

In The Matter Of:
LIVINGSTON COUNTY ZONING BOARD OF APPEALS

March 16, 2015

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1 LIVINGSTON COUNTY ZONING BOARD OF APPEALS
 2 CASE SU-7-14
 3 PLEASANT RIDGE WIND ENERGY PROJECT
 4 March 16, 2015
 5 6:30 PM
 6 Walton Centre
 7 100 West Locust Street
 8 Fairbury, Illinois

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1 (Commencing at 6:29 p.m.)

2 **CHAIRMAN CORNALE:** We can go ahead and get

3 going this evening. Chuck, roll call please.

4 **MR. SCHOPP:** This is the March 16th, 2015,

5 continuation hearing of Livingston County Zoning

6 Board of Appeals review of the Livingston County

7 Zoning Case SU-7-14, Pleasant Ridge Energy, LLC,

8 Pleasant Ridge Wind Energy Project.

9 Michael Cornale.

10 **CHAIRMAN CORNALE:** Here.

11 **MR. SCHOPP:** John Vitzthum.

12 **MR. VITZTHUM:** Here.

13 **MR. SCHOPP:** Richard Kiefer. Diana

14 Iverson.

15 **MS. IVERSON:** Here.

16 **MR. SCHOPP:** Howard Zimmerman.

17 **MR. ZIMMERMAN:** Here.

18 **MR. SCHOPP:** Joan Huisman. She will be

19 coming late. We know she's coming. And Gibs

20 Nielsen.

21 **CHAIRMAN CORNALE:** All right, take this

22 opportunity to welcome everybody here tonight.

23 Looks like our crowd is a little bit smaller than

24 usual. Everybody is taking advantage of the nice

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1 weather.
 2 A few things we need to take care of.
 3 First thing, we've got some exhibits that we need to
 4 work on. Most important thing that I want to put
 5 out there this evening, and this is very important
 6 for everyone, it has come to the time within this
 7 hearing process that we need to obviously look at
 8 finishing up the process.
 9 Having said that, we are going to have
 10 March the 25th, that's next week, our hearing next
 11 week, it's going to be the final evening for
 12 interested parties to sign up, okay? That doesn't
 13 mean you have to testify, you won't testify at that
 14 point, but you need to -- you need to be on the
 15 list. So you must, you must, and we're not going
 16 back on this, you must sign up by March the 25th
 17 meeting. And we will still be available -- you
 18 still will be available to sign up on March the
 19 25th, but after that hearing, you will not be
 20 allowed to sign up.
 21 The same goes for both counsel. I want to
 22 tell you guys that's going to be your final
 23 opportunity to disclose who you may present as
 24 witnesses. So if they're not disclosed by that

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1 point, they will not be allowed. All right?
 2 We'll go ahead and get our exhibits taken
 3 into evidence and then we'll go ahead and proceed.
 4 All right, this looks like Pleasant Ridge Exhibit
 5 6A. This is a legend from the setback map.
 6 Pleasant Ridge Exhibit 226, it's Illinois
 7 Administrative Code 901.102, we did not accept that
 8 as an exhibit. Pleasant Ridge Exhibit 280 is the
 9 Environmental Review Tribunal, Case No. 13-102 to
 10 13-104, we did not accept that as an exhibit.
 11 Pleasant Ridge Exhibit 285, another Environmental
 12 Review Tribunal, Case No. 13-070 to 13-075, we did
 13 not accept that as an exhibit. Pleasant Ridge
 14 Exhibit 287, Environmental Review Tribunal, Case No.
 15 13-096, we did not accept that as an exhibit.
 16 Pleasant Ridge Exhibit 288, Environmental Review
 17 Tribunal, Case No. 10-121/10-122, we did not accept
 18 that as an exhibit. Pleasant Ridge Exhibit 290,
 19 it's a legal proceeding, a hearing August 27 and 28
 20 of 2012 by Meridian Energy Limited, proceedings in
 21 front of Judge M. Harland, we did not accept this as
 22 an exhibit. Pleasant Ridge Exhibit 293, Queen's
 23 Bench of Saskatchewan, dated 10/7/2010, we did not
 24 accept as an exhibit.

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1 **MR. BLAZER:** Mr. Chairman, if I can just
 2 ask a quick question, the ones that you just listed
 3 that weren't accepted, I assume those aren't being
 4 accepted because the witness that I asked about
 5 those, which was Mr. Punch, wasn't familiar with
 6 them and couldn't authenticate them. I assume I'm
 7 not foreclosed from bringing another witness in
 8 later who can authenticate them. Because
 9 technically I didn't even offer them because he
 10 wasn't familiar with them.
 11 **CHAIRMAN CORNALE:** All right, we'll
 12 reserve the opportunity on that, but with a reminder
 13 that the rebuttal side of the hearing process is not
 14 an attempt to introduce more evidence.
 15 **MR. BLAZER:** I understand that.
 16 **CHAIRMAN CORNALE:** All right. Pleasant
 17 Ridge Exhibit 295, Methods and Criteria for Night
 18 Noise Skylines for Europe we accepted. County
 19 accepts Pleasant Ridge Exhibit 299, hearings before
 20 the Public Service Commission of Wisconsin, Docket
 21 No. 6630-CE-302. County accepts Pleasant Ridge
 22 Exhibit 318 as the Adverse Health Effects of
 23 Industrial Wind Turbines written by Jerry Punch and
 24 Richard James. County accepts Donald Harm's Exhibit

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1 1 dated 2/18/15 as a three page document -- two page
 2 document with some financial statistics. County
 3 accepts Brad Steidinger Exhibit 1, the Impact of
 4 Wind Farm Development on Residential Property in
 5 Livingston County, Illinois. The county accepts
 6 Hayes Exhibit 1, the result of an acoustic testing
 7 program, Cape Bridgewater Wind Farm, dated November
 8 26, 2014. County accepts Hayes Exhibit No. 2 as the
 9 Reviews of Acoustic Testing Program at Cape
 10 Bridgewater Wind Farm.
 11 **MR. BLAZER:** Mr. Chairman, for the record,
 12 I'm going to object to both of those. Mr. Hayes
 13 didn't evidence any -- I'm sorry, never mind. He
 14 was questioning Mr. Punch about them.
 15 **CHAIRMAN CORNALE:** County accepts Hayes
 16 Exhibit No. 3 as further comments on the Cape
 17 Bridgewater Wind Farm study, Muddying the Waters,
 18 the Cooper report on the Cape Bridgewater Wind Farm
 19 is well-documented and states exactly what it does,
 20 by Paul Schomer. County accepts Hayes Exhibit No.
 21 4, Investigation of the Acoustic Impact of Pacific
 22 Hydro's Wind Turbines at Cape Bridgewater, Victoria,
 23 Australia, Participant Resident Statement, 21
 24 January 2015.

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1 All right, that's all the witnesses -- or
 2 all the exhibits, I'm sorry. Rough night tonight.
 3 All right, we'll go ahead and get started
 4 this evening with Suzanne Bell. Is Suzanne Bell
 5 available in the audience this evening? Good
 6 evening, Ms. Bell.
 7 MS. BELL: Good evening.
 8 **CHAIRMAN CORNALE:** I would like to swear
 9 or affirm you.
 10 (Ms. Suzanne Bell was duly sworn.)
 11 **CHAIRMAN CORNALE:** All right, can you
 12 please state your name and address for our court
 13 reporter, and you may proceed.
 14 **MS. BELL:** My name is Suzanne Bell, and I
 15 live at 15209 North 200 Avenue, Altona, Illinois,
 16 which is in Henry County. And what else, sir?
 17 **CHAIRMAN CORNALE:** Go ahead with your
 18 statement.
 19 **MS. BELL:** Okay. We have one turbine on
 20 our farm and we have within our house -- our turbine
 21 is a fourth of a mile from our house and we have two
 22 that are half a mile from our house and five of them
 23 that are three-fourths of a mile from our house.
 24 And at this point we never hardly ever hear them,

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1 unless we're outside and the wind is real strong, we
 2 might hear a swish, a swish, but never anything
 3 loud, and they do not bother us.
 4 We have -- Invenergy has their building
 5 that they keep all of their equipment and things in
 6 about, oh, two and a half to three miles from us.
 7 And one day last fall I got a telephone call and
 8 they said it was -- it was from Invenergy, and I
 9 said, well, yes, what can I help you with? And the
 10 gentleman said we've been up to your turbine with a,
 11 a -- what do they call that they take up there and
 12 pick up stuff with, the big machine? I can't even
 13 think of the name.
 14 **CHAIRMAN CORNALE:** Crane.
 15 **MS. BELL:** Crane, there you go, thank you.
 16 Anyway, he said we had to come up to your turbine
 17 and repair. We had to bring a turbine -- or a
 18 crane, and it -- we made some damage in your crop
 19 that we haven't fixed yet. And he said I want you
 20 to have Duane go up and check and see if we do need
 21 to have a claim made for damage to your property.
 22 So they are very good that way.
 23 I -- we're real happy to have our turbine.
 24 There's a lot of them around us. Is there anything

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1 else? Any questions you would have?
 2 **CHAIRMAN CORNALE:** We'll go and ask some
 3 other individuals. They may have some questions.
 4 Is that pretty much it?
 5 **MS. BELL:** Yeah, I just wanted to -- you
 6 know, we're very happy to have them around most of
 7 the time --
 8 **CHAIRMAN CORNALE:** Okay, all right.
 9 **MS. BELL:** -- and they don't bother us.
 10 **CHAIRMAN CORNALE:** All right, do we have
 11 any questions at this time? County have any
 12 questions? All right, any units of -- do units of
 13 local government or school districts here this
 14 evening have any questions for Ms. Bell? All right.
 15 Mr. Blazer or Mr. Luetkehans, do you have any for --
 16 **QUESTIONS BY**
 17 **MR. BLAZER:**
 18 Q. Just a couple of quick questions, ma'am.
 19 The project, it's an Invenergy project?
 20 **A. Yes.**
 21 Q. Is that the Bishop Hill project in --
 22 **A. Yes, it is, uh-huh.**
 23 Q. How long have the turbines been there?
 24 **A. I think ours has been -- we were one of**

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1 **the last ones to have them built in that area. I**
 2 **think it's been there about three years.**
 3 Q. And has Invenergy ever told you that you
 4 shouldn't contact them or complain if you have any
 5 issues?
 6 **A. No.**
 7 **MR. BLAZER:** Okay, that's all I have, sir.
 8 **CHAIRMAN CORNALE:** All right. Mr.
 9 Luetkehans, do you have anything?
 10 **QUESTIONS BY**
 11 **MR. LUETKEHANS:**
 12 Q. Ms. Bell, thanks for coming. What -- did
 13 someone contact you and tell you about this hearing?
 14 **A. Yes.**
 15 Q. Who contacted you?
 16 **A. Our Invenergy guys.**
 17 Q. Okay.
 18 **MR. LUETKEHANS:** Thank you very much.
 19 Appreciate your time.
 20 **CHAIRMAN CORNALE:** All right. Are there
 21 any other interested parties in the audience this
 22 evening with questions for Ms. Bell?
 23 **MR. LUETKEHANS:** Take this one. I don't
 24 need to say anything.

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1 **CHAIRMAN CORNALE:** Just state your name
2 for us and you can go ahead.
3 **MS. SCHROF:** I'm Sharon Schrof, Forrest,
4 Illinois. I have a question for you. Since --
5 **CHAIRMAN CORNALE:** If you can hold the
6 microphone closer.
7 **MS. SCHROF:** Okay.
8 **CHAIRMAN CORNALE:** A lot of pressure.
9 **QUESTIONS BY**
10 **MS. SCHROF:**
11 Q. My question for you is how close -- we're
12 a very populated area where there's going to be 136
13 turbines and you're talking about one. They're
14 awfully close to your house, I'm surprised at your
15 thoughts, but I wanted to ask you all this.
16 **A. A fourth of a mile. I mean there is --**
17 **I'm not sure how many there are total because they**
18 **go down Route 17 and they go into Galva partly, so**
19 **it's -- and then they go north of us quite a ways.**
20 **I would say there must be -- is there a hundred**
21 **there or more? Yeah, there's more than a hundred in**
22 **that area.**
23 Q. Okay. And how many towns beside Galva?
24 How many towns are near there?

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1 **A. Bishop Hill.**
2 Q. Right. And how close are they to Bishop
3 Hill? What's the --
4 **A. They're -- I think two and a half miles.**
5 Q. They're set back two and a half miles?
6 **A. I think that was what they -- that the**
7 **residents of Bishop Hill requested that they be that**
8 **far away from them.**
9 Q. And you're from Galva, I know that. I
10 know you're from Galva. How -- what's the setback
11 from Galva? Do you have any idea?
12 **A. Oh, from Galva, they're set back further.**
13 **The closest ones would be south of Galva right on**
14 **17. They're probably -- I don't think they're a**
15 **mile, but they're maybe half a mile, three-fourths**
16 **of a mile from town.**
17 Q. Now, how big is Galva?
18 **A. Galva is about 2800 people.**
19 Q. Okay. And how big is Bishop Hill?
20 **A. Oh, about 300.**
21 Q. Okay. What other towns are nearby?
22 **A. There's none, except Woodhull and that's**
23 **quite a ways away.**
24 Q. Now, I've seen these things, the ones

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1 you're talking about, by Geneseo. Is that the same
2 group?
3 **A. No.**
4 Q. No, okay. Are there fewer by Geneseo?
5 **A. Oh, yeah, there's only two or three over**
6 **there. They use them for their own purposes.**
7 Q. And those aren't by the town because
8 they're beside the interstate.
9 **A. Yeah.**
10 Q. So the closest that you're talking about,
11 that would be pretty far away from populated areas.
12 **A. Uh-huh.**
13 Q. That's kind of what I wanted to know. And
14 thank you so much.
15 **A. Okay.**
16 Q. Now I've got to give her a hug just
17 because.
18 **CHAIRMAN CORNALE:** Anybody else in the
19 audience with questions. Anybody else? All right,
20 county staff? Do we have any questions, any other?
21 All right. Ms. Bell, thank you for coming. Have a
22 good evening.
23 Next on my list I have Hank Gauwitz,
24 G-A-U-W-I-T-Z. All right, Mr. Gauwitz, can I go

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1 ahead and get you sworn in?
2 (Mr. Henry Gauwitz was duly sworn.)
3 **CHAIRMAN CORNALE:** All right. Can you
4 please state your name and address for our court
5 reporter and then go ahead whenever you're ready.
6 **MR. GAUWITZ:** Henry Gauwitz, 1317 Fourth
7 Street, Lacon, Illinois, L-A-C-O-N. I've been a
8 Marshall County board member for the last two and a
9 half years. We had a project that was about a third
10 of the size of this project and receives over
11 \$700,000 in tax revenue from it. These dollars have
12 helped the following projects to receive grants and
13 move forward with the additional revenue: new
14 firehouse in town; new roof, windows, air
15 conditioning in the middle school; renovations to
16 the high school with new lockers, floor covering,
17 roof repair.
18 I work for a labor management group that's
19 comprised of contractor associations and local
20 unions working together to bring jobs in the area,
21 put local people and contractors to work. This
22 project gives this county the opportunity to bring 1
23 to \$2 million to its treasury for a number of years.
24 It also encourages economic development in terms of

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1 increased jobs, services, selling materials and
 2 supplies. There are also road improvements during
 3 and after completion of the project that could be
 4 over \$1 million in value. The road commissioners
 5 could verify the amounts.

