

**In The Matter Of:**  
*LIVINGSTON COUNTY ZONING BOARD OF APPEALS.*

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*February 25, 2015*

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Original File 0225HRG.txt

**Min-U-Script® with Word Index**

1 LIVINGSTON COUNTY ZONING BOARD OF APPEALS  
2 CASE SU-7-14  
3 PLEASANT RIDGE WIND ENERGY PROJECT

4 February 25, 2015  
5 6:30 PM  
6 Walton Centre  
7 100 West Locust Street  
8 Fairbury, Illinois

9 BOARD MEMBERS

10 Michael Cornale, Acting Chair  
11 Rich Kiefer  
12 Joan Huisman  
13 John Vitzthum  
14 Diana Iverson  
15 Tom Blakeman, Attorney for Zoning Board of Appeals

16 Charles T. Schopp, Administrator  
17 Livingston County Regional Planning Commission  
18 112 W. Madison Street  
19 Pontiac, IL 61764

20 James R. Griffin  
21 Attorney for Livingston County  
22 Schain, Banks, Kenny & Schwartz  
23 70 W. Madison Street, Suite 5300  
24 Chicago, IL 60602  
312.345.5700

25 Appearing For Applicant/Invenergy:

26 Michael S. Blazer  
27 Attorney at Law  
28 Jeep & Blazer, LLC  
29 24 North Hillside Avenue, Suite A  
30 Hillside, IL 60162  
31 708.236.0830  
32 mblazer@enviroatty.com

33 Appearing for United Citizens of Livingston County:

34 Phillip A. Luetkehans  
35 Attorney at Law  
36 Schirott, Luetkehans & Garner, LLC  
37 105 E. Irving Park Road  
38 Itasca, IL 60143  
39 630.760.4601  
40 pluetkehans@slg-atty.com

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1 (Commencing at 6:30 p.m.)

2 CHAIRMAN CORNALE: All right, we'll go  
3 ahead and get going this evening. Chuck, roll call  
4 for us please?

5 MR. SCHOPP: This is the February 25th,  
6 2015, continuation hearing of Livingston County  
7 Zoning Board of Appeals review of Livingston County  
8 Zoning Case SU-7-14, Pleasant Ridge Energy, LLC,  
9 Pleasant Ridge Wind Energy Project.

10 Michael Cornale.

11 CHAIRMAN CORNALE: Here.

12 MR. SCHOPP: John Vitzthum.

13 MR. VITZTHUM: Here.

14 MR. SCHOPP: Richard Kiefer.

15 MR. KIEFER: Here.

16 MR. SCHOPP: Diana Iverson.

17 MS. IVERSON: Here.

18 MR. SCHOPP: Howard Zimmerman. Joan  
19 Huisman.

20 MS. HUISMAN: Here.

21 MR. SCHOPP: And Gibs Nielsen. Okay.

22 CHAIRMAN CORNALE: All right, I'll take  
23 this opportunity to welcome everybody here this  
24 evening. We've taken a look ahead into March for

1 some dates, so if everybody has a pencil and wants  
2 to jot these down. We're looking at we'll be back  
3 here on March the 10th. That will be 6:30 here at  
4 the Walton Centre. We're looking ahead to the  
5 following week, the 16th and the 18th. On those,  
6 we'll have more information on the location with  
7 regard to those. And the following week, there's  
8 nothing. So then we're looking at the 30th and  
9 31st.

10 So in March, we have five scheduled dates,  
11 March the 10th, March the 16th, March 18th, March  
12 30th and March 31st. A little bit more information  
13 will come out as far as location and time for sure  
14 on those, but count on the 10th, 6:30, at this  
15 location.

16 So with that, again just want to take the  
17 opportunity to remind everybody to be a good  
18 audience to those speaking up here. I've heard a  
19 few comments. We need to really try to keep the  
20 noise level down so that everyone can hear. It's a  
21 little difficult to hear in this location, so if we  
22 can keep any chatting throughout the hearing, try to  
23 keep that until break. If there's something that's  
24 very important that you need to, go ahead and step

1 out, go downstairs, talk about it, do whatever you  
2 need to do, and come back, all right?

3 With that, I've got a list here of some  
4 interested people that would like to speak this  
5 evening. We'll do our best to get through this list  
6 and then we'll continue on our -- we've got about  
7 two or three lists floating around here, so we're  
8 trying to work our way through this as best as  
9 possible.

10 Is a Marshall Newhouse available this  
11 evening?

12 MR. NEWHOUSE: Yes, sir.

13 CHAIRMAN CORNALE: Please come forward,  
14 Mr. Newhouse. Would you like to speak at the podium  
15 or sit down?

16 MR. NEWHOUSE: I'll try the podium.

17 CHAIRMAN CORNALE: All right. We'll go  
18 ahead and give that a whirl then. All right, Mr.  
19 Newhouse, could you please raise your right hand?

20 (Mr. Marshall Newhouse was duly sworn.)

21 CHAIRMAN CORNALE: All right, can you  
22 please state your name and address for our court  
23 reporter, and then go ahead with your presentation.

24 MR. NEWHOUSE: Marshall Newhouse, 13407

1 Capron Road, Capron, Illinois, C-A-P-R-O-N.

2 Good evening. I come to you from Boone  
3 County up on the Wisconsin state line. I have been  
4 a board member up in that county, county board  
5 member, for 11 years. I have served on the zoning  
6 committee and chaired that for all of those 11  
7 years, and I'd like to share some of the things that  
8 I found.

9 And I would also like to congratulate the  
10 Livingston County people for taking on this task of  
11 educating yourselves before voting on this huge  
12 project. As with any Illinois county, you are given  
13 the authority and responsibility to make decisions  
14 that will affect every one of your constituents.  
15 I'm going to speak about one that is difficult to  
16 grasp, and that is decommissioning. In reality,  
17 asking a county official to look at a scenario that  
18 is likely to occur long after he or she is retired  
19 is asking a lot, and I get that. I will do my best  
20 not to put you to sleep in the few minutes you allow  
21 me.

22 A part of the request before you is a  
23 section of the special use that deals with the  
24 taking of this potential project of 136 turbines

1 down sometime in the decades down the road. You may  
2 feel you are protected and have done your due  
3 diligence by having in print some facts and figures  
4 that should accurately portray the cost of getting  
5 your county back to what it looks like today without  
6 those turbines.

7 I spent about six hours the other day --  
8 excuse me, over two afternoons calling multiple  
9 businesses in northern Illinois and southern  
10 Wisconsin getting their opinion on some of your  
11 numbers. The cumulative effect of these numbers are  
12 in front of you now. They are my numbers and I hope  
13 they stir you to open your phonebooks --

14 MR. LUETKEHANS: Mr. Newhouse, I don't  
15 think anybody has handed out your information yet.

16 MR. NEWHOUSE: My apologies. In that  
17 packet, hopefully you will find two articles from  
18 two of the trade magazines within the wind industry  
19 and then a piece of paper with some numbers on it.  
20 Is that correct?

21 Okay. Should I begin again, sir?

22 CHAIRMAN CORNALE: Go ahead.

23 MR. NEWHOUSE: So these are my numbers and  
24 I hope they stir you to open your phonebooks and do



1 your own research on this important issue. In my  
2 opinion, the WECS developer has done a job that is  
3 lacking in substance and in some cases is just  
4 factually inaccurate.

5           On page 8 of the applicant's  
6 decommissioning plan, if you have that anywhere near  
7 you, you will see multiple line items which make up  
8 the expense table. I concentrated on two of them.  
9 The first was crane rental. If you have a copy of  
10 the decommissioning plan, you'll see that under  
11 crane and disassembly of turbine there is a  
12 projected expense of \$48,000 per turbine. Now if I  
13 could use a Manitowoc 3000 as an example, the rental  
14 on this machine is 75,000 per month with a setup and  
15 teardown expense of an additional 50,000. These  
16 numbers are two years old, so they could be more by  
17 now.

18           That \$50,000 isn't a one-shot deal. It's  
19 every time that machine needs to cross under a  
20 transmission line or any obstruction where height is  
21 an issue and the machine needs to be broken down.  
22 So depending on agreements with the county, there  
23 may be restrictions on crossing roads that would  
24 keep the one million pound machine in pieces so the

1 road is not destroyed by the pressure put down by  
2 the tracks.

3 Now, if I could ask you to turn to the two  
4 articles that were given to you.

5 CHAIRMAN CORNALE: Mr. Newhouse, let me  
6 stop you just real quick. So we get these admitted  
7 into evidence correctly, do you want to give me a  
8 numbering as you're going to present these, 1, 2, 3,  
9 so we can get them -- we'll call them Newhouse and  
10 then accordingly.

11 MR. NEWHOUSE: Okay, Newhouse will be --  
12 the first article will be Early Detection in Wind  
13 Turbines, that will be item No. 1.

14 CHAIRMAN CORNALE: Very good.

15 MR. NEWHOUSE: Turbine Maintenance: Pay  
16 Now or Surely Pay Later will be item No. 2. And my  
17 printed sheet with the numbers for the net cost of  
18 decommissioning your project will be No. 3.

19 CHAIRMAN CORNALE: Very good, okay. You  
20 can go ahead and continue, thank you.

21 MR. NEWHOUSE: Articles from Wind Currents  
22 Shaping the Future of Energy and from North American  
23 Wind Power show that I have given the least  
24 expensive scenario based on industry documents. So

1 if we could go to that first one, Early Detection in  
2 Wind Turbines, it's talking about turbine failures.  
3 The third page in that article is a table. At the  
4 top of that table shows cost repairs. The crane  
5 cost by itself being \$100,000 for the rental of this  
6 machine.

