



DIANE DAY

AUSTIN COUNTY CLERK

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COMMISSIONERS COURT MINUTES

April 21, 2025 Austin County Commissioners Court met in the 2nd floor Courtroom at the Austin County Courthouse with the following present:

Tim Lapham, County Judge
Greg Mikel, Commissioner, Precinct 1
Robert "Bobby" Rinn, Commissioner, Precinct 2
Leroy Cerny, Commissioner, Precinct 3
Chip Reed, Commissioner, Precinct 4
Diane Day, County Clerk
Allison Gerik, Deputy Clerk

6:00 P.M. OPENING

CALL TO ORDER

ROLL CALL AND CERTIFICATION OF QUORUM

Motion to Approve: Commissioner Cerny, 2nd Commissioner Rinn, passed (4-0)
Order #25-136

1. Workshop regarding Battery Energy Storage System Facilities

Judge Lapham thanked the community and On Energy for attending and that he will ensure order and decorum are kept. There will be no action on agenda.

Representing On Energy is Kenneth Cargill, Sal Minopoli, and Mauricio Garcia. Attorney representing On Energy is Mark Merrell with McFarland PLLC.

On Energy stated they are here to answer any questions on safety and legal concerns regarding the project.

Sal Minopoli (On Energy President) thanked the court for the opportunity to speak. Sal Minopoli expressed that he is here to give confidence to the citizens of Austin County. This storage facility will be a backup battery for the power grid and is not a powerplant. During the winter it will send stored electricity to the power grid. The site will have 24/7 monitoring with no in and out traffic. There is no fire or smoke hazard as this battery system has met all test requirements. Each battery is stored in fire safe containers.

Sal Minopoli (On Energy President) spoke on the concern of the California Systems and stated their system is not like the California Systems that caught fire.

If the local grid has an emergency this battery facility will be able to support and backup electricity to the grid.

Judge Tim Lapham addressed the concern for a response plan in the event of an emergency.

Sal Minopoli (On Energy President) assured they use the state required emergency response plan. Each battery system is equipped with a cooling system. If the cooling system fails the smoke will trip the system and shut it off. Worst case scenario, there will only be smoke and no flames.

Sal Minopoli (On Energy President) confirmed the 2 monitoring systems are in Houston and Mexico City and they monitor 24/7.

This Battery Energy Storage System Facilities contain lithium-ion batteries.

Judge Tim Lapham spoke of the public concern on light and noise the facility will put off.

Sal Minopoli (On Energy President) advised the noise level is 15 decibels, which is equal to a home refrigerator. Lighting covers 1 acre, secured by a 7ft fence with barbed wire and will only turn on if the gate opens.

Commissioner Reed addressed the concern for the alarm system.

Sal Minopoli (On Energy President) indicated the system will sit idle until there is a request for electricity.

Judge Tim Lapham asked how the energy enters the storage system.

Sal Minopoli (On Energy President) explained it operates like a charging system. Energy comes to and from the power grid and then billed accordingly for electricity received and provided. Batteries do not stay fully charged. Agreements have been signed with both the City of Bellville and Lower Colorado River Authority.

Judge Tim Lapham asked why On Energy chose this property.

Sal Minopoli (On Energy President) acknowledged it is based off the market and where hubs are located.

Commissioner Cerny asked why On Energy could not build near hubs.

Sal Monopoli (On Energy President) answered, stating they chose this location based off environmental ability and the property checked all the requirements.

Commissioner Cerny stated this will not benefit the local community.

Sal Minopoli (On Energy President) maintained it will benefit and be part of the community.

Commissioner Rinn asked how this will benefit the local community.

Sal Minopoli (On Energy President) responded it will benefit the community in the event of an emergency.

Commissioner Reed questioned how a fire would be put out.

Sal Minopoli (On Energy President) advised a fire can't happen. Sal Minopoli (On Energy President) then went on to say if the battery system were to ignite, it must be allowed to consume itself.

Commissioner Reed asked what the burning duration time is.

Sal Minopoli (On Energy President) said he does not have a duration time to provide.

Commissioner Cerny inquired if service agreements are complete.

Sal Minopoli (On Energy President) declared agreements are complete.

Commissioner Reed questioned what would happen if lightning struck or overcharging occurred.

Sal Minopoli (On Energy President) stated the storage facility will not blow up if struck by lightning.

Commissioner Cerny asked if the local fire department will be trained for something that will not burn.

Sal Minopoli (On Energy President) listed Pasadena Fire Department as being trained on how to handle the systems.

Commissioner Reed asked what the fire department should be told to do.

Sal Minopoli (On Energy President) advised the fire department should be told not to touch.

Commissioner Mikel addressed the concern for evacuation due to fumes.

Sal Minopoli (On Energy President) assured the fumes are not toxic.

Commissioner Rinn asked if they have evidence to support.

Sal Minopoli (On Energy President) stated he will send over evidence to support this information.

Commissioner Reed asked why use lithium-ion batteries.

Sal Minopoli (On Energy President) affirmed they use lithium-ion batteries due to their safety and reliability.

Judge Tim Lapham asked how long is the life expectancy of the storage facility.

Sal Minopoli (On Energy President) indicated the State of Texas restoration plan states they have a 20-year life expectancy. After those 20 years, the State of Texas requires On Energy return the property back to its original condition.

Sal Minopoli (On Energy President) declared the batteries are designed to run short term for 2 hours maximum.

Judge Tim Lapham asked if On Energy is receiving state grants.

Sal Minopoli (On Energy President) affirmed they are not receiving state grants.

On Energy presented pictures of other battery storage facilities like the one for Austin County.

Sal Minopoli (On Energy President) spoke on the build quality of the containers. Container walls are made of an explosion proof metal. Each cabinet has gas agents that suffocate the battery. Walls are double containment to ensure no possible leaks. Field service techs come out to all indicated alerts. If sensors are not working there is a problem. Containers are rodent proof.

Commissioner Rinn asked who is responsible for demo.

Sal Minopoli (On Energy President) confirmed On Energy is responsible for demo.

Commissioner Reed asked where the closest site is to Austin County.

Sal Minopoli (On Energy President) said the closest site is in Crosby, 10 miles North of Baytown.

On Energy has been in business since 2015.

The battery storage facility does not require the use of water.

The facility will require low maintenance.

Judge Tim Lapham asked who On Energy answers to for Fire Code.

On Energy reports to the State Fire Marshall.

It was asked if legislation concerns China.

On Energy is unaware of legislation concerning China.

There are no plans for the additional part of the property.

The battery storage containers are manufactured by Sungrows.

On Energy has already produced the batteries and they are currently being stored in Houston, TX.

FERC will handle all cyber-attacks.

Sal Minopoli (On Energy President) stated this is not a research development.

It is unknown if homes nearby will have their insurance affected.

Sal Minopoli (On Energy President) thanked the public and court for their time today on behalf of On Energy.

Motion to Adjourn: Commissioner Reed, 2nd Commissioner Mikel, passed (4-0).
Order #25-137

Court adjourned at 7:25 p.m.

**ALL SUPPORTING DOCUMENTS ON FILE WITH COUNTY CLERK AS PROVIDED
BY
COMMISSIONERS COURT**

I, Diane Day, Austin County Clerk, attest to the minutes of the Commissioners Court proceedings for August 26, 2025.

Date: June 4, 2025
Diane Day, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas
By: Allison Gerik
Allison Gerik, Deputy Clerk

FILED

2025 JUN -4 AM 7:44