6 The economic development benefits could be
 7 1 to \$2 million for the county. The average
 8 worker's salary, 70 to 80 hours a week, could be
 9 between 40 and \$50,000. Workers in similar projects
 10 have been over 200 employees with a peak of 400.
 11 These people would be buying meals, gasoline and
 12 other supplies while working on the project. This
 13 committee could also check with the other projects
 14 that you guys have had before in the area on the
 15 benefits and the income from the last wind farm
 16 project for comparison on some of the numbers that I
 17 presented tonight.

18 The second sheet that is in the handout
 19 that I passed around is a copy of how everything is
 20 broken down for one wind turbine from the
 21 treasurer's office, so what the fire department
 22 gets, what the school gets, that sort of thing.
 23 That's one turbine.

24 The second page. There are 60 towers. It

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1 shows the property taxes for one payment. There are
 2 two payments, you'd have to double it, but it shows
 3 \$358,064.05, so double that and that's what the
 4 county gets per year for those towers.

5 We never had any major problems in the
 6 area. If something got messed up, it got addressed,
 7 it got fixed. Never had any problems. The roads
 8 are in better shape than they were when it
 9 originally started.

10 I thank you for the opportunity to present
 11 to the county board.

12 **CHAIRMAN CORNALE:** Very good, thank you.
 13 Do we have any questions for Mr. Gauwitz? Anything?
 14 All right. Units of local government, school
 15 districts, anybody out there in the audience? All
 16 right, counsel on either side?

17 **QUESTIONS BY**
 18 **MR. BLAZER:**

19 Q. Mr. Gauwitz, just really quickly, and
 20 let's just limit it to, first of all, the wind farm
 21 that you're talking about, is that the Camp Grove
 22 Wind Farm?
 23 A. Yes, sir.
 24 Q. How long has that wind farm been

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1 operating?
 2 A. About eight years. It was a split job
 3 between Marshall and Stark. Part of it's in Stark
 4 County, part of it's in Marshall County.
 5 Q. And through that eight years, have you
 6 yourself heard of anyone complain of any health
 7 impacts from that wind farm?
 8 A. There haven't -- there hasn't been --
 9 there hasn't been any problems of any type.
 10 Anything that needed to be addressed or the clay
 11 tile or the roads or anything else for maintenance,
 12 it's been addressed and been taken care of.

13 **MR. BLAZER:** All right. That's all I
 14 have, sir.
 15 **CHAIRMAN CORNALE:** Mr. Luetkehans, do you
 16 have anything?
 17 **QUESTIONS BY**
 18 **MR. LUETKEHANS:**

19 Q. Mr. Gauwitz, how close do you live to the
 20 nearest wind turbine?
 21 A. They're probably eight, eight to nine
 22 miles away because I live in Lacon and they're on
 23 top of the hill, on top of the bluff.
 24 Q. Okay, so they're on top of the bluff.

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1 What's the largest town in Marshall?
 2 A. Lacon, which is 2200, which is where I
 3 live.
 4 Q. And you said the other county was Star or
 5 Stark?
 6 A. Stark.
 7 Q. Could you say that again?
 8 A. S-T-A-R-K.
 9 Q. Thank you. What's the largest town in
 10 Stark?
 11 A. The closest one to the wind farm is
 12 Wyoming, Illinois.
 13 Q. Okay. And how far is Wyoming from the
 14 wind farm?
 15 A. It's probably five or six miles.
 16 Q. And how many people live in Wyoming
 17 approximately?
 18 A. You'd -- you'd be better off to
 19 cross-reference a map. You know, maybe a thousand.
 20 Q. Okay, but it's smaller than Lacon?
 21 A. Yeah.
 22 Q. All right, and how far is -- and is it
 23 Lacon, L-A-C-O-N, is that where you live?
 24 A. That's where I live.

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1 Q. And that's the biggest town in Marshall,
 2 correct?
 3 A. **That's the biggest town in the county.**
 4 Q. Okay. And how far is Lacon from the wind
 5 farm?
 6 A. **You asked me that, and it's eight to --**
 7 **eight to nine miles.**
 8 Q. Okay, I'm sorry. I was asking earlier how
 9 far your house was, so the answer is the same for
 10 both in essence?
 11 A. **Yeah.**
 12 Q. Okay.
 13 A. **And Sparland, Illinois, is across the**
 14 **river, which goes up to the top of the hill, and the**
 15 **towers are probably like three miles from there,**
 16 **from the town. There's a number of residents**
 17 **scattered all throughout that that have -- you know,**
 18 **that live in the farm area.**
 19 Q. You know what, can you say again? I think
 20 someone was making some noise and I don't think
 21 either her or I heard it, so if you want to say what
 22 you were saying again at the end, I'm sorry?
 23 A. **Okay, there's people that live out where**
 24 **the turbines are throughout the county, throughout**

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1 **the farmland area.**
 2 Q. Okay. And some of those people have
 3 actually leased or provided, allowed the wind
 4 turbines to be on their land, correct?
 5 A. **Yes, sir.**
 6 Q. Okay. Do you know how big the wind
 7 turbines are in --
 8 A. **300 --**
 9 Q. -- Camp Grove?
 10 A. **300 feet tall.**
 11 Q. 300 feet.
 12 **MR. LUETKEHANS:** All right, thank you.
 13 **CHAIRMAN CORNALE:** Anybody in the audience
 14 with questions for Mr. Gauwitz? Please state your
 15 name for us.
 16 **QUESTIONS BY**
 17 **MS. SEVERSON:**
 18 Q. My name is Amber Severson. Sir, you
 19 stated that you made a specific amount of tax
 20 revenue for Marshall County with these wind
 21 turbines --
 22 A. **Uh-huh.**
 23 Q. -- correct? What is your tax rate in
 24 Marshall County, do you know that?

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1 **A. Have them -- have them look on what I gave**
 2 **them.**
 3 Q. So is it 8 percent, 10 percent?
 4 A. **I have no idea.**
 5 Q. Okay. Okay. So are the wind turbines
 6 there taxed at that percent?
 7 A. **They're taxed at the level that the state**
 8 **allows the wind turbines to be taxed at, and that's**
 9 **state, throughout the whole state.**
 10 **MS. SEVERSON:** Very good, thank you.
 11 **CHAIRMAN CORNALE:** Anybody else in the
 12 audience with questions? Anybody? County staff, do
 13 you have anything? Mr. Gauwitz, thank you.
 14 A. **Thank you, sir.**
 15 **CHAIRMAN CORNALE:** Let the record indicate
 16 the county will accept Gauwitz Exhibit 1. It's a
 17 three page document. The heading on the first page
 18 is Great Plains LECET.
 19 Linda Ambrose available this evening?
 20 Linda Ambrose. Could I get you sworn in?
 21 (Ms. Linda Ambrose was duly sworn.)
 22 **CHAIRMAN CORNALE:** All right, please state
 23 your name and address for our court reporter and
 24 then you can go ahead whenever you're ready.

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1 **MS. AMBROSE:** Okay, Linda Ambrose, 19840
 2 East 300 North Road, Fairbury. When most companies
 3 want to start up their business in an area, the city
 4 officials offer them tax breaks or other incentives
 5 to locate in their city. There are long-term
 6 legitimate benefits to these companies locating in
 7 the town.
 8 Wind companies like Invenergy are just the
 9 opposite. They come in and try to deal their way in
 10 by offering officials closed-deal bribes. They
 11 appeal to small towns like Forrest and Strawn who
 12 are cash strapped and then put a gag order on them.
 13 They put out ads with misleading terms like may or
 14 can be used to benefit local fire stations or other
 15 local entities. People interpret these misleading
 16 statements to say they will be used for these areas,
 17 the old bait-and-switch to mislead the public.
 18 Federal and state subsidized industrial
 19 wind complexes in actuality are a flash in the pan.
 20 They flash a lot of taxpayer money up front, but end
 21 up hurting the counties and certainly the schools
 22 down the road much more than they helped in the
 23 start-up process.
 24 At an ag and zoning meeting, Mr. Young

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1 stated that he had a letter or had talked to a
 2 superintendent from a small, already consolidated
 3 district in the eastern part of Livingston County.
 4 This superintendent hoped the county didn't make the
 5 ordinance too restrictive because he'd like some
 6 turbines in his area to keep the school alive.
 7 Whether they get turbines or not, sadly that rural
 8 school district is doomed to have to merge with
 9 another district. That superintendent is looking
 10 for a short-time fix that will keep his school open
 11 a couple of years longer.
 12 And turbine money at the front end of a
 13 contract looks good until you start losing state
 14 funding. The people of the Prairie Central district
 15 plan for this school system to be around for longer
 16 than 20 years, and we don't need Invenergy giving
 17 false promises of stable financial help. I still
 18 believe wind turbine companies are full of false
 19 promises and statistics, but as I said to the
 20 Livingston County Board earlier, if the people and
 21 not just the superintendent want these turbines, put
 22 them in their area. So many people in the Pleasant
 23 Ridge area do not want them and we ask you not to
 24 destroy our farmland.

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1 As members of these two bodies of local
 2 government, we need to be able to ask the Zoning
 3 Board of Appeals and the Livingston County Board to
 4 be overly cautious and to protect the citizens of
 5 this county. Even though you might have voted to
 6 allow a special use permit in the past, I hope you
 7 will look at this application with fresh eyes.
 8 These turbines are getting bigger, and to
 9 make more of a profit, companies are putting in
 10 larger concentrations of them in their location.
 11 Mr. Engelhart spoke of this. In the years between
 12 when he signed his contract and the turbines were
 13 constructed, the project changed hands four times,
 14 and he ended up -- they ended up with 72 turbines
 15 instead of the 36 in the same footprint. Once you
 16 sign away the rights to your land, you have no
 17 control.
 18 At the March 3rd meeting of the ag and
 19 zoning committee, we found out about a problem in
 20 Streator of a corporation very similar to the
 21 Pleasant Ridge, LLC. The Smith-Douglass Company
 22 abandoned the fertilizer plant in the 1980s.
 23 Attempts to stabilize this area have been made by
 24 Borden Chemical Incorporated, a former owner of the

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1 site, and the State of Illinois. This is an example
 2 of Livingston County having to monitor a situation
 3 after a company up and leaves. I bring this up
 4 because the county is responsible for dealing with
 5 the toxic waste that still exists at this facility
 6 today, even though it was abandoned in the 1980s by
 7 the company who last owned it.
 8 According to the Fact Sheet 4 from the EPA
 9 website, do you want --
 10 **MR. LUETKEHANS:** Yeah, I'll --
 11 **MS. AMBROSE:** Okay. Okay, I think it's on
 12 the third page of the sheet you have down towards
 13 the bottom, the last paragraph. According to Fact
 14 Sheet 4 from the EPA website, and I quote, the next
 15 heavy rain could wash out a weakened berm holding
 16 the northwest side of a pond on the site called
 17 Fresh Pond. That berm is holding back tens of
 18 millions of gallons of very acidic wastewater that
 19 will either run off or percolate through the large
 20 pile of gypsum waste. Release of that water to the
 21 adjacent Phillips Creek could cause a flood
 22 downstream to the Vermilion River. It could
 23 endanger fish and wildlife as well as any humans in
 24 the area at the time of the flooding, unquote.

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1 Companies such as Invenergy set up a
 2 limited liability corporation for their projects.
 3 If these projects need to be abandoned for any
 4 reason, the company stays financially secure and
 5 walks away from the individual project. We have
 6 heard people speak that Invenergy is not painting a
 7 true picture when it comes to decommissioning. Does
 8 the county have a strong enough ag impact mitigation
 9 agreement in place for the wind turbines or will the
 10 turbines be another abandoned site for the county
 11 and its taxpayers to deal with? These are real
 12 situations that the ZBA and the Livingston County
 13 Board must take into consideration when voting for
 14 this special use permit.
 15 Even though it is just coming out, there
 16 is new information that turbines cause health
 17 problems. County health officials like in Wisconsin
 18 have started to realize this, and the turbines have
 19 been labeled a health hazard. In fact, Governor
 20 Walker of Wisconsin has just put \$250,000 in his
 21 proposed budget to study the effects of wind
 22 turbines.
 23 On Monday, February 23rd, Mr. Hayes
 24 entered into evidence the Cape Bridgewater study

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1 done by Pacific Hydro, referred to as Hayes 1, that
 2 shows further evolving evidence that turbines can
 3 cause health problems. We used to think asbestos
 4 was a good form of insulation and we put it in our
 5 homes, our businesses and even our schools. Smoking
 6 was not realized to be the health hazard that it is.
 7 In fact, when I was a youngster, I can remember
 8 menthol cigarettes being promoted as something to
 9 soothe your throat.

