Sender.

Report Suspicious

Hello, thank you for taking the time to speak with me. Could you do a zoom call with my county attorney and myself

From: Bridwell, Linda C (PSC) < linda.bridwell@ky.gov>

Sent: Tuesday, March 18, 2025 1:04 PM

To: Jamie Byrd

Cc: Thomas, Brian (PSC) <Brian.Thomas@ky.gov>; Williams, Wright (PSC) <Wright.Williams@ky.gov>

Subject: PSC Case No. 2024-00337 Wood Duck Solar Project



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender linda.bridwell@ky.gov

Dear Judge,

Thank you for reaching out today. As I mentioned on the phone, the KY State Board on Electric Generation and Transmission Siting (Siting Board) is housed within the KY PSC. A new Siting Board is established for each project that includes 5 permanent members (3 PSC Commissioners, Secretary of Economic Development or their proxy and the Secretary of Energy and Environment or their proxy) and 2 local members. The two local members are appointed by the governor, including the county judge/executive if there isn't a planning commission. The link to the Siting Board statutes and regulations are on our website here: https://psckv.gov/Home/EGTSB(KRS) 278.700 to 278.716 and KAR 807 Chapter 005)

There are very specific statutory criteria for approval of a project. Additionally, the Siting Board can impose conditions on a project approval that will mitigate the impact of the project on the surrounding area. Here is a link to a recent Order from the Commission that approves a project for Lynn Bark Energy in Martin County. The mitigation measures are in Appendix A of the Order. https://osc.kvgov/pscscf/2024%20Cases/2024-00104//20241127_PSC_QRDER.pdf.

The Clover Creek project in Breckinridge County hearing is scheduled for this Thursday at 9 am EDT, and may be viewed on YouTube while the hearing is ongoing. It will be available in the case record

about 24 hours later.

The application for the Wood Duck project does not appear to be filed yet, only the Notice of Intent to file an application.

As you will be appointed by the governor to the Siting Board, you may want to discuss with your county attorney what your responsibilities will be. One item specifically is to avoid any perception of ex parte communication (meaning that you can't discuss the ongoing case with the developer or any party to the case).

I've included the email for our General Counsel, Brian Thomas and our staff attorney on the case. You or the county attorney can reach out to them regarding the process for the case.

Please don't hesitate to reach out to me again, Thanks, Linda

Linda C. Bridwell, PE

Executive Director | Kentucky Public Service Commission | 211 Sower Boulevard | Frankfort, KY

40601 | 502.782.2560



Re:

From Shanda Bradley

Date Mon 5/12/2025 2:18 PM

To Jamie Byrd

Good afternoon Mr. Fehr and Ms. Pope,

As the project progresses toward submittal to the Siting Board for Electric Generation and Transmission/Public Service Commission (PSC), I would like to take this opportunity to formally clarify Barren County's position on several matters and request additional information from your company. To ensure transparency and mutual understanding, I am submitting the following questions for your response:

1. Financial Assurance

- Can you confirm, with written documentation, that your company has secured the necessary funding for the project without reliance on Industrial Revenue Bonds, given that the County Fiscal Court will not agree to any form of bonding or financing for this project?
- Can you provide a detailed financial prospectus identifying investors, the types and amounts of funding, and updated cost projections factoring in increased tariffs and labor expenses?
- Will you provide an income statement that includes liabilities associated with annual lease payments during construction and upon commencement of energy operations?

2. Community Engagement and Transparency

- How does your company address the public's concern regarding the timing of your informational sessions—held after the project's approval by the local planning commission on December 18, 2023?
- What measures will your company take to increase transparency and rebuild trust within our community?

3. Setbacks and Zero Lot Lines

- How do you define and apply "zero lot lines" in your project design?
- Will you commit to a minimum 50-foot setback and landscaping buffer along all road frontages?
- Can you submit a final site map reflecting these setbacks and consider adjustments based on feedback from nonparticipating landowners?

4. Environmental Impact and Waterways

- In light of the U.S. Department of the Interior and National Park Service's opposition, what changes will your company implement to redesign the project and ensure sufficient setbacks from creeks and waterways that may impact Mammoth Cave and the Green River ecosystem?
- Will your company seek and obtain approval from the U.S. Department of the Interior before further development proceeds?

5. Panel Maintenance and Environmental Safety

- What is your strategy for cleaning the solar panels during high-dust agricultural seasons, and what chemicals will be used in this process?
- Can you confirm that any cleaning processes will prevent harmful chemical runoff affecting nearby farms, livestock, or household wells?

6. Decommissioning Commitment and Financial Security

- Can you confirm the full list of project components (e.g., 204,525 panels, 2,351 trackers, 28,512 steel piles, 25 inverter stations, etc.) as outlined, and provide a comprehensive plan for their removal upon project completion?
- Will your company provide a \$4.2 million decommissioning fund to be paid to the county upon issuance of a Notice of Construction, acknowledging that no bond, letter of credit, or recyclable/salvage value will be accepted in lieu of this payment?

7. Partial Decommissioning and Landowner Restoration

- How will you handle decommissioning if individual landowners choose to exit the project at different times?
- Will your company commit to restoring each parcel within 12 months of a landowner's withdrawal and update decommissioning assessments every five years to ensure full coverage?

8. Ownership Transfer and Continuity

- Can you confirm that your company agrees to the county's request to review and approve any sale, transfer, or dissolution of the company?
- Will your company and all investors acknowledge that the decommissioning fund is non-refundable and that all sale contracts must include these stipulations?

As County Judge-Executive, my primary concerns remain the quality and safety of the solar infrastructure, the health of our residents and natural environment, and the assurance of financial and operational integrity throughout the life of the project.

We respectfully request comprehensive responses to the questions above, along with signed acknowledgments from all investors and the requested financial documentation, by close of business (5:00 PM CST) on Monday, May 12, 2025. Failure to respond to this letter will ensure a more difficult discussion with the PSC as I work to protect the interest of the citizens of Barren County.

Thank you for your attention and interest in Barren County. I look forward to your prompt and thorough reply.

Sincerely,

Jamie Bewley-Byrd

Barren County Judge-Executive

Have a blessed day! Shanda M. Bradley **Chanda SM. Objectley**

Fiscal Court Clerk/Finance Officer
Office of the Barren County Judge/Executive
117 North Public Square, Suite 3A
Glasgow, Kentucky 42141
O. 270-651-3338
F. 270-651-2844

From: Jamie Byrd
Sent: Monday, May 12, 2025 2:06 PM
To: Shanda Bradley
Subject:

I want this letter in an email format and question style not statement style.

Get Outlook for iOS

1. Financial Assurance

- o Can you confirm, with written documentation, that your company has secured the necessary funding for the project without reliance on Industrial Revenue Bonds, given that the County Fiscal Court will not agree to any form of bonding or financing for this project?
 - 1. Wood Duck does not require an IRB to proceed with the Project. The IRB and accompanying PILOT agreement would significantly increase the revenue generated for Barren County, but it would not impact Wood Duck's ability to proceed with the Project. Any more specific information concerning the Project's financing is confidential and proprietary information and thus will not be disclosed by Wood Duck. However, Wood Duck is willing to discuss PILOT or IRB opportunities with the county if the county changes its mind.
- Can you provide a detailed financial prospectus identifying investors, the types and amounts of funding, and updated cost projections factoring in increased tariffs and labor expenses?
 - 1. As a private entity, Wood Duck will continue to hold that information confidential. For related information, Wood Duck recommends reviewing the Economic Impact Report filed with both its state Siting Board application and the local variance application.
- Will you provide an income statement that includes liabilities associated with annual lease payments during construction and upon commencement of energy operations?
 - 1. Pursuant to Kentucky state law, that information is maintained confidentially.