7 If we could go to the second article,  
8 Turbine Maintenance from the North American Wind  
9 Power, it's a publication within the wind industry,  
10 on the first page of that article right above the  
11 box at the bottom right-hand corner there's one  
12 paragraph. It states, "Mobilization of a main lift  
13 crane onto a site to repair one turbine can exceed  
14 \$200,000."

15 CHAIRMAN CORNALE: Okay. We need to find  
16 our No. 2. I'm not sure that we got 2. Ours says  
17 Good-Bye Cranes, Hello Climbing.

18 MR. NEWHOUSE: (Handing document.)

19 CHAIRMAN CORNALE: We definitely do not  
20 have it. That's (indicating) what we got for 2.

21 MR. NEWHOUSE: This is supporting evidence  
22 in case there were any questions. This is the  
23 article that I meant you to have.

24 CHAIRMAN CORNALE: Okay.

1           MR. BLAKEMAN: This is 1, this is 2, this  
2 is 3 (indicating).

3           MR. NEWHOUSE: Well, in that case, I must  
4 apologize. You've gotten one page out of two pages,  
5 and it was not the page that I was hoping you had.  
6 I will submit these into evidence, but it looks like  
7 you're not going to be able to see them as I read  
8 them.

9           The second article, of which you don't  
10 have, again the lower right-hand corner of the first  
11 page is a paragraph which states, "The mobilization  
12 of a main lift crane onto a site to repair one  
13 turbine can exceed \$200,000, and that does not  
14 include the expenses for the crew, tools and  
15 equipment. Moreover, it can take 25 truckloads to  
16 transport a big crane to a job site and two to four  
17 days to assemble the crane." I will have these  
18 submitted into evidence. My apologies.

19           Depending on the size and the  
20 availability, it states the costs could easily jump  
21 to \$200,000 per machine. Depending on how many  
22 turbines you intend to decommission at any one time,  
23 adding an additional \$152,000 per turbine over the  
24 stated 48,000 in your decommissioning plan would put

1 the bid that you have submitted to you in shambles  
2 before the crane even starts.

3           The second expense I would like to  
4 interest you in is the wind turbine foundation  
5 removal. Above the huge underground slab of cement  
6 needed to support a turbine is a column of cement  
7 that protrudes out of the ground. It is filled with  
8 rebar and on it the base of the tower is bolted. In  
9 your decommissioning, you have an estimated expense  
10 of \$12,500 to remove this cement column to a depth  
11 of 54 inches. There is a good chance these dollars  
12 are going to be a fraction of what is required for  
13 the job.

14           Two businesses I contacted that do this  
15 type of work in the world of demolition provided two  
16 bids. The first was a company that utilizes a large  
17 hydraulic jackhammer on a backhoe that pulverizes  
18 the steel and cement mixture, moves back, allows the  
19 clean up of a few small inches, goes back to  
20 pulverizing, and repeats the process until the  
21 removal of your 54 inches of pedestal is achieved.  
22 Their bid for this is 50,000, which includes the  
23 removal of material to a site willing to take the  
24 product at no cost.

1           The second bid for this project was a  
2 company using drills to open up alleys in the  
3 pedestal, inserting dynamite, covering the blast  
4 area, then blasting, uncovering, scraping, loading  
5 and trucking the material off-site. This process is  
6 repeated over and over again until your 54 inch  
7 removal is achieved. Their bid was \$60,000.

8           Both companies stressed that it is an  
9 amazing degree of cement hardness after a few  
10 decades, with the work of removing these structures  
11 being slow and arduous.

12           I looked at two separate revenue  
13 generators spelled out by the applicant, the copper  
14 and structural steel. You will find the estimated  
15 revenues on page 9 of the applicant's plan. The  
16 local scrap steel yards I spoke with are strictly by  
17 the book out of the Chicago markets. I was told  
18 that the bids I'm used to receiving for used  
19 electric motors and generators coming off of my farm  
20 would be the same that would be received for the  
21 generators and the nacelles of your decommissioning  
22 project.

23           The generators would be dropped off at the  
24 steel yards. The yard knows the generator is 12 to

1 13 percent copper and the rest is cast or steel.  
2 And he's going to offer you 15 to 18 cents per pound  
3 today. Now he's going to treat you a little better  
4 for the copper in the wiring that runs the length of  
5 the tube that is enclosed in insulation, and he's  
6 going to offer you about 80 cents per pound today.

7 For the copper in the generator, there is  
8 a huge amount of labor extracting the baked enamel  
9 wiring from the housing that surrounds it. The  
10 \$2.60 per pound estimate used by the applicant's  
11 decommissioning estimate is a figment of their  
12 imagination.

13 Steel up and down the WECS is going to  
14 have a bunch of labor to get it sized, put in  
15 trucks, and shipped to the same yard. Today's  
16 market is in the \$180 range and not in the \$370  
17 range the applicant is attempting to impress upon  
18 you.

19 Well, that's it. I took enough time to  
20 create new bids on four obvious line items. In  
21 doing so, the change in your bid is somewhat  
22 dramatic. The cost to the developer went from  
23 \$36,977 in their decommissioning estimate to take  
24 down one turbine and it was moved to \$278,686.

1           Now, just so I can remember, you did or  
2 did not get this sheet with my -- or the tally of  
3 numbers on it?

4           CHAIRMAN CORNALE: We have received that.  
5 That would be Newhouse 3.

6           MR. NEWHOUSE: Okay. So as you can see,  
7 under total revenue, removing what I consider  
8 inflated revenue and putting in current bids as of  
9 the last week came up with a new total revenue of  
10 7.5 million. And under expenses, I removed the  
11 expenses the applicant had in of 8.2 million and I  
12 added in what I considered current market expenses  
13 of 33 million. That changed the net cost to  
14 37,900,000 or 278,000 and change for each turbine  
15 decommissioned.

16           Now, there are more items on the  
17 decommissioning proposal, and it is up to you to do  
18 some homework to dig it out, but I would like to  
19 make a few observations about the discrepancy  
20 between the applicant's numbers and mine. If the  
21 developer is right and \$36,977 is the correct  
22 estimate, you're covered. And if I'm right and that  
23 number is 278,000 and change, you are in a world of  
24 hurt. And I'm going to give you a worst case



1 scenario.

2 Now, there is a per turbine  
3 decommissioning number that may be huge, and for  
4 conversation sake, I'm going to suggest it's closing  
5 in on \$300,000. In 30 years time, and I'm going to  
6 allow you to choose how much you want to inflate  
7 that number over 30 years, the year is now 2045, and  
8 Livingston County has a project that is done and is  
9 essentially ready to go away. It's time to  
10 decommission 136 turbines and supporting structures.

11 My guess is that this project is going to  
12 be bought and sold at least four times to new  
13 operators. And the last one looks at the county  
14 bank and sees \$36,977 of his decommissioning money  
15 set aside for removing these relics. Now, this  
16 company is an LLC who knows what limited liability  
17 means. The company makes its end of the year  
18 disbursements to shareholders and quickly makes the  
19 prudent decision to bankrupt itself. Its loss of  
20 \$37,000 per turbine in decommissioning is about 7  
21 cents on the dollar. By that, I mean it did not  
22 spend the real half a million dollars or more per  
23 turbine to decommission this project.

24 Let's take it a step further. The

1 landowner looks out his or her window and sees a  
2 useless turbine 30 years old. The landowner didn't  
3 see this coming and the landowner doesn't want the  
4 risk of this machine on his or her land, and he or  
5 she forms their own LLC around a small parcel with a  
6 turbine on it and does the same thing the project  
7 owner just did. Now, there is one more bankruptcy,  
8 and the county is one step closer to being the proud  
9 owner of a piece of property with equipment on it  
10 that will soon become a safety hazard. Somebody's  
11 going to pay and I hope you will be ready.

12 In the decommissioning pages, the  
13 applicant asserts that the aging turbines will have  
14 value after multiple decades. If that's the case,  
15 then the turbines of 30 years ago that are falling  
16 apart out in the California desert should have been  
17 upgraded instead of left to fall apart for all to  
18 see on the way to Palm Springs.

19 My advice to you, call your gravel pits,  
20 call your scrap yards, call a large crane rental  
21 establishment, call some construction estimators  
22 employed by the companies hired to build these  
23 developments, call some specialty demolition  
24 companies and sit down with your county engineer,

1 get your numbers straight before you buy into this  
2 piece of decommissioning fiction put out by your  
3 applicant. When you are satisfied with your  
4 numbers, get the cash in the bank. Don't settle for  
5 anything less than an escrow account.

6 Now, when you have your numbers right,  
7 hire a local independent engineer on the applicant's  
8 dime to verify the work. If you're unwilling to do  
9 your own calling, hire the engineer right away. If  
10 you've got an independent engineer hired, create a  
11 subcommittee with that engineer, your county  
12 engineer, your building inspector and two or three  
13 other community members who will jump into the  
14 numbers and love every minute of it. All of them  
15 should be able to create a document you can hang  
16 your hat on. Under no circumstances use the  
17 applicant's engineer who I will guarantee you did  
18 not get out of his office to contact a single  
19 specialist when putting this decommissioning  
20 document together.