10 With the passage of time, experience and
 11 education, we now know that these items are
 12 extremely harmful. Given some more time for
 13 studies, I feel that the large turbines will fall
 14 firmly into the category of health hazard as
 15 asbestos and smoking have. Yes, we are asking our
 16 local bodies of government to look around corners to
 17 protect our way of life.

18 I would venture to say most people don't
 19 like others telling them what they can do with
 20 property they own. We fall into that category.
 21 People who have signed up probably don't feel that
 22 we should be telling them what to do on their land.
 23 I can understand that. We do feel we have a right
 24 to ask you to consider our opinions about turbines

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1 going up on our neighbor's land. It affects our
 2 quality of life, our property values, and the
 3 turbines are being built with taxpayer, my, our,
 4 money.

5 There are many instances of neighbor input
 6 when changes are made. At another ag and zoning
 7 meeting, neighbors had to be notified and given a
 8 chance to object if they don't want a subdivision
 9 coming in. If you live in town, you have to have
 10 permission to even put up a fence because it has the
 11 potential to affect your neighbors and their
 12 property value. Certainly 136, nearly 500 foot
 13 tall, noisy, disruptive, red light flashing, shadow
 14 flickering turbines have the potential to impact
 15 neighbors in many ways, so we feel we do have an
 16 opinion on their construction. In reality, who
 17 would choose to live by these monstrosities.

18 The experts. We've all spent hours, days,
 19 weeks of our lives that we'll never get back
 20 listening to the experts and our lawyers argue this
 21 case. The lawyers and the experts are all just here
 22 doing their jobs. If given the tasks, Mr. Blazer or
 23 Mr. Luetkehans could both argue the other side of
 24 the case of this special use permit. That would be

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1 their job. The experts could dig up material to
 2 show the other side of the argument. That would be
 3 their job.

4 When questioned, Invenenergy's experts
 5 admitted that at times they had a narrow scope of
 6 what they were supposed to study. In other words,
 7 the company didn't want the real facts out there.
 8 Invenenergy carefully controlled what facts they
 9 wanted to enter into the record. We all know that
 10 facts don't lie, but what facts are used and what
 11 facts are left out can be misleading.

12 Invenenergy is the largest wind company in
 13 America and has done this many times before and has
 14 honed their craft well. This is their job. If we
 15 had as deep of pockets as Invenenergy, we could hire
 16 legions of experts and legions of secretaries to run
 17 off reams of material to overload you with also.
 18 This isn't just a job for us. We are fighting for
 19 our way of life.

20 We have tried to hire experts to give
 21 realistic statistics of what will be applicable in
 22 this area. We have taken figures from the Internet
 23 on what should happen in decommissioning. We had
 24 someone research what would happen in this area when

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1 the turbines are decommissioned. I feel if
 2 Invenenergy really planned to use local labor, one of
 3 their promises is providing local jobs, that is what
 4 they would have done also.

5 When Mr. Blazer was trying to discredit
 6 Mr. Hewson's figures on decommissioning, he asked
 7 Mr. Hewson if he would be surprised that it would
 8 only take seven to eight months to put up 136
 9 turbines when Mr. Hewson reported that Vissering
 10 Construction estimated it would take four and a half
 11 years to totally take down, cut up the metal for
 12 scrap, remove the rock and haul it away. First of
 13 all, I don't know what putting up the towers has to
 14 do with taking them down. Construction-wise, they
 15 are two totally different actions. But being able
 16 to put them up so quickly does point out that they
 17 will be bringing in laborers that they have worked
 18 with before on other projects and not using local
 19 labor as promised.

20 We didn't use hedonic models to study
 21 property values. We had an actual real estate agent
 22 give us real figures of what's been happening in
 23 this area. And we don't think people come in with
 24 preconceived ideas that infrasound or shadow flicker

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1 will bother them. We have this opinion because we
 2 listened to the people who have had to move out of
 3 their homes, had health problems or cell and TV
 4 reception problems. How powerful was Mr.
 5 Engelhart's testimony that he has five turbines on
 6 his land and that the \$37,000 a year he receives
 7 from them is not worth it. He also told us of the
 8 multitude of problems that came with the turbines
 9 and how unresponsive the company is.

10 Mr. Stichnoth of Iroquois County was a
 11 person who wanted the turbines in their area.
 12 Reality was a hard slap when he began to experience
 13 problems after they were put in. He doesn't have a
 14 dog in this fight, but was just trying to give us
 15 the benefit of his real-life experience.

16 Invenergy is trying to convince us what a
 17 good neighbor they will be. As Mr. Blazer told us,
 18 they are the largest wind turbine company in
 19 America. By the nature of making their large
 20 company successful, once again they are like
 21 politicians. They overpromise and overstate how
 22 great their product is and how they'll be there for
 23 the landowners. As with politicians, once they are
 24 elected, those promises are forgotten.

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1 We've heard from people who live around
 2 turbines or have them on their land that the
 3 company's promises are hollow. We owe a great debt
 4 to the people who took the time to tell us of their
 5 experiences. There was nothing in it for them.
 6 They can't rewrite their history, but they are
 7 trying to warn the county not to go down the same
 8 road.

9 As these people who came to speak of their
 10 problems have to live in the real world, we also
 11 deal in reality. Invenergy's experts say there is a
 12 certain subset of people who have conditions that
 13 make them more susceptible to the turbines' effects.
 14 Are the people who signed up for a turbine fooling
 15 themselves that no one in the footprint has any
 16 preexisting conditions, like high blood pressure,
 17 anxiety, hearing issues, autism or sleep problems
 18 that might be made worse by a thumping, flashing,
 19 noisy turbine? These turbines are going to be more
 20 than annoyance to a lot of people. They are going
 21 to destroy our way of life. In addition, they could
 22 destroy our biggest asset, our homes and the value
 23 of our land.

24 It's been shocking to see how far

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1 Invenergy will go to discredit a witness. If they
 2 can't discredit the testimony, they try to discredit
 3 the person. The company tried to introduce
 4 statements made by a researcher's husband which the
 5 ZBA wisely saw through. Who knew they'd monitor
 6 what meetings ordinary citizens attend and look into
 7 your private life so much that they could produce
 8 your name from a list that is three to four years
 9 old. Who knew they'd monitor our Facebook pages
 10 trying to intimidate us. Do you feel like Big
 11 Brother is watching? That stuff may fly in the
 12 Windy City, but ordinary citizens don't think too
 13 highly of those tactics.

14 I came across a quote recently that I
 15 thought fit the cooperators who signed up. The best
 16 propaganda is factually correct information
 17 delivered by people who passionately believe what
 18 they are saying is the truth. These cooperators
 19 believe it will bring money to the area and they
 20 might even believe it's green energy. For a reason
 21 as old as time, some have taken a bite of the
 22 poisoned apple. They've been told they don't have
 23 to do anything and they will get paid for it. As
 24 with most things, if it sounds too good to be true,

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1 it probably is.

2 There are consequences to giving a large
 3 company whose sole purpose is to make money legal
 4 access to your land. Even though they seem friendly
 5 now, they will run over you just like they did Mr.
 6 Engelhart, and the company will just look at it as
 7 the price of doing business. The friendly faces of
 8 the Invenergy employees the cooperators have seen so
 9 far won't be the faces they see when they have a
 10 problem. Those friendly faces will have moved on to
 11 the siting of another wind farm. That is their job.

12 We here in the heartland of America have
 13 to stand up right here, right now, to stop the
 14 fleecing of the American taxpayer so large companies
 15 can redistribute the wealth, our money, to political
 16 cronies, not American-based companies, and unions
 17 that perpetuate this fraud on the American people
 18 under the guise of green energy.

19 Even though the Regional Planning
 20 Commission of Livingston County has signed on for a
 21 wind farm previously, they did their research and
 22 looked at the new information out there. They
 23 unanimously voted that Invenergy's application does
 24 not meet the Livingston County Comprehensive Plan.

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1 We ask both of these bodies of government, the
 2 Livingston County Board and the Zoning Board of
 3 Appeals, to deal in reality as well in looking at
 4 this special use permit.
 5 Pause for a minute and add 30 years to
 6 your age. This is when the decommissioning of the
 7 turbines will start happening. Most if not all of
 8 the people on the Livingston County Board and the
 9 Zoning Board of Appeals won't still be on the board.
 10 I would like to think that people sitting on these
 11 two boards signed up for this duty out of a sense of
 12 serving the public. As physicians take an oath to
 13 do no harm, I would think the members would be doing
 14 a lot of soul searching.
 15 Before the Zoning Board of Appeals and the
 16 Livingston County Board vote, I hope they call to
 17 mind the Nate and Paula Kelson family and the Bryan
 18 and Whitney Bell family. Think of their children
 19 and what you will be robbing them of. I hope the
 20 board will take a personal stance not to do
 21 something that may help the county now but harm the
 22 county and its residents in the long run. What will
 23 your legacy be?
 24 We shouldn't have to feel that we are

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1 fighting the county government along with a large
 2 company. You are the people who promised to serve
 3 us, the community where these turbines are being
 4 sited. You are the next step in protecting the
 5 people in the Pleasant Ridge area, the surrounding
 6 towns, and those in a 30 mile radius who will have
 7 to live with them. Please vote no on this special
 8 use permit.
 9 **CHAIRMAN CORNALE:** All right. We don't
 10 have any questions at this point. Units of local
 11 government, school districts out there? Nothing.
 12 All right, counsel on either side, questions?
 13 **MR. BLAZER:** Hi, Mrs. Ambrose. We've
 14 gotten along up until now and we will after this is
 15 over, so just a real quick question. Your property
 16 on East 300, that's classified as farmland, improved
 17 agricultural, correct?
 18 **MS. AMBROSE:** Yes.
 19 **MR. BLAZER:** Okay, that's all I have.
 20 Thank you.
 21 **CHAIRMAN CORNALE:** Mr. Luetkehans, do you
 22 have any questions?
 23 **MR. LUETKEHANS:** (Shakes head).
 24 **CHAIRMAN CORNALE:** All right. Interested

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1 parties in the audience? Any interested parties in
 2 the audience? Anybody? County staff? ZBA again?
 3 Thank you.
 4 Next on the list is Jerome P. Kurtenbach.
 5 All right, Duane Schneider. Duane Schneider, are
 6 you available this evening to talk?
 7 **MR. LUETKEHANS:** You know what, I'm sorry,
 8 that's my fault, excuse me. His name should be off
 9 the list. He's not testifying.
 10 **CHAIRMAN CORNALE:** Rick Miller? Rick
 11 Miller, are you available this evening? Just for
 12 the record too, the county will accept UCLC Exhibit
 13 126. It's from the Illinois EPA Smith-Douglass
 14 site.
 15 You're going to want to be at the podium.
 16 By the podium. Ah, the podium, there we go. All
 17 right, Mr. Miller, looks like you're ready to go.
 18 All right, we'll go ahead and affirm you.
 19 (Mr. Rick Miller was duly affirmed.)
 20 **CHAIRMAN CORNALE:** All right, please state
 21 your name and address for our court reporter and
 22 then go ahead with your presentation.
 23 **MR. MILLER:** My name is Rick Miller. I am
 24 from Wing, Illinois.

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1 **CHAIRMAN CORNALE:** You can lift the
 2 microphone up. There you go.
 3 **MR. MILLER:** Thank you for allowing me to
 4 speak tonight and I really appreciate it. And just
 5 for the record, none of my comments tonight can be
 6 reflected to back any plug or organization that I
 7 belong to.
 8 First thing I'd like to talk about is
 9 common sense which came up here tonight. Common
 10 sense. There have been a lot of things that have
 11 seemed like common sense, like the sun goes around
 12 the earth or the world is flat. That's where we get
 13 the term four corners of the earth.
 14 Then there's -- we get more toward the
 15 present, and common sense says there's a supply of
 16 limestone that will never quit. So you can imagine
 17 my surprise when I went to Prairie Aggregates and
 18 they said we have a five year supply of stone. So I
 19 said, well, what are we going to do? And he said,
 20 well, we'll look for some other pockets of
 21 limestone. So what do they do, but they dug a big
 22 pit north of Weston expecting to get limestone.
 23 Well, it turned out it was deeper than what they
 24 expected and it was also filled with shale, so that

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1 completely eliminated that as a source of limestone
 2 for roads, concrete and things like that.
 3 So it seemed like finding these pockets of
 4 limestone was no easier than repairing drainage
 5 tile, both very tough things to do. I worked for a
 6 tiling company for a while, and some of the hookups
 7 were okay, but some of them were just a quick
 8 hit-and-go. And there will be a lot of drainage
 9 tile affected by heavy equipment running across the
 10 fields.
 11 And so we went on and I asked if he -- if
 12 he thought the amount of concrete in the foundations
 13 was a lot, and he said, yeah, that's a lot, but that
 14 hardly compares to the amount of stone that they use
 15 for the access roads.
 16 Now, this is going to show you the access
 17 roads. Okay, this will show the access roads that
 18 are in the project, the proposed project. Now,
 19 these maps -- these maps all come out of the book of
 20 the application for the Pleasant Ridge Wind Farm.
 21 And I don't know if you've seen that or not. They
 22 are both on computers, and I don't know if there are
 23 any books left, but these maps came straight out
 24 from the book.