2. Community Engagement and Transparency

- 6 How does your company address the public's concern regarding the timing of your informational sessions—held after the project's approval by the local planning commission on December 18, 2023?
 - 1. Wood Duck complied with all notice requirements for the local approvals. Furthermore, Wood Duck took steps to raise awareness in the county prior to the 12/18/23 hearing, and has continued to engage with the community to date. See below for various public outreach and education activities:

Table 1. Public Involvement Activities

DATE	ORGANIZATION	ACTIVITY/INVOLVEMENT
June 2019	Center for Energy Education	Sponsorship, "Train the Trainer for Teachers"
Sept. 2020	Center for Energy Education	Sponsorship, "Landowner meeting held at the Rescue Squad
Summer 2020	Center for Energy Education	Sponsorship, "Renewable Energy Summer Camp"
Summer 2021	Center for Energy Education	Sponsorship, "Train the Trainer for Teachers"
Summer 2021	Center for Energy Education	Sponsorship, "Renewable Energy Summer Camp"
Nov. 2021	Center for Energy Education	Sponsorship, "Solar 101 Education Workshop"
May 2022	Barren County Chamber of Commerce	Joined Chamber and have renewed annually.
June 2022	Boys & Girls Club	Sponsorship, Charity Golf Scramble
June 2022	Center for Energy Education	Sponsorship, "Solar 101 Education Workshop"
Sept. 2022		Sponsorship and host, "Public Officials Workshop"
Sept. 2022	Land & Liberty Coalition	Sponsorship, Community Dinner
Dec. 2022	Barren County	Sponsorship, Christmas Parade
Jan. 2023	Barren County Chamber of Commerce	Attendee, Coffee and Commerce event
Feb. 2023	Barren County Chamber of Commerce	Annual dinner, Silver Package Donor
June 2023	Geenex	Quarter Mile - Door Knocking Campaign to adjacent property owners
June 2023	Geenex	Wood Duck Solar Project website launched.
Oct. 2023	Beautify Barren County	Donor 10,000
Oct. 2023	BC Engineering	Donation to BC Engineering for Leah's Alarm system for Barren County High School
Summer 2024	Barren County Chamber of Commerce	Sponsorship, "Biz Bash" event
Aug. 2024	Geenex	Public meeting
Nov. 2024	Helping the Hardworking	Donor
Feb. 2025	Geenex	Public Information Meeting

- What measures will your company take to increase transparency and rebuild trust within our community?
 - Wood Duck has remained transparent and diligently worked to create and maintain trust within the community since its initial engagement with Barren County as early as 2019. Wood Duck will continue to do so as this process continues. Wood Duck is proud of the many relationships it has created in and around the community and disagrees with the assertion that trust has been eroded.

3. Setbacks and Zero Lot Lines

- o How do you define and apply "zero lot lines" in your project design?
 - 1. For Wood Duck, a "zero lot line" is a type of development that leaves minimal, if any, yard space or setback between the structure to be constructed and the boundary line of the underlying parcel.
 - 2. As stated in Wood Duck's Setback Encroachment Variance Application (and resulting 12/18/23 meeting minutes), the Project sought and was granted a variance from rear yard and side yard setback requirements only as applicable to the interior lot/tract lines of participating properties and not to the adjacent nonparticipating properties/property owners.
- Will you commit to a minimum 50-foot setback and landscaping buffer along all road frontages?
 - Wood Duck has committed to the setbacks contained in the Barren County Subdivision Regulations and the approved variance as to the rear and side yard setbacks of the project's interior lot/tract lines. Additionally, the Project will comply with any conditions, including those related to setbacks, imposed by the Siting Board as part of its state-level approvals.
 - 2. Regarding landscaping, the project will leverage existing vegetation to screen the site. The Project will plant supplemental vegetative cover for areas bordering its solar modules to minimize viewshed impacts. The anticipated vegetative buffer is depicted in the Siting Board application.
- Can you submit a final site map reflecting these setbacks and consider adjustments based on feedback from nonparticipating landowners?

1. The state Siting Board will require a final site map prior to commencement of construction of the approved Project, and Wood Duck will provide a copy of this to the county at the same time. Wood Duck has communicated with adjoining landowners to address concerns to the extent possible.

4. Environmental Impact and Waterways

- o In light of the U.S. Department of the Interior and National Park Service's opposition, what changes will your company implement to redesign the project and ensure sufficient setbacks from creeks and waterways that may impact Mammoth Cave and the Green River ecosystem?
 - I. NPS identified in its communication to the state Siting Board that its concern was the impact of any Battery Energy Storage Systems (BESS) infrastructure on endangered cave shrimp and their basin located within

the Mammoth Cave system. Wood Duck has not included plans for any BESS as part of this Project, and will continue to communicate this information to NPS to settle any concerns about these effects.

- Will your company seek and obtain approval from the U.S. Department of the Interior before further development proceeds?
 - 1. Wood Duck is committed to seeking and securing approvals from all local, state, and federal agencies with permitting authority over the project. As the Department of the Interior does not have an approval/disapproval process for projects like Wood Duck, no approval can or will be sought.

5. Panel Maintenance and Environmental Safety

- What is your strategy for cleaning the solar panels during high-dust agricultural seasons, and what chemicals will be used in this process?
 - Minimal cleaning will be necessary, even during the agricultural seasons.
 Wood Duck does not anticipate using chemicals for any cleaning of solar panels and plans to simply use water.
- Can you confirm that any cleaning processes will prevent harmful chemical runoff affecting nearby farms, livestock, or household wells?
 - 1. See response above re no chemicals are anticipated to be used for cleaning. Due to the planting of native grasses across the Project, very little water will leave the project area via runoff.

6. Decommissioning Commitment and Financial Security

- o Can you confirm the full list of project components (e.g., 204,525 panels, 2,351 trackers, 28,512 steel piles, 25 inverter stations, etc.) as outlined, and provide a comprehensive plan for their removal upon project completion?
 - 1. Please see the decommissioning plan which was submitted with the Siting Board application, and was also included with the local variance application, as this contains the requested information.
 - 2. As noted in the 12/18/23 meeting minutes, the Project submitted a decommissioning plan which requires complete removal of all Project components and accessories.
- Will your company provide a \$4.2 million decommissioning fund to be paid to the county upon issuance of a Notice of Construction, acknowledging that no bond, letter of credit, or recyclable/salvage value will be accepted in lieu of this payment?

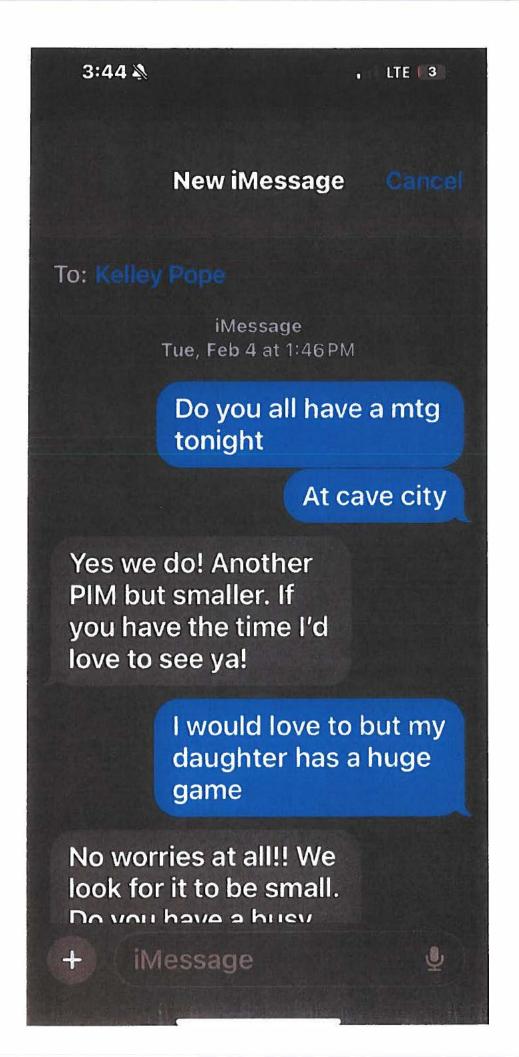
1. Wood Duck will comply with its requirements included in the Siting Board certificate in tandem with statutory requirements for decommissioning, along with its decommissioning plan.