21 Please do not neglect bringing in a law  
22 firm that specializes in LLCs. Let them talk to you  
23 about how slippery an LLC can be when it wants to  
24 pick up and leave. Having cash in the bank is a

1 good thing.

2           Finally, your applicant makes a statement  
3 that there has never been a decommissioning of a  
4 large turbine and so this is just an estimate at the  
5 beginning of his document. That is a wonderful  
6 disclaimer. And there is a reason there has never  
7 been a turbine taken down in the United States. At  
8 the moment one is removed in a decommissioning  
9 scenario and an audit is taken of the true costs,  
10 everyone's going to realize there's going to be a  
11 lot of counties in a world of hurt. And this  
12 industry will collapse on itself. Thank you.

13           CHAIRMAN CORNALE: Mr. Newhouse, Mr.  
14 Blakeman is going to grab that one document from  
15 you.

16           MR. NEWHOUSE: There's 1 and you get 2.

17           CHAIRMAN CORNALE: I think you grabbed my  
18 2, so -- has it got my writing, is my writing --

19           MR. NEWHOUSE: The final page and then  
20 there's that one highlighted in yellow.

21           CHAIRMAN CORNALE: All right. At this  
22 point, do we have any questions for Mr. Newhouse?  
23 Do you want to do it now or do you want to --

24           MS. HUISMAN: No, let them go first.

1           CHAIRMAN CORNALE: Okay. All right. Get  
2 them in the right order. Do I have any units of  
3 local government that have any questions for Mr.  
4 Newhouse? No units of local government. Okay, Mr.  
5 Blazer.

6           MR. BLAZER: Just a few, Mr. Chairman.

7           CHAIRMAN CORNALE: All right.

8           QUESTIONS BY

9           MR. BLAZER:

10          Q. Good evening, Mr. Newhouse. Are you still  
11 on the Boone County board?

12          A. I'm not.

13          Q. When did you leave the Boone County board?  
14 You're going to have to talk into the mic. You  
15 might want to turn yourself or the podium around a  
16 little bit. There you go.

17          A. I chose not to run for a fourth term and  
18 so I left the board in 2012.

19          Q. All right. So today you're speaking as a  
20 private citizen not on behalf of the Boone County  
21 board, correct?

22          A. A private citizen, correct.

23          Q. And could you describe for us, please,  
24 your commercial construction experience?

1           A.    The information that I provided you just  
2 comes from speaking with construction companies and  
3 assembling their numbers. I am a farmer by trade.

4           Q.    So again, do you have any commercial  
5 construction experience?

6           A.    I have worked building houses on and off  
7 for multiple years, but commercial construction  
8 outside of that, I would say no.

9           Q.    Okay. Do you have any commercial  
10 decommissioning or dismantlement experience?

11          A.    I do not.

12          Q.    In doing your research, did you speak to  
13 anyone at Michels Corporation, M-I-C-H-E-L-S?

14          A.    I did not.

15          Q.    How about Boldt Construction, B-O-L-D-T?

16          A.    I did not.

17          Q.    Mortensen Construction?

18          A.    No.

19          Q.    White Construction?

20          A.    No.

21                MR. BLAZER: That's all I have.

22                CHAIRMAN CORNALE: Thank you. Mr.  
23 Luetkehans, do you have any questions?

24                MR. LUETKEHANS: No, sir.

1 MR. NEWHOUSE: Could I -- could I offer a  
2 qualifier on that or am I done on this one?

3 CHAIRMAN CORNALE: On -- a qualifier on?

4 MR. NEWHOUSE: My assumption is the  
5 questions dealt with have I spoke with any of these  
6 companies assuming that these companies were local.

7 MR. BLAZER: No, sir. I was simply asking  
8 if you had spoken to any of these companies  
9 period --

10 MR. NEWHOUSE: Okay.

11 MR. BLAZER: -- without any assumption.

12 CHAIRMAN CORNALE: Thank you. Okay.  
13 Interested parties in the audience, do you have some  
14 questions? Come forward. State your name.

15 MR. BOOMGARDEN: Dave Boomgarden.

16 QUESTIONS BY

17 MR. BOOMGARDEN:

18 Q. Good evening.

19 A. Evening, sir.

20 Q. In my going over the application, it  
21 appeared that there was some hazardous waste that  
22 was identified as part of the requirements of the  
23 zoning ordinance, and that included some hydraulic  
24 oil and also some transmitter oil or transmission

1 oil, or for the transformers, transformer oil I  
2 guess, that was down on the base. And did you look  
3 at any of those scenarios of trying to get that out  
4 of there during the decommissioning and how that  
5 would be handled and the costs involved in that?

6 A. On this particular instance, I did not.  
7 There are multiple different turbines, some of them  
8 making use of hydraulic oil at the top, some of them  
9 not. I was not sure which particular turbine was  
10 going to be used here, so I didn't bother going into  
11 any of that analysis.

12 MR. BOOMGARDEN: Thank you.

13 CHAIRMAN CORNALE: Any other questions  
14 from the audience? Anybody else? Anybody out  
15 there? Don't want to miss anybody. All right.  
16 County counsel? County staff? Joan, did you --

17 MS. HUISMAN: Yes.

18 CHAIRMAN CORNALE: Okay.

19 QUESTIONS BY

20 MS. HUISMAN:

21 Q. Were you involved in reviewing wind energy  
22 applications as a member of the Boone County board?

23 A. We had a wind project that was proposed  
24 before our county board in 2006. That was, to my



1 knowledge, the only one that we've had so far. We  
2 have pending developments, we have interest in the  
3 county, but to my recollection, that is the only  
4 one. And yes, I was involved with that.

5 Q. Did that application pass?

6 A. That application did not pass.

7 Q. What considerations did Boone County take  
8 into review, I guess, when it comes to  
9 decommissioning?

10 A. I would have to say that I spearheaded  
11 that in our county. There was a proposed project,  
12 and within, I would say, two months time, about four  
13 years ago, I had gotten five phone calls on it.  
14 Four of them were from four different property  
15 owners who all happened to be relatives of mine.  
16 Two had signed up their properties and two were  
17 concerned about the project and were not signing  
18 their properties up.

19 So I had a very personal interest as a  
20 board member to make sure that anything that I  
21 researched was done properly. Along with other  
22 constituents, I did not want to take sides with any  
23 one relative over another. The fifth call was the  
24 one that got me started on the decommissioning

1 issue. That was from a former classmate who is now  
2 a CPA in Chicago. She is also a landowner still in  
3 our county. She looked at the language in the  
4 contract being passed around to the property owners,  
5 saw the meager amount of decommissioning language,  
6 and informed me that these people, whether they knew  
7 it or not, were going to get killed financially.  
8 Excuse me, financially killed. Say really dumb  
9 things when you're in front of a microphone.

10 So at any rate, with that concern by her,  
11 she said, Marshall, you've got to start looking at  
12 LLCs, you've got to start looking into all the  
13 different areas that they are creating their bids  
14 for their decommissioning, and you've got to start  
15 putting something together. Otherwise, these people  
16 are going to be in a world of hurt.

17 So probably the work I did on  
18 decommissioning, putting language in our ordinance,  
19 was finally voted in after I had left office by  
20 about a month or two or something like that. But  
21 that was a huge concern. It was mine. And I  
22 wobbled around there. I hope I answered your  
23 question.

24 Q. You mentioned be sure to put -- that the

1 money goes into an escrow account. What were some  
2 of the other -- what text amendment did you make to  
3 your ordinance as part of with any of the wind  
4 energy --

5 A. If I understand your question correctly,  
6 there were three different methods for securing  
7 finances: escrow, bonds and letters of credit. I  
8 went with escrow.

9 Q. Is that what passed?

10 A. I am a simple old farmer, that's what I  
11 pushed for, and I had a majority of the board that  
12 went with me, and yes, escrow did pass.

13 MS. HUISMAN: Okay. Nothing further.

14 CHAIRMAN CORNALE: Any other questions  
15 from our board at this point? Anything? All right,  
16 Mr. Newhouse, thank you.

17 MR. NEWHOUSE: My apologies for the mix-up  
18 on papers.

19 CHAIRMAN CORNALE: No problem. We'll sort  
20 through that. We'll get that all worked out.

21 MR. NEWHOUSE: Thank you.

22 CHAIRMAN CORNALE: Have a safe drive back  
23 home. All right, Jim Gulliford, are you here this  
24 evening?

1 MR. GULLIFORD: Yes, I are.

2 CHAIRMAN CORNALE: All right. Mr.  
3 Gulliford, would you please raise your right hand.

4 (Mr. Jim Gulliford was duly sworn.)

5 CHAIRMAN CORNALE: Please state your name  
6 and address for our court reporter.

7 MR. GULLIFORD: Jim Gulliford,  
8 G-U-L-L-I-F-O-R-D, 300 North Pearl Street, Forrest,  
9 Illinois. Can everybody hear me all right?

10 AUDIENCE VOICE: No.

11 MS. DASSOW: Pull that closer.

12 MR. GULLIFORD: Is that better?

13 AUDIENCE VOICE: Yes.

14 MR. GULLIFORD: Okay, I'm Jim Gulliford,  
15 president of the Board of Trustees of the village of  
16 Forrest. As you've heard in these previous  
17 proceedings, in August of 2014 the village board of  
18 Forrest voted to enter into an agreement with the  
19 Pleasant Ridge Wind Energy group which allowed the  
20 construction of turbines from one and a half miles  
21 up to one-half of a mile of the Forrest municipal  
22 boundaries. We also agreed to defer all zoning,  
23 building and other requirements to the Livingston  
24 County ordinances.