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1 Okay. You have long access roads for
 2 towers 118, 119, 120 and 21. I mean those things
 3 are long. You'll find the same thing up at 131 and
 4 132. Here we go again at 23, 24, 25 and 26.
 5 They're right up there, very long access roads. And
 6 then again you can look at 47 and 48, 18, 19, 20,
 7 all are very long access roads.
 8 Well, with the shortage of stone and the
 9 fact that none of the local quarries will bid on
 10 this project to supply the stone, the only one left
 11 pretty much is up at Lehigh near Kankakee. And they
 12 raised their prices early in the year, and then the
 13 other quarries around here raised their prices first
 14 of March. So, you know, the use of stone is
 15 promoting a lot of expense for us, and so I feel
 16 that that affects the whole county and even some of
 17 the places outside the county.
 18 Getting back to the -- so getting back to
 19 the material used in the foundations of these
 20 towers, we'll see that there are 319 cubic yards of
 21 concrete dumped into the hole along with 15.6 tons
 22 of steel, and the other -- the other parts involved,
 23 sand, the cement and the water, which is no small
 24 matter. They get dumped into this 16 foot deep hole

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1 and that takes a lot of material. And if you have
 2 to haul rock from 40 or 50 miles away, you have a
 3 real expense. Now, I don't know if that's been
 4 taken into consideration by the wind farm people or
 5 not or whether it's just a case of we'll pay what's
 6 ever necessary. So, you know, that to me is a big
 7 problem.
 8 Now, I've heard that the length of the
 9 access roads was 31 miles, but in the book it says
 10 53 miles, so we'll go back and look I guess. That's
 11 a lot of road building and a lot of stone to put in
 12 a temporary roadway.
 13 In addition to the concrete and
 14 everything, it's going to take 53,000 cubic yards of
 15 stone to make these roads. In fact, it takes 53,000
 16 of coarse stone and 53,000 cubic yards of
 17 medium-sized stone. Again, that's a lot of hauling
 18 and digging. So, you know, it's just a -- it's just
 19 a tremendous burden to get some of this in place.
 20 Now, I would like to talk a little bit
 21 about the disruption that this causes. Again, this
 22 is from the book, Figure 3-3, proposed project
 23 lighting plan. Now, if you think the lights are
 24 only around the perimeter, you better check your

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1 map. They are spread throughout the footprint of
 2 the project. And while I'm thinking of footprint,
 3 I'm also thinking there is an ear print where you
 4 can hear these things even when you're not in the
 5 footprint of the project. Then you can say there's
 6 a site print where you can see far beyond the limits
 7 of the project. So, you know, that's something we
 8 have to consider. And if you want to see these
 9 closer, you can come up or you can look in your book
 10 or something.
 11 Then the next thing that's very important
 12 to me is Fugate Woods. Fugate Woods is one of the
 13 few natural areas left in this part of the county.
 14 The rest of the county I'd say is like a scorched
 15 earth policy where there's really no place for
 16 wildlife to make their life. So I don't want to
 17 affect the generosity of the gift to the community.
 18 And every brochure that comes out seems to mention
 19 Fugate Woods as a main attraction to the county.
 20 I'll pass some of these out.
 21 So on the front page of this brochure,
 22 which is available at every grocery store or shop,
 23 retail business, first page says enjoy the
 24 tranquility. Now, I don't think tranquility and

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1 wind turbines can exist together. This says 150
 2 acres of native timber and restored prairie.
 3 Visitors are invited to hike the serene grounds and
 4 trails rich in wildlife and native plants.
 5 Again, if you look at the placement of
 6 these towers, towers 20 and 21 are within a mile of
 7 Fugate Woods. That to me is a real slap in the face
 8 to the Fugate family for donating this unique
 9 property. It will -- the wind farm will put those
 10 places in jeopardy. Fugate Woods is located in
 11 Section 36 of Avoca Township. It's a little thing
 12 here, 150 acres, in the middle of all of this other
 13 stuff. And if you appreciate wildlife and nature,
 14 you want to protect this.
 15 I work for the Department of Natural
 16 Resources as what they call a citizen scientist. We
 17 surveyed in one part the woodland in Livingston
 18 County and we surveyed the streams in Livingston
 19 County, the watercourses, and we looked at the
 20 prairie, the natural vegetation in the county.
 21 So what we found on the survey of the
 22 forest, it was multiflora rose and wild garlic and,
 23 oh, some of these other thorny bushes, and we
 24 literally had to crawl underneath those multiflora

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1 rose to set out our stakes for measuring. Yeah, I
 2 mean it was something.
 3 So there's no place in Livingston County
 4 that can match -- I'm slipping past Humiston Woods,
 5 that's great, but there's no place that can match
 6 Fugate Woods for its serenity, its variety of trees
 7 and shrubs. Just there's nothing. And we're in
 8 jeopardy by having two towers within a mile of that
 9 place. One is seven-tenths of a mile and the other
 10 one is within a mile. So that's far closer than
 11 what you can -- what you can expect for a quiet
 12 area.
 13 According to some of the people I talked
 14 to, those blades can be heard for two miles on a
 15 given day, and it's nothing at all to hear those
 16 within seven-tenths of a mile, the whooshing sound,
 17 and you get the flicker, then you get everything
 18 else that comes along with big towers in a small
 19 place. So I feel strongly about this, that the wind
 20 energy company did not feel very much for the
 21 community if they're going to jeopardize really the
 22 only good spot in this part of the county.
 23 So I went to a meeting in Bloomington, and
 24 this has been several years ago, and they were

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1 talking about the wind towers pro and con, it was
 2 kind of, oh, kind of an even-tempered kind of thing,
 3 and I said, well, you know, there's a lot of birds
 4 that migrate in the same paths as what these
 5 turbines are in height-wise, whatever else they have
 6 to deal with. And I said, well, if we take
 7 something common, like a red-winged blackbird, they
 8 migrate at about, I don't know, maybe 100 feet high.
 9 I said, well, how is this going to affect them? And
 10 he said, well, some make it and some don't. I
 11 really didn't see that as a very good answer. And
 12 there are a lot of birds that are far less common
 13 than those that will be affected by this.
 14 I also participated in the grassland
 15 survey along with the DNR, and those birds that
 16 inhabit grasslands are almost all, almost all
 17 low-flying creatures. And if you've got these
 18 blades at a certain diameter, and it's not only the
 19 diameter of the blade but the -- they affect the air
 20 above, to the sides and down below, so it's not just
 21 a -- not just a small thing. It really expands way
 22 bigger.
 23 Another thing about Fugate Woods is that
 24 many school children come to do volunteer projects

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1 on those. I was with a group, it would have been
 2 two years ago, that planted a lot of trees and
 3 bushes as a repairing buffer along the creek. And
 4 that creek is the only waterway that we surveyed in
 5 Livingston County where you could take a site gauge
 6 and look down and see to the bottom of the tube.
 7 These other places, they're just murky. Not
 8 necessarily polluted, but they've got a lot of clay
 9 carried in them, and it's -- it's a pleasant thing
 10 to see the clear water with the aquatic creatures in
 11 it.
 12 So the kids not only learned about nature
 13 when they were on the volunteer project, but they
 14 also learned how to volunteer and help something
 15 other than themselves, so, you know, that's a big
 16 deal. Anything that will keep the residents or the
 17 volunteers off their cell phone and off their
 18 whatever, and so it's a very, very important thing.
 19 So now that I'm used to all this high tech
 20 equipment, I think I'll stop.
 21 **CHAIRMAN CORNALE:** Thank you, Mr. Miller.
 22 Do we have any questions, ZBA have any questions of
 23 Mr. Miller? All right, units of local government,
 24 school districts out there? Mr. Blazer or Mr.

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1 Luetkehans, do you have any questions of Mr. Miller?
 2 **MR. BLAZER:** No, sir.
 3 **QUESTIONS BY**
 4 **MR. LUETKEHANS:**
 5 Q. Mr. Miller, could you tell me what your
 6 address is again? I'm sorry, I didn't hear it.
 7 **A. What was --**
 8 Q. Your address.
 9 **A. 12526 North 2700 East Road, Forrest,**
 10 **Illinois. Number 2700 is Route 47 in Livingston**
 11 **County.**
 12 Q. Okay. And your middle initial is S as in
 13 Sam? What's your middle initial?
 14 **A. S.**
 15 **MR. LUETKEHANS:** Okay, thank you.
 16 **CHAIRMAN CORNALE:** Anybody in the audience
 17 with questions of Mr. Miller? Anybody? Come on up.
 18 **MR. HAYES:** John Hayes.
 19 **CHAIRMAN CORNALE:** Make sure you state
 20 your name. Oh, oh, Mr. Miller, Mr. Hayes has a few
 21 questions for you.
 22 **QUESTIONS BY**
 23 **MR. HAYES:**
 24 Q. Just a couple quick questions about rock,

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1 Mr. Miller. The street I live on and the streets I
 2 need to get to my house are stone, which I'm pretty
 3 sure comes locally, and then they oil it and that.
 4 Would you consider that a good use of the rock that
 5 comes out of our quarries?
 6 **A. For the residential streets, yes. And we**
 7 **also get chips to put on the blacktop roads in the**
 8 **summer to keep them solid.**
 9 Q. Yes, that's the kind of rock I'm talking
 10 about pretty much is the small chips.
 11 **A. Yes.**
 12 Q. Now, if the proposed wind farm went in and
 13 they used up a lot of the five year supply that we
 14 have of rock, you know, my point of view is somebody
 15 in the county is going to go looking for places to
 16 put new quarries and I suspect they will probably
 17 find some. Do you have any idea as to what that
 18 might do to the amount of farmable acreage in the
 19 county?
 20 **A. Well, in the first place, none of the**
 21 **local quarries have bid on this project. The only**
 22 **one who has bid on it is Lehigh up near Kankakee.**
 23 **Now, they're in a big hole of nice hard stone, but**
 24 **how are you going to get it from there to here? And**

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1 **so I would say, yeah, the residential roads are**
 2 **fine, and we talk about recapturing the stone after**
 3 **decommissioning, which I think will never happen,**
 4 **decommissioning, but you can't salvage much out of**
 5 **that, much clean stone out of that after a lot of**
 6 **traffic has run over it.**
 7 **MR. HAYES:** Thank you. That's all.
 8 **CHAIRMAN CORNALE:** Anybody else in the
 9 audience with questions for Mr. Miller? Anybody?
 10 County staff? County counsel? All right, Mr.
 11 Miller, thank you.
 12 All right, I've got 7:48. I think this is
 13 a good time to take a ten minute break. 7:58 we'll
 14 get going again.
 15 (Recess at 7:48 p.m. to 7:58 p.m.)
 16 **CHAIRMAN CORNALE:** All right, if we can go
 17 back to our seats. All right, for the record, the
 18 county will accept Miller Exhibit 1 as a pamphlet
 19 entitled Come to Fairbury.
 20 All right, the next witness on the list
 21 that I have Rebekah Fehr. Rebekah Fehr, are you
 22 available this evening to speak?
 23 **MR. LUETKEHANS:** Mr. Cornale, I advised
 24 counsel and Mr. Blakeman and Mr. Griffin that Ms.

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1 Fehr, I'll be calling her Wednesday.
 2 **CHAIRMAN CORNALE:** Okay, and that's why I
 3 put a W next to it. All right, I told you guys this
 4 is a rough night tonight. All right, the next
 5 witness on the list Julie Fosdick. Julie Fosdick,
 6 are you available this evening? Be sworn in please.
 7 (Ms. Julie Fosdick was duly sworn.)
 8 **CHAIRMAN CORNALE:** All right, please state
 9 your name and address for the court reporter and you
 10 may begin.
 11 **MS. FOSDICK:** Julia Fosdick, 14530 East
 12 1300 North Road, Pontiac. I'm the 14th generation
 13 farmer in my family according to a family
 14 genealogist, and I'm at least the fourth generation
 15 in Livingston County. I care about this community
 16 and its long-term welfare and success.
 17 My husband and I are part of the group of
 18 landowners that began being contacted by early 2005
 19 with a proposal to build a wind farm. This proposal
 20 we believed was for a smaller project north and east
 21 of Forrest, which is in the heart of the current
 22 proposed project area. At that time, there were a
 23 number of wind farms in the planning stages and
 24 beginning construction but only one operational in

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1 Illinois.

2 Orion Energy was proposing this one wind

3 farm and another called Camp Grove that was in

4 Marshall and Stark Counties. The Camp Grove project

5 was built in 2007, according to their website

6 there's a hundred turbines there, and Orion also

7 built two other projects in Indiana, Fowler Ridge

8 and Benton County which went on-line in 2008.

9 On June 3rd, 2005, the Livingston County

10 Farm Bureau hosted a meeting for its members and

11 brought representatives from their general counsel

12 office there to help landowners understand the ins

13 and outs of wind energy development, contracts and

14 other things related. It was a great opportunity to

15 get some direction in how to proceed. Many of our

16 neighbors were at this meeting, and we talked and

17 agreed that we needed to all get together and work

18 together in this. The Forrest-Chatsworth Wind Study

19 Group was really birthed from that meeting.

20 Our group began to meet together regularly

21 to study and research all aspects of wind farms. A

22 philosophy of many heads are better than one got us

23 together and kept us together. Every landowner had

24 the opportunity to sign up their land with a

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1 developer and get a check, but none did. This group

2 representing about 40 landowners worked together

3 over the course of many months. I'm honored to have

4 been a part of such a fine group of people.

5 For my part in this group, I personally

6 contacted landowners and people living in existing

7 wind farms in at least four states besides Illinois.

8 I talked to local officials in those areas, I talked

9 to landowners, and we visited wind farms and wind

10 farms under construction, and we also searched on

11 the Internet. We asked all of these contacts about

12 their contracts and what kinds of things they would

13 do differently if they did it over again. Would

14 they do it again? What could have made their

15 project better? And many of the provisions in the

16 contract we ended up with came from what we learned

17 from others.

18 Our research also included researching the

19 wind company Orion that was proposing this project.

20 We talked to landowners and projects that Orion had

21 built as well as looking into their corporate

22 situation. As we began to discuss contract

23 provisions with Orion, they were unwilling to

24 negotiate much on anything. Their corporate

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1 headquarters were in California and they weren't

2 very available for discussion. The plan was to

3 lease the land and then sell the package to some

4 other company to build it. Ultimately our group

5 agreed that we were unwilling to move forward with

6 any project with Orion.

7 However, we as a group viewed it to be a

8 positive opportunity for our community and chose to

9 pursue it further with another developer. Invenergy

10 Wind was chosen and some of the reasons were their

11 good reputation with landowners in existing

12 projects, their experience and background with

13 energy development, the fact that they are a U.S.

14 company and headquartered in Illinois, their focus

15 on retaining ownership of projects after

16 construction, and their reputation for high quality

17 operations and maintenance.

18 In February 2006, Invenergy erected the

19 first MET tower in the project area to study the

20 wind resource. We signed our first contract with

21 Invenergy that same month. I believe our process

22 for researching to come to that decision was a sound

23 process. I have done consulting work part-time for

24 Invenergy since 2007. Early on, I did sign up

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1 leases with landowners. When Invenergy chose to

2 expand the project, they brought in full-time

3 leasing agents, and my responsibilities shifted more

4 to working with landowners with MET towers and

5 processing address and ownership changes.