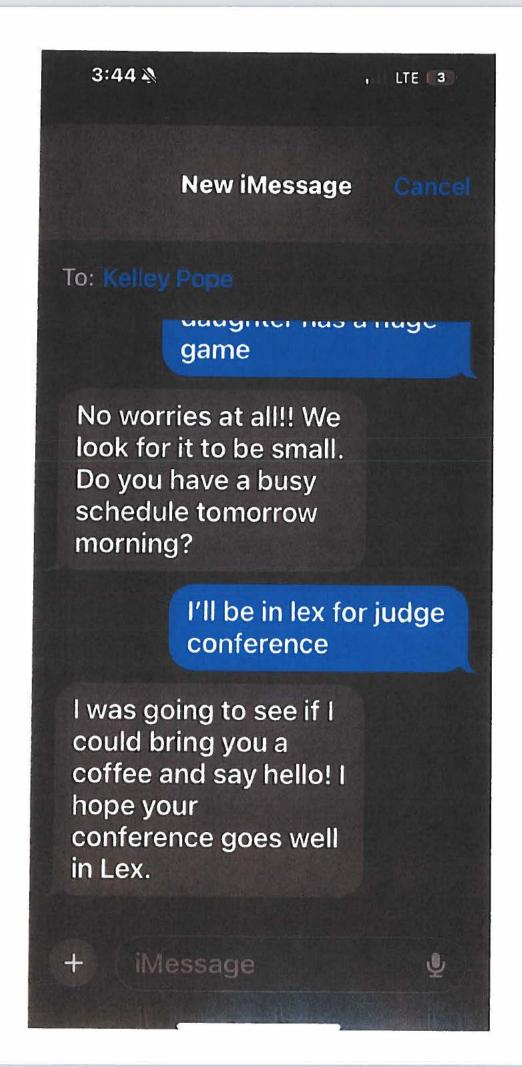
7. Partial Decommissioning and Landowner Restoration

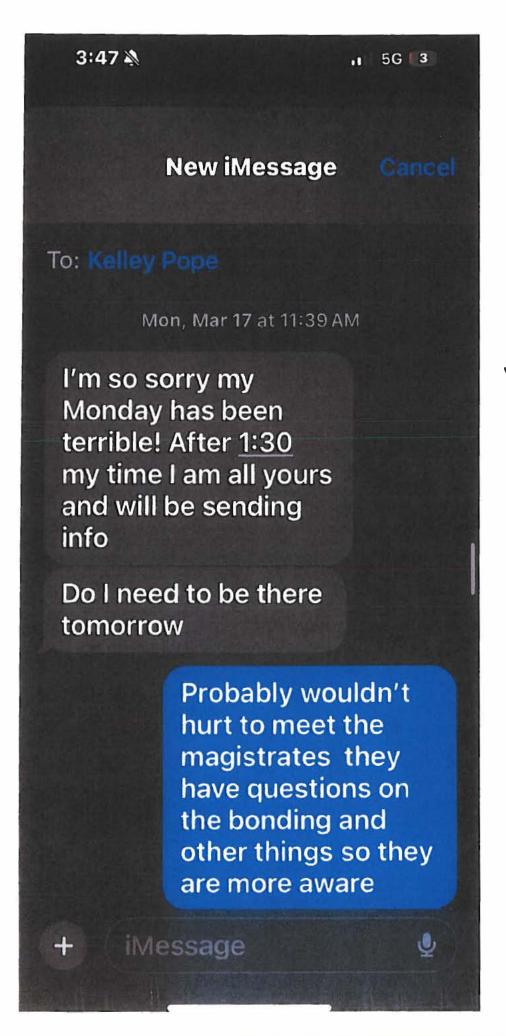
- How will you handle decommissioning if individual landowners choose to exit the project at different times?
 - 1. Per the decommissioning plan and landowner agreements, decommissioning will only occur at the end of the Project's useful life and will not be piecemeal.
- Will your company commit to restoring each parcel within 12 months of a landowner's withdrawal and update decommissioning assessments every five years to ensure full coverage?
 - 1. The Wood Duck Project will decommission the land within its Project footprint as identified in the submitted decommissioning plan and with the statutes and regulations requiring plan updates throughout the life of the Project.

8. Ownership Transfer and Continuity

- Can you confirm that your company agrees to the county's request to review and approve any sale, transfer, or dissolution of the company?
 - Wood Duck will comply with both its Siting Board certificate and KRS 278.710 and related regulations regarding any approval for sale, transfer or dissolution of the company. Notably, KRS. 278.710 has preempted local control over the sale, transfer, or dissolution of the Wood Duck entity.
- Will your company and all investors acknowledge that the decommissioning fund is non-refundable and that all sale contracts must include these stipulations?
 - 1. Wood Duck will comply with both its Siting Board certificate and KRS 278.710 and related regulations regarding any requirements for the decommissioning financial security.





