

**TESTIMONY OR PRESENTATION INFORMATION
FOR
LOCAL GOVERNMENT COMMITTEE**

Please send all testimony or presentations in pdf format 24 hours in advance of the scheduled meeting to Debra.Heideman@house.ks.gov

Name of Conferee/Presenter Mark Horst

Agency represented King Solar Inc.

Bill # HB 2268

Proponent

Opponent

Neutral

Will your testimony be given:

Oral In Person

Oral Via WebEx

Written Only

If you are presenting testimony via WebEx, you will need to be sent an invitation to join the meeting. Please provide your email address.

Email address _____

If you are giving a presentation, please complete the following:

Name of your presentation _____

Do you need Audio/Video Equipment for your presentation? Please list.

Thank you,

Debra Heideman, Local Government

Committee Assistant

Room 149-S, 785-296-7681



Phone: (316) 265-8568
Email: mark@kingsolar.net

Date: 9-Feb-24

Attn: Chairman Bergquist and members of the committee

My name is Mark Horst and I own King Solar. We are a solar energy contractor located in Yoder, Kansas and currently provide more than 20 quality jobs for Kansans in rural Reno County.

Thank you hosting this hearing today to take a look at HB2268.

HB2268 will protect the freedom of Kansans. Enabling all Kansans to be able to harvest the abundant solar resource that is shining on their property every day.

Currently, there are no limits to how restrictive a covenant or association's rules can be in regards to solar energy and punitive restrictions are currently being placed on homeowners.

Let me give you a few examples:

- One of my customers in Wichita has been told by his HOA that he must move his panels to the back of his home. The HOA's rules at the time of installation said that solar panels could not be street facing. This customer contracted with our company to install his panels on the side of his home facing perpendicular to the street. After installation, the HOA adopted an addendum stating that panels could not even be visible from the street making his existing panels out of compliance (see attached satellite image #1). Not only would this be costly not only for moving the panels and replacing the shingles, but also would reduce the output of those panels by about 15% annually.
- I have also had customers in Wichita as well as Newton completely denied the ability to install solar panels by their HOA regardless of street facing or not.
- Another example was a customer that contracted with our company to install a compliant system per the HOA rules (non-street facing, perpendicular to the street). Our crew was on the roof installing when someone in the community complained to the HOA and we had to stop work mid-stream. In this particular case the customer chose not to fight the HOA. Instead, he made a decision on-the-fly to reduce the system size, have our crew remove the equipment that we had just installed & pay a roofing company to come replace the affected shingles.
- Coming up in the near future we have a customer that desires to fully comply with his HOA rules. He is scheduled to have our company install non-street facing panels on his home and has received an approval letter from his HOA board. This results in him having to install the solar panels facing towards the north which reduces their efficiency by 30% (see production % chart attached #2). Here in the northern hemisphere, if you mention to any reputable solar contractor the idea of facing panels to the north you are likely to get a confused look and a question, WHY?



This bill as written does not give homeowners full license to install anything they want including visually obtrusive or “ugly” solar panel. You’ll see beginning in line 10 that the association may adopt reasonable rules.

I included 2 examples of bad solar installations that should not be allowed (see photos #3 and #4 attached). HB2268 allows for reasonable rules to ensure home values and uniformity of the community are still upheld such as:

- Solar panel color that is similar to the shingle color. There are two main color options commercially available in the solar industry. If a home has dark shingles, it would make sense to require them to install black panels. However, for a home with light colored shingles, a lighter more traditional colored solar panel may look better. The same color options apply to the mounting hardware.
- The tilt of the panels could be required to be mounted in parallel to the roof slope.
- The panels could be required to fit within the perimeter of the roof and not overhang the eave, ridge, hips or valleys.
- The conduit could be required to be installed under the panels and, when possible, routed in the attic to keep a clean aesthetic.

These requirements do not substantially increase the cost of a system nor do they impede the efficiency of the energy generation of a solar array and therefore are not prohibited by this legislation. Take a look at the last two photos attached (photos #5 and #6). These homes have dark solar panels on dark shingles. The panels follow the roof line, and there is no exposed rooftop conduit. Installations like these should not be denied.

Basically, if Kansans want to generate their own energy using their own rooftop mounted equipment in order to take control of rising utility costs and ensure their own energy security, we believe it is appropriate for their home owner’s association to require a uniform and aesthetically pleasing set-up, but that outright denial or punitive siting requirements are against the common good.

This bill will continue progress our state to the future and allow companies like ours to continue to grow the number of high-quality jobs in our state.

I look forward to this bills’ continued progress. Feel free to contact me with any questions.