6 My family and I have had a relationship

7 with Invenergy for nearly ten years. During that

8 time I have seen a number of ways in which they have

9 been very responsive and forward-thinking. One

10 example is the painting of MET towers in alternate

11 color stripes. The original idea industry-wide was

12 to leave them a dull color so that they blended into

13 the background and were not obtrusive. A local crop

14 duster contacted me and requested that they be

15 painted so that they would stand out and be easier

16 to see. I contacted Chicago and they told me to go

17 for it. Three new MET towers were about to be

18 erected at that time and we had them painted in

19 alternating colors before they were erected. The

20 existing towers were soon laid down and painted as

21 well. Down the road this became, I believe, a legal

22 requirement for all towers, but Invenergy did it

23 before it was required. It just made sense.

24 Invenergy also is willing to enter into an

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1 agricultural impact mitigation agreement with
 2 Livingston County. At another meeting sponsored by
 3 the Livingston County Farm Bureau that I attended in
 4 2014, the attorney there explained that these
 5 mitigation agreements are required in a pipeline
 6 project in Illinois, and the Farm Bureau has been
 7 trying unsuccessfully to get them to become a state
 8 standard in wind projects. Invenergy didn't wait
 9 for the politics to move and make it a standard;
 10 they chose to do it now.

11 In June of this year, I attended a town
 12 hall meeting sponsored by the Livingston County
 13 Board. At this meeting they had Ted Marquis speak
 14 about his experience living in a wind farm. He said
 15 that his family was sometimes unable to sleep at
 16 night and that he would call the Invenergy
 17 operations center and get them to shut down the
 18 turbine near his home. Once again, this sounded
 19 like Invenergy doing their best to make things work.
 20 This is the reaction I would expect from Invenergy.

21 I was surprised and puzzled that he didn't
 22 allow Invenergy to bring sound experts in to test
 23 and figure out why he was having this problem. He
 24 stated that he had checked into soundproofing his

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1 house and that it was not economically feasible.
 2 That meeting left me, sort of like Paul Harvey,
 3 wondering what was the rest of the story.

4 Some things have changed since I first got
 5 involved with this project. Many wind farms have
 6 been built, turbines have gotten taller, farm
 7 commodity prices have increased and decreased, some
 8 significant changes in the electric generation
 9 picture are here as well. Proposed EPA rules will
 10 likely lead to the shutdown of a number of
 11 coal-fired power plants. These are some of our
 12 cheapest sources of electricity and currently supply
 13 about 41 percent of our electricity in Illinois.
 14 This shutdown seems to be targeted for 2016 which is
 15 just next year.

16 According to an article in Illinois
 17 Country Living, the electric co-op magazine, about
 18 48 percent of our electricity generated in Illinois
 19 comes from nuclear plants. There are six nuclear
 20 plants located around the state. The owner of three
 21 of these plants, Exelon Corp, gave notice in July of
 22 2014 that three of its plants, Clinton, Byron and
 23 Quad Cities, were at risk of shutting down due to
 24 their lack of profitability. If they cannot sell

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1 the power for a sufficiently high price, it's not
 2 economically feasible for them to continue
 3 operation. There were additional announcements
 4 concerning this in the past month or so.

5 Then there's the FutureGen coal project
 6 designed to provide a commercial scale, clean coal
 7 generating facility which took a blow recently when
 8 the Department of Energy backed out of its funding
 9 for the project. My information on that came from
 10 the Daily Pantagraph.

11 And the problem with all of this is that
 12 the previous winter, not this winter but the winter
 13 before, it took all the generation sources that we
 14 had in Illinois to keep us warm. We used to think
 15 about brownouts and rolling blackouts during the
 16 summer usage. Winter could be even more
 17 devastating. So if we lose very many of these
 18 generation sources, where will we get enough
 19 electricity?

20 Some people are in favor of gas-fired
 21 generation as it is currently relatively cheap, and
 22 that can change, and gas has lower carbon emissions
 23 than coal. However, there are other costs to that
 24 form as well.

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1 Fracking poses risk to groundwater, uses
 2 huge amounts of sand and water, and we have no idea
 3 what the long-term consequences of disturbing things
 4 deep within the earth are. I do know that huge
 5 areas of Wisconsin are being mined for sand, being
 6 measured in trainloads per day. For me, the
 7 environmental risks and costs of fracking are
 8 unacceptably high, which leaves us with a need to
 9 work together to provide new sources of clean energy
 10 and learn to conserve.

11 I believe that this wind farm would be a
 12 viable asset to our community. We have worked
 13 together from the beginning to make it the best
 14 quality project possible. It could provide jobs,
 15 revenue and a source of power generation. This
 16 project needs us to work together to see it to
 17 fruition.

18 **CHAIRMAN CORNALE:** Thank you. Do we have
 19 any questions from the ZBA at this point? All
 20 right. Local government, school districts, anybody
 21 out there with questions? All right. Counsel on
 22 either side, do you have any questions?
 23 **MR. BLAZER:** None from me, sir.
 24 **QUESTIONS BY**

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1 **MR. LUETKEHANS:**
2 Q. Ms. Fosdick, how many wind turbines are on
3 your family's property?
4 **A. There are no wind turbines on our property**
5 **right now.**
6 Q. How many turbines will be if this project
7 goes forward?
8 **A. There could be five.**
9 Q. Okay. And you don't live on that
10 property, correct? You live up in Pontiac?
11 **A. A family member does live on the property.**
12 Q. Okay.
13 **A. I do not, but a family member does.**
14 Q. Thank you. And you're a paid consultant
15 for Invenergy; is that correct?
16 **A. Yes, part-time.**
17 Q. And you've been doing that since 2007 you
18 said?
19 **A. Yes.**
20 Q. Okay. And the agricultural impact
21 mitigation agreement you talked about that's to be
22 entered into with the county, that has not been
23 finalized, has it?
24 **A. Not to my knowledge.**

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1 Q. In fact, Mr. -- were you here last week
2 when Mr. Blazer said that it was still a draft?
3 **A. No, I was not here last week.**
4 Q. Okay. And Exelon that was talking about
5 shutting down its plant, that was when it was
6 looking to get a rate increase from the State of
7 Illinois and the ICC, correct?
8 **A. Yes, they need to make enough to be**
9 **viable.**
10 Q. So they were -- they were posturing that
11 if they didn't make enough money or get a rate
12 increase, they would shut down these plants,
13 correct?
14 **A. Yes, but I believe that it involves --**
15 **it's very involved in the fact that their plants are**
16 **aging and they're going to require a lot of**
17 **upgrades, so they would have to invest in them.**
18 **They can't just keep running an old plant**
19 **indefinitely.**
20 Q. And neither you nor I are energy experts,
21 is that a fair statement?
22 **A. That's correct.**
23 Q. And neither you nor I are experts on
24 fracking and the environmental impact of fracking,

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1 correct?
2 **A. That's correct.**
3 **MR. LUETKEHANS:** Nothing further.
4 **CHAIRMAN CORNALE:** Any members of the
5 audience have a question?
6 **QUESTIONS BY**
7 **MS. SEVERSON:**
8 Q. Hello, Amber Severson. Ms. Fosdick, is
9 that correct?
10 **A. Yes.**
11 Q. You said your family owns some land there.
12 You don't live there, but a family member does. How
13 many acres does your family own there?
14 **A. I'm going to say 500.**
15 Q. Okay, 500 acres. And all of your land is
16 contracted with Invenergy?
17 **A. The land there, yes.**
18 Q. Okay. You did speak that you were
19 involved in signing leases with other people in the
20 beginning stages and that you yourself signed a
21 lease with Invenergy obviously for 500 acres?
22 **A. Yes.**
23 Q. Are you aware that you didn't sign a
24 lease; you signed an easement statement, an easement

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1 contract?
2 **A. Yes, I'm aware of that. That's just kind**
3 **of a term people call them, leases, but it's not.**
4 Q. Do you understand that legally there's a
5 great difference between a leasehold estate and an
6 easement estate?
7 **A. Yes.**
8 Q. And you have no problem knowing that your
9 500 acres is an easement in total?
10 **A. Yes. No, I don't have a problem.**
11 **MS. SEVERSON:** Okay. Thank you.
12 **CHAIRMAN CORNALE:** Anybody else in the
13 audience with questions?
14 **QUESTIONS BY**
15 **MS. KATHY FEHR:**
16 Q. Kathy Fehr from Fairbury. Do you work for
17 Invenergy?
18 **A. I'm a consultant. If -- if they need me**
19 **to do something, you know, I can do that. I've**
20 **worked very little in the last few months.**
21 Q. Does Invenergy have a buyer for the power
22 that these wind farms are going to generate, our
23 local ones?
24 **A. I'm -- I'm not privy to that information.**

1 Q. And you spoke of the wind farms generating
2 energy to help us. Most of the wind farms locally
3 do not benefit any us. The power is shipped
4 elsewhere. Do you know of any local farms that
5 generate energy for the local people?

6 **A. I do know that the one over by Paxton,
7 some of the REAs have bought that power. Rail
8 Splitter in Logan and Tazwell, the rural electric
9 co-ops, some of them have bought power from that
10 one. So yes, some of the power is staying in
11 Illinois. And if you look at how electricity works,
12 it's kind of like you put water in a hose. So even
13 though power is sold there, you know, it may be sold
14 there, but you might be using the power from it.**

15 **MS. KATHY FEHR:** Nothing further.

16 **CHAIRMAN CORNALE:** Anybody else from the
17 audience with questions? All right, please state
18 your name and make sure you hold that microphone so
19 everybody can hear you.

20 **QUESTIONS BY**

21 **MS. SCHROF:**

22 Q. I'm Sharon Schrof. I spoke earlier. I'm
23 going to ask you, too, because you are interested in
24 helping Invenergy do this project, do you feel like

1 know, in big areas, flat land or high land or
2 whatever. I don't know the answer to that. I just
3 wondered how you felt about our area being used for
4 that when we've got such populated people, as many
5 people wish we weren't going to have that happen.

6 **A. I -- I signed a contract. I guess that
7 shows that I feel like it's an appropriate use here.**

8 **MS. SCHROF:** Well, thank you.

9 **CHAIRMAN CORNALE:** Anybody else in the
10 audience with questions? Ma'am, hold up. Yeah,
11 we'll take his and then we'll take yours next.

12 **QUESTIONS BY**

13 **MR. CAVAZOS:**

14 Q. Ambiro Cavazos. I just had a question.
15 The percentages of power, nuclear power and coal
16 power, 48 and 41 percent I think you said, do you
17 know how much -- how many wind turbines would it
18 take to equal that amount or how big the footprint
19 would be?

20 **A. I don't think we would ever replace all
21 generating sources with wind. We just need to have
22 a diversity of sources.**

23 Q. Well, I guess I don't know the answer to
24 that either, I just didn't know if you did, but I

1 this area is quite populated both rural and in our
2 towns? We've got towns that are pretty populated
3 with lots of schools with lots of children in them
4 and churches and such things. It's a big populated
5 area. Often wind turbines are in areas less
6 populated and I feel that would be a better job.
7 How do you feel about it because you're Pleasant
8 Ridge too?

9 **A. I don't really understand your question.**

10 Q. How do you feel about our overpop -- not
11 overpopulation, but our large rural and village
12 populations being impacted by 136 turbines when they
13 would be better if they were in areas less
14 populated? How do you feel about that?

15 **A. Wind farms that are built in remote places
16 where there's no population, the need for
17 electricity is not there.**

18 Q. And this will help us get more
19 electricity?

20 **A. If you're talking putting them somewhere
21 where the nearest town is 100 miles away, then, you
22 know, there's not the need for electricity there.**

23 Q. Oh, I didn't -- I didn't know that. I
24 thought it was sometimes they had them like, you

1 don't think they produce not even close to the same
2 amount of power. And I think, you know, for us
3 here, there is a limited amount of land, but
4 anyways, I guess -- I guess the answer is you don't
5 know how many --

6 **A. I don't know what footprint it would take
7 to do 41 percent of the power in Illinois, but I
8 don't think that's really anybody's goal at this
9 point.**

10 **MR. CAVAZOS:** Well, thank you.

11 **CHAIRMAN CORNALE:** All right.

12 **QUESTIONS BY**

13 **MS. KAISNER:**

14 Q. I'm Cheri Kaisner, 11265 North 2300 East
15 Road, Fairbury. I'm just wondering, kind of going
16 through my mind, we have peak seasons where we use
17 more electricity than others, but we have no way to
18 control the wind when it's going to blow. So if the
19 wind is not blowing and we have a peak season, we
20 get very little use out of it. Do you agree with
21 that?

22 **A. That's why we need a mix of clean energy
23 sources.**

24 Q. Okay. And do you know --

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1 **A. The sun doesn't shine all the time either.**
 2 Q. Right, but if it's continually generating
 3 energy, the electricity, we have to have a place for
 4 it to go, right?
 5 **A. I don't understand your question.**
 6 Q. If we have -- if the wind is blowing a lot
 7 and we don't really need more electricity at that
 8 point, we have to have a place to sell it. So we
 9 can't -- what I'm saying is we can't control the
 10 peak season and the low season with the way the wind
 11 blows. So to me it's kind of hard to conceive that
 12 it would help all the time. And to that, I would
 13 like to know if you know what percent that wind
 14 energy would generate normally? I've heard in some
 15 countries it's only like 1 percent.
 16 **A. I don't know exactly what your question**
 17 **is. What percentage the wind generation is in**
 18 **Illinois or --**
 19 Q. That would be a fair question, yes. I
 20 mean how much of our energy can come from the wind?
 21 You're saying it's 41 percent?
 22 **A. No, I said 41 percent was coal.**
 23 Q. Right. And 48, was it, for --
 24 **A. For nuclear.**

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1 Q. Nuclear. So what percentage would be
 2 wind?
 3 **A. Well, we have some -- some goals in our**
 4 **state to get up to 15 percent, to get up to 20**
 5 **percent. You know, that's part of that creating a**
 6 **mix of various kinds of --**
 7 Q. So you can't --
 8 **A. -- clean energy. I don't know what those**
 9 **exact figures are right now. No, I don't have those**
 10 **with me.**
 11 **MS. KAISNER:** Okay. Thank you.
 12 **CHAIRMAN CORNALE:** Anybody else in the
 13 audience with questions. Anybody? County staff,
 14 county counsel, ZBA, we're good? Thank you.
 15 All right, we need to let the record
 16 indicate that an additional member joined us after
 17 the break. Joan Huisman joined the meeting after
 18 the break.
 19 All right, next on the list is Karen
 20 Branz, Karen Branz.
 21 (Ms. Karen Branz was duly sworn.)
 22 **CHAIRMAN CORNALE:** All right, please state
 23 your name and address for our court reporter and
 24 then go ahead when you're ready.