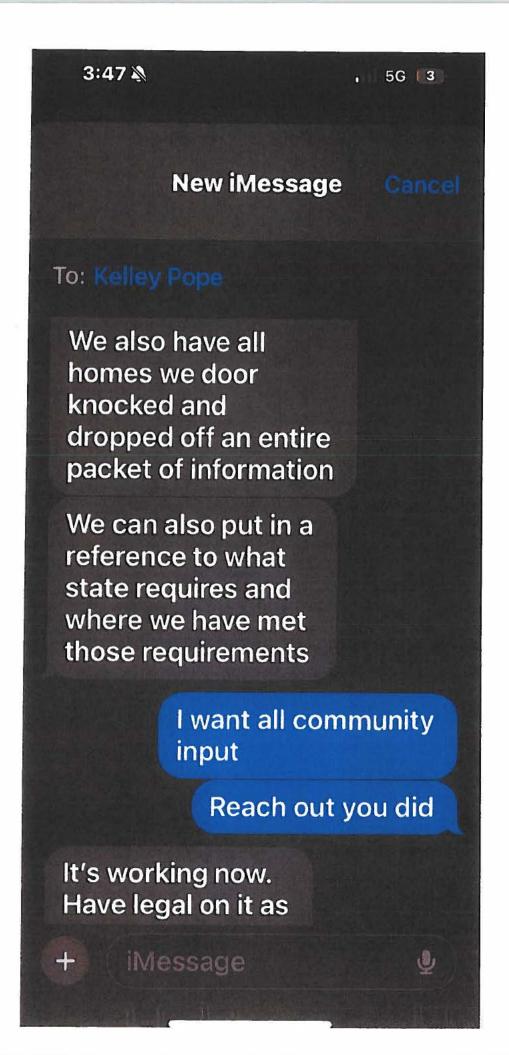


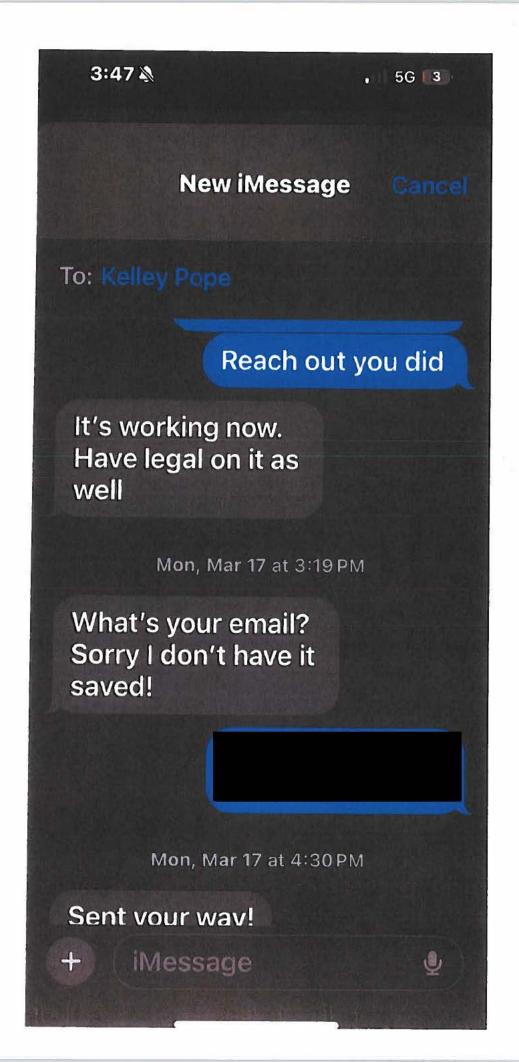
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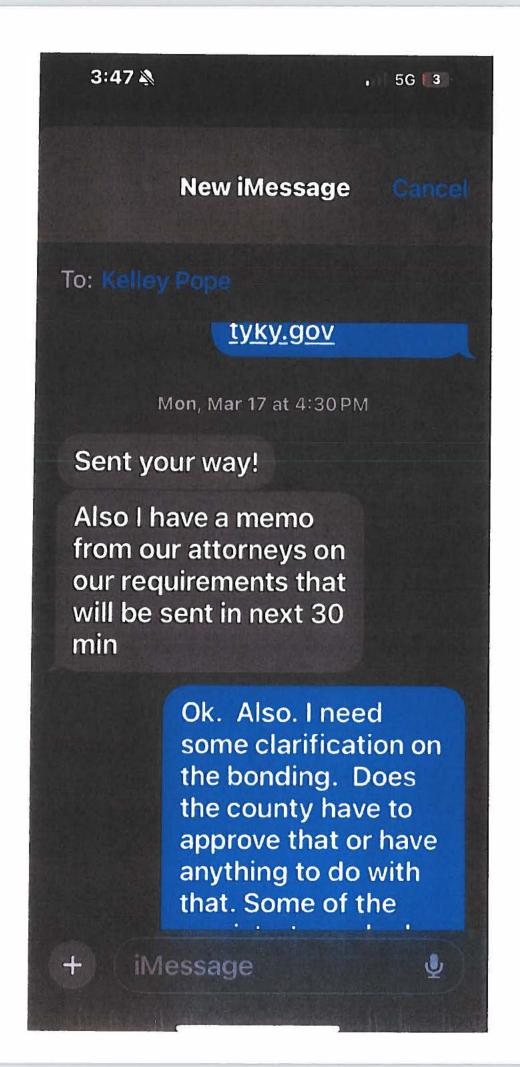


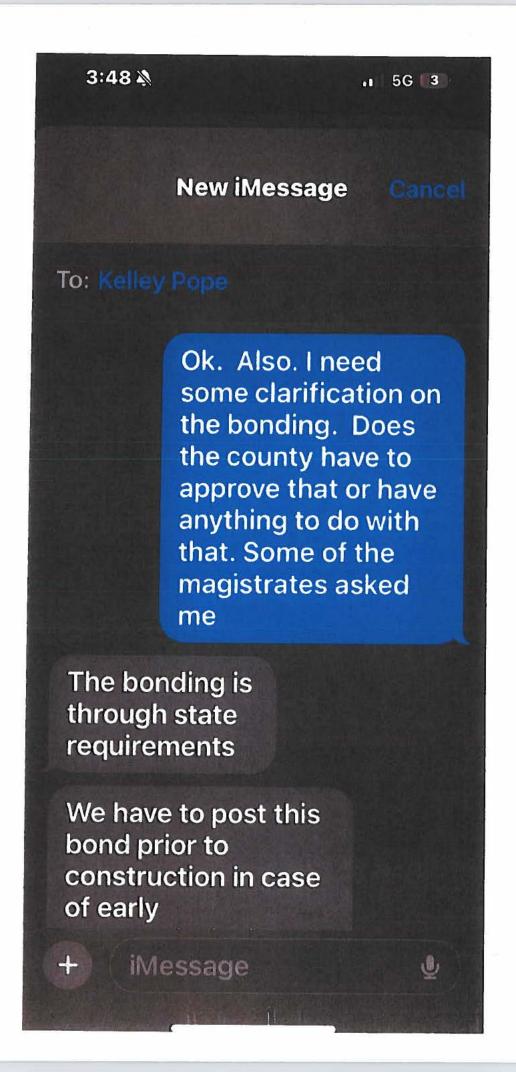
Piscal Court Meeting

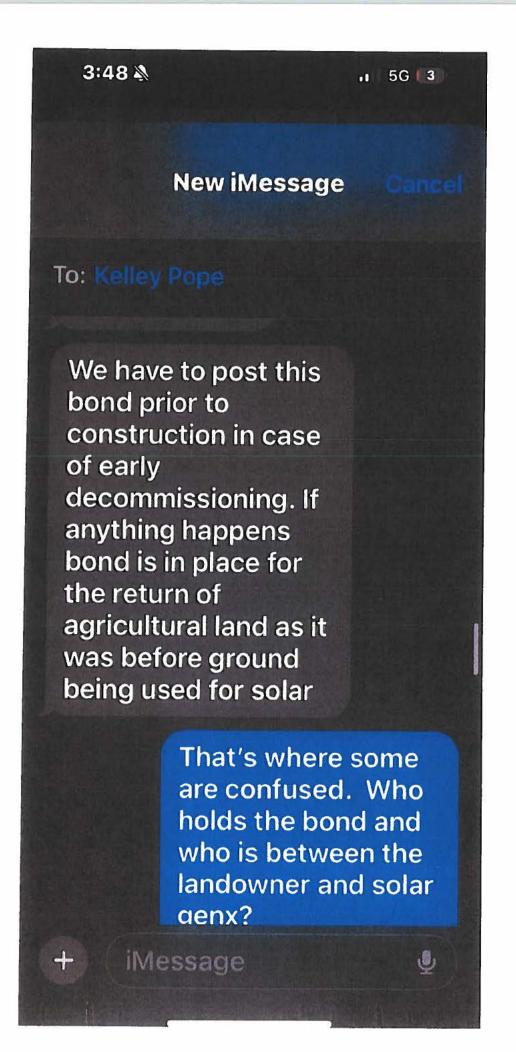
3:47 LTE 3 **New iMessage** To: Kelley Pope I thought so I think that's best I can certainly meet with them but maybe best not tomorrow. Yes. I agree just hold Gotcha you will have your report soon Working on write up now You just want all community engagement? iMessage . +