1           We began considering the project with the  
2 initial contact from Invenergy back in the fall of  
3 2007. We had plenty of time to think about the pros  
4 and cons, we researched our answers to our  
5 questions, and we also had folks who were not  
6 familiar with turbines go to a location of their  
7 choice and visit them up close and personal. Other  
8 questions, such as health concerns, environmental  
9 effects, et cetera, were left up to each individual  
10 to research on their own.

11           My personal observations were the experts  
12 on both sides of the issue had vastly differing  
13 opinions. So for me, it was a matter of who to  
14 believe or, better yet, you know, what does common  
15 sense tell me. In my case, common sense told me  
16 that wind turbines have been around for 30 years,  
17 and if there had been any major health or  
18 environmental issues, I would think the government  
19 would have this industry so regulated that a project  
20 like this would be almost impossible to do. In  
21 addition, there were several other energy projects  
22 within the area, and I have heard of none of these  
23 projects being problematic until we are about to  
24 consider one for the benefit of some of the

1 residents of southeast Livingston County.

2           So with that, the Board of Trustees, as  
3 they generally do as elected officials, put aside  
4 their personal opinions and biases and asked the  
5 question: What would be the benefits of such a  
6 project and then who would benefit? The answer to  
7 the first question is the financial gain for the  
8 village of Forrest over the life of our agreement is  
9 \$1,049,000. The second question is: Who will  
10 benefit? It will be all the residents and the  
11 businesses in the village. The reason is that we  
12 are in phase one of a \$5.4 million upgrade to our  
13 wastewater treatment facility which was built in the  
14 1930s. And this additional revenue should assure us  
15 that we can get at least through the first phase  
16 costing \$1.8 million without a special assessment or  
17 an increase in our sewer rates to our customers.

18           In addition, the 11 turbines will further  
19 increase the revenue for the county, our township  
20 library, our first responder and volunteer fire  
21 department, SELCAS and the Prairie Central School  
22 District along with some of the townships in the  
23 surrounding area.

24           With that, the village of Forrest Board of

1 Trustees voted six to zero to sign the agreement  
2 with Prairie Ridge Wind Energy, LLC, for the benefit  
3 of the community as a whole.

4 Thank you for your time. Ask the zoning  
5 board to approve this project and present it to the  
6 full county board for their consideration. And I  
7 would respectfully ask the county board in turn to  
8 approve the project to benefit most of the residents  
9 in southeast Livingston County.

10 MR. LUETKEHANS: Mr. Chairman, I don't  
11 mean to -- can I -- could we take a five minute  
12 break for a personal preference here of my own  
13 before we proceed? I need to use the washroom.

14 CHAIRMAN CORNALE: All right. Let's  
15 take -- let's take ten minutes right now. I've got  
16 7:10. Take to 7:20.

17 (Recess at 7:10 p.m. to 7:18 p.m.)

18 CHAIRMAN CORNALE: All right, if we can go  
19 ahead and head back to our seats, we'll get going  
20 again.

21 All right, Mr. Gulliford, just go ahead  
22 and -- there were no units of local government that  
23 had any questions for Mr. Gulliford out there?  
24 Don't see any. All right, Mr. Blazer and Mr.

1 Luetkehans, we'll go ahead with questions.

2 MR. BLAZER: No questions.

3 CHAIRMAN CORNALE: No questions. Mr.  
4 Blazer has no questions. Mr. Luetkehans.

5 MR. LUETKEHANS: Yes, sir.

6 QUESTIONS BY

7 MR. LUETKEHANS:

8 Q. Mr. Gulliford, I do have a few questions.  
9 I'll try and get through these fairly quickly.

10 Did the village of Forrest hire any  
11 experts to look at real estate values or health  
12 concerns?

13 A. No.

14 Q. Okay. If I'm not mistaken, I think I read  
15 that the project is about 1 point -- the sewer  
16 project is about a 1 point million dollar project I  
17 think you had said?

18 A. That the total project is 5.4 million.  
19 Our first phase is 1.8.

20 Q. Okay. And of that 1.8, how much of that  
21 is coming from Invenergy?

22 A. None yet.

23 Q. If the wind turbines are approved.

24 A. If the turbines are approved?



1 Q. Yeah.

2 A. Every penny that we get from Invenergy  
3 will go into the project.

4 Q. Okay. And have you received any other  
5 funding, grants, et cetera, for the project?

6 A. No.

7 Q. Okay.

8 A. Oh, excuse me, what -- from where?

9 Q. Anywhere, other funding.

10 A. Yes. Right now we -- funding meaning we  
11 got a loan.

12 Q. Okay.

13 A. From the Illinois EPA.

14 Q. Okay.

15 A. That we have to pay back.

16 Q. Okay. You didn't receive any grants,  
17 federal or state grants --

18 A. No.

19 Q. -- for this project yet?

20 A. No.

21 Q. Have you applied for any?

22 A. No.

23 Q. Okay. You're -- are you here on behalf of  
24 the village of Forrest board or on behalf of

1 yourself tonight?

2 A. What was the second part of the question?

3 Q. Are you here as a private citizen or as  
4 president of -- or on behalf of the village of  
5 Forrest?

6 A. I'm -- I'm here on behalf of the village  
7 of Forrest as a private citizen, how's that?

8 Q. Okay. Did the rest of the board vote to  
9 approve you to come or --

10 A. They didn't have to approve me to come.

11 Q. Okay.

12 A. And I didn't ask them.

13 Q. And you didn't ask them --

14 A. No.

15 Q. -- what they felt comfortable with you  
16 saying or not, one way or the other?

17 A. No.

18 Q. Okay. Showing you what has been marked as  
19 UCLC Exhibit 101, that's a -- the agenda from the  
20 August 4th, 2014, meeting; is that correct?

21 A. Right.

22 Q. And that's the meeting where you passed  
23 the Invenergy agreement?

24 A. Yes.

1 Q. Okay. And you said that you had been  
2 discussing this matter with Invenergy since 2007?

3 A. That was our first contact.

4 Q. When was the first time that the village  
5 of Forrest board discussed this matter in public in  
6 a public meeting?

7 A. In 2007.

8 Q. Okay. And when was -- do you recall the  
9 next time after that was?

10 A. It was probably -- after that meeting, it  
11 was probably about 2010.

12 Q. Okay. And when was the first -- and was  
13 this August 14th[sic], 2014, the first time the  
14 village board had in front of it the Invenergy  
15 agreement per se? The actual agreement to look at.

16 A. That's the first time with the agreement,  
17 yes.

18 Q. Okay. And the only description that was  
19 posted for the notice for this meeting related to  
20 the Invenergy agreement was new business, Invenergy  
21 agreement, correct?

22 A. Okay.

23 Q. There was no other discussion or no other  
24 description on your notice, et cetera.

1 A. No.

2 Q. No statement as to what the Invenergy  
3 agreement said?

4 A. No.

5 Q. No statement as to what -- as to  
6 whether --

7 A. This is it, this is it.

8 Q. Okay.

9 A. No, no statements.

10 Q. No statements of any kind.

11 A. No.

12 Q. Okay. Did you ask your lawyer or did your  
13 lawyer advise the board that this complied with the  
14 Open Meetings Act?

15 A. Did he advise us what?

16 Q. That this minimum notice complied with the  
17 Open Meetings Act?

18 A. He gets a copy of the agenda, so -- but he  
19 didn't say anything.

20 Q. Okay. So he hasn't advised you --

21 A. I didn't ask him either, so --

22 Q. Okay. So he hasn't advised the board at  
23 any time or the public that the Illinois Attorney  
24 General requires that there be a further description

1 of what's going to occur --

2 A. No.

3 Q. -- at the meeting?

4 A. No.

5 Q. Okay. Mr. Gulliford, I've handed to you  
6 Pleasant Ridge Exhibit 8. This is a copy of the  
7 agreement between Invenergy and the village of  
8 Forrest, correct?

9 A. It looks like it, yes.

10 Q. Okay. Let's start at the back page. I  
11 notice that all but five of the years had an  
12 escalation percentage listed, correct?

13 A. Correct.

14 Q. And all of those escalation percentages  
15 that are listed are 2.5 percent.

16 A. That's correct.

17 Q. Okay. The other years the escalation is  
18 actually much higher than 2.5 percent, correct?

19 A. Except for maybe one or two, yeah.

20 Q. Well, I mean year four to five, the  
21 escalation is about 23 percent?

22 A. Yep.

23 Q. Year nine to ten is about 13 percent?

24 A. Yes.

1 Q. Year 14 to 15 it's about 8.7 percent?

2 A. Sure.

3 Q. Okay. And year 19 to 20 is 24 percent,  
4 correct? Or approximately. Looks about right?

5 A. I didn't do the calculation, but I take  
6 your word for it.

7 Q. Thank you. I hope -- if I'm wrong, I'm  
8 not wrong by a lot. I can promise you I didn't try  
9 and do anything --

10 A. All right.

11 Q. Okay. Do you know what the reason for not  
12 including those years in the escalation was on the  
13 payment schedule?