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1 **MS. BRANZ:** Karen Branz, 3891 North 3350
 2 East Road, Chatsworth, Illinois. First of all, I
 3 want to thank the ZBA for allowing us to speak.
 4 It's been a trying time for all of us.
 5 I live just south of Chatsworth. These
 6 industrial wind turbines are not quite near me yet.
 7 However, I do have family that will be surrounded by
 8 them. After researching on my own and attending the
 9 hearings, I have great concerns for my family and
 10 others who will be near these turbines. I feel
 11 strongly that it is wrong; that the health, safety
 12 and property rights of these people are going to be
 13 infringed upon without their say.
 14 We've heard a lot of, quote, evidence up
 15 to this point, and frankly most of it has not been
 16 good. Some things we've learned so far, that low
 17 frequency noise can cause sleep disruption and over
 18 time may lead to negative health effects. Shadow
 19 flicker will cause annoyance. They may interfere
 20 with migration routes of birds and bats and cause
 21 unwarranted stress. TV and Internet connections can
 22 be severely affected. Property values will most
 23 likely be negatively affected. Drain tile within
 24 the counties will be affected, and not -- and

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1 nonparticipating families, farmers will be on their
 2 own to deal with the repercussions. Lastly, they
 3 may simply affect the overall well-being of an
 4 individual or hinder their enjoyment of their
 5 property.
 6 We have heard from the individuals who
 7 have already dealt with the costs of having
 8 industrial wind turbines. Do we ignore all the
 9 risks that seem to be evident or do we overlook them
 10 for a monetary gain that is unclear? For those who
 11 are interested in the project for the job, I
 12 understand, but is it truly worth six to eight
 13 months of work for a handful of people to create an
 14 industrial park in our prime agriculture setting?
 15 Just a couple of businesses, new businesses in the
 16 county would create more permanent jobs than this
 17 project is set to provide.
 18 I am deeply bothered by the lack of
 19 transparency that the applicant has shown from
 20 skating around questions to the secrecy in their
 21 solicitation that has been revealed. If they were
 22 truly involved in the community, there would not be
 23 this lack of transparency.
 24 I moved to the country over 15 years ago

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1 and I love this area. I don't want to see it turned
 2 into an industrial area. I want to continue to see
 3 the flocks of ducks, geese and other birds fly
 4 through our clear skies. That is one of the perks
 5 of country living. And I surely don't want my
 6 friends, family and neighbors to live with the risks
 7 that are associated with these wind turbines.

8 The dictionary defines risk as exposure to
 9 the chance of injury or loss; a hazard or dangerous
 10 chance. Do we risk the well-being of our children
 11 in Forrest or jeopardize the lives and property of
 12 our neighbors? The risks or costs of this project
 13 seem to severely outweigh the reward.

14 The majority of the people that live in
 15 and around the proposed project are opposed to this,
 16 and I speak for many who for one reason or another
 17 are unable to speak in front of you. It seems clear
 18 to me what the feelings of the majority are, and if
 19 this project is approved, I can't help but believe
 20 that the health, safety and rights of the citizens
 21 in the county were neglected for some small
 22 financial gain. Thank you for your time and
 23 attention.

24 **CHAIRMAN CORNALE:** Thank you, Ms. Branz.

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1 Do we have questions at this point? All right.
 2 Local governments, school districts? Counsel on
 3 either side, any questions of Ms. Branz? Nothing,
 4 all right. Members of the community or audience,
 5 any questions for Ms. Branz? Nothing. County
 6 counsel? ZBA, round two. Thank you.

7 Is Larry Fosdick available to speak this
 8 evening. Larry Fosdick?
 9 (Mr. Larry Fosdick was duly sworn.)

10 **CHAIRMAN CORNALE:** All right, please state
 11 your name and address for our court reporter, and
 12 then you can go ahead and get going with your
 13 presentation.

14 **MR. FOSDICK:** I'm Larry Fosdick, 14530
 15 East 1300 North Road, Pontiac, Illinois. I'm going
 16 to go through this real quick because I didn't look
 17 at what my wife said, and so some of this is going
 18 to be a little repetitious but not a lot I don't
 19 think, so I'll try to get through it and we'll go
 20 from there. This report is an attempt to condense
 21 ten years of work into a few paragraphs.

22 The wind energy project is not a new or
 23 hastily prepared project. It has evolved over a ten
 24 year period to what it is today. My personal

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1 experience with wind energy began in early 2005 when
 2 one of my landlords received a letter from a wind
 3 energy company wanting to see her about signing a
 4 wind lease. She called me and she was about 90
 5 years old at this time. She didn't know what the
 6 letter was about or what she should do with it. So
 7 I told her we'd look at it and we'd look into it,
 8 and that began our involvement in wind energy.

9 In 2005, there were no local wind farms
 10 anywhere close to us. The closest one was up by
 11 Mendota. Very few people around here knew much
 12 about them, so we started with an open mind and
 13 willingness to learn. That is when we found out the
 14 local farm bureau was sponsoring an informational
 15 meeting in the near future on wind leases and we
 16 attended it. The meeting was very informative and
 17 gave us some good background and a starting point as
 18 to what to do next.

19 After that meeting, we made contact with
 20 some of the neighboring farmers and landowners,
 21 found that some of them had also received letters.
 22 We decided that we didn't know enough about these
 23 windmills to make an intelligent decision as to
 24 whether they would be good for the community or not.

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1 We talked to some of the neighbors who had also
 2 attended the meeting and decided to make
 3 arrangements to rent the Forrest library. We had a
 4 meeting to discuss the project.

5 Calls were made to as many people in the
 6 area as we could make contact with. We invited them
 7 and any interested parties to attend. A lot of
 8 people showed up with many more questions than
 9 answers. From this meeting, it was learned that no
 10 one attending had as yet signed a contract. It was
 11 also decided that many heads would be better than
 12 one and that we should work together as a group and
 13 study the issue before anyone signed a contract.

14 People came up with questions. Other
 15 people who volunteered were asked to find the
 16 answers to these questions. Some of the group was
 17 allowed to attend similar meetings going on in
 18 northern Livingston and Bureau Counties giving us
 19 all more insight into our community's questions --
 20 into other communities' questions and experiences.
 21 During the course of these meetings, we had
 22 approximately 40 landowners and others that brought
 23 ideas, questions and answers to this wind study
 24 group.

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1 Many of the same issues that have been
 2 brought up at these hearings were looked at by this
 3 wind study group. A lawyer that was familiar with
 4 wind leases was hired, and work on the lease began.
 5 After going over the proposed lease, several changes
 6 were wanted by the group. The wind company that we
 7 were dealing with at that time was not willing to
 8 make the changes. This group voted and decided they
 9 liked the idea of wind energy. However, they also
 10 said they were not willing to sign leases with an
 11 out-of-state company that we could not trust to
 12 treat people in a fair manner. The group voted
 13 against signing with this company.
 14 A short time later, it was brought to our
 15 attention there was an Illinois-based wind company
 16 that was putting up wind turbines. They were
 17 contacted and asked to come down and talk to us. It
 18 was a night-and-day difference negotiating a
 19 contract with Invenergy as compared to the previous
 20 company. Invenergy listened to our concerns and
 21 were willing to make a lot of the changes that we
 22 wanted. And if they couldn't make the changes, they
 23 explained why. They negotiated in good faith and we
 24 came up with an acceptable contract.

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1 Eventually the wind study group voted to
 2 accept the contract with Invenergy, and sometime in
 3 early 2006 the neighbors started signing contracts.
 4 No one to my knowledge signed a contract until the
 5 group as a whole had studied and okayed it.
 6 Sometime later, Invenergy decided to make
 7 this project bigger to include some additional areas
 8 east and south of Forrest. The wind study group
 9 remained available to answer questions and continued
 10 to give assistance when we could. Then sometime
 11 later, I think around 2008, the footprint was
 12 expanded again south of Fairbury. And at that time,
 13 after having worked on this project for about three
 14 years, we felt we had accomplished our goal of
 15 getting a good quality wind project for the
 16 community and did not feel the need to continue
 17 meeting as the contractual work had been completed.
 18 From 2006 to present, Invenergy has
 19 faithfully lived up to their lease agreements. The
 20 original group of leases has been re-signed and
 21 hundreds of other people have also signed leases.
 22 Each signed lease is a positive vote for this
 23 project as each purchaser exercises their individual
 24 right as private landowners to sign or not.

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1 Many wind turbines have been erected
 2 around the country since this project was started.
 3 I and many other people in the study group have
 4 continually stopped, looked, listened, and asked the
 5 people that live there about their experiences.
 6 I've seen birds flying around, I've seen rabbits
 7 running under them, I've seen life continuing on.
 8 The undisputed facts about the wind turbines have
 9 not changed. You have to look at them and they will
 10 cast a shadow.
 11 I believe that wind turbines can supply
 12 enough green energy to meet the needs of multiple
 13 thousands of homes which I believe is a step in the
 14 right direction. In this project, it has been
 15 decided that wind turbines should be 1500 feet from
 16 a residence. A 1500 foot radius from a single
 17 residence controls over 160 acres of farm ground.
 18 I do believe we should be very careful
 19 about taking away ownership rights from one person
 20 and giving it to another. If we do it for one
 21 thing, what is to stop us from taking away our
 22 property rights for other things? First turbines.
 23 Then what? Noisy grain bins, dairy barns, hog
 24 houses, poultry houses? Where does it stop once we

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1 start down that slippery slope?
 2 The landowners in this project have been
 3 getting a lease payment from Invenergy for many
 4 years. If this project is denied, it will adversely
 5 affect the current and future income on every acre
 6 of ground in this project. I believe the schools
 7 will get the money from these turbines on time and
 8 not have to wait for the state to find the money
 9 they're supposed to send.
 10 Over the lifetime of these turbines, there
 11 will be literally millions of dollars coming into
 12 our communities. More jobs will be created. If one
 13 son can return to the farm, if one person gets a
 14 job, then I think that is significant. While there
 15 are no perfect solutions, Americans' unending
 16 consumption of energy will keep growing, and wind
 17 energy is a good way to supply part of that demand.
 18 I feel with Invenergy this project could be a great
 19 benefit to our community. Thank you.
 20 **CHAIRMAN CORNALE:** Thank you, Mr. Fosdick.
 21 Do we have any questions? Nothing. Local
 22 governments, school districts, any questions of Mr.
 23 Fosdick? Counsel on either side, do you have any
 24 questions for Mr. Fosdick?

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1 **MR. BLAZER:** Not for me, but I think he
2 does.
3 **MR. LUETKEHANS:** Of course.
4 **QUESTIONS BY**
5 **MR. LUETKEHANS:**
6 Q. Mr. Fosdick, just so we're clear, Julie is
7 your wife, correct?
8 **A. That is correct.**
9 Q. Okay. And when did you make the decision
10 to sign a contract with Invenergy?
11 **A. It was back in 2006 I believe after we,**
12 **the group, had decided that we would go with**
13 **Invenergy.**
14 Q. Okay.
15 **A. Nobody signed it until the group decided**
16 **it was a good thing to do.**
17 Q. And the group disbanded in 2008 I think
18 you said?
19 **A. Yes.**
20 Q. Okay. So both when you signed your
21 contract and when the group had disbanded, there
22 were no other wind farms, wind turbine farms in
23 Livingston County, correct, that were in existence?
24 **A. They were being built. We talked to**

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1 **people in the -- the northern part of the county was**
2 **in the process of building them. We had some people**
3 **that we knew up in Bureau County they were putting**
4 **up, but the only ones at the very beginning was the**
5 **ones up by Mendota.**
6 Q. The ones what? I'm sorry.
7 **COURT REPORTER:** By Mendota.
8 Q. Oh, by Mendota, okay. So the point is
9 that none were in operation when you executed your
10 contract, correct? None in Livingston County.
11 **A. I don't know of any other ones in**
12 **operation. I couldn't tell you for sure. I don't**
13 **have starting dates on that.**
14 Q. Okay. You said that if the wind turbines
15 go up, people must -- will have to look at them and
16 they will -- they will cast a shadow. Do you recall
17 saying that?
18 **A. Yes.**
19 Q. They will also create noise, correct?
20 **A. There is some noise associated with them.**
21 Q. But there is noise, correct? They're not
22 quiet.
23 **A. I would say there's noise associated with**
24 **them.**

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1 Q. Okay. They're not silent, that's probably
2 a better way to put it, correct?
3 **A. I would say that's correct.**
4 Q. Okay.
5 **MR. LUETKEHANS:** Nothing further.
6 **CHAIRMAN CORNALE:** Anybody in the audience
7 with questions of Mr. Fosdick?
8 **MS. SEVERSON:** Amber Severson.
9 **QUESTIONS BY**
10 **MS. SEVERSON:**
11 Q. Hi, Mr. Fosdick.
12 **A. Hi.**
13 Q. At the beginning of your statement, you
14 said that you had a 90-year-old neighbor lady who
15 you actually did tenant farming for. I believe
16 that's what you said; is that correct?
17 **A. One of my landlords got the letter. She**
18 **was the first one to get a letter, you know.**
19 Q. One --
20 **A. We took her up to Mendota and she walked**
21 **underneath the turbines, and she -- yeah, I couldn't**
22 **sign the farm up for her. She had to sign it up**
23 **herself.**
24 Q. And that was her land and her family's

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1 land?
2 **A. Yes, it was.**
3 Q. Okay. How many acres was that, do you
4 know?
5 **A. That farm was 240 acres.**
6 Q. 240 acres. And you told her -- you
7 instructed her that she was going to be signing a
8 lease agreement?
9 **A. No, I told her she needed to go up and**
10 **take a look and make her own mind up. I don't make**
11 **their mind up for my landlords. They're totally**
12 **capable of doing that.**
13 Q. As you were speaking, you referred to
14 these contracts as lease agreements. You understand
15 that they're not lease estate agreements? Do you
16 understand that they are easement agreements?
17 **A. Oh, you mean -- yes, yes. That's fine.**
18 Q. So she was -- she was fine and convinced
19 with signing all of her 240 acres for an easement.
20 **A. Yes.**
21 Q. Do you understand that the easement isn't
22 just for where the tower goes? It's not just for
23 where the road goes?
24 **A. It's on the whole farm.**

1 Q. It's for the whole property.
2 A. **That's correct.**

3 Q. Okay. And you as well signed one of these
4 easement agreements and you're fine with that.

5 A. **Yes.**

6 Q. Do you understand that your property can
7 be sub-easemented to other people, other entities?

8 A. **I -- we've had umpteen lawyers look at it.
9 We really put our confidence in the lawyers. I --**

10 Q. Okay.

11 **MS. SEVERSON:** All right, thank you.