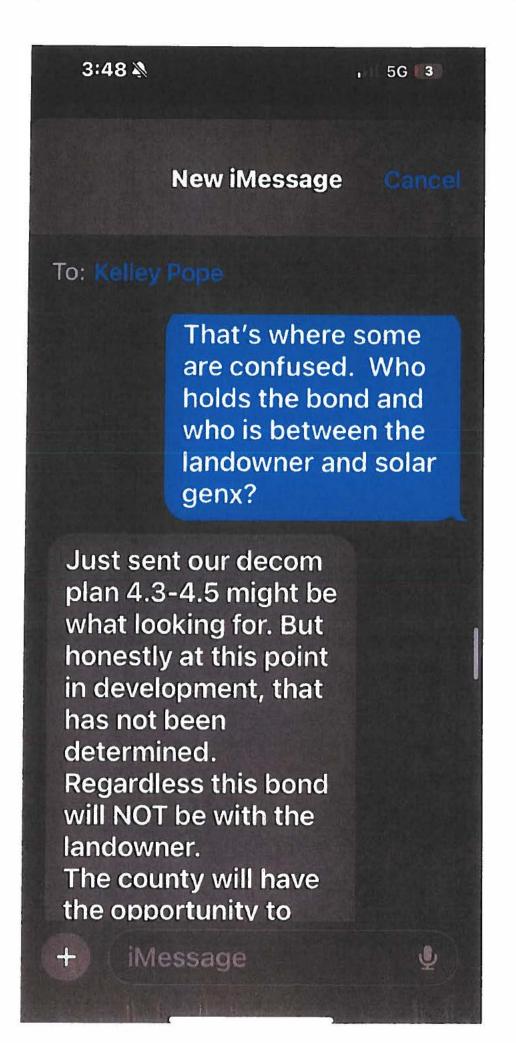












New iMessage

To: Kelley Pope

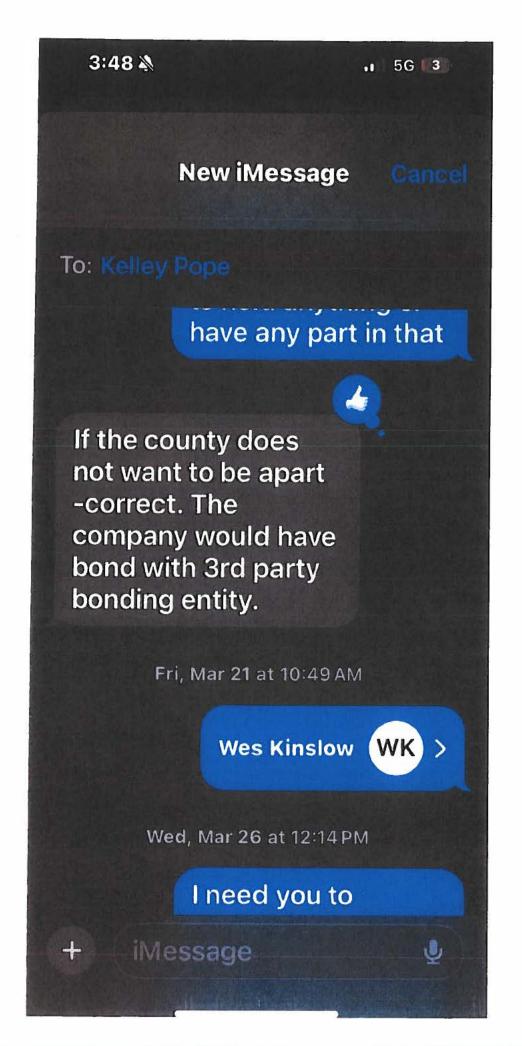
honestly at this point in development, that has not been determined.
Regardless this bond will NOT be with the landowner.
The county will have the opportunity to hold bond if they choose but this will happen prior to construction during state process.

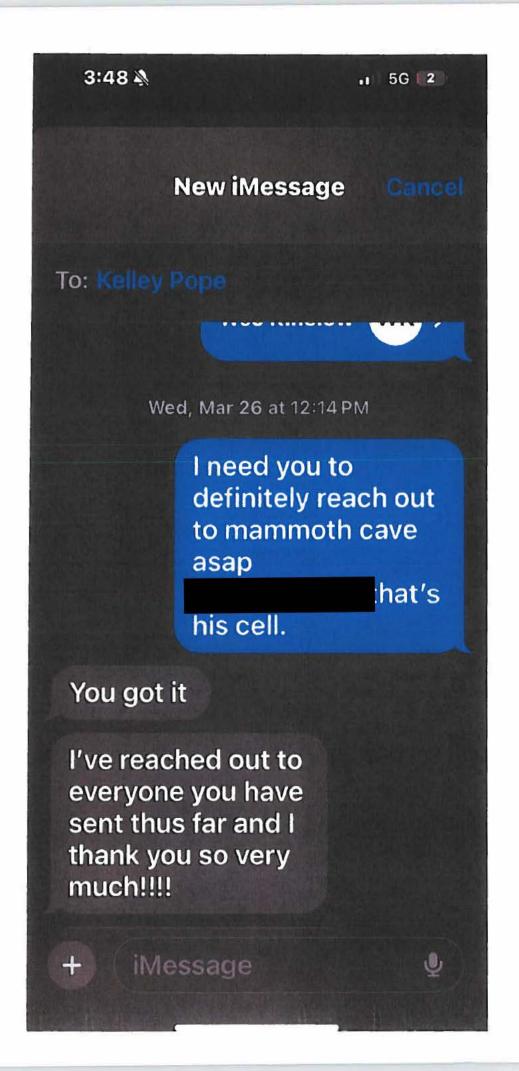
Also in our lease agreements with each landowner we

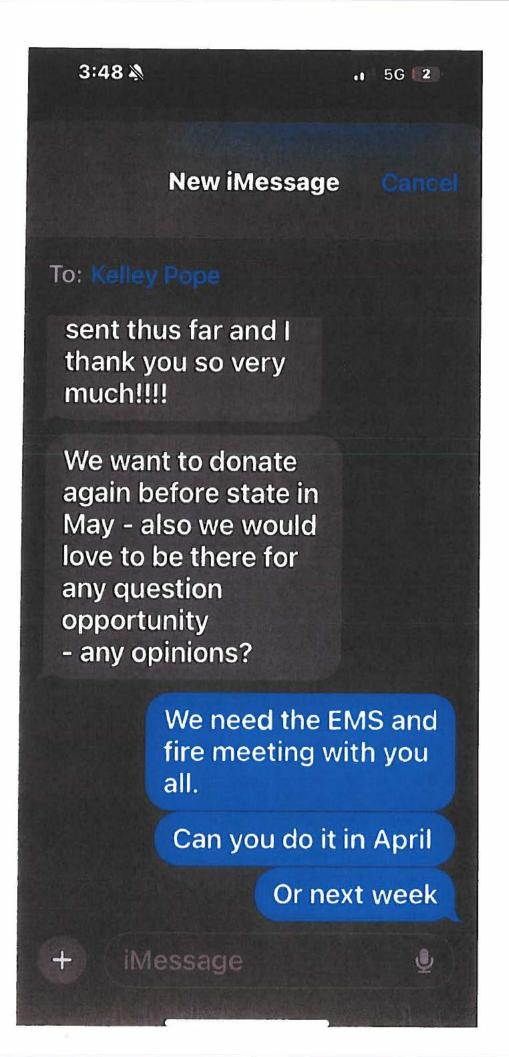
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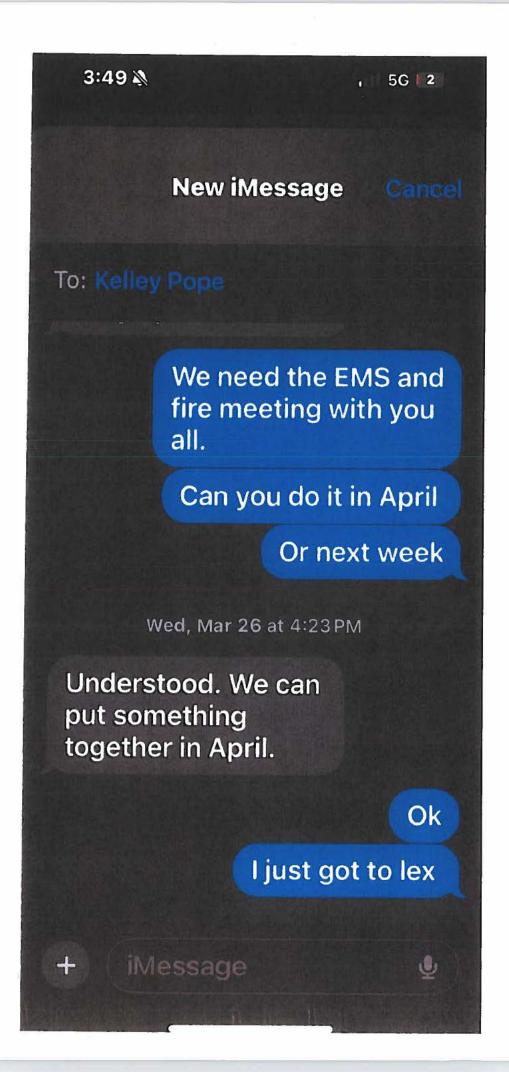
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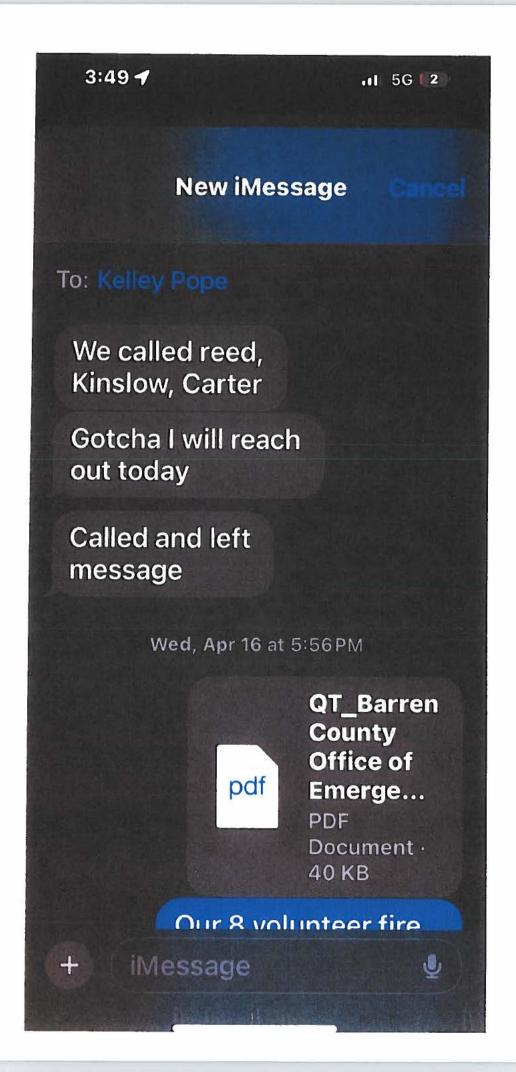