14 A. That was because I asked for that.

15 Q. Because you asked for what?

16 A. I asked for it to jump to \$2,000 at the  
17 year five.

18 Q. Okay.

19 A. And 2500 at the year ten, and 3,000 at  
20 year fifteen.

21 Q. Did you also ask that they not include the  
22 escalation percentages for those years?

23 A. No, it was just a flat number that we  
24 agreed to.

1 Q. Okay, so let me get this straight. What  
2 occurred here was in exchange for the village of  
3 Forrest not objecting to or trying to impose its  
4 zoning and building authority over the property  
5 between a half mile and one and a half miles, you  
6 were paid over -- you are to be paid over a million  
7 dollars if this goes through.

8 A. Right.

9 Q. And besides that, you also agree not to  
10 obstruct, delay, frustrate or oppose the project in  
11 any way or encourage any other party to do so,  
12 correct?

13 A. Right.

14 Q. You also agree not to take any action  
15 directly or indirectly or encourage another party to  
16 take an action directly or indirectly with any  
17 governmental authority to oppose the issuance of  
18 Pleasant Ridge being permitted, et cetera, correct?

19 A. Correct.

20 Q. And that it will not oppose the placement  
21 of Pleasant Ridge -- of any project infrastructure,  
22 including but not limited to transmission system  
23 substations, underground electrical collection  
24 systems or access roads, regardless of the distance

1 of any portion of such system from a village  
2 boundary, correct?

3 A. Correct.

4 Q. So any of those things could even go  
5 within a half mile.

6 A. No.

7 Q. Okay. So you're saying that the half mile  
8 is included even though that language says no matter  
9 where it is.

10 A. We agreed between one and a half miles and  
11 a half mile.

12 Q. Okay, but this section talks about  
13 regardless of the distance of any portion of such  
14 system from a village boundary, do you see that?  
15 Page 2, paragraph B, the last sentence.

16 A. Okay, whatever.

17 Q. Okay, so that doesn't -- that doesn't  
18 change anything?

19 A. It doesn't bother me, no.

20 Q. No concern whatsoever.

21 A. No.

22 MR. LUETKEHANS: Nothing further. Thank  
23 you, Mr. Gulliford.

24 CHAIRMAN CORNALE: Any other members of



1 the community with questions of Mr. Gulliford?

2 QUESTIONS BY

3 MR. HAYES:

4 Q. Good evening. Just a couple quick  
5 questions.

6 A. Sure.

7 Q. One of your statements was that you  
8 encouraged the other members of the board to  
9 research on their own.

10 A. Yes.

11 Q. Can you tell me what -- specifically what  
12 research you did on the health effects of wind  
13 farms?

14 A. On what effects?

15 Q. The health effects of wind farms.

16 A. I did my own research on that.

17 Q. Yes. Can you tell me, give me some  
18 examples of what you found or what you looked up?

19 A. I read a bunch of articles on the Internet  
20 and basically just read another one tonight on the  
21 wind turbine syndrome. I think you talked about it  
22 the other night. And I -- I guess I don't have a  
23 concern.

24 Q. Okay. The second question I have is you

1 said that you used like common sense to kind of  
2 guide you that the wind turbines had been around for  
3 30 years.

4 A. Yes.

5 Q. And the fact that there wasn't any  
6 government regulation of them or --

7 A. I didn't say there wasn't. What I said  
8 was that it would be so regulated that it wouldn't  
9 make it possible to do one of these.

10 Q. Okay.

11 A. Is what I said.

12 Q. Okay.

13 A. There is government regulation, I  
14 understand that.

15 Q. Yeah, okay. Well --

16 A. But if there's health effects like -- and  
17 the environmental effects like we've heard at these  
18 meetings, then I'm sure the government would have  
19 stepped in. I don't think the CDC has recognized  
20 any health effects yet.

21 Q. Okay, just saying -- you know, I'm just  
22 saying using -- if I'm using your commonsense  
23 approach, the way I interpret it anyway, you know,  
24 tobacco has been around for long over 30 years and

1 tobacco generates revenue, taxes; so therefore, I  
2 would assume that you would think that the county  
3 board of Livingston County should support tobacco  
4 use by the citizens of the county?

5 A. I'm sorry, I didn't understand. What --  
6 what generates revenue?

7 Q. Okay.

8 A. I've got hearing aids, so --

9 Q. I'll try to make it a little bit clearer.  
10 What I'm getting at is, you know, what you said I  
11 interpret to mean that you thought, based on common  
12 sense, the fact that turbines have been around for  
13 over 30 years --

14 A. Right.

15 Q. -- and was using that as a reason for not  
16 fearing or having any concerns with their being  
17 built. So I'm saying, well, tobacco has been around  
18 for over 30 years. Then -- and it generates revenue  
19 because it's taxed.

20 A. Right.

21 Q. Then using that, should the county board  
22 of Livingston County encourage its residents to  
23 support tobacco use?

24 A. To support what?

1 Q. To use tobacco since it's been around for  
2 30 years.

3 A. I'm going to have to get up close to you.

4 Q. Basically tobacco has been around for over  
5 30 years.

6 A. That I got.

7 Q. Okay. It's taxed so we get revenue.

8 A. Sure.

9 Q. We get revenue from it. Using that  
10 commonsense approach, shouldn't the Livingston  
11 County board encourage tobacco use by the citizens  
12 of Livingston County?

13 A. That is a dumb question.

14 Q. I'll take that to be a no.

15 A. All right.

16 Q. Just one quick follow-up question then.  
17 So would you agree, then, that the fact that there's  
18 not a -- someone that you know personally who's ever  
19 been affected by a wind farm or anything, that  
20 therefore wind farms can't hurt anybody?

21 A. I didn't say wind farms couldn't hurt  
22 anybody. I said I don't believe that the major  
23 health effects that have been discussed here are  
24 valid. You know, I'm 72 years old, and I've got

1 headaches, I've got nausea, I got heart problems, I  
2 got everything that's listed that you guys talked  
3 about, you know, and I haven't been around a wind  
4 farm, except for about 10 or 12 miles away. And I  
5 don't know of anybody that's died from a wind farm.  
6 I don't know of anybody that's been hospitalized  
7 from a wind farm.

8 Q. So therefore they definitely can't hurt  
9 anybody.

10 A. I didn't say that. You know, there are  
11 some people that will get a headache maybe, but, you  
12 know, I can't determine that. It's their word, you  
13 know, that, hey, I got a headache and it's because  
14 of the wind farm. I don't think anybody can  
15 interpret that.

16 MR. HAYES: Well, thank you.

17 A. You're welcome.

18 CHAIRMAN CORNALE: Any other questions  
19 from the audience? Anybody else out there with  
20 questions for Mr. Gulliford? State your name for  
21 our court reporter.

22 MR. BREEDEN: Louis Breedon.

23 CHAIRMAN CORNALE: Thank you.

24 QUESTIONS BY

1 MR. BREEDEN:

2 Q. Just background, I was on the Cullom board  
3 for four years back in '94 to '98 I believe.

4 A. Yes, sir.

5 Q. We had an issue with wanting to put a  
6 sewer system in and we called a town meeting. Do  
7 you think that would have been a good idea to call a  
8 town meeting to talk to all the people in the town  
9 about it that put you in office? And to give you  
10 background first, I do work on these wind farms.  
11 I'm not saying I'm against them. I've worked on  
12 four different ones.

13 A. I'm not either.

14 Q. My problem is I'm a half a mile -- I'm on  
15 the edge of town. There are shadows that are going  
16 to come in my house. There's lights I'm going to  
17 look at.

18 MR. BLAZER: Mr. Chairman, Mr. Chairman.

19 CHAIRMAN CORNALE: This isn't a question.  
20 Do you have any --

21 Q. So I got a question. Did you bring this  
22 so that the people of the town could come to a  
23 meeting and voice our opinions to you?

24 A. We had it on the agenda. The agenda is

1 posted 48 hours before the meeting.

2 Q. I understand that, but don't you think you  
3 should have called a town forum to address just the  
4 wind farm?

5 A. No.

6 CHAIRMAN CORNALE: Any other questions  
7 from the audience? Anybody else? I see a hand out  
8 there. Please state your name for the record.

9 MR. CAVAZOS: Ambiro Cavazos.

10 QUESTIONS BY

11 MR. CAVAZOS:

12 Q. Hello, Mr. Gulliford.

13 A. Hello.

14 Q. I don't know if you remember me or not. I  
15 used to work at Homeshield.

16 A. Okay.

17 Q. I do have to say in his defense he's  
18 always been a very respectful, very nice man to me  
19 and anyone I've known at Homeshield. I thank you  
20 for that.

21 A. Thank you.

22 Q. But I did want to ask you, I don't know  
23 how many board meetings you've been to, but there  
24 has been a lot of information come out about the

1 effects of windmills. And I am affected by these  
2 windmills, so is my daughter, and there are other  
3 people in this room that are. I won't say who;  
4 that's up to them. Some have testified. This is  
5 pretty new technology. And I believe that you  
6 didn't do anything malicious, nothing on purpose,  
7 but I do believe you're misinformed.

8 A. Well, I did say that some people would be  
9 affected, you know, I don't -- I don't disagree with  
10 that, but I don't believe that there will be a mass  
11 infection.

12 Q. No, I believe --

13 A. Okay.

14 Q. -- that's the whole point of this, is a  
15 lot of people, I think, don't believe it because  
16 most people aren't affected, but the ones that are,  
17 they don't have to have any other proof other than  
18 that.