12 **CHAIRMAN CORNALE:** Anybody else from the
13 audience with questions?

14 **QUESTIONS BY**

15 **MR. KAISNER:**

16 Q. Again, my name's Larry Kaisner. Larry,
17 how many -- are you going to get some wind turbines?

18 A. **If it is built, yes, we will.**

19 Q. How many?

20 A. **Five.**

21 Q. And how close are you going to live to --

22 **MR. BLAZER:** Excuse me, Mr. Chairman. I
23 believe Mr. Kaisner is one of Mr. Luetkehans's
24 clients.

1 **to door and we talked to people and we asked them,
2 you know, what kind of problems are you having here?
3 And we've done that for ten years.**

4 **I was in the hospital this last week and
5 one of the nurses that was there, was an RN there,
6 and found out she lived in Saybrook and I said, hey,
7 do you live around wind farms? She said she did. I
8 said, what kind of problems do you have? Said we
9 don't have any problems. I said, you can sleep at
10 night all right? Yeah, fine. She said it's --**

11 **She had only good things to say about them
12 other than the fact, the negative thing she had to
13 say was sometimes the lights at night bothered her,
14 but it wasn't a big deal, and the -- she said you
15 could hear noise when you went outside and in
16 certain directions of wind, but she said normally it
17 wasn't a problem. As a matter of fact, she said it
18 had been there long enough now she doesn't know
19 they're there when she drives by, kind of like
20 looking at telephone poles. And that was -- you
21 know, that's all I asked and that's what I got. We
22 got a contract. And that's the answers we get.**

23 Q. Have you recently went online looking for
24 to see if there's -- with the advancement of science

1 **CHAIRMAN CORNALE:** Hold on one second.

2 **MR. BLAZER:** This is Mr. Larry Kaiser; is
3 that correct?

4 **MR. KAISNER:** Yes.

5 **MR. BLAZER:** Yeah, he's on the list.

6 **CHAIRMAN CORNALE:** All right. All right,
7 Mr. Kaisner, you'll have to --

8 **QUESTIONS BY**

9 **MR. HAYES:**

10 Q. Good evening, John Hayes. When you signed
11 these agreements, were there anybody in this area,
12 by area I mean the whole part of central Illinois,
13 complaining about wind farms?

14 A. **They had the same complaints that have
15 been brought up here. I mean when you went online
16 and looked, you found the same -- the same things.
17 That's why we had to do all the investigating we
18 did.**

19 Q. So in your investigation, you did come
20 across complaints against wind farms?

21 A. **Yeah, and you can get online and you can
22 -- they can be wonderful, they can be the devil's
23 advocate, I mean you find that anywhere. What we
24 did, we actually visited wind farms and we went door**

1 and knowledge and bigger turbines, have you gone out
2 to see if there's been any change in the literature
3 out there?

4 A. **I haven't personally went online and
5 looked up to find stuff. I put more credibility
6 into the people that actually live in the projects.
7 You can get online, like I said, and you can prove
8 anything or you can disprove anything. I like to
9 talk to people face to face, and that's how I got
10 most of my information.**

11 Q. So you've gone to a wind farm and talked
12 to every resident that lives in it?

13 A. **Oh, absolutely not.**

14 **MR. HAYES:** That's all. Thank you.

15 **CHAIRMAN CORNALE:** Anybody else in the
16 audience with questions? Anybody? County staff,
17 county counsel, ZBA again? All right. Thank you,
18 Mr. Fosdick.

19 **MR. FOSDICK:** Thank you.

20 **CHAIRMAN CORNALE:** Next on my list is
21 Roger Brown. Roger Brown, are you available this
22 evening to talk? All right, don't see Roger Brown.
23 Next is --

24 **MR. BLAZER:** Mr. Chairman, I was just

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1 advised that he's returning from vacation. He's
 2 supposed to be here Wednesday.
 3 **CHAIRMAN CORNALE:** All right. Carol
 4 Waibel, Carol W-A-I-B-E-L. No Carol, all right.
 5 Julie Newhouse?
 6 **MR. LUETKEHANS:** She's not going to
 7 testify.
 8 **CHAIRMAN CORNALE:** She's not testifying,
 9 okay. Danny Betz, Danny Betz.
 10 **MR. BLAZER:** I don't believe he'll be
 11 coming, Mr. Chairman. Mr. Chairman, I don't believe
 12 Mr. Betz will be coming.
 13 **CHAIRMAN CORNALE:** Okay, Robert Lenz. Mr.
 14 Lenz, would you be all right to testify this
 15 evening?
 16 **MR. LENZ:** Yeah, if you want me to.
 17 **CHAIRMAN CORNALE:** Okay, why don't you
 18 come up and save yourself a trip back. All right,
 19 Mr. Lenz.
 20 (Mr. Robert Lenz was duly sworn.)
 21 **CHAIRMAN CORNALE:** All right, please state
 22 your name and address for our court reporter and
 23 then you can go ahead.
 24 **MR. LENZ:** Okay, my name is Robert Lenz.

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1 I'm attorney in Bloomington. My address there is
 2 202 North Center. I've been practicing for over 50
 3 years, and the last seven or eight years I've worked
 4 on about 15 wind farms around the state of Illinois,
 5 mostly in central Illinois. For example, I've done
 6 road agreements for the wind farms here in
 7 Livingston County where I represent the road
 8 commissioners.
 9 In this particular project, I represent
 10 all nine road commissioners who have had a number of
 11 meetings starting in late November until recently.
 12 It's ongoing. Our job is to make sure that if the
 13 county approves the project, that we want to make
 14 sure we end up with a road agreement that will
 15 provide for good safe roads rebuilt in good
 16 condition or better, at least really good condition
 17 when this project is over. We've been studying the
 18 agricultural impact study that -- report that's
 19 underway. We've received on March 3rd the
 20 Livingston County Soil and Water Conservation
 21 report. We've reviewed the other soil and water
 22 conservation district reports.
 23 We are negotiating with Invenergy's
 24 representatives now, but we're at a pause in those

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1 negotiations simply because we're waiting for more
 2 engineering data to be able to go forward with more
 3 detailed specifications. As in all agreements, the
 4 devil's in the details, so we have to have good
 5 detailed road documentation.
 6 The road commissioners have even employed
 7 their only separate consulting and engineering firm,
 8 Lewis, Yockey & Brown Incorporated from Bloomington,
 9 who are advising them on evaluating the road
 10 proposal and the engineering data regarding traffic
 11 count, weight loads, that sort of thing, so they'll
 12 have an independent engineering source of advice as
 13 well as depending on the county engineering office.
 14 So we're midstream in our negotiations,
 15 and my desire to testify tonight, I can do it
 16 tonight, is simply to let you know that that's
 17 ongoing. We feel our negotiations are proceeding in
 18 good faith, but the duration of your zoning hearings
 19 probably has caused some delay in Invenergy being
 20 able to produce more engineering data for us.
 21 But the road commissioners are not taking
 22 any position on the merits of the zoning. That's
 23 not their job. They're independently elected
 24 officials who respect the role of the county board

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1 itself to make -- as a legislature to make that
 2 decision. We just want to make sure that if this
 3 project is approved, we can assure the residents of
 4 those townships that we're going to have good roads
 5 as an outcome. So just wanted to make kind of a
 6 status report to you. That's all I have, thank you.
 7 **CHAIRMAN CORNALE:** All right, thank you.
 8 All right, ZBA, do we have any questions of Mr.
 9 Lenz? All right. Local government, school
 10 districts? Counsel on either side?
 11 **MR. BLAZER:** No.
 12 **CHAIRMAN CORNALE:** Mr. Luetkehans, do you
 13 have any questions?
 14 **QUESTIONS BY**
 15 **MR. LUETKEHANS:**
 16 Q. You said that this -- the length of this
 17 hearing has caused delay for Invenergy getting you
 18 engineering data. Could you explain that for me,
 19 Mr. Lenz?
 20 A. Normally after -- at about this stage or
 21 even before this stage, we'd have a little more
 22 engineering data than has been provided so far.
 23 It's not a big problem; it's not a concern. We are
 24 mindful of the fact that if and when this project --

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1 if the project is approved by the county, then we
 2 have a limited period of time after that data
 3 approval in order to produce a wind -- a good road
 4 use agreement. And we just want to make sure we're
 5 well within that time period. So we're keeping some
 6 pressure right now on Invenergy to produce that
 7 information for us. We harass them occasionally
 8 asking for more data. That's all I meant.

9 Q. Do you represent the Minonk Township road
 10 commissioners?

11 A. I represent all of the nine road
 12 commissioners in this project, yes.

13 Q. Okay. And is Minonk in this project?

14 A. I'm sorry?

15 Q. Minonk.

16 A. No, Minonk is not in this project. I am
 17 the attorney for the road commissioners. I think an
 18 associate from your office has called me and talked
 19 about that a couple months ago. I represent the --
 20 because the Minonk Wind Farm project, which is a
 21 Gamesa project not an Invenergy project, has part of
 22 its footprint in Woodford County and, as you know,
 23 part of its footprint in Livingston County, it's
 24 called Minonk because that's where most of the

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1 turbines are. And we have a dispute with that
 2 developer because they're not living up to their
 3 part of the contract. And that is a dispute that's
 4 not in court, but it's an ongoing negotiation.

5 Q. But it's an ongoing dispute between your
 6 road commissioners and the wind energy company,
 7 correct?

8 A. In substance. Not all companies are
 9 created equal, just like not all of us are created
 10 equally as lawyers. And we have found that Gamesa
 11 has been very difficult to deal with. I can tell
 12 you that they were very difficult to deal with in
 13 the negotiating phase as well and during the
 14 construction phase. So what we're going through now
 15 is not new to us as far as that project is
 16 concerned.

17 Q. So they weren't always honest early on in
 18 the process with you?

19 A. I'm not sure I heard what you said.

20 Q. They weren't always up front in the
 21 project with you?

22 A. Well, it was sort of a take-it-or-leave-it
 23 project. I mean negotiations have got some give and
 24 take as you know from your experience. With Gamesa,

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1 it was pretty much they kind of laid down the
 2 gauntlet, said here it is, take it or leave it, and
 3 at one point we walked out of the meeting and said,
 4 well, if you're going to be that way, you're not
 5 going to build a project in this footprint. Then
 6 they came back to us later when they found out that
 7 we really meant it.

8 MR. LUETKEHANS: Nothing further.

9 CHAIRMAN CORNALE: Members of the audience
 10 with any questions for Mr. Lenz?

11 QUESTIONS BY

12 MR. BITTNER:

13 Q. I'm Keith Bittner.

14 A. I'm sorry, would you repeat that?

15 Q. Keith Bittner.

16 A. Okay, fine.

17 Q. I live at 5326 North 2300 East Road,
 18 Fairbury. Now, over the course of this past summer,
 19 there's a lot of neighbors noticed a lot of
 20 different trucks in the area and obviously we wanted
 21 to know what was going on. Now, I had stopped and
 22 visited with a couple of the guys and they were
 23 doing the road surveys and that was last summer.
 24 Now you're saying that Invenergy does not have that

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1 data compiled?

2 A. Oh, no. As a matter of fact, there was a
 3 change in the transportation plan in terms of the
 4 road arrangement, so that some of the testing, as I
 5 understand it, was done by two different engineering
 6 companies that were contracted with Invenergy. One
 7 is ARA. The other is HLN. They do different
 8 things. They would do the borings to test the depth
 9 of the gravel base to know what the strength of the
 10 road is, therefore what kind of damage certain
 11 weight loads would do to it, a variety of other
 12 things.

13 Then with the change in the transportation
 14 plan, they had to go back and do some more, but they
 15 couldn't do that during the winter, so they're
 16 advising they'll have those reports supplemented and
 17 available to us before the end of April.

18 Q. Okay, thank you.

19 A. Sure.

20 CHAIRMAN CORNALE: Anybody else from the
 21 audience with questions? Nobody else. County
 22 staff, county counsel, ZBA again? All right. Thank
 23 you, Mr. Lenz.