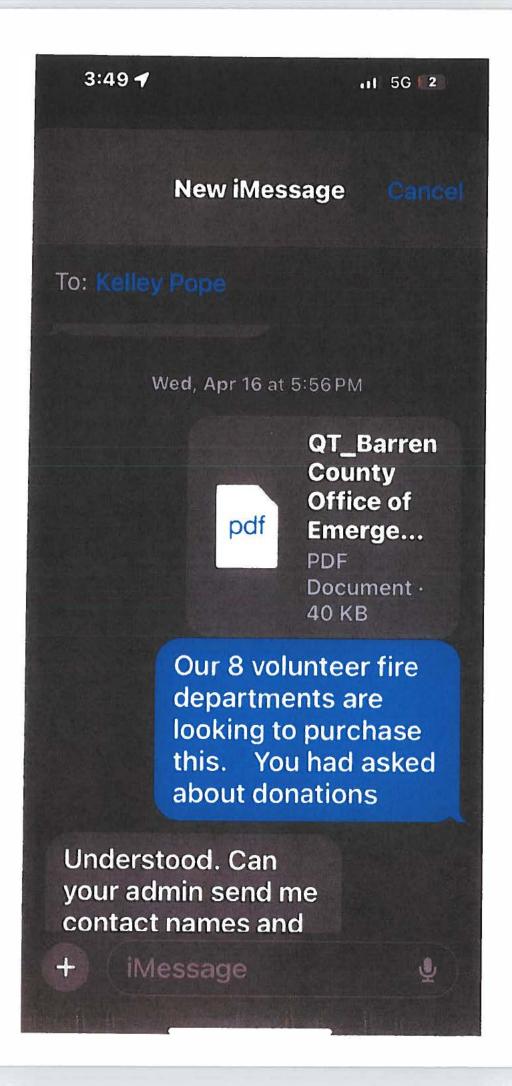












11 5G 2

New iMessage

To: Kelley Pope

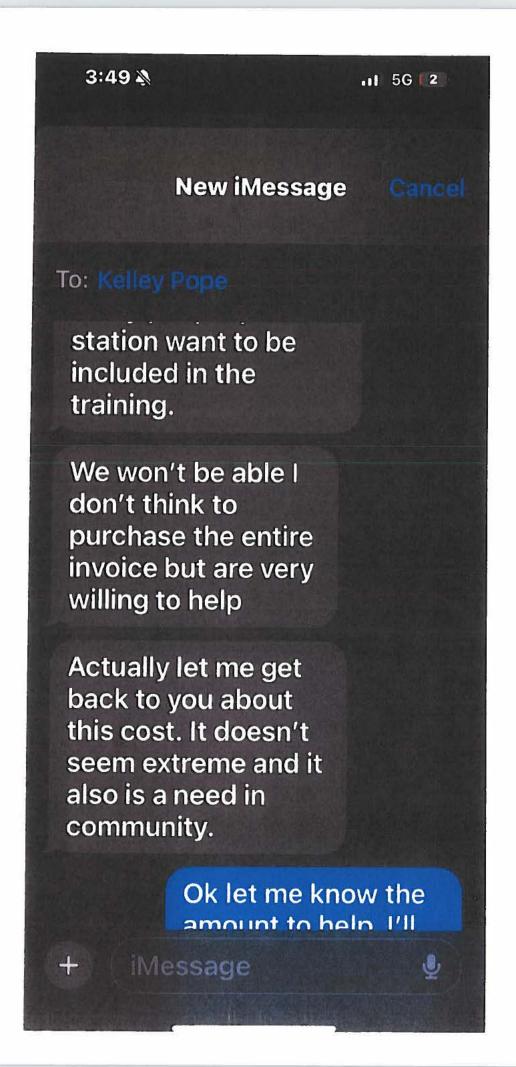
about donations

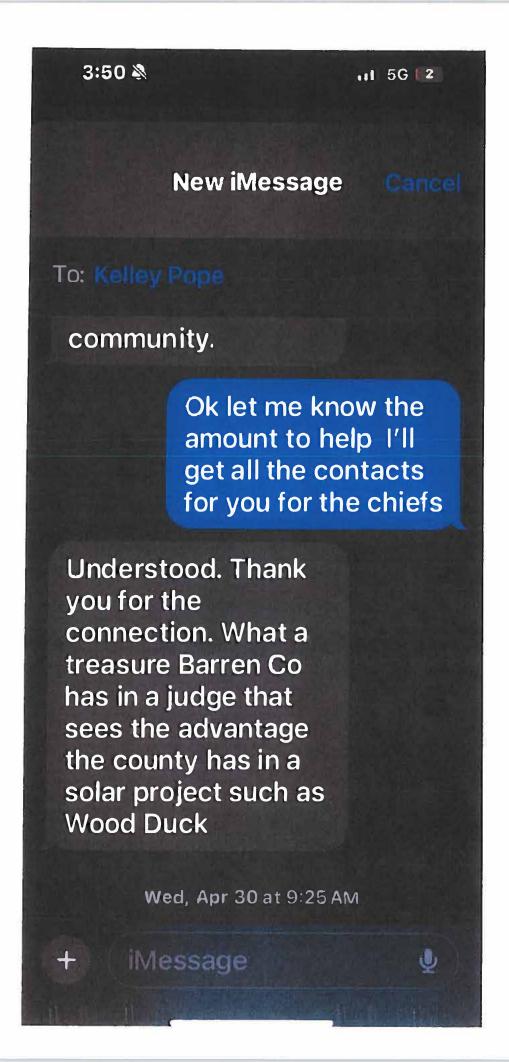
Understood. Can your admin send me contact names and numbers of each?

We are preparing for a fire safety training course for the departments around the project area. Trying to reach out to them to see how many people per fire station want to be included in the training.

+

iMessage





Hello all, Kelley Pope here, with Geenex Power, director of development for Wood Duck Solar project in Barren County. I will be reaching out within the upcoming months for a training service. Please reach out via email at Kelley.pope@geenexpower.com in the meantime if you have further questions, comments or concerns. It's a pleasure to meet you all virtually! lam very grateful to Judge Byrd putting this thread together. Geenex and Wood Duck Solar values the relationships we have built in the community since 2020 and hope to continue prioritizing counties needs first in our development within Barren County. Thank you!