19 A. Right.

20 Q. But I guess I just, first of all, didn't  
21 know if you had been to all the board meetings to  
22 hear all --

23 A. I just started coming in November and been  
24 to all of them until January 22nd and -- when I went



1 to, well, Phoenix on January 22nd, and I came back  
2 Saturday. So I missed a few of them in between  
3 January 22nd and --

4 Q. Okay. Well, I wanted to thank you for  
5 hearing me. And, you know, I just -- I just want  
6 you to know that there are people that are  
7 affected --

8 A. I understand.

9 Q. -- by these. Thank you.

10 A. Thank you.

11 CHAIRMAN CORNALE: Any other members of  
12 the audience have any questions? Anybody out there?

13 QUESTIONS BY

14 MR. DAVID SLAGEL:

15 Q. Hi, I'm David Slagel from Fairbury. I'm  
16 on the city council, but I didn't ask approval  
17 either, so I'm going to speak personally today. But  
18 I just want to ask you did you give any thought to  
19 the fact that the windmills being within a half mile  
20 of town is going to kind of limit the growth of the  
21 town business or residential-wise?

22 A. Well, we haven't -- the growth of the  
23 town, we haven't got much land left anyway. You  
24 know, we have a little bit on the northeast corner,

1 but that's basically it. Everything else is  
2 surrounded -- we're surrounded by farmland or  
3 creeks.

4 Q. Right. There is always an area along the  
5 highways that, you know, businesses could expand out  
6 on. Those businesses would bring in revenue to the  
7 city also. Say they're reporting a new residential  
8 park or RV just -- just one business would bring in  
9 a substantial amount of revenue to the city let  
10 alone a subdivision or something that may -- would  
11 have been built potentially but now couldn't be  
12 because of the closeness of the wind turbines. And  
13 I was just curious if --

14 A. Are you saying that because of the wind  
15 turbines we'll never get anybody to move into town?

16 Q. No, I'm not saying that. I'm saying the  
17 footprint of your town is now limited.

18 A. Okay.

19 Q. And that could cause you more loss in  
20 revenue, in tax revenue than you're going to get  
21 from the wind turbines. And my question was whether  
22 you gave that any thought before signing the  
23 contract?

24 A. Like I said, we were kind of landlocked

1 anyway, so we're not going to expand very much.

2 MR. DAVID SLAGEL: Okay.

3 CHAIRMAN CORNALE: Any other questions  
4 from the audience? Do we have any questions?

5 MS. IVERSON: Will the village of Forrest  
6 get their million dollars up front or is it over a  
7 period?

8 A. It's over a period. It's an increasing  
9 amount. Starts out low and ends up high.

10 CHAIRMAN CORNALE: County staff? County  
11 counsel, anything? All right, Mr. Gulliford, thank  
12 you. Is Ron Schneeman available this evening?

13 MR. GULLIFORD: Oh, could I say one thing  
14 before I go?

15 CHAIRMAN CORNALE: On behalf of the  
16 community?

17 MR. GULLIFORD: Well, no.

18 CHAIRMAN CORNALE: On behalf of yourself?

19 MR. GULLIFORD: I was kind of disappointed  
20 that some of this stuff didn't come up tonight, but  
21 there was an email circulated today from the  
22 group --

23 MR. LUETKEHANS: Mr. Cornale, I mean I  
24 don't want to reopen cross-examination and --

1           CHAIRMAN CORNALE: Right, we would -- it  
2 would be a whole other battery of questions. I  
3 think we -- unless it's in the greater interest of  
4 the community of Forrest. That would probably be  
5 the only -- acting as the mayor of the community.

6           MR. GULLIFORD: Okay.

7           CHAIRMAN CORNALE: All right, thank you.  
8 Ron Schneeman. Mr. Schneeman, if you could please  
9 raise your right hand.

10           (Mr. Ron Schneeman was duly sworn.)

11           CHAIRMAN CORNALE: Please state your name  
12 and address for our court reporter and you may  
13 begin.

14           MR. SCHNEEMAN: My name is Ron Schneeman.  
15 My address is 16332 East 2000 North Road, Pontiac,  
16 Illinois. I am a lifetime resident of Livingston  
17 County, I farm on the north end of Pontiac, and I'm  
18 also a Local 150 operating engineer. I have worked  
19 on two wind farms, one in LaSalle County and the  
20 other one in Lee and Bureau County. I worked on  
21 many crews on that farm, farms, and -- which  
22 entailed the unloading crew of the towers, the  
23 erection crews, their work, and the tiling crews  
24 when we were getting toward the end of the job.

1           I made roughly \$175,000 in the height of  
2 the recession in 2009. And right now I work in  
3 LaSalle County. I think in Livingston County we  
4 need to bring businesses in to bring in new jobs,  
5 and I feel that the new revenues needed are because  
6 the state budgets are taking money away from our  
7 schools.

8           I have relatives near the Cayuga Ridge or  
9 the Cayuga Ridge Wind Farm and they are having no  
10 complaints at all. I have worked on these farms,  
11 I've talked to people that live around them and have  
12 been around them, and I feel these are good for our  
13 county, and I hope the Livingston County board  
14 approves this project.

15           CHAIRMAN CORNALE: Thank you, Mr.  
16 Schneeman. Do I have any -- local government have  
17 any questions? All right. Mr. Blazer, any  
18 questions?

19           MR. BLAZER: No, sir.

20           CHAIRMAN CORNALE: Mr. Luetkehans, any  
21 questions?

22           MR. LUETKEHANS: Yeah, just a couple.

23           QUESTIONS BY

24           MR. LUETKEHANS:

1 Q. Mr. Schneeman, thank you for coming. It  
2 is important. You would drive every day from  
3 Pontiac to Lee, Bureau, et cetera --

4 A. Yes.

5 Q. -- right?

6 A. Yes.

7 Q. LaSalle?

8 A. Yes.

9 Q. Are you -- and I apologize, I know you  
10 said this, you are currently working in LaSalle?

11 A. Yes.

12 Q. So how far do you drive every day to get  
13 there?

14 A. 50 miles one way.

15 Q. Okay. And Lee, Bureau, how far is that?

16 A. It was 90 miles one way.

17 Q. Okay. So you would drive -- get up at  
18 whatever time, early in the morning --

19 A. Yes.

20 Q. -- very early, drive up there, do your  
21 job, come back home.

22 A. Yes.

23 Q. Every night.

24 A. Pretty much unless we worked too many

1 hours and then I would stay.

2 Q. Okay. But the plan at least was to get  
3 your tail home every night hopefully to your family,  
4 right?

5 A. Yes.

6 Q. How many -- do you know how many operators  
7 there are on like the LaSalle wind farm that you're  
8 working on now?

9 A. Well, I'm on the -- I'm actually at a sand  
10 pit now.

11 Q. Oh, okay, you're not --

12 A. Yeah.

13 Q. I'm sorry. But when you did the, let's  
14 say the LaSalle wind farm, do you know how many  
15 people from Local 150 were on that project?

16 A. Oh, jeez.

17 Q. There was a lot, right?

18 A. I'd say 50 or better.

19 Q. Okay. Do you know what percentage of them  
20 came from Livingston County like yourself?

21 A. I can't -- I couldn't tell you that.

22 Q. Okay.

23 A. I could name off every bit of ten that I  
24 know of right offhand that I wasn't -- it was a big

1 job.

2 Q. Yeah, obviously a very big job. To your  
3 knowledge, are there enough operators in Local 150  
4 in Livingston County to do that big a job here?

5 A. To man the whole job?

6 Q. Yes.

7 A. No, I don't think so.

8 Q. They'd have to come in and do exactly what  
9 you did when you did the Lee and Bureau projects,  
10 correct?

11 A. Right.

12 Q. Okay. You said your relatives live near  
13 Cayuga Ridge. How close are they to the nearest  
14 turbine, do you know?

15 A. I would say a thousand feet.

16 Q. Are they -- do they actually -- are they  
17 participants in the project?

18 A. No.

19 Q. A thousand feet?

20 A. (Nods head).

21 Q. Okay. And they --

22 A. Across the road. Their farm's in the  
23 middle of a small farm, and then across the road,  
24 they're 500 or so feet in from that road, so --



1 Q. Okay.

2 MR. LUETKEHANS: Nothing further. Thank  
3 you.

4 CHAIRMAN CORNALE: Any other members of  
5 the audience have any questions for Mr. Schneeman?  
6 Anybody out there? Do we have any questions for  
7 him? County counsel? County staff? Mr. Schneeman,  
8 thank you.

9 Duane Durham, Duane Durham, are you  
10 available this evening?

11 MR. DURHAM: Yes.

12 CHAIRMAN CORNALE: Mr. Durham, if you  
13 could please raise your right hand.

14 (Mr. Duane Durham was duly sworn.)

15 CHAIRMAN CORNALE: Thank you. You may  
16 begin.

17 MR. DURHAM: Okay. Now, I see a lot of  
18 you out there that know me. I've been a member of  
19 Livingston County my whole life.

20 CHAIRMAN CORNALE: Mr. Durham, stop.  
21 Just, sorry, my bad. Can you state your name and  
22 address for our reporter?

23 MR. DURHAM: Okay, Duane Durham, 304 North  
24 Sixth Street, Chatsworth, Illinois. I grew up in

1 this county my entire life. I'm 56 years old. I've  
2 lived in -- was born and raised here in Fairbury,  
3 Illinois, 1958. I've lived in a few different  
4 places from Chatsworth to Pontiac, but I've lived in  
5 Chatsworth pretty well most of my adult life. I do  
6 care what happens around here.