24 A. Thanks very much.

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1 **CHAIRMAN CORNALE:** Next on the list, I
2 have Danny Betz, Danny Betz.
3 **MR. BLAZER:** He's the one you should take
4 off the list, Mr. Chairman.
5 **CHAIRMAN CORNALE:** Cindy Kaisner, Cindy
6 Kaisner.
7 (Ms. Cindy Kaisner was duly affirmed.)
8 **CHAIRMAN CORNALE:** Please state your name
9 and address for our court reporter, and then you can
10 go ahead and begin.
11 **MS. KAISNER:** Cindy Kaisner, 11848 North
12 2800 East Road, Forrest, Illinois. Larry and I have
13 lived in our home in Pleasant Ridge over 40 years.
14 Larry was born there, we were married there, and our
15 three children were raised there. We bought the
16 home from Larry's parents who raised eight children
17 in the same house. Between the two families,
18 Kaisners have lived in the home for 86 years. And
19 now Invenergy wants to surround our home with wind
20 turbines and destroy that family legacy.
21 Six turbines are sited within one and
22 one-half mile radius of the foundation of our house.
23 One is only about one-third mile away. Invenergy
24 calls this the Pleasant Ridge Wind Energy Project, a

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1 designation I resent, because they have no right to
2 usurp the name of our beautiful township and use it
3 for an industrial wind project. If such a thing
4 were to happen, it would not be Pleasant Ridge ever
5 again.
6 We love the sunsets, the singing of birds,
7 and the wildlife that are a wonderful part of
8 country living. A county board member said he
9 drives past the wind farm on his way to work every
10 day and the turbines only work about 30 percent of
11 the time. He asked the county administrator why
12 they don't run all the time and was told because we
13 have too much power. So why do they need another
14 wind farm? What is the point?
15 The Constitution of this great nation
16 gives every citizen the promise of life, liberty and
17 the pursuit of happiness. In such a democracy that
18 we are blessed and privileged to live in, no one
19 should be able to take those rights away from
20 another. Health and happiness cannot be bought with
21 money. Those blessings are endowed by the Faithful
22 Creator. To jeopardize the health or well-being of
23 another with the intrusion of giant wind turbines
24 with glaring lights, relentless infrasound and

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1 vibrations and sleep deprivation is a gross
2 injustice and a violation of our inalienable rights.
3 The mountains of evidence already presented over
4 months of meetings and hearings prove that this is
5 truly a human health hazard.
6 When we fought the incinerator battle and
7 won, thank God, an article in The Blade from the
8 opposition stated that a few may suffer while many
9 will benefit. That, in reverse, is the situation
10 with the wind turbines. Many may suffer that a few
11 will benefit. How low have we sunk that such an
12 attitude could possibly prevail?
13 Money unjustly gained is a fleeting thing
14 with no lasting benefit. We are accountable for
15 decisions we make that can adversely affect
16 another's life or property. When the wind company
17 was enticing people to sign for a turbine some time
18 ago, we decided it would be wrong to get paid for a
19 turbine on our land when all of our neighbors who
20 own the house but not the land around it would lose
21 the value of their home. With the truth that has
22 been so completely exposed about the negative
23 consequences of these giant wind turbines, there is
24 no amount of money that is worth bringing harm to

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1 friends or neighbors when we would benefit. The
2 Word says: What does it profit a man to gain a
3 whole world and then lose his own soul. Thank you.
4 **CHAIRMAN CORNALE:** Thank you, Ms. Kaisner.
5 Do we have any questions for Ms. Kaisner? All
6 right. Local government, school districts? Counsel
7 on either side?
8 **MR. LUETKEHANS:** (Shakes head).
9 **MR. BLAZER:** (Shakes head).
10 **CHAIRMAN CORNALE:** All right. Any members
11 of the audience with questions? Anybody out there
12 with questions? County counsel? County staff? ZBA
13 again? We're good? Okay, thank you.
14 Next on the list, Ed Maubach, Ed Maubach.
15 (Mr. Ed Maubach was duly sworn.)
16 **CHAIRMAN CORNALE:** Please state your name
17 and address for our court reporter and then go ahead
18 and begin.
19 **MR. MAUBACH:** Ed Maubach, Forrest,
20 Illinois, 520 North Pearl Street. M-A-U-B-A-C-H.
21 Okay. On February 2nd, I attended the Regional
22 Planning Commission meeting in Pontiac. The
23 committee voted unanimously, unanimously that what
24 was provided by the Pleasant Ridge Wind Energy

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1 Project is incompatible with the county's
 2 comprehensive plan. There was a lot of discussion
 3 as to the reasons and a few items were discussed.
 4 Number one, natural resources and
 5 wildlife. Concerns were voiced about the natural
 6 resources and wildlife, including migrating birds,
 7 bats and the effects of the noise and flicker on
 8 fish. Over 50,000 acres of prime farmland will be
 9 in the footprint and could potentially be affected.
 10 Health and safety. The health and safety
 11 of the county residents was a big concern discussed.
 12 The discussion included noise, shadow flicker, and a
 13 disregard for people who live in the footprint who
 14 are not owners of farm ground. It was pointed out
 15 that in Wisconsin 20 hours of flicker was allowed,
 16 and this project is allowing 30 hours. A comment
 17 was made that curiously the setback from cemeteries
 18 is bigger than the setback from primary residences.
 19 Property values. The impact on property
 20 values was also discussed, and there were no studies
 21 done on how many buyers are walking away from the
 22 turbines.
 23 Detriment to public welfare. A comment
 24 was made that Invenergy believes the impacts on the

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1 residential sector is going to be minimal. One
 2 board member commented that a lot of people will be
 3 impacted. It takes options away from people who are
 4 not participating. The good neighbor agreement
 5 basically says we know you are putting -- we are
 6 putting you in a bad spot and we are giving you a
 7 little money for it. The homeowner does not have
 8 options to get away from the turbines. This project
 9 involves a lot of people who do not have a voice.
 10 The conclusion is that there is a lot of work that
 11 needs to be done, and I thank God for that lady that
 12 spoke up that night.
 13 Consistency with the municipal plan. The
 14 mayor of Chatsworth indicated at the RPC committee
 15 that Invenergy has not even talked to Chatsworth,
 16 this was the mayor, about their municipal plan, and
 17 therefore, he is unsure about the rest of the
 18 information they provided. Had they talked to other
 19 municipalities? Applications need to be consistent
 20 with all municipal plans.
 21 I would like to tie back this discussion,
 22 over all discussion of the project, directly to the
 23 county's comprehensive plan. In the Livingston
 24 County Comprehensive Plan, under Section 4.6,

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1 checklist analysis for proposed land use changes, it
 2 indicates there is a point analysis that should be
 3 used by the Zoning Board of Appeals, the Planning
 4 Commission and County Board to ensure consistency in
 5 evaluation of land usage changes and an ongoing
 6 review of the basis on the criteria in the plan.
 7 There are 9 points out of the 16 in this checklist
 8 that are obviously affected in a negative way.
 9 Does the land use change fulfill a
 10 significant need in the area? This application does
 11 not fulfill any significant need for the area. It's
 12 most likely none of the electricity produced by the
 13 wind turbines will be used in our county.
 14 Will the land use change be beneficial to
 15 the general welfare, safety and health of the
 16 residents of the immediate area and the general
 17 population of the county? As the RPC discussed and
 18 many witnesses have testified, that turbines have
 19 the potential to have a huge negative impact on the
 20 general welfare, safety and health of residents.
 21 Will the land use change constitute
 22 precedence of an incompatible use and be detrimental
 23 to adjacent property? Studies showing decreased
 24 property values prove this to be detrimental to

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1 adjacent properties. Also the effects of damaged or
 2 crushed tile occurring during construction may not
 3 be revealed for months. The effects will impact not
 4 only the landowner on whose farm the tile is crushed
 5 but also adjacent landowners who may not
 6 participate.
 7 Will the land use change adversely
 8 influence living conditions due to the creation of a
 9 new pollution source? Studies and real-life
 10 testimony show that noise pollution, both audible
 11 and inaudible, infrasound, is a very real
 12 possibility for people living inside the footprint.
 13 The noise can cause sleep deprivation which in turn
 14 can cause serious adverse health effects.
 15 Will the land use change adversely
 16 influence adjacent property values? Common sense
 17 says that most people if given a choice would choose
 18 not to live amongst the turbines. Also studies on
 19 local property values in neighboring wind farms
 20 prove that the value is adversely affected.
 21 Will the land use change contribute to
 22 unsafe traffic patterns or undue congestion?
 23 Especially during construction phase, there is a
 24 serious concern about the traffic near the junior

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1 high in Forrest, but they forgot to put the grade
 2 school in there, as the proposed batch plant is
 3 across the street.
 4 Will the land use change adversely affect
 5 the valuable natural resources of the county?
 6 Besides taking prime farmland out of production,
 7 there could be impacts to all the farmland in the
 8 footprint due to restrictions upon aerial spraying,
 9 damaged tiles and et cetera.
 10 Will the land use change create additional
 11 environmental problems due to soil, vegetation,
 12 slope of the floodplain? Damaged tile and the
 13 resulting flood issues could cause problems with
 14 soil, vegetation and floodplain.
 15 Is the land use change consistent with
 16 municipal plans? The mayor of Chatsworth indicated
 17 there has been no discussion with his city regarding
 18 the plans.
 19 I would also like to tie this, my
 20 testimony, back to the ZBA Standards of Special Use
 21 based on incompatibility with the Comprehensive
 22 Plan. There are several violations. The
 23 application is not consistent in all respects to the
 24 Livingston County Comprehensive Plan and Livingston

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1 County Zoning Ordinance. There are many concerns I
 2 have discussed in which this project will
 3 potentially be detrimental to or endanger the public
 4 health, safety, morals, comfort and general welfare.
 5 This project has great potential of being
 6 injurious to the use and enjoyment of other property
 7 in the immediate vicinity for the uses already
 8 permitted or substantially reduce the value of
 9 neighboring properties.
 10 It also has the potential to impede
 11 orderly growth, development and improvement of
 12 surrounding properties for those uses permitted in
 13 the zoning district. Future development is
 14 restricted due to specific limits and setbacks,
 15 noise and potential shadow flicker; also due to the
 16 decreased property values and growth of the town.
 17 Finally, this special use is not
 18 consistent with the spirit, purpose and intent of
 19 these regulations. It will potentially injure the
 20 appropriate use of neighboring property
 21 substantially and permanently. It will be
 22 detrimental to the public convenience and welfare
 23 and this -- the growth and development improving.
 24 I -- I just got one more thing to say, and

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1 that's about the setback in Forrest. A mile and a
 2 half is probably not -- if this goes through, is
 3 probably not that bad, but a half mile and with that
 4 half mile, there is no way that that town can grow.
 5 And, like I say, there's the junior high on the
 6 north end and on the west end there's a little grade
 7 school, and they're going to have to put up with
 8 this, these poor kids. That's all I got.
 9 **CHAIRMAN CORNALE:** Thank you, Mr. Maubach.
 10 Do we have any questions for him at this point? All
 11 right, local government and school districts?
 12 Counsel on either side?
 13 **MR. LUETKEHANS:** (Shakes head).
 14 **MR. BLAZER:** (Shakes head).
 15 **CHAIRMAN CORNALE:** All right. Members of
 16 the audience, any questions from the audience?
 17 Anybody out there with questions? No. County
 18 counsel? County staff? ZBA again? Thank you, Mr.
 19 Maubach.
 20 Cheryl Hoffman. Cheryl Hoffman, are you
 21 available this evening?
 22 **MS. HOFFMAN:** No, not ready.
 23 **CHAIRMAN CORNALE:** Not ready, all right.
 24 Next I have Laura Kerber.

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1 **MR. LUETKEHANS:** She's on the list for
 2 Wednesday night.
 3 **CHAIRMAN CORNALE:** All right. Steve
 4 Knauer? Steve Knauer? Barb Cook? Barb Cook?
 5 Okay. Carol Knapp?
 6 **AUDIENCE VOICE:** She's absent.
 7 **AUDIENCE VOICE:** They're in Florida.
 8 **CHAIRMAN CORNALE:** All right. Harvey
 9 Zehr, Junior?
 10 **MR. LUETKEHANS:** He's going to be on my
 11 witness list for Wednesday night as well.
 12 **CHAIRMAN CORNALE:** Our Wednesday witness
 13 list is really growing. George Busch, B-U-S-C-H.
 14 Brent Johnston.
 15 **MR. BLAZER:** He's Wednesday.
 16 **CHAIRMAN CORNALE:** Terry Cope? Carolyn
 17 Gerwin? John A. Slagel?
 18 **MR. SLAGEL:** How long you got?
 19 **MR. BLAKEMAN:** Two minutes.
 20 **MR. SLAGEL:** I can introduce myself.
 21 **CHAIRMAN CORNALE:** All right, we'll skip
 22 over you. Warren Gillett? Warren Gillett? Adam
 23 Followell? Glen Schrof?
 24 **MS. REBEKAH FEHR:** He already spoke.

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1 **CHAIRMAN CORNALE:** All right. Just so
 2 everybody knows, that's everybody on the list that's
 3 supposed to testify. So everybody that said they're
 4 going to go Wednesday, factor that into your
 5 presentation, because Wednesday -- and then I guess
 6 we'll continue on the 25th. I'm going to remind
 7 everybody on the 25th is the last night to sign up,
 8 so you're going to need to make sure you've signed
 9 up.

10 **MR. LUETKEHANS:** Mr. Chairman, I have a
 11 question. Mark Aberle, did he already testify and I
 12 missed it or -- he did? I apologize, thank you.

13 **CHAIRMAN CORNALE:** Okay. I guess with
 14 that, remind everybody we're meeting on Wednesday
 15 here 6:30. Chuck, do we know anything about the
 16 25th, here or there or -- okay, we don't know the
 17 venue yet on the 25th. Need to make sure you're
 18 signed up. Certainly if you think you're going to
 19 testify, sign up on the 18th, but if not, sign up on
 20 the 25th. We're going to address the Rand situation
 21 with the report on Wednesday. That will be first
 22 thing.

23 With that, I need a motion to recess.

24 **MR. VITZTHUM:** I'll make that motion.

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1 **CHAIRMAN CORNALE:** Vitzthum motions. Can
 2 I get a second?

3 **MR. ZIMMERMAN:** Second.

4 **CHAIRMAN CORNALE:** All right, we've got a
 5 second, Howard Zimmerman seconds. All in favor?
 6 **ALL MEMBERS:** Aye.

7 **CHAIRMAN CORNALE:** Opposed?
 8 (Adjourned at 9:18 p.m.)

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1 STATE OF ILLINOIS)
 2 COUNTY OF FORD)SS
 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 March 16, 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 24th day of
 21 March, 2015.

22
 23 JUNE HAEME, CSR
 24 NOTARY PUBLIC

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

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