2:18 ା ଚାଠ

New iMessage

Cancel

Jamie Byrd

+

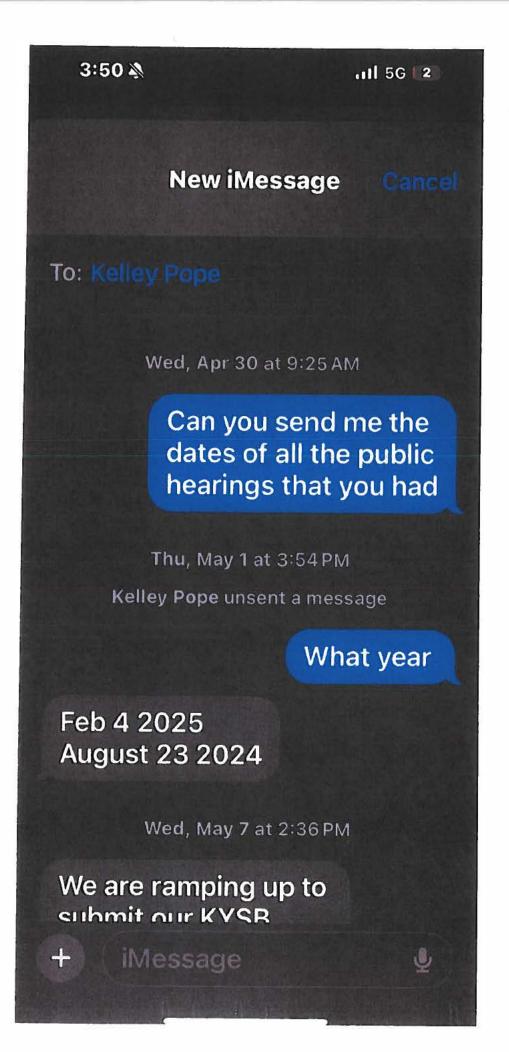
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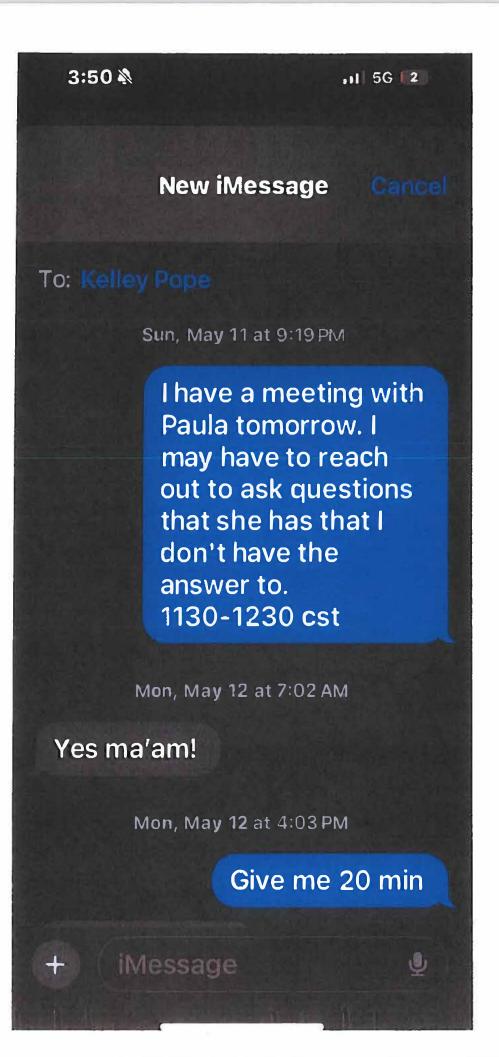
Helia ali, Kaliny Pope Here, with Gosman Power, director of development for Whood Duck Selat-templed in Sarren Country will be reaching out within the spounding marths for a training service.

Pleaso reach out via email at Malay Associated by the country the creamber of you have further cuestions, comments or emicernal. It's a pleasor to emosty out the same further cuestions, comments or emicernal. It's a pleasor to emosty out the same further cuestions, comments or emicernal. It's a pleasor to emosty out the same further of the constant of the cuestions of the cuestions of the cuestions of the constant of the cons

Jamie, did you allow a private contractor access to the government's platform to email government volunteers with a "hello" greeting? Did you disclose private email

Sender Paula Pedigo





3:50 11 5G 2 **New iMessage** To: Kelley Pope Mon, May 12 at 4:03 PM Give me 20 min Sounds great!! Wed, May 14 at 7:02 AM Are you available Friday for a short meeting? I have something on the calendar for most of the day. I do have a list of questions that i am going to iMessage

3:50

11 5G 2

New iMessage

Cancel

To: Kelley Pope

the calendar for most of the day. I do have a list of questions that i am going to email you also that have been asked

My schedule this week and next is insane. With last week of school and everything. I'm on the way to dc now til tomorrow

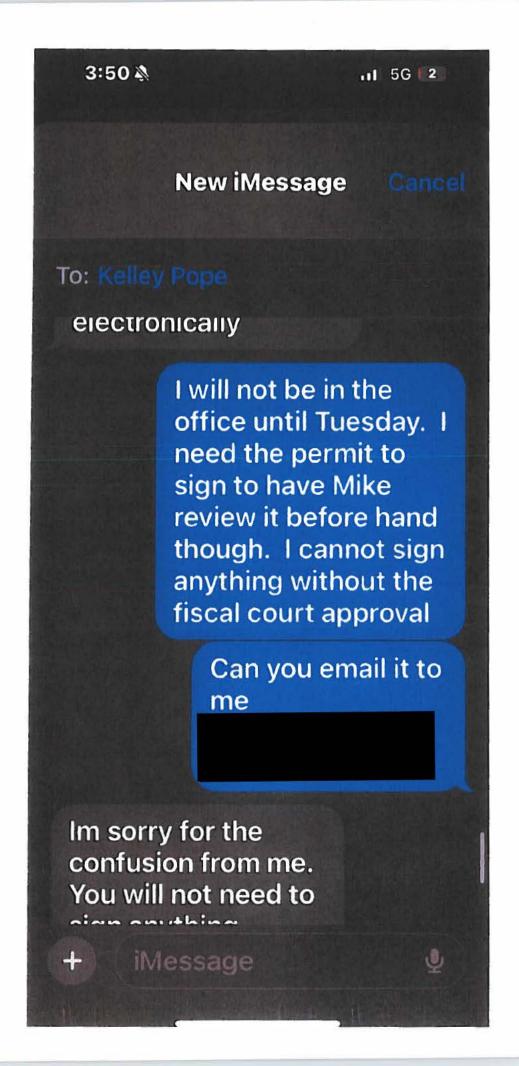
Okay sounds great!
I just need to drop
our application off to
vour office if that's

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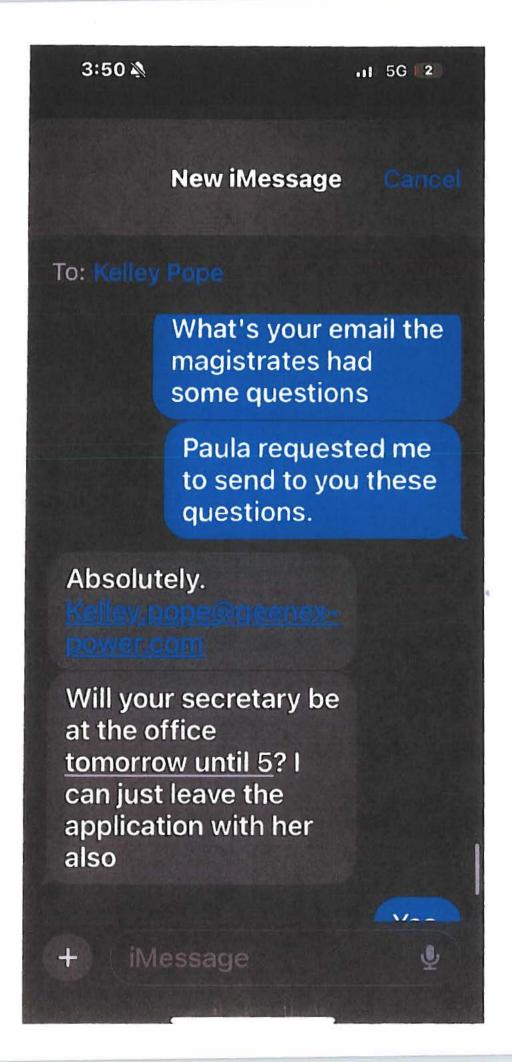
iMessage