7 I've worked for a lot of different  
8 businesses and people around here. Local farmers,  
9 you know, gave me a lot of work here and there.  
10 I've raised two kids here in the Prairie Central  
11 School District. They both graduated from here.  
12 And I got four grandkids that go to Prairie Central  
13 today. I've always tried to be a member of this  
14 Prairie Central School District. I coached tee  
15 ball, softball and CIFL football most of my way  
16 through, so I would never do anything or go for  
17 anything that I thought would endanger my kids or my  
18 grandkids or anybody else that I know.

19 I know a lot of farmers around this area.  
20 I've worked for several of them, like I told you,  
21 off and on, odd jobs. I wouldn't want to see  
22 anything happen to the land around here. My son who  
23 actually works for the Odell wind farm, excuse me,  
24 been there maybe two and a half years now, he --

1 it's a very good job for him. He's made good money.  
2 At 25 years old, he's bought his first home. Before  
3 that, he was traveling many miles for his job out of  
4 state, Iowa. He worked on cell towers, got paid  
5 very little for what he did, 3 and 400 foot in the  
6 air. He came back home, said, dad, I want to get a  
7 job at this wind farm. He worked six months trying  
8 to get a job there and he got one. He's been there  
9 two and a half years, and like I said, he's made a  
10 very good living there in the two and a half years  
11 he's been there, got a lot of training, learned a  
12 lot about electricity and different things.

13 He told me in a conversation that there  
14 are ten people in Livingston County that work there  
15 with him. There's one from Pontiac, two from Odell,  
16 two in Dwight, one in Saunemin, two in Streator, and  
17 then you can add the secretary from Streator that  
18 works there, and of course himself that lives in  
19 Chatsworth, so that's ten jobs. Might not be a lot  
20 to some people, but these young kids, you know,  
21 they're going to have a future hopefully with this.  
22 One guy moved down -- from Amboy who moved here and  
23 bought a house in Dwight. So I think that, you  
24 know, it shows that there are jobs to be had there.

1           I'm also, like Ron before me, in the Local  
2 150 operating engineers. I started my first wind  
3 farm in 2009. Fortunately it was a very good job  
4 for me, turned out to be very good. I made really  
5 good money. And right before that, I was really in  
6 a slump in life. Some of you that know me know that  
7 I was -- pretty rough times right back before that.  
8 It pulled me out of the slump with a very good  
9 paying job.

10           I worked there, oh, I don't know, I think  
11 it was October or November of 2009, and I was asked  
12 to move on, asked to go to another wind farm in  
13 Bureau County. And I drove it too. I drove many a  
14 miles to these jobs to have a good job and pull  
15 myself ahead out of the slump that I was in. I made  
16 good money also there.

17           I worked, I don't know, for approximately  
18 two months, got laid off, went back in the spring,  
19 and worked the whole year of 2010 there. Got laid  
20 off again in 2010 for weather, went back in 2011  
21 early spring, and I realized there wasn't many of us  
22 there, not near as many that was there before.

23           Well, I found out when I got there our job  
24 was to clean up the mess that we need to clean up as

1 far as to make the farmer satisfied for what we had  
2 done. We fixed tile, we put new culverts in, we  
3 cleaned drainage ditches that we even had nothing to  
4 do with to keep drainage good. We had farmers  
5 complain that they had low spots in their field that  
6 were never there. Whether it's true or not, who  
7 knows, but we took care of them.

8 For six months, we went back and we -- I  
9 don't know how many there was, I can't even say,  
10 maybe 20 or 30 of us, and that's all we did was we  
11 worked for the farmer. We repaired what damage they  
12 say we did or didn't do, but we repaired it before  
13 we left. They wanted to leave on good graces, you  
14 know.

15 So I think the farmers were happy. I  
16 happened to stop back there I think it was January  
17 30th. I happened to be in Rock Falls, it was a  
18 small community where I stayed, and talked to some  
19 of the farmers just this year, asked them now that  
20 we're gone, what did they think of the wind farms?  
21 I never heard one complaint. I didn't talk to all  
22 of them of course, but I talked to several of them.  
23 They seemed to be very happy with the wind farm  
24 there. They seemed to be happy that we took the

1 time to go back for six months or five months,  
2 whatever it would be, and we fixed what needed to be  
3 fixed before we left.

4           So, you know, I believe and I hope the  
5 board believes that -- I believe wind farms are a  
6 good thing. I believe we've got to look to the  
7 future, you know, what's good for all of us. And I  
8 care about my grandkids, my kids, and hopefully some  
9 day, you know, it becomes the right -- gives our  
10 kids a better place to live and a healthier place to  
11 live.

12           I believe in wind energy and I just  
13 believe that we need to keep moving forward with  
14 this to give ourselves a better place, give people  
15 good jobs. I don't know how many actual union  
16 members we have in Livingston County, but I'm going  
17 to take a stab, 150 to 250 maybe in Livingston  
18 County alone. That's just 150 operators. That  
19 doesn't count the laborers, the electricians, you  
20 know, the ironworkers. I'm sure there's several,  
21 several more people right here in Livingston County  
22 that do this kind of work.

23           And I believe we need to bring work to  
24 this county for everybody and I don't have to drive

1 80 to 100 miles. I'm not saying I could be on that,  
2 but I have an opportunity to possibly be on that and  
3 could drive ten minutes to work rather than an hour  
4 and a half, two hours every day.

5 And with that, I just think we need to  
6 move on and I'll leave it at that.

7 CHAIRMAN CORNALE: Thank you, Mr. Durham.  
8 Any units of local government with questions for Mr.  
9 Durham? Nobody. Mr. Blazer.

10 MR. BLAZER: No, sir.

11 CHAIRMAN CORNALE: Mr. Luetkehans.

12 MR. LUETKEHANS: Yes, a couple, Mr.  
13 Durham.

14 QUESTIONS BY

15 MR. LUETKEHANS:

16 Q. You said you went to work for a wind farm  
17 or a company doing a wind farm in 2011. If you told  
18 me, if you said which wind farm that was, I missed  
19 it, I apologize.

20 A. I was in the Bureau County wind farm in  
21 2011.

22 Q. And who -- who was the operator?

23 A. White Construction was. That's who I  
24 worked under.

1 Q. Okay, but do you know who the operator of  
2 that was?

3 A. I should, but no, I don't. I can't think  
4 of it right now.

5 Q. Okay.

6 A. The name of the company you mean?

7 Q. It wasn't Invenergy though, correct?

8 A. No, I don't believe so.

9 Q. Okay. And you talked about there's a  
10 number of Local 150 operators in Livingston County,  
11 and I'm sure there are. Many Local 150 -- Local 150  
12 has got a very broad umbrella, would you agree with  
13 me?

14 A. Yep.

15 Q. Okay. They go from -- everywhere from  
16 surveyors to operators of heavy equipment and  
17 everything in between, correct?

18 A. Yes.

19 Q. Many of those Local 150 members have  
20 permanent full-time jobs already, correct?

21 A. I cannot say that. I don't know. I've  
22 never had a permanent full-time job.

23 Q. Okay. But if you're an operator, many of  
24 those are already working at places like gravel



1 pits, et cetera, doing --

2 A. Correct.

3 Q. Okay.

4 MR. LUETKEHANS: Okay, thank you. Nothing  
5 further.

6 CHAIRMAN CORNALE: Anybody in the audience  
7 with questions for Mr. Durham?

8 MR. HAYES: I don't think I'll use the  
9 microphone. I think I can talk loud enough.

10 QUESTIONS BY

11 MR. HAYES:

12 Q. Just one quick thing you can clarify for  
13 me. You had said you were -- talked to people that  
14 were in the wind farm and none of them had any  
15 complaints about it?

16 A. They, they -- there were people of Ohio,  
17 the town of Ohio, which is a small town in between  
18 Princeton and Dixon, and that's where we built the  
19 wind farm a mile or two out on a lot of these  
20 farmers' ground. And yeah, I talked to the local  
21 farmers who actually owned the land where the wind  
22 farm or a tower they might have is there.

23 Q. So the people that you're talking about or  
24 talked to were participants in the wind farm,

1 correct?

2 A. Correct.

3 Q. Did you talk to any nonparticipants with  
4 homes near turbines?

5 A. I was there, yeah, I talked to several.  
6 Did we talk to turbines? No. None of them seemed  
7 to have a complaint though. And believe me, I was  
8 there for two and a half years. If they -- it's a  
9 small community of 400 people. If there's somebody  
10 who wanted to complain, they would have complained  
11 to me.

12 Q. Well, that's -- some people are that way.

13 A. Oh, yeah.

14 Q. Some people are not.

15 MR. HAYES: Thank you.

16 CHAIRMAN CORNALE: For the record, that  
17 was -- the series of questions was from Mr. Hayes.  
18 All right. Any other questions from the audience?  
19 Any other questions? Fellow board members, any  
20 questions? County staff? County counsel? All  
21 right, Mr. Durham, thank you.

22 MR. DURHAM: Thank you.

23 CHAIRMAN CORNALE: Brian Olson, is Brian  
24 Olson available this evening? Mr. Olson, please

1 raise your right hand.

2 (Mr. Brian Olson was duly sworn.)