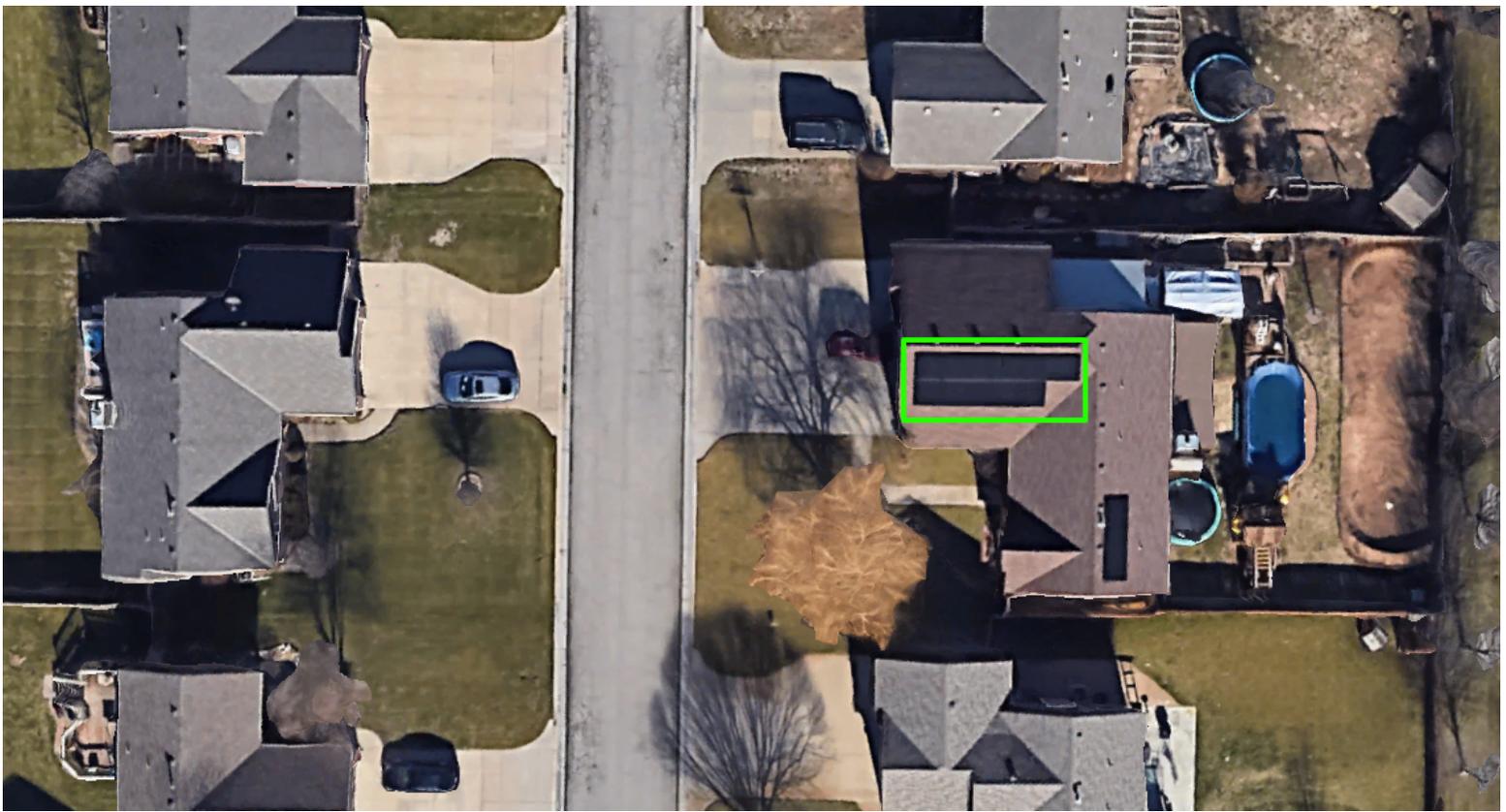
Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Horst".