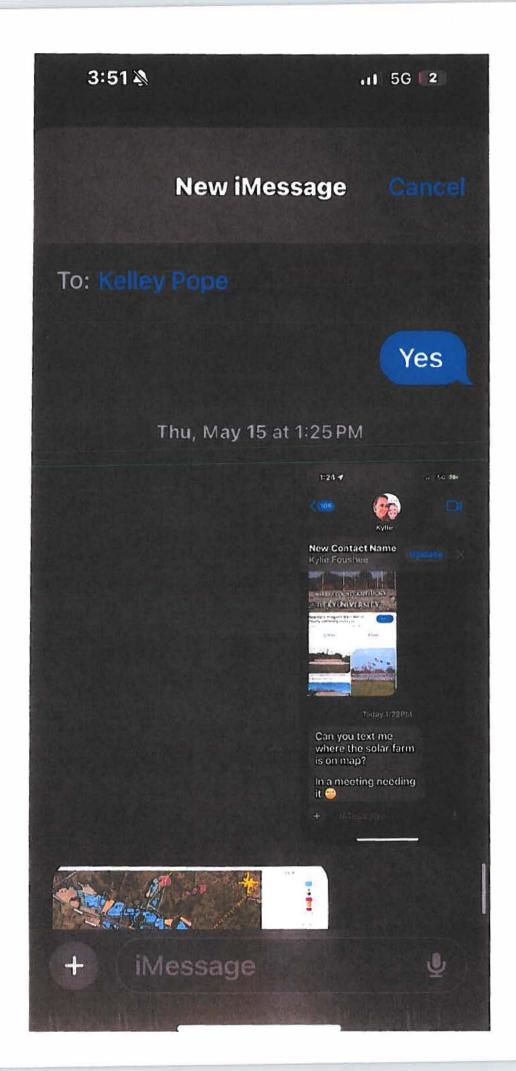
3:50 11 5G 2 **New iMessage** To: Kelley Pope tomorrow Okay sounds great! I just need to drop our application off to your office if that's okay. I don't even need more than 60 seconds I just have to sign a document that I gave you are application. Oh my goodness you are booked and busy!! I hope the DC airport is okay ٩

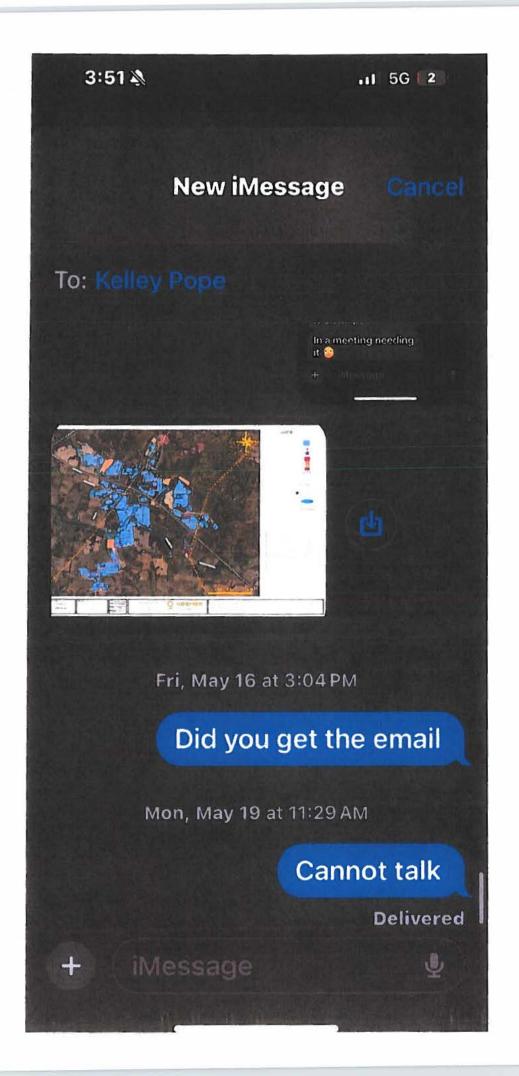
3:50 .11 5G 2 New iMessage To: Kelley Pope is okay Thu, May 15 at 10:01 AM Hello! Sorry but was wondering if Monday worked better for me to drop off our permit? We just have a requirement to drop off to you and Kevin. It would take 30 seconds if you would allow me to drop it off. Can do tomorrow or Monday. We will be also submitting iMessage



3:50 .11 5G 2 **New iMessage** To: Kelley Pope Im sorry for the confusion from me. You will not need to sign anything. I just have to sign that I dropped it off. What's your email the magistrates had some questions Paula requested me to send to you these questions. Absolutely. +) iMessage









Beautify Barren County Follow

Nov 22, 2023 · 😚



On behalf of our board members, thank you Geenex Solar for investing in Beautify Barren County.

We have exciting plans and are anxious to reveal what donations like this will do to create uniqueness and beauty in our community.

To learn more about beautiful barren county visit beautifybarren.com.





Commonwealth of Kentucky Michael G. Adams, Secretary of St. Ky Secretary of State

1259948 Michael G. Adams Received and Filed 6/26/2024 10:46:51 PM

Fee receipt: \$10.00

Michael G. Adams Secretary of State P. O. Box 718 Frankfort, KY 40602-0718 (502) 564-3490 http://www.sos.ky.gov

Statement of Change of **Principal Office Address**

POC

N601

Pursuant to the provisions of KRS 14A.5-010, the undersigned hereby applies to change the principal office on behalf of

BEAUTIFY BARREN COUNTY, INC.

and for that purpose submits the following statements:

1. Address of current principal office	2. Principal office is hereby changed to:		
601 SOUTH GREEN STREET	189 Blue Sky Dr		
GLASGOW, KY 42141	GLASGOW, KY 42141		

3. Authorized Signature of Entity Jamie Bewley Byrd, Founder Signature and Title Jamie Bewley Byrd, Founder Type or print name and title 6/26/2024

State of origin Filing fee \$15.00

Commonwealth of Kentucky Michael G. Adams, Secretary of State



Michael G. Adams Secretary of State P. O. Box 1150 Frankfort, KY 40602-1150 (502) 564-3490 http://wwwsos.ky.gov

2025 Annual Report Due June 30, 2025 Filing Fee \$15.00

ARP

Exact organization name and principal office address BEAUTIFY BARREN COUNTY, INC. 189 BLUE SKY DR **GLASGOW KY 42141**

The principal offica address and registered agent name/office address cannot be changed on this form. You can file orline at https:// sosbes.sos.kv.go.w/bussearchoprofile/search.aspx or forms can be downloaded from our website,

Registered Agent and Registered Office Address

BRIAN K. PACK 135 NORTH PUBLIC SQUARE GLASGOW, KY 42141

President J	AMIE BYRD		
Directors - Non grafit careeralist	ne must have at least three (2) directors	All directors of the non-profit must be listed. If Not specif	find director addresses default a the page
office address.	is time: have of least three (2) directors, i	All directors of the hospitals most be asted. If not specif	neo, offector addresses detablica the participation
KYLIE FOUSHEE			
LISA RILEY			
JAMIE BYRD			
X			
Sincelure of officer Or disirmate	of the hoard (Required)	Tillo (Paretrad)	Date (Denisted)

TO AVOID A PENALTY FEE OF \$100, SAVE TIME, FILE ONLINE: https://web.sos.ky.goy/fasttrack/FileARP.aspx/?ctr=1271027 OR sign and return to the Office with the required \$15,00 filing fee To file via mail

Confirm the information is correct.

Make changes by writing on this annual report, or by submitting an attachment with the algaed report. Include the signed annual report, any attachments and filling fee (payable to the Kentucky State Treasurer)

If you file and pay online, do not return this document to the Secretary of State.