3 CHAIRMAN CORNALE: Please state your name  
4 and address for our court reporter and you may  
5 begin.

6 MR. OLSON: Brian Olson, Pontiac,  
7 Illinois, 711 North Main. I'm a resident of  
8 Livingston County. I would just like to say that I  
9 have worked on a wind farm before. I'm a Local 150  
10 operator. It did get me through a hard time. I  
11 thought it was great work and I'd just like to have  
12 that work around Livingston County again. Thanks.

13 CHAIRMAN CORNALE: Thank you, Mr. Olson.  
14 Do we have any school districts, units of local  
15 government? Mr. Blazer?

16 MR. BLAZER: No, sir.

17 CHAIRMAN CORNALE: Mr. Luetkehans?

18 MR. LUETKEHANS: No, sir, thank you.

19 CHAIRMAN CORNALE: Any members of the  
20 community or audience that would like to ask a  
21 question? Do we have any questions for Mr. Olson?  
22 County staff? County counsel? Thank you.

23 Brent Johnston, Brent Johnston, are you  
24 available this evening? No takers on that. Carol

1 -- Carol Waibel, are you available this evening?

2 Carol Waibel, W-A-I-B-E-L? Waibel? No? All right.

3 Dan Betz, Dan Betz, are you available this evening?

4 All right. With that, I understand that  
5 the weather outside is getting bad, worse. I think  
6 it's a good opportunity, it's eight o'clock, I know  
7 it's shorter than normal, I know everybody is going  
8 to be really disappointed, but I think at this point  
9 we're going to take and we're going to go ahead and  
10 motion to --

11 MR. LUETKEHANS: Mr. Chairman, Ms. Virkler  
12 was I think in line to testify on the list that Mr.  
13 Blakeman gave me. I think she will be very short.

14 MR. BLAKEMAN: How long?

15 MR. LUETKEHANS: I'm sorry, what?

16 CHAIRMAN CORNALE: Is there -- do we know  
17 about how long on Virkler?

18 MR. LUETKEHANS: Oh, this is going to be  
19 less than five minutes.

20 CHAIRMAN CORNALE: It is?

21 MR. LUETKEHANS: Yeah, it's going to be  
22 short.

23 CHAIRMAN CORNALE: Okay, all right, sorry.  
24 Okay, Willa Virkler, Willa Virkler.

1           Ms. Virkler, could you please raise your  
2 right hand?

3           (Ms. Willa Virkler was duly sworn.)

4           CHAIRMAN CORNALE: Thank you. Please  
5 state your name and address for the record, and you  
6 may begin. If we could keep it down in the  
7 audience, too, please.

8           MS. VIRKLER: Willa Virkler, 24370 East  
9 500 North Road, Fairbury. My ancestors settled in  
10 Livingston County in 1830, that's 185 years ago, on  
11 our farm, Spence Farm, which is south of Fairbury.  
12 They were the first permanent white settlers to live  
13 in Livingston County. My family has farmed this  
14 prime farmland ever since. We have some of the  
15 blackest, most productive soil in the world. My son  
16 and his family continue to farm this farm raising  
17 heirloom plants and heritage animals.

18           How would it look to have wind turbines  
19 near us? It just wouldn't fit. Why would we ever  
20 put in large pads of concrete to build these wind  
21 turbines and ruin our prime farmland and destroy our  
22 beautiful view in this country? There are many  
23 other issues that concern me. However, the health  
24 and the welfare of my family, my neighbors, my

1 friends is very important. I understand there could  
2 be impacts from a health standpoint. Why would we  
3 ever take this chance?

4 In my opinion, this project does not  
5 comply with the Standards of Special Use. Number  
6 one, by putting prime farmland out of production, it  
7 violates the Livingston County Comprehensive Plan  
8 and the Livingston County zoning ordinance. Number  
9 two, it will be detrimental to our public health,  
10 safety, morals, comfort and general welfare. Number  
11 five, it will injure the use and enjoyment of other  
12 property. And number six, it will hurt the growth  
13 and development of our community.

14 I respectfully request that you do not  
15 allow these turbines to come to our community.  
16 Thank you.

17 CHAIRMAN CORNALE: Thank you, Ms. Virkler.  
18 Any members of the local government with questions?  
19 Mr. Blazer?

20 MR. BLAZER: No, sir.

21 CHAIRMAN CORNALE: Mr. Luetkehans?

22 MR. LUETKEHANS: Yes, I have a few.

23 QUESTIONS BY

24 MR. LUETKEHANS:

1 Q. Before we start, Ms. Virkler, what's your  
2 address?

3 A. 24370 East 500 North Road, Fairbury.

4 Q. I have handed you UCLC Exhibit 104. Is  
5 this an aerial view of your property?

6 A. Yes, it is.

7 Q. Okay. And can you tell us how large a  
8 property it is approximately?

9 A. I have just a little over three acres of  
10 land.

11 Q. Okay. And do you farm that property?

12 A. No, I do not.

13 Q. Do you use it for any commercial use  
14 whatsoever?

15 A. No, I do not.

16 Q. It is strictly a residence, is that --

17 A. Yes.

18 Q. -- what you're saying? For the record, I  
19 hope Mr. Blazer will stipulate that this property --  
20 and if he doesn't do it today, I think Mr. Hankard  
21 can confirm it -- this property is receptor 38 on  
22 Mr. Hankard's chart.

23 The property that's yours on UCLC Exhibit  
24 104 is -- it's the small rectangle just south of the

1 road, 500 North Road, right?

2 A. Yes.

3 Q. Correct?

4 A. Yes.

5 Q. Okay. And it's surrounded by farmland,  
6 but that farmland's not yours, is that what you're  
7 saying?

8 A. Correct.

9 Q. Okay. And do you use that property for  
10 anything other than your own personal residential  
11 use?

12 A. No, sir.

13 MR. LUETKEHANS: Nothing further, thank  
14 you.

15 CHAIRMAN CORNALE: Any members of the  
16 audience have any questions for Ms. Virkler?  
17 Anybody out there? Nobody. Do we have any  
18 questions for Ms. Virkler? County counsel, county  
19 staff, questions for Ms. Virkler? Thank you.

20 MS. VIRKLER: Thank you.

21 MR. LUETKEHANS: Mr. Chairman, before we  
22 adjourn, do we have an update on the Regional  
23 Planning Commission recommendation?

24 MR. SCHOPP: We'll -- we'll present that



1 at the March 10th meeting when we resume.

2 CHAIRMAN CORNALE: All right, March 10th  
3 meeting we'll present the --

4 MR. SCHOPP: Regional Planning Commission  
5 recommendation.

6 CHAIRMAN CORNALE: The Regional Planning  
7 Commission recommendation, okay.

8 So just to again review, we have dates for  
9 the 10th, the 16th, the 18th, the 30th and the 31st  
10 of March. Just as a side note, just so that we all  
11 know, this board will meet on the 5th. There again,  
12 not to discuss the Pleasant Ridge application, but  
13 rather we will discuss some other cases before us at  
14 that point. So nothing in regards to this; other  
15 cases completely unrelated.

16 All right, I hope everyone drives safely  
17 home, take your time. With that, I need a motion to  
18 recess. Vitzthum makes a motion. Can I get a  
19 second? Iverson with a second. All in favor?

20 ALL MEMBERS: Aye.

21 CHAIRMAN CORNALE: Opposed?

22 (Adjourned at 8:09 p.m.)

23

24

1 STATE OF ILLINOIS )  
 )SS  
2 COUNTY OF FORD )

3

4 I, June Haeme, a Notary Public in and for  
5 the County of Ford, State of Illinois, do hereby  
6 certify that the following Livingston County Zoning  
7 Board of Appeals Case SU-7-14 hearing was taken at  
8 the Walton Centre, 100 West Locust Street, Fairbury,  
9 Illinois, on February 25, 2015.

10 That the said testimony was taken down in  
11 stenograph notes and afterwards reduced to  
12 typewriting under my instruction and that the  
13 transcript is a true record of the testimony given.

14 I do further certify that I am a  
15 disinterested person in this cause of action; that I  
16 am not a relative, or otherwise interested in the  
17 event of this action, and am not in the employ of  
18 the attorneys for either party.

19 IN WITNESS WHEREOF, I have hereunto set my  
20 hand and affixed my notarial seal this 20th day of  
21 March, 2015.

22

23

24

25

JUNE HAEME, CSR  
NOTARY PUBLIC

26

27 "OFFICIAL SEAL"  
28 June Haeme  
29 Notary Public, State of Illinois  
30 My Commission Expires:  
31 September 27, 2016

32

33

34

35

	<b>2626:22,23</b>	<b>aging (1)</b> 2588:13	<b>2639:9</b>	<b>10,23;2582:9</b>
<b>\$</b>	<b>Act (2)</b> 2606:14,17	<b>ago (3)</b> 2588:15;2595:13; 2639:10	<b>animals (1)</b> 2639:17	<b>articles (4)</b> 2578:17;2580:4,21; 2611:19
<b>\$1,049,000 (1)</b> 2600:9	<b>acting (1)</b> 2622:5	<b>agree (4)</b> 2609:9,14;2614:17; 2634:12	<b>answered (1)</b> 2596:22	<b>aside (2)</b> 2587:15;2600:3
<b>\$1.8 (1)</b> 2600:16	<b>action (2)</b> 2609:14,16	<b>agreed (3)</b> 2598:22;2608:24; 2610:10	<b>apart (2)</b> 2588:16,17	<b>assemble (1)</b> 2582:17
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