Mark Horst
King Solar
316-265-8568 ext 9



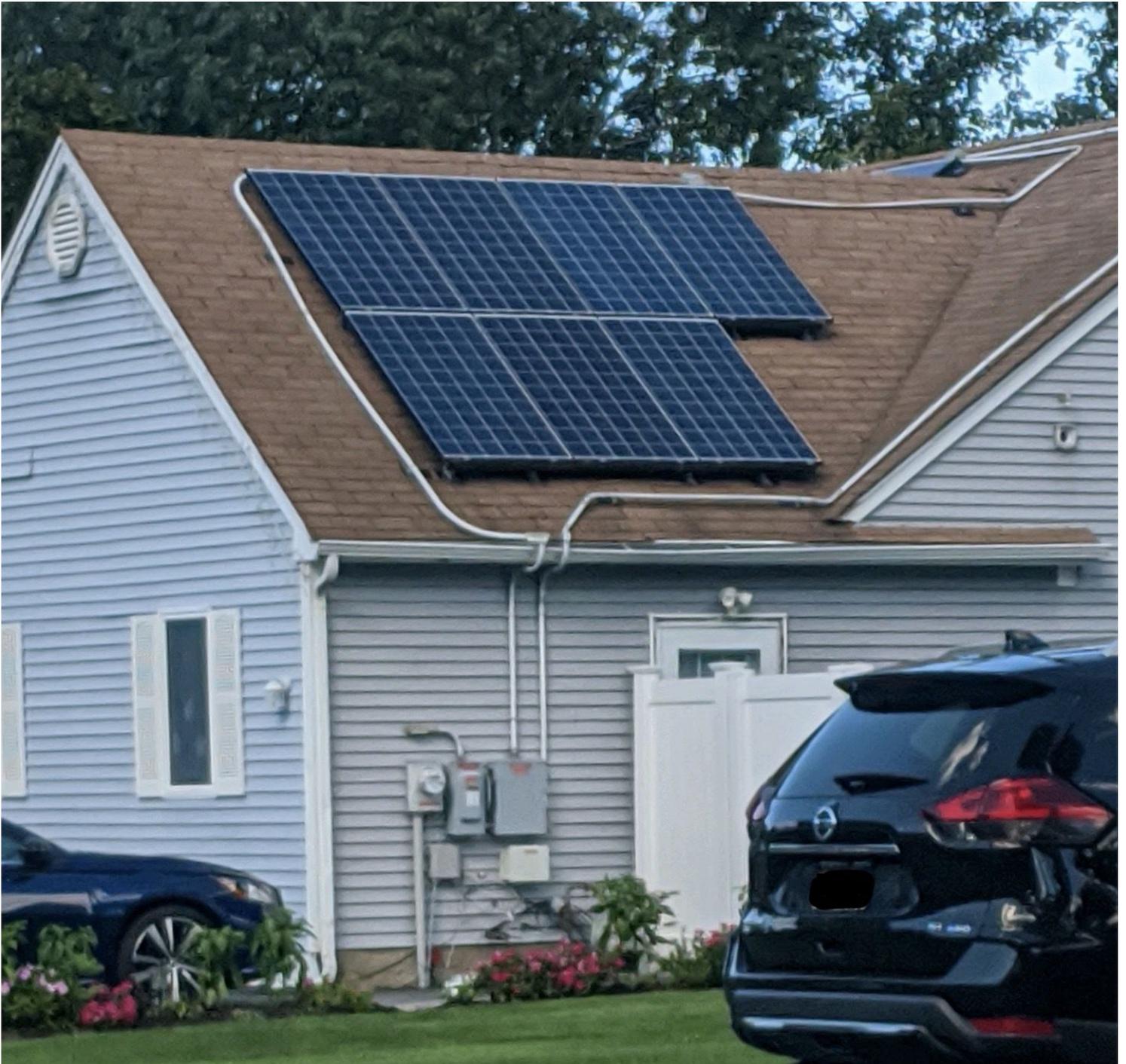
Satellite image, #1

Azimuth

		East		SE		South			SW		West		NW					
		75°	90°	105°	120°	135°	150°	165°	180°	195°	210°	225°	240°	255°	270°	285°	300°	315°
Roof Pitch	90°	41%	48%	53%	58%	61%	63%	63%	63%	63%	63%	62%	59%	54%	49%	42%		
	80°	47%	54%	60%	66%	70%	73%	74%	75%	74%	73%	71%	67%	61%	55%	48%		
	70°	52%	60%	67%	73%	78%	81%	84%	84%	84%	82%	79%	74%	68%	61%	53%		
	60°	57%	65%	72%	79%	84%	88%	91%	92%	91%	89%	85%	80%	74%	66%	58%		
	50°	63%	70%	77%	84%	89%	93%	96%	97%	96%	94%	90%	85%	79%	72%	64%		
	40°	68%	75%	82%	87%	92%	96%	98%	100%	99%	97%	93%	88%	83%	76%	69%		
	30°	73%	79%	85%	90%	94%	97%	99%	100%	99%	97%	94%	90%	86%	80%	74%		63%
	20°	78%	82%	86%	90%	93%	95%	97%	97%	97%	96%	94%	91%	87%	83%	79%		
	10°	82%	84%	87%	89%	90%	91%	92%	92%	92%	92%	90%	89%	87%	85%	83%		
	0°	85%	85%	85%	85%	85%	85%	85%	85%	85%	85%	85%	85%	85%	85%	85%		

Chart, #2

Bad Solar
Photo #3
Rooftop conduit



Bad Solar
Photo #4
Hanging over edges



Good Solar

Photo #5

Follows roof line

Dark solar on dark shingles

No exposed rooftop conduit



Good Solar

Photo #6

Follows roof line

Dark solar on dark shingles

No exposed rooftop conduit

